

To: Olivier Brackett, McClellan-Palomar Airport Manager
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From: Ray & Ellen Bender
Re: County's November 15 PAAC Presentation Re: County Compliance with
McClellan-Palomar Noise Compatibility Program (NCP)
Date: Monday, October 22, 2018

At a recent Palomar Airport Advisory Committee (PAAC) meeting, you advised that county will explain at the November 15, 2018 PAAC (i) the status of county's compliance with the County-FAA Noise Compatibility Program¹ (NCP) and (ii) the amount and significance of air pollutants that operations at Palomar contribute to the environment.

We have the questions noted below. We provide them three weeks before the scheduled meeting so that you can address them in the county's presentation. The NCP divides Palomar noise measures into the categories of A. Operational Measures, B. Land Use Management Measures, and C. Program Management Measures. Our questions follow that format and the NCP chronology. Within each category we number questions sequentially for ease of reference. The air quality [including lead and greenhouse gas] questions follow the noise questions.

A. Noise Questions

A1. OPERATIONAL MEASURES

1. *Continue Air Traffic Pattern Altitudes.* County and the FAA agreed that Palomar would continue the existing traffic pattern altitude as set forth in the 1992 NCP as Noise Abatement Operational Measure No. 1. By doing this, the FAA noted that 25 residences and 63 people would be benefited.

Question 1: From 2006 to 2018, did County and the FAA maintain the existing traffic pattern altitude? Where is the written proof that county monitored, documented, and recorded compliance with this measure?

Question 2: State when County and the FAA have or will implement NextGen measures at Palomar. State how implementation of NextGen changes the 1992 traffic pattern and how it affects the 25 houses and 63 people noted in Operational Measure 1 above. State whether development around Palomar increased the number of residences and people impacted by the 1992 measures.

¹ See "U.S. Department of Transportation Federal Aviation Administration Record of Approval [14 CFR Part 150] Noise Compatibility Program signed by the Regional Counsel AWP-7 and Manager, Airports Division AWP-600 in November and December 2006. Available on the McClellan-Palomar website.

2 & 3 & 6. *Continue Existing Alpha Departure VNAP as Published on the Website.* County and the FAA agreed to maintain and implement certain VNAP procedures including those of the National Business Aircraft Association (NBAA).

Question 3: From 2006 to 2018, has county monitored, documented, and recorded compliance with this measure? Where is the documentation? We understand that the FAA tower – when aircraft take off from Palomar too closely – directs aircraft to deviate from the VNAP program. How often does this happen? How many conversations has the Palomar Airport Director had with the FAA since 2006 regarding the need to schedule flights at proper intervals to minimize deviations from the VNAP? Provide documentation of such conversations.

4. *Runway 24 as the Calm Runway.*

No Questions.

5. *Continue the existing policy discouraging jet aircraft training due to noise abatement and traffic congestion as published in the Airport Facility Directory.*

Question 4: What measures has Palomar taken since 2006 to discourage jet aircraft training? Provide the documentation for such efforts. Documentation should include all the letters and notices to Flight Schools, to the FBOs, and to other jet operators referring to the NCP and the measures to be taken to discourage jet aircraft training.

Question 5: List the number of night time jet flights that Palomar handled in each year from 2006 to 2018 and provide the letters that Palomar sent to such operators each time noting that night time flights did not comply with the Palomar VNAP.

Question 6: We understand that Qualcomm routinely and consistently has failed to comply with the Palomar VNAP since 2006 [or the year it began Palomar operations] by operating at nighttime. Provide each letter that Palomar sent to Qualcomm noting the noncompliance and requesting compliance.

Question 7: Based on comments of one or more supervisors made at the County Board of Supervisor October 10, 2018 meeting, we understand that county is agreeable to certain flights being diverted from Lindbergh to Palomar. We understand that Lindbergh imposes mandatory penalties on certain night time flights but that such flights using Palomar would incur no such penalty. Explain how many flights could be diverted from Lindbergh to Palomar annually and the factors suggesting such diversion is possible and how Palomar intends to motivate compliance with the Palomar VNAP. G

7. *Delayed Left Turns Off Runway 24.*

No questions. FAA did NOT approve.

8. *GPS/RNAV Departure Procedure Alternate to VNAP.*

No questions. NOT an FAA approved measure.

9. *Join Sound Initiative to end Stage 1 and Stage 2 noise.*

Question 8. Did Palomar ever join Sound Initiative. If so, provide the proof. [We are aware that the FAA ultimately phased out Stage 1 and 2 aircraft. The question seeks to find out whether county ever joined Sound Initiative, not whether other measures came into play.]

10. *Apply "Quiet Hours" [2200 – 0700] to All Aircraft, Not Just Jet Aircraft.*

Question 9. Provide the documentation showing that Palomar implemented this measure and annually reminded all non-jet aircraft in writing of the need to comply with this measure. Provide copies of the GA tie down and/or other property agreements requesting GA compliance with Quiet Hours.

A2. LAND USE MANAGEMENT MEASURES

1. *Provide the recommended Noise Impact Notification Area (NINA) Information in both electronic and hard copy formats. Amend as other residential areas are impacted.*

Question 10. Provide all the NINA drawings from 2006 to the 2018 including especially drawings made after the Palomar runway was extended from 4700 feet to 4900 feet and resulting from increased residential construction within a 3-mile radius of Palomar [FAA-County NPA requirement.]

2. *Provide Updated Noise Exposure Maps in Electronic Format to SanGIS and City of Carlsbad*

Question 11. What is SanGIS? Was it a SANDAG system? How often did county update its NEMs and provide to SanGIS and to the city of Carlsbad. When the SDCRAA ALUC replaced the SANDAG function, did county provide the NEMs to the ALUC? How often. Provide the documentation supporting your conclusion.

3. *Rezone the undeveloped area designated E-A [APH 212-040-56] within the 60 CNEEL to P-M- Planned Industrial zone.*

Question 12. Did the rezoning occur? If so, provide the documentation supporting your conclusion and provide a map showing the parcel(s) affected. If not, explain why not.

4. Real estate disclosure within the CRQ's established Airport influence Area (AIA) should continue.

Question 13. The disclosures we have seen simply say that McClellan-Palomar Airport is a certain distance away. The disclosures do not say that Palomar Airport plans to expand its size and level of operations. In view of the Board of Supervisor October 10, 2018 action approving a new 20-year plan to extend the Palomar runway up to 900-feet and to convert Palomar to a D-III airport, provide a copy of the revised Palomar disclosure law that the county considers accurate to advise homeowners of the future Palomar changes.

5. *Provide the updated NEMS, AIA, and NINA to SanGis in electronic format and encourage the California Board of Realtors and others to visit the SanGIS.*

Question 14. How many times since 2006 has the county complied with the foregoing requirements? Provide the county documentation that supports your conclusion. How many realtor boards does the county annually contact to disclose the current Palomar growth plans and NEMS, AIA, and NINA?

6. *Provide SDCRAA with copies of final NEM and NCP documents.*

Question 15. In late September or early October 2018, the county belatedly provided the SDCRAA its new Palomar Master Plan. At its October 2018 SDCRAA ALUC meeting, ALUC staff advised that it also needed the county FAA new Airport Layout Plan (ALP) to proceed with updating the Palomar Land Use Compatibility Plan (LUCP). The LUCP determines how many properties near the Palomar Airport will have their use restricted.

Our review of the last county request to the CalTrans Division of Aeronautics – which issues the permit for revised Palomar operating facilities – revealed that when county made its last request to update the Palomar operating permit, there was not a current ALUC available to the Division of Aeronautics for review. The former county Airport Director, Peter Drinkwater, simply left the CalTrans Division of Aeronautics standard form, which requests ALUC information, blank when completing the form.

How often did the county provide the SDCRAA updated NEM and NCP documents since 2006?

To assure that the ALUC timely receives the needed 2018 ALP, provide a copy of the latest ALP actually approved by the FAA and a copy of the draft ALP that county Uapproved FAA-ALP is expected and when the county expects to provide the SDCRAA with the updated information.

Recognize that the county delay is holding many property owners around Palomar Airport hostage and placing a cloud on their title and affecting their property value until county provides the new ALP to the SDCRAA ALUC and until the degree of new property restrictions can be determined.

A3 PROGRAM MANAGEMENT MEASURES

1. *Upgrade GEMS software and hardware to ANOMSS.*

Question 16. Did county every do this even though FAA funding may not have been available? What noise monitoring system does county currently maintain? From 2006 to the present, how many Palomar noise monitoring microphones were actually working for each of the years. Provide the noise results for each of the years from 2006 to 2018.

2. *Noise Abatement Officer.*

No Questions. NAO hired and remains.

3. *The Palomar Airport Advisory Committee (PAAC) should continue to act as a forum for discussion of noise abatement actions.*

Question 17. The PAAC monthly provides a noise report. The PAAC does NOT report any noise abatement actions taken, such as notifications to aircraft not complying with the VNAP of noncompliance. Annually from 2006 to 2018, how many times has the county or PAAC provided a written notice to Palomar Airport aircraft users that their flights did not comply with the VNAP. Provide a copy of the notices. Include the notices to Qualcomm, which is a repeat offender including flying during Quiet Hours.

4. *Update Maps identifying the noise-sensisive areas for the Jeppesen Airway Manual.*

Question 18. Did county do this and update the maps as the airport changed? Provide the documentation showing compliance.

5. *Produce an Airport Noise Information Booklet.*

Question 19. Did the county produce a booklet. Has the county updated it? Does the booklet discuss Single Noise Level Events (SNEL) that the court in Berkeley Keep Jets Over the Bay should be discussed? If not, why not?

6. *Develop an Official Website to Disseminate VNAP Information.*

Question 20. The Good News: Members of the public wanting VNAP information can go to the Palomar website at <https://www.sandiegocounty.gov/dpw/airports/palomar.html> and find mind numbing noise information. **The Bad News:** The site omits the most crucial VNAP information: (i) How many annual Palomar flights do not comply with VNAP? (ii) What letters has the county sent to the offending pilots to encourage compliance? (iii) What meetings has the county held with the FAA and FAA Palomar Flight Control Tower to minimize control tower directions not to comply with the VNAP. Advise when the county will be tighten its VNAP enforcement, the specific measures county will take, and the time frame implementation.

7 & 9. *Continue to Coordinate with the Department of Public Works Public Information Officer to disseminate information to the news media.*

Question 21. Provide a copy of all the noise information and press releases that county has disseminated to the DPW Information officer since 2014, especially related to Palomar aircraft VNAP compliance.

7 Continue Attending Aviation Association Meetings Expanding VNAP Awareness.

Question 22. From 2006 to the present, list the Aviation Association Meetings that Palomar staff has attended at which VNAP issues were discussed and explain what measures airports in other cities have used to encourage VNAP compliance.

10. Periodically provide updated VNAP information for Distribution by FBOs.

Question 23. From 2006 to the present, provide all written information that county has provide Palomar Fixed Base Operators regarding the VNAP program and regarding the compliance of the aircraft using each FBO complying with the program.

11. When Feasible, the CRQ [Palomar] Air Traffic Control Tower Should Encourage the Use of the VNAP.

Question 24. Since 2006 to the present, how many times has county staff tried to set up meetings with the Palomar Air Traffic Control Tower and FAA personnel to see if the control tower personnel are making a good faith effort to have Palomar aircraft comply with the VNAP? How many times during this period has county staff asked Supervisor Horn to do this. FYI, Supervisor Candidate Jim Desmond has said that setting up such meetings is paramount to assuring the maximum VNAP compliance.

12. Conduct the Recommended Workload Study.

Question 25. This recommendation is interesting because the FAA disapproved it. The FAA refused to fund a study of FAA Palomar Air Traffic Control Study work load to see if the tower was acting efficiently and helping to implement the NCP report recommendations including the VNAP.

What efforts has the county made to change the FAA's mind? How can the public have faith in a joint FAA-County Noise Compatibility Program when the FAA often directs pilots not to comply with VNAP, allegedly for safety reasons. FAA control tower safety can easily be assured simply by increasing flight arrival and departure intervals by a few minutes to avoid the need to direct pilots not to comply with the VNAP.

13. Erect Signs to Inform Drivers of Palomar Airport's Existence.

No questions. But sounds like an existential issue.

14. Produce VNAP Signs and Stickers for Use.

Question 26. How many VNAP signs and stickers has county produced and how many are currently displayed on the Palomar Airport premises?

15. Conduct Bi-Annual VNAP Training Classes.

Question 27. Since 2006 to the present, how many classes has county conducted at Palomar, what were the attendance levels, and what benefit was achieved. Provide copies of the reports that were made after the meetings to explain the level of compliance.

16. *Implement the Recently Adopted "Fly Friendly" Program*

Question 27. State for each year from 2006 to the present (i) how many non-compliances with the Fly Friendly program the county has documented at Palomar including noncompliance with Quiet Hours and (ii) how many letters of noncompliance county has sent to the pilots not in compliance.

END OF NOISE COMPATIBILITY PROGRAM SECTION

B. Air Quality Questions

The county October 10, 2013 Lead Gradient Study at McClellan-Palomar Airport Final Report concludes in part:

The previous 1-year EPA-funded study detected elevated levels of airborne lead near the primary run-up area at McClellan-Palomar Airport in Carlsbad, California. In that study the lead sampler was in very close proximity to where piston-driven aircraft engines operate at relatively high power settings and sampled localized exhaust emissions, rather than ambient air to which the public could be exposed. Furthermore, members of the general public do not have access in this area.

* * *

The most representative location for future airborne lead monitoring and protecting public health is Site #9 from the Lead Gradient Study (along the perimeter fence in the northeast corner of the airport property). This site measured the highest airborne lead concentrations outside of the primary run-up area and represents the area with the greatest potential for exposure to the general public.

Question 1: The first paragraph concludes that the public is not at risk for the sampling location in close proximity to where piston-driven aircraft operate at high power settings but seems to imply what workers near that area may be. At the PAAC meeting, discuss how many workers are in the high lead emission area, the protections which have been taken for the workers, and provide all communications from the county to the affected FBO to advise the FBO of the worker-lead risks.

Question 2: County states that lead sampling Site #9 “represents the area with the greatest potential for exposure to the general public.” But the county does not quantify this risk. Has there been a follow up study to quantify the risk? If so, what results? If not, why not? Moreover, the Site #9 results presumably depend on wind conditions. What area has the greatest risk to the public if the wind conditions are unusual, such as during the Santa Annas?

Question 3: How does the county lead sampling evaluation change under the BOS-adopted Palomar runway extension and/or relocation?

Our general non-lead air quality questions are as follows:

Question 4: Total Annual Palomar Users.

- What are the total number of persons using Palomar annually including (i) pilots and passengers on recreational general aviation aircraft; (ii) pilots and passengers on corporate aircraft; (iii) current and forecasted pilots, flight crews, and passengers on regularly scheduled air carriers; (iv) pilots, flight crews, and passengers on chartered flights; and (v) pilots and passengers on helicopter flights?
- What are the total number of persons working at Palomar for the county and for the FBOs?
- What are the estimated total number of persons visiting Palomar as vendors or otherwise providing service annually including fuel deliveries, Landings restaurant deliveries, maintenance parts deliveries, and rental car users?
- How many patrons does the Landings restaurant annually serve?

Caution: When answering the questions above, include both passengers boarding flights and departing from flights. Do not use the term “enplanements” which adds confusion to air quality analysis.

Question 5: Based on the total number of Palomar annual flights, what are the existing and projected aircraft emissions at Palomar Airport for all pollutant categories. Note: Referring to the county’s 2018 PEIR does not answer this question. The county omitted various aircraft categories from its calculations. If you disagree, site the precise PEIR pages that list each of the categories described in Questions 4 and 5.

Question 6: Based on the total number of Palomar users as provided in your answer to Question 4, provide the total number of vehicle trips that are made to and from Palomar Airport. Our recollection is that the PEIR used a figure of 2.4 trips per person. If that is not the correct figure, provide the correct figure and its basis. Based on this number of trips, list the total Palomar related vehicle-related emissions for each pollutant category.

Question 7: We understand that the San Diego Basin and Carlsbad are non-attainment areas for certain pollutants. Specify these pollutants.

- When an area is a non-attainment area for a certain pollutant, how much additional pollutant for that category must be added for the impact to be significant. Cite the relevant law and regulation that answers this question.
- For instance if the San Diego Basin is a non-attainment area for the 8-hour ozone pollutant level, what level of added ozone emissions from Palomar operations would be needed to trigger a significant impact for ozone increases? Identify the law and regulations that support your answer.

Question 8: When evaluating mitigation measures to offset significant air quality impacts, does the county ever buy air quality credits from private or governmental entities that have reduced their air quality impacts. If so, identify air quality credits county has purchased. If not, why not?

Our Greenhouse Gas Emissions questions are as follows:

Question 9: For the Palomar user levels requested in Question 4 above (including all Palomar users), what level of Greenhouse Gases did they create in 2016 for their aircraft and vehicle operations (including equipment used to service the aircraft while engines are switched off)? Note: This question does NOT ask for a per population figure. Rather it asks for the Greenhouse Gas levels in actual, absolute terms.

Question 10: For the Palomar user levels requested in Question 4 above and the county's projected 508,000 passengers by 2036, what are the projected Greenhouse Gas levels in 2036. Note: This question does NOT ask for a per population figure. Rather it asks for the Greenhouse Gas levels in actual, absolute terms.

END OF AIR QUALITY QUESTIONS