



SAN MATEO COUNTY Board of Supervisors

Date April 18, 2001

TO: Honorable Board of Supervisors
FROM: Supervisor Mark Church, District 1 *mc*
SUBJECT: San Francisco International Airport Expansion Senate Bill 244 (Speier)

Recommendation Approve a resolution to support and sponsor Senate Bill 244 (Speier) to expand the California Environmental Quality Act (CEQA) to cover acquisitions of Public Trust Lands by public airports

Background

As you know, the San Francisco International Airport (SFO) has undertaken a runway reconfiguration program. Consultants retained by the San Francisco Airport Commission, Charles Rivers Associates, will complete their analysis of the proposed alternatives and release their findings and recommendations on Monday, April 23, 2001. Regardless of the preferred alternative, I believe it is imperative that the interests of San Mateo County be protected early in the public decision making process.

Under current law, the California Environmental Quality Act requires the *lead agency*, generally the agency responsible for approving and building the project, to prepare a (1) negative declaration (2) mitigated negative declaration or (3) an environmental impact report (EIR) unless the project is exempt from CEQA. The EIR must identify the mitigation that will be done to reduce significant environmental impacts to the extent feasible. The public review period for the draft EIR cannot be less than 30 days and must be at least 45 days if the EIR is submitted to the State Clearinghouse for review.

Additionally, under CEQA a *responsible agency* is defined as a public agency, other than the lead agency, that has responsibility for carrying out or approving a project.

Senate Bill 244 (Speier) would ensure cities and counties have a more meaningful role in the public decision making process of expansions of public airports. This measure would provide that any project requiring acquisition of, or an interest in, public trust lands by any local, regional or state entity from the State Lands Commission, Department of General Services or other state agency for the purpose of airport expansion comply with the following:

- a public review period for a draft EIR to be not less than 120 days

- the city or county to be a responsible agency if public trust land in that city or county is being acquired for the airport expansion,
- as a responsible agency, ensure that an airport expansion project complies with CEQA,
- written approval to be secured from the city or county responsible agency for the mitigation of the proposed expansion project before the EIR can be certified and
- the opportunity for any responsible agency to propose additional mitigation measures to the project

Discussion

Under Section 21661.6 of the Public Utilities Code, the board of supervisors or city council is required to approve a plan to expand a publicly owned airport when land is acquired in that jurisdiction for purposes of the project

The City and County of San Francisco own and operate the San Francisco International Airport (SFO) located in unincorporated San Mateo County. Among the alternatives being studied for the SFO expansion is a runway reconfiguration and extension on Bay fill lands. Such a proposal would have significant environmental impacts.

Senate Bill 244 would make the County of San Mateo and possibly the City of South San Francisco responsible agencies under CEQA, thereby providing the most affected local agencies the authority to certify compliance with the EIR and mitigation plans. Under SB 244, a responsible agency would be able to propose mitigation measures to the airport expansion project. This would ensure meaningful input from affected local agencies early in the process.

Finally, in recognition of the cost, complexity, controversy and public concern with the SFO expansion project, Senate Bill 244 would ensure a more appropriate, but reasonable public comment period on the EIR of not less than 120 days.

Attached for your consideration is a resolution in support and sponsorship of Senate Bill 244 (Speier).

Resolution No. _____
Board of Supervisors, County of San Mateo, State of California

**Resolution in Support and Sponsorship of Senate Bill 244 (Speier) to expand
the California Environmental Quality Act (CEQA) to cover acquisition of
public trust lands by public airports**

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Resolved, by the Board of Supervisors of the County of San Mateo, State of California, that

Whereas, the San Francisco International Airport (SFO), located in unincorporated San Mateo County, has undertaken a runway reconfiguration program currently being studied to determine the preferred alternative expansion which may include acquisition or use of public trust lands,

Whereas, it is imperative that the interests of San Mateo County residents be protected and included early in the public decision making process,

Whereas, the California Environmental Quality Act (CEQA) requires the lead agency responsible for approving and building such an airport expansion project to prepare a (1) negative declaration, (2) mitigated negative declaration or (3) an environmental impact report (EIR) unless the project is exempt from CEQA, and further requires that an EIR must identify mitigation to reduce significant environmental impacts subject to a public review period of not less than 30 days and at least 45 days if submitted to the State Clearinghouse for review,

Whereas, recognizing the costs, complexity, controversy and public concern with the proposed SFO expansion project, Senate Bill 244 provides for a more reasonable 120 day public comment period on an EIR, and further ensures that an airport expansion project complies with CEQA with written approval of the mitigation plan to be secured from the city or county responsible agency,

Whereas, this measure would make the County of San Mateo and possibly the City of South San Francisco responsible agencies under CEQA, thereby enabling the most affected local agencies the authority to propose mitigation measures and certify compliance with the EIR and mitigation plans,

Now, therefore be it resolved that the San Mateo County Board of Supervisors supports and seeks sponsorship of Senate Bill 244 (Speier) to ensure that cities and counties have a more meaningful role in the public decision making process of expansions of public airports on public trust lands