INITIAL STUDY

Environmental Checklist and Evaluation for Santa Clara County

File Number:	N/A	**Date:** 10/30/2009
Project Type:	Government	**APN(s):** Multiple
Project Location / Address	Norman Y. Mineta San Jose International Airport, at Airport Pkwy & State Hwy 87 □San Jose, CA 95101 and property within the Airport Influence Area ("AIA") of San Jose International Airport.	**GP Designation: Multiple**
Owner's Name	City of San Jose. Various properties within the AIA within the cities of San Jose and Santa Clara	**Zoning: Multiple**
Applicant's Name:	Santa Clara County Airport Land Use Commission	**Urban Service Areas:** SAN JOSE, SANTA CLARA

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) ("County CLUP") and is undertaken pursuant to the ALUC's authority under Public Utilities Code § 21670 et seq. The amendment includes the adoption of a new airport-specific Comprehensive Land Use Plan for San Jose International Airport ("SJC CLUP")

Adoption of SJC CLUP-

The new San Jose CLUP is intended to be a comprehensive, self-contained CLUP for San Jose Airport. It includes several new policies and modifications to the following maps:

- ALUC referral boundary ("Airport Influence Area" or "AIA")
- 65, 70 and 75 dBA CNEL Noise Contours
- Incorporation of the Federal Aviation Administration, FAR Part 77 Surfaces Map
- Airport Safety Zones

The purpose of the San Jose Comprehensive Land Use Plan (CLUP) is to implement State law (Public Utilities Code Section 21670 et seq.) and safeguard the general welfare of the inhabitants within the vicinity of San Jose Airport and those who use the Airport. The purpose of adoption and implementation of the CLUP is intended to ensure the orderly expansion of the Airport in accordance with the current Airport Master Plan ad the adoption of and use measures that minimize the public's exposure to noise and safety hazards within areas around the Airport, to the extent that those areas are not already devoted to incompatible uses.

In formulating the CLUP, the ALUC established policies related to land use, building height, safety, and noise insulation 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 is described below:

SJC referral boundary (AIA) – The Airport Influence Area (AIA), defines the referral boundary for San Jose International Airport. When the Cities of San Jose or Santa Clara choose to amend their General Plan, or adopt or amend any specific plans, zoning ordinances, or building regulations, that would affect property within the AIA, the City must first refer the proposed action to the ALUC for a consistency determination. Voluntary referrals can also be made for other types of actions/projects within the AIA that may impact, or be impacted by the airport operations. The new AIA area has been mapped to follow major existing roads and identified property boundaries to eliminate uncertainty in determining if a property will fall within the zone.

65, 70, and 75 dBA CNEL Noise Contours – These maps delineate the predicted Community Noise Equivalent Level (CNEL) boundary of the respective decibels as a result of airport operations at San Jose International Airport. If a project is referred to the ALUC and is within the 65, 70, or 75 dBA CNEL Noise Contours, the applicable noise policies would apply. Although the new adopted maps will include a 75 dBA CNEL Noise Contour, the contour is mostly located on airport property.

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 potential obstructions to air navigation. The functions of FAR Part 77 include: Identifying structures around airports that may affect operating procedures; Determining the need for an FAA Aeronautical Study; Charting new man-made or natural objects; and Identifying mitigation measures such as marking and lighting to enhance the safety of air navigation. Each surface is defined as either 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 Santa Clara County or ALUC map, but is incorporated by reference in the CLUP.

Safety Zones – Airport safety zones are established to minimize the amount of people exposed to potential airplane hazards. The San Jose International CLUP uses the threshold adopted by the Airport and the FAA for positioning the FAA Runway Protection Zones as depicted on the FAA approved Airport Layout Plan, as a basis for positioning the safety zones. Furthermore, the safety zones defined for the Airport are based on the guidance for General Aviation Airports and Air Carrier Airports 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:

Runway Protection Zones (RPZ)

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. At San Jose Airport, the RPZ as adopted by the Airport and the FAA. The safety zone begins from the runway thresholds (rather than the end of the runway pavement). 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. The dimensions for all three runways at SJC are as follows:

- Runway 30L and Runway 12R (Air Carrier), are 2,500 feet long with an inner width of 1,000 feet and an outer width of 1,750 feet.
- Runway 30R and Runway 12L (Air Carrier) are 1,700 feet long with an inner width of 1,000 feet and an outer width of 1,510 feet.
- Runway 29 and Runway 11 (General Aviation) are 1,000 feet long, with an inner width of 500 feet and an outer width of 700 feet.

Turning Safety Zones (TSZ)

The Turning Safety Zones (TSZ) represent the approach and departure areas that have the third highest level of exposure to potential aircraft accidents. Runways 30L-12R and 30R-12L each have a *sector* at each end, which defines the area of this safety zone. The *Sector* is bounded on the inside by the extended runway centerline. The radius of these sectors is 12667 ft, with the center point located 6667 ft along the runway centerline from the outer end of the primary surface, towards the opposite end of the runway. The arc for the sector is swung to the side opposite from the other runway. The interior angle of the sector is 8.53 degrees from the extended runway centerline. There is one Turning Sector for each end of each of the runways. The TSZs for Runways 30R, 30L, 12R, 12L, 29 and 11 are the areas inside the Turning Sector that do not include the RPZ or the ISZ and do not include the RPZ or the ISZ.

Inner Safety Zones (ISZ)

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 runway centerline and extends from the outer edge of the Runway Protection Zone to the outer edge of the Turning Sector boundary. The length of the runway determines the dimensions. The ISZ for Runway 30L, 30R, 12L and 12R is an area 1,500 feet wide, centered on the runway centerline, contained within the Turning Sector. The total length of the RPZ and the ISZ is 6,000 feet. The ISZ for Runway 29 and 11 is an area 1500 feet wide, centered on the runway centerline. The total length of the RPZ and the ISZ is 3,800 feet. The Inner Safety Zone excludes the RPZ, the Turning Safety Zone and the Primary Surface.

Turning Safety Zones (TSZ)

The Turning Safety Zone (TSZ) represents the approach and departure areas that have the third highest level of exposure to potential aircraft accidents. The Turning Safety Zones are as for Runways 30R, 30L, 12R, 12L, 29 and 11 as the areas inside the Turning Sector that do not include the RPZ or the ISZ.

Outer Safety Zone (OSZ)

The Outer Safety Zone (OSZ) is a rectangular area centered on the extended runway centerline starting at the outer end of the ISZ and extending away from the runway end. The length of the runway determines the dimensions. The OSZ for each end of Runways 30L, 30R, 12L and 12R is a rectangular area 1,000 feet wide and 4,000 feet long centered on the extended runway centerline, starting at the outer edge of the ISZ and extending away from the runway threshold. The OSZ for each end of Runways 29 and 11 is a rectangular area 1,000 feet wide and 3,000 feet long centered on the extended runway centerline, starting at the outer edge of the ISZ and extending away from the runway threshold.

Sideline Safety Zone (SSZ)

The Sideline Safety Zone (SSZ) is an area along the length of the outside the Primary Surface intersecting the Turning Safety Zone. Aircraft do not normally over fly this area, except aircraft losing directional control on takeoff (especially twin-engine aircraft). The SSZ for runways 30L, 30R, 12L, 12R, 29 and 11 are 500 feet wide and extend along the runway Primary Surface to intercept the Turning Sector boundaries.

Traffic Pattern Zone (TPZ)

The Traffic Pattern Zone (TPZ) is that portion of the airport area routinely overflown by aircraft operating in the airport traffic pattern. The potential for aircraft accidents is relatively low and the need for land use restrictions is minimal. There is no TPZ for Air Carrier runways, thus Figure 7 depicts the TPZ only on runway 29-11. The TPZ excludes all other zones described above.

- The Traffic Pattern Zone (TPZ) for runway 29-11 is the area bounded by a line constructed starting at a point 1000 feet from each end of the runway. With these points as the center, construct a quarter circle arc of 6000 feet radius to the southwest side of the runway and connect these two quarter-circles with a line tangent to both. The area outside any of the Runway Protection Zones, Inner Safety Zones, Sideline Safety Zones and Outer Safety Zones and inside this boundary and inside the Airport Influence Area is defined as the Traffic Pattern Zone for this runway.

- The Traffic Pattern Zone for this airport is defined as that portion of the Airport Influence Area outside the Runway Protection Zones, Inner Safety Zones, Traffic Pattern Zones, Sideline Safety Zones and Outer Safety Zones.

The environmental factors checked below would be potentially affected by this project, involving at least one impact as indicated by the checklist on the following pages.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

☐ **Aesthetics**	☐ **Agriculture Resources**	☐ **Air Quality**
☐ **Biological Resources**	☐ **Cultural Resources**	☐ **Geology / Soils**
☐ **Hazards & Hazardous Materials**	☐ **Hydrology / Water Quality**	☒ **Land Use**
☒ **Noise**	☒ **Population / Housing**	☐ **Public Services**
☐ **Resources / Recreation**	☐ **Transportation / Traffic**	☐ **Utilities / Service Systems**
☐ **Mandatory Findings of Significance**		☐ **None**

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

_____ _____

Signature **Date**

Mark J Connolly_____ _____

Printed name **For**

Environmental Setting and Surrounding Land Uses

San Jose International Airport is a City-owned public use airport, located two nautical miles north of Downtown San Jose. The environmental setting consists of all of San Jose International Airport and the areas surrounding the Airport within the AIA in the Cities of San Jose and Santa Clara. Figures 4a and 4b in the Comprehensive Land Use Plan represent the land use designations within the Airport environs based on the current City of San Jose and the City of Santa Clara General Plans. The predominant land uses in the Airport environs are residential, industrial and commercial. The residential uses range from low density, single-family detached, to high density residential with commercial mixed use. There are also public /quasi-public, religious, recreational, and educational facilities.

The Airport Influence Area for San Jose International Airport (Figure 8) is defined as the area bounded by South First St at Floyd St southwest on Floyd to Vine St to Goodyear St to Locust St to Willow St to Palm St to West Virginia St to Highway 87 to Auzerais Ave to Delmas Ave to San Carlos St to Gifford Ave to West San Fernando St to Montgomery St to the Alameda to Stockton Ave to Villa St to Elm St to Taylor St to The Alameda to Emory St to Morse St to University Ave to Park Ave to McKendrie St to Katherine St to Davis St to Dana St to Alviso St to College Ave to Washington St to Homestead to Monroe St to Scott Blvd to San Tomas Expressway to Highway 101 to San Tomas Aquino Creek to Mission College Blvd to Great America Parkway to Patric Henry Dr to Old Ironsides Dr to Bunker Hill Lane to Betsy Ross Dr to Old Mountain View Alviso Rd to San Tomas Aquino Creek to Highway 237 to Guadalupe River to Montague Expressway to Orchard Dr to Orchard Parkway to O'Neil Dr to Karina Ct to North First St southeast to Floyd St. In addition, because the FAR Part 77 regulations apply to structures (including antennae) with a height of 500 feet or greater above ground level, the AIA is defined as the entire county for such structures.

Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

There are no responsible agencies for this project. The airport is within the City of San Jose and City of Santa Clara jurisdictions. Those jurisdictions may need to amend their General Plans to be consistent with the proposed San Jose International Airport CLUP. As such, the jurisdictions can be seen as Trustee agencies. CalTrans Division of Aeronautics has an advisory role.

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS						
		IMPACT				
WOULD THE PROJECT:		YES			NO	SOURCES
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	2,3,4, 6a,17f
b)	Substantially damage scenic resources along a designated scenic highway?	☐	☐	☐	☒	3, 6a, 17f
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒	2,3
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	3,4
e)	If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval?	☐	☐	☐	☒	11
f)	If subject to Design Review, be generally in non-compliance with the Guidelines for Design Review Approval?	☐	☐	☐	☒	3,4,12
g)	Be located on or near a ridgeline visible from the valley floor?	☐	☐	☐	☒	2,17n

DISCUSSION: The project is approval of a policy plan that does not propose to build anything. Therefore, the project will not have any potential impacts to aesthetic resources. Individual discretionary projects processed through the Cities of San Jose or Santa Clara may be subject to the Guidelines and Findings of Design Review of those jurisdictions. However, there is nothing in the proposed CLUP that would affect aesthetic resources. Therefore, the adoption of the proposed CLUP would not have any significant impact on aesthetic resources.

MITIGATION: None Required.

B. AGRICULTURE RESOURCES						
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.						
		IMPACT				
WOULD THE PROJECT:		YES			NO	SOURCE
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Convert 10 or more acres of farmland classified as prime in the report *Soils of Santa Clara County* to non-agricultural use?	☐	☐	☐	☒	3,23,24,26
b)	Conflict with existing zoning for agricultural use?	☐	☐	☐	☒	9,21a
c)	Conflict with an existing Williamson Act	☐	☐	☐	☒	1

	Contract?					
d)	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒	3,4,26

DISCUSSION: The San Jose International Airport is located outside downtown San Jose, in a densely populated urban area, with little agricultural potential anywhere within the AIA. Therefore, approval of the project will not have any negative potential impacts to agricultural resources. However, although there is no land designated for Agriculture, the use of land within the San Jose International Airport AIA for agricultural purposes is not inconsistent with the CLUP.

MITIGATION: None Required

C. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

		IMPACT				
WOULD THE PROJECT:		**YES**			**NO**	
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	**SOURCE**
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	5,28
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒	5,29
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒	5,29
d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	5,29
e)	Create objectionable odors or dust affecting a substantial number of people?	☐	☐	☐	☒	5,21, 29, 47

DISCUSSION:
Approval of the project will not have potential air quality impacts, because it will have no direct or indirect impact on emission sources. As discussed in sections I (Land Use) and K (Population and Housing) below, adoption of the CLUP will not result in displacement of residential or other uses and therefore would not lead to increased vehicle miles traveled.

Climate Change Discussion:

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.), which limits statewide greenhouse gas (GHG) to 1990 levels and establishes a goal of achieving these

emissions reductions by 2020 (representing a 25 percent reduction in emissions). AB 32 requires the California Air Resources Board (CARB) to adopt a comprehensive blueprint for limiting greenhouse gas emissions (by the end of 2008), and complete the necessary rulemaking to implement that plan by the end of 2011.

In addition, the adoption of SB 97 in 2007 mandates that the California Office of Planning and Research (OPR) prepare CEQA Guidelines which establish standards for evaluating greenhouse gas emissions including the creation feasible mitigation measures. The California Resource Agencies are required to adopt these new guidelines by January 1, 2010. In June, 2008, OPR published Technical Advisory document providing Interim Guidance on Addressing Greenhouse Gas Emissions in CEQA Documents. This Technical Advisory document recommends that all public agencies in California incorporate an evaluation of climate change and greenhouse gas emissions into their CEQA documents. In October, 2008, CARB staff published a preliminary proposal of a methodology for interim CEQA greenhouse gas emission thresholds.

Currently, the guidelines are still in review and there is no clear and consistent standard available for evaluating and determining the potential significance of greenhouse gas emissions from any single project. As the creation of greenhouse gas emissions and resulting climate change is a global phenomenon, it is very difficult to quantify and specify how a single individual project makes a cumulatively considerable contribution of greenhouse gas emissions.

Most greenhouse gas emissions originate from carbon dioxide, with other pollutants such as methane also contributing smaller overall amounts on a worldwide scale. Man-made greenhouse gas emissions originate from a variety of sources, notably industrial processes, transportation, and energy production. Within California, the leading contributors of greenhouse gas emissions are transportation (41%), industrial processes (23%), and energy production (20%).

As discussed in the Population and Housing section below, adoption of the CLUP will not result in displaced development that could have secondary impacts, including Greenhouse Gas Emissions. Thus, the proposed project will not result in any cumulative considerable greenhouse gas emissions.

MITIGATION: None Required

D. BIOLOGICAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	**YES**			**NO**	**SOURCES**
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*	☐	☐	☐	☒	1, 7, 17b, 17o,

b)	*Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*	☐	☐	☐	☒	3,7, 8a, 17b, 17e, 33
c)	*Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?*	☐	☐	☐	☒	3, 7, 17n, 32
d)	*Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*	☐	☐	☐	☒	1,7, 17b, 17o
e)	*Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*	☐	☐	☐	☒	3,4
f)	Conflict with any local policies or ordinances protecting biological resources:					
	i) Tree Preservation Ordinance [Section C16]?	☐	☐	☐	☒	1,3,31
	ii) *Wetland Habitat [GP Policy, R-RC 25-30]?*	☐	☐	☐	☒	3, 8a
	iii) *Riparian Habitat [GP Policy, R-RC 31-41]?*	☐	☐	☐	☒	3, 8a,

DISCUSSION: Approval of the project will not impact any biological resources. The project does not foster development or other activities that could impact species or their habitat. One of the safety goals of the ALUC is to adopt policies that avoid land uses that attract raptors to areas near runways that could cause a hazard to aviation safety. In this regard, the adoption of the CLUP could benefit wildlife.

MITIGATION: None Required

E. CULTURAL RESOURCES						
		IMPACT				
WOULD THE PROJECT		**YES**			**NO**	**SOURCE**
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?	☐	☐	☐	☒	3, 16, 19, 40, 41
b)	Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines?	☐	☐	☐	☒	3, 19, 40, 41,
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	2,3,4,,40,41
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	2, 40,41

e)	Change or affect any resource listed in the County Historic Resources Database?	☐	☐	☐	☒	16

DISCUSSION:
Approval of the project will not have potential impacts to cultural resources. The project does not foster development or other activities that would impact cultural resources.

MITIGATION: None Required

F. GEOLOGY AND SOILS						
		IMPACT				
WOULD THE PROJECT:		**YES**			**NO**	**SOURCE**
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒	6, 17L, 43
	ii) Strong seismic ground shaking?	☐	☐	☐	☒	6, 17c,18b
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	6, 17c, 17n, 18b
	iv) Landslides?	☐	☐	☐	☒	6, 17L, 118b
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	6, 2, 3
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒	2, 3, 17c, 23, 24, 42
d)	Be located on expansive soil, as defined in the report, *Soils of Santa Clara County*, creating substantial risks to life or property?	☐	☐	☐	☒	14,23, 24,
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒	3,6, 23,24,
f)	Cause substantial compaction or over-covering of soil either on-site or off-site?	☐	☐	☐	☒	3, 6
g)	Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill?	☐	☐	☐	☒	2, 3, 6, 42

DISCUSSION:
Approval of the project will not have potential impacts to geology and soils because it does not foster development or other land disturbance activities.

MITIGATION: None Required

G. HAZARDS & HAZARDOUS MATERIALS						
	IMPACT					
WOULD THE PROJECT	YES			NO		
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1, 3, 4, 5
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	☐	☐	☐	☒	46
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	47
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	5, 48
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	4
h) Provide breeding grounds for vectors?	☐	☐	☐	☒	1, 3, 5
i) Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?	☐	☐	☐	☒	3
j) Involve construction of a building, road or septic system on a slope of 30% or greater?	☐	☐	☐	☒	1, 3, 17n
k) Involve construction of a roadway greater than 20% slope for a distance of 300' or more?	☐	☐	☐	☒	1, 3, 17n

DISCUSSION:

One of the main purposes of the SJC CLUP is to help decision makers avoid making land-use decisions that could possibly increase safety hazards for people residing or working in or around the airport. Thus, reducing the risk of airport related hazards within vicinity of the airport should result from the adoption of the CLUP. The safety policies of the CLUP identify that above-ground storage of fuel or other hazardous materials is inconsistent with the CLUP in the highest

risk areas (Runway Protection Zone, Inner Safety Zone and Turning Safety Zones) surrounding the airport. Therefore, approval of the project will not have an adverse impact on Hazards and Hazardous Materials.

MITIGATION: None Required

H. HYDROLOGY AND WATER QUALITY					
	IMPACT				
WOULD THE PROJECT:	**YES**			**NO**	**SOURCE**
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	34, 36
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	☐	☐	☐	☒	3, 4
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒	3, 17n
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Note policy regarding flood retention in watercourse and restoration of riparian vegetation for West Branch of the Llagas.)	☐	☐	☐	☒	3
e) Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	1, 3, 5, 36, 21a
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒	1, 3, 5
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	3, 18b, 18d
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	3, 18b, 18d
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	2, 3, 4
j) Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe	☐	☐	☐	☒	4, 6a,

	Watershed)?					
k)	Be located in an area known to have high levels of nitrates in well water?	☐	☐	☐	☒	4
l)	Result in a septic field being constructed on soil where a high water table extends close to the natural land surface?	☐	☐	☐	☒	3
m)	Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?	☐	☐	☐	☒	1, 3

DISCUSSION: Approval of the project will not have potential impacts to hydrology and water quality, because it does not foster development or other activities that would affect ground water or drainage/runoff.

MITIGATION: None Required

I. LAND USE						
		IMPACT				
WOULD THE PROJECT:		**YES**			**NO**	
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	**SOURCE**
a)	Physically divide an established community?	☐	☐	☐	☒	2, 4
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	8a, 9, 18a
c)	Conflict with special policies:					
	i) San Martin &/or South County?	☐	☐	☐	☒	1, 3, 8a, 20
	ii) Los Gatos Specific Plan or Lexington Watershed?	☐	☐	☐	☒	1, 3, 8a, 22c
	iii) New Almaden Historical Area/Guadalupe Watershed?	☐	☐	☐	☒	1, 8a
	iv) Stanford?	☐	☐	☐	☒	8a, 21
	v) City of Morgan Hill Urban Growth Boundary Area?	☐	☐	☐	☒	8a, 17a
	vi) West Valley Hillsides Preservation Area?	☐	☐	☐	☒	1, 8a

DISCUSSION: Approval of the project will not have any adverse land use impacts. In developing the San Jose CLUP, the ALUC and County staff have worked closely with the Cities of San Jose and Santa Clara to ensure that the policies included in the CLUP will not create undue difficulties in allowing the Cities to amend their General Plans to be consistent with the CLUP. The CLUP includes the Cities' General Plan Land Use and Zoning maps for reference to current Land Use designations and Zoning around the Airport. In order to maintain consistent land use policies between the CLUP policies and the Cities, state law requires that within 180 days upon receipt of an ALUC plan amendment, the affected Cities shall amend their General Plan. (Government Code § 65302.3.)

After approval of the ALUC CLUP, the Cities of San Jose and Santa Clara may need to amend their General Plans or otherwise adopt regulations pertaining to the following:

1. Requiring avigation easements throughout the AIA (policy G-5 of the CLUP)

2. Requiring rental tenant notification of the proximity to the airport (policy N-5 of the CLUP)

3. Requiring max 45 dB interior for residential reconstruction (policy N-4 of the CLUP)

4. Adopting General Plan land use restrictions to reflect the RPZ, ISZ and TSZ requirements (Table 4-2 of the CLUP, *safety compatibility guidelines*).

As discussed below under Section K (Population and Housing), the project also will not displace growth or otherwise directly or indirectly result in any other adverse land use impacts. Items 1-3 above will require City staff time and City Council approval to implement, but will not conflict with any applicable land use plan. Item number four above will involve inclusion of the following safety policies within the respective safety zones, which can be found on Table 4-2 of the SJC CLUP:

Safety Zone	Maximum Population Density	Open Area Requirements	Land Use
Runway Protection Zone – RPZ	-0- (No people allowed)	100 percent (No structures allowed)	Agricultural activities, roads, open low-landscaped areas. No trees, telephone poles or similar obstacles. Occasional short-term transient vehicle parking is permitted.
Inner Safety Zone –ISZ	Nonresidential, maximum 120 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area)	30 percent of gross area open. No structures or concentrations of people between or within 100 feet of the extended runway centerlines.	No residential. Nonresidential uses should be activities that attract relatively few people. No shopping centers, restaurants, theaters, meeting halls, stadiums, multi-story office buildings, labor-intensive manufacturing plants, educational facilities, day care facilities, hospitals, nursing homes or similar activities. No hazardous material facilities (gasoline stations, etc.).
Turning Safety Zone – TSZ	Nonresidential, maximum 200 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area)	20 percent of gross area Minimum dimensions: 300 ft by 75 ft parallel to the runway(s).	Residential - if non-residential uses are not feasible, allow residential infill to existing density. No regional shopping centers, theaters, meeting halls, stadiums, schools, day care

			centers, hospitals, nursing homes or similar activities. No hazardous material facilities (gasoline stations, etc.).
Outer Safety Zone –OSZ	Nonresidential, maximum 300 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area)	20 percent of gross area	Residential - if non-residential uses are not feasible, allow residential infill to existing density. No regional shopping centers, theaters, meeting halls, stadiums, schools, large day care centers, hospitals, nursing homes or similar activities. No above ground storage of fuel or other hazardous materials.
Sideline Safety Zone - SSZ	Nonresidential, maximum 300 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area)	30 percent of gross area	Residential - if non-residential uses are not feasible, allow residential infill to existing density. No regional shopping centers, theaters, meeting halls, stadiums, schools, large day care centers, hospitals, nursing homes or similar activities. No above ground bulk fuel storage.
Traffic Pattern Zone – TPZ	No Limit	10 percent of gross area every one-half mile	Residential – No Limit. No sports stadiums or similar uses with very high concentration of people. Note that this applies only to those areas inside the Airport Influence Area. (See Paragraph 3.5.7, Pg 3-15)
Source: Based on 2002 *Airport Land Use Planning Handbook* prepared by the California Department of Transportation, Division of Aeronautics			

The City of San Jose is currently preparing a General Plan Amendment that will include policies to the year 2040. This amendment has yet to be adopted and is not expected to be completed in the near future. Therefore, the current 2020 City of San Jose General Plan is the document that must be consistent with the proposed CLUP. Similarly, the City of Santa Clara is currently preparing an amendment to their General Plan to introduce a 30-year Progressive Plan. However, the amendment has yet to be adopted and is not expected to be completed before the adoption of the SJC CLUP. Therefore, the current General Plan of the City of Santa Clara is the document that needs to be consistent with the proposed CLUP.

Amendment of 2020 City of San Jose General Plan and the current City of Santa Clara General Plan to include these safety policies will ensure there are no conflicts with any applicable land use plan, policy, or regulation

MITIGATION: None Required

J. NOISE						
	IMPACTS				SOURCE
WOULD THE PROJECT:	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒	8a, 13, 22a, 45
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	13
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 2, 5
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 2, 5
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 5, 22a,45.1

DISCUSSION: Adoption of the San Jose CLUP would not have any adverse impact related to noise. One of the primary purposes of the CLUP is to reduce noise impacts for sensitive receptors.

In October 2002, the Santa Clara County Board of Supervisors approved an FAR Part 150 Noise Compatibility Program (NCP) for San Jose Airport and forwarded it to the FAA for review. The NCP forecasts a reduction in the CNEL noise contours if the policies recommended in the NCP are implemented. However, following the recommendations in the 2002 Handbook, this CLUP is using the more conservative NCP 2007 noise contour information. Using the NCP 2007 contour information allows the proposed CLUP policies to be based on the most current contours.

The SJC CLUP includes the adoption of the 65, 70 and 75 dBA CNEL Noise Contour maps. These maps delineate the Community Noise Equivalent Level (CNEL) boundary of the respective decibels as a result of airport operations at San Jose International Airport. If a project is referred to the ALUC and is within the 65, 70 or 75 dBA CNEL Noise Contours, the applicable noise policies would apply.

Projects located within the respective CNEL Noise Contours receive recommended mitigation for noise attenuation if the adopted thresholds are exceeded to reduce the effects of airplane noise on the subject properties. The CLUP policies apply to new development, not existing development. Moreover, there are exceptions for certain types of infill development/ redevelopment.

Although the adopted maps will include a 75 dBA CNEL Noise Contour, 90% of the contour is entirely located on airport property. The remaining 10% of the contour is [fill in]. A discussion of the land use impacts on private property, by adopting the proposed noise contours will be discussed under Section K (Population and Housing).

Within the 70dBA Noise contour the types of land uses consistent with the CLUP policies are: Sports Arenas, outdoor spectator sports, parking, Golf course, riding stables, water recreation and cemeteries. Noise may be considered a significant impact if ambient noise levels exceed 65 dB CNEL attributable to airport operations. CLUP policy 4.3.8.1 (I-2 b, c) states that Infill projects may be approved if all of the following conditions are met:

a) The total contiguous undeveloped land area at this location is less than 0.25 acres in size. Note that this means the total contiguous undeveloped land area, not just the land area being proposed for development. Lots larger than 0.25 acres shall not be considered for infill.

b) The site is already surrounded on three sides and a street, or two sides and two streets, by the same land use as that being proposed.

c) The local agency determines that the project will create no adverse impacts beyond those that already exist due to the existing incompatible land uses.

Therefore, the CLUP policies would allow infill development within the 70 CNEL Noise Contour, but would ensure an avigation easement was granted to acknowledge to the occupants of the properties that aircraft flying over head may cause noise disruption. The CLUP acknowledges that outdoor activities are likely to be adversely affected.

Within the 65 dBA Noise Contour, the only uses that would be inconsistent with the proposed CLUP would be schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls and amphitheaters. The primary reason is because the users or occupants of these types of non-residential uses are more sensitive to noise than other commercial types of uses. Other types of Commercial or Industrial uses are deemed generally acceptable in the 65dBA CNEL, but noise attenuation is suggested.

The Airport prepares quarterly noise monitoring reports to identify incompatible land uses within the 65 CNEL. Of the sensitive receptors, the quarterly reports specifically identify Churches, Hospitals and Schools. The last quarterly report dated June 30, 2009 identified no incompatible land uses within the 65 CNEL contour. This is primarily due to the reduction in aircraft activity. However, there is a Hospital to the north of the Airport in the City of Santa Clara, as well as various small churches within the 65 dBA CNEL Noise Contour in both Cities. The effect of the new 65 dBA CNEL Noise Contour on the school is the same as the current impact, which is that any future additions or redevelopment would be discouraged, or required to be oriented on the site outside of the 65 dBA Noise Contour if possible. At a minimum, insulation would be required to get interior noise levels to not exceed 45 dBA.

To safeguard against noise impacts for residential uses within the 65 CNEL Noise Contour, the CLUP contains the following policies:

Policy N-5;

All property owners within the 65 dB CNEL contour boundary who rent or lease their property for residential use shall include in their rental/lease agreement with the tenant, a statement advising that they (the tenants) are living within a high noise area and the exterior noise level is predicted to be greater than 65 dB CNEL.

The purpose of this policy is to inform tenants that aircraft will be generating noise overhead and disclose that there could be some noise disruption.

Policy N-4;

No residential construction shall be permitted within the 65 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound levels will be less than 45 dB CNEL and there are no outdoor patios or outdoor activity areas associated with the residential project. (Sound wall noise mitigation measures are not effective in reducing noise generated by aircraft flying overhead.)

The new noise contours and policies will have a beneficial impact by discouraging new residential and other noise-sensitive uses such as churches, schools, libraries and auditoriums in areas with high noise levels. With exception of the acknowledgement that residential outdoor activities are not consistent with the CLUP, the proposed CLUP is less restrictive than the 1992 County-wide CLUP policies. Thus approval of the project will not have any negative noise impacts.

MITIGATION: None Required

K. POPULATION AND HOUSING						
	IMPACT					
WOULD THE PROJECT:	**YES**			**NO**	**SOURCE**
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	1, 3, 4, 54, 55
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1, 2, 3, 4

DISCUSSION: Approval of the project would not induce growth, nor would it displace substantial numbers of existing housing or people.

This discussion concerns possible direct and indirect "growth inducing impacts" or secondary effects associated with potentially displacing new development within the new AIA, CNEL and Safety Zones to other areas, which could thus result in secondary environmental impacts (air quality, transportation, agriculture).

A project could displace development and induce growth in the surrounding environment if it would create barriers to population growth in a certain areas that currently allow new development of the types that may be displaced to occur.

The Airport Land Use Commission serves as a policy making body for lands around San Jose International Airport, and makes land use consistency determinations for certain types of land use approvals which occur within its referral area, also known as the Airport Influence Area (AIA). This includes the review of modifications to a local agency's general plan, specific plans, zoning ordinances, or building regulations that would affect property within the AIA. If the ALUC determines that a project or policy under its review is inconsistent with the policies contained in the CLUP, including policies applicable to noise and safety, the referring agency may only approve the project or policy if it overrides the ALUC's determination by a 2/3 vote of the entire legislative body and makes certain findings. Theoretically, if an Airport's referral boundary was to significantly expand in size and affect a substantial portion of land and/or a CLUP's policies were made significantly more restrictive, subsequent determinations of inconsistency by the ALUC regarding new projects or policies could potentially displace new development that may otherwise occur within the affected zones. Thus, theoretically, this development might then occur elsewhere, perhaps on the fringes of cities or non-urban areas, if there is not sufficient urban land available or infrastructure to serve it. This chain of events could result in potential secondary environmental impacts, such as traffic and air quality impacts due to longer commute distances.

In order to evaluate the possibility for this occurrence in association with the San Jose Airport CLUP adoption, GIS maps were prepared to identify the potentially affected areas and compare the amount of land that could be affected by the adoption of the modified AIA, CNEL FAR Part 77 and Safety Zone maps and CLUP policies. These maps and analysis are discussed below:

ALUC SJC Referral Boundary (AIA): Figure 8 of the San Jose International Airport CLUP shows the AIA. The AIA is expanding to the west to accommodate the inclusion of the Traffic Pattern Zone. The total amount of additional lands affected by the new ALUC Referral boundary would be 8007 acres as compared to 6920 within the current AIA. The inclusion of additional land within the AIA does not, by itself, have any potential for displacement effects because the proposed CLUP does not include any policies that would preclude or significantly discourage any land uses simply based on their location within the AIA.

65, 70, and 75 dBA CNEL Noise Contours – Figure 5, the Noise Contour maps, delineate the Community Noise Equivalent Level (CNEL) boundaries of the respective decibels as a result of airport operations at San Jose Airport. The calculation reflects the 2022 Aircraft Noise Contours.

The Cities of San Jose and Santa Clara use the DNL (Day/Night Level) method to identify noise. According to the California Land Use Planning Information Network, the CNEL noise model was developed for the State of California and is almost identical to the DNL, except that it introduces an intermediate weighting for the early evening hours between 7:00 p.m. and 10:00 p.m. in addition to the weighting for the nighttime hours (10:00 p.m. to 7:00 a.m.). CNEL, like DNL, can be measured directly. DNL is approximately equal to CNEL in almost all situations. Therefore, for purposes of this noise analysis, it is reasonable to assume that CNEL and DNL are synonymous.

The City of San Jose 2020 General Plan identifies that for Commercial and Industrial uses, if new development requires an environmental impact report, an acoustical analysis should be made indicating the amount of attenuation necessary to maintain an indoor level of 45 DNL. The City's General Plan also provides that onsite outdoor activity should be limited to acoustically protected areas. The proposed CLUP policies discourage new construction in these areas. However, in keeping with the City of San Jose General Plan policies, the CLUP acknowledges that if development is allowed to proceed, a detailed acoustical analysis must be made to identify acoustical insulation. The CLUP discloses that outdoor activities will be adversely affected. The effect of the different noise contours on new residential and other types of land uses is described below.

The City of Santa Clara General Plan identifies that within the City the primary noise sensitive areas are: 1) Agnews Hospital, the surrounding residences and elementary schools, all of which are under the SJC airport flight path; 2) residential developments along the railroad lines and Lawrence and San Tomas Expressways; 3) the Mission Campus of the West Valley College; and 4) residential uses adjacent to industrial property north of SJC. The relationship of the types of Land Uses within the different noise contours is described below.

75 dBA CNEL Noise Contour

The proposed new maps will include a 75 dBA CNEL Noise Contour that will encompass 629 acres. However, the contour is mostly located on Airport property or Airport-owned property. The exception to this occurs in two places. One is to the south in the City of San Jose where it encroaches slightly onto Colemen Avenue and the Guadalupe Garden property, which is owned by the City of San Jose through the Airport. Being a road and an Airport owned piece of property, there is no opportunity for development to be displaced within the 75 dBA CNEL Noise Contour in the City of San Jose.

The other area located within the 75 dBA CNEL Noise Contour is to the north in the City of Santa Clara, where the Noise Contour crosses across Highway 101 and slightly encroaches into a commercially zoned area. This area is already developed, however, and the SJC CLUP does not affect existing development. However, if this privately owned property was ever re-developed, the appropriate use of the portion of the parcel within in the 75dBA CNEL Noise Contour would be a parking lot or loading area. [Q: Is this small enough to qualify for the infill exemption?] Therefore, there would be no displacement of development due to policies applicable to properties within the 75 dBA CNEL Noise Contour in the City of Santa Clara.

The Cities of San Jose and Santa Clara use the DNL (Day/Night Level) method to identify noise. According to the California Land Use Planning Information Network, the CNEL noise model was developed for the State of California and is almost identical to the DNL, except that it introduces an intermediate weighting for the early evening hours between 7:00 p.m. and 10:00 p.m. in addition to the weighting for the nighttime hours (10:00 p.m. to 7:00 a.m.). CNEL, like DNL, can be measured directly. DNL is approximately equal to CNEL in almost all situations. Therefore, for purposes of this noise analysis, it is reasonable to assume that CNEL and DNL are synonymous.

70 dBA CNEL Noise Contour

The new 70 dBA CNEL Noise Contour encompasses 799.9 total acres. Although this contour was not previously mapped in the 1992 County-wide CLUP or subsequent updates, the existing CLUP included policies applicable to properties within the 70 dBA CNEL Noise Contour.

In the City of San Jose the 70 dBA CNEL Noise Contour only encompasses property with a Commercial or Industrial land use designation. According to the proposed CLUP policies, the types of land uses consistent with the CLUP policies are: Sports Arenas, outdoor spectator sports, parking, Golf course, riding stables, water recreation and cemeteries. However, the commercial and industrial development already exists, so it would not be affected by the new CLUP policies. [Q: What does the existing CLUP provide with respect to these uses? I.e., is there any change from old CLUP to new CLUP?] If infill development occurs within this area of the City of San Jose, the infill development would be evaluated pursuant to CLUP policy 4.3.8.1 (I-2 b, c), which states that infill projects may be approved if all of the following conditions are met:

a) The total contiguous undeveloped land area at this location is less than 0.25 acres in size. Note that this means the total contiguous undeveloped land area, not just the land area being proposed for development. Lots larger than 0.25 acres shall not be considered for infill.

b) The site is already surrounded on three sides and a street, or two sides and two streets, by the same land use as that being proposed.

c) The local agency determines that the project will create no adverse impacts beyond those that already exist due to the existing incompatible land uses.

Therefore, it is highly unlikely that adoption of the SJC CLUP would displace development within the City of San Jose in the 70dBA CNEL Noise Contour.

In the City of Santa Clara, most land within the 70dBA CNEL Noise Contour has Commercial and Industrial land use designations. For the same reasons discussed above, there would be no displaced development for these areas.

With respect to residential uses within the 70 dBA CNEL Noise Contour, there is an area immediately north of the Airport in the City of Santa Clara with a land use designation of single-family residential (8 du/acre). Although new residential development would be considered inconsistent with the proposed CLUP, this area is already completely developed with single-family homes. The proposed CLUP does not affect existing development or infill redevelopment as described above. For the CLUP policies to preclude development, at least three existing single-family homes (.25-acre), would have to be acquired and demolished to create enough vacant land to be re-developed. In the unlikely event this scenario were to occur, the amount of residential development displaced would be minimal and would likely be absorbed within other urbanized areas. Thus, the likelihood that the proposed CLUP would displace enough residential development in the City of Santa Clara within the 70dBA CNEL Noise Contour to lead to secondary impacts is highly unlikely and speculative.

65 dBA CNEL Noise Contour

The new 65 dBA CNEL Noise Contour is 2,102 total acres, which is the same as the existing 65 dBA CNEL Noise Contour. The 65 dBA CNEL contour is the largest noise contour and provides a scale of how aircraft noise affects the properties surrounding the Airport. If a project is referred to the ALUC and is within the 65 dBA CNEL Noise Contour, the applicable noise policies would apply to protect citizens from the impacts of aircraft noise within this large land area.

The inconsistent land uses within the 65 dBA CNEL Noise Contour are churches, schools, libraries and hospitals, because these are the sensitive noise receptors potentially impacted by noise. There are a limited number of schools, churches libraries and hospitals in the City of San Jose within the 65 dBA CNEL Noise Contour. However, they are existing uses that would not be affected by the proposed CLUP. If those existing uses were to cease, the construction of new uses within the 65 cBA CNEL Noise Contour would be discouraged by the proposed CLUP policies. However, these policies are consistent with the City of San Jose's General Plan, which identifies the area around San Jose International as "special impact noise areas".

In the City of Santa Clara within the 65 dBA CNEL Noise Contour there is a mixture of land uses that range from single-family residential, educational, hospitals, churches, commercial, industrial open space and theme park. The City General Plan identifies residential, public-educational, recreational and commercial uses as incompatible land uses that require design and insulation to reduce the noise levels. This is consistent with the proposed CLUP policies, with the exception of schools, libraries, churches, hospitals, nursing homes and auditoriums. As previously mentioned these uses would be incompatible with the CLUP if new uses of these types were proposed within the 65 dBA CNEL Noise Contour.

The proposed CLUP provides that Residential uses are deemed acceptable within this noise contour if it can be demonstrated that the interior noise can be mitigated to 45 dBA. Outdoor activities are the only activities potentially impacted by noise in these areas. Thus, the CLUP policies are highly unlikely to displace new residential development within the 65 dBA CNEL Noise Contour.

Within all CNEL contour area, an analysis was prepared to calculate the amount of vacant land that could be affected by the new CNEL contours in both the City of San Jose and Santa Clara. Based on the analysis, there are 120 vacant parcels, which total 69.37 total acres. Most of this acreage is land along the Guadalupe River. Other vacant land is designed Parkland and/or Open Space by the Cities, similar to the Guadalupe River Park / Rose Garden, which is owned by the Airport and mostly within the Runway Protection Safety Zone for SJC. Therefore, analysis of the amount of vacant land with the respective Cites' General Plan designations in place at the time of the San Jose CLUP adoption shows that the vast majority of the properties within the Noise Contours are either already developed or are owned by public entities and not designated for uses that wold be incompatible with the proposed CLUP.

FAR Part 77: The FAR Part 77 map is a Federal Aviation Administration map that identifies objects that are potential obstructions to navigation. The ALUC uses the map to establish guidelines for the height of structures around the airport. The FAR Part 77 map itself has no impacts on population and housing.

Safety Zones: As shown in figure 7, the proposed Safety Zones are physically very different than the existing safety zones in the existing County-wide CLUP. This is the result of the 2002 Caltrans Handbook, and Caltrans-Aeronautics guidelines that encourage CLUPs to provide more detailed safety zones. An example of how the expanded safety zones affect physical building proposals is outlined in table 4-2 of the San Jose CLUP. The table provides maximum density and open space requirements for land uses within the safety zones, rather than prohibiting specific uses within the safety zones, with the exception of the Runway Protection Zone.

The land area in the south runway protection zone and inner safety zone is owned by the Airport and is used as a park and open space, with some recreational uses in the City of San Jose. Because the population density park uses are less than residential or commercial development, the proposed CLUP discourages buildings and simply encourages structures such as light standards and backstops to be built to a modest height and avoidance of events that draw large crowds in the event that a plane had to make an emergency landing there. This is an example of how the CLUP seeks to encourage compatible development, rather than displacing development and uses.

The total amount of land affected by the proposed safety zones compared to the area of the existing safety zones is outlined in the analysis below. First is a total amount of existing safety zone area in acres, followed by a summary of total acreage and finally, a breakdown for each sector of the safety zones to disclose the specific amount of each safety zone in each jurisdiction:

Existing Safety Zones:

South air carrier Runway Protection Zone - 120.10
North air carrier Runway Protection Zone - 106.64
11-29 Runway Protection Zone - 13.83

South air carrier Safety Zone - 333.38
North air carrier Safety Zone - 392.35
11-29 Safety Zone – 90.0

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Total Existing Safety Zones = 1,056.30 ac.

Summary of total proposed Safety Zones:

Inner Safety Zone - 506.98 Ac.
Outer Safety Zone - 313.17 Ac.
Runway Protection Zone - 239.97 Ac.
Sideline Safety Zone - 125.46 Ac.
Traffic Pattern Zone - 1719.19 Ac.
Turning Safety Zone - 490.35 Ac.

With 172 vacant parcels within all safety zones, which equals 91.08 acres.

Proposed Safety Zone Breakdown:

South Outer Safety Zone - 156.46
North Outer Safety Zone - 156.71

11-29 Traffic Pattern Zone - 1719.19

West Sideline Safety Zone - 35.38
East Sideline Safety Zone - 90.08

11-29 South Turning Safety Zone - 75.80
11-29 North Turning Safety Zone - 75.80
SE Turning Safety Zone - 99.19
SW Turning Safety Zone - 64.49
NW Turning Safety Zone - 75.83
NE Turning Safety Zone - 99.25

South Inner Safety Zone- 255.46
North Inner Safety Zone - 188.59
11-29 Inner Safety Zone - 62.94

South Runway Protection Zone - 120.10
North Runway Protection Zone - 106.08
11-29 Runway Protection Zone - 13.80

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Total New Safety Zones = 3,395.12 ac.

Overall, there are 1,056.30 acres of existing safety zone area, whereas, the combined area of the new safety zone area is 3,395.12 acres, for a net increase of 2,338.82 acres. In the following summary analysis, it should be noted that existing development is not affected by the project.

MITIGATION: None Required

L. PUBLIC SERVICES					
	IMPACT				
WOULD THE PROJECT:	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i) Fire Protection?	☐	☐	☐	☒	1, 3, 5
ii) Police Protection?	☐	☐	☐	☒	1, 3, 5
iii) School facilities?	☐	☐	☐	☒	1, 3, 5
iv) Parks?	☐	☐	☐	☒	1, 3, 5
v) Other public facilities?	☐	☐	☐	☒	1, 3, 5

DISCUSSION: Approval of the project, including the modifications to the San Jose AIA, 65, 70 and 75 dBA CNEL contours, FAR Part 77, and Safety Zone maps will not have potential impacts to public services.

MITIGATION: None Required

M. RESOURCES AND RECREATION					
	IMPACT				
WOULD THE PROJECT:	YES			NO	SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	☐	☐	☐	☒	1, 2, 3, 6, 44
b) Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒	1, 2, 3, 6,8a
c) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1, 2, 4, 5
d) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 3, 4, 5
e) Be on, within or near a public or private park, wildlife reserve, or trail or affect existing or future recreational opportunities?	☐	☐	☐	☒	17h, 21a

f)	Result in loss of open space rated as high priority for acquisition in the "Preservation 20/20" report?	☐	☐	☐	☒	27

DISCUSSION: Approval of the project, including the modifications to the San Jose AIA, 65, 70 and 75 dBA CNEL contours, FAR Part 77, and Safety Zone maps will not have potential impacts related to recreational facilities or mineral resources.

MITIGATION: None Required

N. TRANSPORTATION / TRAFFIC						
		IMPACT				**SOURCE**
WOULD THE PROJECT:		**YES**			**NO**	
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio, or congestion at intersections)?	☐	☐	☐	☒	1, 4, 5, 6, 7, 49, 53
b)	Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?	☐	☐	☐	☒	6, 49, 50, 53
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	5, 6, 7, 53
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	3, 5, 6,7, 53
e)	Result in inadequate emergency access ?	☐	☐	☐	☒	1, 3, 5, 48, 53
f)	Result in inadequate parking capacity?	☐	☐	☐	☒	52, 53
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	8a, 21a
h)	Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way?	☐	☐	☐	☒	3, 6, 7, 53

DISCUSSION:
Approval of the project, including the modifications to the San Jose AIA, 65, 70 and 75 dBA CNEL contours, FAR Part 77, and Safety Zone maps will not have potential transportation or traffic related impacts.

MITIGATION: None Required

O. UTILITIES AND SERVICE SYSTEMS		
	IMPACT	**SOURCE**

WOULD THE PROJECT:	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1, 3, 5,
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1, 3, 5, 21a, 38
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1, 3, 5
d) Require new or expanded entitlements in order to have sufficient water supplies available to serve the project?	☐	☐	☐	☒	1, 3, 5, 21,
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1, 3, 5
f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1, 3, 5
g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	5, 6
h) Employ equipment which could interfere with existing communications or broadcast systems?	☐	☐	☐	☒	1, 3, 5

DISCUSSION: Approval of the project, including the modifications to the San Jose AIA, 65, 70 and 75 dBA CNEL contour, and Safety Zone for San Jose International Airport will not have potential impacts to utilities or service systems.

MITIGATION: None Required

P. MANDATORY FINDING OF SIGNIFICANCE					
	IMPACT				
WOULD THE PROJECT:	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species,*	☐	☐	☐	☒	1 to 53

	cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					
b)	Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒	1 to 53
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	1 to 53

DISCUSSION:

Implementation of the project will not trigger any mandatory findings of significance.

1. Environmental Information Form
2. Field Inspection
3. Project Plans
4. Planner's Knowledge of Area
5. Experience With Other Projects of This Size and Nature
6. County Expert Sources: Geologist, Fire Marshal, Roads & Airports, Environmental Health, Land Development Engineering, Parks & Recreation, Zoning Administration, Comprehensive Planning, Architectural & Site Approval Committee Secretary
7. Agency Sources: Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, Midpeninsula Openspace Regional District, U.S. Fish & Wildlife Service, CA Dept. of Fish & Game, Caltrans, U.S. Army Core of Engineers, Regional Water Quality Control Board, Public Works Depts. of individual cities, Planning Depts. of individual cities,
8a. Santa Clara County (SCC) General Plan
8b. The South County Joint Area Plan
9. SCC Zoning Regulations (Ordinance)
10. County Grading Ordinance
11. **SCC Guidelines for Architecture and Site Approval**
12. SCC Development Guidelines for Design Review
13. County Standards and Policies Manual (Vol. I - Land Development)
14. Table 18-1-B of the Uniform Building Code [1994 version]
15. Land Use Database
16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
17. GIS Database
- **a. SCC General Plan Land Use, and Zoning**
- **b. Natural Habitat Areas & Riparian Plants**
- **c. Relative Seismic Stability**
- **d. Archaeological Resources**
- **e. Water Resources & Water Problems**
- **f. Viewshed and Scenic Roads**
- **g. Fire Hazard**
- **h. Parks, Public Open Space, and Trails**
- **i. Heritage Resources**
- **j. Slope Constraint**
- **k. Serpentine soils**
- **l. State of California, Alquist-Priolo Earthquake Fault Zones, and County landslide & fault zones**
- **m. Water Problem/Resource**
- **n. USGS Topo Quad, and Liquefaction**
- **o. Dept. of Fish & Game, Natural Diversity Data**
- **p. FEMA Flood Zones**

Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
- **a. SCC Zoning**
- **b. Barclay's Santa Clara County Locaide Street Atlas**
- **c, Color Air Photos (MPSI)**
- d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
- **e. Soils Overlay Air Photos**
- **f. "Future Width Line" map set**

19. CEQA Guidelines [Current Edition]

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a.San Martin Integrated Design Guidelines
20b.San Martin Water Quality Study
20c.Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
21b. Stanford Protocol and Land Use Policy Agreement

Other Areas

22a.ALUC Land Use Plan for Areas Surrounding Airports [1992 version]
22b.Los Gatos Hillsides Specific Area Plan

Initial Study Source List*

22c.County Lexington Basin Ordinance Relating to Sewage Disposal

Soils

23.USDA, SCS, "Soils of Santa Clara County

24.USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

Air Quality

28. BAAQMD Clean Air Plan (1997)

29. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [1999]

Biological Resources/
Water Quality & Hydrological Resources/
Utilities & Service Systems"

30. Site-Specific Biological Report

31. Santa Clara County Tree Preservation Ordinance Section C16

32. Clean Water Act, Section 404

33. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988

34.CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]

35. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]

36. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]

37.County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"

38.County Environmental Health Department Tests and Reports

39.Calphotos website: http://www.elib.cs.berkeley.edu/photos

Archaeological Resources

40.State Archaeological Clearinghouse, Sonoma State University

41. Site Specific Archaeological Reconnaissance Report

Geological Resources

42. Site Specific Geologic Report

43.State Department of Mines and Geology, Special Report #42

44. State Department of Mines and Geology, Special Report #146

Noise

45. County Noise Ordinance

45.1 California Land Use Planning Information Network **(LUPIN), www.ceres.ca.gov/planning**

Hazards & Hazardous Materials

46.Section 21151.4 of California Public Resources Code

47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List

48. County Office of Emergency Services Emergency Response Plan [1994 version]

Transportation/Traffic

49. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.

50. SCC Congestion Management Agency, "2000 Monitoring and Conformance report"

51. Official County Road Book

52. County Off-Street Parking Standards

53. Site-specific Traffic Impact Analysis Report

54. San Jose General Plan

55. San Jose Vacant Land Inventory, July 2004

***Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicate a potential environmental impact.**