City of Oxnard

RICHARD J. MAGGIO
Community Development and
Special Project Director

December 28, 1998

Mr. Rodney L. Murphy, CAE
Director of Airports
555 Airport Way
Camarillo CA 93010

Dear Mr. Murphy:

Subject: Comments on Inadequacy of *Draft Environmental Assessment/Environmental Impact Report for Land Acquisition and Airport Development at Oxnard Airport*

With respect to complying with the primary intent of the *California Environmental Quality Act (CEQA)*, it is felt that the *Draft EIR* is structurally deficient and should be substantially revised and recirculated for public review. The structure of the *Draft EIR* is described in the section titled *Approach* (pp. S-2 and S-3, enclosed). In this section, it is stated that "...the environmental analysis included in this document is based upon a **comparison** of the impacts of the Proposed Action (future year **with** implementation of the proposed project) with those of the No Action alternative (future year **without** implementation of the Proposed Action). It is further stated that "This approach may appear **different** from that used in most EIRs for development projects where effects of the proposed project are compared to those of the existing condition." At this point, it must be emphasized on behalf of the City that the approach used in the *Draft EIR* is viewed as radically different from that used in a document that would meet the intent of CEQA. A document that would comply with CEQA for a public facility would include all of the proposed actions and activities, the maximum capacity of the proposed facility, identification of all of the impacts that are above a known baseline of current reference data, determination of whether or not the projected changes are significant and, then, reasonable and feasible mitigation would be proposed, if required. In contrast, the *Draft EIR* **does not** do this and that is why it is deficient in its review of many topical areas.

In the *Approach* section (p. S-3), it is further stated that "The preparation of the *Draft Airport Master Plan Update* for Oxnard Airport is intended to identify potential future facility demands and provide the County with the means to address those demands. The *Airport Master Plan* does not generate this additional activity, rather it is intended to respond to it." This statement totally misses the point of the definition of a project that has to be evaluated under CEQA—as an example, a plan and all of its related activities, actions, and capacity constitute a project. In this context, it must be realized that the *Draft Airport Master Plan Update* and all of the activities, actions, maximum airport capacity, and associated impacts are inseparable. Also, they must be evaluated in relation to a baseline of existing conditions such as the activities known to exist in a relatively current base reference year such as 1996 or 1997. Thus, attempting to use a "future year **without** implementation

of the proposed project..." as is stated in the introductory part of the approach is simply a way of making the project's impacts seem **insignificant**; whereas, when these same impacts are compared with existing conditions, they will, in many instances, be obviously **significant**. For reference, inspection of Table C (*Summary of Environmental Consequences and Mitigation Measures*) has revealed no determination of significant impact for any topic or activity—this is not based upon fact since there is a projected increase in aircraft operations of over 22 percent from 1997 to 2003 and 62 percent from 1998 to 2018 (*Table 4B, Fleet Mix Data*, p. 4-5).

The subject of aircraft noise can be used as one topic to illustrate the way in which projected impacts are claimed to be minimized to a point of insignificance. In Table 4F (*Noise-Sensitive Land Uses Impacted by Future Aircraft Noise*) total Short-Term Impacts are identified as 66 residences and two churches. Total Long-Term Impacts are identified as 112 residences, two churches, one community center, and one school. Assuming that these projections are valid (for illustration), most reviewers would conclude that **the noise impacts would be more than double** from the short-term to the long-term; however, it is stated under Mitigation Measures for noise (p. 4-12) that "Because the Proposed Action [*Draft Airport Master Plan Update*] does not result in any greater noise impacts than the No Action alternative [Current Airport Operated Under the currently *Adopted Airport Master Plan*], **no mitigation measures are required as part of this analysis**."

With respect to vehicular traffic, the *Draft EIR* does not acknowledge or address the impact of adding approximately 1,282 trips per day to Fifth Street which currently consists of one lane in each direction for a portion of the airport frontage. Fifth Street currently has traffic flows necessitating two lanes in each direction and the completion of bike lanes—this is an existing deficiency that has not been addressed. CEQA requires mitigation in the EIR and such mitigation needs to include the alignment for Fifth Street showing the right-of-way required to provide two traffic lanes, sidewalk, curb, gutter, bike lanes and a raised median on Fifth Street. The mitigation measure should also include the construction schedule for Fifth Street improvements to provide two lanes in each direction, plus sidewalk, curb, gutter, median, and bike lanes. There are also known drainage problems along Fifth Street and the mitigation of these problems, for the drainage segments paralleling the airport, should either be included in the street improvement plan or considered separately.

It is important to note that while there are **no significant impacts** stated in the *Draft EIR* and no mitigation is proposed, it is concluded in the *Final Draft FAR Part 150 Noise Study* that a **significant number of dwelling units and population would be impacted by 2003 and 2018** (see abstracts of Tables 6C and 6D, enclosed). In response to these impacts, there are 12 mitigation measures recommended in the *Noise Abatement Element* of the *Part 150 Study*, six mitigation

measures recommended in the *Land Use Management Element*, and six monitoring measures recommended in the *Program Management Element*. This glaring incongruity between the two documents leads to asking two basic questions and they are as follows:

1. If there are no significant impacts as stated in the *Draft EIR* then why is a total of 18 mitigation measures and almost $8 million worth of monitoring proposed in the *Part 150 Noise Study*?

2. If there is a total of 18 mitigation measures and almost $8 million worth of monitoring proposed in the *Part 150 Noise Study* to mitigate noise impacts then, why are no significant impacts and related mitigation identified in the *Draft EIR*?

The disparity between the conclusions and recommendations of the *Draft EIR* and *Part 150 Noise Study* becomes even more glaring when it is recalled that they were prepared by the same consultant and the *Part 150 Study* is referred to in the *Draft EIR*!

In conclusion, it is recommended that the *Draft EIR* be substantially revised to meet the intent of the *California Environmental Quality Act* and that it be recirculated for public review and comment.

Sincerely,

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Community Development and Special Projects Director

cc: Edmund F. Sotelo, City Manager
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Charles Lieber, Federal Aviation Administration
Mark Johnson, Study Technical Manager, Coffman Associates

Enc.: *Draft EIR* pages, S-2, S-3
FAR Part 150 Noise Compatibility Study, Tables 6C and 6D

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alternatives. Where necessary and appropriate, mitigation measures are discussed which would reduce or eliminate the anticipated environmental impacts. The environmental categories specified in this chapter are required under either FAA or state regulations.

Chapter Five is intended to address federal requirements for an evaluation of the Proposed Action's impact on other considerations, specifically approved federal, regional, state and local land use plans and policies.

Chapter Six is intended to address *California Environmental Quality Act* (CEQA) requirements for an evaluation of the Proposed Action's cumulative impacts to governmental services and natural resources.

Chapter Seven lists the preparers and evaluators, as required to meet FAA criteria.

The appendices include a copy of the Initial Study, a list of all agencies contacted as part of the initial scoping effort, copies of all responses received, a copy of the Airport Layout Plan and Land Use Assurance Letter, and copies of the technical analyses completed as part of this study. Following the public review and hearing, the Final EA/EIR document will include the public hearing documentation (i.e., copies of advertisements and legal notices, transcript of the hearing, and letters received during the public comment period) and written responses to comments received at the hearing and in writing.

APPROACH

Determination of Effect. As required by the *National Environmental Policy Act* (NEPA) and the Federal Aviation Administration (FAA), lead agency for the Environmental Assessment, the environmental analysis included in this document is based on a comparison of the impacts of the Proposed Action (future year with implementation of the proposed project) with those of the No Action alternative (future year without implementation of the Proposed Action). This approach also meets requirements of the *California Environmental Quality Act* (CEQA, Section 15126) which dictates that the "no project" alternative be evaluated, along with its impact.

This approach may appear different from that used in most EIRs for development projects where the effects of the proposed project are compared to those of the existing condition. In those cases, however, the planned development is usually proposed for undeveloped or vacant land, in which the existing condition represents the no project. Oxnard Airport is an existing aviation facility and will continue to operate whether or not any of the identified projects are constructed or implemented. It is also reasonable to expect that use of the airport will continue to increase over the next 20 years, both by passengers and private aircraft operators, as population and economic growth continues in the area.

The preparation of the *Draft Airport Master Plan Update* for Oxnard Airport is intended to identify potential future facility demands and provide the County with the means to address those demands. At airports, demand is reflected in the number of operations, based aircraft, and passenger enplanements projected for a given facility. The Airport Master Plan does not generate this additional activity, rather it is intended to respond to it. The additional activity is generated by local and regional population and economic growth, which is external to the control of the airport. Because the increased aeronautic activity at Oxnard Airport is expected to occur regardless of any physical changes to the facility, CEQA's "no project" alternative is better represented by the future year's no action scenario. This allows for an "apples to apples" comparison of the environmental consequences of the relevant alternatives.

Program EIR. This document has been designed to serve as a Program EIR under CEQA (Section 15168). Under this approach, the EA/EIR is prepared on a series of actions defined in the *Draft Airport Master Plan Update* which are related to each other both geographically and as "logical parts in a chain of contemplated actions." The advantages of this approach are that the County of Ventura can consider the cumulative effects of the 20-year plan and allow for consideration of airport-wide policy alternatives and mitigation measures early in the development and planning process.

This approach is particularly relevant because the *Draft Airport Master Plan Update* is designed and intended to be used as a demand-based document. This means that improvements identified in the report and included in the Proposed Action would only be developed or implemented when operations, enplanements, or other activity at Oxnard Airport warrants them. Because of the long-term nature of the document, actual design and location of various improvements are subject to modification as a result of changing conditions at the Airport. A Program EIR allows the County to evaluate subsequent improvement plans to determine whether they are in keeping with the original plan and projected environmental effects, or whether additional environmental analysis will be necessary. This is also referred to as tiering in the State CEQA Guidelines

PURPOSE AND NEED

Two overall objectives constitute the primary purpose and need for the Proposed Action: (1) to enhance safety and security at Oxnard Airport and (2) to accommodate projected future aviation demand.

The FAA has developed design guidelines for airports which include the dedication of space around runways for aviation uses. These defined spaces include the Object Free Area (OFA) and Runway Protection Zone (RPZ). The OFA is an area on the ground which is provided to enhance safety of aircraft operations by having the area free of objects. FAA guidelines indicate that the OFA at Oxnard Airport should be 800 feet wide (centered on the runway) and extend 1,000 feet from each runway end. Currently, portions of this area fall off airport property. RPZs are areas off of runway ends which experience a high number of low overflights. The FAA encourages airports to control

TABLE 6C
Dwelling Units Exposed to Noise
With Noise Compatibility Plan Versus Baseline Conditions

	Baseline Noise (Without Plan)			With Noise Compatibility Plan	
	1998	2003	2018	2003	2018
60-65 CNEL	21	54	87	52	85
65-70 CNEL	15	12	12	11	11
70-75 CNEL	6	12	12	0	0
75+ CNEL	1	1	1	0	0
Total Above 60	43	79	112	63	96
Total Above 65	22	25	25	11	11

Source: Coffman Associates analysis.

TABLE 6D
Population Exposed to Noise
With Noise Compatibility Plan Versus Baseline Conditions

	Baseline Noise (Without Plan)			With Noise Compatibility Plan	
	1998	2003	2018	2003	2018
60-65 CNEL	75	193	311	186	304
65-70 CNEL	54	43	43	39	39
70-75 CNEL	21	43	43	0	0
75+ CNEL	4	4	4	0	0
Total Above 60	154	283	401	225	343
Total Above 65	79	90	90	39	39
LWP[1] Above 60	53	87	111	53	77
LWP[1] Above 65	39	47	47	15	15

[1] LWP - level-weighted population is an estimated of the number of people actually annoyed by noise. The actual population within each 5 CNEL range is multiplied by the appropriate response factor to compute LWP. The factors are: 60-65 CNEL - .205; 65-70 CNEL - .376; 70-75 CNEL - .644; 75+ CNEL - 1.00. See the Technical Information Paper, **Measuring the Impact of Noise on People.**

Source: Coffman Associates analysis.