

**DOCKETED**

<b>Docket Number:</b>	19-SPPE-01
<b>Project Title:</b>	Laurelwood Data Center (MECP I Santa Clara I, LLC)
<b>TN #:</b>	229965
<b>Document Title:</b>	Laurelwood Data Center CEQA Initial Study - ND
<b>Description:</b>	Email - City of San Jose Airport Department comments on LDC IS/Proposed MND
<b>Filer:</b>	Lisa Worrall
<b>Organization:</b>	City of San Jose Airport Department/Cary Greene
<b>Submitter Role:</b>	Public Agency
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## Worrall, Lisa@Energy

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**From:** Greene, Cary <CGreene@sjc.org>  
**Sent:** Friday, October 4, 2019 10:50 AM  
**To:** Worrall, Lisa@Energy  
**Cc:** Reena Brilliot (Santa Clara Planning) (rbrilliot@santaclaraca.gov); Mark Connolly (ALUC); Sheelen, Ryan  
**Subject:** Laurelwood Data Center CEQA Initial Study/ND

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Hello Lisa,

Although the public comment period for the subject CEQA document closed yesterday, the City of San Jose Airport Department finds that the document does not correctly or completely address the aviation-related CEQA topics. While the Airport does not object to the issuance of a Negative Declaration for the proposed project, we do request that the document be revised in consideration of the following comments.

### Section 5.9 Hazards and Hazardous Materials

- Page 5.9-1. The determination for Item “e” in the checklist table should be changed from “No Impact” to “Less than Significant Impact” (per the following comment).
- Page 5.9-2. The text under “Airports” incorrectly states that the project height would not trigger FAA review. The analysis should have disclosed that Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (referred to as FAR Part 77), requires that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport’s runways (“notification surface”), or which would otherwise stand at least 200 feet in height above ground. For the project site, the FAR Part 77 notification surface is at an approximate height of 85 feet above ground. As the project proposes maximum building heights up to 120.5 feet, airspace safety review by the FAA is required.
- Page 5.9-9. The text under Item “e” should be corrected to state that FAA review of the proposed project structures exceeding the FAR Part 77 notification surface is required. FAA issuance of “determination of no hazard” clearances, and subsequent applicant compliance with any conditions set forth in such FAA determinations, would ensure that the project does not have an adverse impact on airspace safety.

### Section 5.11 Land Use and Planning

- This section should have expressly disclosed that the project site is within the Santa Clara County Airport Land Use Commission’s defined “Airport Influence Area (AIA)” of San Jose International Airport and included a more complete discussion of compatibility with the applicable policies of the ALUC’s Comprehensive Land Use Plan (CLUP) for San Jose International Airport, including the policy requiring granting of an Avigation Easement to the City of San Jose setting forth acceptance of elevation limits and aircraft noise impacts prior to development.

Please contact me or Ryan Sheelen of my office if you have any questions or need any clarification regarding the above comments. As a general practice, we also suggest that future draft CEC CEQA documents involving projects located with the AIA of San Jose International Airport be transmitted to the City of San Jose Airport Department as well as to the ALUC as part of the public review process.

Thanks.

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