

RESPONSE TO COMMENTS – DRAFT EA

Organizations and General Public

This appendix item provides responses or document information that addresses comments received by organizations and the general public.

The following sections provide summary responses to organization and general public comments.

- A. Organization 1 (ORG-1) - Lake Nona Concerned Citizens (represented by Deborah Moskowitz).
- B. Organization 2 (ORG-2) – CCRD (represented by Jim Shelton, President)
- C. Organization 3 (ORG-3) – Stratford Pointe HOA (represented by Jim Conover)
- D. General Public Comments (GP)

A. ORG-1 Lake Nona Concerned Citizens

A copy of the transcript comments for ORG-1 (represented by Deborah Moskowitz) are found in Appendix HH and are identified as comments ORG-1a thru ORG-1s. This appendix provides summary topics of the comments discussed by ORG-1 during the public hearing on November 5, 2009. Table 1 of this appendix provides a comment response matrix of each ORG-1 comment (a-s) and the corresponding response (R-1 through R-18) or the identification of which EA document section provides information to address the comment.

R-1 Adequate study for listed endangered species on the property

As part of the project analysis and in support of GOAA's state and federal permit applications, site reviews of the project site were conducted to determine the occurrence or potential for occurrence of listed (protected) animal and plant taxa. Prior to the field surveys, wildlife databases were reviewed for historic and current listed species information (see Section 6.3.1 of the EA document). In addition, GOAA has commissioned previous wildlife surveys on the OIA property including the project site. The results from these surveys were also reviewed. Site surveys included documentation of habitat types on the site for comparison with the known habitat preferences of listed species as well as recoding of all listed species documented to occur on site during the surveys based on direct observation as well as indirect evidence including presence of nests, dens, burrows, scat, tracks, and other signs or auditory signal.

An assessment of the likelihood of occurrence of federally and state listed protected species was prepared and incorporated into the EA document (see Table 6.3-3 of the EA document). The likelihood for occurrence for listed species was rated as high, moderate, low, unlikely, or not applicable based on knowledge of a species' habitat preference and site conditions (see Sections 6.3 and 6.8).

Through the coordination of the Draft EA document and as part of the SFWMD and ACOE permit applications review, no request for additional wildlife surveys were required by the FWC or USFWS.

R-2 Reported observations of Arctic Peregrine Falcons, Red-cockaded woodpecker, and Eastern Indigo Snake.

GOAA acknowledges that residents have reported observation of these species on or near the project location site. It should also be noted that both the Arctic Peregrine Falcon and the American Peregrine Falcon have been de-listed by the USFWS and are no longer listed as threatened or endangered species. This information has been corrected in the EA document. Surveys of the project site have been conducted by degreed biologists as referenced in Section 5.4.2; suitable habitat for Red-cockaded woodpeckers was not found and no nests or nest cavities have been documented. No eastern indigo snakes have been documented as part of biological surveys of the project site. For additional information on federally-listed protected species see Section 6.8 of the EA document.

R-3 Does not feel that the FAA AC on bird strikes is a valid reason to mitigate 100% wetland impacts on the site.

Avoidance of wetland impacts was determined to be impracticable due to site design constraints, aircraft operational safety, and location of wetlands in the landscape. The FAA AC is not the primary reason that wetland impacts occur on site. Please see Section 6.20 for the analysis of wetland impacts. ~~Appendix N of the Final EA Document provides further discussion on wetland avoidance and minimization through alternative configurations on the site.~~ The USDA Wildlife Hazard Assessment for the East Airfield is located in Appendix P of the Final EA Document.

R-4 Airport was in violation of this AC when the 4th runway was built.

The 4th runway construction was approved in April, 1991. At that time there was not an FAA AC on Wildlife Hazard Attractants. The first FAA AC 150/5200-33, Hazardous Wildlife Attractants on or near Airports, was dated May 1, 1997. GOAA completed a wildlife hazard assessment for OIA (including the 4th runway area) in 1999. GOAA prepared a wildlife hazard management plan which was submitted to the FAA and approved in March of 2000. Two updates to this FAA AC have been published (150/5200-33A, 2004 and 150/5200-33b in 2007). The FAA AC, while mandatory for

GOAA to follow due to their receipt of federal grant-in-aid, does not have regulatory authority to issue “violations.”

R-5 Residents are concerned about flooding and would like an emergency overflow structure set in place to redirect if another 100 year storm event occurs.

Pursuant to Rule 40E-4.301, Florida Administrative Code (F.A.C.), SFWMD will require reasonable assurance that the construction and operation of the stormwater management system will not cause adverse flooding to off-site properties prior to issuing the conceptual ERP for this project. The surface water management system has been designed to meet this permit criteria. [The SFWMD conceptual ERP permit was issued on August 30, 2010 \(Permit Modification No. 48-00063-S-03\).](#)

R-6 Concerned this project discharge will not be treated appropriately before it is discharged onto our wetlands and into Lake Nona. Would like to have water quality monitoring checkpoints throughout the construction and duration of the project.

Pursuant to Rule 40E-4.301, Florida Administrative Code (F.A.C.), GOAA must provide reasonable assurance that the stormwater management system meets the permitting criteria of the SFWMD (which includes pre and post discharge and water quality treatment criteria). [The SFWMD conceptual ERP permit was issued on August 30, 2010 \(Permit Modification No. 48-00063-S-03\).](#)

In November 30, 1998 the ACOE, FDEP and the water management districts entered into the document entitled *Operating Agreement Between the U.S. Army Corps of Engineers, The Florida Department of Environmental Protection, The South Florida Water Management District, The St. Johns River Water Management District, The Southwest Florida Water Management District, and The Suwannee River Water Management District Concerning Regulatory Programs For Activities in Wetlands and Other Surface Waters* (Operating Agreement). According to Section II A. of the Operating Agreement, FDEP or water management district issuance of a standard general, individual, or conceptual approval ERP constitutes water quality certification by the state of Florida, as required by Section 401 of the Clean Water Act.

The surface water management system to serve the Project will be designed, permitted, constructed, and operated in accordance with SFWMD ERP requirements adopted in Chapter 40E-4, F.A.C. Construction of this system will not commence without first obtaining an ERP from the SFWMD under the provisions of Chapter 40E-4, F.A.C. In accordance with the specific terms of the Operating Agreement, the SFWMD ERP authorizing the Project’s surface water management system will constitute the state’s

water quality certification. Issuance of the ERP constitutes state water quality certification, and provides reasonable assurance under Part IV, Chapter 373, F.S. that the surface water management system will meet water quality standards and therefore monitoring is unnecessary.

Prior to construction, the site contractor will obtain coverage under the NPDES permit program for stormwater discharges which will specify best management practices (BMP) to be implemented and any water quality monitoring that may be required.

R-7 Community will be affected by jet blast and there's no sufficient protection in the plan from the noise.

Noise from aircraft arrivals, departures, and taxiing has been identified in the EA document (see Section 6.16). Jet blast noise associated with engine run-ups will be mitigated as it is today by having run-up activity conducted at specific, less noise sensitive, locations on the airport property.

R-8 Even at 6 lanes, Narcoossee Rd will not have sufficient capacity to carry the traffic. Even at 6 lanes, this project would take 65% of the traffic capacity on Narcoossee Rd.

The EA document provides information on surface traffic and Level of Service (LOS) in Section 6.17 with additional information found in Appendix M on the traffic trip generation data. FAA Order 1050.1E section 16.1c Socioeconomic Impacts, states that "...the FAA, to the fullest extent possible, observes all local and State laws, regulations, and ordinances concerning zoning, transportation, economic development, housing, etc. when planning, assessing, or implementing the proposed action."

The City of Orlando is responsible for traffic planning and concurrency management as provided in Chapter 59 of City of Orlando Code, as may be amended from time to time. As noted in the City of Orlando comment document's page 9 of 13 (see Appendix KK of Final EA Document for Agency Comments) the following comments regarding surface transportation facilities were submitted by the City of Orlando: "In its review of the draft EA document, the city of Orlando Transportation Department determined that there are no significant issues raised with regard to surface transportation facilities that will serve the proposed development." The City of Orlando also states that subsequent reviews regarding surface transportation impacts and associated mitigation will be provided as part of the Development Approval and anticipated Development of Regional Impact Amendment (DRI) once it is submitted.

R-9 This type of development is incompatible with the adjacent residential area (entire project and the “20 Acre Parcel” of Airport Support District High Intensity west of Lake Nona Community)

GOAA maintains that the Preferred Alternative, as proposed in the Draft Environmental Assessment, is consistent with the future land use policy of the City of Orlando as established in the City Growth Management (GMP) and with the Southeast Orlando Sector Plan. In 1999, the City of Orlando adopted the Southeast Orlando Sector Plan (Sector Plan) as the comprehensive planning tool to regulate the growth within the southeast sector of the City. The Sector Plan was developed in collaboration with the City and other stakeholders, including land owners located within the Sector Plan area. Under the adopted Sector Plan, the majority of the Preferred Alternative site has been designated as Airport Support (High Intensity) and Airport Support (Medium Intensity), which contemplates the proposed uses within the Preferred Alternative which meet the Purpose and Need stated in Section 2.0. In 1998, in conjunction with the adjacent land owner, Lake Nona Land Development Company, GOAA recorded a “Notice of Proximity” over those areas within the Lake Nona DRI that abut the Preferred Alternative, putting future owners on legal notice of their proximity to OIA, including the Preferred Alternative. Most areas of the Preferred Alternative that abut the Lake Nona DRI are zoned as Airport Support – High Intensity or Medium Intensity, providing that the uses within the Preferred Alternative that meet the Purpose and Need stated in Section 2.0 can be undertaken as a matter of right. Accordingly, the City of Orlando, in adopting both the zoning designation and future land use designation within the Sector Plan, has determined that the uses within the Preferred Alternative which meet the Purpose and Need stated in Section 2.0 which abut the Lake Nona DRI are compatible with the adjacent uses.

A 20-acre parcel (the Parcel) within the Preferred Alternative has a future land use designation of Public/Recreational & Institutional under the Sector Plan. The Parcel abuts the existing active airfield (fourth runway), and is separated from the Lake Nona DRI by the transportation corridor for Innovation Way, a four-lane divided arterial road planned by Orange County as part of the County’s Innovation Way corridor from the University of Central Florida to the Lake Nona DRI Medical City/Airport area. The area within the Preferred Alternative surrounding this site has a Metropolitan Activity Center future land use designation; the portion to the north of this site includes an area with an Airport Support District High Intensity future land use designation and Industrial Park zoning. Prior to 1998, the City operated a wastewater treatment facility within the Parcel. In 1998, GOAA executed a land exchange agreement with the City of Orlando concerning portions of the Parcel “to obtain control of property, now used by the City for a wastewater treatment facility, to meet Federal Aviation Administration requirements for Airfield Development at Orlando International Airport.”

As noted above, the Parcel has a future land designation of Public/Recreational/Institutional (PRI). According to the GMP, allowable uses for property within the Sector Plan area with the PRI future land use designation include all uses associated with the Public Use (P) zoning district. The City zoning regulations provide that the Public Use (P) district is intended to accommodate the use of lands owned by any public body for “Public Benefit Use,” which is defined in the City Code to include any necessary use for the public health, convenience, safety or welfare for

purposes such as public utilities or substations, and any municipal or state purpose. Because this Parcel does not currently have designated City zoning, GOAA will pursue, in conjunction with other local entitlement processes, a zoning district classification consistent with the Parcel's future land use designation and with GMP goals, objectives, and policies.

As indicated on the Sector Plan map, the Parcel is also subject to GMP Subarea Policy S.34.2, which specifically applies the future land use policy in GMP Goal 4 to this property. GMP Goal 4 demonstrates the City of Orlando's dedication to the continued growth of OIA facilities, as implemented through the GMP Goal 4 objectives and policies and the City's Sector Plan. Among other provisions, the GMP recognizes the significance of OIA to the economic development of the state and region, encourages the steady growth of aviation facilities and compatible uses within the OIA vicinity, and includes provisions for planning and land use designations (and amendments), to support this future growth. Further, the Sector Plan describes OIA as a "strong and growing economic engine" for the region and includes provisions to implement the GMP objectives and policies to accommodate future OIA development plans. The broad description of allowed uses for the PRI future land use designation for the Parcel in conjunction with the application of GMP Policy 4 to the Parcel provide the basis for consistency of the proposed uses to support the continued growth of OIA as established in the GMP and Sector Plan. Further, the use history, recognized purpose for GOAA's acquisition of the Parcel, and the current and planned future development in this area demonstrate that the uses proposed for this Parcel are not inconsistent with either the City's land use policy or adjacent development.

R-10 These types of development are not conducive and do not fit within the southeastern sector plan (cargo facilities, manufacturing of aircraft, aircraft repair, or other intense industrial settings and 24/7 operations)

The types of uses described above are considered to be consistent with the Airport Support District High Intensity land use depicted on the Southeast Sector Plan Land Use Map which allows uses such as heavy manufacturing (which includes aircraft manufacturing, aircraft repair, and other intense industrial uses) and warehouse (which includes cargo facilities). This information can be found in the "Development Guidelines and Standards" of the Southeast Orlando Sector Plan ([see Appendix 2B](#)).

R-11 Ask that GOAA put into place buildings that meet the higher criteria (architectural) required by the City of Orlando.

The location of the East Airfield development area is within the Southeast Orlando Sector Plan and will be subject to the architectural standards specified therein ([see Appendix 2B](#)).

R-12 Questions the buffer yard agreement – at the time it was signed GOAA did not own the property adjacent and only 3 story office building could be built there. Now aircraft hangars are significantly a deviation from that.

At the time of the execution of the bufferyard agreement by the City, the future land use designation was ASD-2 (Airport Support District High Intensity) which allowed uses such as industrial and commercial development such as heavy manufacturing (not restricted to only 3 story office buildings). Busch Properties, Lake Nona Land Company, and the City of Orlando proposed to “buffer and screen the industrial/commercial uses that are anticipated to develop on the Busch Property from the residential uses to be developed on the Lake Nona Property.” The bufferyard agreement states “This Agreement shall be recorded and its terms shall apply to any successor or assign of Busch and Lake Nona and the same shall be deemed to be a covenant running with the land.”

In 2005, GOAA undertook an effort, on their own initiative, to amend the future land use plan from ASD-2 (Airport Support District High Intensity) to ASD-1 (Airport Support District Medium Intensity) to exclude heavy manufacturing uses for the property in an effort to create improved land use compatibility between NorthLake Park and the airport property. On the north side of Dowden Road, the airport is proposing the approximate 800 foot land use buffer which encompasses the majority of the 2005 Busch Property acquisition.

R-13 Concerned that the group was told the land use buffer would be 1,500 feet but the drawing shows 800 feet or less.

The depth of the land use buffer on the north side of Dowden Road has not changed since the development of the revised concept plan (see Figure 3.3-3 of the EA document). There was a misstatement made regarding the depth of the land use buffer depicted on the referenced graphic. Including the land use buffer on the north side of Dowden Road, the right-of-way width for Dowden Road, and the property located south of Dowden Road, the aggregate dimension from the Lake Nona property boundary to the edge of the land use buffer actually varies from approximately 650 feet wide to 850 feet wide. The actual depth of the buffer has remained the same 800 feet north of Dowden Road since its inception as depicted on the graphic (see Figure 3.3-3 of the EA document).

R-14 Concerned about light pollution – current plan does not protect surrounding communities.

The EA document describes mitigation measures for light emissions and visual impacts in section 6.15. This information includes a description of the current Buffer Yard Agreement (see Appendix L). According to the City of Orlando Code of Ordinances Section 60.260 the purpose of buffer yard agreements “are intended to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly building or parking areas...”

The City has adopted the Orange County Ordinance 2003-8 Light Ordinance. GOAA will comply with this ordinance pending review of these ordinances to confirm that these standards would not interfere with aircraft operations or air traffic control as may be required by FAA.

R-15 Concerned about the trees being taken down on North Lake Park side of Dowden Rd.

Subject to the final uses placed on the property, the use of existing or new vegetation will be consistent with requirements of the City's Southeast Orlando Sector Plan.

R-16 Concerned the project will be an adverse impact on the values of each and every home

As a stated goal of the City of Orlando's Southeast Orlando Sector Plan, the intent of the proposed project is to create economic development opportunities and job creation. As jobs are developed in the area, the opportunity for home sales would be expected to increase as people may want to live in close proximity to their jobs.

R-17 Concerned that cumulative impacts – “way of life”

The planned development is consistent with the Southeast Sector Plan (originally approved in 1999) which is the overall future land use plan for the region. GOAA has made modifications to the original concept plan for this project to provide a land use buffer to residential areas (see Section 4.3, Alternative 3). The EA document addresses cumulative impacts in Section 6.21 which includes human community issues, environmental resource issues and eco-systems.

R-18 Need to make sure the children are protected and the community center (and YMCA) are protected.

The location of the YMCA and community center is approximately 2,500 feet from airport property and intended the proposed medium intensity uses. The YMCA and community center is approximately 3,600 feet from the proposed high intensity uses.

B. ORG-2 CCRD

A copy of the transcript comments for ORG-2 (represented by Jim Shelton, President) are found in Appendix HH and are identified as comments ORG-2a thru ORG-2b. This appendix provides summary topics of the comments discussed by ORG-2 during the public hearing on November 5, 2009. Table 1 of this appendix provides a detailed matrix of each ORG-2 comment (a-b) and the corresponding response or the identification of which EA document section provides information to address the comment.

R-19 The current plan dumps 15% of the water runoff into Lake Nona this has the potential to create flooding problems. watering delay, and water quality run-off that could potentially affect fishing and boating on Lake Nona.

Under Rule 62-302.400 F.A.C, Lake Nona is designated as a Class III water. The designated uses for Class III waters which must be protected are recreation, propagation and maintenance of a healthy, well balanced population of fish and wildlife. The surface water management system to serve the Project will be designed, permitted, constructed, and operated in accordance with SFWMD ERP requirements adopted in Rule 40E-4.301, F.A.C. Construction of this system will not commence without first obtaining of an ERP from the SFWMD under the provisions of Rule 40E-4.301, F.A.C. In accordance with the specific terms of the Operating Agreement, the SFWMD ERP authorizing the Project's surface water management system will constitute the state's water quality certification. [The SFWMD conceptual ERP permit was issued on August 30, 2010 \(Permit Modification No. 48-00063-S-03\).](#)

R-20 The Lake Nona community and Lake Nona County Club Community could be impacted by aircraft operations and possibly 24 hours a day.

Section 6.16 and Appendix G of the EA provide impact analysis associated with noise. The noise analysis for aircraft arrivals and departures was provided in the EA document and showed that noise levels would not exceed FAA's significance criteria for noise (a comparison of the noise associated with the project compared with the no-project alternative as required by the criteria). Aircraft taxiing noise from the proposed site was also included in the EA document.

OIA currently operates 24-hours a day. Noise associated with engine run-ups will be mitigated as it is today by having run-up activity conducted at specific, less noise sensitive, locations on the airport property.

C. ORG-3 Stratford Point HOA

A copy of the transcript comments for ORG-3 (represented by Jim Conover) are found in Appendix KK and are identified as comments ORG-3a. This appendix provides summary topics of the comments discussed by ORG-3 during the public hearing on November 5, 2009. Table 1 of this appendix provides a detailed matrix which identifies the ORG-3a comment and the corresponding response or the identification of which EA document section provides information to address the comment.

R-21 Concerned over increased traffic in the area and suggest strong research into the actual impact of the traffic.

The EA document provides information and surface traffic and Level of Service (LOS) in Section 6.17 [and Appendix M](#). FAA Order 1050.1E section 16.1c Socioeconomic Impacts, states that "...the FAA, to the fullest extent possible, observes all local and State laws, regulations, and ordinances concerning zoning, transportation, economic development, housing, etc. when planning, assessing, or implementing the proposed action."

The City of Orlando is responsible for traffic planning and concurrency management as provided in Chapter 59 of City of Orlando Code, as may be amended from time to time. As noted in the City of Orlando comment document, page 9 of 13 (see Appendix KK) the following comments regarding surface transportation facilities were submitted by the City of Orlando: "In its review of the draft EA document, the city of Orlando Transportation Department determined that there are no significant issues raised with regard to surface transportation facilities that will serve the proposed development." The City of Orlando also states that subsequent reviews regarding surface transportation impacts and associated mitigation will be provided as part of the Development Approval and anticipated Development of Regional Impact Amendment (DRI) once it is submitted.

D. General Public (GP) Responses

There were a total of 171 general public comments received for the Draft EA document. Comments from the general public are found in Appendices EE, FF, and GG. This includes comments recorded in the transcripts from the November 5, 2009 Public Hearing, written comments received at the public hearing, and written comments received during the comment period (via fax, email, on-line, or mail).

This section provides summary responses to topical comments. Comments were "bracketed" in Appendices EE, FF, and GG and given a comment ID. Each comment ID for the general public begins with the two letters "GP" Those comment IDs were then placed in a matrix table to mark which summary response would best address each comment or which section of the EA document provided the information needed to address the comment. Table 1 of this appendix provides the comment response matrix. Users should locate a specific comment and use the table to cross-reference the comment ID with the response ID found in this appendix (R-1 through R-44) or a section of the EA document. Comments were not responded to on an individual basis.

Below are the summary topic responses drafted for general public comments.

R-22 Construction Impacts

Section 6.6 of the EA discusses construction impacts. A construction permit from SFWMD and an NPDES permit will be required for construction activities onsite. These permits will address potential flooding and water quality related to construction activities.

With respect to noise, the City of Orlando, Section 42-Noise, identifies the controls associated with construction activities (primarily controls on the time of day certain levels of noise can occur). Air quality requirements associated with open burning have been established by the Florida Department of Environmental Protection. The construction activities associated with the proposed project would need to meet these regulations (Chapter 62-256, F.A.C.).

Construction vehicles would use Narcoossee Road, the Beachline, Goldenrod Road, and Dowden Road as primary access to the site. Construction deliveries and removal of materials from the site would be directed to use these roadways and not local residential streets. Construction vehicle access is determined during the local planning and permitting process on a project by project basis.

R-23 General Wildlife

GOAA acknowledges that habitat for some species of wildlife will be eliminated or substantially reduced as part of project development. The majority of these species are generalists, commonly occurring in this region of central Florida either as resident species or transient migratory species. Most of these species are expected to find other suitable habitat in the regional landscape. Large mammals which occur on the project site would be expected to relocate to similar habitat types in the area but not to developed neighborhoods. Construction of the project is not expected to adversely affect overall wildlife populations.

R-24 Threatened and Endangered Species

As part of the project analysis and in support of GOAA's state and federal permit applications, site reviews of the project site were conducted to determine the occurrence of potential for occurrence of listed (protected) animal and plant taxa. Prior to the field surveys, wildlife databases were reviewed for historic and current listed species information (see Section 6.3.1 of the EA document). In addition, GOAA has commissioned previous wildlife surveys on the OIA property including the project site. The results from these surveys were also reviewed. Site surveys included documentation of habitat types on the site for comparison with the known habitat preferences of listed species as well as recoding of all listed species documented to occur on site during the surveys based on direct observation as well as indirect evidence including presence of nests, dens, burrows, scat, tracks, and other signs or auditory signal.

An assessment of the likelihood of occurrence of federally and state listed protected species was prepared and incorporated into the EA document (see Table 6.3-3 of the EA document). The likelihood for occurrence for listed species was rated as high, moderate, low, unlikely, or not applicable based on knowledge of a species' habitat preference and site conditions (see section 6.3.1). GOAA acknowledges that residents may have reported they have observed some species the project location site listed as "low" or "unlikely" to be observed.

The potential impacts to threatened or endangered species has been assessed and will be addressed in accordance with Sections 6.3 and 6.8 of the EA document.

R-25 Panthers

Neither Florida Panthers, nor their sign, have been observed on site by degreed biologists. The project site is not within the USFWS Florida Panther Focus Area (dispersal zones or dispersal expansion areas) (USFWS 2007). Available databases contain no records of panther telemetry (through June 20, 2008) within 17 miles of the project site (southwest of the project site February 25, 2000; male, FP62) or records of road kills (through January 31, 2009) within 20 miles of the project site (April 14, 2006 and March 21, 2007; both males).

R-26 Wetlands

Complete avoidance of wetland impacts was determined to be impracticable due to site design constraints, aircraft operational safety, and location of wetlands in the landscape. FAA AC 150/5200-33, Hazardous Wildlife Attractants on or near Airports, is not the primary reason that wetland impacts occur on site. GOAA has obtained a final conceptual ERP from the SFWMD ([Permit Modification No. 48-00063-S-03, issued August 30, 2010](#)) which demonstrates, that with respect to the state environmental resource permit regulations, GOAA has provided reasonable assurance that adverse impacts to wetlands have been avoided and minimized to the extent practicable and that appropriate and sufficient mitigation has been provided to fully offset adverse wetland impacts which could not be avoided. ~~GOAA was able to avoid 11.79 acres of wetland impact adjacent to Lake Nona. GOAA will not be eliminating any wetlands on the Lake Nona Property. See section 6.20 for the wetland analysis and Appendix N for further information regarding wetland impact avoidance and minimization through alternative configuration analysis.~~

Issuance of conceptual ERP from the SFWMD does not authorize removal of wetlands. A construction permit from the SFWMD will be required prior to any construction activities.

The purpose of wetland mitigation both at the state and federal level is to offset the loss of functions provided by wetlands being impacted with an equivalent improvement in wetland function at a separate location. The functional loss through the statewide unified mitigation assessment method protocol and the modified wetland rapid assessment procedure. Mitigation to offset the wetland functional loss in the East Airfield will be provided by permitted mitigation bank, mitigation project, or a combination. To obtain mitigation credits to apply to a project mitigation banks or mitigation projects must improve wetland functions. The number of mitigation credits is based on the degree of functional improvement and is determined by the regulatory agencies (see Section 6.20 of the EA document).

Wildlife Hazard Attractants

The 4th runway construction was approved in April, 1991. At that time there was not an FAA AC on Wildlife Hazard Attractants. The first FAA AC on Wildlife Hazards was approved in 1997 FAA AC 150/5200-33a Wildlife Hazard Attractants on and Near Airports. GOAA completed a wildlife hazard assessment for OIA (including the 4th runway area) in 1999. GOAA prepared a wildlife hazard management plan which was submitted to the FAA and approved in March of 2000. GOAA continues to operate in compliance with its wildlife hazard management plan (WHMP). The current WHMP identified a variety of mitigation measures to address wildlife hazards at OIA.

Eliminating the wildlife hazard attractants on the East Airfield will likely reduce the overall risk posed to aviation due to bird strikes. For information on FAA wildlife hazard attractant separation distances please see Appendix O of the EA document. The USDA completed a Wildlife Hazard Assessment of the East Airfield (see Appendix P of the Final EA Document).

R-27 Water Impacts

Pursuant to Rule 40E-4.301, Florida Administrative Code (F.A.C.), GOAA must provide reasonable assurance that the stormwater management system meets the permitting criteria of the SFWMD (which includes pre and post discharge and water quality treatment criteria).

On November 30, 1998 the ACOE, FDEP and the water management districts entered into the document entitled *Operating Agreement Between the U.S. Army Corps of Engineers, The Florida Department of Environmental Protection, The South Florida Water Management District, The St. Johns River Water Management District, The Southwest Florida Water Management District, and The Suwannee River Water Management District Concerning Regulatory Programs For Activities in Wetlands and Other Surface Waters* (Operating Agreement). According to Section II A. of the Operating Agreement, FDEP or water management district issuance of a standard general, individual, or conceptual approval ERP constitutes water quality certification by the state of Florida, as required by Section 401 of the Clean Water Act.

The surface water management system to serve the Project will be designed, permitted, constructed, and operated in accordance with SFWMD ERP requirements adopted in Chapter 40E-4, F.A.C. Construction of this system will not commence without first obtaining of an ERP from the SFWMD under the provisions of Chapter 40E-4, F.A.C. In accordance with the specific terms of the Operating Agreement, the SFWMD ERP authorizing the Project's surface water management system will constitute the state's water quality certification. Issuance of the ERP constitutes state water quality certification, and provides reasonable assurance under Part IV, Chapter 373, F.S. that the surface water management system will meet water quality standards and therefore

monitoring is unnecessary. [The SFWMD conceptual ERP permit was issued on August 30, 2010 \(Permit Modification No. 48-00063-S-03\).](#)

Prior to construction, the site contractor will obtain coverage under the NPDES permit program for stormwater discharges which will specify best management practices (BMP) to be implemented and any water quality monitoring that may be required.

Pursuant to Rule 40E-4.301, Florida Administrative Code (F.A.C.), SFWMD will require reasonable assurance that the construction and operation of the stormwater management system will not cause adverse flooding to off-site properties prior to issuing the conceptual ERP for this project. The surface water management system has been designed to meet this permit criteria.

Under chapter 62-302.400 F.A.C, Lake Nona is designated as a Class III water. The designated uses for Class III waters which must be protected are recreation, propagation and maintenance of a healthy, well balanced population of fish and wildlife. Under chapter 62-302.400, Class III waters have specific water quality standards established. The surface water management system to serve the Project will be designed, permitted, constructed, and operated in accordance with SFWMD ERP requirements adopted in Chapter 40E-4, F.A.C.

R-28 Noise

Section 6.16 and Appendix G of the EA provide impact analysis associated with noise. The noise analysis for aircraft arrivals and departures was provided in the EA document and showed that noise levels would not exceed FAA's significance criteria for noise (a comparison of the noise associated with the project compared with the no-project alternative as required by the criteria). This noise analysis includes a 10db night time noise penalty to account for the additional annoyance of aircraft noise at night. Aircraft taxiing noise from the proposed site was also included in the EA document (see Appendix G).

Concern was expressed over the potential for aircraft activities occurring 24-hours a day on the site and the impact of engine maintenance runups. In response, OIA operates 24-hours a day now and has specific locations for engine runups to occur (away from residential areas). These areas or other areas that would provide similar mitigation of engine runup noise would be used to mitigate the impact associated with the project.

Noise associated with development on the proposed site that does not involve aircraft or surface vehicles is controlled by a City of Orlando noise ordinance. Chapter 42-Noise of the City of Orlando Code of Ordinances identifies the maximum noise levels allowed at residential, multi-use, commercial and industrial uses during various times of day. The stationary source noise on the proposed project site such as container loaders, would need to comply with the requirements of this ordinance.

The wind effect of jet blast on adjacent roadways and cargo container areas on site would be addressed by orienting aircraft in a way to minimize the effect or mitigated in a manner to minimize any potential effect.

Construction vehicles would use Narcoossee Road, the Beachline, Goldenrod Road, and Dowden Road as primary access to the site. Construction deliveries and removal of materials from the site would be directed to use these roadways and not local residential streets. Construction vehicle noise along the primary access roads would comply with applicable regulations. Construction vehicle access is determined during the local planning and permitting process on a project by project basis. See Section 6.6 for further construction information.

It is recognized that retention ponds do not mitigate or attenuate noise. The FAA Integrated Noise Model information in Section 6.16 incorporates a conservative assumption of a flat terrain.

R-29 Air Quality

~~Air quality modeling (EDMS) predicted an increase in air emissions associated with this project.~~ Section 6.2 of the EA document provides an air quality impact analysis.

GOAA acknowledges that there will continue to be occasions where the odor from jet fuel exhaust may be noticeable in surrounding areas under certain wind conditions.

An air quality ~~analysis information~~ for surface vehicle emissions was included in the EA document (see Section 6.2, Table 6.2-5).

R-30 Surface (Roadway) Traffic

The EA document provides information and surface traffic and Level of Service (LOS) in Section 6.17 and Appendix M. FAA Order 1050.1E section 16.1c Socioeconomic Impacts, states that "...the FAA, to the fullest extent possible, observes all local and State laws, regulations, and ordinances concerning zoning, transportation, economic development, housing, etc. when planning, assessing, or implementing the proposed action."

The City of Orlando is responsible for traffic planning and concurrency management as provided in Chapter 59 of City of Orlando Code, as may be amended from time to time. As noted in the City of Orlando comment document's page 9 of 13 (see Appendix KK) the following comments regarding surface transportation facilities were submitted by the City of Orlando: "In its review of the draft EA document, the city of Orlando Transportation Department determined that there are no significant issues raised with regard to surface transportation facilities that will serve the proposed development." The City of Orlando also states that subsequent reviews regarding surface transportation

impacts and associated mitigation will be provided as part of the Development Approval and anticipated Development of Regional Impact Amendment (DRI) once it is submitted.

The City of Orlando requires that all new roadways incorporate pedestrian safety features including sidewalks, crosswalks and where appropriate, bicycle lanes.

Surface parking will be accommodated on site consistent with the City of Orlando's Land Development Code parking standards and will be evaluated on an individual project by project basis.

Emergency vehicle response, in regard to project surface traffic analysis, is provided by local government and will be coordinated at the time of development.

R- 31 Compatible/Noncompatible Land Use

Regarding the issue of compatible land use for the proposed project, GOAA has participated in a series of initiatives. GOAA has been an active participant in these efforts for over ten (10) years. Examples of those efforts include the active participation in the Southeast Orlando Sector Plan effort, development of agreements with Lake Nona regarding noise control and notifications for large portions of the Lake Nona property, and GOAA-initiated land use modifications to improve land use compatibility between the East Airfield and the Lake Nona property. Since the mid-1990s, GOAA has pursued a variety of large-scale aviation-related projects that potentially could be located on the project site (see Section 6.2, Purpose and Need, of the EA document).

The role of the airport within the region is very unique, just as the emerging role of the Medical City will be unique. The airport has maintained a long standing policy to develop its land resources at the Orlando International Airport for aviation-related uses. The airport has been careful to not compete with land uses that could be accommodated in nearby locations that do not require the unique feature of airfield access.

The Southeast Orlando Sector Plan is located on the City of Orlando website at the following website address:

<http://www.cityoforlando.net/planning/deptpage/sesp/sesp.htm>.

R- 32 Landscape And Buffer

The depth of the land use buffer on the north side of Dowden Road has not changed since the development of the revised concept plan (see Figure 3.3-3 of the EA document). There was a misstatement made regarding the depth of the land use buffer depicted on the referenced graphic. Including the land use buffer on the north side of Dowden Road, the right-of-way width for Dowden Road, and the property located south of Dowden Road, the aggregate dimension from the Lake Nona property boundary to the edge of the land use buffer actually varies from approximately 650 feet wide to 850 feet wide. The actual

depth of the buffer has remained the same 800 feet north of Dowden Road since its inception as depicted on the graphic (see Figure 3.3-3 of the EA document).

Subject to the final uses placed on the property, the use of existing or new vegetation will be consistent with requirements of the City's Southeast Orlando Sector Plan.

The bufferyard agreement (Appendix L of the EA Document) provides details of the existing berm. The construction of another berm is not currently proposed in the project.

The airport has a Design Review Committee to review all GOAA and tenant projects that will address aesthetic, signage, and other related issues at the airport. Also, City code will apply to all projects built outside of secure areas at the airport (which includes items such as landscaping, signage, setbacks, parking, etc.).

R-33 Economic Impacts/Property Values

As a stated goal of the City of Orlando's Southeast Orlando Sector Plan, the intent of the proposed project is to create economic development opportunities and job creation. As jobs are developed in the area, the opportunity for home sales would be expected to increase as people may want to live in close proximity to their jobs.

The Southeast Orlando Sector Plan's vision statement states "The city of Orlando has identified the Southeast Orlando Sector Plan area as a future growth center with the Orlando International Airport as the primary economic and employment generator." The Sector Plan also indicates GOAA plans to "...actively market airport related office and industrial development on the airport property."

The proposed project identifies high intensity aviation uses which include industrial uses. These types of uses are consistent with the Southeast Sector Orlando Plan.

Although air traffic has declined at the airport, the proposed expansion represents a long term development program not associated with commercial passenger service. The project purpose is to provide development area for large scale aviation and aviation support uses (see Section 2.0 Purpose and Need of the EA document).

GOAA is not aware of any data that the proposed project will have any affect on the costs of insurance to homeowners.

R-34 Light Emissions

The EA document describes mitigation measures for light emissions and visual impacts in section 6.15. This information includes a description of the current Buffer Yard Agreement (see Appendix L). According to the City of Orlando Code of Ordinances Section 60.260 the purpose of buffer yard agreements "are intended to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly building or parking areas..."

The City has adopted the Orange County Ordinance 2003-8 Light Ordinance. GOAA will comply with this ordinance pending review of these ordinances to confirm that these standards would not interfere with aircraft operations or air traffic control as may be required by FAA.

R-35 Quality of Living

Quality of living comments received included concerns with noise, water, air pollution, aesthetics, schools, outdoor activities, and health consequences.

Noise impacts associated with the project have been analyzed in Section 6.16 within the EA document and no significant impacts were identified. Water quality impacts associated with the project have been analyzed in Section 6.19 within the EA document and no significant impacts with mitigation are expected. Air quality associated with the project has been analyzed in Section 6.2 in the EA document and no significant impacts were identified. Aesthetic or visual effects associated with the project are addressed in Section 6.15 of the EA document which includes a discussion on the buffer yard agreement (see Appendix L) and Orange County ordinance No. 2003-08 (lighting ordinance) (see Appendix K).

In terms of schools, the closest school to the site is located in the North Lake Park community south of Dowden Road. Potential air quality and noise impacts to this school as a result of aircraft activity were shown to not have a significant impact on the school. (see Section 6.2 and 6.16). The location of the school is consistent with existing state statutes and local land use controls related to aircraft noise.

Outdoor activities, in regards to air quality and noise impacts, are addressed in Sections 6.2 and 6.16. No significant impacts were associated with noise or air quality impacts.

R-36 Coordination with the Community/Community Concerns

Regarding the issue of coordination with the community, for the proposed project, GOAA has participated in a series of initiatives. GOAA has been an active participant in these efforts for over ten (10) years. Examples of those efforts include the active participation in the Southeast Orlando Sector Plan effort, development of agreements with Lake Nona regarding noise control and notifications for large portions of the Lake Nona property, and GOAA-initiated land use modifications to improve land use compatibility between the East Airfield and the Lake Nona property.

Since the issuance of the public notice for the ACOE permit in February 2007, GOAA has conducted numerous meetings with interested parties regarding this project. The senior staff have conducted at least six (6) meetings with neighborhood representatives and agreed to make modifications to the proposed project plan. The public coordination efforts associated with the EA process for the proposed project are documented in Section 7.0 of the EA document.

GOAA acknowledges the receipt of a plan developed by the community. See Appendix EE for the GOAA Project Concerned Citizens Plan discussion.

Continued coordination with the community will occur at the local level as part of future planning efforts through the City of Orlando.

R-37 Fuel Farm

Construction and operation of the proposed fuel farm facility will be in accordance with all applicable federal, state, and local regulatory requirements. A Spill Prevention Control and Countermeasures (SPCC) plan will be developed for regulated facilities.

Fuel farm location and need for redundancy and alternative fuel source for this use is provided in Section 3.3.

R-38 Crime

GOAA is responsible for security on OIA property. Any criminal activity on airport property would be the responsibility of the GOAA police department or the appropriate law enforcement agency. There is no data or evidence to suggest that the proposed project would increase crime on the project site or the surrounding areas.

R-39 Concerns of terrorist attacks

OIA has an existing security plan in place for the existing fuel farm at the airport. This security plan would be updated during the design and development phase of the fuel farm associated with the proposed project. This plan would conform to industry standard security measures.

R-40 Transient people in the proposed project area

There is no data or evidence to suggest that the proposed project would attract or increase the use of the existing property or surrounding properties by transient people.

R-41 Potential Health Risks

During the EA analysis, no health risks to the general public were documented or anticipated as a result of the proposed project. Most health concerns relate to air quality, noise, water quality, and hazardous materials. None of these environmental resource categories were found to have significant impacts. Please see Section 6.0 of the EA document for specifics on each of these topics.

R-42 Local Adoption/Mayor Votes

The Mayors as members of the Authority Board have authorized pursuing permits to entitle the property for development, however, the mayors have not been asked to approve a specific land use plan.

R-43 Tornadoes

Based on a review of information available on the National Oceanic and Atmospheric Administration (NOAA) websites, <http://www.spc.noaa.gov/faq/tornado/> and http://www.crh.noaa.gov/mkx/?n=taw-part2-tornado_myths, it is noted that “nothing attracts tornadoes” and they “form and travel at their own leisure”.

R-44 Vegetation Clearing

GOAA is obtaining a conceptual ERP from the SFWMD. This permit will not authorize construction or earthwork. Therefore, no vegetation will be removed commensurate with the issuance of the conceptual ERP. GOAA acknowledges that it will obtain applicable City approvals prior to vegetation removal associated with the project.