

COUNTY OF EL DORADO

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April 29, 2014

Ms. Catherine Hack, Environmental Coordinator
Department of Community Development
Planning and Environmental Review Division
827 7th Street, Room 220
Sacramento, CA 95814

Re: Comment from El Dorado County
Revised Mather Airport Master Plan Draft Environmental Impact Report
Control Number: 2002-0325; State Clearinghouse Number 2007102040

Dear Ms. Hack:

Noise Impacts:

The DEIR states the impact question as “9. NOISE - Would the project: Result in exposure of persons to, or generation of, noise levels in excess of standards established by the local general plan, noise ordinance or applicable standards of other agencies?”

The DEIR then concludes that noise is a “Less Than Significant or No Impact” with the comment “No land currently in residential use will be located in Mather Airport’s CNEL 65 dB through 75 dB noise contours with the proposed project.” (Page 9-68)

El Dorado County disagrees with the DEIR conclusion because of known evening and nighttime flights that continue to disturb and awaken residents. The Mather STAR has reduced some of these occurrences, but the STAR is optional and may be overridden by TRACON due to traffic or other safety/weather factors. The DEIR should identify the impact as potentially significant without mitigation. A feasible mitigation measure is to control arrivals and departures to reasonable timeframes, such as 6 am to 9 pm. To ignore this significant impact, as well as feasible mitigation measures, is in conflict with CEQA. It is also illogical and un-neighborly. Sacramento County has existing capacity and facilities at Sacramento International. The project and its end result of creating a major cargo hub for Mather is merely a scheme to attract income for Sacramento County Government at the expense of Folsom and El Dorado County residents.

The DEIR explains away the impact/mitigation by this paragraph from page 9-72:

“As a result of the Airport Noise and Capacity Act (ANCA) and the grant assurances associated with accepting federal funds, Airport proprietors have very limited ability to limit or restrict aircraft operations at their facilities particularly as it relates to curfews or single event noise level limits. Hence, it would be very difficult for an airport operator to enforce mitigation measures involving noise limits or curfews resulting from the exceedance of significance thresholds in a CEQA document when the FAA does not concur that their established thresholds have been surpassed. One of the main objectives of establishing a CEQA threshold is to offer a target for revisions or mitigation measures. The Sacramento County Board of Supervisors may consider the single event noise analysis when deciding to approve or not approve the project or portions of the project; however, it is not practical to use it for identifying mitigation measures pursuant to CEQA, since mitigation must be enforceable and regulation of aircraft operations is outside their jurisdiction.”

El Dorado County feels that this statement is absurd. The proposed project is the Mather Airport Master Plan which is subject to approval by the Sacramento County Board of Supervisors. It is up to the Sacramento County Board of Supervisors to determine the significance criteria, impacts conclusion, and feasible mitigation measures. Whether or not the FAA concurs is irrelevant. El Dorado clearly understands the difficulty for an airport operator to enforce mitigation measures involving noise limits. The DEIR should identify the potential impact, using better significance criteria, as potentially significant and then identify potential mitigation measures. It is not El Dorado County's responsibility to provide potential mitigation measures; that is what the DEIR is supposed to do. CEQA intends DEIR's to provide the public and decision makers the information by which to make good decisions. The DEIR currently falls short regarding noise impact and mitigation. Whether or not the potential significant impacts are then mitigated are subject to the Sacramento County Board of Supervisor's consideration.

Mather Noise Analysis STAR assumption

The DEIR (page 9-38) states that one of the noise analysis assumption is that “use of the AMRVR ONE STAR was assumed for 50 percent of calendar year 2012 and 100 percent of the time in the future scenarios.”

The STAR reduces noise impacts as stated in the DEIR. However, to use the reduced noise configuration for 100 percent of the analysis for future scenarios skews the results. A more realistic (or even worst case) assumption should have been made. To have a current year assumption at 50 percent using the STAR and future years using the approach 100 percent of the time is incredible at best, inappropriate at worst. The data does not clearly identify the potential impact that El Dorado County claims is a potentially significant impact. The DEIR should have identified the impact as significant, addressed any potential mitigation measures, for which the Sacramento County Board of Supervisors could make findings of overriding consideration, if appropriate.

El Dorado County finds the DEIR has erroneously identified Noise as a less than significant impact. El Dorado County requests that the DEIR be revised, once again, and re-released with new significance criteria, the proper significance conclusion and an adequate discussion of potential mitigation measures.

Instead the DEIR erroneously states that because there is no feasible mitigation (or effective enforcement of mitigation) that the impact is less than significant. That is not how CEQA works.

Mather Airport Nighttime Awakenings Analysis

The Mather Airport Nighttime Awakenings Analysis by ESA, December 2013, provides some factual information, but not enough, then erroneously concludes that the change in nighttime awakenings is minimal. The conclusion is erroneous because:

1. The data used apparently only includes a small portion of Western El Dorado County. The primary way points for arrivals from the east are directly over Placerville (HNW), as well as Cameron Park (CAMRR). Noise impacts from air cargo at nighttime affects residents in central El Dorado County including Pollock Pines, Camino, Placerville, Diamond Springs, El Dorado, Shingle Springs, Rescue, and Cameron Park. Some of these areas are higher in elevation (2000 feet for Placerville, 4000 feet for Pollock Pines) and are potentially closer to arriving aircraft. This should have been part of the analysis. There are approximately 180,000 residents of El Dorado County. Most are under the flight path of Mather. Even if the analysis suggests a 1 percent increase in nighttime awakenings, which could result in over 1,000 individuals being affected. That is a potentially significant impact.
2. The data used does not address the increase in population in El Dorado County. The County General Plan anticipates most of the growth to be in the very area affected by the Mather Airport Master Plan. At a conservative, straight-line, 1 percent growth rate, by 2035 another 36,000 residents will potentially be affected in El Dorado County. The Mather Airport Master Plan will increase nighttime awakenings for future population of El Dorado County. That is a potentially significant impact.
3. The analysis provided no recommendations (mitigation) for the impacts, other than a quip on page 7 that “a windows-closed scenario would reduce the potential awakenings.”

CEQA baseline:

From page 16-7, Areas of Known Controversy: “Mather’s CNEL contours have become significantly smaller as compared to those generated by the military aircraft previously based at Mather.”

Although El Dorado County appreciates that the military no longer flies B-52’s into and out of Mather Field, it may be noted that nearly all these flights were conducted during daylight hours and did not awaken residents of the County in the middle of the night. At least the military appreciated the notion of being a good neighbor.

In CEQA terms, the baseline of the environmental analysis for a DEIR is the existing condition vs the proposed project. The DEIR generally maintains this approach, but this particular section is misleading in that it compares the noise impacts of the military use of the facility to the proposed project. This statement is not substantiated by facts contained in the DEIR. Can the DEIR identify the data, noise analysis, or flight records (such as evening and nighttime flights) for the military use in the 1980's?

Incorporation by reference

The County Board of Supervisors received and reviewed Folsom's letter prepared by Shute, Mihaly, and Weinberger LLP letter dated April 29, 2014 and agrees with the comments on the Revised Draft EIR for Mather Airport Master Plan. The Board, in its action of April 29, 2014 (Legistar Reference 12-1174) voted to incorporate the Shute, Mihaly, and Weinberger LLP letter by this reference.

Sincerely,



Norma Santiago
Chair, Board of Supervisors
County of El Dorado

CC: **Sacramento County Board of Supervisors**
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