APPENDIX E

PUBLIC INVOLVEMENT

Appendix E-1 contains the transcript and sign-in sheet from the Public Hearing conducted June 3, 2010. Appendix E-2 contains the comments received on the Draft Environmental Assessment along with the responses of the Town and FAA to each comment.

APPENDIX E-1

PUBLIC HEARING TRANSCRIPT

This appendix contains the distribution letter, the public notice, the proof of publication, the transcript, and the sign-in sheet from the Public Hearing conducted June 3, 2010.

URS

April 19, 2010

RE: DRAFT ENVIRONMENTAL ASSESSMENT
PROPOSED AMENDMENT TO UNITED AIRLINES OPERATIONS SPECIFICATION FOR TURBOJET AIRCRAFT SERVICE TO MAMMOTH YOSEMITE AIRPORT, MAMMOTH LAKES, CA

Pursuant to Section 102(2)(c) of the *National Environmental Policy Act* (NEPA) of 1969, and FAA Order 1050.1E, the Town of Mammoth Lakes has prepared a Draft Environmental Assessment (EA) for the proposed Federal Aviation Administration (FAA) approval of an Operations Specifications Amendment related to proposed commercial air service into Mammoth Yosemite Airport (MMH) by United Airlines using CRJ700 aircraft. The Draft EA is being circulated for public and regulatory agency review and comment. After review of the Draft EA, the Final EA will be submitted to the FAA for their acceptance, and decision to either prepare an Environmental Impact Statement or issue a Finding of No Significant Impact.

On behalf of the Town of Mammoth Lakes, we have enclosed an CD copy of the *Draft Environmental Assessment for Proposed Operations Specifications Amendment Approval Related to the Scheduled Commercial Air Service into Mammoth Yosemite Airport by United Airlines.*. The Draft EA describes the purpose and need for the Proposed Project; alternatives considered; and potential impacts associated with the Proposed Action. Potential impacts discussed in the EA include the following:

- There would be no physical changes to airport facilities,
- The Proposed Action would result in one additional daily commercial flight into MMH during the winter ski season from 2011 – 2013, but would not change the maximum number of daily commercial flights to MMH beyond 2013.
- Noise contours around the airport would not change appreciably as a result of the Proposed Action,
- Noise levels at recreational and culturally-significant locations in the region would not change appreciably as a result of the Proposed Action,
- Noise levels at the sage grouse lek east of the airport would not change appreciably as a result of the Proposed Action.

Requests for a printed copy of the Draft EA should be directed to Ms. Karen Johnston, Assistant Town Manager, Town of Mammoth Lakes, Post Office Box 1609 (437 Old Mammoth Road, Suite R), Mammoth Lakes, CA 93546.

A Public Information Workshop (PIW) and Public Hearing will be held from **4:00 p.m. to 6:00 p.m. on Thursday, June 3, 2010**, at the Town of Mammoth Lakes offices at **437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546**. The PIW will provide information, maps, and diagrams explaining the proposed Operations Specifications Amendment and potential impacts to the environment. Town representatives and their consultants will be on hand to discuss the proposed FAA action and answer questions. The PIW will begin at 4 PM. A formal presentation will not be made and you may attend at any time between 4 PM and 5 PM. The Public Hearing will begin at 5:00 PM.

URS Corporation
7650 W. Courtney Campbell Causeway
Tampa, Florida 33607-1462
Tel: 813.286.1711
Fax: 813.286.6587
www.urscorp.com

URS

The Town of Mammoth Lakes appreciates your review of the Draft EA and any comments you may have regarding the Proposed Project and potential environmental, social, and economic impacts. Please direct written comments to: **Ms. Karen Johnston, Assistant Town Manager, Town of Mammoth Lakes, Post Office Box 1609 (437 Old Mammoth Road, Suite R), Mammoth Lakes, CA 93546**. Comments must be received no later than **Monday June 7, 2010**. Please contact me at (813) 636-2444, or Karen Johnston at (960)-934-8989, ext. 228, if you have questions regarding the Proposed Action or Draft EA.

Sincerely,
URS CORPORATION

William K. Fehring, Ph.D.
Vice-President, Senior Project Manager

Enclosure

Copy: Karen Johnston, Town of Mammoth Lakes
Caroline Poyurs, FAA

NOTICE OF DRAFT ENVIRONMENTAL ASSESSMENT AVAILABILITY AND PUBLIC HEARING

PROPOSED AMENDMENT TO UNITED AIRLINES OPERATIONS SPECIFICATION FOR SERVICE TO MAMMOTH YOSEMITE AIRPORT USING TURBOJET AIRCRAFT

Pursuant to Section 102(2)(c) of the *National Environmental Policy Act* (NEPA) of 1969, the Town of Mammoth Lakes has made available the Draft Environmental Assessment (EA) for the proposed approval of an Operations Specifications Amendment by the Federal Aviation Administration (FAA) related to the proposed commercial air service into Mammoth Yosemite Airport (MMH) by United Airlines using CRJ700 aircraft. The Draft EA has been circulated for public and regulatory agency review and comment. After review of the Draft EA, the Final EA will be submitted to the FAA for their acceptance and decision to either prepare an Environmental Impact Statement or issue a Finding of No Significant Impact.

Draft EA Availability

The Town of Mammoth Lakes encourages all interested parties to review the Draft EA and provide comments regarding the proposed Operations Specifications Amendment and potential environment, social, and economic impacts. Comments will be considered in the preparation of the Final EA. Copies of the Draft EA may be viewed during regular business hours at the locations listed below.

Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Mono County Public Library
Sierra Park Road
Mammoth Lakes, CA 93546

Copies of the Draft EA on compact disk or in printed format can be obtained by contacting **Ms. Karen Johnston, Assistant Town Manager, Town of Mammoth Lakes, Post Office Box 1609 (437 Old Mammoth Road, Suite R), Mammoth Lakes, CA 93546 (Phone 960-934-8989, ext 228).** The Draft EA can also be viewed and/or downloaded at the Town of Mammoth Lakes web site.

Summary of Impacts

United Airlines proposes to conduct daily flights from San Francisco International Airport (SFO) to MMH using CRJ700 aircraft. The CRJ700 proposed for use in the service can seat up to 66 passengers. United Airlines has provided the FAA with a letter of intent (LOI) to initiate the winter ski season passenger service to MMH in December 2010 with one flight per day for a period extending from mid-December to mid-April.

The EA has evaluated the potential impacts of the proposed FAA approval of the Operations Specifications Amendment on 19 environmental categories as specified by FAA Order 1050.1E. The EA has disclosed that the proposed air service would not result in impacts exceeding the

FAA Order 1050.1E Significant Impact Thresholds in any category. Key findings of the EA include:

- There would be no physical changes to airport facilities,
- The Proposed Action would result in one additional daily commercial flight into MMH during the winter ski season from 2011 – 2013, but would not change the maximum number of daily commercial flights to MMH beyond 2013.
- Noise contours around the airport would not change appreciably as a result of the Proposed Action,
- Noise levels at recreational and culturally-significant locations in the region would not change appreciably as a result of the Proposed Action,
- Noise levels at the sage grouse lek east of the airport would not change appreciably as a result of the Proposed Action.

Public Hearing

A Public Hearing will be held from **4:00 p.m. to 6:00 p.m. on Thursday, June 3, 2010**, at the Town of Mammoth Lakes offices at **437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546**. The hearing format will consist of a combined Public Information Workshop (PIW) and a Public Hearing. The PIW will provide information, maps, and diagrams explaining the proposed Operations Specifications Amendment and potential impacts to the environment. Town representatives and their consultants will be on hand to discuss the proposed FAA action and answer questions. The PIW will begin at 4 PM. A formal presentation will not be made and you may attend at any time between 4 PM and 5 PM. The Public Hearing will begin at 5:00 PM.

Comments on Draft EA

Verbal and written comments regarding the proposed RSA project and findings in the Draft EA can be submitted at the Public Information Workshop/Public Hearing. Written comments can also be mailed to: **Ms. Karen Johnston, Assistant Town Manager, Town of Mammoth Lakes, Post Office Box 1609 (437 Old Mammoth Road, Suite R), Mammoth Lakes, CA 93546**. Comments must be received no later than **June 7, 2010**.

Dates of Publication:

PROOF OF PUBLICATION

#2010-0066

This Space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA
COUNTY OF MONO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of

THE SHEET

a newspaper of general circulation, published in

COUNTY OF MONO

The Sheet was adjudicated on December 28, 2009, as a newspaper of general circulation fo the Town of Mammoth Lakes and Mono Coun CA.

The notice, of which the annexed is a printed copy (set in the type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date to with:

4/24 & 5/1

all in the year **2010**

I certify (or declare) under the penalty of perj that the foregoing is true and correct.

Dated at Mammoth Lakes, California, the 1ST

day of May, 2010

Signature

Proof of Publication of

NOTICE OF PUBLIC HEARING

Notice of Public Hearing

NOTICE OF DRAFT ENVIRONMENTAL ASSESSMENT AVAILABILITY AND PUBLIC HEARING

PROPOSED AMENDMENT TO UNITED AIRLINES OPERATIONS SPECIFICATION FOR SERVICE TO MAMMOTH YOSEMITE AIRPORT USING TURBOJET AIRCRAFT

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, the Town of Mammoth Lakes has made available the Draft Environmental Assessment (EA) for the proposed approval of an Operations Specifications Amendment by the Federal Aviation Administration (FAA) related to the proposed commercial air service into Mammoth Yosemite Airport (MMH) by United Airlines using CRJ700 aircraft.
The Draft EA has been circulated for public and regulatory agency review and comment. After review of the Draft EA, the Final EA will be submitted to the FAA for their acceptance and decision to

nificant locations in the region would not change appreciably as a result of the Proposed Action,
• Noise levels at the sage grouse lek east of the airport would not change appreciably as a result the Proposed Action.

Public Hearing
A Public Hearing will be held from **4:00 p.m. to 6:00 p.m. on Thursday, June 3, 2010**, at the Town of Mammoth Lakes offices at **437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546.** The hearing format will consist of a combined Public Information Workshop (PIW) and a Public Hearing. The PIW will provide information, maps, and diagrams explaining the proposed Operations Specifications Amendment and potential impacts to the environment. Town representatives and their consultants will be on hand to discuss the proposed FAA action and answer questions. The PIW will begin at 4 PM. formal presentation will not be made and you m attend at any time between 4 PM and 5 PM. Th Public Hearing will begin at 5:00 PM.

Comments on Draft EA
Verbal and written comments regarding the proposed **RSA** project and findings in the Draft EA can be submitted at the Public Information

below.

Town of Mammoth Lakes
437 Old Mammoth Road, Suite R

Mammoth Lakes, CA 93546
Mono County Public Library
Sierra Park Road

PUBLIC INFORMATION WORKSHOP ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR A PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT

MINUTES OF THE PUBLIC HEARING

JUNE 3, 2010

PUBLIC HEARING

The public hearing was opened at 5:24 p.m.

Assistant Town Manager Karen Johnston: May I have your attention, please? My name is Karen Johnston and I am the Assistant Town Manager for the Town of Mammoth Lakes.

Let me welcome all of you to the public hearing portion of the Public Information Workshop on the Draft Environmental Assessment for a Proposed Operations Specifications Amendment related to the scheduled commercial air service that would allow United Airlines to provide turbojet service to Mammoth Yosemite Airport.

Anyone wishing to present oral testimony on the Draft Environmental Assessment may do so at this time. Please come to the microphone and state your name and address for the record before you begin your comments.

If you would like to present written comments, the deadline to submit comments is 5 p.m. on Monday, June 7, 2010.

No members of the public provided comments.

The public hearing was closed at 6:00 p.m.

Respectfully submitted,

Jamie Gray

Jamie Gray
Town Clerk

PUBLIC INFORMATION WORKSHOP AND PUBLIC HEARING
June 3, 2010
4 p.m.

PROPOSED OPERATIONAL SPECFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

DRAFT ENVIRONMENTAL ASSESSMENT

Please sign in.

Name	Address	Phone Number	Email Address
Robin Falkingham	Box 2609 ML.	934-4447	Fastskisports@gmail.com
John Walter	PO Box 2383 WKO	934-1767	Salt1143@gmail.com
HENNING JENSEN	POB. 752 ML	934-7176	hsj1@cot.net
Mary K Prentice	POB 447 ML	934-0355	MKP@NPGcable.com
Malcolm Clark	PO Box 3328 ML	924-5639	WMALCOLM.CLARK@GMAIL.COM
Owen Maloy	POB 2083 ML	934 7511	
Jim Smith	PO Box 24, ML, CA 93546	934-0740	jimsmith@mammoth-mtn.com

APPENDIX E-2

COMMENTS AND RESPONSES

This appendix contains the comments received on the Draft EA, along with the Town and FAA responses to each comment. Comments were submitted by the following parties:

- United States Department of the Interior, National Park Service
- State of California, Department of Fish and Game
- California Regional Water Quality Control Board – Lahontan District
- Mono Lake Committee
- National Parks Conservation Association
- Sierra Club – National Parks and Monuments Committee
- Sierra Club – Range of Lights Group
- University of California, Santa Barbara – Sierra Nevada Aquatic Research Laboratory
- Stephen Kalish

United States Department of the Interior

NATIONAL PARK SERVICE
Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807

IN REPLY REFER TO:
N3615 (PWR-NR)

JUN 07 2010

Ms. Karen Johnston
Assistant Town Manager
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Ms. Johnston:

Thank you for the opportunity to review the Draft Environmental Assessment (EA): Proposed Amendment to United Airlines Operations Specification for Turbojet Aircraft Service to Mammoth Yosemite Airport (MMH), Mammoth Lakes, California. Commercial air service into MMH began in December 2008 with one flight per day to and from Los Angeles by Horizon Air using a Q400 propeller jet. Nearly 11,000 passengers used the service between December 2008 and April 2009. United Airlines is now proposing service to MMH from San Francisco using a CRJ700 turbojet with a similar capacity to the Q400 (80 passengers). This EA assesses the impacts of the use of turbojets proposed by United Airlines since the previous environmental analysis for Horizon Airline assessed the impacts of using propeller jets.

As stated in the National Park Service's (NPS) comment letter for Horizon Air's propeller jet proposal dated January 11, 2008 (attached), our primary concern with the proposal continues to be the *cumulative impact* of the proposed action combined with existing aircraft overflights noise experienced by Yosemite, Sequoia and Kings Canyon National Parks and Devils Postpile National Monument. The Draft EA does not adequately address the current and future cumulative impacts associated with projects identified by the Town of Mammoth Lakes, and fails to address past and present actions that contribute to existing overflight noise levels at Yosemite, Sequoia and Kings Canyon NPs and Devils Postpile NM. 1

The route to and from San Francisco into MMH, proposed by United Airlines, flies over Tioga Pass and directly over the Grand Canyon of the Tuolumne River, designated a Wild and Scenic River, in Yosemite National Park. This area currently experiences significant noise impacts from high altitude commercial jet overflights. Data collected by the park in 2005 and 2006 shows aircraft can be heard 55% of the time at Granite Lake near Tioga Pass, 58% of the time at Tuolumne Meadows, and between 41% and 49% of the time at various locations along the Tioga Road corridor. These data indicate the Tioga Road corridor experiences significant noise impacts from aircraft. Further, the Noise Screening Assessment 2

conducted by FAA for the DEIS Request for Operations Specifications Amendment by Horizon Air to Provide Scheduled Air Service to Mammoth Yosemite Airport, determined the proposed action would create additional noise over Tioga Pass (5.8 dBA) and Lyell Canyon (2.4 dBA) areas, from the departure of turboprops from the Mammoth Lakes Airport en route to San Francisco. United's proposal to fly turbojets to and from San Francisco would result in additional noise where a significant noise problem already exists. 2

The NPS continues to disagree with the use of community noise equivalent level (CNEL) and average day/night levels (DNL) noise metrics used in the Noise Screening Assessment. These metrics are inappropriate for wilderness settings where quiet and solitude are expected. We encourage the use of the noise metrics listed below which would allow for a better understanding of the noise impacts of the proposed action to National Park resources: 3

Lmax: Maximum dBA in a given period
% Time Audible
Time above natural ambient + 3 dBA
Time above natural ambient + 10 dBA
Time above 52 dBA
Time above 60 dBA

Since National parks are Department of Transportation Act section 4(f) properties, FAA is required to include all possible planning to minimize harm resulting from the use of these areas. In order to comply with 4(f) requirements, the Environmental Assessment must identify and evaluate all feasible mitigation measures to reduce the cumulative noise impacts to Yosemite, Sequoia and Kings Canyon NPs and Devils Postpile NM. Mitigation should include a reduction in the existing commercial jet noise over the Tioga Pass corridor and Yosemite wilderness. 4

We welcome the opportunity to cooperate with FAA in identifying appropriate flight paths to mitigate existing impacts to wilderness values from overflights using the Tioga Pass fly-way. If you have questions regarding these comments please contact Judy Rocchio, Regional Natural Sounds Program Coordinator, at 510-817-1431. 5

Sincerely,

George Turnbull
Acting Regional Director, Pacific West Region

cc:
Don Neubacher, Yosemite NP Superintendent
Karen Taylor-Goodrich, Sequoia and Kings Canyon NP Superintendent
Deanna Dulen, Devils Postpile Superintendent

Attachment

United States Department of the Interior

NATIONAL PARK SERVICE
Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807

IN REPLY REFER TO:
N3615 (PWR-NR)

JAN 11 2008

Mr. Chuck Cox
Federal Aviation Administration
NW Mountain Region/Flight Standards Division
1601 Lind Avenue, SW
Renton, WA 98055

Dear Mr. Cox:

Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS): Request for Operations Specifications Amendment by Horizon Air to Provide Scheduled Air Service to Mammoth Yosemite Airport, Mammoth Lakes, Mono County, California.

The National Park Service's (NPS) primary concern continues to be the *cumulative impact* of the proposed action combined with existing noise experienced by Yosemite, Sequoia and Kings Canyon National Parks and Devils Postpile National Monument. The Draft EIS addresses future cumulative impacts associated with projects identified by the Town of Mammoth Lakes, and fails to address past and present actions that contribute to existing noise levels at Yosemite, Sequoia and Kings Canyon NPs and Devils Postpile NM.

Yosemite currently experiences significant noise impacts from high altitude commercial jets that use the J58-80 east-west jet route and the J5 and J7 north-south jet routes. Data collected in 2005 and 2006 shows aircraft can be heard 55% of the time at Granite Lake near Tioga Pass, 58% of the time at Tuolumne Meadows, and between 41% and 49% of the time at various locations along the Tioga Road corridor. These data indicate the Tioga Road corridor experiences significant noise impacts from aircraft. Further, the Noise Screening Assessment conducted by FAA determined that the proposed action will create additional noise over Tioga Pass (5.8 dBA) and Lyell Canyon (2.4 dBA) areas with the departure of turboprops from the Mammoth Lakes Airport en route to San Francisco.

The noise metrics used in the Noise Screening Assessment, community noise equivalent level (CNEL) and average day/night levels (DNL), are inappropriate for areas where quiet settings are expected since these metrics are intended for use in land use planning around airports. Using the suite of metrics below would allow a better understanding of the noise impacts of the proposed action:

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

NATIONAL PARK SERVICE

The following responses are provided to the numbered comments identified in this submittal:

1. As indicated by Table 1.3-1 of the Draft EA, the Proposed Action will not result in a long-term increase in the number of commercial air service flights into and out of MMH, as the total number of such flights is limited by the size of the existing passenger terminal. The Proposed Action would result in one additional daily flight during the winter seasons of 2011 – 2013. After 2013 the Proposed Action would result in only the replacement of one previously-projected Q400 aircraft flight with a flight using a CRJ700 aircraft, and would not significantly change the cumulative noise environment in Yosemite or Sequoia-Kings Canyon National Parks, or the Devils Postpile National Monument. Section 5.3 and 5.8 of the Draft Environmental Assessment include the results of a comprehensive analysis of the projected aircraft-related noise impacts of the Proposed Action on both land uses in the vicinity of the Mammoth Yosemite Airport and on potential Section 4(f) resources within a study area of approximately 2,290 square miles, which includes portions of Yosemite and Sequoia-Kings Canyon National Parks, as well as the Devils Postpile. The study area includes both Tioga Pass and Lyell Canyon. This noise analysis was conducted in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. As indicated in Figure 5.8-3 of the EA, the results of these analyses indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a Change of Exposure (COE) at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. Therefore, the conclusions presented in Section 5.5 of the March 2008 FEIS that flights associated with MMH would not be perceptible in the context of existing overflights in the vicinity of Tioga Pass remain valid.

2. See response to Comment #1.

3. The noise analyses reported in the Draft EA were prepared in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. Broader discussions between the NPS and the FAA regarding appropriate metrics for analysis of noise levels at National Park resources are ongoing, and are beyond the scope of this EA.

4. See the response to Comment #1. The use of COE 3.0 dBA DNL for screening for constructive use is a conservative application of the screening criteria used by the FAA to analyze noise levels below 65 dBA DNL in NEPA documents and is consistent with Federal Highway Administration and Federal Transit Administration (formerly Urban Mass Transit Administration) regulations defining constructive use

under 23 C.F.R. §771.135.[1]. Therefore, it has been concluded that no additional quantitative analysis is required, and the change in noise would not result in a constructive use of the Section 4(f) resources with quiet settings in year 2011 or year 2015. Therefore, mitigation for the impacts of the Proposed Action is not required.

5. On-going discussions between the NPS and the FAA regarding noise levels in National Parks are beyond the scope of this EA.

[1] As noted in the *Record of Decision for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign* (FAA, September 5, 2007), FAA has adopted the recommendations of the Federal Interagency Committee on Noise (FICON) to broaden the scope of airport noise analysis to address increases of 3 dBA or more between DNL 60 and 65 dBA, which is clearly perceptible between these sound levels, in its NEPA documents. Although changes of 5 dBA in noise exposure between DNL 45 and 60 dBA are identified within populated areas (for air traffic airspace actions where the study area is larger than the immediate area of the airport per FAA Order 1050.1E, Change 1, Appendix A, Section 14.5e), FAA has used the 3 dBA threshold at much lower noise levels to provide special consideration for Section 4(f) resources with quiet setting attributes. The FICON guidance concerning DNL 3 dBA is more directly relevant here than the FHWA constructive use regulations, which relate to traffic noise exposure measured in hourly or 12 hour equivalent sound levels.

State of California - The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region (IDR)
407 West Line Street
Bishop, CA 93514
(760) 872-1171
(760) 872-1284 FAX

June 10, 2010

Town of Mammoth Lakes
Ms. Karen Johnston, Assistant Town Manager
PO Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Subject: Draft Environmental Assessment for Proposed Operations Specifications Amendment Approval Related to the Scheduled Commercial Air Service into Mammoth Yosemite Airport by United Airlines

The Department of Fish and Game (Department) has reviewed the Draft Environmental Assessment (DEA), prepared in compliance with the National Environmental Policy Act (NEPA) for the Mammoth Yosemite Airport's (MMH) proposed amendment for United Airlines operation of turbojet aircraft service. The Department is providing comments on this DEA as the state agency which has statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish & Game Code section 711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish & Game Code section 1802). The Department's fish and wildlife management functions are implemented through its administration and enforcement of the Fish and Game Code (Fish & Game Code Section 702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. Sec. 15386(a)). The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law role as trustee for the public's fish and wildlife.

The Department appreciates this opportunity to comment on the above referenced project, relative to impacts to biological resources. The Department continues to believe the proposed project has the potential to *significantly* affect the quality of the human environment, and as such NEPA requires that an Environmental Impact Statement (EIS) be prepared. Significance is determined by intensity and setting of the proposed project. Anticipated impacts from the proposed project include special-status species, cumulative effects as is evidenced by this amendment to add an additional carrier to MMH, the original, precedent-setting effects, degree of unique or unknown risk, degree of controversy, unique characteristics of an area, public health, and cultural and historical resources. NEPA also requires preparation of an EIS if it is reasonable to anticipate cumulatively significant impacts (40 CFR 1508.25(c)).

1

2

The Department believes the information contained in the DEA is not adequate to

support a Finding of No Significant Impact (FONSI). The Department offers the following to support this assertion. The DEA is *lacking* in the following areas: the discussion of the range of alternatives and how they meet the purpose and need for the project; the discussion of biological resources, particularly sage grouse, bald eagle, other birds and the impacts of the proposed project on these resources, and mitigation measures to offset those impacts. In particular, the statements made in the DEA claiming that the proposed project will not result in significant adverse impacts to these resources, are not supported by data presented in the DEA, appendices, or existing literature. The Department therefore contends the DEA and any subsequent FONSI are inappropriate for this project because the impacts of the project on biological resources are not adequately disclosed nor mitigated. 3

The following specific comments are offered to support the statements above:

Purpose and Need

The stated purpose of the proposed action:

"The purpose of FAA's proposed Federal action is to evaluate a request from United Airlines for the FAA to issue an Operations Specifications Amendment to allow scheduled commercial air service to the Mammoth Yosemite Airport." (DEA, page 2-1).

The United Airlines request is based on the stated need:

"The Town [of Mammoth Lakes] sees the proposed scheduled commercial air service using turbojet aircraft by United Airlines as a means to attract additional tourists that would more likely stay beyond a weekend, increase competition, and expand the number of locations from which visitors would be able to fly to MMH." (DEA, page 2-2). 4

The Department contends that adding an additional carrier and flights to MMH is only one of several ways to meet the stated need for the action and that the research cited to support this assertion is misleading. The DEA (page 2-1) states the Mammoth Lakes Tourism and Recreation Department ***confirmed*** that that introduction of air service by Horizon Air brought visitors to the area staying for longer periods - including mid-week periods. The research includes a survey conducted from January 13 through February 16 of 192 air passengers. The summary data presented on page 2-1 in support of this assertion ("57 percent of air passengers stayed 3-4 nights, 14 percent stayed 5-6 nights, and 12 percent stayed 7 or more nights.") does not include the additional statistic found in Appendix A-1 – 17% of air passengers stayed 1-2 nights. If 57 percent of air passengers stayed 3-4 nights and 17 percent stayed 1-2 nights, how does this data support the ***confirmation*** that visitors to the area stayed for longer periods *including* mid-week? These data do not suggest what day of the week visitors stayed and in fact, when the combined largest percent of air passengers (74%) stayed 1-4 days, this could just as easily be interpreted to be short and long weekend stays. 5

Additionally, the survey of 192 air passengers is likely not representative of the Town's occupancy rate during that same time period. The Department would like to know how many visitors to the area during that same time period arrived via means other than air service and what percent of those visitors stayed 1-2 nights, 3-4 nights, 5-6 nights or more 6

than 7 nights. Absent that comparative data, the survey of air passengers provides a faulty correlation between visitor's length of stay and ***air service*** increasing the length of stay. 6

The *issue* stated on page 2-1 is that the Town of Mammoth Lakes is a tourist destination that's 'underutilized' mid-week. The Department recognizes the Town of Mammoth Lakes as a tourist destination and in fact, appreciates its role too as part of the attraction. The Department addresses such issues state-wide and believes most tourist destinations likely suffer from this same mid-week underutilization. However, the proposed project does not wholly address this issue. The need stated in the October 20, 2000 DEA for the MMH Expansion Project (SCH# 2000102045) was reducing the travel time to the Mammoth Lakes area. The Expansion Project DEA also stated that Mammoth Mountain was one of the most frequented ski resorts in North America in the 1980's. Although not stated, it is assumed that the skiers visiting Mammoth Mountain in the 1980's were *driving* from southern California or from the San Francisco Bay area. The San Francisco Bay area is the inferred current target market in this DEA with daily flights proposed between MMH and SFO. Consistent with the above detailed rationale for confirmation, the Department would like to point out that the target market was solely excluded from the survey since only passengers from LAX were surveyed. Therefore, the Department contends that whether or not visitors from the San Francisco area would continue to drive to the area or would utilize air service at all, much less to visit the area mid-week, remains unknown and evidence in the record does not support otherwise. 7

Alternatives

Similarly, the range of alternatives described in Chapter 3 does not adequately reflect the full range of alternatives possible for meeting the stated need. The heart of the NEPA process is the evaluation, comparison and consideration of alternatives. The stated need, to increase mid-week tourism, defines the *range* of alternatives and it's the responsibility of the lead agency to consider ALL reasonable ways to meet the stated need in the same manner that the proposed action is intended to meet. The No Action and Proposed Action are the only two alternatives evaluated in the DEA. Chapter 2 states that the two proposed Action Alternatives, use of an alternate airport and use of alternate aircraft, are not, in fact, viable alternatives. The rationale for not considering these alternatives is presented on pages 3-1 through 3-2. The Department does not object to the dismissal of the two identified Action Alternatives; however, the lack of alternatives evaluated including a clear description of each alternative and information as to why each was dismissed in the DEA does prejudice the choice between alternatives and essentially the DEA does not provide for a comparison of Action Alternatives. 8

Affected Environment and Environmental Consequences

<u>Wildlife</u>

Sage Grouse: The DEA identifies that "resource agency personnel have, during the prior EIS process and in response to the Early Notification for this EA, expressed concern regarding possible impacts of aircraft operations on the early spring use of the grouse lek east of the airport. The DEA follows to state that "The Town and United Airlines are aware of these concerns and have indicated that, to the extent practical, early morning flights into and out of MMH would be avoided." Appendix A-1 includes a letter from SkyWest Airlines stating that SkyWest and United "will make efforts to avoid arrivals and departures prior to 9 9

am" during the months of March and April. The Department requests a clear a detailed description to describe how these "efforts to avoid arrivals and departures" will be made. For the purposes of NEPA, making efforts "to the extent practical" falls short of being considered mitigation to alleviate potential impacts to spring use of grouse leks. We request that the conditions for project approval include clear, enforceable avoidance mitigation measures to offset these potential impacts. 9

Bird Strikes: The DEA does not discuss how the number of increased flights may impact the heavy use of the proposed project area by migratory birds, such as migratory passerines, water birds, and raptors. The EA should evaluate the human safety considerations associated with the proposed operation of the airport within a heavily used migratory path for large flocks of birds including, but not limited to, white pelicans, gulls, ducks, grebes, and smaller numbers of turkey vultures, bald eagles, golden eagles and other raptors in response to the number of increased flights to and from MMH. The eastern Sierra escarpment is used heavily as a migration path for raptors due to the presence of thermals which assist the birds during migration. The EA should evaluate the impacts to human health and safety, as well as impacts on local populations of migrating and wintering birds, of operating the proposed project. The EA should offer effective mitigation measures to address these impacts. 10

The Department was recently contacted regarding a Mammoth Airport road expansion/development project. Please explain how this action will not result in phasing of Mammoth Airport project activities. The Department recommends the Town prepare a comprehensive plan and environmental analysis that covers all current and anticipated future proposed project activities. This would allow for better planning, and would allow projects associated with MMH to be considered as a whole. 11

Thank you for the opportunity to comment. Questions regarding this letter and further coordination on these issues should be directed to Ms. Debra hawk, Environmental Scientist, at (760) 872-1126 or Ms. Tammy Branston, Environmental Scientist, at (760) 872-0751.

Sincerely,

Brad Henderson
Acting Deputy Director

cc: Tim Taylor, DFG
Debra Hawk, DFG
State Clearinghouse
CHRON

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

CALIFORNIA DEPARTMENT OF FISH AND GAME

The following responses are provided to the numbered comments identified in this submittal:

1. The analyses reported in the Draft EA have not identified any significant impacts associated with the Proposed Action, and therefore preparation of an EIS is not appropriate. Further explanation of the reasons for this determination is provided in several of the following responses.

2. The Proposed Action will not result in any physical changes at the airport. No structural change to the airport is required to accommodate the CRJ700 aircraft, and the Proposed Action would add only one flight per day until 2013, and would simply replace one previously projected daily flight to the airport beyond 2013. As described in Sections 5.3 and 5.8 of the EA, potential noise impacts of the Proposed Action, when compared to the No-Action Alternative, are not significant. The EIS prepared in 2008 in conjunction with the approval of the current commercial air service at the airport did not identify any significant impacts of that action. The current Proposed Action that is the subject of this EA would result in only a minor change in the activities assessed in the EIS. No cumulatively significant impacts have been identified in these documents.

3. The issues of Purpose and Need and Alternatives are addressed in further responses below. The Proposed Action will not result in any physical changes at the airport, and thus would have no direct impacts on biological resources. As described in Sections 5.3 and 5.8 of the EA, potential noise impacts of the Proposed Action, when compared to the No-Action Alternative, are not significant. Responses regarding potential impacts to sage grouse and other avian species are provided below.

4. The Federal purpose of the Proposed Action is to evaluate a request from United Airlines for the FAA to issue an operations specifications amendment to allow scheduled commercial air service to the Mammoth Yosemite Airport. Operations specifications are components of an air carrier's Air Carrier Certificate which specify appropriate authorizations, limitations, and procedures for each kind of operation. FAA's primary mission is to ensure safety and efficiency in air commerce. One of the multiple mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications to commercial air carriers. United Airlines has requested an amendment to its operations specifications, and therefore FAA has a need to evaluate the requested operations specifications amendment to determine that safety in air commerce allows the amendment, pursuant to 14 CFR Section 119.51. The operations specification amendment that is the subject of this EA is limited to a request by a single airline (United Airlines) to provide scheduled commercial air service to a single location (MMH). The Federal government does not control where, when and how airlines provide their service. It is the individual airlines that make decisions

to provide scheduled commercial air service to and from specific commercial airports (14 CFR Part 139 certified). Public use airports, such as MMH, which is a 14 CFR Part 139 certified airport, cannot deny access to an airline if the aircraft they propose to use can safely operate at that facility.

5. The commercial reasons for the interest of the Town of Mammoth Lakes in having the proposed air service, including the cited survey information, have been provided in the EA to provide the public with the context within which the United Airlines request for an amendment to their operations specification has been submitted. However, that information is not a part of the Federal purpose and need for the proposed FAA action pursuant to 14 CFR Section 119.51.

6. See responses to Comments 4 and 5.

7. See responses to Comments 4 and 5.

8. The operations specification amendment that is the subject of this EA is limited to a request by a single airline (United Airlines) to provide scheduled commercial air service to a single location (MMH). FAA's primary mission is to ensure safety and efficiency in air commerce. One of the multiple mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications to commercial air carriers. The Federal government does not control where, when and how airlines provide their service. It is the individual airlines that make decisions to provide scheduled commercial air service to and from specific commercial airports (14 CFR Part 139 certified). Therefore, in this action the FAA does not have the option to consider use of alternative airports or use of alternative aircraft, as described in Chapter 3.0 of the Draft EA. The only two alternatives available to the FAA are the Proposed Action and the No-Action Alternative as described in the EA.

9. The noise analyses reported in Section 5.3 and 5.11 of the Draft EA indicate that the impacts of the Proposed Action on aircraft-related noise levels would not be significant. The Proposed Action will not result in any physical changes at the airport, thus there would be no direct impacts to Sage Grouse habitat. The Federal government does not control where, when and how airlines provide their service. It is the individual airlines that make decisions to provide scheduled commercial air service to and from specific commercial airports (i.e., airports certified under 14 CFR Part 139). Therefore FAA does not have the authority to require airlines to commit to future schedules. However, as indicated in this EA, the Town of Mammoth Lakes and United Airlines are aware of the concerns regarding possible impacts of overflights on the use of Grouse Lek #2 and have voluntarily agreed to avoid scheduling early morning flights into and out of MMH, to the extent practicable. A letter from the United Airlines indicating this intention is included in **Appendix A-1** of the EA. The Town has indicated that it will continue to evaluate these concerns as the number of daily flights increases, and will as necessary work to identify practical and enforceable methods for reducing adverse impacts on the use of the lek by sage grouse that are associated with aviation overflights prior to 9:00 AM.

10. The FAA Wildlife Strike Database indicates there is no record of bird strike problems at MMH. The FAA-approved forecast of commercial activity at MMH is presented in Table 1.3-1 of the EA indicates that the Proposed Action would result in 115 additional annual flights to MMH for the period of 2011-2013, when compared to the No-Action Alternative. As indicated in Table 1.3-1, beyond 2013 the Proposed Action would not change the total number of flights to MMH due to the constraints of the existing terminal

facility. Table B-3.7 and B-3.8 of Appendix B of the EA indicate that the Proposed Action would result in an increase of approximately 2.6 percent in the total number of aircraft operations at MMH in 2011, when compared to the No-Action Alternative, and would not change the total number of aircraft operations at MMH in 2015. Therefore, the Proposed Action is projected to have no significant impact on the potential for bird strikes.

11. The road development projected cited in this comment has been previously evaluated in EIR documents prepared by the Town, and the evaluation of that project has upheld in court. The Proposed Action will not result in any physical changes at the airport. As indicated in Table 1.3-1 of the EA, beyond 2013 the Proposed Action would not change the total number of flights to MMH due to the constraints of the existing terminal facility. As a result, the Proposed Action would not change the projected number of passengers arriving or departing MMH beyond 2013. Therefore, proposed roadway improvements in the vicinity of MMH are not required for nor related to the Proposed Action that is the subject of this EA, and would not have a cumulative impact in any resource category. FAA approval of modifications to the Airport Layout Plan (ALP) for MMH is a different action that would be appropriately evaluated in a separate process under NEPA and applicable FAA orders.

California Regional Water Quality Control Board
Lahontan Region

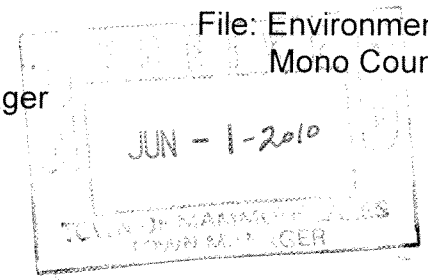
Linda S. Adams
Secretary for
Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
http://www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

May 25, 2010

File: Environmental Doc Review
Mono County, 6B26I003680



Karen Johnston, Assistant Town Manager
Town of Mammoth Lakes
P.O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT, PROPOSED AMENDMENT TO UNITED AIRLINES OPERATIONS SPECIFICATION FOR TURBOJET AIRCRAFT SERVICE TO MAMMOTH YOSEMITE AIRPORT, MAMMOTH LAKES, MONO COUNTY

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff has reviewed the Draft Environmental Assessment (EA) for the above proposed project. The EA evaluated the impact related to air service by United Airlines CRJ700 aircraft and was based on an Environmental Impact Statement (EIS) prepared by the Federal Aviation Administration (FAA) in 2008 that allowed the introduction of commercial air service to and from Mammoth Yosemite Airport (MMH). No additional construction is proposed. Following acceptance of the EA, a decision will be made whether to prepare an EIS or issue a Finding of No Significant Impact.

MMH has obtained coverage under the Statewide National Pollutant Discharge Elimination System (NPDES), General Permit No. CAS000001 (General Permit), Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities, Excluding Construction Activities, and has developed and implemented a Storm Water Pollution Prevention Plan (SWPPP). However, best management practices (BMPs) at the site may need to be reevaluated. Section 5.12.4.1, Surface Water Management at MMH, indicates that stormwater flows from the runway and taxiways, sheet flows, infiltrates to the ground. Stormwater from the parking apron and aircraft storage hangars is collected and conveyed through drainage pipes and then allowed to percolate to groundwater. BMPs are used to reduce or prevent pollutants in stormwater discharges and authorized non-stormwater discharges from impacting waters of the State. However, the existing BMPs may be allowing the mobilization of pollutants from impervious surfaces and subsequent percolation to groundwater. To prevent pollutants from migrating to groundwater, the existing BMPs should be reevaluated to incorporate the best available technology economically achievable and best conventional pollutant control technology to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards. 1

Please note that obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required. The environmental document must specifically describe the BMPs and other mitigation measures used to mitigate project impacts. 2

If you have any questions, please do not hesitate to contact me at (760) 241-7305 (bbergen@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,

Brianna Bergen
Engineering Geologist

cc: Brian Picken, Mammoth Yosemite Airport

BB\rc\comments MMH.doc

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD – LAHONTAN REGION

The following responses are provided to the numbered comments identified in this submittal:

1. The Proposed Action does not require nor involve any physical changes at MMH, and therefore is not expected to impact existing permitted stormwater management practices or water quality. Operations would increase by one commercial flight per day in 2011 through 2012 over the existing conditions, and in the subsequent years there would be no increase in operations. The Proposed Action could result in a minor increase in the potential use of deicing agents at MMH in 2011-2013, but would not change the use of such agents beyond 2013. Runoff from the deicing area would continue to be collected and disposed at an approved off-airport facility. The existing collection and disposal system can handle substantially greater volumes than are projected to be generated with or without the Proposed Action. The issues identified in this comment regarding existing BMPs in use at the airport are more appropriately addressed in the context of permit renewals or modifications that are not appropriately addressed in this EA.

2. Since the Proposed Action would not have any significant impacts on water quality, mitigation activities are not proposed.

MONO LAKE
COMMITTEE
P.O. Box 29
Hwy 395 and Third Street
Lee Vining, CA 93541
Phone (760) 647-6595
Fax (760) 647-6377

June 3, 2010

Ms. Karen Johnston
Assistant Town Manager
Town of Mammoth Lakes
PO Box 1609
Mammoth Lakes, CA 93546

RE: Draft Environmental Assessment
Proposed Amendment to United Airlines Operations Specification for Turbojet Aircraft Service to Mammoth Yosemite Airport, Mammoth Lakes, California

Dear Ms. Johnston:

The Mono Lake Committee (MLC) is writing to provide comments on the Draft Environmental Assessment (DEA) for the proposed addition to commercial air service to Mammoth Yosemite Airport (MMH).

The MLC is a non-profit citizen's group dedicated to protecting and restoring the Mono Basin ecosystem, educating the public about Mono Lake and the impacts on the environment of excessive water use, and promoting cooperative solutions that protect Mono Lake and meet real water needs without transferring environmental problems to other areas. Supported by 16,000 members, the MLC has been active in the Mono Basin since 1978.

Mono Lake, surrounded by the Mono Lake Tufa State Reserve and the Mono Basin National Forest Scenic Area, is a popular tourist destination in the Eastern Sierra. All the state and federal lands in and around the Mono Basin are Department of Transportation section 4(f) resource areas, "where a quiet setting is a generally recognized purpose and attribute."

In order to minimize the impact of increasing flight traffic the Mono Lake Committee is requesting that the Final Environmental Assessment and flight rules include a minimum flight path elevation over the Mono Basin. 1

Flight path and aircraft elevation over Mono Lake
First and foremost, MLC is concerned that the addition of commercial flights to and from MMH and the resulting increase in flight traffic could lead to an increase in noise over Mono Lake and surrounding lands. Currently, jet 2

aircraft en route to San Francisco follow the OVF V244 designated route over the south shore of Mono Lake and Tioga Pass; the map of the proposed year 2011 flight tracks follow this route, but the approximate aircraft elevation is not provided. 2

If this Proposed Action is approved, it is appropriate that the additional flights follow an established flight path rather than creating a new route over the Sierra. However, ascending turbojet airplanes such as the proposed United Airlines CRJ700 are noticeably noisier than jets cruising at higher altitudes; therefore, a minimum altitude requirement, such as the 20,000-24,000 MSL cruising altitude over Yosemite National Park described in the original 2008 ROD, should be included for the Mono Basin, a 4(f) resource area, in the Final Environmental Assessment. 3

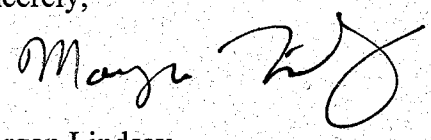
Noise affecting visitor experience and wildlife

One reason people come to natural, undeveloped, and preserved places in the country is for the natural sounds and quiet settings. The National Park System along with the National Parks and Conservation Association have been researching the increasing human-made noise in national parks nationwide, and looking for ways to mitigate the effects of excess noise. There is anecdotal evidence that aircraft noise has interfered with the communication between spadefoot toads along the eastern shore of the Mono Lake, and research elsewhere on forest-dwelling sapsuckers implies a similar disruption in communication.

Mono Lake is a valuable resource for wildlife, especially migratory and nesting birds; it is also the most popular summer tourist destination in Mono County. Both wildlife and the local economy depend on the unique resources found at Mono Lake including abundant productivity, scenic views, and opportunities for quiet solitude. This is further reason that a minimum altitude for the flight path over the Mono Basin should be clearly documented to minimize the environmental impacts of additional flights utilizing the OVF V244 route. 4

Thank you for the opportunity to comment on this issue. MLC understands the need to balance a variety of travel options with habitat and resource protection, including the increasingly rare state of silence in the Mono Basin. If you would like further information, please feel free to contact me at 760-647-6595 or morgan@monolake.org.

Sincerely,



Morgan Lindsay
Project Specialist

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

MONO LAKE COMMITTEE

The following responses are provided to the numbered comments identified in this submittal:

1. The flight paths and altitudes enroute aircraft flying to and from MMH, as well as those of enroute aircraft flying between other locations is established by the overall airspace architecture and air traffic control. The Proposed Action that is the subject of this EA will not change, and is not associated with, any changes in airspace architecture. Enroute commercial aircraft operate in controlled airspace, with a minimum altitude of 18,000 feet mean sea level (MSL). The Q400 turboprop aircraft currently in use in providing commercial air service to MMH operate at an enroute altitude of between 18,000 feet MSL and 24,000 feet MSL. Due to their greater speed, the CRJ700 aircraft under consideration as part of the Proposed Action would operate at enroute altitudes above 24,000 feet MSL, which is reserved for faster aircraft. Thus, the Proposed Action would not result in aircraft operating at lower enroute altitudes over the Mono Lake area when compared to the No-Action Alternative.

2. Section 5.3 and 5.8 of the Draft Environmental Assessment include the results of a comprehensive analysis of the projected aircraft-related noise impacts of the Proposed Action on both land uses in the vicinity of the Mammoth Yosemite Airport and on potential Section 4(f) resources within a study area of approximately 2,290 square miles, which includes portions of Yosemite and Sequoia-Kings Canyon National Parks, as well as Mono Lake.. This noise analysis was conducted in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. As indicated in Figure 5.8-3 of the EA, the results of these analyses indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$.

3. See the responses to Comments #1 and #2. The noise analyses performed for this EA incorporated the assumption that the CRJ700 aircraft would be operating at enroute altitudes above 24,000 feet MSL, above the 20,000 feet MSL to 24,000 feet MSL utilized by the Q400 aircraft currently in use in the commercial service to MMH.

4. Please see the response to Comment #1 above. The greater altitude of the CRJ700 aircraft would be applicable to those flying the V244 airway.

"Karen Johnston" <kjohnston@ci.mammoth-lakes.ca.us>
06/08/2010 11:14 AM

To <Bill_Fehring@URSCorp.com>, <Caroline.CTR.Poyurs@faa.gov>
cc "Robert F. Clark" <rclark@ci.mammoth-lakes.ca.us>, "William Manning" <wmanning@ci.mammoth-lakes.ca.us>, "Pickett, Howard" <hpickett@mammoth-mtn.com>, "Jim Smith" <jimsmith@mammoth-mtn.com>, "Murphy, Pam" <pmurphy@mammoth-mtn.com>
bcc
Subject FW: Comments on Mammoth-Yosemite Airport EA

One more letter.

Karen C. Johnston
Assistant Town Manager
Town of Mammoth Lakes
P. O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546
(760) 934-8989 ext. 228

www.kjohnston@ci.mammoth-lakes.ca.us

From: Emily Schrepf [mailto:eschrepf@npca.org]
Sent: Monday, June 07, 2010 9:50 PM
To: Karen Johnston
Subject: Comments on Mammoth-Yosemite Airport EA

National Parks Conservation Association®
Protecting Our National Parks for Future Generations®

June 7, 2010

Karen Johnston
Assistant Town Manager
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546
kjohnston@ci.mammoth-lakes.ca.us

RE: Environmental Assessment, Mammoth Yosemite Airport United Air Service

Dear Ms. Johnston:

Thank you for the opportunity to comment on the Environmental Assessment (EA) for this service at Mammoth Yosemite Airport.

The National Parks Conservation Association (NPCA) is America's only private, non-profit advocacy organization dedicated solely to protecting, preserving and enhancing the National Park System. NPCA was founded in 1919 and has more than 300,000 members and supporters.

NPCA respectfully recommends that this EA should be withdrawn because it does not address significant impacts that require an Environmental Impact Statement (EIS). The EA does not adequately analyze the impact of flights over national parks and wilderness areas, or impacts on threatened and endangered species. Furthermore, the Mammoth-Yosemite Airport (MMH) does not meet FAA standards for the proposed faster regional jet. 1

DISRUPTION OF SURROUNDING NATURAL SOUNDSCAPES

Threat to the National Park Service's Mission

The national parks preserve the most superlative examples of America's natural, cultural, and historic resources. Each unit of the National Park System is designated for the common benefit of all the people of the United States—those of us here today and those who will come after us. This gives the National Park Service not only a stake, but also an affirmative obligation to protect the national parks in carrying out the mission entrusted to it by the American people.

The National Park Service Organic Act, which established the National Park Service, declares the fundamental purpose of the national parks to be *to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations*

This responsibility to preserve our national parklands includes proper monitoring and safeguard of the *natural soundscape* for each park unit. Proper protection of soundscapes are an issue of both resource protection and visitor experience—a balance the National Park Service strives to achieve.

Aircraft Noise Impacts Wildlife Habitats

Amphibian, bird and insect species "communicate" in certain patterns and octave niches within their species. Each type of creature, from insect to bird, inhabit a separate sonic "zone of creature bandwidth" that is specific to its species—allowing clear and distinctive communication. This concept of "biophony" can serve as a measure for health, tension and other information about the specific creature. A clear and obvious pattern translates into a more stable environment for the species. Lapses in these patterns are attributed to conflicting aircraft overflight noise, among other man-made interference, whether at the same octave range or at volume level which unsettles the creatures. This lapse is a dangerous period for the creature—until the communicating species can reestablish a unified rhythm, it is noisily exposed to nearby predators. Because the previous EIS used a questionable method when concluding that there was little noise impact in backcountry, this EA avoids evaluating impact on soundscapes in bighorn sheep territory. In the previous court decision that enjoined construction at the airport, the court said that the claim that there was no significant impact on the bighorn sheep "strains credulity." Bombardier's published specifications indicate that the CRJ700 is 5 DB (three times) louder than the Q400, indicating a significantly greater effect on the soundscape. 2

Aircraft Activity Disrupts the Visitor Experience

The National Park Service has shown in a series of surveys that visitors value "natural soundscape" as much as clean water, scenic views and good air quality. It should be noted that not all aircraft activity over or near a national park unit is heard by the visitor. However, proximate aircraft activity has been shown to be an interference or, in some cases, an annoyance to park visitors and is of growing concern. 3

Aside from auditory disruption, aircraft overflights are also visually intrusive. As symbols of America's heritage, the national parks were intended to preserve a specific time, place, or emotion. How could a family visualize John Muir's discovery of Tuolumne Meadows in Yosemite when there is a jet with vapor trails in view? This visual distraction not only detracts from the scenic vistas, but also degrades the primitive experience of a park. 4

STANDARDS FOR REGIONAL JET SERVICE

Currently the Mammoth-Yosemite Airport is not equipped for the proposed change in service, meaning that construction is necessary, which is enjoined by the Federal Court. 5

Suggested Action

The National Parks Conservation Association recommends that the Environmental Assessment be withdrawn and regional jet service restricted until the above concerns are addressed. 6

Thank you for the opportunity to comment. Please feel free to contact our organization with any questions.

Sincerely,

Emily Schrepf

Senior Program Coordinator
Clean Air and Climate Program
National Parks Conservation Association

1401 Fulton Street Suite 916
Fresno, CA 93721
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National Parks Conservation Association®
Protecting Our National Parks for Future Generations®

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

NATIONAL PARKS CONSERVATION ASSOCIATION

The following responses are provided to the numbered comments identified in this submittal:

1. The Draft Environmental Assessment (EA) addresses all environmental categories identified in FAA Order 1050.1E, *Policies and Procedures for Considering Environmental Impacts*. Section 5.3 and 5.8 of the Draft Environmental Assessment include the results of a comprehensive analysis of the projected aircraft-related noise impacts of the Proposed Action on both land uses in the vicinity of the Mammoth Yosemite Airport and on potential Section 4(f) resources within a study area of approximately 2,290 square miles, which includes portions of Yosemite and Sequoia-Kings Canyon National Parks, as well as the Ansel Adams and John Muir Wilderness areas. This noise analysis was conducted in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. As indicated in Figure 5.8-3 of the EA, the results of these analyses indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. Further, the Proposed Action does not include nor require any physical changes at MMH. Therefore, the Proposed Action would not have any significant impacts to national parks, wilderness areas, or threatened and endangered species.

2. The Town of Mammoth Lakes has conferred with the Fish and Wildlife Service in the preparation of the Draft EA, as evidenced by the record of conversation included in Appendix A-2. The Proposed Action does not include nor require any physical changes at MMH. The proposed air service between MMH and San Francisco (SFO) is expected to use approach and departure routes to the north of MMH, while the closest population of bighorn sheep to MMH is located approximately 12 miles southeast of the airport at Wheeler Crest. The noise analyses described in the response to Comment #1 indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. Therefore, it has been concluded that the Proposed Action would have no significant impacts on populations of bighorn sheep. The noise analyses prepared for the EA take into account the differences in noise signature between the Q400 turboprop and the CRJ700 turbojet aircraft.

3. As indicated in the response to Comment #1, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. The use of a Change of Exposure (COE) of 3.0 dBA DNL for screening for constructive use is a conservative application of the screening criteria used by

the FAA to analyze noise levels below 65 dBA DNL in NEPA documents and is consistent with Federal Highway Administration and Federal Transit Administration (formerly Urban Mass Transit Administration) regulations defining constructive use under 23 C.F.R. §771.135.[1]. Therefore, it has been concluded that the projected change in noise would not result in a constructive use of the Section 4(f) resources with quiet settings in year 2011 or year 2015.

4. The CRJ700 aircraft is smaller, faster, and would be operating at a somewhat higher enroute altitude (25,000 feet MSL to 26,000 feet MSL) than the Q400 aircraft that are currently used to provide commercial service to MMH. Therefore, the CRJ700 would be less visible to observers on ground the when passing over park or wilderness areas. The short-term addition of one flight per day (as presented in Table 1.3-1 of the Draft EA, would not have a significant impact on the total number of the aircraft overflying Yosemite and Sequoia-Kings Canyon National Parks (estimated to be 440 – 520 daily in Appendix C-3 of the 2008 FEIS)

5. The Proposed Action does not involve, nor does it require, any physical change at MMH. FAA's primary mission is to ensure safety and efficiency in air commerce. One of the multiple mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications to commercial air carriers. United Airlines has requested an amendment to its operations specifications in order to provide commercial air service to MMH using the CRJ700 aircraft. FAA will evaluate the requested operations specifications amendment to determine that safety in air commerce allows the amendment, pursuant to 14 CFR Section 119.51. While an FAA decision regarding the request for an operations specifications amendment must consider the evaluation of potential environmental impacts of the Proposed Action that is presented in this EA, the evaluation under 14 CFR Section 119.51 is a separate step in the process.

6. The FAA will consider the findings of this EA, the findings of its evaluation pursuant to 14 CFR Section 119.51, and public or agency comments in making its determination whether to issue a Finding of No Significant Impact (FONSI), require the preparation of an Environmental Impact Statement, or select the No-Action Alternative.

[1] As noted in the *Record of Decision for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign* (FAA, September 5, 2007), FAA has adopted the recommendations of the Federal Interagency Committee on Noise (FICON) to broaden the scope of airport noise analysis to address increases of 3 dBA or more between DNL 60 and 65 dBA, which is clearly perceptible between these sound levels, in its NEPA documents. Although changes of 5 dBA in noise exposure between DNL 45 and 60 dBA are identified within populated areas (for air traffic airspace actions where the study area is larger than the immediate area of the airport per FAA Order 1050.1E, Change 1, Appendix A, Section 14.5e), FAA has used the 3 dBA threshold at much lower noise levels to provide special consideration for Section 4(f) resources with quiet setting attributes. The FICON guidance concerning DNL 3 dBA is more directly relevant here than the FHWA constructive use regulations, which relate to traffic noise exposure measured in hourly or 12 hour equivalent sound levels.

National Parks and Monuments Committee

275 S River Run #3

Flagstaff, AZ 86001

May 25, 2010

Karen Johnston, Assistant Town Manager

Town of Mammoth Lakes

POB 1609

Mammoth Lakes, CA 93546

RE: Environmental Assessment for Jet Flights San Francisco – Mammoth

The Sierra Club's National Parks and Monuments Committee is a national Club oversight committee, and we have been alerted by our Range of Light Sierra Club Group that there are potential problems with the recently released EA for Jet Flights, San Francisco – Mammoth. We were disturbed that there has apparently been no analysis for increased jet noise events over the national parks and Wilderness areas in the Sierra Range between San Francisco and Mammoth. To not provide appropriate and sensitive analysis risks challenges under environmental laws such as the DOT Act, Sec. 4(f) involving "constructive use" of national parks and wilderness for transportation projects. The FAA's Order 1050.1e provides for such supplemental analysis, and further indicates that the traditional 65 DNL standard does not apply for Parks and Wilderness noise assessment. See for example, the work done by the FAA in recent studies involving the Mesquite, NV Replacement Airport, and also the St. George, UT Replacement Airport (scheduled to open Jan. 13, 2011.) 1

Impacts on human visitor experience in Parks and wilderness, and on sensitive wildlife within, cannot be assessed until such studies are performed and publicized. 2

Therefore, we call for withdrawal of this EA until a supplemental noise studies document, covering affected national parks and congressionally designated Wilderness areas can be prepared as a supplement to the current EIS. 3

Sincerely,

(signed) Dick Hingson

Noise/Aviation Specialist for Sierra Club – National Parks and Monuments Committee

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

SIERRA CLUB – NATIONAL PARKS AND MONUMENTS COMMITTEE

The following responses are provided to the numbered comments identified in this submittal:

1. Section 5.3 and 5.8 of the Draft Environmental Assessment include the results of a comprehensive analysis of the projected aircraft-related noise impacts of the Proposed Action on both land uses in the vicinity of the Mammoth Yosemite Airport and on potential Section 4(f) resources within a study area of approximately 2,290 square miles. This analysis was conducted in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. The results of these analyses indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. The use of a Change of Exposure (COE) of 3.0 dBA DNL for screening for constructive use is a conservative application of the screening criteria used by the FAA to analyze noise levels below 65 dBA DNL in NEPA documents and is consistent with Federal Highway Administration and Federal Transit Administration (formerly Urban Mass Transit Administration) regulations defining constructive use under 23 C.F.R. §771.135.[1]. Therefore, it has been concluded that no additional quantitative analysis is required and the change in noise would not result in a constructive use of the Section 4(f) resources with quiet settings in year 2011 or year 2015.

2. See response to Comment 1.

3. See response to Comment 1.

[1] As noted in the *Record of Decision for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign* (FAA, September 5, 2007), FAA has adopted the recommendations of the Federal Interagency Committee on Noise (FICON) to broaden the scope of airport noise analysis to address increases of 3 dBA or more between DNL 60 and 65 dBA, which is clearly perceptible between these sound levels, in its NEPA documents. Although changes of 5 dBA in noise exposure between DNL 45 and 60 dBA are identified within populated areas (for air traffic airspace actions where the study area is larger than the immediate area of the airport per FAA Order 1050.1E, Change 1, Appendix A, Section 14.5e), FAA has used the 3 dBA threshold at much lower noise levels to provide special consideration for Section 4(f) resources with quiet setting attributes. The FICON guidance concerning DNL 3 dBA is more directly relevant here than the FHWA constructive use regulations, which relate to traffic noise exposure measured in hourly or 12 hour equivalent sound levels.

Range of Light Group
Toiyabe Chapter, Sierra Club
Counties of Inyo and Mono, California
P.O. Box 1973, Mammoth Lakes, CA, 93546

To: Karen Johnston, Assistant Town Manager, Town of Mammoth lakes
Subject: Environmental Assessment, Mammoth Yosemite Airport United Air Service
Date: June 7, 2010

Thank you for the opportunity to comment on this Environmental Assessment (EA).

While the Sierra Club favors local regional air service to provide economic diversity, this EA should be withdrawn, because the EA does not describe certain significant impacts that will require an Environmental Impact Statement, EIS). In these limited comments we do not imply that comments by others on issues not discussed are not valid. 1

The Mammoth-Yosemite Airport (MMH) does not meet FAA standards for the the faster regional jet proposed, or even the current turboprop service. In addition, the EA does not adequately analyze the impact of flights over national parks and wilderness areas, or impacts on threatened and endangered species, especially the Sierra Bighorn Sheep. 2

Noise - The EA provides a misleading noise analysis, which avoids evaluating noise over backcountry bighorn sheep habitat under the flight tracks at high altitude and other backcountry quiet areas because the earlier Environmental Impact Statement (EIS) for Horizon air service used a questionable method to conclude that there was little noise impact in such areas. There is no substantial evidence that this project will not produce significant impact. In the previous court decision that enjoined construction at the airport, the court said that the claim that there was no significant impact on the bighorn sheep "strains credulity." 3

Examining the backcountry noise analysis in the referenced EIS, we see that the background was not monitored in a quiet backcountry location but in aparking lot frequented by hikers and fishermen. Rather than using a constant average background for the areas evaluated, the no-action alternative uses different data for different areas, implying an arbitrary and capricious selection of the background data. For \example;, there is a 59.9 dB noise peak in the Dinkey Lakes no action noise. Was this a motorcycle in the parking lot? 4

Bombardier's published specifications indicate that the CRJ700 is 5 DB (a factor of three, sideline) noisier than the Q400, and so one cannot argue that the noise is almost the same. The entire analysis needs to be done over in an EIS. This EIS must contain a professional peer-reviewed biological assessment of the impact of aircraft noise on the bighorms and other endangered species. This EIS must also consider indirect impaccts of the construction required to bring the airport up to standard for CRJ700 service, discussed next. 5

Standards for Regional Jet Service - Service by faster but smaller Bombardier CRJ700 regional jet involves much more than adding similar flights, because to bring the airport up to the standards for this C-II aircraft requires an expansion project, as follows:

• Runway safety areas need to be cleared and graded for 1000 feet from each end of the runway. The entire width of the runway Safety Area (RSA and Object Free Area must be brought up to standard. The property required must be brought under airport control either by purchase or lease. FAA Urder 5200.8 mandates that RSAs are to be brought up to standards by 2015. The satellite image below shows that the east RSA does not eeven meet the 600-foot length required for the airport's current B-III rating.

• The runway gradient must be decreased from more than 1% to less than 0.8% at the east end. Achieving this gradient requires a substantial (15 feet estimated) increase in the elevation of the east runway and the safety area above the local grade. 6

Correcting these deficiencies requires construction, but construction is enjoined by the federal court. To lift the injunction, the Town must present an expansion plan with an EIS acceptable to the FAA and the court. In the meantime, operation of the CRJ700 implies a reduced level of safety, an impact that must be disclosed to the public. 6

Runway protection zones must be increased to the required size, enveloping the Green Church along Benton Crossing Road. No construction is needed to establish these zones. The church is used as a classroom and lecture hall by the University of California. That use must be abandoned, meaning that the introduction of service by C-II or higher aircraft will have a significant impact on the human environment that will require mitigation by provision of substitute facilities. 7

Conclusion -This EA needs to be withdrawn and the introduction of regional jet service restricted until the issues presented here are resolved. 8

Sincerely.

The Executive Committee
Range of Light Group, Toiyabe Chapter

J. Owen Maloy, Ph.D.
Founding Member and Past Chair
owen.maloy@verizon.net
760-934-9511

Google Earth Image of Runway East Safety Area.
The blast pad shown (yellow chevrons) is 200 feet long (measured).
The cleared runway safety area extends only 500 feet from the runway end, less than specified.
This length should be increased to 1000 feet for CRJ700 service..
The Green Church is in the lower right corner across Benton Crossing Road.

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

SIERRA CLUB – RANGE OF LIGHT GROUP

The following responses are provided to the numbered comments identified in this submittal:

1. The Draft EA addresses all environmental categories identified in FAA Order 1050.1E, *Policies and Procedures for Considering Environmental Impacts*. See response to Comment #6 below regarding actions which are separate from the Proposed Action.

2. The Proposed Action does not involve, nor does it require, any physical change at MMH. FAA's primary mission is to ensure safety and efficiency in air commerce. One of the mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications (OPSPEC) to commercial air carriers. The request for an OPSPEC amendment, such as in the case of United requesting service into MMH, does not involve or require any physical changes at MMH. United Airlines requested an OPSPEC amendment, under 14 CFR Section 119.51, to provide commercial air service to MMH using the CRJ700 aircraft. FAA evaluates this request using several different and independent procedures. First, an environmental review of the proposed action is conducted to ensure compliance with NEPA, as required under FAA Order 1050.1E. The NEPA review is used to determine whether implementation of the Proposed Action or reasonable alternatives would result in significant impacts to environmental resources of concern. That is the purpose of this EA. Under a separate process under 14 CFR Section 119.51, United Airlines will complete an airport performance analysis for flights to MMH. FAA will evaluate that analysis to determine whether safety in air commerce allows the amendment. If FAA determines that United has shown that it can safely operate at the airport and that it is in the public interest, FAA will approve the OPSPEC amendment. If not, FAA will deny the request for amendment.

Section 5.3 and 5.8 of the Draft Environmental Assessment include the results of a comprehensive analysis of the projected aircraft-related noise impacts of the Proposed Action on both land uses in the vicinity of the Mammoth Yosemite Airport and on potential Section 4(f) resources within a study area of approximately 2,290 square miles, which includes portions of Yosemite and Sequoia-Kings Canyon National Parks, as well as the Ansel Adams and John Muir Wilderness areas. This noise analysis was conducted in accordance with FAA's *Guidance on Procedures for Evaluating the Potential Noise Impacts of Airport Improvement Projects on National Parks and Other Sensitive Park Environments*. As indicated in Figure 5.8-3 of the EA, the results of these analyses indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a Change of Exposure (COE) at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. The Proposed Action would not have any significant impacts to national parks or wilderness areas.

The Town of Mammoth Lakes has conferred with the Fish and Wildlife Service in the preparation of the Draft EA, as evidenced by the record of conversation included in Appendix A-2. The Proposed Action does not include nor require any physical changes at MMH. The proposed air service between MMH and San Francisco (SFO) is expected to use approach and departure routes to the north of MMH, while the closest population of bighorn sheep to MMH is located approximately 12 miles southeast of the airport at Wheeler Crest. The noise analyses described in the previous paragraph indicate that, when compared to the No-Action Alternative, the Proposed Action will not result in a change of exposure at any location exceeding the applicable FAA criteria of 3.0 dBA for CNEL, $Leq_{(day)}$, $Leq_{(24\ hour)}$, or $L_{(max)}$. Therefore, it has been concluded that the Proposed Action would have no significant impacts on populations of bighorn sheep.

3. See response to Comment #2.

4. Neither of the monitoring stations for which ambient noise levels were reported in the previous EIS was located in a parking lot. While both monitoring stations were located in the general vicinity of existing campgrounds, the specific locations of each were sited so as to minimize the effects of surface noise associated with human activity. In addition, human observers monitoring the stations during daylight hours recorded the sources of the dominant sounds such that only naturally generated sounds could be used in determining natural ambient noise levels. The cited L_{max} noise level for the Dinkey Lakes Wilderness was based on modeling of aircraft noise and has no relation to noise generated at the surface.

5. The noise analyses described in the response to Comment #2 above utilized the most recent version of FAA Integrated Noise Model (INM v. 7.0b). The model includes specific assumptions regarding noise generation levels of the CRJ700 aircraft, which are based on measurements of operations by that aircraft. The model results take into account the differences in the noise generation of the Q400 and the CRJ700 aircraft. See also the response to Comment #2 above and the response to Comment #6 below.

6. The Proposed Action does not involve, nor does it require, any physical change at MMH. The ARC B-III classification of MMH and the use of the airport by C-II and C-III aircraft is not an environmental consideration under FAA Order 1050.1E or appropriate to include in this Environmental Assessment. However, if at a later date the airport sponsor proposes to improve or expand the airport to accommodate larger or more demanding aircraft, FAA will, as part of an airport layout plan planning review, determine if the proposed structural changes can accommodate the mix of aircraft forecast to service the airport in the foreseeable future. Any FAA conditional approval of modifications to the Airport Layout Plan (ALP) for MMH, including changes to items such as the Runway Protection Zone (RPZ), is an independent action that would be appropriately evaluated in a separate process under NEPA and applicable FAA orders.

7. See response to Comment #6 above.

8. The FAA will consider the findings of this EA, the findings of its evaluation pursuant to 14 CFR Section 119.51, and public or agency comments in making its determination whether to issue a Finding of No Significant Impact (FONSI), require the preparation of an Environmental Impact Statement, or select the No-Action Alternative.

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO

SANTA BARBARA • SANTA CRUZ

SIERRA NEVADA AQUATIC RESEARCH LABORATORY (SNARL)

HCR 79, BOX 198, 1016 MT. MORRISON ROAD
MAMMOTH LAKES, CA 93546
http://vesr.ucnrs.org

June 4, 2010

Ms. Karen Johnston
Assistant Town Manager
Town of Mammoth Lakes
Post Office Box 1609
Mammoth Lakes, CA 93546
sent via email to kjohnston@ci.mammoth-lakes.ca.us

RE: PUBLIC COMMENTS ON DRAFT E.A. FOR PROPOSED UNITED AIRLINES SERVICE TO MAMMOTH-YOSEMITE AIRPORT.

Dear Ms. Johnston:

On behalf of the University of California, Santa Barbara ("the University" or "UCSB") please accept the following comments on the draft Environmental Assessment for proposed United Airlines jet service to Mammoth Yosemite Airport. As you know, the University operates the Sierra Nevada Aquatic Research Laboratory ("SNARL"), located south of US 395 across from the east end of the airport runway. We also own the building locally known as the "Green Church" located on the SE corner of the intersection of US 395 and the Benton Crossing Road. We use the church as a classroom and lecture hall including the site of our spring public lecture series. Hence, the building is used almost exclusively for public assembly.

Of concern to the University is future use of the church for public assembly. It is my understanding that the Q-400 aircraft currently in use is an ARC C-III rated aircraft. The CRJ-700 under consideration is an ARC C-II rated aircraft. In both cases this would dictate a runway protection zone ("RPZ") of trapezoidal shape, extending from the end of the paved runway area 1700' long, with a 500' wide base widening to 1000' at the east end. If this is the case the church is located in the RPZ. As public assembly is prohibited in the RPZ, this is a significant potential impact to our use of the church. Furthermore, it is my understanding that the FAA has currently classified the airport as B-III, in which case the use of the church is not impacted. 1

The issue is the fact that the EA is completely silent on this entire matter. If the airport is given a C rating without any modifications to standards with respect to the RPZ, then the proposed project would result in a significant impact to our operations. There are obvious mitigation measures which should be identified. The first would be to relocate the church. To this end we have consulted with house movers who recommend strongly that this not be attempted. The alternative is to provide us with funds in compensation, thus allowing us to construct a replacement facility at our main SNARL 2

campus. If this came to pass we would also need Town assistance with final disposition of the church. 2

It seems obvious to us that the airport facility and its use are only going to grow over time. Ultimately, the church, the trees located adjacent to the church, and the utility poles serving the church are all going to become obstacles to approaching aircraft. The Town should look ahead and find funds to help us construct a replacement classroom, tear down the church, cut down the trees, underground the power lines, and restore the site. This would be the best solution for all parties. 3

In any event, the EA should address the topic, discuss the airport classification and the RPZ, and propose mitigation if necessary. Thank you for the opportunity to comment. Feel free to contact me if you require more information. 4

Sincerely,

Digitally signed by Daniel R. Dawson
Date: 2010.06.04 11:53:56 -07'00'

Daniel R. Dawson
Director

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

SIERRA NEVADA AQUATIC RESEARCH LABORATORY

The following responses are provided to the numbered comments identified in this submittal:

1. The Proposed Action does not involve, nor does it require, any physical change at MMH, nor does it specifically require any modification to the ALP for the airport. FAA's primary mission is to ensure safety and efficiency in air commerce. One of the multiple mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications to commercial air carriers. United Airlines has requested an amendment to its operations specifications in order to provide commercial air service to MMH using the CRJ700 aircraft. FAA will evaluate the requested operations specifications amendment to determine whether safety in air commerce allows the amendment, pursuant to 14 CFR Section 119.51. While an FAA decision regarding the request for an operations specifications amendment must consider the evaluation of potential environmental impacts of the Proposed Action that is presented in this EA, the evaluation under 14 CFR Section 119.51 is a separate step in the process. Any FAA approval of modifications to the Airport Layout Plan (ALP) for MMH, including changes to items such as the Runway Protection Zone (RPZ), or any change to the ARC code for the airport, is a different action that would be appropriately evaluated in a separate process under NEPA and applicable FAA orders.

2. See response to Comment #1.

3. Future changes to the airport layout are not part of the current Proposed Action that is the subject of this EA. FAA approval of modifications to the Airport Layout Plan (ALP) for MMH, including changes to items such as the Runway Protection Zone (RPZ) , or any change to the ARC code for the airport, is a different action that would be appropriately evaluated in a separate process under NEPA and applicable FAA orders.

4. See responses to Comments #1 and #3.

Stephen Kalish
892 Rimrock Drive
Bishop, CA 93514
760.387.2782
kaljar@qnet.com

June 6, 2010

Ms. Karen Johnston
Assistant Town Manager
Town of Mammoth Lakes
Post Office Box 1609
Mammoth Lakes, CA 93546
sent via email to kjohnston@ci.mammoth-lakes.ca.us

RE: PUBLIC COMMENTS ON DRAFT E.A. FOR PROPOSED
UNITED AIRLINES SERVICE TO MAMMOTH-YOSEMITE AIRPORT

Dear Ms. Johnston:

I appreciate the opportunity to comment on the Town's draft Environmental Assessment to evaluate the appropriateness of bringing commercial passenger jet service to the Mammoth-Yosemite Airport (MMH). From my perspective, it is a very bad idea.

Introduction

As in previous documents put forward over the years by the Town of Mammoth Lakes (Town) and its airport management in support of increased air service at MMH, this draft EA is a work of conscious obfuscation. The Town fails to acknowledge inherent design deficiencies at the airport that should preclude this proposal from moving forward. And the Town has a history of compromising aeronautical safety by reallocating scarce airport land for private development. There is no place to put this plane, at least not anywhere coming close to airport design safety standards for regional turbojets. 1

This draft EA has next to nothing to say about the "fit" of the CRJ-700 and MMH. Where in this draft EA is the airfield requirements analysis? Where is information about the airport rating, the aircraft rating, the length of runway, the slope of runway, the approach speed of the turbojet? Where is the Airport Layout Plan?

Without major expansion, MMH—now a nominally ARC B-III rated airport—the existing airport is woefully inadequate to accommodate regional turbojets like the CRJ-700. The significant effects in airport and adjacent land use necessitated by airport expansion to satisfy FAA airport design standards to accommodate CRJ-700 turbojets will require the preparation of an EIS. 2

Significant direct and indirect effects, which require preparation of an EIS, include:

- To the north: the need to remove and relocate privately-owned aircraft hangars— recently constructed inside the Building Restriction Line (BRL)— to make room for an expanded airport;[1]

- To the east: the need to relocate the Green Church, which is the only public lecture hall and classroom of the University of California's Sierra Nevada Aquatic Research Lab (SNARL), and is located within the expanded Runway Protection Zone (RPZ) required for operation of category C- approach aircraft. This was identified as a significant environmental impact in previous EIRs for airport expansion;[2]

- To the south: acquisition of National Forest System lands and relocation of Highway 395, if expansion proceeds to the south, as part of airport expansion to accommodate ARC C-II and C-III critical design aircraft;[3]

- To the west: the need to acquire National Forest System lands for airport expansion to accommodate regional jets and C-III approach category turboprops;[4]

- Farther afield: the need to more seriously consider alternative locations for an Eastern Sierra

3

1 The FAA warned the Town in 2004 that unauthorized construction in aeronautical areas might require relocation:
"From a compliance standpoint, if a change or alteration in the airport or its facilities is made which the FAA determines adversely affects the safety, utility, or efficiency of any Federal investment on or off the airport and which is not in conformity with the ALP as approved by the FAA, the Town may be required to eliminate such an adverse effect in a manner approved by the FAA. This may include relocating the property (or replacement thereof) to a site acceptable to the FAA and bearing the costs of restoring the property (or replacement thereof) to the level of safety, utility, and efficiency existing before the unapproved change was made in the airport or its facilities."
Letter from Andrew M. Richards, ADO Manager, to Rob Clark, Town Manager, October 4, 2004, page 4.

2 From DSSEIR Section 3.8.2 Significant Environmental Effects:
"The location of the 'Green Church' is incompatible with FAA Airport design criteria for the proposed project. The 'Green Church' lies in the Runway Protection Zone (RPZ). […] Under the proposed project [the] Green Church would be relocated from its present location to SNARL facilities." (referencing proposed Boeing 757-200 service)
Draft Supplement to Subsequent Environmental Impact Report, Environmental Impacts, October 2001, page III-97.

3 "The fourth option is to leave the general aviation apron and hangars as they exist, ...and move the taxiway, runway and U.S. Highway 395 to the south 150 to 200 feet. This plan requires acquisition of U.S. Forest Service land south of Highway 395 and requires the relocation of Highway 395 for the full length of the airport plus transitions."
While deemed impractical, these comments highlight the possibility that such a solution may be required to bring the MMH airport into compliance with the 800' runway OFA standard for B-III and above aircraft. Quote from letter with attachments, from MMH Consulting Airport Engineer Reinard W. Brandley to Andy Richards, FAA Manager of the Airports District Office (ADO) in Burlingame, California, February 14, 2005, page 4. Hereinafter referenced as the Brandley letter.

4 Brandley letter, page 3:
"Relocate hangars and tie downs and place them outside the taxiway OFA....This development requires the extension of the aviation and commercial development area to the west, which requires the acquisition of approximately 22 acres of U.S. Forest Service land."
Again, while deemed time consuming and expensive, these comments highlight the possibility that such a solution may be required to bring MMH into compliance with the 800' runway OFA standard for B-III and above aircraft.

regional airport—an argument the Federal District Court pointedly did not address in overturning the last FONSI, as the decision was already made to enjoin airport expansion (and presumably jet service) without an EIS;[5]

- Ground zero: a foreseeable possibility of an accident at MMH if large, fast, turbojets and turboprops are permitted to use a demonstrably substandard nominally ARC B-III-rated airport.

3

In addition to the NEPA requirement to do an EIS when significant effects are identified, there is also the Federal District Court injunction against airport expansion without doing an EIS.[6]

4

Significant Impacts of Compliance with Airport Design Standards

OFAs and significant impacts of compliance

According to the Town, "The FAA assigned an Airport Reference Code (ARC) of B-III to the airport in the mid-1970's."[7] In the intervening decades the Town has failed to make land acquisitions to accommodate the design requirements of their (unwritten?) Master Plan. Equally problematic, the aeronautical portions of MMH have been reduced and squeezed by the construction of privately-owned luxury hangers that protrude into runway Object Free Areas (OFA).[8] The south fence also protrudes into the runway width OFA, as do two utilities poles along the fence line, and overhead lines to the poles, strung perpendicular to the fence.[9]

Consequently, MMH is out of compliance with the runway width OFA standard contained in

5

5 "Because defendants failed to take a hard look at those consequences, defendants must prepare an environmental impact statement in compliance with NEPA.10 [fn] 10 In view of this result, I need not reach other issues raised by the motions, such as whether defendants adequately considered alternative sites."
CASE NO. C-No. C02-4621 BZ and related case NO. C02-4623 BZ ORDER GRANTING PLAINTIFFS' MOTIONS FOR SUMMARY JUDGMENT AND DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT. April 28, 2003 Order. Northern District of California Federal District Court, page 20.

6 "It is further ORDERED that defendants, including the Town of Mammoth Lakes, which intervened on the remedy portion of this matter, are hereby ENJOINED from commencing any construction or other work on the airport expansion project pending conformance with all NEPA requirements, including completion and adoption of an Environmental Impact Statement."
CASE NO. C-02-4621 BZ; NO. C-02-4623 BZ. April 28, 2003 Order. Page 20.

7 Mammoth-Yosemite Airport Runway Rehabilitation Project Initial Study Environmental Checklist, February 2008, page 2.

8 It is not clear if the FAA understood—prior to mid-December, 2009, when MMH requested a modification of standards (MOS) for this violation—that the east hangars protrude into the OFA. A close review of the (unapproved) revised 2006 ALP shows that there *is* a Building Restriction Line (BRL) drawn, but *not* outside the OFA—rather, the newly-drawn BRL is retroactively located inside the OFA,—making the east hangars in compliance with the newly-drawn BRL, but exposing them as having been built in violation of the existing OFA airport design standard for an ARC B-III airport. In doing this "papering over" of a safety issue, the Town was effectively prioritizing past real estate development and profit over aeronautical safety at MMH. The recent MOS request continues that policy.

9 The protruding utility poles and overhead lines were probably misidentified in the revised 2006 ALP (not approved) as "OFZ protrusions" rather than OFA protrusions. The poles are in line with c. 9000' of south fence that is also within the runway width OFA. Despite repeated requests and write-ups by the FAA for MMH to have these protrusions removed (see, e.g., the 2008 annual airport inspection report), they remain inside the runway width OFA.

AC 150/1300-13.[10] This non-compliance issue created a significant impact for bringing in Boeing 757-200s, and it should preclude this proposal, too, for while the CRJ-700 does *not* raise the OFA distance standard—the same 800' applies to ARC B-III rated aircraft—as a larger faster turbojet it *does* decrease the margin of error and margin of safety for take-offs and landings at an already substandard field.

To bring the airport up to standard for runway width OFA will require either the relocation of Highway 395 and the fence to the south, or demolition of the east hangers. Either solution would be a significant effect that should preclude the issuance of a FONSI and precipitate an EIS per NEPA.

5

RSAs and significant impacts of compliance

> "The RSA is an integral part of the runway environment. RSA dimensions are established in AC 150/5300-13, Airport Design and are based on the Airport Reference Code (ARC). The RSA is intended to provide a measure of safety in the event of an aircraft's excursion from the runway by significantly reducing the extent of personal injury and aircraft damage during overruns, undershoots and veer-offs.
>
> The objective of the Runway Safety Area Program is that all RSAs at federally obligated airports and all RSAs at airports certificated under 14 Code of Federal regulations (CFR) part 139 shall conform to the standards contained in AC 150/5300-13 Airport Design, to the extent practicable."[11]

The Town for years has stated that they are in compliance with the RSA standard for an ARC B-III runway, but that is not true.[12] The requirement for end-of-runway RSA is 600' length by 300' width for ARC B-III, 1000' length by 400' width for ARC C-II, and 1000' length by 500' width for ARC C-III.[13]

The extended RSA described in Brandley's 2005 letter might have been selected for proposed ARC C-IV service, but even then MMH was in violation of the ARC B-III RSA standard of 600' in length, and the airport continues in violation of that 600' standard for ARC B-III by more than 100',[14] and in violation of the C-approach category standard of 1000' by more than 500'. Five years down the line, the Town has not negotiated for additional RSA acreage in its new lease extension with LADWP, nor has the fence been removed from the RSA. [15]

6

10 Standard is in AC 150/5300-13, Tables 3-1 and 3-3. The west hangars are 390' north of the runway centerline. The south fence and two utility poles are 372' and 375' from the runway centerline. Required OFA is 800', i.e., 400' perpendicular to each side of the runway centerline.

11 FAA ORDER 5200.8, paragraphs 4 and 5.

12 An RSA length of 600' is listed as standard and met in the runway data table for existing ARC B-III on the revised 2006 ALP (not approved), although that is *not* consistent with the fence at less than 500 feet from runway end shown on the dimensioned drawing, nor with the actual fence in the field. There is also a maximum 5% end-of-runway grade standard and engineered fill requirements that are not met.
(for longitudinal grade requirements *see* AC 150/5300-13 paragraph 502b(1))

13 Per AC 150/5300-13, Tables 3-1 and 3-3.

14 It appears from the correspondence in 2004 and 2005 that the FAA was looking towards C-IV RSA standards to be implemented with proposed airport expansion, and not addressing the existing substandard end-of-runway RSAs.

15 Information on new lease from a 5/12/2010 phone conversation with Don McGee, LADWP's real estate representative in their Bishop office.

In addition to the fence protrusion, neither the runway 09 nor the runway 27 end-of-runway RSA complies with engineered compaction standards for RSAs (of either 600' or 1000' in length).[16] When contacted on 5/24/2010 for RSA data and most recent determination, I was informed by the FAA Western-Pacific Region RSA Program Manager that MMH's RSAs were listed as in spec for B-III, which did not stand up to even a quick view on Google Earth. (He's now looking into the matter.)

To bring the airport up to standard for RSA runway *end lengths* and *end widths* for C-approach category aircraft—1000' long by at least 400' wide—requiring both the relocation of the east fence and engineered RSA runway ends to compaction and grade standards—entails land acquisition, significant vegetation clearing, and engineered fill.[17]

And the RSA *width standard* of 400' for ARC-CII is 100' wider than the standard for ARC B-III runways, which requires additional earthwork on the south side of the runway. (RSAs not subject to modification of standards.)[18] (Creating another 50' or 100' of additional south-of-runway RSA for 7000' will permanently disturb from eight to sixteen acres of vegetation, and require untold cubic yards of material; this is in addition to the acreage and material required to bring the end-of-runway RSAs into compliance.)

Under any imaginable solution, meeting the 1000' RSA end-of-runway length, and full runway and runway end width standards for the CRJ-700 will involve airport expansion, which will be a significant effect that should preclude the issuance of a FONSI and precipitate an EIS per both NEPA and the Federal Court injunction against airport expansion without one.

6

RPZs and significant impacts of compliance

> "The RPZ [Runway Protection Zone] function is to enhance the protection of people and property on the ground. Where practical, airport owners should own the property under the runway approach and departure areas to at least the limits of the RPZ. It is desirable to clear the entire RPZ of all aboveground objects. Where this is impractical, airport owners, as a minimum, **shall** maintain the RPZ clear of all facilities supporting incompatible activities. Incompatible activities include, but are not limited to, those which lead to an assembly of people." [19] (boldface added for emphasis—shk)

As a C-II approach category aircraft, the CRJ-700 requires a trapezoid-shaped RPZ beginning 200' past each end of the runway and with a length of 1700'. An RPZ of this size is drawn and labeled "EXISTING" on the (unapproved) revised 2006 ALP for runway 27.[20] That assertion would be accurate, but for the fact that the ALP fails to show a public meeting room located within the RPZ at the northeast corner of the intersection of Highway 395 and Benton Crossing Road, which is clearly within the RPZ as drawn. The Green Church is owned by the University of California, and serves as a classroom and lecture hall for the Sierra Nevada Aquatic Research Lab (SNARL). [21]

7

16 Per AC 150/5300-13, and AC 150/5370-10.

17 Another solution might be to relocate the runway to the west, although that might be even less feasible, given the runway line of sight standard (*see* AC 150/5300-13 paragraph 503a.)

18 AC 150/5300-13 paragraph 305c and Table 3-3.

19 AC 150/5300-13, Appendix 8, paragraph 8.

20 The RPZ drawn for approach runway 09 is only 1000' in length, which is the standard for approach category A and B aircraft, but not for the CRJ-700 or Q-400. An excerpted detail of the runway 27 RPZ from this revised (unapproved) 2006 ALP is included herewith as a page of Attachment 6.

21 Although not shown on either the 2001 or 2006 ALP drawings, the building is well documented in the draft SSEIR, and

The potential impact of commercial jet service at MMH was a subject of written comments by SNARL's Director, Daniel Dawson, on a previous EA for MMH airport expansion in 2000, and in written comments by the California Attorney General's office to a subsequently issued FONSI.[22] Sued in Federal District Court, the decision went against the Town and FAA, and MMH was and is enjoined from airport expansion without first doing an EIS.[23]

Over many years, the Town has preemptively removed the Green Church from its ALP drawings, but the classroom building is still there, and needs to be relocated out of the RPZ sized for ARC C-II and ARC C-III approach category aircraft. Per the FAA standard quoted above, the relocation is a public safety mandate ("shall").

In addition to this approach runway 27 RPZ issue, there is also an issue with the approach runway 09 RPZ. The half-dozen most westerly west [new] hangars protrude into the larger 1700' long RPZ standard applicable to C- approach category aircraft like the CRJ-700. This protrusion does not require mandated removal, as the hangars are not places of public assembly, but their presence within the RPZ is contrary to FAA guidelines for federally-funded airports. (In this case, while showing the hangars on the 2006 ALP, the Town inexplicably shows a smaller RPZ—one small enough not to encompass any portion of the west hangars. The RPZs should have been drawn to the same standard, whichever one the Town thought then applied.)[24]

Relocating, or demolishing and replacing the Green Church outside the approach runway 27 RPZ —mandated for critical C-approach category aircraft, —is a significant effect that precludes the issuance of a FONSI and should precipitate an EIS per NEPA. Removing the newly-built westernmost hangars from the runway 09 RPZ would be another significant impact that should preclude the issuance of a FONSI and precipitate an EIS per NEPA.

7

<u>Runway gradient and significant impact of compliance</u>

> "(2) <u>Aircraft Approach Categories C and D</u>. The longitudinal and transverse gradient standards for runways and stopways are as follows and as illustrated in figures 5-3 and 5-4.
>
> "a) The maximum longitudinal grade may not exceed ±0.8 percent in the first and last quarter of the runway. It is desirable to keep longitudinal grades to a minimum."[25]

8

While MMH meets the longitudinal gradient standard for all B- category approach aircraft, it does *not* meet the requirement for maximum longitudinal grade in the first quarter of runway 27 for the CRJ-700

appears in this 2010 draft EA on Figure B-3.4.

22 Letter from California Department of Justice to FAA dated February 22, 2001, which cites letter of Daniel Dawson to Airport Manager William Manning dated 11/14/2000. While the subject may have been noise impacts, and I have concerns about potential noise impacts in wilderness areas and Yosemite National Park, the RPZ standard relating to public safety defines a significant effect and minimum acceptable solution that is irrespective of noise impacts at the current site of the Green Church.

23 CASE NO. C-02-4621 BZ; NO. C-02-4623 BZ. April 28, 2003 Order. Northern District of California Federal District Court.

24 These issues can be seen visually by comparing excerpted RPZ details from the unapproved 2006 ALP. s*ee* the two pages of Attachment 6.

25 AC 150/5300-13, Chapter 5. Surface Gradient and Line of Sight, paragraphs 501a(2) and 501a(2)(a).

turbojet, which requires the runway standard delineated above and illustrated in Figure 5-3 of AC 150/5300-13.

The best data set of MMH runway elevations available to this commenter is an exhibit contained in the March 2002 Final SSEIR, which predates the runway rehabilitation in 2008, but which for the first quarter of the runway should yield a close approximation to current finished grade.[26] At 1750 feet down runway 27, the proposed elevation gain shown is between 19 and 20 feet, or between 1.085% and 1.114% grade.

Based on this,—my best available evidence—the grade for the first quarter of runway 27 is 1.1% ± 0.1%, or between 25% and 50% above the maximum allowable grade of 0.8% for the first quarter of a runway rated for critical C-approach category aircraft.

Any solution that brings the longitudinal runway gradient into compliance for the CRJ-700 would entail either relocation of the runway to the west, or raising the runway at the east end, either of which would certainly be a significant effect that would preclude the issuance of a FONSI and precipitate an EIS per NEPA, and as a *de facto* expansion of the airport, would also require an EIS per the Federal District Court injunction against expanding the airport for commercial jet service without doing a new EIS.

8

Cumulative impact of deviations from airport design safety standards

The OFA, RSA, RPZ and Runway Gradient deficiencies, along with other standards that apply to MMH's critical design aircraft, the Q-400, cumulatively increase the degradation of any proposals to achieve "equivalent margins of safety"/"operational mitigations" for Category C- approach aircraft at MMH.[27] These other issues and deficiencies include the following:

- Runway centerline to taxiway centerline separation, which MMH meets for the CRJ-700 but fails to meet (by 100') for the Q-400.[28]
- Airport design standard for aircraft parking separation increases from a 400' setback from runway centerline for ARC B-III to 500' for ARC C-III.[29] (The CRJ-700 has a wingspan slightly less than ARC C-III; this standard therefore only applies to the Q-400.) The vast majority of tie-downs at MMH violate the Aircraft Parking Area separation requirement for the airport's critical design aircraft, the C-III rated Q-400.
- Taxiway centerline to fixed or movable object standard is violated by the presence of the east hangars. (The CRJ-700 meets the standard of 65.5' for airplane design group II, so this deviation only applies to the Q-400, where the hangars protrude into the 93' separation standard for airplane design group III by several feet.)[30] Normally, equations are allowed to be used for

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26 Mammoth-Yosemite Airport FSSEIR, March 2002, Exhibit III-1 "Elevation Profiles of Proposed Runway and U.S. Highway 395" attributed to Source: Reinard H. Brandley, Consulting Engineer. Prepared by: Ricondo & Associates,Inc.

27 Summarized in attached table: Airport Design Standards per FAA AC 150-1300-13 and existing MMH airport layout, prepared by S. Kalish. *see* page 19, below.

28 Runway centerline to taxiway centerline standard is 400' for the ARC C-III rated Q-400 and 300' for the ARC C-II rated CRJ-700. MMH existing is 300'. Per AC 150/5300-13 Table 2-2. Regarding the ARC rating of the Q-400, see my footnote 45.

29 AC 150/5300-13 Table 2-2.

30 AC 150/5300-13, Table 2-3. Were the taxiway to be offset 100' to the north— to comply with the ARC-BIII runway centerline to parallel taxiway centerline separation standard of 400',— then the east hangars would need to be relocated somewhere else, to make room for the relocated taxiway footprint. A similar situation would occur with the west hangars

aircraft specific modification to standard for this specification, but there is a paper trail from the FAA's Flight Standards division asserting that "Airports has made it clear they are not willing to give a mod to standard for Mammoth Lakes, because there is no current plan to modify the airport to resolve the issues."[31] What those issues are is an open question, as the FOIA-obtained emails were partially redacted.[32]

- Coverage and orientation of runways: MMH lacks a crosswind runway, and is subject to crosswind and wind shear on the existing runway. "At locations where provision of a crosswind runway is impractical due to severe terrain constraints, consideration may be given to increasing operational tolerance to crosswinds by upgrading the airport layout to the next higher airport reference code."[33]
- Runway length in relation to altitude and density altitude: what is the maximum take-off weight for the CRJ-700 in July, and what is the required runway length at MMH, for a CRJ-700 balanced field take-off (in both summer and winter)? Is the MMH runway long enough for fully-loaded CRJ-700s year round? [34]

The sum total of design deficiencies at MMH argue not for larger faster aircraft at MMH, but for a larger, safer airport in an Eastern Sierra location that can accommodate these larger faster planes. An expanded airport, or another location for a regional airport, would certainly be a significant effect that would preclude the issuance of a FONSI and precipitate an EIS per NEPA, and would also require an EIS per the Federal District Court injunction against expanding the airport without doing a new EIS focusing on impacts of airport expansion.

9

Historical machinations: scaling back the airport, scaling up the design aircraft

2000 to 2005: Dreaming of Boeing 757-200 jet service at MMH

On several occasions the Town has proposed expanding the airport. A decade ago the Town was on a trajectory to expand the airport to accommodate Boeing 757-200 jets. This plan met a setback when a 2003 Federal Court order enjoined the Town from proceeding with any airport expansion without first doing a new EIS. Following this, and an MOU to begin a new EIS, the FAA began a dialogue with the Town over deficiencies in airport layout that needed to be remedied if the Boeing 757-200 EIS was to go forward. Part of this stemmed from the Town's development agreement with Hot Creek Aviation, which turned over large parts of the airport to a private developer for non-aeronautical uses. Questions were posed as to available land to meet FAA design standards, and to comply with FAA AIP grant assurance obligations.[35]

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were the taxiway relocated 100' north, only then the west hangars would need to be relocated not to make room for a new taxiway, but to provide required taxiway separation from a new taxiway centerline to Fixed or Moveable Objects.

31 Partially redacted email from Chuck Cox to (unnamed recipient), timestamped 10/30/2008 02:13 AM.

32 There is an outstanding FAA FOIA appeal over the partial redactions awaiting a determination. A representative redacted page is attached to this letter and incorporated herewith as Attachment 3.

33 A/C 150/5300-13 CHG 6 Appendix 1, paragraph 3.

34 The current request is for winter service, but I would request that the EA should provide a full evaluation of year-round service.

35 *see* Letter from Andrew Richards, FAA Manager, ADO, to Charles A. Long, Interim Town Manager, Town of Mammoth Lakes, dated April 29, 2004, and subsequent correspondence between the ADO and Town.

In a 2005 response letter to the FAA, the airport's engineer fudged the truth about the location of the east hangars, which were constructed with an offset of less than 400' from runway centerline.[36] (I don't know if Brandley's gambit succeeded, or if his apparent attempt at deception was exposed.)

10

Part of the problem is that MMH lacks a current, as-built, approved Airport Layout Plan (ALP). The Town/Airport's most recently approved ALP was from the year 2000—prior to the construction of the new east hangars within the OFA for approach category B-III and above critical aircraft. The history of proposed, submitted, rejected, and shelved ALPs over the past decade is not clear. The Town's current position (stated to me by Karen Johnston) is that they do not have a valid ALP, as the Court tossed it out. The FAA's position (stated to me by Fernando Yanez) is that the last approved ALP is from December 2000, and the FAA has been trying for years to get a current plan from the Town for review. The Town recently provided me with a copy of a revised,—but unapproved— ALP from 2006, which was represented as the most current available.

In the Draft SSEIR from 2001 there is what is labeled an "Approved Layout Plan", although as cropped for printing it lacks any sign of authorship, date, or approval.[37] That exhibit shows the runway OFA to the north being offset in the future by moving the centerlines of both the taxiway and runway south to accommodate Boeing 757-200s. The first east hangers are shown as built, with more shown for the future, but with the colored overlays it is ambiguous whether or not they met the then-current OFA or Building Restriction Lines (BRL). In fact, there are no BRL lines shown on that ALP, nor is there a then-existing runway OFA line drawn in the vicinity of the east hangars; the hangars do in fact protrude inside the absent BRL and missing OFA lines.

11

The future proposed airport layout shown in aqua-colored ink on that reputedly approved ALP—or perhaps it is a new conceptual plan overlaying the previously approved December 2000 ALP, —has the OFA in front of the east hangers, with, as outlined above, the taxiway and runway centerlines relocated farther south of the existing and (now built) easternmost hangars.

Which brings us back to Brandley's 2005 letter, which was a stated response to "three areas of concerns" expressed by the FAA to a submitted ALP entitled *Airport Layout Plan Alternate A*.[38] As outlined by Brandley, the concerns were the south fence located inside the OFA, the east fence located inside the RSA, and the runway centerline to taxiway centerline spacing needed to accommodate 757-200s. In spreadsheets, prices were put on possible airport redesigns needed to address the FAA's concerns regarding these identified deviations from standards.

The price tag for compliance was in the tens of millions of dollars, with "serious environmental

36 In the Brandley letter it is stated as fact that:
"The existing hangars are located approximately 400 feet from the centerline of the widened runway, which is just outside the runway OFA."
The colored ALP from 2001 showed the future runway offset to the south of its actual location, or viewed in hindsight, the drawing shows an apparent attempt on the Town's part to quietly bring the hangars out of the OFA.

37 See Draft SSEIR, Oct. 2001, Exhibit I-3.

38 This commenter has not seen that plan, and it was obviously not approved by the FAA, and/or was withdrawn by the Town. There is a paper trail that an ALP was under review by the FAA in 2006, ahead of the release of the draft EIS the following year. It may have been the draft 2006 ALP, in which the Town declared that both the airport and the Q-400 were ARC B-III. In any event, no new ALP was approved at that time, and the most recently approved—but outdated—ALP is from December 2000.

consequences."[39] Yet looking at Brandley's spreadsheets, the single item that was only in five figures—and low five figures, at that—was the price tag to acquire land from LADWP for the east-end RSA, so that the fence could be moved farther east and outside of the RSA. This was claimed to be an "up to five year" process to "negotiate a land transfer," yet five years down the line there has been no RSA land acquisition, nor as previously stated was the RSA acreage added to the airport's existing lease from LADWP, which was just renegotiated for the same footprint as the old lease.[40]

As Brandley's letter suggests, the 800' FAA separation standard is required for Group IV aircraft like the Boeing 757-200—but that same separation standard applies to ARC B-III and all C- approach category aircraft, including the then-proposed Q-400, and the now proposed CRJ-700. To date, aside from a court decision that went against the Town over the Hot Creek Aviation development agreement, nothing has been accomplished at MMH to resolve airport design safety issues raised by the FAA in 2004 and 2005.[41]

11

2006-2008: Same small airport, but new large regional turboprop service

Five years ago, in 2005, confronted by the reality of the scope of expansion required to bring in jets, the Town and Mammoth Mountain made a decision to change direction and move forward with a plan to bring regional commuter planes to MMH, utilizing the existing airport layout, and FAA Airport Improvement Program (AIP) funds to rehabilitate the existing ARC B-III runway. Preparation of the EIS was halted.

In effect, the Town moved away from expansion of what is nominally an ARC B-III rated airport, while at the same time embarking on plans to bring in larger, faster, heavier turboprops, and, most recently, C-II rated regional jets, which the airport is not rated for,—a fact which the Town, the airlines, and occasionally the FAA seem to prefer to ignore or forget.

There is a (unapproved) revised 2006 ALP that is both dated and stamped by Mr. Brandley, who is MMH's consulting airport engineer. Give Mr. Brandley partial credit: there is a Runway Data Table on the draft 2006 ALP that lists deviations from standards—but it is a very incomplete list, and it is not clear that it was ever accepted for review by the FAA. (The only deviations noted are 10' for runway OFA, taxiway to fixed object separation, and blast pad dimensions.)

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39 Brandley letter, page 4.

40 New lease information sourced at footnote 15.
In Brandley's February 14, 2005 letter, addressed to Andy Richards, Manager, FAA ADO, [the Brandley letter], he wrote:
> "Fence off East End of Runway 27 in the Extended Safety Area—The Airport will acquire additional land rights within the extended safety area beyond Runway 27R threshold on a section 500 feet wide by 500 feet long and place the fence at the end of the extended safety area, which will meet F.A.A. Requirements. This land is currently owned by the LADWP and experience has shown that it can take up to five years to negotiate a land transfer."

After discussions between the Town and FAA, the FAA wrote back on July 15, 2005:
> "As we recently advised LADWP in our May 3, 2005 letter, we urge the Town to proceed expeditiously to acquire in fee the property under lease from the LADWP, including the land that represents the Runway Protection Zone (RPZ) for Runway 27. If the land cannot be acquired in fee or a satisfactory easement obtained, a long-term lease in excess of 20 years would be necessary for good title purposes."

Letter from Andrew M. Richards, ADO, to Robert F. Clark, Town Manager of Mammoth Lakes, July 5, 2005.

41 The CRJ-700, as a Design Group II aircraft, is compatible with the existing runway to taxiway separation, but not with other substandard conditions at MMH, including the RSA an OFA fence protrusion issues.

During 2006 and 2007, the FAA was working on another draft EIS, for new turboprop service, but without changing the airport layout, except for planned interior work (by the Town, but with a retroactive request for FAA funding that is pending) on an existing hangar to turn it into a passenger terminal. From FOIA releases, it is clear that questions circulated in 2006 about whether or not the Q-400 was an ARC B-III approach aircraft, as asserted by the Town. Yet the draft EIS that was finally released for public comment highlighted the operational strengths of the Q-400 and downplayed any serious discussion of the operational layout of MMH, presenting the airport as a good fit for the plane.

As I read the available evidence, the Town and FAA sidestepped airport design standards when evaluating, in that EIS, Horizon Airlines' request for approval of an Operations Specification Amendment to allow Horizon Airlines to begin Q-400 commercial air passenger service to MMH, and the Town's request to upgrade from Part 139 Class IV to Part 139 Class I. (One example, under review below, is that the 800' runway OFA standard is applicable to all ARC B-III and above critical design aircraft, and yet MMH was known not to be in compliance, lacked a modification to standard, was in effect repeatedly turned down for a modification to standard, and the issue remains unresolved to this day.)

Buried in a new and revised 2006 MMH Aviation Forecast, prepared for and included in the Horizon Air EIS, is the "assumption" that it is "based on a revised ALP which shows use of existing facilities except for conversion of an existing maintenance building to a passenger terminal. The Bombardier Q400 is the critical aircraft. The ALP includes a request to a modification to standards for runway to taxiway centerline separation and taxiway centerline to fixed object (hangers)." [42]

Significantly, even at this late date, there is no request for a modification to standard for the OFA, either north or south of the runway. Instead, there is this request for two other mods to standard that were necessary to upgrade the airport (through a paper transaction) to accommodate the new critical aircraft. It goes unmentioned in the Aviation Forecast or EIS that followed that the combined distance of the two proposed modifications—i.e., runway centerline to hangar distance—is less than 400' (i.e., less than half the total OFA standard, which is centered on and perpendicular to the runway centerline). This despite the fact that required OFA width increases from 500' total width to 800' total width when upgrading from ARC B-II to ARC B-III). (And there is nothing about the south fence, utility poles and aerial lines being within the ARC B-III south-of-runway OFA, even though these were brought to the Town's attention in 2004 and 2005 letters from the FAA.)

As to public participation and input on the draft EIS, we—the public and public agencies,—were blindsided, too, being told that the airport was appropriate as-is for the Q-400. The only airport layout sheet included in the EIS was entitled "Mammoth Yosemite Airport Air Service EIS" and is a satellite image with minimal overlay at a scale of 1000' to the inch.[43] Typical were project descriptions by the FAA Environmental Specialist Camille Garibaldi, who wrote in outreach letters that "The Q-400 can be accommodated within the existing configuration of the airport." And, "No expansion or relocation of the existing facilities (runway, taxiway or buildings) is proposed at MMH as a result of Horizon Air's air service proposal." [44]

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42 FEIS, 2008, Appendix A, page 5.

43 FEIS, 2008, page I-5.

44 From letters dated 1/17/2007 and 1/18/2007, written, respectively, to the U.S. Dept. of the Interior, and to the Calif. State Historic Preservation Officer. Letters reprinted in 2008 EIS, Appendix G.

Two crucial decisions were made by the FAA with respect to the 2008 EIS: Airports Division refused to grant the requested modification to standards, reportedly because the Town had no plans to bring the airport into compliance, and the Q-400, which MMH showed on the revised (unapproved) 2006 ALP as ARC B-III, was classified by the FAA as ARC C-III.[45] This probably should have halted the proposed air service then and there, as additional airport design standards are associated with an airport upgrade to accommodate a critical design aircraft upgrade, in this case from nominal ARC B-III to ARC C-III.[46] Instead, Flight Standards approved a work-around for the substandard runway to taxiway separation by requiring a cleared field before the Q-400 could be approved for landing or take-off operations at MMH.[47]

It is unclear from the partially-redacted records I have been able to obtain through the Freedom of Information Act (FOIA) how cognizant, back in 2008, different "lines of business" within the FAA were of the sum total of deviations from standard that exist at MMH. As long ago as 2004 the FAA Airports Division was requesting that OFA protrusions south of the runway be removed (they have not been), and that the east fence be moved out of the RSA (it has not been moved). Yet as recently as mid-May 2010 it was "in the system" that MMH was in compliance with RSA standards. And the north-of-runway OFA protrusion, and west of runway RSA buildings, may not have been known to the Flight Standards Division in Washington and Oregon, where decisions for work-arounds for the Q-400 at MMH were being discussed and made.

Whatever became of the revised ALP associated with the plan to bring in the Q-400 and construct a passenger terminal within an old hangar is also unclear; what is known is that it was not approved. That said, a submitted for comments or submitted for approval 2006 ALP was apparently circulating within the FAA, and may have been relied on for decision-making purposes, which would have been a mistake, as it was replete with errors and omissions. For example, these figures in the Runway Data

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45 It is my understanding that the FAA has rated the Q-400 as a C-III approach category aircraft for flights into MMH. Not to belabor a point already decided, but knowing that it is not in the public domain as such, I offer the following evidence in support of the ARC C-III determination for the Q-400:

- 1) A memorandum from the Manager of the Certificate Management Office overseeing Horizon Airlines, which makes the determination that "In regards to operations at KMMH: […] The Q400 is classified as both a large and approach category C aircraft." *see* specifically the finding contained in a bordered bulleted italicized note on the first page of the CMO Memorandum included herewith as Attachment 4.;
- 2) An Application for Modification of Standard from MMH to FAA, where the airport manager states that the Q-400 requires "an ARC C-III airport configuration." (included herewith as Attachment 2);
- 3) Copies of excerpts from two other airports' master plans, showing the Q-400 as ARC C-III rated. (included here as Attachment 5); and
- 4) An email response to the FAA Airport Planner from Horizon Airlines stating that "I did find it in the AFM. At 62K lbs, Flaps 35, stall speed is 98 knots." (source of quote: email from Dennis Schoenberg at HorizonAir to Fernando Yanez at AWP/FAA, 12/20/2006, copy in my files, obtained through FOIA)

FAA standard for AAC is defined in AC 150/5300-13 Chapter 1 wherein Airport Approach Category (AAC) is determined by approach speed, which is defined as 1.3 times stall speed in landing configuration with flaps extended For the Q-400, 1.3 x 98 knots = 127 knots, which is firmly in the C-approach category of ACC (range: 121-140 knots). Note: The -III represents the Airplane Design Group (ADG), which is based on wingspan; the Q-400, with a wingspan of 93¼ feet, is ADG III.

Additional note: Bombardier has declined several requests to provide clarification on the specifications or certifications of this aircraft.

46 *see* Table 1-1 from AC 150/5300-13, at and note the increase in standards associated with an airport ARC upgrade from B-II to C-II (for the CRJ-700) and B-III to C-III (for the Q-400). As shown in Attachment 1 (*see* page 19, below) MMH currently meets airport design standards for B-II, but not B-III (or C-II or C-III).

47 It's a bit more complicated than that, but in non-technical language that is, I think, a fair summary of the work-around.

Table are incorrect: maximum runway gradient is listed as 1.03%, the same as effective gradient; existing RSA end-of-runway is listed as 600', ignoring the east fence protrusion; and existing runway OFA width is listed as 800', ignoring the east hangers, south fence and utility poles and aerial cable protrusions. On the ALP drawing, the east and west RPZs are shown at different sizes; and the Green Church is not shown.

Ongoing longstanding issues between the FAA and MMH remained unresolved and uncorrected, including clearing the OFA to 800', clearing the east end-of-runway RSA, and relocating the Green Church. In addition to and on top of the airport design standards that are currently deficient for the CRJ-700, the Q-400 also requires:

- An additional 100' separation between runway centerline and parallel taxiway centerline, to 400'—the condition that apparently is resolved to Flight Standards' satisfaction by the "operational mitigations work-around";
- An additional 100' of runway-end RSA width—from 400' for the CRJ-700 to 500' for the Q-400; and
- An additional 50' of RSA on the south side of the runway, from 200' south of runway centerline for the CRJ-700 to 250' south of runway centerline for the Q-400 (the north side width appears to be in general compliance, as viewed from Google Earth).

12

However much of this was known at FAA Flight Standards in the Pacific Northwest Region is also unclear, but towards the end of a protracted and long-delayed decision on whether and how to "sign off" on Horizon Airlines' Operations Specification Amendment for MMH, in late 2008, the FAA Environmental Specialist Chuck Cox emailed the Principal Operations Inspector (POI) Steve Alpert that "I was contacted by someone at Mammoth Lakes who asked me to call you because they believed that the airport geometry met the criteria except for the distance between the taxi way and the hangers, they told me the Runway and the taxiway were far enough apart for Large Class C."[48]

Steve Alpert, the POI who drafted the original Q-400 operational mitigations protocol for the Certificate Management Office, believes that there is an existing 3000' stopway at MMH,[49] although that old piece of runway had been marked "Abandoned" in the engineer-stamped revised (but not approved) ALP sheet dating from 2006, and has been deleted from FAA-RNAV charts.[50] Again, it is hard to know what the FAA decision-makers in the Pacific Northwest knew about the actual layout of the MMH airport, given the lack of an up-to-date, accurate, complete and approved ALP to reference. Nevertheless, an Operations Specification Amendment for Horizon Airlines was eventually approved.

48 This quote, from an email of 10/29/2008 or 10/30/2008 and the redacted paragraphs that followed it, are reprinted herewith as Attachment 3.

49 The phantom stopway observations appear in an FAA response letter incorporated by reference (but not printed) in Appendix A of the 2008 ROD on the Horizon Air EIS, and effectively represent the FAA's latest response on safety at MMH:

> "The runway at MMH has a 3000 foot stopway at the end of runway 27. This stopway is not used in the calculations required for landing performance but does provide an added safety margin for flight operations"; and (for contaminated runways) "the available stopway should provide significant mitigation for unexpected conditions"; and (for take-offs) "Once again, in the event of an aborted takeoff the 3000 foot stopway would provide an additional buffer."

Letter from Steve Alpert, POI, dated April 9, 2008, addressee's name redacted for privacy. FOIA-obtained document.

50 Excerpted detail from that ALP sheet showing abandoned stopway is attached herewith as a page of Attachment 6.

2009-2010: Moving forward (on paper) to bring in a regional turbojet to MMH

On December 9, 2009, ahead of its release of this draft EA to bring in the CRJ-700 turbojet, MMH finally submitted a formal request for mods to standards which acknowledged—and *de facto* asked approval for—the improperly constructed [new] hangars, along with a couple of other deviations from standards for B-III and C- approach category critical design aircraft. Some—but not all—deviations were disclosed, and some— but not all— needed modifications to standards were requested.[51]
This time the FAA was advised that:

> "The easterly row of hangars protrudes 9.5' into the runway OFA on the north side of the runway.
> The east row of hangars (19 hangars) protrudes 5.5' into the taxiway OFA."[52]

The other disclosed deviations were:

> "The highway ROW fence protrudes 27' in the runway OFA on the south side of the runway.
> The centerline of the parallel taxiway (Taxiway A) is separated from the centerline of Runway 9-27 by 300' ".[53]

The complete list of requested modifications of standards was:

> "Runway Object Free Area (R-OFA) – AC 150/5300-13
> Taxiway Object Free Area (T-OFA) – AC 150/5300-13
> Runway Centerline to Taxiway Centerline – AC 150/5300-13."[54]

The completed application form "FAA WESTERN PACIFIC REGION MODIFICATION OF AIRPORT DESIGN STANDARDS" —like previous MMH ALPs,—neither textually nor graphically identified more than a few of the existing substandard conditions at the airport. The attached sketch, dated 12/09/2009, lacks the name of the preparer. In point of fact, the Town applied for a modification to standards without first submitting a current ALP showing all the standards they were out of compliance with.

13

51 That Application was represented to me in a cover email as the first-time-ever request by MMH for modifications to specifications. May 17, 2010 email from Karen Johnston, forwarding the email with attached documents from William Manning. "This is actually the only mod we've ever submitted." wrote Manning in his email to Johnston.
Cover letter, from Brian Picken, Assistant Airport Manager, to Fernando Yanez, Airport Planner, ADO, dated December 9, 2009. Attached application for modifications of standards was signed by William Manning, Airport Manager, but not dated; attached sketch was dated by not signed. Both the application and sketch are included herewith as Attachment 2. Note that the submitted sketch, dated 2009, erroneously shows the stopway as "EXISTING."

52 In response to the question "Explain why FAA standard cannot be met".

53 Also included in response to the question "Explain why FAA standard cannot be met". The other statement made in this box on the MOS form is:
> "Runway 9-27 and Parallel Taxiway A run parallel to 4-lane U.S. Highway 395 and a row of large high quality hangars."

54 In response to request for "Title of standard being modified (cite reference document)". Compare this short list of deviations from standards being requested for modification to the longer deviations listing in the Table appended hereto as Attachment 1.

MMH was and is out of spec for CRJ-700 and Q-400 critical aircraft. On the undated MOS application form,—which was attached to a cover letter dated December 9, 2009—William Manning, the MMH Airport Manager, declares that:

> "The design aircraft currently and for the forecast future are the Bombardier Q-400 and the CRJ 700. Both of these aircraft require an ARC C III airport configuration but could operate under an ARC C III aircraft-specific condition wherein the specific aircraft would be limited to a wingspan of 100 feet. Under such aircraft-specific ARC C III operations the existing airport layout will meet all F.A.A. standards, except for the Highway ROW fence, which will still penetrate the Runway OFA by 27 feet.
>
> With the current and forecast traffic at this airport it is considered that the current layout with requested modifications to standards will provide an acceptable level of safety." [55]

Like previous ALPs, the MOS application failed to identify most of the existing substandard conditions at MMH, and having identified several of them suggested—as proffered alternatives to modifications to standards—moving either the entire airport north or the state highway, runway and taxiway to the south. The alternative of condemning the hangars—to at least bring the airport layout in line with the previously approved ALP—was not offered up by the Town. (The application was returned, with no action taken by the FAA.)[56]

Rather than modify and expand the airport to accommodate the CRJ-700 and Q-400, the Town has instead—after the fact for the Q-400, and in anticipation of this draft EA for the CRJ-700—asked the FAA to approve (some) modifications to standards to (they apparently hope) rebrand MMH as an ARC C-III airport—all this without any airport expansion or modification to the existing substandard ARC B-III airport.

From my perspective, it appears that the Town has hoodwinked the FAA through the submission of incomplete ALPs, the failure to list substandard conditions, the failure to update the FAA and obtain prior approval for construction, the failure to follow-though with fence installation or removal, the failure to acquire vested title or even lease rights to airport-activity adjacent lands,[57] the failure to relocate non-conforming hangars, the failure to prepare a proper ALP since a decision was made in 2005 to abort a new EIS, and the failure to do due diligence research on the approach speeds and ARC ratings of first the Q-400 and now the CRJ-700.

This is consistent with what I would characterize as the Town's fallback position that except for the runway centerline to taxiway centerline spacing standard, that the runway, and by default the airport, was otherwise ready for ARC C-III aircraft. However, this is *inconsistent* with the standards laid out in AC 150-1300-13 that the Town occasionally references, but is slow to adequately acknowledge or even minimally comply with.

13

55 This quote represents the complete response of Mr. Manning to request to "State why modification would provide acceptable level of safety."

56 "returned without approval." source: May 2010 phone conversations with Airport Planner and Asst. Town Manager.

57 Two weeks ago I requested from the Town, and as of the date of submission of this comment letter had not yet received, a copy of a land ownership map for parcels at and adjacent to MMH.

Questions, Conclusions, and Recommendations

Questions

- How can this United Airlines draft EA be put out for public comment and FAA review without an approved ALP being on file, and how can flight appropriateness and level of safety for large C- approach category aircraft be evaluated when the full extent of existing airport deficiencies has not been determined and dealt with by the FAA?

- What did the FAA know about the airport configuration in 2008 (or any other year in the past decade, for that matter) given that their source/informant/authority was supposed to be the Town, and the Town was not forthcoming?

- How could millions of dollars in AIP funds have been granted for runway rehabilitation for work in 2008 that was not up to standards for planned use later in the same year, on a runway that on both sides lacked the prescribed OFAs for the runway being built? Or was the lack of
- an airport Master Plan or current ALP the reason that the planned use was really not planned so as to facilitate the release of funds?

- How could the Horizon Airlines EIS be approved without a current approved ALP being on file? Or was the lack of an ALP a contributing reason that the Operations Specification Amendment was approved,—without any modifications to standards, which the FAA's Airports Division refused to grant,— begging the question, how many deviations was the CMO aware of at the time of approval? Why did the POI respond that the stopway exists to provide, as stated, an additional margin of safety, when locals know it was abandoned years ago? How many reductions in standards—and consequent reductions in margin of safety,—was a non-existent stopway supposed to offset, in the minds of the FAA authorities responsible for deciding the last EIS?

14

Conclusions

- **Significant effects preclude a FONSI.** To bring the Mammoth-Yosemite airport up to an ARC C-II or ARC C-III rating will clearly require significant airport expansion, as detailed in Reinard Brandley's 2005 recommendations.[58] Such indirect impacts require the preparation of an EIS, not only per NEPA, but also per the existing Federal Court injunction against any airport expansion without an EIS. A FONSI is totally inappropriate in this case.[59]

15

- **Inertia and resistance to compliance.** The Town has shown no inclination to move forward on airport expansion for regional turbojets or regional turboprops, so there is no reason for the FAA to allow exceptions—even on an interim basis—to long established safety standards. The Town simply wants large fast planes to land and take off from what is now, through the Town's own mismanagement, a small layout-impacted airfield that is most recently infamous as a hotel real estate development deal gone awry.

16

58 Brandley letter, full citation at my footnote 3.
59 See injunction quote and citation in my footnote 6.

- **Safety.** What we don't need is a continued gamble that nothing will go terribly wrong in the vicinity of runway 09/27, squeezed on both sides and one end by obstructions that should not be there, and also by a seriously out-of-spec longitudinal runway gradient for CRJ-700's and Q-400's, among other deviations from airport design standards. These protrusions are not going away anytime soon, and the runway was just replaced in 2008 for ARC B-III, so it will most likely not be torn up and regraded in the next 20 years, either. In the interests of public safety, and to comply with the requirements of NEPA and the Court, it's time for the FAA to say "No" to the Town of Mammoth Lakes and look at alternative locations for a regional airport in the Eastern Sierra.[60] 17

Recommendations

- **Revisit the Q-400 ROD.** The previous Record of Decision (ROD) for the Q-400 needs to be revisited because "new information...paints a dramatically different picture of impacts com pared to the description of impacts in the EIS."[61] The public was told that the airport needed no modifications to support Q-400 service, and this was factually incorrect. Once the FAA determined that the proposed critical design aircraft for MMH was a large category C-III approach aircraft, the EIS process should have begun anew, and been circulated for public comment as part of a significant airport expansion project, rather being being passed off as "new plane, same airport."[62]

  Irrespective of whether or not the United Airlines proposal proceeds to an EIS, the Q-400 EIS decision needs a "second look." The Q-400, as an ARC C-III approach category aircraft, requires more airport—although probably less runway length—than the ARC C-II rated CRJ-700.[63] There may be operational mitigations in place for runway to taxiway separation, and for taxiway to hangars and hangar doors separation, but what about for the non-standard longitudinal runway grade? Or south fence, utility poles and aerial lines in the OFA? Or east hangers in the OFA? Or deficient RSAs? Or the Green Church in the RPZ? Or the west hangars in the RPZ? Or the aircraft parking tie-downs within 500' of the runway centerline? MMH is, after all, currently only to standards for ARC B-II,[64] with a single B-III runway, and has repeatedly been denied waivers and modifications to standards because there is no plan to correct any of these deficiencies (and correcting most of the deficiencies require more aeronautical land than is available in the vicinity of MMH). 18

- **Review the approval of runway rehabilitation funds.** Despite assertions that "The [runway rehabilitation] project is in no way related to proposed commercial air service"[65] both the 19

60 See the Court's note on alternative airport location in my footnote 5.
61 Quoted standard for review is from FAA Order1050.1E, paragraph 516a.
62 Although the ROD was signed and certified in March, 2008, Flight Standards did not actually make a determination and provide approval to Horizon until eight months later, in mid-November 2008. (source: FOIA obtained emails)
63 For examples of ARC aircraft ratings, see two pages of examples aircraft by rating, attached herewith as Attachment 5.
64 See the ARC B-II compliance column in Attachment 1—it is the only ARC column that meets or exceeds all standards listed. And *see* AC 150/5300-13, Table 1-1, which is the FAA's Table showing a list of upgrades triggered by increased ARC-rated aircraft. On the internet at: http://www.faa.gov/documentLibrary/media/advisory_circular/150-5300-13/150_5300_13_part1.pdf
65 Mammoth Yosemite Airport Runway Rehabilitation Initial Study/Mitigated Negative Declaration Notice of Intent, February, 2008.

Airport and the Town of Mammoth Lakes knew, or should have known, that they were requesting and accepting federal funds for runway rehabilitation and improvements that fail to meet airport design standards for the commercial aircraft they were concurrently building a passenger terminal to accommodate. Likewise, the FAA knew, or should have known, that funding an ARC B-III approach runway ahead of scheduled commercial air service utilizing a critical design ARC C-III approach category aircraft was, if not technically prohibited under Part 139 and AC 150/1500-13, certainly inadvisable from a public policy and public safety point of view.

19

- **Non-standard RSAs**. Review the failure to upgrade the end-of-runway RSAs to even ARC B-III standards as part of the 2008 runway rehabilitation project, and contrary to the mandate of FAA ORDER 5200.8 that "Whenever a project for a runway involves construction, reconstruction (includes overlays), or significant expansion, the project shall also provide for improving the RSA..."[66] Determine whether or not the FAA will fund larger RSAs for ARC C-II or ARC C-III critical design aircraft around an ARC B-III runway, at a nominally B-III airport. Determine whether or not the Court's injunction against airport expansion without an EIS played any role in the decision not to expand the RSAs when the runway was rehabilitated in 2008 using AIP funds.

20

Thank you for the opportunity to provide comments on the draft *Environmental Assessment for Proposed Operations Specific Amendment Approval Related to the Scheduled Commercial Air Service into Mammoth Yosemite Airport by United Airlines*. If you have any questions, or would like pdf copies of any documents referenced herein, please contact me by email at kaljar@qnet.com or by phone at 760.387.2782.

Sincerely,

Stephen Kalish

Attachments

Attachment 1:	Airport Design Standards per FAA AC 150-1300-13 and existing MMH airport layout.
Attachment 2: (3 pages)	MMH Modification of Standards application form and sketch, submitted December 9, 2009 to Airports ADO.
Attachment 3:	A partially redacted email obtained through FOIA re MMH airport standards.
Attachment 4: (2 pages)	MMH-specific FAA Memo declaring Q-400 a large, Category C- approach aircraft.
Attachment 5: (2 pages)	Representative aircraft by ARC, from other airport Master Plans. (Sonoma County Airport and Logan-Cache Airport)
Attachment 6: (2 pages)	Excerpted details from 2006 revision of (unapproved) MMH ALP showing (imaginary) end-of-runway RSAs and RPZs.

66 U.S. Department of Transportation Federal Aviation Administration, ORDER 5200.8, effective date October 1, 1999.

Airport Design Standards
per FAA AC 250/5300-13
and MMH airport layout

Meets or exceeds Standard?

FAA Standard (issue in parentheses) *source in italics*	Existing "as built"	ARC B-III standard	ARC C-II standard	ARC C-III standard	for ARC B-II aircraft	for ARC B-III aircraft	for the ARC C-II **CRJ-700**	for the ARC C-III **Q-400**
End of Runway RSA (east fence) *from Tables 3-1 and 3-3*	<500'	600'	1000'	1000'	Yes	**No***	**No***	**No***
Runway RSA width *from Tables 3-1 & 3-3*	c. 350'	300'	400'	500'	Yes	Yes	**No**	**No**
Runway width OFA (east hangars & south fence & utility poles & aerial lines) *from Tables 3-1 & 3-3*	< 800'	800'	800'	800'	Yes	**No**	**No**	**No**
Runway centerline to Taxiway centerline *from Tables 2-1 & 2-2*	240'	300'	300'	400'	Yes	Yes	Yes	**No**
Runway gradient, 1st quarter of runway (Runway 27) *from Figure 5-3*	1.1%	N/A	N/A	0.8% max.	Yes	Yes	**No**	**No**
RPZ Length (Green Church) *from Table 2-4 & Figure 2-3*	1000'	1000'	1700'	1700'	Yes	Yes	**No**	**No**
Minimum Aircraft Parking Distance to Runway Centerline (tie-downs) *from Tables 2-1 and 2-2*	400'	400'	400'	500'	Yes	Yes	Yes	**No**
Taxiway centerline to Fixed or Moveable Object (east hangars & east hangar doors) *from Table 2-3*	< 90'	93'	65.5'	93'	Yes	**No** **	Yes	**No** **

*: Also requires grading and compaction to standards, both east and west runway ends.
**: With allowable mod to standards, per equations Airplane Design Group III may "fit."

Prepared by S. Kalish

FAA WESTERN PACIFIC REGION
MODIFICATION OF AIRPORT DESIGN STANDARDS

BACKGROUND

1. AIRPORT:	2. LOCATION(CITY,STATE):	3. LOC ID:
Mammoth Yosemite Airport	Mammoth Lakes, California	MMH

4. EFFECTED RUNWAY/TAXIWAY:	5. APPROACH (EACH RUNWAY):	6.
Runway 9-27 and Taxiway A	___ PIR _X_ NPI ___ VISUAL	A) EXISTING AIRPORT REF. CODE (ARC): B III B) FUTURE AIRPORT REF. CODE (ARC): C III

7. CRITICAL AIRCRAFT (FOR EACH RUNWAY/TAXIWAY):

Bombardier Q400
CRJ 700

REQUEST FOR MODIFICATION OF STANDARDS (MOS)

8. TITLE OF STANDARD BEING MODIFIED (CITE REFERENCE DOCUMENT):
Runway Object Free Area (R-OFA) – AC 150/5300-13
Taxiway Object Free Area (T-OFA) – AC 150/5300-13
Runway Centerline to Taxiway Centerline – AC 150/5300-13

9. STANDARD DIMENSION/REQUIREMENT:
Runway Object Free Area: 400' Each Side of Centerline
Taxiway Object Free Area: 96' Each Side of Centerline
Runway Centerline to Parallel Taxiway Centerline: 400'

10. DESCRIPTION OF PROPOSED MODIFICATION AND PROPOSED MOS DIMENSION (Note: MOS must be depicted on updated Airport Layout Plan (ALP):
R-OFA: 373' on South Side of Runway
R-OFA: 390.5' on North Side of Runway
T-OFA: 90.5' on North Side of Parallel Taxiway
Runway Centerline to Parallel Taxiway Centerline: 300'

11. EXPLAIN WHY FAA STANDARD CANNOT BE MET (FAA ORDER 5300.1E):

Runway 9-27 and Parallel Taxiway A run parallel to 4-lane U.S. Highway 395 and a row of large high-quality hangars.
The highway ROW fence protrudes 27' into the runway OFA on the south side of the runway.
The easterly row of hangars protrudes 9.5' into the runway OFA on the north side of the runway.
The east row of hangars (19 hangars) protrudes 5.5' into the taxiway OFA.
The centerline of the parallel taxiway (Taxiway A) is separated from the centerline of Runway 9-27 by 300'.

12. DISCUSS ALL VIABLE ALTERNATIVES (FAA ORDER 5300.1E):

There are two viable alternatives that can be considered to provide airport facilities that will meet or exceed all F.A.A. Standards:

a. Acquire additional U.S. Forest Service land to the north of the airport and make the following modifications to the airport:
   i. Widen Runway 9-27 by adding 52' of new pavement on the north side of the runway and shifting the runway centerline 27' to the north. This will provide a 150-foot wide runway.
   ii. Relocate the existing airline terminal building, hangars, aprons, access road, and auto parking facilities.

b. Relocate U.S. Highway 395 to the south 150' to 200' and relocate the entire runway and taxiway system.

The hangars at this airport are large, expensive hangars designed to store business jet aircraft.
U.S. Highway 395 is a busy four-lane highway.
The cost of either option will be very high.
Either option will cause severe disruption of airport or highway operations.

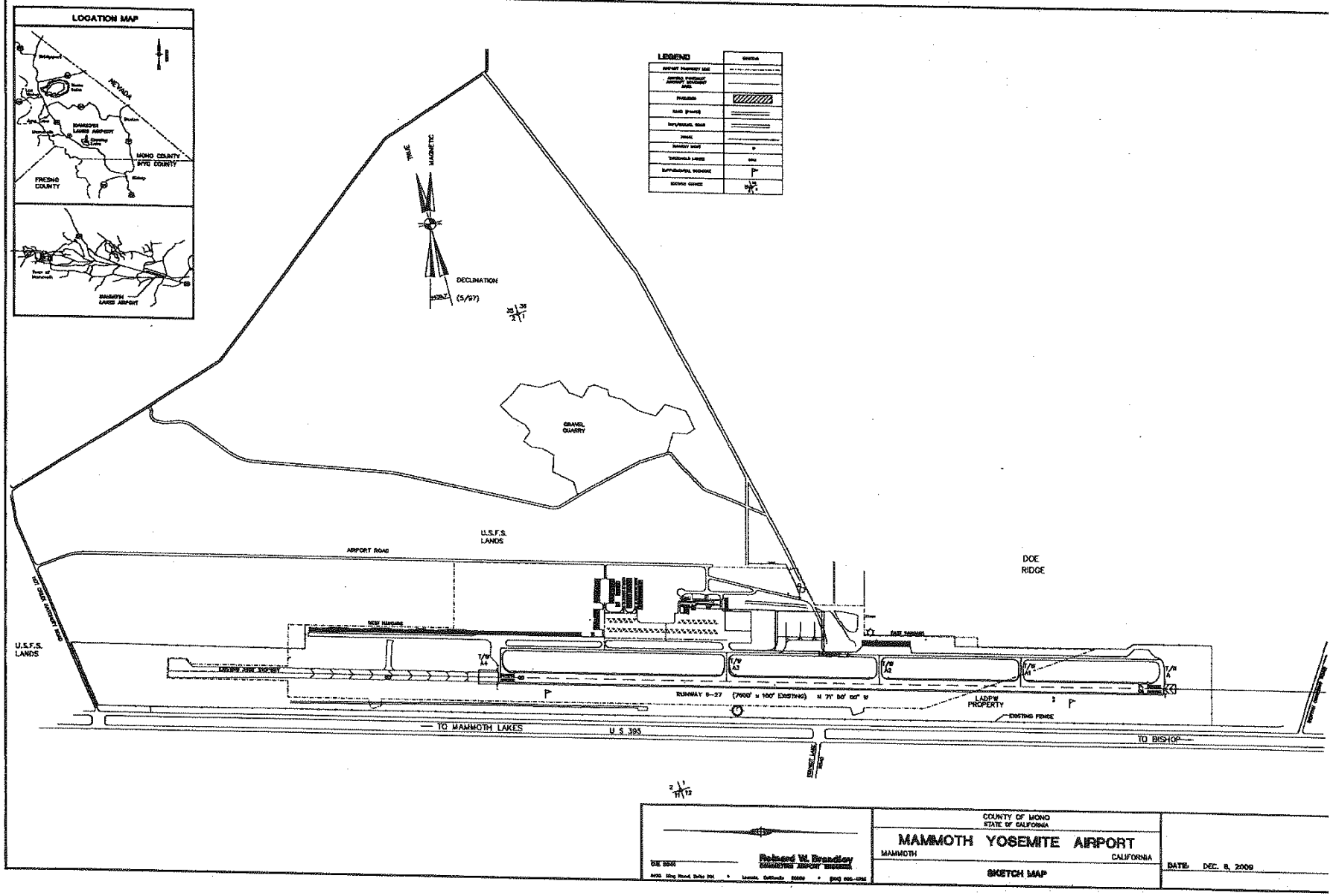
13. STATE WHY MODIFICATION WOULD PROVIDE ACCEPTABLE LEVEL OF SAFETY (FAA ORDER 5300.1E):

The design aircraft currently and for the forecast future are the Bombardier Q400 and the CRJ 700. Both of these aircraft require an ARC C III airport configuration but could operate under an ARC C III aircraft-specific condition wherein the specific aircraft would be limited to a wingspan of 100 feet. Under such aircraft-specific ARC C III operations the existing airport layout will meet all F.A.A. standards, except for the Highway ROW fence, which will still penetrate the Runway OFA by 27 feet.

With the current and forecast traffic at this airport it is considered that the current layout with requested modifications to standards will provide an acceptable level of safety.

		PAGE 2 OF 2
14. AIRPORT SPONSOR SIGNATURE :	15. TITLE OF SIGNATORY AUTHORITY: Airport Manager	16. TELEPHONE: 760-934-3813 EMAIL: wmanning@ci.mammoth-lakes.ca.us
17. A) DATE OF LATEST FAA APPROVED SIGNED ALP: 12-12-2000 B) DATE OF UPDATED ALP DEPICTING PROPOSED MODIFICATION: 12-08-2009		

ATTACH ADDITIONAL DOCUMENTATION AS NECESSARY. INCLUDE SKETCH/PLAN.


LOCATION MAP
NEVADA
MAMMOTH LAKES AIRPORT
MONO COUNTY
INYO COUNTY
FRESNO COUNTY
LEGEND
TRUE
MAGNETIC
DECLINATION
(5/97)
GRAVEL QUARRY
U.S.F.S. LANDS
AIRPORT ROAD
DOE RIDGE
U.S.F.S. LANDS
RUNWAY 9-27 (7900' x 100' EXISTING) N 71° 00' 00" W
LADPW PROPERTY
EXISTING FENCE
TO MAMMOTH LAKES
U.S. 395
TO BISHOP
COUNTY OF MONO
STATE OF CALIFORNIA
MAMMOTH YOSEMITE AIRPORT
MAMMOTH
CALIFORNIA
SKETCH MAP
DATE: DEC. 8, 2009
Reinard W. Brandley
MAMMOTH AIRPORT MANAGER

>
>
>
>
>Airports has made it clear they are not willing to give a mod to standard
>for Mammoth Lakes, because there is no current plan to modify the airport
>to resolve the issues. We previously agreed that a procedure could be
>created similar to those in place in Pullman to allow Horizon to operate at
>Mammoth. I have no problem with the procedure you outline.
>
>I was contacted by someone at Mammoth Lakes who asked me to call you
>because they believed that the airport geometry met the crieteria except
>for the distance between the taxi way and the hangars, they told me the
>Runway and the taxiway were far enough apart for Large Class C.
>

[redacted] E5

t.

>

[redacted] E5

>
>Thanks
>
>Chuck Cox EC
[redacted] Pvt Cell,
>425-227-2243 wk
>
>
>
> Steve
> Albert/ANM/FAA
> ANM-PDX-CMO-19,
> Portland, OR

To: Chuck Cox/ANM/FAA@FAA, Ted Blahnik/ANM/FAA@FAA

cc:

> 10/29/2008 02:34 PM

Subject: MMH

>
>
>
>
>
>
>
>
>
>Chuck: I am attaching a copy of a memo I sent to you regarding an
>equivalent level of safety for the MMH airport. This was done because the
>WP airports division stated that no consideration for a mod to standard
>would be given.
>

[redacted] E5

PDX Certificate Management Office
3180 NW 229th Avenue
Hillsboro, Oregon 97124
Phone: 503-615-3200
Fax: 503-615-3300

Federal Aviation Administration

Memorandum

REC'D ANM-200
MAR 17 '08
ANM-200/201 ____
ACTION: ____
INFO: ____

Date: March 11, 2008

To: Manager, Technical Standards Branch, ANM-230

From: Manager, Portland CMO, NM09

Prepared by: Steve Albert - ASI

Subject: Mammoth Lakes Airport

Pursuant to operational approval for Horizon Air, (QXEA), to conduct scheduled operations to/from Mammoth Lakes, California, (KMMH), utilizing the Bombardier DHC-8-402 (Q400) aircraft, Horizon Air is prepared to incorporate into their Flight Operations Manual, (FOM), the following bulletin:

Airport Specific Operations, Mammoth Lakes (KMMH)

General

Due to the close proximity of the parallel taxiway to the runway at KMMH, procedures in addition to normal Radio Remote communications outlined in FOM, section 4, Communication, are necessary during arrivals and departures of large and/or approach category C aircraft. The FAA has required that all large and category C aircraft operating at KMMH use these procedures. A note is also being added to the Airport Facility Directory for KMMH.

NOTE:
In regards to operations at KMMH:

- *Large aircraft are those having a wingspan of 79 feet or greater.*
- *Approach category C aircraft are those with an approach speed of 121 kts or greater.*
- *The Q400 is classified as both a large and approach category C aircraft.*

Horizon station operations at Mammoth will provide Ramp Remote services on company frequency for all inbound and outbound flights.

Arrival

- An announcement shall be made on CTAF that you are a "large" or "approach category C" aircraft inbound.
  - Include an estimated time to landing.

This is to allow any aircraft operating on the parallel taxiway time to either exit the taxiway or proceed to the run-up area near each end.

Departure

1. Prior to taxiing onto the parallel taxiway:
   - Announce on CTAF that you are a "large" or "approach category C" aircraft intending to takeoff.
     - Include an estimated time to takeoff.
   - Attempt to determine whether there are any other large or approach category C aircraft inbound or preparing for takeoff.
   - If so:
     - Delay taxi until the aircraft has cleared the runway or
     - Determine if there is sufficient time to proceed to the run-up area at either end of the taxiway prior to the takeoff or landing of the other large/approach category C aircraft.
2. Immediately prior to takeoff:
   - Check for aircraft on the parallel taxiway.
     - If an aircraft is on the parallel taxiway:
       - Delay takeoff until the aircraft has exited the taxiway or
       - The aircraft has proceeded to the run-up area at either end of the taxiway.
   - If an aircraft is on the parallel taxiway but is not exiting or proceeding to either run-up area at a reasonable speed:
     - Takeoff is authorized provided the Captain determines the other aircraft does not present a hazard.

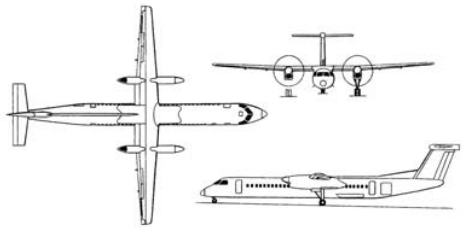
NOTES:

- *The existence of any aircraft on the parallel taxiway does not constitute the need for a go-around, missed approach, or aborted takeoff.*
- *There is no requirement for the flight crew to monitor the status of any aircraft operating on the parallel taxiway during takeoff or landing.*
- *Station personnel shall monitor and advise of any aircraft activity on the parallel taxiway prior to takeoff operations.*

These safeguards will mitigate any risk presented by the operation of the Q400 aircraft in scheduled operations to/from MMH, similar to their operations to/from Pullman, Washington (KPUW).

Bombardier Q-400

Wingspan: 92.25 ft – MTOW: 64,500 lbs – Approach Speed: 125 knots

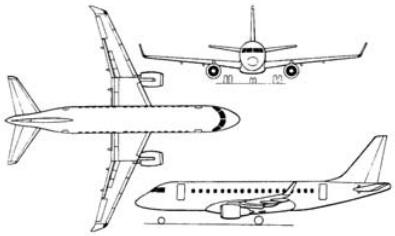


Bombardier CRJ-700

Wingspan: 76.3 ft – MTOW: 71,750 lbs – Approach Speed: 130 knots

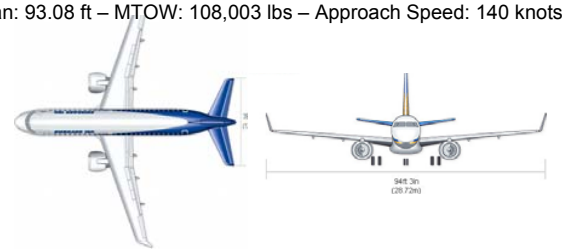
Embraer ERJ 170

Wingspan: 85.04 ft – MTOW: 78,153 lbs – Approach Speed: 140 knots



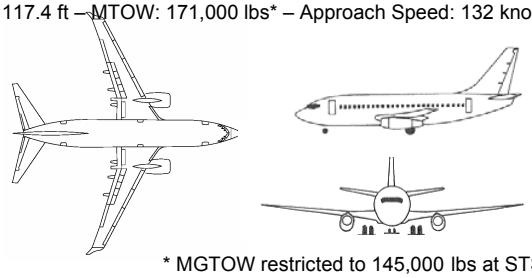
Embraer ERJ 190

Wingspan: 93.08 ft – MTOW: 108,003 lbs – Approach Speed: 140 knots



Boeing BBJ2

Wingspan: 117.4 ft – MTOW: 171,000 lbs* – Approach Speed: 132 knots



* MGTOW restricted to 145,000 lbs at STS

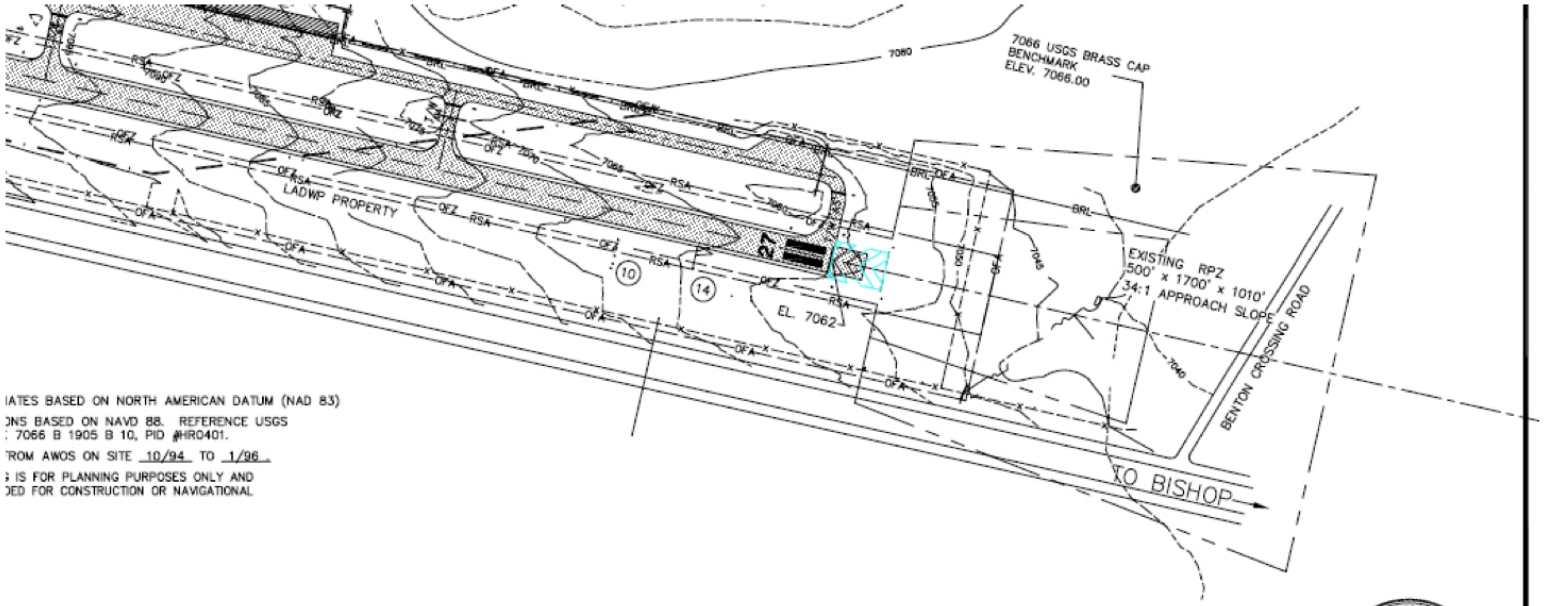
MTOW = Maximum Takeoff Weight

Table 3-1

Comparison of ARC C-III Aircraft

Sonoma County Airport

Airport Reference Code	Examples
B-II small less than 12,500 lbs.	Beechcraft King Air 200 Cessna 441 de Havilland Twin Otter 
B-I, II greater than 12,500 lbs.	Dassault Falcon 10, 20, 50, 200, 900 Beechcraft King Air 300/350 Beechcraft 1900 Cessna Citation II Hawker 400 Embraer 120 Brasilia Saab 340 Dassult Falcon 50EX 
A-III, B-III	de Havilland Dash 7/8 Bombardier Q300 ATR 42/72 Douglas DC-3 Fairchild F-27 
Very Light Jets under 10,000 lbs. takeoff weight	HondaJet Cessna Citation Mustang Eclipse 500 Embraer Phenom 100 Diamond D-Jet  Photo: Honda Manufacturing
C-I, D-I	Bombardier Learjet 45, 55, 60 IAI Westwind Hawker 125 
C-II, D-II	Bombardier CRJ-700, Challenger Series Cessna Citation Soverign Gulfstream 200, 350, 450 (II,III,IV) Hawker 800 Embraer ERJ 135/145 
C-III, D-III	Bombardier Q400 Gulfstream 500/550 (V) Boeing Business Jet Airbus A319/320 Boeing 737, MD-80, MD-90 Bombardier CRJ-900 Embraer 175/190 



IATES BASED ON NORTH AMERICAN DATUM (NAD 83)
ONS BASED ON NAVD 88. REFERENCE USGS
: 7066 B 1905 B 10, PID #HR0401.
ROM AWOS ON SITE 10/94 TO 1/96 .
S IS FOR PLANNING PURPOSES ONLY AND
DED FOR CONSTRUCTION OR NAVIGATIONAL

REGISTERED PROFESSIONAL ENGINEER
REINHARD W. BRANDLEY
No. C 8044
Exp. 9-30-2006
CIVIL
STATE OF CALIFORNIA

COUNTY OR MONO
STATE OF CALIFORNIA

MAMMOTH YOSEMITE AIRPORT

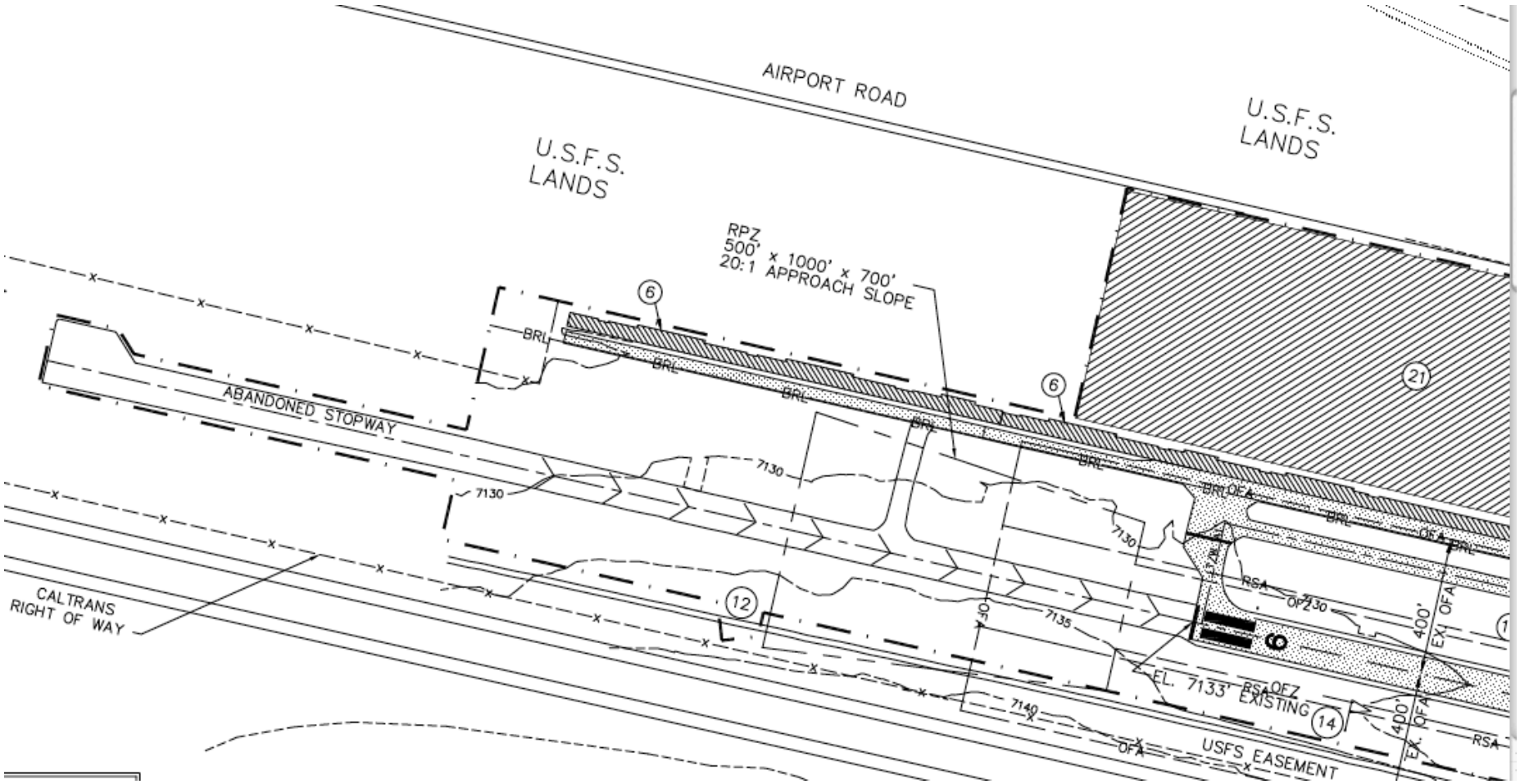
H LAKES, CALIFORNIA

AIRPORT LAYOUT PLAN

NO.	REVISIONS	BY	APR	DATE
1	RUNWAY & BUILDING DATA	GH	RWB	01/02
2	UPDATE ALP	TS	RWB	10/20/03
3	UPDATE ALP	TS	RWB	7/29/04
4	UPDATE ALP	TS	RWB	6/15/06

DATE JUNE 15, 2006

SHEET NUMBER
1 OF 1 SHEETS


AIRPORT ROAD
U.S.F.S. LANDS
U.S.F.S. LANDS
RPZ
500' x 1000' x 700'
20:1 APPROACH SLOPE
ABANDONED STOPWAY
CALTRANS
RIGHT OF WAY
USFS EASEMENT
EL. 7133' EXISTING
BRL
RSA
OFZ
OFA
7130
7135
7140
400'
90'
6
12
14
21

From: Stephen Kalish [mailto:kaljar@qnet.com]
Sent: Thursday, June 24, 2010 12:52 PM
To: Karen Johnston
Cc: Caroline Poyurs
Subject: Errata, pg 19 of comment letter

Karen Johnston,

In rereading my submitted comment letter, I note two errors in the Table at page 19:

The title should reference AC 150/5300-13, not AC **2**50...; and

The box containing the figure 240' should read 300'.

Neither change alters the conclusions in the right hand columns of the table.

Thanks again for the opportunity to provide public comment on the draft United Airlines/MMH EA.
I look forward to reviewing the final document.

Thanks,

Stephen Kalish
892 Rimrock Drive
Bishop, CA 93514
760.387.2782
kaljar@qnet.com

MAMMOTH YOSEMITE AIRPORT

ENVIRONMENTAL ASSESSMENT FOR PROPOSED OPERATIONS SPECIFICATIONS AMENDMENT APPROVAL RELATED TO THE SCHEDULED COMMERCIAL AIR SERVICE INTO MAMMOTH YOSEMITE AIRPORT BY UNITED AIRLINES

Responses to Comments on the Draft Environmental Assessment by:

STEPHEN KALISH

The following responses are provided to the numbered comments identified in this submittal:

1. FAA's primary mission is to ensure safety and efficiency in air commerce. One of the mechanisms the FAA employs in fulfilling this mission is the issuance of operations specifications (OPSPEC) to commercial air carriers. The request for an OPSPEC amendment, such as in the case of United requesting service into MMH, does not involve or require any physical changes at MMH. United Airlines requested an OPSPEC amendment, under 14 CFR Section 119.51, to provide commercial air service to MMH using the CRJ700 aircraft. FAA evaluates this request using several different and independent procedures. First, an environmental review of the proposed action is conducted to ensure compliance with NEPA, as required under FAA Order 1050.1E. The NEPA review is used to determine whether implementation of the Proposed Action or reasonable alternatives would result in significant impacts to environmental resources of concern. That is the purpose of this EA. Under a separate process under 14 CFR Section 119.51, United Airlines will complete an airport performance analysis for flights to MMH. FAA will evaluate that analysis to determine whether safety in air commerce allows the amendment. If FAA determines that United has shown that it can safely operate at the airport and that it is in the public interest, FAA will approve the OPSPEC amendment. If not, FAA will deny the request for amendment.

The ARC B-III classification of MMH and the use of the airport by C-II and C-III aircraft is not an environmental consideration under FAA Order 1050.1E or appropriate to include in this Environmental Assessment. However, if at a later date the airport sponsor proposes to improve or expand the airport to accommodate larger or more demanding aircraft, FAA will, as part of an airport layout plan planning review, determine if the proposed structural changes can accommodate the mix of aircraft forecast to service the airport in the foreseeable future. Any FAA conditional approval of modifications to the Airport Layout Plan (ALP) for MMH, including changes to items such as the Runway Protection Zone (RPZ), is an independent action that would be appropriately evaluated in a separate process under NEPA and applicable FAA orders.

2. See response to Comment #1 above.

3. See response to Comment #1 above.

4. See response to Comment #1 above.

5. See response to Comment #1 above.

6. See response to Comment #1 above.

7. See response to Comment #1 above.

8. See response to Comment #1 above.

9. See response to Comment #1 above.

10. See response to Comment #1 above.

11. See response to Comment #1 above.

12. See response to Comment #1 above.

13. See response to Comment #1 above.

14. See response to Comment #1 above.

15. See response to Comment #1 above.

16. See response to Comment #1 above.

17. See response to Comment #1 above.

18. See response to Comment #1 above.

19. See response to Comment #1 above.

20. See response to Comment #1 above.