

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7<sup>th</sup> 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	2/7/2024
Project Name		Project Type	
SJC ALUCP and AIA Amendment		Airport Land Use Compatibility Plan Update	
Person or Agency Carrying Out Project	Address	Phone Number	
County of Santa Clara	70 West Hedding Street, East Wing, 7 <sup>th</sup> Floor, San Jose, CA 95110	(408) 299-5770	
Name of Applicant / Staff Member	Address	Phone Number	
Carl Hilbrants, Senior Planner / ALUC Coordinator	70 West Hedding Street, East Wing, 7 <sup>th</sup> Floor, San Jose, CA 95110	(408) 299-5781	
Project Location			
San Jose International Airport (SJC) and the SJC Airport Influence Area (AIA)			
Project Description			

The *Santa Clara County Airport Land Use Commission* (ALUC) serves as a policy-making body for lands around *Norman Y. Mineta San José International Airport* (SJC) through the adoption of an Airport Land Use Compatibility Plan (ALUCP), formerly known as a Comprehensive Land Use Plan (CLUP), to guide orderly development of the area surrounding SJC. The ALUC makes land use consistency determinations regarding the proposed adoption or amendment of certain types of land use policies or regulations that affect property within the *Airport Influence Area* (AIA) designated in the ALUCP. The ALUC functions to implement State law (Public Utilities Code Section 21670 et seq.) to protect the public health, safety, and welfare and minimize the public's exposure to excessive noise and safety hazards within the AIA. The AIA serves as the boundary within which the City of San José or the City of Santa Clara must refer General Plan Amendments, Specific Plans, Zoning Ordinance revisions and building regulation changes to the ALUC. The ALUC renders decisions of either consistency or inconsistency with the adopted SJC ALUCP. If the ALUC determines the proposed adoption or amendment is inconsistent with ALUCP policies, the referring agency may only proceed if the proposal is amended to be consistent with the ALUCP, or, if the governing body of the affected City overrules the ALUC's determination by a 2/3 vote of the entire legislative body. If an overrule is considered, at least 45 days prior to the decision to overrule the ALUC, the local agency shall provide the ALUC and the California Department of Transportation Division of Aeronautics (Division) a copy of the proposed overrule decision and accompanying findings. The ALUC and the Division may provide comments to the local agency's governing body within 30 days of receiving the proposed decision and findings. While the ALUC and Division comments are advisory, they must be included in the public record of any decision to overrule the ALUC.

This initial study involves reviewing an amendment to the SJC ALUCP that (i) modifies the boundaries of the AIA, (ii) amends the ALUCP text and maps related to the AIA, and (iii) makes other minor amendments to the ALUCP (collectively, the "Project"). The Project reflects the updated SJC 2020 Airport Master Plan ("Airport Master Plan") and encompasses lands most affected by noise and safety impacts from SJC. This will ensure that the proposed adoption or amendment of land use policies and regulations affecting these lands will be reviewed by the ALUC for consistency with the SJC ALUCP, thereby minimizing public exposure to noise and safety hazards. This action will be undertaken pursuant to the ALUC's authority under Public Utilities Code § 21675. The amendment will affect parcels within the cities of San José and Santa Clara.

The Airport Master Plan forecasts SJC operation levels through 2037. The proposed AIA is based on data prepared and analyzed for the *Norman Y. Mineta San José International Airport Noise Assessment for the Master Plan Environmental Impact Report* by *BridgeNet International* ("Airport Master Plan EIR"), identifying the 65 dB Community Noise Equivalent Level (CNEL) contours and the Safety Zones in that EIR with a 50% increase in operation levels (the "65 dB + 50 percent CNEL contour"). The entire proposed AIA is shown on Figure 1, below. Specific sections of the AIA are shown in more detail on Figures 7a through 7d and 8a through 8c, below. This methodology was chosen by the ALUC after evaluating various options and conducting numerous public meetings and discussions. The 65 dB + 50 percent CNEL contour also includes all properties within the Safety Zones identified for SJC.

### **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**. The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).

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: 20**

**Begins: 02/07/2024**

**Ends: 02/27/2024**

Public Comments regarding the correctness, completeness, or adequacy of this 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, Senior Planner / ALUC Coordinator at the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5759**. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Carl Hilbrants at (408) 299-5781 or [carl.hilbrants@pln.sccgov.org](mailto: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, 7<sup>th</sup> Floor, San Jose, CA 95110

(2) Planning & Development website [www.sccgov.org/sites/dpd](http://www.sccgov.org/sites/dpd) (under “Development Projects” > “Current Projects”)

**Responsible Agencies sent a copy of this document**

California Division of Aeronautics (Caltrans Aeronautics)

Association of Bay Area Governments (ABAG)

**Prepared by:**

Carl Hilbrants, Senior Planner

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*Carl Hilbrants*

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Signature

2/7/24

Date

**Approved by:**

Samuel Gutierrez, Principal Planner

DocuSigned by:  
*[Signature]*

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Signature

2/7/24

Date