

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110



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Notice of Intent to Adopt a Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
ALUC22-03	Multiple	Multiple	12/6/2022
Project Name		Project Type	
San Jose International Airport, Airport Influence Area Update		Update to existing San Jose International Airport Airport Influence Area	
Person or Agency Carrying Out Project		Address	Phone Number
Carl Hilbrants		70 West Hedding Street; East Wing, 7th Floor; San Jose, CA 95110	408-299-5781
Name of Applicant		Address	Phone Number
Airport Land Use Commission		70 West Hedding Street; East Wing, 7th Floor; San Jose, CA 95110	408-299-5700
Project Location			
Norman Y. Mineta San Jose International Airport including parcels within its Airport Influence Area			
Project Description			
<p>The Santa Clara County Airport Land Use Commission (ALUC) serves as a policy making body for lands around Norman Y. Mineta San Jose International Airport (SJC) through adoption of a Comprehensive Land Use Plan (CLUP) to guide orderly development of SJC and the area surrounding SJC. The ALUC makes land use consistency determinations for certain types of land use approvals which occur within an Airport Influence Area (AIA) designated in the CLUP. The CLUP functions to implement State law (Public Utilities Code Section 21670 et seq.) that requires safeguarding the general welfare of the inhabitants in the vicinity of SJC and those who use SJC. The ALUC scope includes review of proposed adoptions or amendments to a local agency's General Plan, Specific Plan(s), Zoning Ordinance, and building regulations for consistency with the CLUP and that would affect the population and property within the AIA. If the ALUC determines that a project or policy under its purview is inconsistent with CLUP policies such as policies applicable to noise and safety, the referring agency may only proceed if the referring agency overrules the ALUC's determination by a 2/3 vote of the entire legislative body.</p> <p>This initial study involves reviewing an amendment to the SJC CLUP that modifies the boundaries of the AIA. The intention of the proposed AIA modification is to ensure that CLUP land use measures that minimize public exposure to noise and safety hazards within areas surrounding SJC align with the noise and safety boundaries in the new Airport Master Plan. This action will be undertaken pursuant to the ALUC's authority under Public Utilities Code § 21670 et seq. The amendment will affect parcels within the Cities of San Jose and Santa Clara.</p> <p>The purpose of updating the SJC AIA is to have the AIA correspond with the forecasted 2040 operational levels at SJC. Currently, the AIA has historic traffic models that are not reflective of projected traffic numbers or modern aircraft. The proposed AIA will maintain the same safeguarding effects of the existing AIA with an area that is consistent with the forecasted 2040 operational levels. The forecasted 2040 operational levels are based on data prepared and analyzed for the Norman Y. Mineta San Jose International Airport Noise Assessment for the Master Plan Environmental Impact Report by BridgeNet International. The SJC AIA update is intended to provide a comprehensive, self-contained noise and safety hazard evaluation of SJC, that provides a clear and readily understandable document with associated mapping showing the parcels most affected by SJC operations.</p> <p>The AIA defines the referral boundary for SJC that applies when the cities of San Jose or Santa Clara propose an action that amends their General Plan, adopts or amends any Specific Plan, Zoning Ordinance, and building regulation where the changes apply to parcels within the SJC AIA. The affected city must first refer the proposed action to the ALUC for a consistency determination before it may take final action. The proposed AIA boundary was developed by using easily identifiable features, including street arterials, rail lines and waterways, to ensure established neighborhoods are not randomly divided.</p> <p>The proposed AIA boundary was developed pursuant to information provided within the BridgeNet International data sets and was prepared to be consistent with the Community Noise Equivalent Level (CNEL) contours and the Safety Zones noted within the <i>Norman Y. Mineta San Jose International Airport Noise Assessment for the Master Plan Environmental Impact Report</i>. The 65 dB CNEL contour was deemed sufficient to ensure that the majority of sensitive uses would be included within the proposed AIA. Furthermore, no portion of the revised 65 dB CNEL boundary or Safety Zones lie outside of the proposed AIA boundary. Additionally, no new areas within the proposed AIA are located within any Safety Zone. Therefore, potential development restrictions on the parcels being added to the AIA are limited to building heights and noise related restrictions and mitigations for new areas within the 65db CNEL or higher contours.</p>			

Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that the proposed project **could not have a significant effect on the environment.**

A public hearing for the proposed project is tentatively scheduled for the Airport Land Use Commission (ALUC) on September 28, 2022, at 6 p.m. via Zoom pursuant to instructions on the ALUC website at the following URL: <http://sccgov.iqm2.com/citizens/default.aspx?>. It should be noted that the approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

Public Review Period: 30 days**Begins:** 08/24/22**Ends:** 9/21/22

Public Comments regarding the correctness, completeness, or adequacy of the Initial Study and Negative Declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Carl Hilbrants at the **County of Santa Clara Planning Office, County Government Center, 70 West Hedding Street, San Jose, CA 95110, Tel: (408) 299-5700.** For additional information regarding this project and the Negative Declaration, please contact Carl Hilbrants at (408) 299-5781 or carl.hilbrants@pln.sccgov.org

The Negative Declaration and Initial Study may be viewed at the following locations:

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
- (2) Planning & Development website www.sccgov.org/sites/dpd (under "Commissions & Other Meetings" > "Airport Land Use Commission")

Responsible Agencies sent a copy of this document

City of San Jose, Planning, Building & Code Enforcement
California Department of Transportation (Caltrans), Division of Aeronautics

Prepared by:

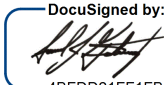
Carl Hilbrants, Senior Planner

Carl Hilbrants

8/23/22

Approved by:

Samuel Gutierrez, Principal Planner

DocuSigned by: **Signature**

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Signature

Date**Date**