U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGION

FINDING OF NO SIGNIFICANT IMPACT AND RECORD OF DECISION

Proposed Metropolitan Airpark Project

Brown Field Municipal Airport
San Diego, San Diego County, California

For further information

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GENERAL INFORMATION ABOUT THIS DOCUMENT

WHAT IS IN THIS DOCUMENT? This document is the Federal Aviation Administration's (FAA) Finding of No Significant Impact (FONSI) and Record of Decision (ROD) for the proposed Metropolitan Airpark Project (MAP) at Brown Field Municipal Airport located in City of San Diego, San Diego County, California. This document includes the agency determinations and approvals for those proposed Federal actions described in the Final Environmental Assessment dated March 2021. This document discusses all alternatives considered by FAA in reaching its decision, summarizes the analysis used to evaluate the alternatives, and briefly summarizes the potential environmental consequences of the Proposed Project and the No Action Alternative, which are evaluated in detail in this FONSI and ROD. This document also identifies the environmentally preferable alternative and the agency-preferred alternative. This document identifies applicable and required mitigation.

BACKGROUND. In August 2020, the City of San Diego (City) prepared a Draft Environmental Assessment (EA). The Draft EA addressed the potential environmental effects of the proposed development program known as the "Metropolitan Airpark Project" (Proposed Project; MAP) including various reasonable alternatives to that proposal. The Draft EA was prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) [Public Law 91-190, 42 USC 4321-4347], the implementing regulations of the Council on Environmental Quality (CEQ) [40 CFR Parts 1500-1508], and FAA Orders 1050.1F, *Environmental Impacts: Policies and Procedures* and 5050.4B, *National Environmental Policy Act (NEPA), Implementing Instructions for Airport Actions*. The City published the Notice of Availability for the Draft EA on September 9, 2020. The City received one written letter with eighteen comments on the Draft EA during public comment period held between September 9, 2020 and October 24, 2020. The Final EA became a Federal document when the Responsible FAA Official signed the document on March 15, 2021.

WHAT SHOULD YOU DO? Read the FONSI and ROD to understand the actions that FAA intends to take relative to the proposed Metropolitan Airpark Project at Brown Field Airport.

WHAT HAPPENS AFTER THIS? The City may begin to implement the Proposed Project.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
AND
RECORD OF DECISION

PROPOSED METROPOLITAN AIRPARK PROJECT

BROWN FIELD MUNICIPAL AIRPORT
SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA

1. **Introduction.** This document is a Finding of No Significant Impact and Record of Decision (FONSI/ROD) on the environment in regards to the proposed Metropolitan Airpark Project (MAP) at Brown Field Municipal Airport (SDM), San Diego, San Diego County, California. The City of San Diego (City) is the sponsor for SDM. The Federal Aviation Administration (FAA) must comply with the National Environmental Policy Act (NEPA) of 1969 before being able to take the federal actions of approval of those portions of the Airport Layout Plan (ALP) that depict the proposed projects and to release airport property for non-aeronautical use. FAA approval of the ALP is authorized by the Airport and Airway Improvement Act of 1982, as amended (Public Laws 97-248 and 100-223). FAA authority to release airport property for non-aeronautical use is provided in the instrument of transfer of surplus property (deed) issued to the City pursuant to the Federal Property and Administrative Services Act of 1949, as amended, and the Surplus Property Act of 1944, as amended.

2. **Purpose and Need of the Proposed Project**. Section 1.4 of the Final Environmental Assessment (Final EA) states the Proposed Project's purpose and need is to implement the City's mission to develop, operate, maintain, and promote SDM for the public benefit of the airport users and the communities it serves. The largely vacant land at SDM has been minimally developed and currently has three helipads, which have deteriorated over time and are seldom used.

   The *purpose* of the Proposed Project is to modernize and develop underutilized areas of the airport. The Proposed Project is able to accommodate the unmet demand for general aviation facilities that can serve large corporate jets because adequate runway length and adjacent land for development is available at SDM. This requires modern Fixed Base Operator (FBO) facilities, an FBO terminal building and aircraft storage hangars that meet the level of customer service quality needed by operators of larger business jet aircraft. Table 1.4-1 in the Final EA discloses the dimensions of the large business jet aircraft types that could be expected to use new executive hangars at SDM, if they were available.

   The Final EA states the *need* for the Proposed Project stems from the City's identification of an unmet demand to develop general aviation facilities with the capacity to accommodate a wide range of aircraft that includes large corporate jets in southern San Diego County. Many of the buildings at SDM are more than 40 years old. Some buildings date back to the

U.S. Government's prior ownership and military use of the airfield. These older buildings have space and floor plans that do not meet modern FBO terminal building standards, do not meet the needs of large business jet operators, and cannot accommodate the needs of SDM to grow and operate at additional capacity. There is also a demand for additional hangar space, including executive hangars and T-hangars.

This FONSI/ROD addresses the City's proposed improvements as described below.

3. **Proposed Project and Federal Action.** The City's Proposed Project includes the development of portions of SDM for aeronautical use on the south side of the airport. The Final EA Figure 1.3-1 shows the City's Proposed Project and Section 1.3, on page 1-9, lists the project components. Related improvements on and adjacent to the airport include site preparation and grading, utilities installation, road construction, and road widening. The City's Proposed Project includes the following major project components:

   - Construction and operation of new facilities that include: a FBO terminal building and a facility with ten large aircraft storage and maintenance hangars; three new T-hangar buildings providing 51 aircraft storage units; a new helicopter business center with office buildings and three helicopter hangars; new aviation fuel storage.

   - Replacement of the existing public road (Pogo Row) with a new public road on the north side of the airfield (Aviator Road).

   - Construction of frontage road and roadway improvements to existing airport infrastructure that includes the widening sections of La Media Road and Heritage Road, and intersection improvements on Otay Mesa Road.

   - Grading, drainage, and utilities work to support development and improvements at SDM.

   - Installation of an ephemeral channel on the airport's east boundary, along La Media Road.

   - Implementation and long-term management of a habitat restoration and mitigation program.

   The sponsor seeks release of areas in the north, northeast, and southwest portions of the airport that are contemplated for industrial development and other non-aeronautical uses in later phases of MAP. The total area requested for release is approximately 180.35 acres (see Final EA Figure 1.3-2 and sponsor's release request).

The sub-set of the City's Proposed Project components that are part of FAA's Proposed Action in this FONSI/ROD are identified below. The FAA does not have the authority to approve or disapprove the Proposed Project components that are not part of FAA's Proposed Action.

The City is seeking, from the FAA, the following federal actions and approvals necessary to carry out the proposed project:

- Unconditional approval of portions of the Airport Layout Plan (ALP) that depict those portions of the Proposed Project subject to FAA review and approval pursuant to 49 U.S.C. § 40103(b) and § 44718 and § 47107(a)(16). 14 Code of Federal Regulations (C.F.R.) Part 77, *Safe, Efficient Use and Preservation of Navigable Airspace;* and 14 CFR Part 157, *Notice of Construction, Alteration, Activation, and Deactivation of Airports*.

- Approval of the City of San Diego's request for release of federal obligations on land proposed for non-aeronautical use at the airport.

- Determination under 49 U.S.C. § 44502(b) that the Proposed Project is reasonably necessary for use in air commerce or in the interests of national defense.

- Determination of eligibility for federal assistance for the components of the MAP under the federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (49 U.S.C. § 47101, et. seq.).

- Approval of further processing of an application for federal assistance for eligible components of the Proposed Project using federal funds from the Airport Improvement Program, as shown on the ALP.

FAA Reauthorization Act of 2018. On October 5, 2018, H.R. 302, the FAA Reauthorization Act of 2018 ("Act"), was signed into law (P.L. 115-254). In general, Section 163(a) limits the FAA's authority to directly or indirectly regulate an airport sponsor's transfer or disposal of certain types of airport land. However, Section 163(b) identifies exceptions to this general rule. Section 163(c) preserves the statutory revenue use restrictions regarding the use of revenues generated by the use, lease, encumbrance, transfer, or disposal of the land, as set forth in 49 USC §§ 47107(b) and 47133. Section 163(d) of the Act limits the FAA's review and approval authority for ALPs to those portions of ALPs or ALP revisions that materially impact the safe and efficient operation of aircraft, at, to, or from the airport; adversely affect the safety of people or property on the ground adjacent to the airport as a result of aircraft operations; or adversely affect the value of prior Feral investments to a significant extent.

FAA's Authority to Regulate Land Use: The property for the Proposed Project was acquired from the U.S. Government via a Surplus Property Act deed on September 1, 1962. Title 49 U.S. Code, § 47153(c) requires the FAA to provide notice to the

public, for not less than 30 days, prior to waiving any condition imposed on an interest in surplus property. Therefore, under section 163(b)(3)(A) of the Act, the FAA has the legal authority to approve or disapprove the change in land use from aeronautical to non-aeronautical for the Proposed Project. The sponsor's release request must comply with 14 CFR Section 155.11, *Form and Content of Requests for Release*.

FAA's Authority Regarding the Airport Layout Plan: For the purpose of determining whether the Proposed Project requires FAA ALP approval, FAA has made the following determinations:

1. Because portions of the proposed development may have material impact on aircraft operations at, to, or from the airport, the FAA retains the legal authority to approve or disapprove the following changes to the SDM ALP:

    a. Aeronautical Site Preparation and Grading
    b. Fixed Base Operator Terminal Apron
    c. Executive Hangars Aprons & Taxilanes
    d. T-Hangars Aprons & Taxilanes
    e. Helicopter Business Center Apron
    f. Drainage Swale
    g. Fuel Storage Facilities
    h. All future Taxiways and Aprons Development Phases associated with the MAP

2. The remaining portions of the proposed development would have no material impact on aircraft operations at, to, or from the airport and would not have an adverse effect on the value of prior Federal investments to a significant extent; therefore, the FAA lacks the legal authority to approve or disapprove changes to the SDM ALP for the following project components:

    a. Future Industrial Development
    b. FBO/Vehicle Parking
    c. Construct Aviator Road
    d. Widen La Media Road
    e. Widen Heritage Road
    f. Construct intersection improvements on Otay Mesa Road

With respect to the City's Proposed Project, the major federal actions for ALP approval and eligibility for AIP funding involve those project components identified in bold text in **Table -1**. The FAA's Proposed Action includes these major federal actions and FAA's major federal action to release property for non-aeronautical use for MAP. The FAA does not have the authority to approve or disapprove the Proposed Project components that are not part of FAA's Proposed Action.

TABLE 1
PROPOSED PROJECT COMPONENTS AND IDENTIFICATION OF ASSOCIATED FEDERAL ACTIONS FOR ALP APPROVAL AND ELIGIBILITY FOR AIP FUNDING

Proposed Project Component[a]	**Identification of FAA ALP Approval**	**Eligibility for AIP Funding**
	(YES[b] or NO[c])	**(YES[d] or NO)**
Aeronautical Site Preparation and Grading	YES	NO
Construct FBO Terminal Apron	YES	YES
Construct Executive Hangars Aprons and Taxilanes	YES	YES
Construct T-Hangars Aprons and Taxilanes	YES	YES
Construct Helicopter Business Center Apron	YES	YES
Construct Drainage Swale	YES	YES
Construct Fuel Storage Facilities	YES	YES
All future Taxiways and Aprons Development Phases Associated With MAP	YES	YES
Future Industrial Development[e]	NO	NO
FBO/Vehicle Parking	NO	NO
Construct Aviator Road	NO	NO
Widen La Media Road	NO	NO
Widen Heritage Road	NO	NO
Construct Intersection Improvements on Otay Mesa	NO	NO

Notes:

a. The Proposed Project was released for public review and comment prior to a final determination of FAA's statutory approval authority related to the Proposed Project as a result of passage of the *FAA Reauthorization Act of 2018*. Congress limited the FAA's statutory authority over airport development projects in Section 163 of the *FAA Reauthorization Act of 2018*, H. R. 302, (P.L. 115-254). In the statute, Congress limited FAA's approval authority to portions of ALPs that meet certain statutorily defined criteria, and further, prohibited the FAA from directly or indirectly regulating airport land use unless certain exceptions for continued "direct or indirect" regulation exist. The revisions made here to the FONSI/ROD are intended to more accurately reflect the scope of the Federal action, but no changes have been made in the Final EA as to the analysis of effects. The FAA limited its revisions in the Final EA to ensure a conservative approach to NEPA for this particular project, given its advanced progress through the NEPA process at the time of final determinations of agency approval authority, and because it appears that certain components of the Proposed Project may be eligible for federal funding.

b. A "YES" in this column denotes that for these Proposed Project components, the FAA retains the legal authority to approve or disapprove these changes to the ALP.

c. A "NO" in this column denotes that for these Proposed Project components, the FAA lacks the legal authority to approve or disapprove the changes to the ALP.

d. A "YES" in this column denotes that the project component is eligible for AIP funding granted that it meets the requirements in the AIP Handbook.

e. The Future Industrial Development is located on property that the City requests for release for non-aeronautical use. FAA retains the legal authority to approve or disapprove this release request.

Applicability of the National Environmental Policy Act (NEPA): The FAA's ALP approval authority for the Proposed Action is a federal action subject to the National Environmental Policy Act (NEPA). In addition, as a result of the FAA's requirement to approve a release of the sponsor's federal obligations under the Surplus Property Act, the sponsor is required to perform an appropriate environmental review for the

proposed release that conforms with NEPA. As further described below, mitigation is a condition of FAA approval for the Proposed Action. The mitigation measures that FAA requires as a condition of approval are for those project components over which FAA has authority to approve or disapprove regarding the City's requests to amend the ALP and to release property for non-aeronautical use. For project components over which FAA does not have authority to provide approval or disapproval, FAA relies on mitigation measures that have been adopted by the City in its CEQA review for the MAP project, or that have been incorporated in project approvals by agencies, as described in the Final EA and Appendices.

Sponsor Obligations Still In Effect: All of the airport sponsor's federal statutory and grant assurance obligations remain in full force and effect. The Airport should retain sufficient authority over the parcel to prevent uses which conflict with its federal obligations and related requirements or create conditions resulting in violations of the assurances. Subordination clauses or other restrictions may be appropriate. The FAA may verify compliance with these requirements through a financial compliance review, the enforcement of grant assurances, or other enforcement mechanisms at a later date.

The sponsor also has the responsibility to comply with all federal, state, and local environmental laws and regulations.

Additionally, this project is still subject to airspace review under the requirements of 14 CFR Part 77, and Grant Assurance 29 still requires the airport to maintain a current ALP. The sponsor should provide Los Angeles Airports District Office with an updated ALP and Exhibit A – Airport Property Map that depicts the proposed industrial development and other areas released for non-aeronautical use if the project is ever completed.

4. **Reasonable Alternatives Considered.** Chapter 2 of the Final EA, used a detailed three-step alternatives analysis screening process including:

   Step 1 – Meet the Purpose and Need. Would the alternative meet the unmet demand for additional general aviation facilities for large corporate jets in south San Diego County? Does the alternative have land for development? Does the alternative have adequate runway length?

   Step 2 – Constructability and Operational Considerations. Could the alternative accommodate the proposed facilities with fewer complexities and operational impacts including: FBO visibility and access and aviation facility impacts?

   Step 3 – Further detailed analysis of environmental impacts in the EA.

   The Final EA evaluated three off-airport alternatives, three on-airport development alternatives, and the No Action Alternative to the Proposed Project.

Section 2.3.3 of the Final EA, evaluated the three off-airport alternatives of "Use of Other Airports." The airports considered included: San Diego International (SAN), Montgomery Field (MYF), and Gillespie Field (SEE). The three airports did not have land available to accommodate MAP. MYF and SEE did not have adequate runway length to accommodate larger business jet aircraft. Therefore, the "Use of Other Airports" alternative did not meet the Step 1 screening criteria and was not carried forward for further evaluations.

Sections 2.4.1 through 2.4.3 of the Final EA, evaluated three on-airport development alternatives. As described below, the three on-airport development alternatives did not meet either Step 1 and/or Step 2 screening criteria and were eliminated from further evaluation in the Final EA.

Section 2.4.1 evaluated the Southwest Development Alternative. This alternative would have poor visibility from the airfield, introduce greater complexity due to the need to relocate a large aviation fuel tank, and have in place a replacement aircraft parking apron and hangars prior to construction. Therefore, the Southwest Development Alternative did not satisfy Step 2 screening criteria and was eliminated from further evaluation.

Section 2.4.2 evaluated the North Development Alternative. This alternative did not have adequate land available to accommodate the proposed FBO terminal/hangar complex and therefore, did not meet the Step 1 screening criteria and was eliminated from further evaluation.

Section 2.4.3 evaluated the Modified North Development Alternative. This alternative FBO site layout would be possible, but it would require breaking apart the planned "FBO center" layout concept. The "split operation" increases inefficiencies, increases construction and operating costs, and lowers the level of customer service. Therefore, this alternative did not meet the Step 2 screening criteria and was eliminated from further evaluation.

Section 2.4.4 evaluated the No Action Alternative. This alternative does not meet Step 1 or Step 2 screening criteria. However, analysis of the No Action Alternative is required pursuant to 40 CFR § 1502.14(d) and is therefore retained for analysis.

Section 2.4.5 of the Final EA described and evaluated the proposed MAP at SDM, which is the sponsor's preferred alternative.

Table 2.5-1 in the Final EA summarized the results of the alternatives screening process. The Use of Other Area Airports and North Development alternatives did not meet Step 1 screening criteria. The Southwest Development and Modified North Development alternatives did not meet Step 2 screening criteria. The Proposed Project, meets both Step 1 and Step 2 screening criteria, and the No Action alternative were retained for Step 3 analysis in the Environmental Consequences chapter of the final EA for detailed impact analysis.

A comment on the Draft EA was received asking why Jon Nichols airfield was not mentioned in the list of aviation facilities analyzed as a potential location for the Proposed Project. The response to Comment 2 stated that *"Jon Nichols airfield is leased to a private party and is not a public airport; therefore, the City has no authority of the airport and it is thus an unsuitable location for the Proposed Project*."

5. **Environmental Consequences and Mitigation Measures.** The potential environmental impacts were identified and evaluated in a Final EA prepared in March 2021. The FAA has reviewed the Final EA and the FAA determined that the Final EA for the proposed project adequately describes the potential impacts of the Proposed Project.

   As noted in Section 3 above, the City's Proposed Project includes certain components over which FAA does not have any federal action to approve the ALP or to release property for non-aeronautical use. By evaluating the entire City's Proposed Project, rather than only the portions that require ALP approval or property release, the Final EA represents a conservative disclosure of environmental effects. The FAA limited its revisions in the Final EA to ensure a conservative approach to NEPA for this project, given its advanced progress through the NEPA process at the time of final determinations of agency approval authority.

   In addition, the Final EA describes mitigation measures that are consistent with mitigation measures already adopted by the City of San Diego in its CEQA review for the MAP project. As described in the Final EA and Appendices, these mitigation measures are included in approvals already provided by several agencies, including U.S. Fish and Wildlife Service (consultation on San Diego Vernal Pool Habitat Conservation Plan; Section 7 consultation on MAP) and California Regional Water Quality Control Board (Section 401 CWA Certification for MAP). See also Section 7 below on Inter-Agency Coordination. The FAA relies on these legal requirements for mitigation measures as a supplement to FAA's authority to condition approval of the Proposed Action upon implementation of the mitigation measures described in the Final EA. For project components over which FAA does not have authority to provide approval or disapproval, FAA relies on mitigation measures that have been adopted by the City in its CEQA review for the MAP project, or that have been incorporated in project approvals by agencies, as described in the Final EA and Appendices.

   Section 4.1.1 of the Final EA stated that this EA evaluated environmental impacts for two study years. Study Year 2025 represents the first full year that the Proposed Project would be open and operational. Study Year 2030, the fifth full year after project opening, provided a reasonable time frame to evaluate ongoing operation-related environmental impacts, such as those associated with aircraft noise and air quality.

   The Final EA examined the following environmental impact categories: Air Quality; Biological Resources; Climate; Department of Transportation Act, Section 4(f)) Resources; Hazardous Materials, Solid Waste and Pollution Prevention; Historic, Architectural, Archaeological and Cultural Resources; Land Use; Natural Resources and Energy Supply; Noise and Noise-Compatible Land Use; Socioeconomics, Environmental Justice, and

Children's Environmental Health, and Safety Risks; Visual Resources, Water Resources; and Cumulative Impacts.

Section 4.1.2 of the Final EA disclosed that the environmental impact categories of Coastal Resources and Farmlands were not evaluated further because the proposed project at SDM would not pose an impact to these environmental resources.

A. Air Quality. As shown in Table 3.2-3 of the Final EA, San Diego County is in serious nonattainment for the 2008 8-hour Ozone (O3) standard and moderate nonattainment for the 2015 8-hour O3 standard. As stated in Section 4.2.2.2 of the Final EA, the operational emissions of criteria air pollutants were estimated for the Proposed Project and No Action Alternative for study years 2025 and 2030.

Section 4.2.3.2 of the Final EA stated the Proposed Project construction activities would commence in 2020 and be complete by the end of 2024. Construction did not commence in 2020 and is instead anticipated to commence in 2021. This change in construction schedule does not affect the analysis for potentially significant air quality impacts because the construction-related emissions of criteria air pollutants are well below *de minimis* thresholds for all construction years. Table 4.2-3 of the Final EA provided the difference in emissions between the No-Action Alternative and the Proposed Project. Construction-related emissions of criteria air pollutants would be well below applicable general conformity *de minimis* thresholds in all five construction years.

As shown in Tables 4.2-4 and 4.2-6 of the Final EA, differences in 2025 and 2030 operational emissions under the Proposed Project compared to the No-Action Alternative would not exceed applicable *de minimis* thresholds for CO, VOC and NOX. The Proposed Project would not cause or contribute to an exceedance of the National Ambient Air Quality Standards (NAAQS).

Overall, the construction and operational emissions associated with the Proposed Project would be below General Conformity *de minimis* thresholds for applicable pollutants in both 2025 and 2030. Therefore, the change in emissions that would occur if the Proposed Project was implemented would conform to the SIP. The Proposed Project is in compliance with General Conformity requirements and no further conformity analysis is required.

Section 4.2.5 of the Final EA stated potentially significant air quality impacts associated with the Proposed Project would be demonstrated by the project or action exceeding one or more of the NAAQS for any of the time periods analyzed or increasing the frequency or severity of any such existing violations. In addition, the General Conformity Rule (40 CFR § 93.153) provides *de minimis* thresholds below which the Proposed Project is presumed to conform to the SIP. The Proposed Project would not generate enough project-related emissions such that *de minimis* thresholds would be exceeded, nor would Project-related emissions cause or contribute to an exceedance of

any NAAQS. Therefore, Proposed Project would not exceed any threshold indicating a significant impact.

Section 4.2.6 of the Final EA stated that although the Proposed Project would not have significant air quality impacts that require mitigation, emissions from construction activities and fugitive dust could be reduced by employing some or all of the following voluntary measures:

- Curtailing construction activities during periods of high wind conditions
- Reducing exposed erodible surface area through appropriate materials and equipment staging procedures.
- Stabilizing soils and establish ground cover as soon as possible after grading and construction activities
- Reducing equipment idling times and vehicle speeds on-site
- Stabilizing soils, stockpiles of raw materials, and other disturbed areas with water or ground covers
- Using vapor-recovery systems for fuel-storage facilities
- Using low- or zero-emissions equipment
- Using covered haul trucks during materials transportation

B. Biological Resources. Section 4.3 of the Final EA described the potential impacts to biological resources. A significant impact would occur when the U.S. Fish and Wildlife Service (USFWS) determines that the action would be likely to jeopardize the continued existence of federally listed threatened or endangered species, or the destruction or adverse modification of federally designated critical habitat. The FAA has not established a significance threshold for non-listed species. Based on coordination between the City, FAA, and USFWS, the No-Action Alternative would not have a significant impact on listed species or their critical habitat. Applying the mitigation measures (described below) and avoidance and minimization measures (described in Section 4.3.5 of the Final EA) the Proposed Project would not have a significant impact on listed species or their critical habitat.

Table 3.3-2 of the Final EA lists the federally listed species with the potential to occur in the vicinity of the SDM. Section 3.3.2.3 of the Final EA stated that based on the existing site conditions, species-specific habitat requirements, previous USFWS consultations, and the multiple surveys performed in and around SDM, it was found that the detailed study area (DSA) supports three federally listed species: San Diego fairy shrimp

(Branchinecta sandiegonensis), San Diego button-celery (*Eryngium aristulatum* var. *parishii*), and coastal California gnatcatcher (*Polioptila californica californica*). For one species, the Quino checkerspot butterfly (*Euphydryas editha quino*), limited suitable habitat was found onsite however, species was not found during focused surveys.

Section 4.3.1 of the Final EA stated the FAA made the determination that the Proposed Project may affect, is likely to adversely affect San Diego fairy shrimp, San Diego button-celery, and Coastal California gnatcatcher. The FAA determined the Proposed Project would not affect the Quino checkerspot butterfly. The USFWS concluded the consultation, in a letter dated January 30, 2020 (see Final EA, Appendix A), with the following:

- Permanent impacts to coastal sage scrub and other habitats will be mitigated by preserving in perpetuity the areas within the Multi-Habitat Planning Area (MHPA) onsite and restoration and enhancements in Mitigation Areas A and B.

- No further consultation is necessary for the coastal California gnatcatcher.

- No incidental take and/or adverse effects beyond that anticipated in the 2018 biological opinion for the Vernal Pool Habitat Conservation Plan (VPHCP) will occur and no further consultation is necessary;

- USFWS extended to FAA the incidental take exemption already provided to the City through their incidental take permits issued for their Subarea Plan and VPHCP for gnatcatcher and fairy shrimp.

The Proposed Project would directly impact 14 vernal pools that are known to support San Diego fairy shrimp adults or cysts through the permanent removal of 13,762 square feet (0.32 acres) of presumed occupied and occupied vernal and road pools (see Table 4.3-1 of the Final EA). Vernal pool resources that could support San Diego fairy shrimp would be directly impacted with the exception of three locations that occur in the proposed mitigation area. These locations, along with the restored pools would be preserved, protected, and monitored.

The Proposed Project would directly impact San Diego button-celery through the permanent removal of approximately 90 individuals from 3,790 square feet (0.09-acres, contained within vernal pool BFVP-3B) of occupied habitat, which has been included with the total vernal pool impact of 0.32-acres. Three locations occur in the proposed mitigation area. These locations, along with the restored pools would be preserved, protected, and monitored.

A 0.14-acre area of Diegan coastal sage scrub habitat would be temporarily impacted from the insertion of stormwater outfall structures at the northern side of Mitigation Area A. Potential indirect effects on coastal California gnatcatcher include temporary construction noise and lighting from grading activities.

The only migratory bird species found at SDM is the burrowing owl (*Athene cunicularia*), Figure 3.3-2 of the Final EA shows the locations of burrowing owls in the study area. Direct effects of the Proposed Project to the burrowing owl would include the loss of approximately 181.2 acres of suitable burrowing owl habitat. Five breeding burrowing owl pairs found within the Proposed Project limits and would be directly impacted. Three pairs found outside of the Proposed Project limits may be indirectly impacted. The Proposed Project may indirectly impact approximately eight satellite burrows. Burrowing owls are opportunistic and there is a robust population of burrowing owls at Caltrans' Lonestar Mitigation property immediately north of SDM, and with the enhancements planned for Mitigation Areas A and B, the forage habitat needed to sustain a population of this size will be available. Therefore, the population size of this breeding node of burrowing owls is not expected to decrease with implementation of this project.

Section 4.3.5 of the Final EA discussed the general and resource-specific avoidance and minimization measures that will be implemented for the construction of the Proposed Project. General measures include having a qualified monitoring biologist on the site during restoration and construction activities to ensure compliance with all mitigation measures. Resource-specific avoidance and minimization measures cover the vernal pools, coastal California gnatcatcher habitat, and burrowing owls and their habitat.

Section 4.3.6 of the Final EA discussed the proposed mitigation for unavoidable impacts to the federally listed vernal pool species, waters of the U.S., and burrowing owl. Mitigation for impacts to habitats and resources within land areas designated for aviation-related development will occur on Mitigation Areas A and B, north of the airfield, shown on Figure 4.3-1 of the Final EA.

Jurisdictional Waters of the US. As stated in Section 4.3.6.1 of the Final EA, impacts to jurisdictional waters would be replaced in-kind as an ephemeral channel within the airfield area. The ephemeral channel is proposed to be constructed along the east airport boundary (along La Media Road North). To satisfy conditions under the project's Clean Water Act (CWA) Section 401 certification, mitigation for additional 0.73-acres to compensate for linear feet of drainage impacts has been incorporated into the vernal pool re-establishment within Mitigation Area A.

Vernal Pool and Button Celery Mitigation. Compensatory mitigation for impacts to VPHCP-covered species will be implemented consistent with and in excess of the VPHCP-identified requirements for San Diego fairy shrimp and San Diego button-celery. Vernal pool and button-celery mitigation would occur within the 34.7-acre parcel identified as Mitigation Area A, or in the 5.7-acre Mitigation Area B.

A Habitat Mitigation and Restoration Plan (HMRP) will be developed and approved by USFWS, California Department of Fish and Wildlife (CDFW), and the City. This will include restoration of the vernal pool watershed, a grading plan using 0.5-foot contours

or less, and a hydraulic model and hydrological connectivity analysis. Vernal pool flora and fauna, and soil containing fairy shrimp cysts may be collected from the impacted pools and other functioning vernal pools (donor pools) containing San Diego fairy shrimp and/or San Diego button-celery. This inoculum will be distributed in all enhanced and restored pools (receptor pools) once the restoration installation has been deemed successful by the City and the USFWS, and it has been determined that the site is devoid of the invasive versatile fairy shrimp (*Branchinecta lindahli*).

Using the 5:1 ratio, impacts to 13,762 sq. ft. (0.32-acres) of on-site vernal pool and occupied fairy shrimp habitat would require the creation and restoration of 1.6-acres of vernal pool basins for San Diego fairy shrimp mitigation. Impacts to 3,790 sq. ft. (0.09-acres) of on-site San Diego button-celery habitat would require the creation of 0.45-acres of vernal pool basins, which is included in the 1.6-acres basin creation for San Diego fairy shrimp.

Impacts to vernal pools regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) require the restoration of 1.38-acres of vernal pools plus an additional 0.73-acres for the compensation for linear footage of drainage impacts. Therefore, a total of 2.11-acres of vernal pool mitigation would occur in Area A. An appropriate area of watershed will be restored and conserved to support the vernal pool basins.

San Diego button-celery will be restored in a minimum of five vernal pools on Mitigation Area A, resulting in at least 450 individual plants. Prior to impacts to vernal pool BFVP-3B, the entire population of San Diego button-celery will be salvaged, including live plants, seed, and soil inoculum, as authorized by USFWS. The salvaged material will be reapplied into at least five pools within the mitigation sites, totaling at least 0.45-acres of vernal pool basin to mitigate for 0.09-acres of lost San Diego button-celery habitat.

Watershed enhancement will consist of the control of invasive non-native plants, seeding and planting of native forbs and coastal sage shrub species, and installation of mima mounds and other mounds equipped with nesting boxes and artificial burrows for burrowing owls to mitigate impacts to burrowing owl foraging and nesting habitat.

Burrowing Owl. Project impacts to burrowing owl habitat and nesting sites require mitigation of suitable or occupied burrowing owl habitat. Burrowing owl impacts to SDM land associated with aviation-related development will be mitigated on-site; impacts to lands planned for non-aviation-related development will be mitigated off-site.

Mitigation Areas A and B will be restored to suitable burrowing owl breeding habitat and preserved. Methods describing habitat restoration, including planting, ground squirrel release and/or installation of berms and artificial burrows, will be described in detail in work plans that are subject to agency approvals. Restoration efforts will result in habitat dominated by native grass and low-growing forb species. Special mounds will

be fitted with artificial burrows and augered holes (i.e., 1 meter deep at a 45 degree angle), and the sites will receive brush piles, or other refugia (i.e., an excess number of burrows to allow quick escape from predators and to prevent predators from keying in and preying on owls having only a limited number of burrows). Additional enhancements will include ground squirrel release and installation of artificial burrows. Prior to the onset of relocating California ground squirrels, all mitigation areas will be surveyed and monitored for the presence of fossorial mammals. A detailed ground squirrel release plan will be prepared, to be approved by the City, CDFW, and USFWS, prior to squirrel reintroduction, and will incorporate the latest available methods on burrowing owl habitat preparation. Implementation of this plan will be coordinated with the CDFW, USFWS, and Airport staff and will be performed once the Mitigation Areas are deemed ready for receiving relocated ground squirrels. The relocation plan will include descriptions for a "soft release" with supplemental feeding after an initial on-site acclimation period.

The off-site mitigation sites for non-aviation related impacts (grading of the project site for future non-aviation development) include the Corn, Dart, and Miller South parcels south of the Airport along the western portion of La Media Road South. The Miller South and Dart parcels are contiguous and would be conserved among a series of properties along La Media Road South identified as conservation lands by the City of San Diego, CDFW, and USFWS.

The Corn Parcel would require the creation of brush piles and berms along the planned truck route to avoid edge effects that could negatively impact any translocated or recolonizing owls. In addition, soil decompaction and seeding with native grass and low-growing forb species would enhance habitat suitability for burrowing owls; forb and grass species cover should not exceed 50 percent within three to four meters of surrounding burrows; the remainder of the burrowing owl habitat should consist of low-growing vegetation not to exceed a cover of 65 to 75 percent. Enhancement would include the potential decompaction of soils where needed, creation of berms and mounds/artificial burrows, removal of invasive species and seeding with native grasses and forbs, and the potential release of ground squirrels.

For the Miller South Parcel, enhancement would include the potential decompaction of soils where needed, creation of brush piles, berms and mounds/artificial burrows, removal of invasive species and seeding with native grasses and forbs, and the potential release of ground squirrels.

The Dart Parcel enhancement would include the potential decompaction of soils where needed, creation of brush piles, berms and mounds/artificial burrows, removal of invasive species and seeding with native grasses and forbs, and the potential release of ground squirrels. The removal of an electric fence at a neighboring property along the western boundary would be required to avoid the electrocution risks of any perching owls.

A habitat restoration plan for the restoration and enhancement of suitable burrowing owl habitat on Areas A, B, and the off-site parcels is currently being prepared and will require approval by the City, CDFW, and USFWS. The following summarizes the components required for successful burrowing owl habitat restoration for each site.

- Photo documentation of existing conditions on the mitigation site, and creation of a photo log of the site before and after the site has been cleared of all hazardous contaminants, as applicable.

- Installation of a temporary construction fence around each site, as feasible. Fencing will include a construction vehicle access gate secured with a combination lock. In addition, informational signs (in both English and Spanish) shall be installed around the perimeter to identify the areas as sensitive habitat creation sites, and to indicate that the areas should not be entered. A contact name and telephone number of the emergency response entity shall be included. The signs shall be maintained and replaced as needed, in perpetuity.

- Installation of permanent fencing adjacent to paved roads and developed areas to prevent off-road vehicle use and other unauthorized access. Fencing type and exact placement around each on-site and off-site mitigation area will be determined based on the need to balance access restriction and predator control with the intent to allow for wildlife movement through the area. Fence posts must be capped to preclude perching by large raptors.

- Removal of all industrial waste, trash, or other debris from the site that could be harmful to burrowing owls (some debris may be left in place to be used as refugia for the owls, as determined by the burrowing owl biologist or restoration ecologist).

- Removal of the electric fence along the western boundaries of the Dart Parcel.

- Decompaction of soil to a condition suitable for the burrowing of fossorial animals, i.e., between 60 to 80 percent and ideally no more than 78 percent.

- Soil testing to determine appropriate quantities and composition of recommended soil amendments to enhance growing conditions (per habitat assessment methods, San Diego Zoo Institute of Conservation Research (ICR) 2018).

- Installation of artificial burrows and earthen berms at a density adequate to support burrowing owls. Burrow design shall follow the latest applicable research. Berms shall be placed or enhanced at the property boundaries that abut development (e.g., future truck route) to avoid edge effects.

- Placement of augured holes, brush piles (ICR 2018), or other appropriate materials throughout the restoration area to provide refugia from predators.

- Contract-collection of seeds from Otay Mesa within a ten-mile radius of the restoration sites.

- As a supplement to collected seed, if needed, selection of a certified seed and plant material supplier with a minimum of five years of experience in the propagation and collection of native and naturalized plants for upland restoration efforts.

- Verification by the supplier that seed supply is weed-free.

- Seeding and planting of low-density forb and native grass cover; vegetation density should ultimately achieve about 65 to 75 percent cover with about 25 percent bare ground to be suitable to burrowing owls; areas within 3 to 4 meters surrounding burrows should not exceed 50 percent cover.

- If needed, inoculation with mycorrhizae will be applied to enhance native soils.

- Appropriate timing of restoration installation—the restoration site shall be prepared at the end of the dry season before the onset of the first rains; planting and seeding should be conducted between November and February so that plantings and seeds may take advantage of the winter and spring rains and lower temperatures.

- Supplemental watering for establishment of the restoration planting. Watering shall be discontinued two years prior to the end of the post-restoration monitoring period. Irrigation quantities shall be adjusted to the naturally drought-tolerant nature of the vegetation and to avoid over-irrigating. No irrigation shall be supplied during the dormant period in the summer months with the exception of the installation period during the first year of planting.

- Five-year post-restoration monitoring and maintenance, to include success criteria appropriate for burrowing owl habitat restoration, during which plants shall be replaced as needed by restoration staff. Success criteria shall be reviewed and approved by the City, CDFW, and USFWS.

- Implementation of post-restoration burrowing owl monitoring by CDFW-approved biologists as detailed in the burrowing owl translocation protocol and approved by the City, CDFW, and USFWS on on-site and off-site Mitigation Areas.

- Eradication of target invasive species known to alter percent cover of grassland habitats outside of the range preferred by burrowing owls. Target invasive species are Cal-IPC Moderate to High Risk Species, excluding low-growing grasses and some low-growing forbs such as Erodium. The preferred range of percent cover for the target invasive species is zero to ten percent.

- Regular removal of thatch (e.g., grazing, burning, mowing) for reduced density of non-native and native grassland species (e.g., fascicled tarplant). Mechanical mowing is feasible on small sites; care should be taken not to compact the soils.

A Long-Term Management and Monitoring Plan (LTMP) will be prepared that identifies the responsibilities, methods, processes, and schedules by which the on-site and off-site Mitigation Areas shall be monitored and maintained in perpetuity. Methods will follow the latest scientific research available. The LTMP will be reviewed by recognized burrowing owls experts and approved by the City, CDFW, and USFWS. Long-term management will be initiated upon completion of the post-restoration/post-translocation monitoring period and funded through an endowment or similar funding mechanism by MAP. It is likely that the following management will be prescribed:

- Perform monthly vegetation management and monitoring to maintain open habitat, including:
    - regular mowing (or other vegetation management practices as feasible/allowable, such as control burns or grazing) to reduce vegetation density, height and seed bank;
    - regular thatch removal and removal of non-native grasses and invasive species (such as fascicled tarplant);
    - planting of native forb and grass species to enhance suitable, open habitat as indicated by monitoring results
    - Maintain approximately between 25 and 35 percent of overall bare ground.
    - Maintain grasses and forbs at no more than ten to 20 inches in height but target of 10 to 20 centimeters where possible.
    - Manage vegetation to favor annual native forb species such as doveweed, goldfields, bindweed, native pepperweed, and native bunch grasses. Low-growing non-native forb species such as filaree may be left on the site if compatible with burrowing owl habitat preferences.
- Maintain suitable habitat, including a mosaic of clustered berms and burrows that are adjacent to foraging areas.

- Maintain soils, berms and mounds that are suitable for burrowing; artificial burrow inspection and maintenance should occur twice per year before and after breeding season (in November and January).

- Perform augering treatments to create refugia, as needed to improve ground squirrel habitat and burrowing owl refugia.

- Monitor the establishment and persistence of a ground squirrel population.

- Monitor the success of translocated owls at the on-site and off-site Mitigation Areas, including long-term success of owl recolonization, population trends and nest productivity, including:
  - Wintering owls
  - Breeding owls
  - Fledging rates
  - Prey base
- Evaluate anthropogenic threats to existing population (e.g., roadkill risks, subsidized predators such as common ravens) and any pests or diseases (e.g., sticktight flea) and provide threat reduction and treatments.

- Provide adaptive management as feasible, including pilot or experimental studies that further the establishment of burrowing owls in the Mitigation Areas, based on the best available science and in coordination with the City, CDFW, and USFWS.

- Provide annual reports to CDFW, USFWS, City of San Diego and San Diego Management and Monitoring Program.

C. Climate. Section 4.4.4 of the Final EA stated there are no significance thresholds for aviation or commercial space launch greenhouse gas (GHG) emissions, nor has the FAA identified specific factors to consider in making a significance determination for GHG emissions. The Proposed Project's estimated annual net GHG emissions are not substantial. Table 4.4-1 of the Final EA shows the highest amount of construction-related GHG emissions would occur in the first year of construction (2021), in which approximately 2,103 metric tons of carbon dioxide equivalent would be emitted. Construction did not commence in 2020 and is instead anticipated to commence in 2021. This change in construction schedule does not affect the analysis for potentially significant impacts on climate change. Table 4.4-2 of the Final EA summarizes the estimated CO2 emissions from the Proposed Project and the No-Action Alternative. If the Proposed Project were implemented, the net increase in CO_2 at SDM, when compared to the No-Action Alternative, would be 3,966.9 metric tons in 2025 and

5,247.2 metric tons in 2030. Section 4.4.4 of the Final EA identified various air pollutant emissions reduction measures for both construction and operation of the proposed project that would also reduce adverse construction and operational GHG emissions.

D. Department of Transportation Act, Section 4(f) and Land and Water Conservation Fund Act, Section 6(f) Resources. Section 3.5 of the Final EA stated the Section 4(f) resources in the generalized study area (GSA) include the Vista Pacifica Neighborhood Park (Park), Otay Mesa Open Space (Open Space), and the locally designated Auxiliary Naval Air Station Brown Field Historic District (Historic District). Section 4.5.3 of the Final EA stated the Proposed Project would not require the acquisition of land from, or temporarily use land associated with, a Section 4(f) resource. No direct construction-related impacts would occur in 2025. Construction-related indirect impacts, including machinery noise and air emissions, would be temporary and minor. Based on the analysis of indirect impacts in Section 4.5.3, the Proposed Project would not constitute a constructive use at any Section 4(f) resource.

Under the Proposed Project, the Park and the Open Space would not be exposed to aircraft noise of Community Noise Equivalent Level (CNEL) 65 decibels (dB) or greater in 2025 or 2030. As shown in Table 4.5-1 and 4.5-2 of the Final EA, aircraft noise levels at the Park would be CNEL 60.7 dBA and CNEL 63.1 dB at the Open Space grid point in 2025 and 2030. At the Park, this is a CNEL 0.3 dB change in 2025 and a CNEL 0.4 dB change in 2030, when compared to the No-Action Alternative. The Open Space change is a 0.1 dB change for both 2025 and 2030 when compared to the No-Action Alternative. The noise levels at these sites would be compatible with this resource.

The Historic District was originally developed for and has a long association with aviation use. Under the Proposed Project, aircraft noise levels at this resource in 2025 would be CNEL 71.0 dB and 2030 would be CNEL 71.1 db. There is a negligible change in sound levels, when compared to the 2025 and 2030 No-Action Alternative. Because the Historic District's structures were developed for aviation use and their aviation use continues to the present, the aircraft sound levels would be compatible with the Historic District and would not constitute a constructive use.

As stated in Section 4.5.3 of the Final EA, the Open Space resource is a resource in the vicinity of SDM that has an undefined boundary and no defined recreational facilities or activities other than the general enjoyment of open space. The Proposed Project's FBO terminal building and hangars would alter the view on and around SDM. The structures would be similar in size and type to existing structures at the airport and those adjoining the airport. As a result, the change in the views along the developed Otay Mesa Road (six-lane) corridor looking north would be noticeable but would not detract from the enjoyment of Open Space on the mesa.

A comment on the Draft EA was received asking why Otay Valley Regional Park was not included in the 4(f) analysis. The response to Comment 4 states that Otay Valley Regional Park is considered a 4(f) resource. However, in its current location

approximately 2.5 miles northwest of SDM, it is outside of the Proposed Project's impact area. A Concept Plan exists to eventually extend the trail connections to the canyon north of SDM. Clarification was added to the Final EA text on Page 3-26, and the current outline of the Otay Valley Regional Park is included in Figure 3.5-1.

E. Hazardous Materials, Pollution Prevention and Solid Waste. As discussed in Section 3.6 of the Final EA, there are no properties on or in the vicinity of SDM that are included on the U.S. Environmental Protection Agency's (EPA) National Priorities List (NPL). The analyses of the Proposed Project in the FEA indicate no problems regarding the ability to meet applicable laws and regulations. Therefore, no significant impacts would occur.

Regulated Materials. The construction and operation of the FBO terminal, hangars, aircraft aprons, and road improvements would increase aviation activity at SDM and increase the amount of hazardous materials stored and used at the airport. The Proposed Project's site grading, construction, and operation activities would involve the use, and storage of gasoline, diesel fuel, lubricants, solvents, herbicides, and paint. The Proposed Project's contractors and tenants would be required to handle, store, and dispose of hazardous wastes in accordance with applicable federal, state, and local regulations, as well as the airport Minimum Operating Standards. Construction contractors would be required to implement pollution prevention, spill prevention, and response plans in the form of best management practices (BMPs) and other mitigation measures.

Fuel Sites. Section 4.6.3.2 of the Final EA states grading and construction activities would affect existing or former fuel storage sites and sites with known releases. As shown in Table 4.6-1 of the Final EA. However, all of the sites have been closed and cleanup completed.

The Proposed Project would increase the capacity of fuel stored and sold at SDM by installing three new aviation fuel storage tanks, two Jet-A ASTs and one AvGas AST. Each tank would be double-wall construction, be equipped with leak-detection equipment, and have secondary containment. The Jet-A tanks would be located in proximity to the proposed FBO facility and dispensed via trucks. The AvGas tank would be located in proximity to the proposed T-hangar development area and dispensed to aircraft via truck and/or a self-serve terminal. The tanks would meet current design and performance standards. Therefore, no impacts related to the increase in fuel storage and handling are anticipated.

Resource Conservation and Recovery Act (RCRA) Sites. One RCRA site is located adjacent to the DSA. Envirocon International (FRS ID 110041656393), located at SDM on 1590 Continental Street, is listed as Other and Inactive. No violations were noted for this facility.

It is likely that some new tenants would handle or generate hazardous materials and wastes and be regulated under RCRA. It is assumed that these tenants would comply

with RCRA's provisions and the potential to increase the risk of contamination at SDM would be low.

Other Recognized Environmental Conditions. Section 4.6.3.2 of the Final EA discusses other sites with "recognized environmental conditions." The sites include:

- The Organic Recycling Facility has been cleaned and it appears that the site has no further environmental concerns.

- The Brown Field Sludge Storage Facility could not be verified and no further action was recommended.

- The Rohr Incorporated Engine Test Facility investigation was closed. The 2008 American Society for Testing and Materials (ASTM) Phase I environmental site assessment (ESA) (Brown and Caldwell 2008a), no further action was recommended. However, another Phase I ESA recommended performing a limited Phase II ESA consisting of soil sampling at the site (GEOCON 2014).

- The automobile salvage, crushing, and storage on the north side of SDM property was noted in the 2008 Phase I ESA and 2014 Phase I ESA (Brown and Caldwell 2008b; GEOCON 2014). This site was noted for having numerous listings in the various environmental databases for environmental concerns, and observations of hazardous substances and petroleum products, hazardous wastes, non-hazardous wastes, unidentified containers, storage tanks, evidence of releases, and other site issues. Additional action was recommended, including performing a limited Phase II ESA consisting of soil sampling at existing and former automobile salvage and storage yards. The City notes that the operators of the automobile salvage and storage yards presently operate on leased SDM property within the DSA and are responsible for all environmental cleanup and remediation associated with their operations.

- A former fuel farm located north of, but adjacent to, the DSA at the southwest corner of SDM, near the intersection of Sikorsky Court and Heritage Road, is a recognized environmental condition (Brown and Caldwell 2008c).

- The Phase I ESA recognized environmental conditions at the southwest corner of SDM include three buildings with potential asbestos-containing material and lead-based paint; a drain for a wash area at the former U.S. Border Patrol facility; and soils in the vicinity of five businesses for which prior soil sample results were not available.

- Another Phase I ESA in this area identified a City General Services fuel farm that contained eight leaking underground fuel tanks. The report noted the tanks were removed and the site was cleaned up (Brown and Caldwell 2008d).

Because the Proposed Project involves grading and construction at a site with known environmental concerns, the City and/or Developer would:

- Conduct additional site assessments, as necessary, to evaluate areas with recognized environmental concerns that may not have been previously fully addressed.

- Coordinate with designated remediation contractors and local and state regulatory authorities prior to initiating grading and construction activities.

- In the event that existing clean-up sites or previously unknown contaminants are discovered during construction activities, or a spill occurs during construction, construction contract provisions would specify that work would stop until the National Response Center is notified.

Solid Waste. Section 4.6.3.2 of the Final EA states that the construction of the Proposed Project would generate a wide range of wastes, including concrete, asphalt, wood, metals, plastic, glass, paper, cardboard, and office wastes. Most solid waste and debris from land clearing, construction, and demolition activities would be recycled through existing programs operated by the City. Solid waste not recycled would be disposed at the Otay Landfill.

Section 4.6.3.2 and 4.6.4.2 of the Final EA state the Proposed Project would increase the number of employees and visitors to the airport (e.g., pilots, passengers, delivery personnel) in 2025 and 2030. The solid waste generated by the increased activity would consist of plastic, glass, paper, cardboard, office wastes, and food wastes. The City implements a robust recycling program (minimum 50-percent diversion rate). Non-recyclable waste would be disposed at the Otay Landfill. Therefore, no substantial solid waste impacts are anticipated.

F. Historic, Architectural, Archaeological, and Cultural Resources. Section 4.7.2 of the Final EA disclosed that the FAA determined that none of the resources within the area of potential effect (APE) are eligible for inclusion into the National Register of Historic Places (NRHP), with the exception of the Historic District, which was initially determined eligible for the NRHP. The FAA found the Proposed Project would not directly affect the Historic District and indirect effects (noise and visual impacts) would not adversely affect the Historic District.

As documented in Section 3.7.1 of the Final EA, the FAA submitted a detailed description of the Proposed Project and a map depicting the proposed Direct and Indirect APEs to the California State Historic Preservation Officer (SHPO) on August 27,

2015. The SHPO responded on September 8, 2015, stating that there were no objections to the proposed APE delineations. Based on updated airport operational information and the FAA's Aviation Environmental Design Tool (AEDT), the FAA expanded the Indirect APE and coordinated the revised APE with the SHPO. The FAA submitted the revised APE to the SHPO on June 10, 2016. In a response dated July 21, 2016, the SHPO did not object to the revised APE. Copies of the SHPO's letters regarding the APE are provided in Appendix A of the FEA.

On September 16, 2015, the California Native American Heritage Commission (NAHC) provided FAA contact information for various Native American Tribes (Tribes) and individuals, which were subsequently contacted. The FAA notified the Tribes of the preparation of the EA and provided information on the Proposed Project, including maps depicting the Proposed Project and the APEs. No Tribes responded to the FAA's notification.

Appendix A of the Final EA includes a copy of FAA's May 25, 2016 determination of eligibility and findings of effect letter to the SHPO prepared under Section 106 of the National Historic Preservation Act of 1966, as amended. In a letter dated July 21, 2016, the SHPO provided the following comments to the FAA:

1. The SHPO did not concur with FAA's determination of eligibility on the Historic District under Criteria A (association with events) and C (distinctive characteristics of a type, period, or method of construction). The SHPO noted that SDM was "one of more than fifteen aircraft training facilities created in the eleventh Naval District to help meet the demands of the war effort." The SHPO noted that at least twelve World War II-era buildings and structures inventoried in the 1999 evaluation have since been demolished and the "cumulative effects of these demolitions seem to have greatly diminished the material integrity of the proposed district."

2. The SHPO concurred with the FAA's finding that the undertaking would not have a direct effect or indirect effect on historic properties listed or eligible for inclusion in the NHRP.

3. The SHPO agreed that archaeological monitoring of ground-disturbing activity is appropriate given the extent of ground disturbance and the presence of archaeological resources in the Proposed Project area.

4. The SHPO stated that in the event of an unanticipated discovery or change in the scale or scope of the undertaking, the FAA may have further consultation responsibilities under 36 CFR Part 800.

Section 4.7.5 of the Final EA describes what would occur in the event of an unanticipated discovery of previously unidentified archaeological resources. The following measures are to be implemented in the event archaeological resources are discovered:

1. In the event an unanticipated discovery of previously unidentified archaeological resources is made during construction, construction activities in the vicinity of the discovery will stop and all reasonable measures to avoid or minimize harm to the property will be taken until the FAA and the City conclude consultation with SHPO.

2. If human remains are unearthed, ground-disturbing activities in the area of the discovery would immediately be halted and a temporary construction exclusion zone surrounding the site will be established. The FAA and the City would immediately notify the San Diego County Medical Examiner's Office by telephone. The Coroner would determine whether the remains are subject to his or her authority.

3. If the Coroner recognizes the remains to be Native American, he or she would contact the California NAHC by telephone within 24 hours of the determination. The project would comply with the process in California Public Resources Code 5097.98. The NAHC would appoint the Most Likely Descendant of the human remains and a burial treatment plan would be negotiated and implemented in accordance with state law. The FAA and the City would be responsible for restricting all construction activity from the immediate vicinity of the human remains until treatment is complete.

A comment was received on the Draft EA requesting that the EA include the entire U.S. Air Force Space Surveillance Station (USAF SSS) site within the boundary of the Indirect APE. As shown in Fig. 3.7-1 of the Final EA, the indirect APE covers most of the USAF SSS site, including buildings and facilities. The SHPO agreed with the delineation of the indirect APE (primarily for airport noise impacts) for this project and concurred with the findings of no adverse effects on resources within the indirect APE (see correspondence in Appendix A from Julianne Polanco dated Sept. 8, 2015, Dec. 21, 2015, July 21, 2016). Accordingly, the proposed action (undertaking) would not adversely affect resources located outside of the indirect APE. No change to the indirect APE is warranted.

G. Land Use. Section 4.8.5 of the Final EA states that the Proposed Project would not have a substantial impact on noise-sensitive land uses when compared to the No-Action Alternative in 2025 or 2030. The Proposed Project would not disrupt local communities or planned developments.

Section 3.8.2 of the Final EA discusses existing land uses and zoning at SDM and in the immediate vicinity of the airport. Figure 3.8-1 and Figure 3.8-2 of the Final EA, shows the land use and zoning as delineated by the City of San Diego and City of Chula Vista.

The primary land use at SDM is General Aviation Airport. Other areas of the airport, primarily on the north side of the airfield, are military, open land, junkyard/dump/landfill (vehicle salvage yards), parks/open space/preserve, and industrial land uses. Land uses adjacent to SDM are predominantly industrial, junkyard/dump/landfill (vehicle salvage yards), transportation, commercial, parks/open space/preserve, residential, agriculture, and U.S. Government facilities.

The Proposed Project would be located entirely on airport property and within sections of existing public road ROW. Accordingly, there would be no changes to local land uses or conversion of land uses to airport use.

Section 4.8.4 of the Final EA states that the City's Municipal Code (Article 2, Division 15, Section 132.1501) establishes Airport Land Use Compatibility Zones for several aviation facilities in the City, including SDM. The intent of this regulation is to ensure that new development located within the delineated airport influence areas are compatible with respect to airport-related noise, public safety, airspace protection, and aircraft overflight areas. Except for exempt actions, new development or the expansion of existing development within the overlay zone is subject to review for airspace protection, noise compatibility, and safety.

The Proposed Project is consistent with local and state plans and objectives. Local and state plans analyzed include the 2010 SDM Airport Land Use Compatibility Plan (ALUCP), the 2014 Otay Mesa General Plan Update, the City of San Diego General Plan, and zoning for both City of San Diego and City of Chula Vista. A Land Use Assurance letter from the City is required by 49 USC Section 47107(a)(10). This letter is provided in Appendix A. An updated airport layout plan (ALP) will be finalized pending FAA approval.

Section 4.8.4 of the Final EA discusses land use potential hazards. FAA considers landfills within five miles of an airport to be a land use that is incompatible with airport operations because landfills can attract wildlife (birds). The Otay Landfill is located 1.87 miles north-northwest of the airport. A Wildlife Hazard Assessment (WHA) report dated August 2018 (ECORP 2018b) determined that the Otay Landfill did not appear to be a contributing wildlife attractant or hazard for SDM. However, out of an abundance of caution and in anticipation of proposed airport development, the City chose to implement a Wildlife Hazard Management Plan (WHMP).

The Table-2 below states the land use related comments received on the DEA and the responses to those comments.

Table 2
Land Use Comments Received and Responses

Comment Number(s)	Comment	Response
1	The commenter requests the inclusion of drop zones as part of the aviation facilities analysis.	Drop zones were added to the list of facilities on Page 2-6. The City acknowledges the existence of current parachuting drop zones in use by the Navy and a private entity on the southwest corner of the airport. As discussed in Section 1.3 of the FEA, the Proposed Project will include grading in this portion of the airport. The Proposed Project does not include the development of buildings in this area that would preclude its current use as a drop zone. In accordance with the existing Letter of Agreement between the Navy and the City, the City will notify the Navy when this work will take place. As relates to this EA, development of this land is not reasonably foreseeable. Should future development of this site be proposed, impacts to the drop zone would be analyzed.
5	The introduction to the Land Use Section indicates existing and planned land use will be described. However, only the existing use is described. This section should include planned use, including the Otay Valley Regional Park and the USAF SSS site transfer to the Navy for parachute training. Address potential conflicts with these plans, including airspace use, loss of parachute drop zones, and land use compatibility.	The FAA agrees that the Navy's potential acquisition and use of the Air Force property north of SDM should be acknowledged in this EA's Cumulative Effects section. Without any known details (timing, physical development, etc…) about the Navy's proposal however, the FAA cannot do more than disclose that the Navy is considering such an action in the future. A qualitative statement to that effect has been added to the Cumulative Effects section on Page 4-110. It is not appropriate for this EA to environmentally analyze the Navy's proposal because it is still speculative at this time, has no known development proposals, is independent from the City's proposed action and is on land not owned by the airport. As stated in their comments, the Navy already plans its own NEPA analysis for the property acquisition. The FAA believes that is the appropriate course of review for the Navy's proposal; not this EA.
6, 7, 8, 15, 17, and 18	The commenter requests to include Military Use as one of the land uses adjacent to SDM on Pages 3-45, 3-53, 4-88, 4-110, 4-112, and Table 3.10-2.	Military Use has been added to the list of adjacent land uses on Pages 3-45 (Line 25), 3-53 (Line 22), 4-89 (Line 10), 4-111 (Line 2), 4-113 (Line 9), and Table 3.10-2 (Location).

H. Natural Resources and Energy Supply. Section 4.9.2.2 of the Final EA states that construction of the Proposed Project would require the use of common materials including, steel, concrete, stucco, wood, glass, tile, metal wiring, plastic, fiberglass, paint, and other common building materials. None of these materials are unique in nature or in short supply. Therefore, no significant effects related to natural resources associated with construction are anticipated.

The Proposed Project would consume more energy and natural resources than the No Action Alternative. The development and operation of the Proposed Project would involve an increase in personal vehicles, delivery trucks, specialized equipment, and aviation. These vehicles and equipment would consume electricity, oil, natural gas, gasoline, diesel, and aircraft fuel. It is anticipated that local suppliers would accommodate a modest increase in demand for these natural resources and energy supplies. It is expected that advances in technology, including the use of alternative fuels, will lead to the energy supply being more efficient in the future.

The Proposed Project would be required to comply with local building codes and sustainability-related policies (e.g., City of San Diego Sustainability Policy 900-14), as well as the 2019 California Building Energy Efficiency Standards. In addition, the FBO, the Helicopter Business Center, and other ancillary space are proposed to be constructed to meet the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Silver or higher standards. These measures would promote energy efficiency and reduce energy consumption in the new structures.

Section 4.9.4.2 and 4.9.4.3 of the Final EA state that the Proposed Project is estimated to increase the number of employees at SDM in 2025 and 2030 and therefore, increase the water supply demand. The increased demand would be approximately 0.003 percent of the City's water treatment plant capacity. This additional demand would have a negligible impact on local water supply. The Proposed Project would comply with all City water restriction regulations and local fire protection code requirements. The water demand associated with fire facilities is not known and cannot be estimated but is anticipated to be minimal in comparison to the demand associated with regular operations. Proposed Project impacts to public water supply would not be substantial.

Because the existing infrastructure serving SDM can accommodate the Proposed Project's buildings and facilities, it was determined that the Proposed Project would not have a significant impact on natural resources and energy supplies. Because local energy providers can meet the need for existing and future airport facilities and off-airport development, the cumulative impact is considered low and not significant. No mitigation is required.

I. Noise and Noise-Compatible Land Use. Section 4.10 of the Final EA evaluates the potential for noise impacts to occur as a result of implementing the Proposed Project and the No Action Alternative. A significant noise impact would occur if the Proposed Project would increase noise by 1.5 dB or more for a noise sensitive area that is exposed

to noise at or above the CNEL of 65 dB, or that will be exposed at or above the CNEL 65 dB level due to a CNEL 1.5 dB or greater increase, when compared to the No Action Alternative for the same timeframe.

A detailed noise analysis was performed in accordance with FAA Order 1050.1F. For determination of aircraft noise effects, CNEL contours were developed to reflect forecast conditions for both the Proposed Project and the No Action Alternative for study years 2025 and 2030. The data and methods used to develop the noise contours for existing and future aircraft operational conditions are provided in Appendix D of the FEA.

Section 4.10.2 of the Final EA states the Proposed Project would not physically alter the two runways at SDM nor would it affect flight paths or approach and departure profiles. The anticipated increase in the level of activity and a change in the types of aircraft using SDM would be the primary sources of potential operational noise impacts.

Section 4.10.3 of the Final EA states the Proposed Project construction activities would result in an increase in ambient noise levels in the immediate vicinity of work areas on SDM and adjacent roads, as well as on construction haul routes. Given the type of construction associated with the Proposed Project and the distance from construction areas to noise-sensitive land uses and sites, no significant construction noise impacts would occur. Minor increases in aircraft noise exposure would result from the increased number of aircraft operations at SDM as a result of the Proposed Project. When compared with the 2025 and 2030 No-Action Alternative, non-airport land exposed to noise levels of CNEL 65 dB or higher would increase by 23.9 and 31.5-acres as a result of the Proposed Project. Tables 4.10-5 and 4.10-6 of the Final EA provides a list of noise-sensitive sites within the GSA and their corresponding noise exposure levels in 2025 and 2030. Figures 4.10-2 and 4.10-4 of the Final EA shows land uses within the Proposed Project's CNEL 65 dBA noise contour are compatible with projected 2025 operation and the 2030 operation, noise levels. No residential or other noise-sensitive sites are included in the CNEL 65 dBA noise contour. Therefore, no significant noise impact would occur in 2025 or 2030 if the Proposed Project were implemented.

A comment on the Draft EA was received asking how the FAA projected military operations data was calculated for years 2025 and 2030 and if this was coordinated with the Navy or Marine Corps. The response to Comments 12 and 14 states that these numbers were taken from FAA Terminal Area Forecasts (TAF), which includes Military operations. As stated in the FAA Terminal Area Forecast Summary for Fiscal Years 2017-2014, "*Because military operations forecasts have national security implications, the Department of Defense (DOD) provides only limited information on future aviation activity. Hence, the TAF projects military activity at its present level except when FAA has specific knowledge of a change."*

J. Socioeconomic Impacts, Environmental Justice and Children's Environmental Health and Safety Risk are discussed in Section 4.11 of the Final EA. The FAA has not established a significance threshold for Socioeconomics. Significant impacts would occur if there were disproportionately high and adverse impacts on low-income and minority populations, disproportionate health and safety risks to children, substantial economic growth in an undeveloped area, disruption of the physical arrangement of an established community, extensive relocation of residents without sufficient relocation housing available, relocation of businesses that would create severe economic hardship, or a substantial loss in community tax base. The analysis presented in Section 4.11 of the Final EA does not indicate that any of these thresholds would be exceeded, and the Proposed Project would not result in a significant impact.

Economic Impact and Employment – The Proposed Project would have a beneficial effect on the local economy when compared to the No-Action Alternative. As discussed in Section 4.11 of the Final EA, construction employment on behalf of the Proposed Project is anticipated to be spread out over a four-year period. It is anticipated that the operation of the Proposed Project's facilities would create 141 permanent, full-time jobs at SDM in 2025 and increase to 151 in 2030. It is likely that a majority of the construction and permanent, full-time jobs would employ a wide range of trades and would likely be filled by labor force within San Diego County. There is ample available housing for employees who chose to relocate to San Diego County.

Disruption of Established Communities – Neither the No-Action Alternative nor the Proposed Project would require the acquisition of land within established communities or include development that would disrupt the physical arrangement of an established community. No residences would be displaced.

Business Relocations – The Proposed Project would require the termination of two automobile salvage yard businesses operating on SDM property with month-to-month leases. If a decision is made to implement the Proposed Project, the City would exercise its right to terminate the leases and the businesses would relocate to new locations off airport property. Given the availability of industrial property in the vicinity of SDM and south San Diego County, the two displaced salvage yard operations could relocate and re-establish their operations in 2025. Because the businesses could be re-established in the area, a loss of tax revenue is not anticipated.

Traffic – Construction of the Proposed Project would temporarily increase traffic in the vicinity of SDM during the day. The increased traffic would consist primarily of work crew vehicles and delivery trucks. Construction plans would specify routes for construction traffic and include measures to minimize traffic impacts and inconveniences. Due to the proximity of SDM to SR 905, Otay Mesa Road, and other arterial access roads, construction traffic would not have a substantial impact.

Compared to the 2025 No-Action Alternative, the Proposed Project would generate approximately 660 additional vehicle trips per day at SDM in 2025. Similarly, the Proposed Project would generate approximately 696 additional vehicle trips per day at SDM by 2030. For both study years, the majority of the trips would be generated by automobiles.

Assuming that current average daily traffic volumes in the surrounding area without the Proposed Project would remain relatively constant over time, the Proposed Project would generate a 4.6 percent to 6.8 percent increase in average daily traffic on Otay Mesa Road in 2030. The Proposed Project would generate a 4.6 percent to 6.8 percent increase in average daily traffic on SR 905 in 2030, assuming all Proposed Project trips use the freeway. The increases in traffic that would result from the Proposed Project would have a minor impact on local traffic volumes and would not affect the Level of Service on roads in the vicinity of SDM.

Community Tax Base – Compared to the No-Action Alternative, the Proposed Project would have a substantial increase in business activity and generate more revenue at SDM, which would support the airport and contribute to the local tax base.

Public Services – Aircraft operations at SDM would increase under the Proposed Project by 12,258 in 2025 and 22,115 in 2030, when compared to the No-Action Alternative. There would be an increase in the number of employees and tenants at SDM and approximately 411,000 square feet of new facilities. The Proposed Project is anticipated to have some potential to increase the demand for public services, such as police, fire, and emergency response in both 2025 and 2030. This is not anticipated to have a substantial impact on the ability to provide public services to the new facilities or degrade the services provided to the community as the City would augment its public services, as needed, to serve new facilities at SDM in accordance with local ordinances and plans. The Proposed Project would not affect the operation of San Diego Fire Station No. 43, which is located adjacent to SDM on La Media Road. In fact, the fire station would have improved access to SDM and helicopter facilities. It is possible that some facilities at the Helicopter Business Center would be available for lease and/or use for staging aerial firefighting operations and personnel.

Environmental Justice – The No-Action Alternative nor the Proposed Project would directly impact (acquire property from and/or displace) any residences. No residences and noise-sensitive land uses are located within the CNEL 65 dB noise exposure contour and there would be no substantial indirect impacts associated with the Proposed Project (e.g., air emissions). Therefore, minority populations, low-income populations, and Native American tribes would not be directly or indirectly affected by the Proposed Project when compared to the No-Action Alternative. Based on the census data and the lack of significant impacts identified in this EA, it was determined that the Proposed Project would not cause disproportionate and adverse effects on low-income or minority populations.

Children's Environmental Health and Safety Risks – The Proposed Project would be constructed entirely on existing airport property and existing public road right-of-way. Because there are no residences, schools, daycare centers, or other similar facilities within or adjacent to the DSA, the Proposed Project would not increase the likelihood of children coming into contact with, digest, or be exposed to substances that would adversely affect their health. Therefore, the Proposed Project, when compared to the No-Action Alternative, would not result in disproportionate health and safety risks to children.

K. Visual Effects. Section 4.12 of the Final EA evaluates the potential environmental effects on the Proposed Project in regard to light emissions and visual impacts. Thresholds to determine the significance of lighting and visual impacts have not been established by the FAA. As discussed in Section 4.12 and summarized below, the Proposed Project would not have substantial lighting or visual impacts.

The Proposed Project would result in a modest increase in aircraft operations over that forecasted for the No-Action Alternative. However, there would be no substantial change in the flight paths in the vicinity of SDM and, therefore, would have a minimal effect on the visual landscape.

The Proposed Project would develop landside aviation and supportive non-aviation facilities. The facilities most visible to the public would be the FBO terminal and hangar buildings, which would be somewhat larger when compared to the existing industrial buildings directly across the roadway. However, the Proposed Project buildings would be similar in size, type, and construction to other existing warehouses and commercial development currently present at SDM and in the surrounding areas. Residential uses are located outside of the Proposed Project's viewshed and intensive industrial and commercial uses are located to the east, south, and west of SDM, with open space to the north. Therefore, the Proposed Project would not result in substantial new sources of lighting that would affect light-sensitive land use.

It is anticipated that by 2030, the areas surrounding the airport would likely be further developed with commercial and light industrial development. The Proposed Project buildings would have a minimal effect on the scenic quality of these industrial buildings and therefore, do not represent a new substantial effect on the overall visual character of the area.

L. Water Resources. Section 4.13 of the Final EA evaluates impacts to water resources, including wetlands, surface waters, and groundwater. Floodplains and Wild and Scenic Rivers are not affected by the Proposed Project and are therefore not discussed in this section.

Wetlands. Section 4.13.3 of the Final EA discusses the impacts of the Proposed Project on wetlands. Section B, Biological Resources, of this FONSI/ROD goes into detail on the vernal pool impacts. The Proposed Project would impact 1.01 acres of waters regulated under Sections 401 and 404 of the Clean Water Act. Impacts to jurisdictional resources are summarized in Table 4.13-1 of the FEA. Implementation of the Proposed Project would require the following permits:

- An Individual Permit application is currently being processed by the USACE under Section 404 of the CWA.

- On July 26, 2016, the California RWQCB issued a Water Quality Certification for the project (see Appendix B of the FEA), under Section 401 of the CWA.

- On December 9, 2015, the CDFW issued approval for the Proposed Project, which includes alteration of natural and man-made drainage ways, to be completed without an Agreement (see CDFW correspondence dated December 9, 2015 in Appendix A of the FEA).

All construction activity and grading operations associated with the Proposed Project would be completed by 2025, no additional impacts to Waters of the U.S. and wetlands would occur in 2030. The operation of SDM under the Proposed Project would not affect Waters of the U.S. and wetlands. The No Action Alternative would not impact Waters of the U.S. or wetlands.

Section 4.3 and Table 4.13.2 of the Final EA discusses the proposed mitigation. See Section 6B of this FONSI/ROD for a detailed description. The proposed mitigation would replace all functions and values lost as a result of the Proposed Project and would provide compensatory mitigation in the form of vernal pool creation and restoration.

Taking into account FAA Order 1050.1F significance thresholds, the following statements can be made. The Proposed Project by itself or when considering the proposed wetland mitigation:

1. Would not adversely affect the function of SDM's vernal pools to protect the quality or quantity of municipal water supplies.

2. Would not substantially alter the hydrology needed to sustain the values and functions or those vernal pools to which it is connected.

3. Would not substantially reduce the ability of wetlands to retain stormwater runoff and would not threaten public health, safety or welfare.

4. Would not adversely affect the maintenance of natural systems supporting wildlife and fish habitat or economically important timber, food, or fiber resources of the affected or surrounding wetlands.

5. Would not promote the development of secondary activities or services that would cause the circumstances listed above to occur.

6. Would be consistent with applicable state wetland strategies.

The proposed impacts to jurisdictional non-wetland and wetland Waters would be mitigated. Based on the foregoing, the Proposed Project does not appear to exceed thresholds that would indicate significant impact. In accordance with Executive Order 11990, the analysis in the Final EA shows that there are no practicable alternative to the proposed construction and the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use.

Surface Waters. As discussed in Section 4.13.4 of the Final EA, the Proposed Project would impact 0.28-acres of wetland surface waters, impact 0.73-acres of non-wetland waters, create approximately 160-acres and four acres of additional impervious surface on the airport and in road widening respectively, and modify the existing swale and drainage system at SDM compared to the No-Action Alternative. The modifications include relocating and/or re-shaping existing drainage ways. Potential surface water quality concerns associated with the Proposed Project consist of sediment transport and potential release of pollutants during the construction phase and increased stormwater runoff volumes, and potential release of pollutants following project completion.

The change in stormwater runoff from the new impervious surfaces at SDM would be substantial when compared to the No-Action Alternative. However, run-off from the additional impervious surfaces associated with the Proposed Project can be attenuated and treated adequately via an expanded stormwater collection and treatment system at the airport. As discussed in Section 4.13.4 of the Final EA, by adhering to the City of San Diego's Stormwater Standards Manual by implementing treatment control BMPs, Low Impact Development (LID) features, and hydromodification would ensure consistency with the local MS4 Permit under the NPDES program. A NPDES permit for construction activities (e.g., sediment and erosion control) would also be required for the construction of the Proposed Project.

The Proposed Project would be required to implement a SWPPP per the requirements of the State Construction General Permit. Land development and construction guidance provided in FAA AC 150/5370.10G, *Standards for Specifying the Construction of Airports* (FAA 2014b), would be incorporated into the project plans and specifications. Specific measures and practices that may be implemented are discussed in more detail in Section 4.13.4 of the Final EA. Collectively, these erosion control measures, BMPs, and pollution prevention plans would be expected to preclude substantial construction-related water quality impacts and any significant potential for the Proposed Project to exceed applicable water quality standards.

From an operational standpoint, the Proposed Project would increase the level of activity by generating approximately 12,258 additional annual aircraft operations at SDM in 2025 and 22,115 in 2030, when compared to the 2025 and 2030 No-Action Alternative, respectively. In 2030, no additional construction related impacts would occur. The Proposed Project could increase levels of pollutants such as petroleum organics, suspended solids, dissolved solids, and metals to surface waters, when compared to the No-Action Alternative. The types of potential pollutants typically associated with FBO operations and aircraft storage facilities include aviation fuel (100LL AvGas and Jet-A fuel), oil and grease, solvents, and paint.

The airport operates under an NPDES permit and the proposed stormwater management system would attenuate and treat runoff. In addition, it is anticipated that the FBO operation and its tenants would comply with and implement applicable local, state, and federal requirements (e.g., BMPs) that serve to protect water quality. In accordance with the City's Stormwater Standards Manual, the Proposed Project is considered a Priority Development Project and would be required to develop a Water Pollution Control Plan (WPCP) that would require implementation of various source control and treatment BMPs during project operation to reduce its impacts to water quality. The project would amend its coverage or seek a new permit under the NPDES Industrial General Permit to include the new facilities associated with the Proposed Project. The airport's SWPPP and monitoring plan would be modified (or a separate SWPPP and monitoring plan would be developed) and implemented for the new facilities. As required by the General Permit, best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) would be implemented to achieve performance standards. Therefore, the potential for substantial operational water quality impacts associated with the Proposed Project in 2025 is low.

FAA Order 1050.1F states that surface water impacts are significant if the Proposed Project would: 1) exceed water quality standards established by federal, state, local, and tribal regulatory agencies, or 2) contaminate public drinking water supply such that public health may be adversely affected. As described in Section 4.13.4 of the Final EA, implementation of erosion control and pollution prevention measures would minimize the potential for substantial water quality impacts during construction. The amount of impervious surface at SDM would be greater than existing conditions and would increase run-off volumes at the airport. The Proposed Project would include modification to the airport's existing stormwater management system to accommodate the increased amount of runoff. Given the nature of the proposed improvements considered in the Final EA, and use of project-specific erosion control, pollution prevention measures, and BMPs, it is expected that water quality standards would not be exceeded, and contamination of public drinking water supplies would not occur. Therefore, the Proposed Project is not expected to exceed thresholds indicating a significant impact.

Groundwater. Section 4.13.5 of the Final EA states the Project would not involve the use of groundwater, would not withdraw water from the aquifer underlying SDM, and would not affect groundwater levels. The Proposed Project would increase the amount of impervious surface at SDM by approximately 160-acres compared to the no-Action Alternative. However, the proposed drainage and stormwater system improvements, in addition to required attenuation and treatment, would permit groundwater infiltration. Therefore, implementation of the Proposed Project would have a negligible effect on groundwater levels.

Excavation activities during construction are not expected to encounter any groundwater. There is a possibility of the release of contaminants to groundwater during the Proposed Project's construction phase. This may include the release of petroleum products, solvents, and other potentially hazardous materials used during construction. However, the use of BMPs and SWPPPs, as previously discussed, would minimize the potential to release contaminants into the environment.

FAA Order 1050.1F states that groundwater impacts are significant if the Proposed Project would: 1) exceed groundwater quality standards established by federal, state, local, and tribal regulatory agencies, or 2) contaminate an aquifer used for public water supply such that public health may be adversely affected. As described in this section, excavation during construction is not expected to encounter groundwater. The use of BMPs and SWPPPs would minimize the potential to release contaminants into the environment. The new facilities would be required to implement BMPs designed to minimize the introduction of pollutants to stormwater runoff at SDM. Based on the foregoing, it is expected that groundwater quality standards would not be exceeded, and contamination of aquifer used for public drinking water supply would not occur. Therefore, the Proposed Project is not expected to exceed thresholds indicating a significant impact.

M. Cumulative Impacts. The past, present, and reasonably foreseeable cumulative actions included in the cumulative impact analysis are presented in Section 4.14 of the Final EA. Table 3-14-1 in the Final EA lists the past, present, and reasonably foreseeable projects within the GSA considered in the cumulative impacts analysis. Only environmental categories where impacts could occur are discussed. These categories included Air Quality; Biological Resources; Climate; Department of Transportation Section 4(f) Resources; Hazardous Materials, Solid Waste, and Pollution Prevention; Historic, Architectural, and Archaeological Resources; Land Use; Natural Resources and Energy Supply; Noise and Noise Compatible Land Use; Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks; Visual Resources; and Water Resources. FAA concluded that the City's implementation of mitigation, minimization measures, BMPs, and compliance with all permit requirements outlined for the resources in the previous sections, would ensure that the Proposed Project would not exceed any significance thresholds identified in FAA Order 1050.1F. Therefore, construction and operation of the Proposed Project in combination with the past,

present, and reasonably foreseeable future projects would not result in any significant cumulative environmental impacts.

A comment on the DEA was received asking the City and FAA to consider the Navy's proposed acquisition and use of the Air Force's property in this EA's analysis for project level and cumulative effects. The response to Comments 5 ,9, 10, 16, and 17 states that it is not appropriate for this EA to environmentally analyze the Navy's proposal because it is speculative at this time, has no known development proposals, is independent from the City's proposed action and is on land not owned by the airport. As stated in their comments, the Navy already plans its own NEPA analysis for the property acquisition. Therefore, the FAA believes this EA is not the appropriate course of review for the Navy's proposed action.

N. Environmentally Preferable Alternative and FAA Preferred Alternative. In connection with its decision to approve the proposed ALP revisions, the FAA considered the environmental impacts from the Proposed Project and the No Action Alternative. The FAA determined that all practicable means to avoid or minimize environmental harm from the Proposed Project have been adopted and there would be no significant environmental impacts from the Proposed MAP improvements at SDM and that the project would not jeopardize the safe and efficient operations at the Airport. The No Action Alternative has fewer environmental effects than the Proposed Project alternative and thus would be the environmentally preferable alternative. However, the No Action Alternative does not meet the Purpose and Need for the proposed project.

Thus, the FAA's preferred alternative is the Proposed Project as defined in the Final EA and this FONSI and ROD. FAA selected this alternative because it meets the Purpose and Need of the proposed project with various mitigation measures resulting in no significant adverse environmental effects.

6. Public Participation. The public was encouraged to review and comment on the DEA, which was released for public review on September 9, 2020**.** The City published a notice of availability of the DEA in the *San Diego Transcript* newspaper. The City made the DEA available on their web site. Due to the COVID-19 pandemic, a DEA was not made available for in person review at the City office or the FAA office. A public information workshop and public hearing was held on October 14, 2020. The public comment period ended on October 24, 2020. The City received one comment letter from the U.S. Navy. The comments included in the letter and their corresponding responses are included in Appendix E of the Final EA and in Section 6 in this FONSI/ROD.

7. Inter-Agency Coordination. As discussed in Chapter 5 of the Final EA, the FAA coordinated with federal, state, and tribal agencies to ensure their concerns were considered during the preparation of the EA. All correspondence with these agencies can be viewed in Appendix A of the Final EA.

U.S. Fish and Wildlife, Section 7 Coordination. On January 22, 2018, the City certified the Vernal Pool Habitat Conservation Plan (VPHCP) Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) and adopted the Findings, Mitigation; Monitoring, and Reporting Program (MMRP); and General Plan amendments. In August 2018, the USFWS issued an incidental take permit under Section 10(a)(1)(B) of the ESA for seven vernal pools species, including San Diego fairy shrimp and San Diego button-celery, to the City. A Minor Amendment process was identified in the VPHCP for future development at Brown Field Airport, which would allow impacts to vernal pool habitat and VPHCP covered species located within the legal boundaries of the airport property.

On September 23, 2019, the FAA submitted a letter for formal consultation under Section 7 of the Endangered Species Act of 1973, as amended to USFWS for the proposed MAP project. The FAA made the determination that the proposed MAP may affect, is likely to adversely affect San Diego fairy shrimp, San Diego button-celery, and Coastal California gnatcatcher. The FAA determined the proposed MAP would not affect the Quino checkerspot butterfly. In a letter dated January 30, 2020, the USFWS concluded the consultation and extended the incidental take exemption provided to the City through the Subarea Plan and VPHCP biological opinion to the FAA.

California State Office of Historic Preservation. Pursuant to Section 106 of the NHPA and its implementing regulations at 36 CFR Part 800, the FAA consulted with the SHPO on the potential effects of the Proposed Project on historic, archaeological, and cultural resources. The FAA submitted a project description and map depicting the proposed direct and indirect APE for the Proposed Project to the SHPO on August 27, 2015 and an updated APE on December 11, 2015. The SHPO responded on September 8, 2015 and December 21, 2015, stating that there were no objections to the proposed APE delineations. On May 25, 2016, the FAA requested concurrence of its determination that various structures that comprised the Historic District remain eligible for inclusion into the NRHP, and the Proposed Project would have no effect on the Historic District. The SHPO responded on July 21, 2016, they did not concur with the NRHP inclusion, concurred with the FAA's determination of no effect, agreed on monitoring, and included a reminder that in the event of an unanticipated discovery or change in the scale or scope of the undertaking, the FAA may have further consultation responsibilities.

Tribal Consultation. On October 5, 2015, the FAA consulted with the following Tribes regarding the potential for the presence of archaeological and cultural resources that may be affected by the Proposed Project: the La Posta Band of Mission Indians, Ewiiaapaayp Band of Kumeyaay Indians, Inaja Band of Mission Indians, Mesa Grande Band of Mission Indians, Jamul Indian Village, Campo Band of Mission Indians, Sycuan Band of the Kumeyaay Nation, San Pasqual Band of Mission Indians, Manzanita Band of Kumeyaay Nation, and the Barona Group of the Capitan Grande. No responses were received.

8. **Reasons for the Determination that the Proposed Project will have No Significant Impacts.** The attached Final EA examined each of the various environmental resources that were determined to be present at the project location, or had the potential to be impacted by the

Proposed Project. The proposed Metropolitan Airpark Project at SDM would not cause any environmental impacts which, after mitigation, would not exceed the threshold of significance as defined by FAA Order 1050.1F. Based on the information contained in the Final EA, the FAA has determined that the Proposed Project meets the purpose and need, would not cause any significant environmental impacts that cannot be mitigated, and is the most reasonable, feasible and prudent alternative. The FAA has decided to approve the Proposed Project as it is described in Section 3 of this FONSI and ROD. The mitigation measures that FAA requires as a condition of approval are for those project components over which FAA has authority to approve or disapprove the City's requests to amend the ALP and to release property for non-aeronautical use. For project components over which FAA does not have authority to provide approval or disapproval, FAA relies on mitigation measures that have been adopted by the City in its CEQA review for the MAP project, or that have been incorporated in project approvals by agencies, as described in the Final EA and Appendices.

9. **Agency Findings and Determinations.** The FAA makes the following findings and determinations for this project based on information and analysis set forth in the FEA and other portions of the administrative record.

   a. **FAA finds the proposed project is reasonably consistent with existing plans of public agencies for development of the area [49 U.S.C. § 47106(a)].** The proposed project is consistent with the plans, goals and policies for the area, including the SDM Airport Land Use Compatibility Plan, City of San Diego's General Plan, Otay Mesa Community Plan, Otay Mesa Central Village, Otay Mesa General Plan, and zoning for both City of San Diego and City of Chula Vista. The proposed project is also consistent with the applicable regulations and policies of federal, State and local agencies.

   b. **FAA finds the proposed project fairly considered the interests of communities in or near the project location (49 USC § 47106(b)(2)).** The environmental process from its earliest planning stages, through public comment period to the Final EA, fair consideration was given to the interests of communities in or near the SDM. Chapter 5 of the Final EA documents the public involvement, tribal consultations, and interagency consultations.

   c. **FAA finds the proposed project is reasonably necessary for use in air commerce or in the interests of national defense [49 U.S.C. § 44502(b)].** The implementation of the Proposed Project would maintain the safety, utility and efficiency of SDM. Implementation of the Proposed Project would enhance airport safety at the Airport by meeting FAA standards consistent with the FAA Advisory Circular 150/5300-13A, Change 1, *Airport Design*, and the FAA's regulations described in 14 CFR Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*.

d. Independent and Objective Evaluation: As required by the Council on Environmental Quality (40 CFR § 1506.5) the FAA has independently and objectively evaluated this Proposed Project. As described in the Final EA, the Proposed Project and the No Action Alternatives were studied extensively to determine the potential impacts and appropriate mitigation measures for those impacts. The FAA provided input, advice, and expertise throughout the analysis, along with administrative and legal review of the project.

e. Clean Air Act of 1970, as amended (42 USC §7401 et seq.). SDM is located in the San Diego Air Basin (SDAB). This air basin is classified by the U.S. Environmental Protection Agency as a serious non-attainment area for the 2008 8-hour O3 and moderate Non-attainment for the 2015 8-hour O3. Implementation of the Proposed MAP along with the various other on-going projects in the area of SDM will not have a significant cumulative impact on air pollutants. Airport operations are forecasted by the FAA's 2018 Terminal Area Forecast (TAF) to increase in 2025 and 2030; however, operational air emissions under the Proposed Project would not exceed applicable *de minimis* thresholds..

f. Endangered Species Act of 1973 (16 USC § et seq.). The San Diego fairy shrimp, San Diego button-celery, and coastal California gnatcatcher are found in the Proposed Project DSA. Applying the mitigation measures described in Section 5B above and the avoidance and minimization measures described in Section 4.3.5 of the Final EA the Proposed Action would not have a significant impact on listed species or their critical habitat.

g. Migratory Bird Treaty Act of 1918 (16 USC §703-712). The burrowing owl is found at SDM. With the avoidance and minimization, and mitigation measures in Section 5B above and Sections 4.3.5 and 4.3.6 of the Final EA the burrowing owl would not be significantly impacted.

h. Department of Transportation Act, Section 4(f) (49 USC § 303(c)). As discussed in Section 5D above and Section 4.5 of the Final EA, implementation of Proposed Project would not result in the physical or constructive use of any Section 4(f) resource to other purposes, impair the use of any Section 4(f) property, or subject any Section 4(f) property to incompatible noise levels.

i. National Historic Preservation Act of 1966 (16 USC §470). FAA finds the proposed project will not adversely affect any historic properties listed or eligible for listing on the National Register of Historic Places. FAA conducted the required consultation with the California State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

j. Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*: and Department of Transportation Order 5610.2, *Environmental Justice in Minority and Low-Income Populations*: The FAA has determined the Proposed Action would not cause disproportionate and adverse effects on low-income or minority populations.

k. Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*: The FAA has determined the Proposed Action would not result in disproportionate health and safety risks to children.

l. Executive Order 11990, *Protection of Wetlands*, and Department of Transportation Order 5660.1A, Preservation of the Nation's Wetlands. The Proposed Project would impact 1.01-acres of vernal pool wetlands. With the avoidance, minimization and mitigation requirements in Section 5B and permits required in Sections 5L, the Proposed Project would not exceed significant impact thresholds.

m. FAA Reauthorization Act of 2018: The following determinations are prescribed by the statutory provisions set forth in the FAA Reauthorization Act of 2018, (Public Law 115-254) which amends provisions of 49 USC § 47107(a)(16):

- **Determination Regarding the Airport Layout Plan**: For the purpose of determining whether the Proposed Project at SDM requires FAA ALP approval, FAA has made the following determinations:

    1. Because portions of the proposed development may have material impact on aircraft operations at, to, or from the airport, the FAA retains the legal authority to approve or disapprove the following changes to the SDM ALP:
        a. Aeronautical Site Preparation work
        b. Fixed Base Operator Terminal Apron work
        c. Executive Hangars Aprons & Taxilanes work
        d. T-Hangars Aprons & Taxilanes work
        e. Helicopter Business Center Apron work
        f. Drainage Swale work within aeronautical use areas
        g. All Taxiways and Aprons Development Phases associated with the MAP

    2. The remaining portions of the proposed development would have no material impact on aircraft operations at, to, or from the airport and would not have an adverse effect on the value of prior Federal investments to a significant extent, the FAA lacks the legal authority to approve or disapprove changes to the SDM ALP for the following project components:
        a. Future Industrial Development
        b. FBO/Vehicle Parking
        c. Construct Aviator Road

d. Widen La Media Road
e. Widen Heritage Road
f. Construct intersection improvements on Otay Mesa Road

- **Determination Regarding the Release of Surplus Property for Non-Aeronautical Use**: FAA has authority under Section 163(b) to review sponsor's request to release surplus property for non-aeronautical use for the Proposed Project.

10. Decision. Based on the information in this FONSI/ROD and supported by detailed discussion in the Final EA, the FAA has selected the Proposed Metropolitan Airpark Project as the FAA's Preferred Alternative. The FAA must select one of the following choices:

1. Approve agency actions necessary to implement the Proposed Project, or

2. Disapprove agency actions to implement the Proposed Project.

Approval signifies that applicable federal requirements relating to the proposed airport development and planning have been met. Approval permits the City of San Diego to proceed with implementation of the Proposed Project and associated mitigation measures. Disapproval would prevent the City of San Diego from implementing the Proposed Project within SDM.

Under the authority delegated to me by the Administrator of the Federal Aviation Administration, I find that the project is reasonably supported. I, therefore, direct that action be taken to carry out the agency action discussed more fully in Section 3 of this FONSI and ROD. Specifically:

Federal Actions by the FAA

1. Unconditional approval of portions of the Airport Layout Plan (ALP) that depict those portions of the Proposed Project subject to FAA review and approval pursuant to 49 U.S.C. § 40103(b) and § 44718 and § 47107(a)(16). Title 14, Code of Federal Regulations (C.F.R.) Part 77, *Safe, Efficient Use and Preservation of Navigable Airspace;* and 14 CFR Part 157, *Notice of Construction, Alteration, Activation, and Deactivation of Airports*;
2. Approval of the City of San Diego's request for release of federal obligations on land proposed for non-aeronautical use at the airport;
3. Determination under 49 U.S.C. § 44502(b) that the Proposed Project is reasonably necessary for use in air commerce or in the interests of national defense;
4. Determination of eligibility for federal assistance for the components of the MAP under the federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended (49 U.S.C. § 47101, et. seq.); and

5. Approval of further processing of an application for federal assistance for eligible components of the Proposed Project using federal funds from the Airport Improvement Program, as shown on the ALP.

As a condition of approval of this Finding of No Significant Impact and Record of Decision, the City of San Diego shall implement all the mitigation measures identified in Chapter 4, *Environmental Consequences* in the Final EA, except for those mitigation measures that are related to project components in which FAA lacks legal authority to make an approval or disapproval as further described in this FONSI and ROD.

I have carefully and thoroughly considered the facts contained in the attached EA. Based on that information, I find the proposed Federal action is consistent with existing national environmental policies and objectives of Section 101(a) of the National Environmental Policy Act of 1969 (NEPA) and other applicable environmental requirements. I also find the proposed Federal action will not significantly affect the quality of the human environment or include any condition requiring any consultation pursuant to section 102(2)(C) of NEPA. As a result, FAA will not prepare an Environmental Impact Statement for this action.

APPROVED:

Cathryn G. Cason — June 4, 2021

Cathryn G. Cason — Date
Manager, Los Angeles Airports District Office
Western-Pacific Region, LAX-600

DISAPPROVED:

_____ — _____

Cathryn G. Cason — Date
Manager, Los Angeles Airports District Office
Western-Pacific Region, LAX-600

RIGHT OF APPEAL

This FONSI/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. § 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. § 46110.