

County of Santa Clara

Department of Planning and Development
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Notice of Extended Comment Period for an Intent to Adopt a Negative Declaration

Per the California Environmental Quality Act (CEQA), this notice has been prepared to inform you that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
N/A	N/A	Multiple	11/4/2008
Project Name		Project Type	
Santa Clara County Airport Land Use Commission Comprehensive Land Use Plan Amendments		Land Use Plan / Public	
Owner	Applicant		
County of Santa Clara. Various within Airport A.I.A.'s.	Santa Clara County Airport Land Use Commission		
Project Location			
The environmental setting consists of three of the public use airports in Santa Clara County (Palo Alto, San Jose International, South County Airport), and areas surrounding these airports. With respect to Palo Alto Airport, the surrounding land uses are the Baylands Conservation Area and a small area developed with commercial properties immediately east of Highway 101 on Embarcadero Road. With respect to South County Airport, the surrounding area includes residential property with small areas of publicly owned property, with Highway 101 bordering the Airport to the east. Land Uses surrounding the Southern area of San Jose International Airport are mostly commercial properties immediately southwest and a mixture of medium density residential and commercial properties to the south across Interstate 880.			
Project Description			
The Project is an amendment to the Santa Clara County Airport Land Use Commission's Land Use Plan for Areas Surrounding Santa Clara County Airports (Land Use Plan) and is undertaken pursuant to the ALUC's authority under Public Utilities Code § 21670 et seq. The amendments include: (1) The adoption of two new airport-specific Comprehensive Land Use Plans ("CLUPs"), for South County (San Martin) Airport and Palo Alto Airport; and (2) a Map amendment of the County-wide CLUP to correct the South Safety Zone Map for runway 11-29 at San Jose International Airport to reflect a reduction in width and length in the south Safety Zone.			
(1) <u>Adoption of the South County /San Martin Airport and Palo Alto Airport CLUPs-</u>			
The new South County and Palo Alto Airport CLUPs (hereafter referred to as "CLUPs") are intended to be comprehensive, self-contained CLUPs for each Airport. They include several new policies that are associated with the following map modifications:			

Board of Supervisors: Blanca Alvarado, Donald F. Gage, Pete McHugh, Ken Yeager, Liz Kniss
County Executive: Pete Kutras, Jr.

- ALUC referral boundaries ("Airport Influence Areas" or "AIAs")
- 55, 60, 65 and 70 dBA CNEL Noise Contours
- FAA, FAR Part 77 Surfaces Map
- Airport Safety Zones

The purpose of the CLUPs is to safeguard the general welfare of the inhabitants within the vicinity of the airports and those who use the airports. The CLUPs are established to protect the public from the adverse effects of small aircraft. Specifically, the CLUPs policies ensure that development adjacent to public-use airports in Santa Clara County is not concentrated in areas susceptible to aircraft accidents, and ensure that no structures or activities adversely affect navigable airspace. The implementation of the CLUPs is intended to prevent future incompatible development from encroaching on the Airports and to allow for development in accordance with the current Airport Master Plan for each Airport.

In formulating the CLUPs, the ALUC establishes policies for the regulation of land use, building height, safety, and noise exposure within areas adjacent to each of the public airports in the County. The four maps (AIA, Noise Contours, FAR Part 77 and Safety Zones,) are used by the ALUC to determine the applicability of ALUC policies and compatibility between new uses and airport operations in terms of noise and safety. The purpose of each of these maps that have new associated policies are described in the following:

South County (San Martin) Airport referral boundary (AIA) – The Airport Influence Area (AIA) defines the area in which the ALUC policies and procedures apply in South County. When the County of Santa Clara chooses to amend its General Plan, adopt or amend any specific plans, zoning ordinances, or building regulations, that would affect property within the AIA, the County must first refer the proposed action to the ALUC. Voluntary referrals can also be made for other types of actions/projects that may be impacted by the airport operations, such as Building Site Approval, Use Permits or Subdivisions. The new AIA area has been reduced in size by 90.5 acres, from 6118.1 to 6027.6 total acres. The new AIA has been mapped to follow property line boundaries at the southwest corner of the AIA to eliminate uncertainty in determining if a property will fall within the zone.

Palo Alto Airport referral boundary (AIA) – The Airport Influence Area (AIA), defines the area in which the ALUC policies and procedures apply in the Palo Alto Area. The proposed Palo Alto Airport CLUP does not change the area of the AIA.

South County (San Martin) Airport 55, 60, 65, and 70 dBA CNEL Noise Contours – These maps delineate the predicted Community Noise Equivalent Level (CNEL) in decibels as a result of airport operations at South County Airport. If a project is referred to the ALUC and is within the 55, 60, 65, or 70 dBA CNEL Noise Contours, the applicable noise policies from the CLUP would be used to review the application. The principal source for calculation of the proposed Noise Contours is the FAA modeling software, which forecasts the annual airport operations. Also, the 2002 California Airport Land Use Planning Handbook, which is published by the Caltrans Division of Aeronautics, incorporates established Federal Aviation Administration (FAA) guidelines for noise standards. The new adopted maps will include a 65 and 70 dBA CNEL contour, which was not previously used. The existing CLUP only uses a 55 and 60 dBA CNEL Noise Contour. The existing 55 dBA CNEL is approximately 400 acres. The new 55 dBA CNEL includes 1085.7 total acres, which is a net increase of approximately 685 acres. The existing 60 dBA CNEL is approximately 153 acres.

The new 60 dBA CNEL is 402.6 acres for an approximate increase of 240 acres. The new 65 dBA CNEL is 153 acres and the new 70 dBA CNEL is 59.4 acres, which only encompasses airport property and highway 101.

Palo Alto Airport 55, 60, 65 and 70 dBA CNEL Noise Contours – Like the South County noise contours, these maps delineate the predicted Community Noise Equivalent Level (CNEL) boundary in decibels as a result of airport operations at Palo Alto Airport. If a project is referred to the ALUC and is within the 55, 60, 65, or 70 dBA CNEL Noise Contours, the applicable noise policies would apply. Like the South County Airport, the principal source for the proposed Noise Contours is the 2002 California Airport Land Use Planning Handbook. The existing Noise Contours are based on 1995/1996-forecast conditions and use 55, 60, 65, 70 and 75 dBA CNEL Noise Contours. The new adopted maps will only include up to a 70 dBA CNEL Noise Contour, because the 75 dBA CNEL is entirely located on airport property. Therefore, no development other than projects on airport property would be affected by the 75 dBA CNEL. According to County ALUC files, there are no calculated areas within the existing Noise Contours for Palo Alto Airport. This is likely due to the small size of those contours and their location within the Baylands Conservation lands as well as airport property. The new 55 dBA CNEL is 2851.78 acres (including the “bubble” area west of the airport). The new 60 dBA CNEL is 750.7 acres. The new 65 dBA CNEL is 211.0 acres and the 70 dBA CNEL is 107.4 acres. Acreage of existing CNELs have never been prepared for Palo Alto Airport.

South County and Palo Alto Airport FAA, FAR Part 77 Surfaces Map - Federal Aviation Regulations (FAR) Part 77, *Objects Affecting Navigable Airspace*, establishes imaginary surfaces for airports and runways as a means to identify objects that are obstructions to air navigation. Each surface is defined as a slope-ratio, or at a certain altitude above the airport elevation, measured at Mean Sea Level (MSL). Projects located within the AIA are evaluated for consistency with the FAR Part 77 height restrictions. This is an FAA map that is updated as necessary as a result of changes in the airport runway(s). It is not a County or ALUC map. The current CLUPs are using an outdated version of the FAA maps. In 2007, the ALUC adopted a CLUP amendment to incorporate by reference, the FAA maps currently in effect for each Airport in the County to avoid the necessity of County-wide CLUP amendments each time the FAA updates the map as a result of changes to the runways.

Palo Alto and South County Airport Safety Zones – Airport safety zones are established to minimize exposure to potential airplane hazards. Both the Palo Alto and South County CLUPs use the threshold adopted by the FAA for positioning the Runway Protection Zones. These areas are depicted on the FAA approved Airport Layout Plans for each airport. Furthermore, the safety zones defined for the Airports are based on the guidance for General Aviation Airports with runways less than 4,000 feet in the California *Airport Land Use Planning Handbook* (January 2002) adopted by the State of California, Department of Transportation, Division of Aeronautics (“2002 Handbook”) pursuant to Public Utilities Code § 21674.7.

The following describes these safety zones, which are the same for both CLUPs, and represented by Figure 7 in both CLUPs:

Runway Protection Zone

The function of the Runway Protection Zone (RPZ) is to enhance the protection of people and property on the ground and aircraft occupants. RPZs should be clear of all objects, structures and activities. The RPZ as adopted by the airport and the FAA and begins 200 feet from the ends of the runways. It is a trapezoidal area centered on the extended runway centerline. The size is related to the expected aircraft use and the visibility minimums for that particular runway.

Turning Sector Defined

A geometric feature defined as a “Turning Sector” bound by some of the safety zones. This feature is constructed as follows:

Each runway end has a sector, which is bounded on the inside by the extended runway centerline. The radius of these sectors is 3,000 feet with the center point located 1,000 feet along the runway centerline from the runway threshold towards the opposite end of the runway.

The arc for the sector is swung away from the opposite runway. The interior angle of the sector is 30 degrees from the extended runway centerline. The two closest turning sector center-points are connected with a straight line and a tangent line that connects the two associated arcs. The Turning Sector is defined as the outside bounds of the feature constructed above. There is one Turning Sector for each end of the runway system.

Inner Safety Zone

The Inner Safety Zone (ISZ) is located within the Turning Sector boundary described above. The ISZ represents the approach and departure corridors that have the second highest level of exposure to potential aircraft accidents. The ISZ is centered on the line midway between the runway centerlines starting at the apex of the Turning Sector boundary and except as noted below, extends to the outer arc of the Turning Sector boundary. The length of the runway determines the dimensions.

Turning Safety Zone

The Turning Safety Zone (TSZ) represents the approach and departure areas that have the third highest level of exposure to potential aircraft accidents.

Outer Safety Zone

The Outer Safety Zone (OSZ) extends out from the Turning Sector arc. The OSZ is a rectangular area centered on the line midway between the extended runway centerlines starting at the outer end of the Turning Sector arc. The length of the runway determines the dimensions. The OSZ for northwest ends of the runways is a rectangular area 1,300 feet wide and 1,500 feet long at the center, centered on the line midway between the extended runway centerlines, starting at the outer edge of the ISZ and extending away from the runway threshold.

Sideline Safety Zone

The Sideline Safety Zone (SSZ) is an area along side and parallel to the runways. This area is not normally overflown by aircraft except by aircraft losing directional control on takeoff (especially twin-engine aircraft).

Traffic Pattern Zone

The Traffic Pattern Zone (TPZ) is within other portions of the airport area that are routinely overflown by aircraft. The potential for aircraft accidents is relatively low and the need for land use restrictions is minimal. The TPZ excludes all other zones described above. For both airports, the TPZ is the surface area underlying the FAR Part 77 Horizontal Surface. The perimeter of the TPZ is constructed by swinging arcs of 5,000 feet out for the runways from a point 200 feet out from each runway pavement end on the extended centerline and connecting the arcs with lines tangent to these arcs.

Currently, the safety zones for Palo Alto and South County Airports are two areas rectangular in shape, at each end of the runway. Both the north and south safety areas encompass a total of 283.6 acres at each airport. The combined area of the new safety zone area is 3,241 acres, for a net increase of 2,957.4 acres. As all safety zones are within the AIA, all general plan amendments, rezoning, specific plans, or modifications to building regulations for affected properties within the safety zones, would be required to be reviewed by the ALUC for consistency with the safety policies in the CLUPs.

Also, incorporated into the Amendments is the following non-airport-specific CLUP amendment:

(2) Map Amendment for the South Safety Zone dimensions for runway 11-29 at San Jose International Airport: -

The ALUC amended the County-wide CLUP in 2005 to include map updates as a result of the lengthening of runways at San Jose International Airport. In that update, the ALUC approved the original 5,000-foot by 1,500-foot south safety zone for Runway 11-29. However, the text, which describes the dimensions of the Safety Zones remained unchanged, stating a dimension of 990 feet wide by 3,960 feet long.

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 public comment period was originally for 20 days beginning on October 3rd, 2008 running through October 26, 2008. To give the public additional time to comment, the ALUC has extended the comment period to November 19, 2008 at 5:00PM.

A public hearing for the proposed project is tentatively scheduled for the Airport land Use Commission on November 19, 2008 at 6:00PM in the County Government Center; 70 West Hedding Street, San Jose, CA 95110. 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:	Begins: October 31, 2008	Ends: November 19, 2008
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Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the end of the review period listed above. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770**. Oral comments may be made at the hearing. 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 **Mark J. Connolly** at (408) 299-5786.

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 Office Website www.sccplanning.org (Environmental Documents under "Find it Fast")
- (3) Gilroy, Morgan Hill, Palo Alto and San Jose Public Library-Rose Garden Branch

Other Agencies sent a copy of this document

Caltrans Division of Aeronautics (Courtesy Only), Palo Alto, East Palo Alto, San Mateo County, Mountain View, Sunnyvale, Gilroy and Morgan Hill

Prepared by:

Mark J. Connolly

Signature

Date

Approved by:

Rob Eastwood, Senior Planner, AICP

Signature

Date