FINAL
ENVIRONMENTAL IMPACT REPORT

SDCRAA # EIR-19-02
State Clearinghouse No. 2019049125

AIRPORT LAND USE COMPATIBILITY PLAN
NAVAL AIR STATION NORTH ISLAND

Lead Agency:
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY -
AIRPORT LAND USE COMMISSION
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August 2020
Naval Air Station North Island

Final Environmental Impact Report
for the Naval Air Station North Island
Airport Land Use Compatibility Plan

Prepared for:
Airport Land Use Commission,
San Diego County Regional Airport Authority

Prepared by:
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1. INTRODUCTION

The Final Environmental Impact Report (Final EIR) for the Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plan (ALUCP) has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the State CEQA Guidelines. The San Diego County Regional Airport Authority (SDCRAA), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, is the lead agency for the project and has prepared this Final EIR. The Final EIR is finalized upon certification by the SDCRAA’s decision-making body, the SDCRAA Board; consequently, additional modifications to the Final EIR may be provided up until the time of certification.

This document incorporates the December 2019 Draft Environmental Impact Report for the Naval Air Station North Island Airport Land Use Compatibility Plan (Draft EIR) by reference, in its entirety, as revised by the Corrections and Additions described in Section 2 of this Final EIR. The Draft EIR is available for review at San Diego International Airport, Airport Authority Administration Building, 3223 North Harbor Drive, 3rd Floor, San Diego, California 92101 and at the website, https://www.san.org/nasni.

The contents of this Final EIR include:

Section 1: Introduction. This section summarizes the contents of the Final EIR.

Section 2: Corrections and Additions to the Draft EIR and Draft ALUCP. This section provides corrections and additions to the Draft EIR based on the consideration of comments received on the Draft EIR and the need for minor corrections or updates of Draft EIR information. It also provides corrections and additions to the proposed project, the NASNI ALUCP.

Sections from the Draft EIR where changes have been made are reproduced in Section 2. These changes do not add significant new information to the Final EIR that would require recirculation under State CEQA Guidelines Section 15088.5. Sections from the Draft ALUCP where changes have been made are also reproduced in Section 2 and are reflected in the Final ALUCP.

Section 3: Responses to Comments on the Draft EIR. This section includes responses prepared by the ALUC to all written comments submitted on the Draft EIR during the 62-day public review period from December 19, 2019 to February 18, 2020.

Appendix 1: Documentation of Draft EIR Public Comment Period. This appendix includes copies of advertisements and public notices announcing the availability of the Draft EIR and the public comment period.

Appendix 2: Public and Agency Comments on Draft EIR and Draft ALUCP. This appendix includes complete copies of all written comments on the Draft EIR and Draft ALUCP documents received during the public comment period.

Appendix 3: Documentation in Support of Responses to Comments. This appendix includes a series of letters, correspondence, and records of decisions supporting the responses to comments presented in Section 3 of the Final EIR.
2. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR AND DRAFT ALUCP

This section presents corrections and additions to the Draft EIR and the proposed project, the Draft ALUCP. Text that has been removed is indicated by strikeouts, and text that has been added is shown in underlined italics. Note that beyond the revisions to the Draft ALUCP discussed and documented in this section, minor edits and refinements were also made to the Draft ALUCP to provide clarification, and to correct clerical and formatting errors. None of these revisions constitute “significant new information,” as defined by CEQA Section 15088.5.

2.1 CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

1. The first sentence under “Aircraft at NASNI” in Section 3.2.1 on page 3-4 is hereby revised as follows:

The following list outlines the aircraft stationed and transient aircraft that operate at projected to be assigned to NASNI as of 2020 as described in the AICUZ study.

2. Section 4.5.5, “Regional Housing Needs Assessment Update Process,” is hereby revised as follows:

The San Diego Association of Governments (SANDAG) is in the process of updating the Regional Housing Needs Assessment (RHNA) for the 6th Housing Element Cycle (2021 – 2029). The ultimate objective of that process is to allocate the region’s needed housing units for the period, as determined by the State Department of Housing and Community Development (HCD), among the local governments throughout the region. Local governments are then required to update their housing elements with the goal of achieving their RHNA allocations.

In July of 2018, HCD determined the San Diego region would need to plan for 171,685 housing units during the 6th cycle (2021-2029). SANDAG, the council of governments for the San Diego region, is responsible for developing a methodology for allocating the regional housing need among the region’s 19 jurisdictions.1 SANDAG began the process in December of 2018. In July of 2019, SANDAG released the draft RHNA methodology for public comment. The SANDAG Board approved the draft methodology on September 6, 2019 and submitted it to HCD for review. SANDAG approved the final methodology on November 22, 2019 and released its draft housing allocations for local jurisdictions at that time. HCD has 60 days to review the draft methodology and provide comments to SANDAG. SANDAG anticipates adopting a final methodology late in 2019, when it will post on its website a draft allocation of the number and types of housing units for each jurisdiction. The draft allocation will be distributed to the local jurisdictions and HCD for an additional 45-day review. SANDAG will consider any comments received on the draft allocation and adopt a final methodology and allocation. After adoption, SANDAG will incorporate the RHNA allocations into its 2021 regional transportation plan. Local governments will update their housing elements to provide for achieving the new RHNA allocations.

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1 San Diego Association of Governments (SANDAG), Draft 6th Cycle Regional Housing Needs Assessment Methodology, September 6, 2019, p. 2.
The City of Coronado submitted comments to SANDAG on the draft RHNA methodology. The City noted that based on the draft RHNA methodology, it would be allocated a housing need of 1,001 dwelling units. The City expressed concerns with the practicality of that requirement. It also raised several specific concerns with the RHNA methodology, which, the City believes, results in an undue burden being assigned to Coronado. On January 6, 2020, the City filed an appeal with SANDAG, requesting a reconsideration of the draft RHNA allocation for the City.

The final RHNA allocation was approved by SANDAG on June 26, 2020. The final allocation for Coronado was 912 dwelling units. SANDAG must now incorporate the final RHNA allocations into its 2012 Regional Transportation Plan, and the local jurisdictions must update their housing elements to account for achievement of their RHNA allocations by April 2021.

As presented in Section 4.2.4 and summarized in Table 4-10, the implementation of the proposed ALUCP could result in the displacement of 28 single-family and 8 multiple-family housing units. While this potential impact is small relative to the total housing supply in Coronado (0.37 percent), a substantial increase in the City's RHNA allocation would increase the importance of this increment of potential housing capacity. It is difficult to envision how the City could reasonably plan for additional single-family housing development in the ALUCP Area of Potential Impact even without adoption and implementation of the ALUCP. On the other hand, an increase in the multiple-family housing supply in the Area of Potential Impact, if only by 8 units, would be reasonable and possible to achieve if the proposed ALUCP is not implemented.

Until the final RHNA methodology and Coronado's RHNA allocation are known, the potential contribution of the ALUCP to cumulative impacts on housing development cannot be determined. Nonetheless, given the potential for a substantial increase in Coronado's RHNA allocation, it is possible that implementation of the ALUCP could interact with the updated RHNA allocation and the updated Housing Element to create cumulative land use impacts.

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2 Richard Bailey, Mayor, City of Coronado, Re: SANDAG RHNA Methodology, letter to SANDAG Board of Directors, September 4, 2019.
7 Reasons for the speculative nature of potential single-family housing development in the proposed ALUCP safety zones were discussed in Section 4.2.4. In most cases, the large homes on the affected lots would have to be demolished to allow subdivided lots to be configured to accommodate additional development. Housing conditions in this area are excellent and housing values are very high, indicating that the area is unlikely to be attractive for substantial redevelopment. Given the high property values within the Area of Potential Impact, it difficult to envision how low- and moderate-income housing could be feasible in the area.
8 As discussed in Section 4.2.4, four R-3-zoned lots in the safety zones are developed at less than the maximum density permitted in the R-3 – Multiple-Family zone. Given the attractiveness of the neighborhood and the high value of housing in Coronado, it is reasonable to assume that the property owners may be interested in redeveloping the properties to maximize the number of housing units.
3. The following sentence is added at the end of the last paragraph in Section 4.5, “Cumulative Impacts:”

   In addition, the combined effects of the NASNI ALUCP with other approved ALUCPs at other airports in San Diego County are considered.

4. A new Section 4.5.6 is added as follows:

   **4.5.6 Other ALUCPs in San Diego County**

   Since 2006, the ALUC has approved ALUCPs for 15 other airports in San Diego County (six rural, general aviation airports, five urban, general aviation airports, two Marine air installations, one Navy air installation, and one commercial service airport), two of which affected land in the City of Coronado. Parts of the airspace protection boundaries and overflight areas of the San Diego International (SDIA) and Naval Outlying Landing Field Imperial Beach ALUCPs extend over parts of Coronado, as indicated in Exhibit 3-10 in the Draft EIR. Exhibit 3-10 also depicts parts of the NASNI airspace protection boundary extending over the SDIA and Montgomery-Gibbs Executive Airport Influence Areas. Adoption of the NASNI ALUCP will result in these areas of AIA overlap being subject to the airspace protection and overflight notification policies of the NASNI ALUCP, in addition to the airspace protection and overflight notification policies of the respective ALUCPs. This will not result in significant cumulative impacts for the following reasons:

   - The airspace protection policies and standards of the affected ALUCPs are essentially the same, requiring observance of the 14 CFR Part 77 regulations and compliance with the FAA’s Obstruction Evaluation/Airport Airspace Analysis process. Those policies and standards do not involve any limitation on the density or intensity of future land uses.
   - The overflight notification policies of the affected ALUCPs are the same. Buyers of future housing development in the Airport Influence Areas are to be informed that the property is within an AIA and is subject to potential airport-related effects. The notification policies do not involve any limitation on the density or intensity of future land uses.

5. Section 4.5.6, “Cumulative Impacts – Summary,” is renumbered to Section 4.5.7.

6. Section 5.6, “Alternative 3 – Application of ALUCP Noise and Safety Standards Only to Parcels Sited Completely Inside Noise Contours or Safety Zones,” is revised as follows:

   The boundaries of the proposed ALUCP noise contours and safety zones split many parcels. Thirty-seven parcels with more than 50 percent of their area within the safety zones or 65 dB CNEL contour are partially outside any safety zone or noise contour. A proposed ALUCP policy states that new or reconstructed buildings would be subject to the standards of the safety zone and/or noise contour in which the greatest proportion of habitable space, for a residential building, or gross floor area, for a nonresidential building, is located.

   Alternative 3 would apply the noise and safety standards of each noise contour range and safety zone only to parcels that are sited completely within a given noise contour range and/or safety zone. Parcels that are split by those boundaries would have to comply with the standards of the less restrictive noise contour range or safety zone. Thus, a parcel split by the 70 dB CNEL contour would have to comply with the standards of the 65 to 70 dB CNEL range. Parcels split between APZ I and APZ II would have to comply with the standards of the APZ II safety zone. Parcels that are split by the 65 dB CNEL contour would not be subject to any noise standards. Parcels that are partially inside a safety zone and partially outside any other safety zone would not be subject to any safety
standards. This alternative is based on suggestions made by City of Coronado staff at Working Group meetings during the ALUCP planning process.

*Thirty-six parcels that would be subject to the proposed ALUCP would be exempted from the ALUCP under Alternative 3. These parcels have more than 50 percent of their area within the safety zones or 65 dB CNEL contour, while the remainder of their area lies outside any safety zone or noise contour.*

7. The first sentence in Section 5.6.1, “Environmental Impacts of Alternative 3,” is revised as follows:

In the R-1A - Single-Family zoning district, this alternative would effectively remove five four parcels split by the Clear Zone (and partially outside any other safety zone) and 12 parcels split by the APZ I boundary (and partially outside any other safety zone) from the ALUCP safety zones.

### 2.2 CORRECTIONS AND ADDITIONS TO THE DRAFT ALUCP

1. Section 1.5 “Definitions” is hereby revised to add the following definition:

*Remodel – The improvement or reconfiguration of space within an existing building footprint.*

2. The definition of Existing Land Uses in Table 3 “Exemptions from ALUC Review” is hereby revised as follows:

*Any use lawfully attained and occurring at the time of ALUCP adoption that remains constant without physical change to its use, gross floor area, or height.*

*Any use occurring as of the effective date of this ALUCP that remains constant without increase in density or height of habitable space or physical change to a nonresidential structure’s gross floor area or height that would increase intensity (see Alterations to Existing Residential and Nonresidential Uses below)*

3. Two new subsections under Section 4.1.3 "Consistency Determination Review Process" have been added, as follows:

**Section 4.1.3.1 Review of Application for Completeness**

*ALUC staff must determine if the application for consistency determination from the local agency is complete and notify the local agency of application completeness in writing within 30 calendar days after receipt of an application.*

*If the application for consistency determination is incomplete, ALUC staff will identify the information required to complete the application and inform the local agency. If additional information is required, a new 30-calendar day review period begins after the additional information is received by ALUC staff.*

*If ALUC staff does not make a written determination of completeness within 30 calendar days after receipt of an application for consistency determination, the application is considered complete.*

**Section 4.1.3.2 Consistency Review Timeframe**

*The ALUC must respond to a local agency’s request for consistency determination within 60 calendar days after the application is deemed complete by ALUC staff.*

*The 60 calendar day review period may be extended if the local agency agrees in writing or so states at an ALUC meeting.*
If the ALUC fails to act within 60 calendar days, the proposed land use plan, regulation or project is considered consistent with this ALUCP. [Footnote: California Public Utilities Code § 21676(d).]

4. The key to Table 4 “Standards for Noise and Safety Compatibility” is hereby revised as follows:

<table>
<thead>
<tr>
<th>KEY TO TABLE 4:</th>
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</thead>
<tbody>
<tr>
<td>Compatible land use. Not subject to any noise or safety standards</td>
</tr>
<tr>
<td>Compatible land use if the indicated standards are met</td>
</tr>
<tr>
<td>Incompatible land use. [MOVED DOWN]</td>
</tr>
</tbody>
</table>

45, 50 Maximum interior sound level (in dB CNEL) from exterior noise sources with windows and doors closed. Interior sound level in new, reconstructed, or expanded portion of building, or in certain parts of building as described in the Standards columns, must perform to the level indicated. It is the responsibility of the project sponsor to demonstrate that the building, as designed, can achieve the interior sound level. This may be accomplished by the certification of an appropriately licensed design professional (engineer, architect, or acoustician with building design experience). The degree of acoustical treatment that is required necessary will vary based on building design and the noise exposure level to which the building is exposed.

5. A footnote was added at the end of the last sentence in Section 5.2.1.2 “Submitting FAA Determination or Certification of Shielding with ALUCP Consistency Application” as follows:

28 Title 14 Code of Federal Regulations Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace, § 77.15.

6. The first paragraph in Section 5.3 “Overflight Notification” is hereby revised as follows:

Exhibit 6, Overflight Notification Area, depicts the area within which the overflight notification policy of the ALUCP applies. For any land use project involving a new or completely reconstructed dwelling unit (or accessory unit) within the overflight notification area boundary, local agencies should provide a means for the owner of the dwelling unit to be notified of the potential effects of aircraft overflight.

7. The following paragraph in Section 6.1 “Local Agency Options After ALUC Adoption of ALUCP” has been deleted:

If the local agency decides to implement this ALUCP by amending its land use plans and regulations in stages, and if the ALUC has determined that those incremental land use plan and regulatory amendments are consistent with this ALUCP, the ALUC will not need to review proposed land use actions that are covered by those incremental amendments.

8. A new section in Appendix B “Implementation Tools and Documents” has been added as follows:

B.2 Pre-Implementation ALUC Project Submission Requirements

Projects requiring a determination of consistency with the NASNI ALUCP must submit an Application for Determination of Consistency for consideration by the ALUC. Applications are only accepted from the local agency having permit authority over the project. ALUC staff has the authority to issue consistency determinations for applications that are compatible with all four ALUCP compatibility factors and do not require any conditions, and also for applications where conditions are required by
the ALUCP for any factor. If a project is incompatible with any one of the factors, the consistency
determination will be made by the ALUC at a noticed public meeting.

In addition to a completed Application for Determination of Consistency form, the following items are
typically required in order for an application to be deemed complete:

- Property deed or title report, in name of current owner
- Project site plan with floor plans, dimensioned elevations & calculations to show ALUCP
density/intensity compliance
- FAA Determination(s) of No Hazard to Air Navigation for structure(s) and crane(s) or other
temporary construction objects (such as scaffolding, lifts, etc.)
- Disclosure of property owner and developer interests

Project applicants are encouraged to visit the san.org website to obtain the most current version of
the Application for Determination of Consistency form, which includes a list of all items required for
a complete application.
3. RESPONSES TO COMMENTS ON THE DRAFT EIR AND DRAFT ALUCP

The Draft EIR was made available for public review and comment on December 19, 2020. The comment period was originally intended to close on February 7, 2020, a period of 51 days. At the request of the City of Coronado (in a letter dated January 23, 2020), the comment period was extended to February 18, 2020, for a total of 62 days.

Section 15024 of the CEQA Guidelines provides guidance to the public in reviewing CEQA documents, including Draft EIRs. Without limiting the scope of comments, this section of the guidelines is designed to assist the public in focusing comments on issues that are substantive to the environmental analysis. Commenters should focus on the adequacy of the Draft EIR in identifying and analyzing impacts to the environment and ways in which the significant effects of the proposed project could be avoided or mitigated. This section states that comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or reduce the environmental effects of the proposed project. This section reiterates that the lead agency is bound by "reasonableness" in its analysis and that the lead agency is not required to respond to comments in the Final EIR that do not identify significant environmental issues, nor does it need to provide all information requested by reviewers as long as a good faith effort at full disclosure is made. However, the ALUC has opted to respond to all comments received throughout the public comment period, as provided in this section of the Final EIR, comments on both the Draft EIR and the Draft ALUCP documents.

Four letters were received from governmental entities and 51 letters and emails from members of the public. In addition, the same comment letter was submitted by 335 members of the public (referred to herein as the form letter).

This section is divided into two parts. Section 3.1 provides responses to comments raised by many commenters which have been grouped by topic. Given the widespread interest in these topics, and to avoid repetitiveness in the responses to comments, "topical responses" have been prepared to address these recurring topics. Section 3.2 provides responses to each written comment on the Draft EIR and the Draft ALUCP submitted during the comment period. The comments are assigned identification numbers for ease of reference. Each comment is quoted directly from the email or letter sent to SDCRAA and is followed by a response. In many cases, similar comments were submitted by different commenters. In those cases, references to appropriate topical responses or other responses to comments addressing similar comments are provided.

Complete copies of all written comments received during the public comment period are included in Appendix 2. They are included as part of the record and have been made available to the SDCRAA Board in its capacity as the ALUC for San Diego County, prior to its final decision on the EIR and ALUCP.
3.1 TOPICAL RESPONSES

Topical responses are provided in this section and are listed in Table 3-1.

### TABLE 3-1 LIST OF TOPICAL RESPONSES

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### TOPICAL RESPONSE T-01: AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) MUST BE BASED ON THE EXISTING AIR INSTALLATION COMPATIBLE USE ZONES (AICUZ) STUDY

A number of comment letters questioned whether the ALUCP should be based on the existing AICUZ Study, which many believe may be outdated and in need of updating. The California Public Utilities Code (PUC) requires the ALUC to formulate an ALUCP for the area surrounding any military airport. The ALUCP for any military airport must be consistent with the safety and noise standards in the Air Installation Compatible Use Zones (AICUZ) study for that military airport and must provide appropriate land use compatibility protection as required by law.

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9 California Public Utilities Code § 21675(b).
The current AICUZ Study for Naval Base Coronado, which includes NASNI and Naval Outlying Landing Field Imperial Beach (NOLF IB), was published in 2011 by the Naval Facilities Command Southwest (NAVFAC SW). As indicated in that consolidated 2011 AICUZ Study, the prospective level of aircraft operations is based on the anticipated transition of aircraft types and flight activity for 2020, consistent with Navy guidance: “Based on the currently available unclassified information, each installation will develop a forecast of air operations activity levels (normally for a time frame 5 to 10 years forward). Forecasts may be based upon historical trends or projected aircraft base loading and should address expected mission changes.”

With respect to the comments relating to whether the AICUZ study should be updated prior to preparing an ALUCP, according to the Navy’s AICUZ guidance, frequent AICUZ study updates are not advisable, because a primary purpose of the program is to promote long-term land use compatibility planning. Frequent changes in key planning parameters, including noise contours and accident potential zones, can undermine a long-term land use compatibility planning framework. The guidance states that “AICUZ reviews should be conducted when new requirements are anticipated at an installation such as basing of a new type of aircraft, significant increases in operational levels, or significant increases in nighttime (2200 to 0700 hours) flying activities.”

In addition, and importantly, in two letters, one dated October 30, 2017 and the other March 25, 2020, each from the Commander of Naval Base Coronado to the SDCRAA Director of Planning and Environmental Affairs, the Commander specifically addressed the question of whether the NASNI AICUZ Study had an expiration date. The Commander explained in the 2017 letter, “Navy policy emphasizes AICUZ studies are intended to be long term planning documents and regular updates are not required. AICUZ studies are reviewed when new requirements are anticipated at an installation, such as basing of a new type of aircraft, significant increases in operational levels, or significant increases in nighttime flying activities. At this time, the Navy is not anticipating new operational requirements at either NASNI or NOLFIB that would require such a review; therefore the current 2011 AICUZ study is valid indefinitely.” The same language appears in the 2020 letter, which further states, “The future year forecast and analysis is not intended to reflect the lifespan or an expiration date of the AICUZ study.” The 2020 letter goes on to say, “Please note that the National Environmental Policy Act analysis for the transition from the C2A aircraft to the Navy V22 [CMV-22B] aircraft at Fleet Logistics Centers, including NASNI, indicate that the proposed operations and noise contours associated with the aircraft transition are within the established parameters of the 2011 AICUZ study and a new study is not required.” A copy of each letter is included in Appendix 3.C.

As discussed in the DEIR, the Navy recently reviewed the AICUZ study as part of its Environmental Assessment of the planned conversion from C-2A Greyhound fixed-wing aircraft to CMV-22B Osprey tilt-rotor aircraft, starting in...
2020 and finishing by 2028. The EA concluded that no significant environmental impacts would occur with the proposed project.\(^{16}\) In addition, the EA concluded that no changes to the AICUZ study, prepared in 2011, would be required.\(^{17}\)

As background, the AICUZ Program was established in the 1970s by the U.S. Department of Defense for the purpose of achieving compatibility between air installations and neighboring communities. The AICUZ Program has been implemented through policies, procedures, and guidelines issued by each branch of the Department of Defense.\(^{18}\)

According to the Navy’s OPNAV Instruction 11010.36C, the AICUZ program’s purpose is to be achieved by:

a. Protecting the health, safety, and welfare of civilians and military personnel by encouraging land use which is compatible with aircraft operations;

b. Protecting Navy and Marine Corps installation investment by safeguarding the installation’s operational capabilities;

c. Reducing noise impacts caused by aircraft operations while meeting operational, training, and flight safety requirements, both on and in the vicinity of air installations; and

d. Informing the public about the AICUZ program and seeking cooperative efforts to minimize noise and aircraft accident potential impact by promoting compatible development in the vicinity of military air installations.\(^{19}\)

**TOPICAL RESPONSE T-02: AIRPORT MASTER PLANS AND AIR INSTALLATION COMPATIBLE USE ZONES STUDIES**

Some commenters expressed concern that the Draft ALUCP was not based on a 20-year airport master plan. It is important to distinguish the requirements for public use airports and military airports. Specifically, California PUC Section 21675(a) requires an ALUCP to be formulated for “each public airport”, that is, each airport served by a scheduled airline or operated for the benefit of the general public, “and the area surrounding the airport within the jurisdiction of the [Airport Land Use] [C]ommission” (ALUC). The ALUCP for public airports must “include and be based either on a long range master plan or an airport layout plan, as determined by the Division of Aeronautics of the California Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years.”\(^{20}\)

An ALUC must also prepare an ALUCP for the area surrounding any federal military airport. In contrast to the public use airport ALUCP requirement, however, the ALUCP for any federal military airport must be consistent with the


\(^{17}\) Naval Facilities Engineering Command, Atlantic Division, Final Environmental Assessment for the Transition from C-2A to CMV-22V Aircraft at Fleet Logistics Centers Naval Air Station North Island and Naval Station Norfolk, July 2018, p. ES-6. Cited in NASNI ALUCP Draft EIR, p. 4-19; Finding of No Significant Impact for the Environmental Assessment for the Transition From C-2A to Cmv-22B Aircraft at Fleet Logistics Centers - Naval Air Station North Island, California and Naval Station Norfolk, Virginia, November 1, 2018, p. 7 of 17.

\(^{18}\) The Navy’s current guidance is OPNAV Instruction 11010.36C, Air Installations Compatible Use Zones (AICUZ) Program, Chief of Naval Operations and Commandant of the Marine Corps, 9 October 2008.


\(^{20}\) California Public Utilities Code § 21675(a).
safety and noise standards in the military’s Air Installation Compatible Use Zone (AICUZ) study. Specifically, “[t]he commission [ALUC] shall include, within its plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any military airport for all of the purposes specified in subdivision (a). The plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport. This subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.”

For military airports, the AICUZ study is the source of information for projected operational levels, noise exposure, and safety zones (clear zones and accident potential zones), the information essential for the preparation of ALUCPs. Please also see letter from the Caltrans Division of Aeronautics to the ALUC, dated August 30, 2017, which reiterates the statutory requirement that the ALUC use the AICUZ study as the basis for the NASNI ALUCP, included as Appendix 3.D.22

**TOPICAL RESPONSE T-03: CONCERNS REGARDING CHANGES IN NASNI OPERATIONS**

Several commenters described concerns about alleged changes in NASNI flight routes over the years, including increases in flight operations and aircraft deviations from typical flight paths.

The ALUC has no “jurisdiction or authority over the territory or operations of any military airport.” As such, the ALUC must avoid assuming or suggesting that the operations will change in a manner not provided for in the AICUZ study. Assumptions regarding the flight routes, flight operations, and related roles of the airport must remain as indicated in the AICUZ study with which the ALUCP noise and safety standards must be consistent. These limitations must be followed by the ALUC when preparing the ALUCP. Any concerns related to flight operations should be directed to NASNI officials, as operations at NASNI are under the sole control of the Navy.

Some commenters appear to be under the impression that adoption of the ALUCP will set in place or specifically authorize certain flight procedures at NASNI. As noted in the responses to Comments T-02, T-04, and T-05, the ALUC has no jurisdiction or authority over NASNI. Flight operations are under the Navy’s control, subject to FAA regulations. Flight operations cannot be dictated by any local or state unit of government, including the ALUC. The ALUCP is being prepared based on the Navy’s description of its operation in the AICUZ study, as required by PUC Section 21675(b). Thus, adoption of the ALUCP by the ALUC will have no effect on flight operations at NASNI, nor will it constitute a limitation on the mode of flight operations, flight paths, and flight routes deemed necessary by the Navy.

Also, see Topical Response T-02.

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21 California Public Utilities Code § 21675(b). This section makes no reference to a forecast period.

22 Bolyard, Ron, Chief, Office of Aviation Planning, Caltrans, Division of Aeronautics, to Ms. April Boling, Chair, Airport Land Use Commission, San Diego County Regional Airport Authority, August 30, 2017; Fiore, Robert A., Caltrans Division of Aeronautics, Office of Aviation Planning, “RE: SD ALUC Request for Caltrans Written Acceptance,” email to Ralph Redman, June 20, 2019. Copies of this correspondence are in Appendix F of the ALUCP document and in Appendix 3.D of the Final EIR.

23 California Public Utilities Code § 21675(b).
TOPICAL RESPONSE T-04: AIRCRAFT NOISE FROM NASNI

Several commenters expressed concerns about noise from aircraft operating at NASNI, with some describing an increase in noise through the years or a concern about possible increases in noise due to the Navy’s planned transition to the CMV-22B Osprey tilt-rotor aircraft. As discussed in Topical Response T-03, concerns related to flight operations must be directed to NASNI officials, as operations at NASNI are under the sole control of the Navy. The ALUC has no jurisdiction or authority over the operation of NASNI, including potential impacts created by airport operations within their environs such as aircraft noise, air quality, or surface traffic.24

As discussed in the Draft EIR, the Navy recently reviewed the 2011 AICUZ study as part of its Environmental Assessment (EA) of the planned conversion from C-2A Greyhound fixed-wing aircraft to CMV-22B Osprey, starting in 2020 and finishing by 2028. The EA concluded that no significant environmental impacts would occur with the proposed project25 and that no changes to noise contours of the 2011 AICUZ study would be required. The ALUC is aware of the annoyance that can be caused by aircraft noise. Its ability to address the issue, however, is limited to land use planning for future development. One objective of the Draft ALUCP is to ensure that new noise-sensitive development within the 65 dB CNEL and higher noise contours meets interior sound level performance standards.26 The interior sound level performance standard is set at 45 dB CNEL (with windows and doors closed), consistent with AICUZ guidance.27 “New noise-sensitive development” would include new or totally reconstructed housing and the enlarged portion of an existing home expanded by 50 percent or more of the habitable area. The achievement of this interior sound level standard affords residents the option to close their doors and windows with comfort when they desire to attenuate aircraft noise. The interior sound level performance standards of the Draft ALUCP are consistent with the Noise Element of the Coronado General Plan, which states that “Residences may be constructed in Normally Unacceptable areas (between 65 and 75 dB CNEL contours) only of [sic] the proper precautions in construction are taken and sound barriers shall be required prior to construction.28 Also, see Topical Responses T-01, T-02, and T-03.

TOPICAL RESPONSE T-05: THE ALUC CANNOT MODIFY NASNI OPERATIONS TO REDUCE IMPACTS

Many commenters requested the ALUC to coordinate with the Navy to modify operations at NASNI to reduce impacts on the surrounding community. An explicit limitation on ALUC authority is set forth in PUC Section 21674(e) as follows: “[t]he powers of the commission shall in no way be construed to give the commission jurisdiction over

24 California Public Utilities Code § 21675(b).
26 San Diego County Regional Airport Authority, Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 2.
28 City of Coronado, General Plan, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), p. II-L8. The Noise Element (p.II-L15) also provides the following implementation measure: “The City of Coronado should ensure that its building code includes requirements for adequate sound insulation, especially in areas with a greater noise impact. Included in the building code should be window placement, size and number since most noise enters and leaves through windows.”
the operation of any airport." This specific limitation is provided in Section 3.2 of the Draft ALUCP; ALUCs have no jurisdiction over the operation of airports, per state law.29 The statute authorizing ALUCs to prepare ALUCPs for military airports also specifically states that, "This subdivision does not give the commission [ALUC] any jurisdiction or authority over the territory or operations of any military airport."30 In fact, the AICUZ program was established by the U.S. Department of Defense in order to protect the federal government’s investment in military airfields by providing information to support compatible land use planning near those airports.31 Thus, the ALUC is unable to consider operational or facilities changes at NASNI as either potential measures to mitigate environmental impacts of the Draft ALUCP or as the basis for alternatives to the policies and standards of the Draft ALUCP. All concerns related to NASNI operations must be directed to the Navy.

The AICUZ study describes noise abatement procedures in use at NASNI and discusses other operational alternatives that have been considered and determined to be infeasible.32

See also Topical Response T-03.

TOPICAL RESPONSE T-06: THE ALUC HAS AUTHORITY OVER CHANGES TO EXISTING LAND USES

Perhaps foremost among the statutory limitations on ALUCs is that they have no authority over existing land uses regardless of whether such uses are incompatible with airport activities.33 As noted by many commenters, the PUC states that its purpose is to ensure “the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.”34 [Emphasis added]

A subsequent section of the PUC explains that certain modifications to existing land uses are subject to the statute.

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook [Handbook], published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan [ALUCP] prepared by a commission [ALUC] pursuant to Section 21675.35 [Emphasis added]

30 California Public Utilities Code § 21675(b).
32 The Onyx Group, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, prepared for NAVFAC-SW, 2011, p. 3-16 – 3-18.
33 California Public Utilities Code §§ 21670(a) and 21674(e).
34 California Public Utilities Code § 21670(a)(2) (emphasis added).
35 California Public Utilities Code § 21674.7(2b) (emphasis added).
The Handbook explains that, "The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased compatibility conflicts would result. To the extent that such land use changes require ministerial or discretionary approval on the part of the county or city, they fall within the authority of the ALUC to review."[36] [Emphasis added]

The PUC does not define when in the land use planning and development process a proposed new land use effectively becomes an existing use. The Draft ALUCP (Table 3) addresses this matter by defining “existing land use” as follows:37

Any use occurring as of the effective date of this ALUCP that remains constant without increase in density or height of habitable space or physical change to a nonresidential structure’s gross floor area or height that would increase intensity (see Alterations to Existing Residential and Nonresidential Uses below)

A land use is also considered existing if a vested right is obtained in any of the following ways prior to adoption of this ALUCP:

- Issuance of a valid building permit or other development permit with substantial work performed and substantial liabilities incurred in good faith reliance on the permit38
- An executed and valid development agreement39
- An approved and unexpired vesting tentative map40

In addition, the PUC does not address the question of whether or how much an existing use can be modified or reconstructed without being subject to the ALUCP. These types of issues have been addressed directly by provisions in the Draft ALUCP. Specifically, the Draft ALUCP would apply to some proposed changes in existing land uses, such as proposals for change to an incompatible land use and increases in structure height. Proposals to expand or reconstruct residences by 50 percent or more of the habitable area would be compatible subject to the achievement of interior sound level performance standards (45 dB CNEL) in the expanded or reconstructed parts of the dwelling. These policies were developed over a period of several months in consultation with the Working Group and after being subject to public review and comment at Community Meetings held during the planning process.

36 The Onyx Group, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, prepared for NAVFAC-SW, 2011, p. 4-41.
37 San Diego County Regional Airport Authority, Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, Table 3, p. 9.
38 Pursuant to the California Supreme Court decision in Avco Community Developers, Inc. v. South Coast Regional Com. (1976) 17 Cal.3d 785,791 and its progeny.
39 California Government Code § 65866.
40 California Government Code § 66498.1.
Table 3 in the Draft ALUCP[^41] describes the alterations to existing land uses that are exempt from the ALUCP. Exempted alterations, so long as they include no proposed increases in structure height, are as follows:

- Repair, maintenance, and remodeling of an existing residential dwelling unit
- Reconstruction of less than 50 percent of the habitable space of a residential dwelling unit
- Expansion of a residential dwelling unit by less than 50 percent of the habitable area
- Repair, maintenance, and remodeling of an existing nonresidential use within its existing gross floor area
- Reconstruction of less than 50 percent of the gross floor area of a nonresidential use
- Tenant changes within an existing structure to any use other than an incompatible use as described in Table 4, Standards for Noise and Land Use Compatibility

TOPICAL RESPONSE T-07: WHY DO THE ALUCP POLICIES APPLY TO CORONADO WHEN THE CITY WAS THERE BEFORE NASNI?

In the broadest sense, the PUC defines the powers and duties of the ALUC in terms that align with the ALUC’s purpose: “To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.”[^42] Therefore, the ALUC’s responsibilities include land use compatibility planning around new airports as well as existing airports. The fact that the city of Coronado existed prior to NASNI does not negate the ALUC’s responsibility to prepare and adopt an ALUCP for NASNI.

The legislature anticipated that ALUCPs would be established for areas that were already developed by stipulating the ALUCPs could apply only to new development or changes to existing land uses.[^43] Practically speaking, the overwhelming number of cities and towns in California, including most municipalities and unincorporated communities in San Diego County with airports for which the ALUC has adopted an ALUCP, predated the creation of the respective public or military airport in their vicinities. Almost all developed communities were in existence long before aviation came into being, and there is no uniqueness with respect to Coronado in terms of its existence as a city before the establishment of an adjacent military airport.

TOPICAL RESPONSE T-08: WILL THE ALUCP LEAD TO DISINVESTMENT AND URBAN DECAY?

Some commenters expressed concern that the land use compatibility policies and standards of the Draft ALUCP are so restrictive and Draft ALUCP review process so burdensome and time-consuming, that implementation could discourage new investment in the Draft ALUCP Area of Potential Impact (the area within the safety zones and 65 dB CNEL contour), ultimately leading to urban decay. (See Topical Response T-16 for a discussion of the ALUC administrative process.)

The policies and standards of the Draft ALUCP are limited in their application to new land uses and specific changes in existing land uses. All existing land uses, as that term is defined in the Draft ALUCP, located within the Area of

[^41]: San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 10.

[^42]: California Public Utilities Code § 21674(a).

[^43]: California Public Utilities Code §§ 21670(a)(2) and 21674.7(b).
Potential Impact are unaffected by and exempt from the Draft ALUCP. Only new uses and certain proposed changes to existing land uses would be subject to Draft ALUCP policies and standards. Many kinds of development would be unaffected by implementation of the ALUCP. As described in Table 3 of the Draft ALUCP,\textsuperscript{44} various development projects would be exempt from ALUC review and other projects would require only measures to attenuate outdoor noise to maximum interior levels of 45 dB CNEL.\textsuperscript{45} (See Topical Response T-06.)

Section 4.2.4 of the Draft EIR analyzes the impacts of the Draft ALUCP on potential future development within the Area of Potential Impact.\textsuperscript{46} Section 4.2.4.7 of the Draft EIR presents a summary of conclusions relative to those impacts.\textsuperscript{47} As the analysis indicates, all potential land use impacts are speculative.

- No undeveloped land exists in the Area of Potential Impact.
- The nineteen single-family zoned properties subject to the potential displacement of 28 future residences are all currently developed and would have to be subdivided to accommodate any additional residences (other than accessory dwelling units). In at least some cases, the existing homes would have to be removed to allow for the subdivision and siting of new homes on the affected lots.
- The four multiple-family zoned properties subject to the displacement of eight future dwelling units are all currently developed and would likely require redevelopment in order to accommodate more housing.
- Two existing C—Commercial-zoned properties, which are currently developed, would be subject to the Draft ALUCP policy limiting increases in gross floor area.
- One H-M—Hotel-Motel-zoned property, the Hotel del Coronado, would be subject to the Draft ALUCP policy limiting increases in gross floor area. The Amended Master Plan for the property, however, would be unaffected by that limitation as it has been approved and has vested rights to build additional square footage. Thus, only speculative long-term development, for which there are currently no plans, would be affected by implementation of the Draft ALUCP.
- The Draft ALUCP would consider the development of various new land uses, none of which currently exist within the safety zones, to be incompatible. These include uses serving large assemblies of people and people with limited effective mobility and uses involving the storage or processing of large quantities of hazardous materials.\textsuperscript{48} Because no undeveloped land remains within the safety zones, these uses could only be accommodated through reconstruction or the adaptive reuse of existing buildings (the overwhelming majority of which are currently residential). Most of the incompatible nonresidential uses are institutional or public service uses, which are both subject to limited development demand and priced out of the local real estate market.\textsuperscript{49}

\textsuperscript{44} San Diego County Regional Airport Authority, \textit{Draft Naval Air Station North Island Airport Land Use Compatibility Plan}, December 2019, p. 9 – 10.
\textsuperscript{45} San Diego County Regional Airport Authority, \textit{Draft Naval Air Station North Island Airport Land Use Compatibility Plan}, December 2019, p. 21 – 24.
\textsuperscript{46} San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-22 – 4-48.
\textsuperscript{47} San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-39 – 4-48.
\textsuperscript{48} San Diego County Regional Airport Authority, \textit{Draft Naval Air Station North Island Airport Land Use Compatibility Plan}, December 2019, p. 21–24.
\textsuperscript{49} San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-47 – 4-48.
No commenters have provided any evidence of how the speculative effects described above could set in motion a downward spiral of disinvestment and urban decay, especially in an area so highly valued in the real estate market.50

The ALUC has been administering ALUCPs for other airports in San Diego County for over 10 years. Parts of the airport influence areas for those ALUCPs include mature communities that have been developed for many decades. Examples include the communities near San Diego International Airport, Montgomery-Gibbs Executive Airport, Gillespie Field, and Brown Field Municipal Airport. None of the affected communities have reported any reduction in community investment or increases in urban decay attributable to ALUCP impacts.

**TOPICAL RESPONSE T-09: WILL THE ALUCP ADEVERSLY AFFECT PROPERTY VALUES?**

Some commenters are concerned that implementation of the Draft ALUCP will lead to urban decay, resulting in a decline in property values in Coronado, particularly within the Area of Potential Impact (within the safety zones and the 65 dB CNEL contour). As discussed in Topical Response T-08 there is no evidence, and none has been provided, that indicates that the Draft ALUCP policies and standards, if implemented by the City through an update to applicable land use plans and regulations, would lead to urban decay and a decline in property values.

Much of the concern about potential effects on property values appears to be based on a characterization of the Draft ALUCP’s policies and standards as imposing severe restrictions on the maintenance, repair, and improvement of housing in the Area of Potential Impact, which would lead to disinvestment and urban decay. This is discussed in Topical Response T-08. It is possible that the incorporation of sound attenuation measures in expansions or newly constructed structures could enhance the value of subject properties by reducing the level of external noise for the interior comfort of the occupants. Similarly, limits on the potential establishment of high-occupancy, risk-sensitive land uses, such as indoor places of public assembly or convalescent homes, may be seen in the real estate market as reinforcing residential property values.

Some commenters expressed concern that adoption and implementation of the Draft ALUCP involves changes in flight operations at NASNI that could lead to impacts on property values. Flight operations at NASNI are independent of the ALUCP. The ALUC has no jurisdiction or authority over NASNI. See Topical Response T-03.

The basic purpose of CEQA is to inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.51 CEQA does not require an economic analysis of the potential displacement that may result from adoption of the plans. Economic changes resulting from a project shall not be treated as significant effects on the environment.52 In addition, evidence of economic or social impacts that do not

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50 “In January 2019, average prices for homes in the neighborhoods within the safety zones listed on trulia.com ranged from $25,000,000 to $1,398,000 (https://www.trulia.com/real_estate/Coronado-California/, accessed January 30, 2019). A search of homes listed on Zillow found 18 homes in the study area listed for sale with prices ranging up to $25,000,000. Ten of the homes were listed for more than $3,500,000 (https://www.zillow.com/homes/for_sale/32.6926,-117.176453,32.67994,-117.196966_rect/15_zm/1_fr/, accessed January 30, 2019).” See San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, footnote 58, p. 4-27.

51 Association of Environmental Professionals, 2019 California Environmental Quality Act (CEQA) Statute and Guidelines, CEQA Guidelines, Section 15002(a).

52 Association of Environmental Professionals, 2019 California Environmental Quality Act (CEQA) Statute and Guidelines, CEQA Guidelines Sections 15064(e) and 15131(a).
contribute to or are not caused by physical change in the environment is not substantial evidence that the project may have a significant effect on the environment. 53

Also, see Topical Responses T-13 and T-14.

**TOPICAL RESPONSE T-10: WHO IS FINANCIALLY RESPONSIBLE FOR SOUND ATTENUATION MEASURES?**

Assuming the City were to condition development permits in accordance with Draft ALUCP standards, property owners and developers would be financially responsible for ensuring the achievement of the interior sound level performance standards of the Draft ALUCP.

Per the Draft ALUCP (Table 4, Standards for Noise and Safety Compatibility), interior sound level performance standards (of 45 dB CNEL) apply to the development of new noise-sensitive land uses, including residential; hospitals and nursing homes; schools and child day care centers; indoor places of public assembly, libraries, museums, and art galleries; indoor places of entertainment assembly; indoor sleeping areas in campground structures; and resorts within the 65 dB CNEL contour. 54 Interior sound level performance standards would also apply to the new components of residential reconstruction or expansion projects involving 50 percent or more of the habitable area of the existing residence. 55 Thus, achievement of the sound level performance standards would apply only to new residential construction. Existing residential and nonresidential buildings need not be retrofitted to achieve the interior sound level performance standards. See Topical Response T-14.

The Draft ALUCP standards described in Table 4 also include the achievement of an interior sound level performance standard of 50 dB CNEL in commercial offices and public reception areas. Because standard construction typically reduces exterior noise indoors by at least 20 dB, 56 achievement of this standard may necessitate special attenuation measures only for new construction within the 70 dB CNEL and higher noise contours. Note that no commercial-zoned areas are within the 70 dB CNEL and higher noise contours. Part of the H-M – Hotel-Motel zoning district (entirely within the Hotel del Coronado property) lies between the 70 and 75 dB CNEL contours.

As discussed in the Draft EIR, the interior sound level performance standards can be achieved with measures that reduce outdoor noise levels heard inside the structure by 20 to just over 30 dB, depending on the noise contour in which the structure is located. The lower level of noise reduction can be achieved through conventional energy-efficient construction and higher levels through the addition of acoustical windows and doors, baffling of vents to the outdoors, careful weather-stripping and caulking. For higher noise level reduction levels (up to 35 dB), additional

53 Association of Environmental Professionals, 2019 California Environmental Quality Act (CEQA) Statute and Guidelines, CEQA Guidelines Section 15064(f)(6).
54 San Diego County Regional Airport Authority, Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 21–24.
55 Less stringent interior sound level standards (50 dB CNEL) would also apply to noise-sensitive parts of new nonresidential development in areas exposed to noise above 70 dB CNEL. See NASNI ALUCP, December 2019, p. 21–24.
energy-conserving insulation and an additional layer of drywall in ceiling and wall assemblies. As stated in a U.S. Navy residential sound insulation guidance document, “The cost to build a sound insulated home is only slightly higher than the cost to build a standard home. Some design considerations may have no cost associated with them, such as locating bedrooms away from the flight pattern.”

The sound level reduction standards of the Draft ALUCP, as they apply to residences, are consistent with the Noise Element of the Coronado General Plan, as quoted below:

> Residential development should not be allowed in areas that are in Clearly Unacceptable [above 75 dB CNEL] or in Normally Unacceptable area [between 65 and 75 dB CNEL]. Residences may be constructed in Normally Unacceptable areas only of the proper precautions in construction are taken and sound barriers shall be required prior to construction.

The policies of the Noise Element do not discuss financial responsibility for sound level reduction treatments or noise barriers, which would seem to indicate that this is intended to be the property owner’s or developer’s responsibility.

In fact, no financial assistance for installing sound attenuation measures in new construction is provided to property owners in the vicinity of any airport in San Diego County either by the ALUC or other local agencies.

Some commenters cited the Quieter Home Program (QHP) in the noise-impacted areas around San Diego International Airport as a program that could be desirable in the NASNI area. The QHP provides sound attenuation for existing homes that meet program eligibility criteria. No assistance is provided for the construction of new homes, the expansion of existing homes, and other development. The QHP is funded through FAA Airport Improvement Program grants that are available to civil airport operators with FAA-approved Noise Compatibility Programs. The Department of Defense does not have a similar program for either new or existing homes in the vicinity of military airports.

**TOPICAL RESPONSE T-11: PROCESS FOR LOGGING AND RESPONDING TO COMMENTS**

All comments submitted on the Draft EIR have been compiled and included in Appendix 2 of this Final EIR. Responses to the public comments received on the Draft EIR and NASNI Draft ALUCP are included in Section 3-2 below. Table 3-2 lists the public comment letters along with the letter identifications assigned to each public comment letter, the commenters’ name(s), the organizations/affiliations (if applicable) and the dates of the letters.

All public comments will be included as part of the record made available to the ALUC, prior to a final decision on certification of the EIR and adoption of the Draft ALUCP.

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57 San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-26–4-27.


59 City of Coronado, General Plan, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), p. II-L-5 and II-L8. Bracketed language inserted to reflect Figure 2, Noise Sensitivity of Land Use, on page II-L5.
Note that, beyond the corrections and additions to the Draft EIR discussed and documented in Section 2 of this Final EIR, minor edits, revisions, and refinements were also made to the Draft ALUCP to provide clarification, and to correct clerical and formatting errors. None of these revisions constitute “significant new information,” as defined by CEQA Guidelines Section 15088.5.

TOPICAL RESPONSE T-12: NOTICES OF FUTURE MEETINGS AND INFORMATION RELEASES

The ALUC will distribute notices of the release of the Final EIR and certification hearing before the ALUC to persons and agencies on the Draft EIR Notice of Availability (NOA) distribution list, all commenters on the Draft EIR who provided contact information, and any other members of the public who provide contact information and request such notices. Notices for the ALUC meeting, at which they will consider adoption of the ALUCP, will also be distributed to all persons and agencies as per above.

TOPICAL RESPONSE T-13: ALUCP POLICY ON MAXIMUM HEIGHT LIMITS OF BUILDINGS AND OTHER OBJECTS

Some commenters expressed concerns that the Draft ALUCP would establish new height limits on proposed structures and other objects. The Draft ALUCP policies and standards relating to height limits reflect existing FAA regulations and California aeronautics law, which apply regardless of whether the Draft ALUCP is adopted. Developers in Coronado are currently subject to those FAA regulations and state laws. Generally, all proposed projects exceeding heights specified by the FAA or that may interfere with electronic navigational signals and radar require notice to the FAA so that the FAA can determine whether any hazards to flight may be caused. As a result, approval of the Draft ALUCP would not result in environmental impacts attributable to the airspace protection policies and standards, since they do not impose additional requirements relative to the existing regulatory construct.

With implementation of the Draft ALUCP, the height limits established in local government zoning ordinances, including the Coronado Zoning Code, could remain in place. Except for the R-5—Multiple-Family Residential zone, which has a height requirement of 150 feet, the Coronado Zoning Code sets maximum height limits ranging from 30 to 40 feet above grade. Proposed structures complying with height limits of 30 to 40 feet are unlikely to be determined by the FAA to be hazards, but federal regulations require those determinations to be made by the FAA.

As noted, the Draft ALUCP provides for compliance with longstanding federal regulations, which authorize the FAA to review proposed construction for its potential impact on airspace. The FAA’s Obstruction Evaluation/Airport

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60 Most of the City of Coronado, excluding the Coronado Cays, is within the airspace protection boundary defined by the SDIA ALUCP, which was adopted in 2014. Thus, the airspace protection policies and standards of the SDIA ALUCP, which are substantially the same as the Draft NASNI ALUCP policies and standards, have applied in most of Coronado since 2014.


62 City of Coronado, Municipal Code, Title 86, Zoning, Chapters 86.08 through 86.46; Orange Avenue Corridor Specific Plan, p. 44, 49.

Area Airspace (OE/AAA) review process is described in the Draft ALUCP. Only proposed structures determined by the FAA to be hazards to air navigation or that would increase the ceiling or visibility minimums for an existing or planned instrument procedure, airway, route, or minimum vectoring altitude or conflict with instrument or visual flight rules airspace would be incompatible with the airspace policies and standards of the Draft ALUCP. In those cases, the heights of proposed structures and objects may need to be lowered to eliminate the hazard. Note that state law prohibits the erection of any structures or objects determined by the FAA to be hazards without the issuance of a permit from Caltrans.

Sponsors of proposed projects of 200 feet in height or less have the right to avoid filing for FAA OE/AAA review if they provide evidence that the proposed structure or object “will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation.”

During the ALUCP planning process, some Working Group members suggested that the ALUCP should exempt proposed structures and objects of less than a certain minimum height from FAA OE/AAA review. The ALUC has no authority to issue exemptions from compliance with federal regulations. In response to this suggestion, however, an explanation of the federal regulation related to shielding of a proposed structure, discussed above, was added to the Draft ALUCP.

The City of Coronado’s General Plan and Zoning Code were reviewed during the process of drafting the ALUCP and EIR, and no specific inconsistencies with the airspace protection policies and standards of the Draft ALUCP were found. As discussed in Section 4.2.2.1 of the Draft EIR, the Safety Element of the Coronado General Plan supports the need for referring to the AICUZ study when considering certain types of development proposed within the AICUZ-defined compatible use zones. The relevant General Plan policy is quoted below:

To assure the continued viability of the North Island Naval Air Station’s flight operations and minimize flight hazards and flight noise impacts to the public, the most current “Air Installations Compatible Use Zones Study” or a similar independent analysis will be consulted by the City prior to approval of any discretionary land use permit or approval that would modify the use, density or intensity of development permitted for a property in said Compatible Use Zones. The City will consult with the Navy concerning prospective development approvals when the “Study” needs further interpretation for a particular project.

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64 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 26–27.
65 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 27.
66 California Public Utilities Code §§ 21657 and 21659(b).
67 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 26–27. This right is also provided for in federal regulations [See Title 14 Code of Federal Regulations Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, § 77.9(e)(1)].
68 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 26-27.
The airspace protection policies and standards of the Draft ALUCP would appear to be in accord with this General Plan policy, especially given the stated purpose of the policy.

Nevertheless, after adoption of the ALUCP, implementation of the airspace protection policies and standards could be facilitated by amendment of either the City’s General Plan or zoning regulations or by adopting specific administrative guidelines relating to the review of proposed projects. Specifically, the potential amendments or administrative procedures would implement the policies and standards described in Sections 5.2.1 through 5.2.5 of the Draft ALUCP. The purpose of the amendments or administrative procedures would be to remind planning department staff to inform project applicants of their obligation under federal law to file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) with the FAA (if required) and to ensure that the developer complies with the findings of the FAA’s obstruction evaluation/aeronautical study of the proposed project.

**TOPICAL RESPONSE T-14: ALUCP POLICIES ON SINGLE-FAMILY HOUSING EXPANSION AND RECONSTRUCTION**

Nothing in the Draft ALUCP would prevent homeowners from making improvements to their single-family residences. Repair, maintenance, remodeling, and expansion or reconstruction of less than 50 percent of the habitable area are specifically exempted from ALUC review. Nothing in the Draft ALUCP calls for retrofitting of existing residential units with sound attenuation measures, nor does the ALUC have the authority to impose such a retroactive standard to existing land uses.

Expansion or reconstruction of single-family residences involving 50 percent or more of the habitable area would be compatible with the Draft ALUCP noise policies provided that the expanded or reconstructed portions of the homes are treated to achieve the interior sound level performance standard of 45 dB CNEL. This provision also applies to the total reconstruction of a single-family residence. In addition, the construction of accessory dwelling units would be compatible with the Draft ALUCP noise policies subject to the interior sound level performance standard.

The interior sound level performance standards of the Draft ALUCP, as they apply to residences, are in accord with the Noise Element of the Coronado General Plan, as quoted below:

> Residential development should not be allowed in areas that are in Clearly Unacceptable [above 75 dB CNEL] or in Normally Unacceptable area [between 65 and 75 dB CNEL]. Residences may be

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70 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 26–27.

71 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 27.

72 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 9–10.

73 California Public Utilities Code §§ 21670(a) and 21674(a).

74 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, Table 3, p. 9 – 10, Table 4, p. 21.

75 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, Table 4, p. 21.
TOPICAL RESPONSE T-15: RELATIONSHIP OF CORONADO GENERAL PLAN TO DRAFT ALUCP

Some commenters expressed concern about the relationship of the Coronado General Plan to the Draft ALUCP. Among the concerns was that the General Plan is inconsistent with the Draft ALUCP and would require amendment after adoption of the ALUCP.

As discussed in Section 4.2.2.1 and Section 4.2.5 of the Draft EIR, no provisions of the General Plan were found to be in conflict with the Draft ALUCP.77

Policies in the Noise and Safety Elements of the General Plan are specifically consistent with the Draft ALUCP, as discussed in Section 4.2.2.1 of the Draft EIR.78

Noise Element

The Noise Element includes a noise land use sensitivity table, which is reproduced as Table 4-2 in the Draft EIR.79 It classifies land uses as clearly acceptable, normally acceptable, normally unacceptable, and clearly unacceptable within 5 dB CNEL ranges. Land uses identified as noise-sensitive, that is, normally unacceptable at levels below 75 dB CNEL, are as follows:

- Single-family homes, townhouses, and apartments – normally unacceptable at levels between 65 dB and 75 dB CNEL; clearly unacceptable at levels above 75 dB CNEL.
- High-rise residences – considered normally unacceptable between 70 dB and 80 dB CNEL; clearly unacceptable above 80 dB CNEL.
- Hotels and motels – normally unacceptable between 70 and 80 dB CNEL; clearly unacceptable above 80 dB CNEL.
- Schools, churches, and libraries – normally unacceptable between 60 and 75 dB CNEL; clearly unacceptable above 75 dB CNEL.
- Auditorium and concert halls – normally unacceptable between 60 and 70 dB CNEL; clearly unacceptable above 70 dB CNEL.
- Parks and playgrounds – normally unacceptable between 65 dB and 75 dB CNEL; clearly unacceptable above 75 dB CNEL.

76 City of Coronado, General Plan, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), p. II-L-5 and II-L-8. Bracketed language inserted to reflect Figure 2, Noise Sensitivity of Land Use, on page II-L5.
77 San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-4 – 4-13, 4-48.
78 San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-10 – 4-13.
79 San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-12.
- Golf courses and riding stables – normally unacceptable between 70 dB and 80 dB CNEL; clearly unacceptable above 80 dB CNEL.

The Noise Element states that: "[r]esidential development should not be allowed in areas that are in Clearly Unacceptable [75+ dB CNEL] or in Normally Unacceptable [65 to 75 dB CNEL] areas. Residences may be constructed in Normally Unacceptable areas only if the proper precautions in construction are taken and sound barriers shall be required prior to construction." The implementation section of the Noise Element calls for the establishment of building code requirements ensuring adequate sound insulation, "especially in areas with a greater noise impact." The City has not implemented that provision of the Noise Element.

While the policies of the Noise Element are less specific than the noise policies and standards of the Draft ALUCP, they are consistent with the Draft ALUCP. Recognizing that the safety zones all lie within the 65 dB CNEL contour, ALUCP safety policies and standards that would limit the development of new risk-sensitive land uses within the safety zones that are also noise-sensitive uses (including schools, places of indoor assembly, and auditoriums and concert halls) also would be consistent with the Noise Element of the General Plan.

**Safety Element**

The applicable policy in the Safety Element is quoted below:

> To assure the continued viability of the North Island Naval Air Station’s flight operations and minimize flight hazards and flight noise impacts to the public, the most current "Air Installations Compatible Use Zones Study" or a similar independent analysis will be consulted by the City prior to approval of any discretionary land use permit or approval that would modify the use, density or intensity of development permitted for a property in said Compatible Use Zones. The City will consult with the Navy concerning prospective development approvals when the “Study” needs further interpretation for a particular project.

Draft ALUCP policies and standards limiting the development of various risk-sensitive land uses and increases in the gross floor area of nonresidential development within the safety zones, as noted in Table 4 of the Draft ALUCP, would appear to be in accord with this Safety Element policy. The airspace protection policies and standards of the Draft ALUCP would also appear to be in accord with this General Plan policy, especially given the stated purpose of the policy “to assure the continued viability of the North Island Naval Air Station’s flight operations and minimize flight hazards...”

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82 Implementation of the ALUCP noise policies and standards by the City of Coronado would require adoption of a zoning or building regulation establishing the sound level performance standards of the ALUCP.


84 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 21–24.

TOPICAL RESPONSE T-16: WILL ALUCP COMPLIANCE INCREASE PERMIT PROCESSING TIMES?

In administering ALUCPs for the other 15 airports in San Diego County, the ALUC has established project review procedures ensuring the efficient processing of referrals for ALUCP consistency review. Although permitted by state law to do so, the ALUC does not charge any fees for its review. While the law requires the ALUC to make a consistency determination within 60 days of receiving a complete application for a determination of consistency with the ALUCP, based on the ALUC’s experience, the entire consistency review process typically ranges from one to three weeks, assuming initial receipt of a complete application. Unless the proposed land use is considered to be inconsistent with the ALUCP, ALUC staff have authorization to issue the consistency determination; only those land use actions which are incompatible with one or more of the ALUCP compatibility factors must go before a noticed hearing of the full ALUC. Thus, the costs and timeline of obtaining consistency determinations are not so burdensome as to unduly delay the processing time of development permits, as the ALUC’s review runs concurrent with, not consecutive to, the City’s own permit processing schedule.

Moreover, the City of Coronado has the ability to implement the ALUCP into its own General Plan and zoning code, which, once formally acknowledged by the ALUC, will alleviate the need for individual project referrals for consistency determination to the ALUC. This expeditious process has been accomplished by a number of jurisdictions in San Diego County, such as the cities of Carlsbad, El Cajon, Imperial Beach, and San Diego as well as the County of San Diego. One method of implementing the ALUCP is through adoption of an overlay zoning ordinance, applying the ALUCP policies and standards within overlay zones corresponding with the ALUCP noise contours and safety zones. Such action by the City of Coronado would reduce the administrative burden and timeline to the full extent possible. Alternatively, the City of Coronado may overrule the ALUCP (or portions of it), which would make project referrals to the ALUC unnecessary.

The City of Coronado has also expressed concern about the time required for the FAA to complete its OE/AAA review process. FAA review of proposed construction and alteration of structures and objects is required by longstanding federal regulation (i.e., proposed structures in the City of Coronado are already required to undergo FAA airspace review) and is independent of the Draft ALUCP. The ALUC has no authority over the FAA process and cannot provide assurances about the time involved with the FAA process. Also, see Topical Response T-13.

TOPICAL RESPONSE T-17: EFFECT OF DRAFT ALUCP POLICIES AND STANDARDS ON EXISTING DEVELOPMENT

Some of the concerns about the Draft ALUCP expressed by commenters indicate that they may misunderstand the scope and effect of the draft policies and standards. Three sets of concerns raised by commenters are addressed below.

- The Draft ALUCP has no requirement to retrofit existing residential and nonresidential uses to achieve noise level reductions as long as those existing uses remain constant and unchanged. The ALUC has no authority over existing land uses that remain unchanged. Also, see Topical Response T-06.

- Expansion of existing residential land uses is compatible with the noise and safety policies and standards of the Draft ALUCP. Residential land use expansions are not affected by the Draft ALUCP, unless they involve 50 percent or more of the habitable area. In those cases, expansions would be compatible as long as the new/expanded

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86 California Public Utilities Code § 21676(d).
87 California Public Utilities Code §§ 21670(a) and 21674(a).
portion of the residence can achieve maximum interior sound level of 45 dB CNEL and avoids creating an airspace hazard. (Also, see Topical Responses T-13 and T-14.)

- Sound level performance standards of the Draft ALUCP could apply to commercial development in limited cases.
  - The standards require new commercial development to achieve an interior sound level performance standard of 50 dB CNEL. Standard construction can achieve a noise level reduction of at least 20 dB. This means that special sound attenuation measures would possibly be needed to achieve that reduction only in areas subject to noise above 70 dB CNEL. No C-Commercial-zoned areas are exposed to noise at that level. Part of the HM-Hotel-Motel zoning district, all of which is on Hotel del Coronado property, is within the 70 to 75 dB CNEL contour.
  - The standards call for new hotel and resort development to achieve interior sound levels of 45 dB CNEL in sleeping areas.
  - As discussed in the Draft EIR, the interior sound level performance standards can be achieved with measures that reduce outdoor noise levels heard inside the structure by 20 to just over 30 dB, depending on the noise contour in which the structure is located. This is achievable with widely available building materials and well-understood techniques.88 (Also, see Topical Response T-10.)

**TOPICAL RESPONSE T-18: THE ALUCP IS A LAND USE PLANNING POLICY DOCUMENT**

Some commenters appear to believe that the Draft ALUCP, after adoption, would become a new set of land use regulations applying to Coronado.

- After adoption, the ALUCP would become a land use planning policy document, not a set of development regulations.89
  - The adopted ALUCP would not be a regulatory document, as the ALUC has no land use permitting authority. The ALUCP is a land use planning document that is provided to assist local agencies in ensuring compatible land uses in the vicinity of airports to the extent that the land is not already devoted to incompatible uses.90
  - State law requires the City of Coronado either to amend its General Plan, Specific Plans, and zoning regulations, as necessary, to be consistent with the ALUCP or to overrule the ALUCP in accordance with statutory requirements.91
  - The City of Coronado retains land use permitting authority under law. Until the City either amends its local planning documents and zoning regulations to be consistent with the ALUCP or overrules the ALUCP, the ALUC would review development proposals for consistency with the ALUCP (unless exempt per Table 3 of

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88 San Diego County Regional Airport Authority, Draft Environmental Impact Report for the Draft Naval Air Station North Island Airport Land Use Compatibility Plan, December 2019, p. 4-23.
89 See Dryden Oaks LLC v. San Diego County Regional Airport Authority (2017) 16 Cal.App5th 383 where the court found that the adoption of an ALUCP did not diminish the value of plaintiff’s property because the Authority did not have the ability to make a final land use decision with respect to Appellant’s property and that the ALUCP is “a recommendation subject to variance by the City.”
90 California Public Utilities Code § 21674(a).
91 California Public Utilities Code §§ 21676(a) and (b), § 21676.5.
the Draft ALUCP).\(^{92}\) The City would then either accept or overrule the ALUC’s consistency determinations and issue development permits accordingly.

— If the City of Coronado takes action to implement or overrule the ALUCP, the only land use actions requiring ALUC review would be proposed General Plan, Specific Plan, and zoning changes. ALUC review of individual land use projects would no longer be required.\(^{93}\)

- All existing land uses in Coronado are consistent with the Draft ALUCP.

— Even though the 2011 AICUZ study considers a wide range of land uses, some of long existence, in the vicinity of NASNI to be incompatible with its safety and compatibility guidelines, this does not render those uses “nonconforming” with respect to either the Draft ALUCP or local Coronado zoning, whether the City chooses to integrate the standards of the Draft ALUCP into its zoning code or not.

— The Draft ALUCP acknowledges that, “The AICUZ study recognizes that various land uses that are incompatible based on AICUZ guidance have already been developed within the noise contours and safety zones. In this situation, the AICUZ study advises that local agencies ‘not take actions that would make an existing land use compatibility (or incompatibility) situation worse (for example, by allowing increased densities in the redevelopment of currently low density incompatible land uses).’\(^{94}\) The policies of the Draft ALUCP ensure that these existing incompatible land uses can be continued, maintained, and modified, subject to specified standards that would prevent an increase in the level of incompatibility.”\(^{95}\)

— The PUC provides that the Draft ALUCP does not apply to existing land uses—so long as those uses remain constant and unchanged.\(^{96}\) Table 3 of the Draft ALUCP makes provision for this statutory exclusion by exempting such land uses from the standards of the ALUCP. Thus, for example, existing residences and businesses are exempt from the ALUCP, even to the point of 50 percent increases in the habitable space or gross floor area, respectively, of the existing structures.

— The only land uses that are incompatible with the land use guidance in the AICUZ study, which are also considered incompatible by the Draft ALUCP, are those that do not already exist within the Area of Potential Impact.

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92 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 9–10.

93 California Public Utilities Code § 21676.5.


95 San Diego County Regional Airport Authority, *Draft Naval Air Station North Island Airport Land Use Compatibility Plan*, December 2019, p. 1.

96 California Public Utilities Code §§ 21670(a) and 21674(a).
3.2 RESPONSES TO COMMENTS

Responses to individual comments submitted during the public comment period are provided in this section. Tables 3-2 and 3-3 below list the public comment letters along with the corresponding identification numbers, the commenters’ names, the organizations/affiliations and the dates on which comment letters and emails were received by SDCRAA.

**Table 3-2 (1 of 2) List of Agencies, Organizations, and Individuals Submitting Comments**

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<thead>
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<th>LETTER ID</th>
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COMMENT LETTER A01 – CITY OF CORONADO

Comment A01-1

This letter concerns the Draft Environmental Impact Report ("Draft EIR") that has been prepared for the Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plan (ALUCP).

The adequacy of the Draft EIR and the Airport Authority’s compliance with the requirements of the California Environmental Quality Act (CEQA) are of enormous importance to the City of Coronado and its residents who live, work, and enjoy the significant portions of our community affected by the ALUCP.

In light of the size and scope of the Draft EIR and related two volumes of technical appendices, we need to obtain technical experts to help review and comment on the Draft EIR’s analysis of numerous potential significant environmental impacts. In addition, the last Draft ALUCP issued for public review was in Fall 2017 it was 35 pages and now the December 2019 ALUCP is 44 pages and has two volumes of technical appendices. A summary of changes made in the last two years was not provided and no stakeholder working groups meetings have been convened so we are in the process of trying to sort out the changes to the ALUCP since it serves as the Draft EIR “Project Description”. Therefore, we respectfully request that the period for public review and comment on the Draft EIR be extended for an additional 30 days, to March 6, 2020. We would appreciate the courtesy of your reply to this request no later than January 24, 2020. Thank you.

Response:

On January 23, 2020, a letter was provided to the City of Coronado in response to the City’s request to extend the public review and comment period for the Draft EIR and Draft ALUCP. The Airport Authority agreed to extend the review and comment period an additional ten days, ending on February 18, 2020. This increased the Draft EIR public review and comment period to a total of 62 days.

The contents of the December 2019 Draft ALUCP (which was 36 pages long) mirror the September 2017 draft. The December version was reformatted, and some text revisions and clarifications were made. A comparative summary of the revisions was emailed to City of Coronado Senior Planner Jesse Brown on February 13, 2020. Copies of the email and summary are included in Appendix 3.A.

COMMENT LETTER A02 – CITY OF CORONADO

Comment A02-01

The City of Coronado (City) submits the following comments to the San Diego County Regional Airport Authority (SDCRAA) regarding the proposed 2019 Airport Land Use Compatibility Plan ("ALUCP" or "project") for the Naval Air Station North Island ("NASNI"), and its Draft Environmental Impact Report ("EIR"). These comments were prepared with the assistance of the planning, aviation, noise and other experts whose qualifications are included in Exhibit 1.

Response:

This comment is an introduction to comments that follow. No further response is required.
Comment A02-02

This letter sets forth detailed reasons why the Draft ALUCP and Draft EIR are legally deficient, and do not meaningfully respond or address past City comments and concerns. The City urges SDCRAA to no longer pursue its efforts to adopt the Draft ALUCP for the following reasons: it is not required to be adopted at this time; it is based on stale and outdated information; and would have severe economic impacts on the City and its property owners.

Response:

With respect to the Draft EIR, the comment expresses the opinions of the commenter and does not raise an environmental issue under CEQA. In addition, the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Because the comment does not raise an environmental issue, no further response is required.

With respect to the commenter’s opinion that the Draft ALUCP is not required to be adopted at this time, adoption of an ALUCP for military airports is required by PUC Section 21675(b). Also see the response to Comment A02-30. With respect to the commenter’s concern relating to whether the AICUZ provides current information, please see Topical Responses T-01 and T-02.

The commenter also asserts that the ALUCP policies “would have severe economic impacts on the City and its property owners.” The potential economic impacts are speculative. All existing land uses within the Draft ALUCP Area of Potential Impact (the safety zones and 65 dB CNEL contour) would be consistent with the Draft ALUCP. The Draft ALUCP does not apply to existing uses unless certain specified changes are proposed. This matter is addressed more fully in Topical Responses T-08 and T-09. Also, see Topical Responses T-14 and T-17.

Comment A02-03

Nevertheless, should SDCRAA decide to proceed with the ALUCP, the deficiencies in the Draft ALUCP and Draft EIR must first be remedied by substantially revising the Draft ALUCP and Draft EIR, and recirculating the Draft EIR for additional public comment.

Response:

As indicated in these responses to comments, the changes proposed in the Draft ALUCP and Draft EIR are minor clarifications and do not merit recirculation of the Draft EIR. Also, see the response to Comment A02-80.

Comment A02-04

The City strongly objects to the approach and direction that SDCRAA is taking to address existing NASNI operations relative to the existing built-out City of Coronado. Our position remains that the ALUCP is neither warranted nor required at this time, as the City and NASNI developed concurrently over time and have effectively co-existed for over 100 years. The City was incorporated prior to the existence of NASNI.

Response:

The ALUC is required to prepare an ALUCP for NASNI in accordance with PUC Sections 21670 and 21675. The NASNI AICUZ Study serves as the basis for the Draft ALUCP. As required by law, the Draft ALUCP uses the noise contours and safety zones in the AICUZ Study to provide a consistent approach to land uses planning around NASNI. In addition, and as required by law, the Draft ALUCP includes land use compatibility policies relating to the
development of future residential, commercial, public, and other land uses surrounding NASNI consistent with AICUZ land use compatibility guidance.

This approach to land use planning around military airports: (1) uses the airport land use planning principles and guidelines provided in the *California Airport Land Use Planning Handbook*; 97 (2) allows the ALUC to fulfill its legislative obligations to protect public health, safety and welfare by minimizing the public’s exposure to excessive noise and safety hazards within areas around military airports; and (3) provides compatibility strategies and criteria for new land uses consistent with AICUZ guidance and criteria.

In summary, the ALUC is required to provide land use compatibility policies to minimize future incompatible land uses from being developed around NASNI.

The Draft ALUCP would establish policies that encourage new land use to be compatible with NASNI and that safeguard “the general welfare of the inhabitants within the vicinity of the airport and the public in general.” 98 The policies focus on protecting public health, safety, and welfare by providing land use measures that minimize the public’s exposure to excessive noise and safety hazards within the area around NASNI to the extent that these areas are not already devoted to incompatible uses. In addition, the policies would avoid making existing land use incompatibility worse, in accordance with a recommendation of the AICUZ Study. 99 As the City points out in several comments, while the Draft ALUCP Area of Potential Impact (the area within the safety zones and the 65 dB and higher noise contours) has been for developed for many years, the area remains subject to a certain amount of additional building and redevelopment, in accordance with the General Plan and Zoning Code. In other comments, the City indicates that additional development is needed or is occurring within the Area of Potential Impact. (See Comments A02-10, A02-17, A02-20, A02-34, A02-35, A02-36, AO2-41, A02-73, A02-76, and A02-81.) Thus, the potential exists for existing land use incompatibility to become worse without appropriate policies guiding future development and redevelopment.

Also, see Topical Responses T-06 and T-07.

**Comment A02-05**

Large swaths of the City are located within the boundaries of the proposed ALUCP’s safety and noise contours, and therefore would be subject to restrictions that would preclude and deter further investment and development.

**Response:**

The Draft EIR notes that 14 percent of the nonfederal land in the city of Coronado is within the Area of Potential Impact (the safety zones and 65 dB CNEL and higher noise contours). 100 Refer to Topical Response T-08 for a discussion of the concern about the Draft ALUCP leading to restrictions that would preclude and deter further investment and development.

Also, see Topical Responses T-14, T-15, and T-17.

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98 California Public Utilities Code § 21675(a).


100 NASNI ALUCP Draft EIR, December 2019, p. 4-41.
Comment A02-06

Further, the ALUCP’s noise and safety contours are based entirely on an outdated Air Installation Compatible Use Zones (“AICUZ”) Update prepared by the Navy in 2011. The 2011 AICUZ future horizon year was 2020, thus rendering it obsolete for developing a long-range land use plan.

Response:

Please see Topical Responses T-01 and T-02.

Comment A02-07

The public input process for the Draft 2019 ALUCP was deficient because there was no public outreach between the 2017 and 2019 ALUCPs.

Response:

The San Diego County ALUC is required by state law to “engage in a public collaborative planning process” when preparing the Draft ALUCP.101 The public input process associated with the development of the Draft ALUCP included ten community outreach meetings that were held in the City of Coronado at specific milestones in the process. The last meeting was held on June 26, 2017. In addition, a Working Group was formed to assist in the development of Draft ALUCP policies. The Working Group membership was made up of agency representatives and members of the local community that were selected by the City of Coronado and accepted without modification by the ALUC. The Working Group met 12 times throughout the Draft ALUCP development process. The last working group meeting was held on August 30, 2017. To ensure that the City of Coronado was kept updated on the development of the Draft ALUCP, 14 meetings were held directly with City staff. This included meetings that were held on October 4, 2018 and on January 22, 2019. During those meetings, City staff presented no new information or comments on the public outreach process.

At the November 2, 2017 ALUC meeting, Airport Authority staff received final policy direction on the Draft ALUCP. That meeting included a presentation addressing Draft ALUCP policies and standards and provided an additional forum for the public to provide oral comments. Notice of the ALUC meeting was emailed to all members of the ALUCP Working Group and people on the ALUCP community meeting list. No additional public outreach or Working Group meetings were held subsequent to the November 2, 2017 ALUC meeting, as the Airport Authority had the necessary information to finalize the Draft ALUCP and move forward with the environmental review process pursuant to CEQA.

Since the November 2, 2017 ALUC meeting, the Airport Authority has been in the process of preparing a Draft EIR. However, release of the Notice of Preparation (NOP) and Initial Study for the Draft EIR was delayed until the U.S. Department of the Navy had concluded its environmental review process under the National Environmental Policy Act (NEPA) for the proposed C2A to CMV-22B aircraft fleet transition. The delay was necessary to determine if the proposed aircraft fleet transition would require an update to the current AICUZ study. The Navy’s Finding of No Significant Impact (FONSI), published on November 1, 2018, concluded that all proposed project alternatives would have no impact to the AICUZ program at NASNI and made no recommendations to update the study.102 After

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101 California Public Utilities Code § 21670.3(b).
102 Finding of No Significant Impact for the Environmental Assessment for the Transition From C-2A to Cmv-22B Aircraft at Fleet Logistics Centers - Naval Air Station North Island, California and Naval Station Norfolk, Virginia, November 1, 2018, p. 7 of 17.
issuance of the FONSI, the Airport Authority moved forward with the development of the Initial Study for the Draft ALUCP.

The NOP for the Draft EIR, including the Initial Study, was released on April 22, 2019 and a public scoping meeting was held at the Coronado Public Library on May 6, 2019 to solicit oral and written comments from the public on the Draft EIR. Public notification of the meeting included the distribution of 2,756 individual postcards to property owners located within the noise and safety compatibility zones and advertisements published in local on-line and print publications. There were 15 total attendees at the meeting. The Airport Authority received six written comments, and no oral comments were received at the public scoping meeting. No comments made note of a deficient public outreach process for the development of the Draft ALUCP. 103

**Comment A02-08**

The ALUCP exceeds SDCRAA’s authority, which is limited to planning for areas not already devoted to incompatible uses; the City’s existing land uses are already incompatible, and have been for many years.

**Response:**

Similar comments were raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comments 1 and 8.)

In a letter to the ALUC Chair, dated August 30, 2017, the Chief of the Office of Aviation Planning, Caltrans Division of Aeronautics, explains that the ALUC is required to prepare an ALUCP for NASNI regardless of the nature of the existing development pattern in the NASNI environs. 104 “An area already ‘built out’ devoted to incompatible uses does not relieve the ALUC from its legislatively mandated powers and duties, which also include the preparation and adoption of an ALUCP.” The letter cites the following language from the Caltrans Handbook:

> The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased compatibility conflicts would result. To the extent that such land use changes require ministerial or discretionary approval on the part of the county or city, they fall within the authority of the ALUC to review. 105

Also, see Topical Response T-06.

103 Documentation of the NOP and scoping process is in Appendix C of the Draft EIR.

104 Ron Bolyard, Chief, Office of Aviation Planning, California Department of Transportation, Division of Aeronautics, letter to C. April Boling, Chair, Airport Land Use Commission, SDCRAA, August 30, 2017. A copy of the letter is in Appendix 3.D.

105 California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 4-41.
Comment A02-09

The Navy has flexibility to modify its operations to reduce impacts as contemplated in previous NASNI documents, but the ALUCP ignores this possibility.

Response:

This is an introductory summary of comments made in greater detail later in the comment letter. Please see the responses to Comments A02-33 and A02-79. Also, see Topical Response T-05.

Comment A02-10

The ALUCP imposes significant constraints on the City’s ability to comply with the draft Regional Housing Needs Assessment ("RHNA") allocation and poses a conflict with state housing policy.

Response:

This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-34.

Comment A02-11

Additionally, the Draft EIR project description is inadequate because:

The ALUCP is not a long-range 20-year master plan as required by state law, but instead is based on the outdated 2011 AICUZ which has a horizon year of 2020.

Response:

This is an introductory summary of comments made in greater detail later in the comment letter. It is addressed in the responses to Comments A02-63 and A02-65.

A similar comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, and to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, and to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 10.)

Also, see Topical Responses T-01 and T-02.

Comment A02-12

Additionally, the Draft EIR project description is inadequate because:

SDCRAA has prematurely approved the proposed ALUCP by insisting it cannot deviate from the 2011 AICUZ.

Response:

This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-66.
Comment A02-13
Additionally, the Draft EIR project description is inadequate because:

The AICUZ 2020 “future” scenario was developed ten years ago and based on stale data from nearly twenty years ago. The 2011 AICUZ noise and safety zones are no longer accurate and must be updated, because:

- The number of aircraft operations is higher than more recent estimates.
- Evening and night flights are underestimated.
- The aircraft fleet mix is inaccurate, e.g., the ongoing conversion to Osprey aircraft is not included.
- Noise simulation models used are outdated.
- Flight paths have changed since 2011.

Response:
This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-67. Also, please see Topical Responses T-01 and T-02.

Comment A02-14
The entire underpinning of the Draft EIR’s impact analysis is flawed because it is based on a hypothetical AICUZ 2020 baseline, not on an existing conditions baseline supported by substantial evidence.

Response:
This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-69. Also, see Topical Responses T-01 and T-02.

Comment A02-15
The Draft EIR’s impact analyses violate CEQA requirements because:

Impacts to all land use categories (e.g., residential and commercial) are significant; the Draft EIR concludes only the resort/hotel category is significant.

Response:
This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-70. Also, see the responses to Comments A02-34, A02-71, and A02-73.

Comment A02-16
The Draft EIR’s impact analyses violate CEQA requirements because:

Development restrictions would displace future land uses to more dispersed locations, but the Draft EIR fails to disclose indirect impacts of displaced development on topics such as traffic, noise, air quality, and greenhouse gases.
Response:

This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-71.

**Comment A02-17**

The Draft EIR’s impact analyses violate CEQA requirements because:

Analysis of significant housing impacts—imposing constraints and challenges to meeting draft RHNA allocations—is not addressed.

Response:

This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-34.

**Comment A02-18**

The Draft EIR’s impact analyses violate CEQA requirements because:

Analysis of urban decay impacts caused by development restrictions and disinvestment is entirely omitted.

Response:

Please see Topical Response T-08 for a response to comments about urban decay impacts.

**Comment A02-19**

The Draft EIR’s impact analyses violate CEQA requirements because:

Feasible mitigation measures that could reduce significant impacts are ignored.

Response:

This is an introductory summary of a comment made in greater detail later in the comment letter. It is addressed in the response to Comment A02-74.

**Comment A02-20**

The Draft EIR’s impact analyses violate CEQA requirements because:

The cumulative impact analysis fails to analyze cumulative impacts caused by the RHNA and omits consideration of many other probable future projects.

Response:

This is an introductory summary of longer comments described more completely later in the comment letter. Please see the responses to Comments A02-34 and A02-76.
Comment A02-21

The Draft EIR alternatives analysis is inadequate because it fails to evaluate other feasible alternatives available to the Navy that could reduce significant impacts, such as specific modified flight paths or specific changes in runway usage.

Response:

The commenter refers to “feasible alternatives available to the Navy.” The ALUC has no jurisdiction over the operations (including flight paths or specific changes in runway usage) at NASNI. Rather, the ALUC must accept the operational parameters provided in the AICUZ for purposes of development of the ALUCP policies.

Please also see Topical Responses T-03 and T-05 and the response to Comment A02-79.

Comment A02-22

The City of Coronado has been actively communicating with SDCRAA regarding its efforts to develop the NASNI ALUCP for several years. The City was a participant in the NASNI ALUCP Working Group meetings held in 2016-2017, and has submitted previous detailed comment letters included in Exhibit 3. On May 21, 2019, the City submitted detailed comments on the Draft EIR Notice of Preparation (“NOP”) also included in Exhibit 3.

SDCRAA has not established an independent public review process for the 2019 Draft ALUCP. City comments on the ALUCP are presented below. Since the Draft ALUCP also serves as the basis for the Draft EIR project description, these comments are also submitted as comments on the Draft EIR project description. More technical comments on the Draft EIR project description are presented later in this letter.

Response:

The ALUC previously responded to similar comments from the City, made in a letter dated May 2, 2017, via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comments were restated in another letter from the City of Coronado dated August 21, 2017, and to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. Copies of those responses are included as Appendix 3.B. The City’s May 21, 2019 NOP comment letter has been logged with other comments on the Draft EIR as Comment Letter A03. See the responses to Comments A03-1 through A03-21.

The Draft ALUCP was made available for public review concurrently with the Draft EIR, and notices of the public review period were provided to the City, all Working Group members, and others in the community who attended previous outreach meetings and requested to be notified about the status of the Draft ALUCP and its associated CEQA document.

Also, see the response to Comment A02-07.

Comment A02-23

The City is a built-out community that is consistent with the underlying General Plan. The City’s existing land uses have not changed in decades and no changes are planned. Adoption of the ALUCP would make the City’s General Plan and applicable specific plans inconsistent with the ALUCP. Instead, the ALUCP must incorporate the on-the-ground existing pattern of land use and development and support the important operational capabilities of both the City and Navy co-existing for the long-term as compatible neighbors.
Response:

Similar comments were previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comments 5 and 8.)

The Draft ALUCP does incorporate the existing pattern of land use and development. No existing land uses would become incompatible with any safety, noise, or airspace protection policies and standards of the Draft ALUCP.

In general, the Draft ALUCP has no authority over existing land uses. However, certain modifications to existing land uses would fall within the Draft ALUCP’s policies under certain, limited circumstances (such as proposed increases in the habitable area of residences by 50 percent or more, proposed increases in the gross floor area of nonresidential land uses, and proposed increases in structure height). These types of impacts are discussed and analyzed in Section 4.2.4 of the Draft EIR.106

While this comment states that land uses in Coronado have not changed in decades and that no changes are planned, other comments submitted by the commenter indicate that development and redevelopment are occurring or are anticipated. See Comments A02-10, A02-17, A02-20, A02-34, A02-35, A02-36, A02-41, A02-73, A02-76, and A02-81.

As discussed in the Draft EIR, it is the City’s Zoning Code, Historic Resources Code, and Orange Avenue Corridor Specific Plan that are inconsistent in some respects with the Draft ALUCP.107 The General Plan, including the noise and safety elements, includes no policies that are inconsistent with the Draft ALUCP.108

Also, see Topical Responses T-06 and T-15 and responses to Comments A02-04, A02-34, and A02-48.

Comment A02-24

SDCRAA has land use compatibility planning authority only over areas not already developed with incompatible land uses. Public Utilities Code (“PUC”) § 21676(a). However, all parcels that would be affected by the ALUCP are entirely developed and occupied by existing structures which already constitute “incompatible uses.”

Response:

Please see Topical Response T-06 and the responses to Comments A02-04, A02-23, and A02-25.

Comment A02-25

The land uses most affected by the ALUCP would be existing, long-established vital residential neighborhoods and an internationally recognized historic beachfront resort that provides and promotes coastal access and coastal-dependent uses in furtherance of the Coastal Act.

106 NASNI ALUCP Draft EIR, December 2019, p. 4-22 – 4-48.
107 NASNI ALUCP Draft EIR, December 2019, p. 4-14 – 4-19.
108 NASNI ALUCP Draft EIR, December 2019, p. 4-4 – 4-13.
The City’s land area within the safety zones and noise contours is fully built out and occupied with existing structures. The 2011 AICUZ is inconsistent with existing land use and development patterns in a fully built out municipality. To state that the existing land use patterns, which predate the latest AICUZ, cause safety and noise hazards for the Navy is backwards.

Response:

Existing land uses within the Draft ALUCP Area of Potential Impact, including residential uses, are all considered compatible with the safety, noise, and airspace protection policies and standards of the Draft ALUCP.

The PUC gives ALUCs authority to conduct compatibility planning only “to the extent that these areas are not already devoted to incompatible uses.” Therefore, in general, the Draft ALUCP has no authority over existing land uses. However, certain modifications to existing land uses would fall within the Draft ALUCP’s policies (such as proposed increases in the habitable area of residences by 50 percent or more, proposed increases in the gross floor area of nonresidential land uses, and proposed increases in structure height). These types of impacts have been discussed and analyzed in Section 4.2.4 of the Draft EIR.

Nothing in the Draft ALUCP would lead to the reduction of coastal access or require changes in the existing coastal-dependent land uses within the Area of Potential Impact.

Also, see Topical Responses T-01, T-06, T-07, and T-15 and the responses to Comments A02-04, A02-23, and A02-36.

Comment A02-26

The superimposition of outdated safety zones and noise contours on pre-existing patterns of land use that comply with underlying land use policies and zoning regulations is the fundamental issue of concern to the City.

Response:

Please see Topical Responses T-01, T-02, T-06, and T-15 and the responses to Comment A02-04.

Comment A02-27

Development of the Draft 2017 ALUCP occurred with the participation of a “Stakeholders Working Group,” and yet this group was not convened for the development of the December 2019 Draft ALUCP. There is a total lack of stakeholder and public transparency with the current approach.

The failure to include stakeholders during the preparation of the 2019 Draft ALUCP undermines the public involvement process that was supposed to be the foundation of the ALUCP. Because it is not readily apparent what changes have been incorporated into the ALUCP over the last two years, stakeholder evaluation of the Draft 2019 ALUCP is extremely challenging. To facilitate effective public commenting, SDCRAA should provide a redline/strikeout version comparing the Draft 2017 and 2019 ALUCPs, with a statement of reasons for each change to the 2017 draft, to the public prior to closing the public comment period on the Draft EIR.


110 NASNI ALUCP Draft EIR, December 2019, p. 4-22 – 4-48.
The City’s comparison of the two draft plans indicates that major changes were made to the definitions section, changes that permeate throughout the Draft 2019 ALUCP. New definitions were added for the following key terms: land use plan, land use regulations, and land use project.

In the 2019 Draft ALUCP, SDCRAA also modified the definitions of two other key terms, compatibility and consistency, without making changes requested by the City’s comments on the Draft 2017 ALUCP to provide more flexibility and precision. The City again requests these changes be made, or explanations be provided as to why they were not.

Response:

The ALUC determined that it was unnecessary to reconvene the Working Group because the contents of the December 2019 Draft ALUCP mirror the September 2017 draft, apart from a few clarifications that were outlined in a PDF that was emailed to City of Coronado Senior Planner Jesse Brown on February 13, 2020 (see Appendix 3.A). As explained in the email to Mr. Brown, a redlined version comparing the two drafts would have been nearly impossible to read given the formatting issues resulting from using strikeout/underline. The PDF provided to Mr. Brown allows the reader to easily compare/contrast the two drafts and clearly demonstrates the negligible changes between the 2017 and 2019 drafts.

The NASNI Working Group represents the first participant group that was provided draft versions of the ALUCP prior to CEQA public review. This was not done for the other 15 airports under the ALUC’s jurisdiction when preparing draft ALUCPs.

The City’s May 2, 2017 letter specifically requested the addition of a definitions section in the Draft ALUCP (comment 30 on page 51 of 62 in the City’s Draft EIR Comment Letter, A02). In the 2017 and 2019 versions of the Draft ALUCP, the term “land use actions” is consistently used to collectively refer to three types of scenarios that are subject to ALUC review: land use plans, land use regulations, and land use projects. In the 2019 version, these four terms were defined in a new section, 1.5 Definitions, to make it clear to the reader what these terms mean, per the City’s request. Additionally, these four terms were discussed as part of the May 31, 2017 Working Group and June 26, 2017 Community Meeting presentations. There have been no changes to the meaning of the terms or how they are referenced throughout the 2017 and 2019 drafts.

Also, see the responses to Comments A02-07 and A02-39.

Comment A02-28

The City incorporated in 1890 and land uses were planned for the community. In 1917, the Navy Flight Operations commenced at Naval Air Station North Island. Over the past 100+ years, a synergistic status quo has developed between the Navy and the City that supports the important continued operational capabilities of both the City and Navy.

Response:

Please see Topical Response T-07 and the responses to Comment A02-04.

Comment A02-29

The City continues to be concerned with the approach and direction that SDCRAA is taking to address the existing NASNI operations relative to the existing built-out City. Our position remains that the ALUCP is
neither warranted (e.g., AICUZ has expired) nor required at this time, as the City and NASNI developed concurrently over time and have effectively co-existed for over 100 years.

Response:

Please see Topical Responses T-01, T-02, and T-06 and the responses to Comments A02-04 and A02-30.

Comment A02-30

In this context, it is unclear why SDCRAA continues to state that they are under a State of California mandate to prepare an ALUCP for NASNI when the mandate was suspended in 2010 based on a “Statement of Decision” issued by the California Commission on State Mandates (Commission on State Mandates Statement of Decision, March 26, 2010. Case No. 03-TC-12 and 08-TC-05). The previous mandate was applicable only to general aviation airports and distinct from military airports such as NASNI.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 2.)

The ALUC is required by state law to adopt an ALUCP for NASNI. The ALUCP must be consistent with the safety and noise standards in the AICUZ prepared for NASNI [PUC Section 21675(b)]. The requirement to adopt an ALUCP for NASNI has not been suspended. See, e.g., Gov’t Code Section 17581; California Commission on State Mandates Statement of Decision 03-TC-12, 4507. In a letter to the ALUC Chair, dated August 30, 2017, the Chief of the Office of Aviation Planning, Caltrans Division of Aeronautics, emphasizes that the ALUCP for NASNI is statutorily mandated, as quoted below.111

First, we would like to point out that an ALUCP for NASNI is statutorily mandated. This mandate is in accordance with the California Public Utilities Code (PUC) sections 21675 (a) and (b), which specifically require that each ALUC shall formulate an ALUCP for each public airport and the area surrounding the airport within the jurisdiction of the ALUC, including areas surrounding any military airport regardless of whether the City is “built-out.”

California Government Code § 17581 specifies when local agencies are not required to implement a state law because the law is an unfunded state mandate. Section 17581 states in part that:

(a) No local agency shall be required to implement or give effect to any statute or executive order, or portion thereof, during any fiscal year and for the period immediately following that fiscal year for which the Budget Act has not been enacted for the subsequent fiscal year if all of the following apply:

111 Ron Bolyard, Chief, Office of Aviation Planning, California Department of Transportation, Division of Aeronautics, letter to C. April Boling, Chair, Airport Land Use Commission, SDCRAA, August 30, 2017. A copy of the letter is in Appendix 3.D.
(1) The statute or executive order, or portion thereof, has been determined by the Legislature, the commission, or any court to mandate a new program or higher level of service requiring reimbursement of local agencies pursuant to Section 6 of Article XIII B of the California Constitution.

(2) The statute or executive order, or portion thereof, or the commission's test claim number, has been specifically identified by the Legislature in the Budget Act for the fiscal year as being one for which reimbursement is not provided for that fiscal year. For purposes of this paragraph, a mandate shall be considered to have been specifically identified by the Legislature only if it has been included within the schedule of reimbursable mandates shown in the Budget Act and it is specifically identified in the language of a provision of the item providing the appropriation for mandate reimbursements.

(b) Within 30 days after enactment of the Budget Act, the Department of Finance shall notify local agencies of any statute or executive order, or portion thereof, for which operation of the mandate is suspended because reimbursement is not provided for that fiscal year pursuant to this section and Section 6 of Article XIII B of the California Constitution.

(c) Notwithstanding any other provision of law, if a local agency elects to implement or give effect to a statute or executive order described in subdivision (a), the local agency may assess fees to persons or entities which benefit from the statute or executive order. Any fee assessed pursuant to this subdivision shall not exceed the costs reasonably borne by the local agency.

Thus, in order for a local agency to not be “required to implement or give effect to any statute or executive order,” both of the following conditions must be met: 1) the statute must have been found to mandate a new program or higher level of service requiring reimbursement of local agencies pursuant to Section 6 of Article XIII B of the California Constitution; and 2) the statute has been specifically identified by the Legislature as being one for which reimbursement is not provided.

The second requirement has been met because the Legislature has specifically identified “Airport Land Use Commission/Plans” as a suspended state mandate for 2016/17. See June 28, 2016 California Department of Finance letter attached (see Appendix 3.E). However, the first requirement of the statute mandating a new program or higher level of service requiring reimbursement has not been met. Specifically, the California Commission on State Mandates (“CSM”) has found that the preparation of an ALUCP is not a reimbursable state mandate because the state requirement to prepare ALUCPs found in California Public Utilities Code § 21675 predated 1975 (and is thus not subject to reimbursement pursuant to Art XIII(B)(6)(a)(3) of the California Constitution) and state reimbursement is not required when the expense incurred by the local agency can be recovered through charging fees (PUC § 21671.5(f) authorizes fees related to the preparation of ALUCPs). See CSM Statement of Decision 03-TC-12 and 08-TC-05 attached as Appendix 3.F. Because the CSM has specifically found that the preparation of ALUCPs does not create a new program or higher level of service requiring reimbursement of local agencies, the first requirement of Government Code § 17581 has not been satisfied and this section cannot be relied on to relieve the Authority of its legal obligation to prepare ALUCPs under PUC § 21675.

It should also be noted that CSM Statement of Decision 03-TC-12 recognizes that pursuant to CSM Statement of Decision 4507, a 1993 amendment to PUC § 21670 created a one year gap in the requirement that counties create an Airport Land Use Commission (“ALUC”). As a result, the CSM found that only the creation or re-establishment of an ALUC is a reimbursable state mandate (as the requirement no longer predated 1975 because it was discretionary for one year in 1993). With this finding, the first requirement of California Government Code § 17581 is satisfied for the creation or re-establishment of an ALUC. Because the Legislature has identified “Airport Land Use
Commission/Plans” as a suspended state mandate for 2016/17, which satisfies the second requirement, local agencies are not required to implement or give effect to the legal requirement to create or re-establish an ALUC pursuant to PUC § 21670. This has no effect on public agencies, such as the Authority, which already have an established ALUC.

Also, see Topical Response T-02 and the responses to Comments A02-04 and A02-22.

**Comment A02-31**

By adopting an ALUCP that covers fully developed areas of the City, SDCRAA has violated the provisions of the California State Aeronautics Act (“SAA”) limiting its authority to conduct compatibility planning to areas around public airports to the extent that these areas are not already devoted to incompatible uses. SDCRAA has the authority to conduct land use compatibility planning for areas around NASNI only to the extent that those areas are not devoted to incompatible uses (as recognized by the Draft EIR on p. 2-2, as well as the Caltrans California Airport Land Use Compatibility Handbook (Handbook) on p. 3-48). However, all parcels that would be affected by the ALUCP are entirely developed and occupied by existing structures which, according to the AICUZ and proposed ALUCP, constitute “incompatible uses” over which SDCRAA has no authority.

The Legislature states its intent for ALUCPs as follows (PUC § 21670, emphasis added):

1. It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

2. It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

The Draft ALUCP does not demonstrate compliance with the limited scope and authority granted in PUC § 21670. The areas identified within the Draft ALUCP noise and safety contours are fully developed with land uses that are consistent with City policies and regulations, but “incompatible” with the noise and safety standards of the AICUZ. Existing uses that are consistent with the City’s General plan and zoning must be considered exempt from and not subject to the ALUCP. The ALUCP must be revised to focus only on potential future changes to underlying land uses that may be proposed in the future.

Response:

Please see Topical Responses T-06, T-14, and T-15 and the responses to Comments 02-04, A02-23, and A02-25.

**Comment A02-32**

Only under a condition where the entire parcel is affected should the ALUCP policies apply. Given the generally small lot sizes in the City, most property owners would not have the ability to move a structure to a different location, beyond the contour, on the same site. Because there are so few “split parcels” in the City, and because underlying AICUZ noise modeling is not precise, the ALUCP noise or safety regulations should apply only when an entire parcel is covered. (This option was included in the Draft EIR as Alternative 3, but as discussed later, the City does not agree with reasons for the Draft EIR’s rejection of Alternative 3.)
Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 48.)

As noted, the Draft EIR Alternative 3 (Section 5.6) analyzed this option, and it was found to be unacceptable for reasons explained there.\(^{112}\)

The treatment of split parcels was discussed during the preparation of the Draft ALUCP at two Working Group meetings – Meeting 3 on March 5, 2016, and Meeting 4 on June 22, 2016.

Also, see the responses to Comments A02-37 and A02-38.

**Comment A02-33**

NASNI has been operating concurrently with existing City development patterns, and the latest AICUZ is now nine (9) years old. The Navy prepared previous AICUZ studies for NASNI in 1979 and 1984. It is changed naval flight patterns that are the source of conflict with existing development patterns. Many of the City’s land uses predate the 1979 AICUZ, which first identified a Clear Zone (CZ) on properties occupied by existing residences.

As the Navy has a high level of physical and operational flexibility in modifying its flight operations, the Navy should make the necessary modifications within the facilities at NASNI to ensure pilot safety and public safety and welfare, as was contemplated by the 1984 AICUZ. For example, in an October 9, 2012 letter to the City (see Exhibit 4), the Navy agreed to revisit data indicating that this might be accomplished by modifying the flight path by either establishment of a displaced landing threshold or other alignment modifications to Runway 29.

A July 2, 2013 City letter to the Navy (see Exhibit 4) notes that the 1984 AICUZ better reflected local conditions by locating APZs over the ocean, and recommended displacement of Runway 29 so that the CZ is located entirely in Navy property. Unfortunately, these recommendations were never implemented, but must now be reconsidered.

Undoubtedly, the Navy would not subject its pilots, crews, residents, and visitors to Coronado to unacceptable levels of risk. Therefore, implementation of an AICUZ with a CZ and Accident Potential Zones (“APZs”) via the ALUCP process is forcing an unnecessary and unwarranted situation where existing fixed patterns of land use and structures are viewed as “incompatible” with inherently flexible Navy flight operations.

Response:

A similar comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The

\(^{112}\) *NASNI ALUCP Draft EIR*, December 2019, p. 5-9 – 5-13.
same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 9.)

The Navy has studied the possibility of displacing the landing threshold for Runway 29. The AICUZ study explains why the threshold displacement is infeasible.

An additional operational alternative evaluated for implementation was a 700’ displaced threshold on Runway 29. This alternative, first announced in NAS North Island’s 1984 AICUZ update, would remove all Coronado residences from the Runway 29 Clear Zone by moving the Clear Zone completely onto Navy property. If implemented, this alternative would meet Clear Zone criteria; that is, an area that should remain undeveloped. However, this alternative would create unacceptable changes to NAS North Island airfield operations. Displacing the threshold 700’ would result in an increase in the precision approach radar (PAR) decision height (from 267’ to 540’) and loss of visual approach capability to Runway 29 during night and/or Instrument Meteorological Conditions (IMC). In addition, the runway’s landing distance would be too short for MD-11 and L-1011 aircraft, and possibly other aircraft depending on atmospheric and runway surface conditions. While constructing an extension onto the departure end of Runway 29 may solve the landing distance challenge for larger aircraft, it would not mitigate the increased PAR minimums and loss of night/IMC visual approach capability, which result from immovable physical obstructions brought to bear with the threshold displacement. Based on NAS North Island’s weather and flying environment, these changes are untenable and would seriously degrade the airfield’s capability as a Naval Air Station.113

Also, see Topical Responses T-01, T-03, and T-05 and the response to Comment A02-79.

Comment A02-34

The ALUCP imposes significant constraints to the City of Coronado’s ability meet its allocated share of the Regional Housing Needs Assessment (RHNA). This is significant and unavoidable Population and Housing Impact and the DEIR must be corrected to address this factual error. These would be a new significant and unavoidable adverse impact and must be disclosed and the EIR recirculated as this is “significant new information” under the meaning of the terms in CEQA Guideline Section 15088.5.

Section 5.1.4 of the ALUCP stipulates maximum allowable compatible densities in Table 4. Section 5.1.7.1 of the ALUCP states that any land use plan or zoning ordinance amendment that would increase allowable residential density (by increasing the number of dwelling units per acre) in the safety zones are incompatible.

The City would have limited land use authority over areas affected by an ALUCP and would not be able to consider these areas in planning for future housing to accommodate the additional 1,001 RHNA housing units assigned to the City. While the City is appealing this allocation, which represents a 2,000% increase from the City of Coronado’s prior RHNA allocation, the ALUCP would create another significant constraint to adding new housing units in a City no vacant residentially zoned land.

Approximately 95% of the City is zoned for residential use and there are very few vacant properties available to accommodate new housing. The City would be constrained by the Airport Influence Area (AIA) and APZs

113 The Onyx Group, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, prepared for NAVFAC-SW, 2011, p. 3-17.
of NASNI, which prevent any redevelopment with increased density and intensity or height. Thus, the potential addition of 1,001 new housing units in Coronado, which is completely within the Coastal Zone, in the 1.75 square miles within its land use authority is infeasible.

Section 5.1.3 of the ALUCP (and Footnote 25 on Page 1-9 of the DEIR) states that allowance for Accessory Dwelling Units (ADUs) are considered compatible with the ALUCP even though they represent an increase in residential land use density (i.e., more housing units/homes). This ADU exception is important since the 2019 SANDAG 6th Round Housing Element update stipulates that Coronado make plans to provide for 1,001 additional housing units in the City, and some of those additional housing units can be met with ADUs.

Section 4.5.5 of the DEIR acknowledges the current state of the RHNA update process and Coronado’s proposed allocation of 1,001 new residential units. The EIR must be updated to address the direct impact of the ALUCP on the City’s ability to support regional housing goals and the production of new housing.

The City is confronted with conflicting directives between (a) a future ALUCP prohibiting any increases in residential intensity and/or density and (b) new requirements from the State Housing and Community Development (HCD) to do exactly that by providing 1,001 additional housing units in a built out community. Given recent State legislation, the existence of an ALUCP would preclude the City from complying with state mandates for increasing the local housing supply.

Response:

The potential RHNA conflict is most accurately characterized as a “Land Use and Planning” issue under Appendix G of the CEQA Guidelines, not a “Population and Housing” issue. Considering the specific phrasing of the “Population and Housing” questions in Appendix G, they are concerned about whether projects would induce substantial unplanned population growth or displace substantial numbers of existing people or housing. The ALUCP cannot be reasonably characterized as doing either of those things, which is consistent with the conclusion of Section 14.4.1 in the NASNI ALUCP’s Initial Study to scope out the topic of “Population and Housing.”

In addition, the Draft EIR served as an adequate informational document because it disclosed – in Section 4.5.5 – the then-pending RHNA allocation process for the 6th Housing Element Cycle, and concluded that “it is possible that implementation of the ALUCP could interact with the updated RHNA allocation and the updated Housing Element to create cumulative impacts.” While the Draft EIR established the appropriate footing and foundation as required by CEQA, in light of the controversy surrounding this issue, the ALUC has confirmed that the text in the Draft EIR still accurately captures the current state of affairs, including the City of Coronado’s final SANDAG-approved allocation of 912 dwelling units.

Also, although there is tension between the RHNA allocation and ALUCP, the City of Coronado always has the option of pursuing an overrule of the ALUCP in order to prioritize housing over land use compatibility. And, in this instance, the CEQA imperative has been met, because the EIR disclosed the relevance of the RHNA allocation and identified a potential conflict and cumulative impact.

114 NASNI ALUCP Draft EIR, December 2019, Appendix A, Airport Land Use Compatibility Plan CEQA Initial Study, p. 4-35.
115 NASNI ALUCP Draft EIR, December 2019, p. 4-53 – 4-54.
As explained in Section 4.2.4.1 of the Draft EIR, implementation of the Draft ALUCP could result in the displacement of up to 36 dwelling units (28 single-family units on 19 oversized lots and 8 multiple-family units on 4 lots) from the safety zones.\textsuperscript{117} None of the Draft ALUCP policies and standards applying elsewhere in the AIA would limit future housing development. Section 4.2.4.7 of the Draft EIR explains the speculative nature of this potential residential development, especially the single-family development.\textsuperscript{118} (Also, see the response to Comment A02–70.) It also notes that although most of the land in Coronado is developed, opportunities for development similar to those in the Draft ALUCP safety zones are likely to exist in residential-zoned areas elsewhere in Coronado.\textsuperscript{119} Importantly, Section 4.2.4.7 of the Draft EIR also notes that the City lacks the ability to expand through annexation. “Thus, without rezoning to allow higher residential densities [outside the safety zones], the city has a finite capacity for additional housing development. Thus, it must be recognized that implementation of the Draft ALUCP would reduce the total housing capacity of the city by 36 dwelling units.”\textsuperscript{120}

Implementation of the Draft ALUCP would not prevent all new housing development in the safety zones, as accessory dwelling units would be consistent with the Draft ALUCP.\textsuperscript{121}

As the commenter notes, the City’s draft RHNA allocation for 2021 to 2029 was 1,001 housing units.\textsuperscript{122} After hearing the City of Coronado’s appeal of the draft RHNA allocation, SANDAG lowered the final allocation to 912 units. The RHNA allocation has been further distributed by income categories: 312 units for very low income; 169 units for low income; 159 for moderate income; and 272 units for above moderate income.\textsuperscript{123}

All municipalities in the SANDAG region, including the City of Coronado, must update their General Plan Housing Elements to plan for achievement of their RHNA allocations. The updated Housing Elements are due by April 2021.\textsuperscript{124}

With respect to the commenter’s final point, that the Draft ALUCP conflicts with state housing policy, it must be acknowledged that the ALUC is obligated by state law to prepare an ALUCP for NASNI.\textsuperscript{125} Thus, it is the two state policies – the promotion of airport land use compatibility and the promotion of housing construction – that may be in tension in certain areas around the state.

In the third paragraph of the comment, it is stated that “the City would have limited land use authority over areas affected by the ALUCP...” This is inaccurate, as the City has the power under the PUC to overrule all or part of the ALUCP after it is adopted.\textsuperscript{126} The City also has the authority to overrule ALUC consistency determinations on

\textsuperscript{117} NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-24.

\textsuperscript{118} NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-24. “These [19] lots could accommodate up to an additional 28 homes if they could be subdivided. For this to be possible, however, the large homes on the affected lots may have to be demolished for the split lots to be configured to accommodate new homes. Given the high value of the real estate in the area, this may be a future possibility. On the other hand, the existing homes are quite substantial and expensive and may continue to be highly valued by the market as they are. Thus, the potential redevelopment of the properties (without implementation of the ALUCP) can only be considered speculative.”

\textsuperscript{119} NASNI ALUCP Draft EIR, December 2019, p. 4-41.

\textsuperscript{120} NASNI ALUCP Draft EIR, December 2019, p. 4-45.

\textsuperscript{121} Draft NASNI ALUCP, December 2019, p. 21.

\textsuperscript{122} SANDAG, Draft 6th Cycle RHNA Allocation.

\textsuperscript{123} SANDAG, Proposed Final 6th Cycle Regional Housing Needs Assessment Plan, June 26, 2020, Table 4.7, p. 27.  

\textsuperscript{124} SANDAG, 6th Cycle Regional Housing Needs Assessment (RHNA) Fact Sheet, February 2020.

\textsuperscript{125} NASNI ALUCP Draft EIR, December 2019, p. 1-1, 2-1; Draft NASNI ALUCP, December 2019, p. 1. Also, see response to Comment A-02-04.

\textsuperscript{126} California Public Utilities Code § 21676.
individual land use projects. It is acknowledged that if the City decides to implement the ALUCP by making necessary revisions to its Zoning Code, the potential residential development capacity in the ALUCP safety zones would be reduced by 36 dwelling units, as documented in Sections 4.2.4.1 and 4.2.4.7 of the Draft EIR.\textsuperscript{127} The City would still be able to consider areas within the safety zones for meeting the RHNA goals to the extent that new accessory dwelling units would be consistent with the ALUCP in those areas. See Topical Response T-18.

**Comment A02-35**

The City understands that reason that SDCRAA has deferred preparing an ALUCP for NASNI (until plans for all other airports in the county have been completed) is that SDCRAA fundamentally understood that it would be an extremely complex undertaking that is both unwarranted (no State mandate exists) and unnecessary (Coronado is fully built out) with a low probability for success. Added to that underlying complexity is the newest mandate from the state for local governments, including the City, to plan for significant increase in housing units which must be acknowledged in, and reconciled with, the NASNI ALUCP.

The reason NASNI is unintentionally the final airport for which the ALUC is preparing an ALUCP is because of the late release of the 2011 AICUZ study update. When SDCRAA was designated as the ALUC for San Diego County and began preparing ALUCPs per its legislative mandate to do so, it was known that an update to the 1984 AICUZ study for NASNI would be forthcoming. With that awareness, it made little sense to develop an ALUCP for NASNI based on that older AICUZ study due to be replaced. The ALUC thus proceeded to develop ALUCPs for other airports, which were not required to be based upon any pending AICUZ study.

When the AICUZ study was released in 2012, the ALUC was engaged in the ALUCP for SDIA and lacked the staff and budget capacity to undertake the NASNI ALUCP at the same time. Soon after adoption of the SDIA ALUCP in 2014, the ALUC began work on the ALUCP for Naval Outlying Landing Field Imperial Beach. Work on the NASNI ALUCP began in the fall of 2015 with agency coordination activities when the ALUC had sufficient budget and staff capacity to accomplish the work. Preparation of the Draft ALUCP occurred from Spring 2016 through Summer 2017, and involved 12 Working Group meetings from March 2016 through May 2017. Work on finalizing the Draft ALUCP was suspended after that time to await the results of the Navy’s Environmental Assessment of the planned transition from the C-2A Greyhound to CMV-22B Osprey aircraft. The Navy issued a Finding of No Significant Impact on November 1, 2018, which concluded that the AICUZ study for NAS North Island and NOLF Imperial Beach remained valid and did not require updating.\textsuperscript{128}

With respect to the Draft ALUCP, the state mandate cited is unrelated to the goals and policies of the ALUCP, and there is no legal obligation for the ALUCP to acknowledge any state mandate upon the City.

Also, see Topical Response T-06 and the responses to Comments A02-04, A02-07, A02-30, and A02-34.

**Comment A02-36**

The entire City, including the Draft ALUCP noise and safety contours, is located within the Coastal Zone. The Draft ALUCP’s development restrictions would conflict with Coastal Act policies that strongly encourage

\textsuperscript{127} NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-24, 4-45.

\textsuperscript{128} Finding of No Significant Impact for the Environmental Assessment for the Transition From C-2A to Cmv-22B Aircraft at Fleet Logistics Centers - Naval Air Station North Island, California and Naval Station Norfolk, Virginia, November 1, 2018, p. 7 of 17.
visitor-serving uses, recreational activities, and other coastal-dependent and coastal-related uses to be located in the Coastal Zone. See Pub. Res. Code §§ 30001.5, 30222.

To help implement these policies, the City's Local Coastal Program ("LCP") includes the following policy encouraging new or expanded visitor accommodations (emphasis added):

Maintain the quality and number of existing visitor accommodations at or above their present levels, and encourage the provision of new low-cost visitor accommodations and the expansion of existing low-cost visitor accommodations.

The Draft ALUCP’s development restrictions would have the direct effect of restricting the development of additional visitor-serving land uses in the City’s Coastal Zone, including affordable overnight accommodations, conflicting with both City LCP and Coastal Act policies.

As a public agency, SDCRAA is required to comply with the Coastal Act’s provisions. Pub. Res. Code § 30003. This information should be included in the Draft ALUCP and Draft EIR. Since the Draft ALUCP applies to and regulates lands located within the Coastal Zone, CCC input is essential.

Response:

The Draft ALUCP is a land use policy document. It neither regulates the use of land nor involves the development of land anywhere, including within the Coastal Zone. Therefore, the Draft ALUCP is not under the jurisdiction of the California Coastal Commission. As noted in the Draft ALUCP, "adoption and administration of this ALUCP by the ALUC is not a ‘development’ as defined by the California Coastal Act." 129

Section 4.2.2.1 of the Draft EIR discusses the City’s Local Coastal Element of the General Plan and Local Coastal Program Land Use Plan. 130 Section 4.11.1.1 of the Initial Study concluded that the goals and policies of the Coronado General Plan, including the Local Coastal Element and Local Coastal Program Land Use Plan, do not conflict with the Draft ALUCP. 131

The Local Coastal Program land use policies are reflected in the Coronado Zoning Code and Zoning Map. The Zoning Map indicates that, within the Draft ALUCP Area of Potential Impact (65 dBA CNEL noise contour and safety zones) public access to the coast is ensured through the Open Space zoning along the waterfront and a public right-of-way (Ocean Boulevard) immediately inland of the open space area from the NASNI property boundary southeast to the Hotel del Coronado. 132 (See Exhibit 4-2 in the Draft EIR). Nothing in the Draft ALUCP would conflict with the continued provision of public access to this open space area.

The other lands along the coast within the Area of Potential Impact are zoned R-5 (Coronado Towers) and H-M Hotel-Motel (all of which is the Hotel del Coronado property). As explained in Section 4.2.2.2 of the Draft EIR, the Draft ALUCP would have no effect in limiting development in the R-5-zoned area. 133 Coronado Towers has no additional development capacity. The impacts on the H-M Hotel-Motel zoning district would limit potential future

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130 NASNI ALUCP Draft EIR, December 2019, p. 4-10.
132 Exhibit 4-2, Existing Zoning and ALUCP Noise and Safety Zones in Coronado, in NASNI ALUCP Draft EIR, December 2019, p. 4-15.
133 NASNI ALUCP Draft EIR, December 2019, p. 4-14.
development at the Hotel del Coronado, as discussed in Sections 4.2.4.4 and 4.2.4.7 of the Draft EIR, but would have no effect in reducing the number of visitor accommodations, nor would it affect the planned development described in the Hotel's Amended Master Plan. Those impacts do not conflict with any LCP policies related to recreation and visitor-serving facilities, which are quoted below. Specifically, the Draft ALUCP is consistent with the City's policy of maintaining the "quality and number of existing visitor accommodations at or above their present levels..." (policy 2, below).

B. RECREATION AND VISITOR SERVING FACILITIES

1. Preserve existing public recreational facilities for public use.
2. Maintain the quality and number of existing visitor accommodations at or above their present levels, and encourage the provision of new low-cost visitor accommodations and the expansion of existing low-cost visitor accommodations.
3. Increase access to and encourage the use of the extensive beach frontage along the Silver Strand.
4. Preserve and protect identified environmentally sensitive areas along the shoreline where feasible.
5. Encourage the protection of any available public waterfront land suitable for future recreational development.
6. Maintain high standards for visual aesthetics and preserve these scenic qualities as recreational resources.

The California Coastal Commission was among the state agencies that received the Notice of Preparation of the NASNI ALUCP EIR from the State Clearinghouse. No scoping comments were received from the Coastal Commission. The Coastal Commission was also sent the Draft EIR by the State Clearinghouse. They filed no comments on the Draft EIR. See Comment A04.

Also, see Topical Responses T-15 and T-18.

Comment A02-37

Figure 5-3 on Page 5-7 of the 2011 NASNI AICUZ includes a note that states “Aerial depiction is for planning purposes; specific real estate decisions should be confirmed by normal surveying.” The areas proposed to be included in the ALUCP (i.e., CZ, APZ I and APZ II) should be confirmed by a professional land surveyor and the numbers above should be confirmed or corrected.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 16.)

134 NASNI ALUCP Draft EIR, December 2019, p. 4-37, 4-41. Also, see the response to Comment A02-71.
135 City of Coronado Local Coastal Program Land Use Plan, 2005, p. 6.
136 Scott Morgan, Director, State Clearinghouse, Naval Air Station North Island - Airport Land Use Compatibility Plan (ALUCP) SCH# 2019049125, Memorandum to Reviewing Agencies, April 22, 2019.
As the cited statement says, "specific real estate decisions should be confirmed by normal surveying." The AICUZ is an advisory planning document. The ALUCP is also a planning document rather than a development project of specific real estate decisions, and, as such, does not require professional surveying of the various zone boundaries. The safety zone boundaries have fixed dimensions tied to the surveyed runway at NASNI (Runway 11-29). The noise contours are likewise tied to the NASNI runway centerlines. The ALUCP maps were developed by georeferencing the safety zones and noise contours to SANGIS maps, which were used as the base maps for the Draft ALUCP. This level of accuracy is consistent with industry practice for land use planning and regulation.

Also, see the responses to Comments A02-32 and A02-38.

**Comment A02-38**

Rather than split any parcels, the contours should follow existing streets and/or parcel lines such that no split parcel conditions are created by the ALUCP. The models used in the 2011 AICUZ are not so advanced such that any split lots should result from overlaying noise and safety contours. Due to the small size of most lots, if the entire lot is not within a noise or safety contour the proposed rules should not apply.

**Response:**

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 47.)

The adjustment of noise contours and safety zones to follow streets and/or parcel lines would inevitably require arbitrary judgements. Such adjustments could be vulnerable to accusations of bias and obscure the nexus between the noise and safety standards and the boundaries within which they should apply.

The AICUZ noise contours and safety zones were established through the use of standard models (noise) or criteria (safety zones) and are objective portrayals of the respective areas.

Note that this comment contradicts Comment A02-37, which suggests that professional surveying of the safety zone boundary lines is necessary, while Comment A02-38 asserts that such lines are not so precise as to be fixed in place without modifications to avoid bisecting any parcel.

Also, see the responses to Comments A02-32 and A02-37.

**Comment A02-39**

The term “incompatible” should be included as a defined term in the Draft ALUCP. It should clarify if the incompatibility is related to safety, noise, both, or other criteria. The document should also clarify the distinction between “incompatible” and “inconsistent.”

**Response:**

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the
ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 54.)

The terms “compatibility” and “consistency” are defined in Section 1.5 of the Draft ALUCP, but have been adjusted with greater clarity, as follows:

- **Compatibility** - Evaluation of how a proposed land use action complies with each factor (noise, safety, airspace protection, or overflight) contained in this ALUCP.

- **Consistency** - The determination made by the ALUC or ALUC staff of a proposed land use action’s compatibility with all of the noise, safety, airspace protection and overflight standards and policies of this ALUCP. For example, a proposed project that is compatible with the noise policies and standards but is incompatible with the airspace protection standards is inconsistent with this ALUCP.

The terms “incompatibility” and “inconsistency” refer to states that are “not compatible” or “not consistent.”

Also, see the response to Comment A02-27.

**Comment A02-40**

The Draft ALUCP uses the terms “existing uses” and “existing structures” interchangeably. The two terms are not interchangeable. Existing uses relate to the underlying land use designation or category (i.e., residential, commercial, etc.). Existing structures refers specifically to the physical structures in the built environment such as a single-family home, resort, etc. This should be clarified in the Draft ALUCP, and correct terms should be consistently used.

**Response:**

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 55.)

The Draft ALUCP uses the terms “existing uses” and “existing structures” with precision and not interchangeably. The term “existing structures” is used when specifically referring to buildings or other structures. The term is used most often in Section 5.2, Airspace Compatibility, which is concerned, to a large degree, with the potential construction of structures and objects that could become obstacles to air navigation. As explained in Table 3, Section 3.3 of the Draft ALUCP, the term “existing uses” means “any use occurring as of the effective date of this ALUCP that remains constant without increase in density or height of habitable space or physical change to a nonresidential structure’s gross floor area or height that would increase intensity.”

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138 See Final EIR, Section 2.2.
Comment A02-41

The City is concerned that SDCRAA proposed process will add excessive delay and additional costs (including both processing costs and interior construction related noise mitigation costs) which will be ineffective once a door or window is opened. Mitigation funds, in an amount to be calculated by the City, must be provided by SDCRAA to offset the additional financial burdens created if the ALUCP were to be adopted by the ALUC.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 11.)

Also, see the response to Comment A02-44 and Topical Responses T-08, T-10, T-14, T-16, and T-17.

Comment A02-42

The City has reviewed the 65 CNEL contour and its relative position, as determined by the input data to the computer model outputs. Because it is so critical to the City, we are once again requesting a copy of the input/output of the computer model plus any field measurements that were taken so the accuracy of the contour can be validated. The City has repeatedly requested this information since 2016, and to date this information has not been provided. In the absence of this information, we cannot validate the position of or be asked to enforce the noise contours in the ALUCP.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 14.)

The geometry of the noise contours in the AICUZ and adopted into the Draft ALUCP was established by the Navy. The ALUC does not provide oversight on the collection of data and methodologies used to model aircraft noise at military installations such as NASNI. As previously explained to the City, requests for the input/output data must be directed to the Navy.

Comment A02-43

How were the ALUCP safety and noise contours developed? Are they based on flights using the loudest or maximum mission aircraft? The methodologies used and assumptions employed should be fully explained. A complete list of the aircraft, including airplanes and helicopters, that were used as the basis of the safety and noise modeling should also be provided for reference.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017.
The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 62.)

As noted in Topical Response T-01, the ALUC is obligated to use the AICUZ study as the basis for the NASNI ALUCP. The ALUC was not involved in the development of the safety zones and noise contours.

Refer to the AICUZ study for a discussion of the safety zones and noise contours. The noise modeling methodology and analysis is discussed in Wyle Report WR 10-18.

Also see the response to Comment A02-42.

Comment A02-44

The Draft ALUCP’s noise attenuation measures must be reevaluated for effectiveness. The Draft ALUCP would require expensive interior noise attenuation that would be ineffective because windows and doors are generally left open, given the local climate and proximity to the beach (in some cases across the street). This generally precludes the need for air conditioning.

Response:

The Draft ALUCP does not propose any specific noise attenuation measures. Rather it would establish a maximum interior sound level performance standard of 45 dB CNEL with windows and doors closed. This standard would apply only to the new construction and reconstruction of noise-sensitive land uses (notably residential) and expansions or reconstruction of 50 percent or more of the habitable area within the 65 dB CNEL contour. No retroactive treatment of existing buildings is required.

As noted, noise attenuation measures lose their effectiveness when windows and doors are open. The intent of the maximum interior sound level standard is to provide residents of new noise-sensitive development with the flexibility to decide when they want to opt for sound attenuation and when they prefer fresh air from open windows and doors.

This standard of the Draft ALUCP, as it applies to residences, generally accords with the Noise Element of the City’s General Plan. Also, see Topical Responses T-10 and T-15.

Comment A02-45

The flowchart shown in ALUCP Exhibit 2 does not contain associated timelines, which are required for full public disclosure. At a minimum, it appears that the review process for a project could take a minimum of four or more months, but likely longer for review and determination. This timeline is also incomplete as it does not include Federal Aviation Administration ("FAA") Hazard Determination timelines. This process

139 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. See Chapter 4, Aircraft Noise, and Chapter 5, Safety.

140 Wyle Aviation Services, Wyle Report WR 10-18, AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010.

places an undue burden on the City to administer and an unfair burden for applicants wanting to repair, maintain, or improve their private property.

Response:

Exhibit 2 in the Draft ALUCP presents timeframes associated with ALUC’s review responsibilities. As noted in that exhibit, the ALUC has up to 30 days to deem an application complete, and 60 days to make a determination of consistency, a total up to 90 days. The ALUC has established project review procedures ensuring the efficient processing of referrals for ALUCP consistency review. The typical time required to deem an application complete and render a consistency determination ranges from one to three weeks after the ALUC staff receives an Application. This requirement does not apply to the repair and maintenance of property or to remodeling that is confined to the existing building footprint, as these actions are exempt from ALUC review.\textsuperscript{142}

The FAA Obstruction Evaluation/Airport Area Airspace (OE/AAA) review timelines are independent of the ALUC, are not specified in any federal regulation, and can vary. The City’s review timelines are under City control and cannot be dictated or predicted by the ALUC.

As noted in Topical Response T-13, the FAA OE/AAA process is a federal regulation that must be complied with independent of any ALUCP. Moreover, structures deemed to be a hazard by the FAA additionally require the issuance of a permit by Caltrans Division of Aeronautics.\textsuperscript{143} The requirement, however, does not apply to the repair, maintenance, or improvement of property, unless increases in structure height are proposed.

Comment A02-46

The discussion of FAA Notification Requirements should clarify that the notice tool on the FAA website provides an extremely high number of false positives, and that project applicants are better served by making notification decisions based on the specific requirements in the Federal Aviation Regulations. (14 C.F.R. § 77 et seq.)

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 32.)

The Notice Criteria Tool does not return false positives. The FAA has designed the Notice Criteria Tool to meet their needs, as authorized by Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace, § 77.9. Note the language in the introductory paragraph to 14 CFR 77.9, “If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA…” (emphasis added). The underlined language authorizes the FAA to request the review of any projects about which it has concerns. The remainder of that section describes heights above which proposed structures require FAA review. (The commenter imprecisely refers to these as “specific requirements.”) Thus, the FAA may request to review proposed projects that do not exceed the height criteria described in 14 CFR 77.9 if it is concerned that they may

\textsuperscript{142} Draft NASNI ALUCP, December 2019, p. 9.

\textsuperscript{143} California Public Utilities Code, §§ 21657 and 21659(b).
interfere with navigational aids or radar or potentially cause other hazards. The Notice Criteria Tool has been
designed by the FAA to flag proposed projects which it desires to review.

The Draft ALUCP will continue to refer to the use of the Notice Criteria Tool. If the City of Coronado chooses to
implement the ALUCP, it could create its own implementation policy, subject to the ALUC’s concurrence, that would
be similar to the City of San Diego’s “Self-Certification” process, as well as using the FAA’s Notice Criteria Tool. (See
Draft ALUCP Section 5.2.1.2 on page 27.)

Also, see Topical Response T-11.

**Comment A02-47**

Section 4.1 of the ALUCP does not fully describe how the ALUCP will be implemented nor how compliance
will be achieved. For example, the CCC has the authority to appeal and/or modify projects that are located
within the appealable area in the City, as defined by the Coastal Act and the City’s LCP, as well as projects
within CCC original jurisdiction. Would an applicant have to start over with the FAA and ALUC if a project
approved by the City and the ALUC were to be modified by the CCC? This scenario should be evaluated in
the Draft ALUCP.

Response:

A similar comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC
responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The
same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC
reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment
73.)

The ALUC does not approve or disapprove projects. It issues determinations of consistency with the ALUCP which
the City can then implement or overrule prior to its own approval or disapproval of a permit.

The need for ALUC review after California Coastal Commission (CCC) action on a land use project may or may not
be necessary, depending on the circumstances, as described below. It is important to understand, however, that the
ALUC would not be involved in the review of land use projects under these circumstances after the City either
implements or overrules the ALUCP.

- If the CCC modified a project that required an increase in height above what was reviewed in the original
  application, then the ALUC would require re-review.
- If the project is residential, ALUC re-review would only be required if the CCC modification was to include more
  units than the original ALUC application.
- If the project is non-residential, then ALUC re-review would be required if the CCC modification would increase
  the gross square footage or introduce a new land use considered to be incompatible by the ALUCP into the
  proposal.

Also, see the response to Comment A02-48.

**Comment A02-48**

SDCRAA staff provided one example of how to implement its proposed policies, with the City adopting an
ordinance that requires property owners to enter into an agreement with the Navy. While this may be
applicable for a public use airport, it is not applicable for a military airport like NASNI. Suggesting that the City require an agreement between the airport (Navy) and property owner is not appropriate, since the City is neither the owner nor the operator of NASNI.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 17.)

The comment relates to an example “overflight agreement” provided to the City in 2017. Some agencies in San Diego County use agreements in which owners of residential property near airports acknowledge awareness of airport proximity and impacts of aircraft overflight. The example was not meant to imply that the City must adopt an ordinance requiring agreements with the Navy.

The general approach and possible tools for implementing the ALUCP are presented in Appendix B of the Draft ALUCP. Specific inconsistencies of the Coronado Zoning Code with the Draft ALUCP are summarized in Table 4-4 of the Draft EIR.144 The Orange Avenue Corridor Specific Plan is discussed in Section 4.2.2.3 of the Draft EIR and the Historic Resources code in Section 4.2.2.4.145

As discussed during the Working Group coordination process, the simplest way to implement the approved ALUCP policies may be through adoption of an airport compatibility overlay zone.146 It would also be helpful if the City amended the General Plan to acknowledge the ALUCP so as to provide support for and understanding of the basis for the revisions to the Zoning Code. The decision on how to implement the approved ALUCP, however, rests with the City of Coronado.

Comment A02-49

Historic preservation policies and programs are a key component of retaining community character within the City. The Draft ALUCP policies would create conflicts with City policies regarding historic preservation rules and regulations. Implementation of the Draft ALUCP could result in the loss of historic resource status or the loss of potential for historic resource qualification or designations to occur. SDCRAA must clearly describe ALUC review for historic properties, and assure that City historic policies and programs would not be jeopardized or otherwise adversely affected by the Draft ALUCP.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the

144 NASNI ALUCP Draft EIR, December 2019, p. 4-14.
145 NASNI ALUCP Draft EIR, December 2019, p. 4-17 – 4-19.
146 Implementation of the ALUCP was discussed at Working Group Meeting 4, June 22, 2016; Meeting 5, July 20, 2016; Meeting 6, August 24, 2016; and Meeting 10, March 8, 2017.
ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 23.)

The Draft ALUCP has no policies or standards that apply specifically to historic resources. The ALUC review process for proposed development or redevelopment of historic resources would be the same as for any other proposed land use project. Implementation of the ALUCP would not result in the loss of historic resource status or eligibility for any designated or qualifying structure.

Implementation of the ALUCP could affect the reuse of historic properties in certain cases. The Draft ALUCP designates a variety of land uses as incompatible in the safety zones. As discussed in the Section 4.2.4.6 of the Draft EIR, the Historic Resources Code grants flexibility to the owners of historic resources in the reuse of their properties: “In any residential zoning district, a historic resource may be used as a residential use, a combined residential and commercial use, solely as a commercial use, or any other use permitted by the City Council through a major special use permit.”147 Implementation of the Draft ALUCP would make the reuse of historic resources for the following land uses incompatible:

- Residential hotels
- Hotels
- Congregate care/nursing and convalescent facilities
- Schools, preschools, child day care centers
- Places of religious assembly
- Places of public/fraternal assembly (e.g., assembly halls, meeting halls, clubs, and lodges)

As discussed in Section 4.2.4.6 of the Draft EIR, “The Initial Study (included in this EIR as Appendix A) concluded that implementation of the ALUCP would not cause a significant impact on cultural and historical resources.148 This was because other reuse alternatives, many of which are more realistic options than those that would become incompatible with implementation of the ALUCP, would remain possible under the ALUCP. Examples include bed and breakfast inns, professional offices, retail shops, and home occupations.”149 Except for the hotels, the other incompatible uses are institutions and public services which are subject to limited development demand or are priced out of the local real estate market. Hotels would be out of character with the residential areas where most historic uses occur, which may make it difficult to secure the required special use permits.150

Comment A02-50

ALUCP Section 6.1 contains the following unclear sentence. It must be explained in clear and concise language; examples should be provided to assist understanding. “If a local agency decides to implement this ALUCP by amending its land use plans and regulations in stages, and the ALUC has determined that those

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147 NASNI ALUCP Draft EIR, December 2019, p. 4-14.
148 NASNI ALUCP Draft EIR, December 2019, Appendix A, Naval Air Station North Island Airport Land Use Compatibility Plan CEQA Initial Study, p. 4-6 – 4-8.
149 NASNI ALUCP Draft EIR, December 2019, p. 4-39.
150 NASNI ALUCP Draft EIR, December 2019, p. 4-47.
incremental land use plan and regulatory amendments are consistent with this ALUCP, the ALUC will not need to review proposed land use actions that are covered by those incremental amendments.”

Response:

The cited sentence in Section 6.1 of the Draft ALUCP has been deleted from the final version. The language was determined to be unnecessary and confusing.

Comment A02-51

What objective criteria would be used by the NASNI Commander under Draft ALUCP Policy 5.2.4 for determining whether a proposed structure is incompatible with airspace policies? What specific findings would need to be made?

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 60.)

The criteria to be considered by NASNI are described in Policy 5.2.4 of the Draft ALUCP and involve a determination whether the “proposed structure or object would increase the ceiling or visibility minimums for an existing or planned instrument procedure, airway, route, or minimum vectoring altitude or conflict with instrument or visual flight rules airspace.”

Comment A02-52

Why would the City agree to transfer the burden from the Navy to the property owners for noise attenuation or mitigation for existing structures when it is not the presence of the existing structures that is creating the issue, but rather the effect of modified NASNI operations as outlined in the AICUZ and as enforced by the ALUCP?

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 61.)

The Draft ALUCP includes no policies or standards that would require “noise attenuation or mitigation measures for existing structures.” The interior sound level performance standards presented in Table 4 of the Draft ALUCP would apply only to new noise-sensitive land uses and the enlarged or reconstructed portions of existing residential land.

151 Draft NASNI ALUCP, December 2019, p. 27.
uses involving 50 percent or more of the habitable area. This provision of the Draft ALUCP, as it applies to residences, is generally in accord with the Noise Element of the City’s General Plan.152

Also, see Topical Responses T-10 and T-15 and the responses to Comments A02-41 and A02-44.

**Comment A02-53**

**What is the extent of the review of ALUC and what are the “findings” that need to be made? This must be described in full in the Draft EIR.**

**Response:**

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 64.)

ALUC review is an advisory recommendation of consistency with the applicable ALUCP to the permitting local agency. The findings of consistency relate to each of the four compatibility factors of noise, safety, airspace protection, and overflight. If land use plan, regulation, or project is compatible with each of those factors, the ALUC will find the land use action consistent with the ALUCP. If the land use plan, regulation, or project is incompatible with one or more of the factors, the ALUC will find the land use action inconsistent with the ALUCP.

**Comment A02-54**

**What types of project, criteria, thresholds, and findings would trigger an ALUC staff level review versus a full ALUC Commission review?**

**Response:**

ALUC policy is that all projects are reviewed by staff. When staff review finds projects are consistent or conditionally consistent (that is, consistent subject to specific standards described in the Draft ALUCP), staff can issue a Determination of Consistency letter. If a project is inconsistent, it must go before the full Commission for public hearing.

**Comment A02-55**

**A non-compatibility conclusion following the resumption of a discontinued use after 24 months is arbitrary. What is the basis or justification for establishing a time limit? No evidence or rationale is provided for establishing a time limit.**

**What if a commercial use changes and the business has been operational the entire time, but a previous use goes back into business in that location (e.g., restaurant to shopping to restaurant again)? This scenario needs to be described.**

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152 *City of Coronado General Plan, Chapter L, Noise Element, September 17, 1974, April 20, 1999 (Revised), p. II-L5 and II-L8.*
Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 66.)

As previously explained, the limitation on resumption of a discontinued use which is incompatible with the noise or safety policies of the Draft ALUCP after 24 months is not arbitrary. As outlined in Draft ALUCP Appendix E2 Section E2.8.11 and Appendix E3 Section E3.7.13 Discontinuance of Incompatible Uses, the 24-month period is consistent with other ALUCPs adopted in San Diego County. The timeframe is also consistent with provisions in the City of Coronado zoning ordinance governing the reconstruction of structurally nonconforming residences destroyed by calamity\textsuperscript{153} and a provision relating to the discontinuance of nonconforming business uses in residential zones.\textsuperscript{154} Additionally, it is reasonable to set a time limit standard to prevent the resumption of any use from the past that may be incompatible with the AICUZ to avoid making the existing degree of incompatibility worse.

Regarding the scenario described above, the discontinuance policy would only apply if an incompatible use was proposed to occur, and only if the use had been discontinued for more than 24 months. Since restaurants and shopping/retail are not incompatible uses per Draft ALUCP Table 4, Standards for Noise and Safety Compatibility, the discontinuance provision does not apply to the described scenario.

Comment A02-56

What is required to be submitted in order for an application to be “deemed complete” for processing by ALUC staff? This must be described in the ALUCP.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 69.)

Appendix B of the Draft ALUCP has been revised to describe the requirements for a complete ALUC application for determination of consistency.

Comment A02-57

Can the ALUC deem applications complete for processing (e.g., filed) if the (FAA) is non-responsive on a project review for a hazard determination?

Is there a time limit where FAA’s non-response is deemed concurrence?

\textsuperscript{153} Coronado Municipal Code, §§ 86.50.100.B. and 86.50.100.C.

\textsuperscript{154} Coronado Municipal Code, § 86.50.140.C.
Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 70.)

Unless the City of Coronado provides for an option for a project sponsor to certify that notification to the FAA is not required as described in Section 5.2.1.2 of the Draft ALUCP, an application cannot be deemed complete without an FAA OE/AAA determination. There is no time limit to the FAA review period, but the FAA has acted even during the federal government shutdowns of 2013 and 2018-2019. In one of its publications, the FAA indicates that its review is typically accomplished within 30 to 45 days.155

Comment A02-58

What is the nexus between tenant changes and changes to safety risks if they involve no change to height or square footage or a reduction in development? This should be clarified in the Draft ALUCP as it seems that tenant changes would be denied by the ALUC. The standards for determining this as well as findings that would have to be made are not specified.

Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 77.)

Tenant changes are exempted from ALUC review unless a change to a use that is incompatible with the noise or safety standards is proposed.156 Such proposed incompatible uses would be deemed inconsistent with the Draft ALUCP.157 The bases for the designation of incompatible uses in the noise contours and safety zones are discussed in Appendix E of the Draft ALUCP.158

Comment A02-59

The list of “Exemptions from ALUC Review” is not an exhaustive list and contains only a few examples. This list should be more fully thought out and expanded in the ALUCP.

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155 Federal Aviation Administration, Office of Airports, Office of Airport Planning and Programming, Airport Planning and Environmental Division (APP-400), Technical Guidance for Evaluating Selected Solar Technologies on Airports, Version 1.1, April 2018, p. 36.

156 Draft NASNI ALUCP, December 2019, Table 3, Exemptions from ALUC Review, p. 10.


Response:

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 18.)

The list of exemptions is indeed exhaustive. It is not a list of examples. Those are the actions that are specifically proposed for exemption. Exemptions were discussed by the Working Group at the following meetings: Meeting 5, July 20, 2016; Meeting 6, August 24, 2016; Meeting 7, September 21, 2016; Meeting 9, November 16, 2016; and Meeting 10, March 8, 2017.

Comment A02-60

It is not clear why “tenant changes” are considered potentially incompatible with NASNI operations. There are examples of where tenant changes result in a reduction in development intensity or density. This is an arbitrary distinction and the reference should be removed or evidence of its relevance provided.

A change in land use type (e.g., from residential to industrial or commercial) would trigger conformity review with NASNI AICUZ operations via the ALUCP review. It is unclear why changes within an existing structural envelope or adding a modest amount of square footage or a modest height increase would be automatically incompatible within the APZ zones.

Response:

These same comments were previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comments were restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comments 19 and 20.)

See the response to Comment A02-58 for a discussion of tenant changes.

Regarding changes in land use type, only proposals involving a change to a use that is incompatible with the noise or safety standards would be subject to ALUC review.¹⁵⁹

Only increases in the gross floor area of nonresidential uses would be incompatible with the draft safety standards and inconsistent with the Draft ALUCP. The reason for this standard is to avoid increases in the intensity of use (additional occupancy) of nonresidential areas, as noted in Draft ALUCP Policy 5.1.5.¹⁶⁰ The AICUZ suggested land use compatibility guidelines in accident potential zones advise limits on floor area ratios of certain land uses as a way of limiting development intensity,¹⁶¹ and this Draft ALUCP policy mirrors that guidance.

¹⁵⁹ Draft NASNI ALUCP, December 2019, p. 12.
¹⁶⁰ Draft NASNI ALUCP, December 2019, p. 25.
Increases in the habitable area of residential uses would be compatible, subject to interior sound level performance standards for the enlarged portion of the residence where the habitable area is expanded by 50 percent or more.162

**Comment A02-61**

According to ALUCP Section 4.1.2, it appears that the ALUCP process would make some currently “ministerial” permits such as certificates of occupancy and building permits “discretionary” for purposes of SDCRAA consistency review. What is the authority for this? The SAA does not expressly provide SDCRAA with the authority to change a ministerial approval to a discretionary approval or to impose conditions on a ministerial permit.

**Response:**

This same comment was previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comment was restated in another letter from the City of Coronado dated August 21, 2017, to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comment 22.)

The issue of making some currently ministerial permits discretionary for purposes of ALUC consistency review, specifically related to scenarios where interior sound performance standards must be met, was taken to the ALUC for policy direction on November 2, 2017. The ALUC took action and directed ALUC staff to prepare the Draft ALUCP in accordance with ALUC staff’s recommendations, which included applying standards to land use projects.

The California Public Utilities Code makes no distinction regarding the type of local agency permit classification but requires all land use actions to be referred to the ALUC for review. Ministerial or non-discretionary permits are subject to compliance with building and zoning code standards (e.g., FAR, setbacks, height, structural engineering, etc.) that constitute “conditions”, and interior sound performance is no different. Exempting ministerial/non-discretionary permits (e.g., a day care business license with no physical improvements) could allow noise- or risk-sensitive uses that are incompatible with the AICUZ.

The Caltrans Handbook speaks to the applicability of the ALUCP to ministerial/non-discretionary permits. “The limitation on ALUC authority over existing land uses applies only to the extent that the use remains constant. Merely because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new or increased compatibility conflicts would result. To the extent that such land use changes require ministerial or discretionary approval on the part of the county or city, they may fall within the authority of the ALUC to review.”

**Comment A02-62**

The Draft EIR improperly incorporates by reference several lengthy technical documents, thereby inhibiting effective public and decision-maker understanding and review of the Draft EIR. CEQA Guidelines § 15150(b) requires that the EIR state where the incorporated documents are available for public inspection; the Draft EIR fails to do this. More importantly, the Draft EIR fails to summarize the incorporated portions of the

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163 California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 4-41 (emphasis added).
documents and fails to describe the analyses in the EIR that the incorporated documents support, as required by CEQA Guidelines § 15150(c). Without this roadmap, it is impossible for the reader to understand what substantial evidence supports the EIR’s impact analyses.

Response:

CEQA Guidelines section 15150 provides that an EIR may incorporate by reference all or parts of another document that is a matter of public record or is generally available to the public. The EIR should identify where the document is available to the public for inspection and review. Further, where the EIR uses incorporation by reference, the incorporated part of the document must be briefly summarized or described. CEQA’s incorporation by reference provisions have been interpreted in a manner that focuses on whether the public or decision-making process was prejudiced, which is the appropriate focus of judicial review.

Here, the commenter does not suggest that the commenter or other interested parties could not access, or were refused access, to any such documents. In fact, no record exists of anyone making even a request for a document that was incorporated by reference in the Draft EIR. Importantly, the commenter does not suggest that the documents were not available or could not be made available upon request. In any case, as explained below, the three documents referenced in the Draft EIR were reasonably described and appropriately referenced. Thus, even assuming the ALUC fell short as to one or more of the referenced documents, such error would not have been prejudicial.

As mentioned above, aside from the lack of prejudice, the EIR substantially complied with CEQA’s provisions. The three documents incorporated by reference are briefly summarized in Section 1.8 of the Draft EIR and are discussed throughout the Draft EIR. See, e.g., Sections 1.4, 1.6.2, 2.2, 2.5.1, 2.5.3, 3.2.1, 3.4.1, 4.2.5, of the Draft EIR.

The documents are the AICUZ study, the technical report documenting the noise analysis summarized in the AICUZ study, and the Caltrans Airport Land Use Planning Handbook. They provide documentation of the basis for the Draft ALUCP noise contours and safety zone boundaries and Caltrans guidance on the contents of ALUCPs. None were used to support the Draft EIR impact analyses. The Handbook and the AICUZ study are readily available and can be easily downloaded from the Caltrans website and the SDCRAA website. The noise technical report is available from SDCRAA staff.

The substantial evidence supporting the impact analyses is included in the Draft EIR itself.

164 CEQA Guidelines, § 15150, subd. (a).
165 CEQA Guidelines, § 15150, subd. (b).
166 CEQA Guidelines, § 15150, subd. (b).
172 Wyle Aviation Services, Wyle Report WR10-18: AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010.
Comment A02-63

The ALUCP relies on the 2011 AICUZ as its basis for its safety zones, noise contours, and land-use compatibility standards. The AICUZ has a planning time horizon of 2020 only, and as such is not an appropriate “long range master plan” to serve as the foundation of the ALUCP. PUC § 21675(a) requires that ALUCPs be based on an airport development plan “that reflects the anticipated growth of the airport during at least the next 20 years.” The Handbook (pp. 3-5 and 3-6) recognizes that:

> Forecasts having the required 20-year time horizon are normally included in airport master plans.... For compatibility planning, however, 20 years may be shortsighted. For most airports, a lifespan of more than 20 years can reasonably be presumed. Moreover, the need to avoid incompatible land use development will exist for as long as an airport exists.... In conducting noise analyses for ALUCPs, the long-range time frame is almost always of greatest significance.

The requirement for an ALUCP to be based on a long-range master plan was reinforced by the court in City of Coachella v. Riverside County Airport Land Use Commission (1989) 210 Cal.App.3d 1277, 1291. In that case, the court held that the airport commission’s land use plan did not meet the requirements of the SAA because it did not include a long-range master plan encompassing at least 20 years of anticipated growth by the airport.

By not extending the ALUCP time horizon beyond 2020, the proposed ALUCP is inconsistent with the long-range planning requirements of PUC § 21675(a) and the Handbook. As a result, the Draft EIR project description is highly inaccurate, potentially resulting in highly inaccurate forecasts of development restrictions and development displacement within the City. An accurate project description is essential to determine the scope of environmental review. (County of Inyo v. City of Los Angeles (1977) 71 Cal. 3d 185,192.)

Response:

See Topical Responses T-01 and T-02.

Comment A02-64

As noted by the Draft EIR (p. 2-9), PUC § 21675(b) states that an ALUCP prepared for an area surrounding a military airport must be “consistent with the safety and noise standards” in the AICUZ prepared for that military airport. However, this requirement does not mean that the safety and noise standards, and associated contours, must be identical. (See Muzzy Ranch Co. v. Solano County ALUC (2008) 164 Cal.App.4th 1,9 [“safety and noise standards in an airport land use plan must be compatible with those in the applicable AICUZ, but they need not be identical”].)

Response:

The Muzzy Ranch decision cited by the commenter is an important decision which provides guidance relating to the consistency requirements. Specifically, in Muzzy Ranch, the court looked at the meaning of “consistent with” in the general plan context 173 as well as the intent of the statute and the Caltrans Airport Land Use Planning Handbook. Interestingly, and as pointed out by the court, the legislative history of Senate Bill 1468, which added the consistency provisions to the Aeronautics Act in 2002, showed that the amendment was intended to protect the operation of

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military installations from encroachment by development. After evaluating these various resources, the court determined that, although "consistent with" did not mean that the ALUCP must adopt or incorporate the safety and noise standards from the AICUZ, the court did find that “consistent with” means that the ALUCP must be at least as protective of airport operations as the applicable AICUZ.

The Draft ALUCP uses the noise contours and safety zones developed by the Navy for the AICUZ study without modification rather than increase the size of those areas and, thus, increase the protections provided in the ALUCP as allowable under the Muzzy Ranch decision. The ALUC cannot reduce the extent of these areas that have been developed through the Navy’s technical analyses and still provide protections consistent with the NASNI AICUZ.

With respect to noise and safety policies and standards, and in addition to the Muzzy Ranch decision, the Caltrans Handbook notes that the AICUZ guidance is to be considered as a minimum starting point. "The safety compatibility criteria suggested in AICUZ guidelines tend to represent minimum standards (more so with respect to noise than safety)." 174

The Draft ALUCP polices and standards were developed through an extended consultative process. The AICUZ study does not provide safety and noise policy "standards" for use in the NASNI area. It does provide the Navy’s standard suggested land use compatibility guidelines for noise and safety175 that were determined by the ALUC to be unrealistic to apply in the NASNI area.176 The ALUC used as a guiding principle for Draft ALUCP policies and standards the AICUZ advice that local agencies “not take actions that would make an existing land use compatibility (or incompatibility) situation worse (for example, by allowing increased densities in the redevelopment of currently low density incompatible land uses).”177

Also, see Topical Responses T-01 and T-02.

**Comment A02-65**

The Handbook endorses this reasonable longer-range approach to updating AICUZ noise contours, and it is inexplicable why the SDCRAA did not follow it for the NASNI ALUCP. Handbook p. 308 states:

> AICUZ studies conducted by the U.S. Department of Defense are often times the primary source for noise contours associated with military installations. Because aircraft activity levels at most military facilities are highly dependent upon international events, the contours usually represent current conditions and long-range projections are seldom done. When preparing forecasted noise contours for a military installation, ALUC staff should work with military personnel to determine an appropriate mission expansion scenario that would reflect realistic increases in military operations for the foreseeable future.

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175 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011, Tables C-1 and C-2, p. C-1 – C-10.

176 The potential use of the AICUZ land use guidelines in the Draft ALUCP is discussed in Section 5.7.2 of the Draft EIR (p. 5-14 – 5-21).

177 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011, p. 7-3.
Response:

The Caltrans Handbook specifically addresses the challenges of forecasting activity at military airports. "A particularly unique aspect of compatibility planning for military airports is that aircraft activity forecasts of the sort done for civilian airports are not very meaningful."¹⁷⁸ Commercial and general aviation activity forecasts are based on time series analysis and population and economic trends. Military aviation activity is unrelated to these civilian activity indicators. As stated in the Handbook, "Military airport activity levels depend almost exclusively on the mission of the base and on national or international events involving military participation."¹⁷⁹

Given the difficulty of validly projecting activity levels through the long-term future, the Handbook discusses one method for dealing with the uncertainty. "A typical planning approach thus is to postulate a 'maximum mission' for the base. ALUCs wishing to anticipate the potential for yet greater aircraft operations impacts sometimes base their planning on a multiple of the maximum mission activity levels (a multiplier of 1.5 or 2, for example)."¹⁸⁰ This approach would result in an increase of up to 3 dB in the size of noise contours, if all operating parameters, other than the number of operations, were held constant.¹⁸¹

For the draft NASNI ALUCP, the ALUC used the projected noise exposure contours directly from the AICUZ study because it is outside the capacity and jurisdiction of the ALUC to speculate about changes in the aircraft fleet and operations, and the corresponding noise consequences, related to the Navy’s future readiness and deployment posture in response to unpredictable, future international events. Thus, it was considered inappropriate and arbitrary to postulate a "maximum mission” scenario. The ALUC was satisfied with the Navy’s analysis in the AICUZ and supporting noise study.¹⁸²

Also, see Topical Responses T-01 and T-02.

Comment A02-66

By insisting that the 2011 AICUZ must form the basis of the Draft ALUCP (see Draft EIR p. 1-4), SDCRAA has violated CEQA by prematurely “approving” the ALUCP prior to completing CEQA review. “Approval” occurs when a public agency decision “commits the agency to a definite course of action in regard to a project.” (CEQA Guidelines, § 15352(a).) In determining whether a public agency’s agreements or other steps taken to support a proposed project constitute a commitment to a definite course of action, the key question is whether the agency has retained discretion to adopt all alternatives, impose mitigation measures, or disapprove the project altogether, once CEQA review is completed. (See CEQA Guidelines, § 15004; Save Tara v. City of West Hollywood (2008) 45 Cal.4th 116.) The Draft EIR proposes no mitigation measures, and Chapter 5 improperly rejects the no-project alternative and the two action alternatives because they fail to achieve SDCRAA’s statutory mandate to establish an ALUCP plan for NASNI based on the AICUZ. Because

¹⁷⁸ California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 3-47.
¹⁷⁹ California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 3-47.
¹⁸⁰ California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 3-47.
¹⁸¹ Other critical operating parameters include the distribution of operations by time of day, the mix of aircraft operating at NASNI, and the proportions of aircraft using each runway end.
¹⁸² Wyle Aviation Services, Wyle Report WR 10-18, AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010.
SDCRAA refuses to accept mitigation measures or alternatives other than those based on the 2011 AICUZ, SDCRAA has prematurely approved the proposed ALUCP prior to completing CEQA review.

Response:

CEQA requires the project description to be accurate and consistent throughout the EIR. “An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” In addition, state statutory law requires the ALUC to include the area surrounding any federal military airport in its ALUCP, and the ALUCP must be consistent with the safety and noise standards in the military’s AICUZ plan. The Draft ALUCP policies and standards were prepared consistent with this state mandate.

Although the Draft ALUCP for NASNI has been developed in compliance with statutory law requiring consistency with the safety and noise standards in the NASNI AICUZ, the Draft ALUCP policies and standards have been tailored based on a number of specific circumstances, including the existing development pattern and the City of Coronado’s zoning regulations relating to City policies and development, including redevelopment standards. The Draft ALUCP policies and standards were developed based on interactive discussions with the City over a period of three years. These open discussions and modifications ultimately resulted in the Draft ALUCP that formulates the project description for purposes of CEQA analysis.

Before approving the Draft ALUCP project analyzed in the EIR, the ALUC must certify the Final EIR. After the ALUC has certified the Final EIR and adopted findings, a mitigation reporting or monitoring program, and a statement of overriding considerations, the final decision whether to approve the Draft ALUCP is left to the ALUC. And, importantly, CEQA provides lead agencies, like the ALUC, with the clear legal ability to disapprove proposed projects (including the Draft ALUCP). Therefore, the ALUC is the ultimate decision-making body and has the legal discretion to approve or disapprove the project as proposed.

With respect to the alternatives, the Draft EIR itself does not have the legal authority to “reject” alternatives, as suggested in the comment. Rather, the SDCRAA Board, acting in its capacity as the ALUC, retains its discretion to review and evaluate the Draft ALUCP and all of the alternatives presented in the EIR for approval, subject to CEQA compliance.

The preparation of the Draft ALUCP and the Draft EIR to analyze the project consistent with CEQA requirements is clearly distinguishable from the case of Save Tara, which related to multi-step approval actions and when CEQA agencies must complete the necessary CEQA environmental review. In Save Tara, the court carefully examined whether the agency had done or said anything that could be considered an “approval.” With respect to the ALUCP, and as indicated above, the ALUC has not taken any discretionary approval action on the ALUCP and will not prior to considering and certifying the Final EIR and considering the record before it in its entirety.

The commitment in the Draft ALUCP to be consistent with the noise and safety provisions of the AICUZ is not a “commitment” that forecloses alternatives or mitigation measures; rather, it is a requirement of state statutory law. There is no subjectivity involved here. PUC Section 21675(b) requires: “[t]he commission [to] include, within its

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184 California Public Utilities Code, Section 21675(b); see also, Muzzy Ranch Co. v. Solano County ALUC (2008) 164 Cal.App.4th 1 (finding that compatibility plan could be more restrictive than the AICUZ and still be consistent with the AICUZ).
185 CEQA Guidelines Section 15080(a).
186 See, e.g., CEQA Guidelines Sections 15042, 15002.
airport land use compatibility plan ... the area within the jurisdiction of the commission surrounding any military airport ... The airport land use compatibility plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport.”

Comment A02-67

The safety zones in the ALUCP are based on the 2011 AICUZ zones that are no longer accurate as they do not accurately reflect existing and planned future operations at NASNI. (See AICUZ tables 2-1 and 2-2.) To the extent that there have been or will be future aircraft operational changes at NASNI, these changes have the potential to affect both the safety zones and noise contours reflected in an AICUZ. Further environmental review and updates to the AICUZ are currently required by Navy procedures, as consistent with OPNAVINST 11010.36C, which provides guidance on the AICUZ program. A new AICUZ must be prepared by the Navy, and reflected in a revised Draft EIR project description, that accounts for current and future planned operations at NASNI.

For example, the Navy has indicated that it is transitioning the C-2A Greyhound aircraft fleet at NASNI to the Osprey aircraft along with the establishment of a Navy Fleet Replacement Squadron to train pilots and crew, a school for maintenance personnel, and related construction of new facilities and renovation of existing facilities at NASNI. (“Osprey conversion.”) This is a contemporary example of a planned modification at NASNI that is not accurately represented in the current AICUZ. It also highlights the ability of the Navy to make important facility changes when needed.

Exhibit 2, prepared by the City’s experts, describes in detail why the AICUZ noise contours are inaccurate and outdated, and explains why the precise location of the 65 dB CNEL contour line is critical in determining whether noise policies and standards apply to a land use. Using more recent data from the Osprey Conversion Environmental Assessment and other sources, Exhibit 2 demonstrates the following major inaccuracies in the AICUZ 2020 scenario that was used to calculate noise contours:

- The number of aircraft operations is too high.
- The day/evening/night operational shifts are inaccurate; evening and night operations are underestimated.
- The aircraft fleet mix assumed is inaccurate: aircraft types are different, and the proportion of transient aircraft to based aircraft is too low.
- Noise simulation models are outdated and have been updated or replaced.
- Flight paths have changed.

Updated modeling that corrects these inaccuracies will result in a different planning area coverage and different noise contours. These changes should be presented in a revised Draft EIR project description, and in revised Draft EIR impact analyses.

Response:

Similar comments were previously raised in a letter dated May 2, 2017 from the City of Coronado, to which the ALUC responded via email to ALUCP Working Group members, including City of Coronado staff, on May 24, 2017. The same comments were restated in another letter from the City of Coronado dated August 21, 2017, and to which the ALUC reiterated its response in a letter dated September 6, 2017 to the City of Coronado. (See Appendix 3.B, comments 57, 58, and 59.)
Please also see Topical Responses T-01 and T-02 and the response to Comment A02-69.

**Comment A02-68**

Draft EIR Section 2.6.2 recognizes that the City and affected cities are expected to “refer to” the EIR when considering changes to land use plans and regulations to achieve consistency with the ALUCP. However, affected local governments are actually responsible agencies under CEQA that would directly rely on the EIR when deciding whether to adopt land use plan and regulatory changes to achieve consistency with the ALUCP; they should be recognized as responsible agencies in the EIR. Responsible agencies are all public agencies other than the lead agency having discretionary approval authority over a project. (CEQA Guidelines, § 15382.)

The City intends to follow the process outlined in CEQA Guidelines § 15096 with respect to the EIR. Under § 15096, a responsible agency complies with CEQA by considering the EIR prepared by the lead agency “and by reaching its own conclusions on whether and how to approve the project.” Thus, the legal adequacy of the Draft EIR is of fundamental importance to the City.

Response:

ALUC staff and legal counsel have determined that the City is not a “responsible agency” under CEQA for the ALUCP because the City does not have any discretionary approval authority over the ALUCP. A “responsible agency” under CEQA is defined as a “public agency, other than the lead agency which has responsibility for carrying out or approving a project” (see Public Resources Code Section 21069). The CEQA Guidelines further clarify this definition, providing that responsible agencies are “all public agencies other than the lead agency which have discretionary approval power over the project” (see CEQA Guidelines, Section 15381). The City is a commenting public agency to which the ALUC as lead agency must respond through the EIR process.

The City will be the lead agency under CEQA if and when it amends its Zoning Code to be consistent with the adopted ALUCP.

Because no agency other than the ALUC has discretionary approval authority over the ALUCP, the City of Coronado is not a “responsible agency” under CEQA Guidelines Section 15381. This position was taken by the ALUC in its adoption of the five Urban Airport ALUCPs in 2010 (Brown Field, Gillespie Field, McClellan Palomar Airport, Montgomery Field and Oceanside Municipal) and the San Diego International Airport ALUCP in 2014. (Note that CEQA Guidelines Section 15381, rather than Section 15382, is the correct citation related to Responsible Agencies.)

**Comment A02-69**

With limited exceptions, an EIR environmental setting must describe physical environmental conditions as they exist at the time the NOP is published, and the existing environmental setting serves as the baseline for impact analysis. (CEQA Guidelines § 15125(a)(1).) With regard to NASNI operations, however, the Draft EIR (starting on p. 3-2) describes “projected” 2020 operations based on the 2011 AICUZ together with the projected CMV-22B Osprey conversion.

However, an existing condition baseline is required to describe actual conditions, not hypothetical conditions. (CEQA Guidelines, § 15125(a)(3).) Therefore, the NASNI operations environmental setting and associated existing conditions baseline should be revised to reflect actual physical conditions as they existed at the time of the NOP (2019).
Exhibit 2 (Detailed Analysis of Necessary AICUZ updates) demonstrates the inaccuracy of the Draft EIR’s baseline based on AICUZ 2020 projections. For example, Exhibit 2 shows the AICUZ projected number of NASNI total aircraft operations in 2020 was 100,300, whereas the 2018 Osprey Conversion Environmental Assessment presents an updated baseline number of 79,800.

Response:

Section 3.2.1 of the Draft EIR describes the airfield at NASNI and the operations levels, flight routes, and typical aircraft using the facility. The information was largely taken from the AICUZ study, as referenced in the Draft EIR. The AICUZ study is discussed in Section 3.4 of the Draft EIR, along with the land use plans and policies of other agencies.

The potential impacts of the Draft ALUCP are based on its relationship to the land use plans and regulations applying within the Area of Potential Impact. The AICUZ is also essential background information since the Draft ALUCP must be consistent with the safety and noise standards of the AICUZ. The operational aspects of NASNI are relevant to the Draft EIR to the extent they support an understanding of the basis for the AICUZ study. Any potential impacts of the Draft ALUCP are independent of the operational activity at NASNI at any given time.

The NASNI information presented in the Affected Environment section of the Draft EIR is fully compliant with the CEQA Guidelines, as indicated by the following quotation.

Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project’s impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence.

Also, see Topical Responses T-01 and T-02.

Comment A02-70

The Draft EIR states that 180 acres of existing developed lands in the City will be significantly affected by the ALUCP safety zones including:

- 64 acres of single-family homes.
- 5 acres of multi-family homes.
- 1 acre of commercial land uses.
- 25 acres of Resort and Hotel/Motel land uses.

Table 4-11 of the Draft EIR shows ALUCP displacement of 36 residential dwelling units (28 single family and 8 multi-family), up to 25,550 square feet (sf) of commercial land uses, and 38,023 sf of hotel resort land uses.

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187 NASNI ALUCP Draft EIR, December 2019, p. 3-1 – 3-5.
188 Information about the aircraft carriers based at Naval Base Coronado was updated per base officials.
189 NASNI ALUCP Draft EIR, December 2019, p. 3-19 – 3-30.
190 Association of Environmental Professionals, 2019 California Environmental Quality Act (CEQA) Statute and Guidelines, CEQA Guidelines, Section 15125(a)(1)(emphasis added).
However, the Draft EIR concludes that only the loss of 38,023 sf of hotel/resort land uses is considered a significant unavoidable impact.

The Draft EIR incorrectly concludes that residential (p. 4-45), commercial (p.4-46), and incompatible non-residential development (p. 4-48) impacts are less-than-significant impacts. A main underlying rationale used for these conclusions is that the displaced development represents a small proportion on the affected land uses compared to Citywide totals. This “ratio” approach to determining impact significance is incorrect, and has been firmly rejected by the courts. (See, e.g., Kings County Farm Bureau v. City of Hanford (1990) 22 Cal.App.3d 692,718 [rejecting “ratio theory” approach to determining significance of a project’s contribution to cumulative air quality impacts].) The question is not the relative amount of development displaced compared to existing land uses in the City, but rather whether any additional displaced development should be a significant impact in light of the largely built-out nature of the City.

Response:

The comment addresses general subject areas in the Draft EIR; specifically, the significance of environmental impacts to land use (including residential and commercial). The land use impact analysis and determination of significance received extensive discussion in the Draft EIR (see Section 4.2.4 of the Draft EIR). As indicated in the Draft EIR, there is no established significance threshold for land use displacement; therefore the determination of significance is dependent on a number of different factors, including the magnitude of displaced land uses relative to all development in the city, the proportion of zoned area affected by the Draft ALUCP relative to the total zoned area in the city, and the degree to which the displaced development can be considered speculative. As indicated by the commenter, the Draft ALUCP would result in significant and unavoidable impacts to resort/hotels. The comment does not raise any specific issue regarding the land use analysis other than expressing general concern regarding the significance determinations; therefore, no more specific response is required.

The analysis of land use impacts was implicitly directed at addressing the question posed in the comment: “whether any additional displaced development should be a significant impact in light of the largely built-out nature of the City.” It is why the Draft EIR concluded that impacts on hotel/resort land uses would be significant.

The impacts on residential land use were determined to be less than significant, in part, because of the small proportion of displaced residential units in comparison with the total number of residences in the city. Other factors included the small proportion of R-1A and R-3-zoned land within the safety zones compared with the entire city, and the speculative nature of the single-family residential development that was considered potentially displaced.191

As explained in the Draft EIR, all residential-zoned land in the Area of Potential Impact is developed – no vacant lots remain in the area. For any further single-family residential development to occur, the owners of the 19 oversized lots would have to decide to split their property into two (or, in some cases, three or more) lots. As explained in the Draft EIR, this would require demolition of the existing homes in at least some cases. Whether any of this development would actually occur in the absence of the ALUCP is highly speculative.

The impacts on noncommercial land use in the C – Commercial zone were determined to be less than significant because of the small amount of affected property relative to the total amount of commercial-zoned land in Coronado (4 percent).192 The amount of potentially displaced nonresidential development in the C - Commercial zone is also subject to considerable uncertainty. The maximum amount of potentially displaced gross floor area,
25,550 square feet, assumes the provision of underground parking with redevelopment of the two affected parcels. In addition, one of the parcels included in the commercial development displacement analysis has only 47 percent of its land area within the safety zone boundary. It is possible that any new building on the property could be sited with less than 50 percent of the building area within the safety zone. In that case, it would not be subject to the ALUCP (based on the Draft ALUCP policies and standards), and the potentially displaced commercial development could be as low as 1,650 to 11,750 square feet of gross floor area.193

The comment refers to the case of Kings County Farm Bureau v. City of Hanford (1990). The court in Kings County did not find the impacts in question to be significant; but it did hold that, in many instances, the City of Hanford’s conclusions that impacts were insignificant either reflected a misapplication of CEQA or were unsupported by substantial evidence. With respect to the “ratio theory” cited in the City comment above, the Court was addressing the discussion of air quality impacts which have existing standards and thresholds of significance. The Court determined that CEQA requires the lead agency to examine the whole project, which in that case included truck and train traffic resulting in sizeable secondary emissions of various pollutants. Here, in contrast, there are no established significance thresholds for land use displacement. In addition, the Draft EIR did, in fact look at the whole project relating to displacement. Nothing more is required here.

Also, see the responses to Comments A02-34 and A02-71.

Comment A02-71

As clearly stated by the Handbook (p. 3-55), “the environmental impacts of an ALUCP arise from its potential to result in displaced development as a result of the potential imposition of more limiting development criteria.” The Supreme Court in Muzzy Ranch Co. v. Solano County Airport Land Use Commission (2007) 41 Cal.4th 372 agreed.

The Draft EIR does not analyze the significant indirect environmental impacts caused by displaced development and other development restrictions. The City’s NOP comment letter (pp. 2-4) presents substantial evidence indicating that displacement of residential units, restrictions on commercial development, displacement of hotel/resort development, and historic properties reuse restrictions would cause significant environmental impacts. Displaced development would likely relocate to more distant areas inside or outside the City, thereby causing potentially significant traffic, air pollution, GHG emissions, noise, and other impacts.

The Draft EIR and Initial Study appendix improperly dismiss such impacts as speculative without making any attempt to study them. For example, the following statement for displaced residential development appears starting on Draft EIR p. 4-46, and is repeated for the other land uses:

> By limiting the compatibility of development of new housing in the safety zones, implementation of the ALUCP may indirectly increase residential development pressures in other locations zoned for residential use. Any potential indirect effect that may arise from such potential development is speculative and uncertain from a timing and location standpoint and, therefore, any further analysis necessarily must occur at the specific project level when and if development is proposed.

This approach violates CEQA because it improperly defers impact analysis to future hypothetical environmental reviews that would fail to account for the aggregate (i.e., cumulative) impacts of all 36

dwelling units that are estimated to be displaced by the Draft ALUCP. Further, approvals of future individual housing projects accommodating displaced development might be ministerial or otherwise exempt from CEQA, and thus never subject to full environmental review in Negative Declarations or EIRs.

CEQA dictates that the time to study impacts of all development displaced by the Draft ALUCP is now. Even though precise locations of displaced development are unavailable, CEQA requires SDCRAA to use reasonable efforts to pursue a less exacting analysis based on reasonable assumptions about locations. (See Citizens to Preserve the Ojai v. County of Ventura (1985) 176 Cal. App. 3d 421,432.) A lead agency “must use its best efforts to find out and disclose all that it reasonably can.” (CEQA Guidelines § 15151.) Both the Draft EIR and Initial Study must be revised to analyze the reasonably foreseeable indirect effects of displaced development, for all land use types, even if the precise locations of displaced development cannot be predicted.

Response:

As discussed in Sections 2.2 and 2.5 of the Draft EIR, the Draft ALUCP would place certain land use density and intensity policy limits on future development within the environs of NASNI in order to minimize the public’s exposure to excessive noise and safety hazards, among other project objectives. These policies could potentially displace future development. This displaced development may result in physical environmental impacts at the areas outside the Airport’s environs, including traffic, noise, air quality, and greenhouse gases, as noted in the comment. However, it would be speculative at this time to anticipate the specific characteristics of any development that may be displaced to other areas or the types of impacts to various environmental categories that might result from the displacement. See, e.g., CEQA Guidelines Section 15145 [If after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact].

Whether any population and development shifts will, in fact, occur in surrounding areas in any particular case necessarily depends on a multitude of factors, including, but not limited to, the rate, timing, location, and extent of development, economic and market conditions, the nature and type of the project(s) and the contemplated project level impacts on the environment. Any such future development also would be dependent on what the affected local agencies would permit. In summary, any attempt to forecast such eventualities, including predictions about the significance of any environmental effects, would be both impracticable and potentially misleading at this time. It is impracticable because such impacts are too uncertain, and it is potentially misleading because the science of assessing impacts, and their significance does not permit an accurate assessment at this time.

In the event future displaced development or construction results in a “project” within the meaning of CEQA, such projects necessarily will be subject to future, project-specific environmental review and analysis. Further, because implementation of the ALUCP would not increase the levels of development within the ALUCP’s Area of Potential Impact, above those projected in the City’s planning documents, there is no evidence that adoption of the ALUCP would result in any significant indirect impacts to the environment within the Area of Potential Impact.

Also and importantly, a review of the impacts of implementation of the Draft ALUCP provides no basis to presume an increase in any of the indirect impacts cited by the commenter. Consider each land use category in turn.

Residential – As explained in Section 4.2.4.7 of the Draft EIR, implementation of the Draft ALUCP would have the net effect of reducing the total housing capacity of the city by 36 dwelling units.\(^{195}\) This would result in a decrease in traffic and related noise, air pollutant emissions, and greenhouse gases. Also see the response to Comment A-02-34.

Commercial – An area of approximately one acre would be subject to potential floor area displacement (3,850 to 25,550 square feet) with implementation of the Draft ALUCP.\(^{196}\) This is a small part of the C – Commercial zoning area that extends along Orange Avenue from 8\(^{th}\) Street south and east to the Hotel del Coronado.\(^{197}\) It is reasonable to expect any commercial development displaced because of the Draft ALUCP would occur in the same general area so as to serve the same market. In that case, commercial development would be no more dispersed than it would be otherwise. Thus, there is no basis for presuming an increase in traffic, noise, air pollutant emissions, and greenhouse gases attributable to potentially displaced commercial development. Also, see the response to Comment A02-70.

Hotel-Motel – As explained in Sections 4.2.4.4 and 4.2.4.7 of the Draft EIR, up to 38,023 square feet of gross floor area could potentially be displaced with implementation of the Draft ALUCP.\(^{198}\) All of the potentially displaced development would be on the Hotel del Coronado property. The Hotel del Coronado has received Coastal Commission and City approval of an Amended Master Plan that proposes comprehensive development of the site. An analysis of the plan found that the site may have additional capacity for up to 38,023 square feet of gross floor area beyond that envisioned in the Amended Master Plan. As no plans or proposals for property development beyond the Amended Master Plan are known, this potentially displaced development must be considered speculative. This potential displaced development could result in three alternative outcomes:

— The development could simply never occur, resulting in less traffic, noise, air pollutant emissions, and greenhouse gases than would otherwise occur.

— The development could possibly occur in San Diego or a neighboring community rather than Coronado. In that case, it is speculative to assume that visitors residing in those hotel rooms would be visiting Coronado to the same extent as those staying in Coronado. To the degree that major tourist attractions in the metropolitan area, such as Sea World, the San Diego Zoo, Legoland, and various shopping areas and beach communities, are outside Coronado, it is possible that an increase in hotel accommodations nearer to those sites than Coronado could lead to a lesser degree of indirect environmental impacts associated with auto traffic.

— The 38,023 square feet of development could potentially occur in other areas H-M – Hotel-Motel-zoned areas in Coronado. As hotels and resorts primarily serve tourists and business travelers, there is no basis to assume that kind of development would generate more net traffic, noise, air pollutant emissions, and greenhouse gases if built in one part of the H-M-zoned area than in another.

It is reasonable to assume that most tourists and business travelers to Coronado would reach the city from San Diego via the Coronado Bridge, as it is the most direct route from downtown San Diego, SDIA, and the cruise ship port. (The alternate route, via Silver Strand Boulevard from the south could also be used by some visitors.) If the displaced development was built in the H-M-zoned area directly across Orange Avenue from the Hotel del

\(^{195}\) NASNI ALUCP Draft EIR, December 2019, p. 4-45.

\(^{196}\) NASNI ALUCP Draft EIR, December 2019, p. 4-31.

\(^{197}\) Draft NASNI ALUCP, December 2019, p. 21.

\(^{198}\) NASNI ALUCP Draft EIR, December 2019, p. 4-37, 4-41.
Coronado, the trip distance and the route traveled would be the same as to the Hotel del Coronado. This would result in no net increase in traffic volumes or travel distances, resulting in no change in noise, air pollutant emissions, and greenhouse gases. If the displaced development occurred in the other H-M-zoned part of the city, in the northeast corner long the Bay and north of the golf course, then travel distances from San Diego would be shorter than to the Hotel del Coronado.199 In that case, noise, air pollutant emissions, and greenhouse gases could be less than if the development occurred at the Hotel del Coronado.

- Nonresidential Incompatible Uses – Implementation of the Draft ALUCP would make the development of new nonresidential uses involving large concentrations of people (such as theaters and auditoriums); assemblages of people with limited effective mobility, including schools, day care centers, hospitals, and nursing homes; and uses handling hazardous materials incompatible in the safety zones. As noted in Sections 4.2.4.3 and 4.2.4.4 of the Draft EIR, a very limited number of uses involving hazardous materials are permitted in the C—Commercial and H-M—Hotel-Motel zoning districts.200 Only two commercial-zoned parcels would become unavailable for manufacturing involving hazardous materials.201 Thirty-six parcels, all of which are currently developed, would become unavailable for redevelopment for the other nonresidential incompatible uses with implementation of the Draft ALUCP.202 Section 4.2.4.7 of the Draft EIR explains the reasons for considering the actual displacement of these nonresidential incompatible uses with implementation of the ALUCP speculative.203

If these uses were displaced from the safety zones to other parts of Coronado, it is unclear why increases in traffic, noise, air pollutant emissions, and greenhouse gases would be caused by development in alternative locations. To the extent that these uses would be displaced to more geographically central locations in the city, it is possible that travel distances and attendant noise, emissions, and greenhouse gases would be somewhat lower than if the uses were developed in the safety zones at the southwest edge of the city.

Comment A02-72

The basis of the impact conclusions is summarized in the DEIR on page 1-10. However, the DEIR fails to acknowledge current draft RHNA allocation of 1001 residential units may need to be accommodated in the City but would be precluded by the ALUCP.

It is wholly unclear how the SDCRAA came to this conclusion particularly in light of the state’s housing crisis declaration.

Response:

The potential effects of the draft RHNA allocation for Coronado are discussed in Section 4.5.5 of the Draft EIR204 and in the response to Comment A02-34. (Note that the final SANDAG-approved RHNA goal for Coronado is 912 units.)205

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199 See Exhibit 4-1, Current Zoning in Coronado, in NASNI ALUCP Draft EIR, December 2019, p. 4-7
200 NASNI ALUCP Draft EIR, December 2019, p. 4-35 – 4-38.
201 NASNI ALUCP Draft EIR, December 2019, p. 4-35 – 4-36.
203 NASNI ALUCP Draft EIR, December 2019, p. 4-47 – 4-48.
204 NASNI ALUCP Draft EIR, December 2019, p. 4-53 – 4-54.
The reasons for the residential land use impact conclusion are discussed on pages 4-23 – 4-24 and 4-45 – 4-46 of the Draft EIR. They are only summarized on page 1-10.

The basis for the conclusions on housing and population impact are discussed in Section 4.14 of the Initial Study.206

Comment A02-73

The ALUCP would function as a regulatory overlay in the City, creating an additional and unnecessary layer of regulation with concomitant multi-layered regulatory bureaucracy involving the SDCRAA staff, ALUC, FAA and Navy, with associated delays in processing times and increased costs, for the City and for residents and businesses. Unless substantial mitigation funds are set aside for use in the City, the net effect over time would result in significant economic impacts on property owners, likely leading to physical changes to the environment in the form of blight and urban decay.

For example, the Draft EIR asserts on page 1-10 that the loss of up to 25,550 sf of commercial land uses is not significant because the area shows no signs of blight, indicating the area is not ripe for redevelopment. In fact, redevelopment is not speculative but is ongoing, as evidenced by the number of discretionary and building permits recently and currently being processed by the City and the well-kept manner of the existing structures.

For example, City building permit data indicate that between 2013 and 2019, 105 building permits were issued for commercial property improvements within the APZ I contour; the total estimated value of these commercial property improvements was over $30.8 million. In addition, during the same time period over 500 residential building permits in the CZ and APZs were issued, with a total estimated improvement value of over $44.2 million. Cumulatively, property owners invested a total of over $75 million in the CZ and APZs between 2013 and 2019. And as shown by the below City comments on cumulative impacts, projects with still more investments are currently being processed.

Clearly, properties that would be directly affected by an ALUCP show significant and continual reinvestment and contribute to the overall enhancement and enjoyment of the City for both residents and visitors. The Draft ALUCP standards are highly restrictive, particularly for commercial land use, which would not be able to add a single additional square foot or require expensive and ineffective retrofitted noise mitigation measures. Therefore, the ALUCP would result significant economic impacts by creating disincentives to future community reinvestment, which would likely to physical impacts on the environment in the form of urban blight caused by disinvestment. Urban decay and blight caused by economic changes are physical environmental impacts that must be considered in an EIR. (Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184,1215.)

Response:

The response to this comment is organized by comment paragraph.

First paragraph: The Draft ALUCP adds only ALUC review to the land use action approval and permitting process. The processes involving the FAA and NASNI would not be established by the Draft ALUCP, rather the processes currently exist. The role of the FAA in the review of proposed structures and other objects, which is discussed in the

206 NASNI ALUCP Draft EIR, Appendix A, Airport Land Use Compatibility Plan CEQA Initial Study, December 2019, p. 4-35 – 4-36.
Draft ALUCP, is a requirement of federal law and is binding with or without adoption of the ALUCP. Similarly, NASNI has the right, under current FAA regulations, to review proposed projects submitted to the FAA’s Obstruction Evaluation/Airport Area Airspace review process. The Draft ALUCP would make no changes in those processes. The Draft ALUCP airspace protection policies establish the means for determining land use compatibility and incompatibility based on the findings and determinations of those reviews.

Until the City either implements or overrules the ALUCP, the City would need to refer proposed nonexempt land use projects to the ALUC for consistency review. The PUC requires that ALUCs make ALUCP consistency determinations within 60 days of the referral of land use actions to them. As explained in the Draft ALUCP, after the City either implements or overrules the ALUCP, proposed land use projects would no longer require ALUC review. The review of proposed land use actions after adoption of the ALUCP is discussed in Section 4 of the Draft ALUCP. Also, see Topical Response T-08 and the responses to Comments A02-41 and A02-48.

Second and third paragraphs: On page 1-10 of the Draft EIR (Section 1.6.1.1), one of the reasons for the conclusion that the impacts on commercial development would be less than significant is that this area appears to be economically robust throughout and shows no evidence of ongoing land use change that can be indicated by areas of underdeveloped or deteriorated properties dispersed among high-value development. Continued investment in the commercial properties in this area is consistent with this characterization of the commercial area.

Although implementation of the Draft ALUCP would limit expansion of gross floor area on up to two commercial zoned properties, nothing in the Draft ALUCP would impede reconstruction or reinvestment in those properties. As discussed in Section 4.2.4.7 of the Draft EIR and in the response to Comment A02-70, the impacts on nonresidential development in commercial -zoned areas are less than significant because of the small amount of affected property relative to the total amount of commercial-zoned land in Coronado (4 percent) and the uncertainty that any development would actually be displaced. As noted in Section 4.2.4.3 of the Draft EIR and the response to Comment A02-70, the 25,550 square-foot estimate of potential development displacement provided in the Draft EIR is a maximum figure. Also, see the response to Comment A02-71.

Fourth paragraph: As noted above, a maximum of two commercial-zoned properties would be subject to the Draft ALUCP limit on expansions of gross floor area. Nothing in the Draft ALUCP requires the retrofitting of existing buildings with sound attenuation measures. Reconstructed buildings within the commercial-zoned area (which lie between the 65 and 70 dB CNEL contours) would not require special sound attenuation measures to achieve the maximum interior level of 50 dB CNEL. Standard construction can achieve an outdoor-to-indoor sound level reduction of 20 dB, meeting the interior sound level standard within the 65 to 70 dB CNEL range.

Also, see Topical Responses T-08, T-10, T-13, T-14, T-15, and T-18.

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208 California Public Utilities Code § 21676(d).
209 Draft NASNI ALUCP, December 2019, p. 11 – 12.
210 NASNI ALUCP Draft EIR, December 2019, p. 4-41, 4-46.
212 NASNI ALUCP Draft EIR, December 2019, p. 4-23.
Comment A02-74

SDCRAA has an independent duty under CEQA to develop mitigation measures to reduce the significant environmental impacts associated with displaced development and other development restrictions. The Draft EIR (p. 4-48) improperly takes an all-or-nothing approach to determining feasibility, stating that “any mitigation involving revisions to the ALUCP to reduce land use planning conflicts “would be contrary to the project goals and objectives of the ALUCP.” However, it is legally feasible for SDCRAA to reduce development restrictions in the City (e.g., modifying Draft EIR Table 2-2) as a mitigation measure to reduce land use planning conflicts while still meeting the requirements of the SAA. The SAA does not prescribe the precise and severe constraints on future development in the City included in the proposed ALUCP.

Mitigation measures can still be feasible even if they impair achievement of project objectives to some extent. As with alternatives, mitigation measures that would substantially reduce a project’s significant impacts may not be excluded from an EIR simply because project objectives would not be fully achieved. (See Habitat & Watershed Caretakers v. City of Santa Cruz (2013) 213 Cal.App.4th 1277, 1304.)

Also, the Draft EIR improperly assigns sole mitigation responsibility to the City through amending its land use plans and regulations to be consistent with the proposed ALUCP. However, SDCRAA has concurrent jurisdiction over the actions (the proposed ALUCP development restrictions) that are causing significant land use impacts. A lead agency may not evade its duty to mitigate when it is has concurrent jurisdiction with another agency to mitigate, unless the other agency has exclusive responsibility to mitigate, which is not the case here. (See City of Marina v. Board of Trustees of California State University (2006) 39 Cal.4th 341, 366; City of San Diego v. Board of Trustees of the California State University (2015) 61 Cal.4th 945, 957.)

Response:

It is assumed that the commenter refers to the mitigation measures discussed in Section 4.2.5 of the Draft EIR, which call for revisions in the City’s applicable land use regulations.213 The Draft EIR acknowledges that these mitigation measures are not under the control of SDCRAA and cannot be guaranteed. The Draft EIR has determined that no other feasible mitigation are available to lessen the impacts resulting from the potential impacts of the Draft ALUCP. Thus, Section 4.2.6 of the Draft EIR concludes that significant and unavoidable impacts on land use and planning are likely with implementation of the Draft ALUCP.214

In any event, there are no other feasible mitigation measures available to address the potential displacement impacts arising from the Draft ALUCP. The SDCRAA Board, acting in its capacity as the ALUC, is legally constrained by the provisions of the PUC, particularly the requirements that (1) ALUCPs for military airports be consistent with the safety and noise standards in the AICUZ and (2) ALUCPs protect public health, safety and welfare, and minimize the public’s exposure to excessive noise and safety hazards related to airports.215

Also, see Topical Response T-05.

213 NASNI ALUCP Draft EIR, December 2019, p. 4-48 – 4-49.
214 NASNI ALUCP Draft EIR, December 2019, p. 4-49.
215 California Public Utilities Code Sections 21670(a), 21675(b), and 21674(b).
Comment A02-75

The DEIR on page 4-54 also notes that the ALUCP would potentially contribute to significant cumulative impacts (DEIR Section 4.5.6) adversely affecting residential development; however, this is not discussed in any detail and must be included in the EIR.

Response:

This comment refers to the potential for cumulative impacts related to the ongoing Regional Housing Needs Assessment process explained in Sections 4.5.5 and 4.5.6 of the Draft EIR. This is discussed in the response to Comment A02-34.

Comment A02-76

As required by CEQA Guidelines § 15130(b)(1)(A), the following list of past, present, and probable future projects in the City of Coronado must be considered as part of the Draft EIR cumulative impact analysis because they are reasonably foreseeable present and probable future projects that could add to the Draft ALUCP’s impacts. These projects are in addition to the Hotel del Master Plan buildout project referenced in the DEIR.

Section 4.5 of the DEIR states that SDCRAA reviewed the City of Coronado website to obtain a list of cumulative projects; however, the Draft EIR preparers failed to contact the City Community Development Department to obtain a current list of present and reasonably foreseeable projects which is provided below. Failure to contact the City directly to obtain this essential information is disappointing since the City Community Development Director and staff were members of the ALUCP Stakeholder Working Group.

The projects listed below would either add to the Draft ALUCP’s displacement impacts for residential, commercial, and resort/hotel land use and/or add to Draft ALUCP’s indirect impacts on resource topics such as traffic, air quality, GHGs, and noise caused by displaced development. These projects contribute to potentially significant cumulative impacts on land use, housing, and the resource topics indirectly affected by displaced development. The Draft EIR must disclose these cumulative impacts and determine whether the Draft ALUCP’s incremental contribution is cumulatively considerable. (CEQA Guidelines § 15130(a).)

Commercial or Resort/Hotel Development Projects:

- Villa Capri Redevelopment Project: Existing 2-story, 15-room motel proposed to be replaced with a new 4-story, 40-room hotel with a rooftop bar/restaurant. This project site is within the proposed noise contours of the Draft ALUCP at 1417 Orange Avenue.

- Coronado Inn Redevelopment Project: Proposed 3-story, 90-room hotel. Project application submitted and is moving forward.

- Bank of America (1199 Orange Avenue) and La Avenida Hotel site (1315 Orange Avenue): Proposed project to add additional square footage for restaurant use as well as add to the La Avenida Hotel. The proposed project includes additional retail, restaurant, and hotel rooms, and potential residential units. A portion of the La Avenida Hotel site is within the ALUCP noise contours.

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216 NASNI ALUCP Draft EIR, December 2019, p. 4-53 – 4-54.
1144 Isabella Avenue: Proposed conversion of single family house into a wedding venue that would accept upwards of 250/300 guests. Property is located in the APZ-I zone and with 70-75 noise contour.

City Capital Improvement Projects:
- City of Coronado Capital Improvement Program (“CIP”) Project: Construction of a recycled water facility on the existing municipal golf course.
- Expansion of the City of Coronado municipal library located on Orange Avenue

Residential Development Projects (Includes single and multi-family projects):
- PC 2019-22 – 250 B Avenue: One-lot Tentative Parcel Map to allow for condominium ownership of four residential units.
- PC 2019-16 – 434 &438 Orange Avenue: A one-lot Tentative Parcel Map to allow for condominium ownership of five residential units.
- PC 2019-20 – 846 D Avenue: A one-lot Tentative Parcel Map to allow for condominium ownership of two residential units.
- PC 2019-23 – 419-421 E Avenue: A one lot Tentative Parcel Map to allow for condominium ownership of two residential units.
- PC 2019-04 – 949 D Avenue: A one lot Tentative Parcel Map to allow for condominium ownership of two residential units.
- PC 2018-09 – 634 Pomona Avenue: A Recorded Parcel Map which subdivided the existing 7,836-square foot lot into two parcels.

Response:

The commenter provides a list of 19 proposed development projects that were not considered in Section 4.5, Cumulative Impacts, of the Draft EIR. Sixteen of the proposed projects are outside the Draft ALUCP Area of Potential Impact (the safety zones and 65 dB CNEL noise contour) and would not be subject to any policies and standards of the Draft ALUCP. The following three projects are inside the Area of Potential Impact:
- 1 hotel redevelopment project (within the 65 dB CNEL contour and outside the safety zones)
- 1 hotel expansion project (within the 65 dB CNEL contour and outside the safety zones)
- 1 residential conversion to a wedding venue (within AOZ-1)

The policies and standards of the Draft ALUCP could result in the potential displacement of only one of the proposed projects – the residential conversion to a wedding venue. (Only the noise level reduction standards of the Draft ALUCP would apply to the hotel projects.) However, if the applications for the residential conversion project are
deemed complete prior to the effective date of the adopted ALUCP, the project would be exempt from the ALUCP, as provided in Table 3 of the Draft ALUCP.217

The development displacement analysis documented in the Initial Study was structured to assess the maximum potential development that could be displaced from the Area of Potential Impact, assuming that the amount of potentially developable (or re-developable) land at the time of the analysis would remain developable by the time of ALUCP adoption.218 Any of that land that is developed or which has a vested development plan before ALUCP adoption, would be exempt from the policies and standards of the Draft ALUCP. If this occurs, the development displacement analysis in the Draft ALUCP would have overstated, rather than understated, potential development displacement. Accordingly, the Draft EIR has disclosed fully the maximum potential displacement associated with the Draft ALUCP.

The cumulative impact analysis in Section 4.5 of the Draft EIR focused on recent and proposed land use policies and regulations that could interact with the impacts of the Draft ALUCP to cause cumulative impacts.219 It also considered operational changes at NASNI that may possibly have led to changes in the AICUZ study. Given the nature of the Draft ALUCP as a land use policy document, the environmental impacts of individual development projects (related to construction and increased resource, infrastructure, and traffic demands) would not reasonably interact with the impacts of the Draft ALUCP, which does not and would not propose any development.

None of the projects listed by the City, which involve new development, expansion, and the creation of new developable lots, will create any land use and planning impacts like those arising from implementation of the ALUCP. The land use and planning impacts of the Draft ALUCP involve potential limitations on the development or expansion of new residential uses and nonresidential uses. Thus, the projects would not interact with the Draft ALUCP to cause land use and planning-related cumulative impacts.

The third paragraph of the comment expresses concern about the potential for the 19 cited projects to add to the indirect impacts (on traffic, air quality, greenhouse gas emissions, and noise) that may arise from the Draft ALUCP. As discussed in the response to Comment A02-71, the potential for indirect impacts is highly speculative, and may involve either adverse impacts or environmental benefits. To the extent that the Draft ALUCP limits future development within the Area of Potential Impact, development-related impacts in that area would be less than otherwise. Of course, that environmental benefit could be offset by the impact of development that occurs elsewhere in response to the limits of the Draft ALUCP.

Also, see the response to Comment A02-34.

Comment A02-77

The Draft EIR’s analysis of the No-Project Alternative incorrectly concludes (on p. 5-4) that it would result in failure of SDCRAA to achieve “its statutory mandate to establish an ALUCP for NASNI,” and cites PUC § 21675(a). However, as noted above, state law does not mandate preparation of a NASNI ALUCP at this time, especially one that would be based on an outdated AICUZ rather than a 20-year long-range plan. Further, also as noted above, the Draft ALUCP itself fails to meet PUC § 21675(a)’s statutory mandate because it is not “based on a long-range master plan.”

219 NASNI ALUCP Draft EIR, December 2019, p. 4-51 – 4-54.
Response:

Please see Topical Responses T-01 and T-02 and the responses to Comment A02-30.

Comment A02-78

Tables 5-5 and 5-8 analyze the ability of Alternatives 2 and 3, respectively, to achieve each project objective. For many project objectives, these tables conclude an alternative would not achieve an objective, when the alternative would actually partially achieve the objective. For example, in Table 5-5, row 1(a) concludes (with a “no”) that Alternative 2 would not meet the objective of limited new noise-sensitive development within the 65 dB CNEL to avoid increasing existing land use incompatibility; however, the same row also states that Alternative 2 would limit development of new incompatible nonresidential uses in the portions of the 65 CNEL contour within the safety zones, just as the proposed ALUCP would, thereby partially achieving the project objective. The City requests that to be accurate and objective, this and all similar findings in Tables 5-5 and 5-8 regarding achievement of objectives be changed from “no” to “partially.”

Response:

The project objectives, described in Section 5.3 of the Draft EIR, are straightforward and unambiguous. Given their wording, it is unclear how the objectives could be interpreted as being “partially achieved.” The example cited in the comment misconstrues the objective being evaluated in that situation (Objective 1a). The objective is to “limit new noise-sensitive development within the 65 dB CNEL and higher noise contours to avoid an increase in existing land use incompatibility.” The narrative cited in the comment describes specifically how Alternative 2 would lead to an increase in land use incompatibility. The objective cannot be considered “partially achieved” if any noise-sensitive development would be considered compatible under the alternative.

The narrative in the evaluation tables (Tables 5-2, 5-5, and 5-8) is provided to offer detail about the effects of the alternatives and to facilitate comparison among the alternatives.

Comment A02-79

An EIR must evaluate a range of reasonable alternatives that would achieve most of the basic project objectives, and reduce the proposed project’s significant impacts. (CEQA Guidelines, § 15126.6.) The EIR’s range of alternatives is artificially narrow because it excludes Navy operational alternatives. These alternatives could also achieve the basic project purpose of promoting compatibility between NASNI and surrounding land uses, while reducing the proposed ALUCP’s significant land use impacts. Potentially feasible operational alternatives that the Draft EIR should evaluate should include at a minimum those outlined in AICUZ Chapter 3.5 (“Operational Alternatives”), such as:

1. Modifications to the flight path with either a 700-foot displaced landing threshold for Runway 29 (see 2011 and 1984 AICUZ recommendations) or offset localizer.
2. Modify the actual physical runways.
3. Create a runway extension on fill.
4. Designating Runway 18 as the main takeoff runway.
5. Designating Runway 36 as the main landing runway.
7. No field carrier landing practice.
8. Limited touch and go’s.
9. Reducing NASNI operating hours on weekends.
10. Limiting the times and location for high power engine run ups.

The Draft EIR should also evaluate potentially feasible alternatives that would otherwise be consistent with existing patterns of land use/development, such that the CZ, APZ I and APZ II are reconfigured to exclude existing development in Coronado.

Response:

One of the explicit limitations on ALUC authority is set forth in Section 21674(e): “The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.” Therefore, clearly, any actions directed toward the day-to-day activities of NASNI or the manner in which aircraft operate are beyond the purview of the ALUC. Equally clear, the ALUCP for NASNI must be consistent with the safety and noise standards in the NASNI AICUZ.

Sections 3.4 and 3.5 of the AICUZ study discuss noise abatement procedures and operational alternatives that have been implemented or considered and not implemented in past years. Items 4 through 10 in the above comment have been implemented and are operational procedures reflected in the AICUZ noise exposure contours. Items 1 through 3, which are interrelated, have not been implemented.

Also, see Topical Response T-05, the response to Comment A02-33.

Comment A02-80

Under CEQA Guidelines § 15088.5, a lead agency is required to recirculate an EIR when “significant new information is added to the EIR” before Final EIR certification. “Significant new information” requiring recirculation includes, for example, a disclosure showing that: the proposed project would cause a new or substantially more severe significant environmental impact; a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project but is not proposed for adoption; or the Draft EIR was “so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

The Draft EIR revisions recommended by the City include preparing an updated existing conditions baseline, disclosing several new or substantially more severe significant impacts, and disclosing new feasible mitigation measures and alternatives. The City’s comments also recommend substantial revisions and additions to the project description and impact analysis explanations, in order to allow meaningful public review. These changes trigger Draft EIR recirculation. If the changes recommended by the City are not made, then the Draft EIR would continue to be “so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

221 PUC Section 21675(b).
222 The Onyx Group, Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, prepared for NAVFAC-SW, 2011, p. 3-17.
223 Items 1, 2, and 3 do not represent discrete alternatives but are interrelated. For example, to preserve adequate landing distances for large aircraft, the displaced threshold would have to be accompanied by extension of the opposite end of the runway.
Response:

Based on CEQA Guidelines Section 15088.5, it is not necessary to recirculate the Draft EIR for additional public review because no new significant information has been added to the Draft EIR since its release. The relevant language from CEQA Guidelines Section 15088.5 is quoted below:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.

4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

Minor and clarifying revisions have been made to the Draft ALUCP since the release of the Draft EIR, but none of those revisions would result in the addition of “significant new information” to the Draft EIR, as described in CEQA Section 15088.5. (Revisions to the Draft ALUCP are described in Section 2.2 of the Final EIR.) Similarly, the Final EIR includes revisions and refinements made to the Draft EIR, but none constitutes “significant new information,” as defined by CEQA Section 15088.5. All changes constitute clarifications of information in the Draft EIR or revised discussions to reflect revisions in the Draft ALUCP. Revisions to the Draft EIR are described in Section 2.1 of the Final EIR.

Comment A02-81

The City currently is not planning changes to General Plan land use or zoning designations in response to the Draft ALUCP. The land uses most affected by the ALUCP, if it were to be adopted, are existing, long-established vital residential neighborhoods and an internationally recognized historic beach-front resort that pre-dates NASNI. These land uses show significant and continual reinvestment and contribute to the overall enhancement and enjoyment of the City for both residents and visitors.
Response:

The City can, of course, respond to the adopted ALUCP in whatever way it chooses. As described in Section 4 of the Draft ALUCP, the City will be required to forward all proposed land use actions to the ALUC for ALUCP consistency determinations until it either implements or overrules an adopted ALUCP.

Comment A02-82

Because the proposed ALUCP standards are so restrictive, they would serve to disincentivize community investment and reinvestment.

Response:

Please see Topical Responses T-08, T-13, and T-14 and the responses to Comments A02-70 and A02-73.

Comment A02-83

Given this context, the City again requests that SDCRAA terminate efforts to prepare an ALUCP based on the 2011 NASNI.

Response:

Please see response to Comment A02-02.

Comment A02-84

If this is not done, then the severe deficiencies in the Draft ALUCP and Draft EIR must be remedied by substantially revising the Draft ALUCP, and by substantially revising and recirculating the Draft EIR for additional public comment.

Response:

Please see responses to Comments A02-03 and A02-80.

COMMENT LETTER A03 – CITY OF CORONADO

Comment A03-1

The following comments are submitted on behalf of the City of Coronado (“City”) regarding the appropriate scope of environmental analysis for the proposed Airport Land Use Compatibility Plan (“ALUCP” or "project") for Naval Air Station North Island ("NASNI"), located within the jurisdictional boundaries of the City.

Response:

This comment is an introduction to comments that follow. No further response is required.

Comment A03-2

The ALUCP will impact large swaths of the City. Public Resources Code Section 21002.l(a) states that the "purpose of an environmental impact report is to identify the significant effects on the environment of a project." The City has reviewed multiple drafts of the ALUCP from the San Diego County Regional Airport
The Draft ALUCP affects land uses in the area of the City within the 65 dB CNEL contour. In its current form, the Draft ALUCP would produce many potential significant effects on the environment. The City requests that the EIR analyze the full scope of the environmental impacts of ALUCP’s imposed public safety hazards and noise overlays onto existing patterns of land use and development.

Response:

In Section 4.2.4, the Draft EIR has analyzed the full scope of environmental impacts to which implementation of the Draft ALUCP could lead.224 Also, see the responses to Comment Letter A02.

Comment A03-3

The adoption of the ALUCP would make the City’s general plan, and applicable specific plans inconsistent with the ALUCP.

Response:

The City’s General Plan has no goals, objectives, or policies that conflict with the Draft ALUCP. A small amount of Commercial-zoned land in the ALUCP safety zones (AOZ-1) is within the boundaries of the Orange Avenue Corridor Specific Plan. (See Exhibit 4-3 on page 4-18 of the Draft EIR.) Any inconsistencies between the Draft ALUCP and this specific plan relate to that area. The inconsistencies can be remedied through a zoning amendment (such as adoption of an overlay zone) and do not require revision of the specific plan. The City, however, rather than the ALUC, must decide how to resolve any inconsistencies.

Also, see the response to Comment A02-48.

Comment A03-4

The City is a built-out community that is consistent with the underlying general plan. The City’s existing land uses have not changed in decades and are not planned to change.

Response:

The comment is noted. However, in its comment letter on the Draft EIR (Comment Letter A02), the City indicates that development is needed or is occurring within the Area of Potential Impact (the area within the safety zones and the 65 dB CNEL and higher noise contours). (See Comments A02-10, A02-17, A02-20, A02-34, A02-35, A02-36, A02-41, A02-73, A02-76, and A02-81.)

Comment A03-5

The ALUCP relies on the 2011 Air Installations Compatible Use Zones (“AICUZ”) as its basis for its safety zones, noise contours, and land-use compatibility standards.225 The AICUZ has a planning horizon of 2020

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224 NASNI ALUCP Draft EIR, December 2019, p.4-22 – 4-47.

225 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011.
only and is not an appropriate “long range master plan” to serve as the foundation for the ALUCP.\textsuperscript{226} As such, the project description is flawed from the outset.

Response:

Please see Topical Responses T-01 and T-02.

Comment A03-6

1. Environmental impacts associated with limiting development of single family and multiple family residential units within ALUCP safety zones.

The EIR should evaluate the potential environmental impacts resulting from limiting the development of residential units within safety zones in the 65 dB noise contour of the Draft ALUCP. Currently, the Draft ALUCP restricts the remodeling, expansion, or reconstruction without being subject to the County Airport Land Use Commission (“ALUC”) review as long as the expansion or reconstruction does not increase the original habitable area (at the time of ALUCP adoption) by more than 50 percent. These stringent land use restrictions will critically impact the City’s existing community.

Response:

The Draft ALUCP would limit increases in residential density within the safety zones. (No such limits apply within the portion of the 65 dB CNEL contour outside the safety zones.) The impacts of the limitations on residential density are assessed in Section 4.2.4 of the Draft EIR.\textsuperscript{227}

Rather than “restricting” the remodeling, expansion, or reconstruction of residences, these actions are exempt from ALUC review and any Draft ALUCP standards, unless they involve an increase in height or an increase in habitable area of 50 percent or more.\textsuperscript{228}

Also, see Topical Responses T-14 and T-17 and the response to Comment A02-34.

Comment A03-7

Table 4-1 on page 4-20 of the ALUCP NOP identifies 26 child day care centers, nurseries, and preschools, two K-12 schools, 31 trade schools and two locations of religious assembly within R-1A Zone properties that would be “unavailable for incompatible uses and potentially subject to displacement of future development with implementation of the ALUCP.”

Response:

Table 4-1 on page 4-20 of the NOP (the Initial Study) identifies the number of properties within the ALUCP safety zones that would become unavailable for potential development of incompatible nonresidential uses, including the uses identified by the commenter. Those uses would not be considered as displaced, per se, with implementation of the ALUCP. The text following the table on pages 4-20 and 4-24 discusses the reasons for considering the impact not significant.

\textsuperscript{226} California Public Utilities Code,§ 21675(a).

\textsuperscript{227} NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-28, 4-39 – 4-46.

\textsuperscript{228} Draft ALUCP, December 2019, p. 9 – 10.
The Draft EIR analyzes these potential impacts in greater detail and concludes that they are not significant.  

**Comment A03-8**

Additionally, page 4-23 of the ALUCP’s Notice of Preparation (“NOP”) indicates that several R-3 properties would become incompatible uses at the time of ALUCP adoption.

**Response:**

Page 4-23 of the NOP (the Initial Study) describes the addition of new multiple-family dwelling units as incompatible. No existing land uses would become incompatible with adoption of the ALUCP. The policies and standards of the Draft ALUCP were specifically written to avoid creating such a situation. Table 4 of the Draft ALUCP, Standards for Noise and Safety Compatibility, provides the classification of land uses as either compatible or incompatible within the safety zones and noise contours. Multi-family dwellings (R-3 properties) are incompatible only in the Clear Zone, where no such land uses currently exist, nor are they expected to be proposed given the long established development pattern in the area.

**Comment A03-9**

The ALUCP EIR should analyze the potential impacts associated with this displacement of dozens of properties within the covered area of the ALUCP. These new restrictions on incompatible residential uses could result in many residents becoming displaced and could necessitate the construction of replacement housing elsewhere. Thus, Section 4.14.1 of the NOP incorrectly concludes the indirect effects that may arise from limiting development in the safety zones are "speculative." To the contrary, the NOP admits that the ALUCP could prevent 36 housing units from being developed. This is over half of the projected 50 housing units required by the City’s Housing element by 2020. The ALUCP EIR should analyze the potential for the project to necessitate the construction of replacement housing outside the boundaries of the ALUCP.

**Response:**

Implementation of the Draft ALUCP would lead to the displacement of no existing dwelling units. The Draft ALUCP would impose no standards on existing residences. Thus, no residents would be displaced with implementation of the Draft ALUCP.

Section 4.2.4 of the Draft EIR notes that the residential development capacity within the safety zones would be reduced by up to 36 dwelling units (28 single-family and 8 multiple-family). For purposes of the analysis, these potential future residences are considered “displaced” but the impact is considered less than significant. Note that the construction of new accessory dwelling units, however, would be consistent with the Draft ALUCP.

Section 4.14 of the Initial Study considered the potential impacts of the Draft ALUCP on population and housing. It found that the Draft ALUCP would have less than significant impact on population and housing, including achievement of the housing goals in the City’s current Housing Element.

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229 NASNI ALUCP Draft EIR, December 2019, p. 4-27 – 4-40, 4-47 – 4-48.


231 NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-31, 4-39 – 4-46, 4-53 – 4-54.

232 NASNI ALUCP Draft EIR, December 2019, Appendix A, Airport Land Use Compatibility Plan CEQA Initial Study, p. 4-35 – 4-36.
Also, see the response to Comment A02-34.

**Comment A03-10**

2. **Environmental impacts associated with restricting the Gross Floor Area of businesses at the time of ALUCP adoption.**

The EIR should evaluate potential environmental impacts resulting from implementation of project components associated with restricting the commercial development to the Gross Floor Area. Even if the existing Gross Floor Area is less than what the City’s commercial zoning allows, the ALUCP prohibits further increases in square footage. As a result, potential building renovations will not occur. Having fewer building renovations would result in fewer retrofitting programs which would lower the City’s energy use efficiency, decrease water-use efficiency, and increase greenhouse gas emissions. Additionally, restricting development within commercial zones could hinder disaster preparation and thereby expose residents to potential hazards.

**Response:**

Nothing in the ALUCP would limit building renovations, repair, maintenance, or remodeling within the existing gross floor area of nonresidential land uses.

With respect to hindering disaster preparation, it is unclear how anything in the Draft ALUCP would result in such an impact. To the extent that implementation of the Draft ALUCP would limit increases in the intensity of nonresidential use (by limiting increases in gross floor area), it would seem that disaster preparation, at least in terms of employee/customer evacuation, could be benefited.

Also, see Topical Responses T-08, T09, T-13, and T-17 and the responses to Comments A02-70, A02-71, and A02-73.

**Comment A03-11**

Senate Bill 743 (2013) eliminates vehicular Level of Service ("LOS") as an environmental impact under CEQA analysis and instructs lead agencies to utilize a Vehicle Miles Traveled ("VMT") metric. The EIR should analyze the project’s transportation impacts under this legislatively-endorsed VMT approach. Additionally, as an increase in VMT would lead to a surge in greenhouse gas emissions, the EIR should analyze the project’s potential to increase greenhouse gas emissions. The EIR should also analyze how the project’s VMT increases would affect air quality and related health impacts.

The ALUCP could also increase the number of VMT to and from the area. By providing less opportunity for commercial expansion, customers of local business may be forced to go outside of the City for goods and

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233 Gross Floor Area means the total amount of space by square feet contained within a building measured to external walls, as well as any attached patios, decks, or balconies. This excludes attached garages or parking structures of businesses at the time of the ALUCP’s adoption.

234 It should be noted how the range of potential gross floor area of impacted Commercial-zoned properties was determined as there are no FAR or setback limitations currently in place.

235 https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743
services. This would increase the number of VMT traveled. Therefore the impacts of these gross floor area restrictions from the ALUCP should be analyzed in the EIR.

Response:

Please see the response to Comment A02-71.

Comment A03-12

As the ALUCP would make nursing and convalescent homes incompatible uses within large portions of the City, the EIR should focus its analysis on how the future for the loss of medical service industry locations could potentially impact the displacement of senior citizens and special needs residents in the City.

Response:

The Draft EIR considers the potential impacts of implementation of the Draft ALUCP on these and other nonresidential incompatible uses and concludes that the impacts are less than significant.236

Comment A03-13

Environmental impacts associated with prohibiting new classified uses in the "Resort" designated area of the ALUCP.

The EIR should include an evaluation of potential environmental impacts resulting from prohibiting new classified uses in the "Resort" designated area of the ALUCP. In the Draft ALUCP, the Hotel Del Coronado ("HDC") is defined as a "Resort" rather than a "Hotel." The Resort designation does not allow for an increase in Gross Floor Area of existing uses.

Additionally, the reconstructed buildings are limited to floor area at time of ALUCP adoption and new uses. New uses must also have noise attenuated to a maximum of 45 dB CNEL in sleeping areas and 50 dB CNEL in all other areas. The Resort designation specifically prohibits new uses that are classified as incompatible in Table 6 of the Draft ALUCP. As the implementation of the ALUCP would result in the displacement of up to 272,400 square feet of additional development at the HDC property as well as restrict future hotel expansion, the ALUCP could increase the number of VMTs in the area. With less opportunity for resort expansion, future tourists and other visitors, keystone features of the City’s local economy, would likely have to stay at locations outside of the City and therefore increase the number of VMTs in the area. As these visitors would be forced to drive to the City and rent hotel space in outside jurisdictions instead of staying within the City’s boundaries

Response:

The impacts of implementation of the Draft ALUCP on resorts and other land use permitted in the H-M – Hotel-Motel zoning district are analyzed in Section 4.2.4 of the Draft EIR.237 Note that the revised analysis of potential development displacement in the H-M zoning district reduced the estimated impact to 38,400 square feet of gross

236 NASNI ALUCP Draft EIR, December 2019, p. 4-47 – 4-48.
237 NASNI ALUCP Draft EIR, December 2019, p. 4-36 – 4-41, 4-46 – 4-48.
floor area. Nevertheless, Section 4.2.4.7 of the Draft EIR concludes that the impacts of implementation of the Draft ALUCP on the H-M zoning district and resort-hotel development are potentially significant.

Also, see the responses to Comments A02-70 and A02-71.

**Comment A03-14**

Page 4-32 of the NOP states that "the impact of the ALUCP on the City of Coronado may lead to potentially significant impacts on land use and planning, particularly to areas zoned by the City for Hotel-Motel." The EIR should propose specific mitigation measures and plan alternatives to address the significant impacts.

**Response:**

The discussion of potential mitigation measures in Section 4.2.5 of the Draft EIR concludes that no mitigation measures are available to the ALUCP without compromising achievement of the ALUCP’s goals and objectives and conflicting with the guidance in the Caltrans Handbook and the statutory directive to be consistent with the AICUZ study.

Alternatives are considered in Section 5 of the Draft EIR. Three alternatives that would eliminate the impact on resort-hotel uses in the H-M zoning district were evaluated. All three were rejected for reasons described in the Draft EIR.

**Comment A03-15**

4. **Environmental impacts associated with substantially limiting the reuse of historic resources.**

The EIR should evaluate the potential environmental impacts resulting from the project’s reuse restrictions. Under the Draft ALUCP, the reuse of historic resources within safety zones would be limited only to parks with no aboveground structures. This limitation in reuse options for historic resources could strain the economic wellbeing of established historic buildings and potentially cause substantial harm to historic resources. Additionally, by limiting the potential uses of historic buildings, the ALUCP could increase the number of VMTs to the area. By providing less opportunity for land uses in historic buildings, individuals who would visit these buildings will go to other locations potentially outside of the City.

**Response:**

Historic resources are treated no differently in the Draft ALUCP than any other existing land uses. Refer to the discussion of the impact of the Draft ALUCP on historic resources in Section 4.2.4.6 of the Draft EIR. Also, see the response to Comment A02-49.

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238 NASNI ALUCP Draft EIR, December 2019, Appendix B, Revised Analysis of Potentially Displaced Development – Hotel del Coronado. The analysis was revised after receiving comments from representatives of the Hotel del Coronado on the original estimates presented in the Initial Study.

239 NASNI ALUCP Draft EIR, December 2019, p. 4-36 – 4-41, 4-46 – 4-48.

240 NASNI ALUCP Draft EIR, December 2019, p. 4-48 – 4-49.


242 NASNI ALUCP Draft EIR, December 2019, p. 4-38 – 4-39.
Comment A03-16

5. Environmental impacts associated with exemptions from ALUC review.

The EIR should evaluate the potential environmental impacts resulting from implementation of project components associated with the exemptions from ALUC review. Exemptions include existing land uses, if "[a]ny use lawfully attained and occurring at the time of ALUCP adoption that remains constant without physical change to its gross floor area or height."243

Response:

No environmental impacts would result from the exemptions listed in the Draft ALUCP (Table 3, pages 9 and 10). Those actions would not be subject to ALUC review and would not be subject to any Draft ALUCP policies or standards. Also, see the response to Comment A03-06.

Comment A03-17


In addition to military aircraft impacts, the EIR should analyze the potential environmental impacts of civilian aircraft and other cumulative noise generators. In particular, the analysis should discuss what assumptions, if any, were made for the civilian aircraft in determining the NASNI 65 dB CNEL contours.

Response:

The ALUC has no responsibility for the noise exposure analysis at NASNI. That analysis was undertaken by the Navy in accordance with its own guidance. The aircraft noise analysis for NASNI is documented in the AICUZ study244 and in a companion technical report.245

It is unclear what the commenter means with respect to civilian aircraft and other cumulative noise generators. As a policy document, the Draft ALUCP would not create any additional noise and, thus, would not have any impact on cumulative noise exposure.

Also, see Topical Responses T-01 and T-02.

Comment A03-18

Currently, the ALUCP NOP discusses how the project may “indirectly result in shifting” of land development features outside of the safety zones and noise contours. The project defers mitigation of these potential noise impacts from the shifted land developments. Page 4-34 of the ALUCP NOP discusses how “residential and other noise or risk-sensitive uses and features” from these shifted land developments "can be

243 Existing land uses and development are not subject to ALUC review. (PUC, § 21674; Handbook, p.3-51.) Existing uses include those that have actually been constructed, as well as those for which vested rights have been obtained.

244 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. See Chapter 4, Aircraft Noise, and Chapter 5, Safety.

245 Wyle Aviation Services, Wyle Report WR 10-18, AICUZ Update Noise Study for Naval Air Station North Island and Outlying Landing Field Imperial Beach, California, September 2010.
accommodated within other approved land use or zoning designations in Coronado." The EIR should analyze these potential impacts with sufficient detail.

Response:

The land use impacts of the Draft ALUCP are discussed in Section 4.2.4 of the Draft EIR.246

Also, see the responses to Comments A02-70, A02-71, and A02-73.

Comment A03-19

7. Environmental impacts of project alternatives.

CEQA Guidelines Section 15126.6(a) requires that an EIR should "describe a range of reasonable alternatives to the project, or to the location or the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." The NOP does not address project alternatives. The EIR should analyze a range of "reasonable alternatives" to the project in addition to a no-project alternative. The EIR should analyze the project alternatives' potential impacts in sufficient detail.

Response:

Section 5 of the Draft EIR describes and analyzes two alternatives to the Proposed project in addition to the no-project alternative. Two other alternatives that were considered and rejected are also described.

Also, see Topical Response T-05 and the responses to Comments A02-21, A02-66, A02-78, A02-79, and F01-10.

Comment A03-20

8. Cumulative environmental impacts of pending projects that have yet to be filed.

Section 4.21.2 describes past projects and planned future projects that could combine with the impacts of the ALCUP to create cumulatively significant environmental impacts. This section also lists planned changes at NASNI. The EIR should also analyze the impacts of pending but not yet filed projects that could create additional cumulatively significant environmental impacts.

Response:

Cumulative impacts are discussed in Section 4.5 of the Draft EIR (pages 4-51 through 4-54). Also, see the response to Comment A02-76.

Comment A03-21

The City appreciates the opportunity to provide these comments. As additional materials are made available for review, the City will provide additional comments and questions for consideration.

Response:

This is a closing statement. No response is required.

246 NASNI ALUCP Draft EIR, December 2019, p. 4-22 – 4-54.
COMMENT LETTER A04 – DEPARTMENT OF NAVY

Comment A04-1

Thank you for the opportunity to review and comment on the San Diego County Regional Airport Authority’s Draft Environmental Impact Report for the Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plan (ALUCP) dated December 2019. NASNI is part of Naval Base Coronado, which falls under my command.

We support the San Diego County Regional Airport Authority’s efforts to promote land use compatibility between airports and local jurisdictions, through land use recommendations to address noise and safety related to aircraft operations. My staff has reviewed the document and we only have one minor comment regarding a de minimis error in the text on page 3-4 (attached) regarding transient versus homeported aircraft at NASNI. The error is only in the text and is not reflected in the depicted noise contours or safety zones of the NASNI ALUCP or the Draft Environmental Impact for the NASNI ALUCP. The proposed text correction below is for your consideration:

"The following list outlines the stationed and transient aircraft projected to be assigned to that operate at NASNI as of 2020, as described in the AICUZ study."

Response:

The suggested revision will be made in the Final EIR.

COMMENT LETTER A05 – STATE CLEARINGHOUSE AND PLANNING UNIT

Comment A05-1

The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 2/3/2020, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, please visit: https://ceqanet.opr.ca.gov/2019049125/3 for full details about your project.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER F00 – RICHARD BAILEY

Comment F00-1

Please see attached over 300 comments from Coronado residents objecting to the Airport Authority’s ALUCP.

Response:

This comment is an introduction to comments that follow. No further response is required.
COMMENT LETTER F01 – FORM LETTER

Comment F01-1

The community of Coronado wishes to respectfully voice our opposition to the proposed Airport Land Use Compatibility Plan (“ALUCP”) as it will have implications on over 1,000 existing residential units and existing commercial enterprise in Coronado that combine to generate 26% of the City’s annual tax revenue.

Response:

This comment is an introduction to comments that follow. No further response is required.

Comment F01-2

The Airport Land Use Compatibility Plan exceeds the authority of the San Diego County Airport Authority (“SDCRAA”). The guidelines that the SDCRAA must follow in preparing the Airport Land Use Compatibility Plan (“ALUCP”) require that the plan only apply to undeveloped land that is currently not in conflict with the airport.

Response:

Please see Topical Response T-06.

Comment F01-3

The SDCRAA’s plan is based on the premise that Coronado is encroaching into NASNI. However, Coronado is built out and was incorporated prior to the establishment of NASNI. Coronado has land uses existing decades before North Island was built. Therefore, the premise that Coronado is encroaching into North Island is a misinterpretation by the Airport Authority. SDCRAA’s limited scope to plan for undeveloped areas with incompatible uses for an airport zone does not apply to Coronado. The ALUCP would place severe limits on further investment and development.

Response:

Please see Topical Responses T-06, T-07, T-08, T-13, T-14, and T-15.

Comment F01-4

The ALUCP draft environmental impact report (“DEIR”) only considers the impacts to hotel/resort uses as significant and the impacts to other land uses, such as residential or commercial, as not significant.

Response:

Please see the responses to Comments A02-34, A02-70, A02-71, and A02-73.

Comment F01-5

The DEIR failed to evaluate the resulting substantial loss in property value over the next fifty years for owners in the areas constrained by the ALUCP compared to those in Coronado that are not within the area. Consequently, the areas impacted by the draft ALUCP represents 26.5% of the City’s General Fund revenues.
Response:

This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment, and, as such, is not within the scope and purview of the Draft EIR; therefore, no response is required under CEQA.

Also, please see Topical Responses T-08 and T-09.

Comment F01-6

The ALUCP DEIR does not include an analysis of the urban decay impacts caused by development restrictions and reduced investment in the area. Permitting for certain activities, e.g. adding residential square footage, would be negatively impacted and may not allow owners to make desired improvements to their properties.

Response:

Implementation of the Draft ALUCP would result in no limits on the repair, maintenance, or remodeling of land uses and buildings within the safety zones and noise contours. Neither would it result in limits on the addition of habitable area to residences. It would require the achievement of a maximum interior sound level performance standard for reconstructed residences within the 65 dB CNEL and higher noise contours, as well as additions and partial reconstruction involving 50 percent or more of the habitable area.

Implementation of the Draft ALUCP would limit expansions of nonresidential land uses (such as commercial and office uses). This limitation would affect two commercial-zoned properties and the Hotel del Coronado. The hotel’s planned development, as presented in its approved Amended Master Plan, is not affected by this limitation, as the development has been vested through prior approvals by the City. The Draft ALUCP limitation would apply to any development proposed for the Hotel del Coronado that would exceed the gross floor area described in the Amended Master Plan.

Also, see Topical Responses T-08, T-10, T-13, T-14, and T-15 and the responses to Comments A02-70 and A02-73.

Comment F01-7

Further, development restrictions could displace future land uses to other locations within the City, but the DEIR does not discuss the indirect impacts of displaced development on important concerns like traffic, noise, and air quality.

Response:

Please see the response to Comment A02-71.

Comment F01-8

The ALUCP DEIR incorrectly relies on an outdated, advisory document - the Air Installations Compatible Use Zones (“AICUZ”). The ALUCP is neither warranted nor required at this time as the AICUZ used to develop the ALUCP reached its expiration as of 2020. Included in the AICUZ is a 2020 “future” scenario, developed ten

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248 NASNI ALUCP Draft EIR, December 2019, p. 4-31 – 4-34, 4-39 – 4-41, 4-46.
249 NASNI ALUCP Draft EIR, December 2019, p. 4-36 – 4-37, 4-39 – 4-41, 4-46 – 4-47.
years ago and based on data from 20 years ago. The results are no longer accurate because of outdated noise simulation models, changes in flight paths since 2011, an inaccurate mix of aircraft fleet mix (e.g. Osprey aircrafts are not included) and underestimated evening and night flights, etc.

Response:

Please see Topical Responses T-01 and T-02.

Comment F01-9

The mandate to prepare an ALUCP for NASNI was suspended in 2010.

Response:

Please see the response to Comment A02-30.

Comment F01-10

The ALUCP DEIR alternatives analysis is flawed - none of the related mitigation measures or feasible alternatives in the AICUZ are included.

The ALUCP DEIR alternatives analysis is inadequate because it ignores any of the feasible alternatives available to the Navy that could reduce significant impacts, such as specific modified flight paths or changes in runway use.

Response:

The noise abatement measures described in the AICUZ represent existing conditions. As existing operating procedures, they were incorporated into the noise models and are reflected in the noise contours presented in the AICUZ study. The operational alternatives described in the AICUZ study, except for those involving runway modifications, have been implemented. The runway modifications would involve the displacement of the Runway 29 threshold by 700 feet (shifting the landing point on the runway 700 feet to the northwest) and extending the opposite end of the runway to preserve adequate landing distances. The Navy has determined this to be infeasible, as discussed in the AICUZ study.

Also, see Topical Response T-05 and the responses to Comments A02-33 and A02-79.

Comment F01-11

SDCRAA has prematurely approved the proposed ALUCP prior to completing the CEQA review. The AICUZ document is an advisory document required by the Department of Defense. As an advisory document it does

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250 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. p. 3-16 – 3-17.


252 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. p. 3-17.

253 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. p. 3-17.
not require public review prior to its issuance. The ALUCP is a mandatory document, subject to the California Environmental Quality Act (CEQA) and therefore requires public review and comment.

Response:

Please see the responses to Comments A02-07, A02-12, and A02-66.

Comment F01-12

SDCRAA insists that the 2011 advisory AICUZ must form the basis of the ALUCP. Thus, the alternatives analysis provided in the ALUCP DEIR is inadequate for CEQA purposes because the 2011 AICUZ is no longer relevant. For example, the contours in the ALUCP DEIR showing noise and safety impacts are based on the outdated AICUZ document that had a horizon year of 2020 and does not account for changes in aircraft fleet mix, flight path, etc.

Response:

Please see Topical Responses T-01 and T-02 and the responses to Comments A02-04 and A02-64.

Comment F01-13

The AICUZ did not require public review or comment, but is the foundation of the ALUCP. If the outcome of the ALUCP has already been pre-determined, and everyone’s “hands are tied,” there is a question as to the legitimacy of the public review and comment of the ALUCP.

Response:

Please see the responses to Comments A02-07, A02-12, A02-64, and A02-66.

Comment F01-14

For these reasons above, we request the SDCRAA Board Members reject the proposed plan as it exceeds the authority of the San Diego County Regional Airport Authority.

Response:

See Topical Response T-06.

COMMENT LETTER P01 – MARION AND ROBERT SCIRE

Comment P01-1

Please note our objection to the proposal.

Response:

The comment expresses the opinions of the commenter and does not raise a specific environmental issue; therefore, no further response is required for purposes of CEQA.
Comment Letter P02 – Suzanne Volkman

Comment P02-1

We can see from the mapping that our home at 1020 E Avenue, Coronado, lies within the research boundaries and have the following comments:

This ALUCP is arbitrary and does not consider the aircraft safety history impacting residential housing in Coronado. Researching the history of NASNI found NO aircraft accidents impacting housing in the non-NASNI areas of Coronado.

The City Council can take non-approval action of the ALUCP. The impact to the City is the Navy (U.S. Government) would not be liable for injuries and damages resulting from an aircraft impacting in the housing area addressed in the ALUCP.

Response:

The safety zone boundaries in the Draft ALUCP correspond to the boundaries defined in the AICUZ study developed by the Navy. The ALUC is obligated by state law to prepare an ALUCP that is consistent with the safety and noise standards of the AICUZ study. Also, see Topical Responses T-01 and T-02.

As the commenter notes, the City may overrule the ALUCP in accordance with state law. The PUC provision explaining the release from liability mentioned by the commenter says, “the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency’s decision to overrule the commission’s action or recommendation.”

Comment P02-2

I particularly object to:

1. Imposing height limitations below the 35 ft limit that currently exists.

Response:

Please see Topical Response T-13.

Comment P02-3

2. Requiring home owners bear the cost of "sound mitigation" measures. The FAA provides funds to the San Diego Airport for sound mitigation measures in sound-impacted areas west of the Airport.

Response:

Please see Topical Responses T-10 and T-17.

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254 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. p. 5-5 – 5-11.

255 California Public Utilities Code § 21675(b).

256 California Public Utilities Code § 21676(b).

257 California Public Utilities Code § 21678.
Comment P02-4

3. Limiting the square footage of single family residences beyond existing City zoning requirements. How does further limiting square footage of Single Family Residences contribute to safety?

Response:

Please see Topical Response T-14.

Comment P02-5

Would you kindly reply to his message and acknowledge receipt? I’d like for these comments to be included in your records and further consideration.

Response:

The following written response was provided by email to the commenter on January 27, 2020 during the Draft EIR public review period:

By State law, the ALUCP for NASNI must be “consistent with the safety and noise standards” of the Air Installation Compatible Use Zones (AICUZ) study issued by the Department of the Navy. The City Council can overrule the ALUCP by a 2/3 vote, but it is unknown how any potential liability associated with an aircraft incident would be assigned.

1. The ALUCP has no authority to impose structural height limits. The requirement for notifying the FAA for its review of proposed construction within airport vicinities already exists per Federal law of longstanding and the ALUCP only reinforces that requirement. The ALUCP has no input into whatever the FAA may advise regarding structural heights, but the City holds ultimate permit authority over construction.

2. Sound mitigation is already required by the City of Coronado’s General Plan Noise Element, and such requirements are standard within multiple jurisdictions across the county to comply with State guidance on noise reduction standards. Typical construction practices to meet State energy conservation standards required for building permitting will normally provide the necessary levels of sound reduction in most noise contours without extraordinary measures. The sound attenuation standard only comes into effect for new construction, not existing homes. Again, the City retains ultimate permit authority, but the ALUCP sound attenuation standards are congruent with the City’s own existing standards.

3. The ALUCP does not limit the square footage of any residence. The ALUCP requires sound attenuation for additions that are more than 50% of the existing square footage of an existing home or completely new homes on vacant lots or replacing demolished ones. Additions of less than 50% of the existing square footage would have no sound attenuation requirements per the ALUCP exemption.

Also, see Topical Response T-11.
Comment P02-6

Being a real estate broker, I am very aware of the negative impact that this will have on our property rights and future values.

Response:

The comment is noted. Also, see Topical Responses T-08, T-09, T-13, T-14, and T-17.

COMMENT LETTER P03 – RICK LIBENSON

Comment P03-1

I am Rick Libenson, Trustee of the Libenson Family Trust (09/04/91). Our address is 1132 Isabella Avenue. Our lot consists of 28,415 square feet. Our family has a long term plan to create a second lot via a tentative and final map subdivision.

We expect to complete the tentative map approvals in advance of adoption of ALUCP. Will a tentative map approval qualify for receipt of a final map and be exempt from ALUCP?

Response:

The following written response was provided to the commenter on February 27, 2020 during the Draft EIR public review period: “Table 3 (page 9) of the Draft ALUCP provides a list of exemptions for proposed projects that do not require ALUC review. Exemptions include projects that have been determined to have obtained vested rights prior to ALUCP adoption. If the City of Coronado determines that a tentative map or tentative parcel map has been deemed complete and has not expired per its permitting requirements, the proposed subdivision would have vested rights and would not be subject to ALUC review.”

COMMENT LETTER P04 – JOHN O’BRIEN

Comment P04-1

This letter shall serve as a written comment to ALUCP Draft Plan........ specifically the new proposed sound standards. Our company retained an acoustical engineer to analyze sound attenuation measures that we incorporated in a recently completed home in APZ-2 zone. The Acoustic Engineer’s Report was prepared by Sound Solutions Acoustical Consulting, Bill Holiday, P.E. regarding Sound Transmission Attenuation for residential single family homes.

in 2017, Flagg Coastal Homes constructed a single family home at 1111 Pine Street which is located in Zone-2. Flagg submitted the City-approved construction plans (for a sound attenuation analysis) with additional accompanying information such as the proposed exterior wall sections, roofing/attic sections and door and window STL ratings for the Sierra Pacific aluminum clad double-paned wooden doors and windows.

This information was evaluated by a licensed Acoustic Engineering Firm, Sound Solutions, using US Department of Housing and Urban Development Sound Transmission Classification and Assessment Tool (STraCAT).The home was designed by Flagg Coastal Homes, incorporating the details, specifications and material selections of a custom Flagg Coronado home. We designed the house to exceed typical sound attenuation standards primarily because of its location near North Island. Our design met the exacting standards of STraCAT. and I’m pleased to report that the home passed the STraCAT test.
As a previous active member of the Naval Air Station North Island Working Group, I respectfully request that STraCAT certification be utilized as the "Standard" measurement for future projects and new home construction in the affected areas. Both the City of Coronado, and the homeowners in the affected APZ's are interested in meeting a measurable standard rather than an unknown subjective measurement by another agency (with a much-different agenda) outside of Coronado.

I would be pleased to share the STraCAT analysis from our 1111 Pine experience.

Just so you know, our company both builds and designs homes situated in the ALCUP zone. Our efforts form the basic family income for a number of small subcontractors, suppliers and residents of our town. We take your possible restrictions quite seriously.

Response:

The Draft ALUCP does not specify a method for determining if a building design can achieve the interior sound level performance standard, the method described by the commenter may satisfy the requirement in the Draft ALUCP. The Key to Table 4 (page 24 of the Draft ALUCP) explains that "[i]t is the responsibility of the project sponsor to demonstrate that the building, as designed, can achieve the interior sound level. This may be accomplished by the certification of an appropriately licensed design professional (engineer, architect, or acoustician with building design experience)."

Neither the Draft ALUCP, nor the ALUC, specify what system or method must be used in order to meet the interior sound level performance standards; that will be up to the City of Coronado to decide as part of its implementation of the ALUCP.

COMMENT LETTER P05 – CARRIE O’BRIEN

Comment P05-1

I am a real estate agent representing the owners on the sale of the property at 685 Ocean Boulevard, Coronado. The house is 3,700 sf with a 2nd story over a portion of the house. The buyers are planning to add approximately 1,000- 1,300 sf to the house which will result in an allowed two-story house under current Coronado standards. The property is surrounded by 2 & 3 story houses on three side an d the ocean on the 4th side. There is a 3 story lifeguard stand on the beach in front of them.

The buyers will need to demolish the current house and build a new home and garage. It is likely that the home will require a "Ministerial" building permit.....all under current Coronado zoning. The owner is also cognizant of the sound requirements of ALUCP and will meet those requirements. Will this project be allowed under the new ALUCP?

Time and again through the AICUA/ALUCP process, we have been told that as long as the use of the property didn’t change and we complied with current Coronado Zoning, that a house could be rebuilt. An article in the Eagle Newspaper quoted Angie Jamison as saying the following:

“People can knock a house down and rebuild it; they can add a room or a deck. An owner can do pretty much whatever he wants with his property as long as it complies with local zoning laws and the use of the property doesn’t change, for example you can’t tear down a single-family home and put up a condominium,” Jamison explained. (See attached article)
How will the process for this particular home be handled after the plan is adopted? Thank you,

Response:

The following written response was provided to the commenter on January 31, 2020 during the Draft EIR public review period:

We are in receipt of your email and it will be included in the formal record of all comments received on the NASNI EIR. Airport Land Use Commission (ALUC) staff will respond to all comments received as part of the final EIR when it is posted online at a future date (TBD). In the meantime, below is a response to your comment. The ALUCP does not prohibit the expansion or reconstruction of an existing residential home. The ALUCP would require sound attenuation for additions that are more than 50% of the existing square footage of an existing home or completely new homes on vacant lots or replacing demolished ones. The ALUCP sound attenuation standards are congruent with the City’s own existing standards. Typical construction practices to meet State energy conservation standards required for building permitting will normally provide the necessary levels of sound reduction in most noise contours without extraordinary measures. With respect to the height of new structures, the ALUCP has no authority to impose structural height limits. The ALUCP only reinforces existing requirements to notify the Federal Aviation Administration (FAA) for its review of proposed construction within airport vicinities. The ALUCP has no input into whatever the FAA may advise regarding structural heights, but the City holds ultimate permit authority over construction.

The reconstruction of residential land uses would be consistent with the Draft ALUCP, provided that the home was designed to achieve an interior sound level performance standard of 45 dB CNEL. Project sponsors may need to submit a description of the proposed project to the FAA for airspace review, as described in Section 5.2.1 of the Draft ALUCP.

Also, see Topical Responses T-13 and T-14.

COMMENT LETTER P06 – CARRIE O’BRIEN

Comment P06-1

Attached is the article which I mean to attach to the last email. Thank you!

Response:

Comment P06-1 includes an article that the commenter enclosed to Comment P05-1. See response to Comment P05-1.

COMMENT LETTER P07 – LISA THOMPSON

Comment P07-1

I received the letter informing us that our property will be affected in the new Airport Land Use Agreement. I certainly hope that this draft does not pass.
It is unfair to tell the citizens, who have paid A LOT of money to own property by the beach, how we can/can
not use our property. It is ours.

I have lived in this property since 1973, and do not see any reason why changes need to be made.

I lost my father to the horrible Vietnam War, therefore have the utmost respect for our military, and actually
enjoy hearing the planes, to me, that is the sound of freedom.

There should be no reason for the path to change, esp if this impacts so many others. I hope you can see this
side of the argument, and vote to leave the residents alone.

The sentence, "The EIR concluded that there would be significant and unavoidable impacts to Land
Use/Planning in the City of Coronado," should be enough to stop your plans.

Response:

The commenter appears to be referring to a notice distributed by the City of Coronado, dated January 17, 2020. See
and Topical Responses T-03, T-06, T-08, T-13, T-14, T-15, and T-17 and the response to Comment A02-70.

COMMENT LETTER P08 – DONNA MANNING

Comment P08-1

I am a long time resident of the Shores. I find the noise level of the helicopters and jets almost unbearable-
a reason I am thinking of moving away from this area. You need to make every effort to move the flight
paths farther away from our residences!

Response:

Please see Topical Responses T-04 and T-05.

COMMENT LETTER P09 – MARCIA BANKS

Comment P09-1

We have a single-story, single family residence in the Clear Zone on Coronado Avenue. Houses on both sides
and across the street are taller 2 story houses. We are concerned with a great loss of property value if any
future development or remodeling of this home were limited to the current height.

I have read through the draft ALUCP and cannot determine if the building height of a future home on our
lot would be limited to the current height. Can you please clear that up for us?

Response:

Please see Topical Responses T-13 and T-14 and the response to Comment P02-2.
COMMENT LETTER P10 – TOM HERMAN

Comment P10-1

I am responding [to] your Naval Air Station North Island Draft Airport Land Use Compatibility Plan (ALUCP) proposal. As a homeowner within the impacted area near NASNI, my property rights, along with the other 1000 residential homeowners, will be significantly diminished by the proposed ALUCP. Our home has been owned by our family since first purchased in 1970. The severe restrictions that would be put in place, if the proposed ALUCP is implemented, is grossly unfair to my family and the other property owners within the affected areas. The premise that ALUCP is trying to increase safety, by preventing encroachment (next to NASNI) doesn’t fit the Coronado model. The city, as I was told, was laid out in 1887 and we have been consistent in our land use since. A significant buffer between civilians and the military was essentially gone by the time the Navy developed NASNI, in 1917. To come back more than 100 years later and attempt to retroactively put in place these limits on what land owners can do with their properties, along with noise attenuation requirements, is inherently unfair and wrong.

Response:

Please see Topical Responses T-07, T-08, T-10, T-13, T-14, T-15, and T-17 and the responses to Comments P02-02 and P02-04.

Comment P10-2

It will have a significant negative impact on land owners and the Coronado economy as well, as housing pricings will drop due to the severe restrictions that would be put in place.

Response:

Please see Topical Responses T-08, T-09, T-13, and T-14 and the response to Comment P18-6.

Comment P10-3

More importantly, the impacted area will not make the civilians or Navy any safer, as the zoned area has already been developed.

Response:

The comment is noted. The goals and objectives of the Draft ALUCP are to establish policies to avoid increases in land use incompatibility within the safety zones and noise contours.258

COMMENT LETTER P11 – DAVID WATSON/DUANE MORRIS LLP

Comment P11-1

We represent BSK Del Partners, LLC, owner of the Hotel del Coronado in the City of Coronado. Please accept these comments on the Draft Environmental Impact Report referenced above (“DEIR”) on behalf of the Hotel del Coronado and its owner (collectively, “the Del”).

258 Draft NASNI ALUCP, December 2019, p. 2.
The Del, a National Historic Resource, has existed since 1881 and pre-dates flight. The Del is also one of the nation’s top tourism destinations with an international reputation. Our goal throughout this process has been to ensure the Del’s continued ability to thrive and change as needed to continue its history of success.

As noted in the DEIR, representatives of the Del participated extensively in preparation of the draft Airport Land Use Compatibility Plan for Naval Air Station North Island now dated December 2019 (“ALUCP”). That effort included participation in the ALUCP Working Group as well as extensive negotiations with staff and representatives of the Airport Land Use Commission of the San Diego County Regional Airport Authority (“ALUC”).

At its meeting of November 2, 2017, the ALUC directed its staff to proceed with preparation of a DEIR based on the proposed draft ALUCP presented at that meeting, now dated December 2019, and analyzed in the DEIR. At the ALUC meeting of October 5, 2017, I expressed the Del's acceptance of the draft ALUCP and the Del's support for the compromise language in that document. For the record, we note that the proposed ALUCP does the following:

1. The ALUCP and its appendices recognize the Del's status as an existing resort – as does the Navy’s 2011 Air Installations Compatible Use Zones (“AICUZ”) study.

2. The ALUCP exempts development pursuant to vested rights from ALUC review.

3. The ALUCP allows for reconstruction of less than 50 percent of an existing development without ALUC review and allows full reconstruction at the same square footage with ALUC review – even if the reconstructed buildings were originally constructed per vested rights.

4. The ALUCP list of exemptions from ALUC review includes temporary uses and activities, repair, maintenance and remodeling within existing square footage.

5. The ALUCP acknowledges that Coronado is fully developed and therefore its existing general plan and zoning designations for existing development, including the Del, are not required to change – thus avoiding creation of non-conforming uses.

In other words, the draft ALUCP now adequately addresses the Del’s main concerns we identified when this process began. The ALUCP does not designate the Hotel del Coronado as a non-conforming use and it allows reconstruction in the event of a catastrophic event and build out and reconstruction of its vested rights per its master plan and development agreement.

Although no property owner appreciates a new layer of regulation and bureaucracy, we realize the State Aeronautics Act imposes certain mandates on the ALUC. Because the City of Coronado is fully developed with existing uses, we believe that act and its accompanying Caltrans handbook provide the ALUC flexibility to adjust its ALUCP accordingly. We believe the policies included in this draft ALUCP are consistent with the State Aeronautics Act and Caltrans handbook provisions applicable to fully developed areas of existing uses.

As a result, we encourage the ALUC to adopt the ALUCP in a form that includes and maintains all the important language addressing the issues addressed above and as set forth in the December 2019 draft ALUCP. The Del reserves any and all rights it may have to contest or challenge any version of the ALUCP that does not include this language or address these vital issues in the same manner as the December 2019 draft ALUCP.
Response:

The ALUC acknowledges your input and comment. No further response is required given that the comment does not address or question the content of the Draft EIR.

Comment P11-2

As for the DEIR itself the Del appreciates the Appendix B "Revised Analysis of Potentially Displaced Development – Hotel del Coronado." Appendix B correctly describes the Del’s vested rights under its approved master plan.

Response:

The ALUC acknowledges your input and comment. No further response is required given that the comment does not address or question the content of the Draft EIR.

Comment P11-3

The DEIR concludes it is too speculative to discuss or analyze the potential impacts resulting from potential development in new locations to accommodate the displaced residential, commercial and hotel development. However, the city of Coronado is relatively small. the areas for the relocated displaced development are limited, and the amount of potential displaced development is easily quantified. As a result, it seems possible to have done at least some preliminary analysis of the potential impacts of development in potential new locations for the displaced development, particularly in the topics of traffic circulation, air quality, aesthetics and greenhouse gas emissions, among other CEQA mandated topics.

Response:

Please see the responses to Comments A02-70 and A02-71.

Comment P11-4

We appreciate the opportunity to comment on the DEIR. We encourage the ALUC to maintain the provisions of the December 2019 ALUCP as they pertain to the Del’s future development.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER P12 – JON AND JANIE POLLOCK

Comment P12-1

Thank you for soliciting comments on the EIR. My wife and I own a house that is within the Accident Potential Zone. We specifically want to go on the record concerning the proposed ALUCP.

North Island Naval Air Station began in service over 100 years ago. Aircraft have been using this base much longer than we have been coming to Coronado. All of us who reside in the area, have moved here by choice. We are well aware of the take-off and landing routines plus the variable noise levels that are commensurate with an active airfield.
No doubt your goal is to reduce our risk of exposure to potential hazards and excessive noise issues caused by flight operations. In our view, adding new rules, restrictions, and approval layers is totally uncalled for. Here is why.

Last year approximately 257 people around the world were killed in plane crashes. The odds of dying in a plane crash are estimated at 1 in 5 million. At the same time approximately 37,000 people were killed in car crashes, just in America. The odds of being killed in a motor vehicle accident are about 1 in 103.

The maximum aircraft noise that you project within the APZ is 75 dB while the noise level of legal street motorcycle is 80 dB.

At a time when states are searching for ways to make housing more affordable, adding unnecessary regulations or diminishing what land is available for residential use would seem to be very counterproductive.

No one wants accidents to happen but there is also no way to totally eliminate all risk. If you have extra time and money to reduce risk for Coronado residents, logic would suggest that the focus be on automobiles rather than on aircraft.

Response:

The response to this comment is organized by paragraph.

**Paragraph 1:** This comment is an introduction to comments that follow. No further response is required.

**Paragraph 2:** The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

**Paragraphs 3 and 7:** The goals and objectives of the Draft ALUCP policies and standards are to avoid increases in land use incompatibility within the safety zones and noise contours. 259

**Paragraph 4:** The Draft ALUCP and the scope of its policies, including provisions related to safety compatibility, are in accord with the requirements of state law 260 and the guidance provided in the Caltrans Airport Land Use Compatibility Planning Handbook. 261

**Paragraph 5:** The noise contours presented in the Draft ALUCP, developed by the Navy for the AICUZ study, represent CNEL. CNEL is a 24-hour, time-weighted noise metric that accounts for all aircraft noise occurring over an average day in a given study year. 262 It is the noise metric required for describing aircraft noise exposure in California and that is used for land use compatibility planning. 263 In contrast, the motorcycle noise level cited in the comment refers to the peak level of a single noise event.

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259 Draft NASNI ALUCP, December 2019, p. 2.
260 California Public Utilities Code § 21670, et seq.
261 California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 4-15 – 4-34.
263 California Department of Transportation, Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011, p. 4-1 – 4-9.
Paragraph 6: See the response to comment A02-34.
Also, see Topical Response T-15.

COMMENT LETTER P13 – CELESTE KENNEDY

Comment P13-1

The City of Coronado was established long before NASNI.

There is no reason that Coronado citizens and property owners should continue to allow Navy aircraft to encroach on the long established city boundaries.

We support the armed forces, and have family members who have served in both WWII and Vietnam.

The flight paths for the air operations at NASNI need to be rerouted so as not to encroach on the airspace over the city of Coronado, or the busy San Diego Bay.

Navy aircraft can fly out over the ocean and approach the base from the beach side.

As residents and property owners for many years, we constantly put up with Navy aircraft noise, pollution, and the worry of a potential crash over part of our city.

The proposed ALUCP will further rob us all.

Response:

Please see Topical Responses T-03, T-04, T-05, and T-07.

COMMENT LETTER P14 – CARRIE O’BRIEN

Comment P14-1

If the “ALUCP does not prohibit expansion or reconstruction of an existing residential use and if it has no authority to impose structural height restrictions” as you note below, then the exemptions to ALUC Review noted in Section 3 regarding “alterations to existing residential uses” needs to be revised to reflect that. Table 3 (2 of 2) should not include an increase in height as a requirement for review by ALUC. There are many situations where a residential property may request to increase a portion of its height in a way that is allowed by the City’s height restrictions and FAA requirements. All 3 points should be corrected with the removal of “with no increase in height” since it is extremely limiting. Residential use properties which are requesting an increase in height that is permitted by City codes and either, 1) do not require a special review by the FAA or 2) have received FAA approval; should not be automatically subject to ALUC review.

It is the City’s responsibility to make sure that it’s residential use height restrictions meets the FAA Requirements. If, as you say, the “ALUCP has no input into whatever the FAA may advise regarding structural heights” then the sections noted above which state “with no increase in height” should be removed from the draft.

[Ed. Note: This comment is part of a chain of emails which includes Comment Letter P05, responded to above.]
Response:

As the commenter notes, proposed alterations to existing structures and land uses that involve increases in structure height are subject to review by the ALUC. Increases in height are incompatible only when they are determined by the FAA to be hazards. In those cases, the ALUC would determine the proposed land use project, involving the increase in height, to be inconsistent with the ALUCP. The consistency determination would go to the City of Coronado, which would then require modification of the project to be consistent with the ALUCP or overrule the ALUC’s determination of inconsistency. The City would then issue development permits accordingly.

The requirement for ALUC review of proposed land use projects involving increases in height is intended to ensure that projects requiring FAA review are submitted to the FAA. After the City either implements or overrules the ALUCP, ALUC review of proposed land use projects would no longer be required.

Also, see Topical Response T-13.

COMMENT LETTER P15 – MILT MCCOLL

Comment P15-1

My wife and I have owned our home in Coronado at 1118 Loma Lane for over 15 years. It was designated historic over 16 years ago. We love our home and the Coronado community. We have received the information on the EIR for the ALUCP and it concerns us.

We have made modifications to our historic home in the past and have always abided by the historic resource commission regulations. We are concerned that the new proposals by the ALUCP may affect the authority of the historic resource commission to issue their historic alteration permits. We do not think this would be appropriate. Between the historic commission and the city regulations we believe this is adequate over site for construction in Coronado and we do not need additional regulations. For instance we are considering adding a guest house to our property since our house is only 1,120 sf on a 4,000 sf lot. Would the proposed 50% limit on increase in size (Table 3, page 10) result in us being allowed to add only 560 sf or less (which is much lower than the current Coronado code). Since our house is historically designated, does the new restriction also mean that we wouldn’t be allowed to add a guest house/ADU at all even if approved by the Historic Resource Commission?

Response:

The Draft ALUCP has no policies or standards that apply specifically to historic resources. The ALUC review process for proposed development or redevelopment of historic resources would be the same as for any other proposed land use project.

As stated in Section 3.3, Exemptions from ALUC Review, of the Draft ALUCP, expansions or additions of less than 50 percent of the existing habitable space of the residential dwelling unit with no increase in height are exempt from ALUC review. Expansions or additions of 50 percent or more, without increases in height, would be consistent with

\[264\] Draft NASNI ALUCP, December 2019, p. 27.

\[265\] A provision of state law effectively requires that sponsors of proposed projects determined by the FAA to be hazards must receive a permit from Caltrans before the structure can be built. California Public Utilities Code §§ 21657 and 21659(b).

\[266\] Draft NASNI ALUCP, December 2019, p. 11 – 12.
the Draft ALUCP, provided that measures were taken to achieve the interior sound level performance standard of 45 dB CNEL in the expanded areas.

As stated in Section 5.1.3, Accessory Dwelling Unit Development Right, new accessory dwelling units, as defined by state law, are compatible with the noise and safety policies of the Draft ALUCP, subject to achievement of the interior sound level performance standard of 45 dB CNEL. Therefore, a property owner would be allowed to add an accessory dwelling unit, assuming compliance with other City of Coronado ordinances or requirements.

Also, see Topical Responses T-13 and T-14 and the response to Comment A02-49.

**COMMENT LETTER P16 – MILT McCOLL**

**Comment P16-1**

I have owned my home in Coronado for more than 15 years. I speak also as a licensed pilot who has made hundreds and hundreds of landings at FAA regulated airports. My home is currently 2 bedrooms and both of the bedrooms are on the second story. I am constantly considering upgrading to a larger home in Coronado to better serve my family’s needs as it grows. I am concerned that the new proposals by the ALUCP may affect the ability to alter a new home unfairly that I may want to purchase. I see no reason the ALUPC [sic] should have authority over heights and other restrictions on Coronado other that what the Coronado code currently allows or limits. These regulations are adequate and safe. As a pilot I can see no reason to limit the height of a home when the home next door is already two stories; or many of the neighborhood homes are that height. I believe the current height regulations are safe and adequate as written in the city code. I believe that any new regulations would seriously limit both the ability to sell my home and the ability to alter any home I am interested in purchasing in the future that would be so regulated.

Response:

Please see Topical Responses T-13, T-14, and T-15 and the responses to Comments P02-4 and P14-1.

**COMMENT LETTER P17 – MARK AND K.C. SPRING**

**Comment P17-1**

We are current, full-time residential property owners at 1105 Pine Street in Coronado, California. Our property, a single-family residence, is located in the declared Accident Potential Zone 1 per the 2011 Air Installations Compatible Use Zones (AICUZ) study.

The draft Airport Land Use Compatibility Plan (ALUCP) states in Section 1 that its objective is to prevent an increase in the level of incompatibility, beyond that described in the AICUZ study. The ALUCP, however, does not adequately respect the rights of the existing property owners in achieving this objective. Most glaringly, it ignores the obvious way to:

1) reduce noise
2) reduce pollution
3) increase safety

by reducing and/or redirecting the flight traffic at Naval Air Station North Island (NASNI).
We request respectfully that any final ALUCP obtain commitments from NASNI to explicitly ensure a decrease in incompatibility, rather than placing the responsibility for maintaining the current level of incompatibility on current property owners.

Response:

Please see Topical Response T-05.

Comment P17-2

We have reviewed the draft ALUCP and object on multiple points:

• The application of the ALUCP to Coronado represents an inappropriately broad, redundant, and bureaucratic process applied to an area uniquely different from all other San Diego airport sites.
  o The land in the declared Clear Zone, Accident Potential Zone 1, and Accident Potential Zone 2 areas has been fully developed for decades; the City of Coronado and residential development in these areas long preceded NASNI operations.

Response:

Please see Topical Responses T-06 and T-07.

Comment P17-3

• The City of Coronado has strict zoning regulations already in place that govern the size, height, and density of residential and commercial structures.
  o The proposed overlay of additional restrictions on property use will eliminate or materially reduce opportunities for property owners to improve or enhance their properties, including the addition of Additional Dwelling Units for family members.

Response:

The Draft ALUCP sets no limits on the repair, maintenance, and remodeling of existing land uses, including residences and commercial structures. The Draft ALUCP does not limit the expansion of single-family residences or the construction of accessory dwelling units. The Draft ALUCP does provide that additions or partial reconstruction involving 50 percent or more of the habitable area of the residence, as well as new accessory dwelling units, be able to meet an interior sound level performance standard of 45 dB CNEL.267

The limitation on the expansion of the gross floor area of nonresidential land uses (including commercial uses) would affect up to two properties in the C – Commercial zoning district.268

Also, see Topical Responses T-14, T-15, and T-17 and the responses to Comment A02-73.


268 NASNI ALUCP Draft EIR, December 2019, p. 4-31 – 4-36, 4-39 – 4-46.
Comment P17-4

- Proposed new residential projects should not be subjected to ALUC review and approval. Such a requirement would be redundant over existing zoning requirements, add needless delays to project approval processes, and add incremental costs.

Response:

The ALUC has no power to approve or disapprove projects, insofar as that involves the issuance or withholding of development permits. The ALUC project review process concludes with a determination of consistency with the ALUCP. That determination is then forwarded to the City which has the power to approve or disapprove the proposed project. If the ALUC issues a determination of inconsistency, the City may either request changes in the proposed project to remedy the inconsistency or overrule the ALUC’s determination.\(^{269}\)

Also, see Topical Responses T-14 and T-15 and the responses to Comments A02-73, P17-3, and P18-6.

Comment P17-5

- Proposed ALUCP limits on property will potentially impair property values permanently, and may lead property owners to seek recourse and compensation through legal actions.

Response:

Please see Topical Responses T-08, T-09, and T-14.

Comment P17-6

Only property owners who are submitting applications for proposed projects are defined as “stakeholders” in Table 2 of the draft report. Every current property owner should be considered a stakeholder. This intentional exclusion of approximately 1,000 private property owners is restrictive and reductive.

Response:

The comment is noted. Also, please see Topical Response T-06 and T-17.

Comment P17-7

A significant step towards achieving the ALUCP’s stated goal of increased safety would come from consistent use of over-ocean approaches to Runway 29. The long-standing practice of following Coronado’s heavily populated beach as the flight approach for the majority of helicopters and fixed wing aircraft landings at NASNI needs to be eliminated, except in unusual circumstances.

Response:

Please see Topical Response T-05.

\(^{269}\) Draft NASNI ALUCP, December 2019, p. 11 – 12.
Comment P17-8

We are calling on the SDCRAA to respect Coronado’s existing zoning regulations, and protect the freedoms and rights of the current property owners by modifying Exemptions from ALCU Review (Table 3) in the draft report to permit changes or additions to existing residential uses within the current and future Coronado zoning regulations, which already impose strict control over height, density, and usage.

Response:

Please see Topical Responses T-13, T-14, and T-15 and the responses to Comments P17-3 and P17-4.

COMMENT LETTER P18 – JERALD WALLACE MITCHELL

Comment P18-1

We received the letter in the mail from the City of Coronado notifying us of “the EIR related to the creation of the NASNI Draft Airport Land Use Compatibility Plan (ALUCP) that will have implications on over 1000 existing residential units in Coronado that will impact how your property can be developed in the future. IF adopted, the ALUCP would impose new development restrictions on properties located…”

My property at 431 Ocean Blvd. was built in 1962 by my parents (my father was a 30-year Navy veteran stationed mostly at NASNI). It will be directly impacted. The question is, exactly, how? I have read through much of the report which is very detailed and sometimes unclear or has gray areas. Here is a list of questions/concerns/comments that I would want addressed/answered.

Response:

This comment refers to a notice distributed by the City of Coronado and dated January 17, 2020.

Comment P18-2

1. When the letter says “IF ADOPTED” does that mean there is a chance it will not be adopted? Can the City of Coronado (and other cities) not agree to the ALUCP and is it possible it would not? If so, what would that mean?

Response:

The ALUC is being asked to adopt the Draft ALUCP after certification of the Final EIR. Assuming ALUCP adoption, the affected local governments, including the City of Coronado, must either implement or overrule the ALUCP, as provided by state law.270 The City could implement the approved ALUCP by amending its Zoning Code to incorporate the land use compatibility policies and standards of the ALUCP.271

After either implementation or overrule of the ALUCP, the City would not be required to submit proposed land use projects (such as land subdivisions or expansions of residences by 50 percent or more of the habitable area) to the ALUC for review. With implementation, the City would only be required to submit proposed changes in land use

270 California Public Utilities Code § 21676.
plans and regulations (e.g., General Plan amendments and zoning changes) to the ALUC for a determination of consistency with the ALUCP.

Also, see the responses to Comments A02-04, A02-48, and P17-4.

**Comment P18-3**

2. Is the USN/FAA etc. working with the City (and other cities) to be good neighbors, while understanding we appreciate the “Sound of Freedom” from the airplanes etc…. we just want our freedoms and a good balance of reasonable steps for ownership freedom and public safety. What is the motivation of the new regulations? Is it that there is going to be more Navy traffic or is it the type of aircraft flying in and out of NASNI? Is this opening the door to possibly commercial flights, as 737 passenger jets are among the aircraft?

Response:

The ALUC is required to prepare an ALUCP for NASNI by state law.\(^\text{272}\) The ALUC has no jurisdiction or authority over NASNI. The ALUCP is unrelated to any planned changes in activity at NASNI. There is no plan for commercial operations to occur at NASNI.

Also, see Topical Responses T-01, T-02, T-03 and T-05 and the response to Comment A02-04.

**Comment P18-4**

3. Why are the home owners responsible for reducing the impact of the sound rather than the USN responsible for reducing the sound through their landing protocol/air strip/landing zones etc.?

Response:

The Draft ALUCP includes no policies or standards that would require homeowners to reduce the impact of aircraft noise. The Draft ALUCP has an interior sound level performance standard of 45 dB CNEL for new and totally reconstructed residences and the reconstructed and enlarged portions of residences involving 50 percent or more of the habitable area. See the response to Comment P18-6.

Also, see Topical Responses T-05, T-06, T-10, T-14, and T-15.

**Comment P18-5**

4. I am also a realtor, these new regulations, if adopted, would have to be disclosed. This could have an impact on property values as an owner, and for other owners and potential buyers.

Response:

Disclosure of the presence of any existing airport is already required under state law, even in the absence of an adopted ALUCP.\(^\text{273}\) Specifically, notice is required for residential property offered for sale or lease within two miles of the airport if no airport influence area has been established through an ALUCP. Once an ALUCP with an airport influence area has been adopted, additional disclosure is required of the potential annoyances and inconveniences associated with proximity to airport operations.

\(^\text{272}\) California Public Utilities Code §§ 21670 and 21675.

\(^\text{273}\) California Business and Professions Code § 11010(a) and (b)(13); California Civil Code §§ 1102.6, 1103.4 and 1353.
Comment P18-6

5. If it IS adopted, what exactly will change from what exists now for my property and those in the affected area?

Response:

The Draft ALUCP would affect residential properties in the following situations:

- If new home construction (including an accessory dwelling) or total reconstruction is proposed, an interior sound level performance standard (45 dB CNEL) is specified for the habitable area.
- If more than 50 percent of a residence is reconstructed, an interior sound level performance standard (45 dB CNEL) is specified for the reconstructed portion.
- If a residence is enlarged by 50 percent or more of the habitable area, an interior sound level performance standard (45 dB CNEL) is specified for the enlarged portion.
- Proposed projects involving increases in structure height may need to be reviewed by the ALUC, depending on specific circumstances discussed in the Draft ALUCP.274

The Draft ALUCP would not apply to any residential construction or improvement projects not listed above. Neither would the Draft ALUCP apply to existing residences for which no changes are proposed.

Also, see Topical Responses T-10, T-13, T-14, T-15, and T-17.

Comment P18-7

6. What part of the house needs to meet the DB criteria and when? When it talks about being required, for example, to come from 65 DBs to 45 DBs, at what point would that be required? If I do a “remodel”? And is that of the whole house or what if it’s just a bathroom or something on the interior? Does filing for a permit for anything “trigger” these new criteria be met for the rest of the home or is it just if there’s an addition that would then need to meet the requirement? And is it for just that part of the house or the whole house, meaning ALL the windows and insulation etc. would have to be replaced/brought up to the new standard? Who does the testing?

7. Why should the government need to control the DB of my home in the first place? What if I wanted a home without windows, or an open floor plan that is a non- traditional home? Is this going to require me to have the “inside” of my home “quiet” at 45 DB and mean I can’t have an unconventional home on my property? (assuming it meets basic city code.)

Response:

See the response to Comment P18-6 for an explanation of the applicability of the interior sound level performance standard. The Draft ALUCP includes no policies or standards that would require interior sound level reductions for existing residences. Compliance with the interior sound level performance standard “may be accomplished by the

certification of an appropriately licensed design professional (engineer, architect, or acoustician with building design experience).”

Also, see Topical Responses T-10, T-14, and T-15.

**Comment P18-8**

**What’s the difference between a “remodel” and “rebuild”?**

**Response:**

Rebuild means “reconstruction,” a term that the Draft ALUCP defines as “the rebuilding of all or a portion of an existing residential or nonresidential building.” The term “remodel” means the improvement or reconfiguration of space within an existing building footprint. This definition of “remodel” has been added to the Draft ALUCP.

**Comment P18-9**

9. This all seems like it would be extremely burdensome on the property owners in the whole affected area...

**Response:**

The comment is noted. Also, see Topical Responses T-13, T-14, T-15, and T-17.

**Comment P18-10**

10. Because these new requirements are being proposed due to the increase in military air traffic at NASNI, is there funding to off-set the required sound/window/insulation rules for potential changes to the house/property? It's my understanding there is some through the Airport Authority. Will this house and other be eligible for that and if so, how much/credit would be due per home/household etc.?

**Response:**

The ALUCP is being prepared by the ALUC in response to a state mandate. Its preparation is not tied to any changes that may or may not be planned at NASNI. See the response to Comment P18-3.

Also, see Topical Responses T-03 and T-10 and the response to Comment P18-03.

**Comment P18-11**

11. How is the Coronado City’s General Plan affected by this proposal?

**Response:**

No goals or policies in the City’s General Plan conflict with the Draft ALUCP. The Noise and Safety Elements of the General Plan are specifically consistent with related provisions of the Draft ALUCP.

Also, see Topical Responses T-10, T-13, T-14, T-15, and T-17 and the response to Comment A02-36.

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Comment P18-12

12. Is DECIBAL REDUCTION the only thing that would have to be adhered to if it is approved? If not, what else would a property owner be required to do, and when and why?

Response:

Other policies of the Draft ALUCP would make the further subdivision of single-family-zoned lots and the addition of dwelling units in multiple-family-zoned areas incompatible. Rezoning to increase the allowable residential density (or to reduce the minimum lot sizes) also would be incompatible.

Also, see Topical Responses T-13, T-14, and T-17 and the response to Comment P18-6.

Comment P18-13

13. What is the timeline of this? It appears the military air traffic increase is already set to begin in 2020.

Response:

It is anticipated that the ALUC will consider certification of the Final EIR and adoption of the Draft ALUCP at its meeting on September 3, 2020. Preparation and adoption of the ALUCP are unrelated to any activity or changes in operations at NASNI.

Also, see Topical Responses T-03 and T-12.

Comment P18-14

Thank you for your time and review. I look forward to hearing from your office and knowing my concerns and questions were considered and factored into the process.

Response:

The comment is noted. Also, see Topical Response T-11.

COMMENT LETTER P19 – ANN GLICK MITCHELL

Comment P19-1

My husband and I first built 431 Ocean Blvd. in 1962 (he was a Lt. Commander in the Navy and the lot cost $15,000) and we remodeled 421 Ocean Blvd. in 1988 and included double paned windows to have a great view of the beach, ocean and airplanes, and also to block out a lot of sound. My husband passed away of ALS in our home in 1994 and I, 95 ¾ years old, still live at 421 and co-own 431. My late husband retired at North Island and we loved the Navy. However, I have concerns about these new proposed regulations for the Accident Potential Zone and how they might impact my home now and in the future. With the help of two of my children, we have read through much of the report which is very detailed and sometimes unclear or has gray areas. Here is a list of questions/concerns/comments that I would want addressed/answered.


277 Draft NASNI ALUCP, December 2019, p. 25.
Response:

This comment is an introduction to comments that follow. No further response is required.

Comment P19-2

1. When the letter says “IF ADOPTED” does that mean there is a chance it will not be adopted? Can the City of Coronado (and other cities) not agree to the ALUCP and is it possible it would not? If so, what would that mean?

2. Is the USN/FAA etc. working with the City (and other cities) to be good neighbors, while understanding we appreciate the “Sound of Freedom” from the airplanes etc…. we just want our freedoms and a good balance of reasonable steps for ownership freedom and public safety. What is the motivation of the new regulations? Is it that there is going to be more Navy traffic or is it the type of aircraft flying in and out of NASNI? Is this opening the door to possibly commercial flights, as 737 passenger jets are among the aircraft?

3. Why are the home owners responsible for reducing the impact of the sound rather than the USN responsible for reducing the sound through their landing protocol/air strip/landing zones etc.?

4. If it IS adopted, what exactly will change from what exists now for my property and those in the affected area?

5. What part of the house needs to meet the DB criteria and when? When it talks about being required, for example, to come from 65 DBs to 45 DBs, at what point would that be required? If I do a “remodel”? And is that of the whole house or what if it’s just a bathroom or something on the interior? Does filing for a permit for anything “trigger” this new criterion be met for the rest of the home or is it just if there’s an addition that would then need to meet the requirement? And is it for just that part of the house or the whole house, meaning ALL the windows and insulation etc. would have to be replaced/brought up to the new standard? Who does the testing?

6. Why should the government need to control the DB of my home in the first place? What if I wanted a home without windows, or an open floor plan that is a non- traditional home? Is this going to require me to have the “inside” of my home “quiet” at 45 DB and mean I can’t have an unconventional home on my property? (assuming it meets basic city code.)

7. What’s the difference between a “remodel” and “rebuild”?

8. This all seems like it would be extremely burdensome on the property owners in the whole affected area... and

9. Because these new requirements are being proposed due to the increase in military air traffic at NASNI, is there funding to off-set the required sound/window/insulation rules for potential changes to the house/property? It’s my understanding there is some through the Airport Authority. Will this house and other be eligible for that and if so, how much/credit would be due per home/household etc.?

10. How is the Coronado City’s General Plan affected by this proposal?

11. Is DECIBAL REDUCTION the only thing that would have to be adhered to if it is approved? If not, what else would a property owner be required to do, and when and why?
12. What is the timeline of this? It appears the military air traffic increase is already set to begin in 2020.

Response:

The questions listed above are identical to those in Comment Letter P18. See responses to comments P18-2 through P18-13.

COMMENT LETTER P20 – JANE MITCHELL

Comment P20-1

We received the letter in the mail from the City of Coronado notifying us of “the EIR related to the creation of the NASNI Draft Airport Land Use Compatibility Plan (ALUCP) that will have implications on over 1000 existing residential units in Coronado that will impact how your property can be developed in the future. IF adopted, the ALUCP would impose new development restrictions on properties located…”

My property at 431 Ocean Blvd. was built in 1962 by my parents (my father was a 30-year Navy veteran stationed mostly at NASNI). It will be directly impacted. The question is, exactly, how? I have read through much of the report which is very detailed and sometimes unclear or has gray areas. Here is a list of questions/concerns/comments that I would want addressed/answered.

Response:

This comment is an introduction to comments that follow. No further response is required.

Comment P20-2

1. When the letter says “IF ADOPTED” does that mean there is a chance it will not be adopted? Can the City of Coronado (and other cities) not agree to the ALUCP and is it possible it would not? If so, what would that mean?

2. Is the USN/FAA etc. working with the City (and other cities) to be good neighbors, while understanding we appreciate the “Sound of Freedom” from the airplanes etc…. we just want our freedoms and a good balance of reasonable steps for ownership freedom and public safety. What is the motivation of the new regulations? Is it that there is going to be more Navy traffic or is it the type of aircraft flying in and out of NASNI? Is this opening the door to possibly commercial flights, as 737 passenger jets are among the aircraft?

3. Why are the home owners responsible for reducing the impact of the sound rather than the USN responsible for reducing the sound through their landing protocol/air strip/landing zones etc.?

4. If it IS adopted, what exactly will change from what exists now for my property and those in the affected area?

5. What part of the house needs to meet the DB criteria and when? When it talks about being required, for example, to come from 65 DBs to 45 DBs, at what point would that be required? If I do a “remodel”? And is that of the whole house or what if it’s just a bathroom or something on the interior? Does filing for a permit for anything “trigger” this new criterion be met for the rest of the home or is it just if there’s an addition that would then need to meet the requirement? And is it for just that part of the house or the whole house, meaning ALL the windows and insulation etc. would have to be replaced/brought up to the new standard? Who does the testing?
6. Why should the government need to control the DB of my home in the first place? What if I wanted a home without windows, or an open floor plan that is a non-traditional home? Is this going to require me to have the “inside” of my home “quiet” at 45 DB and mean I can’t have an unconventional home on my property? (assuming it meets basic city code.)

7. What’s the difference between a “remodel” and “rebuild”?

8. This all seems like it would be extremely burdensome on the property owners in the whole affected area... and

9. Because these new requirements are being proposed due to the increase in military air traffic at NASNI, is there funding to off-set the required sound/window/insulation rules for potential changes to the house/property? It’s my understanding there is some through the Airport Authority. Will this house and other be eligible for that and if so, how much/credit would be due per home/household etc.?

10. How is the Coronado City’s General Plan affected by this proposal?

11. Is DECIBAL REDUCTION the only thing that would have to be adhered to if it is approved? If not, what else would a property owner be required to do, and when and why?

12. What is the timeline of this? It appears the military air traffic increase is already set to begin in 2020.

Response:

The questions listed above are identical to those in Comment Letter P18. See responses to comments P18-2 through P18-13.

**COMMENT LETTER P21 – JANE MITCHELL**

Comment P21-1

Please advise me of upcoming meetings or release of information as it becomes available.

Response:

Please see Topical Response T-12.

The remaining content of Comment Letter P21 is an email transmitting Comment Letter P20. See responses to Comment Letter P20.

**COMMENT LETTER P22 – ROBERT DILWORTH**

Comment P22-0

I have in the past several years attended and participated in the drafting of two ALUCP documents, one for Imperial Beach, the other for the City of Coronado. I have reviewed the above new document in its entirety and have the following General Comments.

Response:

This comment is an introduction to comments that follow. No further response is required.
Comment P22-1

DRAWING OF FLIGHT PATHS BY THE USN IS STRICTLY A ONE SIDED AFFAIR

Without any impute from the City of Coronado and the public at large the USN creates a flight path that is optimum for them. The result of this one sided direction by the USN causes extreme distress to the parties below the flight path and penalizes them in other ways including financial impacts in the way of reduced property values and excessive remodeling costs. The emotional and financial impact of allowing the USN to independently select their own flight paths is immeasurable.

Response:

The concern is noted. The ALUC has no jurisdiction or authority over NASNI facilities or operations. See Topical Responses T-03, T-04, T-05, T-08, and T-09.

Comment P22-2

DISREGARD OF USN FLYING OUTSIDE OF THE FLIGHT PATHS

Contrary to what the USN states the pilots do not stay within the designated flight paths. Numerous instants have been cited by residents and then denied by the USN. They reserve the right to fly anywhere and at any altitude they so deem necessary to complete their mission. This is especially pronounced when we get visiting Reserve units from a different geographical area that are going through mandatory training. Often this typically happens in the summer when windows are open for ventilating reasons.

FREQUENCY OF FLIGHTS AND THE ABUSE OF TRAINING EFFORT OVER CORONADO

I speak from 30 years of experience of living in one location in Coronado and can say the USN flight noise and pollution have increased dramatically over the past 7 year period. I understand that there are now over 275 helicopters stationed at North Island. All of these pilots have to monthly qualify for instrument landing status, thus causing a dramatic increase in the name of training flights in and around Coronado. Now the USN is suggesting that 22 more helicopters join the training effort and that the citizens of Coronado just suck it up!

Response:

Please see Topical Responses T-03, T-04, and T-05 and the response to Comment P22-1.

Comment P22-3

CURRENT NATIONAL AND MILITARY HISTORY OF CATASTROPHIC AIR CRASHES

Every day in the news we hear about Military aircraft crashing, often close to a military landing field. The risk to the lives of the Citizens of Coronado cannot, and should not, be understated. Should such an event happen the USN would probably be denied the utility and use of the air field in the future. Better to plan for a safe landing and training area now and preserve the use of the North Island air field for future operations. One possible solution that would benefit all parties would be to move the training effort for pilots and air traffic controllers to a less densely populated area such San Clemente Island or Camp Pendleton.
Response:

Please see Topical Response T-05.

Comment P22-4

Now I would like to turn my comments to the as cited Draft EIR with specific observations and suggestions.

Paragraph 14, Summary of Proposed Project clearly calls for the purposes of the EIR with a bold statement “it is the purpose of the article to protect public health, safety and welfare by ensuring the orderly expansion of airports.” I think all of us can agree on this important goal, however putting 22 helicopters in the air to join the 275 currently based in North Island certainly does not protect the public health, safety and welfare of Coronado Residents. Undoubtedly we are at a breaking point already!

Response:

The material quoted by the commenter is from state law, PUC Section 21670(a)(2). Also, see Topical Responses T-03, T-04, and T-05 and the response to Comments P22-1.

Comment P22-5

Table 11 on Page 1-8 is a statistically a joke. To have only three gradients for evaluating each important line item would fail any student’s first year Statistics course final. A more productive presentation would have a scale of 1 to 5 or 1 to 7. In addition, a separate column should be provided for appropriate comments and notes.

Response:

The comment is noted. This table is a summary of the analysis presented in Section 4 of the Initial Study. More detail is available in that document, which is appended to the Draft EIR.278

Comment P22-6

Table 12 on page 1-10, Note 1, states that “85 percent of the single-family zoned area, 96 percent of the multiple family-zoned area, and 96 percent of the commercial-zoned area in Coronado is outside the safety zone.” Obviously the author has not done a field study where one can observe every day the air traffic of North Island flying outside their granted flight paths endangering all the residences below.

Response:

The proportions represent the land area outside the safety zones established in the Draft ALUCP279 as defined in the AICUZ study.

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278 NASNI ALUCP Draft EIR, December 2019, Appendix A, Airport Land Use Compatibility Plan CEQA Initial Study.
279 Draft NASNI ALUCP, December 2019, Exhibit 4, Safety Zones and Noise Contours, p. 19,
Comment P22-7

Finally this report makes no mention of the mandate the City of Coronado is under to build 1,900 housing units by the State of California. Undoubtedly most of these units if constructed would be midrise apartments and condos and pose large safety and environmental issues for USN flights.

Response:

This is a reference to the draft Regional Housing Needs Assessment (RHNA) goal identified by SANDAG for Coronado. The draft goal was 1,001, not 1,900, residential units. It is discussed in Section 4.5 of the Draft EIR.280 The final goal approved by SANDAG is 912 units.281

Also see the response to Comment A02-34.

Comment P22-8

Paragraph 1 6 2 on Page 1-13 addresses what would happen if there was a project alternative, which I am sure would be the preferred alternative for most Coronado residents. The final paragraph under this citation states that the "Adoption of AICUZ land use compatibility guidelines was considered infeasible because it would result in virtually existing development in the Coronado portion of safety zone and noise contours being incompatible." This is the right answer to the question at hand, continued and increased use of the proposed flight paths by the USN is incompatible with sensible, sane safety and environmental impacts to the public at large.

Response:

The first part of the comment appears to refer to Alternative 1, No Project, discussed in Section 5.4 of the Draft EIR.282 Also, see Topical Responses T-03, T-04, and T-05.

Comment P22-9

Paragraph 1 7, Page 1-15 & 1-16 Topics of Know Concern/Areas of Controversy outlines some of the areas of concerns of the Coronado Citizens but leaves out the most important item aircraft safety. There has been a rash of military aircraft crashes all over the United States with fatal results. Coronado is densely populated and an aircraft accident event anywhere on the flight path would be devastating.

Response:

The comment is noted. Also, see the response to Comment P22-1.

Comment P22-10

Finally in addition subparagraph two, under the same heading referenced in the paragraph above "Indirect effects of the proposed ALUCP on air quality greenhouse gas emissions, street traffic volumes. energy efficiency, water use efficiency and disaster preparedness." The reality and concern is real and direct, not

280 NASNI ALUCP Draft EIR, December 2019, p. 4-53 – 4-54.
282 NASNI ALUCP Draft EIR, December 2019, p. 5-3 – 5-5.
indirect as stated by the EIR consultant. However it is well know [sic] that all of the maladies mentioned are the direct result of intensive USN use of air space over and around the City of Coronado.

Response:

The comment is noted. Also, see the responses to Comments A02-71 and P22-1.

**Comment P22-11**

Over many decades the City of Coronado and North Island Air Base have coexisted and thrived with their physical adjacency. When the United States foreign policy shifted emphasis and engagement towards Asia instead of Europe, the intensity of the use of the air space and USN staffing increased dramatically around the USN North Island Base. The citizens of Coronado have suffered enough and their tolerance for adding more aircraft is moot. The time has come for the USN to consider moving pilot training entirely to either Camp Pendleton and/or San Clemente Island. One could not deny that Coronado residents have done their part in tolerating the current air traffic noise, road congestion and pollution.

Response:

Please see Topical Response T-05.

**COMMENT LETTER P23 – ANGELA YATES AND JOHN JULIUS**

**Comment P23-1**

We are homeowners of a single family residence located on Sunset Park, in the 70-75 dB CNEL noise contour and in the Clear Zone, as delineated in the ALUCP. The ALUCP will have a significant adverse impact on our property, if it prohibits or imposes conditions that are extremely difficult or excessively expensive on reconstruction or renovations to our property. Our comments follow in this and subsequent messages.

Exemption from ALUCP Review and Noise Standards and Policies: In Appendix E2, SectionE2.8.10.1, in all three bullet points, and in Table 3 of the ALUCP, we request that the language, “with no increase in height” be changed to “no increase in height beyond 30 feet”. To the extent that the City of Coronado permits a residence to be built, remodeled or reconstructed to that height, ALUC review should not be required, and the increased costs and design effects of the ALUCP’s noise standards should not be imposed. Also, there is no reason to restrict an increase in height when there are two-story houses nearby in the same zone.

Response:

The provisions related to structure height cited by the commenter are required to ensure compliance with federal regulations (CFR Part 77). The ALUC has no authority to authorize exemptions from compliance with those regulations. Section 5.2.1.2 of the Draft ALUCP provides that consistency applications may include certifications that the proposed structure or object would be shielded by existing structures or terrain. This is consistent with federal regulations [CFR 77.9(e)(5)]. Also, see Topical Response T-13 and the response to Comment P02-2.

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283 Draft NASNI ALUCP, December 2019, p. 27.
The interior sound level standard is not tied to increases in structure height. Rather, it applies in situations where a residence is proposed for reconstruction, partial reconstruction of 50 percent or more of the habitable area, or expansion of 50 percent or more of the habitable area. Also, see Topical Responses T-10, T-14, T-15, and T-17.

COMMENT LETTER P24 – ANGELA YATES AND JOHN JULIUS

Comment P24-1

We are homeowners of a single family residence located on Sunset Park, in the 70-75 dB CNEL noise contour and in the Clear Zone, as delineated in the ALUCP. The ALUCP will have a significant adverse impact on our property, if it prohibits or imposes conditions that are extremely difficult or excessively expensive on reconstruction or renovations to our property.

Comments re Discontinuance of Incompatible Uses.

Appendix E2, Section 8.11. There should be no right of the ALUC, at any time, to prohibit rebuilding of a residence, even if reconstruction on the land has taken more than 24 months. In the event of a fire, earthquake or other natural or manmade disaster that affects more than one residence in the area, it may not be possible for the landowners to clear the land, get plans drawn, reviewed and approved, permits issued, and contractors working on vertical construction in that period of time.

It is not clear what is meant by “If property is abandoned for more than 24 months, they should not resume or be re-established except in conformity with the ALUCP.” Does this mean that, if a property in the Clear Zone is destroyed or demolished and not rebuilt within 24 months, that a replacement residence is not permitted? Or only prohibited for a density greater than 2 du/acre? This would destroy the value of the property and should be a taking. If that is what is meant, then this provision and all that refer to it should be stricken from the ALUCP and its Appendices. This provision is also inconsistent with Appendix E3, Section E3.7.6, which gives reasons why reconstruction of homes and accessory buildings in the CZ should be considered compatible with the safety policies.

Response:

There are no policies in the Draft ALUCP that would prohibit the rebuilding of a residence, regardless of the reason or safety zone (Clear Zone, APZ I or II), even if reconstruction has taken more than 24 months. Only incompatible land uses, identified as red per Table 4, Standards for Noise and Safety Compatibility, in the Draft ALUCP would be subject to the 24-month discontinuance provision (none of the incompatible uses indicated in Table 4 occur in the Clear Zone). The rebuilding or reconstruction of an existing single-family residence, regardless of the reason, would not be subject to the 24-month provision under any circumstances. In addition, new accessory dwelling units can be built (or reconstructed if existing) on existing legal lots.

The text in Draft ALUCP Appendix E3, Section E3.7.6 justifies why the ALUC is considering the reconstruction or rebuilding of an existing single-family home as being compatible in the Draft ALUCP even though the Navy’s AlCUZ study considers housing to be incompatible in the Clear Zone.

Also, see the response to Comment A02-55.
COMMENT LETTER P25 – ANGELA YATES AND JOHN JULIUS

Comment P25-1

Goals and Objectives (Table 1) seeks to “Protect public safety by: Limiting new risk-sensitive land uses within the safety zones, and Avoiding an increase in existing land use incompatible within the safety zones. “The ALUCP should address increasing organized sports usage of Sunset Park, squarely within the Clear Zone, in contravention of existing land use restrictions. Current Coronado regulations prohibit organized sports activities within Sunset Park. Council Resolution 6253 (6/7/1983), amended by Resolution 6803 (12/6/1988).

Despite those existing land use restrictions, organized sporting activities have increased from zero participant-hours/year to over 100 participants actively engaged in organized sports activities for over 1,000 hours per year (43 full 24-hour days). Those participants are in danger every minute of their games and practices. Placing youth in the Clear Zone for a thousand hours per year should be curtailed.

Response:

The commenter’s concern about the compatibility of sports activities in the Clear Zone is noted. The ALUC’s authority, however, is limited to the review of proposed land use actions, including land use plan and regulation amendments, and proposed land use projects. The ALUC has no authority over activities taking place in city parks. This is a matter for the City of Coronado to address.

COMMENT LETTER P26 – ANGELA YATES AND JOHN JULIUS

Comment P26-1

We are homeowners of a single family residence located on Sunset Park, in the 70-75 dB CNEL noise contour and in the Clear Zone, as delineated in the ALUCP. The ALUCP will have a significant adverse impact on our property, if it prohibits or imposes conditions that are extremely difficult or excessively expensive on reconstruction or renovations to our property.

Throughout the ALUCP and its Appendices, there are requirements that a residential use may not be remodeled, expanded or reconstructed without being subject to ALUC review, if any expansion or reconstruction increases the original habitable area of the building (at the time of ALUCP adoption) by more than 50%. As long as the residential building, after an increase in the original habitable area of 50% or more is within the size permitted by the City of Coronado, then this requirement should not apply.

Response:

The concern about the Draft ALUCP is noted. The Draft ALUCP establishes interior sound levels of 45 dB in the enlarged portions of residences expanded by 50 percent or more (or the new portions of reconstruction involving 50 percent or more of the habitable area), is intended to ensure that land use incompatibility within the 65 dB CNEL and higher noise contours does not become worse.

Also, see Topical Responses T-10 and T-14 and the response to Comment P18-6.

Comment P26-2

Additionally, Section E3.7.7 in Appendix E3, last sentence, should be revised to delete “airspace, and overflight”, because ALUC review of these matters should not be necessary if the FAA has approved the
expansion or reconstruction. There are no standards given for what the ALUC could impose as to airspace or overflight.

Response:

Appendix E3 of the Draft ALUCP provides information on the basis for the safety policies and standards of the Draft ALUCP. The sentence cited by the commenter is valid as it describes the ALUC's responsibilities when it reviews a proposed land use action. This language and all other language in the appendices, does not constitute a policy or standard of the Draft ALUCP. All policies and standards are described in Sections 1 through 6 of the Draft ALUCP. The Draft ALUCP standards relating to airspace protection and overflight are described in Sections 5.2 and 5.3.284

COMMENT LETTER P27 – ANGELA YATES AND JOHN JULIUS

Comment P27-1

I respectfully request that US Department of Housing and Urban Development Sound Transmission Classification and Assessment Tool (STraCAT) certification be utilized as the "Standard" measurement for future projects and new home construction in the affected areas.

Homeowners in the affected APZ’s are interested in meeting a measurable standard rather than an unknown subjective measurement by another agency (with a much-different agenda) outside of Coronado.

Response:

Please see the response to Comment P04-1 relating to this same issue. Also, see the responses to Comments A02-44 and A02-52.

COMMENT LETTER P28 – SUSAN HEAVILIN

Comment P28-1

Though the letter from the City of Coronado was dated January 17, 2020, I just received it yesterday. I notice that your email deadline is 5PM TODAY so I have less than 30 minutes to voice my concerns.

Response:

This comment refers to a notice distributed by the City of Coronado on January 17, 2020.

The ALUC’s public notices regarding the availability of the Draft EIR were posted in the San Diego Daily Transcript, San Diego Union Tribune, The Coronado Eagle & Journal, and on the Coronado Times website during the week of December 16, 2019 to coincide with the start of public review of the Draft EIR on December 18, 2019, in accordance with Section 15087 of the CEQA Guidelines. Per Section 21091 of the CEQA Guidelines, public review for Draft EIRs should be a minimum of 45 days. The ALUC set the initial timeframe to be 50 days, ending on February 7, 2020. The review period was later extended to February 18, 2020, for a total of 62 days.

284 Draft NASNI ALUCP, December 2019, p. 26 – 32.
Comment P28-2

Upon viewing the map shown as Exhibit 4, Safety Zones and Noise Contours, I cannot help but notice the large berth of area in a residential area dedicated as an Accident Potential Zone.

With the immense vastness of the Pacific Ocean bordering this APZ, I cannot imagine your logic in pushing this dangerous zone into a Coronado residential area.

Response:

The safety zones, including APZ I, are defined in the NASNI Air Installation Compatible Use Zones (AICUZ) study prepared by the Navy. The safety zones are defined in relation to the extended centerline of Runway 11-29 and the aircraft flight paths to and from the runway. The Draft ALUCP incorporates those safety zones considering the statutory requirement that it be consistent with the standards of the AICUZ study.

Also, see Topical Responses T-01, T-03, and T-05.

Comment P28-3

The majority of homes in the City of Coronado have a 30-foot height restriction. I am informing you right now that my home is in the middle of this APZ and rises 55 feet into your flight plan. I live in the historical Baby Del, built in 1887 and moved to Coronado in 1983. With that move came an exception to the 30-foot height regulation.

More times than I care to remember, military planes have drifted off the beach “runway” to the Ocean Boulevard “runway” and dangerously close to the three-story turret on the west side of my home. I believe these pilots were as surprised as I was when this giant home appeared out of the fog like an iceberg headed for the Titanic.

Response:

Please see Topical Response T-05.

Comment P28-4

I ask that you revisit your plan and move it back over the Pacific Ocean. I pray that an accident never happens but an ocean accident would take the lives of the pilot and crew, not an entire neighborhood.

Response:

Please see Topical Responses T-01 and T-03.

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285 The Onyx Group, Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California, Naval Facilities Engineering Command Southwest, 2011. p. 5-5 – 5-7.

286 California Public Utilities Code § 21675(b).
COMMENT LETTER P29 – ANDY KOCZON

Comment P29-1

I have lived in Coronado since 1994. First off, I am a retired Navy Captain and support the mission of the Fleet. In fact, along with most of my neighbors, we felt that the Navy had a long compatible relationship with Coronado, that is, until the 2012 repositioning of North Island’s APZ within the 2012 ALCUZ to include the Hotel Del Coronado and hundreds of homes within their boundaries. This also turned Ocean Boulevard into a runway for North Island.

This move demonstrated an absolute disregard for the health and safety for people of this town. Prior to this change, aircraft regularly flew an approach pattern closer to the shoreline, well away from the homes now in the APZ path. In fact, I have regularly observed helicopters and other aircraft still occasionally using this flight path with ease and showing a clearly more respectful use of the airspace. My point is that they don’t have to fly down Ocean Boulevard. In increasingly more frequent forays by large Air Force jets (C-5 Galaxy and the C-17 Globemaster to name a few) directly over our houses, making a frightening intrusion to an otherwise residential neighborhood. Navy helicopters regularly fly within a hundred yards of the neighborhood in 10-15 minute intervals, several nights a week often until 10:00 p.m. We cannot imagine what it will be like when V-22 Ospreys get assigned to North Island.

I promise that if you were to visit this area of Coronado to see the impact on the health (air and noise pollution), safety (hundreds of homes in harm’s way), damage to our property from aircraft soot and vibrations, you would, as reasonable people, want to do something to make all this better. Just one catastrophic accident in this residential zone would be a nightmare for our town, the Navy and the Airport Authority.

Response:

Please see Topical Responses T-03, T-04, and T-05.

Comment P29-2

In addition, the affect [sic] on home values is significant. Those living in the Coronado Shores, Coronado Cays, First Street along the bay and those visiting at the Hotel Del are also heavily impacted. Helicopters intrude on their neighborhoods as well.

Response:

Please see Topical Responses T-08, T-09, T-13, and T-14.

Comment P29-3

Some of the concerns about this change can be found on the Safer and Quieter website https://saferandquieter.com/ developed by a group of Coronado citizens. With this new opportunity to revisit the EIR, the ALCUZ and the North Island APZ, I respectfully request that the Airport Authority and Navy consider a compromise. Together we can find a solution that will not affect the Navy’s operational readiness AND decrease the impact on the homes and businesses placed in the APZ in the 2012 ALCUZ.

I propose we all take one more look at where the pre-2012 footprint for landing at North Island was, as we reconsider the EIR/APZ/ALCUZ going forward. From 1984 to 2012 that approach footprint had just a few
homes in harms way. Perhaps we can look to move back closer to that former footprint, towards the ocean. In that world, both Coronado and the Navy had a win/win situation. Please consider putting the interests of thousands of Coronado residents on the same level of importance as our neighbors on North Island.

You have smart people working with and for you. We have smart people too and together, we ought to be able to find a truly COMPATIBLE solution. I would be happy to serve in any way to make this happen. And, thanks in advance for taking these concerns seriously.

Response:

Please see Topical Responses T-01, T-03, and T-05.

COMMENT LETTER P30 – ANDY KOCZON

Comment P30-1

Just a small correction to my email of yesterday. In my quest to meet the deadline, I transposed letters in the acronyms ALUCP and AICUZ (not ALCUZ) with respect to the upcoming review. I have been an Associate Athletic Director for the last 9 years and am out of practice keeping up with acronyms, so please accept my humble apology for the mix-up!

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER P31 – JOHN O’BRIEN

Comment P31-1

In light of yesterday’s San Diego Union Article, “Bankers Hill Project Jeopardized by Density Rules” which reported that the San Diego Airport Land Use Commission denied the apartment Building in Banker’s Hill on a technical interpretation of San Diego Zoning. It appears to me, (a builder that specializes in Coronado’s coastal zone) and a participant in the AICUZ and now ALUCP process, The City of Coronado, as well as Coronado Residents, Architects, Builders and Designers cannot be too vigilant in regard to the current DRAFT report.

A couple of my comments and requests are offered below:

The City of Coronado must have the right to overturn such actions by the Commission without the delays, notices and other asundry [sic] roadblocks that are described in the Draft.

Simply stated:

The City may overturn the Commission’s determination by a two-third majority.

Please strike any additional reference to notices and delays.
Response:

The notice and timeframe requirements associated with the overrule process in the Draft ALUCP are requirements of State law.\(^{287}\) Therefore, it is beyond the purview of the ALUC to modify the legal requirements of the overrule process as outlined in the Draft ALUCP.

In order to avoid project-by-project overrule situations as described above, the City of Coronado has the option to overrule the entire ALUCP, or specific portions of the ALUCP with which it may disagree.

**Comment P31-2**

Along the same theme of wariness [sic] and distrust.......... and for clarity, I would recommend the the [sic] following two sections in the APPENDIX be modified as outlined below:

**Appendix E3.7.7 Expansion of Residential Uses**

Last sentence should strike airspace and overflight and replace with conditioned upon FAA approval

Response:

Please see the response to Comment P26-2.

**Comment P31-3**

**Appendix E3.7.6 Sentence 5**

Strike “incompatibility situation worse” and insert........ would not make the remodeling, expansion and/or reconstruction “incompatible”

Response:

The language cited is part of the rationale supporting the Draft ALUCP policy that considers the continued presence of housing in the Clear Zone compatible. The terminology is appropriate as it relates directly to the guiding principle of the Draft ALUCP – to not “take actions that would make the existing land use compatibility (or incompatibility) situation worse.”\(^{288}\) Also, see the response to Comment P26-2.

**Comment P31-4**

My general frustration is this:

The City of San Diego incorporates a density bonus, within the approved zoning and it is denied.

The State of California requires all municipalities to allow ADU’s and they are automatically exempted from comment by the Airport Land Use Commission.

A homeowner in Del Mar, Encinitas or La Jolla wishes to protect his residence by fortifying his cliffs adjacent to the ocean and is PROHIBITED.

\(^{287}\) California Public Utilities Code §§ 21670, 21676(a) and 21676.5.

The Santa Fe Railroad experiences some soil erosion in Del Mar and equipment is on the beach fortifying the cliffs the next day....probably without any permit or oversight.

The heavy hand of The State of California and out of area bureaucracies are quickly replacing a long-standing tradition of local zoning and planning.

Our company has designed and built 16 homes in the affected Coronado area over a 19 year period under straightforward zoning and planning. Our subcontractors and suppliers are partners in these endeavors. The added delay.... the added uncertainty..... the added costs, the additional permits required, (FAA, ALUCP, Sound Engineering) are all new and expensive. The proposed new rules also are both subjective and unclear.

Please consider these changes and recommendations in the final draft.

Response:

The comments are noted.

The Draft ALUCP would impose no new permit requirements, although it would require the review of certain proposed land use projects by the ALUC until the City either implements or overrules the ALUCP. The FAA Obstruction Evaluation/Airport Area Airspace (OE/AAA) review process has been in place for decades and is not a new process that would be introduced by the Draft ALUCP.

See also Topical Response T-16.

COMMENT LETTER P32 – JOSEPH AND VICTORIA CRISTILLI

Comment P32-1

After having read about the ALUCP in the Coronado Eagle & Journal Jan.22, 2020 and reviewed the said report, I, an affected property owner have the following comments:

1. After hearing of the possible ALUCP for many years I am appalled I was given so little time to comment on the final draft. A standard review time is 30 days. This rush for comment intake is a deliberate attempt to silence response.

Response:

Public notices regarding the availability of the Draft EIR were posted in the San Diego Daily Transcript, San Diego Union Tribune, The Coronado Eagle & Journal, and on the Coronado Times website during the week of December 16th to coincide with the start of public review of the Draft EIR on December 18, 2019, in accordance with § 15087 of the CEQA Guidelines. Per § 21091 of the CEQA Guidelines, public review for Draft EIRs should be a minimum of 45 days. The ALUC set the initial timeframe to be 50 days, ending on February 7, 2020. The review period was later extended to February 18, 2020, for a total of 62 days.

While there is no “standard review time” for any Draft ALUCP prepared by the ALUC, the comment period corresponds to the public review timeframe for the type of CEQA document that is prepared, and in this case, it was 62 days.

Comment P32-2

2. We purchased our home in 1980 and have now lived in it for 40 years. During this time frame we have never had any airplane or helicopter fly above us. The flight zone has been one block towards the beach for as long as I can remember. Enlarging the flight zone to now include our block is nothing more than a land grab.

Response:

Please see Topical Responses T-01 and T-03 and the responses to Comments P28-2 and P28-4.

Comment P32-3

3. Regarding the sound issue, during the past 40 years there have been noisy times and not so noisy times. But the louder planes were very rare, certainly not where they, or the overall airplane or helicopter noise would bring the noise level up to 65 decibels! In my location it is unusual for the noise level to even necessitate closing the windows, let alone going through the extra expense of replacing them, especially since they are historical windows built with the house in 1920. However, it is not necessary for another governmental review to ensure any new windows will address sound mitigation because windows built to the current energy efficient regulation also reduce sound.

Response:

The interior sound level performance standard of the Draft ALUCP would apply only to new dwelling unit construction (such as an accessory dwelling unit) and enlargement or reconstruction involving 50 percent or more of the habitable space.

Also, see Topical Responses T-10, T-14, and T-15 and the response to Comment A02-52.

Comment P32-4

4. On the height issue I am confused. In Coronado’s current zoning code the “Zone II” in the study is designated as Residential 1-A, and as such has a 30’ height limit. There are no empty lots in the area, so the reduction to the scope of homes affected by not allowing any more residences to be constructed is zero. Most of the homes are 2 story and have a ridge line at the 30’ mark. To deny the few remaining one story homes to remain single story is spot zoning, something which is strongly discouraged in city planning. Furthermore, if the home went from one the two stories it would still be shielded from an incoming airplane by his adjacent neighbor. We do not need another governmental agency to overlook our City to be sure no homes are built above the height limit. We do not need a checkerboard zone. At 5,000 square feet per lot the R-1A area in Zone II is already the most restrictive in regards to growth for the City.

Response:

With respect to the comment on building heights, the Draft ALUCP standards would not necessarily prevent increases in height. Proposed land use projects involving height increases would need to be reviewed by the ALUC to ensure that any necessary FAA review has been undertaken. Also, see Topical Response T-13 and the response to Comment P02-2.

The commenter also refers to a lack of vacant land for new housing development in the safety zones. Nineteen R-1A-zoned lots in the safety zones are more than twice the minimum lot size and could potentially be divided into
two or more lots which could accommodate new homes. The Draft ALUCP would make the subdivision of these oversize lots incompatible.

Comment P32-5

Out in 1888, when North Island was a sand spit. The only area the navy could not have anticipated is known as Country Club. Zone II is not in the Country Club area. Zone II is part of the original city plan, laid out as residences, with some of them already build before the navy came to North Island. Therefore, when the navy developed the North Island airbase they knew they were going to be close to homes, and have always tried to have a good relationship with the City and the citizens of Coronado. The Navy being the newcomer, not the other way around.

Response:

Please see Topical Response T-07.

COMMENT LETTER P33 – LORIE MICHAELS

Comment P33-1

We have been in Coronado since the mid-1980’s, first at the Coronado Shores and now on Ocean Blvd since 1993. Over the years we have delighted in watching the military aircraft approach NASNI on final approach over the ocean just off the shore. First the A-6 Intruders (which we nicknamed “The Burpies” because of the “errrup, errrup” sound they made on approach and we didn’t now [sic] what they were); then the F-14 Tomcats came screeching in, and now 25 plus years later, all kinds of new jets and aircraft that I cannot even identify. Over that period of time, it seems that the planes have come nearer and nearer our homes—no longer on flight plans just off-shore. The close proximity to homes has become more and more alarming. Now, I believe the Navy is asking for legitimate, legalized flight and final approach patterns (along with “accident potential zones”) directly over our residential homes with increased danger potential of crashes, noise and everything else within the realm of being on an airport approach pattern.

Q: WHY CAN YOU NOT USE APPROACH AND FLIGHT PATTERNS LIKE YOU DID IN THE 1990’S— COMING IN OVER THE WATER NEAR THE BEACH?

Response:

See Topical Responses T-03, T-04, and T-05.

Comment P33-2

We have always had black jet soot on our decks, fruit trees, etc, which we have always lived with and good-naturedly washed off. But if jets and helicopters (plus an additional 275 helicopters more than what are currently calling NASNI home), are planning to fly directly above our homes with all of the danger, noise, traffic and inconvenience that entails, then we wholeheartedly OPPOSE YOUR PLAN and respectfully request that you look back to when your planes came in on the edge of the ocean and and [sic] everyone was proud

290 NASNI ALUCP Draft EIR, December 2019, p. 4-23 – 4-25.
of our “Boys” in the air— my father was Navy Air in WW II. Please don’t turn your patriotic citizenry against you over an ill-thought out and dangerous plan when there are other better solutions.

Response:

Please see Topical Responses T-03, T-04, and T-05.

The increase in helicopters noted by the commenter may refer to the 18 to 23 CMV–22B Osprey tilt-rotor aircraft that are scheduled to replace the 10 C-2A Greyhound fixed-wing aircraft at NASNI.291

COMMENT LETTER P34 – JENIFER BURGER

Comment P34-1

As a Coronado home owner, I urge you to rethink any proposals to make the space over the homes on Ocean Blvd. part of the Navy’s flight plan. I live at 901 Ocean Blvd. and am a huge supporter of our military and love watching the planes come in at night. I do, however, fear that if they come any closer to our homes on Ocean Blvd. it would be detrimental to our safety and well-being.

Response:

Please see Topical Responses T-03 and T-05 and the response to Comment P33-1.

Comment P34-2

We already live with the black soot/chemicals that are dropped from the jets. It covers our house, trees and plants. It covers our beach too and it can’t be healthy.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

Comment P34-3

Noise is also a factor. As it is, when the jets pass by it’s deafening and I can only imagine what it would be like if they flew directly over.

Response:

Please see Topical Response T-04.

Comment P34-4

Lastly, please don’t risk our lives by flying directly over our homes. If there was a crash it would be catastrophic. Remember the military crash over Miramar in 2008 (see photo below). Please don’t take the risk in Coronado.

291 NASNI ALUCP Draft EIR, December 2019, p. 4-53.
Response:

Please see Topical Response T-05 and the response to Comment P34-1.

**COMMENT LETTER P35 – JOHN MORTON**

**Comment P35-1**

1888: the city of coronado was subdivided

1888: residential development commenced and was well underway before rockwell field on north island

1917: the first air field, rockwell, was established

The SDCRAA criteria do no [sic] apply to coronado.

Response:

Please see Topical Response T-07.

**COMMENT LETTER P36 – KEN MORRIS**

**Comment P36-1**

I would like to express my objection and concerns with the ALUCP and the restrictions on existing residential and commercial units within Coronado. We recently purchased a home in the designated area (1025 F Avenue, Coronado, CA 92118) before this plan was made public and believe that if this plan is enacted we will incur significant economic harm and financial damages to our property and home valuation that will need to be remedied. These plans are intended for undeveloped land, not for Coronado.

Response:

Please see Topical Responses T-08, T-09, T-13, T-14, and T-15 and the responses to Comments P17-3 and P18-6.

**COMMENT LETTER P37 – WILLIAM GREEN**

**Comment P37-1**

I am a resident of Coronado and will be negatively affected by the passage of this plan. My residence is within the zone as are residential and commercial properties which I own. In the strongest terms I do not support the Compatibility Plan. It is a typical example of bureaucratic overreach.

FYI – I have been a resident of Coronado since 1954.

Response:

The comment is noted. Also, please see Topical Responses T-13, T-14, and T-15 and the responses to Comments A02-04, P17-3, and P18-6.
COMMENT LETTER P38 – KELLY MONTAGUE

Comment P38-1

We are writing to you to strongly urge SDCRAA to no longer pursue its efforts to adopt the Draft ALUCP as the adoption will have a significant harmful impact on the financial welfare and quality of life of our family for many years to come.

Our family moved to Coronado years ago, before the bridge was even built, because my father-in-law was stationed at North Island Naval Air Station. He and my mother-in-law purchased our house at 170 Alder Street in 1969. They raised my husband and his siblings in our home and lived there until they died. We moved in with my father-in-law to care for him over 20 years ago when he became elderly and eventually inherited the house. We raised our two children here and also hope to live in our home until we die.

We live a very modest lifestyle. We are not wealthy, as many who live in Coronado now are. My husband stayed home to raise our children while I worked to provide for our family. We worked hard, had some lean years, saved enough to help our children with college and some for our retirement. But our home is by far our largest asset. If ALUCP were to be adopted, our home’s devaluation would result in a substantial negative affect not only our own financial wellbeing, but that of our children and grandchildren.

Response:
Please see Topical Responses T-08, T-09, T-13, and T-14 and the responses to Comments P17-3 and P18-6.

Comment P38-2

Coronado is a wonderful small town to raise a family. We have longstanding ties and traditions in the community and have always planned for one or both of our children to return to our home with their families so they too can raise their children here. They simply cannot afford the cost of housing in Coronado so when the time comes, we must expand the current 1754 square footage of our home to accommodate us all. If ALUCP were to be adopted, we would be prohibited from doing this. Instead of being able to grow old in our home being cared for by our children, the adoption of ALUCP will force us to sell the home and move. As you can see, the adoption of ALUCP would completely destroy the future hopes and dreams of our family.

Our family has always lived right next to NASNI and have been good neighbors. We strongly support our military and believe we can continue to co-exist as good neighbors well into the future without the adoption of ALUCP.

Response:

The Draft ALUCP does not prohibit the expansion or reconstruction of an existing residential home. The Draft ALUCP establishes an interior sound level performance standard (45 dB CNEL) for additions and partial reconstructions of existing homes involving 50 percent or more of the existing habitable area and completely new homes on vacant lots or replacing demolished ones. The Draft ALUCP interior sound level performance standards are consistent with the City’s own General Plan Noise Element. Typical construction practices to meet State energy conservation standards required for building permitting will normally provide the necessary levels of sound reduction within the 65 to 70 dB CNEL range without extraordinary measures.

Also, see Topical Response T-14 and the responses to Comments P18-6 and P38-1.

**Comment P38-3**

In addition to the terrible affects the adoption of ALUCP would have on my own family and others in the designated zones, the loss of business and tax revenue would negatively affect the entire City of Coronado and all its residents.

Response:

See Topical Responses T-08 and T-09 and the response to Comment A02-73.

**Comment P38-4**

I have read the comments the City of Coronado will be making to persuade you to abandon efforts to adopt the ALUCP and support them wholeheartedly. They are completely legitimate points and I hope you will seriously consider them all and find them to be valid.

Response:

The comment is noted. See the responses addressing the City’s comments (A02-01 through A02-84).

**Comment P38-5**

However, I am asking you to also recognize and care about the real-world life changing damage the adoption of this plan will have on the many families living in the affected zones and the rest of Coronado. I especially hope you will see that the most drastic negative effects will be for families who have lived in Coronado for many years and have limited financial resources.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

**COMMENT LETTER P39 – PATRICIA ESCHER**

**Comment P39-1**

I write to object to the proposed plan and the restrictions it would place on property owners in Coronado. I am a resident of Coronado but do not live in the affected area. However, I believe it is unfair, if not illegal, to apply restrictions to land which was developed many years before the naval base was established. The proposed restrictions would cause a significant negative impact on the value of these properties.

Response:

Please see Topical Responses T-07, T-08, T-09, T-13, T-14, T-15, and T-17 and the responses to Comments A02-04, P17-3, and P18-6.
COMMENT LETTER P40 – LORIE MICHAELS

Comment P40-1

After reviewing what The Navy is proposing to do along Coronado flight patterns into NASNI, we are more alarmed than ever. Thousands of houses are in “Accident Potential Zones” (including mine) and noise decibels are going way up. Coronado is a rather unique beach resort type of town with a relaxed low-key personality. That has been co-existing for years with NASNI because the approaches used to come in off the water near the edge of the beaches and for some reason the last few years they have come closer and closer to the [sic] houses. Please see the note below. Again: WHY CANNOT THE NAVY USE APPROACH AND FLIGHT PATTERNS LIKE THEY DID PREVIOUSLY—APPROACHING FROM OVER THE WATER NEAR THE BEACH? Please don’t let these proposals change the nature of Coronado and the quiet beauty of its beach. There are better solutions.

Response:

Please see Topical Responses T-03, T-04, and T-05.

The remainder of Comment Letter P40 is the same as Comment Letter P33. See responses to Comments P33-1 and P33-2.

COMMENT LETTER P41 – PAULA COUTURE

Comment P41-1

I have lived in the corridor on final approach to R29 at North Island since 1978. Over the last 42 years, I have personally witnessed and experienced the increase in air traffic and the introduction of many different types of military aircraft that use this runway.

I have, also, witnessed the gradual encroachment by these aircraft into the airspace above our heads. Flight patterns on approach to R29 used to be routinely along the beach and to the left/ocean side of the current offset. Now, they are routinely to the right of the offset/Ocean Blvd. as they land.

The current offset/landing pattern was documented and displayed in the 2011 AICUZ because over time, North Island encroached into Coronado City airspace. Was this because pilots were increasingly on visual; because of the increase in air traffic; because different types of aircraft were introduced and could not follow the previous path to land without encroaching into Coronado community airspace, because the Military “can”, “does, [sic] and “will [sic] in the name of mission fly above without regard to those below who have lived over 50 years?

Response:

Please see Topical Responses T-03, T-04, and T-05 and the response to Comment P33-1.

Comment P41-2

Coronado is a built out community and has been for decades. Our City was incorporated prior to the establishment of NASI [sic]. Land uses in Coronado existed years before North Island. Anyone who has studied Coronado History is aware of Babcock and Story and Spreckels documented plans for Coronado zoning and uses.
NASNI is encroaching into Coronado and not the other way around as represented and interpreted by the Airport Authority.

The ALUCP has as its premise that Coronado is the problem for North Island and must be managed. This premise is a direct result of the 2011 AICUZ that was completely Department of Defense driven to evaluate land uses around military airfields without public review or comment. It was simply a study of their action and policies over time without recognition or consideration of the existing land use below.

Response:
Please see Topical Responses T-03 and T-07.

Comment P41-3

NASNI has and has had available alternatives to reduce the impact in our community such as modified flight paths, changes in runway use, realignment of R29 as suggested by Senators Boxer and Feinstein, restriction of aircraft not suitable to land on R29, Tower Control, training at other facilities, and many others, no doubt. If any of the above were considered and/or implemented, today’s result would be different.

Response:
Please see Topical Response T-05.

Comment P41-4

The proposed ACLUP [sic] will have serious consequences for homeowners and businesses in the affected corridor. Notwithstanding the most important loss of value to property, other restrictions will apply.

Response:
Please see Topical Responses T-08, T-09, T-13, T-14, T-15, and T-17 and the responses to Comments P17-3 and P18-6.

Comment P41-5

The ALUCP is based on a flawed assumption/foundation with regard to “airport zones and conflict with airport.” We have “no undeveloped land” and the airport zone/airport grew exponentially as a result/outcome of the Navy’s actions and policies over the years encroaching into Coronado airspace.

The Coronado community and its 1000 homes and businesses in this proposed plan that have existed over many decades would not be “incompatible uses for an airport zone” if the Navy had not overstepped and encroached into our airspace.

Response:
The comment is noted. Also, see Topical Responses T-03, T-06, T-07, T-14, and T-17 and the response to Comment A02-04.
COMMENT LETTER P42 – JOHN JULIUS

Comment P42-1

The Draft plan is out of touch with reality.

The SDCRAA’s plan is based on the premise that Coronado is encroaching into NASNI. However, Coronado is built out and was incorporated prior to the establishment of NASNI. Coronado has land uses existing decades before North Island was built. Therefore, the premise that Coronado is encroaching into North Island is a misinterpretation by the Airport Authority.

Response:

Please see Topical Response T-07.

Comment P42-2

SDCRAA’s limited scope to plan for undeveloped areas with incompatible uses for an airport zone does not apply to Coronado.

Response:

Please see Topical Response T-06.

Comment P42-3

The ALUCP draft environmental impact report (“DEIR”) only considers the impacts to hotel/resort uses as significant and the impacts to other land uses, such as residential or commercial, as not significant.

Response:

Please see the responses to Comments A02-34, A02-70, and A02-73.

Comment P42-4

The DEIR failed to evaluate the resulting substantial loss in property value over the next fifty years for owners in the areas constrained by the ALUCP compared to those in Coronado that are not within the area.

Response:

Please see Topical Responses T-08, T-09, T-13, T-14, and T-17.

Comment P42-5

The ALUCP DEIR does not include an analysis of the urban decay impacts caused by development restrictions and reduced investment in the area. Permitting for certain activities, e.g. adding residential square footage, would be negatively impacted and may not allow owners to make desired improvements to their properties.

Response:

Please see Topical Responses T-08, T-09, T-14, and T-17 and the responses to Comments P17-3 and P18-6.
Comment P42-6

I therefore implore the SDCRAA to reject the DEIR as currently proposed.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER P43 – SUZANNE METZ

Comment P43-1

As a Coronado resident I wish to respectfully voice my opposition to the proposed Airport Land Use Compatibility Plan (“ALUCP”) as it will have implications on over 1,000 existing residential units and existing commercial enterprise in Coronado that combine to generate 26% of the City’s annual tax revenue.

Response:

The comment is noted. Also, see Topical Responses T-13, T-14, and T-17, and the responses to Comments A02-34, A02-70, A02-73, P17-3, and P18-6.

Comment P43-2

The Airport Land Use Compatibility Plan also exceeds the authority of the San Diego County Airport Authority [sic] (“SDCRAA”).

The guidelines that the San Diego County Regional Airport Authority (SDCRAA) must follow in preparing the Airport Land Use Compatibility Plan (ALUCP) require that the plan only apply to undeveloped land that is currently not in conflict with the airport. The SDCRAA’s plan is based on the premise that Coronado is encroaching into NASNI. However, Coronado is built out and was incorporated prior to the establishment of NASNI.

Response:

Please see Topical Responses T-06 and T-07.

Comment P43-3

Coronado has land uses existing decades before North Island was built. Therefore, the premise that Coronado is encroaching into North Island is a misinterpretation by the Airport Authority.

Response:

Please see Topical Responses T-06 and T-07.

Comment P43-4

SDCRAA’s limited scope to plan for undeveloped areas with incompatible uses for an airport zone does not apply to Coronado.
Response:

Please see Topical Response T-06.

**COMMENT LETTER P44 – MARY BRUCE**

**Comment P44-1**

We have never complained about airport noise at North Island. It’s the sound of freedom but commercial planes are an entirely different matter. We bought a home in Coronado because it is a peaceful neighborhood. What gives anyone the right to take that away plus devaluation our home and property.

My [sic]

Response:

The comment with respect to commercial planes is not understood. If this comment relates to NASNI, no commercial use of NASNI is planned.

Also, see Topical Responses T-08, T-09, T-13, and T-14.

**COMMENT LETTER P45 – DAVID FRANCIS**

**Comment P45-1**

I will be brief. My wife and I own more than one property in Coronado, including but not limited to a residence at 951 J Avenue, Coronado, CA 92118. The above-mentioned property is extremely close to the proposed zones that will, if adopted, restrict owners uses and impose building requirements on many, many properties that were built before North Island Naval Air Station.

Response:

See Topical Responses T-07, T-13, T-14, T-15, and T-17 and the responses to Comments A02-34, A02-70, A02-73, P17-3, and P18-6.

**Comment P45-2**

The proposed plan will significantly adversely affect our property’s neighborhood and damage our enjoyment of the property and the property’s value. Our other properties, including another residence and a share of a medical office building, will also be adversely affected.

Response:

See Topical Responses T-08, T-09, T-13, T-14, T-15, and T-17 and the response to Comment P45-1.

**Comment P45-3**

I am in complete agreement with the City of Coronado letter that will be submitted to the Airport Authority today, February 18, 2020.
Response:

The comment is noted. See the responses addressing the City’s comments (A02-01 through A02-84).

Comment P45-4

I vigorously oppose the proposed Airport Land Use Compatibly Plan and will support all legal action to defeat it as it is currently stated. Count me as a resounding “NO WAY ARE YOU ADOPTING THIS PLAN WITHOUT A BIG, BIG FIGHT!”

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER P46 – RICHARD SMITH

Comment P46-1

NASNI is NOT a Civilian airport. It is a Navy Base.

Neither the State of California, nor the City of San Diego have any jurisdiction over its Land use, or its compatibility with adjacent land.

How dare you draw arbitrary lines over my house imposing restrictions on my property. Where were you 30 years ago when I bought my property?

Response:

Please see Topical Responses T-01, T-02, T05 T-14, and T-17 and the response to Comment A02-30.

COMMENT LETTER P47 – JACK AND DAWN VRESICS

Comment P47-1

We would like to add our objection to the proposed ALCUP plan and specifically, to note our agreement with our longtime neighbors on Ocean Blvd over the concerns they have already raised with you on safety, noise, and pollution that impacts our Coronado community. We have been residents of Isabella Avenue (across from the Baby Del) for ten years, which although not as long as our neighbors, is long enough to have noticed an increase in air traffic to NASNI, with final approaches to the air station directly over our homes.

Response:

Please see Topical Response T-03.
Comment P47-2

When we first moved to Coronado, the approach was mostly further out over the beach and water, which in terms of safety, noise and pollution seems to make much more sense. We hope you will seriously consider the thoughtful viewpoints being raised to you by so many residents of our beautiful island.

Response:

Please see Topical Responses T-03 and T-05.

COMMENT LETTER P48 – JAMES ZEHENTBAUER

Comment P48-1

My name is James Zehentbauer. I reside at 1037 Loma Ave. Coronado. I have reviewed the ALUCP and have discussed with a number of my neighbors. I have yet to discuss with anyone who does not have serious concerns, including those expressed by the City of Coronado.

Response:

The comment is noted. The City of Coronado’s comments are addressed in the responses to Comments A02-01 through A02-84.

Comment P48-2

I share those concerns and believe the ALUCP is deeply flawed and will have an unnecessary negative impact on a number of the residents in our City. I urge the Airport Authority to resist this plan.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

COMMENT LETTER P49 – JOHN O’BRIEN

Comment P49-1

This is a comment regarding Process...procedure:

Each municipality has a different process or procedure for permitting and therefore, to add clarity to the interim San Diego Airport Authority process for Coronado, please note that the proper sequence for permitting new or revised residential permits in the zone for Design Review and Historic Alteration Permits should be as follows:

Historic Review

Applicant submits to Historic Review Commission and receives approval. Applicant submits approved Historic Plans to San Diego Airport Authority. Upon receipt of SDAA permission, Applicant submits to City for Building Permit
Design Review

Since Design Review is mostly about aesthetics, roof decks etc. the process should proceed as follows

Applicant submits plans to Design Review and receives approval Applicant submits approved Design Review plans to San Diego Airport Authority

Upon receipt of SDAA permission, Applicant submits to City for Building Permit

Response:

The ALUC is not concerned with historic or architectural design review of structures; the only concern of the ALUC is the consistency of a land use project (e.g., residence, retail sales, lodging, etc.) with the NASNI ALUCP. The City, as permitting authority, has the legal obligation to obtain a determination of consistency with the ALUCP prior to issuance of permits. So long as the City secures that determination of consistency before final permit approval, the requirements of the ALUCP are satisfied, irrespective of other municipal design review requirements or what stage in the permitting process a project may be. (Should the ALUC issue a determination of inconsistency with the ALUCP, the City can either request the applicant to modify the land use project to be consistent or overrule the ALUC’s determination, as provided by law.)

COMMENT LETTER P50 – JIM AND MOLLY ERSKINE

Comment P50-1

I have lived in Coronado since 1969 and on Isabella Ave. since the 1980s. The noise and airplane pollution (black powder on leaves and patio furniture) have increase for some years now. My family and I have noticed that the airplane noise has caused us to pause our conversation, set off car alarms, and even rattled our windows. I even witness a baby start to cry while in their stroller when a loud plane went overhead.

We knew we lived near a military airport when we moved here but the noise has increased and with the new proposed change the problem WILL only get worse. Please consider all this information and the concerns from the people writing these letters. We depend on you members to be our voice.

Response:

Please see Topical Responses T-03, T-04, and T-05.

COMMENT LETTER P51 – JEAN GAZZO

Comment P51-1

The ALUCP is based on the false premise that Coronado residences are starting to encroach on the NASNI flight landing path. The opposite is true. The study formulators should have done their due diligence and looked at aerial photos of the area in question, which has been completely built out with residences for decades.

In my case, my ocean front home was constructed starting in 1917, and predated the regular use of jets by the Navy. My parents bought the house in 1946, and it has been in the family ever since. I know from my own experience since childhood that Naval air traffic has increased exponentially in volume and noise. (My father, brother, and uncles were all naval aviators.)
Response:

Please see Topical Responses T-03, T-04, T-05, and T-07.

Comment P51-2

I have been involved in past efforts to encourage the Navy to lessen noise impact on our neighborhood by using different flight approaches.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

Comment P51-3

If the ACLUP [sic] is adopted, the new requirements would substantially affect the value of my property, and that of others, by limiting future changes. This would constitute an unlawful “taking” of property by the government, so compensation to every affected homeowner would be required. There are few, if any, properties in Coronado valued at less than one million dollars, and the properties nearest to the beach are valued at many millions. I understand that there are approximately 1000 residences in the zone under consideration. The cost of compensation could be staggering. By way of illustration, if compensations averaged 25% of property value, the total amount could theoretically reach as high as one billion dollars.

Response:

Please see Topical Responses T-08, T-09, T-13, T-14, and T-15 and the responses to Comments P17-3 and P18-6.

Comment P51-4

The residents along the flight approach are in no more danger than they have always been. Tinkering with percentages of prohibited structural additions will have little or no impact on residential density or safety.

Response:

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

Comment P51-5

Our city is united on opposing this ill considered plan. The residents were here first, and the landing approach is encroaching on us!

Response:

The comment is noted. Please see Topical Responses T-05 and T-07.