FIRST AMENDMENT TO THE
DRAFT ENVIRONMENTAL IMPACT REPORT

AMENDMENT TO NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT MASTER PLAN

CITY OF SAN JOSE PP 18-103
SCH #2018102020

NORMAN Y. MINETA
SAN JOSE
INTERNATIONAL
AIRPORT
TM

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ENVIRONMENTAL CONSULTANTS & PLANNERS

FEBRUARY 2020

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SECTION 1.0 INTRODUCTION

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the Amendment to Norman Y. Mineta San José International Airport Master Plan (Project).

1.1 PURPOSE OF THE FINAL EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City of San José and any Responsible Agencies in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the lead agency shall certify that:

(1) The final EIR has been completed in compliance with CEQA;
(2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
(3) The final EIR reflects the lead agency's independent judgment and analysis.

1.2 CONTENTS OF THE FINAL EIR

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

a) The Draft EIR or a revision of the Draft;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
e) Any other information added by the Lead Agency.

1.3 PUBLIC REVIEW

In accordance with CEQA and the CEQA Guidelines (Public Resources Code Section 21092.5[a] and CEQA Guidelines Section 15088[b]), the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at the Department of Planning Building & Code Enforcement, San José City Hall, 3rd Floor, 200 East Santa Clara Street, San José on weekdays during normal business hours. The Final EIR is also available for review on the City of San José's website: https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/sjc-airport-master-plan-update

SECTION 2.0 DRAFT EIR PUBLIC REVIEW SUMMARY

The Draft EIR for the Amendment to Norman Y. Mineta San José International Airport Master Plan Project, dated November 2019, was circulated to affected public agencies and interested parties for a 52-day review period from November 27, 2019 through January 17, 2020. The City of San José undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City's website and in the San José Mercury-News;
- Notification of the availability of the Draft EIR was mailed to project-area residents and other members of the public who had indicated interest in the Project;
- The Draft EIR was delivered to the State Clearinghouse on November 27, 2019 as well as sent to various governmental agencies, organizations, businesses, and individuals (see Section 3.0 for a list of agencies, organizations, businesses, and individuals that received the Draft EIR) or the Notice of Availability of the Draft EIR; and
- Copies of the Draft EIR were made available on the City's website: https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/sjc-airport-master-plan-update

SECTION 3.0 DRAFT EIR RECIPIENTS

CEQA Guidelines Section 15086 requires that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The Notice of Availability of the Draft EIR was sent to the following:

Santa Clara County Agencies

- County of Santa Clara, Planning Department
- Santa Clara County Airport Land Use Commission
- Santa Clara County Roads & Airports

Santa Clara County Board of Supervisors

- Fifth District, S. Joseph Simitian

City of San José Internal Contacts

- Mayor and City Council
- Planning Commission
- Airport Commission
- Historic Landmarks Commission

Outside Public Agencies

- Bay Area Air Quality Management District
- City of Campbell
- City of Cupertino
- City of Fremont
- City of Milpitas
- City of Morgan Hill
- City of Santa Clara
- City of Saratoga
- City of Sunnyvale
- City of Palo Alto
- City of Mountain View
- Town of Los Gatos
- Santa Clara Valley Transportation Authority
- Santa Clara Valley Habitat Agency
- Metropolitan Transportation Commission/Association of Bay Area Governments

Water Agencies

- Santa Clara Valley Water District
- San Jose Water Company

State Agencies

- California Department of Transportation, District 4
- California Department of Transportation, Division of Aeronautics
- California Department of Transportation, Planning
- California Energy Commission
- California Environmental Protection Agency
- California Department of Fish and Wildlife, Region 3
- California Air Resources Board
- California Emergency Management Agency
- California Department of Housing and Community Development
- California Department of Toxic Substances Control
- Native American Heritage Commission
- State Office of Historic Preservation
- Regional Water Quality Control Board, District 2
- San Francisco Bay Conservation and Development Commission

Tribal Representatives

- Andrew Galvin – The Ohlone Indian Tribe
- Valentin Lopez – Amah Mutsun Tribal Band
- Irenne Zwierlein – Amah Matsun Tribal Band of Mission San Juan Bautista
- Ann Marie Sayers – Indian Canyon Mustun Band of Costanoan
- Monica Arellano – Muwekma Ohlone Indian Tribe of the SF Bay Area
- Katherine Perez – North Valley Yokuts Tribe

Unions

- Janet Laurain, Adams Broadwell Joseph & Cardozo
- Lozeau Drury LLP, Richard Drury

Community and Environmental Organizations

- Guadalupe-Coyote Resource Conservation District, Larry Johmann
- Greenbelt Alliance
- PG&E – Land Rights Services
- Sierra Club – Loma Prieta Chapter
- California Native Plant Society, Santa Clara Valley Chapter
- San José Downtown Association
- Santa Clara Valley Audubon Society
- Transform
- Sunnyvale-Cupertino Airplane Noise Group
- SPUR

- Santa Clara Valley Open Space Authority
- Preservation Action Council of San Jose

Individuals (contacts from Notice of Preparation, Scoping Meeting, or Public Correspondence)

- Ken Pyle
- Alec Banh
- Tess Da Silva
- Katja Irvin
- Darlene Yaplee
- Catherine Hendrix
- Robert Holbrook
- Tuyet Le
- Jean-Christophe Deprez
- Jennifer Trey
- Dan L. Connolly
- Marie-Jo Fremont
- Raymond Greenlee
- Zachary Kaufam
- Kevin Johnston
- Jean Dresden
- Dr. Lawrence Ames
- Erik Schoennauer

The Notification of Availability of the Draft EIR was also sent through a newsflash to the City's Planning Notification list, encompassing over 900 individuals.

SECTION 4.0 RESPONSES TO DRAFT EIR COMMENTS

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City of San José on the Draft EIR.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

Many of the comments received on the Draft EIR raised similar concerns regarding the issue of noise from aircraft flights over the cities of Palo Alto, Mountain View, Cupertino, and Sunnyvale. To avoid duplication and to provide one comprehensive response, a "*Master Response on Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto*" was prepared. The Master Response begins on page 9 of this First Amendment to the DEIR.

Comment Letter and Commenter **Page of Response**

MASTER RESPONSE:

AIRCRAFT NOISE IMPACTS IN CUPERTINO, SUNNYVALE, MOUNTAIN VIEW, AND PALO ALTO

Introduction and Background

The City received multiple comments on the DEIR from residents in Cupertino, Sunnyvale, Mountain View, and Palo Alto regarding the aircraft-related noise impacts of the project. The comments all expressed the same sentiment, namely a frustration associated with being exposed in the authors' opinions to excessive noise from aircraft overflights. The comments state that the problem of aircraft noise impacts is exacerbated due to the following:

- The presence of multiple airports in the region, including San José (SJC), San Francisco (SFO), Oakland (OAK), Palo Alto (PAO), and Moffett Federal Airfield (NUQ), flight tracks to/from all of which pass over Palo Alto, Cupertino, Mountain View, and Sunnyvale to varying degrees.

- FAA's 2015 implementation of its *NextGen Program for the Northern California Metroplex* (NextGen), which concentrated flight paths over certain corridors in which residents bear the brunt of aircraft noise. Prior to the implementation of NextGen, aircraft flight tracks were dispersed over a broader area thereby limiting the noise impacts on individual homes. NextGen switched from a radar-based approach to a GPS approach, which also resulted in the use of Required Navigation Performance (RNP) and Optimal Profile Descent (OPD). These tools and procedures create a concentration of flight paths over specific neighborhoods and homes.[1]

- The increase in the number of flights in recent years due to regional growth, an increase that, as described in the DEIR, is projected to continue.

The comments argue that the projected increase in flights at SJC that are disclosed in the DEIR will by themselves, as well as in combination with flights to/from other nearby airports, result in significant noise impacts in their communities.

[1] Prior to implementation of NextGen, the FAA prepared an Environmental Assessment (EA) in 2014 to comply with the National Environmental Policy Act (NEPA). For noise, the analysis in the EA concluded that no populations would be exposed to the following increases in noise if NextGen was implemented: 1) an increase in DNL of 1.5-dB or greater where the DNL would equal or exceed 65 dB; 2) an increase in DNL of 3.0-dB or greater where the DNL would be in the range of 60 - 65 dB; or 3) an increase in DNL of 5.0-dB or greater where the DNL would be in the range of 45-60 dB. Therefore, the EA concluded that the noise effects of NextGen would not be significant. [Source: FAA, *Final Environmental Assessment for Northern California Optimization of Airspace and Procedures in the Metroplex*, July 2014.]

Purpose of the EIR

The purpose of the EIR is to disclose the environmental impacts of the proposed Amendment to the Airport Master Plan should the Amendment be approved and to determine which impacts, if any, are significant. CEQA requires that such impacts be disclosed relative to existing/baseline conditions, which in this case includes NextGen. CEQA also requires that cumulative impacts be discussed in an EIR "when the project's incremental effect is cumulatively considerable." (CEQA Guidelines Section 15130).

Although existing conditions form the baseline against which a project's impacts are evaluated, it is not the job of an EIR to evaluate those existing baseline conditions. As an example, it is not the purpose of the EIR for the proposed Amendment to the Airport Master Plan to evaluate or mitigate the existing changes in noise levels that have resulted from FAA's NextGen implementation, changes that are outside the City's control and included as part of the existing baseline. While such existing impacts have generated extensive controversy and there are ongoing efforts to try to address the effects, those factors are not germane to this EIR because they are not a result of the Project.

DEIR Conclusion Regarding the Noise Impacts of the Project

Section 4.13 of the DEIR, which is based primarily on a technical noise analysis prepared for the project (DEIR Appendix J), discloses the project's noise impacts using the standard methodologies employed for such purposes. The noise impacts from the forecasted increase in aircraft operations at SJC by 2037, such increase that will occur with or without the project, were quantified in the DEIR using multiple descriptors (e.g., CNEL, SEL, Time-Above). The results were compared to existing/baseline conditions, with conclusions of significance based on the thresholds established by the FAA, State of California, ALUC, and the City of San José.

The analysis concluded that increases in aircraft-generated noise between 2018 (baseline) and 2037 (horizon year) would not be significant. As explained on page 278 of the DEIR, a key reason for this conclusion is that the additional noise associated with an increase in the number of aircraft operations is largely being offset by the phase out over time of older noisier aircraft with newer aircraft with quieter engines. In addition, as stated on page 280 of the DEIR, there will be no incompatible land uses within the Project's 2037 65-dB CNEL contour.

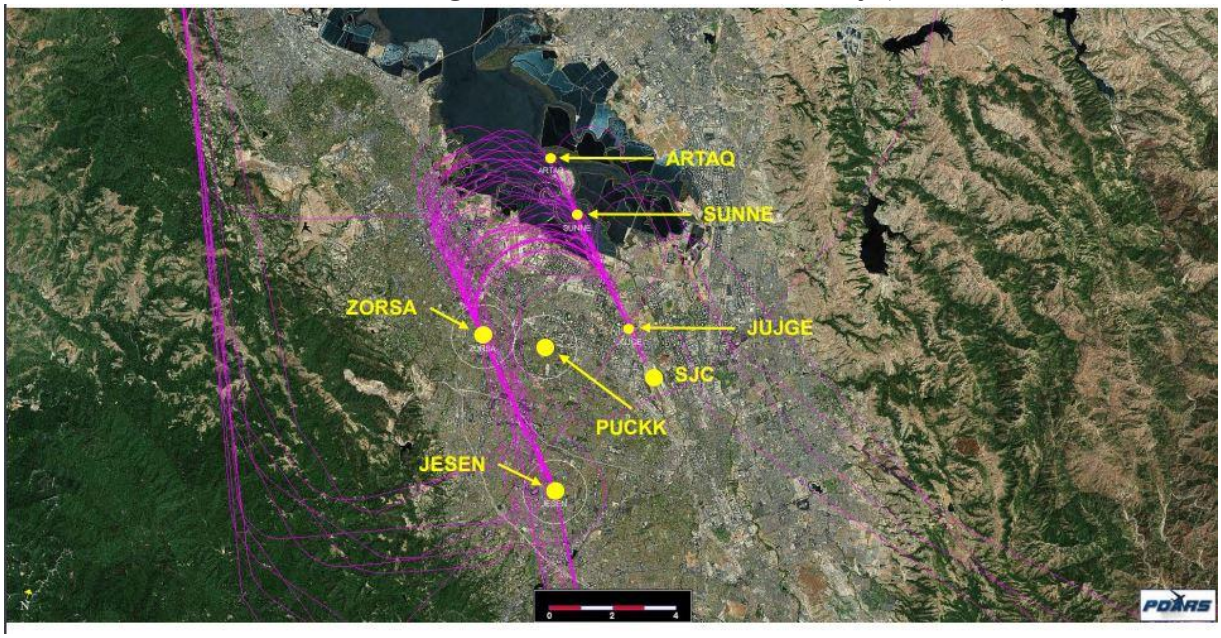
Figure 4.13-4 of the DEIR shows that the locations where aircraft noise from SJC operations will exceed 60-dB CNEL will be limited to those within the cities of San José and Santa Clara. SJC operations will produce noise levels below 60-dB CNEL in Sunnyvale, Cupertino, Mountain View, and Palo Alto, which are located to the west of the area depicted on Figure 4.13-4.

The communities in Sunnyvale, Cupertino, Mountain View, and Palo Alto are not exposed to significant noise from SJC operations given the flight tracks associated with SJC, summarized as follows:

- North-Flow Configuration: Based on the prevailing winds, on an annual average, air traffic to/from SJC operates in a north-flow configuration more than 87% of the time.[2] As shown on Figure 2 of Appendix J of the DEIR, aircraft arriving at SJC do not overfly Palo Alto, Cupertino, Sunnyvale, or Mountain View under north-flow conditions. As shown on Figure 3 of Appendix J of the DEIR, only a few aircraft departing from SJC overfly Cupertino, Palo Alto, Sunnyvale, or Mountain View under north-flow conditions, mainly departures from SJC to Asia (approximately two flights per day).

- South-Flow Configuration: On an annual average, weather conditions require that SJC operate in a south-flow configuration approximately 13% of the time. As shown on the following figure, aircraft arriving at SJC overfly portions of Cupertino, Sunnyvale, Mountain View, and Palo Alto under south-flow conditions. Aircraft departing from SJC under south-flow conditions fly over Downtown, Central and South San José, but not over Sunnyvale, Cupertino, Mountain View, or Palo Alto.

SJC Arrival Flight Tracks on a South-Flow Day (5/1/2018)



San José Airport is indicated by SJC. The other callouts are waypoints used for navigation by aircraft.

Source: FAA; Available at: https://www.flysanjose.com/sites/default/files/commission/SJC%20Ad%20Hoc%20Committee%205-1-18%20SF%20Data.pdf

To summarize, only in periods of south-flow arrivals do SJC aircraft operations overfly certain areas of Palo Alto, Cupertino, Mountain View, and Sunnyvale. Noise from those overflights do not constitute a significant noise impact of the proposed Amendment to the Airport Master Plan as those locations are well outside SJC's 60-dB CNEL.

[2] Source: FAA, Northern California NextGen EA, page 1-20.

DEIR Conclusion Regarding Cumulative Noise Impacts

Cumulative aircraft-related noise impacts are addressed on page 286 of the DEIR and are summarized on DEIR page xxxiii under the heading of "Areas of Public Controversy." The analysis acknowledges that under existing conditions, noise from aircraft overflights to/from the region's multiple airports is audible at numerous locations, including in the cities of Palo Alto, Mountain View, Cupertino, and Sunnyvale. However, for the reasons listed on those pages, the DEIR concludes that cumulative aircraft-generated noise impacts of the project would not be significant based on the thresholds established by the FAA, State of California, ALUC, and City regulations and policies.

Supplemental Information and Data

In response to the numerous comments received on the subject of aircraft noise impacts in Palo Alto, Mountain View, Cupertino, and Sunnyvale, the City is highlighting the following existing information and data, which support the conclusion that the cumulative aircraft-related noise impacts associated with the project are not significant:

- While audible to many residents, cumulative aircraft-generated noise from all flights over Palo Alto, Mountain View, Cupertino, and Sunnyvale does not exceed the land use compatibility standards of the FAA, State of California, or ALUC. This conclusion is supported by the results of the *Palo Alto Aircraft Noise Measurements Study (July 2019)*.[3] The study was based on two months of continuous measurements in late 2018 of aircraft noise at four sites in Palo Alto, which included operations under both north-flow and south-flow conditions. For the following reasons, measurements in Palo Alto can be considered to represent a worst-case assessment of aircraft noise in the area:

    - Among Palo Alto, Mountain View, Cupertino, and Sunnyvale, Palo Alto is overflown by the greatest number of SFO aircraft, which constitute the majority of total overflights. Palo Alto is also overflown by aircraft from other airports.
    - Since SFO-related aircraft are lower in altitude over Palo Alto than over Sunnyvale Cupertino, or Mountain View, noise levels on the ground from those flights are higher. For example, arrivals to SFO from the south are above 5,000 feet over Mountain View but have descended to below 5,000 feet as they pass over Palo Alto.[4]

  The measured noise at the four sites in Palo Alto ranged from 51 to 53 dB CNEL for SFO aircraft and from 50 to 52 dB CNEL for non-SFO aircraft. The CNEL for all noise combined (i.e., aircraft, traffic, and background) ranged from 54 to 57 dB. These measured noise levels are substantially below the land use compatibility standards of the FAA, State of California, and ALUC. CNEL levels below 60 dB are also considered acceptable for residential land uses in Palo Alto (Palo Alto Comprehensive Plan, page 126), Sunnyvale (Sunnyvale General Plan, page 6-32), and Cupertino (Cupertino General Plan, page HS-23). These levels are consistent with the following text on page 161 of the Mountain View General Plan: "Mountain View does

[3] Available for downloading at: https://media.flysfo.com/sfo_PaloAltoNoiseReport_2019-007.pdf
[4] Source: SJC Flight Tracking System. Available at www.flysanjose.com/noise/web-trak , accessed 1/26/2020.

not have much airport noise. The city is outside the 55 dBA CNEL noise contour of the Palo Alto Airport, the San José International Airport and the San Francisco International Airport. These last two occasionally produce aircraft noise, but not a significant amount."

- The contribution of noise from SJC flights to cumulative aircraft noise over Palo Alto, Mountain View, Cupertino, and Sunnyvale is not cumulatively considerable. This statement reflects the fact that, as stated above, except for south-flow arrivals, SJC aircraft do not overfly Palo Alto, Mountain View, Cupertino, or Sunnyvale. Further, unlike departures where aircraft engines are operating at or near maximum power, engines on arrivals operate at reduced power. Thus, noise from arriving aircraft, such as those from SJC's south-flow arrivals over Sunnyvale, Cupertino, Mountain View, and Palo Alto is substantially lower than a comparable overflight by a departing aircraft at the same altitude.

Conclusion

Ongoing concerns regarding noise produced by existing aircraft overflights in Cupertino, Sunnyvale, Mountain View, and Palo Alto notwithstanding, there is no basis to conclude that the proposed Amendment to the Airport Master Plan will result in significant noise impacts in those cities. Further, cumulative noise impacts will not be significant.

---- End of Master Response ----

FEDERAL AND STATE AGENCIES

A. California Department of Fish and Wildlife (dated January 16, 2020)

Comment A.1: The California Department of Fish and Wildlife (CDFW) received the draft Environmental Impact Report (draft EIR) from the City of San José (City) for the Amendment to Norman Y. Mineta San José International Airport Master Plan (San José Airport or Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines. The deadline to submit comments on the draft El R was January 13, 2020 but has been extended to January 17, 2020.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. [Fish and Game Code, §§ 711.7, subd. (a) and 1802; Pub. Resources Code,§ 21070; CEQA Guidelines§ 15386, subd. (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

BACKGROUND: Western burrowing owls (*Athene cunicularia*) are a State Species of Special Concern. Burrowing owl populations have been greatly reduced or extirpated from most of the San Francisco Bay Area and along the California coast to Los Angeles and there have been overall declines in the number of nesting pairs in Santa Clara County as a whole.

In the past, the San José Airport was a key nesting area for burrowing owls in San José that was central to maintaining the regional population (draft EIR, Appendix E Biological Resources Report, page 82). However, there has been an overall gradual decline in burrowing owl abundance at the Airport since approximately 2002 (draft EIR, Figure 4.2-2 Summary of Burrowing Owl Monitoring Results at the Airport 1997-2018) and nesting abundance from 2016-2018 was the lowest during all years monitored (draft EIR, 4.4.1.2 Existing Conditions, page 111).

The Project is a continuation and expansion of an existing project that had previous CEQA environmental review. In 1980, a Master Plan was developed for the San José Airport. In 1997, an EIR for San José International Airport Master Plan Update (1997 EIR, SCH #95073066) was prepared, which included an impact analysis for the construction of buildings, parking lots, paved taxiways, and other facilities within the San José Airport. Appendix 3.8.B of the 1997 EIR, the Burrowing Owl Management Plan (BOMP), included measures for management of burrowing owls on the airfield (i.e.

passive relocation within Runway Safety Areas) and established Burrowing Owl Management Areas within the airfield where burrowing owls would not be passively relocated (i.e. ruderal grassland areas not designated as Runway Safety Areas).

Overall, the draft EIR states that the proposed Project impacts exacerbate regional declines and impacts are significant under CEQA (draft EIR, 4.4.2.1 Impacts on Special-Status or Protected Species, page 126).

> **Response A.1:** This comment is an introductory statement to the detailed comments provided below by CDFW. The introductory statement does not raise any specific environmental issue under CEQA and, therefore, no response is warranted.

Comment A.2: 4.4.2.1 Impacts on Special-Status or Protected Species, Impacts to the Burrowing Owl, Mitigation Measure 810-4.1 Provide Compensatory Mitigation for Permanent Impacts on Burrowing Owl Nesting Habitat, Page 127.

Approximately 277.4 acres of ruderal grassland habitat within the Airport (draft EIR Figure 4.1-1 Existing Biological Habitats) are potential burrowing owl nesting, roosting, or foraging habitat. The draft IER states that the Project will permanently impact ruderal grassland through construction of hardscape (buildings, structures, paving with asphalt, or other facilities) including 32.4 acres of nesting/roosting habitat (24.4% of the existing nesting and roosting habitat at the airfield) and 2.1 acres of foraging habitat within the airfield (4.4.2.1 Impacts on Special-Status or Protected Species, page 124). There would also be 19.9 acres of permanent impacts to Burrowing Owl Management Areas (BOMA, 4.4.2.1 Impacts on Special Status or Protected Species, page 124).

The 2.1 acres of ruderal grass permanently impacted are considered to be foraging habitat because nesting has not occurred within these fields since 2012 (draft EIR, 4.4.2.1 Impacts on Special-Status or Protected Species, page 122). However, there has been nesting within these areas in the past (at a minimum in 1994 and 2012) and, thus, these areas serve as nesting sites in the future. The draft EIR stated that there are little, if any, California ground squirrel (*Otospermophilus beecheyi*) burrows within these infields (4.4.1.2 Existing Conditions, page 111). There has been past and ongoing ground squirrel control and closing of burrows throughout the airfield (see additional information below) that may have contributed to lack of burrowing owl nesting within these 2.1 acres.

Draft EIR Appendix E Biological Resources Report (6.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan) states that the Project conflicts with the goals of the Santa Clara Valley Habitat Plan Habitat Conservation Plan/Natural Community Conservation Plan (Habitat Plan), and the Project will hinder conservation efforts undertaken by the Santa Clara Valley Habitat Agency (Habitat Agency). The draft EIR proposes to provide compensatory mitigation for the permanent impacts to 32.4 acres of nesting/roosting habitat through payment of burrowing owl fees to the Habitat Agency through the Habitat Agency's Voluntary Fee Payments Policy (Voluntary Fees). This Voluntary Fee payment will also reduce the conflict with the Habitat Plan to less-than-significant levels (draft EIR Appendix E Biological Resources Report (6.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan). The Habitat Agency may then use the Voluntary Fees for burrowing owl management agreements, burrowing owl habitat management and monitoring, as well as burrowing owl habitat restoration and land acquisition.

To reduce impacts to less-than-significant levels, CDFW recommends the three following mitigation measures be included in the EIR:

1. Evaluation of Alternatives to Avoid or Reduce Permanent Impacts: The City should analyze reasonable Project alternatives that reduce or avoid the area (e.g. acres) of burrowing owl nesting, roosting, and foraging habitat. Alternatives that complete avoid or greatly reduce permanent impacts to burrowing owl habitat should be chosen for implementation.

Response A.2: With the exception of the No Project Alternative, there is no feasible alternative that would reduce the identified impacts to burrowing owls. However, as described on pages 127-130 of the DEIR, mitigation measures included in the Project will reduce those impacts to less-than-significant. Project alternatives evaluated in the DEIR included the relocation of Airport operations to other airports in the region, the relocation of the Airport to a new site in the greater San José area, and two no-project alternatives. See Section 8 of the DEIR for a discussion of these alternatives and the reasons for their rejection.

Comment A.3: 2. Payment of Voluntary Fees at 3:1 for Nesting/Roosting Habitat and BOMA: Payment of Voluntary Fees per acre should be calculated and include the 32.4 acres of nesting/roosting habitat plus the 19.9 acres of BOMA permanently impacted, at a 3:1 ratio (area of mitigation: area impacted), totaling 156.9 acres.

Response A.3: As described in Section 4.4.2.1 of the DEIR, impacts of Amendment projects within 19.9 acres of burrowing owl management areas are encompassed within the 32.4 acres of nesting/roosting habitat and 2.1 acres of foraging habitat (i.e., these acreages are inclusive, not additive). Table 1 provides a summary of the breakdown of these acreages for clarification. Because the locations of active/recently occupied burrowing owl burrows and suitable habitat for burrowing owls did not necessarily correspond with the management areas, impacts were assessed based on whether or not suitable owl habitat was present rather than whether an area was designated as a "management area".

Table 1. Summary of Amendment Impacts on Burrowing Owl Habitat

	Nesting/Roosting Habitat (acres)	Foraging Habitat (acres)	Total (acres)
Impacts located within burrowing owl management areas	18.1	1.8	19.9
Impacts located outside of burrowing owl management areas	14.3	0.3	14.6
Total:	**32.4**	**2.1**	**34.5**

The City proposes to compensate for permanent impacts on 32.4 acres of occupied burrowing owl nesting/roosting habitat via the payment of Santa Clara Valley Habitat Plan (VHP) burrowing owl impact fees. This mitigation approach is consistent with the Santa Clara Valley Habitat Agency's (Habitat Agency's) Voluntary Fee Payments Policy for projects located within the VHP area but not covered under the VHP, and

the Habitat Agency has expressed its support for this approach for the Amendment's impacts (see Comment E). The VHP burrowing owl impact fee takes into account the total acreage of breeding and foraging habitat needed to support impacted burrowing owls, which is consistent with CDFW's guidance on providing mitigation for permanent impacts on occupied burrowing owl nesting habitat. Thus, VHP fees for impacts on burrowing owl habitat are assessed on the basis of the acreage of impacted habitat, and do not require multiplication of that acreage by any ratio (e.g., the 3:1 ratio suggested by CDFW) to provide adequate mitigation.

Comment A.4: Analysis of Potential Nesting/Roosting Habitat within Infields E13 through E19 and Payment of Voluntary Fees: An analysis should be conducted to determine the reason why burrows are not present within infields E13 through E19. If California ground squirrel burrow closures conducted by the City are the primary reason for burrows not being present for use by burrowing owl than the permanent loss of this habitat should be mitigated at a 3:1 ratio (area of mitigation: area impacted).

Response A.4: The DEIR's assessment of baseline conditions for infields E13–E19 on pages 122-124 determined that these infields are small, narrow grassland areas that provide few, if any, ground squirrel burrows and have not been used for nesting by owls since 2012. These areas currently provide potential foraging habitat for burrowing owls due to their grassland land cover, though these grassland patches likely have very limited foraging habitat value to burrowing owls due to their small size.

Any ongoing control of California ground squirrels that removes burrows within infields E13–E19 is not part of the proposed project; rather, these activities are part of baseline operations on the airfield. These activities likely contribute to a lack of burrowing owl nesting within a number of areas on the airfield; however, they represent ongoing operations necessary for airfield safety, and are considered part of the site's baseline condition. Under CEQA, the nature and consequences of prior conduct of a project applicant (e.g., burrow closures) are not applicable to baseline conditions, and lead agencies must evaluate project impacts based on actual conditions existing at the time of CEQA review. Thus, under CEQA, the assessment that infields E13–E19 currently provide only foraging habitat for burrowing owls is appropriate regardless of whether or not California ground squirrel burrow closures are ongoing at these locations. As a result, no further analysis of these areas is needed to support CEQA review of the project.

Comment A.5: 4.4.2.1 Impacts on Special-Status or Protected Species: Impacts to the Burrowing Owl, Mitigation Measure BIO-4.2 Update and Implement the BOMP, Pages 127 – 130: This Mitigation Measure describes updates to be made to the BOMP and continued implementation of the plan. The BOMP includes construction measures to minimize impacts to burrowing owls due to disturbance, passive relocation of burrowing owls from construction areas and Runway Safety Areas (burrows are subsequently excavated and closed), providing artificial burrows with BOMAs at a 2:1 ratio (number of artificial burrows: number of burrows impacted), and delineation of BOMA where burrowing owls are not passively relocated. The BOMP also includes monitoring and reporting regarding the population of burrowing owls within the San José Airport. The draft EIR does not include any

discussion within the BOMP as to actions to implement should the population of burrowing owls at the San José Airport decline even further.

The Burrowing Owl Monitoring and Management 2013 Annual Report (2013 Report) describes the inclusion of the VOR (very high frequency omni-directional range) Site into the BOMA. The VOR Site is a 23.6-acre area where VOR facilities are present, as well as surrounding ruderal grassland (draft EIR, Figure 4.1-1 Existing Biological Habitats and 4.4.1.2 Existing Conditions, page 106) that is potential burrowing owl nesting, roosting, and foraging habitat.

In 2012, 8.9 acres of the VOR Site was converted to a BOMA in order to accommodate the need for artificial burrow installment (2013 Report, page 1O and 4.4.2.1 Impacts on Special- Status or Protected Species, page 124). There have been 99 artificial burrows installed within the VOR Site BOMA (draft EIR, 4.4.1.2 Existing Conditions, page 115). The 2013 Report shows a map of the artificial burrows installed in a very dense configuration (Artificial Burrow Locations, page 20).

Burrowing owls have not been known to be present within the VOR Site since 2014 (draft EIR, Existing Conditions, page 115). The VOR Site is not frequently mowed and in January 2019, the vegetation within the BOMA was several feet tall (draft EIR, 4.4.1.2 Existing Conditions, page 115). Artificial burrows within the VOR Site have not been regularly maintained and during January 2019, artificial burrows at the VOR site were found to be entirely or partially blocked by vegetation and dirt, making them inaccessible to owls (draft EIR, 4.4.1.2 Existing Conditions, page 115). California ground squirrel burrows were not observed within the VOR Site during January 2019 (draft EIR, Appendix E Biological Resources Report, Table 3. Special- Status Animal Species, Their Status, and Potential Occurrence in the Study Area, page 34).

The draft EIR (4.4.2.1 Impacts on Special-Status or Protected Species, Impacts to the Burrowing Owl, Mitigation Measure BIO-4.2, Pages 129) states that the number of burrows that are present within the San José Airport does not appear to limit the existing population of burrowing owls within the San José Airport; therefore, compensatory mitigation for the eviction of owls would be provided as described in MM BIO-4.1.

The intent of the BOMP is to continue maintenance of burrowing owl populations at the San José Airport (1997 EIR, 3.83. Mitigation Measure for Significant Biological Resources Impacts, page 3.8-31) and to provide a long-term maintenance of a stable burrowing owl population (1997 EIR, 3.8.1.4 "Special Status" Species, page 3.8-18). However, neither the 1997 EIR nor draft EIR include a discussion as to how this goal will be obtained.

Response A.5: As discussed above and described in the DEIR, the population of burrowing owls at the Airport has declined substantially in recent years, and only a few nesting pairs of owls remain. This population level may be below the threshold for potential recovery of the airport sub-population. As a result, the long-term goal of maintaining a burrowing owl population at the San José Airport may no longer be feasible. However, the burrowing owl management plan continues to be useful for providing measures to avoid and minimize impacts on burrowing owls as a result of Amendment projects (see response to Comment A.9 below).

Because the City proposes to mitigate for permanent impacts on occupied burrowing owl nesting/roosting habitat via the payment of Valley Habitat Plan (VHP) burrowing owl impact fees, the objectives for compensating for Amendment impacts on burrowing owls and maintaining a burrowing owl population in the South Bay will be achieved via the conservation actions that the Habitat Agency deems most appropriate.

The Airport recognizes that maintenance of the burrowing owl management area on the VOR site has not been adequate. The update to the Airport's Burrowing Owl Management Plan (BOMP) will more specifically address ongoing maintenance.

Comment A.6: To reduce impacts to less-than-significant levels, CDFW recommends the four following mitigation measures be included in the draft EIR:

1. Compensatory Mitigation for Permanent Loss of Burrows: Compensatory mitigation at a 3:1 ratio should be provided for burrowing owl-occupied burrows that are permanently removed. The City should investigate the potential for all grassland within the VOR Site to be designated as a BOMA. If mitigation areas within the San José Airport cannot be established (VOR Site), then the City could pay Voluntary Fees for the burrowing owl to the Habitat Agency as compensation for impacts.

Response A.6: As discussed above and described in the DEIR, the City proposes to compensate for permanent impacts on occupied burrowing owl nesting/roosting habitat via the payment of VHP burrowing owl impact fees. The VHP burrowing owl impact fee was determined based on the cost to implement a variety of conservation actions for the burrowing owl, including ensuring that suitable burrows are present at mitigation sites. The VHP reserve system lands are selected based on the presence of suitable burrows, and if California ground squirrels are absent from reserve lands then these lands are enhanced with artificial burrows and by relocating California ground squirrels to ensure that these areas provide habitat for burrowing owls over the long term. As a result, compensation for the removal of occupied burrows is accounted for in the payment of VHP fees, and no additional mitigation for impacts on occupied burrows is needed to reduce project impacts to less-than-significant levels under CEQA.

Comment A.7: 2. Implementation of BOMP - Maintenance of VOR Site: Project mitigation includes continued implementation of the BOMP and should, thus, also include management within the VOR Site. A management plan should be developed for review and approval by CDFW. The management plan should include the following considerations: preclusion of California ground squirrel control, removal or relocation of existing artificial burrows to allow for appropriate spacing between burrows, repair or replacement of existing artificial burrows, use of the latest scientific techniques in artificial burrow design, ongoing maintenance of artificial burrows, and ongoing maintenance of vegetation (i.e. mowing) to promote use of burrowing owls for nesting and foraging while also leaving areas of tall vegetation to potentially increase prey availability.

Response A.7: An existing 8.9-acre burrowing owl management area is present at the VOR site, which includes a 4.0-acre mitigation site with artificial burrows that was established as compensatory mitigation for impacts on 4.0 acres of burrowing owl habitat at the airfield, as well as a 4.9-acre area that supports all of the artificial burrows

that were relocated from the 64.0 acres of management areas on the airfield in approximately 2012–2014. These areas are subject to the Airport's burrowing owl management plan, which has been approved by the CDFW and prescribes mowing of these areas according to the regular mowing regime used through the Airport infields and monitoring of burrowing owl use of the management areas. The remaining 15.2 acres of grassland habitat at the VOR site have not been appropriated for mitigation.

Mitigation Measure BIO-4.2 in the DEIR specifies updates to the burrowing owl management plan (these updates are detailed in the response to Comment #8 below) consisting of preconstruction surveys, the implementation of disturbance-free buffers around active owl burrows during project work, monitoring owls during construction, passive relocation of owls during the non-nesting season, and a provision that compensatory mitigation will be provided as described in Mitigation Measure BIO-4.1 in the DEIR (i.e., via the payment of VHP burrowing owl impact fees on a per-acre basis) rather than on a case-by-case basis each time an owl is evicted from a burrow. The DEIR does not include any burrowing owl mitigation measures or updates to the burrowing owl management plan that require the ongoing management of suitable burrowing owl habitat at the VOR site to reduce impacts of the Amendment on burrowing owls to less than significant levels under CEQA. Instead, these measures specify that all future compensation for impacts on burrowing owls will be provided via the payment of VHP burrowing owl impact fees.

Comment A.8: 3. Population Monitoring - Establish Success Criteria and Remediation Measures: The monitoring portion of the BOMP should be updated to include significance criteria for the burrowing owl population at the San José Airport. The BOMP should be updated to include actions that would be implemented if the burrowing owl population falls below this significance criteria. Monitoring reports should be sent to CDFW for review.

Response A.8: As discussed above and described in the DEIR, the burrowing owl population at the Airport may have fallen to a level that is below any significance criteria that could be included in the burrowing owl monitoring plan, and this population may continue to decline. Further, remedial measures to help increase the burrowing owl population on the airfield may not be possible due to airfield safety concerns (i.e., the provision of owl habitat on the airfield would increase collisions of owls with aircraft and prevent the City from addressing runway safety concerns identified in the RIM Study). Pursuing mitigation options off-site via the payment of VHP fees is in the best interest of the South Bay population of burrowing owls. As discussed above, the City elected to pay VHP fees in recognition of the fact that the Habitat Agency would be able to identify better conservation actions to support the South Bay population of burrowing owls compared to the conservation options available for these owls at the Airport.

Comment A.9: 4. Update to the BOMP Document: In order to make avoidance, minimization, and mitigation measures clear and to ease in their implementation, the 1997 BOMP document should be updated to include all measures included within the draft EIR and any subsequent mitigation measures that may be included within the Final EIR. The updated BOMP should be an Appendix to the EIR.

Response A.9: Per Mitigation Measure BIO-4.2 in the DEIR, the City will update the burrowing owl management plan to incorporate the revisions listed on pages 127 – 130 of the DEIR. The City will continue to implement the burrowing owl management plan at the Airport with these updates. It is not necessary to append the burrowing owl management plan to the DEIR because the measures needed to reduce project impacts to less than significant levels under CEQA are included in Mitigation Measure BIO-4.2.

Comment A.10: BIOLOGICAL EXPERTISE SUPPORT AND AGENCY COORDINATION: CDFW highly recommends that the City work with CDFW to obtain guidance on all aspects of burrowing owl conservation and management, including development of recommended measures above.

The Habitat Agency, in the past, has participated in several meetings pertaining to burrowing owl management within the San José Airport. The Habitat Agency has informed CDFW that they have a continued interest in providing assistance in implementation of burrowing owl conservation actions at the San José Airport. The Habitat Agency implements a burrowing owl conservation strategy as part of the Habitat Plan. The Habitat Agency uses permanent and temporary management agreements to protect, manage, and enhance the burrowing owl populations. These agreements are funded or have a cost share to augment actions already taking place for burrowing owl management.

Response A.10: The City recognizes the expertise of the Habitat Agency with regard to burrowing owl conservation and management. The City looks forward to coordinating with the Habitat Agency to achieve the objectives of the BOMP, including the implementation of the above-described amendments to the BOMP.

Comment A.11: ENVIRONMENTAL DATA: CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code,§ 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting- Data. The completed form can be submitted online or emailed to CNDDB at the following email address: cnddb@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals

Response A.11: Any occurrences of special status species and/or natural communities that are detected in surveys will be reported to the CNDDB.

Comment A.12: FILING FEES: The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal.Code Regs, tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

Response A.12: The appropriate CDFW fee will be paid at the time the Notice of Determination is filed at the County Clerk-Recorder's Office.

B. California Department of Transportation (dated January 3, 2020)

Comment B.1: Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the San José Airport Master Plan Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the November 2019 Draft Environmental Impact Report (DEIR)

Project Understanding. This is an amendment to the Airport Master Plan to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand. Mineta San José International Airport is generally bounded by US-101 to the north, the Guadalupe River and State Route (SR)-87 to the east, 1-880 to the south, and Coleman Avenue and De la Cruz Boulevard to the west.

Response B.1: This is an introduction to the specific comments provided below. The introductory statement does not raise any specific issue under CEQA and, therefore, no response is required.

Comment B.2: Highway Operations. Please address the following: 1. Per the data provided in Appendix A, Table 1, the forecasted 2037 annual air passengers and total annual aircraft operations are increased from the actual 2017 data by 80% and 53%, respectively. With this increase in air passengers and aircraft operations, more trips will be added in the studied roadway network. However, the transportation analysis shows approximately 1% reduction of daily VMT per passenger from 2017 to 2037 for the same analysis period. Please provide an explanation for this discrepancy.

Response B.2: An increase in passengers and the total number of trips to the Airport does not necessarily result in increases in per passenger VMT. In this case, as described on page 315 of the DEIR, "the reduced trip length for Airport users in the future is consistent with the goals of the *Envision San José 2040 General Plan* to focus future development in centralized, already developed areas rather, than on the outskirts of the City. The Airport primarily serves the local market of San José and nearby cities since there are also airports in San Francisco and Oakland to serve other Bay Area travelers. The reason the Airport is predicting an increase in air travel is because of the expected growth in households and jobs in the South Bay. Because that growth will be relatively closer to the Airport in the future than it is today, the average trip lengths are expected to be reduced."

Comment B.3: 2. There are four State roadway systems: I-880, US-101, SR-87, and SR-82, which serve the San José International Airport. Appendix K, Table 7 shows that approximately 80% of the project generated vehicle miles traveled (VMT) is from 9 miles and longer and the remaining 20%

VMT (project generated) is within 9 miles of the project. 2,187 project generated trips (AM peak) will be generated farther than 9 miles from the project. As a result, longer freeway segments need to be analyzed.

Response B.3: As discussed in Section 4.17.2.2 of the DEIR, VMT per passenger is the threshold used for determining a project's transportation impacts under CEQA. Although the analysis of Level; of Service (LOS) along freeway segments is no longer a CEQA issue under State law, as a courtesy the following response is provided for informational purposes:

The following table includes the analysis of additional freeway segments requested by Caltrans:

Freeway Segment Analysis

				Existing Conditions - Mixed Flow Lanes[1]						Project Conditions	
Freeway	Dir.	Segment	Peak Hour	Avg. Speed (mph)	# of Lanes	Capacity	Density (pc/mi/ln)	Volume	LOS[2]	Project Trips	% Capacity
SR 87	NB	Taylor St On-Ramp to Skyport Off-Ramp	AM	32	2	4,400	55.0	3,514	E	234	5.32%
			PM	50	2	4,400	39.0	3,980	D	220	5.00%
SR 87	SB	Skyport Dr On-Ramp to Taylor St Off-Ramp	AM	58	2	4,400	32.0	3,730	D	225	5.11%
			PM	19	2	4,400	**69.0**	**2,666**	**F**	**175**	**3.98%**
SR 87	NB	St. James On-Ramp to Taylor St Off-Ramp	AM	22	2	4,400	**65.0**	**2,892**	**F**	**176**	**4.00%**
			PM	60	2	4,400	29.0	3,492	D	165	3.75%
SR 87	SB	Taylor St On-Ramp to St. James Off-Ramp	AM	63	2	4,400	23.0	2,920	C	169	3.84%
			PM	21	2	4,400	**66.0**	**2,830**	**F**	**131**	**2.98%**
SR 87	NB	Curtner Ave On-Ramp to St. James Off-Ramp	AM	17	2	4,400	**72.0**	**2,448**	**F**	**94**	**2.14%**
			PM	52	2	4,400	38.0	3,964	D	88	2.00%
SR 87	SB	St. James On-Ramp to Curtner Ave Off-Ramp	AM	57	2	4,400	33.0	3,798	D	90	2.05%
			PM	31	2	4,400	56.0	3,454	E	88	2.00%
SR 87	NB	Capitol Ex On-Ramp to Curtner Ave Off-Ramp	AM	15	2	4,400	**75.0**	**2,250**	**F**	**59**	**1.34%**
			PM	60	2	4,400	30.0	3,586	D	55	1.25%
SR 87	SB	Curtner Ave On-Ramp to Capitol Ex Off-Ramp	AM	56	2	4,400	34.0	3,850	D	56	1.27%
			PM	56	2	4,400	35.0	3,868	D	44	1.00%
I-880	NB	Bascom Ave On-Ramp to The Alameda Off-Ramp	AM	22	3	6,900	**66.0**	**4,269**	**F**	**101**	**1.46%**
			PM	8	3	6,900	**87.0**	**2,100**	**F**	**95**	**1.38%**
I-880	SB	The Alameda On-Ramp to Bascom Ave Off-Ramp	AM	56	3	6,900	34.0	5,775	D	91	1.32%
			PM	32	3	6,900	55.0	5,271	E	75	1.09%
I-880	NB	1st St On-Ramp to US-101 Off-Ramp	AM	18	3	6,900	**70.0**	**3,867**	**F**	32	0.46%
			PM	34	3	6,900	52.0	5,436	E	25	0.36%
I-880	SB	US-101 On-Ramp to 1st St Off-Ramp	AM	11	3	6,900	**82.0**	**2,697**	**F**	34	0.49%
			PM	12	3	6,900	**79.0**	**3,018**	**F**	32	0.46%
US 101	NB	Oakland Rd On-Ramp to I-880 Off-Ramp	AM	24	3	6,900	**63.0**	**4,536**	**F**	**75**	**1.09%**
			PM	41	3	6,900	47.0	5,790	E	71	1.03%
US 101	SB	I-880 On-Ramp to Oakland Rd Off-Ramp	AM	56	3	6,900	34.0	5,790	D	73	1.06%
			PM	14	3	6,900	**76.0**	**3,312**	**F**	56	0.81%
US 101	NB	Santa Clara St On-Ramp to Oakland Rd Off-Ramp	AM	12	3	6,900	**79.0**	**2,949**	**F**	50	0.72%
			PM	63	3	6,900	23.0	4,461	C	47	0.68%
US 101	SB	Oakland Rd On-Ramp to Santa Clara St Off-Ramp	AM	66	3	6,900	15.0	2,904	B	49	0.71%
			PM	20	3	6,900	**68.0**	**4,074**	**F**	38	0.55%
US 101	NB	De La Cruz Blvd On-Ramp to Montague Ex Off-Ramp	AM	17	3	6,900	**72.0**	**3,702**	**F**	**172**	**2.49%**
			PM	59	3	6,900	31.0	5,442	D	133	1.93%
US 101	SB	Montague Ex On-Ramp to De La Cruz Blvd Off-Ramp	AM	61	3	6,900	27.0	4,971	D	178	2.58%
			PM	8	3	6,900	**87.0**	**2,184**	**F**	**167**	**2.42%**
US 101	NB	Montague Ex On-Ramp to Bowers Ave Off-Ramp	AM	16	3	6,900	**74.0**	**3,468**	**F**	**86**	**1.25%**
			PM	44	3	6,900	45.0	5,883	D	67	0.97%
US 101	SB	Bowers Ave On-Ramp to Montague Ex Off-Ramp	AM	62	3	6,900	27.0	5,022	D	89	1.29%
			PM	6	3	6,900	**91.0**	**1,746**	**F**	**84**	**1.22%**
US 101	NB	Bowers Ave On-Ramp to Lawrence Ex Off-Ramp	AM	15	3	6,900	**75.0**	**3,345**	**F**	43	0.62%
			PM	47	3	6,900	43.0	5,949	D	33	0.48%
US 101	SB	Lawrence Ex On-Ramp to Bowers Ave Off-Ramp	AM	61	3	6,900	**29.0**	5,199	D	45	0.65%
			PM	7	3	6,900	**89.0**	**1,971**	**F**	42	0.61%

Notes

Dir. = direction, NB = northbound, SB = southbound, mph = miles per hour, pc/mi/ln = passenger cars per mile per lane

[1] Existing freeway conditions information is published in the Santa Clara Valley Transportation Authority (VTA) *2018 CMP Monitoring and Conformance Report*.

[2] The Santa Clara VTA report references the Freeway LOS criteria presented in the *Traffic Level of Service Analysis Guidelines (June 2003)* published by Santa Clara VTA.

BOLD indicates substandard level of service.

BOLD indicates a 1% or more impact increase to freeway by project traffic

Source: Hexagon Transportation Consultants, February 2020.

Comment B.4: 3. As noted in our previous letter dated October 11, 2019, please include the following locations in the traffic analysis:

- Northbound (NB) and Southbound (SB) SR-87 ramps to and from West Taylor Street Interchange;
- NB and SB US-101 on and off ramps from De La Cruz Blvd interchange; and
- NB and SB SR-82 and De La Cruz Blvd interchange

Response B.4: Although the analysis of freeway ramps is no longer a CEQA issue under State law, the following response is provided for informational purposes:

The following table includes the freeway ramp analysis requested by Caltrans:

Existing Plus Project Freeway Ramp V/C Analysis

		Existing Conditions								Project Conditions			
Freeway Interchange and Ramp	Peak Hour	Dir	Ramp Type	Meter	Lanes	Capacity [1] (vphpl)	Volume [2]	V/C Ratio	LOS	Add. Vol.	% Capacity	V/C Ratio	LOS
SR-87 & West Taylor Street													
NB SR-87 On-Ramp from West Taylor Street	AM	NB	D	Y	3	2,700	239	0.09	A	58	2.1%	0.11	A
	PM	NB	D	-	3	2,000	342	0.17	A	55	2.8%	0.20	A
SB SR-87 Off-Ramp	AM	SB	D	-	3	2,000	284	0.14	A	56	2.8%	0.17	A
	PM	SB	D	-	3	2,000	219	0.11	A	44	2.2%	0.13	A
US-101 & De La Cruz Boulevard													
NB US-101 On-Loop from De La Cruz Boulevard	AM	NB	L	Y	2	1,800	697	0.39	B	10	0.6%	0.39	B
	PM	NB	L	-	2	1,800	465	0.26	A	8	0.4%	0.26	A
NB US-101 Off-Ramp	AM	NB	D	-	2	4,000	1,973	0.49	B	81	2.0%	0.51	C
	PM	NB	D	-	2	4,000	889	0.22	A	63	1.6%	0.24	A
SB US-101 On-Ramp Loop from Trimble Road	AM	SB	L	-	2	1,800	348	0.19	A	10	0.6%	0.20	A
	PM	SB	L	Y	2	1,800	895	0.50	B	10	0.6%	0.50	C
SB US-101 On-Ramp from De La Cruz Boulevard	AM	SB	D	-	3	2,000	1,269	0.63	C	89	4.5%	0.68	C
	PM	SB	D	Y	3	2,700	2,842	1.05	F	89	3.3%	1.09	F
SB US-101 Off-Ramp	AM	SB	D	-	1	2,000	435	0.22	A	11	0.6%	0.22	A
	PM	SB	D	-	1	2,000	123	0.06	A	10	0.5%	0.07	A
SR-82 & De La Cruz Boulevard													
NB De La Cruz Boulevard to SR-82	AM	NB	D	-	2	4,000	1,107	0.28	A	42	1.1%	0.29	A
	PM	NB	D	-	2	4,000	923	0.23	A	39	1.0%	0.24	A
SB De La Cruz Boulevard to SR-82	AM	SB	D	-	2	4,000	749	0.19	A	40	1.0%	0.20	A
	PM	SB	D	-	2	4,000	1,672	0.42	B	31	0.8%	0.43	B

Notes:
D = Diagonal ramp; L = Loop ramp
[1] Theoretical capacities of ramps per Exhibit 14-12 of HCM 2010: 2,000 vph for single-lane diagonal ramps, 1,800 vph for loop ramps, and 4,000 vph for dual-lane ramps. Capacity for metered on-ramps are calculated by mulitplying the max metering rate (900 vphpl) by the number of lanes.
[2] Volumes derived from the latest available peak hour turning movement counts and from Caltrans PeMS website.

Source: Hexagon Transportation Consultants, February 2020.

Comment B.5: As the Lead agency, the City of San José is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Response B.5: There were no significant transportation impacts identified in Section 4.17 of the DEIR for this Project requiring CEQA mitigation.

Comment B.6: Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating the State ROW, and six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit https://dot.ca.gov/programs/traffic-operations/ep/applications.

Response B.6: If any work associated with the Project encroaches into Caltrans' ROW, an encroachment permit will be obtained.

REGIONAL AND LOCAL AGENCIES

C. City of Santa Clara (dated January 13, 2020)

Comment C.1: Thank you for including the City of Santa Clara in the environmental review process for the Amendment to the Norman Y. Mineta San José International Airport Master Plan. We have reviewed the Draft Environmental Impact Report (EIR) prepared for the Master Plan Amendment, which would amend the existing Airport Master Plan to modify certain airfield components, update aviation demand forecasts and expand the horizon year from 2027 to 2037, and modify future facilities requirements, including terminal projects, air cargo facilities projects, general aviation projects, and aviation support projects, to reflect the updated demand forecasts.

Upon review of the Draft EIR, Santa Clara offers the following comments:

Project Description: Based on our review, we understand that proposed projects will modify or realign various taxiways, runway pavement areas, and markings to reduce the potential for runway incursions and to improve compliance with current FAA design standards, but that the length of existing runways will not be expanded, nor will new runways be constructed. Given that the improvements to airfield facilities will not include such expansion, please confirm as correct our understanding that the Amendment should not result in the need for restrictions on land use in the surrounding vicinity beyond those that already exist, and should not require amendment to existing safety zones, as identified in the Santa Clara Airports Land Use Commission (ALUC) Comprehensive Land Use Plan (CLUP) for the Airport. The Project Description states that the Santa Clara County ALUC will review the proposed amendment to the Airport Master Plan for consistency with the CLUP, and will amend the CLUP as necessary to maintain consistency. Please provide additional information about what types of amendments might be necessary for the CLUP as a result of the Master Plan Amendment.

> **Response C.1:** The commenter is correct that the proposed amendment to the Airport Master Plan does not include runway lengthening or new runways. However, neither the Airport, nor the City of San José, have the purview to determine whether, how, or when the Santa Clara County Airport Land Use Commission (ALUC) will change its Comprehensive Land Use Plan (CLUP) for SJC. The proposed amendment to the Airport Master Plan was formally referred to the ALUC pursuant to State law in December 2019. On January 22, 2020, the ALUC held a public hearing and approved the acceptance of the Airport Master Plan Amendment, upon adoption by the City, for use in potentially updating its CLUP. The ALUC may consider changes to its CLUP Airport Influence Area boundary and safety/height/noise policies.

Comment C.2: Greenhouse Gas Emissions: The Draft EIR identifies a significant and unavoidable impact related to an increase in operational greenhouse gas (GHG) emissions resulting from the anticipated increases in aircraft operations. The EIR states that the Airport has no authority to directly mitigation GHG emissions associated with aircraft operations, but acknowledges that the Airport Carbon Accreditation Program, developed by the Airports Council International (ACI) in 2008, provides a method for airports to voluntarily reduce GHG emissions. The Program includes four levels of accreditation: Level 1 Mapping, Level 2 Reduction, Level 3 Optimization, and Level 3+ Neutrality. The EIR notes that numerous airport operators worldwide have used, and are using the Program and to date, Level 3+ Neutrality has been achieved by 55 airports globally, including two in North America.

However, the EIR does not require mitigation to achieve Level 3+ Neutrality. Instead, the EIR includes Mitigation Measure GHG-1.1, which requires that the Airport develop and implement a phased carbon management program consistent with the standards of ACI Level 3, which would require calculating annual carbon emissions from Airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing an annual carbon footprint report. Even with this measure, the EIR concludes that the project's incremental increase in GHG emissions is considered significant and unavoidable. It is not clear why Level 3+ Neutrality is not required, since this would neutralize any remaining emissions by requiring offsets.

Public Resources Code section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Under Public Resources Code section 21061.1, a mitigation measures is feasible if "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."

Because mitigation in the form of offsets is available to reduce the impacts of increased GHG emissions from aircraft operations, and has been feasible to implement in several other airports, the EIR should be revised to require achievement of Level 3+ Neutrality or explain why such a measure is not feasible at the San José Airport to mitigate the identified impact, which would increase GHG emissions by approximately 51 percent when compared to existing conditions.

> **Response C.2:** Although only two of the approximately 60 large and medium hub airports in the U.S. have achieved ACI Level 3+ (Carbon Neutrality) standards to date, the Airport agrees to commit to achieving Level 3+, or equivalent, as implementation of the amended Airport Master Plan proceeds. Mitigation Measure GHG-1.1 is revised accordingly, as shown in Section 5, *Draft EIR Text Revisions*.

Comment C.3: Hazards and Hazardous Materials: The Draft EIR states that the Project would double the Airport's fuel storage, by expanding the fuel storage facility from 2,000,000 gallons to 4,000,000 gallons. Mitigation Measures Haz-1.1 in part states that the "Airport and Airport tenants will continue to implement its program to minimize accident risks at the fuel handling and storage facilities." Please clarify what the applicable "program" is. Further, please clarify whether the program will be updated to account for the fuel storage facility doubling in size.

> **Response C.3:** The applicable programs at the Airport include a Spill Prevention Control & Countermeasure (SPCC) Plan, Hazardous Materials Business Plans, and Stormwater Pollution Prevention Plans (SWPPP). These plans will be updated, as necessary, to reflect the expanded fuel storage facility when such expansion occurs.

Comment C.4: If the relevant "program" is the Airport's Spill Prevention, Control, and Countermeasure (SPCC) Plan, prepared pursuant to 40 C.F.R. Part 112 and/or California Health and Safety Code, Chapter 6.67, Santa Clara additionally seeks clarification regarding why the 2015 SPCC Plan does not account for the existing 2,000,000 gallon fuel storage capacity. (See SPCC Plan, Attachment 3 [total reportable oil storage capacity listed as 43,516 gallons].) Please confirm whether the 2015 SPCC Plan will be amended to address this omission and to include the Project's additional 2,000,000 gallons in storage capacity, or whether a 2020 SPCC Plan update will do so.

Response C.4: The Airport's SPCC Plan is for Airport/City-owned above-ground storage tanks only. Tanks owned and operated by other parties (i.e., Airport tenant lessees) have their own SPCC Plans. The jet fuel storage facility is currently operated by Swissport, which has a required SPCC Plan, which will need to be updated if and when any new storage tank is added.

Comment C.5: Noise: The City of Santa Clara retained Wilson Ihrig letter, the Draft EIR and Noise Assessment prepared for the Airport Master Plan Amendment, and their analysis is attached to this letter. Wilson Ihrig identifies the following issues:

As stated in the Wilson Ihrig letter, the Draft EIR considers the noise level from a single aircraft flyover without regard for the time of day and does not consider the potential impact of increased night operations. For residents of Santa Clara that live near the airport, the potential impact of increased night operations warrants analysis of single event noise and the potential for sleep disturbance to provide a meaningful analysis.

Response C.5: The DEIR noise analysis accounts for aircraft operations occurring at nighttime (see DEIR Section 4.13). The CNEL metric is a time-weighted average noise level based on the A-weighted decibel. Time-weighted refers to the fact that noise which occurs during certain sensitive time periods is penalized for occurring at these times. As described on page 255 of the DEIR, the evening time period is penalized by 5 dB (7 p.m. to 10 p.m.) while the nighttime period (10 p.m. to 7 a.m.) is penalized by 10 dB. This penalty and these time periods account for increased human sensitivity to noise during the quieter periods of the day, where sleep is the most common activity.

Within the noise modeling analysis, which was conducted using the FAA's approved Aviation Environmental Design Tool (AEDT) model, aircraft flights were modeled during the evening and nighttime periods as shown in Tables 4, 5, 7, and 8 of DEIR Appendix J. Forecast increases in operations included increases in evening and nighttime operations as appropriate. Further, the measurement data presented in the DEIR also use the CNEL metric, which applies the evening and nighttime penalties to the measured aircraft noise overflight events. Therefore, the DEIR sufficiently accounts for nighttime noise exposure, by using the approved regulatory metric and following the California guidelines and standards for airport noise analysis. The analysis concluded that the Project would not result in significant noise impacts (see DEIR Section 4.13).

Comment C.6: Use of Relative CNEL Threshold: The EIR relies on a relative threshold of significance (CNEL), which the Wilson Ihrig letter explains could lead to ever increasing noise levels. We understand that CNEL is a commonly used metric for determining the significance of impacts. However, as explained in the Wilson Ihrig letter, if the noise level today is 65.0 CNEL and an increase to 66.4 CNEL with this project is found to be a less than significant impact, then the next Master Plan project will take 66.4 CNEL as the baseline and an increase to 67.8 CNEL will be found to be a less than significant impact. The total increase would be 2.8 dB, which would be deemed a significant impact if it resulted from either project individually, but would probably not be in the two-project scenario because the baseline for the second project will be the noise level resulting from the first project. Because of this, and the fact that the Airport will likely continue to operate beyond the 2037

and future amendments to the Master Plan are foreseeable, we request that an absolute criteria also be considered, as described in the Wilson Ihrig letter.

Response C.6: It is not possible to foresee today the potential future development of the Airport beyond 2037. Such an exercise would require numerous assumptions regarding the long-term future growth of the region and the future characteristics of air travel. Such forecasting would constitute speculation, which is specifically excluded from CEQA. The noise analysis was undertaken using the best available knowledge and information about the Airport's current development plans. Although other projects may occur in the future, the DEIR's use of the California airport noise standards and guidelines was appropriate.

If the existing conditions or future no project scenarios indicate a CNEL of 65 dB or greater, an increase of CNEL 1.5 dB or more due to the implementation of the project would be considered significant. Of note, these noise level increases are only considered significant when impacting a noise-sensitive land use (e.g., residence, school, place of worship, etc.). The DEIR found that there are no increases of 1.5 dB or more within the CNEL 65 dB contour at noise sensitive land uses, and therefore there are no significant noise impacts.

It is also worth noting that, as shown on Figure 4.13-5 of the DEIR, even if the future 65-dB CNEL noise contour in Santa Clara were to increase in size beyond that shown for 2037, a larger area has already been treated by the Airport's Acoustical Treatment (ACT) Program completed in 2009. Residences within that area are considered compatible with the Airport.

Future changes in noise exposure due to aircraft operating at SJC will be subject to many influences including number of aircraft operating, the types of aircraft in operation, and the airlines operating at the Airport. Any future baseline noise modeling would take all of these factors into account. The year 2037 scenarios presented in the DEIR are a forecast based on today's best available information. The actual noise exposure levels in 2037 may vary.

Comment C.7: DEIR CNEL measured v. modeled data: The Wilson Ihrig letter includes two questions regarding differences in the modeled noise values versus measured noise values. We request a response to those questions to ensure that any discrepancies are accounted for and do not have an effect on the conclusions of the analysis.

Response C.7: The Noise Technical Report (Appendix J) shows that the difference in CNEL between measured and modeled is within +/- 1 dB except at Terminal 107 (Fire Station 6). At this location, the measured CNEL is 2 dB greater than the modeled CNEL. However, this is likely due to a bias in the measured value, because the nearby fire station generates high levels of background noise from sirens and trucks which can occur at the same time aircraft are flying overhead.

When comparing the output of any aircraft noise model to field measurements, a certain tolerance range is expected between the average measured and modeled noise level at

any given receptor. Differences in field conditions and the inherent limitations of computer modeling mean that an exact match is not expected. The technical literature on this subject is clear that only a given amount of confidence can be placed in the comparison of modeling and measurements of aircraft noise. As stated in SAE ARP4721, *Monitoring Aircraft Noise and Operations in The Vicinity of Airports*: "Analytical models often have a 95% confidence interval of ±3 dB to ±5 dB. Therefore, a difference of 3 dB between an estimate from measurements and one from an analytical model may not be significant."

Therefore, when comparing a noise model output to a measurement, a difference of 3 dB or less is considered acceptable. The DEIR analysis is well within this range (as discussed above).

Comment C.8: Supplement A-weighted (dBA) Analysis with C-weighted (dBC) Analysis: The Wilson Ihrig letter indicates the prevalence of low-frequency noise in jet aircraft operations, could be best measured by a dBC analysis, and we request that the noise analysis that has been done using A-weighted decibels (dBA) be supplemented with a similar analysis using C-weighted decibels (dBC)

Response C.8: A-weighted decibels are the accepted standard in California and at the Federal level in the FAA's noise policies. A-weighted decibels have been correlated with human noise exposure to civilian aircraft noise levels dating back to the original USEPA studies in the 1970's following the establishment of NEPA. Since then, all USEPA, FAA and California research and policy regarding civilian aircraft operations have been in A-weighted decibels. An analysis using C-weighted decibels is not appropriate for the DEIR because those results would not be able to be judged against any relevant noise standards, policies, research or environmental laws which are specific to civilian aircraft and airports.

Comment C.9: Corroboration of measured CNEL levels: The City of Santa Clara also requested that Wilson Ihrig review noise levels at Noise Monitoring Stations located in Santa Clara near the locations used to perform the analysis in the Draft EIR to corroborate the results. It appears that the values described in the Draft EIR are in sufficient agreement with the results at the City's monitoring sites. The City of Santa Clara will continue to monitor noise at these locations to ensure that future noise levels remain within the range of those reported in the Draft EIR.

Response C.9: The Wilson-Ihrig Report acknowledges that differences between the measurements ranging from -2.2 dB to +2.5 dB are in sufficient agreement, as described in the DEIR. No further response is necessary.

Comment C.10: Transportation: Traffic Study Scope of intersection analysis: Please verify that the intersections of Lafayette/Central, Scott/Central, and Lafayette/El Camino should not be included in the analysis. These intersections should be included if they meet the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines 10-trip rule.

Response C.10: A LOS analyses of these intersections is no longer required under CEQA. However, as a courtesy, the information requested in this comment is provided as follows:

Santa Clara Levels of Service Summary									
Existing Conditions									
Inter-section	**Peak Hour**	**Count Date**	**Avg. Delay (sec)**	**Level of Service**					
Lafayette/ Central	AM	2/6/20	58.2	E+					
	PM	11/13/18	53.3	D-					
Lafayette/ El Camino	AM	2/6/20	37.8	D+					
	PM	11/15/18	39.8	D					
Background Conditions									
		No Project		**With Project**				**Mitigated**	
Inter-section	**Peak Hour**	**Avg. Delay (sec)**	**Level of Service**	**Avg. Delay (sec)**	**Level of Service**	**Increase In Crit. Delay**	**Increase in Crit. V/C**	**Avg. Delay (sec)**	**Level of Service**
Lafayette/ Central	AM	86.6	F	87.6	F	2.3	0.009	74.3	E
	PM	101.8	F	104.6	F	4.0	0.011	59.6	E+
Lafayette/ El Camino	AM	40.3	D	40.5	D	0.5	0.006		
	PM	42.4	D	42.5	D	0.3	0.006		
Cumulative Conditions									
		No Project		**With Project**				**Mitigated**	
Inter-section	**Peak Hour**	**Avg. Delay (sec)**	**Level of Service**	**Avg. Delay (sec)**	**Level of Service**	**Increase In Crit. Delay**	**Increase in Crit. V/C**	**Avg. Delay (sec)**	**Level of Service**
Lafayette/ Central	AM	108.3	F	109.1	F	1.2	0.013	99.2	F
	PM	184.6	F	187.4	F	3.5	0.011	146.8	F
Lafayette/ El Camino	PM	46.1	D	46.3	D	0.3	0.004		
	PM	76.3	E-	77.4	E-	2.2	0.006		
Source: Hexagon Transportation Consultants, February 2020.									

The Scott/Central intersection was not analyzed because the Project would add fewer than ten trips to that intersection.

Comment C.11: Background Conditions. It is unclear what year background conditions occur in, as this is not stated in the traffic study completed for this project. In addition, it does not seem that any portion of the City Place project was included in background condition. Depending on what year was used for the background conditions, either Phases 1-3 or full-buildout of City Place should be included under background conditions.

Response C.11: City Place phases 1-3 are included in the City's VMT model, and thus were included in the background volumes prepared for the DEIR.

Comment C.12: Cumulative Conditions. The cumulative conditions for this project should include full build-out of City Place, along with any applicable mitigation measures for which the City Place project is 100% responsible.

Intersection Improvements: The intersections of De La Cruz/Central Expressway intersection will be improved as part of the US 101/Trimble interchange project. The intersection will have the following improvements:

- 3 NB Lefts and 2 NB throughs,
- 3 SB throughs and 2 SB rights,
- 3 EB Lefts and 2 EB rights.

The project should be completed in Year 2023. Thus, thus should be included in the cumulative condition and background, should background be after Year 2023. Please confirm with the County/VTA that completion year for the interchange project is still Year 2023 and if so, the level of service analysis will need to be revised for this intersection.

Response C.12: Pursuant to statutory and case laws, the analysis of intersection LOS is no longer a CEQA issue. However, as a courtesy, the information requested in this comment is provided as follows:

The City confirmed with VTA that the completion year is scheduled for 2023. The table below shows the revised analysis at the De La Cruz Boulevard/Central Expressway intersection with these improvements. Even with the improvements, the intersection is projected to operate at LOS F under cumulative conditions, and the Project would cause the delay to increase by 6 seconds, and the v/c ratio would increase by 0.02. Thus, Project-generated traffic would exceed the CMP LOS criterion (non-CEQA issue). Other improvements to this intersection beyond those planned by VTA would not be feasible due to right-of-way constraints.

De La Cruz Boulevard/Central Expressway Level of Service with Improvements

			Background Conditions						Cumulative Conditions					
			No Project		with Project				No Project		with Project			
#	Intersection	Peak Hour	Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS	Incr. in Critical Delay (sec)	Incr. in Critical V/C	Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS	Incr. in Critical Delay (sec)	Incr. in Critical V/C
1	De La Cruz Boulevard and Central Expressway *(Santa Clara)**	AM	30.5	C	30.8	C	0.3	0.022	42.4	D	45.8	D	5.5	0.026
		PM	40.5	D	41.9	D	2.0	0.025	**197.9**	**F**	**202.1**	**F**	**6.4**	**0.020**

Note:
* Denotes the CMP designated Intersection
Bold indicates a substandard level of service.
Bold indicates adverse effect caused by the project.

Source: Hexagon Transportation Consultants, February 2020.

Comment C.13: Measures to address intersection of De La Cruz and Martin Avenue: The cumulative mitigation measure for De La Cruz and Martin intersection requires restriping the EB lane configuration to add an additional left-turn lane. Santa Clara requests additional information regarding whether there is sufficient right-of-way to implement this measure, or whether this will require reducing lane widths or removing parking. Please elaborate on this mitigation measure.

Response C.13: Pursuant to statutory and case laws, the analysis of intersection LOS is no longer a CEQA issue, However, as a courtesy, the information requested in this comment is provided as follows:

Martin Avenue has sufficient width for the addition of a second eastbound to northbound left turn lane. On-street parking would need to be eliminated for about 175 feet on either the north side or south side of the street. About four parking spaces would need to be removed.

Comment C.14: Measures to address intersection of Coleman Avenue and Brokaw Road: The cumulative mitigation measure for Coleman and Brokaw intersection states that signal phasing modifications are needed at this intersection. However, the mitigation does not state what the phasing requirement would be. Please elaborate. In addition, the removal of the pork chop island is not required to add the third SB through lane, so please remove this language from the mitigation measure. Finally, the project should be contributing a fair share toward funding of the improvements, but this type of wording is not included in the mitigation measure language. Please revise.

Response C.14: The analysis of intersection LOS is no longer a CEQA issue, However, as a courtesy, the additional analysis requested in this comment is provided for informational purposes only as follows:

The DEIR transportation analysis identified adding a third southbound through lane on Coleman Avenue and removing the pork chop island and squaring off the corner; however, the removal of the pork chop island is not required to add the third southbound through lane. Therefore, the improvement can be considered modified by this comment. In addition, the transportation analysis says it would be necessary to restripe the east and west legs to provide exclusive right turn lanes. However, the transportation analysis incorrectly stated that signal phasing modifications would be required; modifications to signal phasing would not be required with the restriping of exclusive right turn lanes on the east and west legs. See Section 5, *Draft EIR Text Revisions*.

Regarding funding of improvements, there are various improvements that are needed along the Coleman Avenue/De La Cruz Boulevard corridor to support planned future development, both in San José and Santa Clara. The City of San José will work with Santa Clara to implement the necessary improvements.

D. County of Santa Clara Roads and Airports Department (dated January 14, 2020)

Comment D.1: The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the Mineta San José International Airport – Airport Master Plan Update Draft EIR (DEIR) and is submitting the following comments:

For County facilities, the DEIR only included the study of Central/Delacruz and excluded all other CMP facilities that we recommended during our review of the NOP. Please review attached previous email for the NOP.

Response D.1: Please see the detailed responses, below.

Comment D.2: Study additional County intersections along expressways.

Response D.2: The transportation analysis in the DEIR used the VTA guidelines to select study intersections. Intersections were selected where the Project would add 10 or more trips per lane. The Project would not add 10 or more trips per lane to most of the expressways included in the County's NOP letter. The exception is Central

Expressway. In response to a City of Santa Clara comment, the intersection of Lafayette Street and Central Expressway was added to the analysis; see Response C.10.

Comment D.3: The County requests a study of access to the airport from Reed St/Martin Av.

Response D.3: The Airport is not considering access from Reed Street/Martin Avenue. Access at this location would not be compatible with the Master Plan. In addition, the Coleman/De La Cruz corridor is congested during peak hours, which could be exacerbated with an additional Airport access point.

Comment D.4: The proposed project significantly impacted Central and De La Cruz intersections and needs to provide mitigations. The County has identified a ped/bike under-crossing as a possible safety improvement project, and we believe that the proposed airport project can contribute to the cost of this improvement.

Response D.4: While not a CEQA issue identified in the EIR, the Airport is open to cooperating with the County on any potential future transportation improvement affecting Airport property. For a number of years, the Airport has informally allowed its restricted service road around the north end of the airfield ("Ewert Road") to be used for bike path access between De La Cruz and the Guadalupe River Trail. The Airport is also currently participating in the VTA/Caltrans final design of the Highway 101/De La Cruz/Trimble interchange upgrade project. While the expenditure of Airport funds for off-Airport improvements is generally prohibited under federal law, use of Airport property for a public purpose that does not conflict with any existing/future facilities, or federal regulation or policy, may be feasible.

Comment D.5: Please provide TIA for T-16 Project, which is currently not under the Airport Master Plan, Page 29 in the DEIR.

Response D.5: Project T-16 is the proposed on-Airport business hotel. The hotel almost exclusively would serve airline travelers and employees. Thus, it would replace trips that would otherwise travel off-Airport to other hotels. While there would be some new trips for hotel employees, these would be more than offset by the reduction in off-Airport trips to other hotels. Therefore, the hotel would not add trips to nearby intersections and would also contribute to a decrease in VMT.

Comment D.6: Please provide measurement metrics for existing and proposed Travel Demand Management (TDM) and details on how the TDM will be monitored.

Response D.6: As described in Section 4.17 of the DEIR, under its TDM program, the Airport provides free transit passes to all airport employees and also provides secure bicycle parking. The Airport also works with VTA to continue to provide bus access to the airport from the nearest light rail stop on First Street and from the Santa Clara transit center, which provides access to Caltrain, Amtrak, Altamont Commuter Express, and the future BART system, as well as to the Milpitas BART Station and Winchester light rail terminus. The DEIR identified a less-than-significant VMT

impact for the Airport Master Plan, and, therefore, an enhanced TDM program is not a required mitigation measure and formal monitoring is not warranted.

Comment D.7: Are there any proposed mitigations for project impacts on freeway segments?

Response D.7: Although the analysis of LOS on freeway segments is no longer a CEQA issue, the following response is provided for informational purposes:

Freeway improvements are beyond the capability of the Airport and/or the City of San José. However, VTA and Caltrans have proposed possible improvements to the freeway segments that serve the Airport. Below is a list of the improvements, schedules for many of which are underdetermined pending the availability of funding:

US 101

- US 101/Old Oakland Road Interchange Improvements
- US 101/Zanker Road/Skyport Drive/Fourth Street Interchange
- Double Lane SB US 101 off-ramp to SB SR 87
- US 101 SB/Trimble Road/De La Cruz Boulevard/Central Expressway Interchange Improvements
- Montague Expressway & US 101 Interchange Improvements
- US 101 Southbound Auxiliary Lane: Great American Pkwy to Lawrence Expwy
- US 101 Southbound Auxiliary Lane Improvement Between Ellis Street and SR 237
- Convert existing HOV lanes to express lanes on US 101 from Whipple Avenue in SMC to Cochrane Road in Morgan Hill

SR 87

- SR 87 Express Lanes: SR 85 to US 101

I-880

- I-880/Montague Expressway Interchange Improvement
- I-880 Express Lanes: Alameda County line to US 101

Comment D.8: Project Trip Distribution shown in Figure 7 of the Hexagon Transportation analysis assumed high percentages on nearby freeways, which during peak hours are very congested, thereby making airport travelers find alternate routes to get to the airport and use surface streets.

Response D.8: The transportation analysis described in Section 4.17 of the DEIR was completed using the San José travel demand forecasting model. This model accounts for route diversions due to congestion on freeways or other transportation facilities. Therefore, the study already accounts for diversions due to congestion.

E. Santa Clara Valley Habitat Agency (dated January 10, 2020)

Comment E.1: My comments on the San José Mineta International Airport (Airport) EIR are limited to impacts to Western burrowing owl (BUOW), a Santa Clara Valley Habitat Plan (Habitat Plan) covered species, nesting and foraging habitat as well as the nitrogen deposition impacts resulting from the increase in nitrogen oxides emissions from 29,332 new vehicle trips projected to be generated by the Airport's proposed expansion. Though activities within the Airport boundaries are not covered by the permits guiding development in the Habitat Plan area, the Airport is proposing to mitigate both BUOW and nitrogen disposition impacts resulting from the proposed Airport expansion through the Habitat Plan. The Santa Clara Valley Habitat Agency (SCVHA) supports and applauds this approach, which is consistent with our Voluntary Fee Payments Policy established in 2014 for projects within the Habitat Plan area but not covered by the Habitat Plan. *MM BIO-4.1: Provide Compensatory Mitigation for Permanent Impacts on 32.4 acres of BUOW Habitat* and *MM BIO-5.1: Payment of the Nitrogen Disposition Habitat Plan Fees* is consistent with covered project mitigation measures administered through the Habitat Plan permit process. SCVHA looks forward to continuing to work with the Airport managing and recovering the BUOW population in Santa Clara County.

> **Response E.1:** The City/Airport looks forward to working with the SCVHA on issues related to the BUOW.

F. Santa Clara Valley Water District (Valley Water) (dated January 13, 2020)

Comment F.1: The Guadalupe River is located along the easterly side of Airport Boulevard. Activities that occur adjacent to Guadalupe River would include construction of 5 new fuel storage tanks, removal of the economy lot (surface parking) and replacement with a long-term parking garage (6,000 spaces), construction of a new short-term parking garage (5,000 spaces), and construction of a new 300,000 square foot business hotel. Valley Water has an easement over the Guadalupe River along Airport Boulevard and owns the property along the river north of Hwy 101. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water right of way (fee and easement) requires the issuance of a Valley Water permit and requires Valley Water to be considered a responsible agency under CEQA.

> **Response F.1:** None of the improvements to be constructed under the Project and analyzed in the DEIR are anticipated to occur on Valley Water lands (fee title or easement). Therefore, no permits from Valley Water will be required.

Comment F.2: Valley Water strongly advocates for maximizing the vegetated areas between the developed portions of the site to enhance the riparian corridor by imposing a minimum 100-foot set back from the existing creek top of bank to any hardscape, roadways, or parking areas associated with the project. The amendment notes that the City's Riparian Corridor Policy will be used in the assessment of the project's impacts to the Guadalupe River. To minimize impacts to the riparian corridor the project should also be consistent with the Guidelines and Standards for Land Use Near Streams.

> **Response F.2:** As described in Section 4.4.2.5 of the DEIR, the City's objective is to design the additional tanks at the fuel farm and the parking garage at Economy Lot 1

to avoid any encroachment within the 100-foot buffer of the Guadalupe River corridor, which is consistent with the City's Riparian Corridor Policy. In the unlikely event it is not feasible to avoid encroachment into the buffer, compensatory mitigation will be provided, as described on page 137 of the DEIR under MM BIO-13.2.

Comment F.3: To protect the genetic integrity of the riparian corridor and mitigation plants Valley Water recommends replacement trees and landscaping within the riparian corridor be in accordance with Design Guide 3 from the Guidelines and Standards for Land Use Near Streams. Design Guide 3 (enclosed)[5] will help ensure landscaping will be maintained in a manner consistent with the goals of protecting the local natives and replacement plants consistent with this guide are commercially available. This guide provides options for use of either non-invasive, drought-tolerant, non-native ornamental plants that will not have the potential to cross pollinate with native riparian species or else choosing non-invasive, drought-tolerant, non-local California natives (ornamental natives) with no potential to cross- pollinate with the local native species.

Response F.3: As described in Section 4.4 of the DEIR, impacts to vegetation will be limited to the removal of ruderal grassland and non-riparian trees. No replacement planting within the riparian corridor of the Guadalupe River is planned. Also see Response F.2.

Comment F.4: Please also note that Valley Water has easement along the Guadalupe River which contain several native plant mitigation sites related to the flood protection improvements along the river. The DEIR discussions related to riparian mitigation should note that no planting for mitigation or replacement tree planting can occur on Valley Water property or within existing Valley Water mitigation sites.

Response F.4: The City acknowledges the presence of the mitigation sites along the Guadalupe River. As stated above, no impacts/mitigation within the riparian corridor of the Guadalupe River will occur as part of the Project. Further, as noted in Response F.2, the City's intent is to avoid any construction within the 100-foot buffer along the Guadalupe River.

Comment F.5: The discussion under Sections 4.10 Hydrology and Water Quality and Appendix I should note that the Zone AH is a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA) and that development in a SFHA is subject to City and FEMA required building standards, including flood proofing.

Response F.5: The City will comply with all requirements related to floodproofing as they pertain to this Project. The FEMA designations and requirements are also standard permit conditions for the project.

Comment F.6: Valley Water records indicate that there are approximately 40 active and 4 abandoned wells within the project site. If currently active wells will continue to be used following development

[5] Design Guide 3 can be found in the appendix of this document.

of the site, they must be protected so that they do not become lost or damaged during construction. If the wells will not be used following development of the site, they must be proper1y destroyed under permit from Valley Water. The abandoned well if found during construction must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. It should be noted that while Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. All wells found at the site, must be destroyed or registered with Valley Water as noted above. For questions about the wells, please contact Valley Water's Wells and Water Measurement Unit at (408) 630-2660.

Response F.6: As a standard condition, the City will comply with the above-described requirements of Valley Water as pertains to wells located on the Airport property.

Comment F.7: Page 233 Floodplain and Flood Management- The discussion under this section notes that developments adjacent to creeks are required to dedicate flood protection easements. The discussion implies Valley Water requires this; however, Valley Water does not have such a requirement. Also, this discussion notes the City may require floodproofing for buildings in flood hazard areas. Floodproofing is required for buildings in designated SFHA areas, such as Zone AH per FEMA's Technical Bulletin 3-93 Non-Residential Floodproofing - Requirements and Certification for Buildings Located in Special Flood Hazard Areas.

Response F.7: Thank you for the clarification of Valley Water's policies regarding easements. As stated above in Response F-5, the City will comply with all requirements related to floodproofing as they pertain to this Project.

Comment F.8: The discussion under this section notes that the Rocky Pond doesn't meet Federal Aviation Administration (FAA) recommendations for drain down time but doesn't discuss if any changes are proposed to make the pond meet the FAA recommendations.

Response F.8: This comment misinterprets the text. The first paragraph on page 239 of the DEIR states that Rocky Pond *does* conform to FAA drain time recommendations.

Comment F.9: Appendix I - Section 9.1 should also note the site is subject to inundation from the Leroy Anderson Dam and the James J. Lenihan Dam on Lexington Reservoir in addition to the Guadalupe Dam. The inundation areas for these dams would include the entire airport site not just the mapped AH zones. Additionally, the inundation area for the Guadalupe Reservoir extends into areas beyond the SFHA Zone AH. Please note the FEMA AH Zone reflects riverine flooding only and does not reflect flooding from dam inundation.

Response F.9: Clarification included in the record. The City acknowledges that the FEMA floodplain zones do not account for inundation under a dam failure scenario.

Comment F.10: The Hydrology and Water Quality section should include a discussion of the impacts of increased runoff relative to impacts on the 1% design flow and water surface levels in Guadalupe River in addition to impacts on the Airport property.

Response F.10: Based on the information in Appendix I of the DEIR, the Project would increase runoff during the 100-year storm by approximately 2% over

existing/baseline conditions. This increase is too small to result in a change in the water surface level in the Guadalupe River.

Comment F.11: Please forward the DEIR when available for public comment and reference Valley Water File No. 22275 on further correspondence regarding this project. If you have any questions or need further information, you can reach me by email at LBrancatelli@valleywater.org or by phone at (408) 630-2479.

Response F.11: A copy of the DEIR was provided to Valley Water and this First Amendment to the DEIR was forwarded to Valley Water on 2/28/2020.

ORGANIZATIONS, BUSINESSES, AND INDIVIDUALS

G. Alex Logan (dated January 5, 2020)

Comment G.1: As a long time San José resident and current Willow Glen resident, I have to say I am very much against any significant airport expansion. The noise and pollution related to the airport is already a huge detriment to the adjacent areas of San José. My daughter plays on playgrounds where very loud airplanes roar just above us while taking off. Most mornings, we wake up to loud rocket-sounding airplane engine noise. But the airport noise and pollution is a huge detriment to the downtown SJ experience. If we really want a beautiful, vibrant San José downtown, we CANNOT significantly expand airport activities. It is already a critical detriment to the quality of life in the nearby area.

> **Response G.1:** This comment expresses the opinion that the Airport should not undergo significant expansion due to noise and pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Comment G.2: In my opinion, we need to expand capacity of an airport (or build a new airport) that is away from the downtown and major SJ population areas. Something south between SJ and Milpitas for example. The convenience of travelers is not a priority compared to the constant noise and pollution created by any expansion to the SJ airport that would be experienced every day by San José residents.

> **Response G.2:** Alternative locations for an airport are described and evaluated in Section 8 of the DEIR. The analysis concluded that such alternatives are not considered feasible under CEQA for the reasons described therein.

H. Alexander Slobodov (dated January 5, 2020)

Comment H.1: I have read article "New Concourse, Hotel, Parking Garage Envisioned for Mineta SJC" by Maggie Angst. The most of discussion in it is about pollution/greenhouse gases and how expansion will effect this. While the clean air is very important, the article failed to cover another environmental parameter – NOISE. Today there are about 200 flight in and out of SJC and noise is already unbearable. How are you going to deal with noise when number of flights will be doubled? Do you think about people who live in proximity of SJC?

> **Response H.1:** Section 4.13 of the DEIR includes a comprehensive analysis of noise under existing conditions as well as under future conditions, both with and without the Project. See also the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

I. Alice Martineau (dated January 17, 2020 at 7:46 PM)

Comment I.1: I am sending Robert Holbrook's comments, printed up below, because I am in agreement with them.

> **Response I.1:** Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

J. Alice Martineau (dated January 17, 2020 at 8:26 PM)

Comment J.1: I am sending comments from two of Robert's colleagues from Palo Alto, focused mostly on environmental effects printed up below, because I am also in agreement with them.

> **Response J.1:** Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

K. Alice Newton (dated January 3, 2020)

Comment K.1: Below are my comments regarding the proposed new terminal, parking garage, and hotel at the San José airport. Please ensure that they are included in comments available for public viewing. Thank you. I am also sending these comments to the editor of the S.J. Mercury News.

Should Norman Mineta Airport build a new terminal, parking garage, and hotel? This question will be addressed by the San José City Council on January 14th and provides an opportunity for San José to take a significant national leadership position in deciding NO. According to the S.J. Mercury News on Dec. 30th (Local News p.1), "The aviation industry accounts for 12% of all transportation-related greenhouse gas emissions and 3% of total greenhouse gas emissions in the United States according to the Environmental Protection Agency." Additionally, an S.J. Mercury News article May 6,2019 (Local News p.1) states that CO2 emissions from Silicon Valley and Salinas Valley blow west and are absorbed in the ocean water causing acidification "unfavorable for many sea creatures." Greta Thunberg, Swedish activist, quoted IPCC's SR 15 report on global warming predictions in her speech in Montreal on 9/27/19 saying, "With today's emissions levels, that remaining CO2 budget will be entirely gone within less than 8.5 years." Everything possible by every country must be done to decrease emissions. Airports around the Bay should be connected by electric high speed rail and flights coordinated so that numbers of flights can be decreased rather than increased. Yes, reasons for flying will have to be reevaluated and national and global aviation will have to adapt.

Cities, counties, and states should invest in electric public busses, trains, and charging stations for cars as well as in solar and wind energy. We should mandate sustainable energy systems for all new buildings, subsidize solar power for existing homes, subsidize changing from gas powered cars to electric ones, ban fracking, and insist on other known ways to slow humanity's contributions to global warming. Every day now, every decision should be weighed against whether or not it contributes to or lowers greenhouse gas emissions. The answers will be clear and we must not hesitate to do the right

thing. Perhaps in an ideal future, we will have electric airplanes. For now, say NO to a new terminal and parking garage at the airport. NO to increasing the numbers of flights there or elsewhere. Support improved electric public transportation to the airports. The S.J. Mercury News article (12/20/19) says you may submit comments on this subject by January 13 to David Keyon in the San José Dept. of Planning, Building and Code Enforcement at David.Keyon@sanjoseca.gov or call 408-535-7898. Request that your comments be available to the public.

Response K.1: This comment expresses the opinion that the Project should not be approved due to greenhouse gas emissions impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

L. Aimee Zhu (dated January 17, 2020)

Comment L.1: I'm a resident lived in Sunnyvale over 15 years. From 2016, I have been suffering too much noise from SJC flight. If SJC can't solve the south flow operations, this expansion will make our live environment worse. I definitely oppose the SJC expansion plan before it solves the airplane noise issue in the neighborhood.

Response L.1: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

M. Barry Fitzgerald (dated January 17, 2020)

Comment M.1: I live in the Santa Cruz mountains. I moved here for the incredible quiet that unfortunately was destroyed by the movement of flight patterns starting with SERFR and then continuing with BRIXX shifting to accommodate. Add to that SJC traffic to Hawaii, China and Japan at low levels and you have destroyed my living space.

Airports like to brag how many passengers they have in the air but 99% of the population at any given time is UNDER it and many are suffering even as they never bought into this mess.

I have cut my flying back to the minimum largely due to how painful flying in the USA has become. So I rarely enjoy the "benefit".

The idea of expanding SJC further and destroying more people's environment, not to mention the pollution and GHGs that we have no choice but to receive, is something I oppose with every energy I have. I helped organize the massive protests over SERFR and given the vastly more destructive nature of these airport proposals, you can expect a far greater reaction.

Why waste the city's money only to have to back down later? Stop further expansion. I really hope for fast rail to replace most intra-California travel and totally support it.

Response M.1: This comment expresses the opinion that the Airport should not be expanded due to noise, air pollution, and GHG impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

N. Ben Debolle (January 9, 2020)

Comment N.1: Please help us significantly reduce the very low and extremely LOUD jet flights over the Bay Area!

Response N.1: The flight tracks and altitudes of aircraft overflights are under the jurisdiction of the FAA. The proposed Amendment to the Airport Master Plan will not modify any existing flight tracks or procedures. See also the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

O. Briggs Nisbet (dated January 10, 2020)

Comment O.1: I have lived in South Palo Alto since 2012 and have been terribly impacted by the increase in concentrated air traffic over my house since 2014 as a result of FAA's Nextgen implementation and changes to flight routes for both SFO and SJC. Increasingly, I am affected by low-flying aircraft into and out of SJC, and these flights are reported, logged and submitted to SFO as noise complaints. My comments on the SJC Draft EIR:

The City of San José and SJC must ensure that San José residents and neighboring communities have full disclosure of noise and emissions impacts: Integrate analysis of noise and emissions impacts that would result from airspace changes- FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.6

Response O.1: This EIR provides extensive analysis of the noise and air emissions impacts of the proposed Project; see DEIR Sections 4.13 and 4.3, respectively. No changes to flight tracks or flight procedures are proposed by the Project. Changes to Northern California flight tracks that were implemented by the FAA in 2015 as part of its NextGen Program were evaluated in a 2014 Environmental Assessment prepared under NEPA by the FAA. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

[6] https://www.faa.gov/nextgen/media/NextGen Implementation Plan-2018-19.pdf

P. Carrie A. Snyder (dated January 13, 2020)

Comment P.1: I live in Menlo Park and I hear that San José airport is expanding. I'm here to tell you that we want the incessant, loud, endless airplane noise out of our homes, yards, neighborhoods and lives. NO MORE AIRCRAFT NOISE!! So, whatever you do, get rid of aircraft noise. This is the most important topic regarding living here in the Bay Area.

> **Response P.1:** This comment expresses the opinion that the noise from aircraft overflights is the most important issue for residents in the Bay Area and must be addressed. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Q. Catherine Hung (dated January 17, 2020)

Comment Q.1: While I appreciate our local growth, I and several hundred other local residents hear the unceasing, increasing daily noise of aircraft. Please help regulate airlines! Under 3000 ft is Excessively Noisy. Over 6000 ft, still noisy.

I thought due to weather yesterday, seemed all the SJC flights flew over downtown Mountain View. Today 1/17 less flights. Still I tagged 9 flights. Where I live from purchasing in 2004 with Caltrain and Central Expressway auto noises, adding in airplane noises is disturbing. The 18 (tagged, Lots of more noisy flights) reports: starting before 8 am, thru the day, & non-stop one after another from 7pm on till SFO after midnight:

- Thu, Jan 16, 11:38 PM Flight WN2381 [OGG-SJC] (B738; speed: 186 knots, altitude 2761.579206545067 ft, distance: 4 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 11:05 PM Flight WN1332 [SAN-SJC] (B737; speed 205 knots, altitude 2800 ft, distance: 3 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 11:02 PM Personal notes: Flying right by, SO NOISY!!! LOW!!!!; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 10:48 PM Flight: WN2092 [LAX-SJC] (B737; speed: 202 knots, altitude 2850 ft, distance: 3 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 10:42 PM Flight: AS 324 [SEA-SJC] (B738; speed: 175 knots, altitude: 2850 ft, distance: 4KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 10:41 PM; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 10:39 PM Flight HA 44 [HNL-SJC] (A21N; speed: 176 knots, altitude: 2850 ft, distance: 4 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 10:37 PM; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu Jan 16, 10:31 PM; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 08:02 PM Flight: WN2155 [LAX-SJC] (B737; speed: 192 knots, altitude: 2657.494411160533 ft, distance: 4 KM); Volume was "TOO LOUD". Speedbrakes were heard!

- Thu, Jan 16, 08:02 PM Flight: WN2155 [LAX-SJC] (B737; speed: 192 knots, altitude: 2762.456734517333 ft, distance: 4 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 07:50 PM Flight: AA6015 [LAX-SJC] (E75L; speed: 192 knots, altitude: 2953.6263768181334 ft, distance: 3 KM); Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 07:28 PM; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 09:37 AM; Personal notes: Flying right by, SO NOISY!!! LOW!!!!; Volume was "TOO LOUD". Speedbrakes were heard!
- Thu Jan 16, 09:33 AM Flight: Y4 930 [GDL-SJC] (A320; speed: 203 knots, altitude: 3228.9958976810667 ft, distance: 4 KM); Personal notes: Flying right by, SO NOISY!!! Volume was "TOO LOUD". Speedbrakes were heard!
- Thu, Jan 16, 09:25

Response Q.1: This comment expresses the opinion that noise from aircraft arrivals to SJC during south flow conditions to too loud. To illustrate the point, the comment lists multiple arrivals to SJC on the evening of 16 January 2020 when weather conditions dictated a south flow configuration. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

R. Chen Yuxi (dated January 17, 2020)

Comment R.1: My family and I strongly object to SJC expansion. There is already too much noise from SJC south flow operations. The expansion will make it worse.

Response R.1: This comment expresses the opinion that the Airport should not be expanded due to noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

S. Chuck Jacobson (dated December 30, 2019)

Comment S.1: Please include in your plans, making the SJ Airport more user friendly. Not every traveler is up to walking the extreme distances required to fly out of Mineta Airport. Following are areas that I personally have trouble with as an 87-year old Sr.

- Terminal needs people mover lanes to cover tremendous distances.
- Public transportation access needs to be more convenient to passengers. Now have walk to far to get to public buses and shuttles. Public should be able to exit baggage area and have bus, taxi, and shuttle service available right there, not a long walk away.
- Signage for parking, exiting, and directions to terminals needs improvement

> **Response S.1:** These comments relate to the proposed Airport Master Plan Amendment, rather than to the EIR. They will be taken into consideration by the Airport during design of improvements to the terminal area. Therefore, because this comment does not raise any issues or concerns with the adequacy of the analyses in the DEIR, no further response is required.

T. Claire (dated January 17, 2020)

Comment T.1: Whenever airplane will fly over my roof and I will know today is south wind day, but it's getting more and more flights even it's not south wind days. There is too much noise from SJC south flow operations already, and this expansion will make things worse. Every voice counts and I hope we can stop it if possible.

> **Response T.1:** This comment expresses the opinion that the Airport should not be expanded due to noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

U. Clifford Reader (dated December 30, 2019)

Comment U.1: An increase in pollution, global warming, etc. caused by increased air traffic could be offset by a reduction in environmental impact if passengers could get to the airport by rail. There are two possibilities:

1. I never understood, a quarter of a century ago, why the light rail didn't have another line that bypassed downtown and served SJC. It could be built along Hwy. 87, between the existing track downtown and 1st St. north of the airport, diverting on elevated track to pass directly outside of the

airport terminals offering walking access for passengers with luggage. This would also have a major side-benefit of offering an express light rail route for commuters who live in south San José and work in north San José, because it would cut out the 10 mph crawl through downtown, and a large number of intermediate stops. Little or no private land would need to be acquired and little or no demolition would be required.

2. "Heavy" rail could also be connected to such elevated track past the terminals with a connection from Santa Clara station across almost entirely open land, and a connection in the area of Bowes Ave. that could be largely elevated above Walsh Ave., or perhaps Central Expy. A connection could also be made to the East Bay line at Lafayette St. An issue is a need for dual-voltage trains.

These connections would mean airport passengers from South San José, Campbell, Morgan Hill, Gilroy, the Peninsular and potentially Newark and Fremont could all quickly access SJC without driving and parking. I can only think the taxi driver union's influence over otherwise environment-conscious politicians has prevented this. In my opinion as an airline passenger, it is critical to give walking access with rolling luggage from public transport directly and immediately into airport terminals. Shuttles, and connections like Oakland Airports BART connection are too much hassle and add so much time they offset any gain against driving. The airport that did public transportation perfectly is Hong Kong – please check it out. Stacking the tracks gives walking access into the terminal for both arriving and departing passengers with no stairs. 80mph trains take you to Kowloon and the heart if Hong Kong in 20 minutes. Runners up include Geneva, Zurich, Heathrow, Beijing, Narita, Kansai and Chicago. Failures include the new subway connection at Dulles (really dumb locating the tracks away from the terminal building), JFK, and Boston.

> **Response U.1:** Various proposals for constructing direct rail service to the Airport have been put forth by the City and VTA over the past several decades. These have included BART, light rail, an automated people mover, and personal rapid transit. The City is currently investigating the feasibility of building a direct transit connection between the Diridon Station in Downtown San José and the Airport. Such projects present many hurdles including high costs, environmental issues, and cost effectiveness. Further, as noted in this comment, a rail connection is not always successful, as evidenced by the $500 million BART-Oakland Airport Connection that is experiencing very low ridership.[7]

V. Ellen Zhao (dated January 17, 2020)

Comment V.1: There are too much noise from SJC south flow in Sunnyvale already. Unless the current NextGen issue is fixed, I oppose the current expansion plan!

> **Response V.1:** This comment expresses the opinion that the Airport should not be expanded unless the NextGen issue is fixed. The comment is included in the record

[7] See "BART's Oakland Airport Connector Turning into Big Money Loser," https://www.sfchronicle.com/bayarea/article/BART-s-Oakland-airport-connector-turning-into-10984679.php

and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

W. Evelyn Breakstone (dated January 13, 2020)

Comment W.1: I live in Sunnyvale and am extremely concerned about the proposed airport expansion. Currently, during South Flow days over 300 planes come directly over my home. This began almost 6 years ago, when NextGen was initiated. The FAA continues to indicate that it is trying to relieve us of the stressful noise and exhaust coming from the planes, but I do not believe it is sincere in amending this terrible mistake.

Now we are talking about expanding the airport. The construction will spew more pollution during a period when we are trying to clean the air. In addition, if the number of planes coming over our homes, polluting our skies, causing health issues, reducing the quality of our lives, decreasing our property values, and promoting even more stress from the noise is allowed, what can be the benefit of expanding the airport? Currently, we need to keep our windows closed, even on the hottest days of summer. Double pane windows do not eliminate the noise. We can no longer use our yards or be outdoors. People's patios are covered in black film from the exhaust.

It seems to me that the airport is more concerned about profit than it is about the citizens. Please reconsider the extreme negative impact that this expansion is going to have on citizens before you progress further.

Response W.1: This comment expresses concerns over the expansion of the Airport due to ongoing noise and pollution issues associated with aircraft overflights in Sunnyvale. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

X. Evelyn Breakstone (dated January 17, 2020)

Comment X.1: I wish to reiterate my objections to the San José Airport Expansion. On South Flow days (19 in December alone and many more in summer than we experienced previously), over 300 flights come over my home at altitudes of approximately 3000 feet. After 6 years of discussing this problem, it has still not been resolved and now you are talking about expanding the airport and consequently the number of flights.

These flights spew exhaust and fumes that are very dangerous to our health. I assume that the amount of these particulates is even worse than smoking cigarettes.

Further to this issue, is that the noise from these planes causes mental and physical stress. Adding more flights will make this matter even worse. During South Flow days, I am fortunate if I am able to sleep 3 hours. We cannot open our windows or hear the birds and we are afraid to breathe this dirty air.

> **Response X.1:** This comment expresses the opinion that the Airport should not be expanded due to noise and air pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

Comment X.2: Based on the Environmental Impact Report, there are two false assumptions: 1) that there will not be an even greater number of flights over my home, and 2) that there will not be an environmental impact to add greenhouse gases to the air we breathe and cause further damage to our health. These false assumptions are certainly reasons that I am requesting that this Airport expansion project be rejected.

> **Response X.2:** This comment is incorrect. Table 3.2-1 on page 22 of the DEIR discloses that the annual number of flights at the Airport will increase from 173,389 in 2018 to 237,710 in 2037. Further, Table 4.8-3 on page 182 of the DEIR discloses the increase in GHG emissions between 2018 and 2037. For the reasons described in Section 8.5.1 of the DEIR, the increase in flights is projected to occur with or without the expansion of facilities at the Airport.

Y. Hans (dated January 17, 2020)

Comment Y.1: I have been a Sunnyvale resident since 2000. For recent several years, we have been noised by the SJC south flow too much. Silicon Valley is a very high density area, it is not right to expand SJC further. Please do not expand SJC further. Instead, SJC should reduce the daily flights and improve the residential living environment.

> **Response Y.1:** This comment expresses the opinion that the Airport should not be expanded due to aircraft noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in*

Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

The last part of the comment states that the Airport should reduce the number of daily flights. As stated in the EIR Summary, under the Federal Airline Deregulation Act of 1978, the City cannot regulate the number of flights at the Airport.

Z. Ionut Constandache (dated January 17, 2020)

Comment Z.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have a big issue with loud airplane noise over Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue that hasn't been addressed in ANY accommodating way. Despite residents' efforts. There are real people including children hurting under these airplane rails. Until the airport and SJ addresses these issues any expansion in the SJC airport is an ill driven and ill-conceived goal. Please stop!

The noise is the immediate concern by as mentioned in the report there are serious environmental issues as well, and long term the environmental impact is going to just compound. Let's stop putting more carbon into the skies, let's do right by our neighbors.

Response Z.1: This comment expresses the opinion that the Airport should not be expanded due to aircraft noise and air pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

AA. Jack Yu (dated January 17, 2020)

Comment AA.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

Response AA.1: This comment expresses the opinion that the Airport should not be expanded due to aircraft noise impacts. The comment is included in the record and

will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

BB. Jay and Sallie Whaley (dated January 10, 2020)

Comment BB.1: We completely support the letter from Sky Posse dated January 8, 2020, summarizing comments on the draft environmental impact report. We have been severely impacted by the noise of aircraft landing at SFO, since implementation on Next Gen. We have been 2 of the many residents who have reported 4,000 to 7,000 complaints PER DAY from our area. We must all cooperate and work for a solution to this induced environmental negative impact, that is fair to all in the entire community.

Response BB.1: This comment references comments submitted by Sky Posse. Those comments and the corresponding responses are Comment KKK, below.

CC. Jennie Dusheck (dated December 31, 2019)

Comment CC.1: I read the recent Maggie Angst piece on plans to expand Mineta to accommodate airlines' growth plans. Stayin under 1.5 C to avoid the worst effects of climate change, means the airline industry must not expand. Air traffic is a significant contributor to global warming both from emissions and from the effects of contrails. I strongly opposed expanding Mineta and would like to suggest devoting the funds allocated to Mineta be diverted to the California High Speed Rail Project and, for example, the Diridon Station.

Response CC.1: This comment expresses the opinion that the Airport should not be expanded due to climate change impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

DD. Jennifer Landesmann (dated January 17, 2020)

Comment DD.1: I am a resident of Palo Alto, among the many who witnessed a dramatic increase in aircraft noise from both SFO and SJC since 2014. Neither the FAA or airports have been forthcoming with information about risks from noise or emissions. On the contrary – there have been misleading reports that planes are quieter – the engines are quieter but when hundreds of planes are repeatedly flying at low altitudes over communities, it is neither quiet or clean and requires mitigations.

I ask that you please respond to all the suggestions made in the recent letter from Sky Posse Palo Alto.

Install noise monitors where noise complaints have erupted since 2014.

Response DD.1: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR. This comment also references comments submitted by Sky Posse. Those comments and the corresponding responses are Comment KKK, below.

Comment DD.2: Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements.

Response DD.2: A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities, as contained in their General Plans, including Palo Alto, utilize an exterior threshold of 45 DNL.

Regarding noise model validation, please see Response C.7

Comment DD.3: Engage with the SCSC Roundtable http://scscroundtable.org

Response DD.3: The Santa Clara/Santa Cruz (SCSC) Roundtable, a permanent aircraft noise mitigation entity that includes 21 cities within the counties of Santa Clara and Santa Cruz, SFO, and the FAA, discusses ongoing issues related to the flight track changes that were implemented in 2015 in Northern California under FAA's NextGen Program. The proposed Project would not modify any flight tracks or flight procedures. Therefore, the question of the City's participation in the Roundtable is unrelated to the analysis of the Project in this EIR.

Comment DD.4: Also, please see recent report about aircraft releasing jet fuel over schools before an emergency landing. The report states FAA protocol that jet fuel released above 5000 feet evaporates which means there are serious risks with emissions and particulates BELOW 5000 feet. https://www.youtube.com/watch?v=uFptk0-Y2_E, and the January 15, 2020 meeting Video http://spectrumstream.com/streaming/bgpaa/2020_01_15_taskforce.cfm includes a presentation by children from Los Angeles Unified School District which mentions data on the higher amount of asthma medications used in communities under flight paths compared to the national average.

Response DD.4: The cited incident in Southern California was an isolated and unfortunate accident that occurred during an emergency.[8] The incident does not represent normal procedures and, in any case, is unrelated to the proposed Project.

[8] https://www.latimes.com/california/story/2020-01-15/jet-fuel-dump-on-cudahy-school-children-sparks-outrage-anger

Comment DD.5: The problems to children are real – Burbank for Quiet Skies Presentation http://hollywoodburbankairport.com/wp-content/uploads/2020/01/Burbank-for-Quiet-Skies-COmpressed.pdf If a citizen can come up with the data and analysis in this presentation, surely a Silicon Valley Airport can do as well. The City of San José should not bank and profit from the destruction of neighborhoods or early death of thousands of people. Full mitigation and AVOIDANCE of causing harm is needed which begins with transparency and thoughtful study of all projected impacts.

> **Response DD.5:** As noted in the prior response, Section 4.3 of the DEIR fully discloses the air quality impacts of the proposed Project. Table 4.3-5 contains an extensive list of the emissions reduction measures that the City undertakes to reduce the emissions from sources within its control. Emissions from aircraft engines are regulated solely by the U.S. EPA.

EE. J.F Boyer (dated December 30, 2019)

Comment EE.1: An article (in today's Mercury News) about airport pollution that doesn't mention the lack of ground transportation to & from the airport? BART is coming to San José but not to the airport. Big mistake. A mistake first made with light rail and being repeated with BART. Provincial San José and its airport are consigning themselves to the bush league of cities in the decision not to bring in BART. The tenth-largest city in the nation? Not by any standards of efficient public transportation to its international airport.

Do the math: how many solo car trips to SJC would be replaced if a reasonable alternative existed. Then write a credible article about airport pollution that does not overlook this critical component of including SJC in BART's routing.

> **Response EE.1:** Please see Response U.1, which responds to a comment stating that an increase in pollution, global warming, etc. caused by increased air traffic could be offset by a reduction in environmental impact if passengers could get to the airport by rail.

FF. Joel Hayflick (dated December 30, 2019)

Comment FF.1: Today's San José Mercury News ran a story by Maggie Angst on page B1 describing the proposed expansion of SJC. I live in Palo Alto where the impact of low and loud jet aircraft noise and 10 nm particulate exhaust from jet planes on approach to SJC has increased dramatically over the past four years. The negative impact of chronic jet noise and exhaust exposure on human health is well documented in peer-reviewed publications and includes cardiovascular toxicity and poor school performance by children. Jets on approach to SJC routinely get routed over Palo Alto at or below 1800 ft elevation. On a recent day, at least 15 flights on approach to SJC were counted flying at or below 1800 feet over Palo Alto. These flights, combined with more than 300 daily low and loud flights on approach to SFO flying over mid-town Palo Alto 24/7/365, have a chronic negative impact on health and quality of life for residents of Palo Alto. The reason for this chronic human noise and exhaust exposure is the FAA's rollout of the Nor Cal Metroplex NextGen plan in 2014.

Response FF.1: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment FF.2: The proposed expansion of SJC leading to projected 50% increases in air traffic does not take into account the projected expansions in air traffic into and out of SFO and OAK. The proposed expansion of SJC will have a regional impact. Therefore, this proposal must involve stakeholders from across the region and importantly must include citizens on the ground in midtown Palo Alto who will be negatively impacted to an even greater extent than we are today.

Response FF.2: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

GG. Justin Burks (dated January 12, 2020)

Comment GG.1: The SJC Airport has insufficient public transit options. Expanding public transit option should be addressed in the master plan update. For regional travelers, including those like myself traveling from Santa Cruz County, Section 4.17.1.2 Existing Conditions and policy IE-4.3 is insufficient to encourage non-car transit to the airport. The existing conditions require me to buy up to 4 separate fares to travel to the airport, with uncertainty that each of my transfers will get me to the airport predictably and on time. When I take Hwy 17 express bus, I have two options to get to the airport yet both require two transfers each (Diridon train station to LTR to route 60 or to Caltrain to route 60). A direct shuttle to Diridon, an airport connector, transfers between those modes of public transit without additional fees, and/or improved signage at Diridon to guide people to the airport is essential with this expansion. More incentives and clear public transit connections to the airport while minimizing transfers is essential with this expansion.

Response GG.1: Please see Response U.1, which responds to a comment stating that an increase in pollution, global warming, etc. caused by increased air traffic could be offset by a reduction in environmental impact if passengers could get to the airport by rail.

HH. Karen Edwards (dated January 9, 2020)

Comment HH.1: I'm writing as I've learned about sky Posse and the work to reduce noise in Palo Alto. It has become so loud that it is disturbing my sleep and creating anxiety. It's beyond a nuisance at this point.

Response HH.1: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

II. Karen Parker (dated December 30, 2019)

Comment II.1: You must add moving sidewalks inside terminal. It is already too long a walk for myself and many of our visitors!

> **Response II.1:** These comments relate to the proposed Airport Master Plan Amendment, rather than to the EIR. They will be taken into consideration by the Airport during design of improvements to the terminal area.

JJ. Kathy James (dated December 30, 2019)

Comment JJ.1: I read today about proposed "improvements and expansions" to SJC. May I please ask you to consider doing something about the lack of adequate Long Term Parking. I have expressed my concerns in the past, but it has fallen on deaf ears. I will try again. It has been a nightmare now for years.,,ever since the huge lot at the far end was eliminated. We have nearly missed flights trying to find parking. We even had one shuttle driver tell us that it is at capacity by 7 in the morning. On one flight day we were so frazzled trying to find an alternate lot that actually had a space I developed a migraine. Needless to say it wasn't a pleasant trip. Finding long term parking has become so stressful that we now limit our travel and have had to take on the added expense of hiring a private driver to avoid parking altogether. So if you really want to expand use of the airport, make long term parking convenient again.

> **Response JJ.1:** As described in Section 3.3 of the DEIR, the Project includes a new long-term parking garage of up to 6,000 spaces and a new short-term parking garage of up to 5,000 spaces.

KK. Kelly Hails (dated January 17, 2020)

Comment KK.1: Regarding the SJC potential expansion, I urge you to reject the proposal! Our neighborhood and family already suffer from the NextGen flights during south flow operations, and this expansion would make things worse.

> **Response KK.1:** This comment expresses the opinion that the Airport should not be expanded due to noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

LL. Ken Pyle (dated January 13, 2020)

Comment LL.1: This letter represents high-level comments regarding the proposed amendment to the Mineta San José International Airport Master Plan (File PP18-103). To be clear, these are submitted as a private citizen and not in my role as Airport Commissioner.

The following items do not appear to be addressed in the Environmental Impact Report, are material and should be addressed prior to approving the EIR.

The demand forecast used in the EIR is dated. The date of the report (Appendix C of the EIR) is 6-2-2017. It only includes data from 2015 and in come categories in 2016. The demand forecast should be updated. There is no mention in the EIR of the most recent OEI study and City Councils' action that was taken in February 2019 selecting Option 4 that will raise building heights over downtown and the Diridon Station areas. That decision will affect some long haul and international flights and will change the demand forecast going out to 2037.

> **Response LL.1:** The demand forecasts used in the EIR are the 20-year projections developed in early 2017 using the professional methodologies described in EIR Appendix C. The demand forecasts are part of the project description for the amended Master Plan and needed to be in place before the EIR preparation could be initiated. It is not uncommon for multiple years to elapse by the time an EIR is completed and a project approved. Changes in actual Airport activity since the forecasts were prepared do not impact the validity of the long-range forecasts. Regarding the City's March 2019 policy actions regarding Downtown San José building height limits, the policy changes have no implications on the Airport's demand projections.

Comment LL.2: 2. What is the impact of a potential closure of Reid-Hillview airport on SJC, particularly as it relates to project General Aviation operations at SJC (e.g. 3.2-1, page 22)?

> **Response LL.2:** According to the County, no decision has been made to close Reid-Hillview Airport. Should the County propose its closure, the impact of that closure on airports in the area will be evaluated in a separate CEQA document to be prepared by the County.

Comment LL.3: 3. Capital improvements to the customs area/entry point for international flights into SJC appear to be missing from the EIR.

> **Response LL.3:** This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. While the proposed Airport Master Plan Amendment does not identify any specific improvements to the processing facilities for international passenger arrivals, the design of Project T-13 (Terminal B South Concourse) will consider such potential improvements.

Comment LL.4: The emergence of Air-Taxi services that may impact both airside and landside operations is not considered. For example, table 3.2-3, page 23 does not show this type of new aircraft serving SJC. The impact could include new landing pads, as well as enhanced electric infrastructure to accommodate electric drivetrains.

Response LL.4: This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. The type of new technology aircraft that the commenter appears to refer to is not at the stage where its entry into the aircraft operational fleet can be assumed to occur. If and when use of any new technology aircraft can be reliably expected to occur at SJC, implications on Airport facilities will be assessed and potentially addressed through another proposed amendment to the Airport Master Plan.

Comment LL.5: The EIR does not appear to support stated policy goals IE 4.3 or IE 4.9, as there are no direct public transportation options, for example a direct connection to BART, Caltrans or VTA to the airport, are not developed in the EIR. For instance, there doesn't appear to be any mention, much less study, of a possible connection to either the Diridon or Santa Clara train stations via some sort of transit connector (T-18 referenced on page 38 of VTA's 2040 Strategic Plan and more recently asked for in the Stevens Creek-Diridon Airport RFI).

Response LL.5: This comment states that the EIR does not include direct public transit options. The CEQA transportation analysis of VMT prepared as part of the EIR determined that the Project will not have an adverse impact and therefore mitigation measures are not needed. Nonetheless, the City concurs that improved public transit connections are important and it continues to work with VTA and other regional transit agencies in that regard. As an example, the City is currently investigating the feasibility of a building a direct transit connection between the Diridon Station in Downtown San José and the Airport.

The existing terminal area improvements were designed to accommodate the addition of a transit system connection to off-airport rail transportation stations. Future terminal area improvements as proposed in the Airport Master Plan Amendment will continue to allow for the addition of a transit system connection.

Comment LL.6: How does the Airport Master plan fit with San José's vision to reduce environmental impact by building housing closer to the workplace and reducing car-dependency as envisioned in its plan for urban villages? Why not look at the Airport Master plan as a special case of an urban village?

Response LL.6: Providing housing is not a function of, or related to, the Airport Master Plan. Housing needs and plans are addressed in the housing and land use sections of the City's General Plan.

Comment LL.7: For more detail regarding concerns and items that should have been addressed in the EIR, please see the attached document "File PP18-103-Connolly-Greenlee-Hendrix-Pyle Comments on Airport Master Plan.pdf", that was submitted January 31, 2019 as part of the Notice of Preparation for this EIR.

Response LL.7: The referenced comment letter on the EIR Notice of Preparation contained 7 specific comments that relate to the proposed Airport Master Plan Amendment, rather than to the EIR:

- Air traffic growth projections: See Response to Comment LL.1 above.
- New technology aircraft: See Response to Comment LL.4 above.
- Additional uses of proposed long-term parking garage: Such uses of this facility other than for public parking are not contemplated at this time, but is not precluded from future consideration and, if necessary, a proposed further amendment of the Airport Master Plan.
- Additional uses of proposed terminal area hotel. Such uses of this facility other than a hotel are not contemplated at this time, but is not precluded from future consideration and, if necessary, a proposed further amendment of the Airport Master Plan.
- Transit connection to Santa Clara Caltrain Station: See Response to Comment LL.5 above.
- Additional uses of Airport parcel north of De La Cruz Boulevard: Additional uses of the site are not contemplated at this time, but are not precluded from future consideration and, if necessary, a proposed further amendment of the Airport Master Plan. The site, however, is restricted by the existing FAA navaid facilities which require certain clearances, and part of the site is set aside as a burrowing owl management area as noted in the EIR.
- Additional solar power/energy storage facilities: See EIR Section 4.6. While not specifically proposed in the Airport Master Plan Amendment, the Airport will consider opportunities for additional energy generation/storage facilities on-airport as part of the implementation of its Airport Sustainability Management Plan.

MM. Ken Pyle (dated January 13, 2020 at 4:31PM)

Comment MM.1: Attached please find my comments regarding item 6.1 on tomorrow's Council agenda, File No. PP18-103, Amendment to the San José International Airport Master Plan. The comments are found in the attached file called File PP18-103- Comments on Airport Master Plan 200113 – Pyle.pdf

The second attachment represents comments submitted last January regarding the Notice of Preparation for the EIR.

Response MM.1: The referenced comment letter relates to the proposed Airport Master Plan, rather than to the EIR. See Responses to Comments LL.1-LL.7 above.

NN. Ken Pyle (dated January 17, 2020)

Comment NN.1: I would be remiss if I didn't include the enclosed attachments as input to the Airport Master Plan. The first is an article and interview I published about Bell's Air Taxi and, more relevant, how they are working in the Dallas Fort Worth area with cities, airports and private institutions to create a path for the deployments of this third dimension of travel. Again, as mentioned in my earlier

correspondence, Air Taxis are not mentioned in the current Airport Master Plan, although they definitely are in the realm of possibility within the timeframe of the proposed Airport Master Plan.

Response NN.1: This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. See Response to Comment LL.4 above.

Comment NN.2: The other two attachments are an idea that I had posted in January 2019, prior to the proposal for the City of San José- led RFI regarding an SJC-Diridon-DeAnza connector. My narrative describes a point-to-point solution from the Santa Clara train station to the airport that could increase the car-free catchment associated with both Caltrain (from up the peninsula and down to Gilroy), as well the East Bay when BART is complete. The comments below the article provide proof-points and concerns that have been learned since the January 2019 article. The one page PDF represents the high-level economics for such an endeavor.

If anyone cares to read these documents online, where it might easier to watch the videos and click on the links, here are the URLs for those two articles.

- https://winchesterurbanvillage.wordpress.com/2019/01/14/a-practical-application-for-a-boring-company/
- https://viodi.com/2020/01/15/the-air-maas-solution-ces2020

Other than the acknowledgment email that you will send and that I will appreciate, I doubt anyone will read what has been submitted. In fact, I would buy a drink for any council staff member who replies to this submission (as long as it is under the gift limit - I didn't copy them directly, of course). I certainly understand why there won't be responses, as, with the thousands of pages of documents submitted, it is hard to pull the signal from the noise.

In general, the EIR process doesn't lend itself to creativity nor does it provide an effective way of interacting. And the Airport Master Plan has all the check-boxes one would expect, but there is no boldness and, maybe worse than that, there is no flexibility for future boldness. For instance, Councilmember Davis was quoted in the San Francisco Chronicle that, in the event that there is too much parking capacity some day thanks to the 11,000 new spaces planned that "garages could be converted into office space if demand for parking subsidies." That could happen provided that the garages are designed to be converted and that the land-use/Master Plan permits, which it doesn't.

Response NN.2: This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. See Response to Comment LL.5 above.

Comment NN.3: Similarly, as have been submitted previously, the Airport Master Plan doesn't discuss the piece of property just north of De La Cruz, the property that used to be the gas station or the Guadalupe River Gardens.

Response NN.3: This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. See Response to Comment LL.7, 6th bullet, above.

Comment NN.4: Most importantly, as mentioned in an earlier submission, the Airport Master Plan doesn't look at the bigger picture of how it might better tie into the surrounding communities of Santa Clara, North San José, and downtown, similar to Vantaa in Finland or even the interesting things going on with the Aerotropolis in Atlanta. That is no fault of the Airport Staff and probably requires the council to set that sort of expansive, more regional direction.

> **Response NN.4:** This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. The comment reflects an opinion that doesn't require a response.

OO. Kim Lemmer (dated January 9, 2020)

Comment OO.1: Please consider taking the following steps in order to provide citizens with the critical data needed to address the issue of increased noise pollution and other dangers related to the expansion of SJC airport. Install noise monitors in areas where noise complaints began new or grew in 2014.

> **Response OO.1:** As described in Section 4.13 of the DEIR, the Airport already operates and maintains a system of noise monitors in San José and Santa Clara, which is where aircraft-noise related to SJC predominates. Monitors in other areas are not warranted because aircraft-generated noise does not exceed adopted standards. However, noise levels can always be measured, as was done in 2018 in Palo Alto. For details, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment OO.2: Produce noise maps to the 45DNL level, validating FAA's models with ground measurements.

> **Response OO.2:** A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities utilize an exterior threshold of 45 DNL.
>
> Regarding noise model validation, please see Response C.7.

Comment OO.3: Engage with SCSC Roundtable. Thank you for helping us all work together so Bay Area residents can regain control of our environment and make living here more safe and comfortable.

> **Response OO.3:** Please see Response DD.3.

PP. Laura Robinson (dated January 17, 2020)

Comment PP.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), I ask that the SJC expansion project be rejected for the following reasons: The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These

planned expansions will only exacerbate an already serious noise issue over cities with significant increases in the number of flights. In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will allow more greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San José plants to fight climate change, since SJ is the direct owner and operator of the airport.

Response PP.1: This comment expresses the opinion that the Airport should not be expanded due to noise and climate change impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

QQ. Liang Tang (dated January 17, 2020)

Comment QQ.1: I am a local resident and a constituent in your area. There is too much noise from SJC south flow operations already. The expansion of airport will incur more flights to make the noise problem worse. I urge you to solve the noise problem prior to the expansion of airport.

Response QQ.1: This comment expresses the opinion that the Airport should not be expanded unless existing noise problems are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

RR. Lois Shore (dated January 11, 2020)

Comment RR.1: Please help Palo Alto mitigate the noise and pollution of airplane traffic over our homes, work and schools. City of Palo Alto's comment to SJC EIR sent last January. We concur with the City's recommendation for SJC to measure noise contours to 45 CNEL but the City's letter does not reflect the need to employ additional metrics beyond CNEL or DNL and the 2018 FAA Reauthorization law Section 188 "The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns." Also - San José is part of the Northern California Metroplex, one of the largest in the country. Metroplexes are "metropolitan areas with multiple airports and complex air traffic flows" thus SJC is not a stand-alone

airport and impacts on communities must be looked at together with impacts and projections for other Bay Area airports.

Response RR.1: A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities, including Palo Alto, utilize an exterior threshold of 45 DNL.

In addition to the CNEL metric, the DEIR uses the single event and time above metrics. See Section 4.13.

Flight tracks in the Northern California Metroplex, which includes San José, are delineated and managed by the FAA. Airport operators do not have authority or jurisdiction to modify flight tracks or procedures.

SS. Louise Band (January 14, 2020)

Comment SS.1: I am writing in response to the article in the Mercury News on December 29, 2019, that outlines plans for a large expansion of San José Airport. As a resident of Palo Alto who is negatively impacted by the many low flying SJC bound commercial jets which cross our neighborhood during "south flow" weather patterns, I am very concerned by the prospect of increased noise and air pollution. When I moved to Palo Alto in 2007, airplane noise was not an issue, today it disrupts my productivity and quality of life on a daily basis. In addition to the funneling of SFO bound flights (due to NextGen) at lower altitudes across Palo Alto (instead of a dispersed pattern that uses the Bay), we now experience much increased SJC bound traffic. These jets typically fly at or under 2000 ft directly over our house and come a minute apart during "rush hour" on many more days than in the past. With the expansion of routes, and international flights, we are increasingly burdened by deafening noise and particulate matter which compromises health. Until noise abatement is taken seriously and a rollback of flight patterns that target a narrow residential corridor with overlapping routes into both SFO and SJC, I strongly oppose any physical expansion of San José Airport. Thank you for listening to the people on the ground and considering the heavy burden we currently bear from air traffic.

Response SS.1: This comment expresses the opinion that the Airport should not be expanded unless existing noise problems are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

TT. Marko Radojicic (dated January 17, 2020)

Comment TT.1: I oppose the expansion of SJC. The current existing noise and air pollution is a problem for our urban area. Expansion is highly inappropriate as acknowledged by the environmental impact report.

> **Response TT.1:** This comment expresses the opinion that the Airport should not be expanded due to noise and air pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

UU. Marie-Francoise Bertrand (dated January 9, 2020)

Comment UU.1: We concur with the City's recommendation for SJC to measure noise contours to 45 CNEL but the City's letter does not reflect the need to employ additional metrics beyond CNEL or DNL and the 2018 FAA Reauthorization law Section 188 "The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns."

San José is part of the Northern California Metroplex, one of the largest in the country. Metroplexes are "metropolitan areas with multiple airports and complex air traffic flows" thus SJC is not a stand-alone airport and impacts on communities must be looked at together with impacts and projections for other Bay Area airports.

> **Response UU.1:** Please see Response RR.1.

VV. Marie-Jo Fremont and Darlene Yaplee (dated January 6, 2020)

Comment VV.1: This comment is a duplicate of Comments RRR.14 through RRR.18.

> **Response VV.1:** Please see Responses RRR.14 through RRR.18.

WW. Mark Shull (dated January 9, 2020)

Comment WW.1: I am writing to object to San José's plans to expand its facilities to accommodate more flights. SJC has a horrible environmental record and a complete disdain for the disruption and health affects of its operations. The following is a partial list of reasons to not allow SJC to expand.

- Given federal legislation, local entities have no ability to control or limit access to the airport. The only control we have is to not build ground facilities in the first place. No new airport facilities should be built until federal legislation returns some level environmental control to the state and local entities.

- San José is an outlier in not having an Airport Community Roundtable. SFO's is problematic, but it not only supports a Roundtable, but provides $220,000 per year in direct funding, significant noise office and technical staff to develop and promote mitigation initiatives, significant noise monitoring, and most importantly, direct access to the FAA, given that local changes can only be made through the airport. SJC simply thumbs its nose at any input or cooperation with those most affected by its flights. (Its behavior when asked to join the Santa Clara Roundtable showed complete distain for those affected by its operations.)
- SJC southflow (at 2,000 ft all the way up the Peninsula to the Dumbarton) is unsafe given that this traffic is completely outside of SJC's Class C and is in Class D and E airspace, which is fully open and populated by low tech general aviation. Worse, this low altitude flying produces massive amounts of Utrafine Particulates, which recent University studies in Boston, Seattle, LAX and Amsterdam (some sponsored by the FAA) have shown to accumulate in plumes below the concentrated paths of these aircraft. According to the National Academies of Health, Ultrafines are extremely dangerous because they are highly toxic and are too small to ever be expelled from the lungs once ingested. The FAA agrees on the extreme toxicity of Ultrafines, but argued before these new studies appeared that the particulates blow away before the fall. Field measurements by world-class universities have shown that this is false, and the FAA is several years late now in responding to these and its own findings. This is an extremely serious problem for NextGEN's architecture of concentration, and adding more concentrated traffic to Southflow at 2,000 feet (or other SJC arrival rails) will increase this already out-of-control problem.
- SJC daily allows ANA to depart directly across the middle of the Peninsula, without requiring the loop departure. This results in extreme noise over the Peninsula and significant opposite direction risk as these planes pass arriving SFO traffic with only 1,000 ft of separation. This seems unsafe, but it also is emblematic of SJC willingness to do anything to accommodate the airlines as it tries to compete with SFO for passengers, particularly international flights. I have attended SJC airport commission meetings. It is clear the SJC's only focus is competing for growth vis-à-vis SFO and air travel over other modes. This self-interest only attitude towards our transportation needs is harmful to the region economically and environmentally.
- San José Airport has a history of having zero interest in mitigating the environmental harms it causes to neighboring communities, or in a balanced regional transportation strategy. In particular, it has shown absolute distain for the harm it causes and for any input from communities other than that of its owner, the City of San José. This is not an environmentally responsible airport, and given this record, it should not be allowed to expand.

> **Response WW.1:** This comment expresses the opinion that the Airport should not be expanded because of noise and air pollution impacts and because "San José Airport has a history of having zero interest in mitigating the environmental harms it causes to neighboring communities…" The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

XX. MaryJane Donofrio (dated January 17, 2020)

Comment XX.1: San José Airport, The Capitol of Silicon Valley Pollution

I would like to register my distress with the SJC expansion plan and inadequate EIR which doesn't properly address mitigating airplane noise and air pollution in Los Gatos, the South West Santa Clara Valley and the surrounding Santa Cruz mountains. Since March 2015 when Nextgen was implemented public outcry has been so intense that the local congressional reps formed the Select Committee on South Bay Arrivals. Almost 5 years later we are still waiting for any relief from SJC. The SJC Brixx arrival route over the Santa Cruz mountains and southwest San José, as well as SJC arrivals from over the Pacific, are among the chief noise and air pollution offenders. San José may be ok with increasing airport capacity by 50% in the name of chasing more revenue while exposing its residents to this environmental tragedy, but the EIR must fully consider the environmental impacts on surrounding communities, including arrival and departures over the county.

> **Response XX.1:** The issue raised in this comment pertains to the changes in flight tracks that were implemented in Northern California in 2015 by the FAA as part of its Next Gen Program. None of these flight tracks will be modified by the proposed Project. Further, the City of San José, as the owner and operator of SJC, has no authority or jurisdiction over flight tracks. That authority rests solely with the FAA.
>
> Section 4.13 of the Draft EIR includes a detailed analysis of the noise impacts of the proposed Project. The analysis was prepared in accordance with the procedures promulgated by the FAA and the State of California. The analysis concluded that, when compared to existing/baseline conditions, the noise impacts of the proposed Project are less-than-significant.

Comment XX.2: The EIR needs to take a look at not only at the environmental issues from the greenhouse gases that are warming our planet, but at the aircraft generated particulate matter deposited upon the heads of our families, on our soils, in our rivers, our reservoirs (i.e. Lexington, Anderson, Coyote, Calero) and especially the mental health issues caused by excessive plane noise.

> **Response XX.2:** Section 4.8 of the Draft EIR quantifies the greenhouse gas emissions impacts of the proposed Project. The analysis concludes that greenhouse gas emissions impacts will be significant and unavoidable.

Comment XX.3: California is clearly not on track to meet its climate goals. San José should be helping to lead this cause, not be a major contributor to the problem. Please do not accept the totally inadequate suggestions that more electric service vehicles at SJC and fewer car trips to surrounding airports, etc, will even come close to offsetting the pollution of an expanded SJC.

> **Response XX.3:** Table 4.8-3 on page 182 of the DEIR shows that the projected increase in total GHG emissions will be attributable to aircraft, which are emissions that the City cannot control or regulate. Excluding aircraft emissions, GHG emissions in 2037 will be lower than in 2018.

Comment XX.4: My other comments on the EIR: The public has largely not been made aware of SJC's expansion plans. The first that many people heard of this plan was in a late December SJ Merc article which was easily missed during the holidays. Also, the Jan 14th council meeting to vote on the SJC expansion was held on a weekday afternoon such that only one member from the public who objected to the plan and EIR could participate. The deadlines for comments etc should be extended to allow for proper public feedback, and better publicized.

Response XX.4: The Notice of Preparation of the EIR was circulated on December 18, 2018. The City held an EIR Scoping Meeting on January 14, 2019. Notice of the availability of the Draft EIR was published on November 27, 2019. The Draft EIR was circulated for public review and comment for 52 days (November 27, 2019 through January 17, 2020).

The City Council did *not* consider whether to approve the Project on January 14, 2020. The January 14th meeting was only to provide the City Council with a status report on the process to Amend the Airport Master Plan.

Comment XX.5: The draft EIR only considers pollution at the airport generated on the ground (which I understand will be equivalent to adding 28,000 cars on the road!). Pollution from the additional approaching or departing planes expected because of expanded capacity is not even included! It must be included or the EIR is misleading the public, or worse.

Response XX.5: This comment is incorrect. The analysis in the DEIR includes aircraft emissions; see Table 4.3-8 on page 87.

Comment XX.6: The EIR unfairly uses 2018 as a noise baseline. This was AFTER noise increased to unacceptable levels with the 2015 implementation of Nextgen SERFR and BRIXX, etc. So the expansion takes us from bad, to really bad.

Response XX.6: CEQA Guidelines Section 15125 requires that the baseline be the "physical environmental conditions as they exist at the time the Notice of Preparation (NOP) is published." As stated above, the NOP for this EIR was published on December 18, 2018. Also please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment XX.7: The current study area excludes consideration of the impact on people who would be adversely affected who live immediately outside of the airport's area, like in surrounding towns and in the Santa Cruz Mountains who are already being bombarded by noise and air pollution.

Response XX.7: The City did not predetermine the study area. The study area was determined through the preparation of the CNEL contours. The 60-dB, 65-dB, 70-dB, and 75-dB contours for year 2037 with the Project are shown on Figure 4.13-4 of the DEIR. Many areas outside of the contours experience aircraft noise but not to where thresholds established by the FAA and the State of California are exceeded. This is analogous to noise from freeway traffic, wherein such noise is often clearly audible for many blocks but only levels adjacent to the freeway exceed standards.

Comment XX.8: The EIR does not even consider the noise complaints they received from the public. The EIR should be reporting the # of complaints received through phone app http://stop.jetnoise.net/ (The complaint numbers are probably in the 10s of thousands!)

> **Response XX.8:** Complaints regarding various issues (e.g., traffic, noise, odors, etc.) do not substitute for an analysis based upon established CEQA methodologies and compared against adopted standards. Further, the number of complaints may not be representative. As an example, in 2018 a total of 58,323 complaints were submitted by 12 individuals, with one individual submitting almost 7,000 complaints. (Source: SJC 2018 Annual Noise Report, available at www.flysanjose.com).

Comment XX.9: As a way to mitigate noise pollution, SJC needs to maintain and strengthen the current curfew. As it stands, SJC routinely allows curfew violations.

> **Response XX.9:** With the passage of the Airport Noise and Capacity Act (ANCA) by Congress in 1990, the ability of an airport proprietor to enact or modify a curfew became extremely arduous.
>
> As stated on page 264 of the DEIR, the compliance rate with SJC's curfew is very high, with only 40 violations in calendar year 2018.

Comment XX.10: SJ and SJC have been bad neighbors to surrounding communities by not participating and engaging with the SCSC Roundtable http://scscroundtable.org. Air traffic noise and pollution is a complex regional issue that should take other airports traffic into the equation.

> **Response XX.10:** Please see Response RR.1.

YY. Pamela Kittler (dated January 17, 2020)

Comment YY.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), I firmly request that the SJC expansion project be rejected for the following reasons: The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over Sunnyvale during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our city with significant increases in the number of flights. In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San José plans to fight climate change, since SJ is the direct owner and operator of the airport, to say nothing of the impact it will have on residents such as myself and others who live beneath the south flow route.

Again, it is my recommendation that the expansion plans be rejected for the reasons of noise, air pollution, and greenhouse gas emissions to protect the health of our community.

> **Response YY.1:** This comment expresses the opinion that the Airport should not be expanded because of noise and greenhouse gas emissions impacts. The comment is included in the record and will be considered by the City Council. The comment does

not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

ZZ. Paul Buxton (dated December 30, 2019)

Comment ZZ.1: I have no issue with airport growth, but that ought to be restricted to the core mission of the airport: Flights, terminals, parking & car rentals, etc. However I cannot support a hotel on airport property. A hotel would take acreage away from true airport operations. Hotels ought to remain private enterprises on private land.

Response ZZ.1: This comment relates to the proposed Amendment to the Airport Master Plan rather than to the EIR. The proposed hotel would not impact other facilities serving aviation demand.

Comment ZZ.2: Not suggested in the proposals, why not expand the runways to accommodate larger planes, by using a tunnel for De La Cruz Blvd and utilizing the empty lot on the other side?

Response ZZ.2: This comment relates to the proposed Airport Master Plan Amendment, rather than to the EIR. The proposed Airport Master Plan Amendment does not identify a need to extend the runways. The Airport parcel on the north side of De La Cruz Boulevard accommodates a key FAA navigational aid and also provides acreage for burrowing owl habitat (see Section 4.4 of the DEIR).

AAA. Peter E Huston (dated January 13, 2020)

Comment AAA.1: I recently read a story in the Mercury news titled "Mineta San José Airport projects 50 percent passenger growth, proposes expansion". This is very disturbing to me. We are at a point in time where we need to reduce consumption not increase. The article states "such development would spew a significant and unavoidable amount of ozone and greenhouse gases". It would be completely avoidable if it's not constructed.

Response AAA.1: Based on the analyses contained in the DEIR, the growth at the Airport is projected to occur with or without the approval of the proposed Project. For details, please see the discussion in Section 8.5.1 of the DEIR.

Comment AAA.2: The article also states "The aviation industry accounts for 12 percent of all transportation-related greenhouse gas emissions and 3 percent of total greenhouse gas emissions in the United States, according to the Environmental Protection Agency." This statement does not reflect the fact that carbon dioxide released into the stratosphere and troposphere has 10 times the greenhouse gas effect as compared to carbon dioxide released at ground level.

Response AAA.2: There is no scientific consensus on differences in greenhouse gas effect for carbon dioxide (CO_2) emitted into the stratosphere and troposphere versus ground level. Furthermore, at this time, there is no regulatory guidance that recommends incorporating any adjustments in the reporting and or accounting of greenhouse gases relative to what level in the atmosphere that the pollutants are emitted. While it is commonly understood that the "greenhouse effect" occurs when greenhouse gases at the higher end of the troposphere and in the stratosphere trap the Sun's heat, reporting of GHG emissions has generally assumed ground level CO_2 behaves similarly compared to any other emissions at other elevated levels of the atmosphere. The comment has not provided any substantial evidence regarding the statement. Thus, the comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Comment AAA.3: I have to agree with Katja Irving's comments. "The whole idea of expanding the airport right now – while we're in a climate emergency – seems insincere," "You should be encouraging people to travel less and take the train rather than building more gates and making room for more flights." We are seeing the effects of climate change frequently and most recently in Australia. To expand the airport would be irresponsible and negligent. Finding alternatives for fossil fuels should be our primary focus. The environmental impact report states a certain amount of uncertainty. I don't think the takeoff and landing areas are the main concern here. The health of the globe is what the focus should be on. The environment doesn't care what the environmental impact report says. We cannot continue to foul our air and water with our overuse of fossil fuels. I urge the City Council act in the best interest of all and to not approve this expansion.

Response AAA.3: This comment expresses the opinion that the Airport should not be expanded because of greenhouse gas emissions impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

BBB. Qian Li (dated January 17, 2020)

Comment BBB.1: I'm a Sunnyvale resident since 2005. It has been a nice area until recently. We are observing more and more airplanes flying low, making huge noise in our neighborhood. I heard people talking about SJC airport expansion, which would create more noise. I think SJC should stop any expansion plan, till it could resolve the current noise issue.

Response BBB.1: This comment expresses the opinion that the Airport should not be expanded unless existing noise problems are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise*

Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

CCC. Rebecca Ward (dated January 9, 2020)

Comment CCC.1: I do not support the expansion of SJC for the following reasons.

The Bay Area already suffers from poor air quality and is number 4 in *Top 10 U.S. Cities Most Polluted by Short-Term Particulate Pollution (24-hour $PM_{2.5}$).* http://www.lung.org/about-us/media/press-releases/sota-2019.html

As the environmental impact report notes, "development would spew a "significant and unavoidable" amount of ozone and greenhouse gases "…" Particulates – the air pollutant most harmful to the health of Bay Area residents – can cause a wide range of respiratory and cardiovascular problems, including strokes, heart attacks and premature deaths. Both greenhouse gases and particulates can contribute to global warming and climate change." https://www.mercurynews.com/2019/12/29/new-concourse-hotel-and-parking-garage-envisioned-for-mineta-san-jose-airport/.

Additionally, "Ultrafine particulates (UFP) are emitted at high rates by jet aircraft". http://www.ncbi.nlm.nih.gov/pmc/articles/PMC6560728/. UFP might be more toxic than larger particulate matter because of its ability to penetrate the human body and "travel deeper into the lungs… They can also move from the lungs to the bloodstream and to other organs." http://www.doh.wa.gov/Portals/1/Documents/4000/334-454.pdf. "Monitoring campaigns conducted in communities near the Los Angeles, Atlanta, Boston, New York and Amsterdam airports have all identified elevated levels of UFP attributable to aircraft flight emissions." https://deohs.washington.edu/sites/default/files/Mov-Up%20Report.pdf. As the attached Bicameral letter from Congressional members to FAA Administrator notes, the particulate matter produced from the concentration of jet traffic has not been deemed safe, "This heavy traffic produces constant noise and particulate matter that has yet to be deemed safe by the FAA or any other government agency". Until particulate pollution generated by aircraft is deemed safe, expansion should not happen.

As you are hopefully aware, the rails of concentrated jet traffic created by the implementation of NextGen in the NorCal Metroplex have been devastating to communities. The BiCameral letter notes, the "…the burden of noise, health risks, and declining property values fall on the backs of hard-working Americans". The letter urges the FAA to "fast track the development of new flight paths… with NextGen procedures that will significantly disperse air traffic and raise aircraft altitude". The FAA 2010 presentation on the Implications of Environmental Requirements for NextGen describes noise and pollution concentration as a consequence of more precise navigation. https://nqsc.org/downloads/ENVIRONMENTAL.pdf. The FAA needs to address the problem of concentration of pollution and noise in the NorCal Metroplex, including SJC South flow, prior to airport expansion.

Response CCC.1: This comment expresses the opinion that the Airport should not be expanded unless existing noise and air pollution problems are addressed. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the

analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

Comment CCC.2: Safety is also an issue with the expansion. When SJC is busy and in South flow, jet traffic overlaps with SFO arrivals. The FAA presentation https://www.flysanjose.com/sites/default/files/commission/FAA%20Presentation%20on%20South%20Flow.pdf, slide 20 shows a clear delineation of SJC airspace for South flow and emphasizes the need to contain planes within it, Stating, "Aircraft must be kept within the airspace for South flow and emphasizes the need to contain planes within it, Stating, "Aircraft must be kept within the airspace to protect it from aircraft that other controllers are working." But that does not happen in practice and adding additional capacity would worsen the overlap of pollution and noise and reduce safety. The expansion should not happen given the significant congestion in the NorCal Metroplex that is devastating communities and reducing safety.

Response CCC.2: The FAA-quoted statements that aircraft must be kept within the airspace for South flow does not imply that there are safety issues. Rather, the statement points out that the management of airspace in the Bay Area is complex because of multiple airports and, therefore, FAA cannot just move a given flight track without assessing the potential for interfering with aircraft on other nearby flight tracks. The comment does not provide any data or information to support a conclusion that there are safety-related problems with the existing flight tracks.

Comment CCC.3: SJC does not have a formal Roundtable with community representation. It is the only major Bay Area airport without one. Airport participation on an active Roundtable or creation of one, is necessary, given the environmental impact of SJC aircraft operations on surrounding communities.

Response CCC.3: In 2017, the City established the Ad Hoc Advisory Committee on South Flow Arrivals. The Committee was established to explore possible solutions to address the noise impacts on residents when weather conditions over the airfield require the Airport to operate in a "south flow" configuration. The Committee's recommendations are contained in a May 2018 report, which is available at https://www.flysanjose.com/sites/default/files/commission/Ad%20Hoc%20Advisory%20Committee%20Final%20Report.pdf

DDD. Richard Kittler (dated January 17, 2020)

Comment DDD.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), I firmly request that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over Sunnyvale during south flow operations. These planned expansions will only

exacerbate an already serious noise issue over our city with significant increases in the number of flights. In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San José plans to fight climate, since SJ is the direct owner and operator of the airport, to say nothing of the impact it will have on residents such as myself and others who live beneath the south flow route.

Again, it is my recommendation that the expansion plans be rejected for the reasons of noise, air pollution, and greenhouse gas emissions to protect the health of our community.

> **Response DDD.1:** This comment expresses the opinion that the Airport should not be expanded due to noise and air pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

EEE. Rita Vrhel (dated January 9, 2020)

Comment EEE.1: Sometimes it is impossible even to have a simple conversation outside. If you and your family hearing this noise each and every day and night, what would you do? A good night's sleep has been shown to be essential for health and prevention of many expensive and life altering diseases, including various dementias like Alzheimer's. The individual and financial cost of poor sleep on a personal and national level is tremendous. I hope you will help Palo Altans and other Bay Area residents inundated with airplane noise find a viable solution by rerouting the planes, changing the altitudes and / or stopping flights between 10 pm and 7 am.

> **Response EEE.1:** This comment requests that changes be made to flight tracks, aircraft altitudes, and nighttime flight schedules for the purpose of reducing noise impacts. The comment is included in the record and will be considered by the City Council. However, it is important to note that the City has no authority over flight tracks and procedures. In addition, the City cannot restrict flights except for flights occurring between 11:30 pm and 6:30 am; such flights are prohibited unless they are made using an aircraft that complies with San José's "curfew" noise limits.

FFF. Robert Holbrook (combined comments dated January 10 and January 17, 2020)

Comment FFF.1: My comments below on the SJC EIR NOP were not included in Appendix B of the document posted online. which aggregates the public comments on the NOP. Your response to my submission below stated that my comments would be included as an attachment to the EIR, but they are not. I was told by one of the two people who signed the comment comprising the last three pages

of Appendix B that that document was sent to you at 11:55pm on the 31st - several hours after my comments were submitted.

Can my comments be added to Appendix B (for whatever that's worth at this point)? Were my comments considered during the development of the EIR?

> **Response FFF.1:** Mr. Holbrook's comments on the NOP were inadvertently omitted from the City's website and from Appendix B. Those comments have been reproduced below as Comments FFF.2 through FFF.9 and responses are provided. Following the NOP comments and responses are Mr. Holbrook's comments on the DEIR (Comments FFF.10 through FFF.28) and the City's corresponding responses.

Comment FFF.2: As suggested at the feedback session at SJC, the FAA Reauthorization Act passed in September has directed the FAA to assess the potentially harmful effects of noise and to propose alternatives to the DNL standard - also to assess health effects. These should be considered in the EIR, if possible. I expect the studies to show that annoyance correlates well with frequency of exposure, something which the DNL metric obscures. To that end, DNL should be assessed on periods considerably shorter than a year, particularly since traffic patterns at SJC are highly seasonal due to the seasonal nature of wind direction.

> **Response FFF.2:** As of the date the EIR studies were undertaken, no changes to the CNEL metric utilized by the FAA and State of California had been made. The use of the annual CNEL remains the primary metric utilized to quantify and analyze aircraft noise.

Comment FFF.3: FAA Order 1050.1F section B-16 provides you with the ability to employ supplemental noise metrics to those specified by the FAA. The choice to assess noise impacts with metrics other than DNL lies with the airport.

> **Response FFF.3:** As described in Section 4.13 of the DEIR, in addition to the CNEL metric, supplemental noise metrics were utilized. These include time-above and single event (see page 276 of the DEIR).

Comment FFF.4: As mentioned at the feedback session at SJC, the FAA is contracting with academia on improved modeling tools and methodologies for assessing the impacts of noise on residents. Professor John Hansman of MIT (also an elected Fellow of the American Institute of Aeronautics and Astronautics) is helping to assess noise impacts near Logan airport. He is a resource that might be able to help better assess expected impacts and propose innovative ways of mitigating them. For example, he has proposed reducing speed as a way to make a large reduction in noise. My analysis of FOIA data shows that airplanes flying the South flow approach have been flying faster since 2015.

> **Response FFF.4:** Noise levels are analyzed using A-weighted decibels, which are the accepted standard in California and at the Federal level in the FAA's noise policies. A-weighted decibels have been correlated with human noise exposure to civilian aircraft noise levels dating back to the original USEPA studies in the 1970's following the establishment of NEPA. Since then, all USEPA, FAA and California research and

policy regarding civilian aircraft operations have been in A-weighted decibels. An analysis using C-weighted decibels is not appropriate for the DEIR because those results would not be able to be judged against any relevant noise standards, policies, research or environmental laws which are specific to civilian aircraft and airports.

Comment FFF.5: The EIR will make use of AEDT modeling. Please be aware that it suffers from the following weaknesses, which the FAA plans to address in upcoming releases.

- As of a year ago, AEDT version 3a was expected to improve modeling outside of the 65DNL contours. That tool was expected to be delivered by the end of 2018, but it might not yet be available. Still it would be best to use this version to assess DNL below the 65DNL contour.
- AEDT version 4 was expected to incorporate airframe noise and how the engine generates noise. These effects are fundamental. I understand from Prof. Hansman that the sound energy generated by the airframe increases with velocity at the 5th power, all other things being equal. Similarly, Lighthill's power law (Google it) shows that the sound energy of a jet engine increases with the 8th power of the speed of the exhaust coming from the jet, although high-bypass engines will mitigate this - my guess is to the 5^{th} or 6th power.

Response FFF.5: The noise analysis used AEDT Version 2D, which was the latest version available at the time the analysis was undertaken.

Comment FFF.6: As suggested at the feedback session at SJC, the EIR should report noise results using dB-C weightings as well as dB-A weightings, because dB-C weightings better correlate with human annoyance.

Response FFF.6: Please see Response FFF.4, above, regarding the subject of C-weighting.

Comment FFF.7: As suggested at the feedback session at SJC, noise contours should consider overflights to other airports, in addition to SJC.

Response FFF.7: Overflights associated with other airports are discussed in the DEIR on page 286 and on page xxxiii of the DEIR Summary. In addition, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR of this document.]

Comment FFF.8: Current traffic patterns might not predict future traffic flows accurately.

- There is likely to be increased concentration along the RNAV and RNP paths as more airplanes adopt them.
- Adoption of RNP approaches is likely to increase as more airplanes are equipped with the required technology, more crews are trained in its use and airlines come to embrace its use.
- A minor but significant portion of South Flow traffic to SJC uses the 'Eastern Approach' which routes those airplanes to the airport counterclockwise, passing over Fremont. Those approaches are all vectored. I expect the use of vectoring to decrease with the adoption of new technology that the FAA hopes to deploy, most notably Time Based Flow Management. This could result in a shift of that traffic to the South Flow procedures.

- The above shifts in traffic patterns are likely to further concentrate noise and particulate matter over a sharply-defined set of residents. The dispersion model for toxic air contaminants in particular should start with the assumption that most airplanes will be flying along fixed 'rails', with the residents under those rails maximally exposed to the pollutants.

> **Response FFF.8:** The analyses undertaken as part of the preparation of this EIR utilized the existing flight tracks. The City is not aware of any FAA proposals to modify the existing flight tracks. Further, the Project will not affect or modify any flight tracks. In the event that the FAA proposes changes to flight tracks in the future, analysis of the effects of the change(s) would be required under NEPA before they are adopted.

Comment FFF.9: Finally, is it reasonable to expect cargo air tonnage to increase by 63% while the number of cargo operations is expected to increase by only 23%, particularly in light of the One Engine Inoperable (OEI) rules that will place a 'cargo penalty' on those operations if the San José City Council permits building heights to increase along the relevant flight paths, as appears likely?

> **Response FFF.9:** Projections of future cargo tonnage and the associated number of cargo aircraft operations were included in the analysis and based on anticipated economic conditions and the anticipated aircraft fleets of the air cargo airlines. Please see Appendix C of the DEIR for a detailed discussion of these projections. Changes in building heights in Downtown San José that were approved by the City Council in 2019 would not affect these projections (see Staff Report to City Council for Agenda Item 6.2, meeting of 3/12/2019, available at www.sanjoseca.gov/your-government/departments/city-clerk/council-agendas-information/council-agendas).

Comment FFF.10: These comments are on the Draft EIR for the proposed expansion of Norman Y. Mineta San José International Airport (SJC). Most of my comments pertain to the spirit of the EIR, which is to understand the real impacts of a proposed action on people and the environment. My comments mainly speak to the noise implications. But first, regarding growth, I have learned the following from the EIR:

The percentage increase in passenger demand forecasted for the next 19 years (57%) is less than the percentage increase in passengers that actually occurred between 2013 and 2018 (61%). Is this credible, especially in light of all the expansion projects that are being undertaken? Would the EIR benefit from a revised estimate based on more recent data? (Figure2.3-1; Table 3.2-1).

In 2037, the airport is projected to be operating at 98% of capacity on a yearly basis. (237,717 operations out of a capacity of 241,700). If this is the case, it would be helpful to have a clearer statement to that effect. (Appendix L, Table 1; Appendix C, Table 10) What will the airport's strategy be as it approaches saturation? Per the comment above, this could happen earlier than forecast and is relevant to understanding potential environmental impacts of this project.

Putting the above two suggestions together, I wonder if we might see demand for the airport reaching its capacity before 2037. It would be illuminating to see the EIR's assessment of that possibility.

Response FFF.10: For planning purposes, the Airport updates aviation demand forecasts as warranted. The current aviation demand forecasts, which are found in Appendix C of the EIR, were updated in 2017 to reflect the latest economic and demographic data for the region, as well as the latest data for the air transportation industry. Forecasts of airport demand beyond a 20-year horizon are not regarded as reliable enough for formulating facility development plans. However, the forecasts are updated periodically, as was done for this proposed Airport Master Plan Amendment.

It is also important to note that the referenced FAA metric (Annual Service Volume) does not mean that an airport cannot accommodate additional aircraft operations. Annual Service Volume is in fact often reached and exceeded at many airports. The result is an increase in average delay levels for aircraft operations, not a desirable condition, but also not an absolute constraint on capacity.

Comment FFF.11: I have many comments regarding noise. Noise has real consequences to people. It is significant in their lives. At a class I took on the subject of aviation noise, I was told that in the 2000 census noise was the number one reason given by respondents for moving. It's no secret that NextGen has led to a tsunami of noise complaints, but even I was surprised to learn as I checked the data just now that the number of complaints filed for SFO has exceeded 10m since January 2015, the year NextGen was rolled out (https://data.sfgov.orgCTransportation/Aircraft-Noise-Complaint-Data/q3xd-hfi8/data). (SJC does not accept data from the most popular app used to report noise in this area, as SFO does, so the airport's complaint numbers understate the number of complaints people have actually submitted.)

Response FFF.11: It is acknowledged that many noise complaints have been filed since the FAA implemented its NextGen Program. However, the fact that SJC's system for filing a noise complaint may be different than SFO's system does not provide the basis for a conclusion that noise problems at SJC are under reported.

Comment FFF.12: The standards used by the FAA to determine significance are grossly inadequate and, I would argue, in some cases arbitrary. In the 2018 FAA Reauthorization Bill, Congress asked the FAA to consider new metrics. Inadequate because they are not at all relevant to the vast majority of the 10m complaints mentioned above.

Response FFF.12: The thresholds used in the EIR are those utilized by many airport proprietors to analyze aircraft noise. For the reasons described on pages 255-258 of the DEIR, the thresholds are based on the effects of noise on human health and the effects of noise on human activities. The analysis of noise in the DEIR not only uses the CNEL metric, but also two supplemental metrics: time-above and single event. This provides a full description of the noise impacts that would result from the Project.

Comment FFF.13: Responding to a request for comments on proposed rule-making for the testing of supersonic flights over land, Boom Supersonic, a manufacturer of supersonic aircraft, wrote on 8/27/19, "Since most supersonic flight testing could be expected to take place during the day, it would take 80 daytime Concorde-level booms per day in a single location to raise ambient DNL from 63.5 to 65. Therefore, even an action that exposed a test area to 28,835 daytime Concorde-level booms per

year would fail to be significant under this standard." This demonstrates to me as clearly as anything that the DNL and CNEL standards we use do not conform to a commonsense understanding of annoyance.

> **Response FFF.13:** As explained in Section 4.13 of the DEIR, the CNEL and the related DNL metric are utilized nationwide for determining appropriate noise-land use compatibility standards, not only for airports but also in most community's general plans and incorporate standards based on the effects of noise on human health and on human activities (including sleep disturbance).

Comment FFF.14: Industry and the FAA have settled on the Net Noise Reduction Model, which optimizes for the number of people affected by a procedure, without considering how annoyed the people experiencing the procedure might be. This has led to highly concentrated air traffic over a set of unfortunate residents who are helpless to defend themselves because the noise standards in use offer no protection. Many of these people are highly annoyed. Presumably, these narrow corridors are the "FAA-approved noise abatement flight tracks" referred to on p264. If so, this is a misleading characterization of these corridors and I would like to see this language changed.

> **Response FFF.14:** The City is aware that many residents are frustrated and annoyed by the "narrowing" of flight tracks that occurred when the FAA implemented its NextGen Program in 2015. However, no flight tracks will be modified by the proposed Amendment to the Airport Master Plan; aircraft will utilize the same flight tracks regardless of whether the Project is approved. Further, the City has no ability to modify flight tracks as they are under the jurisdiction of the FAA.

Comment FFF.15: FAA metrics (and CNEL) use A-weightings, which are not as effective as C-weightings in describing annoyance. My understanding – I am not an expert – is that A-weights better characterizes noise levels that cause damage to ears, but C-weights are preferred in loud environments with low frequency noise, like machine shops. I do know that lower frequencies propagate farther and better penetrate walls and windows, and that the gap between people perceiving low frequency noises and being highly annoyed by them is much smaller than for the higher frequencies. A low frequency noise study (Hogdon, Atchley, Bernard) conducted in April 2007 on behalf of the Partnership for AiR Transportation Noise & Emissions Reduction found that linear regression analysis showed that the C-weighted sound exposure level LCE was the best single-metric predictor of subjective annoyance response, explaining over 90% of the variability of the data set. The study suggested that LCE should be used as a single-number metric for assessing the potential for annoyance when high levels of low-frequency aircraft noise are present.

> **Response FFF.15:** Please see Response FFF.4 for an explanation as to why C-weighted decibels are not used.

Comment FFF.16: FAA metrics do not consider the tonality of noise, but this also correlates with annoyance. The "Airbus whine" is a good example of this. According to a 2010 Wyle Report WR11-04 Updating and Supplementing DNL, "While level is the primary measure of loudness, the significance of tonality when present has been reaffirmed in recent FAA sponsored research."

Response FFF.16: The regulation of tone would be very difficult and subjective. A tone that is annoying to one person may not bother another. Unlike loudness, a standard that judges the acceptability of a given tone cannot be determined. The City is not aware of any such standard.

Comment FFF.17: While the EIR considered TA, "Time Above" a certain noise threshold, it did not consider another metric suggested by the Wyle report cited above, NA, the "Number Above" a noise threshold. This metric originated in Australia and I believe it would add important clarity. Residents affected by noise will tell you that the number of noise incidents matters greatly.

Response FFF.17: As described on page 255 of the DEIR, the number of flights are an important input into the CNEL calculations since the CNEL mathematically combines the noise from all of the noise events that occur in a 24-hour period. [The number of daily flights occurring in 2018 and projected to occur in 2037 is shown on page 23 of the DEIR.]

Comment FFF.18: The CNEL and DNL standards average noise incidents over the course of a year. People become annoyed during periods much shorter than one year. The application of annualized standards to residents affected by SJC South Flow as well as residents affected by SJC North (regular) Flow means that the South Flow airplanes can be almost 10dB louder and yet reach the same level of significance. This is because South Flow occurs 11% of the time (Noise Appendix, p15 – though generally estimates run higher, including numbers I have computed using FOIA data. An eighth as many flights averaged over the course of a year would allow three doublings in sound energy (9dB) to reach the same measurement, other things being equal.)

Response FFF.18: As required by the noise measurement methods recognized by the FAA and the State of California, the CNEL values shown in Section 4.13 of the Draft EIR are for noise produced by all aircraft landing and departing on "an annual average day" at the Airport. As explained on page 255 of the DEIR, the use of an "averaging" methodology has been validated by studies showing a statistically significant correlation between long-term community noise exposure and community annoyance. The annual average day is used as a standard reference point by the FAA and the State of California because it is recognized that there are daily and seasonal fluctuations in operations at every airport. For example, runway usage can vary from hour-to-hour or day-to-day as the wind direction changes. Similarly, the numbers of flights can vary from day-to-day. The use of the CNEL for an annual average day allows policymakers and the public to see the noise effects of the Airport on an average day, considering overall airport operations, as well as the studies upon which the standards are based which correlate long-term exposure to noise to the potential for annoyance and adverse health effects. Conversely, there are no land use compatibility standards for noise exposure which does not occur over the long-term.

Comment FFF.19: The forecasted fleet mix (3.2-3) shows that the 737-800 and 737-8 Max are expected to be by far the most popular airplanes operating out of SJC, with the Boeing 737 series as a whole comprising over half the operations. It is, therefore, very disturbing to see in table 13 of the

Noise Appendix that the 737-8 MAX is remarkably loud – affecting roughly twice as many acres beneath them as the other airplanes listed at the SEL levels shown, including the 737-800.

Response FFF.19: As shown in Table 13 of Appendix J, the 737-8-MAX is louder than the 737-800 on arrivals and is substantially quieter than the 737-800 on departures. These differences are accounted for in the noise analysis contained in Section 4.13 of the DEIR.

Comment FFF.20: Along similar lines, the 35% increase in tonnage expected for cargo aircraft is likely to cause more noise because heavier airplanes cause more noise, other things being equal.

Response FFF.20: The CNEL accounts for the weight of a departing aircraft, including both payload and fuel. See page 15 of Appendix J of the DEIR for details.

Comment FFF.21: For the EIR to better describe actual impacts to people, additional metrics should be considered and the impacts to surrounding cities like Cupertino, Sunnyvale, Mountain View and Palo Alto should be better developed.

Response FFF.21: As described in Section 4.13, the three metrics used in the DEIR (CNEL, time above, and single event) are sufficient to describe the noise impacts of the Project. The use of other metrics would not change any of the conclusions of the DEIR with regard to noise. Regarding noise in other cities, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment FFF.22: The shift to NEO engines forecasted in the change in fleet mix leads to the question of the expected distribution of flights across the 24 hours of the day, given the curfew. A chart showing % of flights by hour on a typical day now and in 2037 would be clarifying. Page 263 references the possibility that the hourly distribution of flights might shift.

Response FFF.22: The existing time-of-day distribution (i.e., day, evening, and night) of flight operations is shown in Table 4 of Appendix J. As stated on page 18 of Appendix J, the time-of-day percentages are not expected to change in the future.

Comment FFF.23: Why is the proposal expanding cargo facilities when it is airport policy to "Encourage the use of quieter aircraft at the San José International Airport?" (EC-1.10, p8 Noise Appendix, see also Policy TR-13.1, p37) The reduction in forecasted operations for cargo aircraft from the previous plan amendment to the current proposal should help in that regard.

Response FFF.23: As stated on page x of the DEIR Summary, under the Federal Airline Deregulation Act of 1978, the City cannot regulate the number of flights. The proposed facilities to adequately accommodate air cargo demand are based on the updated projection of cargo tonnage. Appendix C of the DEIR contains those projections. The comment is correct that those projections are lower than previously projected for the current Airport Master Plan.

Comment FFF.24: How are the 65 CNEL noise contours of Moffett airfield likely to be impacted by the overflights to SJC as a result of increasing South Flow activity? Closely related to this: what is the current and forecasted mix of flights projected to arrive via the RNP approach? The RNP Z approaches to runway 12 fly directly over the Moffett 65 DNL contour below 2500'.

Response FFF.24: As required by the noise measurement methods recognized by the FAA and the State of California, the CNEL values shown in the Draft EIR are for noise produced by all aircraft landing and departing on "an annual average day" at an airport. The use of an "averaging" methodology has been validated by studies showing a statistically significant correlation between long-term community noise exposure and community annoyance. The annual average day is used as a standard reference point by the FAA and the State of California because it is recognized that there are daily and seasonal fluctuations in operations at every airport. For example, runway usage can vary from hour-to-hour or day-to-day as the wind direction changes. Similarly, the numbers of flights can vary from day-to-day. The use of the CNEL for an annual average day allows policymakers and the public to see the noise effects of an airport on an average day, considering overall airport operations, as well as the studies upon which the standards are based which correlate long-term exposure to noise to the potential for annoyance and adverse health effects. Conversely, there are no land use compatibility standards for noise exposure which does not occur over the long-term.

As shown in Appendix J of the DEIR, SJC aircraft do not routinely overfly the Moffett Airfield area except during south-flow conditions (approximately 13% of annual operations). During south-flow, the Moffett Airfield area is overflown by SJC arrivals at altitudes typically ranging from 2,000 – 3,000 feet.[9] Arrival aircraft produce less noise than departing aircraft because engines are operating at reduced power. Taking all of these factors into account, the net result is that the contribution of SJC aircraft to the 65-dB CNEL at Moffett Airfield is not substantial.

Comment FFF.25: Possible corrections for the EIR: Boom Supersonic, cited above, also wrote, "The FAA makes NEPA determinations pursuant to FAA Order 1050.1. According to Order 1050.1F, the FAA considers a proposed action to have a significant noise impact if it "would increase noise by DNL 1.5 dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dB noise exposure level or that will be exposed at or above the DNL 65 dB level due to a DNL 1.5 dB or greater increase." p6 of the Noise appendix stated a different test – that the increase had to be 3dB or greater if the starting value was below DNL 65 dB.

Response FFF.25: The CNEL significance criteria used in the DEIR is stated on page 276. That criteria states that where the existing/baseline CNEL is 65 or greater, an increase of 1.5 dB or more is significant and where the existing/baseline CNEL is less than 65, an increase of 3.0 dB or more is significant.

[9] SJC departures during south flow conditions overfly Downtown, Central, and South San Jose, which is more than 9 miles from Moffett Airfield.

FAA Order 1050.1F includes a variation of these criteria, namely that a 1.5 dB increase would be significant if the resultant CNEL level is 65 or greater. For example, an increase from 63.5 to 65 would be significant.

The data in Table 4.13-9 of the DEIR show that neither the City's significance criteria nor the FAA's significance criteria in Order 1050.1F would be exceeded under the proposed Project. Therefore, no corrections are required for the DEIR.

Comment FFF.26: P264 of the EIR states that citations with a $2500 fine are issued when an operation does not conform to the NCP. Please consider including the percentage of those fines that are collected. My understanding is that it is very small.

Response FFF.26: This comment pertains to a component of the Airport's Noise Control Program which imposes a fine for violations of the curfew policy. The Airport successfully collects close to 100% of the fines, including all fines issued during 2018 and through the fall of 2019.[10]

Comment FFF.27: The EIR states that "Low-frequency noise is accounted in the A-weighted decibel used in community noise assessments." (p275). I find this statement to be misleading because low frequency noise is heavily discounted by A-weighting. It discounts frequencies of 250Hz by 8.6 dB, and frequencies of 63Hz by 25 dB relative to dB-A.

Response FFF.27: Section 4.13 of the DEIR states that A-weighted decibels have been correlated with human noise exposure to civilian aircraft noise levels dating back to the original USEPA studies in the 1970's following the establishment of NEPA. The fact that certain frequencies are discounted by the A-weighting does not mean that they are not accounted for; it just means adjustments have been made to correlate with human response.

GGG. Robert Watkins (dated December 30, 2019)

Comment GGG.1: I grew up in San José and heard many times a main reason people in SJ flew out of SFO: more flights, more nonstop flights across USA, and overseas. SJ had many chances to grow the airport – whether on site, or near Coyote Creek area (now out of the question due to recent open land preservation). Even though I moved to San Carlos, SJC is still my #1 Airport to fly out of for both Domestic and Int'l travel. I do have to think twice though due to lack of non-stop flights -at decent hours (not Red Eye's) across the Country (Midwest and East Coast).

With the fewest delays out of SJC, weather, etc., the expansion will be well served by the Bay Area, provide additional funds to San José, and is needed. I wish this would have occurred a long time ago.

[10] Source: Cary Greene, City of San Jose Airport Department, personal communication, 2/10/2020.

Response GGG.1: This comment expresses support for the proposed Project. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

HHH. Ron and Carol Ruth (dated January 13, 2020)

Comment HHH.1: Many Americans are suffering significant increases in jet noise and emissions from Nextgen. Department of Transportation Secretary, Norman Mineta, in a 2004 speech, said about the program "...the changes that are coming are too big, too fundamental for incremental adaptations of the infrastructure".

Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr. Terrel's presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, communities which did not have noise problems before Nextgen. Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.

The City of San José and SJC must ensure that San José residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:

As early as possible, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from airspace changes, FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.

Response HHH.1: This EIR provides extensive analysis of the noise and air emissions impacts of the proposed Project; see Draft EIR Sections 4.13 and 4.3, respectively. No changes to flight tracks or flight procedures are proposed by the Project. Changes to Northern California flight tracks that were implemented by the FAA in 2015 as part of its NextGen Program were evaluated in a 2014 Environmental Assessment prepared under NEPA by the FAA. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

Comment HHH.2: Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations. SJC is part of the Northern California Metroplex, a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS at SFO.

Response HHH.2: As stated in Section 4.13 of the DEIR, the proposed Amendment to the Airport Master Plan will not modify any existing flight tracks. Aircraft will utilize the same flight tracks regardless of whether the Project is approved.

According to the FAA, "a Ground Based Augmentation System (GBAS) augments the existing Global Positioning System (GPS) used in U.S. airspace by providing corrections to aircraft in the vicinity of an airport in order to improve the accuracy of, and provide integrity for, these aircrafts' GPS navigational position. The goal of GBAS implementation is to provide an alternative to the Instrument Landing System (ILS) supporting the full range of approach and landing operations."[11] Thus, if GBAS is installed at SFO, it will improve accuracy for aircraft on final approach to a runway. GBAS will not affect flight tracks as aircraft on an ILS approach are already flying along a precise path.

Comment HHH.3: SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are inadequate for a project of this size.

Response HHH.3: The noise analysis contained in Section 4.13 of the DEIR extends beyond the 65-dB CNEL contour to include all locations within the 60-dB CNEL contour. This study area complies with all FAA and State of California procedures for assessing noise impacts.

Comment HHH.4: FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens and while this is a liberty that FAA is taking by not considering health, the City of San José has an obligation to consider health and livability for San José residents and neighbors. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.

Response HHH.4: This comment is referring to FAA's methodology for evaluating proposed airspace actions, which is unrelated to the Project. The proposed Project involves no changes to airspace, flight tracks, or flight procedures. Existing flight tracks and procedures will remain the same with or without the Project. The Project is limited to improvements to facilities at SJC.

Comment HHH.5: SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorization Law of 2018 Section 188 mandates "The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns. FAA thresholds of significance and DNL are also insufficient because FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations. The City

[11] https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/techops/navservices/gnss/laas/howitworks/

of San José and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.

Response HHH.5: The three metrics used in the DEIR (CNEL, time above, and single event) are sufficient to describe the noise impacts of the Project. As described in Section 4.13 of the DEIR, the metrics and thresholds take into account the effect of noise on humans. The use of other metrics (e.g., number above) would not change any of the conclusions of the DEIR with regard to noise.

Comment HHH.6: Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from aviation noise. Please see the presentation Cost-effectiveness of reverting to the limited use of "TNNIS Climb" in Queens, NY, USA.

Response HHH.6: The DEIR used the FAA's AEDT model to quantify and evaluate the noise impacts of the proposed Project. The AEDT is approved for evaluating the noise impacts of airport projects. The model's results are evaluated against thresholds established by the FAA and State of California, such thresholds that have been shown to correlate with human health effects. The study referenced in this comment pertains to a cost-effectiveness evaluation of a flight track at LaGuardia Airport in New York, which is not germane to the evaluation of the proposed Project.

Comment HHH.7: Actions called for in the Resolution of the Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.

Response HHH.7: The Resolution referenced in this comment was adopted in 2015 and pertains to recommendations for addressing the noise impacts of FAA's NextGen Program. The proposed Project is unrelated to NextGen as no flight tracks will be modified. The City has no authority or jurisdiction over flight tracks. Aircraft will utilize the existing flight tracks with or without the Project.

Comment HHH.8: Lastly, as SJC considers expansion - is it safe to keep adding more airplanes into the already congested Bay Area airspace? The "holy grail" vision of Nextgen- reducing separation between planes to add throughput does not appear safe given the increase in go-arounds.

Response HHH.8: This comment provides no data or information to support a conclusion that the number of aircraft go-arounds is an indicator that the NextGen system is unsafe. There are a variety of reasons unrelated to NextGen that pilots or air traffic controllers initiate a go-around.

Comment HHH.9: The City of San José can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

Install noise monitors where noise complaints have erupted since 2014

Response HHH.9: As described in Section 4.13 of the DEIR, the Airport already operates and maintains a system of noise monitors in San José and Santa Clara, which

is where aircraft-noise related to SJC predominates. Monitors in other areas are not warranted because aircraft-generated noise does not exceed adopted standards. However, noise levels can always be measured, as was done in 2018 in Palo Alto. For details, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment HHH.10: Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements.

Response HHH.10: A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities utilize an exterior threshold of 45 DNL.

Regarding noise model validation, please see Response C.7.

Comment HHH.11: Engage with the SCSC Roundtable http://scscroundtable.org

Response HHH.11: Please see Response DD.3.

III. Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter (dated January 17, 2020)

Comment III.1: Santa Clara Audubon Society (SCVAS) and the Sierra Club Loma Prieta Chapter thank the City of San José for the opportunity to review the Draft EIR for the Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport (File No. PP18-103). The plan aims to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand.

SCVAS was founded in 1926, and is one of the largest National Audubon Society chapters in California. SCVAS' mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. SCVAS has engaged in the protection of burrowing owls and their habitat, other endangered (and common) species, and the protection of riparian and aquatic ecosystems for decades. Our members have a strong interest in projects that could impact biological resources.

The mission of the Sierra Club is to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. The Loma Prieta Chapter conservation program works to proactively identify natural constraints and/or trends that will impact our local ecosystems and environment, and to present solutions for action.

Please review the following comments:

Burrowing owls: The breeding population of burrowing owls in Santa Clara County is at the brink of extirpation – fewer than 10 pairs nested in the County in 2019. At this time, any activities that impact breeding location should be considered significant and unavoidable.

Response III.1: As analyzed in the DEIR, the Project's impacts on burrowing owls are less than significant under CEQA (as opposed to significant and unavoidable) because mitigation for impacts from the Project can be feasibly provided via the payment of VHP fees. The City anticipates that the Habitat Agency will be able to use those fees, in conjunction with fees from other projects, to successfully conserve South Bay burrowing owl populations. This approach is consistent with the Habitat Agency's Voluntary Fee Payments Policy for projects within the VHP area but not covered under the VHP, and the Habitat Agency has expressed its support for this approach for the Project's impacts to burrowing owls; see Comment E.

Comment III.2: MM BIO-4.1 allows the Airport expansion to mitigate impacts to burrowing owls by paying Valley Habitat Plan (VHP) fees to mitigate direct impacts to burrowing owls and their habitat. There seems to be no mitigation for indirect or cumulative impacts. We maintain that fees should apply to the entire 83.4 acres of nesting and foraging habitat that will be lost or degraded at the airfield.

Response III.2: As stated in Section 4.4 of the DEIR, the Project would result in permanent impacts on 32.4 acres of occupied burrowing owl nesting/roosting habitat at the Airport and the degradation of the remaining 83.4 acres of burrowing owl nesting, roosting, and foraging habitat southwest of Runway 12R-30L following Project implementation. In addition, the number of owl collisions with aircraft is expected to increase commensurate with the projected increase in aircraft operations under the Amendment.

As described in the DEIR, the implementation of MM BIO-4.1 would address the direct loss of habitat, the degradation of remaining habitat, and increased impacts due to owl collisions with aircraft as a result of the proposed Project by providing nesting, roosting, and foraging habitat for owls elsewhere in the South Bay to help increase their numbers in the region. The analysis in the DEIR found this mitigation would be sufficient to ensure the improved long-term viability of nesting burrowing owls in the South Bay.

This approach for mitigating both direct and indirect impacts on burrowing owls is consistent with the Habitat Agency's Voluntary Fee Payments Policy for projects located within the VHP area but not covered under the VHP, and the Habitat Agency has expressed its support for this approach (see Comment E). The VHP burrowing owl impact fee was determined based on the cost to implement conservation actions for the burrowing owl as well as the total estimated impacts on owl nesting habitat as a result of VHP implementation, and this fee takes into account the total acreage of breeding and foraging habitat needed to support impacted burrowing owls. Thus, VHP fees are appropriate to compensate for direct, indirect, and cumulative impacts on burrowing owls as a result of the project.

Comment III.3: MM BIO-4.1 states, "However, compensatory mitigation for impacts to a certain acreage of burrowing owl habitat must be implemented prior to those impacts occurring." "Certain Acreage" is a vague term. Please provide a precise implementation plan that includes phasing, or clear triggers for payments of VHP fees.

> **Response III.3:** The intent of this language in the DEIR was to state that the compensatory mitigation provided for a phased Project activity should at least equal what is required based on the acreage of burrowing owl habitat impacted by that activity, and that fee payments for impacts should be provided prior to the occurrence of those impacts. The text of MM BIO-4.1 has been revised to clarify this statement; see Section 5, *Draft EIR Text Revisions*.

Comment III.4: MM BIO-4.2 calls for an update of section 3.2 of the Burrowing Owl Management Plan (BOMP). The California Dept. of Fish and Wildlife, the Habitat Agency and the public (including SCVAS) should be invited to review the new plan.

> **Response III.4:** Agreed. As stated in MM BIO-4.2, the existing BOMP was developed based on 1997 site conditions and owl management and monitoring methodologies. To improve management for burrowing owls at the Airport, the Airport will implement the updates identified in MM BIO-4.2 to Section 3.2 of the BOMP, with the cooperation and involvement of the California Department of Fish and Wildlife, the Habitat Agency, and the Santa Clara Valley Audubon Society.

Comment III.5: In a footnote, the EIR proposes, "passive relocation of burrowing owls is not currently permitted under the VHP because a positive growth trend in the owls' regional population has not yet been achieved. However, passive relocation is included here as a mitigation measure here because (1) Airport projects are not covered under the VHP, and (2) the proposed Amendment improvements are necessary to address aviation safety concerns at the Airport."

Passive relocation has failed to protect individual owls or a breeding population in Santa Clara County – this is the reason why the VHP does not permit passive relocation. If passive relocation is permitted, the impact to burrowing owls will remain significant and unavoidable.

The notion that the Airport can use the Mitigation offered by the VHP (payment of fees) but does not have to abide by other requirements of the VHP is absurd – one cannot have it both ways. If the Airport elects to use the permit offered by the VHP, and pay the fees as directed by the plan, it must abide by the stipulation of the plan. Passive evictions should not be permitted for any activity. Instead, an Active Relocation Plan should be prepared for those improvements that are necessary to address aviation safety concerns. Capture of the evicted owls and funding proper release methodology can provide adequate mitigation.

> **Response III.5:** The project's mitigation approach is consistent with the Habitat Agency's Voluntary Fee Payments Policy for projects within the VHP area but not covered under the VHP, and the Habitat Agency "supports and applauds" this approach (refer to Comment E.1). The Voluntary Fee Payments Policy does not require non-covered projects that pay voluntary fees to the Habitat Agency to comply with VHP Conditions. Thus, Amendment projects are not required to adopt the requirements of

VHP Condition 15 related to the passive relocation of burrowing owls in order to compensate for impacts via the payment of burrowing owl impact fees.

The VHP is not providing any permit that is necessary for the Project; rather, it is using the Habitat Agency's expertise and Voluntary Fee Payments Policy as the mechanism by which habitat mitigation will be provided and to ensure that this mitigation dovetails with the larger conservation strategy for the burrowing owl in the South Bay. Because the Project is not subject to any permits or requirements of the VHP, compliance with VHP conditions is not required.

As described on page 129 of the DEIR, the purpose of passive relocation is to avoid injury/mortality of burrowing owls when activities must occur in an area that is occupied by owls. Because of that, passive relocation is appropriate when it is necessary to perform work in an area occupied by one or more burrowing owls and to ensure that impacts of the project are less than significant under CEQA. In contrast, the purpose of active relocation is to establish an owl in a specific new location. Passive relocation is appropriate as a mitigation measure because it is an established method to avoid the direct take of burrowing owls during work in occupied habitat.

Comment III.6: Existing mitigation areas that failed due to lack of maintenance (i.e., mowing) should not be accepted as baseline. Thus, a feasible Burrowing Owl Habitat Maintenance Plan (including budget) should be prepared and implemented for the land that contains the VOR/DME Facility (http://www.sanjoseca.gov/home/showdocument?id=24165).

Alternatively, VHP fees should apply to any mitigation areas where artificial burrows were constructed for previous Airport construction, but the mitigation habitat area has not been maintained to support burrowing owl habitat, including the entire acreage of the VOR/DME Facility.

Response III.6: Under CEQA, the nature and consequences of prior conduct of a project applicant (e.g., mowing frequency within existing mitigation areas) are not applicable to baseline conditions, and lead agencies must evaluate project impacts based on actual conditions existing at the time of CEQA review (Section 15125 of the CEQA Guidelines). Thus, under CEQA, the baseline conditions of the existing mitigation area at the VOR site is their current condition and ongoing management, regardless of whether or not management practices have been implemented as outlined in the burrowing owl management plan. Further, under CEQA, the project is only required to mitigate its own impacts, not impacts of past management activities (successful or not).

The Airport recognizes that maintenance of the burrowing owl management area at the VOR Site has not been adequate. The update to the Airport's BOMP (see MM-BIO-4.2) will more specifically address ongoing maintenance.

Comment III.7: Bay Checkerspot Butterfly - MM BIO-5.1: The impact of nitrogen deposition has been analyzed only for the increase in vehicle traffic, and not evaluated at all for aircraft traffic. The fact that the improvement projects at the Airport are excluded as covered activities under the Habitat Plan does not give the Airport an exemption from mitigating the impacts of nitrogen deposition due to

the increase vehicle and aircraft activities. Thus, MM Bio-5.1 is inadequate and the impact remains significant.

The EIR should analyze the impacts of nitrogen deposition due to increased aircraft activities and mitigate the increase of nitrogen emissions due to 29,332 new daily vehicle trips AND increased air traffic.

> **Response III.7:** Please see the text on pages 130-131 of the DEIR for a summary of the methodology used to develop the VHP's nitrogen deposition fee for development within the Habitat Plan area. As stated in that discussion, the fee-per-vehicle-trip was established as a surrogate that captures the overall effects of a project, recognizing that vehicle trips are not the only source of a project's NO_x emissions.
>
> The payment of the VHP's nitrogen deposition fee as mitigation for Project impacts is consistent with the Habitat Agency's Voluntary Fee Payments Policy for projects within the VHP area but not covered under the VHP, and the Habitat Agency supports this approach; see Comment E from the Habitat Agency.

Comment III.8: Aquatic species (including fish) and Riparian Corridors
6. Impact BIO-6 proposes, "Indirect impacts on water quality in the river could potentially occur as a result of project activities at Economy Lot 1, which is located immediately adjacent to the Guadalupe River above the top of bank".

Impacts of development in creek corridors have been extensively analyzed by the San José Riparian Corridor Study (1999) and by the VHP. In 2016, the City of San José adopted the Riparian Corridor and Bird Safe Design Policy aiming to protect the integrity of riparian habitats.

The project should be amended to require a 100-ft riparian buffer from the Top of the Bank, as directed by the VHP and by the City of San José Riparian Corridor and Bird Safe Design Policy. And further to restore and rehabilitate the riparian corridors as strongly encouraged in the City's policy.

> **Response III.8:** Impacts due to encroachment within the Guadalupe River riparian buffer are assessed in Section 4.4.2.5 of the DEIR. The intent is to maintain the 100-foot buffer. If the 100-foot buffer is not feasible, mitigation measures MM BIO-13.1 and MM-BIO-13.2, as described in the DEIR, would reduce any riparian buffer encroachment impacts to less-than-significant levels.

Comment III.9: 7. MM BIO-13.1 proposes, "Detailed plans for the structures that may be constructed in or near the 100-foot riparian buffers along the Guadalupe River have not yet been prepared. However, the City will strive to design the parking garage and fuel farm tanks in such a way that encroachment into the riparian buffer can be avoided altogether." The proposed projects do not appear to qualify for setback exceptions and hazardous materials especially should not be stored within the riparian setback. Therefore, mitigation should be absolute avoidance of construction in the 100-ft buffer.

> **Response III.9:** As stated above and in Section 4.4.2.5 of the DEIR, the intent is to design the fuel storage facility and the long-term parking garage to avoid encroachment

within the 100-foot buffer. In the event that is not feasible, under the City's Riparian Corridor Protection and Bird-Safe Design Policy, a reduced setback may be considered under limited circumstances when there is no reasonable alternative for the proposed project that avoids or reduces encroachment, and the exception will not significantly reduce or adversely impact the riparian corridor. Based on these conditions to the exception, any project-related development placed within the 100-foot riparian setback would need to demonstrate to the City that no significant adverse effects on riparian habitat would occur as a result of the proposed encroachment. Based on this requirement, and because compensatory mitigation would be required for any encroachment impacts, the analysis in the DEIR finds compliance with allowable exceptions under the City's Policy would not result in significant impacts under CEQA.

Comment III.10: 8. MM BIO-13.2 proposes mitigation offsite in "the study area." Please define the "Study Area." If any impact to the riparian corridor cannot be mitigated at this site, off-site mitigation measures cannot mitigate the impact to a less-than-significant level. As stated above, this mitigation measure should not be necessary since there is not justification to make exceptions to the riparian setback requirements.

Response III.10: For the purpose of the DEIR, a study area was delineated to encompass all areas where project impacts on biological resources can potentially occur, as well as areas within the Master Plan area that have been previously designated as mitigation for 1997 Master Plan activities. The study area is shown on Figures 4.4-1, 4.4-3, and 4.4-4 of the DEIR.

JJJ. Sarah Xu (dated January 17, 2020)

Comment JJJ.1: I am writing this letter to express my strong opposition to the expansion of SJC. San José is very populated now, expansion of the airport will inevitably increase the number of flights due to capacity increase, thus increasing greenhouse emissions and noise over the community. This is a decision we will regret for generations to come.

Response JJJ.1: This comment expresses the opinion that the Airport should not be expanded due to noise and air pollution impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required

KKK. Sierra Club (dated January 17, 2020)

Comment KKK.1: Sierra Club, Loma Prieta Chapter, thanks the City of San José for the opportunity to review the Draft EIR for the Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport (File No. PP18-103). The plan aims to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand.

The Loma Prieta Sierra Club chapter advocates on behalf of sustainable land use practices that could emanate from major development projects. As an environmental organization working towards reducing local greenhouse gas and other emissions, we encourage the development of higher density, mixed-use development near major transit stations so as to sequester carbon and habitats in wetland, grasslands, and woodlands. Our 17,000 members have a strong interest in projects that could improve the environment for us to enjoy and explore.

Please review the following comments related to DEIR analysis of Greenhouse Gas Emissions.

This project proposes to increase greenhouse gases and pollution at a time when the state is facing an existential threat of fires and sea level rise from Climate Change. It is irresponsible to say the least. The plan creates a "significant unavoidable impact" on the environment that could result in carbon emissions equivalent to putting more than 28,000 cars on the road. The expansion project will raise Bay Area emissions 0.15% over 2015 levels according to the Bay Area Air Quality Management District. The project will also increase fine particulate pollution, which can get pulled deep into lungs and exacerbate health impacts in already one of the worst air quality regions in the country. These emissions can be reasonably foreseen and should be addressed with feasible mitigations. We need to take bold steps to ensure our grandchildren have a future.

> **Response KKK.1:** As discussed in the DEIR, the City cannot regulate aircraft pollutant emissions, the primary factor in the conclusion that air quality and greenhouse gas impacts will be significant and avoidable. The emissions of criteria air pollutants and greenhouse gases will be similar under both the Project and No Project scenarios; see Section 8.5.1 for details.

Comment KKK.2: Additional Feasible Mitigation Measures

1. Frequent free buses to the airport. Regional buses boarding and departure should be heat mapped and routes changed accordingly to accommodate rapid passage through the airport.

> **Response KKK.2:** With VTA, the Airport co-sponsors the Route 60 bus service to the Airport that connects directly to Caltrain and future BART in Santa Clara, light rail on North First Street, and the soon-to-open Milpitas BART Station. SJC passengers pay no fare. VTA tracks ridership on its buses and adjusts routes/schedules accordingly so heat mapping is not needed

Comment KKK.3: 2. Restoring large sections of the adjacent Guadalupe River Floodplain with requisite wetlands and woodlands.

> **Response KKK.3:** The suggested mitigation of restoring a large section of the adjacent Guadalupe River Floodplain with requisite wetlands and woodlands would not reduce the volume of emissions of criteria air pollutants or greenhouse gases from Airport sources. Further, such mitigation is not feasible as it is outside the City's jurisdiction.

Comment KKK.4: 3. Finishing a year-round separated bike lane to and through the airport. Currently the adjacent trail is not usable during wet weather and the bike path is disjointed with the airport acting

as both a north south and east west bike circulation barrier. The description on page 300 of bicycle access is more vaguely about complete streets rather that immediate free, secure, and safe access to the airport as a means of reducing emissions.

Response KKK.4: The existing north-south trail along Airport Boulevard, which is shown on Figure 4.17-3 of the DEIR, is usable year-round. Class 2 bike lanes are provided around the north end of the Airport to provide an east-west connection. Bike lanes are also provided on portions of Coleman Avenue, Airport Parkway, and Skyport Drive, as shown on Figure 4.17-3 of the DEIR. A connection from the north-south trail to the Airport is provided at Airport Parkway. Bicycle parking is also provided at the Airport, as described on page 304 of the DEIR. Thus, access to the Airport for bicyclists is already provided.

Comment KKK.5: 4. Congestion pricing parking after the lots are 50% full and advising prices when passengers check their flights.

Response KKK.5: Given the widespread availability of options such as Transportation Network Companies (e.,g., Uber & Lyft) and adjacent airport parking facilities, this measure would have little effect on reducing vehicle trips. In fact, the opposite effect could occur wherein two roundtrips per passenger are needed (drop-off and pick-up) as compared to one roundtrip that includes onsite parking.

Comment KKK.6: 5. Gasoline cars should pay much more than electric to offset their operational NOx and construction PM10 emissions (page 343)

Response KKK.6: This comment does not specify what is meant by "pay much more." In any case, payment of additional monies would not offset emissions unless it was connected to an emissions reduction program. The City is not aware of any such program.

Comment KKK.7: 6. Work with the state to congestion price adjacent freeways and implement camera actuated speed enforcement to reducing emissions significantly while improving transit as major cities have done around the world.

Response KKK.7: The suggested measure to implement congestion pricing on adjacent freeways and to implement camera-actuated speed enforcement would require legislation at the State level and is beyond the scope of the Project and the jurisdiction of the City.

Comment KKK.8: Carbon Offsets: The emission accounting plays a shell game. It only counts on-the-ground pollution because airplane flights — which account for a huge chunk of emissions for most people who fly — are federally regulated. However, these emissions can be reasonably foreseen and are not phantom to the City of San José's Climate Action Plan. They add to emissions threatening life on the planet and the ability to meet the Plan. Aviation is one of the fastest growing sources of greenhouse gas emissions globally. Airline emissions are 2.5% of global emissions an amount equal to Germany's emissions. By 2050 the sector is supposed to triple, an amount equivalent to the

emissions of India. San José is poorly positioned here with the highest passenger growth among the nation's top 50 airports in the past four years, according to the airport's analysis.

Airline emissions are regulated by the International Civil Aviation Organization (ICAO), rather than UN Climate Change and the Paris Agreement. If San José does not take responsibility for the carbon footprint of flights to and from their city these emissions will be left to incinerate the lives of future generations. ICAO has proposed a market-based approach which gives businesses the flexibility to choose the most economically efficient way to reduce emissions and ultimately saves money for consumers. Emissions reductions can be achieved at a lower cost outside the aviation sector, particularly given the projected growth in air traffic in coming decades. Participation in the ICAO program will be voluntary. The United States, Canada, Mexico, China, Singapore, and 44 European nations have committed to sign up from day one (c2es.org/2016/10/a-new-flight-path-for-reducing-emissions- from-global-aviation/).

The Bay Area is the number one business destination in the world. What you do here will resonate around the world. That's why San José should embrace the centerpiece of the ICAO agreement reached October 6, 2016 for a market-based measure that will allow airlines to offset any growth in their emissions beyond 2020 levels with reductions in other sectors. City of San José should work with other cities in the region to adopt the agreement while at the same time implementing it locally by requiring area business and frequent customers to buy offsets for their emissions that can be used to fund the Feasible Mitigations listed above.

> **Response KKK.8:** The statement that GHG emissions from aircraft are omitted from the analysis in the DEIR is incorrect. Such emissions are shown in Table 4.8-3 and, in fact, the increase in GHG emissions from aircraft is the primary reason the EIR concludes that the GHG emissions of the Project are significant and unavoidable.
>
> For a discussion of the Airport's commitment to reduce GHG emissions and achieve carbon neutrality, please see the discussion on page 185 of the DEIR. [MM-GHG-1.1 on page 185 states that Level 3 will be achieved. That measure has been revised to state that Level 3+ or equivalent (Carbon Neutrality) will be achieved.]

Comment KKK.9: Fees: Giving away free pizza does not help people reduce weight. It's irresponsible when airline emissions are increasing to reduce fees for airlines that use cleaner fuels or electric and hybrid ground vehicles as mentioned in the San Francisco Chronicle by Mallory Moench Jan. 14, 2020. For one the cleaner fuel technology is currently a pipe dream and its eventual implementation is no way commensurate with the problem it's seeking to solve. For another the ability to get electric vehicles to scale to make a difference is closer to 400 years, time we do not have. This plan already is a massive subsidy to area business at the expense of the resident's environment. Fees should be increased and based on recovering the cost of the expansion and the need to feasibly mitigate impacts.

> **Response KKK.9:** The opinion that reducing fees for airlines that utilize cleaner fuels is irresponsible is included in the record. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Comment KKK.10: Traffic: Traffic to and from the airport expansion is not restricted to the city of San José but is drawn from the cites in Santa Clara County. The cumulative impact of emissions and noise needs to be reflected in the analysis. The EIR says that NOx emissions would be exceeded but this only addresses the airport traffic. This traffic is sourced from the region and creates emissions around the region which are not analyzed.

> **Response KKK.10:** As discussed in the DEIR, the increase in activity level at the Airport is directly related to projected economic, demographic, and land use conditions in the region. The impacts of such growth are accounted for in the CEQA analyses undertaken for the local jurisdiction general plans, as well as in the regional planning documents produced by MTC, ABAG, and BAAQMD.
>
> Note that the VMT analysis undertaken for the Project (see DEIR Section 4.17) concludes that VMT will *decrease* slightly with the Project, as compared to existing conditions.

Comment KKK.11: Alternatives: We encourage the City to select a less ambitious Airport expansion plan – if any – and not compromise the health of our people and future of our planet. If the expansion moves forward, the City should develop a plan for phasing parking and gate expansions to avoid over-investment and unnecessary environmental impacts, in case projected increases in air travel don't materialize. In conclusion, San José can't fix global warming by itself. But the City needs to do what is feasible and doable with current technology.

> **Response KKK.11:** The opinion that the City should select a reduced expansion, or no expansion, alternative is included in the record and will be considered by the City Council.

LLL. Sky Posse Palo Alto (dated January 8, 2020)

Comment LLL.1: Many Americans are suffering significant increases in jet noise and emissions from Nextgen[12]. Department of Transportation Secretary, Norman Mineta, in a 2004 speech, said about the program "...the changes that are coming are too big, too fundamental for incremental adaptations of the infrastructure[13]".

Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr. Terrel's presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, communities which did not have noise problems before Nextgen. Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.

[12] https://www.faa.gov/nextgen/
[13] https://www.nasa.gov/sites/default/files/atoms/files/nextgen whitepaper 06 26 07.pdf

The City of San José and SJC must ensure that San José residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:

As early as possible, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from airspace changes - FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios[14].

> **Response LLL.1:** The DEIR provides extensive analysis of the noise and air emissions impacts of the proposed Project; see DEIR Sections 4.13 and 4.3, respectively. No changes to flight tracks or flight procedures are proposed by the Project. Changes to Northern California flight tracks that were implemented by the FAA in 2015 as part of its NextGen Program were evaluated in a 2014 Environmental Assessment prepared under NEPA by the FAA. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

Comment LLL.2: Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations. SJC is part of the Northern California Metroplex[15], a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS[16] at SFO.

> **Response LLL.2:** As stated in the DEIR, the proposed Amendment to the Airport Master Plan will not modify any existing flight tracks. Aircraft will utilize the same flight tracks regardless of whether the Project is approved.
>
> According to the FAA, "a Ground Based Augmentation System (GBAS) augments the existing Global Positioning System (GPS) used in U.S. airspace by providing corrections to aircraft in the vicinity of an airport in order to improve the accuracy of, and provide integrity for, these aircrafts' GPS navigational position. The goal of GBAS implementation is to provide an alternative to the Instrument Landing System (ILS) supporting the full range of approach and landing operations."[17] If GBAS is installed at SFO, it will improve accuracy for aircraft on final approach to a runway. GBAS will not affect flight tracks as aircraft on an ILS approach are already flying along a precise path.

[14] https://www.faa.gov/nextgen/media/NextGen Implementation Plan-2018-19.pdf
[15] https://www.faa.gov/nextgen/snapshots/metroplexes/
[16] https://www.faa.gov/about/office org/headquarters offices/ato/service units/techops/navservices/gnss/laas/
[17] https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/techops/navservices/gnss/laas/howitworks/

Comment LLL.3: SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are inadequate for a project of this size.

Response LLL.3: The noise analysis contained in Section 4.13 of the DEIR extends beyond the 65-dB CNEL contour to include all locations within the 60-dB CNEL contour. This study area complies with all FAA and State of California procedures for assessing noise impacts.

Comment LLL.4: FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens and while this is a liberty that FAA is taking by not considering health, the City of San José has an obligation to consider health and livability for San José residents and neighbors. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.

Response LLL.4: The FAA's methodology for evaluating proposed airspace actions is unrelated to the Project. As stated in the DEIR, the proposed Project involves no changes to airspace, flight tracks, or flight procedures. Existing flight tracks and procedures will remain the same with or without the Project.

Comment LLL.5: SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorization Law of 2018[18] Section 188 mandates "The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns." FAA thresholds of significance and DNL are also insufficient because FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations. The City of San José and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.

Response LLL.5: Please see Response FFF.21.

Comment LLL.6: Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from aviation noise. Please see the presentation Cost-effectiveness of reverting to the limited use of "TNNIS Climb" in Queens, NY, USA.

Response LLL.6: Analysis in the DEIR used the FAA's AEDT model to quantify and evaluate the noise impacts of the proposed Project. The AEDT is approved for evaluating the noise impacts of airport projects. The model's results are evaluated against thresholds established by the FAA and State of California, such thresholds that have been shown to correlate with human health effects. The study referenced in this comment pertains to a cost-effectiveness evaluation of a flight track at LaGuardia Airport in New York, which is not germane to the evaluation of the proposed Project.

[18] https://www.congress.gov/115/plaws/publ254/PLAW-115publ254.pdf

Comment LLL.7: Actions called for in the Resolution of The Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.

> **Response LLL.7:** The Resolution referenced in this comment was adopted in 2015 and pertains to recommendations for addressing the noise impacts of FAA's NextGen Program. The proposed Project is unrelated to NextGen as no flight tracks will be modified. The City has no authority or jurisdiction over flight tracks. Aircraft will utilize the existing flight tracks with or without the Project.

Comment LLL.8: Lastly, as SJC considers expansion - is it safe to keep adding more airplanes into the already congested Bay Area airspace? The "holy grail" vision of Nextgen[19]- reducing separation between planes to add throughput does not appear safe given the increase in go-arounds[20].

> **Response LLL.8:** Please see Response HHH.8.

Comment LLL.9: The City of San José can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

Install noise monitors where noise complaints have erupted since 2014

> **Response LLL.9:** As described in Section 4.13 of the DEIR, the Airport already operates and maintains a system of noise monitors in San José and Santa Clara, which is where aircraft-noise related to SJC predominates. Monitors in other areas are not warranted because aircraft-generated noise does not exceed adopted standards. However, noise levels can always be measured, as was done in 2018 in Palo Alto. For details, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment LLL.10: Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements.

> **Response LLL.10:** A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities utilize an exterior threshold of 45 DNL.
>
> Regarding noise model validation, please see Response C.7.

[19] https://www.ainonline.com/aviation-news/air-transport/2013-06-17/new-faa-procedures-reduce-separations-major-airports

[20] https://www nbcbayarea com/investigations/Frequent-SFO-Go-Arounds-Point-to-Safety-Concerns-245438381 html

Comment LLL.11: Engage with the SCSC Roundtable http://scscroundtable.org

Response LLL.11: Please see Response DD.3.

MMM. Stephen Boyer (dated January 18, 2020)

Comment MMM.1: I am writing to express concern over the expansion of SJC airport. 1) I favor expansion and more coast-to-coast and international flights (to Europe) HOWEVER ! 2) I am concerned about the lack of public transportation to SJC. BART seems to be making the same mistake as light rail. – Planning to go close but not directly to the airport. Lack of efficient public transportation directly to SJC could result in thousands of additional cars every day taking people to and from the airport… clogging our already over crowed highways and adding to pollution.

Response MMM.1: Please see Response U.1.

Comment MMM.2: Add some kind of moving walkways inside the airport. SJC is very long and has no moving walkway for older folks etc.

Response MMM.2: Please see Response S.1.

NNN. Steve Dippert (dated December 30, 2019)

Comment NNN.1: I would vote in favor of the expansion. With all the new housing construction going on in San José people are going to have to turn to mass transit as the roads can't handle anymore traffic and this will offset some of the increase from the airport. I also think electric car sales will eventually impact the emission reduction as more and more companies make electric cars. Other airports have expanded with the same concerns I'm sure and they survived. San José has the dinkiest and most unimpressive big city airport in the country and has for quite awhile. It is time to make it what it should be.

Response NNN.1: This comment expresses support for the Project. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

OOO. Subodh Iyengar (dated January 11, 2020)

Comment OOO.1: Many Americans are suffering significant increases in jet noise and emissions from NextGen. Department of Transportation Security, Norman Mineta, in a 2004 speech, said about the program "…the changes that are coming are too big, too fundamental for incremental adaptions of the infrastructure".

Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr. Terrel's

presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, communities which did not have noise problems before Nextgen. Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.

The City of San José and SJC must ensure that San José residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:

As early as possible, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from airspace changes – FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.

> **Response OOO.1:** This EIR provides extensive analysis of the noise and air emissions impacts of the proposed Project; see Draft EIR Sections 4.13 and 4.3, respectively. No changes to flight tracks or flight procedures are proposed by the Project. Changes to Northern California flight tracks that were implemented by the FAA in 2015 as part of its NextGen Program were evaluated in a 2014 Environmental Assessment prepared under NEPA by the FAA. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto on page 9 of this First Amendment to the DEIR.]

Comment OOO.2: Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations. SJC is part of the Northern California Metroplex, a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS at SFO.

> **Response OOO.2:** As discussed in the DEIR, the proposed Amendment to the Airport Master Plan will not modify any existing flight tracks. Aircraft will utilize the same flight tracks regardless of whether the Project is approved.
>
> According to the FAA, "a Ground Based Augmentation System (GBAS) augments the existing Global Positioning System (GPS) used in U.S. airspace by providing corrections to aircraft in the vicinity of an airport in order to improve the accuracy of, and provide integrity for, these aircrafts' GPS navigational position. The goal of GBAS implementation is to provide an alternative to the Instrument Landing System (ILS) supporting the full range of approach and landing operations."[21] If GBAS is installed at SFO, it will improve accuracy for aircraft on final approach to a runway. GBAS will

[21] https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/techops/navservices/gnss/laas/howitworks/

not affect flight tracks as aircraft on an ILS approach are already flying along a precise path.

Comment OOO.3: SJC's Part 150 done prior to Metroplex NextGen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are inadequate for a project of this size.

Response OOO.3: The noise analysis contained in Section 4.13 of the DEIR extends beyond the 65-dB CNEL contour to include all locations within the 60-dB CNEL contour. This study area complies with all FAA and State of California procedures for assessing noise impacts.

Comment OOO.4: FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens and while this is a liberty that FAA is taking by not considering health, the City of San José has an obligation to consider health and livability for San José residents and neighbors. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.

Response OOO.4: This comment is referring to FAA's methodology for evaluating proposed airspace actions, which is unrelated to the Project. As discussed in the DEIR, the proposed Project involves no changes to airspace, flight tracks, or flight procedures. Existing flight tracks and procedures will remain the same with or without the Project. The Project is limited to improvements to facilities at SJC.

Comment OOO.5: SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorized Law of 2018 Section 188 mandates "The Administrator of the Federal Aviation Administraton shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns." FAA thresholds of significance and DNL are also insufficient because FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations. The City of San José and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.

Response OOO.5: The three metrics used in the DEIR (CNEL, time above, and single event) are sufficient to describe the noise impacts of the Project because they capture multiple aspects of noise. As described in Section 4.13 of the DEIR, the metrics and thresholds take into account the effect of noise on humans. The use of other metrics (e.g., number above) would not change any of the conclusions of the DEIR with regard to noise

Comment OOO.6: Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from aviation noise. Please see the presentation Cost-effectiveness of reverting to the limited use of "TNNIS Climb" in Queens, NY, USA.

Response OOO.6: Analysis in the DEIR used the FAA's AEDT model to quantify and evaluate the noise impacts of the proposed Project. The AEDT is approved for evaluating the noise impacts of airport projects. The model's results are evaluated

against thresholds established by the FAA and State of California, such thresholds that have been shown to correlate with human health effects. The study referenced in this comment pertains to a cost-effectiveness evaluation of a flight track at LaGuardia Airport in New York, which is not germane to the evaluation of the proposed Project.

Comment OOO.7: Actions called for in the Resolution of The Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.

Response OOO.7: The Resolution referenced in this comment was adopted in 2015 and pertains to recommendations for addressing the noise impacts of FAA's NextGen Program. The proposed Project is unrelated to NextGen as no flight tracks will be modified. The City has no authority or jurisdiction over flight tracks. Aircraft will utilize the existing flight tracks with or without the Project.

Comment OOO.8: Lastly, as SJC considers expansion – is it safe to keep adding more airplanes into the already congested Bay Area airspace? The "holy grail" vision of Nextgen – reducing separation between planes to add throughput does not appear safe given the increase in go-arounds.

Response OOO.8: Please see Response HHH.8.

Comment OOO.9: The City of San José can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

Install noise monitors where noise complaints have erupted since 2014

Response OOO.9: As described in Section 4.13 of the DEIR, the Airport already operates and maintains a system of noise monitors in San José and Santa Clara, which is where aircraft-noise related to SJC predominates. Monitors in other areas are not warranted because aircraft-generated noise does not exceed adopted standards. However, noise levels can always be measured, as was done in 2018 in Palo Alto. For details, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment OOO.10: Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements.

Response OOO.10: A 45 DNL contour would not be useful because it would essentially cover all of the urbanized areas in the Bay Area. In addition, none of the noise-land use compatibility standards of local cities utilize an exterior threshold of 45 DNL.

Regarding noise model validation, please see Response C.7.

Comment OOO.11: Engage with the SCSC Roundtable http://scscroundtable.org

Response OOO.11: Please see Response DD.3.

PPP. Susumu Agari (dated January 17, 2020)

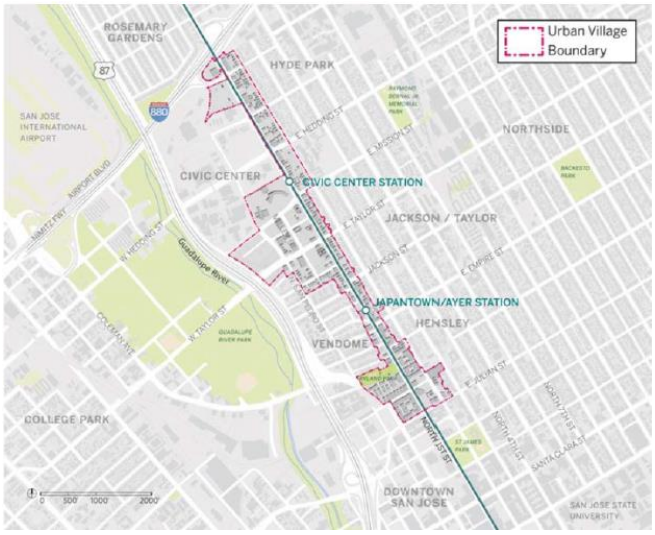
Comment PPP.1: I ask that the SJC expansion project be REJECTED because there is already too much noise from SJC south flow operations and this expansion will make things worse, especially over cities like Sunnyvale and Cupertino. The proposed expansion will exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

In addition, the study finds that the expansion will have a significant impact on greenhouse gas emissions. This airport expansion will emit greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan and inconsistent with San José's plans to flight climate change.

> **Response PPP.1:** This comment expresses opposition to the Project due to noise and GHG emissions impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

QQQ. Tod Williams (dated January 6, 2020)

Comment QQQ.1: The Vendome (see map below) is a small historic neighborhood in downtown San José (2 blocks wide by 8 blocks long). Our homes (many over 100 years old) are situated in a residential neighborhood that is landlocked on one side by the SR87/Guadalupe freeway (which is also the Mineta San José International Airport flight path/corridor) and the other by the VTA light rail/North 1st Street. It is the only neighborhood on the west side of North 1st Street.



Please factor into your impact study that the airport expansion will increase traffic on the SR87/Guadalupe freeway.

> **Response QQQ.1:** The increase in traffic on SR 87 is disclosed in the DEIR in Section 4.17.3.2.

Comment QQQ.2: Also, factor the development of the North 1st Street local Transit Village (the introduction of hi-rise buildings: hi-density housing and businesses) will create a massive barrier (like a mega freeway sound wall) that will enclose our neighborhood on 3 sides, reverberate the airport and freeway noise back onto our neighborhood and trap the pollution in our small community (both current and increased noise and pollution from the freeway and airport).

> **Response QQQ.2:** Reference grid point 17 in Section 4.13 of the DEIR represents the area encompassed by the Vendome Neighborhood. The noise analysis concluded that the Project would increase noise levels at this location by 0.2 dB (see Table 4.13-9), which is substantially below the threshold of significance of 3 dB.

RRR. Tony Guan, Jennifer Tasseff and members of the Sunnyvale-Cupertino Airplane Noise Group Over 500 Members Strong

Comment RRR.1: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18- 103), we ask that the SJC expansion project be rejected for the following reasons: SUMMARY: AIRPLANE NOISE ISSUES: Proposed increase in number of airline gates will result in more airport throughput, and exacerbate issues in surrounding communities regarding airplane noise and health concerns related to these San José airport overflights (south flow operations)

The conclusion that noise impact will be less than significant needs further validation, because the EIR analysis was based around a 65DB CNEL noise threshold that is outdated and is never exceeded except in very few circumstances directly adjacent to an airport runway. Using the 65DB CNEL to define airplane noise impacts is not representative of human noise annoyance.

Currently there are efforts through Congress to re-examine this 65DB CNEL threshold and evaluate noise using alternate methods. In the meantime, SJ should conduct noise studies that correspond to airplane noise frequency and human annoyance prior to any approval of this EIR.

> **Response RRR.1:** As described on page 276 of the DEIR, the noise analysis utilized multiple metrics and thresholds of significance, not just the 65-dB CNEL, to define aircraft noise impacts and human annoyance levels. This included the changes in noise levels for land uses within the 60-dB CNEL contour. Therefore, no additional noise studies are required.

Comment RRR.2: AIR QUALITY SIGNIFICANT IMPACT: Per the Draft EIR, Air Quality will have a significant impact due to the projected increase in flight operations. Yet there is no proposed mitigation for this air quality impact. Appendix L of the EIR attempts to justify this significant impact to air quality by implying that the number of planes will not be impacted by the newly constructed

gates. However, Appendix L is misleading, and other sections of the EIR imply impact to the number of planes directly based on the number of gates. (See section 4 below for specifics)

Recent health studies have indicated that exposure to frequent airplane noise and increased particulate matter from airlines can have health consequences for residents under flights paths, so this issue should be critical importance to San José officials and should be accurately analyzed.

GREENHOUSE EMISSIONS SIGNIFICANT IMPACT: The EIR states significant impact of greenhouse gases, yet there is no proposed mitigation for the projected increase in flights. Appendix L attempts to justify this increased in greenhouse gas emissions by implying that the number of planes will not be impacted by the newly constructed gates or planned airport expansions. However, Appendix L is misleading and inconsistent with other information in the EIR that implies potential direct impact to flight operations. (See section 4 below)

These significant emissions are emissions are counter to San José plans to flight climate change and go against the State of California targets to reduce emissions.

In a recent San José Mercury article, Greg Nudd, deputy air pollution officer for policy at the Bay Area Clean Quality Management District mentioned "A lot of people don't realize how carbon-intensive flying is." The aviation industry accounts for 12 percent of all transportation-related greenhouse gas emissions and 3 percent of total greenhouse gas emissions in the United States, according to the Environmental Protection Agency.

> **Response RRR.2:** This comment provides no data or information to support the statement that Appendix L is misleading. The purpose of Appendix L is to assess the degree to which year 2037 forecasted activity levels at the Airport could be served by existing facilities. Appendix L is unrelated to the discussion of the air quality and GHG impacts of the Project. The air quality and GHG impacts, which include emissions from aircraft, were quantified in Sections 4.3 and 4.8 of the DEIR, respectively.
>
> In addition to the ongoing emissions reduction measures at the Airport (see Table 4.3-5), the Airport has committed to implementing mitigation measures MM-AIR-2.1 through MM-AIR-2.4 (see DEIR pages 81-82) and MM-GHG-1.1 (see DEIR page 185). These measures address emissions sources that are under the control of the City. Measures to reduce emissions from aircraft engines are outside the control of the City; such measures rest with the federal government.
>
> Note that the EIR does not "justify" impacts. The purpose of the EIR is to describe the impacts of a project so that the decision-making body can evaluate those impacts against the benefits of the project.

Comment RRR.3: Appendix L of the EIR attempts to justify the unmitigated significant increases in greenhouse emissions and air quality issues – Inconsistencies exist in the EIR regarding airport expansions & their corresponding impact to overall flight operations:

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. Since this is the case, then building new gates will have direct impact on overall capacity of

the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

Regarding greenhouse gas emissions, airplane noise, and air quality, the EIR analysis should be conducted well past the 2037 horizon. Because climate change and air quality issues seriously impacting this planet, the SJC airport expansion and its implications should be considered well beyond the 2037 horizon. In addition, airplane noise has health ramifications for residents under the flight paths. There three factors (Greenhouse gas emissions, air quality impacts, and airplane noise) will have serious ramifications in the future.

As one of our group members wrote: "I have to applaud the Mercury news for publishing the article on December 29th for discussing the negative impacts for San José Airport expansion. The airport will ...spew a "significant and unavoidable" amount of ozone and greenhouse gases... At a time when California has almost year-round fires, Australia has by some estimates lost over a billion animals because of fires and Venice Italy is flooded by rising sea levels. Sam Liccardo has done the right thing requiring new construction in San José to not use natural gas. Now he needs to step up and do the right thing and oppose the airport expansion. The next fire is in Sam's hands."

In this EIR, the significant impacts to greenhouse gas emissions and air quality are dismissed by Appendix L, and that is wrong. By creating incremental impact horizons (i.e. 2027, 2037), the SJ City Council and the SJC airport are skirting their environmental obligations to the Bay Area. In listening to the Council meeting on Jan 14, 2020, it was clear that money and profit (not the environment) were the driving factors for this project. Greenhouse gas emissions and air quality were basically ignored during the entire Council discussion, with complete reliance on the Appendix L analysis that is misleading, and predominant discussions regarding budgeting of the project.

> **Response RRR.3:** The primary concern of this comment is that the analyses and forecasts contained in the DEIR are inadequate because they do not evaluate conditions beyond 2037. The comment argues that the failure to look beyond year 2037 is tantamount to ignoring the long-term effects of the Project, especially with regard to air quality, GHG, and noise impacts.
>
> The City does not agree with assertion that looking more than 20 years into the future is a deficiency. A 20-year planning horizon is commonly used by multiple federal, state, and local agencies during the preparation of planning documents such as general plans, specific plans, transportation plans, air quality plans, etc. It is recognized that analyzing conditions beyond 20 years into the future has little value because such analyses, by definition, require multiple layers of assumptions and speculation about

future conditions, many of which often turn out to be wrong. This is why CEQA Guidelines Section 15145 states that an EIR need not engage in speculation.

The conclusion in the preceding paragraph that forecasts and analyses beyond 20 years are of little value, and often misleading, is bolstered by the fact that many planning documents are updated more frequently than every 20 years, precisely because actual conditions/trends turn out to be different than originally projected. For example, VTA and MTC typically update the countywide and regional transportation plans, respectively, every ten years. Similarly, BAAQMD adopted a new clean air plan in 2017, seven years after adopting the 2010 Clean Air Plan.

The Airport has prepared updated aviation demand forecasts in 1994, 2003, 2005, 2009, and 2017, each of which resulted in amendments to the Airport Master Plan. Each update reflected changed conditions, some of which were substantial. For example, the 1994 forecast projected that there would be 17.6 million annual passengers by 2010. The latest/2017 forecast projects that level of activity will not occur until 2031 (see DEIR Appendix C). Further, changes in aircraft design have resulted in significant changes in noise levels and emissions rates, which directly affects the analyses of those impacts.

Therefore, for the reasons stated above, there is no requirement or value in speculating on conditions beyond 2037. No changes or revisions to the DEIR are necessary.

Comment RRR.4: The SJC Airport continues to experience challenges at peak hours:

During the Council meeting on Jan 14, 2020, SJC Director Aitken stated "the Airport continues to experience challenges at peak hours." Based on an article in San José Spotlight regarding the SJC expansion: https://sanjosespotlight.com/san-jose-airport-receives-10-million-to-kickstart-plans-for-expansion/: "Last year, Mineta International broke its all-time record of number of passengers traveling through SJC, with 14.3 million people traveling in and out of the airport. In September of this year, that number has already been surpassed. Between Oct. 2018 and Sept. 2019, 15.3 million people traveled through SJC. And Wintner [deputy director of communications for the airport] says airport officials expect to receive another 400,000 passengers by the end of 2019."

"That's not sustainable, there's no way we can continue to grow at that rate," says Wintner. "We've been one of the fastest growing airports in the country over the last five years."

Statements like the two listed above imply that the gates or some other SJC expansion factor is currently impacting the airport in some way or will be impacting the airport soon. This means that the implications contained in the EIR Appendix L, appear to be misleading. At some point, these proposed gate expansions will impact the number of flight operations/capacity of the SJC airport. So, these planned expansions have direct impact on greenhouse gas emissions and air quality.

Response RRR.4: Every facility has a theoretical capacity, defined as the point beyond which congestion and delay are so severe that people decide to pursue alternative options. This phenomenon is evident on freeways when congestion and delay far exceed design standards (e.g., level of service "D"), people begin to alter their

behavior by adjusting the time they drive, the route they take, or the decision to drive versus another mode (transit, bike, etc.).

The purpose of the analysis in Appendix L of the DEIR was to determine if there is empirical data that suggest the existing facilities at SJC will reach that theoretical capacity prior to reaching the 2037 forecasted activity level. Based on data from airports around the country, as well as historical activity levels at SJC, the Appendix L analysis concluded that the Airport would be able to accommodate the forecasted 2037 activity level, albeit under congested and poor level-of-service conditions.

Comment RRR.5: Time Based Flow Management: During the Select Committee hearings, the FAA representative stated that Time-Based Flow Management (TBFM) might be available in seven years. It's been three years since then, which means TBFM could arrive four years from now. TBFM would sequence airplanes far away from the airport, greatly reducing the congestion that currently occurs in and around the metroplexes, which ATC is charged with managing. One of the tools ATC uses to deal with congestion is vectoring and we can anticipate that TBFM will greatly reduce the need for vectoring. Since TBFM is likely to be rolled out before the 2037 planning horizon (unless the program is cancelled), it would be helpful if the EIR would speak to the environmental implications of TBFM on the approach paths to SJC, both for normal and south flow conditions. How will TBFM alter the percentage of flights arriving on the RNP Z approach to runway 12 during South Flow? Can we expect TBFM to further increase concentration on the flight paths already in use? What will TBFM do to use of the Eastern Approach to SJC during South Flow conditions? During the Ad Hoc Committee process, we were told that all planes on the Eastern Approach are vectored, so if the need for vectoring is greatly reduced or eliminated, it seems that the Eastern Approach could fall into disuse with those planes being added to the operations overflying Cupertino and Sunnyvale.

Response RRR.5: This comment pertains to potential changes to FAA regional airspace procedures, which would not modify the local flight tracks used for San José Airport arrivals or departures presented in the DEIR. For more information, please visit https://www.faa.gov/nextgen/cip/tbfm/.

Comment RRR.6: The city of San José owns the airport and has complete control over any planned expansions. In contrast, flight operations are in the control of the FAA. It is the one point, where residents or the city have control – And yet, SJ officials are ignoring impacts to greenhouse gases, air quality, and airplane noise. For this reason, it is imperative that the airport consider carefully the future implications to greenhouse gases/air quality, and airplane noise seriously for this proposed expansion.

Excerpt from EIR: (page X PDF page 11): "The City of San José is the owner and operator of the Airport. However, the Federal Airline Deregulation Act of 1978 prohibits a state or local government's regulation of an air carrier's rates, routes, or services. The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates,

etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights."

> **Response RRR.6:** While it is true that the City cannot regulate the number of flights or types of aircraft, it is not true that the DEIR ignores the noise, air quality, and GHG impacts of aircraft. The air quality analysis (Section 4.3), the GHG analysis (Section 4.8), and the noise analysis (Section 4.13) each include a quantification of impacts associated with aircraft operations. Thus, the DEIR discloses all of the Project's impacts, regardless of whether the City has control of certain sources. It is the job of the City Council to consider the information presented in the EIR when deciding whether to approve the Project.

Comment RRR.7: The new gates will be very profitable for SJ ($27.5 million dollars profit annually per new gate) Source Council meeting Jan 14, 2020. SJ has full jurisdiction of any airport expansions, and determines completely whether or not expansions of the airport will take place. It is clear that surrounding communities that are directly impacted by the airplane noise have no effective voice in this matter. Since this is the case, San José has potential clout with the FAA regarding impact on alternate paths that might relieve some of the noise from south flow arrivals. South flow operations have serious noise impact on cities like Sunnyvale, Cupertino, Mountain View.

Before approval of this EIR, and because these proposed expansions would impact neighboring cities who have no "say" regarding this matter, this would be a good opportunity for SJC to work/negotiate with the FAA to find mitigations for the SJC south flow issue over impacted cities. These neighboring cities will be seriously impacted by the increase in number of flights but will have no monetary benefit generated by the gate expansions. For example, Time based flow management will effectively shift the vectored East approaching airplanes into the south flow flight path over Sunnyvale and Cupertino, yet consequences like this are not be considered as part of the proposed SJC expansions. These discussions should take place with neighboring impacted communities prior to EIR approval.

> **Response RRR.7:** The comment requests that before the Project is approved, the City work with the FAA to address the impacts of the Project on neighboring cities such as Cupertino, Mountain View, and Sunnyvale. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Comment RRR.8: Building heights: Need to conduct a study to confirm these expansions will not impact south flow operations in any way.

> **Response RRR.8:** As a matter of City policy, building heights are restricted to the elevations determined acceptable by the FAA. However, south-flow operations, which involve flight tracks over portions of Palo Alto, Cupertino, Sunnyvale, and Mountain View in order for aircraft to land from the north, are not affected by building heights in Downtown San José.

Comment RRR.9: SJC has been taking flights over from SFO, specifically domestic routes: During the discussion on Jan 14, 2020 Mayor Liccardo implied that many residents from the south bay use

SFO airport, causing an increase in greenhouse gas emissions. During many airport commission meetings, it was observed that SJC is attempting to "scalp" flights from SFO, and it appears this has been successful. This might imply that SF customers are now traveling extra distances to SJC for cheaper flights. Since it is clear that SJC is attempting to shift SFO flights over to SJC, then a full analysis should be conducted with projects showing the impacts of the potential additional transportation between the North bay cities to SJC (rather than to SFO). No such analysis appears to have been conducted regarding air quality and greenhouse gases from this source.

> **Response RRR.9:** Santa Clara County is the largest county in the Bay Area by both population and employment and air passenger surveys have shown that a significant percentage of SFO passengers are from Santa Clara County.
>
> As a general rule of thumb, passengers will choose the airport closest to their home or office, other factors being roughly equivalent. Therefore, as airlines add flights to SJC, passengers that would otherwise use SFO are instead attracted to SJC.
>
> Finally, there is no evidence that SJC has been "scalping" flights from SFO. Despite the ongoing growth at SJC, growth at SFO has continued as well. The annual passenger volumes at SFO rose from 51.4 million in 2015-16 to 57.8 million in 2017-18.[22]

Comment RRR.10: SUPPLEMENTAL INFORMATION REGARDING THE ISSUES SUMMARIZED ABOVE: A 'No project" assessment made in the EIR states that SJC facility expansions will not impact the projected demand for 2037. However, this statement is somewhat misleading and should be clarified in the EIR.

Background: This EIR has many inconsistencies regarding gates and additional flights created by these planned SJC expansions. For example: Appendix L indicates that NO PROJECT would not result in an increase in flights beyond what would exist with the current gates (i.e no expansion). Appendix L (pg. 6) states "For SJC's Master Plan amendment "No Project" scenario, this evaluation therefore concludes that no expansion of existing facilities will not deter the activity demand projected for the year 2037 from materializing, and instead would generate undesirable service levels and impacts that the facility improvements proposed in the Airport Master Plan amendment are intended to address."

In contrast, the EIR in sections implies that gates associated with an airport can influence the level of activity: The statement above is inconsistent with other statements made throughout the EIR. For example, in the EIR document (pg x, PDF pg 11) Excerpt "The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates,

[22] https://www.flysfo.com/fy-2017-2018-facts-figures

etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights."

From this statement it is clear that the total number of gates will impact the existing airport facilities. This statement would imply that ultimately if gates are built, then the level of activity will ultimately increase as a direct consequence of those new gates.

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. This is based on various statement by SJC officials. Since this is the case, then building new gates will have direct impact on overall capacity of the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

> **Response RRR.10:** There is no conflict between Appendix L and page x of the DEIR Summary. Page x states that demand can be accommodated, provided *there are facilities at the Airport that can accommodate the demand* (emphasis added). Appendix L goes on to answer the question of "can existing facilities at SJC accommodate the 2037 demand?" Appendix L concludes that the existing facilities could accommodate the 2037 demand, albeit under congested conditions.
>
> Experience at many other commercial airports around the country, including SJC, has demonstrated that passenger and airline growth will occur irrespective of facility constraints, which is why the environmental impacts of the "no project" alternatives are similar to the proposed Project (see Section 8.5 of the DEIR for the "No Project" alternatives). Conversely, there is no evidence that having more than adequate capacity will alter the market dynamics of air passenger or airline operations demand.
>
> Regarding the request to assess post-2037 conditions, please see Response RRR.3.

Comment RRR.11: In addition, the projections for 2037 are suspect, since the growth rate over the past 5 years has been very high, yet the projections through 2037 appear to be low in comparison – Making it easier in Appendix L to imply that new gate expansions would make no difference to overall flight operations, and therefore have no impact on greenhouse gas emissions/air quality, or airplane noise. These projections should be questioned, because they may be accidentally skirting CEQA requirements.

> **Response RRR.11:** The methodology and assumptions used for the 2037 projections are described in Appendix C, *Aviation Demand Forecasts*, of the DEIR. The projections reflect the latest economic and demographic data for the region, as well as

the latest data for the air transportation industry. Growth rates will fluctuate year-to-year. The Airport will continue to monitor activity levels and trends, and update the projections periodically, as done for this proposed Airport Master Plan Amendment.

The comment does not provide any data to support a conclusion that the projections should be questioned and that they may be skirting CEQA.

Comment RRR.12: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons: The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San José plans to fight climate change, since SJ is the direct owner and operator of the airport.

Response RRR.12: This comment expresses the opinion that the Airport should not be expanded due to noise and GHG impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

Comment RRR.13: The EIR implies that the number of flights would increase no matter what occurs with the expansion. This statement is misleading. Yes, it is expected that there will be an increase in flight demand over time based on the economy and jobs. However, an expansion of the airport will actually allow more airport capacity and allow more planes in the future than if there was no expansion of gates and facilities. This EIR is skirting that fact. Per the EIR - "the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights." The total number of gates will impact the existing facilities. So if gates are built, then the level of activity at the airport will ultimately increase regardless of what the EIR attempts to imply. In other words, airplanes and airlines will back-fill into the new gates, causing more traffic than if the new gates did not exist.

The city of San José has complete control over any expansions of the airport. The EIR argument that the expansion will not ultimately alter the number of future flights is erroneous. This expansion will have direct impact on the number of future flights, and therefore direct impact on significant

greenhouse gas increases and airplane noise. If the San José City Council approves an expansion of the airport, they will be directly responsible for a corresponding increase in airplane noise and greenhouse gas emissions, regardless of the misleading EIR.

Response RRR.13: Please see Response RRR.10.

Comment RRR.14: Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The project causes an unacceptable health risk due to the significant impact on Air Quality.

Per the Draft EIR, Air Quality will have a significant impact: If implemented, the expansion project will be inconsistent with the Clean Air Plan because of significant emissions of nitrogen oxides and PM10, which are particulate matters that are smaller than 10 microns in size:

The projected incremental amount of nitrogen oxides is estimated at 972 tons/year, almost 100 times the significant threshold of 10 tons/year (see table 4.3-8, page 121). Note that nitrogen oxides are poisonous gases that lead to the creation of smog. Nitrogen oxides irritate the respiratory system leading to respiratory infections and the development or aggravation of asthma.

The projected incremental amount of PM10 is estimated at 33 tons/year, more than double the significant threshold of 15 tons/year (see table 4.3-8, page 121). As noted in the report on page 101, "PM10 is of concern because it bypasses the body's natural filtration system more easily than larger particles and can lodge deep into the lungs." and "Exposure to PM can increase the risk of chronic respiratory disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, and decreased lung function."

Note also that the projected incremental amount of PM2.5 (particulate matters that are smaller than 2.5 microns in size) is estimated at 9.4 tons/year, which is very close to the significant threshold of 10 tons/year (see table 4.3-8, page 121). Per the report on page 101,

"PM2.5 poses an increased health risk relative to PM10 because the particles can deposit more deeply in the lungs and they contain substances that are particularly harmful to human health."

Response RRR.14: This comment expresses the opinion that the Project will cause an unacceptable health risk due to significant air quality impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

For a discussion of the health risks associated with the emissions of air pollutants, please see the discussion commencing on page 89 of the DEIR.

Comment RRR.15: The project increases Greenhouse Gas emissions substantially thus ignoring the problem of climate change and going against the State of California targets to reduce emissions or the City of San José plans to fight climate change.

Per the Draft EIR, Greenhouse Gas Emissions will have a significant impact: the emissions impact "conflicts with statewide emissions reduction targets (Impact GHG-2)" (page 376). The amount of annual carbon emissions due to aircraft operations will almost double: the current level is 139,083 millions of tons/year (see table 4.8-2 on page 210) and is expected to increase to 270,977 millions of tons/year if the project is completed (see table 4.8-3 on page 216) thus resulting in a net increase of aircraft carbon emissions of 131,894 millions of tons/year.

If the City of San José is serious about its claims that "the fight against climate change grows more urgent every day" (see Climate Smart San José), it should reject the SJC expansion project given the projected increase in greenhouse gas emissions.

> **Response RRR.15:** This comment expresses the opinion that the Airport should not be expanded due to GHG impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

Comment RRR.16: The conclusion that noise impact will be less than significant needs further validation because the conclusion was based on a limited analysis that did not address requests sent in January 2019 such as the ones from Santa Clara County Supervisor Simitian or residents of Palo Alto to go above and beyond the legal minimum, have all assumptions documented, and show noise contours starting at 45 dB CNEL for all cities impacted by SJC traffic (see appendix A below for specific requests). For instance, noise contours of cities affected by SJC traffic or below 60 dB CNEL are not shown in the report; assumptions such as the percentage of south flow versus north flow operations or time used in the analysis are not disclosed. Furthermore, no sensitivity analysis seems to have been performed on the assumptions used to estimate the noise impact (for instance, reference grid location #5 will experience a projected CNEL increase of 1.2 dBA, which is 0.3 dBA short of the required 1.5 dBA increase that would make the impact significant (see table 4-13.9 page 314).

> **Response RRR.16:** The noise analysis in Section 4.13 of the DEIR is comprehensive as it includes an evaluation of CNEL impacts using the 75-dB, 70-dB, 65-dB, and 60-dB contours. The noise analysis also includes supplemental time-above and single event metrics.
>
> As noted in previous responses, the noise analysis does not include a 45-dB contour. Such a contour would be meaningless as it would include virtually all urbanized areas within the Bay Area. Also, please see Response C.7 for a discussion of how the measured noise values correlate to the values calculated by AEDT.

Comment RRR.17: In addition, the analysis does not investigate cumulative noise impact because, as stated in the report, current federal, state, and local regulations do not require cumulative impact analyses for areas outside the 65 dB CNEL contour of an airport (see page 320). Although not required by law, cumulative noise impact should be estimated and addressed given that several communities are affected by air traffic to and from multiple airports (including SJC). Given the flight concentration caused by NextGen, it should also be recognized that the law is outdated and should be re-evaluated to require that cumulative impact on communities affected by traffic from multiple airports is measured and calculated even when the communities do not fall under the 65 dB CNEL contour of any airport.

Response RRR.17: Please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.

Comment RRR.18: The conclusions that the significant impacts on air quality and greenhouse gas emissions are unavoidable are not supported by a rigorous analysis.

The report states that "...as long as there is a market for air transportation services and there are facilities to accommodate the demand, activity will continue to increase" (see page31) and also concludes that "the projected 2037 demand can be accommodated by the Airport's existing facilities, albeit under congested conditions with delays and poor levels of service" (see page 31).

These statements are not based on any analysis: one cannot conclude that the increase in operations because of an SJC expansion would be fully accommodated by SFO and OAK because these airports also face capacity limitations in terms of gates and landing rates. Furthermore, such conclusions ignore basic economic mechanisms such as congestion pricing and price elasticity that have a direct impact on demand.

Response RRR.18: As described in Appendix L of the DEIR, experience at many other commercial airports around the country, including SJC, has demonstrated that passenger and airline growth will occur irrespective of facility constraints, which is why the environmental impacts of the "no project" alternatives are similar to the proposed Project. As for the DEIR's air quality and GHG analyses, the methodologies and assumptions used are documented in DEIR Appendix D (Air Quality Assessment) and Appendix G (Greenhouse Gas Emissions Analysis).

SSS. Tony Guan (dated January 17, 2020)

Comment SSS.1: I oppose the SJC expansion plan before it solves the airplane noise issue in the neighborhoods of the surrounding cities.

Response SSS.1: This comment expresses the opinion that the Airport should not be expanded before existing aircraft-related noise issues in neighboring cities are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

TTT. Vicci Hult (dated January 17, 2020)

Comment TTT.1: I love to fly out of SJS however…. Since FAA implemented NextGen I hate SJS especially after 10PM. I live along Highway 35 and the jets do not observe the 5,000 feet above terra firma. I hate waking up to loud jet noise at 11:30 and when I check online it's a flight to SJS. Have FAA bring their jets back to the paths used 7 years ago and you will have the support of the community. Otherwise I'm sure Save Our Skies will regroup in a big way and arrive at all your meetings – we will need to get our red shirts out of the closet.

> **Response TTT.1:** This comment expresses the opinion that the Airport should not be expanded unless flight tracks are modified to reflect pre-NextGen conditions. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

UUU. Vicki Miller (dated January 13, 2020)

Comment UUU.1: I have read the article on proposed growth of Mineta San José Airport. I get that the City wants new revenue and that additional plane landings and take-offs as well as hotel room tax will bring money into the coffers of San José. But this is at the expense of the health and well-being of your residents and the greater community. Planes taking off and landing at San José will have an affect not only on the residents situated locally but on those of us that the planes will fly over as they approach or depart. Already there is an unbearable amount of jet noise from departures from San José not for the folks situated in the Summit communities of the Santa Cruz mountains the noise level is astounding.

City San José needs to take a look at not only at the environmental issues from the greenhouse gases as our planet warms, but at the particulate matter deposited upon our soils and the health issues from noise. San José should be helping to lead into the future, not with additional planes coming and going but with alternative methods of people movement such as high speed rail. Thank you for listening and I hope for being open to other options.

> **Response UUU.1:** This comment expresses the opinion that the expansion of the Airport would come at the expense of residents who are affected by aircraft overflights. The comment also suggests that alternatives such as high-speed rail be considered. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required.

VVV. Xuanran Zong (dated January 17, 2020)

Comment VVV.1: I am a Sunnyvale resident who live under the SJC south flow route. There is too much noise from SJC south flow operations already, and this expansion will make things worse. Please reject this proposal.

Response VVV.1: This comment expresses the opinion that the Airport should not be expanded due to noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

WWW. Y Chia (dated January 18, 2020)

Comment WWW.1: I live in Sunnyvale and unfortunately directly under the south flow landing pattern for SJC since NexGen was implemented several years ago with no input from residents of Sunnyvale. The noise from planes flying way too low over Sunnyvale on south flow days is unbearable even with windows closed, often starting at 6am and going well past midnight. The problem has affected my sleep, my health and my ability to work from home for my consulting business.

Now, I hear that SJC is planning an expansion. Before you plan any expansion, SJC authorities has to deal with the issue of planes flying so low far away from the airport and the current environmental impact on residents such as us in Sunnyvale. Adding to the planes roaring overhead HAS AN ENVIRONMENTAL IMPACT on people like me and my family. I strongly object to any expansion of SJC until you deal with the noise assault on neighboring communities like Sunnyvale. Communities and quality of life matter and it should not always be about the amount of money you make.

Response WWW.1: This comment expresses the opinion that the Airport should not be expanded before existing aircraft-related noise issues in neighboring cities are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

XXX. Yao Wang (dated January 18, 2020)

Comment XXX.1: I am a resident of Sunnyvale. There is too much noise from SJC south flow operations, the expansion will make things even worse. I oppose the SJC expansion plan before it solves the airplane noise issue in the neighborhood.

Response XXX.1: This comment expresses the opinion that the Airport should not be expanded before existing aircraft-related noise issues in neighboring cities are solved. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the

adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

YYY. Yingnan Xiao (dated January 17, 2020)

Comment YYY.1: The SJC south flow operations have already bring us too much noise. We strongly object to the SJC expansion, which will make the noise worse.

Response YYY.1: This comment expresses the opinion that the Airport should not be expanded due to noise impacts. The comment is included in the record and will be considered by the City Council. The comment does not raise any specific environmental issues or concerns with the adequacy of the analyses in the DEIR and, therefore, no further response is required. [For further discussion on the subject of San José Airport's contribution to aircraft noise in the cities of Cupertino, Sunnyvale, Mountain View, and Palo Alto, please see the *Master Response to Noise Impacts in Cupertino, Sunnyvale, Mountain View, and Palo Alto* on page 9 of this First Amendment to the DEIR.]

SECTION 5.0 DRAFT EIR TEXT REVISIONS

This section contains revisions to the text of the Amendment to the Norman Y. Mineta San José International Airport Master Plan Draft EIR dated November 2019. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page xx Table S-2, MM BIO-4.1; **REVISE** the third paragraph of mitigation measure as follows:

Compensatory mitigation for impacts to burrowing owls (i.e., the payment of VHP burrowing owl fees) may be phased in accordance with phasing of impacts, so that the amount of mitigation provided for a phased Project activity equals or exceeds that required based on the acreage of burrowing owl habitat impacted~~s~~ by that activity; the mitigation for impacts of a given phased Project activity shall be provided prior to those impacts occurring. ~~However, compensatory mitigation for impacts to a certain acreage of burrowing owl habitat must be implemented prior to those impacts occurring.~~

Page xxiii Table S-2, MM BIO-13.1; **REVISE** the second sentence of the mitigation measure as follows:

However, the City will strive to design the parking garage ~~and fuel farm tanks~~ in such a way that encroachment into the riparian buffer can be avoided altogether. The fuel farm tanks shall be located outside of the riparian buffer.

Page xxv Table S-2, MM GHG-1.1; **REVISE** the mitigation measure as follows:

MM GHG-1.1: The Airport shall develop and implement a phased carbon management program that is consistent with the standards of ACI "Level 3+" Airport Carbon Accreditation Program, or equivalent, including calculation of annual carbon emissions from Airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing a~~n annual~~ biennial carbon footprint report as a component of the Airport's broader environmental sustainability program.

Page 33 Table 3.3-2; **REVISE** the last line of the second row in the first column as follows:

Rental Car Ready Return Spaces

Page 46 **REVISE** the second sentence of the second paragraph as follows:

These structures are all located on the east side of the Airport and include: 1) a multi-story public short-term parking garage (Project T-4); 2) a multi-story public long-term parking garage (Project T-8); 3) expansion of Terminal B to include roughly ~~700,000~~ 750,000 additional square feet and ~~10~~ 14 additional air carrier gates (Project T-13); and 4) a multi-story business hotel (Project T-16).

Page 46 **REVISE** the second footnote at the bottom of the page as follows:

[22] There are currently 20 gates operating at Terminal B, eight of which are interim gates. The eight interim gates were constructed at the location of the future Terminal B South Concourse. These interim gates will be removed/replaced with the expansion of Terminal B~~, resulting in a net increase of two gates compared to existing conditions~~.

Page 72 Table 4.3-4; **ADD** the following footnote:

[1]Airport shuttle buses are expected to be converted from CNG to electric buses in 2037, and therefore have no direct criteria air pollutant emissions in this year.

Page 111 **REVISE** the second sentence of the third paragraph as follows:

A number of special-status bird species may occasionally occur at the Airport as nonbreeding foragers. These are the Bryant's savannah sparrow, peregrine falcon, bald eagle, and golden eagle.

Pages 125 and 126 **REVISE** the sentence that begins on page 125 and continues to page 126 as follows:

The number of burrowing owl collisions with aircraft may increase commensurate with the increase in aircraft operations (i.e., approximately 37%) as a result of Project implementation, which would increase the average number of strikes to approximately 6.8 owls per year (i.e., a~~n~~ potential increase of 1.8 individuals killed annually, on average).

Page 128 MM BIO-4.1; **REVISE** the third paragraph of the mitigation measure as follows:

Compensatory mitigation for impacts to burrowing owls (i.e., the payment of VHP burrowing owl fees) may be phased in accordance with phasing of impacts, so that the amount of mitigation provided for a phased Project activity equals or exceeds that required based on the acreage of burrowing owl habitat impacted~~s~~ by that activity; the mitigation for impacts of a given phased Project activity shall be provided prior to those

impacts occurring. ~~However, compensatory mitigation for impacts to a certain acreage of burrowing owl habitat must be implemented prior to those impacts occurring.~~

Page 136 **REVISE** the second sentence of the second paragraph in Section 4.4.2.5 follows:

Under the Project, development within the riparian setback could include the construction of ~~additional fuel tanks at the Fuel Farm and~~ a parking garage at Economy Lot 1. Development near the riparian buffer would include additional fuel tanks at the Fuel Farm which would be set back at least 100 feet from the Guadalupe River, outside of the riparian buffer.

Page 136 MM BIO-13.1; **REVISE** the second sentence of the mitigation measure as follows:

However, the City will strive to design the parking garage ~~and fuel farm tanks~~ in such a way that encroachment into the riparian buffer can be avoided altogether. The fuel farm tanks shall be located outside of the riparian buffer.

Page 185 MM GHG-1.1; **REVISE** the mitigation measure as follows:

MM GHG-1.1: The Airport shall develop and implement a phased carbon management program that is consistent with the standards of ACI "Level 3+" Airport Carbon Accreditation Program, or equivalent, including calculation of annual carbon emissions from Airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing a~~n annual~~ biennial carbon footprint report as a component of the Airport's broader environmental sustainability program.

Page 190 Table 4.8-5; **REVISE** the first sentence of the last row in the second column as follows:

Consistent. The Airport adopted a policy to purchase only alternate-fuel vehicles for the airport operations and maintenance vehicle fleet wherever practical, which reduces emissions associated with conventionally-powered vehicles.

Page 241 **REVISE** the second paragraph as follows:

The FAA Runway Object Free Area (OFA) is a rectangular safety area located at the physical end of each runway to ensure that stationary objects are not placed within proximity to the runway. No stationary objects are allowed within an OFA except those required for aviation (e.g., navigation aids, runway lighting, etc.). ~~The FAA encourages extension "of the OFA beyond the standard length to the maximum extent feasible." The FAA has also taken the position that property acquired with federal grant funds for airport purposes, and which is located in the vicinity of an extended~~

~~runway centerline, is and should be treated as an "extended OFA." This means that such property would be subject to OFA restrictions on future development.~~

Page 241 **REVISE** the second to last sentence of the third paragraph as follows:

Automobile parking within the RPZ is not allowed~~, as long as vehicle height is below the approach surface~~.

Page 244 **REVISE** the last full sentence on the page as follows:

Air passenger and cargo activity occur primarily on the east side of the airport where Terminals A and ~~C~~ B are located.

Page 265 **REVISE** the first sentence of the last paragraph on the page as follows:

The NCP requires all jet aircraft arrivals and departures to follow FAA-approved noise abatement flight tracks, except when directed otherwise by air traffic control.

Pages 269, 272, 274, 280, and 282 Tables 4.13-5, 4.13-6, 4.13-8, 4.13-9, and 4.13-10; **REVISE** the 11th row of the second column in each table as follows:

Residential (Rosemary Gardens)

Page 270 Figure 4.13-2; **REVISE** the legend as follows:

~~Noise Monitoring Station~~ Reference Grid Point

Page 293 **REVISE** the second sentence of the fifth paragraph as follows:

The San José Police Department Airport Division, located on the Airport property at ~~1387~~ 2385 Airport Blvd., was formed in 1990 when the SJPD absorbed the former San José Airport Security Police.

Page 304 **REVISE** the last sentence of the sixth paragraph as follows:

Route 60 will also connect to the Milpitas BART Station, which is scheduled to open in ~~December 2019~~ 2020.

Page 321 **REVISE** the paragraph Coleman Avenue at Brokaw Road as follows:

The recommended improvement is to add a third southbound through lane on Coleman Avenue by ~~removing the pork chop island,~~ squaring off the corner, and restriping to provide exclusive southbound through and right turn lanes. In addition, it would be necessary to restripe the east and west legs of the intersection to provide exclusive right turn lanes. ~~This would require modifications to the signal phasing.~~ With implementation of these improvements, the intersection would operate at an acceptable LOS C during the PM peak hour under Background/With Project conditions. These improvements do not require Brokaw Road to be widened. However, to accommodate future bike lanes, Brokaw Road would need to be widened by 10 feet. This improvement already has been conditioned on approved projects in Santa Clara.

Page 354 **ADD** the following text after Section 8.5.2.3:

8.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Three alternatives were evaluated but rejected due to infeasibility, and thus cannot be considered environmentally superior: Use of Moffett Federal Airfield, Relocate San José Airport to New Airport Site in the Region, and Accommodate Air Transportation Demand at Other Bay Area Airports. Two feasible alternatives were identified: No Project Alternative #1 – No New Facilities at the Airport, and No Project Alternative #2 – Existing Airport Master Plan.

The significant unavoidable impacts of the Project are associated with emissions of criteria air pollutants and GHGs. All other impacts were either determined to be less than significant or would be reduced to a less than significant level with mitigation. For criteria air pollutants and GHGs resulting from project operation, the efficiencies associated with the new and expanded facilities of the Project would result in a reduction of those emissions compared to No Project Alternative #1 and No Project Alternative #2. In other words, the two feasible alternatives to the Project would exacerbate the significant unavoidable operational impacts of the Project. However, No Project Alternative #1, which would not include any construction activities, would avoid the Project's significant unavoidable impact associated with NO_x emissions during construction, and is environmentally superior in that respect.

CEQA Guidelines Section 15126.6(e)(1) states "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." As described above, the only feasible alternatives to the project are No Project Alternative #1 and No Project Alternative #2. As a result, the environmentally superior alternative other than No Project Alternative #1 is the Project itself.

Appendix A: Draft EIR Comment Letters

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

January 16, 2020

Mr. David Keyon
City of San Jose, Planning Division
200 East Santa Clara Street
Tower, 3rd Floor
San Jose, CA 95113
david.keyon@sanjoseca.gov

Subject: Amendment to Norman Y. Mineta San Jose International Airport Master Plan, Draft Environmental Impact Report, SCH #2018122051, Santa Clara County

Dear Mr. Keyon:

The California Department of Fish and Wildlife (CDFW) received the draft Environmental Impact Report (draft EIR) from the City of San Jose (City) for the Amendment to Norman Y. Mineta San Jose International Airport Master Plan (San Jose Airport or Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1] The deadline to submit comments on the draft EIR was January 13, 2020, but has been extended to January 17, 2020.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. [Fish and Game Code, §§ 711.7, subd. (a) and 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

PROJECT DESCRIPTION SUMMARY

Proponent: City of San Jose

Objective: The Project includes construction of buildings, parking lot structures, paved taxiways, and other facilities within the San Jose Airport.

Location: 1701 Airport Boulevard, San Jose, Santa Clara County, CA 95110. The Airport is generally bounded by U.S. 101 to the north, the Guadalupe River and State Route 87 to the east, Interstate 880 to the south, and Coleman Avenue and De la Cruz Boulevard to the west.

BACKGROUND

Western burrowing owls (*Athene cunicularia*) are a State Species of Special Concern. Burrowing owl populations have been greatly reduced or extirpated from most of the San Francisco Bay Area and along the California coast to Los Angeles and there have been overall declines in the number of nesting pairs in Santa Clara County as a whole.

In the past, the San Jose Airport was a key nesting area for burrowing owls in San Jose that was central to maintaining the regional population (draft EIR, Appendix E Biological Resources Report, page 82). However, there has been an overall gradual decline in burrowing owl abundance at the Airport since approximately 2002 (draft EIR, Figure 4.2-2 Summary of Burrowing Owl Monitoring Results at the Airport 1997-2018) and nesting abundance from 2016-2018 was the lowest during all years monitored (draft EIR, 4.4.1.2 Existing Conditions, page 111).

The Project is a continuation and expansion of an existing project that had previous CEQA environmental review. In 1980, a Master Plan was developed for the San Jose Airport. In 1997, an EIR for San Jose International Airport Master Plan Update (1997 EIR, SCH #95073066) was prepared, which included an impact analysis for the construction of buildings, parking lots, paved taxiways, and other facilities within the San Jose Airport. Appendix 3.8.B of the 1997 EIR, the Burrowing Owl Management Plan (BOMP), included measures for management of burrowing owls on the airfield (i.e. passive relocation within Runway Safety Areas) and established Burrowing Owl Management Areas within the airfield where burrowing owls would not be passively relocated (i.e. ruderal grassland areas not designated as Runway Safety Areas).

Overall, the draft EIR states that the proposed Project impacts exacerbate regional declines and impacts are significant under CEQA (draft EIR, 4.4.2.1 Impacts on Special-Status or Protected Species, page 126).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

<u>4.4.2.1 Impacts on Special-Status or Protected Species, Impacts to the Burrowing Owl, Mitigation Measure BIO-4.1 Provide Compensatory Mitigation for Permanent Impacts on Burrowing Owl Nesting Habitat, Page 127</u>.

Approximately 277.4 acres of ruderal grassland habitat within the Airport (draft EIR Figure 4.1-1 Existing Biological Habitats) are potential burrowing owl nesting, roosting, or foraging habitat. The draft IER states that the Project will permanently impact ruderal grassland through construction of hardscape (buildings, structures, paving with asphalt, or other facilities) including 32.4 acres of nesting/roosting habitat (24.4% of the existing nesting and roosting habitat at the airfield) and 2.1 acres of foraging habitat within the airfield (4.4.2.1 Impacts on Special-Status or Protected Species, page 124). There would also be 19.9 acres of permanent impacts to Burrowing Owl Management Areas (BOMA, 4.4.2.1 Impacts on Special Status or Protected Species, page 124).

The 2.1 acres of ruderal grass permanently impacted are considered to be foraging habitat because nesting has not occurred within these fields since 2012 (draft EIR, 4.4.2.1 Impacts on Special-Status or Protected Species, page 122). However, there has been nesting within these areas in the past (at a minimum in 1994 and 2012) and, thus, these areas serve as nesting sites in the future. The draft EIR stated that there are little, if any, California ground squirrel (*Otospermophilus beecheyi*) burrows within these infields (4.4.1.2 Existing Conditions, page 111). There has been past and ongoing ground squirrel control and closing of burrows throughout the airfield (see additional information below) that may have contributed to lack of burrowing owl nesting within these 2.1 acres.

Draft EIR Appendix E Biological Resources Report (6.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan) states that the Project conflicts with the goals of the Santa Clara Valley Habitat Plan Habitat Conservation Plan/Natural Community Conservation Plan (Habitat Plan), and the Project will hinder conservation efforts undertaken by the Santa Clara Valley Habitat Agency (Habitat Agency). The draft EIR proposes to provide compensatory mitigation for the permanent impacts to 32.4 acres of nesting/roosting habitat through payment of burrowing owl fees to the Habitat Agency through the Habitat Agency's Voluntary Fee Payments Policy (Voluntary Fees). This Voluntary Fee payment will also reduce the conflict with the Habitat Plan to less-than-significant levels (draft EIR Appendix E Biological Resources Report (6.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan). The Habitat Agency may then use the Voluntary Fees for burrowing owl management agreements, burrowing owl habitat management and monitoring, as well as burrowing owl habitat restoration and land acquisition.

To reduce impacts to less-than-significant levels, CDFW recommends the three following mitigation measures be included in the EIR:

1. Evaluation of Alternatives to Avoid or Reduce Permanent Impacts: The City should analyze reasonable Project alternatives that reduce or avoid the area (e.g. acres) of burrowing owl nesting, roosting, and foraging habitat. Alternatives that complete avoid or greatly reduce permanent impacts to burrowing owl habitat should be chosen for implementation.

2. Payment of Voluntary Fees at 3:1 for Nesting/Roosting Habitat and BOMA: Payment of Voluntary Fees per acre should be calculated and include the 32.4 acres of nesting/roosting habitat plus the 19.9 acres of BOMA permanently impacted, at a 3:1 ratio (area of mitigation: area impacted), totaling 156.9 acres.

3. Analysis of Potential Nesting/Roosting Habitat within Infields E13 through E19 and Payment of Voluntary Fees: An analysis should be conducted to determine the reason why burrows are not present within infields E13 through E19. If California ground squirrel burrow closures conducted by the City are the primary reason for burrows not being present for use by burrowing owl than the permanent loss of this habitat should be mitigated at a 3:1 ratio (area of mitigation: area impacted).

4.4.2.1 Impacts on Special-Status or Protected Species, Impacts to the Burrowing Owl, Mitigation Measure BIO-4.2 Update and Implement the BOMP, Pages 127 - 130.
This Mitigation Measure describes updates to be made to the BOMP and continued implementation of the plan. The BOMP includes construction measures to minimize impacts to burrowing owls due to disturbance, passive relocation of burrowing owls from construction areas and Runway Safety Areas (burrows are subsequently excavated and closed), providing artificial burrows with BOMAs at a 2:1 ratio (number of artificial burrows: number of burrows impacted), and delineation of BOMA where burrowing owls are not passively relocated. The BOMP also includes monitoring and reporting regarding the population of burrowing owls within the San Jose Airport. The draft EIR does not include any discussion within the BOMP as to actions to implement should the population of burrowing owls at the San Jose Airport decline even further.

The Burrowing Owl Monitoring and Management 2013 Annual Report (2013 Report) describes the inclusion of the VOR (very high frequency omni-directional range) Site into the BOMA. The VOR Site is a 23.6-acre area where VOR facilities are present, as well as surrounding ruderal grassland (draft EIR, Figure 4.1-1 Existing Biological Habitats and 4.4.1.2 Existing Conditions, page 106) that is potential burrowing owl nesting, roosting, and foraging habitat.

In 2012, 8.9 acres of the VOR Site was converted to a BOMA in order to accommodate the need for artificial burrow installment (2013 Report, page 10 and 4.4.2.1 Impacts on Special-Status or Protected Species, page 124). There have been 99 artificial burrows installed within the VOR Site BOMA (draft EIR, 4.4.1.2 Existing Conditions, page 115). The 2013 Report shows a map of the artificial burrows installed in a very dense configuration (Artificial Burrow Locations, page 20).

Burrowing owls have not been known to be present within the VOR Site since 2014 (draft EIR, 4.4.1.2 Existing Conditions, page 115). The VOR Site is not frequently mowed and in January 2019, the vegetation within the BOMA was several feet tall (draft EIR, 4.4.1.2 Existing Conditions, page 115). Artificial burrows within the VOR Site have not been regularly maintained and during January 2019, artificial burrows at the VOR site were found to be entirely or partially blocked by vegetation and dirt, making them inaccessible to owls (draft EIR, 4.4.1.2 Existing Conditions, page 115). California ground squirrel burrows were not observed within the VOR Site during January 2019 (draft EIR, Appendix E Biological Resources Report, Table 3. Special-Status Animal Species, Their Status, and Potential Occurrence in the Study Area, page 34).

The draft EIR (4.4.2.1 Impacts on Special-Status or Protected Species, Impacts to the Burrowing Owl, Mitigation Measure BIO-4.2, Pages 129) states that the number of burrows that are present within the San Jose Airport does not appear to limit the existing population of burrowing owls within the San Jose Airport; therefore, compensatory mitigation for the eviction of owls would be provided as described in MM BIO-4.1.

The intent of the BOMP is to continue maintenance of burrowing owl populations at the San Jose Airport (1997 EIR, 3.83. Mitigation Measure for Significant Biological Resources Impacts, page 3.8-31) and to provide a long-term maintenance of a stable burrowing owl population (1997 EIR, 3.8.1.4 "Special Status" Species, page 3.8-18). However, neither the 1997 EIR nor draft EIR include a discussion as to how this goal will be obtained.

To reduce impacts to less-than-significant levels, CDFW recommends the four following mitigation measures be included in the draft EIR:

1. Compensatory Mitigation for Permanent Loss of Burrows: Compensatory mitigation at a 3:1 ratio should be provided for burrowing owl-occupied burrows that are permanently removed. The City should investigate the potential for all grassland within the VOR Site to be designated as a BOMA. If mitigation areas within the San Jose Airport cannot be established (VOR Site), then the City could pay Voluntary Fees for the burrowing owl to the Habitat Agency as compensation for impacts.

2. Implementation of BOMP – Maintenance of VOR Site: Project mitigation includes continued implementation of the BOMP and should, thus, also include management within the VOR Site. A management plan should be developed for review and approval by CDFW. The management plan should include the following considerations: preclusion of California ground squirrel control, removal or relocation of existing artificial burrows to allow for appropriate spacing between burrows, repair or replacement of existing artificial burrows, use of the latest scientific techniques in artificial burrow design, ongoing maintenance of artificial burrows, and ongoing maintenance of vegetation (i.e. mowing) to promote use of burrowing owls for nesting and foraging while also leaving areas of tall vegetation to potentially increase prey availability.

3. Population Monitoring - Establish Success Criteria and Remediation Measures: The monitoring portion of the BOMP should be updated to include significance criteria for the burrowing owl population at the San Jose Airport. The BOMP should be updated to include actions that would be implemented if the burrowing owl population falls below this significance criteria. Monitoring reports should be sent to CDFW for review.

4. Update to the BOMP Document: In order to make avoidance, minimization, and mitigation measures clear and to ease in their implementation, the 1997 BOMP document should be updated to include all measures included within the draft EIR and any subsequent mitigation measures that may be included within the Final EIR. The updated BOMP should be an Appendix to the EIR.

BIOLOGICAL EXPERTISE SUPPORT AND AGENCY COORDINATION

CDFW highly recommends that the City work with CDFW to obtain guidance on all aspects of burrowing owl conservation and management, including development of recommended measures above.

The Habitat Agency, in the past, has participated in several meetings pertaining to burrowing owl management within the San Jose Airport. The Habitat Agency has informed CDFW that

they have a continued interest in providing assistance in implementation of burrowing owl conservation actions at the San Jose Airport. The Habitat Agency implements a burrowing owl conservation strategy as part of the Habitat Plan. The Habitat Agency uses permanent and temporary management agreements to protect, manage, and enhance the burrowing owl populations. These agreements are funded or have a cost share to augment actions already taking place for burrowing owl management

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be submitted online or emailed to CNDDB at the following email address: cnddb@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist the City of San Jose in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Kristin Garrison, Environmental Scientist, at (707) 944-5534 or Kristin.Garrison@wildlife.ca.gov; or Ms. Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or Brenda.Blinn@widlife.ca.gov.

Sincerely,

Gregg Erickson
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento

Edmund Sullivan, Santa Clara Valley Habitat Agency
edmund.sullivan@scv-habitatagency.org

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Making Conservation a California Way of Life.

January 3, 2020

GTS # 04-SCL-2018-00673
GTS ID:13800
Co/Rt/Pm: SCL/87/8.872
SCL/101/40.591
SCL/880/2.799

David Keyon, Principal Planner
City of San Jose
200 East Santa Clara St., 3rd Floor
San Jose, CA 95113

Project – San Jose (Mineta) Airport Master Plan Draft Environmental Impact Report (DEIR)

Dear David Keyon:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Jose Airport Master Plan Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the November 2019 Draft Environmental Impact Report (DEIR).

Project Understanding

This is an amendment to the Airport Master Plan to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand. Mineta San José International Airport is generally bounded by US-101 to the north, the Guadalupe River and State Route (SR)-87 to the east, I-880 to the south, and Coleman Avenue and De la Cruz Boulevard to the west.

Highway Operations
Please address the following:

1. Per the data provided in Appendix A, Table 1, the forecasted 2037 annual air passengers and total annual aircraft operations are increased from the actual 2017 data by 80% and 53%, respectively. With this increase in air passengers and aircraft operations, more trips will be added in the studied roadway network. However, the transportation analysis shows approximately 1% reduction of daily VMT per passenger from 2017 to 2037 for the same analysis period. Please provide an explanation for this discrepancy.

2. There are four State roadway systems: I-880, US-101, SR-87, and SR-82, which serve the San Jose International Airport. Appendix K, Table 7 shows that approximately 80% of the project generated vehicle miles traveled (VMT) is from 9 miles and longer and the remaining 20% VMT (project generated) is within 9 miles of the project. 2,187 project generated trips (AM peak) will be generated farther than 9 miles from the project. As a result, longer freeway segments need to be analyzed.

3. As noted in our previous letter dated October 11, 2019, please include the following locations in the traffic analysis:
    - Northbound (NB) and Southbound (SB) SR-87 ramps to and from West Taylor Street Interchange;
    - NB and SB US-101 on and off ramps from De La Cruz Blvd interchange; and
    - NB and SB SR-82 and De La Cruz Blvd interchange.

Lead Agency
As the Lead Agency, the City of San Jose is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating the State ROW, and six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit https://dot.ca.gov/programs/traffic-operations/ep/applications.

Thank you again for including Caltrans in the environmental review process. Please note that all comments within our previous letter dated October 11, 2019 are to be addressed. Should you have any questions regarding this letter, please contact Zachary Chop at 510-622-1643 or Zachary.chop@dot.ca.gov.

Sincerely,

Mark Leong

Mark Leong
District Branch Chief
Local Development - Intergovernmental Review

City of Santa Clara
The Center of What's Possible

Planning Division

January 13, 2020

City of San Jose, Department of Planning, Building, and Code Enforcement
Attn: David Keyon, Environmental Project Planner
200 East Santa Clara Street, 3rd Floor Tower
San Jose CA 95113-1905

Re: Draft Environmental Impact Report for the Amendment to the Norman Y. Mineta San Jose International Airport Master Plan (PP 18-103)

Dear Mr. Keyon:

Thank you for including the City of Santa Clara in the environmental review process for the Amendment to the Norman Y. Mineta San Jose International Airport Master Plan. We have reviewed the Draft Environmental Impact Report (EIR) prepared for the Master Plan Amendment, which would amend the existing Airport Master Plan to modify certain airfield components, update aviation demand forecasts and expand the horizon year from 2027 to 2037, and modify future facilities requirements, including terminal projects, air cargo facilities projects, general aviation projects, and aviation support projects, to reflect the updated demand forecasts.

Upon review of the Draft EIR, Santa Clara offers the following comments:

Project Description

Based on our review, we understand that proposed projects will modify or realign various taxiways, runway pavement areas, and markings to reduce the potential for runway incursions and to improve compliance with current FAA design standards, but that the length of existing runways will not be expanded, nor will new runways be constructed. Given that the improvements to airfield facilities will not include such expansion, please confirm as correct our understanding that the Amendment should not result in the need for restrictions on land use in the surrounding vicinity beyond those that already exist, and should not require amendment to existing safety zones, as identified in the Santa Clara Airports Land Use Commission (ALUC) Comprehensive Land Use Plan (CLUP) for the Airport. The Project Description states that the Santa Clara County ALUC will review the proposed amendment to the Airport Master Plan for consistency with the CLUP, and will amend the CLUP as necessary to maintain consistency. Please provide additional information about what types of amendments might be necessary for the CLUP as a result of the Master Plan Amendment.

Greenhouse Gas Emissions

The Draft EIR identifies a significant and unavoidable impact related to an increase in operational greenhouse gas (GHG) emissions resulting from the anticipated increases in aircraft operations. The EIR states that the Airport has no authority to directly mitigation GHG emissions associated with aircraft operations, but acknowledges that the Airport Carbon Accreditation Program, developed by the Airports Council International (ACI) in 2008, provides a method for airports to voluntarily reduce GHG emissions. The Program includes four levels of accreditation: Level 1 Mapping, Level 2 Reduction, Level 3 Optimization, and Level 3+ Neutrality. The EIR notes that numerous airport operators worldwide have used, and are using the Program and to date, Level 3+ Neutrality has been achieved by 55 airports globally, including two in North America. However, the EIR does not require mitigation to achieve Level 3+ Neutrality. Instead, the EIR includes Mitigation Measure GHG-1.1, which requires that the Airport develop and implement a phased carbon management program consistent with the standards of ACI Level 3, which would require calculating annual carbon emissions from Airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing an annual carbon footprint report. Even with this measure, the EIR concludes that the project's incremental increase in GHG emissions is considered significant and unavoidable. It is not clear why Level 3+ Neutrality is not required, since this would neutralize any remaining emissions by requiring offsets.

Public Resources Code section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Under Public Resources Code section 21061.1, a mitigation measures is feasible if "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."

Because mitigation in the form of offsets is available to reduce the impacts of increased GHG emissions from aircraft operations, and has been feasible to implement in several other airports, the EIR should be revised to require achievement of Level 3+ Neutrality or explain why such a measure is not feasible at the San Jose Airport to mitigate the identified impact, which would increase GHG emissions by approximately 51 percent when compared to existing conditions.

Hazards and Hazardous Materials

The Draft EIR states that the Project would double the Airport's fuel storage, by expanding the fuel storage facility from 2,000,000 gallons to 4,000,000 gallons. Mitigation Measure HAZ-1.1 in part states that the "Airport and Airport tenants will continue to implement its program to minimize accident risks at the fuel handling and storage facilities." Please clarify what the applicable "program" is. Further, please clarify whether the program will be updated to account for the fuel storage facility doubling in size.

If the relevant "program" is the Airport's Spill Prevention, Control, and Countermeasure (SPCC) Plan, prepared pursuant to 40 C.F.R. Part 112 and/or California Health and Safety Code, Chapter 6.67, Santa Clara additionally seeks clarification regarding why the 2015 SPCC Plan does not

account for the existing 2,000,000 gallon fuel storage capacity. (See SPCC Plan, Attachment 3 [total reportable oil storage capacity listed as 43,516 gallons].) Please confirm whether the 2015 SPCC Plan will be amended to address this omission and to include the Project's additional 2,000,000 gallons in storage capacity, or whether a 2020 SPCC Plan update will do so.

Noise

The City of Santa Clara retained Wilson Ihrig to review the Draft EIR and Noise Assessment prepared for the Airport Master Plan Amendment, and their analysis is attached to this letter. Wilson Ihrig identifies the following issues:

Night time noise: As stated in the Wilson Ihrig letter, the Draft EIR considers the noise level from a single aircraft flyover without regard for the time of day, and does not consider the potential impact of increased night operations. For residents of Santa Clara that live near the airport, the potential impact of increased night operations warrants analysis of single event noise and the potential for sleep disturbance to provide a meaningful analysis.

Use of Relative CNEL Threshold: The EIR relies on a relative threshold of significance (CNEL), which the Wilson Ihrig letter explains could lead to ever increasing noise levels. We understand that CNEL is a commonly used metric for determining the significance of impacts. However, as explained in the Wilson Ihrig letter, if the noise level today is 65.0 CNEL and an increase to 66.4 CNEL with this project is found to be a less than significant impact, then the next Master Plan project will take 66.4 CNEL as the baseline and an increase to 67.8 CNEL will be found to be a less than significant impact. The total increase would be 2.8 dB, which would be deemed a significant impact if it resulted from either project individually, but would probably not be in the two-project scenario because the baseline for the second project will be the noise level resulting from the first project. Because of this, and the fact that the Airport will likely continue to operate beyond 2037 and future amendments to the Master Plan are foreseeable, we request that an absolute criteria also be considered, as described in the Wilson Ihrig letter.

DEIR CNEL measured v. modeled data: The Wilson Ihrig letter includes two questions regarding differences in the modeled noise values versus measured noise values. We request a response to those questions to ensure that any discrepancies are accounted for and do not have an effect on the conclusions of the analysis.

Supplement A-weighted (dBA) Analysis with C-weighted (dBC) Analysis: The Wilson Ihrig letter indicates the prevalence of low-frequency noise in jet aircraft operations, could be best measured by a dBC analysis, and we requests that the noise analysis that has been done using A-weighted decibels (dBA) be supplemented with a similar analysis using C-weighted decibels (dBC).

Corroboration of measured CNEL levels: The City of Santa Clara also requested that Wilson Ihrig review noise levels at Noise Monitoring Stations located in Santa Clara near the locations used to perform the analysis in the Draft EIR to corroborate the results. It appears that the values described in the Draft EIR are in sufficient agreement with the results at the City's monitoring

sites. The City of Santa Clara will continue to monitor noise at these locations to ensure that future noise levels remain within the range of those reported in the Draft EIR.

Transportation

Traffic Study Scope of intersection analysis: Please verify that the intersections of Lafayette/Central, Scott/Central, and Lafayette/El Camino should not be included in the analysis. These intersections should be included if they meet the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines 10-trip rule.

Background Conditions: It is unclear what year background conditions occur in, as this is not stated in the traffic study completed for this project. In addition, it does not seem that any portion of the City Place project was included in background condition. Depending on what year was used for the background conditions, either Phases 1-3 or full-buildout of City Place should be included under background conditions.

Cumulative Conditions: The cumulative conditions for this project should include full build-out of City Place, along with any applicable mitigation measures for which the City Place project is 100% responsible.

Intersection Improvements: The intersections of De La Cruz/Central Expressway intersection will be improved as part of the US 101/Trimble interchange project. The intersection will have the following improvements:

- 3 NB Lefts and 2 NB throughs,
- 3 SB throughs and 2 SB rights,
- 3 EB Lefts and 2 EB rights.

The project should be completed in Year 2023. Thus, this should be included in the cumulative condition and background, should background be after Year 2023. Please confirm with the County/VTA that completion year for the interchange project is still Year 2023 and if so, the level of service analysis will need to be revised for this intersection.

Measures to address intersection of De La Cruz and Martin Avenue: The cumulative mitigation measure for De La Cruz and Martin intersection requires restriping the EB lane configuration to add an additional left-turn lane. Santa Clara requests additional information regarding whether there is sufficient right-of-way to implement this measure, or whether this will require reducing lane widths or removing parking. Please elaborate on this mitigation measure.

Measures to address intersection of Coleman Avenue and Brokaw Road: The cumulative mitigation measure for Coleman and Brokaw intersection states that signal phasing modifications are needed at this intersection. However, the mitigation does not state what the phasing requirement would be. Please elaborate. In addition, the removal of the pork chop island is not required to add the third SB through lane, so please remove this language from the mitigation measure. Finally, the project should be contributing a fair share toward funding of the

improvements, but this type of wording is not included in the mitigation measure language. Please revise.

* * * * *

Thank you for the opportunity to comment on the Draft EIR for the Airport Master Plan Amendment.

Sincerely,

Andrew Crabtree
Director of Community Development

cc: Brian Doyle, City Attorney, City of Santa Clara
Deanna Santana, City Manager, City of Santa Clara
Manuel Pineda, Assistant City Manager, City of Santa Clara

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #19-108

13 January 2020

Andrew Crabtree
Community Development Director
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: Amendment to Norman Y. Mineta San José International Airport Master Plan
Draft Environmental Impact Report
City of San José PP 18-103, SCH #2018102020
Comments on Noise Section

Dear Ms. Higuera,

As requested, we have reviewed the following documents pertaining to the *Amendment to Norman Y. Mineta San José International Airport Master Plan Draft Environmental Impact Report*:

1. *Amendment to Norman Y. Mineta San José International Airport Master Plan Draft Environmental Impact Report*
City of San José PP 18-103, SCH #2018102020, November 2019 ("DEIR")

2. *Norman Y. Mineta San José International Airport Noise Assessment for the Master Plan Environmental Impact Report*
October 2019 ("Noise Assessment")

Wilson Ihrig has practiced exclusively in the field of acoustics since 1966. During our 54 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have also peer-reviewed and critiqued many noise studies. Wilson Ihrig has one of the largest technical laboratories in the acoustical consulting industry, and we routinely utilize industry-standard acoustical programs such as Environmental Noise Model (ENM), Traffic Noise Model (TNM), SoundPLAN, and CADNA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

This letter presents our thoughts and comments on the DEIR with respect to potential noise impacts on the residents of Santa Clara, California.

1 DEIR Does Not Assess Impact of Additional Nighttime Flights on Sleep Disturbance

The DEIR utilizes two standards to assess the potential impact of aircraft noise [DEIR at p 276]:

> CNEL *Community Noise Equivalent Level* - This is a 24-hour, weighted-average noise level that is ubiquitously used in airport noise assessment.
>
> SEL *Sound Exposure Level* - This quantifies the noise exposure from a single noise event, in this case, an aircraft flyover. The value is different for different aircraft.[1]

The Noise Assessment does calculate CNEL levels around the airport for the future (2037) conditions and compares them with existing conditions, which is appropriate, although we make some comments about the CNEL assessment later in this letter.

With respect to the SEL, the DEIR states,

> Single-event noise exposure with implementation of the Project would be the same as that which occurs under existing/baseline conditions . . . [because] there would be no change in the SEL values in that the Project does not include any modifications to runway usage and/or flight tracks. [DEIR at p 278]

In other words, the DEIR considers the noise level from a single aircraft flyover without regard for the time of day.

Nowhere does the DEIR consider the potential impact of increased night operations on residents of Santa Clara as was found necessary by the California Court of Appeal, First District, Division 2 in *BERKELEY KEEP JETS OVER THE BAY COMMITTEE v BOARD OF PORT COMMISSIONERS*. As summarized by Westlaw:

> The environmental impact report (EIR) for an airport expansion failed to address adequately the potential disturbance to area residents resulting from increased nighttime air cargo operations and should not have relied exclusively on the Community Noise Equivalent Level (CNEL) regardless of the change in noise to quiet neighborhoods; the EIR contained no quantitative discussion of ambient noise levels in any nearby community and no meaningful analysis of noise levels over and above the existing ambient noise level at a given location and the community reaction to aircraft noise, including sleep disturbance, and the probability of being repeatedly awakened by multiple single-event sounds that could be calculated.[2] [emphasis added]

Although the subject DEIR did give passing consideration to the SEL metric, it did not do so in a way that assesses sleep disturbance and the possibility that Santa Clara residents may experience more

[1] This metric is incorrectly identified as the "Sound equivalent level" in the DEIR, but correctly identified in the Noise Assessment.

[2] 91 Cal.App.4th 1344, 111 Cal.Rptr.2d 598

awakenings due to individual aircraft during night operations under the future condition. This despite the fact that there will be 11 to 12 more nighttime operations under 2037 operating conditions than there are today.[3] We recommend that the DEIR Noise analysis be amended to include an analysis of the potential impacts of expanded nighttime operations.

2 DEIR Relies Solely on a Relative CNEL Increase Threshold of Significance

The primary aircraft noise impact criteria used in the DEIR is:

> CNEL: Changes in cumulative noise exposure in noise-sensitive areas where the existing/baseline noise exposure is 65 CNEL or greater are considered significant if the Project results in a change in CNEL of 1.5 dB or greater. Changes are considered significant in noise-sensitive areas where the existing/baseline noise exposure is less than 65 CNEL if the Project results in a change in CNEL of 3 dB or greater. [DEIR at p 276]

The stated bases for these criteria are that "The California Noise Standards have determined that 65 CNEL is the level of noise 'acceptable to a reasonable person residing in the vicinity of an airport'" and that that determination is consistent with FAA and HUD land use compatibility guidelines.

The fundamental problem with using a relative threshold of significance, e.g., a change in CNEL of 1.5 dB or greater, is that, over time, there will effectively be no limit. If the noise level today is 65.0 CNEL and an increase to 66.4 CNEL with this project is found to be a less than significant impact, then the next Master Plan project will take 66.4 CNEL as the baseline and an increase to 67.8 CNEL will be found to be a less than significant impact. Total increase would be 2.8 dB, which would be deemed a significant impact if it resulted from either project individually, but would probably not be in the two-project scenario because the baseline for the second project will be the noise level resulting from the first project.

While it is appropriate to use relative impact criteria, in order to keep noise levels from increasing continually without limit over time, absolute criteria should be considered, as well. For this project, given the citation of the California Noise Standards' determination that 65 CNEL is acceptable to a reasonable person living near an airport, 65 CNEL is also a reasonable absolute criterion.

Table 4.13-9 of the DEIR provides one clear instance of an area that is currently below 65 CNEL but which will exceed 65 CNEL in the future: the area around Washington School (Reference Grid Point No. 9).[4] The existing noise level in this area (which also includes residences on Oak Street, Edwards Avenue, and other local streets) is shown as 64.5 CNEL, whereas the future level is shown to be

[3] The Noise Assessment states that in 2037 there will be 42,067 more operations in 2037 than in 2018, that the time-of-day percentages are assumed to remain that same as in 2018, and that currently 10% of flights occur during the nighttime. [Noise Assessment at p 18] An annual increase of 42,067 operations implies a daily increase of 115 operations, 10% of which will be 11 or 12 flights.

[4] DEIR Table 4.13-9 indicates this area is in Santa Clara, but Table 10 and Figure 7 in the Noise Assessment make it clear that this is actually Washington Elementary School on Oak Street in San José.

65.6 CNEL. Because the project will cause this area to cross the limit put forth as reasonable for people living near airports, we believe the noise impact in this area should be determined to be significant even though it is less than the DEIR's relative thresholds of significance.

Although none of the tabulated data provides such a clear indication of an area crossing the 65 CNEL threshold in Santa Clara, a careful comparison of DEIR Figures 4.13-3 (Existing 2018 CNEL Contours) and 4.13-4 (Project 2037 CNEL Contours) shows that there is an area north of Noise Monitoring Station 110 that will also be enveloped by the 65 CNEL contour in the future, but which lies outside that contour today.

3 DEIR CNEL Data: Measured v Modeled

The DEIR utilizes the Aviation Environmental Design Tool (AEDT) produced by the Federal Aviation Administration (FAA) to model both existing and future CNEL noise levels. It also makes use of noise data measured by the Airport Noise and Operations Monitoring System (ANOMS) operated by Mineta San José Airport.

The chart below shows baseline 2018 DEIR CNEL values at seven locations at which CNEL levels were both measured and modeled for the DEIR. The CNEL levels shown are due solely to aircraft operations.

- Noise levels at all the locations in Figure 1 below were measured using ANOMS. These values come from Table 11 of the Noise Assessment and are shown in orange. [Noise Assessment at p 23]

- The DEIR provides modeled values at or near each of the seven ANOMS sites in Figure 1 in Noise Assessment Tables 10 and 11. [Noise Assessment at pp 22 and 23, respectively] The modeled values in Table 10 are at locations ("Reference Grid Points") that were specifically modeled for the Noise Assessment. The locations in Table 11 are where the ANOMS microphones are located, so the modeled values there are presumably to calibrate the AEDT noise model. The modeled values from Table 10 are shown in blue; the modeled values from Table 11 are shown in green.

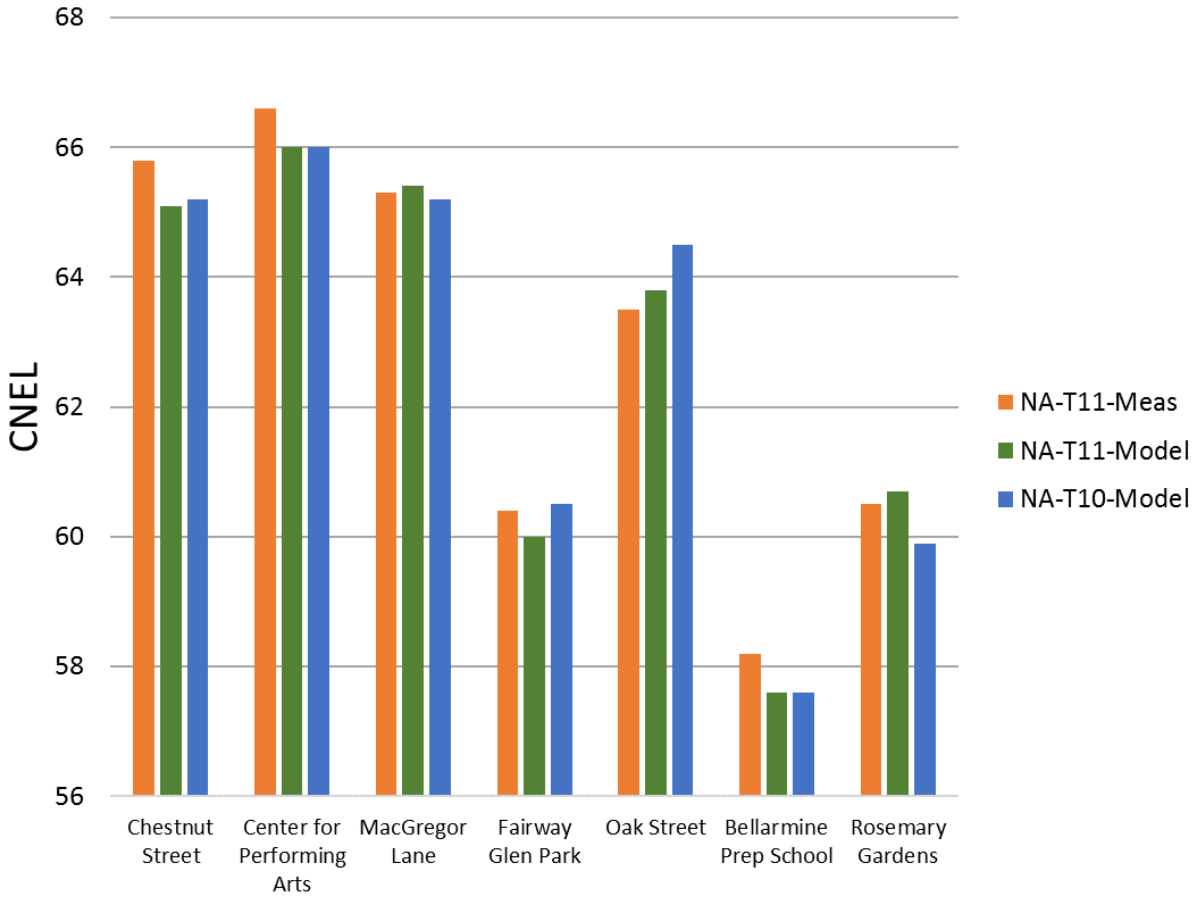


FIGURE 1: COMPARISON OF DEIR CNEL LEVELS
(Using ANOMS Names)

Questions:

1. Why don't the modeled values equal the ANOMS measured values, especially the modeled values from Table 11 which are purportedly at the precise ANOMS microphone locations and were presumably modeled to verify the accuracy of the AEDT model? At Chestnut, the CPA, and Bellarmine Prep, the modeled levels are 0.6 to 0.7 dB lower than the measured values.

2. Why don't the two modeled values match at all locations? To some extent, it's because the locations may not be exactly the same for all locations, but this speaks to the precision of the noise model. At the Rosemary Gardens location (RMS #105; near Bachrodt School, Reference Grid Point #15 in Table 10), the level model specifically for assessment purposes (Bachrodt School) is 0.8 dB lower than that modeled at the nearby ANOMS site.

While these differences are minor, the DEIR does calculate and report CNEL levels to the nearest 0.1 dB, and the adopted threshold of significance for areas that are already over 65 CNEL is 1.5 dB. Seen in that context differences of 0.6 to 0.8 dB may be consequential.

Additionally, if crossing the 65 CNEL threshold were also to be adopted, then the differences noted above may also be consequential because a number of locations have noise levels that are within 1 dB of 65 CNEL.

4 Supplement A-weighted (dBA) Analysis with C-weighted (dBC) Analysis

Typical human hearing does not respond equally to all frequencies. Rather, it spans the range from 20 Hz to 20,000 Hz, with peak perception in the mid-range where speech is concentrated. Above and below that range, a typical person's hearing is less acute. Most people know that humans cannot hear dog whistles which produce sound above 20,000 Hz.

Over the years, a number of "weighting curves" have been developed to enable the production of a single-number decibel reading that corresponds well with how humans perceive loudness. If two tones are played that produce the same overall sound pressure level, one at low-frequency and one in the mid-range, a human would typically rate the mid-range tone as being "louder" than the low-frequency tone. The use of the weighting curves captures this effect because the low-frequency tone's weighted decibel value would be less than that for the mid-range frequency.

The ubiquitously used weighting curve is called the A-weighting curve, and decibel levels that have been A-weighted are denoted by "dBA". Although this is ubiquitous for historical reasons, the weighting curve itself is based on hearing a low levels, and is not particularly suited for sounds in the "real world", and particularly not for aircraft noise which is not low level and which contains a lot of low-frequency energy where the deficiencies of A-weighting are greatest.

The most practical way to address the low-frequency sound levels on residents and other noise-sensitive receptors near Mineta Airport is to supplement the A-weighted analysis with a C-weighted analysis. The C-weighting curve puts much more emphasis on low frequencies, and is better suited to assessing high level, low frequency noise. Taken together, the A-weighted and C-weighted analyses would give the public and decision-makers a much better understanding of the noise impacts from aircraft operations.

5 Corroboration of Measured CNEL Levels

The City of Santa Clara operates several Noise Monitoring Stations (NMS) itself, three of which are near locations included in the chart above.

- The NMS near MacGregor Lane (108) is located at the intersection of MacGregor and Aberdeen in Santa Clara. This monitor was installed on December 20, 2019. The CNEL value shown at this location was calculated using data from December 20, 2019 to January 5, 2020, excluding December 25, 2019.

- One NMS near Fairway Glen Park (114) is by Hughes Elementary School near the intersection of Calle de Escuela and Avenida de Guadalupe. This monitor was installed in July 2017. The CNEL value shown at this location was calculated using data from every day in 2019.

- The other NMS near Fairway Glen Park (114) is on Avenida de los Arboles at the intersection with Avenida de Lago. This monitor was also installed in July 2017. The CNEL value shown at this location was calculated using data from every day in 2019.

The table below compares the measured CNEL data at these three locations:

TABLE I COMPARISON OF MEASURED CNEL LEVELS

RMS ID	RMS Location (ANOMS)	CSC Location	ANOMS	CSC NMS	Difference
108	MacGregor Lane	Aberdeen & MacGregor	66.9	68.3	+ 1.4
114	Fairway Glen Park	Hughes Elem School	62.1	64.6	+ 2.5
		Avenida de los Arboles		59.9	- 2.2

Figure 2 below show the locations of the noise measurement locations. As can be seen there, they are near each other, but not at exactly the same locations. Additionally, the locations shown for the ANOMS microphones are approximated by based on DEIR Figures 4.13-3 and 4.13-4. While the depiction of the locations in these figures are adequate for the DEIR, the scale is such that locating the microphones precisely is not possible.

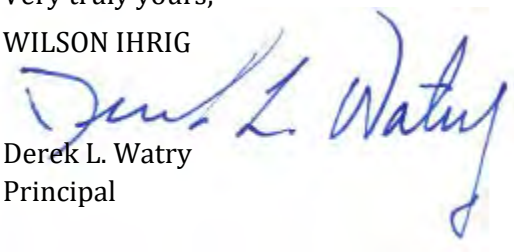
All that said, we believe the ANOMS and CSC NMS CNEL values shown in Table I are in sufficient agreement to corroborate the ANOMS data which serve as the basis for the DEIR analysis.

FIGURE 2: NOISE MEASUREMENT LOCATIONS

* * * * *

Please contact us if you have any questions about our comments on the Amendment to the Mineta San José International Airport Master Plan DEIR noise analysis.

Very truly yours,
WILSON IHRIG



Derek L. Watry
Principal

mineta sjia mp deir - review of noise - wilson ihrig.docx

Keyon, David

From: Aghegnehu, Ben <ben.aghegnehu@rda.sccgov.org>
Sent: Tuesday, January 14, 2020 12:54 PM
To: Keyon, David
Cc: Talbo, Ellen
Subject: RE: Mineta San Jose International Airport - Airport Master Plan Update Draft EIR Available for Public Review
Attachments: Response Letter_et.docx

Importance: High

[External Email]

Tuesdays 14, 2020

David Keyon
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

SUBJECT: Mineta San Jose International Airport - Airport Master Plan Update Draft EIR Available for Public Review

Dear Mr. David Keyon:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the Mineta San Jose International Airport - Airport Master Plan Update Draft EIR (DEIR) and is submitting the following comments:

- For County facilities, the DEIR only included the study of Central/Delacruz and excluded all other CMP facilities that we recommended during our review of the NOP. Please review attached previous email for the NOP
- The proposed project significantly impacted Central and De La Cruz intersection and needs to provide mitigations. The County has identified a ped/bike under-crossing as a possible safety improvement project, and we believe that the proposed airport project can contribute to the cost of this improvement.
- Please see our attached comment letter dated Jan 31, 2019.
    - The report does not address comment # 2.
    - The report does not address comment #3.
- Please Provide TIA for T-16 Project, which is currently not under the Airport Master Plan, Page 29 in the DEIR.
- Please provide measurement metrics for existing and proposed Travel Demand Management (TDM) and details on how the TDM will be monitored.
- Are there any proposed mitigations for project impacts on freeway segments?
- Project Trip Distribution shown in Figure 7 of the Hexagon Traffic Study assumed high percentages on nearby freeways, which during peak hours are very congested, thereby making airport travelers find alternate routes to get to the airport and use surface streets.

Thank you for considering these comments. If you have any questions or concerns about these comments, please contact me at 408-573-2462 or ben.aghegnehu@rda.sccgov.org

Thank you,

Ben Aghegnehu
Associate Transportation Planner
County of Santa Clara | Roads & Airports
101 Skyport Rd | San Jose, CA, 95110
408-573-2462 (o)

From: Keyon, David <david.keyon@sanjoseca.gov>
Sent: Tuesday, November 26, 2019 4:52 PM
To: Keyon, David <david.keyon@sanjoseca.gov>
Subject: [EXTERNAL] FW: Mineta San Jose International Airport - Airport Master Plan Update Draft EIR Available for Public Review

Correction: The Mineta San Jose International Airport Master Plan Amendment Draft EIR can be found at http://www.sanjoseca.gov/activeeirs.

On the landing page, please look for File No. PP18-13, Project Name "*Amendment to Mineta San Jose International Airport Master Plan*."

The link below was broken.

Thank you,

David Keyon
City of San Jose PBCE
Principal Planner Environmental Review
(408) 535-7898

From: Keyon, David
Sent: Tuesday, November 26, 2019 3:28 PM
To: Keyon, David <david.keyon@sanjoseca.gov>
Subject: Mineta San Jose International Airport - Airport Master Plan Update Draft EIR Available for Public Review

NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
CITY OF SAN JOSE, CALIFORNIA

A Draft Environmental Impact Report (DEIR) for the Amendment to the Mineta San José International Airport Master Plan is available for public review and comment between **November 27, 2019 and January 13, 2020**.

Description: Amendment to the Airport Master Plan to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand.

Location: Mineta San José International Airport, generally bounded by U.S. 101 to the north, the Guadalupe River and State Route 87 to the east, Interstate 880 to the south, and Coleman Avenue and De la Cruz Boulevard to the west. Council District: 3. **File No.:** PP18-103.

The proposed project will have potentially significant environmental effects with regard to air quality, biological resources, cultural resources (archaeological), greenhouse gas emissions, and hazards and hazardous materials. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. As a result of the open LUST case, the Airport is included on California's Hazardous Waste and Substances Sites List, also known as the Cortese List.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San Jose's "Active EIRs" website at http://www.sanioseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building and Code Enforcement
200 East Santa Clara St., 3rd Floor San Jose, CA95113
(408) 535-3555

Rose Garden Branch Library
1580 Naglee Ave.
San Jose, CA 95126
(408) 808-3070

Dr. MLK Jr. Main Library
150 E. San Fernando St.
San Jose, CA 95112
(408) 277-4822

The public review period for this Draft EIR begins on November 27, 2019 and ends on January 13, 2020. Written comments must be received at the Planning Department by **5:00 p.m. on Monday, January 13, 2020**, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to David Keyon in the Department of Planning, Building and Code Enforcement at (408) 535-7898, via e-mail: David.Keyon@sanjoseca.gov, or by regular mail at the mailing address listed above. Please reference the above file number in your written comment letters and correspondence.

David Keyon
City of San Jose PBCE
Principal Planner Environmental Review
(408) 535-7898

January 31, 2019

David Keyon
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

SUBJECT: Notice of Preparation of An Environmental Impact Report for the Amendment to the Mineta San José International Airport Master Plan

Dear Mr. David Keyon:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the Notice of Preparation of An Environmental Impact Report for the Amendment to the Mineta San José International Airport Master Plan and is submitting the following comments:

1. Please include all affected County maintained intersections along Almaden, Central, Montague, San Tomas, and Lawrence Expressway in the Transportation Analysis. Many airport users from the Almaden Valley area use Almaden Expressway and SR 87 to get to the airport and we want to see the degree of network impacts on the Almaden Expressway corridor. Lawrence intersections near Central could also experience impacts. We're asking the TIA to include these CMP facilities if the proposed project's trip distribution shows project trips crossing that threshold and therefore include these in the analysis.
2. Currently we are working with the City, Caltrans, and the VTA on the US 101/De La Cruz/Trimble Interchange Improvement project. This project is important to us because it should address the circulation and congestion issues on the west side of the Airport, especially at the Central Expressway/De La Cruz intersection. To that end, we will continue to participate to advance this project, but we believe that access to the Airport at or near Reed St/Martin Ave would further improve the level of service at County Expressway facilities. The EIR should address the feasibility of access at this location.
3. Please identify and discuss any inconsistencies between the proposed elements and existing regional plans including but not limited to the Norman Y. Mineta San Jose International Airport Comprehensive Land Use Plan (Santa Clara CLUP).
4. Please include both VMT and LOS methodologies for impacts in the Transportation Analysis.

Thank you for reaching out and considering these comments. If you have any questions or concerns about these comments, please contact me at 408-573-2462 or ben.aghegnehu@rda.sccgov.org

Sincerely,

Keyon, David

From: Edmund Sullivan <edmund.sullivan@scv-habitatagency.org>
Sent: Friday, January 10, 2020 12:56 PM
To: Keyon, David
Cc: Gerry Haas
Subject: Comment email SJ-Mineta Airport EIR

Hi David,
My comments on the San Jose-Mineta International Airport (Airport) EIR are limited to impacts to Western burrowing owl (BUOW), a Santa Clara Valley Habitat Plan (Habitat Plan) covered species, nesting and foraging habitat as well as the nitrogen disposition impacts resulting from the increase in nitrogen oxides emissions from 29,332 new vehicle trips projected to be generated by the Airport's proposed expansion. Though activities within the Airport boundaries are not covered by the permits guiding development in the Habitat Plan area, the Airport is proposing to mitigate both BUOW and nitrogen disposition impacts resulting from the proposed Airport expansion through the Habitat Plan. The Santa Clara Valley Habitat Agency (SCVHA) supports and applauds this approach, which is consistent with our Voluntary Fee Payments Policy established in 2014 for projects within the Habitat Plan area but not covered by the Habitat Plan. *MM BIO-4.1: Provide Compensatory Mitigation for Permanent Impacts on 32.4 acres of BUOW Habitat* and *MM BIO-5.1: Payment of the Nitrogen Disposition Habitat Plan Fees* is consistent with covered project mitigation measures administrated through the Habitat Plan permit process. SCVHA looks forward to continuing to work with the Airport managing and recovering the BUOW population in Santa Clara County.

Best regards,

Edmund Sullivan
Executive Officer
Santa Clara Valley Habitat Agency
535 Alkire Avenue, Suite 100
Morgan Hill, CA 95037-4128
(408) 779-7261 Main Tel / (408) 779-7265 Dir Tel
edmund.sullivan@scv-habitatagency.org
www.scv-habitatagency.org

Valley Water

Clean Water • Healthy Environment • Flood Protection

File: 22275
Guadalupe River

January 13, 2020

Mr. David Keyon
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113-1905

Subject: DEIR for the Amendment to Mineta San Jose International Airport Master Plan Project, City File No. PP18-103

Dear Mr. Keyon:

The Santa Clara Valley Water District (Valley Water) has reviewed the Draft Environmental Impact Report (DEIR) for the Amendment to Mineta San Jose International Airport Master Plan Project, City File No. PP18-103, received by Valley Water on November 26, 2019.

Based on our review of the DEIR submitted we have the following comments:

1. The Guadalupe River is located along the easterly side of Airport Boulevard. Activities that occur adjacent to Guadalupe River would include construction of 5 new fuel storage tanks, removal of the economy lot (surface parking) and replacement with a long-term parking garage (6,000 spaces), construction of a new short-term parking garage (5,000 spaces), and construction of a new 300,000 square foot business hotel. Valley Water has an easement over the Guadalupe River along Airport Boulevard and owns the property along the river north of Hwy 101. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water right of way (fee and easement) requires the issuance of a Valley Water permit and requires Valley Water to be considered a responsible agency under CEQA.

2. Valley Water strongly advocates for maximizing the vegetated areas between the developed portions of the site to enhance the riparian corridor by imposing a minimum 100-foot set back from the existing creek top of bank to any hardscape, roadways, or parking areas associated with the project. The amendment notes that the City's Riparian Corridor Policy will be used in the assessment of the project's impacts to the Guadalupe River. To minimize impacts to the riparian corridor the project should also be consistent with the Guidelines and Standards for Land Use Near Streams.

3. To protect the genetic integrity of the riparian corridor and mitigation plants Valley Water recommends replacement trees and landscaping within the riparian corridor be in

accordance with Design Guide 3 from the Guidelines and Standards for Land Use Near Streams. Design Guide 3 (enclosed) will help ensure landscaping will be maintained in a manner consistent with the goals of protecting the local natives and replacement plants consistent with this guide are commercially available. This guide provides options for use of either non-invasive, drought-tolerant, non-native ornamental plants that will not have the potential to cross pollinate with native riparian species or else choosing non-invasive, drought-tolerant, non-local California natives (ornamental natives) with no potential to cross-pollinate with the local native species.

4. Please also note that Valley Water has easement along the Guadalupe River which contain several native plant mitigation sites related to the flood protection improvements along the river. The DEIR discussions related to riparian mitigation should note that no planting for mitigation or replacement tree planting can occur on Valley Water property or within existing Valley Water mitigation sites.

5. The discussion under Sections 4.10 Hydrology and Water Quality and Appendix I should note that the Zone AH is a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA) and that development in a SFHA is subject to City and FEMA required building standards, including flood proofing.

6. Valley Water records indicate that there are approximately 40 active and 4 abandoned wells within the project site. If currently active wells will continue to be used following development of the site, they must be protected so that they do not become lost or damaged during construction. If the wells will not be used following development of the site, they must be properly destroyed under permit from Valley Water. The abandoned well if found during construction must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. It should be noted that while Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. All wells found at the site, must be destroyed or registered with Valley Water as noted above. For questions about the wells, please contact Valley Water's Wells and Water Measurement Unit at (408) 630-2660.

7. Page 233 Floodplain and Flood Management – The discussion under this section notes that developments adjacent to creeks are required to dedicate flood protection easements. The discussion implies Valley Water requires this; however, Valley Water does not have such a requirement. Also, this discussion notes the City may require floodproofing for buildings in flood hazard areas. Floodproofing is required for buildings in designated SFHA areas, such as Zone AH per FEMA's Technical Bulletin 3-93 Non-Residential Floodproofing – Requirements and Certification for Buildings Located in Special Flood Hazard Areas.

8. Page 239 Surface Water Quality – The discussion under this section notes that the Rocky Pond doesn't meet Federal Aviation Administration (FAA) recommendations for drain down time but doesn't discuss if any changes are proposed to make the pond meet the FAA recommendations.

9. Appendix I – Section 9.1 should also note the site is subject to inundation from the Leroy Anderson Dam and the James J. Lenihan Dam on Lexington Reservoir in addition to the Guadalupe Dam. The inundation areas for these dams would include the entire airport site not just the mapped AH zones. Additionally, the inundation area for the Guadalupe Reservoir extends into areas beyond the SFHA Zone AH. Please note the FEMA AH Zone reflects riverine flooding only and does not reflect flooding from dam inundation.

10. The Hydrology and Water Quality section should include a discussion of the impacts of increased runoff relative to impacts on the 1% design flow and water surface levels in Guadalupe River in addition to impacts on the Airport property.

Please forward the DEIR when available for public comment and reference Valley Water File No. 22275 on further correspondence regarding this project. If you have any questions or need further information, you can reach me by email at LBrancatelli@valleywater.org or by phone at (408) 630-2479.

Sincerely,

Lisa Brancatelli
Assistant Engineer II
Community Projects Review Unit

Enclosure: Design Guide 3

cc: U. Chatwani, C. Haggerty, L. Brancatelli, M. Martin, File

USE OF ORNAMENTAL OR NON-NATIVE LANDSCAPING

INTRODUCTION

If the use of local native plants propagated from local stock does not fit your landscaping goals, choose:

- **Non invasive drought-tolerant, non native ornamental plants** having no potential to cross pollinate native riparian species. For example, if native valley and coast live oaks, willows, sycamores or cottonwoods exist in the riparian corridor, don't plant ornamental oaks, willows, sycamores or poplars.
- **Non invasive, drought tolerant, non-local California natives** (aka ornamental natives), with no potential to cross-pollinate local native species; for example- Fremontodendron or Romneya.

When selecting plants and choosing their location in an ornamental landscape, the project design goals are generally geared to human aesthetics. In choosing ornamental landscaping, hardscape features, such as patios, decks, and walkways, are design components. **These features should be avoided within the riparian habitat area at all locations.**

PLANT SELECTION GUIDE

The choices of plants that meet the criteria described above for ornamental landscaping is vast. Selection of a plant species for a particular site will depend on goals of the landscape plan, site constraints, the owner's desires and budget. There are a variety of resources available from which selections can be made. Cities generally have plant lists available that were assembled for water conservation purposes. The East Bay Municipal Utility District has prepared a book, entitled "Plants and Landscapes for Summer Dry Climates" and the Sunset Western Garden Book, commonly available at most nurseries, has plant selections identified that are suitable for dry places. **Select plants from these sources as long as you avoid invasive plants and take the caution provided above for selecting native species that have not been propagated from your local watershed.**

REFERENCES

The California Native Plant Society's 'Guidelines for Protecting Native Plants from Genetic Degradation' is a helpful reference on the subject.

NON – LOCAL CALIFORNIA NATIVE PLANTS

The following California native plants have a very low potential of hybridizing with our Santa Clara County natives since they do not naturally occur in northern California

TREES

Chilopsis linearis, (Desert Willow), Lyonothamnus floribundus, (Catalina Ironwood), Prosopis glandulosa var. torreyana, (Mesquite)

SHRUBS

Fremontodendron californicum or Fremontodendron mexicanum, (Flannel Bush), Galvesia speciosa, (Island Bush Snapdragon) Rhus integrifolia, (Lemonade Berry), Rhus ovata, (Sugar Bush), Romneya coulteri, (Matilija Poppy), Simmondsia chinensis, (Jojoba)

California Invasive Plant Council Web site:
www.cal-ipc.org

COMMONLY FOUND INVASIVE SPECIES TO BE AVOIDED

Acacia
Acacia spp.

Almond
Prunus dulcis

Ash, evergreen
Fraxinus uhdei

Bamboo, running types
Arundinaria, chimonobambusa, phyllostachys, etc.

Black locust
Robinia pseudoacacia

Broom, french
Genista monspessulana, previously cytisus monspessulanus

Broom, scotch
Cytisus scoparius

Broom, spanish
Spartium junceum

Cape weed
Arctotheca calendula

Cotoneaster
Cotoneaster spp.

Elm
Ulmus spp.

Eucalyptus
Eucalyptus spp.

Fig
Ficus carica

Flowering plum, fruitful varieties
Prunus spp.

Fountain grass
Pennisetum setaceum); purple variety "cupreum" is sterile and acceptable

Foxglove
Digitalis purpurea

Giant reed
Arundo donax

Glossy privet
Ligustrum lucidum

Gorse
Ulex europaea

Himalayan blackberry
Rubus discolor

Holly oak
Quercus ilex

Iceplants
Carpobrotus edulis, c. Chilensis, mesembryanthemum spp.

Ivy, algerian
Hedera canariensis

Ivy, cape
Delairea odorata, previously senecio mikanioides

Ivy, english
Hedera helix

Kikuyu grass
Pennisetum clandestinum

Lemon balm
Melissa officinalis

Lombardy poplar
Populus nigra 'italica'

London plane tree
Platanus acerifolia

Mint, any kind including pennyroyal, peppermint, spearmint
Mentha spp.

Monterey pine
Pinus radiata

Myoporum
Myoporum laetum

Olive
Olea europaea

Pampas grass, jubata grass
Cortaderia selloana, C. Jubata

Pepper trees
Schinus spp.

Periwinkle
Vinca major

Pyracantha
Pyracantha spp.

Tamarisk, salt cedar
Tamarix spp.

Tree of heaven
Ailanthus altissima

Walnut, english or black
Juglans regia, juglans californica var. Hindsii

Find it at: http://www.cnps.org/archives/archives.htm

Scroll down to:

1) Policies and Guidelines
2) Conservation Policies
3) Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation.

California Invasive Plant Council Web site: www.cal-ipc.org

Keyon, David

From: [redacted]
Sent: Sunday, January 5, 2020 1:17 PM
To: Keyon, David
Subject: Airport Expansion

[External Email]

Hi David,

As a long time San Jose resident and current Willow Glen resident, I have to say I am very much against any significant airport expansion. The noise and pollution related to the airport is already a huge detriment to the adjacent areas of San Jose. My daughter plays on playgrounds where very loud airplanes roar just above us while taking off. Most mornings, we wake up to loud rocket-sounding airplane engine noise. But the airport noise and pollution is a huge detriment to the downtown SJ experience. If we really want a beautiful, vibrant San Jose downtown, we CANNOT significantly expand airport activities. It is already a critical detriment to the quality of life in the nearby area.

In my opinion, we need to expand capacity of an airport (or build a new airport) that is away from the downtown and major SJ population areas. Something south between SJ and Milpitas for example. The convenience of travelers is not a priority compared to the constant noise and pollution created by any expansion to the SJ airport that would be experienced every day by San Jose residents.

Thanks,

Alex Logan
[redacted]

Keyon, David

From: [redacted]
Sent: Sunday, January 5, 2020 5:50 PM
To: Keyon, David
Subject: SJC noise

[External Email]

Hi David,
I have read article “New Concourse, Hotel, Parking Garage Envisioned for Mineta SJC” by Maggie Angst.
The most of discussion in it is about pollution/greenhouse gases and how expansion will effect this. While the clean air is very important, the article failed to cover another environmental parameter - NOISE. Today there are about 200 flight in and out of SJC and noise is already unbearable. How are you going to deal with noise when number of flights will be doubled? Do you think about people who live in proximity of SJC?

Alexander Slobodov
[redacted]

Keyon, David

From: Alice Martineau [redacted]
Sent: Friday, January 17, 2020 7:46 PM
To: Keyon, David
Subject: Comments on the EIR for SJC Expansion

[External Email]

Dear David,

I am sending Robert Holbrooks' comments, printed up below, because I am in agreement with them .

Many thanks for your consideration,
Alice Martineau, Mountain View resident who is negatively impacted by aircraft noise and pollution

"These comments are on the Draft EIR for the proposed expansion of Norman Y. Mineta San Jose International Airport (SJC).

Most of my comments pertain to the spirit of the EIR, which is to understand the real impacts of a proposed action on people and the environment. My comments mainly speak to the noise implications. But first, regarding growth, I have learned the following from the EIR:

 The percentage increase in passenger demand forecasted for the next 19 years (57%) is less than the percentage increase in passengers that actually occurred between 2013 and 2018 (61%). Is this credible, especially in light of all the expansion projects that are being undertaken? Would the EIR benefit from a revised estimate based on more recent data? (Figure 2.3-1; Table 3.2-1)

 In 2037, the airport is projected to be operating at 98% of capacity on a yearly basis. (237,717 operations out of a capacity of 241,700). If this is the case, it would be helpful to have a clearer statement to that effect. (Appendix L, Table 1; Appendix C, Table 10) What will the airport's strategy be as it approaches saturation? Per the comment above, this could happen earlier than forecast and is relevant to understanding potential environmental impacts of this project.

 Putting the above two suggestions together, I wonder if we might see demand for the airport reaching its capacity before 2037. It would be illuminating to see the EIR's assessment of that possibility.

I have many comments regarding noise.

Noise has real consequences to people. It is significant in their lives. At a class I took on the subject of aviation noise, I was told that in the 2000 census noise was the number one reason given by respondents for moving. It's no secret that NextGen has led to a tsunami of noise complaints, but even I was surprised to learn as I checked the data just now that the number of complaints filed for SFO has exceeded 10m since January 2015, the year NextGen was rolled out (https://data.sfgov.org/Transportation/Aircraft-Noise-Complaint-Data/q3xd-hfi8/data) . (SJC does not accept data from the most popular app used to report noise in this area, as SFO does, so the airport's

complaint numbers understate the number of complaints people have actually submitted.)
The standards used by the FAA to determine significance are grossly inadequate and, I would argue, in some cases arbitrary. In the 2018 FAA Reauthorization Bill, Congress asked the FAA to consider new metrics. Inadequate because they are not at all relevant to the vast majority of the 10m complaints mentioned above.

 Responding to a request for comments on proposed rule-making for the testing of supersonic flights over land, Boom Supersonic, a manufacturer of supersonic aircraft, wrote on 8/27/19, "Since most supersonic flight testing could be expected to take place during the day, it would take 80 daytime Concorde-level booms per day in a single location to raise ambient DNL from 63.5 to 65. Therefore, even an action that exposed a test area to 28,835 daytime Concorde-level booms per year would fail to be significant under this standard." This demonstrates to me as clearly as anything that the DNL and CNEL standards we use do not conform to a commonsense understanding of annoyance.

 Industry and the FAA have settled on the Net Noise Reduction Model, which optimizes for the number of people affected by a procedure, without considering how annoyed the people experiencing the procedure might be. This has led to highly concentrated air traffic over a set of unfortunate residents who are helpless to defend themselves because the noise standards in use offer no protection. Many of these people are highly annoyed. Presumably, these narrow corridors are the "FAA-approved noise abatement flight tracks" referred to on p264. If so, this is a misleading characterization of these corridors and I would like to see this language changed.

 FAA metrics (and CNEL) use A-weightings, which are not as effective as C-weightings in describing annoyance. My understanding – I am not an expert – is that A-weights better characterizes noise levels that cause damage to ears, but C-weights are preferred in loud environments with low frequency noise, like machine shops. I do know that lower frequencies propagate farther and better penetrate walls and windows, and that the gap between people perceiving low frequency noises and being highly annoyed by them is much smaller than for the higher frequencies. A low frequency noise study (Hogdon, Atchley, Bernard) conducted in April 2007 on behalf of the Partnership for AiR Transportation Noise & Emissions Reduction found that linear regression analysis showed that the C-weighted sound exposure level LCE was the best single-metric predictor of subjective annoyance response, explaining over 90% of the variability of the data set. The study suggested that LCE should be used as a single-number metric for assessing the potential for annoyance when high levels of low-frequency aircraft noise are present.

 FAA metrics do not consider the tonality of noise, but this also correlates with annoyance. The "Airbus whine" is a good example of this. According to a 2010 Wyle Report WR11-04 Updating and Supplementing DNL, "While level is the primary measure of loudness, the significance of tonality when present has been reaffirmed in recent FAA sponsored research."

 While the EIR considered TA, "Time Above" a certain noise threshold, it did not consider another metric suggested by the Wyle report cited above, NA, the "Number Above" a noise threshold. This metric originated in Australia and I believe it would add important clarity. Residents affected by noise will tell you that the number of noise incidents matters greatly.

 The CNEL and DNL standards average noise incidents over the course of a year. People become annoyed during periods much shorter than one year. The application of annualized standards to residents affected by SJC South Flow as well as residents affected by SJC North (regular) Flow means that the South Flow airplanes can be almost 10dB louder and yet reach the same level of

significance. This is because South Flow occurs 11% of the time (Noise Appendix, p15 – though generally estimates run higher, including numbers I have computed using FOIA data. An eighth as many flights averaged over the course of a year would allow three doublings in sound energy (9dB) to reach the same measurement, other things being equal.)

 The forecasted fleet mix (3.2-3) shows that the 737-800 and 737-8 Max are expected to be by far the most popular airplanes operating out of SJC, with the Boeing 737 series as a whole comprising over half the operations. It is, therefore, very disturbing to see in table 13 of the Noise Appendix that the 737-8 MAX is remarkably loud – affecting roughly twice as many acres beneath them as the other airplanes listed at the SEL levels shown, including the 737-800.

 Along similar lines, the 35% increase in tonnage expected for cargo aircraft is likely to cause more noise because heavier airplanes cause more noise, other things being equal.

For the EIR to better describe actual impacts to people, additional metrics should be considered and the impacts to surrounding cities like Cupertino, Sunnyvale, Mountain View and Palo Alto should be better developed.

Open questions regarding noise:

 The shift to NEO engines forecasted in the change in fleet mix leads to the question of the expected distribution of flights across the 24 hours of the day, given the curfew. A chart showing % of flights by hour on a typical day now and in 2037 would be clarifying. P263 references the possibility that the hourly distribution of flights might shift.

 Why is the proposal expanding cargo facilities when it is airport policy to "Encourage the use of quieter aircraft at the San Jose International Airport?" (EC-1.10, p8 Noise Appendix, see also Policy TR-13.1, p37) The reduction in forecasted operations for cargo aircraft from the previous plan amendment to the current proposal should help in that regard.

 How are the 65 CNEL noise contours of Moffett airfield likely to be impacted by the overflights to SJC as a result of increasing South Flow activity? Closely related to this: what is the current and forecasted mix of flights projected to arrive via the RNP approach? The RNP Z approaches to runway 12 fly directly over the Moffett 65 DNL contour below 2500'.

Possible corrections for the EIR:

 Boom Supersonic, cited above, also wrote, "The FAA makes NEPA determinations pursuant to FAA Order 1050.1. According to Order 1050.1F, the FAA considers a proposed action to have a significant noise impact if it "would increase noise by DNL 1.5 dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dB noise exposure level or that will be exposed at or above the DNL 65 dB level due to a DNL 1.5 dB or greater increase." p6 of the Noise appendix stated a different test – that the increase had to be 3dB or greater if the starting value was below DNL 65 dB.

 P264 of the EIR states that citations with a $2500 fine are issued when an operation does not conform to the NCP. Please consider including the percentage of those fines that are collected. My understanding is that it is very small.

 The EIR states that "Low-frequency noise is accounted in the A-weighted decibel used in community noise assessments." (p275). I find this statement to be misleading because low frequency noise is heavily discounted by A-weighting. It discounts frequencies of 250Hz by 8.6 dB, and frequencies of 63Hz by 25 dB relative to dB-A.

Thank you for your work on this draft EIR. The document contains good information and often describes

Keyon, David

From: Alice Martineau [redacted]
Sent: Friday, January 17, 2020 8:26 PM
To: Keyon, David
Subject: Further Comments on the EIR for SJC Expansion

[External Email]

Dear David,

I am sending comments from 2 of Robert's colleagues from Palo Alto, focused mostly on environmental effects printed up below, because I am also in agreement with them .

Thank you again,

Alice Martineau, Mountain View resident who is negatively impacted by aircraft noise and pollution

"Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following 4 reasons:

1. The project causes an unacceptable health risk due to the significant impact on Air Quality.

Per the Draft EIR, Air Quality will have a significant impact: If implemented, the expansion project will be inconsistent with the Clean Air Plan because of significant emissions of nitrogen oxides and PM10, which are particulate matters that are smaller than 10 microns in size:

o The projected incremental amount of nitrogen oxides is estimated at 972 tons/year, almost 100 times the significant threshold of 10 tons/year (see table 4.3-8, page 121). Note that nitrogen oxides are poisonous gases that lead to the creation of smog. Nitrogen oxides irritate the respiratory system leading to respiratory infections and the development or aggravation of asthma.

o The projected incremental amount of PM10 is estimated at 33 tons/year, more than double the significant threshold of 15 tons/year (see table 4.3-8, page 121). As noted in the report on page 101, "PM10 is of concern because it bypasses the body's natural filtration system more easily than larger particles and can lodge deep into the lungs." and "Exposure to PM can increase the risk of chronic respiratory disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma,

and decreased lung function."

o Note also that the projected incremental amount of PM2.5 (particulate matters that are smaller than 2.5 microns in size) is estimated at 9.4 tons/year, which is very close to the significant threshold of 10 tons/year (see table 4.3-8, page 121). Per the report on page 101, "PM2.5 poses an increased health risk relative to PM10 because the particles can deposit more deeply in the lungs and they contain substances that are particularly harmful to human health."

2. The project increases Greenhouse Gas emissions substantially thus ignoring the problem of climate change and going against the State of California targets to reduce emissions or the City of San Jose plans to fight climate change.

Per the Draft EIR, Greenhouse Gas Emissions will have a significant impact: the emissions impact "conflicts with statewide emissions reduction targets (Impact GHG-2)" (page 376). The amount of annual carbon emissions due to aircraft operations will almost double: the current level is 139,083 millions of tons/year (see table 4.8-2 on page 210) and is expected to increase to 270,977 millions of tons/year if the project is completed (see table 4.8-3 on page 216) thus resulting in a net increase of aircraft carbon emissions of 131,894 millions of tons/year.

If the City of San Jose is serious about its claims that "the fight against climate change grows more urgent every day" (see Climate Smart San Jose), it should reject the SJC expansion project given the projected increase in greenhouse gas emissions.

3. The conclusion that noise impact will be less than significant needs further validation because the conclusion was based on a limited analysis that did not address requests sent in January 2019 such as the ones from Santa Clara County Supervisor Simitian or residents of Palo Alto to go above and beyond the legal minimum, have all assumptions documented, and show noise contours starting at 45 dB CNEL for all cities impacted by SJC traffic (see appendix A below for specific requests). For instance, noise contours of cities affected by SJC traffic or below 60 dB CNEL are not shown in the report; assumptions such as the percentage of south flow versus north flow operations or time used in the analysis are not disclosed. Furthermore, no sensitivity analysis seems to have been performed on the assumptions used to estimate the noise impact (for instance, reference grid location #5 will experience a projected CNEL increase of 1.2 dBA, which is 0.3 dBA short of the required 1.5 dBA increase that would make the impact significant (see table 4-13.9 page 314).

In addition, the analysis does not investigate cumulative noise impact because, as stated in the report, current federal, state, and local regulations do not require cumulative impact analyses for areas outside the 65 dB CNEL contour of an airport (see page 320). Although not required by law, cumulative noise impact should be estimated and addressed given that several communities are affected by air traffic to and from multiple airports (including SJC). Given the flight concentration caused by NextGen, it

should also be recognized that the law is outdated and should be re-evaluated to require that cumulative impact on communities affected by traffic from multiple airports is measured and calculated even when the communities do not fall under the 65 dB CNEL contour of any airport.

4. The conclusions that the significant impacts on air quality and greenhouse gas emissions are unavoidable are not supported by a rigorous analysis.

The report states that "...as long as there is a market for air transportation services and there are facilities to accommodate the demand, activity will continue to increase" (see page 31) and also concludes that "the projected 2037 demand can be accommodated by the Airport's existing facilities, albeit under congested conditions with delays and poor levels of service" (see page 31).

These statements are not based on any analysis: one cannot conclude that the increase in operations because of an SJC expansion would be fully accommodated by SFO and OAK because these airports also face capacity limitations in terms of gates and landing rates. Furthermore, such conclusions ignore basic economic mechanisms such as congestion pricing and price elasticity that have a direct impact on demand.

As Palo Alto residents, we appreciate the opportunity to comment on this Draft EIR and hope that our input will be considered."

Keyon, David

From: Alice Newton [redacted]
Sent: Friday, January 3, 2020 3:51 PM
To: Keyon, David
Subject: Reasons to say NO to airport expansion

[External Email]

Hello David Keyon,

Below are my comments regarding the proposed new terminal, parking garage, and hotel at the San Jose airport. Please ensure that they are included in comments available for public viewing. Thank you.

I am also sending these comments to the editor of the S. J. Mercury News.

Alice Newton
Menlo Park, CA

Should Norman Mineta Airport build a new terminal, parking garage, and hotel? This question will be addressed by the San Jose City Council on January 14th and provides an opportunity for San Jose to take a significant national leadership position in deciding **NO.** According to the S. J. Mercury News on Dec. 30th (Local News p. 1) , "The aviation industry accounts for 12% of all transportation-related greenhouse gas emissions and 3% of total greenhouse gas emissions in the United States according to the environmental Protection Agency." Additionally, an S.J. Mercury News article May 6,2019 (Local News p.1) states that CO2 emissions from Silicon Valley and Salinas Valley blow west and are absorbed in the ocean water causing acidification "unfavorable for many sea creatures." Gerta Thunberg, Swedish activist, quoted IPCC's SR 15 report on global warming predictions in her speech in Montreal on 9/27/19 saying, "With today's emissions levels, that remaining CO2 budget will be entirely gone within less than 8.5 years." Everything possible by every country must be done to decrease emissions. Airports around the Bay should be connected by electric high speed rail and flights coordinated so that numbers of flights can be decreased rather than increased. Yes, reasons for flying will have to be reevaluated and national and global aviation will have to adapt. Cities, counties, and states should invest in electric public busses, trains, and charging stations for cars as well as in solar and wind energy. We should mandate sustainable energy systems for all new buildings, subsidize solar power for existing homes, subsidize changing from gas powered cars to electric ones, ban fracking, and insist on other known ways to slow humanity's contributions to global warming. Every day now, every decision should be weighed against whether or not it contributes to or lowers greenhouse gas emissions. The answers will be clear and we must not hesitate to do the right thing. Perhaps in an ideal future, we will have electric airplanes. For now, say **NO** to a new terminal and parking garage at the airport. **NO** to increasing numbers of flights there or elsewhere. Support improved electric public transportation to the airports. The S. J. Mercury News article (12/20/19) says you may submit comments on this subject by January 13 to David Keyon in the San Jose Dept. of Planning, Building and Code Enforcement at David.Keyon@sanjoseca.gov or call 408-535-7898. Request that your comments be available to the public.

Keyon, David

From: Aimee Zhu [redacted]
Sent: Friday, January 17, 2020 5:32 PM
To: Keyon, David
Subject: SJC Expansion Project

[External Email]

Hi David,
I'm a resident lived in Sunnyvale over 15 years. From 2016, I have been suffering too much noise from SJC flight.
If SJC can't solve the south flow operations, this expansion will make our live environment worse.
I definitely oppose the SJC expansion plane before it solves the airplane noise issue in the neighborhood.
Thanks.
Have a nice weekend.
Aimee Zhu

Keyon, David

From: Barry [redacted]
Sent: Friday, January 17, 2020 7:09 AM
To: Keyon, David
Cc: Chapman, Karen; Cheryl Poland
Subject: Airport expansion

[External Email]

Hi David,

I live in the Santa Cruz mountains. I moved here for the incredible quiet that unfortunately was destroyed by the movement of flight patterns starting with SERFR and then continuing with BRIXX shifting to accommodate. Add to that SJC traffic to Hawaii, China and Japan at low levels and you have destroyed my living space.

Airports like to brag how many passenger they have in the air but 99% of the population at any given time is UNDER it and many are suffering even as they never bought into this mess.

I have cut my flying back to the minimum largely due to how painful flying in the USA has become. So I rarely enjoy the "benefit".

The idea of expanding SJC further and destroying more peoples environment, not to mention the pollution and GHGs that we have no choice but to receive, is something I oppose with every energy I have. I helped organize the massive protests over SERFR and given the vastly more destructive nature of these airport proposals, you can expect a far greater reaction.

Why waste the city's money only to have to back down later? Stop further expansion. I really hope for fast rail to replace most intra-California travel and totally support it.

Barry Fitzgerald
[redacted]

Keyon, David

From: Ben Debolle [redacted]
Sent: Thursday, January 9, 2020 12:46 PM
To: Keyon, David
Subject: Please help us STOP the Jet Noise

[External Email]

David,

Please help us significantly reduce the very low and extremely LOUD jet flights over the Bay Area!

Thank you,
Ben DeBolle

Keyon, David

From: Briggs Nisbet [redacted]
Sent: Friday, January 10, 2020 2:36 PM
To: Keyon, David
Subject: Comments on SJC draft environmental impact report

[External Email]

Dear Mr Kenyon,

I have lived in South Palo Alto since 2012 and have been terribly impacted by the increase in concentrated air traffic over my house since 2014 as a result of FAA's Nextgen implementation and changes to flight routes for both SFO and SJC. Increasingly, I am affected by low-fliying aircraft into and out of SJC, and these flights are reported, logged and submitted to SFO as noise complaints.

My comments on the SJC Draft EIR:

The City of San Jose and SJC must ensure that San Jose residents and neighboring communities have full disclosure of noise and emissions impacts:

1. 1) **Integrate analysis of noise and emissions impacts that would result from *airspace changes***- FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.[3]
2. 2) **Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations.** SJC is part of the Northern California Metroplex[4],a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS[5] at SFO.

   3) SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are **inadequate for a project of this size.**

   4) **FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens** and while this is a liberty that FAA is taking by not considering health, **the City of San Jose has an obligation to consider health and livability for San Jose residents and neighbors**. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.

   5) **SJC should provide for supplemental metrics beyond the FAA noise "average" metric**. FAA Reauthorization Law of 2018[6] Section 188 mandates "*The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-*

night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns."

6) FAA thresholds of significance and DNL are also insufficient because **FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations**.

1. 3 https://www.faa.gov/nextgen/media/NextGen_Implementation_Plan-2018-19.pdf
4 https://www.faa.gov/nextgen/snapshots/metroplexes/
5 https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/techops/navservices/gnss/laas/

6 https://www.congress.gov/115/plaws/publ254/PLAW-115publ254.pdf

The City of San Jose can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

- Install noise monitors where noise complaints have erupted since 2014
- Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements
- Engage with the SCSC Roundtable http://scscroundtable.org

- Thank you.

Briggs Nisbet

[redacted]

[redacted]

Keyon, David

From: [redacted]
Sent: Monday, January 13, 2020 12:25 AM
To: Keyon, David
Subject: get airplane noise OUT OF THE Bay Area!

[External Email]

Hi David,

I live in Menlo Park and I hear that San Jose airport is expanding. I'm here to tell you that we want the incessant, loud, endless airplane noise out of our homes, yards, neighborhoods and lives. NO MORE AIRCRAFT NOISE!! So, whatever you do, get rid of aircraft noise. This is the most important topic regarding living here in the Bay Area.

Thank you

Keyon, David

From: Catherine Hung [redacted]
Sent: Friday, January 17, 2020 5:02 PM
To: Keyon, David; [redacted]; Margaret.Abe-Koga@mountainview.gov; Robert Holbrook
Subject: Fwd: From Mountain View/Los Altos - EIR Public Comment -Airplane Noise: SJC Expansion - Deadline for Comments Friday, January 17th at 5pm.

[External Email]

TO: David Keyon, Project Manager; Representatives Zoe Lofgren, Anna Eshoo, and Jackie Spier and Mayor Margaret Abe-Kobe
From: Catherine Hung, 102 Granada Dr, Mountain View, CA 94043 [former DOT policy analyst EIR reviewer of 10 highway, 2 airport EIRs]
RE: Disturbing Aircraft Noise levels

While I appreciate our local growth, I and several hundred other local residents hear the unceasing, increasing daily noise of aircraft. Please help regulate airlines ! Under 3000 ft is Excessively Noisy. Over 6000 ft, still noisy.

I thought due to weather yesterday, seemed All the SJC flights flew over downtown Mountain View. Today 1/17 less flights. Still I tagged 9 flights

Where I live from purchasing in 2004 with Caltrain and Central Expressway auto noises, adding in airplane noises is disturbing.

The 18 (tagged, Lots of more noisy flights) reports: starting before 8am, thru the day, & non-stop one after another from ~7pm on til SFO after midnight.

I w

Thu, Jan 16, 11:38 PM	Flight: WN2381 [OGG-SJC] (B738; speed: 186 knots, altitude: 2761.579206545067 ft, distance: 4 KM)
Volume was "TOO LOUD". **Speedbrakes** were heard !	
Thu, Jan 16, 11:05 PM	Flight: WN1332 [SAN-SJC] (B737; speed: 205 knots, altitude: 2800 ft, distance: 3 KM)
Volume was "TOO LOUD". **Speedbrakes** were heard !	
Thu, Jan 16, 11:02PM	
Personal notes: Flying right by, SO NOISY!!! Low!!!!! Volume was "TOO LOUD". **Speedbrakes** were heard !	
Thu, Jan 16, 10:48 PM	Flight: WN2092 [LAX-SJC] (B737; speed: 202 knots, altitude: 2850 ft, distance: 3 KM)

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 10:42 PM Flight: AS 324 [SEA-SJC] (B738; speed: 175 knots, altitude: 2850 ft, distance: 4 KM)

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 10:41 PM

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 10:39 PM Flight: HA 44 [HNL-SJC] (A21N; speed: 176 knots, altitude: 2850 ft, distance: 4 KM)

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 10:37 PM

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 10:31 PM

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 08:02 PM Flight: WN2155 [LAX-SJC] (B737; speed: 192 knots, altitude: 2657.494411160533 ft, distance: 4 KM)

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 08:02 PM Flight: WN2155 [LAX-SJC] (B737; speed: 192 knots, altitude: 2762.456734517333 ft, distance: 4 KM)

Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 07:50 PM Flight: AA6015 [LAX-SJC] (E75L; speed: 192 knots, altitude: 2953.6263768181334 ft, distance: 3 KM)

Volume was "very loud". **Speedbrakes** were heard !

Thu, Jan 16, 07:28 PM

Volume was "very loud". **Speedbrakes** were heard !

Thu, Jan 16, 09:37 AM

Personal notes: Flying right by, SO NOISY!!! Low!!!!!
Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 09:33 AM Flight: Y4 930 [GDL-SJC] (A320; speed: 203 knots, altitude: 3228.9958976810667 ft, distance: 4 KM)

Personal notes: Flying right by, SO NOISY!!!
Volume was "TOO LOUD". **Speedbrakes** were heard !

Thu, Jan 16, 09:25

Keyon, David

From: Chen Yuxi [redacted]
Sent: Friday, January 17, 2020 10:24 PM
To: Keyon, David
Subject: Objection to SJC expansion

[External Email]

Hello David,

My family and I strongly object to SJC expansion. There is already too much noise from SJC south flow operations. The expansion will make it worse.

Thanks,
Yuxi Chen

Keyon, David

From: Chuck Jake [redacted]
Sent: Monday, December 30, 2019 11:16 AM
To: Keyon, David
Subject: Make airport user friendly

David
Please include in your plans, making the SJ Airport more user friendly. Not every traveler is up to walking the extreme distances required to fly out of Mineta Airport. Following are areas that I personally have trouble with as a 87 year old Sr.

- terminal needs people mover lanes to cover tremendous distances
- public transportation access need to be more convenient to passengers. now have walk to far to get to public buses and shuttles. Public should be able to exit baggage area and have bus, taxi, and shuttle service available right there, not a long walk away
- signage for parking, exiting, and directions to terminals needs improvement

I'd be available to discuss these matters further if desired.
Respectfully

Chuck Jacobson
Retired Engineer
San Jose
[redacted]

Keyon, David

From: [redacted]
Sent: Friday, January 17, 2020 10:00 PM
To: Keyon, David
Subject: Airplane noise

[External Email]

Hi there

Whenever air plane will fly over my roof and I will know today is south wind day, but it's getting more and more flights even it's not south wind days.
There is too much noise from SJC south flow operations already, and this expansion will make things worse.
Every voice counts and I hope we can stop it if possible

Claire in Sunnyvale

Keyon, David

From: Clifford Reader [redacted]
Sent: Monday, December 30, 2019 10:06 AM
To: Keyon, David
Subject: SJC Expansion and the Environment

[External Email]

David,

An increase in pollution, global warming, etc. caused by increased air traffic could be offset by a reduction in environmental impact if passengers could get to the airport by rail. There are two possibilities:

1. I never understood, a quarter of a century ago, why the light rail didn't have another line that bypassed downtown and served SJC. It could be built along Hwy. 87, between the existing track downtown and 1st St. north of the airport, diverting on elevated track to pass directly outside the airport terminals offering walking access for passengers with luggage. This would also have a major side-benefit of offering an express light rail route for commuters who live in south San Jose and work in north San Jose, because it would cut out the 10 mph crawl through downtown, and a large number of intermediate stops. Little or no private land would need to be acquired and little or no demolition would be required.
2. "Heavy" rail could also be connected to such elevated track past the terminals with a connection from Santa Clara station across almost entirely open land, and a connection in the area of Bowes Ave. that could be largely elevated above Walsh Ave., or perhaps Central Expy. A connection could also be made to the East Bay line at Lafayette St. An issue is a need for dual-voltage trains.

These connections would mean airport passengers from South San Jose, Campbell, Morgan Hill, Gilroy, the Peninsular and potentially Newark and Fremont could all quickly access SJC without driving and parking.

I can only think the taxi driver union's influence over otherwise environment-conscious politicians has prevented this.

In my opinion as a airline passenger, it is critical to give walking access with rolling luggage from public transport directly and immediately into airport terminals. Shuttles, and connections like Oakland Airport's BART connection are too much hassle, and add so much time they offset any gain against driving.

The airport that did public transportation perfectly is Hong Kong - please check it out. Stacking the tracks gives walking access into the terminal for both arriving and departing passengers with no stairs. 80mph trains take you to Kowloon and the heart of Hong Kong in 20 minutes. Runners up include Geneva, Zurich, Heathrow, Beijing, Narita, Kansai and Chicago. Failures include the new subway connection at Dulles (really dumb locating the tracks away from the terminal building), JFK, and Boston.

Best regards, Cliff Reader

+[redacted] Office-Mobile
[redacted]

[redacted]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Keyon, David

From: Ellen Zhao [redacted]
Sent: Friday, January 17, 2020 4:33 PM
To: Keyon, David
Subject: SJC expansion

There are too much noise from SJC south flow in Sunnyvale already. Unless the current NextGen issue is fixed, I oppose the current expansion plan!

Ellen

Keyon, David

From: Evelyn Breakstone [redacted]
Sent: Monday, January 13, 2020 6:10 PM
To: Keyon, David
Subject: Airport Expansion

[External Email]

Mr. Keyon,

I live in Sunnyvale and am extremely concerned about the proposed airport expansion. Currently, during South Flow days over 300 planes come directly over my home. This began almost 6 years ago, when NextGen was initiated. The FAA continues to indicate that it is trying to relieve us of the stressful noise and exhaust coming from the planes, but I do not believe it is sincere in amending this terrible mistake.

Now we are talking about expanding the airport. The construction will spew more pollution during a period when we are trying to clean the air. In addition, if the number of planes coming over our homes, polluting our skies, causing health issues, reducing the quality of our lives, decreasing our property values, and promoting even more stress from the noise is allowed, what can be the benefit of expanding the airport? Currently, we need to keep our windows closed, even on the hottest days of summer. Double pane windows do not eliminate the noise. We can no longer use our yards or be outdoors. People's patios are covered in a black film from the exhaust.

It seems to me that the airport is more concerned about profit than it is about the citizens. Please reconsider the extreme negative impact that this expansion is going to have on citizens before you progress further.

A concerned citizen,
Evelyn Breakstone

Keyon, David

From: Evelyn Breakstone <ebreakstone@hotmail.com>
Sent: Friday, January 17, 2020 5:20 PM
To: Keyon, David
Subject: San Jose Airport expansion

Dear Mr. Keyon:

I wish to reiterate my objections to the San Jose Airport Expansion. On South Flow days (19 in December alone and many more in summer than we experienced previously), over 300 flights come over my home at altitudes of approximately 3000 feet.. After 6 years of discussing this problem, it has still not yet been resolved and now you are talking about expanding the airport and consequently the number of flights.

These flights spew exhaust and fumes that are very dangerous to our health. I assume that the amount of these particulates is even worse than smoking cigarettes.

Further to this issue, is that the noise from these planes causes mental and physical stress. Adding more flights will make this matter even worse. During South Flow days, I am fortunate if I am able to sleep 3 hours. We cannot open our windows or hear the birds and we are afraid to breathe this dirty air.

Based on the Environmental Impact Report, there are **two false assumptions:** 1) that there will not be an even greater number of flights over my home, and 2) that there will not be an environmental impact to add greenhouse gases to the air we breathe and cause further damage to our health. **These false assumptions are certainly reasons that I am requesting that this Airport expansion project be rejected.**

Sincerely,
Evelyn Breakstone

Keyon, David

From: [redacted]
Sent: Friday, January 17, 2020 9:48 PM
To: Keyon, David
Subject: object to SJC expansion

[External Email]

Dear Mr David Keyon,

I have been a Sunnyvale resident since 2000. For recent several years, we have been noised by the SJC south flow too much. Silicon Valley is a very high density area, it is not right to expand SJC further. Please do not expand SJC further. Instead, SJC should reduce the daily flights and improve the residential living environment.

Thanks, Hans

Keyon, David

From: Ionut Constandache [redacted]
Sent: Friday, January 17, 2020 5:07 PM
To: Keyon, David
Subject: Stop SJC expansion, SJC airplane noise is becoming unbearable plus the environmental impact will be horrendous

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have a big issue with loud airplane noise over Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue that hasn't been addressed in ANY accommodating way. despite residents efforts. There are real people including children hurting under these airplane rails. Until the airport and SJ addresses these issues any expansion in the SJC airport is an ill driven and ill conceived goal. Please stop!

The noise is the immediate concern but as mentioned in the report there are serious environmental issues as well, and long term the environmental impact is going to just compound. Let's stop putting more carbon into the skies, let's do right by our neighbors.

Thank you,
Ionut Constandache
Sunnyvale resident

Keyon, David

From: Jack Yu [redacted]
Sent: Friday, January 17, 2020 4:23 PM
To: Keyon, David
Subject: EIR comments for SJC expansion

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

Thanks,
Jack

Keyon, David

From: Jay Whaley [redacted]
Sent: Friday, January 10, 2020 7:00 PM
To: Keyon, David
Subject: San Jose Draft Environmental Impact Report

[External Email]

Dear David Keyon,
We completely support the letter from Sky Posse dated January 8, 2020, summarizing comments on the draft environmental impact report.
We have been severely impacted by the noise of aircraft landing at SFO , since implementation on Next Gen.
We have been 2 of the many residents who have reported 4,000 to 7,000 complaints PER DAY from our area.
We must all cooperate and work for a solution to this induced environmental negative impact, that is fair to all in the entire community.
Sincerely,
Sallie and Jay Whaley
[redacted]

Keyon, David

From: Jennie Dusheck [redacted]
Sent: Tuesday, December 31, 2019 8:10 AM
To: Keyon, David
Subject: RE: "Mineta San Jose Airport projects 50% passenger growth, proposes expansion"

I read the recent Maggie Angst piece on plans to expand Mineta to accommodate airlines' growth plans.

Staying under 1.5 C to avoid the worst effects of climate change, means the airline industry must not expand. Air traffic is a significant contributor to global warming both from emissions and from the effects of contrails.

I strongly opposed expanding Mineta and would like to suggest devoting the funds allocated to Mineta be diverted to the California High Speed Rail Project and, for example, the new Diridon Station.

Jennie Dusheck, MA
Science, Health & Climate
[redacted]

Keyon, David

From: Jennifer Landesmann [redacted]
Sent: Friday, January 17, 2020 11:09 AM
To: Keyon, David
Subject: SJC Draft EIR

[External Email]

Dear Mr Keyon and City of San Jose,

I am a resident of Palo Alto, among the many who witnessed a dramatic increase in aircraft noise from both SFO and SJC since 2014. Neither the FAA or airports have been forthcoming with information about risks from noise or emissions. On the contrary - there have been misleading reports that planes are quieter - the engines are quieter but when hundreds of planes are repeatedly flying at low altitudes over communities, it is neither quiet or clean and requires mitigations.

I ask that you please respond to all the suggestions made in the recent letter from Sky Posse Palo Alto.

- Install noise monitors
- where noise complaints have erupted since 2014

- Produce noise maps to
- the 45 DNL level, validating FAA's models with ground measurements

- Engage with the SCSC
- Roundtable http://scscroundtable.org

Also, please see

- Recent report about aircraft releasing jet fuel over schools before an emergency landing. The report states FAA protocol that jet fuel released above 5000 feet evaporates which means that **there are serious risks with emissions and particulates BELOW 5000 feet.**

https://www.youtube.com/watch?v=uFptk0-Y2_E, and

- January 15, 2020 meeting Video http://spectrumstream.com/streaming/bgpaa/2020_01_15_taskforce.cfm **includes a presentation by children from Los Angeles Unified School District** which mentions data on the higher amount of asthma medications used in communities under flight paths compared to the national average.

The problems to children are real -

- Burbank for Quiet Skies Presentation http://hollywoodburbankairport.com/wp-content/uploads/2020/01/Burbank-for-Quiet-Skies-Compressed.pdf If a citizen can come up with the data and analysis in this presentation, surely a Silicon Valley Airport can do as well.

The City of San Jose should not bank and profit from the destruction of neighborhoods or early death of thousands of people. Full mitigation and AVOIDANCE of causing harm is needed which begins with transparency and thoughtful study of all projected impacts. Thank you,

Jennifer Landesmann

Keyon, David

From: [redacted]
Sent: Monday, December 30, 2019 7:28 PM
To: Keyon, David
Subject: Airport pollution control without ground transportation?

An article (in today's Mercury News) about airport pollution that doesn't mention the lack of ground transportation to&from the airport? BART is coming to San Jose but not to the airport. Big mistake. A mistake first made with light rail, and now being repeated with BART.

Provincial San Jose and its airport are consigning themselves to the bush league of cities in the decision not to bring in BART. The tenth-largest city in the nation? Not by any standards of efficient public transportation to its international airport.

Do the math : how many solo car trips to SJC would be replaced if a reasonable alternative existed. Then write a credible article about airport pollution that does not overlook this critical component of including SJC in BART's routing.

Keyon, David

From: Joel Hayflick [redacted]
Sent: Monday, December 30, 2019 6:58 PM
To: Keyon, David
Cc: Sky Posse Post; [redacted]
Subject: Regional impacts of Mineta airport expansion proposal

[External Email]

Dear Mr Keyon,

Today's San Jose Mercury News ran a story by Maggie Angst beginning on page B1 describing the proposed expansion of SJC. I live in Palo Alto where the impact of low and loud jet aircraft noise and 10 nm particulate exhaust from jet planes on approach to SJC has increased dramatically over the past four years. The negative impact of chronic jet noise and exhaust exposure on human health is well documented in peer-reviewed publications and includes cardiovascular toxicity and poor school performance by children. Jets on approach to SJC routinely get routed over Palo Alto at or below 1800 ft elevation. On a recent day, at least 15 flights on approach to SJC were counted flying at or below 1800 feet over Palo Alto. These flights, combined with more than 300 daily low and loud flights on approach to SFO flying over mid-town Palo Alto 24/7/365, have a chronic negative impact on health and quality of life for residents of Palo Alto. The reason for this chronic human noise and exhaust exposure is the FAA's rollout of the Nor Cal Metroplex NextGen plan in 2014.

The proposed expansion of SJC leading to projected 50% increases in air traffic does not take into account the projected expansions in air traffic into and out of SFO and OAK. The proposed expansion of SJC will have a regional impact. Therefore, this proposal must involve stakeholders from across the region and importantly must include citizens on the ground in midtown Palo Alto who will be negatively impacted to an even greater extent than we are today.

Regards,
Joel Hayflick

Keyon, David

From: Justin Burks [redacted]
Sent: Sunday, January 12, 2020 12:06 PM
To: Keyon, David
Subject: Public comment SJC AIRPORT MASTER PLAN Update FILE NO. PP18-103

Good morning,

The SJC Airport has insufficient public transit options. Expanding public transit option should be addressed in the master plan update. For regional travelers, including those like myself traveling from Santa Cruz County, Section 4.17.1.2 Existing Conditions and policy IE-4.3 is insufficient to encourage non-car transit to the airport. The existing conditions require me to buy up to 4 separate fares to travel to the airport, with uncertainty that each of my transfers will get me to the airport predictably and on time.

When I take the Hwy 17 express bus, I have two options to get to the airport yet both require two transfers each (Diridon train station to LTR to route 60 or to caltrain to route 60). A direct shuttle to Diridon, an airport connector, transfers between those modes of public transit without additional fees, and/or improved signage at Diridon to guide people to the airport is essential with this expansion.

More incentives and clear public transit connections to the airport while minimizing transfers is essential with this expansion.

Thank you for your time.

Best,
Justin Burks
Santa Cruz County resident, professional in Santa Clara County, and frequent SJC flyer

Keyon, David

From: KAREN EDWARDS [redacted]
Sent: Thursday, January 9, 2020 12:45 PM
To: Keyon, David
Subject: Please please reduce plane noise

[External Email]

I'm writing as I've learned about sky Posse and the work to reduce noise in Palo Alto. It has become so loud that it is disturbing my sleep and creating anxiety. It's beyond a nuisance at this point.

Keyon, David

From: Karen Parker [redacted]
Sent: Monday, December 30, 2019 6:59 PM
To: Keyon, David
Subject: San Jose airport

[External Email]

You must add moving sidewalks inside terminal. It is already too long a walk for myself and many of our visitors!

Sent from my iPhone

Keyon, David

From: Kathy James [redacted]
Sent: Monday, December 30, 2019 8:17 AM
To: Keyon, David
Subject: San jose airport

[External Email]

I read today about proposed “improvements and expansions” to SJC. May I please ask you to consider doing something about the lack of adequate Long Term Parking. I have expressed my concerns in the past, but it has fallen on deaf ears. I will try again. It has been a nightmare now for years.,,ever since the huge lot at the far end was eliminated. We have nearly missed flights trying to find parking. We even had one shuttle driver tell us that it is at capacity by 7 in the morning.

On one flight day we were so frazzled trying to find an alternate lot that actually had a space I developed a migraine. Needless to say it wasn’t a pleasant trip. Finding long term parking has become so stressful that we now limit our travel and have had to take on the added expense of hiring a private driver to avoid parking altogether.

So if you really want to expand use of the airport, make long term parking convenient again.

Kathryn James
Ben Lomond

Have a nice day

Keyon, David

From: Kelly Hails [redacted]
Sent: Friday, January 17, 2020 11:00 PM
To: Keyon, David
Subject: SJC Expansion

Hello Mr. Keyon,

Regarding the SJC potential expansion, I urge you to reject this proposal!

Our neighborhood and family already suffer from the NextGen flights during south flow operations , and this expansion would make things worse.

Sincerely,

Kelly Hails, 30+ year resident of Sunnyvale

City of San Jose
200 East Santa Clara Street, 3rd Floor Tower January 13th, 2020
San Jose, CA 95113-1905
Attention: City of San Jose Council, Planning Commission and Planning Staff

Subject: Council Agenda 1/14/20, Item 6.1, File No. PP18-103 Amendment to the San Jose International Airport Master Plan

City Council and Mayor

This letter represents high-level comments regarding the proposed amendment to the **Mineta San Jose International Airport Master Plan (File PP18-103)**. To be clear, these are submitted as a private citizen and not in my role as Airport Commissioner.

The following items do not appear to be addressed in the Environmental Impact Report, are material and should be addressed prior to approving the EIR:

1. The demand forecast used in the EIR is dated. The date of the report (Appendix C of the EIR) is 6-2-2017. It only includes data from 2015 and in come categories 2016. The demand forecast should be updated. There is no mention in the EIR of the most recent OEI study and City Councils' action that was taken in February 2019 selecting Option 4 that will raise building heights over downtown and the Diridon Station areas. That decision will affect some long haul and international flights and will change the demand forecast going out to 2037.
2. What is the impact of a potential closure of *Reid-Hillview airport* on SJC, particularly as it relates to project General Aviation operations at SJC (e.g. 3.2-1, page 22)?
3. Capital improvements to the customs area/entry point for international flights into SJC appear to be missing from the EIR.
4. The emergence of Air-Taxi services that may impact both airside and landside operations is not considered
    a. For example, table 3.2-3, page 23 does not show this type of new aircraft serving SJC.
    b. The impacts could include new landing pads, as well as enhanced electric infrastructure to accommodate electric drivetrains.
5. The EIR does not appear to support stated policy goals IE 4.3 or IE 4.9, as there are no direct public transportation options, for example a direct connection to BART, Caltrans or VTA to the airport, are not developed in the EIR. For instance, there doesn't appear to be any mention, much less study, of a possible connection to either the Diridon or Santa Clara train stations via some sort of transit connector (T-18 referenced on page 38 of VTA's 2040 Strategic Plan and more recently asked for in the Stevens Creek-Diridon Airport RFI).
6. How does the Airport Master plan fit with San Jose's vision to reduce environmental impact by building housing closer to the workplace and reducing car-dependency as

envisioned in its plan for urban villages? Why not look at the Airport Master plan as a special case of an urban village?

For more detail regarding concerns and items that should have been addressed in the EIR, please see the attached document "*File PP18-103-Connolly-Greenlee-Hendrix-Pyle Comments on Airport Master Plan.pdf*", that was submitted January 31, 2019 as part of the Notice of Preparation for this EIR.

Sincerely,

Ken Pyle, D1 Airport Commissioner

Attachment: *File PP18-103-Connolly-Greenlee-Hendrix-Pyle Comments on Airport Master Plan.pdf*

City of San Jose
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905
Attention: City of San Jose Council, Planning Commission and Planning Staff

January 31st, 2019

Subject: File No. PP18-103 Amendment to the San Jose International Airport Master Plan

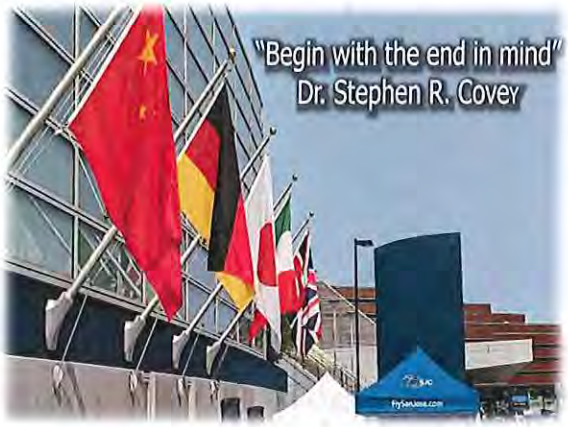
Messrs. Keyon and Greene

This letter represents comments from the individuals listed at the bottom of this correspondence regarding the proposed amendment to the **Mineta San Jose International Airport Master Plan (File PP18-103)**. Although they are Mineta San Jose International Airport Commissioners, the views are their own. These comments are split into three sections;

- Vision, which talks about the importance of understanding the Airport's expansion plans interact with other San Jose developments.
- Premises – discusses some of the changes we can expect by the year 2037 due to technological and economic changes.
- Comments – reference the proposed changes

Vision:

"Begin with the end in mind," is the wisdom Stephen Covey taught us decades ago. It is important to have a clear and common vision that serves to align the strategies and tactics necessary to accomplish something big and bold. When we look at the proposed changes to the Airport Master Plan, we see a capacity planning exercise, not a vision.



Watch the video at https://youtu.be/OoBV64h7A0Y

What we don't see is how this incredible community asset ties into other nearby assets such as the adjacent Guadalupe River and its associated park, downtown and Diridon Station to the south, the Santa Clara train station to the west, BART to the East and the economic engine of North San Jose.

It's time to reimagine the airport as more than just a place that facilitates the movement of people and goods. It can be so much more than that and can be an integral part of the community as a place to live, work, shop, and play.

The author of the blog Airport Urbanism, Professor Max Hirsch indicates that this happening today in places like the Netherlands, Finland and Singapore. He suggests that creative use of

airport land can help an airport's finances by dampening the economic volatility of the airline industry. Hirsch writes,

> "Leading global hubs like Amsterdam Schiphol, for example, generate up to 20% of their overall income—and more than a third of their profits—through landside real estate. That's because the profit margins on commercial developments are considerably higher compared to aeronautical charges."

The 20-million passenger Helsinki Airport, located in the nearby city of Vantaa, Finland is creating a dense, urban walkable city center, Aviapolis, where people from bag handlers to knowledge workers will be live. It will also provide foreign visitors a first impression of Finland. Tapping the creativity of the crowds, Vantaa held an international competition to elicit ideas on how to shape this innovate urban airport district.

When you look at SJC's strategic location on a river next to a park - really the Central Park of San Jose - near transportation hubs, it is in a good position to help alleviate some of San Jose's housing, commercial office space, transportation, and limited parkland issues.

We have several activities going on that should be considered as inputs to the master plan, including the one engine inoperative study, the upcoming community meetings for the Diridon Station Area - aka the Google village - the airline lease negotiations. All these things will impact each other, and they are especially going to impact the Master Plan's projections for future growth.

Diridon Integrated Station Concept Plan

Diridon Station Area Plan + Google Project

As the community and city participate in these activities, it is important to have a mindset of what will be in 2037 and beyond, not what is today. From air taxies to shared electric, autonomous vehicles to the standardization of modularized, car-free, micro-housing, both mobility, and the built environment are going to be significantly different in 20 years.

Whether this means reduced parking demands or new feeder routes from on-demand air taxies, technology and operational improvements will have impacts on both the landside and airside operations of the airport. None of these potential changes are addressed in the master plan.

it's time we tie those things together with a vision; a vision that will align seemingly disparate projects into a cohesive community; making for a better San Jose and a better Silicon Valley.

Premises:

The proposed changes to the SJC Airport Master Plan extend the plan to the year 2037. Before we look forward, let's look back 18 years ago. In 2001, there was no smartphone, Facebook's Mark Zuckerberg was still in high school, AOL was the World Wide Web for many people, and GE was the world's most valuable company as measured by market capitalization.

Fast-forward two decades from now and we are sure to see similar changes in mobility and the built-environment based on the technological developments occurring today.

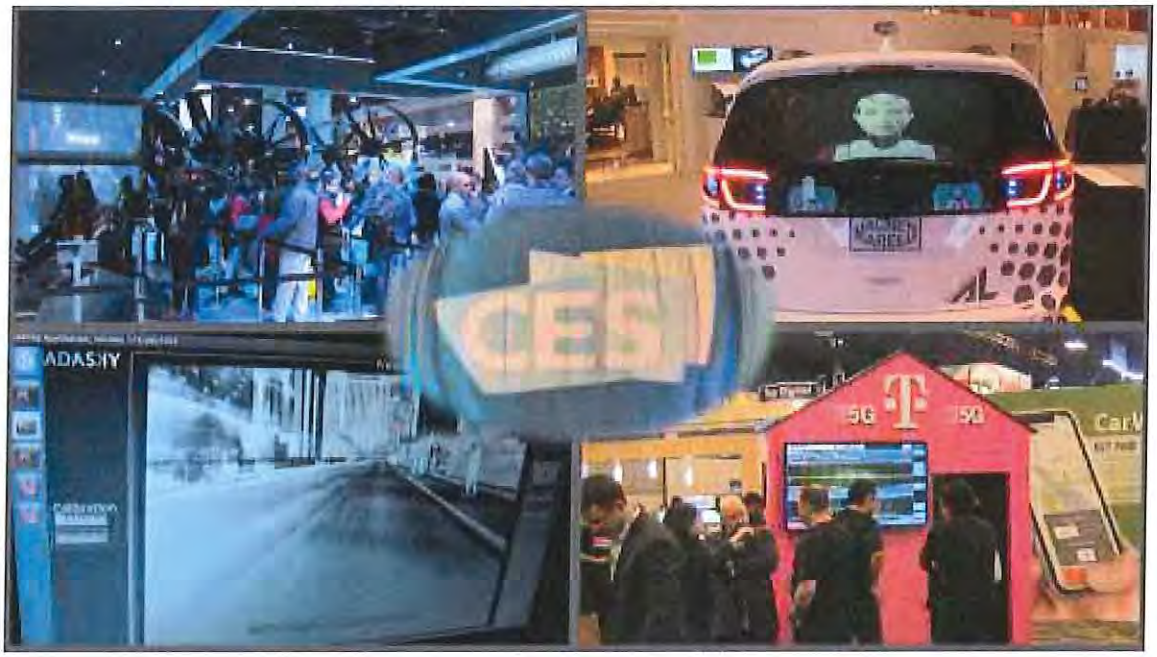


Figure 1, The Future at CES2019

Some of these developments include:

- **Autonomous Electric Air Taxies** are likely to be mainstream at some level, given the interest from major companies, such as Airbus, Bell Helicopter, Uber (PDF) and start-ups like Airspace Experience Technologies, Joby Aviation, and Lilium. Bye Aerospace is projecting operating costs for its electric trainer plane, slated for 2020 delivery, of approximately **$3 per hour or 2 cents per mile**. This promises cleaner transportation at a tenth of the current operating cost. The Air Taxi services will most like be intercity transit (e.g. San Jose to San Francisco) as alternatives to traditional transit and/or vehicles, as envisioned, may be as likely to be from building to building, as it is airport to airport.
- **Autonomous Vehicles** – The industry may currently be in the so-called "deflated expectations", just as the broadband ecosystem was with the demise of Webvan, Pets.com, and others at the turn of the century. In the meantime, start-ups and established companies are working on solutions for the operational issues that will be

required for autonomous driving to scale. Policy at the local, state and national will be critical to determining whether the future is shared autonomous or zombie cars; the so-called heaven or hell scenarios. In either scenario, there is likely going to be less demand for parking on a per passenger basis in 2037 as compared in 2019.

- **Boring** – Elon Musk's December 2018 unveiling of his 1+ mile tunnel in Hawthorne, CA was widely derided by transportation experts as being unfeasible as a potential subway alternative. The real break-through was an order of magnitude reduction in cost for boring, compared to traditional methods. The techniques he employed for boring, along with low-cost, autonomous electric shuttles, which will become common by 2037, could make point-to-point transit projects financially viable, such as a connector between the Santa Clara train station and SJC. For a high-level analysis of one such scenario, please **click here**.

- **Solar, Energy Storage & Microgrids** – The cost of electricity from alternative energy sources and associated storage continues to drop and is already close to parity with electricity from fossil fuel powered generators (see this article as a recent example). By combining power generation and storage, it is possible to create a microgrid, independent from the larger grid, providing resilience in the event of an outage from a manmade or natural disaster.

Example of solar panels on/next to a fence

- **Land will Become More Valuable** – Unless there is an economic Armageddon, Silicon Valley land will continue to become more precious and will be reflected in the cost of housing. If we want to have a middle class, we will need to more efficiently utilize the land already devoted to housing, mix-use to reduce vehicle miles traveled and look at ways to better use land now dedicated to automobiles. **Patrick Kennedy of Panoramic Interests** puts it well with his statement that we need high-quality designs that are micro, modular and car-free if we are going to begin to tackle the high cost of housing.

Comments on the EIR

The following comments are made in the context of the above premises for how things will be different in 2037.

1. Do the air traffic growth projections account for possible reduction in international and transcontinental service that will likely result, if the City of San Jose adopts the Airport's recommendation in its January 10th, 2019 memo?
2. What is the plan to accommodate electric vertical take-off & landing (VTOL) and other air taxis that may become both an airport connector (e.g. SJC-SFO, like the helicopter shuttles that flew between those airports in the 1960s), as well as an alternative shuttle to get to the airport (air taxi, such as what Uber proposes)? Specifically,
    1. What will be the impact on the airside operations (e.g. new pads to accommodate electric VTOL shuttle take-off and landings for inter-airport flights)?
    2. What will be the impact on the landside operations? For instance, will the airport need to build new pads, say, on top of a parking lot, to accommodate electric VTOL air taxi take-off and landings for air taxi service (e.g. building to-airport flights, where the passengers check-in and pass through screening after being dropped off by an Air Taxi)?
3. Could **T-8** be more generalized to include other types of buildings, such as hotel, workforce housing, offices, etc.? This might require zoning that isn't possible in today's code (e.g. housing on airport property).
4. Could the scope of **T16** (hotel) include the flexibility to include things such as building above a parking lot? Could it also include a bridge over the road that separates it from the terminal? This bridge might also be part of the building, effectively using the space above the road for offices (e.g. SJC admin offices), hotel rooms and, potentially, workforce housing.
5. Is a connector between the SJC and the Santa Clara train station included in the General Plan changes? A transit connector is part of VTA's 2040 plan (T-18, referenced on page 38 in the VTA plan), but it doesn't seem to be in this plan? Does the terminal need to be included in the General Plan change? See this post for a fresh look at this challenge and how to potentially create a connector that pays for itself.
6. What about the property that is just north of De LaCruz/Trimble that had the Radar field. That should be looked at for some activity, such a solar power field.
7. Regarding solar power and energy storage, what opportunities are there to integrate solar power (e.g. ring the fences with solar collectors, as an example) and does this need to be mentioned in the General Plan?

Sincerely,

Dan Connolly, D10 Airport Commissioner
Raymond Greenlee, D6 Airport Commissioner
Catherine Hendrix, D9 Airport Commissioner
Ken Pyle, D1 Airport Commissioner

<TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>
Cc: Kazmierczak, Matthew <MKazmierczak@sjc.org>
Subject: Comments regarding Item 6.1 on 1/14 Council Agenda, File No. PP18-103 Amendment to the San Jose International Airport Master Plan

Honorable Mayor and Council,

Attached please find my comments regarding item 6.1 on tomorrow's Council agenda, File No. PP18-103, Amendment to the San Jose International Airport Master Plan. The comments are found in the attached file called

File PP18-103- Comments on Airport Master Plan-200113 - Pyle.pdf

The second attachment represents comments submitted last January regarding the Notice of Preparation for the EIR

Sincerely,

Ken Pyle

--

[redacted]

--

Ken Pyle
Managing Editor

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[redacted]

- [redacted]
  - [redacted]

MENU

The Air MaaS Solution #CES2020

JANUARY 15, 2020

Bell continues demonstrating progress in its journey to create a new mode of affordable, nter-city travel with its introduction of the Bell Nexus 4EX and Bel AerOS. The Bell Nexus 4EX features 4 ducted fans, electric power (although it can be configured for hybrid-electric configuration for longer range), and five seats. In the above interview, Naveed Siddiqui, Technology Partner for Bell Innovation, indicates that today the electric version provides 60 miles of range, perfect for many urban inter-city applications.

Highlights of the above interview

- **01:02** – Challenges of catchment, landing, and taking-off
- **02:21** – What are some of the use-cases?
- **02:59** – An overview of the Bell Nexus 4EX – in service between 2025 & 2030
- **04:01** – Engagement with cities and their concerns
- **05:32** – A shared air mobility as a service approach
- **05:58** – The Bell platform
- **06:29** – What about visual pollution?
- **07:35** – What about fast-charging to maximize utilization?

Beyond hardware, Siddiqui emphasizes that a systematic approach is necessary to coordinate the entire journey from the integration of ground transportation networks, to mobility centers to traffic control and in-flight communications. Bell AerOS is the backend that will serve as a cloud-based (Microsoft Azure) operating system "to manage fleet information, observe aircraft health, and manage throughput of goods, products and predictive data and

maintenance." In a sense Bell AerOS will be the brains that will allow an operator to manage an aerial transportation fleet.

Example of a mobility center in a mixed-use environment

Siddiqui echoes the CES2020 ***Solving for City Infrastructure (YouTube)*** panel which emphasized the importance of private public partnerships in understanding how this 3rd dimension Mobility as a Service fits within ndividual communities and regions and the role it plays in the evolution to so called smart ities.

he composition of the panel reflected this theme of collaboration, as it featured the respective mayors of Arlington and Fort Worth, Te as, an e ecutive from DFW, the world's 4th busiest airport, and an e ecutive from Hillwood, which is the private entity that runs the public private Fort Worth Alliance Airport (AFW) and which bills itself as the world's first ndustrial airport.

AFW is tied into the 26,000 acre **AllianceTexas** master planned community, which features the **AllianceTexas Mobility Innovation Zone**. The AllianceTe as MIZ is a sandbo for testing new ways to transport goods and people, both on the ground (e.g. autonomous trucks) and in the air (e.g. drones).

With Bell headquartered in Fort Worth, along with willing government and private partners, the 7+ million population Da las Fort Worth area is establishing itself as a testbed for Bell's ambition of providing an affordable alternative to ground based regional transportation.

And although pricing is not provided for the Bell Ne us 4EX or the associated cost of mobility, **Viodi's recent look at the economics of electric airplanes** suggests certain use cases, such as high speed transportation from the high cost Silicon Valley to California's Central Valley, ould already be more economical than land based alternatives.

o reach the long term goal where aerial transportation can start to significantly remove traffic from city streets, new transit hubs will be needed. Bell envisions these to be mobility enters that integrate multiple modes of transportation, from scooters to electric bikes to ar to air ta is. Because of the vertical take off

and landing capabilities of their aircraft, Bell envisions these mobility centers as integrating with e isting land use and not requiring the segregated and massive fields of an airport.

Example of a mobility center with mixed modes of transit.

Both Siddiqui and the panel emphasize the rollout will be in stages and that the first ommercial use cases could begin as soon as the mid 20s. These first flights will be piloted and probably be on routes with proven demand using e isting airport facilities, such as AFW to DFW.

Speaking on the panel, **Russell Laughlin, EVP of Hillwood**, predicted that by 2035 to 2040 the network becomes scalable and that wide scale transportation moves into the third dimension. As he stated on the panel, the multi dimensional nature of airspace offers enormous capacity, particularly if it is used for shared mobility, like Bell env sions, and not the single occupancy vehicle domination of terrestrial travel.

aughlin emphasized that the earth based infrastructure and communications networks will have to keep pace. As would be e pected, the panelists discussed the role of 5G networks in such an environment [One has to wonder whether a land based 5G network could handle hand offs at the speed of an air ta i and whether a low earth orbit space based network, such as SpaceX's Starlink, might be a more effective communications method, but those are questions for a future article].

Safety, low carbon footprint and low noise are attributes that are inherent in both the Bell Ne us and Bell APT (Autonomous Pod Transport) vehicles. Both Siddiqui and the panel emphasize the importance of working with local public officials as well as the general public to create, as Princeton's Dr. Kornhauser would say, a welcoming environment for this new form of inter city transportation.

Amped Up for a New Way to Commute #CES2018

Swap and Go Mobility #CES2016

Through the Air or On the Ground, CES2019 had Mobility Covered

Posted in **Autonomous Vehicles, New Mobility & the Built Environment**, **Electric Vehicles**
Tagged **Air Taxi**, **Bell**, **CES2020**, **drone**, **Electric Aircraft**, **MaaS**, **Mobility as a Service**

EDIT

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Viodi View - 01/04/19

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The Winchester Urban Village

THE 3RD DIMENSION - FLIGHTS OF FANCY

A Practical Application for a Boring Company

JANUARY 14, 2019 | KEN PYLE | 6 COMMENTS |

[Disclaimer: The ideas and views in this post do not represent any of Ken Pyle's professional or volunteer roles (including his role as SJC Airport Commissioner) and are strictly his own.]

Overview:

High-Occupancy Autonomous Electric Vehicle (AEV) running between Exhibit Halls. Courtesy The Boring Company. [note, this photo was added on 6/5/19]

An order of magnitude less expensive than traditional tunneling methods is the promise of The Boring Company. Assuming The Boring Company's numbers are close to accurate, this could be a game-changer, if not for entire networks of transportation, like Elon Musk envisions, but for point-to-point solutions.

This brief analysis looks at one such challenge, which is ferrying people from SJC, Silicon Valley's Airport, to the Santa Clara train station, which is expected to be a major hub with service from Caltrans, BART, and High-Speed Rail.

[**Added 2/8/19** – On February 5th, 2019, the San Jose Mercury News (https://www.mercurynews.com/2019/02/05/san-jose-mayor-in-talks-with-elon-musks-boring-company/?fbclid=IwAR2PCu3cmnwGCb_ABi-wEpU1hL0t20WfirkAqnnLRqDKJSl7f2wLWmaIeKk) reported that San Jose Mayor Liccardo is pushing for an RFI to explore a direct connection via the Diridon train station and SJC. This author recommends that both that linkage, as well as linkage mentioned herein, is explored in such an RFI. Also in that RFI, consideration for adding bike/pedestrian connectivity, perhaps as a second tunnel, should be considered. As referenced in this submission to the City of San Jose regarding the Airport Master Plan (https://winchesterurbanvillage.files.wordpress.com/2019/01/filepp18-103-connolly-greenlee-hendrix-pylecommentsonairportmasterplan.pdf), such connectivity should be part of a larger vision that connects North San Jose, Santa Clara, Santana Row, Bart/Berryessa, and Downtown.]

What Makes The Boring Company's Approach Different

The Boring Company is doing some innovative, but not exactly exotic, things to reduce costs, including boring smaller tunnels than would be needed for traditional transit, turning the dirt into bricks (instead of hauling it away) and running the boring machines 24-hours per day using electricity and via robotics.

Example of one of the many electric pod vehicles shown at CES2019

This technology could provide for an interesting connector between SJC and the Santa Clara train station. At $10M per mile, this might be a fairly inexpensive way to create a connector to the airport (T-18 on page 38 of the VTA VTP-2040 Plan (http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site_Content/VTP2040_final_hi%20res_030315.pdf)). To be clear, this would be unlike The Boring Company's proposal where private vehicles would be lifted up and down. The electric, pod-like vehicles would stay in the tunnel.

Assumptions and Business Case:

The following spreadsheet provides a rough estimate of capital and operating costs based on a set of assumptions. To directly access the spreadsheet, go to this link:

https://docs.google.com/spreadsheets/d/1rxBCOGifqLi03E6Sr_LzRd9qS-E4EK_N9qsNxh2gOh8/edit?usp=sharing (https://docs.google.com/spreadsheets/d/1rxBCOGifqLi03E6Sr_LzRd9qS-E4EK_N9qsNxh2gOh8/edit?usp=sharing)

Connector Using the Boring Company Approach : Connector Economics

Connector & Passenger Assumptions	
Average speed (MPH)	
Distance -	
Time of Travel	
Loading/Unloading Time	
Number of trips per vehicle per hour	
Average number of passengers per vehicle	
Capital & Operating Costs	
Number of active vehicles	
Number of spare vehicles	
Average number of hours used per day	
Tunnel cost per mile	$20,0
Tunnel life	

Connector Economics

The total cost per passenger would be less than $1.50. A $3 charge would provide a 50% margin while paying back capital costs (unlike, Oakland AirBart connector, which charges $6 just to cover operating costs, has a top speed of approx. 25 MPH and isn't covering any capital costs (https://www.sfchronicle.com/bayarea/article/BART-s-Oakland-airport-connector-turning-into-10984679.php)).

Of course, there are a lot of assumptions in the above model (e.g. could there really be a demand of 1M passengers (that would represent only about 7.5% of current SJC passenger demand, so maybe not too far off). It might eat into parking revenue and TNC revenue, but it could be priced accordingly. Also, the vehicles would probably have to be sized to carry about 16 people max (to get the average of 8 people), but they could probably use the same skateboard, as an existing Tesla and wouldn't need all the interior bells and whistles of a Tesla).

Some assumptions, like the cost of electricity and even the cost of the pod vehicles, could be lower (e.g. inductive charging through the concrete could greatly reduce the battery size on the pod vehicles (http://viodi.com/2018/12/13/a-concrete-plan-for-wireless-charging-idtechex/), life could be more like 500k miles), lowering upfront costs and ongoing electricity needs. There is slack built in the above model, so, for example, say the number of passengers is less than half assumed, then the operating and amortization of capital costs would increase to $2.87 per passenger; not good, but lower than a price of $3 per passenger.

Clearly, the above model needs refinement, but it appears to be compelling enough that it deserves further study by VTA & SJC.

6 thoughts on "A Practical Application for a Boring Company"

1. Pingback: Comments on SJC EIR 2037 Master Plan | The Winchester Urban Village . Edit
2. **Ken Pyle** says:
   JULY 1, 2019 AT 3 28 PM EDIT
   And in May 2019, Las Vegas inked a deal with the Boring Company to create two vehicle tunnels and one pedestrian tunnel over a mile that is supposed to open in 2020 for approximately $48.675M.

   https://www.thenewsmarket.com/global/latest-news/all/las-vegas-moves-forward-with-first-underground-people-mover/s/a55fe1f7-bd53-405e-920e-32d194dda925

   1. **Ken Pyle** says:
      NOVEMBER 17, 2019 AT 9:01 PM EDIT
      It looks like it is $52.5 Million for two each, 1 mile tunnels It appears that this is the all-in cost and includes electric Tesla vehicles that seat between 3 to 16 people. They broke ground November 15, 2019 and is expected to be ready by Jan 2021. They will be boring 100 feet per day.

      https://www.thenewsmarket.com/global/latest-news/las-vegas-convention-center-makes-history-as-elon-musk-s-the-boring-company-begins-tunneling-the-des/s/a313340f-1f36-4dd7-a53b-76c399215586

      and pictures

      https://www.thenewsmarket.com/global/latest-news/las-vegas-convention-center-makes-history-as-elon-musk-s-the-boring-company-begins-tunneling-the-des/s/a313340f-1f36-4dd7-a53b-76c399215586

3. **Ken Pyle** says:
   JULY 10, 2019 AT 10 02 AM EDIT
   The addition of a pedestrian/bicycle/micromobility tunnel between the Santa Clara train station and SJC could open a car alternative to the North San Jose and Downtown San Jose to the new Gateways Crossing project. The reduction in VMT might justify such a tunnel.

   https://sanjosespotlight.com/santa-clara-clears-way-for-massive-residential-development/

   1. **Ken Pyle** says:
      AUGUST 15, 2019 AT 10:16 AM EDIT
      And, one person's tale of riding their bike to the airport to catch a plane. It's possible.
      https://www.outsideonline.com/2400774/we-need-bike-friendly-airports

4. **Ken Pyle** says:
   NOVEMBER 6, 2019 AT 9 23 PM EDIT
   Arggh, I heard that the FAA would most likely not approve a tunnel under a runway because of structural integrity concerns. Hmmm, I suspect that airports like Atlanta that have tunnels don't go under the runway…..

Connector & Passenger Assumptions			Notes
Average speed (MPH)	30	MPH	
Distance -	1	Miles	assumes straight line, which would mean boring under the runways)
Time of Travel	2	Minutes	
Loading/Unloading Time	2	Minutes	
Number of trips per vehicle per hour	15		
Average number of passengers per vehicle	8		assumes 16 max. people per shuttle like vehicle
Capital & Operating Costs			
Number of active vehicles	2		
Number of spare vehicles	1		
Average number of hours used per day	12		
Tunnel cost per mile	$20,000,000	per mile	This is double the Boring Company's estimate, which include engineering, make-ready costs, over-runs, etc.
Tunnel life	20	years	Tunnel entrance/exit assumed to be part of existing buildings
Vehicle cost	$250,000	per vehicle	(assumes custom made, although there are a number of pod like electric vehicles available under design today and, in volume, the cost could easily be sub $100k)
Vehicle life	200,000	miles	
Operating expenses (e.g. cost of electricity, tire replacement, etc.)	$0.10	per mile	One estimate assumes approx. $540 to drive $15k miles
Results			
Average number of passengers per day		2,880	
Average number of passengers per year		1,051,200	
% of passengers taking connector		7.35%	assumes 14.3 M passengers per year
Average number of miles/vehicle/year		65,700	
Amortized Costs per Passenger			
Capital costs per passenger (Tunnel)	$0.95		
Capital costs per passenger (Vehicle)	$0.47		
Operating expense per passenger (electricity, tire replacement, etc.)	$0.013		
Total estimated cost per passenger		**$1.43**	

Keyon, David

From: Ken Pyle [redacted] >
Sent: Friday, January 17, 2020 4:47 PM
To: Keyon, David
Subject: Re: Comments regarding Item 6.1 on 1/14 Council Agenda, File No. PP18-103 Amendment to the San Jose International Airport Master Plan
Attachments: The Air MaaS Solution #CES2020 – The Viodi View.pdf; A Practical Application for a Boring Company _ The Winchester Urban Village.pdf; Connector Using the Boring Company Approach - Connector Economics.pdf

[External Email]

Hi David,

I would be remiss if I didn't include the enclosed attachments as input to the Airport Master Plan. The first is an article and interview I published about Bell's Air Taxi and, more relevant, how they are working in the Dallas Fort Worth area with cities, airports and private institutions to create a path for the deployments of this third dimension of travel. Again, as mentioned in my earlier correspondence, Air Taxi's are not mentioned in the current Airport Master Plan, although they definitely are in the realm of possibility within the timeframe of the proposed Airport Master Plan.

The other two attachments are an idea that I had posted in January 2019, prior to the proposal for the City of San Jose-led RFI regarding an SJC-Diridon-DeAnza connector. My narrative describes a point-to-point solution from the Santa Clara train station to the airport that could increase the car-free catchment associated with both Caltrain (from up the peninsula and down to Gilroy), as well the East Bay when BART is complete. The comments below the article provide proof-points and concerns that have been learned since the January 2019 article. The one page PDF represents the high-level economics for such an endeavor.

If anyone cares to read these documents online, where it might easier to watch the videos and click on the links, here are the URLs for those two articles.

https://winchesterurbanvillage.wordpress.com/2019/01/14/a-practical-application-for-a-boring-company/

https://viodi.com/2020/01/15/the-air-maas-solution-ces2020/

Other than the acknowledgment email that you will send and that I will appreciate, I doubt anyone will read what has been submitted. In fact, I would buy a drink for any council staff member who replies to this submission (as long as it is under the gift limit - I didn't copy them directly, of course). I certainly understand why there won't be responses, as, with the thousands of pages of documents submitted, it is hard to pull the signal from the noise.

In general, the EIR process doesn't lend itself to creativity nor does it provide an effective way of interacting. And the Airport Master Plan has all the check-boxes one would expect, but there is no boldness and, maybe worse than that, there is no flexibility for future boldness.

For instance, Councilmember Davis was quoted in the San Francisco Chronicle that, in the event that there is too much parking capacity someday thanks to the 11,000 new spaces planned that "garages could be converted into office space if

demand for parking subsidies." That could happen provided that the garages are designed to be converted and that the land-use/Master Plan permits, which it doesn't.

Similarly, as have been submitted previously, the Airport Master Plan doesn't discuss the piece of property just north of De La Cruz, the property that used to be the gas station or the Guadalupe River Gardens.

Most importantly, as mentioned in an earlier submission, the Airport Master Plan doesn't look at the bigger picture of how it might better tie into the surrounding communities of Santa Clara, North San Jose, and downtown, similar to Vantaa in Finland or even the interesting things going on with the Aerotropolis in Atlanta. That is no fault of the Airport Staff and probably requires the council to set that sort of expansive, more regional direction.

Thanks for reading,

Ken

On Mon, Jan 13, 2020 at 5:00 PM Keyon, David <david.keyon@sanjoseca.gov> wrote:

Dear Ken Pyle,

Thank you for your comments on the Draft EIR for the Amendment to the Norman Y. Mineta San Jose International Airport Master Plan. Your comments will be included as part of the public record and will be responded to in the First Amendment to the Draft EIR. The First Amendment to the Draft EIR will be published to the City's website for the project prior to the Planning Commission hearing on the project, and you will be notified by e-mail when published. The website for the project is located at https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/sjc-airport-master-plan-update.

The tentative schedule for the project is to go to Planning Commission and City Council in late Winter/early Spring 2020.

Thank you,

David Keyon
City of San Jose PBCE
Principal Planner Environmental Review
(408) 535-7898

From: Ken Pyle <ken.pyle@viodi.com>
Sent: Monday, January 13, 2020 4:31 PM
To: Keyon, David <david.keyon@sanjoseca.gov>; The Office of Mayor Sam Liccardo

Keyon, David

From: Kim [redacted]
Sent: Thursday, January 9, 2020 1:34 PM
To: Keyon, David
Subject: SJC Airport Expansion draft EIR

[External Email]

To: David Keyon
San Jose Department of Planning, Building and Code Enforcement

Please consider taking the following steps in order to provide citizens with the critical data needed to address the issue of increased noise pollution and other dangers related to the expansion of SJC airport.

1) Install noise monitors in areas where noise complaints began new or grew in 2014.

2) Produce noise maps to the 45DNL level, validating FAA's models with ground measurements.

3) Engage with the SCSC Roundtable.

Thank you for helping us all work together so Bay Area residents can regain control of our environment and make living here more safe and comfortable.

Thank you,
Kim Lemmer
[redacted]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Keyon, David

From: Laura Robinson [redacted]
Sent: Friday, January 17, 2020 9:32 PM
To: Keyon, David
Subject: EIR for airport expansion

Dear Sir,

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), I ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will allow more greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San Jose plans to fight climate change, since SJ is the direct owner and operator of the airport.

Respectfully,
Laura Robinson

Keyon, David

From: Liang [redacted]
Sent: Friday, January 17, 2020 8:55 PM
To: Keyon, David
Subject: Airplane Noise

[External Email]

To: David Keyon at david.keyon@sanjoseca.gov

Dear Mr. Kenyan,
I am a local resident and a constituent in your area.
There is too much noise from SJC south flow operations already. The expansion of airport will incur more flights to make the noise problem worse. I urge you to solve the noise problem prior to the expansion of airport.
Thank you for your consideration.

Liang Tang

Keyon, David

From: lois shore [redacted]
Sent: Saturday, January 11, 2020 1:04 PM
To: Keyon, David
Subject: Help with airplane noise and pollution.

Please help Palo Alto mitigate the noise and pollution of airplane traffic over our homes ,work and schools.

- City of Palo Alto's comment to SJC EIR sent last January. We concur with the City's recommendation for SJC to measure noise contours to 45 CNEL but the City's letter does not reflect the need to employ additional metrics beyond CNEL or DNL and the 2018 FAA Reauthorization law Section 188 "*The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.*" Also - San Jose is part of the Northern California Metroplex, one of the largest in the country. Metroplexes are "metropolitan areas with multiple airports and complex air traffic flows" thus SJC is not a stand-alone airport and **impacts on communities must be looked at together with impacts and projections for other Bay Area airports.**

Thank you,
Lois Shore
[redacted]

Keyon, David

From: Louise Band [redacted]
Sent: Tuesday, January 14, 2020 11:46 AM
To: Keyon, David
Subject: SJC expansion proposal

[External Email]

Dear Mr. Keyon,
I am writing in response to the article in the Mercury News on December 29, 2019, that outlines plans for a large expansion of San Jose Airport. As a resident of Palo Alto who is negatively impacted by the many low flying SJC bound commercial jets which cross our neighborhood during “south flow” weather patterns, I am very concerned by the prospect of increased noise and air pollution. When I moved to Palo Alto in 2007, airplane noise was not an issue, today it disrupts my productivity and quality of life on a daily basis. In addition to the funneling of SFO bound flights (due to NextGen) at lower altitudes across Palo Alto (instead of a dispersed pattern that uses the Bay), we now experience much increased SJC bound traffic. These jets typically fly at or under 2000ft directly over our house, and come a minute apart during “rush hour” on many more days than in the past. With the expansion of routes, and international flights, we are increasingly burdened by deafening noise and particulate matter which compromises health. Until noise abatement is taken seriously and a rollback of flight patterns that target a narrow residential corridor with overlapping routes into both SFO and SJC, I strongly oppose any physical expansion of San Jose Airport.
Thank you for listening to the people on the ground and considering the heavy burden we currently bear from air traffic.
Louise Band

Sent from my iPad

Keyon, David

From: Marko Radojicic [redacted]
Sent: Friday, January 17, 2020 5:50 PM
To: Keyon, David
Subject: FILE NO. PP18-103 SJC expansion

[External Email]

Hello,

I oppose the expansion of SJC. The current existing noise and air pollution is a problem for our urban area. Expansion is highly inappropriate as acknowledged by the environmental impact report.

Sincerely
Marko Radojicic

Sent from my mobile
Please excuse brevity & grammar

Keyon, David

From: Marie-Francoise Bertrand [redacted]
Sent: Thursday, January 9, 2020 11:34 AM
To: Keyon, David
Subject: San José draft environmental impact report

Sir,
We concur with the City's recommendation for SJC to measure noise contours to 45 CNEL but the City's letter does not reflect the need to employ additional metrics beyond CNEL or DNL and the 2018 FAA Reauthorization law Section 188 "*The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.*"

San Jose is part of the Northern California Metroplex, one of the largest in the country. Metroplexes are "metropolitan areas with multiple airports and complex air traffic flows" thus SJC is not a stand-alone airport and **impacts on communities must be looked at together with impacts and projections for other Bay Area airports**
Thank you for your consideration
MF Bertrand
Los Altos Hills

Keyon, David

From: Marie-Jo Fremont <[redacted]>
Sent: Monday, January 6, 2020 4:28 PM
To: Keyon, David
Cc: Darlene Yaplee
Subject: Comments on Draft EIR for the Amendment to the Mineta San José International Airport Master Plan (File PP18-103)

[External Email]

David,

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following 4 reasons:

1.
2. The
3. **project causes an unacceptable health risk**
4. due to the significant impact on Air Quality.
5.

Per the Draft EIR, **Air Quality will have a significant impact**: If implemented, the **expansion project will be inconsistent with the Clean Air Plan** because of significant emissions of nitrogen oxides and PM_{10}, which are particulate matters that are smaller than 10 microns in size:

- The projected **incremental amount of nitrogen oxides** is estimated at 972 tons/year, **almost 100 times the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Note that nitrogen oxides are poisonous gases that lead to the creation of smog. Nitrogen oxides irritate the respiratory system leading to respiratory infections and the development or aggravation of asthma.
- The projected **incremental amount of PM_{10} is estimated at 33 tons/year, more than double the significant threshold of 15 tons/year** (see table 4.3-8, page 121). As noted in the report on page 101, "*PM10 is of concern because it bypasses the body's natural filtration system more easily than larger particles and can lodge deep into the lungs.*" and "*Exposure to PM can increase the risk of chronic respiratory disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, and decreased lung function.*"
- Note also that the projected **incremental amount of $PM_{2.5}$ (particulate matters that are smaller than 2.5 microns in size) is estimated at 9.4 tons/year, which is very close to the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Per the report on page 101, "*$PM_{2.5}$ poses an increased health risk relative to PM10 because the particles can deposit more deeply in the lungs and they contain substances that are particularly harmful to human health.*"

2.
3. The
4. **project increases Greenhouse Gas emissions substantially thus ignoring the problem of climate**
5. **change and going against** the State of California targets to reduce emissions or the City of San Jose plans
6. to fight climate change.
7.

Per the Draft EIR, **Greenhouse Gas Emissions will have a significant impact**: the emissions impact "*conflicts with statewide emissions reduction targets (Impact GHG-2)*" (page 376). **The amount of annual carbon emissions due to aircraft operations will almost double**: the current level is 139,083 millions of tons/year (see table 4.8-2 on page 210) and is expected to increase to 270,977 millions of tons/year if the project is completed (see table 4.8-3 on page 216) thus resulting in a net increase of aircraft carbon emissions of 131,894 millions of tons/year.

If the City of San Jose is serious about its claims that "*the fight against climate change grows more urgent every day*" (see Climate Smart San Jose), it should reject the SJC expansion project given the projected increase in greenhouse gas emissions.

3.
4. **The conclusion that noise**
5. **impact will be less than significant needs further validation** because the conclusion was based on a limited
6. analysis that did not address requests sent in January 2019 such as the ones from Santa Clara County Supervisor Simitian or residents of Palo Alto to go above and beyond the legal minimum, have all assumptions documented, and show noise contours starting
7. at 45 dB CNEL for all cities impacted by SJC traffic (see appendix A below for specific requests). For instance, noise contours of cities affected by SJC traffic or below 60 dB CNEL are not shown in the report; assumptions such as the percentage of south flow
8. versus north flow operations or time used in the analysis are not disclosed. Furthermore, no sensitivity analysis seems to have been performed on the assumptions used to estimate the noise impact (for instance, reference grid location #5 will experience a
9. projected CNEL increase of 1.2 dBA, which is 0.3 dBA short of the required 1.5 dBA increase that would make the impact significant (see table 4-13.9 page 314).
10.

In addition, the analysis does not investigate cumulative noise impact because, as stated in the report, current federal, state, and local regulations do not require cumulative impact analyses for areas outside the 65 dB CNEL contour of an airport (see page 320). Although not required by law, cumulative noise impact should be estimated and addressed given that several communities are affected by air traffic to and from multiple airports (including SJC). Given the flight concentration caused by NextGen, it should also be recognized that the law is outdated and should be re-evaluated to require that cumulative impact on

communities affected by traffic from multiple airports is measured and calculated even when the communities do not fall under the 65 dB CNEL contour of any airport.

4.

5. The

6. conclusions that the significant impacts on air quality and greenhouse gas emissions are

7. **unavoidable are not supported by a rigorous analysis.**
8.

The report states that "*...as long as there is a market for air transportation services and there are facilities to accommodate the demand, activity will continue to increase*" (see page 31) and also concludes that "*the projected 2037 demand can be accommodated by the Airport's existing facilities, albeit under congested conditions with delays and poor levels of service*" (see page 31).

These statements are not based on any analysis: one cannot conclude that the increase in operations because of an SJC expansion would be fully accommodated by SFO and OAK because these airports also face capacity limitations in terms of gates and landing rates. Furthermore, such conclusions **ignore basic economic mechanisms such as congestion pricing and price elasticity** that have a direct impact on demand.

As Palo Alto residents, we appreciate the opportunity to comment on this Draft EIR and hope that our input will be considered.
Sincerely,
Marie-Jo Fremont and Darlene Yaplee

Appendix A

Communication sent by Santa Clara County Supervisor Simitian on Jan 30, 2019

S. JOSEPH SIMITIAN
PRESIDENT, BOARD OF SUPERVISORS
SUPERVISOR, FIFTH DISTRICT
COUNTY OF SANTA CLARA

COUNTY GOVERNMENT CENTER, EAST WING
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SAN JOSE, CALIFORNIA 95110
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January 30, 2019

Via Email: david.keyon@sanjoseca.gov

City of San Jose
Department of Planning, Building, and Code Enforcement
Attn: David Keyon, Environmental Project Manager
200 E. Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

Dear Mr. Keyon:

I write to provide comment on File No. PP18-103, Notice of Preparation of an Environmental Impact Report (EIR) for the Amendment to the Mineta San Jose International Airport (SJC) Master Plan.

The comprehensive impact of the amendment to the SJC Master Plan should be analyzed and described using a fully transparent process. The EIR process used should not rely on legal minimums. Rather, the process should go above and beyond the minimum and, for instance, include public meetings not just in San Jose but in all affected communities. The length of time for the comment periods should be greater than the legal minimum as well. These matters are complicated and the EIR is certain to be weighty, both literally, as in physically large, but also weighty in terms of the content being highly technical and not easily accessible to a layperson. For those reasons it is important that there be an adequate comment period for the Draft EIR.

Regarding the specific environmental categories of the EIR entitled Air Quality and Greenhouse Gas Emissions and Noise, it is critical that all cities in Santa Clara County that are affected by SJC traffic, in both regular and south flow modes for departures and arrivals, be included in the EIR analysis. Further, the cumulative impact of emissions and noise on these communities by departures and arrivals should be calculated in the EIR analysis. Noise impacts should be calculated and displayed using the CNEL metric, using both A-weighting (dBA) and C-weighting (dBC), as well as other additional metrics currently available in the Federal Aviation Administration's Aviation Evaluation Design Toll (AEDT) noise modeling tool. The displays should also use 5 dB increments, resulting in multiple contour rings, to aid in the public's understanding of the noise impacts. Finally, the input file of data and assumptions used in the ADET modeling tool should be made publicly available.

The contact person in my office for this matter is Kris Zanardi who can be reached at the number above or by email at: Kristine.Zanardi@BOS.SCCGOV.ORG.

Thank you in advance for your consideration of these comments regarding the scope of the SJC Master Plan Amendment EIR. I write as an individual elected official representing all or part of eight cities in Santa Clara County (including San Jose). My observations and recommendations are informed in part by my prior role as Chairman of the Select Committee on South Bay Arrivals.

Sincerely,

S. Joseph Simitian
County Supervisor, Fifth District

cc: Mayor Sam Liccardo, City of San Jose
Jeffrey V. Smith, County Executive
James R. Williams, County Counsel

Communication sent by Marie-Jo Fremont and Darlene Yaplee on Jan 29, 2019

David,

Our comments for the EIR scoping are necessitated by the current and severe negative effects of the SJC south flow arrivals on multiple cities in Santa Clara county (in particular, Palo Alto, Mountain View, and Sunnyvale) that are not in the immediate vicinity of SJC:

- As discussed in the Ad Hoc Advisory Committee on South Flow Arrivals that issued its report in May 2018, many residents from multiple cities such as Sunnyvale, Mountain View, and Palo Alto are deeply affected by SJC south flow arrivals (SJC goes into south flow mode due to changing wind conditions or storms). For example, per the FAA, 50% of SJC south flow arrivals now make their turn over Palo Alto. This was not the case years ago. Due to NextGen, aircraft traffic has been concentrated and shifted to cities close to the Bay.
- Impact is not only noise but also emissions. Flying altitudes over Palo Alto are typically below 3,000 ft (and sometimes below 2,000 ft). Aircraft do not fly idle as they are vectored over residential areas west of 101 all the way to the Dumbarton bridge.
- Some cities, such as Palo Alto, are doubly affected because of SFO arrivals that continue to occur (SFO rarely changes its landing pattern) while SJC south flow arrivals fly over the same area, below SFO arrivals. Some Palo Alto residents are also concerned about the possible safety risk that may exist due to possible violations of minimum separation between aircraft from both airports. Note that aircraft traffic from SQL airport (San Carlos) and PAO airport (Palo Alto) also occur over Palo Alto and nearby cities.
- SJC goes into south flow mode about 15% of the time. However, this percentage may increase in the future as weather patterns become less predictable.

We have the following questions and comments in regards to the EIR scope :

- **Will all cities in Santa Clara county that are affected by SJC traffic** (in both regular and south flow modes, departures and arrivals) **be included** in the EIR analysis?
    - Will noise & aircraft emissions modeling be performed for SJC departures and arrivals for **all cities in Santa Clara County** that are **not in the immediate vicinity of SJC**? Note: a **15-mile radius circle** centered on SJC would ensure that all cities potentially impacted are included in the modeling analysis.
- **Will the cumulative impact** of noise and emissions on populations affected by departures and arrivals **from both SFO and SJC, in regular or reverse flow, be calculated in the EIR analysis?**
- **Will the noise impact be calculated and displayed using:**
    - The **CNEL metric as well as other additional metrics currently available in the AEDT** noise modeling tool?
    - **Alternative metrics that may be described in the FAA** final report that is supposed to be released later this year? In other words, **will an effort be made to use these alternative metrics in the EIR**? N
        - Note: The recent FAA reauthorization bill SEC 173 requires the FAA to complete research on alternative noise metrics as a possible replacement to DNL within one year (October 2019).
    - Both **A-weighting (dBA)** and **C-weighting (dBC)**, given that the C-weighting curve better represents what humans hear?
    - **Noise contours starting at 45 dB CNEL and in increments of 5 dB?**
        - Note: in its NEPA guidance (see Order 1050.1F Desk Reference July 2015), the FAA uses 3 noise contour levels to evaluate noise level changes:
            - For DNL 65 dB and higher: +1.5 dB
            - For DNL 60 dB to <65 dB: +3 dB
            - For DNL 45 dB to <60 dB: +5 dB
        - Note: Using 5 dB increments (instead of creating a very large noise contour for the 45 dB to <60 dB) can be done in AEDT. Doing so would help create a more descriptive picture of the noise impact on various cities.
        - Note: CNEL is the accepted standard noise metric for California and was used in previous EIR documents for SJC.
    - Note that public comments on CNEL, alternative metrics, dBC weighting, noise contours below 65 dB were made at the January 14, 2019 EIR Scope meeting by several residents from cities not in the immediate vicinity of San Jose who have been deeply affected by the NextGen changes implemented by the FAA in the last few years.
- Will the City of San Jose follow a **fully transparent process about the potential impact** of the SJC airport expansion plans, and in particular will **all data be made public?** Specifically, **will analysis results as well as all input data and assumptions** made in the AEDT modeling tool (including but not limited to: number of aircraft, aircraft mix, flight paths --on procedure as well as vectored paths, % of vectored traffic, altitudes, speeds, % of time for SJC south flow mode, traffic distribution over a 24-hour period) be **publically available?**
- Will the EIR study **address all community feedback** submitted either orally or in writing **at different stages of the EIR process?**

As Palo Alto residents we appreciate this opportunity to provide input on the EIR Scope and are hopeful that our questions will be considered favorably.

We specifically **request that the EIR Scope include a detailed analysis of the noise and emissions impact for all cities affected by SJC traffic and that all input and output data** (including any assumptions) **be made available to the public**. "Detailed analysis" refers to using dBA and dBC weighting and multiple noise metrics, estimating noise contours in 5 dB increments starting at 45 dB CNEL, and considering the cumulative impact of traffic from SJC and SFO.

Sincerely,

Marie-Jo Fremont and Darlene Yaplee

Keyon, David

From: Mark Shull [redacted]
Sent: Thursday, January 9, 2020 8:56 AM
To: Keyon, David
Subject: Reject San Jose Airport's Expansion of Ground Facilities

[External Email]

Dear Mr. Keyon,

I am writing to object to San Jose's plans to expand its facilities to accommodate more flights. SJC has a horrible environmental record and a complete disdain for the disruption and health affects of its operations.

The following is a partial list of reasons to not allow SJC to expand:

- Given federal legislation, local entities have no ability to control or limit access to the airport. The only control we have is to not build ground facilities in the first place. No new airport facilities should be built until federal legislation returns some level environmental control to the state and local entities.
- San Jose is an outlier in not having an Airport Community Roundtable. SFO's is problematic, but it not only supports a Roundtable, but provides $220,000 per year in direct funding, significant noise office and technical staff to develop and promote mitigation initiatives, significant noise monitoring, and most importantly, direct access to the FAA, given that local changes can only be made through the airport. SJC simply thumbs its nose at any input or cooperation with those most affected by its flights. (Its behavior when asked to join the Santa Clara Santa Cruz Roundtable showed complete distain for those affected by its operations.)
- SJC southflow (at 2,000 ft all the way up the Peninsula to the Dumbarton) is unsafe given that this traffic is completely outside of SJC's Class C and is in class D and E airspace, which is fully open and populated by low tech general aviation. Worse, this low altitude flying produces massive amounts of Utrafine Particulates, which recent University studies in Boston, Seattle, LAX and Amsterdam (some sponsored by the FAA) have shown to accumulate in plumes below the concentrated paths of these aircraft. According to the National Academies of Health, Ultrafines are extremely dangerous because they are highly toxic and are too small to ever be expelled from the lungs once ingested. The FAA agrees on the extreme toxicity of Ultrafines, but argued before these new studies appeared that the particulates blow away before the fall. Field measurements by world-class universities have shown that this is false, and the FAA is several years late now in responding to these and its own findings. This is an extremely serious problem for NextGEN's architecture of concentration, and adding more concentrated traffic to Southflow at 2,000 feet (or other SJC arrival rails) will increase this already out-of-control problem.
- SJC daily allows ANA to depart directly across the middle of the Peninsula, without requiring the loop departure. This results in extreme noise over the Peninsula and significant opposite direction risk as these planes pass arriving SFO traffic with only 1000 ft of separation. This seems unsafe, but it also is emblematic of SJC willingness to do anything to accommodate the airlines as it tries to compete with SFO for passengers, particularly international flights. I have attended SJC airport commission meetings. It is clear that SJC's only focus is competing for growth vis-a-vis SFO and air travel over other modes. This self-interest only attitude towards our transportation needs is harmful to the region economically and environmentally.

San Jose Airport has a history of having zero interest in mitigating the environmental harms it causes to neighboring communities, or in a balanced regional transportation strategy. In particular, it has shown absolute distain for the harm it causes and for any input from communities other than that of its owner, the City of San Jose. This is not an environmentally responsible airport, and given this record, it should not be allowed to expand.

Mark Shull
Palo Alto

Keyon, David

From: MaryJane Donofrio [redacted]
Sent: Friday, January 17, 2020 1:48 PM
To: Keyon, David
Subject: PUBLIC COMMENT ON THE ENVIRONMENTAL IMPACT REPORT

[External Email]

San Jose Airport, The Capitol of Silicon Valley Pollution

I would like to register my distress with the SJC expansion plan and inadequate EIR which doesn't properly address mitigating airplane noise and air pollution in Los Gatos, the South West Santa Clara Valley and the surrounding Santa Cruz mountains. Since March 2015 when Nextgen was implemented public outcry has been so intense that the local congressional reps formed the Select Committee on South Bay Arrivals. Almost 5 years later we are still waiting for any relief from SJC. The SJC Brixx arrival route over the Santa Cruz mountains and southwest San Jose, as well as SJC arrivals from over the Pacific, are among the chief noise and air pollution offenders. San Jose may be ok with increasing airport capacity by 50% in the name of chasing more revenue while exposing it's residents to this environmental tragedy, but the EIR must fully consider the environmental impacts on surrounding communities, including arrival and departures over the county.

The EIR needs to take a look at not only at the environmental issues from the greenhouse gases that are warming our planet, but at the aircraft generated particulate matter deposited upon the heads of our families, on our soils, in our rivers, our reservoirs (i.e. Lexington, Anderson, Coyote, Calero) and especially the mental health issues caused by excessive plane noise.

California is clearly not on track to meet it's climate goals. San Jose should be helping to lead this cause, not be a major contributor to the problem. Please do not accept the totally inadequate suggestions that more electric service vehicles at SJC and fewer car trips to surrounding airports, etc, will even come close to offsetting the pollution of an expanded SJC.

My other comments on the EIR:

- The public has largely not been made aware of SJC's expansion plans. The first that many people heard of this plan was in a late December SJ Merc article which was easily missed during the holidays. Also, the Jan 14th council meeting to vote on the SJC expansion was held on a weekday afternoon such that only 1 member from the public who objected to the plan and EIR could participate. The deadlines for comments etc should be extended to allow for proper public feedback, and better publicized.
- The draft EIR only considers pollution at the airport generated on the ground (which I understand will be equivalent to adding 28,000 cars on the road!). Pollution from the additional approaching or departing planes expected because of expanded capacity is not even included! It must be included or the EIR is misleading the public, or worse.
- The EIR unfairly uses 2018 as a noise baseline. This was AFTER noise increased to unacceptable levels with the 2015 implementation of Nextgen SERFR and BRIXX, etc. So the expansion takes us from bad, to really bad.
- The current study area excludes consideration of the impact on people who would be adversely affected who live immediately outside of the airport's area, like in surrounding towns and in the Santa Cruz Mountains who are already being bombarded by noise and air pollution.
- The EIR does not even consider the noise complaints they received from the public. The EIR should be reporting the # of complaints received through phone app https://stop.jetnoise.net/ (The complaint numbers are probably in the 10s of thousands!)

● As a way to mitigate noise pollution, SJC needs to maintain and strengthen the current curfew. As it stands, SJC routinely allows curfew violations.
● SJ and SJC have been bad neighbors to surrounding communities by not participating and engaging with the SCSC Roundtable http://scscroundtable.org. Air traffic noise and pollution is a complex regional issue that should take other airports traffic into the equation.

MaryJane Donofrio

Keyon, David

From: Pamela Kittler [redacted]
Sent: Friday, January 17, 2020 9:11 PM
To: Keyon, David
Subject: Comment re the Environmental impact report (EIR) for the planned SJC expansion through 2037

Mr. Keyon:

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), **I firmly request that the SJC expansion project be rejected** for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over Sunnyvale during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our city with significant increases in the number of flights.

In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San Jose plans to fight climate change, since SJ is the direct owner and operator of the airport, to say nothing of the impact it will have on residents such as myself and others who live beneath the south flow route.

Again, it is my recommendation that the expansion plans be rejected for the reasons of noise, air pollution, and greenhouse gas emissions to protect the health of our community.

Respectfully,

Pamela Kittler
Sunnyvale, CA

Keyon, David

From: Paul Buxton [redacted]
Sent: Monday, December 30, 2019 7:57 PM
To: Keyon, David; Paul Buxton
Subject: SJC Airport expansion proposal

[External Email]

I have no issue with airport growth, but that ought to be restricted to the core mission of the airport: Flights, terminals, parking & car rentals, etc.

However I cannot support a hotel on airport property. A hotel would take acreage away from true airport operations. Hotels ought to remain private enterprises on private land.

Not suggested in the proposals, why not expand the runways to accommodate larger planes, by using a tunnel for De La Cruz Blvd and utilizing the empty lot on the other side?

Thank you,
Paul Buxton

Keyon, David

From: Peter Huston [redacted]
Sent: Monday, January 13, 2020 7:17 AM
To: Keyon, David
Subject: Airport expansion

Mr Keyon,

I recently read a story in the Mercury news titled “Mineta San Jose Airport projects 50 percent passenger growth, proposes expansion”. This is very disturbing to me. We are at a point in time where we need to reduce consumption not increase. The article states “such development would spew a significant and unavoidable amount of ozone and greenhouse gases”. It would be completely avoidable if it’s not constructed. The article also states “The aviation industry accounts for 12 percent of all transportation-related greenhouse gas emissions and 3 percent of total greenhouse gas emissions in the United States, according to the Environmental Protection Agency.” This statement does not reflect the fact that carbon dioxide released into the stratosphere and troposphere has 10 times the greenhouse effect as compared to carbon dioxide released at ground level. I have to agree with Katja Irving’s comments. “The whole idea of expanding the airport right now — while we’re in a climate emergency — seems insincere,” “You should be encouraging people to travel less and take the train rather than building more gates and making room for more flights.” We are seeing the effects of climate change frequently and most recently in Australia. To expand the airport would be irresponsible and negligent. Finding alternatives for fossil fuels should be our primary focus. The environmental impact report states a certain amount of uncertainty. I don’t think the take off and landing areas are the main concern here. The health of the globe is what the focus should be on. The environment doesn’t care what the environmental impact report says. We cannot continue to foul our air and water with our overuse of fossil fuels. I urge the City Council act in the best interest of all and to not approve this expansion.

Sincerely,
Peter E Huston

Keyon, David

From: Qian Li [redacted]
Sent: Friday, January 17, 2020 9:29 PM
To: Keyon, David
Subject: Too much noise from airplane

[External Email]

Hi, I'm a Sunnyvale resident since 2005. It has been a nice area until recently. We are observing more and more airplanes flying low, making huge noise in our neighborhood.
I heard people talking about SJC airport expansion, which would create more noise. I think SJC should stop any expansion plan, till it could resolve the current noise issue.
Thanks
Qian

Keyon, David

From: Rebecca Ward [redacted]
Sent: Thursday, January 9, 2020 8:59 PM
To: Keyon, David
Subject: comments on the draft environmental impact report
Attachments: 12.20.19 Bicameral letter to FAA re IG Report.pdf

[External Email]

Dear Mr. Keyon,

I do not support the expansion of SJC for the following reasons.

The Bay Area already suffers from poor air quality and is number 4 in *Top 10 U.S. Cities Most Polluted by Short-Term Particle Pollution (24-hour $PM_{2.5}$).* https://www.lung.org/about-us/media/press-releases/sota-2019.html

As the environmental impact report notes,
"development would spew a "significant and unavoidable" amount of ozone and greenhouse gases"...."Particulates — the air pollutant most harmful to the health of Bay Area residents — can cause a wide range of respiratory and cardiovascular problems, including strokes, heart attacks and premature deaths. Both greenhouse gases and particulates can contribute to global warming and climate change." https://www.mercurynews.com/2019/12/29/new-concourse-hotel-and-parking-garage-envisioned-for-mineta-san-jose-airport/.

Additionally, "Ultrafine particles (UFP) are emitted at high rates by jet aircraft" .https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5650728/.UFP might be more toxic than larger particulate matter because of its ability to penetrate the human body and "travel deeper into the lungs...They can also move from the lungs to the bloodstream and to other organs." https://www.doh.wa.gov/Portals/1/Documents/4000/334-454.pdf. "Monitoring campaigns conducted in communities near the Los Angeles, Atlanta, Boston, New York and Amsterdam airports have all identified elevated levels of UFP attributable to aircraft flight emissions." https://deohs.washington.edu/sites/default/files/Mov-Up%20Report.pdf. As the attached Bicameral letter from Congressional members to the FAA Administrator notes, the particulate matter produced from the concentration of jet traffic has not been deemed safe, "This heavy traffic produces constant noise and particulate matter that has yet to be deemed safe by the FAA or any other government agency". Until particulate pollution generated by aircraft is deemed safe, expansion should not happen.

As you are hopefully aware, the rails of concentrated jet traffic created by the implementation of NextGen in the NorCal Metroplex have been devastating to communities. The BiCameral letter notes, the "...the burden of noise, health risks, and declining property values fall on the backs of hard-working Americans". The letter urges the FAA to "fast track the development of new flight paths ... with NextGen procedures that will significantly disperse air traffic and raise aircraft altitude". The FAA 2010 presentation on the *Implications of Environmental Requirements for NextGen* describes noise and pollution concentration as a consequence of more precise navigation. https://nqsc.org/downloads/ENVIRONMENTAL.pdf. The FAA needs to address the problem of concentration of pollution and noise in the NorCal Metroplex, including SJC South flow, prior to airport expansion.

Safety is also an issue with the expansion. When SJC is busy and in South flow, jet traffic overlaps with SFO arrivals. The FAA presentation https://www.flysanjose.com/sites/default/files/commission/FAA%20Presentation%20on%20South%20Flow.pdf, slide 20 shows a clear delineation of SJC airspace for South flow and emphasizes the need to contain planes within it, Stating, "Aircraft must be kept within the airspace to protect it from aircraft that other controllers are working." But that does not happen in practice and adding additional capacity would worsen the overlap of pollution and noise and reduce safety. The expansion should not happen given the significant congestion in the NorCal Metroplex that is devastating communities and reducing safety.

SJC does not have a formal Roundtable with community representation. It is the only major Bay Area airport without one. Airport participation on an active Roundtable or creation of one, is necessary, given the environmental impact of SJC aircraft operations on surrounding communities.

Sincerely,

Rebecca Ward
Palo Alto, CA

Congress of the United States

Washington, DC 20510

December 20, 2019

Hon. Stephen M. Dickson
Administrator
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591-0004

Dear Administrator Dickson:

We are writing on behalf of hundreds of thousands of Americans who continue to suffer the effects of the FAA's NextGen program.

As you know, since its introduction of Metroplexes in 2010, the FAA has concentrated flight paths over neighborhoods, schools, and national monuments in order to make the airspace more efficient. This heavy air traffic produces constant noise and particulate matter that has yet to be deemed safe by the FAA or any other government agency. The noise created by the frequency of flights – in some areas beginning before 6:00 a.m. and continuing every few minutes until midnight or later – has had a devastating impact on residents' quality of life. The FAA has yet to make any significant changes to the disruptive flight paths. In fact, communities, cities and states around the country, including in and around the District of Columbia, Phoenix, Boston, San Francisco, Los Angeles, Seattle, Denver, New York, and the State of Maryland, have taken legal action as a result of the FAA's failure to adequately address community concerns.

A report by the U.S. Department of Transportation's Office of Inspector General dated August 27, 2019 entitled *FAA Has Made Progress in Implementing Its Metroplex Program, but Benefits for Airspace Users Have Fallen Short of Expectations* raises serious questions about the efficacy of the FAA's NextGen program. Among these concerns are limited estimates of annual benefits, inaccurate information published by the FAA about the advantages of Performance Based Navigation, and inadequate documented evidence to measure progress.

According to the section of the report entitled "Metroplex Benefits to Airspace Users Have Fallen Well Short of Predictions, and There Is No Consensus on Actual Benefits Achieved," the FAA estimates that NextGen implementation has saved airlines only $31.1 million annually, which is roughly half of its initial minimum estimate. Of the seven completed Metroplex locations, only one achieved fuel savings benefit expectations. Even more concerning, the FAA published conflicting information about these savings on its website. For example --

> "[The] FAA has posted the benefits estimate of $2.0 million from the design team for Northern California rather than the negative $7.7 million benefits, even though this is a completed site…Unclearly or inaccurately reporting Metroplex benefits limits Congress and the Department's ability to assess the progress of the program for purposes of providing and allocating funds, and industry stakeholders may not be able to rely on FAA reported benefits to effectively plan for the investments required to equip aircraft operating in the NAS [National Airspace System]."

The FAA claims that other operational benefits such as increased safety have also been achieved, but, according to the report, this claim remains unsubstantiated because the "FAA has not established a process to measure or track these additional operational benefits because it states these benefits are difficult to quantify." It is also important to note that the FAA has yet to quantify the harm to health and property that the NextGen program has created for residents and wildlife living beneath concentrated flight paths.

We are concerned that the NextGen program has failed to meet the bare minimum standards for success. Currently, the FAA continues to introduce and implement concentrated flight procedures with Performance Based Navigation throughout the country. The FAA boasts profits for airlines, shipping companies, and other industry stakeholders[1], but the burden of noise, health risks, and declining property values falls on the backs of hard-working Americans. We urge the FAA to fast-track the development of new flight paths in all Metroplexes and at other airports with NextGen procedures that will significantly disperse air traffic and raise aircraft altitudes.

We would appreciate your review of the enclosed report and a detailed timeline of your plan to implement procedures that will mitigate harm to the communities we represent. We look forward to your prompt response.

Sincerely,

Chris Van Hollen
United States Senator

Kamala D. Harris
United States Senator

Benjamin L. Cardin
United States Senator

Edward J. Markey
United States Senator

Jamie Raskin
Member of Congress

C.A. Dutch Ruppersberger
Member of Congress

Member of Congress
Eleanor Holmes Norton

Harley Rouda
Member of Congress

Stephen F. Lynch
Member of Congress

Raul Ruiz, M.D.
Member of Congress

[1] Federal Aviation Administration. Fact Sheet – NextGen. (November 26, 2019). https://www.faa.gov/news/fact_sheets/news_story.cfm?newsId=24434

Kathleen M. Rice
Member of Congress

Adam Smith
Member of Congress

Jackie Speier
Member of Congress

Karen Bass
Member of Congress

Ro Khanna
Member of Congress

Ted W. Lieu
Member of Congress

Anna G. Eshoo
Member of Congress

Thomas R. Suozzi
Member of Congress

Keyon, David

From: Richard Kittler [redacted]
Sent: Friday, January 17, 2020 9:09 PM
To: Keyon, David
Subject: Comment re the Environmental impact report (EIR) for the planned SJC expansion through 2037

Mr. Keyon:

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), **I firmly request that the SJC expansion project be rejected** for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over Sunnyvale during south flow operations. These planned expansions will only exacerbate an already serious noise issue over our city with significant increases in the number of flights.

In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San Jose plans to fight climate change, since SJ is the direct owner and operator of the airport, to say nothing of the impact it will have on residents such as myself and others who live beneath the south flow route.

Again, it is my recommendation that the expansion plans be rejected for the reasons of noise, air pollution, and greenhouse gas emissions to protect the health of our community.

Respectfully,

Richard Kittler
Sunnyvale, CA

Keyon, David

From: Rita Vrhel [redacted]
Sent: Thursday, January 9, 2020 5:04 PM
To: Keyon, David
Subject: quiet nights

Dear Mr. Keyon: for years Palo Altans has suffered rom intense, constant and loud jet noise all times of day.

Sometimes it is impossible even to have a simple conversation outside. If you and your family hearing this noise each and every day and night, what would you do?

A good night's sleep has been shown to be essential for health and prevention of many expensive and life altering diseases; including various dementias like Alzheimer's. The individual and financial cost of poor sleep on a personal and national level is tremendous.

I hope you will help Palo Altans and other Bay Area residents inundated with airplane noise find a viable solution by rerouting the planes, changing the altitudes and / or stopping flights between 10 pm and 7 am.

Thanks you so much.

From: Robert Holbrook [mailto:r@holbrook1.com]
Sent: Thursday, January 31, 2019 7:44 PM
To: Keyon, David
Subject: Comments on the NOP EIR for SJC Expansion

Mr. Keyon,

I have the following comments on the NOP for the EIR for the expansion of Mineta San Jose Int'l Airport:

- As suggested at the feedback session at SJC, the FAA Reauthorization Act passed in September has directed the FAA to assess the potentially harmful effects of noise and to propose alternatives to the DNL standard - also to assess health effects. These should be considered in the EIR, if possible. I expect the studies to show that annoyance correlates well with frequency of exposure, something which the DNL metric obscures. To that end, DNL should be assessed on periods considerably shorter than a year, particularly since traffic patterns at SJC are highly seasonal due to the seasonal nature of wind direction.
- FAA Order 1050.1F section B-16 provides you with the ability to employ supplemental noise metrics to those specified by the FAA. The choice to assess noise impacts with metrics other than DNL lies with the airport.
- As mentioned at the feedback session at SJC, the FAA is contracting with academia on improved modeling tools and methodologies for assessing the impacts of noise on residents. Professor John Hansman of MIT (also an elected Fellow of the American Institute of Aeronautics and Astronautics) is helping to assess noise impacts near Logan airport. He is a resource that might be able to help better assess expected impacts and propose innovative ways of mitigating them. For example, he has proposed reducing speed as a way to make a large reduction in noise. My analysis of FOIA data shows that airplanes flying the South flow approach have been flying faster since 2015.
- The EIR will make use of AEDT modeling. Please be aware that it suffers from the following weaknesses, which the FAA plans to address in upcoming releases.
    - As of a year ago, AEDT version 3a was expected to improve modeling outside of the 65DNL contours. That tool was expected to be delivered by the end of 2018, but it might not yet be available. Still it would be best to use this version to assess DNL below the 65DNL contour.
    - AEDT version 4 was expected to incorporate airframe noise and how the engine generates noise. These effects are fundamental. I understand from Prof. Hansman that the sound energy generated by the airframe increases with velocity at the 5^{th} power, all other things being equal. Similarly, Lighthill's power law (Google it) shows that the sound energy of a jet engine increases with the 8^{th} power of the speed of the exhaust coming from the jet, although high-bypass engines will mitigate this - my guess is to the 5^{th} or 6^{th} power.
- As suggested at the feedback session at SJC, the EIR should report noise results using dB-C weightings as well as dB-A weightings, because dB-C weightings better correlate with human annoyance.
- As suggested at the feedback session at SJC, noise contours should consider overflights to other airports, in addition to SJC.
- Current traffic patterns might not predict future traffic flows accurately.
    - There is likely to be increased concentration along the RNAV and RNP paths as more airplanes adopt them.
    - Adoption of RNP approaches is likely to increase as more airplanes are equipped with the required technology, more crews are trained in its use and airlines come to embrace its use.
    - A minor but significant portion of South Flow traffic to SJC uses the 'Eastern Approach' which routes those airplanes to the airport counterclockwise, passing over Fremont. Those approaches are all vectored. I expect the use of vectoring to decrease with the adoption of new technology that the FAA hopes to deploy, most notably Time Based Flow Management. This could result in a shift of that traffic to the South Flow procedures.
- The above shifts in traffic patterns are likely to further concentrate noise and particulate matter over a sharply-defined set of residents. The dispersion model for toxic air contaminants in particular should start with the

assumption that most airplanes will be flying along fixed 'rails', with the residents under those rails maximally exposed to the pollutants.

- Finally, is it reasonable to expect cargo air tonnage to increase by 63% while the number of cargo operations is expected to increase by only 23%, particularly in light of the One Engine Inoperable (OEI) rules that will place a 'cargo penalty' on those operations if the San Jose City Council permits building heights to increase along the relevant flight paths, as appears likely?

Robert Holbrook
Mountain View

These comments are on the Draft EIR for the proposed expansion of Norman Y. Mineta San Jose International Airport (SJC).

Most of my comments pertain to the spirit of the EIR, which is to understand the real impacts of a proposed action on people and the environment. My comments mainly speak to the noise implications.

But first, regarding growth, I have learned the following from the EIR:

- The percentage increase in passenger demand forecasted for the next 19 years (57%) is less than the percentage increase in passengers that actually occurred between 2013 and 2018 (61%). Is this credible, especially in light of all the expansion projects that are being undertaken? Would the EIR benefit from a revised estimate based on more recent data? (Figure 2.3-1; Table 3.2-1)
- In 2037, the airport is projected to be operating at 98% of capacity on a yearly basis. (237,717 operations out of a capacity of 241,700). If this is the case, it would be helpful to have a clearer statement to that effect. (Appendix L, Table 1; Appendix C, Table 10) What will the airport's strategy be as it approaches saturation? Per the comment above, this could happen earlier than forecast and is relevant to understanding potential environmental impacts of this project.
- Putting the above two suggestions together, I wonder if we might see demand for the airport reaching its capacity before 2037. It would be illuminating to see the EIR's assessment of that possibility.

I have many comments regarding noise.

Noise has real consequences to people. It is significant in their lives. At a class I took on the subject of aviation noise, I was told that in the 2000 census noise was the number one reason given by respondents for moving. It's no secret that NextGen has led to a tsunami of noise complaints, but even I was surprised to learn as I checked the data just now that the number of complaints filed for SFO has exceeded 10m since January 2015, the year NextGen was rolled out (https://data.sfgov.org/Transportation/Aircraft-Noise-Complaint-Data/q3xd-hfi8/data) . (SJC does not accept data from the most popular app used to report noise in this area, as SFO does, so the airport's complaint numbers understate the number of complaints people have actually submitted.)

The standards used by the FAA to determine significance are grossly inadequate and, I would argue, in some cases arbitrary. In the 2018 FAA Reauthorization Bill, Congress asked the FAA to consider new metrics. Inadequate because they are not at all relevant to the vast majority of the 10m complaints mentioned above.

- Responding to a request for comments on proposed rule-making for the testing of supersonic flights over land, Boom Supersonic, a manufacturer of supersonic aircraft, wrote on 8/27/19, "Since most supersonic flight testing could be expected to take place during the day, it would take 80 daytime Concorde-level booms per day in a single location to raise ambient DNL from 63.5 to 65. Therefore, even an action that exposed a test area to 28,835 daytime Concorde-level booms per year would fail to be significant under this standard." This demonstrates to me as

clearly as anything that the DNL and CNEL standards we use do not conform to a commonsense understanding of annoyance.

- Industry and the FAA have settled on the Net Noise Reduction Model, which optimizes for the number of people affected by a procedure, without considering how annoyed the people experiencing the procedure might be. This has led to highly concentrated air traffic over a set of unfortunate residents who are helpless to defend themselves because the noise standards in use offer no protection. Many of these people are highly annoyed. Presumably, these narrow corridors are the "FAA-approved noise abatement flight tracks" referred to on p264. If so, this is a misleading characterization of these corridors and I would like to see this language changed.
- FAA metrics (and CNEL) use A-weightings, which are not as effective as C-weightings in describing annoyance. My understanding – I am not an expert – is that A-weights better characterizes noise levels that cause damage to ears, but C-weights are preferred in loud environments with low frequency noise, like machine shops. I do know that lower frequencies propagate farther and better penetrate walls and windows, and that the gap between people perceiving low frequency noises and being highly annoyed by them is much smaller than for the higher frequencies. A low frequency noise study (Hogdon, Atchley, Bernard) conducted in April 2007 on behalf of the Partnership for AiR Transportation Noise & Emissions Reduction found that linear regression analysis showed that the C-weighted sound exposure level *LCE* was the best single-metric predictor of subjective annoyance response, explaining over 90% of the variability of the data set. The study suggested that *LCE* should be used as a single-number metric for assessing the potential for annoyance when high levels of low-frequency aircraft noise are present.
- FAA metrics do not consider the tonality of noise, but this also correlates with annoyance. The "Airbus whine" is a good example of this. According to a 2010 Wyle Report *WR11-04 Updating and Supplementing DNL*, "While level is the primary measure of loudness, the significance of tonality when present has been reaffirmed in recent FAA sponsored research."
- While the EIR considered TA, "Time Above" a certain noise threshold, it did not consider another metric suggested by the Wyle report cited above, NA, the "Number Above" a noise threshold. This metric originated in Australia and I believe it would add important clarity. Residents affected by noise will tell you that the number of noise incidents matters greatly.
- The CNEL and DNL standards average noise incidents over the course of a year. People become annoyed during periods much shorter than one year. The application of annualized standards to residents affected by SJC South Flow as well as residents affected by SJC North (regular) Flow means that the South Flow airplanes can be almost 10dB louder and yet reach the same level of significance. This is because South Flow occurs 11% of the time (Noise Appendix, p15 – though generally estimates run higher, including numbers I have computed using FOIA data. An eighth as many flights averaged over the course of a year would allow three doublings in sound energy (9dB) to reach the same measurement, other things being equal.)
- The forecasted fleet mix (3.2-3) shows that the 737-800 and 737-8 Max are expected to be by far the most popular airplanes operating out of SJC, with the Boeing 737 series as a whole comprising over half the operations. It is, therefore, very disturbing to see in table 13 of the

Noise Appendix that the 737-8 MAX is remarkably loud – affecting roughly twice as many acres beneath them as the other airplanes listed at the SEL levels shown, including the 737-800.

- Along similar lines, the 35% increase in tonnage expected for cargo aircraft is likely to cause more noise because heavier airplanes cause more noise, other things being equal.

For the EIR to better describe actual impacts to people, additional metrics should be considered and the impacts to surrounding cities like Cupertino, Sunnyvale, Mountain View and Palo Alto should be better developed.

Open questions regarding noise:

- The shift to NEO engines forecasted in the change in fleet mix leads to the question of the expected distribution of flights across the 24 hours of the day, given the curfew. A chart showing % of flights by hour on a typical day now and in 2037 would be clarifying. P263 references the possibility that the hourly distribution of flights might shift.
- Why is the proposal expanding cargo facilities when it is airport policy to "Encourage the use of quieter aircraft at the San Jose International Airport?" (EC-1.10, p8 Noise Appendix, see also Policy TR-13.1, p37) The reduction in forecasted operations for cargo aircraft from the previous plan amendment to the current proposal should help in that regard.
- How are the 65 CNEL noise contours of Moffett airfield likely to be impacted by the overflights to SJC as a result of increasing South Flow activity? Closely related to this: what is the current and forecasted mix of flights projected to arrive via the RNP approach? The RNP Z approaches to runway 12 fly directly over the Moffett 65 DNL contour below 2500'.

Possible corrections for the EIR:

- Boom Supersonic, cited above, also wrote, "The FAA makes NEPA determinations pursuant to FAA Order 1050.1. According to Order 1050.1F, the FAA considers a proposed action to have a significant noise impact if it "would increase noise by DNL 1.5 dB or more for a noise sensitive area that is exposed to noise at or above the DNL 65 dB noise exposure level or that will be exposed at or above the DNL 65 dB level due to a DNL 1.5 dB or greater increase." p6 of the Noise appendix stated a different test – that the increase had to be 3dB or greater if the starting value was below DNL 65 dB.
- P264 of the EIR states that citations with a $2500 fine are issued when an operation does not conform to the NCP. Please consider including the percentage of those fines that are collected. My understanding is that it is very small.
- The EIR states that "Low-frequency noise is accounted in the A-weighted decibel used in community noise assessments." (p275). I find this statement to be misleading because low frequency noise is heavily discounted by A-weighting. It discounts frequencies of 250Hz by 8.6 dB, and frequencies of 63Hz by 25 dB relative to dB-A.

Thank you for your work on this draft EIR. The document contains good information and often describes policies and practices with admirable clarity.

Robert Holbrook - Mountain View resident

Keyon, David

From: [redacted]
Sent: Monday, December 30, 2019 12:59 PM
To: Keyon, David
Subject: Airport Expansion - DO IT

[External Email]

David:
I grew up in San Jose, and heard many times a main reason people in SJ flew out of SFO: more flights, more Non Stop flights across USA, and overseas. SJ had many chances to grow the airport--whether on site, or near Coyote Creek area (now out of the question due to recent open land preservation). Even though I moved to San Carlos, SJC is still my #1 Airport to fly out of for both Domestic and Int'l travel. I do have to think twice though due to lack of Non Stop flights -at decent hours (not Red Eye's) across the Country (Midwest and East Coast).

With the fewest delays out of SJC, weather, etc., the expansion will be well served by the Bay Area, provide additional funds to San Jose, and is needed. I wish this would have occurred a long time ago.

Glad to be of Service.
CELEBRATING 84 YEARS IN BUSINESS

Robert Watkins, CIC,CSRM,PWCA
President
ISU Lovering Insurance Services
[redacted]
Lic. #0429797

[redacted]

Glad we could be of service to you, and look forward to working with you and your staff for all of your insurance needs, Business Products--Business Package (Liability, Property, Commercial Vehicles), Builders risk, Umbrella, Fiduciary Liability, ERISA Bonds, Workers Compensation, Employee Benefits --401Ks or 403Bs, Group Medical, Group Vision, Group Dental, Group Life, Group Disability, to name a few. Some of these benefits can be altered for individuals as well. Personal Lines Products--Homeowners, Renters, Autos, Umbrellas, Recreational Vehicles, Cancer, Health, Life, Disability, to name a few. Please check our website for some great Risk Management tools -- https://gcc01.safelinks.protection.outlook.com/?url=www.isulovering.com&data=01%7C01%7CDavid.Keyon%40sanjoseca.gov%7C3b98ddee3339474c262108d78d6b62b0%7C0fe33be061424f969b8d7817d5c26139%7C1&sdata=5oT%2BzmKAjjEz1gY5PH9Xl2q6m6ztK1zc26kJqpdM5HE%3D&reserved=0

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Keyon, David

From: Carol Ruth [redacted]
Sent: Monday, January 13, 2020 1:46 PM
To: Keyon, David
Subject: Comments on SJC EIR

[External Email]

David Keyon
City of San Jose
Department of Planning, Building and Code Enforcement
David.Keyon@sanjoseca.gov

Dear Mr Keyon,
Many Americans are suffering significant increases in jet noise and emissions from Nextgen. Department of Transportation Secretary, Norman Mineta, in a 2004 speech, said about the program "...the changes that are coming are too big, too fundamental for incremental adaptations of the infrastructure".
Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr Terrel's presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, communities which did not have noise problems before Nextgen. Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.
The City of San Jose and SJC must ensure that San Jose residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:
1) As early as possible, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from airspace changes - FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.
2) Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations. SJC is part of the Northern California Metroplex4,a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS5 at SFO.
3) SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are inadequate for a project of this size.
4) FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens and while this is a liberty that FAA is taking by not considering health, the City of San Jose has an obligation to consider health and livability for San Jose residents and neighbors. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.
5) SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorization Law of 20186 Section 188 mandates "The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns."
6) FAA thresholds of significance and DNL are also insufficient because FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations. The CIty of San Jose and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.
7) Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from

aviation noise.
8) Actions called for in the Resolution of The Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.
9) Lastly, as SJC considers expansion - is it safe to keep adding more airplanes into the already congested Bay Area airspace?

The City of San Jose can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

- Install noise monitors where noise complaints have erupted since 2014
- Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements
- Engage with the SCSC Roundtable http://scscroundtable.org

Thank you,

Dr. Ron and Carol Ruth
[redacted]

Santa Clara Valley Audubon Society

SIERRA CLUB
LOMA PRIETA

January 17, 2020

David Keyon,
Department of Planning, Building and Code Enforcement
City of San Jose
By email: David.Keyon@sanjoseca.gov

Re: Draft EIR for the Amendment to the Airport Master Plan

Santa Clara Valley Audubon Society (SCVAS) and the Sierra Club Loma Prieta Chapter thank the City of San Jose for the opportunity to review the Draft EIR for the Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport (File No. PP18-103). The plan aims to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand.

SCVAS was founded in 1926, and is one of the largest National Audubon Society chapters in California. SCVAS' mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. SCVAS has engaged in the protection of burrowing owls and their habitat, other endangered (and common) species, and the protection of riparian and aquatic ecosystems for decades. Our members have a strong interest in projects that could impact biological resources.

The mission of the Sierra Club is to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. The Loma Prieta Chapter conservation program works to proactively identify natural constraints and/or trends that will impact our local ecosystems and environment, and to present solutions for action.

Please review the following comments:

Burrowing owls

The breeding population of burrowing owls in Santa Clara County is at the brink of extirpation – fewer than 10 pairs nested in the County in 2019. At this time, any activities that impact a breeding location should be considered significant and unavoidable.

1. MM BIO-4.1 allows the Airport expansion to mitigate impact to burrowing owls by paying Valley Habitat Plan (VHP) fees to mitigate direct impacts to burrowing owls and their habitat. There seems to be no mitigation for indirect or cumulative impacts. We maintain that fees should apply to the entire 83.4 acres of nesting and foraging habitat that will be lost or degraded at the airfield.

2. MM BIO-4.1 states, "However, compensatory mitigation for impacts to a certain acreage of burrowing owl habitat must be implemented prior to those impacts occurring." "Certain Acreage" is a vague term. Please provide a precise implementation plan that includes phasing, or clear triggers for payments of VHP fees.

3. MM BIO-4.2 calls for an update of section 3.2 of the Burrowing Owl Management Plan (BOMP). The California Dept. of Fish and Wildlife, the Habitat Agency and the public (including SCVAS) should be invited to review the new plan.

   In a footnote, the EIR proposes, "passive relocation of burrowing owls is not currently permitted under the VHP because a positive growth trend in the owls' regional population has not yet been achieved. However, passive relocation is included here as a mitigation measure here because (1) Airport projects are not covered under the VHP, and (2) the proposed Amendment improvements are necessary to address aviation safety concerns at the Airport."

   Passive relocation has failed to protect individual owls or a breeding population in Santa Clara County – this is the reason why the VHP does not permit passive relocation. If passive relocation is permitted, the impact to burrowing owls will remain significant and unavoidable.

   The notion that the Airport can use the mitigation offered by the VHP (payment of fees) but does not have to abide by other requirements of the VHP is absurd - one cannot have it both ways. If the Airport elects to use the permit offered by the VHP, and pay the fees as directed by the plan, it must abide by the stipulation of the plan. Passive evictions should not be permitted for any activity. Instead, an Active Relocation Plan should be prepared for those improvements that are necessary to address aviation safety concerns. Capture of the evicted owls and funding proper release methodology can provide adequate mitigation.

4. Existing mitigation areas that failed due to lack of maintenance (i.e., mowing) should not be accepted as baseline. Thus, a feasible Burrowing Owl Habitat Maintenance Plan (including budget) should be prepared and implemented for the land that contains the VOR/DME Facility (https://www.sanjoseca.gov/home/showdocument?id=24165).

Alternatively, VHP fees should apply to any mitigation areas where artificial burrows were constructed for previous Airport construction, but the mitigation habitat area has not been maintained to support burrowing owl habitat, including the entire acreage of the VOR/DME Facility.

Bay Checkerspot butterfly

5. MM BIO-5.1: The impact of nitrogen deposition has been analyzed only for the increase in vehicle traffic, and not evaluated at all for aircraft traffic. The fact that the improvement projects at the Airport are excluded as covered activities under the Habitat Plan does not give the Airport an exemption from mitigating the impacts of nitrogen deposition due to the increase vehicle and aircraft activities. Thus, MM BIO-5.1 is inadequate and the impact remains significant.

   The EIR should analyze the impacts of nitrogen deposition due to increased aircraft activities and mitigate the increase in nitrogen emissions due to 29,332 new daily vehicle trips AND increased air traffic.

Aquatic species (including fish) and Riparian Corridors

6. Impact BIO-6 proposes, "Indirect impacts on water quality in the river could potentially occur as a result of project activities at Economy Lot 1, which is located immediately adjacent to the Guadalupe River above the top of bank".

   Impacts of development in creek corridors have been extensively analyzed by the San Jose Riparian Corridor Study (1999) and by the VHP. In 2016, the City of San Jose adopted the Riparian Corridor and Bird Safe Design Policy aiming to protect the integrity of riparian habitats.

   The project should be amended to require a 100-ft riparian buffer from the Top of the Bank, as directed by the VHP and by the City of San Jose Riparian Corridor and Bird Safe Design Policy. And further to restore and rehabilitate the riparian corridors as strongly encouraged in the City's policy.

7. MM BIO-13.1 proposes, "Detailed plans for the structures that may be constructed in or near the 100-foot riparian buffers along the Guadalupe River have not yet been prepared. However, the City will strive to design the parking garage and fuel farm tanks in such a way that encroachment into the riparian buffer can be avoided altogether." The proposed projects do not appear to qualify for setback exceptions and hazardous materials especially should not be stored within the riparian setback. Therefore, mitigation should be absolute avoidance of construction in the 100-ft. buffer.

8. MM BIO-13.2 proposes mitigation offsite in "the study area." Please define the "Study Area." If any impact to the riparian corridor cannot be mitigated at this site, off-site mitigation measure cannot mitigate the impact to a less-than-significant level. As stated above, this mitigation measure should not be necessary since there is no justification to make exceptions to the riparian setback requirements.

We thank you for the opportunity to provide comment on the Draft EIR,

Sincerely,

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society

Katja Irvin
Conservation Committee co-chair
Sierra Club Loma Prieta Chapter

Keyon, David

From: Sarah Xu [redacted]
Sent: Friday, January 17, 2020 8:14 PM
To: Keyon, David
Subject: Opposition on SJC expansion

[External Email]

Hi David,
I am writing this letter to express my strong opposition to the expansion of SJC.
San Jose is very populated now, expansion of the airport will inevitably increase the number of flights due to capacity increase, thus increasing green house emission and noise over the community.
This is a decision we will regret for generations to come.

Sarah

SIERRA CLUB
LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

January 17, 2020

David Keyon
Environmental Project Manager
Department of Planning, Building and Code Enforcement
City of San Jose
By email: David.Keyon@sanjoseca.gov

Re: EIR for the Amendment to the Airport Master Plan

Dear Mr. Keyon,

Sierra Club, Loma Prieta Chapter, thanks the City of San Jose for the opportunity to review the Draft EIR for the Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport (File No. PP18-103). The plan aims to 1) extend the horizon year and demand forecasts from 2027 to 2037; 2) incorporate the set of airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study; and 3) update the layout and sizing of various landside facilities to adequately serve the projected 2037 demand.

The Loma Prieta Sierra Club chapter advocates on behalf of sustainable land use practices that could emanate from major development projects. As an environmental organization working towards reducing local greenhouse gas and other emissions, we encourage the development of higher density, mixed-use development near major transit stations so as to sequester carbon and habitats in wetland, grasslands, and woodlands. Our 17,000 members have a strong interest in projects that could improve the environment for us to enjoy and explore.

Please review the following comments related to DEIR analysis of Greenhouse Gas Emissions.

This project proposes to increase greenhouse gases and pollution at a time when the state is facing an existential threat of fires and sea level rise from Climate Change. It is irresponsible to say the least. The plan creates a “significant unavoidable impact” on the environment that could result in carbon emissions equivalent to putting more than 28,000 cars on the road. The expansion project will raise Bay Area emissions 0.15% over 2015 levels according to the Bay Area Air Quality Management District. The project will also increase fine particulate pollution, which can get pulled deep into lungs and exacerbate health impacts in already one of the worst air quality regions in the country. These emissions can be reasonably foreseen and should be addressed with feasible mitigations. We need to take bold steps to ensure our grandchildren have a future.

Additional Feasible Mitigation Measures

1. Frequent free buses to the airport. Regional buses boarding and departure should be heat mapped and routes changed accordingly to accommodate rapid passage through the airport.
2. Restoring large sections of the adjacent Guadalupe River Floodplain with requisite wetlands and woodlands.
3. Finishing a year-round separated bike lane to and through the airport. Currently the adjacent trail is not usable during wet weather and the bike path is disjointed with the airport acting as both a north south and east west bike circulation barrier. The description on page 300 of bicycle access is more vaguely about complete streets rather that immediate free, secure, and safe access to the airport as a means of reducing emissions.
4. Congestion pricing parking after the lots are 50% full and advising prices when passengers check their flights.
5. Gasoline cars should pay much more than electric to offset their operational NOx and construction PM10 emissions (page 343)
6. Work with the state to congestion price adjacent freeways and implement camera actuated speed enforcement to reducing emissions significantly while improving transit as major cities have done around the world.

Carbon Offsets

The emission accounting plays a shell game. It only counts on-the-ground pollution because airplane flights — which account for a huge chunk of emissions for most people who fly — are federally regulated. However, these emissions can be reasonably foreseen and are not phantom to the City of San Jose's Climate Action Plan. They add to emissions threatening life on the planet and the ability to meet the Plan. Aviation is one of the fastest growing sources of greenhouse gas emissions globally. Airline emissions are 2.5% of global emissions an amount equal to Germany's emissions. By 2050 the sector is supposed to triple, an amount equivalent to the emissions of India. San Jose is poorly positioned here with the highest passenger growth among the nation's top 50 airports in the past four years, according to the airport's analysis.

Airline emissions are regulated by the International Civil Aviation Organization (ICAO), rather than UN Climate Change and the Paris Agreement. If San Jose does not take responsibility for the carbon footprint of flights to and from their city these emissions will be left to incinerate the lives of future generations.

ICAO has proposed a market-based approach which gives businesses the flexibility to choose the most economically efficient way to reduce emissions and ultimately saves money for consumers. Emissions reductions can be achieved at a lower cost outside the aviation sector, particularly given the projected growth in air traffic in coming decades. Participation in the ICAO program will be voluntary. The United States, Canada, Mexico, China, Singapore, and 44 European nations have committed to sign up from day one (c2es.org/2016/10/a-new-flight-path-for-reducing-emissions-from-global-aviation/).

The Bay Area is the number one business destination in the world. What you do here will resonate around the world. That's why San Jose should embrace the centerpiece of the ICAO agreement reached October 6, 2016 for a market-based measure that will allow airlines to offset any growth in

their emissions beyond 2020 levels with reductions in other sectors. City of San Jose should work with other cities in the region to adopt the agreement while at the same time implementing it locally by requiring area business and frequent customers to buy offsets for their emissions that can be used to fund the Feasible Mitigations listed above.

Fees

Giving away free pizza does not help people reduce weight. It's irresponsible when airline emissions are increasing to reduce fees for airlines that use cleaner fuels or electric and hybrid ground vehicles as mentioned in the San Francisco Chronicle by Mallory Moench Jan. 14, 2020. For one the cleaner fuel technology is currently a pipe dream and its eventual implementation is no way commensurate with the problem it's seeking to solve. For another the ability to get electric vehicles to scale to make a difference is closer to 400 years, time we do not have. This plan already is a massive subsidy to area business at the expense of the resident's environment. Fees should be increased and based on recovering the cost of the expansion and the need to feasibly mitigate impacts.

Traffic

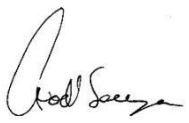
Traffic to and from the airport expansion is not restricted to the city of San Jose but is drawn from the cites in Santa Clara County. The cumulative impact of emissions and noise needs to be reflected in the analysis. The EIR says that NOx emissions would be exceeded but this only addresses the airport traffic. This traffic is sourced from the region and creates emissions around the region which are not analyzed.

Alternatives

We encourage the City to select a less ambitious Airport expansion plan – if any – and not compromise the health of our people and future of our planet. If the expansion moves forward, the City should develop a plan for phasing parking and gate expansions to avoid over-investment and unnecessary environmental impacts, in case projected increases in air travel don't materialize.

In conclusion, San Jose can't fix global warming by itself. But the City needs to do what is feasible and doable with current technology.

Regards,



Gladwyn d'Souza
Co-Chair, Loma Prieta Chapter, Conservation Committee

Sky Posse Palo Alto

2225 East Bayshore Avenue, Suite 200, Palo Alto, CA 94301

January 8, 2020

David Keyon
City of San Jose
Department of Planning, Building and Code Enforcement
David.Keyon@sanjoseca.gov

Re: **Comments on SJC draft environmental impact report**

Dear Mr Kenyon,

Many Americans are suffering significant increases in jet noise and emissions from Nextgen[1]. Department of Transportation Secretary, Norman Mineta, in a 2004 speech, said about the program "...the changes that are coming are too big, too fundamental for incremental adaptations of the infrastructure[2]".

Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr Terrel's presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, **communities which did not have noise problems before Nextgen.** Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.

The City of San Jose and SJC must ensure that San Jose residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:

1) ***As early as possible*, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from *airspace changes*** - FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.[3]
2) **Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations.** SJC is part of the Northern California Metroplex[4],a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS[5] at SFO.

[1] https://www.faa.gov/nextgen/
[2] https://www.nasa.gov/sites/default/files/atoms/files/nextgen_whitepaper_06_26_07.pdf
[3] https://www.faa.gov/nextgen/media/NextGen_Implementation_Plan-2018-19.pdf
[4] https://www.faa.gov/nextgen/snapshots/metroplexes/
[5] https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/techops/navservices/gnss/laas/

3) SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are **inadequate for a project of this size.**
4) **FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens** and while this is a liberty that FAA is taking by not considering health, **the City of San Jose has an obligation to consider health and livability for San Jose residents and neighbors**. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.
5) SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorization Law of 2018[6] Section 188 mandates "*The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.*"
6) FAA thresholds of significance and DNL are also insufficient because **FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations**. *The CIty of San Jose and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.*
7) Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from aviation noise. Please see the presentation Cost-effectiveness of reverting to the limited use of "TNNIS Climb" in Queens, NY, USA.
8) Actions called for in the Resolution of The Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.
9) Lastly, as SJC considers expansion - **is it safe to keep adding more airplanes into the already congested Bay Area airspace?** The "holy grail" vision of Nextgen[7]- reducing separation between planes to add throughput does not appear safe given the increase in go-arounds[8].

The City of San Jose can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

- Install noise monitors where noise complaints have erupted since 2014
- Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements
- Engage with the SCSC Roundtable http://scscroundtable.org

Thank you,
Sky Posse Palo Alto

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[6] https://www.congress.gov/115/plaws/publ254/PLAW-115publ254.pdf
[7] https://www.ainonline.com/aviation-news/air-transport/2013-06-17/new-faa-procedures-reduce-separations-major-airports
[8] https://www.nbcbayarea.com/investigations/Frequent-SFO-Go-Arounds-Point-to-Safety-Concerns-245438381.html

Keyon, David

From: Stephen Boyer [redacted]
Sent: Saturday, January 18, 2020 10:37 AM
To: Keyon, David
Subject: SJC Airport Feedback

Dear David,
I am writing to express concern over the expansion of SJC airport.

1) I favor expansion and more coast-to-coast and international flights (to Europe) HOWEVR !

2) I am concerned about the lack of public transportation to SJC.
BART seems to be making the same mistake as light rail. - Planning to go close but not directly to the airport. Lack of efficient public transportation directly to SJC could result in thousands of additional cars every day taking people to and from the airport...clogging our already over crowded highways and adding to pollution.

3) Add some kind of moving walkway inside the airport. SJC is very long and has no moving walkway for older folks etc.

Thanks for your consideration of my concerns.

Best
Steve Boyer

Keyon, David

From: steve dippert [redacted]
Sent: Monday, December 30, 2019 10:34 AM
To: Keyon, David
Subject: San Jose airport expansion

[External Email]

I would vote in favor of the expansion. With all the new housing construction going on in San Jose people are going to have to turn to mass transit as the roads can't handle anymore traffic and this will offset some of the increase from the airport. I also think electric car sales will eventually impact the emission reduction as more and more companies make electric cars. Other airports have expanded with the same concerns I'm sure and they survived. San Jose has the dinkiest and most unimpressive big city airport in the country and has for quite awhile. It is time to make it what it should be.

Sincerely

Steve Dippert

Keyon, David

From: Subodh Iyengar [redacted]
Sent: Saturday, January 11, 2020 7:09 PM
To: Keyon, David
Subject: Comments on SJC draft environmental impact report

[External Email]

Dear Mr Kenyon,
Many Americans are suffering significant increases in jet noise and emissions from Nextgen . Department of Transportation Secretary, Norman Mineta, in a 2004 speech, said about the program "...the changes that are coming are too big, too fundamental for incremental adaptations of the infrastructure ".

Flaws in estimating the changes in noise from Nextgen implementation have been outlined in The Real Impact of Aircraft Noise, Part 3 (video) by Kevin Terrel Minneapolis Fair Skies Coalition. Mr Terrel's presentation demonstrates that, as part of FAA's accountability reports to Congress, FAA looks at noise
contours at and below 65 DNL but has not published the findings for communities that are below the 65 DNL, communities which did not have noise problems before Nextgen. Mr. Terrel acquired shapefiles to 55 DNL from FAA with a FOIA request, and the changes that he reports are startling.
The City of San Jose and SJC must ensure that San Jose residents and neighboring communities have full disclosure of noise and emissions impacts, we suggest the following:
1) As early as possible, impacts from expansion of SJC airport ground facilities (what we have heard referred to as "dirt work") must be integrated with analysis of noise and emissions impacts that would result from airspace changes - FAA airspace actions to manage airport capacity increases and/or other operational needs which have real impacts on people on the ground. Including foreseeable impacts from the continued roll out of Nextgen's various Portfolios.

2) Cumulative impacts of the SJC project must be considered in combination with other Bay Area airport operations. SJC is part of the Northern California Metroplex ,a system with multiple airports and complex air traffic flows, impacts from SJC airspace operations must be looked at in this context and take into account changes that other airports are considering such as GBAS at SFO.

3) SJC's Part 150 done prior to Metroplex Nextgen changes, and your current analysis that excludes consideration of people adversely affected by SJC outside your area of study are inadequate for a project of this size.

4) FAA's metric and thresholds of significance to evaluate airspace actions do not consider the health of citizens and while this is a liberty that FAA is taking by not considering health, the City of San Jose has an obligation to consider health and livability for San Jose residents and neighbors. Please see a succinct explanation of how FAA metrics and thresholds are inadequate to consider health concerns in this letter to the Comptroller General of the United States.

5) SJC should provide for supplemental metrics beyond the FAA noise "average" metric. FAA Reauthorization Law of 2018 Section 188 mandates "The Administrator of the Federal Aviation 6 Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise
concerns."

6) FAA thresholds of significance and DNL are also insufficient because FAA's annoyance metrics do not consider impacts on children, elderly and vulnerable populations. The CIty of San Jose and SJC do not need to wait to provide for additional metrics beyond DNL and/or to use actual noise sampling.

7) Columbia University's Mailman School of Public Health offers a model to consider evaluating health threats from aviation noise. Please see the presentation Cost-effectiveness of reverting to the limited use of "TNNIS Climb" in Queens, NY, USA.

8) Actions called for in the Resolution of The Board of Supervisors of the County of Santa Clara Requesting the Federal Aviation Administration Address Increased Aircraft Noise in Santa Clara County should first be resolved.

9) Lastly, as SJC considers expansion - is it safe to keep adding more airplanes into the already congested Bay Area airspace? The "holy grail" vision of Nextgen - reducing separation between planes to add throughput does not appear safe given the increase in go-arounds.

The City of San Jose can take the following steps in the interest of providing the public with this critical data as a way to address their concerns about noise:

- Install noise monitors where noise complaints have erupted since 2014
- Produce noise maps to the 45 DNL level, validating FAA's models with ground measurements
- Engage with the SCSC Roundtable http://scscroundtable.org

Thank you,
Subodh Iyengar

Keyon, David

From: Susumu Agari [redacted]
Sent: Friday, January 17, 2020 5:25 PM
To: Keyon, David
Subject: Feedback on Environmental Impact Report on the SJC expansion (File PP18-103)

Mr Keyon,

I ask that the SJC expansion project be **REJECTED** because there is already too much noise from SJC south flow operations and this expansion will make things worse, especially over cities like Sunnyvale and Cupertino. The proposed expansion will exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

In addition, the study finds that the expansion will have a significant impact on greenhouse gas emissions. This airport expansion will emit greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan and inconsistent with San Jose's plans to fight climate change.

Thank you for your time. If you have any questions, please don't hesitate to contact me.

Sincerely,
Susumu Agari

Keyon, David

From: [redacted]
Sent: Monday, January 6, 2020 10:45 AM
To: Keyon, David
Subject: Mineta San Jose Airport Environmental Impact Report

[External Email]

January 6, 2020

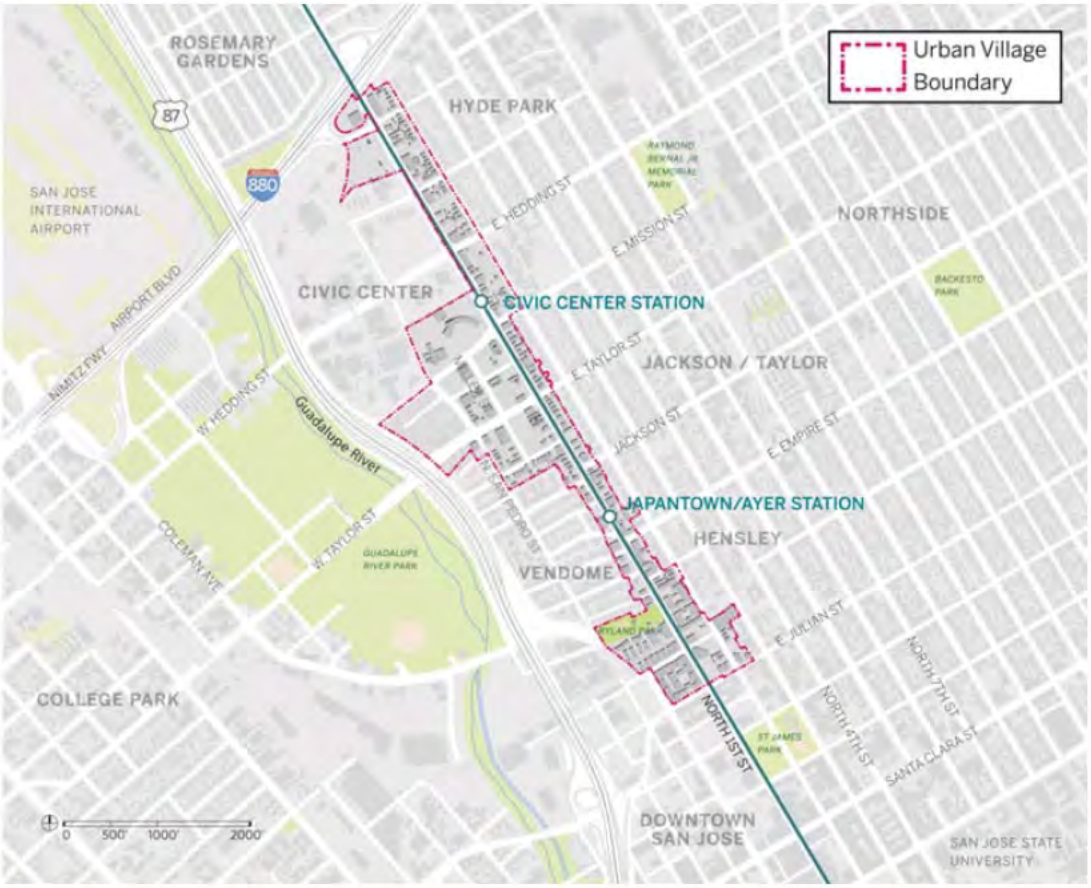
Dear David Keyon ,

The Vendome (see map below) is a small historic neighborhood in downtown San Jose (2 blocks wide by 8 blocks long). Our homes (many over 100 years old) are situated in a residential neighborhood that is landlocked on one side by the SR87/Guadalupe freeway (which is also the Mineta San Jose International Airport flight path/corridor) and the other by the VTA light rail/North 1st Street. It is the only neighborhood on the west side of North 1st Street.

Please factor into your impact study that the airport expansion will increase traffic on the SR87/Guadalupe freeway. Also, factor the development of the *North 1st Street Local Transit Village* (the introduction of hi-rise buildings: hi-density housing and businesses) will create a massive barrier (like a mega freeway sound wall) that will enclose our neighborhood on 3 sides, reverberate the airport and freeway noise back onto our neighborhood and trap the pollution in our small community (both current and increased noise and pollution from the freeway and airport).

Thank you for your attention to our health concerns.

Tod Williams
[redacted]



Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

SUMMARY:

AIRPLANE NOISE ISSUES:

Proposed increase in number of airline gates will result in more airport throughput, and exacerbate issues in surrounding communities regarding airplane noise and health concerns related to these San Jose airport overflights (south flow operations)

The conclusion that noise impact will be less than significant needs further validation, because the EIR analysis was based around a 65DB CNEL noise threshold that is outdated and is never exceeded except in very few circumstances directly adjacent to an airport runway. Using the 65DB CNEL to define airplane noise impacts is not representative of human noise annoyance.

Currently there are efforts through Congress to re-examine this 65DB CNEL threshold and evaluate noise using alternate methods. In the meantime, SJ should conduct noise studies that correspond to airplane noise frequency and human annoyance prior to any approval of this EIR.

AIR QUALITY SIGNIFICANT IMPACT:

Per the Draft EIR, Air Quality will have a significant impact due to the projected increase in flight operations. Yet there is no proposed mitigation for this air quality impact. Appendix L of the EIR attempts to justify this significant impact to air quality by implying that the number of planes will not be impacted by the newly constructed gates. However, Appendix L is misleading, and other sections of the EIR imply impact to the number of planes directly based on the number of gates. (See section 4 below for specifics)

Recent health studies have indicated that exposure to frequent airplane noise and increased particulate matter from airlines can have health consequences for residents under flights paths, so this issue should be critical importance to San Jose officials, and should be accurately analyzed.

GREENHOUSE EMISSIONS SIGNIFICANT IMPACT:

- The EIR states significant impact of greenhouse gases, yet there is no proposed mitigation for the projected increase in flights. Appendix L attempts to justify this increased in greenhouse gas emissions by implying that the number of planes will not be impacted by the newly constructed gates or planned airport expansions. However, Appendix L is misleading and inconsistent with other information in the EIR that implies potential direct impact to flight operations. (See section 4 below)
- These significant emissions are emissions are counter to San Jose plans to flight climate change, and go against the State of California targets to reduce emissions.
- In a recent San Jose Mercury article, Greg Nudd, deputy air pollution officer for policy at the Bay Area Clean Quality Management District mentioned “A lot of people don’t realize how carbon-intensive flying is.”

- The aviation industry accounts for 12 percent of all transportation-related greenhouse gas emissions and 3 percent of total greenhouse gas emissions in the United States, according to the Environmental Protection Agency.

Appendix L of the EIR attempts to justify the unmitigated significant increases in greenhouse emissions and air quality issues – Inconsistencies exist in the EIR regarding airport expansions & their corresponding impact to overall flight operations:

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. Since this is the case, then building new gates will have direct impact on overall capacity of the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

(For specifics see corresponding section below).

Regarding greenhouse gas emissions, airplane noise, and air quality, the EIR analysis should be conducted well past the 2037 horizon

Because climate change and air quality issues seriously impacting this planet, the SJC airport expansion and its implications should be considered well beyond the 2037 horizon. In addition, airplane noise has health ramifications for residents under the flight paths. There three factors (Greenhouse gas emissions, air quality impacts, and airplane noise) will have serious ramifications in the future.

As one of our group members wrote:
"I have to applaud the Mercury news for publishing the article on December 29th for discussing the negative impacts for San Jose Airport expansion. The airport will ...spew a "significant and unavoidable" amount of ozone and greenhouse gases... At a time when California has almost year round fires, Australia has by some estimates lost over a billion animals because of fires and Venice Italy is flooded by rising sea levels. Sam Licardo has done the right thing requiring new construction in San Jose to not use natural gas. Now he needs to step up and do the right thing and oppose the airport expansion. The next fire is in Sam's hands."

In this EIR, the significant impacts to greenhouse gas emissions and air quality are dismissed by Appendix L, and that is wrong. By creating incremental impact horizons (i.e. 2027, 2037), the SJ City Council and the SJC airport are skirting their environmental obligations to the Bay Area. In listening to the Council meeting on Jan 14, 2020, it was clear that money and profit (not the

environment) were the driving factors for this project. Greenhouse gas emissions and air quality were basically ignored during the entire Council discussion, with complete reliance on the Appendix L analysis that is misleading, and predominant discussions regarding budgeting of the project.

The SJC Airport continues to experience challenges at peak hours:

During the Council meeting on Jan 14, 2020, SJC Director Aitken stated "the Airport continues to experience challenges at peak hours."

Based on an article in San Jose Spotlight regarding the SJC expansion: https://sanjosespotlight.com/san-jose-airport-receives-10-million-to-kickstart-plans-for-expansion/

> *"Last year, Mineta International broke its all-time record of number of passengers traveling through SJC, with 14.3 million people traveling in and out of the airport. In September of this year, that number has already been surpassed. Between Oct. 2018 and Sept. 2019, 15.3 million people traveled through SJC. And Wintner [deputy director of communications for the airport] says airport officials expect to receive another 400,000 passengers by the end of 2019."*
>
> *"That's not sustainable, there's no way we can continue to grow at that rate," says Wintner. "We've been one of the fastest growing airports in the country over the last five years."*

Statements like the two listed above imply that the gates or some other SJC expansion factor is currently impacting the airport in some way, or will be impacting the airport soon. This means that the implications contained in the EIR Appendix L, appear to be misleading. At some point, these proposed gate expansions will impact the number of flight operations/capacity of the SJC airport. So, these planned expansions have direct impact on greenhouse gas emissions and air quality.

Time Based Flow Management:

During the Select Committee hearings, the FAA representative stated that Time-Based Flow Management (TBFM) might be available in seven years. It's been three years since then, which means TBFM could arrive four years from now. TBFM would sequence airplanes far away from the airport, greatly reducing the congestion that currently occurs in and around the metroplexes, which ATC is charged with managing. One of the tools ATC uses to deal with congestion is vectoring and we can anticipate that TBFM will greatly reduce the need for vectoring. Since TBFM is likely to be rolled out before the 2037 planning horizon (unless the program is cancelled), it would be helpful if the EIR would speak to the environmental implications of TBFM on the approach paths to SJC, both for normal and south flow conditions.

- How will TBFM alter the percentage of flights arriving on the RNP Z approach to runway 12 during South Flow?
- Can we expect TBFM to further increase concentration on the flight paths already in use?
- What will TBFM do to use of the Eastern Approach to SJC during South Flow conditions? During the Ad Hoc Committee process, we were told that all planes on the Eastern Approach are vectored, so if the need for vectoring is greatly reduced or eliminated, it seems that the Eastern Approach could fall into disuse with those planes being added to the operations overflying Cupertino and Sunnyvale.

The city of San Jose owns the airport, and has complete control over any planned expansions. In contrast, flight operations are in the control of the FAA. It is the one point, where residents or the city have control – And yet, SJ officials are ignoring impacts to greenhouse gases, air quality, and airplane noise

For this reason, it is imperative that the airport consider carefully the future implications to greenhouse gases/air quality, and airplane noise seriously for this proposed expansion.

Excerpt from EIR: (page X PDF page 11)
"The City of San José is the owner and operator of the Airport. However, the Federal Airline Deregulation Act of 1978 prohibits a state or local government's regulation of an air carrier's rates, routes, or services. The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights."

The new gates will be very profitable for SJ ($27.5 million dollars profit annually per new gate) Source Council meeting Jan 14, 2020

SJ has full jurisdiction of any airport expansions, and determines completely whether or not expansions of the airport will take place. It is clear that surrounding communities that are directly impacted by the airplane noise have no effective voice in this matter. Since this is the case, San Jose has potential clout with the FAA regarding impact on alternate paths that might relieve some of the noise from south flow arrivals. South flow operations have serious noise impact on cities like Sunnyvale, Cupertino, Mountain View.

Before approval of this EIR, and because these proposed expansions would impact neighboring cities who have no "say" regarding this matter, this would be a good opportunity for SJC to work/negotiate with the FAA to find mitigations for the SJC south flow issue over impacted cities. These neighboring cities will be seriously impacted by the increase in number of flights, but will have no monetary benefit generated by the gate expansions. For example, Time based flow management will effectively shift the vectored East approaching airplanes into the south flow flight path over Sunnyvale and Cupertino, yet consequences like this are not be considered as part of the proposed SJC expansions. These discussions should take place with neighboring impacted communities prior to EIR approval.

Building heights:

Need to conduct a study to confirm these expansions will not impact south flow operations in any way

SJC has been taking flights over from SFO, specifically domestic routes:

During the discussion on Jan 14, 2020 Mayor Liccardo implied that many residents from the south bay use SFO airport, causing an increase in greenhouse gas emissions.

During many airport commission meetings, it was observed that SJC is attempting to "scalp" flights from SFO, and it appears this has been successful. This might imply that SF customers are now traveling extra distances to SJC for cheaper flights. Since it is clear that SJC is attempting to shift SFO flights over to SJC, then a full analysis should be conducted with projects showing the impacts of the potential additional transportation between the North bay cities to SJC (rather than to SFO). No such analysis appears to have been conducted regarding air quality and greenhouse gases from this source.

SUPPLEMENTAL INFORMATION REGARDING THE ISSUES SUMMARIZED ABOVE:

A **'No project" assessment made in the EIR states that SJC facility expansions will not impact the projected demand for 2037. However, this statement is somewhat misleading and should be clarified in the EIR.**

Background:
This EIR has many inconsistencies regarding gates and additional flights created by these planned SJC expansions.

For example: Appendix L indicates that NO PROJECT would not result in an increase in flights beyond what would exist with the current gates (i.e no expansion):
Appendix L (pg. 6) states "For SJC's Master Plan amendment "No Project" scenario, this evaluation therefore concludes that no expansion of existing facilities will not deter the activity demand projected for the year 2037 from materializing, and instead would generate undesirable

service levels and impacts that the facility improvements proposed in the Airport Master Plan amendment are intended to address."

In contrast, the EIR in sections implies that gates associated with an airport can influence the level of activity:
The statement above is inconsistent with other statements made throughout the EIR.
For example, in the EIR document (pg x, PDF pg 11) Excerpt "The City cannot regulate the number of flights or the types of aircraft utilizing the Airport, as long as those flights and aircraft can be reasonably accommodated. In practical terms, this means that the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights."

From this statement it is clear that the total number of gates will impact the existing airport facilities. This statement would imply that ultimately if gates are built, then the level of activity will ultimately increase as a direct consequence of those new gates.

Currently SJC gate capacity appears to be one of the main airport facility contributors to SJC flight delays. This is based on various statement by SJC officials. Since this is the case, then building new gates will have direct impact on overall capacity of the airport in the future, regardless of what appendix L of the EIR implies. At minimum, additional gates will have an impact on the overall airport capacity in the future beyond the 2037 horizon. In other words, construction of new gates effectively expands SJC airport capacity and ultimately the number of flights (currently or at minimum in the future) during peak activity hours beyond current capacity without the planned expansion.

Appendix L states that any gate expansions beyond current levels would have no impact to future airplane demand numbers. However, that Appendix L analysis stops at 2037 horizon, and does not consider a longer time frame, & makes potential erroneous assumptions regarding projected growth – Thereby justifying spewing addition tons of greenhouse gas into the atmosphere without any mitigation requirements that might be necessary under CEQA or other government agencies.

In addition, the projections for 2037 are suspect, since the growth rate over the past 5 years has been very high, yet the projections through 2037 appear to be low in comparison – Making it easier in Appendix L to imply that new gate expansions would make no difference to overall flight operations, and therefore have no impact on greenhouse gas emissions/air quality, or airplane noise. These projections should be questioned, because they may be accidentally skirting CEQA requirements.

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

The planned expansion of the SJ Airport will increase flight traffic. We already have an issue with loud airplane noise over cities like Sunnyvale & Cupertino during south flow operations. These planned

expansions will only exacerbate an already serious noise issue over our cities with significant increases in the number of flights.

In addition, the study finds that the expansions will have a significant impact on greenhouse gas emissions. This airport expansion will spew greenhouse gases into the atmosphere as the number of planes increases. This is inconsistent with the Clean Air Plan, and inconsistent with San Jose plans to fight climate change, since SJ is the direct owner and operator of the airport.

The EIR implies that the number of flights would increase no matter what occurs with the expansion. This statement is misleading. Yes, it is expected that there will be an increase in flight demand over time based on the economy and jobs. However, an expansion of the airport will actually allow more airport capacity and allow more planes in the future than if there was no expansion of gates and facilities. This EIR is skirting that fact. Per the EIR - "the level of activity at the Airport will be directly related to two primary factors: 1) the demand for air transportation services that is largely based on the regional economy and jobs/housing land uses, and 2) whether there are facilities at the Airport that can accommodate the demand. As an example, if an airline determines that there is a market for adding flights to a given destination from San José and the existing facilities (i.e., runways, taxiways, gates, etc.) can accommodate the desired aircraft, the City has no approval authority over the airline's decision to add the flights." The total number of gates will impact the existing facilities. So if gates are built, then the level of activity at the airport will ultimately increase regardless of what the EIR attempts to imply. In other words, airplanes and airlines will back-fill into the new gates, causing more traffic than if the new gates did not exist.

The city of San Jose has complete control over any expansions of the airport. The EIR argument that the expansion will not ultimately alter the number of future flights is erroneous. This expansion will have direct impact on the number of future flights, and therefore direct impact on significant greenhouse gas increases and airplane noise. If the San Jose City Council approves an expansion of the airport, they will be directly responsible for a corresponding increase in airplane noise and greenhouse gas emissions, regardless of the misleading EIR.

****

Based on the November 2019 Draft of the Environmental Impact Report on the SJC expansion (File PP18-103), we ask that the SJC expansion project be rejected for the following reasons:

1. The **project causes an unacceptable health risk** due to the significant impact on Air Quality.

   Per the Draft EIR, **Air Quality will have a significant impact**: If implemented, the **expansion project will be inconsistent with the Clean Air Plan** because of significant emissions of nitrogen oxides and PM_{10}, which are particulate matters that are smaller than 10 microns in size:

   - The projected **incremental amount of nitrogen oxides** is estimated at 972 tons/year, **almost 100 times the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Note that nitrogen oxides are poisonous gases that lead to the creation of smog. Nitrogen oxides irritate the respiratory system leading to respiratory infections and the development or aggravation of asthma.
   - The projected **incremental amount of PM_{10} is estimated at 33 tons/year, more than double the significant threshold of 15 tons/year** (see table 4.3-8, page 121). As noted in the report on page 101, "*PM10 is of*

concern because it bypasses the body's natural filtration system more easily than larger particles and can lodge deep into the lungs." and "*Exposure to PM can increase the risk of chronic respiratory disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, and decreased lung function.*"

- Note also that the projected **incremental amount of $PM_{2.5}$ (particulate matters that are smaller than 2.5 microns in size) is estimated at 9.4 tons/year, which is very close to the significant threshold of 10 tons/year** (see table 4.3-8, page 121). Per the report on page 101, "*$PM_{2.5}$ poses an increased health risk relative to PM10 because the particles can deposit more deeply in the lungs and they contain substances that are particularly harmful to human health.*"

2. The **project increases Greenhouse Gas emissions substantially thus ignoring the problem of climate change and going against** the State of California targets to reduce emissions or the City of San Jose plans to fight climate change.

Per the Draft EIR, **Greenhouse Gas Emissions will have a significant impact**: the emissions impact "*conflicts with statewide emissions reduction targets (Impact GHG-2)*" (page 376). **The amount of annual carbon emissions due to aircraft operations will almost double**: the current level is 139,083 millions of tons/year (see table 4.8-2 on page 210) and is expected to increase to 270,977 millions of tons/year if the project is completed (see table 4.8-3 on page 216) thus resulting in a net increase of aircraft carbon emissions of 131,894 millions of tons/year.

If the City of San Jose is serious about its claims that "*the fight against climate change grows more urgent every day*" (see Climate Smart San Jose), it should reject the SJC expansion project given the projected increase in greenhouse gas emissions.

3. **The conclusion that noise impact will be less than significant needs further validation** because the conclusion was based on a limited analysis that did not address requests sent in January 2019 such as the ones from Santa Clara County Supervisor Simitian or residents of Palo Alto to go above and beyond the legal minimum, have all assumptions documented, and show noise contours starting at 45 dB CNEL for all cities impacted by SJC traffic (see appendix A below for specific requests). For instance, noise contours of cities affected by SJC traffic or below 60 dB CNEL are not shown in the report; assumptions such as the percentage of south flow versus north flow operations or time used in the analysis are not disclosed. Furthermore, no sensitivity analysis seems to have been performed on the assumptions used to estimate the noise impact (for instance, reference grid location #5 will experience a projected CNEL increase of 1.2 dBA, which is 0.3 dBA short of the required 1.5 dBA increase that would make the impact significant (see table 4-13.9 page 314).

In addition, the analysis does not investigate cumulative noise impact because, as stated in the report, current federal, state, and local regulations do not require cumulative impact analyses for areas outside the 65 dB CNEL contour of an airport (see page 320). Although not required by law, cumulative noise impact should be estimated and addressed given that several communities are affected by air traffic to and from multiple airports (including SJC). Given the flight concentration caused by NextGen, it should also be recognized that the law is outdated and should be re-evaluated to require that cumulative impact on

communities affected by traffic from multiple airports is measured and calculated even when the communities do not fall under the 65 dB CNEL contour of any airport.

4. The **conclusions that the significant impacts on air quality and greenhouse gas emissions are unavoidable are not supported by a rigorous analysis.**

The report states that "*...as long as there is a market for air transportation services and there are facilities to accommodate the demand, activity will continue to increase*" (see page 31) and also concludes that "*the projected 2037 demand can be accommodated by the Airport's existing facilities, albeit under congested conditions with delays and poor levels of service*" (see page 31).

These statements are not based on any analysis: one cannot conclude that the increase in operations because of an SJC expansion would be fully accommodated by SFO and OAK because these airports also face capacity limitations in terms of gates and landing rates. Furthermore, such conclusions **ignore basic economic mechanisms such as congestion pricing and price elasticity** that have a direct impact on demand.

Thank you for your consideration regarding these matters.

Sincerely,

Tony Guan [redacted]

Jennifer Tasseff [redacted]

And members of the Sunnyvale-Cupertino Airplane Noise Group Over 500 members strong

Keyon, David

From: Tony Guan [redacted]
Sent: Friday, January 17, 2020 5:04 PM
To: Keyon, David
Subject: I am against SJC expansion plan

Dear Mr. Keyon,

I oppose the SJC expansion plan before it solves the airplane noise issue in the neighborhoods of the surrounding cities.

Thanks.

Tony Guan from Sunnyvale

Keyon, David

From: Vicci Hult [redacted]
Sent: Friday, January 17, 2020 9:00 AM
To: Keyon, David
Subject: Airport expansion

[External Email]

I love to fly out of SJS however.....Since FFA implemented NetGen I hate SJS especially after 10PM. I love along Hiway 35 and the jets do not observe the 5,000 feet above terra firma. I hate waking up to loud jet noise at 11:30 and when I check online it's a flight into SJS. Have FFA bring their jets back to the paths used 7 years ago and you will have the support of the community. Otherwise I'm sure Save Our Skies will regroup in a big way and arrive at all your meetings - we will need to get our red shirts out of the closet.

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Cheers, [redacted]

Keyon, David

From: Vicki Miller [redacted]
Sent: Monday, January 13, 2020 5:49 AM
To: Keyon, David
Subject: Mineta San Jose Airport growth

I have read the article on proposed growth of Mineta San Jose Airport. I get it that the City wants new revenue and that additional plane landings and take-offs as well as hotel room tax will bring money into the coffers of San Jose. But this is at the expense of the health and well-being of your residents and the greater community. Planes taking off and landing at San Jose will have an affect not only on the residents situated locally but on those of us that the planes will fly over as they approach or depart. Already there is an unbearable amount of jet noise from departures from San Jose but for the folks situated in the Summit communities of the Santa Cruz mountains the noise level is astounding.

City San Jose needs to take a look at not only at the environmental issues from the greenhouse gases as our planet warms, but at the particulate matter deposited upon our soils and the health issues from noise.

San Jose should be helping to lead into the future, not with additional planes coming and going but with alternative methods of people movement such as high speed rail.

Thank you for listening and I hope for being open to other options.

Regards,

Vicki Miller
Santa Cruz County Resident

Keyon, David

From: Xuanran Zong [redacted]
Sent: Friday, January 17, 2020 10:37 PM
To: Keyon, David
Subject: Please reject SJC expansion

Dear David Keyon,

I am a Sunnyvale resident who live under the SJC south flow route. There is too much noise from SJC south flow operations already, and this expansion will make things worse. Please reject this proposal.

Thanks

Xuanran Zong

Keyon, David

From: [redacted]
Sent: Saturday, January 18, 2020 10:28 PM
To: Keyon, David
Subject: SJC Expansion

[External Email]

Dear Mr Keyon,
I live in Sunnyvale and unfortunately directly under the south flow landing pattern for SJC since NexGen was implemented several years ago with no input from residents of Sunnyvale. The noise from planes flying way too low over Sunnyvale on south flow days is unbearable even with windows closed, often starting at 6am and going well past midnight. The problem has affected my sleep, my health and my ability to work from home for my consulting business.

Now, I hear that SJC is planning an expansion. Before you plan any expansion, SJC authorities has to deal with the issue of planes flying so low far away from the airport and the current environmental impact on residents such as us in Sunnyvale. Adding to the planes roaring overhead HAS AN ENVIRONMENTAL IMPACT on people like me and my family. I strongly object to any expansion of SJC until you deal with the noise assault on neighboring communities like Sunnyvale. Communities and quality of life matter and it should not always be about the amount of money you make.

Y Chia

Keyon, David

From: Yao Wang [redacted]
Sent: Saturday, January 18, 2020 8:00 AM
To: Keyon, David
Subject: Expansion Plan

[External Email]

Dear Mr Keyon,

I am a resident of Sunnyvale.
There is too much noise from SJC south flow operations, the expansion will make things even worse. I oppose the SJC expansion plan before it solves the airplane noise issue in the neighborhood.

Regards,
Yao Wang

Sent from my iPhone

Keyon, David

From: Yingnan Xiao [redacted]
Sent: Friday, January 17, 2020 10:26 PM
To: Keyon, David
Subject: Object to SJC expansion

[External Email]

Hello David,

The SJC south flow operations have already bring us too much noise. We strongly object to the SJC expansion, which will make the noise worse.

Thanks,
Yingnan Xiao

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