

CHAPTER 8

Comments and Responses

8.1 Introduction

8.1.1 Comments Received on the Draft EIR

Table 8-1 provides a summary of the comments that were received on the Draft EIR. Abbreviated designations identifying the commenter appear in the parentheses.

**TABLE 8-1
DRAFT EIR COMMENTS**

Agency/Commenter	Dated	Received by Solano County	Comment Summary
Roberto Valdez (RV)	June 12, 2013	June 12, 2013	Commenter is concerned over potential impacts to eucalyptus trees that provide habitat to nesting raptors, white tail kite, and other wildlife.
Solano Irrigation District (SID)	June 26, 2013	June 26, 2013	The commenter states that the U.S. Bureau of Reclamation did not construct or maintain any detention basins as part of the Solano Project, as indicated in the Draft EIR. They also note that the Nut Tree Airport does have access to irrigation water from an existing service and lateral off of the Putah South Canal.
Genentech (GEN)	June 27, 2013	June 28, 2013	Primary concerns that the commenter raised deal with the use of the adopted ALUCP for purposes of determining project consistency, failure to analyze noise impacts under County "thresholds", improper deferral of analysis, and improper use of a "No Project" alternative.
City of Vacaville (VAC)	June 28, 2013	June 28, 2013	The commenter noted or sought further clarification on issues in the project description, and the hazards and hazardous materials, land use, and utilities and service systems sections.
Department of Transportation (DOT)	June 28, 2013	June 28, 2013	The commenter noted concerns over potential impacts to the intersection of East Monte Vista Avenue/County Airport Road and I-505 westbound off-ramp/I-80 eastbound on ramp. The commenter also noted concern as the intersection of Orange Drive/I-505 northbound off-ramp/I-80 eastbound off-ramp is at the 0.02 threshold.
Roberto Valdez (RV2)	July 1, 2013	July 1, 2013	The commenter asked for clarification as to when the Draft EIR was noticed, and added that there is no need to remove trees that provide habitat for certain wildlife species.

Solano County's written responses to the comment letters identified above are provided on the following pages.

Nut Tree Airport Master Plan Update

Draft EIR Public Workshop, June 12, 2013

Name: Roberto Valdez
 Address: 248 Plantation Way, Vacaville, CA 95687
 Comment: Individual comment re: DEIR for NTAMP.

1. Thank you for allowing me to participate during your previous Kick-off presentation (Primer PT) and subsequent public workshop (6/12th/13).
 2. Also, as stated in the past, I am concerned that this project does not impact adversely the eucalyptus tree clusters along both Horse + Pine Creek which are habitat for Swainson's hawks, burrowing owls, White-tail Kites plus other raptors as well as wildlife.
 3. In short, in my humble opinion, the tree clusters do not pose a safety hazard(s) for either NTA pilots or proposed expansion of Flight Runway.
- Signed Roberto Valdez, Solano Ct. Resident.

RV-1

RV-2

RV-3

8.1.2 Response to Individual Letters

The following section contains the individual comment letters received on the Draft EIR, and specific responses to each comment.

Response to Roberto Valdez

The following section provides Solano County's response to Roberto Valdez's comments received at the public workshop held for the Draft EIR on June 12, 2013.

Response RV-1

The commenter thanks the County for providing the project kick-off meeting and subsequent public workshop on the Draft EIR.

Comment noted.

Response RV-2

The commenter states that he is concerned that the Proposed Project would impact the cluster of eucalyptus trees located along Horse and Pine Creeks, as they provide habitat for certain types of birds including Swainson's hawks, burrowing owls, and white-tail kite.

The Draft EIR notes in Table 3.3-1 (see pg. 3.3-4) that approximately 4.72 acres of eucalyptus woodland was identified within the Proposed Project's study area. Furthermore, as shown in Tables 3.3-3 through 3.3-5, of the 4.72 acres located within the study area, the Proposed Project was determined to have a potential direct affect to 0.76 acre of eucalyptus woodland. (Please note that the total number of acres of eucalyptus woodland impacted under Phase III has been revised to account for the fact that this habitat type located within areas identified for acquisition would *not* be directly affected by the Proposed Project.) As noted on pg. 3.3-43 of the Draft EIR, direct affects to eucalyptus woodland would have a potentially significant affect on special-status species such as Swainson's hawk and other tree-nesting raptors. In order to avoid impacts to these and other special-status species, the Draft EIR proposes a variety of mitigation measures, including pre-construction surveys and replacement of lost foraging habitat (see Measures 3.3.1-2a through 3.3.1-4). With implementation of these measures, the Draft EIR concluded that overall impacts to habitat for sensitive or special-status bird species provided by eucalyptus woodland would be less than significant.

Response RV-3

The commenter states that he believes trees do not pose a safety hazard to aircraft in flight.

As noted in the previous response, implementation of the Proposed Project would result in direct impacts to less than an acre of eucalyptus woodland. Removal of eucalyptus trees would accommodate proposed facilities identified in the Master Plan update, but the Proposed Project would not remove any trees for the purposes of safety. Potential loss of this resource, and the subsequent impacts it may have on special-status bird species has been addressed in Section 3.3 of the Draft EIR, which proposed mitigation measures to reduce these potential impacts to less-than-significant levels.

From: [Daly, David R.](#)
To: [Phil Wade](#)
Subject: Nut Tree Airport DEIR Comments
Date: Friday, June 28, 2013 10:43:21 AM

Here is the first of the comments, with the exception of Mr. Valdez during the workshop. We are also expecting a Genentech letter perhaps even later today.

Dave Daly
Airport Manager

Nut Tree Airport
301 County Airport Road, Suite 205, Vacaville CA 95688, 707- 469 - 4600

From: Justin Hopkins [mailto:jhopkins@SIDWater.org]
Sent: Wednesday, June 26, 2013 2:51 PM
To: Daly, David R.
Subject: Nut Tree Airport DEIR Comments

June 26, 2013

Dave Daly
Solano County
675 Texas Street, Suite 5500
Fairfield, California 94533

Subject: *Project Review of Nut Tree Airport Draft EIR*

Dear Dave:

We are in receipt of the draft Environmental Impact Report for the Nut Tree Airport Master Plan. The project is located at the intersection of East Monte Vista Avenue and County Airport Road in Vacaville. Some of the subject properties are located within the Solano Irrigation District Boundary and are therefore subject to the Rules and Regulations of the District. The following are the District's comments:

1. The U.S. Bureau of Reclamation did not construct nor do they maintain any detention basins as part of the Solano Project as indicated in the "Stormwater" section of the DEIR. There are existing drainage facilities that cross the Putah South Canal to convey stormwater from one side of the canal to the other, but the District/USBR do not operate or maintain those facilities. | SID-1
2. It is not stated in the DEIR, but the Nut Tree Airport does have access to irrigation water from an existing service and lateral off of the Putah South Canal. | SID-2

Thank you for the opportunity to review and comment on this project. Please feel free to contact me should you have any questions or require additional information.

Respectfully,

Justin Hopkins, P.E.
Associate Civil Engineer
Solano Irrigation District 707.455.4007
Fax: 707.452.8557
jhopkins@sidwater.org

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Response to Solano County Irrigation District

The following section provides Solano County's response to Solano County Irrigation District's comment letter, received June 26, 2013.

Response SID-1

The commenter states that the U.S. Bureau of Reclamation did not construct, nor do they maintain, any detention basins as part of the Solano Project.

The County could not identify where in the Draft EIR it was indicated that the U.S. Bureau of Reclamation constructed or maintains any detention basins as part of the Solano Project.

Response SID-2

The commenter states that Nut Tree Airport does have access to irrigation water from an existing service and lateral off of the Putah South Canal.

Comment noted. Additional information has been added to pg. 3.11-2 of the Final EIR.



June 27, 2013

Via e-mail: drdaly@solanocounty.com

Dave Daly
 Airport Manager
 Nut Tree Airport
 301 County Airport Road, Suite 205
 Vacaville, CA 95688

Re: Draft Environmental Impact Report for the Nut Tree Airport Master Plan

Dear Mr. Daly,

These comments are submitted on behalf of Genentech, Inc., on the Draft Environmental Impact Report (“DEIR”) for the Nut Tree Airport Master Plan (“Master Plan”). Genentech and others have expressed clearly in years past the need for any changes in the Nut Tree Airport to be considered through an open process with thorough environmental analysis to inform decision-makers and members of the public. As such, Genentech appreciates Solano County’s efforts to address some of those concerns. Genentech continues, however, to question the process by which the Airport is conducting this analysis—separate from other relevant planning policies and efforts in the region—and the erroneous limitation on the substantive scope of factual and planning review.

GEN-1

Background

Since acquiring its Vacaville site in 1995, Genentech has invested nearly \$2 billion in developing a highly sensitive biopharmaceutical manufacturing facility, directly to the northeast of the Nut Tree Airport. This now is a major location for the manufacture of medicines for the treatment of extremely serious diseases, with over 650 employees. The facility is not developed to its full potential, and if and when conditions are right for expansion, could be a site for further development that would produce many additional jobs and local tax revenues, both during its construction and throughout its subsequent operation. That kind of expansion well might be

impeded by changes at the Nut Tree Airport that are perceived to create greater risks and environmental impacts.

At the time Genentech bought the site, the limited scale of operations at the Airport did not pose any major concerns for Genentech. Genentech first became concerned about potential conflicts between its then-existing facility and possible expansion of the Airport in 2008, when Genentech learned—shortly before a final decision was made—that the Federal Aviation Administration (“FAA”) was reviewing a proposal to provide federal funding for the Airport to acquire significant adjacent land for future expansion efforts. Genentech raised its serious substantive and procedural concerns with the FAA and the County at that point, and continued in subsequent years to identify significant flaws in the County’s plans to develop and adopt a new Master Plan for the Airport. Most crucially, the process failed to make available the information necessary to determine the nature and extent of anticipated impacts to the surrounding community.

GEN-2

After several years of advocating for thorough analysis, Genentech was pleased to see the County release the Notice of Preparation for the DEIR, and expressed its support for the decision to re-boot the Master Plan process. At the same time, Genentech reiterated its long-standing concerns regarding the adverse environmental and practical effects that any expansion of the Airport might cause, particularly impacts on neighboring properties and landowners.

GEN-3

Genentech recognizes that the County has made an effort to engage with the community through the CEQA process. We had hoped that this process would demonstrate the County finally would consider the relevant issues accurately, fully and objectively. Unfortunately, as is detailed more fully below, the DEIR still contains fundamental flaws that limit its value as an informational guide for decision-makers and members of the public. As a result, it fails to meet the requirements of CEQA and the County’s own planning requirements. Perhaps these flaws may be addressed through additional analysis. Because of the significance and number of changes and additional analyses required to do so, we believe that the omissions and inaccuracies likely will necessitate recirculation of the DEIR.

GEN-4

Defects in DEIR

The Master Plan “Project” as described in the DEIR includes a number of physical and operational improvements which are proposed to be implemented at the Airport in three phases over an approximately 20-year period. The elements of the Project that are of greatest concern to Genentech, and likely other neighboring landowners, include plans to (1) shift the existing runway 200 feet to the northeast in Phase I, between 2013-2017, and (2) extend the runway an additional 600 feet to the northeast in Phase III, between 2022-2031. Each of these changes would bring the runway ever closer to Genentech’s facility. Additionally, the Master Plan anticipates that annual operations will increase significantly during its 20-year lifespan.

GEN-5

However, and important for purposes of establishing baseline conditions in the DEIR, current operations are *less than half* the levels that were projected in the Airport’s 1988 Airport Land Use Compatibility Plan (“ALUCP”), and operations would still remain *below* the 1988 projections even if they were to increase in accordance with the Master Plan.

GEN-6

Given these planned physical and operational changes, as well as the relationship between 1988 projections and current conditions, Genentech believes the current DEIR is defective, for the reasons described below (among others).

GEN-7

A. Consistency with Airport Land Use Plans

1. Reliance on Outdated ALUCP

1988 ALUCP Outdated and Inaccurate. The DEIR, and particularly its Land Use chapter, relies to a great extent on the Project’s supposed consistency with a long-outdated 1988 ALUCP. The age of this document alone raises questions about the legal propriety of using it for current planning purposes. Moreover, the contents of the ALUCP raise greater concerns about its validity, as it projected (and imposed restrictions related to) significantly heavier usage than has actually occurred. Even with build out of the Master Plan in 2031, operations would remain substantially lower than were projected 25 years ago:

- Projected 2000 operations: 242,500 (1988 ALUCP)
- Actual 2011 operations: 101,500 (2012 Master Plan)
- Projected 2017 operations: 108,286 (2012 Master Plan)
- Projected 2031 operations: 127,329 (2012 Master Plan)

GEN-8

Thus, the ALUCP really is an unreliable and invalid basis for planning, as it portrays projections that are at odds with today’s reality. As a general matter, and although we recognize that ALUCP amendments ultimately must be adopted by the ALUC rather than the Airport itself, the age and inaccuracy of the ALUCP demonstrate a clear need for the 1988 document to be updated. The DEIR acknowledges that if the Project would “result in changes to the Airport that render the compatibility maps and/or policies of the 1988 ALUCP inadequate, this may trigger a need to update the current ALUCP” (DEIR at 3.9-16; Countywide Procedures [see below] at 2-19), but remarkably goes on to conclude that this need has not been triggered (DEIR at 3.9-18).¹

Reliance on 1988 ALUCP Inconsistent with CEQA “Baseline”. Moreover, reliance on the 1988 ALUCP is inconsistent with “baseline” requirements under CEQA. As the County is no doubt

GEN-9

¹ Even more remarkably, the Alternatives section of the DEIR concludes that the “No Project” alternative—continuing under the adopted Master Plan, which was adopted after the ALUCP—*would* require an update to the ALUCP. (DEIR at 4-8). See discussion of alternatives below.

aware, the existing environmental setting “will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.” (See CEQA Guidelines, 14 Cal. Code Regs. § 15125(a)). This rule applies as well where consistency with planning documents is under consideration: “Where a proposed project is compared with an adopted plan, the analysis shall examine *the existing physical conditions at the time the notice of preparation is published* ... as well as the potential future conditions discussed in the plan.” (*Id.*, § 15125(e)).

To determine impacts relating to land use compatibility and safety zones, the DEIR compares the Project to unrealistic imagined conditions, rather than actual physical conditions. This approach, which has been thoroughly rejected by the courts, improperly discounts the scope of change that the Master Plan would cause against such existing conditions. (See, e.g., *Env’tl Planning & Info. Council v. County of El Dorado*, 131 Cal. App. 3d 350, 357-58 (1982) (where a General Plan update would allow for *less* growth than the prior plan, a comparison only to those earlier planning projections “can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result.”)). It also exposes the flaws of pursuing the Master Plan update in a vacuum, without ALUC coordination—and without seeking a concurrent ALUCP update.

GEN-9,
CONT'D

Therefore, although it may be technically accurate to state that the Master Plan is consistent with the ALUCP, the DEIR repeatedly mischaracterizes the actual land use impacts when viewed against the real-world baseline. To meet CEQA’s requirements, this approach needs to be substantially revisited.

ALUCP Not Generally Available to Public. Last, we note that to the extent the 1988 ALUCP remains relevant, it does not appear to be available on the ALUC’s website or attached as an appendix to the DEIR, making it difficult to review the DEIR in conjunction with the applicable compatibility plans. We request that the County make this document available to enable informed public review.

GEN-10

2. Ignores a Critical Element of Local Land Use Plans—Countywide Airport Land Use Compatibility Procedures

CEQA requires consideration of consistency with existing adopted land use plans. In addition to flawed reliance on the ALUCP, the DEIR neglects the Solano County Airport Land Use Compatibility Procedures (“Countywide Procedures”) adopted by the ALUC in 2002.² The Countywide Procedures expressly provide that “the compatibility plan for each of the airports in

GEN-11

² Available at

Solano County *consists of two documents.*” (Countywide Procedures at 1-1; emphasis added). Specifically, the Countywide Procedures establish general policies which apply to all of the existing airports in the County, and each individual ALUCP provides compatibility criteria and maps applicable to review proposed land use development in the vicinity of that airport. (See Countywide Procedures at 1-1 to 1-2).

Failure to follow the Countywide Procedures is fatal, as the Countywide Procedures establish applicable procedural guidelines that have been ignored here.³ For example, section 2.1.1 provides that actions involving the modification of a master plan for an existing airport “*should* be referred to the [ALUC] at the earliest reasonable point in time so that the [ALUC’s] review can be duly considered by the local jurisdiction prior to formalizing its actions. ... [a]ll projects *must* be submitted to the [ALUC] for review prior to final approval by the local government entity.” (Countywide Procedures at 2-9, emphasis in original; *see also* 2-5, listing types of actions subject to these procedures). Section 21676(c) of the California Public Utilities Code also requires that “[e]ach public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, *refer any proposed change to the airport land use commission.*” (emphasis added).

GEN-11,
CONT'D

Yet the DEIR provides no indication that the review process is underway by the ALUC; indeed, several statements indicate the opposite (e.g., on page 3.9-17, statements “assuming” how the ALUC would address the formulation of safety zones for the Airport and surrounding area). In fact, it is not even clear whether the Airport intends to initiate ALUC review of the Master Plan: the “Project Approvals” section of the DEIR does not mention ALUC approval at all. (DEIR at 2-15 to 2-16). It is concerning to note the apparent lack of recognition of the process and requirements of another of the County’s own divisions.

3. Inadequate Consideration of City of Vacaville General Plan

The DEIR briefly acknowledges the fact that the City of Vacaville is in the middle of a major General Plan update, but does not address the implications of the update, or how the Master Plan would relate to the updated General Plan. (It is also not clear whether the General Plan update process accounts for the Airport’s proposed expansion). We recognize the complexity of ensuring consistency with a planning effort that is under development, but the County has not indicated any proactive measures it has taken to coordinate with the City of Vacaville, nor does it attempt to incorporate any of the significant technical analysis that has been performed to identify the baseline or planning framework for the General Plan update.⁴

GEN-12

³ The DEIR also fails to address the substantive requirements of the Countywide Procedures, as discussed below.

⁴ Available at (e.g., documents under heading “Existing Conditions Technical Memoranda”).

4. Failure to Coordinate with Travis Air Force Base and its ALUCP

Last, the DEIR and Master Plan process would benefit from early coordination to ensure compatibility with the use of Travis Air Force Base (“TAFB”) and its own ALUCP, given the prominence of TAFB within Solano County, the fact that the Nut Tree Airport lies within the Area of Influence for TAFB’s ALUCP,⁵ and the potential for expanded air operations at the Airport to conflict with TAFB’s uses. We believe that compatibility with TAFB needs to be addressed both for purposes of CEQA, and as a matter of broader public policy.

GEN-13

B. CEQA Violations in Substantive Impacts Analysis

1. Improper Baseline

As described in our discussion of the outdated ALUCP, above, the DEIR relies on improper baselines in evaluating the Project’s impacts in several areas. We reiterate this to emphasize that use of an unrealistic baseline is not simply a procedural error, but is a substantive impediment to determining how significant Project impacts actually will be. As a result, land use compatibility and safety impacts appear artificially low in the DEIR. Other specific, substantive errors are detailed in the sections that follow.

GEN-14

2. Failure to Analyze Noise Under County “Thresholds of Significance”

Because the DEIR omits consideration of the Countywide Land Use Compatibility Procedures, the DEIR has also failed to follow relevant substantive standards that should be applied to determine the significance of impacts from Master Plan changes. Most notably, the Compatibility Procedures provide that where an existing airport proposes expansion, the Countywide Procedures establish “thresholds of significance” to assess the significance of noise increases among *all* Community Noise Equivalent Levels (“CNEL”):

GEN-15

For the purposes of [an updated master] plan, a noise increase shall be considered significant if:

- (a) In locations having an existing ambient noise level of less than 55 dB CNEL, the project would increase the noise level by 5.0 dB or more.
- (b) In locations having an existing ambient noise level of between 55 and 60 dB CNEL, the project would increase the noise level by 3.0 dB or more.

⁵ Travis Air Force Base Land Use Compatibility Plan, adopted 2002, available at (see Fig. 2A, Compatibility Zones).

- (c) In locations having an existing ambient noise level of more than 60 dB CNEL, the project would increase the noise level by 1.5 dB or more.

(Countywide Procedures at 2-21). If these thresholds are exceeded, then the ALUC requires measures to reduce noise exposure to a less-than-significant level. (*Id.*).

However, the DEIR only evaluates noise increases in areas that would experience CNEL levels of 65 dB or greater. (DEIR at 3.10-23: “a significant noise impact would occur if noise sensitive land uses are newly exposed to levels of 65 dB or higher as a result of the proposed project.”) This approach ignores the real potential for project build-out to have significant impacts in surrounding areas, including Genentech’s campus, which may fall below the 65 dB CNEL level but nevertheless could experience substantial noise increases from implementation of the Project. It is not clear from the DEIR where the 55 dB CNEL contours are located under current conditions and projected conditions, as the relevant figures only identify the 70, 65, and 60 dB contours. (DEIR at Fig. 3.10-4, 3.10-5). Based on the incomplete information in the DEIR, it is impossible to determine what the impacts to our campus might be, or whether they would exceed the levels identified in the Countywide Procedures and require mitigation.

GEN-15,
CONT'D

3. Inadequate Treatment of Safety Impacts

To determine the potential safety impacts on surrounding land uses, the DEIR assumes that the ALUC would apply “generic” safety zones from a Caltrans Division of Aeronautics Airport Land Use Planning Handbook, while noting that these generic standards are not binding. (DEIR at 3.9-17). Based on this assumption, and without accounting for (1) a proper baseline—the increase in operations from the current reality, rather than a 25 year-old projection—or (2) the specific implications of relocating/extending the runway several hundred feet closer to I-505 and Genentech’s campus, the DEIR concludes that safety-related impacts would be less than significant.

GEN-16

This impact analysis is also based on the assertion, without adequate functional or factual analysis, that extending the runway to be 800 feet closer to a major pharmaceutical manufacturing center and substantially increasing operations will cause *decreased* risks relating to properties and persons in safety zones, and surrounding building heights and land uses, apparently due to the fact that the approach will change from a 50:1 “precision” approach to a 34:1 “non-precision” approach. (DEIR at 3.9-17 to 3.9-22). However, it is again unclear whether these changes are relative to actual baseline conditions, or simply projections in the outdated ALUCP; both the assumptions and the analysis demand support and justification by evidence, rather than assertions.

4. Improper Deferral of Analysis of Impacts and Mitigation

The DEIR states “there are certain aspects of the project that, due to the lack of specific details at this time, cannot be adequately assessed” to determine the significance of impacts relating to the ALUCP and safety. (DEIR at 3.9-24; *see also* 3.7-15). This statement purports to excuse the failure of the DEIR to study and disclose the actual effects of the Project, or to establish mitigation measures to deal with the actual potentially significant impacts of the Project. The DEIR simply provides that prior to construction of certain Project components, “project details shall be submitted to the ALUC for consistency review.” (DEIR at 3.9-24, MM 3.9-1a, 3.9-1b). However, these measures appear to be both improperly deferred and unenforceable, given that the mitigation measures expressly state the ALUC’s review will only be effective “[u]nless the lead agency overrules the ALUC’s determination.” (*Id.*). This appears to allow for, in effect, pre-approval of unknown Project elements with unknown impacts, and without any enforceable mitigation.

GEN-17

Neither the impact analysis nor the mitigation measures meet CEQA’s requirements. Again, this analysis would be substantially more credible if it were based on real and current data, with full ALUC input *before* a decision is made.

5. Improper Selection and Analysis of “No Project” Alternative

CEQA requires selection of a “range of reasonable alternatives,” including a “no project” alternative, which compares “the impacts of approving the proposed project with the impacts of not approving the proposed project.” (CEQA Guidelines, § 15126.6(c), (e)). Where a proposed project involves revision of an existing land use plan, this alternative will typically assume continuation of the existing plan into the future.

The Alternatives section of the DEIR (Chapter 4) includes a “No Project” alternative, which assumes continuation under the existing Master Plan. Although this approach may be plausible in the abstract, under the circumstances it is wholly inappropriate, given the wide delta between the projections in the previous Master Plan/ALUCP and current conditions. There is no basis for concluding that, in the absence of a Master Plan update, the inaccurate assumptions in the 1988 ALUCP will suddenly come to fruition. Yet this is precisely what the “No Project” alternative assumes: for example, the discussion of noise impacts under this alternative states that it assumes operations “higher than the forecasts in the updated Master Plan (242,500 vs. 127,329 by 2031). This significant difference in forecasted operations could result in noise impacts to nearby sensitive land uses” (DEIR at 4-9). To create an accurate, informative picture of development under a “No Project” scenario, the DEIR should assume continued increases in

GEN-18

operation *at the rate they have actually occurred*, rather than a quantum leap to the levels projected 25 years ago.

The DEIR's approach grossly inflates the likely impacts under the "No Project" alternative, resulting in a skewed analysis that makes the proposed Project appear *less* impactful by comparison. This is not consistent with CEQA's requirements. (*See, e.g., Woodward Park Homeowners Assn., Inc. v. City of Fresno*, 150 Cal. App. 4th 683, 716 (2007) (finding "no project" alternative inadequate for failure to consider existing physical conditions); *Env't'l Planning & Info. Council*, 131 Cal. App. 3d at 357-58). This discussion must be revisited.

GEN-18,
CONT'D

C. Inefficiency and Duplication

1. Failure to Coordinate CEQA Process with NEPA

As Genentech has noted at various points, the County states that it is planning to fund Master Plan projects largely through FAA grants, but to date apparently has done nothing to initiate National Environmental Policy Act review, and the DEIR clearly does not comply with the requirements for a joint EIR/Environmental Impact Statement. (Nor does the DEIR acknowledge, in the section discussing required approvals, that the FAA would be responsible for approving the grants (*see* DEIR at 2.6)—this information only appears in the Master Plan itself). This fact does not render the DEIR itself invalid under CEQA, but signals that major additional review will be required for construction of Airport improvements, and underscores the inefficiencies of proceeding through an uncoordinated planning process.

GEN-19

Conclusion

Genentech welcomes the County's decision to conduct a full EIR for the Master Plan Project, and the opportunity to share our views on the DEIR with you. However, as discussed above, we believe that the DEIR requires extensive additions and changes in order to fulfill CEQA requirements and to ensure that the Board of Supervisors and members of the public are able to fully assess the impacts of the Project. We also believe that these changes, especially considered together, likely will constitute "significant new information" requiring recirculation of the DEIR. (*See* CEQA Guidelines § 15088.5(a)). Finally, we believe that the County needs to take steps to ensure that the Master Plan process is coordinated with local, County, and federal government entities with critical stakes in the Project.

GEN-20

These concerns are not abstract for Genentech. Our company has made a substantial, long-term investment in Solano County, and we have deep concerns about how the Airport's expansion will affect our highly sensitive work. Genentech hopes that these comments will provide the County with a clear roadmap for correcting the DEIR's deficiencies.

Please do not hesitate to contact me if you would like to discuss any of our comments.

Sincerely,

A handwritten signature in cursive script that reads "Christine Tejada".

Christine Tejada
Director, Local Government Affairs
Genentech, Inc.

cc: Honorable John Vasquez, Solano County Board of Supervisors
Birgitta Corsello, Solano County Administrator
Dennis Bunting, Solano County Counsel
Michael Lango, Solano County General Services Director
Honorable Steve Hardy, Vacaville City Mayor
Laura Kuhn, Vacaville City Manager

Response to Genentech

The following section provides Solano County's response to Genentech's comment letter, dated June 27, 2013.

Response GEN-1

The commenter questions the process by which the County has conducted its analysis of the proposed Master Plan update, separate from other regional planning efforts, and with limits on the scope of the review.

Since 2010, Solano County has actively engaged the City of Vacaville as well as other key stakeholders, including Genentech, in the process of updating the Master Plan. The process of public engagement during the planning process for the Master Plan, as detailed on pg. 1-1 of the Draft EIR, has been extensive and thorough. Over this three-year period, the City of Vacaville and other neighbors to the Airport have been active participants in the planning process, providing valued input that has shaped the development of the Master Plan. As such, the City has been aware of the County's intentions and planning goals associated with the Airport, and has had ample opportunity to consider these during the process of updating their own General Plan. Therefore, the County disagrees with the comment that the scope of "factual" and "planning" review associated with the proposed Master Plan update has been limited.

Response GEN-2

The commenter states that the Master Plan update process failed to make available the information necessary for determining the nature and extent of impacts to the surrounding community.

As discussed in Response GEN-1, throughout the Master Plan update process the County has made a thorough effort to solicit input from the public and provide them with the information needed to give valuable feedback on the Proposed Project. Indeed, it was through this process that the County eventually reached the Preferred Alternative that is identified in the proposed Master Plan. Furthermore, in their NOP comment letter (dated October 5, 2012) the commenter even acknowledges that the County had responded to many of the previous concerns raised by Genentech and other stakeholders (see Appendix A of the Draft EIR). Lastly, the process of engaging the surrounding community and providing the necessary information to determine potential impacts associated with the proposed Master Plan culminated with the release of the Draft EIR for public review. (The scope and adequacy of analysis presented in this EIR is addressed in subsequent responses.) Therefore, the County disagrees with the assertion that it failed to provide the public with the information necessary to determine the nature and extent of impacts associated with the Proposed Project.

Response GEN-3

The commenter states that when the Notice of Preparation was released, they expressed their support to re-boot the Master Plan update process.

With the release of the NOP on October 14, 2012, the County signaled its desire to assess the potential impacts associated with the Master Plan update's Preferred Alternative that was selected by the Solano County Board of Supervisors on April 3, 2012. At that juncture, the County had no intention of "re-booting" the Master Plan update process, which was already closing in on its third year by the time the NOP was released. Furthermore, issues identified in Genentech's NOP comment letter (dated October 5, 2012) that were germane to the environmental review of the proposed Master Plan were considered during the process of preparing this EIR.

Response GEN-4

The commenter states that the Draft EIR contains fundamental flaws that limit its value as an informational guide for decision makers and members of the public. The commenter goes on to suggest that because of these limitations, and the need to address them, the Draft EIR should be re-circulated.

While the County will more fully address the assertion that the EIR lacks the necessary details to allow for full consideration of the potential environmental effects associated with the Proposed Project in the following responses, in general, the County firmly believes that this EIR is adequate, complete, and represents a good faith effort to fully disclose the potential environmental impacts associated with the Proposed Project. As such, re-circulation is not required. (Please also see Response GEN-20.)

Response GEN-5

The commenter states that as a result of the Master Plan, aircraft operations will increase "significantly" over the next 20 years.

As noted in Chapter 2, Project Description, as of 2011, Nut Tree Airport accommodated 101,500 operations. The proposed Master Plan forecasts that over the 20 years analyzed, operations will grow to 127,329, which constitutes a 25 percent increase in aircraft operations by 2031. Forecasts were generated from a thorough assessment of various market and industry factors. Ultimately, the Master Plan chose as its preferred alternative the scenario that assumed an annual growth rate of approximately 1.1 percent. This growth rate was also used in the *FAA Aerospace Forecast, Fiscal Years 2010 – 2030* for general aviation hours flown by piston driven aircraft, which is the predominate aircraft type operating at the Airport. This growth rate was also very similar to the FAA Terminal Area Forecast (TAF) growth rate for the entire Western Pacific Region through 2030, which was 0.99 percent. In summary, the County believes that a conservative growth rate was assumed for the proposed Master Plan, and that the forecasted growth in aircraft operations over the next 20 years does not constitute a "significant" increase over baseline conditions.

Response GEN-6

The commenter states that for purposes of establishing baseline conditions in the Draft EIR, current operations are less than half the levels that were projected in the Airport's 1988 ALUCP, and remain below these levels even at full build-out of the Master Plan.

Forecasted operation levels as depicted in the 1988 ALUCP are irrelevant for the purpose of establishing a baseline condition against which potential impacts associated with the Proposed

Project must be assessed. As more fully discussed in Response GEN-9, the baseline condition against which potential noise and safety impacts were considered was the existing condition as of the date the NOP was released. With respect to existing operation levels, the EIR relied upon the most current year with 365 days' worth of operational data, which was 2011.

Response GEN-7

The commenter states that given planned physical and operational changes, as well as the relationship between the 1988 projections and current conditions, Genentech believes the Draft EIR is defective.

As addressed in Response GEN-6 above, and Response GEN-9 below, the 1988 ALUCP was *not* utilized to establish a baseline condition against which potential impacts in areas such as noise and safety were assessed. Rather, as more fully explained in Response GEN-9, the adopted ALUCP was utilized for determining the Proposed Project's consistency with the compatibility policies contained therein. The consideration of the ALUCP and its policies in Section 3.9 of the Draft EIR is an effort in determining consistency with an adopted land use plan, against which the Master Plan must be evaluated. Given that the commenter asserts that the EIR is defective on this misinterpretation, it is important to again firmly express that forecasts assumed in the adopted ALUCP in no way informed the development of the baseline condition against which potential impacts to all other resources were analyzed in the Draft EIR.

Response GEN-8

The commenter states that the (Airport Land Use Compatibility Plan) ALUCP for Nut Tree Airport is out-of-date, inaccurate, reliant upon old information, and therefore should not be utilized for planning purposes.

The commenter may be confused regarding the application of the adopted ALUCP to the analysis in the Draft EIR. As specified in CEQA Guidelines Section 15125(d), an EIR shall discuss any inconsistencies between a proposed project and applicable general plans, specific plans, and regional plans. The 1988 ALUCP was, and remains, the adopted compatibility plan for Nut Tree Airport on the date the notice of preparation (NOP) was released, and therefore, is the appropriate document to utilize for purposes of assessing whether the Proposed Project is consistent with the adopted ALUCP and potential land use compatibility impacts associated with proposed on-Airport uses. Though the policies set forth in the adopted ALUCP may rely on older information, the ALUCP represents the adopted guidelines, and does not necessarily mean the guidelines are inadequate or ineffective at regulating land use compatibility by which all projects within the established airport influence area for Nut Tree Airport must be reviewed for consistency. It should also be noted that the current ALUCP policies are reflected throughout the City of Vacaville General Plan as it relates to the areas surrounding the Airport, as well as within existing and established development land use patterns surrounding Nut Tree Airport. Until such time that the Solano County Airport Land Use Commission (ALUC) updates the adopted Nut Tree Airport ALUCP, all projects, including updates to the Airport Master Plan must be evaluated with respect to the safety, noise, overflight and airspace protection policies contained within that plan.

Response GEN-9

The commenter states that use of the adopted ALUCP for determining the Proposed Project's consistency with ALUCP compatibility guidelines is inconsistent with "baseline" requirements under CEQA.

As discussed in Response GEN-8, as the adopted land use compatibility plan for Nut Tree Airport, it is entirely appropriate to utilize the current ALUCP for the purpose of determining the proposed project's consistency with the policies set forth therein. The commenter may not understand the correct application of the adopted ALUCP, and as a result, is incorrectly interpreting the ALUCP, and the noise and safety factors presented therein, as the baseline condition used for the environmental analysis of all resource topics within the Draft EIR. Here, the Draft EIR only utilizes the ALUCP for the purposes of determining potential impacts associated with the proposed project's consistency with compatibility policies contained in the ALUCP, and not as the baseline for the remaining environmental impact analysis contained in the Draft EIR. For all other impact discussions, including potential noise and safety impacts, the Draft EIR compares the "with-project" condition against the "existing" condition. (For a discussion of potential noise impacts, please see Section 3.10, Noise, pg. 3.10-24 through 29. For a discussion of potential safety impacts, please see Section 3.7, Hazards and Hazardous Materials, pg. 3.7-16.)

In order to clarify the baseline condition used for the Draft EIR, a paragraph discussing this issue has been added to Chapter 2, Project Description (see pg. 2-15 of the Final EIR).

Response GEN-10

The commenter states that the ALUCP for Nut Tree Airport is not available online.

The Solano County ALUC is responsible for the publication of the ALUCP for Nut Tree Airport. At the time this response was prepared, a copy of the adopted ALUCP was accessed here: http://www.co.solano.ca.us/depts/rm/boardscommissions/solano_county_airport_land_use_commission/documents.asp. This is also the same web location of other ALUCP related documents reviewed by the commenter. Copies of the ALUCP were also available upon request from the ALUC at the time of NOP release and during the 45-day Draft EIR public review and comment period.

Response GEN-11

The commenter states that the Draft EIR ignores the Solano County ALUC's "Countywide Procedures" for reviewing consistency of an airport master plan update.

Solano County has actively engaged the ALUC on several occasions with information on the Proposed Project. Public presentations have been given before the ALUC starting on November 10, 2011. Including a detailed list of: 1) the extensive public process through which the Proposed Project was developed, or 2) ALUC public meetings, is not the purpose of an EIR; however, for the purpose of additional information, the Proposed Project was also presented to the ALUC on June 13, 2013 and July 11, 2013 to inform the ALUC about the scope of the project, proposed land uses, and the noise, safety, and airspace implications of the Master Plan update. The Draft

EIR acknowledges that ALUCs must review proposed master plans, stating that part of their mandate is to “review plans, regulations, and other actions of local agencies and airport operators (PUC Section 21675)” (page 3.9-2). The Draft EIR proceeds to then evaluate the consistency of the proposed project pursuant to the compatibility policies established in the adopted ALUCP, beginning on page 3.9-12.

The commenter rightly notes that pursuant to the *Solano County Airport Land Use Compatibility Review Procedures* document, the modification of a master plan is subject to ALUC review. As described above, Solano County has provided the ALUC with ample and early opportunity to review the proposed Master Plan update and provide comment. As a result of this effort, and utilizing analysis provided in the Draft EIR, on July 11, 2013 the ALUC found the proposed Master Plan update to be consistent with the adopted ALUCP.

Response GEN-12

The commenter states that the Draft EIR fails to adequately address the update to the City of Vacaville General Plan that is currently on-going, does not indicate what coordination the County has had with the City during the Master Plan update process, and does not incorporate technical analysis performed as part of the City’s General Plan update process.

As the adopted general plan for the City of Vacaville at the date the NOP was released, the 2007 *City of Vacaville General Plan* is the appropriate document to utilize for purposes of assessing potential impacts to future land use and development goals that may occur as a result of the Proposed Project. However, for the purpose of providing additional information, the preferred alternative land use map from the City of Vacaville draft General Plan update as compared to the current General Plan land use map for the City reveals nominal variance between current and future planned land uses in the vicinity of Nut Tree Airport. More specifically, a change in land use designation occurs in a limited area located northwest of the Nut Tree Airport, which was previously designated as Industrial Park and is now proposed to be designated as Commercial Office by the City of Vacaville.

As noted in the Draft EIR (pg. 3.9-24), the proposed Master Plan reflects possible future acquisition of parcels located immediately adjacent to the Nut Tree Airport; however, the subject parcels are not proposed to be changed by the Master Plan and remain unchanged under either City General Plan land use map. Furthermore, as a County document specific to Nut Tree Airport, the Master Plan has no influence over the City’s land use goals or designations. Therefore, potential conflicts between the proposed Master Plan update and the future land uses of the City of Vacaville, as identified in the City’s preferred alternative land use map or the City’s existing land use map, are considered less than significant. This additional discussion has been added to page 3.9-25 of the Final EIR.

The County has actively engaged the City of Vacaville, as well as other key stakeholders near Nut Tree Airport, such as Genentech, during the multi-year process of updating the Airport Master Plan. The County has worked closely with City staff on numerous occasions, holding informal meetings between City and County staff, as well as formal meetings that have been open to the general public, as well as Genentech. Documentation of the ongoing Master Plan vetting

process that has involved the County, City, key stakeholders, and the general public was provided in the Draft EIR (see pg. 1-1).

Lastly, the Draft EIR utilized all available data regarding the existing environmental condition on and around the Airport in order to accurately capture the “baseline” condition at the time the NOP was released. This effort included conducting surveys of the physical project site, as well as researching relevant information, including background data that was generated as a part of the City of Vacaville’s General Plan update. (See the references sections for Section 3.4, Cultural Resources, Section 3.7, Hazards and Hazardous Materials, Section 3.8, Hydrology and Water Quality, Section 3.11, Utilities and Service Systems, and Section 3.12, Transportation and Circulation.)

Response GEN-13

The commenter states that the EIR should address potential compatibility between the Proposed Project and the ALUCP for Travis AFB (TAFB).

The County has coordinated with TAFB planning personnel at different stages during the Master Plan update process regarding the Proposed Project. In regards to ALUC review, as a matter of policy the ALUC is responsible for reviewing the consistency of projects that fall within the airport influence area for TAFB. Utilizing noise, safety, and airspace protection information provided in the Draft EIR, the ALUC found, during their hearing on July 11, 2013, that the Proposed Project was consistent with the ALUCP for TAFB. The County agrees that further clarifying information can be included in the EIR to discuss the topic of compatibility with TAFB and its own ALUCP. Please see pages 3.9-8 and 3.9-23 of the Final EIR for added discussion regarding the Proposed Project’s consistency with the ALUCP for TAFB.

Response GEN-14

The commenter reiterates the comment made in GEN-8 that the EIR makes use of an improper baseline condition by utilizing the current ALUCP for analyzing potential compatibility and safety impacts.

The commenter is incorrectly interpreting the Draft EIR’s discussion of the adopted ALUCP as the baseline condition for the environmental analysis of all resource topic areas within the Draft EIR, and therefore, draws the incorrect conclusion that potential safety impacts were assessed in relation to the adopted ALUCP. As described in Response GEN-8, the adopted ALUCP is the appropriate document to utilize for purposes of assessing potential land use compatibility impacts associated with proposed on-Airport uses. As such, compatibility analysis presented in Section 3.9 of the Draft EIR remains relevant. Moreover, as detailed in Response GEN-11, the Solano County ALUC reviewed the Proposed Project for consistency with all applicable ALUC policies, including those set forth in the adopted ALUCP, and found that the operation forecasts and other changes to the Airport (i.e., runway extension) associated with the Proposed Project did not conflict with their review criteria or compatibility policies. As such, the ALUC found the proposed Master Plan update “consistent.”

With respect to the Draft EIR's analysis of other potential environmental issues, including the topic of safety, the existing condition as of when the NOP was released was utilized as the project baseline for determining with-project impacts. Specifically, the first full paragraph on pg. 3.7-16 of the Draft EIR addresses potential safety impacts associated with forecasted increases in aircraft operations (above current operation levels) as well as proposed changes to the runway length as compared to the current runway configuration. In order to fully clarify this important distinction, as well as provide additional analysis in support of the less-than-significant safety impact conclusion, additional language has been added to page 3.7-16 of the Final EIR.

Furthermore, as described in Response GEN-2, in order to clarify the baseline condition used for the Draft EIR, a paragraph discussing this issue has been added to Chapter 2, Project Description (see pg. 2-15 of the Final EIR).

Response GEN-15

The commenter states that the Draft EIR failed to consider thresholds of significance set forth within the Solano County ALUC's Countywide Review Procedures for determining noise impacts.

The commenter is incorrectly applying review criteria that are utilized by the ALUC to screen and ascertain consistency of an airport master plan update with the adopted ALUCP. The review criteria contained within the *Solano County Airport Land Use Compatibility Review Procedures* are for "the purposes of that plan" and do not establish thresholds of significance for the purpose of assessing noise impacts as set forth in the Draft EIR. The criteria cited by the commenter are utilized to assist the ALUC in rendering a consistency determination regarding a proposed master plan update.

For the purpose of providing additional information on the subject of minor increases in noise levels, areas located on the Nut Tree Airport property, and small areas designated as industrial land use located immediately adjacent to Runway 20, may be exposed to minor noise increases of either 3.0 decibel (dB) or greater or 1.5 dB or greater, depending on location. Marginal increases in dB levels, as noted in this paragraph, do not constitute a significant noise impact in relationship to industrial land uses, and as shown in Figure 3.10-5, none of the existing or designated industrial or other land uses surrounding the Airport would be exposed to noise levels that exceed thresholds of significance for these land use types as established under State of California or City of Vacaville CNEL noise standards.

A finding of inconsistency by the ALUC does not necessarily constitute a significant impact, particularly with respect to noise, as the criteria set forth in the Review Procedures, and the adopted ALUCP for the Nut Tree Airport, inform the ALUC's review process and consistency determination.¹ Moreover, while the criteria cited by the commenter may be relevant in terms of the ALUC's assessment of a master plan update's consistency with an adopted ALUCP, it is not useful as a significance threshold for determining potential noise impacts to surrounding land uses given that underlying land uses are not a consideration in that criteria. Analysis of potential noise impacts cannot occur in a vacuum, and must take into account the types of land uses that

¹ The ALUC found the proposed Master Plan update consistent in a hearing on July 11, 2013.

may be affected by changes in noise exposure as a result of a proposed master plan update. As such, state and local (City of Vacaville) standards for aircraft noise are a more useful measure for assessing potential noise impacts as they establish thresholds for maximum noise-level exposure by land use type.

Therefore, pursuant to CEQA Guidelines Section 15064.7(c), for the purpose of identifying noise impacts, the County utilized thresholds for determining noise impacts that have been established by state and City of Vacaville guidelines, as enumerated in the Draft EIR (see pgs. 3.10-10 through 3.10-17). The use of the City of Vacaville's noise standards for aircraft operations as a threshold of significance is very appropriate given that it is City land uses that could be most affected by forecasted airport operations. Furthermore, the standards set forth in the City's General Plan Noise Element (see Table 10-1 in the City's Noise Element) derive from the policies set forth in the adopted ALUCP.

Using the City standards, the Draft EIR assessed potential noise impacts associated with forecasted growth in aircraft operations, as compared to the baseline (2011 operations) condition, and concluded they were less than significant (see pgs. 3.10-24 through 3.10-28). As identified in Figure 3.10-5, at full project build-out the Proposed Project would not expose sensitive receptors to the south (i.e., homes, schools, etc.) to unacceptable noise levels as defined by state noise standards or City standards. Furthermore, uses to the north, including existing office and industrial uses would not be exposed to unacceptable noise levels as defined by state or City standards. (Language has been added to pg. 3.10-23, 24, and 29 of the Final EIR further clarifying that City of Vacaville criterion was also considered in the EIR's analysis. The 55 dB CNEL contour has also been added to Figure 3.10-2, 4, and 5.)

Given the existing analysis provided in the EIR, it is reasonable to conclude that the Proposed Project would not result in significant noise impacts on surrounding land uses.

Response GEN-16

The commenter states that the Draft EIR inadequately addresses potential safety impacts by applying "generic" safety zones from Caltrans Division of Aeronautics' California Airport Land Use Planning Handbook.

The commenter misunderstands the purpose and use of the generic safety zones as presented in the Draft EIR. Discussion within Section 3.9 of the Draft EIR related to the application of generic safety zones for medium length general aviation runways (as suggested in the Caltrans *Handbook*) was *not* provided to analyze and address potential safety impacts associated with the Proposed Project. Rather, depiction of the generic safety zones, and the associated analysis in the Draft EIR was provided to inform the ALUC consistency determination process. By depicting generic safety zones (per Caltrans standards) for the proposed runway length, and comparing them to current safety zones (as delineated in the current ALUCP), the Draft EIR sought to provide the ALUC a comparison of the difference *and similarities* between the adopted ALUCP and current generic standards contained in the Caltrans *Handbook*. The intent of this comparison is described on pg. 3.9-17 of the Draft EIR and summarized in the last sentence of the second full paragraph of this page, which concludes that despite forecasted aircraft operations and proposed

changes to the runway length, "...the operating characteristics of the Proposed Project would not render the current safety zones inadequate or less protective of planned land uses." Again, this analysis was provided to inform the ALUC's consistency determination, not assess potential safety impacts associated with the Proposed Project.

As discussed in Response GEN-14, project-related impacts to the baseline condition, as it relates to safety, were discussed on pg. 3.7-16 of the Draft EIR. The Draft EIR concluded that potential safety impacts resulting from changes in the baseline condition with implementation of the Proposed Project were less than significant (baseline condition of the Nut Tree Airport at the time the NOP was released). This discussion has been revised for clarity and additional content in the Final EIR (see pg. 3.7-16).

Response GEN-17

The commenter states that impact analysis associated with the consistency of proposed on-Airport, non-aviation land uses with ALUCP compatibility standards is inadequate and that proposed mitigation defers analysis.

Additional analysis has been provided in Section 3.10, Land Use to further clarify potential intensity factors associated with the proposed non-aviation uses and expanded administration building (see pgs. 3.9-14 through 16 of the Final EIR). Revisions to the original assessment of the locations of these uses relative to the ALUCP's safety zones have also been made.

As further described in the additional analysis provided in this EIR, given the types of uses proposed and their estimated intensities (i.e., people/acre) these are considered consistent with the safety criteria set forth in the ALUCP, and no substantial evidence is available that suggests these uses would be inconsistent with the ALUCP. Mitigation requiring referral of these uses to the ALUC for future review when greater additional project specific details are available, however, will remain in the EIR. Furthermore, as discussed before, the ALUC found the proposed Master Plan "consistent" and incorporated Mitigation Measures 3.9-1a and 1b into its findings adopted on July 11, 2013.

Given the additional analysis provided in the Final EIR, which supplements the original conclusion that the proposed uses are compatible with the ALUCP, as well as the ALUC's consistency finding (dated July 11, 2013), the County maintains that the analysis and mitigation provided herein is appropriate and meets CEQA requirements.

Response GEN-18

The commenter states that use of the 1993 Master Plan as the "no project" alternative is improper, and grossly inflates potential impacts under the "no project" alternative as compared to the "with-project" condition.

Per CEQA Guidelines Section 15126.6(e)(3)(A), "When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is

developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.” Given the above identified guideline, the Draft EIR properly identifies the continuation of the 1993 Master Plan and existing 2007 ALP as the “No Project Alternative” for evaluation. Additional language has been added to pg. 4-3 to clarify these circumstances.

With respect to direct physical impacts that would occur as a result of proposed development between the No Project Alternative and the Proposed Project, the Draft EIR found little difference and concluded that impacts would be similar, or in some cases less under the No Project Alternative. With this said, the County agrees that reliance on previous 1993 Master Plan forecasts for determining impacts associated with aircraft operations likely overstates the potential issues associated with air quality and noise, under the No Project Alternative given the large delta between 1993 and current forecasts. The Draft EIR misstates the forecasts from 1993 Master Plan, which were actually 180,000 and not 242,500 (corrections have been made were applicable in the Final EIR).

In order to acknowledge the disparity between the past and current forecasts, and to provide greater parity, the Alternatives discussion has been clarified in specific areas to include the assumption that forecasted operations under the No Project Alternative would be similar to those of the Proposed Project. This approach is supported by the fact that the No Project Alternative still includes the development of hangars that would attract additional aircraft to the Airport. Similarly, operations under the No Project Alternative would still be subject to the same market trends and growth factors that were considered in the Proposed Project’s forecasts. Given these factors, it is therefore reasonable to assume that aircraft operations under the No Project Alternative would be similar to those of the Proposed Project, which are forecasted at a conservative 1.1 percent growth rate. Changes to impact discussion on pages 4-4, 4-8, 4-10, and 4-11 have been made to account for this revised approach.

As a result of this revised analysis, resource areas (i.e., noise, air quality, greenhouse gas emissions, etc.) where the No Project Alternative would have had greater impacts than the Proposed Project due to higher forecasted operations, now have similar or less impact than the Proposed Project. Furthermore, as discussed in the Draft EIR, because the No Project Alternative does not include the development of non-aviation uses, it would have fewer impacts related to loss of habitat or fewer infrastructure and utility needs. Given these factors, the No Project Alternative is considered the “environmentally superior” alternative. However, pursuant to CEQA Guidelines Section 15126(e)(2), which states that when the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from the other alternatives. As such, Alternative B, which was originally selected as the environmentally superior alternative (Draft EIR, p. 4-21), would remain as such. Language supporting this conclusion is provided in the Final EIR (p. 4-22).

Response GEN-19

The commenter states that the Draft EIR fails to comply with requirements for a joint NEPA/CEQA evaluation.

The commenter incorrectly assumes that NEPA is required for the County to adopt the proposed Airport Master Plan. Nut Tree Airport receives funds from the FAA and therefore can be subject to FAA requirements for evaluating potential environmental impacts associated with FAA actions on the Airport. There is no Federal action taken on the proposed Master Plan requiring NEPA review to be conducted by the County. Additionally, Federal actions involving NEPA review are a separate and distinct process from CEQA, and as such, there is no requirement for a lead agency to jointly prepare CEQA and NEPA documents.

Response GEN-20

The commenter believes that the EIR requires extensive additions and changes, and as such should be re-circulated for public review per CEQA Guidelines Section 15088.5(a).

CEQA Guidelines Section 15088.5 is clear in defining what constitutes “significant new information.” Specifically, Section 15088.5(a) states that, “significant new information requiring re-circulation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful review and comment were precluded.”

To each condition identified above, the County responds that: (1) no new, significant environmental impacts that would result from the Proposed Project have been identified as a result of the public review process; (2) no substantial increases in the severity of an impact previously considered in the Draft EIR has been identified that would require mitigation to reduce this impact to a less-than-significant level; (3) the Draft EIR included a reasonable range of alternatives and proposed mitigation measures, where required, to lessen potential impacts, and no new or substantially different alternatives or measures were identified during the public review process; and (4) per California Code of Regulations., Title 14, Section 15151, the Draft EIR was prepared with a sufficient degree of analysis to provide decision makers with information that enables them to make a decision that intelligently allows them to take into account the environmental consequences of the Proposed Project. The EIR contains a balanced review of near-term, long-term, and cumulative impacts associated with the Proposed Project against a baseline condition established at the date the NOP was released. The EIR fully discloses potentially significant impacts and sets forth mitigation measures to reduce these impacts to less-than-significant levels where feasible. Lastly, the EIR provides a reasonable range of alternatives to the Proposed Project for the public to consider.

While new information has been added to the EIR in order to address specific comments or concerns raised during the public review process, this information has been included to clarify or amplify previous analysis, and does not trigger a need to re-circulate the EIR (CEQA Guidelines Section 15088.5(b)). Therefore, the County believes that this EIR is adequate, complete, and represents a good faith effort at full disclosure of potential environmental impacts associated with the Proposed Project, and as such, re-circulation is not required.



ESTABLISHED 1850

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City of Vacaville, Page 1 of 4

STEVE HARDY Mayor	CURTIS HUNT Councilmember
DILENNA HARRIS Vice Mayor	MITCH MASHBURN Councilmember
	RON ROWLETT Councilmember

June 28, 2013

Dave Daly, Airport Manager
Nut Tree Airport
301 County Airport Road, Suite 205
Vacaville, CA 95688

Subject: Nut Tree Airport Master Plan Draft EIR

Dear Dave,

This letter provides comments from the City of Vacaville on the Nut Tree Airport Master Plan Draft EIR.

Chapter 2, Project Description:

Page 2-5: Please include additional information regarding current building square footages and uses for existing landside facilities. | VAC-1

Page 2-8: How does the number of operations per year translate into number of persons using the facility? This information would be helpful in assessing effects to utility systems. | VAC-2

Page 2-16 This page contains a discussion of approvals that would be required from other agencies or jurisdictions. The list provided on this page should provide additional detail on the approvals needed from the City of Vacaville. In particular, we believe this additional detail could help provide clarity on how different land use actions would be carried out. Our suggestions include:

- Note that in addition to a determination of General Plan Consistency under Government Code Section 65402, the acquisition of lands from the City of Vacaville would require action by the City Council for approval of the land sale itself. | VAC-3
- Include a description of the land use approval process that would be required for private, non-aviation development on parcels identified in the Project Description for non-aviation uses. For private development it is the City's understanding that projects would still be subject to approval through the City's normal land use development process. This process should be described here.

Chapter 3.7 Hazards and Hazardous Materials

Page 3.7-16 The City notes that the EIR concludes that the proposed extension of Runway 20 will not result in new man-made objects penetrating the Airport's navigable airspace. | VAC-4

Chapter 3.9, Land Use:

Page 3.9-11 This section includes a description of relevant City plans for areas around the airport, including the Golden Hills Business Park Policy Plan, the Airport Business Area Policy Plan and the North Village Specific Plan area. The section should also include a description and discussion about the Nut Tree Ranch Policy Plan, since this is the other major Policy Plan located adjacent to the airport. Please let us know if you need copies of any City planning documents.

VAC-5

Page 3.9-14 The discussion regarding the review and approval process for the non-aviation facility located northwest of Runway 20 should reference the Golden Hills Business Area Policy Plan review procedures.

VAC-6

The City notes that the proposed project would result in less restrictive height standards for uses located north of the airport (Page 3.9-21) and that noise contours and safety zones would experience a slight contraction (Page 3.9-22).

VAC-7

Page 3.9-23 This section describes the project in relation to the City’s General Plan. The discussion should also note that the City of Vacaville City Council would review any sale of City-owned land for consistency with the General Plan, at which time the City would also review any specific proposed uses for compatibility with City planning policies. The EIR correctly identifies lands located northwest of the airport as being designated Industrial Park on the City’s General Plan. This section should identify that a large portion of the land anticipated for acquisition (approximately 38 acres of the 80 acres identified to the west of the runway) is currently owned by the City of Vacaville. The land immediately west of the runway is designated for Industrial Park uses on the City’s General Plan and is located within the Nut Tree Ranch Policy Plan and the Vacaville Golden-Hills Business Park Policy Plan. In addition, the 38 acres is suitable foraging habitat for certain raptor species as mentioned in Chapter 3.3 of the DEIR, and is currently required by the Department of Fish and Wildlife as Swainson’s Hawk foraging habitat mitigation.

VAC-8

Mitigation Measure 3.9-1a The City assumes that the City would be the “lead agency” for any private development, if any is eventually proposed on parcels shown for acquisition. This mitigation measure could be clarified to identify how the mitigation would be carried out, in particular describing how the responsibilities of different public agencies would affect the process for reviewing and approving future development activities.

VAC-9

Chapter 3.11 Utilities and Service Systems

Page 3.11-2 Please change the term “private domestic groundwater wells” to “groundwater sources”. In addition, the reference “Vacaville 2010b” is for wastewater, not water. The City recommends using the exact title of the reference document for clarity.

VAC-10

Also on page 3.11-2, the DEIR notes that the City’s current annual allocation of water supplies is approximately 42,000 acre feet per year (AFY), but does not cite a specific source document for this information. Please expand the description of current and future water supplies and provide source

VAC-11

citation for the data. The City has recently prepared water supply assessments for two large development projects, called Brighton Landing and Vanden Meadows. Please let us know if you would like copies of these documents.

VAC-11,
CONT'D

Page 3.11-6 This page includes a description of impacts to fire protection and emergency services. The City assumes that the proposed Master Plan will not involve any uses that have specialized emergency services that cannot now be provided by the Vacaville Fire Department, based on our review of the project description. However, the analysis in this section should be expanded to note that the uses anticipated do not include any aviation uses that would result in any specialized emergency services impacts or, if that is not the case, to describe what those emergency services needs would be.

VAC-12

Page 3.11-8 Table 3.11-1 does not appear consistent with the City's Average Dry Weather Flow (Qa). The Baseline condition should delineate all existing buildings by category (office, etc) and list square footages and correlate those to the dimensioned Site Plan for each phase of the project. If specific information for a future development program is not known at this time, acreage can be included for planning-level purposes. For purposes of clarity, please also provide a listing of the current Assessor's Parcel Numbers (APN's) for these parcels.

VAC-13

This same table may not be calculating flows correctly for the associated uses. The flow factors (1,500 gpd/acre, etc) are intended to be multiplied by the total parcel area, not the building area. Please clarify whether this is the factor used for this table. For multiple phases or buildings on a single large parcel, the total parcel areas could be distributed proportionally to building square footage. Alternately, the EIR could use the gpd/sf factors from the City Standards in combination with the proposed building square footages to project flows.

VAC-14

Table 3.11-1 lists the Highway Commercial flow factor (5,000 gpd/acre) for "Expansion of Existing Administration Building". This factor may be appropriate if the building were to include an intensive restaurant use and high occupancy. However, the EIR is likely fairly conservative in this case even if there is a restaurant in part of the building, since we would not anticipate it to be a heavy use restaurant. Please advise if the County believes otherwise.

VAC-15

The DEIR makes assumptions about the predicted number of employees at the airport. However, we believe it would be appropriate to predict or estimate the number of users of the facility (pilots, passengers, students, etc) in the sewer demand analysis. The flow factor of 30 gpd/person is very conservative, and a factor of 20 gpd/person (employees, pilots, passengers, students) could potentially be used for the entire cross section of people using the airport facility.

VAC-16

Table 3.11-1 should also include a projection for demand due to aircraft washing, assuming this type of use discharges to the sewer system, based on the predicted number of aircraft to be washed and number of gallons used per wash.

VAC-17

With regard to wastewater flow projections, please note that the airport is served by an existing 8-inch line and potentially in the future by the Horse Creek lift station.

VAC-18

Comment on Mitigation Measure 3.11-1

The Vacaville City Council adopted the 2009 Northeast Sector Sewer Master Plan (NESSMP) which allocated 2,000 gallons per acre over 10 acres of the airport facility. No main or trunk sewer capacity other than the 20,000 gpd in the existing collection system is available to the Airport. Any expansion beyond the 20,000 gpd will necessitate negotiating a revision to the NESSMP and Airport-funded construction of downstream sewer improvements (upsizing the existing sewer collection system). The mitigation measure acknowledges that action to approve changes to or construction in the sewer system would be required. Therefore, the Mitigation Measure language should be expanded to say "The study shall be submitted to the City of Vacaville for review and approval."

VAC-19

Thank you for the opportunity to review and comment on the Draft EIR. If you have any questions regarding the City's comments, please contact me at (707) 449-5307. City staff members are available to meet with you and your consultants to discuss any issues related to the project.

Sincerely,



Fred Buderer, City Planner

Response to City of Vacaville

The following section provides Solano County's response to the City of Vacaville's comment letter, dated June 28, 2013.

Response VAC-1

The commenter requests additional information regarding current building square footages and uses for existing landside facilities.

The Airport currently has approximately 8,400 square feet of office space, and approximately 288,150 square feet of aircraft hangar space. This information has been added to pg. 2-5 of the Final EIR.

Response VAC-2

The commenter asks how the number of operations per year translates into the number of persons using the facility, as this would be helpful for determining affects to utility systems.

As noted on pg. 2-8 of the Draft EIR, baseline operations at Nut Tree Airport totaled 101,500 in 2011. Of this total, 39 percent (39,585) were operations by aircraft based at the Airport, while 61 percent (61,915) were operations by itinerant aircraft. Future (2031) operations are forecasted to reach a total of 127,329, with similar splits between based and itinerant aircraft (pg. 2-12).

Aircraft operations can provide insight into potential noise, air quality, and transportation issues associated with the Proposed Project, however, in terms of gauging the actual number of persons using the Airport, particularly for the purpose of assessing potential utility usage, operation levels are a less useful measure. This is primarily due to the fact that one aircraft operation does not necessarily correlate to one user of Airport utilities. For example, the majority of aircraft storage hangars at the Airport do not have restroom or water connections. As a result, operators of based aircraft will typically arrive at the Airport, work on or fly their aircraft, and leave without ever using any utilities. Similarly, many operators or passengers of itinerant aircraft will arrive, leave to conduct off-Airport business or re-fuel their aircraft, and depart without ever having used Airport facilities. As such, it would difficult to derive potential affects to utility systems from forecasted aircraft operation numbers.

The approach provided in the Draft EIR was to assess the existing facilities with water or wastewater connections, and determine—using generation rates provided in Section DS 6 of the City's Design Standards for sanitary sewer systems—potential usage rates (see pg. 3.11-3 of the Draft EIR). This same approach was used to determine generation rates associated with proposed facilities.

Response VAC-3

The commenter states that additional detail regarding City approvals should be provided. In particular, the commenter states that EIR should note that the future acquisition of real estate is subject City Council approval, and that private development of non-aviation uses would be subject to the City's normal approval process.

The approvals section has been updated to include that the acquisition of real estate within City limits would be subject to approval by the City Council (see pg. 2-16 of the Final EIR). However, the County disagrees with the assessment that future development of non-aviation uses would be subject to the City's approval process for land use development. The County intends to lease these parcels to private developers and tenants for revenue generation purposes, and will not sell the land. Therefore, these land uses will remain on County property and will not be subject to the City's standard approval processes for land use development. It is assumed, however, that development of these uses would be subject to other City review and approval processes related, but not limited to, wastewater discharge and water supply allowances.

Response VAC-4

The commenter notes the Draft EIR's finding that extension of Runway 20 would not result in manmade objects interfering with the Airport's navigable airspace.

Correct. As discussed on pg. 3.7-16, extension of Runway 20, though it would move the approach and transitional surfaces associated with this runway end, would not result in existing structures located north of the Airport obstructing with navigable airspace per the standards of FAR Part 77.

Response VAC-5

The commenter states that the EIR should include a description of the Nut Tree Ranch Policy Plan.

The EIR has been updated to include a description of the Nut Tree Ranch Policy Plan (see pg. 3.9-11 of the Final EIR).

Response VAC-6

The commenter states that the discussion regarding the review and approval process for the proposed non-aviation facility located northwest of Runway 20 should reference the Golden Hills Business Area Policy Plan review procedures.

As described in Response VAC-3, all proposed non-aviation uses would remain on Airport property. Therefore, review procedures set forth in the Golden Hills Business Area Policy Plan would not be applicable to the non-aviation use located northwest of Runway 20. However, language has been added to Section 3.9, describing how the proposed use would adhere to the design policies of this plan to the greatest extent practicable (see pg. 3.9-15 of the Final EIR).

Response VAC-7

The commenter notes that the Proposed Project would result in less restrictive height standards, and a contraction of noise contours and safety zones, per discussion in Section 3.9 of the Draft EIR.

As a point of clarification, the discussion beginning in the second full paragraph on pg. 3.9-16 of the Draft EIR is intended to address potential changes in the compatibility factors that are relevant to the ALUCP for Nut Tree Airport. This section examines changes to the Airport's FAR Part 77 surface (as a result of the shifting and extension of Runway 2/20), changes in the size of

noise contours (as a result of forecasted operations and proposed extension of Runway 20), and hypothesizes generic safety zones based on the runway's configuration at full build-out (using standards set forth in Caltrans' *California Airport Land Use Planning Handbook*). These changes were then compared to the noise, safety, and airspace factors assumed in the 1988 ALUCP to determine if there were significant variances between the Proposed Project and the current ALUCP with respect to these key compatibility factors that might result in a finding of inconsistency by the ALUC.

The Draft EIR concluded that noise contours associated with the Proposed Project would be smaller than those used in the ALUCP (pg. 3.9-17), that potential safety zones (based on generic *Handbook* guidance for a medium-length, general aviation runway) would be similar or slightly smaller (though configured differently) than current safety zones (pg. 3.9-17), and that airspace protection standards would be slightly less restrictive as a result of the Proposed Project retaining a non-precision approach for Runway 20 (pg. 3.9-21).² The intent of this analysis was to point out that should the ALUC revise the ALUCP for Nut Tree Airport to account for these factors, the updated ALUCP could potentially be restrictive as or less restrictive than the current ALUCP. However, given that noise, safety, and airspace elements associated with the Proposed Project generally fit within the compatibility factors "footprint" established by the 1988 ALUCP, the Draft EIR concluded that the Master Plan update was consistent with the current ALUCP, and an update is not warranted.

Please note that the ALUC found the Proposed Project to be consistent with the Countywide Review Procedures for master plan updates and the 1988 ALUCP at a hearing on July 11, 2013.

Response VAC-8

The commenter states that a large portion of the area west and northwest of Runway 2/20 identified for future acquisition is owned by the City of Vacaville. The commenter goes on to state that the EIR should be updated to include this fact, and note that a portion of this area is reserved as Swainson's hawk foraging habitat by the Department of Fish and Wildlife.

Comment noted. The Final EIR has been updated to include this information (see pg. 3.9-25).

Response VAC-9

The commenter states that the City of Vacaville would be the lead agency for any private development that would occur as a result of the Proposed Project, and Mitigation Measure 3.9-1a should be updated to reflect this.

As noted in Response VAC-3, future non-aviation development would remain on Airport property. Therefore, Solano County would be the lead agency for any future development of these areas.

² The 1988 ALUCP assumed a precision approach for Runway 20.

Response VAC-10

The commenter states that “private domestic groundwater wells” should be updated to say “groundwater sources”, and that the citation is incorrect.

Comment noted. The Final EIR has been updated to include the commenter’s suggestion, and the citation has been fixed (see pg. 3.11-2).

Response VAC-11

The commenter states that it is unclear what the source of the 42,000 AFY of water supply is, and that this discussion should be expanded.

The source of this reference is the Water Supply and Service in Vacaville Technical Memorandum prepared in support of the current update to the City of Vacaville General Plan. A citation has been added, and a breakdown of the 42,098 AFY water supply has been provided (based on Table 1 of the above described Technical Memorandum) (see pg. 3.11-2 of the Final EIR).

Response VAC-12

The commenter states that the Draft EIR should be updated to address whether or not the Proposed Project would require specialized emergency services.

Nut Tree Airport is a general aviation facility that primarily caters to single-engine piston aircraft. Though the Master Plan update forecasts growth in operations over the next 20 years, the Airport will continue to primarily cater to single-engine piston aircraft. Therefore, the Proposed Project would not require the use of specialized emergency services. Language addressing this issue has been added to pg. 3.11-7 of the Final EIR.

Response VAC-13

The commenter states that Table 3.11-1 of the Draft EIR does not appear consistent with the City’s Average Dry Weather Flow (Qa) rates. The commenter goes on to state that the baseline condition should list all existing buildings, square footages, and APNs.

Facilities listed under the “baseline condition” category in Table 3.11-1 were identified as they are the only buildings with connections to the City’s wastewater system. All other existing buildings (i.e., aircraft hangars) do not have sewer connections, and therefore were not relevant for determining baseline wastewater generation rates. Table 3.11-1 has been revised to include APNs associated with existing and proposed facilities for reference purposes (see pg. 3.11-8 of the Final EIR), and the title for the fourth column in Table 3.11-1 has been revised to say, “Total Development Area (Acres).” Please also see Response VAC-14 regarding Qa calculation methodology.

It is also worth noting that two parcels have also been added to the Airport property boundary in recent years, and may not be reflected in the current 20,000 gpd wastewater allotment allocated to the County in the City’s 2009 *Northeast Sector Sewer Master Plan*. The first parcel, parcel number six on Figure E7 in the Master Plan, was added in May 2008, and totals approximately

15.6 acres. The second parcel, parcel number twenty-seven on Figure E7, was added in September 2010, and totals approximately 41 acres. While it is possible that parcel six was included in the Airport's wastewater allocation in the *Northeast Sector Sewer Master Plan*, parcel twenty-seven would not have been, and would presumably have its own allotment of wastewater assumed by the City, separate or in addition to the Airport's 20,000 gpd allotment. Therefore, the total amount of wastewater generation (gpd) allocated to the Airport, with the 41-acre parcel included, may be greater than 20,000 gpd. However, in order to remain conservative in its analysis, the EIR will continue to assess potential impacts against the 20,000 gpd threshold.

Furthermore, while the County believes that the EIR provides an adequate assessment of baseline generation rates, in order to address the City's uncertainties regarding current wastewater generation, Mitigation Measure 3.11-1 has been revised to include the following verbiage, "In order to gather information for this study, a flow meter will be installed at the Airport by no later than 2016 (one year before the end of Phase I development). Data will be collected by the County and shared with the City for a minimum of one year in order to provide the City with current information regarding wastewater generation." This additional language further clarifies the process that would be required in order to prepare a flow demand study, and emphasizes data sharing in order to help inform the City regarding generation rates at the Airport.

Response VAC-14

The commenter states that Table 3.11-1 may not calculate wastewater generation rates correctly, noting that flow factors are intended to be multiplied by total parcel area, not the building area.

Wastewater generation rates were developed using the guidelines set forth in DS 6-1 of the City's *Design Standards, Section 6, Sanitary Sewer System*. Existing offices uses (i.e., the admin building and hangar offices) and proposed non-aviation uses were calculated using generation rates for office (1,500 gpd) and industrial (2,000 gpd) rates. In order to calculate potential wastewater generation rates, the estimated gpd rate was multiplied by the total developable area (e.g., 1.5 acres office use x 1,500 gpd = 1,950 gpd). This approach is consistent with instructions established in Table DS 6-1, note 2, which states, "For all other uses, the minimum Q_a shall be equal to the appropriate factor from column 4 in Table DS 6-1 multiplied by the gross area of development, including roadways, parking, and landscape areas in terms of acres." Acreages for the proposed uses provided in Table 3.11-1 represent the total developable area associated with that use; therefore, the County concludes that Q_a rates provided in the Draft EIR for proposed non-aviation uses are generally accurate for planning purposes and were developed consistent with City standards.

With respect to aviation-related uses such as corporate hangars, given that corporate hangars are large, but low-intensity uses designed primarily for aircraft storage, it did not seem appropriate to calculate Q_a by the City's standard gpd/acre method. Furthermore, most existing corporate hangars at the Airport are not used on a daily basis, further reducing the amount of wastewater generated by these types of uses. Therefore, the Draft EIR used the 30 gpd/student rate recommended by the City of Vacaville for secondary school uses. This approach, while potentially conservative given the low usage rates of most aviation-related uses with wastewater connections, was used as both schools and the Airport are daytime public facilities. In summary,

the County feels that the Qa rate calculations depicted in Table 3.11-1 of the Draft EIR provide accurate and conservative estimates for the purpose of planning for future wastewater generation associated with the Proposed Project.

Response VAC-15

The commenter states that the use of the Highway Commercial flow factor for the proposed expansion of the existing administration building may be an overly conservative estimate, as the associated restaurant is likely not to be of high intensity.

The restaurant associated with the proposed expansion to the existing administration building is intended to cater to both users and non-users of the aviation-related facilities at the Airport. That being said, the restaurant will likely not be of high intensity given that the facility will also contain the administration offices for Airport/County staff, offices for other tenants, as well as a pilots lounge and conference room. However, in order to provide a conservative estimate of potential wastewater generation rates associated with the proposed expansion of the administration building, the EIR will retain the 5,000 gpd flow rate used in Table 3.11-1.

Response VAC-16

The commenter states that the EIR should provide an estimate of the number of users (i.e., employees, pilots, passengers, students) in the sewer demand analysis. The commenter also states that the 30 gpd/student flow factor rate may be overly conservative.

As described in Response VAC-2, it is difficult to assess potential usage rates based upon operation levels and related numbers of pilots, passengers, or students associated with those flights. As most hangars at the Airport do not have restroom facilities, pilots of based aircraft and pilots and passengers of itinerant aircraft often do not use existing utility systems. Though operations at the Airport are forecasted to increase over the next twenty years, this will not translate to a large growth in utility usage, as the role of the Airport as a general aviation facility catering primarily to recreational pilots will not change. The County feels that the Qa generation rates in Table 3.11-1 provide a conservative and reliable estimate for the purposes of planning for future impacts to existing wastewater facilities. Furthermore, in order to remain conservative in its estimates, Table 3.11-1 will continue to use the 30 gpd/student flow factor.

Response VAC-17

The commenter states that the Draft EIR should include demand projections for the existing aircraft wash facility.

Language has been added to pgs. 3.11-3 and 3.11-8 describing wastewater generation rates associated with baseline and future usage rates of the Airport's wash facility. As noted on pg. 3.11-3, this facility is sparsely used given that the majority of aircraft are stored indoors.

Response VAC-18

The commenter notes that the Airport is currently served by an existing 8-inch line and possibly by the Horse Creek lift station in the future.

Please note that pg. 3.11-2 of the Draft EIR (second full paragraph) describes the eight-inch sewer line that currently serves the Airport.

Response VAC-19

The commenter requests that the last line of Mitigation Measure 3.11-1 be revised to state that “the study shall be submitted to the City of Vacaville for review and approval.”

Mitigation Measure 3.11-1 has been updated per the City’s request (see pg. 3.11-11 of the Final EIR).

DEPARTMENT OF TRANSPORTATION

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June 28, 2013

Mr. Dave Daly
Solano County
301 County Airport Road, Suite 205
Vacaville, CA 95688

SOL80475
SOL-80-28.02
SCH#2012092031

Dear Mr. Daly

Nut Tree Airport Master Plan Update / Mitigated Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the application review process for the project referenced above.

Traffic Operations

On page 3.12-35 under the Roadway Segment Conditions section the document indicates that "the project-generated traffic would not increase the v/c ratio to exceed 0.02; therefore, the project would not result in a significant traffic impact to the roadway segments, and no mitigation measures are required." However in Table 3.12.10 on page 3.12-35 at the intersection of East Monte Vista Avenue / County Airport Road and Interstate (I-) 505 Westbound off ramp / I-80 Eastbound on ramp shows a change of 7.5 seconds higher than the stated 0.02. We are also concerned with the intersection of Orange Drive / I-505 Northbound off ramp / I-80 Eastbound off ramp because it is at the 0.02 threshold. Please propose mitigation measures to these project impacts for these intersections.

DOT-1

DOT-2

Should you have any questions regarding this letter, please contact Keith Wayne of my staff by telephone at (510) 286-5737, or by email at keith_wayne@dot.ca.gov.

Sincerely,

ERIK ALM, AICP
District Branch Chief
Local Development – Intergovernmental Review

c: Scott Morgan, State Clearinghouse

Response to Department of Transportation

The following section provides Solano County's response to the Department of Transportation's comment letter, dated June 28, 2013.

Response DOT-1

The commenter states that while the EIR indicates that "projected generated traffic would not increase the v/c ratio to exceed 0.02," Table 3.12-10 shows a change of 7.5 seconds higher than the stated 0.02 threshold for the intersection of East Monte Vista Avenue/County Airport Road and I-505 westbound off-ramp/I-80 eastbound on ramp.

The commenter incorrectly tied the cited text about roadway segments with the LOS summary table for intersections. The proper LOS table for roadway segments is Table 3.12-11, which shows that, as the cited text says, project-generated traffic would increase the road segment v/c ratio by less than 0.02 (a less-than-significant impact); therefore no mitigation measures are required for road segments. See Response to Comment DOT-2 regarding the cumulative impact (and required mitigation measure) for the intersection of East Monte Vista Avenue / County Airport Road and I-505 Southbound off-ramp / I-80 Eastbound on-ramp.

Response DOT-2

The commenter states that they are concerned with the intersection of Orange Drive/I-505 northbound off-ramp/I-80 eastbound off-ramp as it is at the 0.02 threshold, and requests that mitigation be proposed to address this potential impact.

The DEIR states, on page 3.12-34, that there would be a significant cumulative impact at the intersections of East Monte Vista Avenue / County Airport Road and I-505 Southbound off-ramp / I-80 Eastbound on-ramp and Orange Drive / I-505 Northbound off-ramp / I-80 Eastbound off-ramp. Mitigation measures are identified for each of those impacts: Measure 3.12-1 (page 3.12-39) for the East Monte Vista Avenue / County Airport Road and I-505 Southbound off-ramp / I-80 Eastbound on-ramp intersection, and Measure 3.12-2 (page 3.12-40) for the Orange Drive / I-505 Northbound off-ramp / I-80 Eastbound off-ramp intersection.

Phil Wade

From: Daly, David R. [DRDaly@SolanoCounty.com]
Sent: Tuesday, July 02, 2013 11:52 AM
To: Phil Wade
Subject: DEIR re: Nut Tree Airport Master PPlan.

Below are DEIR comments from Mr. Roberto Valdez.

Dave Daly
Airport Manager

Nut Tree Airport
301 County Airport Road, Suite 205, Vacaville CA 95688, 707- 469 - 4600

From: Roberto Valdez [<mailto:roberto58valdez@hotmail.com>]
Sent: Monday, July 01, 2013 5:04 PM
To: Daly, David R.
Subject: DEIR re: Nut Tree Airport Master PPlan.

Dear Mr. Daly,

Thank you again for allowing me to participate in the NTAMP public workshop which was held on Wednesday (June 12th) and accepting my written comments during your poster presentation.

Also, even though I was able to verify that a written copy of the current NTAMP was submitted to the Vacaville Public Library - Downtown Square Branch, can you tell me on which section/page the public review notice re: DEIR for NTAMP was posted on the Vacaville Reporter (May 13, 2013). Please understand that i am asking you to clarify this matter, because i continue to be disappointed with the amount of public response that you've gotten on this important plan in Solano County within the City of Vacaville.

RV2-1

In addition, I still feel that there is no need to remove any trees within the targeted cluster of wildlife habitat for (Swainson Hawks, Burrowing owls, White-tail Kites, & others) to accommodate the extension of the NTA runway. In fact, trimming the eucalyptus & other trees may lessen the natural barrier from aviation accident. Therefore, i hope that there will be not adverse impact to the natural environmental conditions along both Pine Creek and Horse Creek within the NTAMP.

RV2-2

Furthermore, i hope that Solano County will continue to allow ample opportunities to the proposed changes within the NTAMP in due process.

Thank You Very Much.

Roberto Valdez, Solano County Resident.

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Response to Roberto Valdez

The following section provides Solano County's response to the Roberto Valdez's comment letter, dated July 1, 2013.

Response RV2-1

The commenter requested to know on which section and page number the notice of availability for the Draft EIR was published on in the Vacaville Reporter.

The NOA was published on pg. 6B in legal notices section of the Vacaville Report on May 13, 2013.

Response RV2-2

The commenter states that he does not think any trees need to be removed in order to accommodate the proposed extension of Runway 20.

See Response RV-2.

