

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384



F13a

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STAFF REPORT: REGULAR CALENDAR

Application No.: 6-20-0611

Applicant: San Diego County Regional Airport Authority

Agent: Ted Anasis

Location: San Diego International Airport, 3225 North Harbor Drive, San Diego, San Diego County

Project Description: Demolition of 336,000 sq. ft., 19 gate, Terminal 1 building, solid waste facility, and roadways and construction of a new 1,210,000 sq. ft., 90 ft. tall, 30 gate Terminal 1 building; a 60 ft. tall, 2,250,000 sq. ft., approximately 5,500 space parking structure; on-airport circulation roads; multiuse pedestrian and bicycle path; stormwater improvements; waste facility; and landscaping; relocation of the taxi and shuttle lot; and after-the-fact approval of construction of a new 70,762 sq. ft. Facility Maintenance Department building, 3,000,000 gallon underground cistern, 7,040 sq. ft. Fueling and Operations Center, and conversion of a long-term public parking lot to employee parking.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The San Diego Regional Airport Authority (Authority) proposes to demolish the existing 19-gate Terminal 1, which was built in 1967, and replace it with a new 30-gate Terminal 1 building. The Authority has indicated that the proposed project is necessary to modernize Terminal 1, and to meet current building code requirements, comply with Federal Aviation Administration (FAA) airfield design standards, improve the efficiency of aircraft circulation and level of service to passengers, and enhance access and connectivity between the airport and the region's transportation system. While the proposed project would accommodate forecasted growth at the airport, the Authority has indicated that growth would occur at the same levels even if the project were not implemented since capacity at the airport is limited by the single runway and not the number of gates.

The proposed project is a component of the Airport Development Plan (ADP), which was adopted by the Authority on January 9, 2020 and most notably includes the replacement and expansion of Terminal 1. The proposed project would be implemented in two phases over 5 years to ensure that airport operations are maintained during construction. During the first phase, Terminal 1 would be expanded to the east and include 19 gates opening in 2024, allowing the existing terminal to remain operational. Phase 2 would include the demolition and replacement of the existing terminal with 11 gates once the first phase is complete and would be operational in 2026.

The primary Coastal Act concerns related to this project are potential impacts to public access, air quality, water quality, biological resources, and visual resources. The San Diego International Airport is located just inland of the San Diego Bay shoreline and near many coastal destinations, including Harbor Island, Spanish Landing Park, and the boat channel at Liberty Station. Public access at these locations could be adversely impacted if adequate parking was not available onsite for airport employees and passengers, encouraging drivers to utilize public parking offsite, or if construction or operation of the project resulted in increased traffic on North Harbor Drive, a major coastal access way. In this case, the Authority has identified that enough off-airport parking exists to accommodate the temporary decrease in parking during construction and that long-term parking demand would be satisfied upon completion of the project, which includes a 5,500 space parking structure. Regarding traffic, the proposed on-airport road would remove westbound airport traffic from North Harbor Drive at the existing intersection of North Harbor Drive and Laurel Street and the proposed multi-use pedestrian and bicycle path would be constructed along North Harbor Drive, connecting Laurel Street to Terminal 1. These improvements would have a positive impact on traffic and circulation surrounding the airport by reducing westbound airport traffic on North Harbor Drive by approximately 45% and providing alternative forms of transportation to the airport. However, the overall amount of traffic to the airport is likely to increase upon operation of the proposed project, which could cause a decrease in the level of service at several nearby intersections and road segments within the coastal zone.

To mitigate for these impacts, the Environmental Impact Report (EIR) for the project recommended several off-airport improvements, which were approved by the FAA for

funding in a May 29, 2020 letter to the Authority ([Exhibit 8](#)). The Authority has been in coordination with the City of San Diego, Port of San Diego, California Department of Transportation, and the San Diego Association of Governments to implement these improvements and has indicated that the majority of the off-airport roadway improvements are to be implemented by opening day of Phase 1, which is planned for the end of 2024, and the remaining would be implemented when the annual airport passengers reach 32 million, which is the trigger identified in the EIR for substantial delays in the level of service for those roadway intersections and segments. The Authority also plans to implement a free shuttle from the Old Town Transit Center (Amtrak regional train station, COASTER local train station, MTS trolley/bus station) to the airport in November 2021, which would allow employees and passengers, as well as construction personnel, to connect to the airport via alternative transportation and reduce the demand for airport parking and traffic surrounding the airport. **Special Condition No. 3** requires the applicant to submit a shuttle management plan for the proposed Old Town Transit Center shuttle that includes the hours of operation, frequency, capacity, route, and advertising program to encourage the use of this new shuttle connection to the airport, and requires the approved plan to be implemented no later than December 1, 2021. While this short-term improvement to increase alternative transportation to the airport would be beneficial, Commission staff has strongly supported the development of a long-range transportation solution, including a transit connection (e.g., automated people mover, trolley extension) from the airport to a future off-airport Intermodal Transit Center, which would significantly improve public transit to the airport, resulting in a reduction in traffic congestion, parking demand, and associated greenhouse gas emissions. **Special Condition No. 1** requires revised final plans that identify the location reserved for the future on-airport transit station, which is proposed to be located on the west side of the Terminal 1 parking structure. To mitigate for the unpermitted conversion of a long-term public parking lot to employee parking, Special Condition No. 1 further requires revised final plans that identify that electric vehicle (EV) charging ports will be installed at 5% of new parking stalls on airport parking facilities and that an additional 5% of parking stalls will be constructed as EV-ready (capable of future EV charging infrastructure) and converted within 5 years of the operation of the parking structure or when demand for the charging ports increases as determined by annual parking surveys, but no later than 10 years. **Special Condition No. 4** requires the submittal of an annual report that documents efforts that have been made to add or improve mass transit linkages to the airport and implement the off-airport roadway improvements recommended in the EIR. **Special Condition No. 5** requires the applicant to prepare and submit a Staging Area and Public Access Plan that would avoid closures on North Harbor Drive to the greatest extent feasible and prohibit lane closures from Memorial Day Weekend to Labor Day during the daytime, or anytime during weekends or holidays.

The construction and operation of major transportation, water, energy, and telecommunication projects can significantly increase greenhouse gas (GHG)¹

¹ Any gas that absorbs infrared radiation in the atmosphere. Greenhouse gases include, but are not limited to, water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O),

emissions and therefore global warming, which in turn can cause significant adverse impacts to coastal resources of California, including sea level rise. In this case, implementation of the ADP, of which the subject project is a significant component, would result in a 14-51% increase in GHG emissions which represents a substantial increase in GHG emissions over existing conditions. While significant emissions associated with the project may be unavoidable, mitigation can be achieved by the purchasing of offset credits approved by the California Air Resources Board, which requires offsets to be real, quantifiable, enforceable, permanent, additional, and verified reductions of emissions, generated from projects in economic sectors such as forestry or agriculture that provide climate benefits. **Special Condition No. 6** requires the Authority to calculate and report all emissions that occur as a result of the subject project and to fully mitigate for all construction and operation emissions under control of the Authority in a manner consistent with the California Global Warming Solutions Act of 2006 (AB 32) requirements.

The proposed project includes improvements that would direct stormwater from the site to the southside stormwater capture and reuse system that was approved by the Commission on June 10, 2021 (CDP No. 6-20-0447). The Commission's water quality specialist has reviewed the proposed stormwater capture and reuse system components associated with the subject project and agrees they are appropriately designed and sized. As mitigation for the unpermitted construction of the facilities maintenance building, underground cistern, and fueling and operations center, the applicant has also proposed to capture an additional 36 acres of stormwater from the subject site, including 8 acres from the parking structure and 26 acres on the Terminal 1 site ([Exhibit 4](#)). The Commission's water quality specialist has reviewed the proposed mitigation and agrees the improvements provide more water quality benefits than stormwater measures that would typically be required for this type of project since the mitigation will not only infiltrate runoff on-site, but will also capture and reuse stormwater for non-potable water uses for the airport. To prevent plastic pollution and wildlife entanglement during construction, **Special Condition No. 7** requires the Storm Water Pollution Prevention Plan submitted for the project to be revised to also prohibit plastic netting at the construction site. Special Condition No. 7 further requires that the revised plan identify the location of fueling locations, waste storage and vehicle storage areas and identify BMPs that will be used to protect water quality from construction impacts at these sites.

California least terns, an endangered species, have nested on airport property since 1970 in five oval areas between the runway and taxiways. The project site is within 500 feet of an oval potentially utilized by the least terns for nesting between April 1 and September 15. The United States Fish and Wildlife Service (USFWS) conducted an informal consultation of the proposed project and issued a letter that contains conservation measures that have been agreed to by the Authority and FAA to avoid and

hydrochlorofluorocarbons (HCFCs), ozone (O₃), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). ([UNFCCC](#)) [GHG Inventory Glossary | California Air Resources Board](#)

minimize potential impacts to the least terns ([Exhibit 5](#)). These measures include requirements that, within 800 ft. of the nesting ovals, anti-predator perching treatments are applied to structures taller than 10 ft., no landscaping that is conducive to predator perching is installed, permanent lighting and signage are minimized and the lighting downcast, and no project construction will occur between April 1 and September 15 to avoid the nesting season. In addition, for construction occurring between 800 and 1,200 ft. of nesting ovals during the nesting season, a least tern biologist with the authority to stop work will be onsite to monitor construction and ensure that construction activity does not disrupt nesting. **Special Condition No. 8** requires the applicant to comply with the conservation measures in the USFWS's April 27, 2021 consultation letter. To ensure that project lighting doesn't adversely impact the nesting birds, **Special Condition No. 1** would require all lighting to be reduced to 3,000 kelvin with the exception of airfield lighting, which may be brighter to allow for the safe transit of airplanes. Finally, to reduce the chance of bird strikes, **Special Condition No. 9** requires effective bird strike prevention measures to be incorporated into the development's final design, such as glass that is reflective to light spectrums visible to avian vision, or glass treatments and lighting design to minimize the attractiveness of the buildings to birds.

The proposed project would be located directly north of North Harbor Drive, a major coastal access road along the San Diego Bay shoreline. Although the structures would not block views of the bay or the San Diego skyline, they would be visible to those traveling along North Harbor Drive and from public vantage points along the San Diego Bay. The Authority has proposed landscaping to screen the project. **Special Condition No. 2** requires the applicant to submit final landscaping plans that include only native plants or drought tolerant plants, which are non-invasive. **Special Condition No. 10** prohibits outdoor advertisement or art that may be visible from any public vantage point unless the Authority obtains future authorization from the Commission.

Sea level rise is expected to exacerbate existing coastal hazards by raising mean water levels and extending flood zones inland. Since the airport is located close to San Diego Bay, the airport may be threatened by flooding and storm hazards associated with sea level rise. In 2020, the Authority completed a climate resilience plan that projected sea level rise impacts on the site and studied the adaptive capacity of the existing and proposed structures. In regard to the proposed development, the modeling identified that portions of the proposed on-airport access road could experience flooding during a 100-year storm or high tide event in 2100. The Authority has indicated that the subject road has been designed to accommodate periodic flooding by designing the elevations to be higher than the projected 2100 sea level rise, with the exceptions of the area of roadway which interface with the North Harbor Drive and a segment of roadway that leads to the proposed solid waste facility; however, all roadway drainage, including the roadway which interfaces with North Harbor Drive, has been designed to limit flooding during a 100-year storm event to no more than four inches above the roadway which would still allow passage. In regard to the segment of the solid waste facility access road, there is potential for flooding through the storm drain inlets due to sea level rise; however, the drainage system will utilize gate valves to mitigate flooding and the road will be designed to contain flooding through precise grading and surface drainage in order to maintain access. **Special Condition 11** requires the applicant to acknowledge

the risk of building in a hazardous location and ensures that the risks of property damage or loss arising from flooding, sea level rise or other changed circumstances are borne by the applicant.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-20-0611, as conditioned. The motion is on page 8. The standard of review is Chapter 3 of the Coastal Act.

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EXHIBITS

[Exhibit 1 – Location Map](#)

[Exhibit 2 – Site Plan](#)

[Exhibit 3 – Unpermitted Development Location Map](#)

[Exhibit 4 – Proposed Stormwater Mitigation Map](#)

[Exhibit 5 – USFWS letter dated April 27, 2021](#)

[Exhibit 6 – Visual Simulations](#)

[Exhibit 7 – Sea Level Rise Projection](#)

[Exhibit 8 – FAA letter dated May 29, 2020](#)

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 6-20-0611 pursuant to the staff recommendation.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind

all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Revised Final Plans. PRIOR TO ISSUANCE OF THE COASTAL

DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, one full-size set of final plans, including lighting plans, that conform with the plans submitted to the Commission, titled "Construction Level Plans" on June 18, 2021, and titled "HLB Lighting Design" on March 17, 2021, except the plans shall be modified as follows:

- a) The plans shall identify the area reserved for the future on-site transit station.
- b) The plans shall identify that lighting will be limited to a maximum of 3,000 Kelvin correlated color temperature or below in all areas of the project site that do not support moving airplanes, including the taxi hold lot, multi-use bike/pedestrian paths, roadways, and parking structure.
- c) The plans shall include the installation of new electric vehicle (EV) charging ports throughout the airport in an amount equal to 5% of the final total of parking structure spaces, and construction of additional parking stalls, in an amount equal to 5% of the final total of parking structure spaces, as EV-ready (capable of future EV charging infrastructure). EV-ready parking stalls shall be converted to EV charging ports within five years of the operation of the parking structure unless the Authority provides parking surveys that indicate demand for the additional EV charging ports does not warrant the conversion and the Executive Director agrees in writing that the conversion of the parking stalls can be delayed; however, the conversion of the EV-ready stalls to charging ports must be completed no later than 10 years of the operation of the parking structure.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

2. Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL

DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, one full-size sets of final landscaping plans, which shall include and be consistent with the following:

- a) Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants

shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).

- b) Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

- 3. Shuttle Management Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and written approval of the Executive Director, a Shuttle Management Plan. The final plan shall provide the operational stipulations for a free shuttle system between the Old Town Transit Center and the airport and shall be implemented no later than December 1, 2021, unless the Executive Director agrees in writing that the implementation can be delayed. The final plan shall include, but not be limited to, hours of operation, frequency, capacity, route, and advertising program to encourage the use of this new alternate transit connection to the airport.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

4. Public Transit and Roadway Improvement Status Report. Prior to the operation of the Phase 1 expansion gates in Terminal 1, the applicant shall submit a comprehensive Transit and Roadway Improvement Status Report to the Executive Director for review and written approval, documenting the efforts that have been made to add or improve mass transit linkages to the airport for airport employees and the public and roadway mitigation for traffic impacts. Each year thereafter, the applicant shall submit to the Executive Director an annual report documenting any changes that have occurred throughout the previous year to provide mass transit opportunities to the airport. In addition to a status report on ongoing operations, each annual report shall contain at a minimum the following items:

- a) An evaluation of the progress made with San Diego Association of Governments (SANDAG) and other stakeholders in the development and construction of the Intermodal Transit Center with a transit connection to the airport;
- b) An evaluation of the progress made with the Federal Aviation Administration (FAA) to secure funding for Intermodal Transit Center related projects, including

off-airport improvements such as the automatic people mover or trolley connection envisioned to connect the Intermodal Transit Center with the airport;

- c) An evaluation of progress made with the Metropolitan Transit System (MTS) in expanding and improving MTS direct bus service to the airport; and
- d) An evaluation of progress made with the City of San Diego, Port of San Diego, California Department of Transportation, and SANDAG to implement the traffic intersection and roadway improvements approved in the FAA's May 29, 2020 letter, included as [Exhibit 8](#).

The information contained in the annual reports will be used by the Commission in review of any future improvements to the airport requiring a coastal development permit.

- 5. Construction Schedule, Staging, and Public Access Plan. PRIOR TO COMMENCEMENT OF CONSTRUCTION**, the applicant shall submit, for the review and written approval of the Executive Director, a detailed construction phasing schedule, Staging Plan, and Public Access Plan that is consistent with the following:

- a) The approved plans shall have the least impact on bicycle, pedestrian, and vehicular traffic on North Harbor Drive and shall avoid lane closures, to the greatest extent feasible; and
- b) From Memorial Day to Labor Day of each year, no lane closures on North Harbor Drive shall occur during the daytime, or anytime during weekends or holidays.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

- 6. Greenhouse Gas Emission Reduction Plan. PRIOR TO COMMENCEMENT OF CONSTRUCTION**, the applicant shall submit a Greenhouse Gas (GHG) Emission Reduction Plan for Executive Director review and written approval. The Plan shall describe the proposed project elements and identify and quantify the types and amounts of Scope 1, 2, and 3 GHG emissions that will be associated with the construction and operation of the approved project. Known or estimated values for GHG emission sources must be provided for (but not be limited to) aircraft, ground support equipment (GSE), space heating and air conditioning, motor vehicles, and construction equipment/materials. The Plan shall also identify, evaluate, and develop GHG emission reduction measures for incorporation into the design, construction and operation of the proposed project that would reduce Scope 1 and 2 emissions to net zero. Emission reduction goals shall be consistent with the California Global Warming Solutions Act of 2006 (AB32) and the Coastal Act.

- a) Construction-related GHG emissions: No later than June 30th of each subsequent year that the project remains under construction and within 60 days of completing construction, the Permittee shall submit a report for Executive

Director review and written approval that identifies and calculates net construction-related GHG emissions resulting from the approved project and all measures implemented to reduce net emissions to zero. All measures shall be consistent with the protocols established pursuant to AB 32. Any offsets or credits used to meet this level shall be approved by the California Air Resources Board (CARB) and shall be consistent with AB 32.

- b) Operational GHG emissions: No later than June 30th of each subsequent year that the project remains in use, the Permittee shall submit for Executive Director review and written approval an annual report that identifies and calculates each year's Scope 1 and 2, and 3 GHG emissions associated with project operations and all measures implemented to reduce Scope 1 and 2 net emissions to zero. Any offsets or credits used to meet this level shall be in accordance with regulations approved by CARB and shall be consistent with AB 32.

The Permittee may include GHG emission reduction measures, credits, or offsets that are consistent with AB 32 and have been implemented pursuant to the requirements of another regulatory agency. Upon the Permittee's request, the Executive Director may approve the use of offsets or credits available from entities other than CARB, SDCAPCD, or CCAR, if they are consistent with AB 32 protocols.

7. Revised Stormwater Pollution Prevention Plan. PRIOR TO COMMENCEMENT OF CONSTRUCTION, the applicant shall submit, for the review and written approval of the Executive Director, a revised stormwater pollution prevention plan that conforms with the plans submitted to the Commission, titled "Stormwater Pollution Prevention Plan: San Diego International Airport Terminal 1 Redevelopment Project" and dated March 4, 2021, except the plan shall be modified as follows:

- a) The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and heavy-duty silt fences) that incorporate plastic netting shall be prohibited, to minimize wildlife entanglement and plastic debris pollution. Only 100% biodegradable (not photodegradable) natural fiber netting shall be allowed.
- b) The plan shall identify the location of waste materials, stockpiled construction materials and construction equipment servicing locations within the project area.
- c) The plan shall identify which pollutant control BMPs will be implemented on-site to minimize the discharge of other pollutants resulting from construction activities (such as chemicals, vehicle fluids, petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters, including: 1) materials management and waste management BMPs (such as stockpile management, and a debris disposal plan) to minimize the discharge of pollutants from staging, storage, and disposal of construction chemicals and materials; and 2) site management "good housekeeping" BMPs (e.g., clean up all leaks, drips, and spills immediately; keep materials covered and out of the rain; cover exposed soil stockpiles; dispose of all wastes properly; and cover

open trash receptacles during wet weather) to minimize the discharge of pollutants from construction activities.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

8. **Compliance with USFWS Conservation Measures.** By acceptance of this permit, the applicant agrees to comply with the conservation measures contained in the United States Fish and Wildlife Service Informal Consultation for the San Diego International Airport Development Plan letter dated April 27, 2021, included as [Exhibit 5](#).
9. **Bird Safe Building Standards. PRIOR TO COMMENCEMENT OF CONSTRUCTION,** the applicant shall submit to the Executive Director for review and written approval, project plans for the proposed development that are in compliance with bird-safe building standards for façade treatments, landscaping, lighting, and building interiors, as follows:
 - a) The amount of untreated glass shall be less than 35% of the building façade.
 - b) Acceptable glazing treatments include: fritting, netting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, ultraviolet patterns visible to birds or similar treatments, as approved by the Executive Director.
 - i. Where applicable, vertical elements within the treatment pattern should be at least 1/4" wide, at a maximum spacing of 4";
 - ii. Where applicable, horizontal elements within the treatment pattern should be at least 1/8" wide, at a maximum spacing of two inches 2"; and
 - iii. No glazing shall have a "Reflectivity Out" coefficient exceeding thirty percent 30%. That is, the fraction of radiant energy that is reflected from glass or glazed surfaces shall not exceed 30%.
 - iv. Equivalent treatments recommended by a qualified biologist may be used if approved by the Executive Director.
 - c) Building edges of exterior courtyards and recessed areas shall be clearly defined, using opaque materials and non-reflective glass.
 - d) Trees and other vegetation shall be sited so as to avoid or obscure reflection on building facades.
 - e) Buildings shall be designed to minimize light spillage and maximize light shielding to the maximum feasible extent per the following standards:
 - i. Nighttime lighting shall be minimized to levels necessary to provide pedestrian security.
 - ii. Building lighting shall be shielded and directed downward.

- iii. Up-lighting and use of event “searchlights” or spotlights is prohibited.
 - iv. Landscape lighting shall be limited to low-intensity and low-wattage lights.
 - v. Red lights shall be limited to only that necessary for security and safety warning purposes.
- f) Artificial night light from interior lighting shall be minimized through the utilization of automated on/off systems and motion detectors.
- g) Avoid the use of “bird traps” such as glass courtyards, interior atriums, windows installed opposite each other, clear glass walls, skywalks, and transparent building corners.

Within 90 days of the completion of the development authorized by CDP No. 6-20-0611, the applicant shall submit evidence in the form of a narrative report, for the review and written approval of the Executive Director, showing that all project components were installed in compliance with bird-safe building standards as required by this condition.

- 10. Future Development.** This permit is only for the development described in CDP No. 6-20-0611. Any future improvements to the subject development, including but not limited to the addition of exterior artwork, addition of advertising, or change in parking use, shall require a coastal development permit amendment from the Commission or shall require an additional CDP from the Commission, unless the Executive Director determines that no amendment or new coastal development permit is legally required.
- 11. Assumption of Risk Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards, including but not limited to storms and flooding, many of which will worsen with future sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission’s approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The San Diego Regional Airport Authority (Authority) proposes to demolish the existing Terminal 1, associated roadways, and east solid waste facility, construct a new Terminal 1 building, parking structure, roadways and pathways, solid and liquid waste

facility, stormwater improvements, and landscaping ([Exhibit 2](#)), and relocate the taxi shuttle and hold lot. The Authority also requests after-the fact approval of a facilities maintenance building, underground cistern, fueling and operations center, and conversion of a public parking lot to an employee parking lot ([Exhibit 3](#)). The Authority has indicated that the project is necessary to modernize Terminal 1, which was built in 1967, and to meet current building code requirements, comply with Federal Aviation Administration (FAA) airfield design standards, improve the efficiency of aircraft circulation and level of service to passengers, and enhance access and connectivity between the airport and the region's transportation system. However, the Authority has indicated that, while the proposed project would accommodate forecasted growth at the airport, that growth would occur at the same levels even if the project were not implemented since the capacity is limited by the airport's single runway and not the number of gates; therefore, the Authority maintains that the project would not increase the number of daily flights arriving and departing from the airport.

The proposed project would be implemented in two phases over 5 years to ensure that airport operations are maintained during construction. During the first phase, Terminal 1 would be expanded to the east and include 19 gates opening in 2024, allowing the existing terminal to remain operational. Phase 2 would include the demolition and replacement of the existing terminal with 11 gates once the first phase is complete and would be operational in 2026.

The proposed project is a component of the Airport Development Plan (ADP), which was adopted by the Authority on January 9, 2020 and most notably includes the replacement and expansion of Terminal 1. While the ADP was not approved by the Commission, all ADP projects are under the coastal permitting authority of the Commission. ADP projects that have been approved by the Commission include CDP No. 6-19-0154 (Administration Building Replacement and Relocation), CDP No. 6-19-0348 (Airline Support Building Replacement), CDP No. 6-20-0180 (Construction Trailers), 6-20-0239 (West Solid Waste Facility and Fuel Rack), and CDP No. 6-20-0447 (Airside Improvements); while approval of these projects facilitates the Terminal 1 expansion, they did not include the Terminal 1 expansion project itself, which is the subject of this review.

Specifically, the proposed project includes the following components ([Exhibit 2](#)):

- **Demolition of Existing Structures:** The 336,000 sq. ft., 42 ft. tall, 19 gate Terminal 1 building, east solid waste facility, and on-airport roadways would be demolished.
- **Terminal 1 Replacement:** A new 1,210,000 sq. ft., 90 ft. tall, 30 gate Terminal 1 building would be constructed on the site of the existing Terminal 1 and the area to the southeast.
- **Terminal 1 Parking Structure:** A 60 ft. tall, 2,250,000 sq. ft., approximately 5,500 space parking structure would be constructed south of Terminal 1 and would replace an existing surface parking lot.

- **Ground Transportation Improvements:** An inbound on-airport road would connect to North Harbor Drive and allow westbound airport traffic to enter the airport at the existing intersection of North Harbor Drive and Laurel Street; on airport circulation roadways would connect terminals, parking, and transit stops, and be elevated for departure drop-offs over the ground level arrivals pick-up area; outbound (eastbound) airport circulation roads would be improved, including the Terminal Link Road which would be reserved for high-occupancy vehicles, and a multi-use pedestrian and bicycle path and crossings would be provided. An auxiliary lane on westbound North Harbor that extends from the existing taxi hold lot to the roadway entrances to the two terminals will be removed since westbound airport-bound traffic will enter and remain on the proposed entry road. The footprint of the auxiliary lane will be used for landscaping and the multi-use path for pedestrians and bicyclists to access the Terminal area. There will be no change to the existing three westbound through lanes or the three eastbound lanes on North Harbor Drive.
- **Stormwater Improvements:** Stormwater from the site would be captured and directed to a previously permitted 1.5-million-gallon underground cistern on the south side of the airport (CDP No. 6-20-0447) for reuse ([Exhibit 4](#)).
- **Central Utility Plant Upgrade:** An additional chiller would be added to the interior of the building to increase its capacity for providing chilled water for building cooling; no exterior work would occur.
- **Solid and Liquid Waste Facility:** A 32,539 sq. ft., 36 ft. tall entirely enclosed solid waste building would be constructed directly east of the Airline Support Building and north of the proposed entry road. The liquid waste facility would consist of a covered building that allows vehicles to drive through automatic overhead doors to be washed; water will then flow through a grease interceptor and drain to a sanitary sewer collection system.
- **Relocation of Taxi Lot:** The taxi/shuttle area will be relocated to a paved parking lot directly adjacent to the north of the existing lot to accommodate the proposed roadway improvements in an area that was previously used for shuttle bus storage and dispatch operations. The taxi/shuttle lot will use similar entrance and exit points from North Harbor Drive and will be able to access the new entry road when dispatched to the transportation islands at the existing Terminal 2 and the proposed Terminal 1 replacement.

In addition, the Authority is requesting after-the-fact approval of the unpermitted developments listed below ([Exhibit 3](#)), which have been included in the subject application because the proposed mitigation would be located in the subject project footprint:

- **Facilities Maintenance Department (FMD):** A new 70,762 sq. ft., 15- ft. tall FMD building located on the northside of the airport in an area that was previously paved, and a 3-million-gallon underground cistern for stormwater capture, storage, and reuse, which is located below a paved parking lot for FMD fleet

vehicles. The FMD was previously located in several aged buildings that were permitted to be demolished (CDP No. 6-20-0447).

- Airline Fueling and Operations Center (AFO): A 7,040 sq. ft. AFO building located on the northwest side of the airport in an area that was previously paved. The AFO was previously located in the historic United Airlines Building, which was permitted to be disassembled and relocated (CDP No. 6-19-0348-A1).
- Long-term Public Parking Lot Conversion: A 1,964 space parking lot on the northside of the airport off Pacific Highway was permitted as a long-term public parking lot (CDP No. 6-13-0245) but was converted to employee parking in January 2019. The long-term public parking was relocated to a 1,400 space parking lot on the south side of the airport off North Harbor Drive.
- Mitigation: The airport proposes to mitigate for these developments by including an additional stormwater capture area of 36 acres from the proposed parking structure and Terminal 1 site. Captured stormwater would be directed to a previously permitted 1.5-million-gallon cistern on the southside of the airport (CDP No. 6-20-0447) for capture, storage, and reuse for non-potable water uses at the airport ([Exhibit 4](#)).

The airport is within the Coastal Commission's permit jurisdiction and the Chapter 3 policies of the Coastal Act constitute the standard of review.

B. Public Access and Recreation

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings [...]

Section 30253(d) of the Coastal Act states:

New development shall do all of the following:

(d) Minimize energy consumption and vehicle miles traveled.

The San Diego International Airport is located just inland of the San Diego Bay shoreline and near many coastal destinations, including Harbor Island, Spanish Landing Park, and the boat channel at Liberty Station. Public access at these locations could be adversely impacted if adequate parking was not available onsite for airport employees, guests, and passengers, encouraging them to utilize public parking offsite, or if construction or operation of the project resulted in increased traffic on Harbor Drive, a major coastal access way. In addition, because this is a major airport project that would include a new large parking structure and expansion of passenger gates at Terminal 1 from 19 to 30, improvements that include expanding alternative forms of transit to the airport should be incorporated into the project to reduce traffic congestion, parking demand, and vehicle miles traveled pursuant to Sections 30252 and 30253 of the Coastal Act.

The Authority has identified that 6,600 public parking spaces currently exist at the airport, of which 62 have electric vehicle (EV) charging stations; however, parking would be reduced to 3,860 parking spaces, including 56 EV charging stations, from 2021-2025 during construction of the proposed Terminal 1 expansion and associated improvements.

The Authority has estimated the parking demand during construction to be approximately 5,300-6,300 parking spaces, which would be equivalent to a deficit of approximately 1,500-2,500 parking spaces during construction of the proposed Terminal 1 parking structure. This estimate was developed based on assumptions and passenger activity forecasts that were made prior to the current COVID-19 pandemic, which temporarily reduced parking demand at the airport. As passenger air travel has returned in 2021, the demand for airport parking has also returned. To offset the temporary loss of on-airport parking spaces, the Authority has indicated that there are adequate parking spaces available at several nearby off-airport parking facilities with shuttles to the airport. Based on a survey completed in April 2019, there are 12 off-airport parking facilities that have a total capacity of approximately 5,000 parking spaces, of which only 62%, or 3,100 spaces, were occupied. Thus, the off-airport parking facilities are estimated to have enough capacity to offset any on-airport parking deficit.

Following completion of construction of the proposed parking structure in 2026, a total of 8,760 public parking spaces would exist at the airport: 5,500 at the new Terminal 1 parking structure, 2,900 at the existing Terminal 2 parking structure, and 360 at an existing surface lot west of Terminal 2. The Authority estimated project parking demand through 2036 and determined that parking demand would be satisfied by these 8,760 public parking spaces through that time.

The proposed project would include the construction of an on-airport road that would remove westbound airport traffic from North Harbor Drive at the existing intersection of

North Harbor Drive and Laurel Street. Currently, westbound Laurel Street splits into two lanes: one turning south to a signal intersection with North Harbor Drive and another merging onto westbound North Harbor Drive. With implementation of the proposed project, the westbound lane would instead merge onto the airport entry road; drivers which are not bound for the airport, will continue in the south-turning lane to the existing intersection of Laurel and North Harbor Drive, and will make a right-hand turn onto North Harbor Drive. Directional signage will inform drivers bound for the airport to remain in the right lane on Laurel and merge onto the entry road. Drivers bound for North Harbor Drive and other destinations to the west and on San Diego Bay will be directed to the existing signal intersection of Laurel and North Harbor Drive. A multi-use pedestrian and bicycle path would also be constructed along North Harbor Drive, connecting Laurel Street to Terminal 1. These improvements would have a positive impact on traffic and circulation surrounding the airport by reducing westbound airport traffic on North Harbor Drive by approximately 45% and providing alternative forms of transportation to the airport. However, the amount of traffic to the airport would likely increase upon operation of the proposed project, which could cause a decrease in the level of service (LOS) at several nearby intersections, including West Laurel Street at North Harbor Drive (from C to E), and Harbor Island Drive at North Harbor Drive (from D to E) which is considered a significant impact. To mitigate for these impacts, the EIR includes a number of roadway and intersection improvements, including adding a third eastbound left turn lane and removing an eastbound through lane at the intersection of Laurel Street at North Harbor Drive, and re-coordinating the signals along North Harbor Drive from Harbor Island Drive to Grape Street. The Authority has indicated that they are subject to Federal Aviation Administration (FAA) restrictions on the use of airport funds and must receive FAA approval for the use of those funds off-airport. These improvements were approved by the FAA for funding in a May 29, 2020 letter to the Authority ([Exhibit 8](#)). The Authority has also been in coordination with the City of San Diego, Port of San Diego (Port), California Department of Transportation (Caltrans) and San Diego Association of Governments (SANDAG) to implement the improvements and has indicated that the majority of the off-airport roadway improvements are to be implemented by opening day of Phase 1, which is planned for the end of 2024, and the remaining would be implemented when the annual airport passengers reach 32 million, which is the trigger identified in the EIR for substantial delays in the level of service for those roadway intersections and segments. **Special Condition No. 4** requires the applicant to provide an evaluation of progress made with the City of San Diego, Port, Caltrans, and SANDAG to approve and implement these traffic intersection and roadway improvements. To avoid any potential adverse impacts during construction of the project, **Special Condition No. 5** requires the applicant to submit a Staging Plan and Public Access Plan for the review and written approval of the Executive Director. The Public Access Plan shall avoid lane closures on North Harbor Drive to the greatest extent feasible; however, if lane closures are unavoidable, then no work that will result in lane closures on North Harbor Drive shall occur during the daytime, nor anytime on weekends or holidays from Memorial Day weekend to Labor Day of any year. As such, any potential impacts to traffic along North Harbor Drive would be minimized.

In addition, the Authority plans to implement a free shuttle from the Old Town Transit Center (Amtrak regional train station, COASTER local train station, MTS trolley/bus

station) to the airport in November 2021, prior to the closure of the remaining 400 public parking spaces in the existing long-term parking lot (anticipated in January 2022), which would allow employees and passengers, as well as construction personnel, to connect to the airport via alternative transportation and reduce the demand for airport parking and traffic surrounding the airport. Thus, the new Old Town Transit Center shuttle would provide a substitute means of serving the airport with public transportation, pursuant to Section 30252. **Special Condition No. 3** requires the applicant to submit a shuttle management plan for the proposed shuttle that includes the hours of operation, frequency, capacity, route, and an advertising program to encourage the use of this new alternate transit connection to the airport, and requires the approved plan to be implemented no later than December 1, 2021.

However, while this short-term improvement to increase alternative transportation to the airport would be beneficial, Commission staff has strongly supported the development of a long-range transportation solution, including a transit connection (e.g., automated people mover, trolley extension) to a future off-airport Intermodal Transit Center, which would significantly improve public transit to the airport, resulting in a reduction in traffic congestion, parking demand, and associated greenhouse gas emissions. The Authority has indicated that they are closely coordinating with SANDAG on the design of the future project and have reserved an area west of the proposed parking structure to accommodate a future on-site transit station while regional planning efforts for the long-range solution continue. Once the transit technology and the preferred alignment to the airport is determined, the Authority has indicated that it will identify the cost of its participation for the construction of the transit station and will submit a request to the FAA for funding. **Special Condition No. 1** requires revised final plans that identify the location of the future transit station. **Special Condition No. 4** requires the submittal of an annual report that documents the current status of efforts that have been made to add or improve mass transit linkages to the airport and documents any changes that have occurred throughout the previous year to provide mass transit opportunities to the airport including an evaluation of progress made in the development and construction of the Intermodal Transit Center, as well as with the FAA to secure funding for Intermodal Transit Center related projects, including off-airport improvements such as the automatic people mover or trolley connection envisioned to connect the Intermodal Transit Center with the airport.

Finally, the proposed project includes a request for after-the-fact authorization of the conversion of a long-term public parking lot on the northside of the airport to employee parking. CDP No. 6-13-0245, for the rental car center, authorized the subject parking lot which replaced a long-term parking lot that was authorized under CDP No. 6-12-088 to be demolished. The Authority has indicated that, prior to the conversion, airport employees parked in public parking lots at the terminals and along North Harbor Drive. Long-term public parking was relocated to a surface parking lot on North Harbor Drive with a shuttle bus service to the terminals in January 2019, but was closed in April 2020 due to a lack of demand caused by the COVID-19 pandemic. However, as indicated previously, sufficient long-term parking is available at nearby off-airport sites to accommodate the loss of public parking until construction of the proposed Terminal 1 parking structure is completed in 2026. The proposed parking structure would not

include dedicated long-term parking and, as such, reduced rates are not expected to be offered; however, again, adequate off-site long-term parking would still be available to the public.

To mitigate for the unpermitted conversion of public parking, **Special Condition No. 1** requires revised final plans that identify electric vehicle (EV) charging ports will be installed at 5% of new parking stalls, or approximately 275, in the proposed parking structure or elsewhere on airport parking facilities, in order to ensure that EV infrastructure is available throughout the airport, and an additional 5% of parking stalls, another 275, will be constructed as EV-ready (capable of future EV charging infrastructure). Special Condition No. 1 further requires that the EV-ready stalls will be converted to EV charging ports within five years of the operation of the parking structure or when demand for the charging ports increases as determined by annual parking surveys, but no later than 10 years of the operation of the parking structure. This would provide a total of approximately 550 new EV or EV-ready charging ports (or 10% of proposed parking), which is an additional 220 EV charging ports over the 6% that was originally proposed by the applicant. The required EV charging ports will provide infrastructure for electric vehicles and therefore minimize energy consumption consistent with Section 30253(d).

As conditioned, the project will avoid or minimize public access impacts and the project conforms to the public access policies of the Coastal Act.

C. Climate Change

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following: [...]

(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.

(d) Minimize energy consumption and vehicle miles traveled. [...]

The construction and operation of major transportation, water, energy, and telecommunication projects can significantly increase greenhouse gas (GHG)² emissions and therefore global warming, which in turn can cause significant adverse impacts to coastal resources of California. The proposed project is energy intensive and therefore should minimize GHG emissions and energy consumption to the greatest extent feasible. The Coastal Act has a number of provisions that provide direct authority to take steps to reduce climate change and to adapt to the effects of global warming.

² Any gas that absorbs infrared radiation in the atmosphere. Greenhouse gases include, but are not limited to, water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrochlorofluorocarbons (HCFCs), ozone (O₃), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). (UNFCCC) <https://ww2.arb.ca.gov/ghg-inventory-glossary>

These include the Coastal Act's public access and recreation policies (Sections 30220 and 30211), marine resource and water quality policies (Sections 30230 and 30231), the environmentally sensitive habitat area protection policy (Section 30240), and the coastal hazards policy (Section 30253(a) and (b)). Further, Section 30253(c) requires developments to be consistent with the requirements imposed by an air pollution control district or the State Air Resources Board (CARB) and Section 30253(d) requires development to minimize energy consumption and vehicle miles traveled.

Climate change includes a broad range of impacts that can occur due to GHG emissions, such as increased sea level rise, changes in the frequency, intensity or occurrence of heavy precipitation and droughts, changes in the frequency and intensity of extreme temperature events, and changes in ocean water chemistry. Many of these effects will impact the coastal zone and resources specifically protected by the Coastal Act, including impacts to air quality, species distribution and diversity, agriculture, expansion of invasive species, increase in plant pathogens, alteration of sensitive habitat, wildfires, rising sea level, coastal flooding, and coastal erosion. In addition, absorption of carbon dioxide by the ocean leads to a reduction in ocean pH with concomitant consumption of dissolved carbonate ions, which adversely impacts calcite-secreting marine organisms (including many phytoplankton, zooplankton, clams, snails, sea stars, sea urchins, crabs, shrimp, and many others). The most direct impacts of global warming in the coastal zone are sea level rise and its associated impacts, ocean warming, and ocean acidification.

The Global Warming Solutions Act of 2006, or Assembly Bill (AB) 32, is a California law that fights and prevents global climate change by establishing a comprehensive program to reduce greenhouse gas emissions and requires CARB to implement the program. Instead of including specific target emission goals for airports, CARB focuses on reducing overall emissions from ground support equipment and airport transit vehicles at airports and works closely with local agencies and airport operators to develop innovative actions to further reduce pollution in and around airports. Regarding emissions from aircraft, which are considered indirect (or Scope 3 emissions) and accounted for 74% of total emissions at the San Diego International Airport in 2018, CARB works with national and international entities, such as the U.S. Environmental Protection Agency and International Civil Aviation Organization, to develop stricter aircraft standards for smog-causing pollution and greenhouse gases. CARB no longer requires the airport to report or reduce their GHG emissions.

However, while not specifically required by CARB, the Airport Authority has taken several steps to report and reduce GHG emissions. In 2015, the Airport Authority finalized a Strategic Greenhouse Gas Reduction Plan. The plan divides operational emissions into three categories – Scope 1 includes direct emissions, which are from sources owned and controlled by the Airport; Scope 2 includes indirect emissions, which are largely the emissions resulting from the generation of electricity the Airport purchases; and Scope 3 includes “indirect and optional” emissions, which are those that are a consequence of the Airport's activities, but are from sources owned and controlled by another entity – for example, emissions from airlines operating out of the Airport or from Airport tenants. The plan established reduction targets for Scope 1 and 2

emissions that are similar to those established by AB 32 for statewide reductions of GHG emissions, including reducing GHG emissions to 49% below 2010 levels by 2035. The Airport Authority also conducts an annual GHG emissions inventory³ that includes Scope 1, 2, and 3 emissions. Finally, the Airport Authority has been certified through the Airports Council International’s Airport Carbon Accreditation program at “Level 3+,” which requires continued carbon emission reductions as well as offsetting of its remaining Scope 1 and 2 emissions, thereby achieving carbon neutral operations for all direct and indirect emissions over which the Authority has control.

Senate Bill 97, enacted in August 2007, required the Governor’s Office of Planning and Research to prepare guidelines regarding feasible mitigation of GHG emissions or the effects of GHG emissions as mandated by the California Environmental Quality Act (CEQA). Related amendments to CEQA guidelines were adopted in 2009 and updated in 2018. These guidelines also do not set a numerical threshold of significance for GHG emissions. Instead, CEQA Guidelines Section 15064.4 (Cal. Code of Regs., tit. 14) requires the lead agency to provide an estimate of GHG emissions and analyze impacts considering (1) the change in GHG emissions, as compared to existing; (2) whether the GHG emissions would exceed an applicable threshold of significance; and (3) the extent to which the project would comply with requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

The Airport Development Plan (ADP) Environmental Impact Report (EIR), of which the subject project is the largest component, includes an inventory of existing (2018 baseline) GHG emissions at the entire airport, which were estimated to be 337,789 metric tons (MT) of carbon dioxide equivalent (CO_{2e}) per year and are shown in the table below.

Scope	1	2	3			
2018 Baseline	Stationary Sources	Electricity ⁴	Aircraft	Ground Support Equipment (GSE)	Auxiliary Power Units (APU)	Motor Vehicles
MT of CO _{2e}	12,940	5,597	249,504	12,091	2,223	55,434
% of Total	4%	2%	74%	4%	1%	16%

³ 2019 GHG Emissions Inventory, https://www.san.org/Portals/0/Documents/Environmental/2019-Draft/2020-06-29_Greenhouse-Gas-Emissions.pdf

⁴ Estimates of emissions resulting from energy consumption associated with electricity usage, water usage (conveyance, and treatment), and solid waste disposal. Emissions associated with natural gas consumption within the built environment by the “Stationary Sources” category, as natural gas consumption is associated with SDIA’s existing, on-site Central Utility

The EIR found that implementation of the ADP would result in increased GHG emissions over existing conditions. Specifically, annual MT of GHG between 2024 and 2050 would range from approximately 384,000 to 511,000 MT of CO₂e, which would be approximately 46,211 to 173,211 annual MT more than existing GHG emissions. These increases represent a 14-51% increase in GHG emissions which was found to be significant. While over 70% of the future increases in GHG emissions are attributable to increased aircraft activity at the airport, the project would also result in a significant increase in direct emissions, including construction related GHG emissions of 830-6,627 MT of CO₂e annually depending on the specific phase of development (38,222 MT of CO₂e total for the ADP's 15-year construction period, with most of these emissions occurring during the 5-year construction period for the proposed project) and an increase in stationary source emissions of 459 MT of CO₂e annually, attributable to the expansion of the airport's Central Utility Plant.

To mitigate for the increase in GHG emissions, the Authority proposes several mitigation measures, including:

- Convert all ground support equipment (GSE) to alternative fuels by 2024.
- Replace 50% of gasoline fueled and all diesel fueled GSE with hybrid electric or alternative fuel vehicles by 2024.
- Power all ADP related buildings with 100% renewable energy by 2024.
- Include cool roof materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under 2016 California Green Building Standards Code.
- Achieve LEED Silver Certification for all major facilities including Terminal 1 and the parking structure.
- Designate 10% of parking for clean vehicles (e.g., low-emitting, fuel-efficient, and carpool/vanpool vehicles).
- Install electric vehicle charging ports at 3% of new parking stalls and another 3% would be "EV-ready" (capable of future EV charging infrastructure).
- Transition all on-airport shuttles to electric vehicles by 2026 and all buses serving the Rental Car Center by 2028.
- Install shower stalls and bicycle lockers in the Terminal 1 building based on the guidance provided in the City of San Diego's Climate Action Plan (estimated to be 7 shower stalls and 25 bicycle lockers).
- Implement an employee parking cash-out program.

While the proposed mitigation measures would reduce energy consumption and result in the reduction of GSE and motor vehicle emissions, the EIR found that the implementation of the ADP would still result in significant and unavoidable impacts to air quality. However, the EIR also identified that the vast majority of potential measures for reducing air pollutants and GHG emissions are already being implemented at the airport, including but not limited to, promoting the conversion and/or use of alternative fuel vehicles; electrification of gates; implementation of a hydrant fueling system; providing electric vehicle charging ports; requiring contractors to use low- and zero-emitting equipment during construction activities; requiring the number of engines for

aircraft taxiing or idling on the ground to be reduced; providing financial incentives for employees to use public transportation; purchasing approximately 85% of power from renewable energy sources; purchasing carbon offsets equivalent to its residual Scope 1, 2, and employee business travel emissions; installing sustainable vegetation and investing in terrestrial carbon sinks; and promoting public transport and mass transit access to the airport. In addition, the vast majority of GHG emissions associated with implementation of the ADP are from Scope 3 emissions sources that the Authority has little or no control over such as aircraft and Auxiliary Power Units (APUs). As such, the EIR found that it is unlikely that GHG emissions associated with construction and operation of the ADP could be substantially reduced through additional mitigation measures.

However, even if the significant emissions associated with the project are unavoidable, mitigation can still be achieved by the purchase of offset credits approved by CARB, which requires offsets to be real, quantifiable, enforceable, permanent, additional, and verified reductions of emissions, generated from projects in economic sectors such as forestry or agriculture that provide climate benefits. While the Authority has indicated that they have purchased credits to offset their residual Scope 1 and 2 emissions in the past, they have not committed to continue doing so and have not proposed to mitigate with that method for the construction emissions associated with the proposed project.

In its approval of the Terminal 2 replacement project (CDP No. 6-09-05), the Commission attached Special Condition No. 1 which required the Authority to submit a Green House Gas Emission Reduction Plan and annual monitoring reports identifying Scope 1, 2, and 3 emissions and measures to reduce emissions below the significance level identified at that time (7,000 MTCO₂e). However, the level of significance of 7,000 MTCO₂e was based on a preliminary CARB recommendation for setting interim significance thresholds while an implementation plan was formally developed. Since the Terminal 2 approval, the implementation plan required by AB 32 has been developed and as indicated above, did not include specific measures for airports. As such, and in order to ensure the proposed project minimizes energy consumption pursuant to Section 30253(d) of the Coastal Act, it is appropriate to use the significance level identified in the approved EIR, including all construction, Scope 1 and Scope 2 emissions. Therefore, **Special Condition No. 6** requires the Authority to calculate and report all emissions that occur as a result of the subject project and to fully mitigate for all construction and Scope 1 and 2 emissions in a manner consistent with AB 32 requirements. The Commission's requirement that the Authority implement offset provisions in a manner consistent with AB 32 ensures that the project is consistent with and supportive of programs established by CARB. Further, this approach is consistent with AB 32's Section 38598(a), which states that "nothing in this division shall limit the existing authority of a state entity to adopt and implement greenhouse gas emissions reduction measures."

In conclusion, as proposed, the project includes mitigation measures that would reduce energy consumption. As conditioned, the proposed project would minimize impacts to air quality due to the requirements of Special Condition 6 and the measures proposed by the Authority and is expected to be consistent with CARB requirements. Therefore,

the Commission finds that the subject project is consistent with Section 30253 of the Coastal Act.

D. Water Quality

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project includes improvements that would direct stormwater from the site to the southside stormwater capture and reuse system that was approved by the Commission on June 10, 2021 (CDP No. 6-20-0447). Once built, the stormwater capture and reuse system would connect existing airport stormwater facilities, and new drainage areas, to an approximately 1.5-million-gallon underground cistern on the south side of the airport to pump captured stormwater from the site for both reuse and infiltration. One set of pumps will convey flow to the existing treatment facility for stormwater reuse at the existing Central Utility Plant and future Terminal 1 dual plumbing for toilet flushing, while a second set of pumps will convey stormwater to multiple new underground infiltration and storage areas located within the airfield islands between the runway and taxiways ([Exhibit 4](#)), which have been sized to reuse, infiltrate, or store at least 85 percent of annual stormwater runoff volume. The Commission's water quality specialist has reviewed the proposed stormwater capture and reuse system components and agrees they are appropriately designed and sized.

As mitigation for the unpermitted development that occurred on the northside of the airport, the applicant has also proposed to capture an additional 36 acres of stormwater from the subject site, including 8 acres from the parking structure and 26 acres on the Terminal 1 site ([Exhibit 4](#)) to also be directed into the southside stormwater capture and reuse system. The Commission's water quality specialist has reviewed the proposed mitigation and agrees the improvements provide more water quality benefits than stormwater measures that would typically be required for these types of projects since the mitigation will not only infiltrate runoff on-site but will also capture and reuse stormwater for non-potable water uses at the airport. As such, inclusion of the additional capture areas is appropriate to mitigate the unpermitted development. In addition, the unpermitted development itself has substantially improved water quality on the northside of the airport by providing similar water quality benefits as the southside stormwater capture and reuse system, through the development of a 3-million-gallon northside underground cistern and 16 acres of capture area that has been connected to the cistern thus far. **Special Condition No. 1** requires the applicant to submit final plans, including water quality plans, that substantially conform to the plans submitted with this application.

To ensure impacts to water quality do not occur during construction of the project, the applicant has submitted a Stormwater Pollution Prevention Plan (SWPPP) which contains construction-phase BMPs including the use hydraulic mulch, velocity dissipation devices, soil preparation, non-vegetative stabilization, sediment basin, fiber rolls, gravel bags, street sweeping and vacuuming, compost socks and berms, and storm drain inlet protection. To prevent plastic pollution and wildlife entanglement, **Special Condition No. 7** requires the SWPPP to be revised to also prohibit plastic netting at the construction site. Special Condition No. 7 further requires that the revised plan identify the location of fueling locations, waste storage and vehicle storage areas and identify BMPs that will be used to protect water quality from construction impacts at these sites.

The proposed development will provide benefits by diverting stormwater for reuse or infiltration and will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. As conditioned, water quality impacts during construction will be minimized. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

E. Biological Resources

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

While the project site is not considered an environmentally sensitive habitat area (ESHA), it is located in proximity to nesting habitat for the endangered California least tern. Listed under the Federal and California State Endangered Species Act since 1972, the California least tern (*Sterna antillarum browni*) is a migratory bird species that has managed to find suitable habitat in an area of the airport southeast of the runway. Typically, terns prefer to nest in small, scattered clusters on natural or artificial open areas near estuaries, bays, or harbors where small fish are abundant. At the airport, terns have been known to nest on the sand and gravel in five oval areas between the runway and airplane taxiways since 1970. The project site is within 500 feet of a designated oval potentially utilized by the least terns for nesting between April 1 and September 15.

The United States Fish and Wildlife Service (USFWS) conducted an informal consultation of the Airport Development Plan, including the proposed project. The April 27, 2021 letter issued by the USFWS contains conservation measures that have been agreed to by the Authority and FAA to avoid and minimize potential impacts to the California least terns ([Exhibit 5](#)). These measures include requirements that, within 800

ft. of the nesting ovals, anti-predator perching treatments will be applied to structures taller than 10 ft. and no landscaping will be installed that is conducive to predator perching, permanent lighting and signage will be minimized and the lighting downcast, and no project construction will occur between April 1 and September 15 to avoid the nesting season. In addition, for construction occurring between 800 and 1,200 ft. of nesting ovals during the nesting season, a least tern biologist with the authority to stop work will be onsite to monitor construction and ensure that construction activity does not disrupt nesting.

The proposed solid waste facility could also impact the terms should it attract predators or disturb the nesting birds when trucks arrive or depart the facility. However, in this case, the facility has been designed to be enclosed to avoid attracting vectors (birds, rats, etc.) within proximity to the least tern nesting ovals. By enclosing the facility and having the roll up doors on the west side of the building only, the trucks entering the building will operate on the side facing away from the airfield and the nesting ovals. The Authority has indicated that USFWS staff provided review of the project and agreed that the enclosed design and structure will reduce effects. **Special Condition No. 8** requires the applicant to comply with the conservation measures detailed in the USFWS's April 27, 2021 letter for all elements of the proposed project.

In addition, project lighting has the potential to impact sensitive biological species such as the California least tern colony located nearby. Specifically, light emitting diode (LED) lighting contains high blue light frequencies that have been shown to disrupt natural circadian rhythms in humans and wildlife, leading to disruption in sleep and wildlife behaviors (e.g., breeding, foraging). Lighting with lower color temperatures has less blue in its spectrum and is referred to as being "warm." As such, environmental studies recommend a correlated color temperature (CCT) of 3,000 Kelvin (K) or below, a range that contains less blue light.

In this case, the Authority has proposed 3,500 K lighting which is higher than the recommended amount. As such, **Special Condition No. 1** would require all lighting to be reduced to 3,000 K with the exception of airfield lighting, which may be brighter to allow for the safe transit of airplanes.

The proposed project would be 90 ft. tall and would incorporate a substantial amount of glass panels in its façade. The project site is located close to San Diego Bay, which provides important eelgrass and avian foraging habitat, and along the Pacific Flyway, a major north-south flyway for migratory birds in America. The presence of tall structures and glass surfaces close to San Diego Bay increases the risk of bird strikes and resulting impacts to avian populations, as the windows may reflect the bay, sky, or vegetation and create the appearance of open area. To reduce the chance of bird strikes and make the proposed development more compatible with its surroundings, **Special Condition No. 9** requires effective bird strike prevention measures to be incorporated into the development's final design, such as glass that is reflective to light spectrums visible to avian vision, or glass treatments and lighting design to minimize the attractiveness of the buildings to birds.

As conditioned, the project will avoid or minimize impacts to biological resources and conforms to Section 30240 of the Coastal Act.

F. Visual Resources

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The proposed project would be located directly north of North Harbor Drive, a major coastal access road along the San Diego Bay shoreline. Although the structures would not block views of the bay or the San Diego skyline, they would be visible to those traveling along North Harbor Drive and from public vantage points along the San Diego Bay. Other projects in the area have been required to include architectural screening and landscaping to screen and soften the potential visual impacts from the project. [Exhibit 6](#) includes visual renderings provided by the Authority that show how proposed landscaping will screen the proposed project. **Special Condition No. 2** requires the applicant to submit final landscaping plans that include only native plants or non-native drought tolerant plants, which are non-invasive.

Historically, the Commission has been concerned that outdoor advertisement could adversely impact scenic resources and viewsheds to and along the coast. Such impacts could occur as a result of visual clutter from the proliferation of signage or be out of character with the surrounding development. Further, as discussed above, in this location the Commission has historically required architectural or visual treatments and landscaping to screen or break up the façade of the airport structures as they present to pedestrians and vehicles on North Harbor Drive. As such, **Special Condition No. 10** prohibits outdoor advertisement that may be visible from any public vantage point without an amendment.

Finally, Authority staff has indicated that no exterior artwork is proposed. As such, Special Condition No. 10 further prohibits artwork that may be visible from any public vantage point unless the Authority obtains authorization from the Commission for the artwork. Therefore, the project, as conditioned, conforms to Section 30251 of the Coastal Act.

G. Sea Level Rise

Section 30253 of the Coastal Act states:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs

Sea level rise is expected to exacerbate existing coastal hazards by raising mean water levels and extending flood zones inland. Since the airport is located in close proximity to San Diego Bay, it may be threatened by flooding and storm hazards associated with sea level rise and therefore the proposed project should be designed to accommodate future flooding.

Sea level has been rising for many years. Several different approaches have been used to analyze the global tide gauge records in order to assess the spatial and temporal variations, and these efforts have yielded sea level rise rates ranging from about 1.2 to 1.7 mm/year (about 0.5-0.7 inches/decade) for the 20th century. However, since 1990 the rate has more than doubled, and the rate of sea level rise continues to accelerate. Since the advent of satellite altimetry in 1993, measurements of absolute sea level from space indicate an average global rate of sea level rise of 3.4 mm/year or 1.3 inches/decade – more than twice the average rate over the 20th century and greater than any time over the past one thousand years.⁵ Recent observations of sea level along parts of the California coast have shown some anomalous trends; however, there is unequivocal evidence that the climate is warming, and such warming is expected to cause sea levels to rise at an accelerating rate throughout this century.

The State of California has undertaken significant research to understand how much sea level rise to expect over this century and to anticipate the likely impacts of such sea level rise. In 2013, the Ocean Protection Council (OPC) adopted the National Research Council (NRC) report, “Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past Present and Future,” as best available science for the State of California, and recommended in its 2013 State Sea-Level Rise Guidance that state agencies and others use these projections in their planning processes (the Coastal Commission also adopted the NRC report as best available science in its 2015 Sea Level Rise Policy Guidance). Two subsequent OPC reports have updated the best

⁵ California Ocean Protection Council Science Advisory Team, Rising Seas in California: An Update on Sea-level Rise Science, available at <http://www.opc.ca.gov/webmaster/ftp/pdf/docs/rising-seas-in-california-an-update-on-sea-level-rise-science.pdf>.

available science, including the *Rising Seas in California: An Update on Sea-Level Rise Science*, released in April 2017 by a working group of OPC's Science Advisory team, and the *State of California Sea Level-Rise Guidance: 2018 Update*. The OPC's most recent projections in its statewide sea-level rise guidance are that in this area sea levels may rise between 1.6 and 5.7 feet by the year 2090, though there is a risk of much more significant sea level rise depending on various uncertainties, including the dynamics of ice sheet loss. The projection is given in a range largely because researchers cannot know exactly how much greenhouse gases we will continue to emit over the coming decades – large-scale curtailment of greenhouse gas emissions would keep sea level rise towards the lower end of the projections, while business as usual emissions scenarios would result in the higher end of the projections. Because the industrial world has continued along the “business as usual” scenario (and data suggests temperatures and sea level rise are tracking along the higher projections), OPC and the Natural Resources Agency have continued to recommend that we avoid relying on the lower projections in planning and decision-making processes.

As our understanding of sea level rise continues to evolve, it is possible that sea level rise projections will continue to change as well (as evidenced by the recent updates to best available science). While uncertainty will remain with regard to exactly how much sea levels will rise and when, the direction of sea level change is clear and it is critical to continue to assess sea level rise vulnerabilities when planning for future development. Importantly, maintaining a precautionary approach that considers high or even extreme sea level rise rates and includes planning for future adaptation will help ensure that decisions are made that will result in a resilient coastal California.

In 2020, the Authority completed a climate resilience plan that projected sea level rise impacts on the site and studied the adaptive capacity of the existing and proposed structures. Specifically, the report used the United States Geological Survey's Coastal Storm Modeling System (CoSMoS) to model sea level rise and selected four sea level rise amounts (0.8 foot, 1.6 feet, 2.5 feet, and 4.9 feet) in accordance with OPC guidance for flood exposure and added maximum high tide conditions and extreme coastal storm events (i.e., the 100-year storm) to project sea level rise in 2030, 2050, and 2100. In addition, the report also included consideration of the worst-case sea level rise scenario termed H++ (10.2 feet of sea level rise in 2100), which indicated that the entire San Diego coastal region could be exposed to flooding by the year 2100. As such, the report concluded that specific adaptation measures to successfully address this scenario will need to be evaluated, chosen, and implemented at a regional scale and recommended that monitoring of the latest climate science continue and a collaborative regional approach be pursued at this time to prepare for a worst-case scenario, such as H++.

The modeling indicated that flooding would expose a portion of the western side of the airport with 1.6 feet of sea level rise and a 100-year storm; expanding to the southeastern portion of the airport with 2.5 feet of sea level rise and a 100-year storm; and both the western and southeastern portions of the airport would experience flooding with 4.9 feet of sea level rise during the maximum high tide event (without the 100-year storm). In regard to the proposed development, portions of the proposed on-airport access road would experience flooding during a 100-year storm or high tide event in

2100. The Authority has indicated that the subject road has been designed to accommodate periodic flooding by designing the elevations to be higher than the projected 2100 sea level rise, with the exceptions of the area of roadway which interface with the North Harbor Drive and a segment of the solid waste access road; however, all roadway drainage, including the roadway which interfaces with North Harbor Drive, has been designed to limit flooding during a 100-year storm event to no more than four inches above the roadway which would still allow passage. In regard to the solid waste access road, there is potential for flooding through the storm drain inlets due to sea level rise; however, the drainage system will utilize gate valves to mitigate flooding and the road will be designed to contain flooding through precise grading and surface drainage to maintain access. **Special Condition 11** requires the applicant to acknowledge the risk of building in a hazardous location and ensures that the risks of property damage or loss arising from flooding, sea level rise or other changed circumstances are borne by the applicant.

The proposed development has been designed to withstand periodic flooding. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30253 of the Coastal Act.

H. Unpermitted Development

Unpermitted development has occurred on the subject site without the required coastal development permit (CDP) or CDP amendment, including, but not necessarily limited to construction of a 70,762 sq. ft. Facility Maintenance Department building, 3,000,000 gallon underground cistern, and 7,040 sq. ft. Fueling and Operations Center in 2018 through 2019. In January 2019, the applicant also converted a long-term public parking lot to employee parking without a permit.

In approximately December 2020, the applicant notified Commission staff that unpermitted development consisting of construction of the Facility Maintenance Department building, underground cistern, and Fueling and Operations Center had occurred on the site. The applicant proposed mitigation for the unpermitted development consisting of additional stormwater improvements as part of the subject project, which are described in greater detail in the Project Description and Water Quality findings of this staff report. The Commission's water quality technical staff has reviewed the proposed water quality improvements and agrees that the improvements provide more water quality benefits than stormwater measures that are typically required for these types of projects, and therefore, would serve as appropriate mitigation for the unpermitted development. The applicant revised the subject application August 4, 2021 to request after-the-fact approval of the unpermitted development noted above and described in the project description.

On May 28, 2021, the applicant also confirmed that the long-term public parking lot had been converted to employee parking and Commission staff notified the applicant that the change in use required a coastal development permit. As such, the applicant revised the subject application on August 13, 2021 to request after-the-fact approval of the unpermitted development. As described in greater detail in the Public Access findings of the staff report, Commission staff is recommending **Special Condition No. 1**

to mitigate for the unpermitted conversion of the parking lot, which requires the applicant to install electric vehicle (EV) charging ports at 5% of new parking stalls, or approximately 275, in the proposed parking structure or elsewhere on airport parking facilities, in order to ensure that EV infrastructure is available throughout the airport, and an additional 5% of parking stalls, another approximately 275, will be constructed as EV-ready (capable of future EV charging infrastructure). Special Condition No. 1 further requires that the EV-ready stalls will be converted to EV charging ports within five years of the operation of the parking structure or when demand for the charging ports increases as determined by annual parking surveys, but no later than 10 years of the operation of the parking structure. This would provide a total of approximately 550 EV or EV-ready charging ports, which is an additional 220 EV charging ports over what was originally proposed by the applicant.

While the subject development occurred without a permit, no significant impacts to coastal resources occurred. Both new structures (Facility Maintenance Department building, Fueling and Operations Center) were constructed on existing paved areas and included stormwater improvements that provided substantial benefits to water quality over what previously existed onsite. The developments are located on the interior of the airport and are not visible from any coastal vantage point, so no visual resources were impacted. Finally, the developments are located over 1,200 feet from the existing California Least Tern nesting habitat and therefore did not impact the nesting birds.

To ensure unpermitted development does not occur in the future, the Authority has, subsequent to the unpermitted development described above, implemented changes to its internal procedures. Specifically, the new automated system manages and communicates internally the environmental review and entitlements status, including authorization under the Coastal Act from the Commission, for all proposed capital improvement, tenant improvement, and major maintenance projects. The system also requires review and approval from the Authority's legal counsel on the proper permitting process for proposed improvement projects. Finally, Authority staff now meet on a regular basis with Commission staff to review future projects and to determine the appropriate Coastal Act permitting process necessary.

Although the development has taken place prior to submittal of this application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act and as though the development was not in place. Approval of this application pursuant to the staff recommendation, issuance of the permit, and the applicant's subsequent performance of the work authorized by the permit in compliance with all of the terms and conditions thereof will result in resolution of the above described violations. Commission review and action on this permit does not constitute a waiver of any legal action with regard to the alleged violations (or any other violations), nor does it constitute an implied statement of the Commission's position regarding the legality of development, other than the development addressed herein, undertaken on the subject site without a coastal permit.

I. Local Coastal Planning

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The airport was previously under the coastal permit jurisdiction of the San Diego Unified Port District and the standard of review for coastal development permits was the certified Port Master Plan. However, legislation which took effect in January 2003 transferred authority over airport property to the newly created Airport Authority. Thus, the airport is now within the Commission's permit jurisdiction and Chapter 3 is the standard of review. Although the airport is not anticipated to be subject to a LCP, approval of this project would not prejudice the preparation of a LCP consistent with the requirements of Chapter 3. As discussed above, the proposed project, as conditioned, is consistent with Chapter 3 of the Coastal Act.

J. California Environmental Quality Act

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. In January 2020, the Airport Authority adopted the San Diego International Airport, Airport Development Plan Final Environmental Impact Report (State Clearinghouse No. 2017011053).

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing biological resources, public access, visual resources, coastal hazards, and greenhouse gas emissions will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

6-20-0611
San Diego County Regional Airport Authority

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

San Diego International Airport, Airport Development Plan Final Environmental Impact Report (State Clearinghouse No. 2017011053)