

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 10-0267

AUTHORIZATION FOR THE AIRPORT TO ENTER INTO AN OTHER TRANSACTION AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE REPLACEMENT AIRPORT TRAFFIC CONTROL TOWER AND FAA OFFICES, SUBJECT TO BOARD OF SUPERVISORS APPROVAL

- WHEREAS, in 2008, it was concluded that the existing Airport Traffic Control Tower (ATCT) at SFO required replacement due to significant seismic structural deficiencies; and
- WHEREAS, the Federal Aviation Administration (FAA), with the support of SFO, performed a siting study and determined that the preferred site for the Replacement ATCT was Courtyard 2; and
- WHEREAS, the Airport proposed to the FAA that the agencies should develop a partnership which provides for FAA oversight of the project, and assigns project management, design and construction responsibilities of the Replacement ATCT and integrated FAA Offices (FAA Facilities) to the Airport; and
- WHEREAS, in April, Staff was informed that the FAA was in agreement with SFO's proposal, and that they would like to begin immediately on forming this partnership and proceeding with implementation; and
- WHEREAS, FAA and SFO Staffs negotiated an Other Transaction Agreement (OTA), to define roles and responsibilities for the implementation, and develop a budget and funding plan for proceeding with the work; and
- WHEREAS, the FAA is committing to funding 100% of the costs for the FAA Facilities, either in advance with the existing appropriations, or as reimbursement from future appropriations; and
- WHEREAS, the FAA and SFO Staffs agreed to a total estimated cost of \$69,550,000 for the FAA Facilities, and the FAA limitation of funds provides for a total amount not to exceed \$79,982,500, which includes a budget for cost growth and changes; and
- WHEREAS, the FAA currently has \$21,970,000 in federal appropriations for the FAA Facilities, and will be submitting for future appropriations, as additional funding is required to continue with the project; and
- WHEREAS, the Airport will fund the Airport improvements and an allocation of the shared infrastructure and systems costs that reside within the footprint of, or are directly adjacent to, the FAA Facilities (Integrated Facility), and demolition of the old tower once the new tower is up and operating; and
- WHEREAS, on November 3, 1992 by Resolution No. 92-0284, the Commission approved the San Francisco International Airport Master Plan ("Master Plan"); and

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- WHEREAS, the Master Plan was the subject of a Program Environmental Impact Report ("EIR") prepared by the City and County of San Francisco Office of Environmental Review ("OER") and certified by the San Francisco Planning Commission on May 28, 1992, all in accordance with the requirements of the California Environmental Quality Act, Cal. Public Resources Code Sec. 21000 et seq ("CEQA"); Title 14, Section 15000 et seq. of the Code of California Regulations ("CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code; and
- WHEREAS, the Terminal 2 /Boarding Area D Renovation and Terminal 1 Redevelopment Projects are included in the Master Plan, and are described generally in the Master Plan and analyzed in the EIR; and
- WHEREAS, the Courtyard 2 ATCT Relocation and Phase 1 of the Terminal 1 Redevelopment Project (also referred to as Integrated Facility) are modifications to the Terminal 2/Boarding Area D Renovation and Terminal 1 Redevelopment Projects; and
- WHEREAS, Section 15168 of the CEQA Guidelines requires subsequent activities in a program that are covered by a program EIR be examined in light of the program EIR to determine whether additional environmental documentation must be prepared; and
- WHEREAS, after reviewing the information regarding the Project, the Office of Major Environmental Analysis prepared an addendum to the Master Plan Program EIR, dated July 30, 2010, to address the changes to the Project to specifically evaluate the impacts of the modifications; and
- WHEREAS, the Office of Environmental Review has concluded that the Project, as modified from its description in the EIR, is within the scope of the Master Plan Program, that the environmental impacts of the Project have been adequately analyzed in the EIR, that the modifications to the Project would not cause new significant impacts not identified in the EIR, nor require new mitigation measures, and that no supplemental EIR or negative declaration is required; and
- WHEREAS, the Commission has reviewed and considered the information in the San Francisco International Airport Master Plan Final Environmental Impact Report (EIR) and the Master Plan Program EIR Addendum for the Courtyard 2 ATCT Relocation and Phase 1 of the Terminal 1 Redevelopment Project, dated July 30, 2010; and
- WHEREAS, the Airport will prepare an Environmental Assessment (EA) on FAA's behalf to ensure compliance with requirements set forth in the Council on Environmental Quality regulation for implementing the National Environmental Policy Act (NEPA); and
- WHEREAS, it is anticipated that EA will result in a Finding of No Significant Impact (FONSI), and the EA will be approved by the FAA; and

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- WHEREAS, the OTA will remain in effect for five years or when the Airport's design-build contractor has completed the design and construction of the FAA Facilities, and the FAA has approved the facility; and
- WHEREAS, the Airport will allow in the schedule an additional one-year period for FAA engineering, installation, and other cut-over activities after the FAA has approved the facility; and
- WHEREAS, the Airport will remove the existing ATCT structure, as identified within the SFO Airport Traffic Control Tower Site Survey Final Report, within 60 days after the FAA removes it's equipment; and
- WHEREAS, the ATCT and Integrated Facility will be solely owned by the Airport and will be responsible for the maintenance, repair, and upkeep for the life of the building; and
- WHEREAS, the OTA requires the Airport and the FAA at the conclusion of this Agreement to have a separate lease agreement which will contain the FAA and Airport specific operational responsibilities; now, therefore be it:
- RESOLVED, that the Commission authorizes the Director to execute an Other Transaction Agreement with the Federal Aviation Administration for 100% reimbursement of the environmental assessment, design and construction of the Replacement Airport Traffic Control Tower and FAA Offices, not to exceed \$79,982,500, subject to Board of Supervisors approval.

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I hereby certify that the foregoing resolution was adopted by the Airport Commission

at its meeting of _____

AUG 03 2010


Secretary