

**NOTICE OF PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT REPORT FOR THE
1000 SOUTH DE ANZA RESIDENTIAL PROJECT**

April 2024

1.0 INTRODUCTION

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment, to examine methods of reducing adverse impacts, and to consider alternatives to the project.

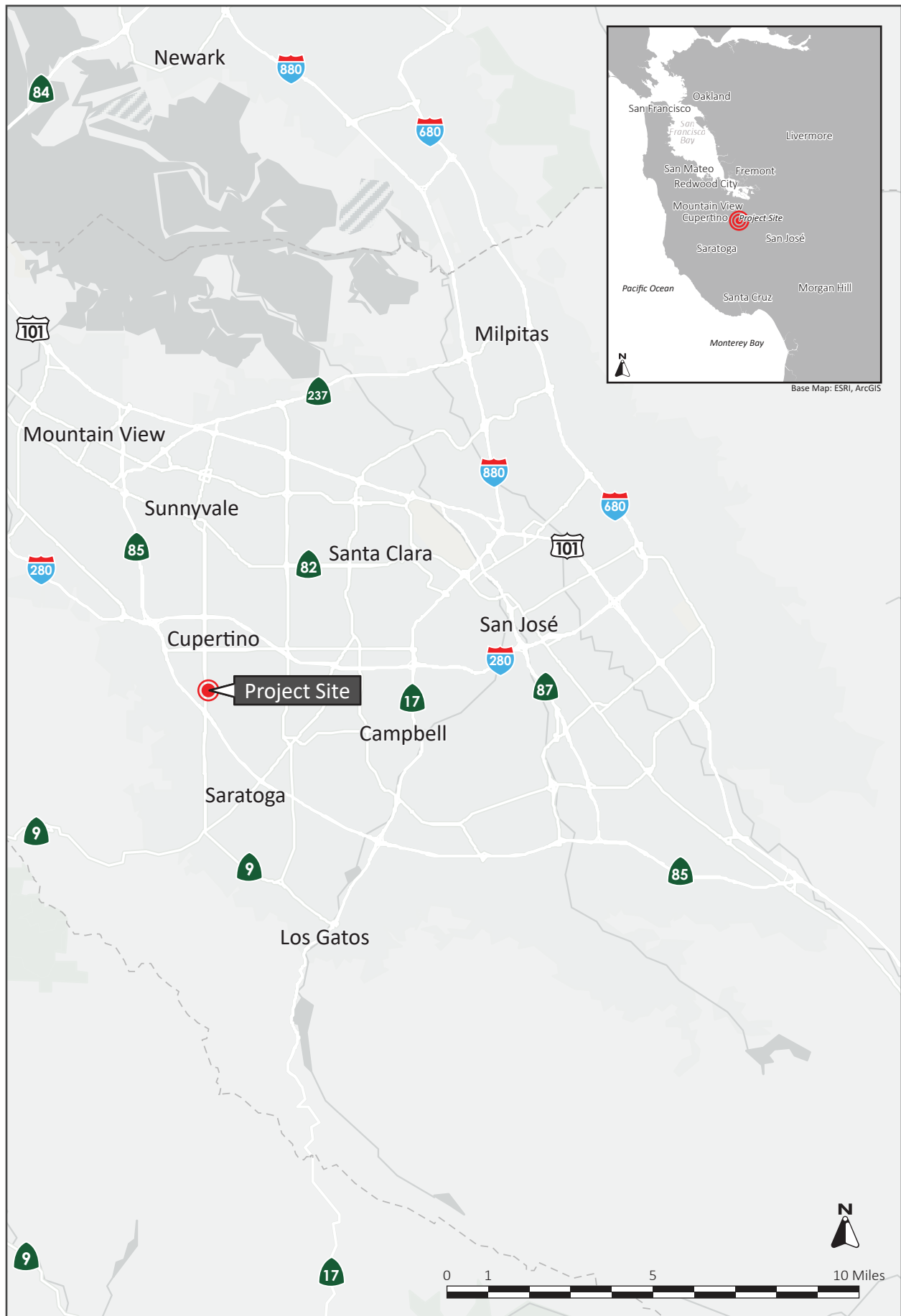
The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, the EIR will include the following:

- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures;
- Alternatives to the project, as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth-inducing impacts of the proposed project; and (d) cumulative impacts.

2.0 PROJECT LOCATION

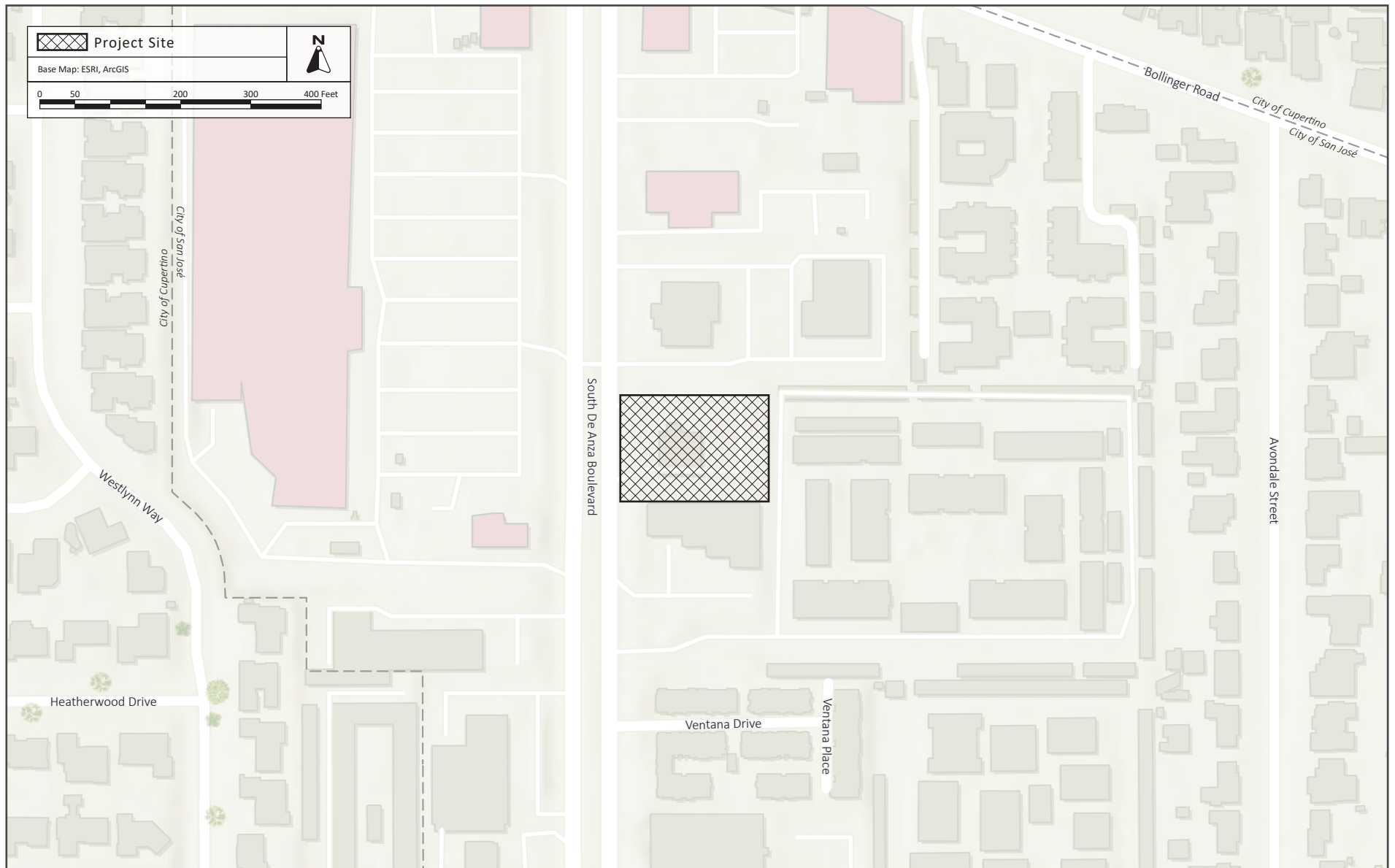
The project site is located at 1000 South De Anza Boulevard, in San José (Assessor Parcel Numbers [APNs] 372-26-018). The site is 0.72 acres and has the General Plan designation of Neighborhood/Community Commercial (NCC) and is located in the Commercial Pedestrian (CP) Zoning District. The NCC General Plan Designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. This designation also supports one hundred percent (100%) deed restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IP-5.12. The FAR for any development under the NCC designation would be allowed to have a FAR of up to 3.5 and could range from one to five stories tall. The site is currently developed with a restaurant building and a 32-space surface parking lot.

There are several mature trees on the site. The project site is adjacent to a restaurant to the north, a preschool to the south and a two-story apartment to the east. Regional, vicinity, and aerial maps of the project site are provided in Figures 1-3.



REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3

3.0. PROJECT DESCRIPTION

The proposed project would involve the demolition of the existing commercial building and surface parking lot located on a 0.72-acre lot at 1000 South De Anza Boulevard (APN 372-26-018) in the City of San José. The proposed project would utilize the Housing Accountability Act's Builders Remedy policy (Government Code Section 65589.5) to construct a 97-foot tall, seven story, 99-unit residential building. 20 percent of the units would be provided at 80 percent of average median income and the development would consist of approximately 36 studios, 46 one-bedroom units, and 17 two-bedroom units. The building would include 8,714 square feet of common open space and a 112-stall parking area with mechanical lifts and eight outdoor guest parking spaces. Access to the parking area is at grade and the stackers used for parking would store vehicles approximately 10 feet below the site grade.

The first floor of the residential building would include a fitness area and bike lockers in addition to parking for the site. Additionally, on the second floor, the building would feature a pool, barbecue area, and resident lounge along with the residential units. The remaining floors would feature residential units. On the roof of the structure, the project would feature a lounge and outdoor seating area adjacent to rooftop solar panels. The site plan and elevations of the proposed project are included below in Figures 4 and 5.

Construction Information

The proposed project would be constructed over 14 months. The construction would not require pile driving and would excavate approximately 10 feet below the ground surface. This excavation would remove approximately 468 cubic yards of soil. The proposed project would remove 19 on-site trees, 13 of which are ordinance sized.

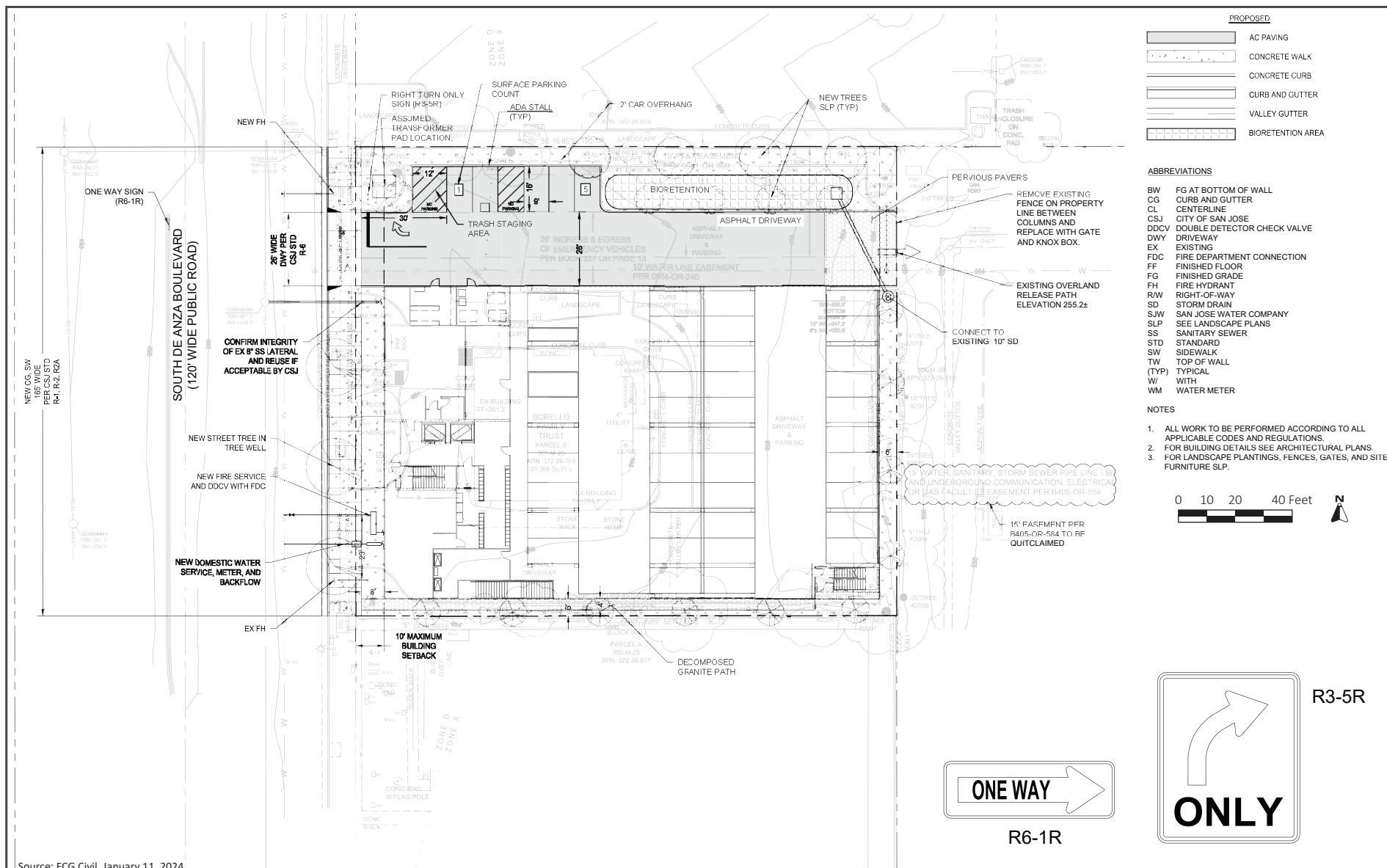
Green Building Features

The proposed project includes all electric appliances and would implement all REACH codes and green energy standards required by the City of San José. The western side of the project rooftop would have four areas ready for solar which would be able to provide approximately 46,000 Kw of energy production.

4.0 POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT

The EIR will address the environmental impacts associated with the proposed project. The City anticipates that the EIR will focus on the following issues:

- **Aesthetics** – The proposed development would demolish the restaurant building on-site and construct a seven-story residential building. The EIR will describe the existing visual setting of the project area and the visual changes that are anticipated to occur as a result of the proposed project.



PROJECT SITE PLAN

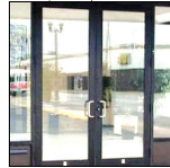
FIGURE 4



METAL WALL PANELS
(TERRA COTTA)



VINYL WINDOWS
(EBONY)



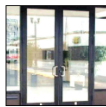
STOREFRONT
(EBONY)



WOOD PANEL
BETWEEN WINDOWS
(MEDIUM BROWN)



WOOD CLADDING
(MEDIUM BROWN)



STOREFRONT
(EBONY)



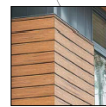
VINYL WINDOWS
(EBONY)



GARAGE GREEN
SCREENS
(EBONY)



WOOD PANEL
BETWEEN WINDOWS
(MEDIUM BROWN)



WOOD CLADDING
(MEDIUM BROWN)



METAL WALL PANELS
(TERRA COTTA)



METAL AWNINGS
(DARK GRAY)



STUCCO RECESS AT
WINDOWS



SMOOTH STUCCO
(OFF WHITE)

Source: LPMD Architects.

PROJECT ELEVATIONS

FIGURE 5

- **Air Quality** – The EIR will describe the existing air quality conditions in the Bay Area and will evaluate the air quality impacts of the project, based on a detailed air quality analysis prepared for the proposed project. Construction and operational air quality impacts will be evaluated. Mitigation and/or avoidance measures will be identified for significant air quality impacts, as appropriate.
- **Biological Resources** – The project site is currently developed with a restaurant building and a surface parking lot. Habitats in the project area are low in species diversity and include predominately urban adapted birds and animals. The EIR will include a description of the existing biological setting and an analysis of impacts to biological resources including trees on the project site. The analysis will also discuss the project’s consistency with the Santa Clara County Habitat Conservation Plan. The EIR will provide mitigation measures necessary to reduce potentially significant impacts to less than significant levels under CEQA.
- **Cultural Resources** – Because of the early occupation by Native American tribes and development in the project vicinity, there is the potential for subsurface resources associated with this early development to be located on-site. In addition, the building on-site is less than 50 years old and would not be historically significant. The potential for cultural resources, including archeological and historic resources, to be affected by the project will be evaluated based on a records search at the Northwest Information Center of the California Historical Resources Information System (CHRIS). Mitigation measures will be identified for significant cultural resource impacts, as appropriate.
- **Energy** – Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.
- **Geology and Soils** – The project site is located near a liquefaction zone. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site.
- **Greenhouse Gas Emissions** – The EIR will address the project’s contribution to regional and global greenhouse gas (GHG) emissions, as well as the project’s consistency with state and local plans to reduce GHG emissions. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.
- **Hazards and Hazardous Materials** – There is potential for soil and/or groundwater contamination in the project area from previous agricultural land uses in the project site and surrounding areas. The EIR will address the potential for hazardous materials contamination on the project site based on a Phase I Environmental Site Assessment report to be prepared for the site. Mitigation measures will be identified to minimize significant hazardous material impacts, as appropriate.
- **Hydrology and Water Quality** – Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps the project site is Zone D, an area of undetermined but possible flood hazard, and Zone X, an area with a flood probability of less than the 100-year storm. The EIR will describe the extent to which the project would create or replace impervious surfaces on the site that would contribute urban runoff and address the effectiveness of the storm drainage system and the project’s effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).

- **Land Use** – The project site is located within a developed urbanized area of San José surrounded by residential and commercial land uses. The EIR will describe the existing land uses adjacent to and within the project area.
- **Noise and Vibration** – Because the project site is located in an urbanized area of San José and is within close proximity of sensitive receptors, a noise and vibration analysis will be prepared for the project. The analysis will describe the existing noise environment and address potential noise and vibration impacts related to the construction and operation phases of the project. Mitigation measures will be identified to reduce noise and vibration impacts to a less than significant level, as necessary.
- **Public Services** – Implementation of the proposed project would increase the population of the City; and would result in an increased demand on public services, including police and fire protection. The EIR will address the availability of public facilities and services.
- **Transportation** – The project site is located within a commercial and residential area of San José. A Local Transportation Analysis (LTA) will be completed to evaluate the proposed site access/circulation and intersection operations in the project area to identify any necessary improvements. The technical study will also provide evaluation of the project's conformance with Policy 5-1 and the VMT thresholds, and identify mitigation measures for any impacts identified.
- **Tribal Cultural Resources** – The EIR will discuss the project's potential for impacts to tribal cultural resources under Assembly Bill 52, including the results of any consultation requested by Native American tribes.
- **Utilities and Service Systems** – Implementation of the proposed project would result in an increased demand for utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary sewer and storm drains, water supply/demand, and solid waste management.
- **Cumulative Impacts** – Pursuant to CEQA Guidelines Section 15130, the EIR will discuss the cumulative impacts of the project in combination with other past, present or reasonably foreseeable projects. Mitigation measures will be identified to reduce and/or avoid significant impacts, as appropriate.
- **Alternatives to the Project** – Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of reasonable alternatives to the project, based on the results of the environmental analysis. A No Project Alternative shall also be evaluated along with its impacts. The alternatives discussion will focus on those alternatives that could feasibly accomplish most of the basic objectives of the proposed project and could avoid or substantially lessen one or more of the significant environmental effects identified in the EIR (CEQA Guidelines Section 15126.6). The environmentally superior alternative(s) will be identified based on the number and degree of associated environmental impacts.

In addition, the EIR will address the project's impacts on agricultural resources, population and housing, mineral resources, recreation, and wildfire. The EIR will also include all other sections required under the CEQA Guidelines (e.g., Significant Irreversible Environmental Changes, References, and EIR Authors). Relevant technical reports will be provided as appendices.



NATIVE AMERICAN HERITAGE COMMISSION

May 10, 2024

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City of San José
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3rd Floor
San José CA 95113



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NAHC HEADQUARTERS
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Re: 2024050237, 1000 South De Anza Boulevard Residential Project, Santa Clara County

Dear Ms. Nguyen:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code § 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code § 5097.9 and § 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@NAHC.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse



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



June 4, 2024

Nhu Nguyen, Planner I
City of San Jose, Planning Department
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113
Nhu.Nguyen@sanjoseca.gov

Subject: 1000 South De Anza Boulevard Residential Project, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2024050237, City of San Jose, Santa Clara County

Dear Nhu Nguyen:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) from the City of San Jose (City) for the 1000 South De Anza Boulevard Residential Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. 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 & G. Code, §§ 711.7, subd. (a) & 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 submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. The

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.

Nhu Nguyen
City of San Jose
June 4, 2024
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Project as proposed may result in “take” as defined by state law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of San Jose Planning Department

Objective: The Project includes the demolition of an existing commercial building and surface parking lot and the removal of 19 trees (including 13 ordinance-size trees) for the construction of a 7-story, 99-unit residential building. The Project applicant would reserve 20 percent of the units to be provided at 80 percent of average median income. The building would consist of approximately 36 studios, 46 one-bedroom units, 17 two-bedroom units, 8,714 square feet of common open space, and a 112-stall parking area with mechanical lifts and 8 outdoor guest parking spaces on an approximately 0.72-gross acre lot.

Location: 1000 South De Anza Boulevard, City of San Jose. The coordinates for the approximate center of the Project are 37°18'37.3"N latitude 122°01'54.6"W longitude (NAD 83 or WGS 84). The Assessor's Parcel Numbers are 372-26-018.

Timeframe: A period of 14 months, to be determined.

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.

ENVIRONMENTAL SETTING

The draft EIR should provide sufficient information regarding the environmental setting (“baseline”) to understand the Project, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including, but not limited to, all rare, threatened, or endangered species (CEQA Guidelines, § 15380).

The draft EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or state, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site (for sensitive natural communities see:

Nhu Nguyen
 City of San Jose
 June 4, 2024
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<https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities>), and any stream or wetland set back distances the City may require.

Fully protected, threatened or endangered, candidate, and other special-status species and sensitive natural communities that are known to occur, or have the potential to occur in or near the Project site, include, but are not limited to those listed in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, and findings from "positive occurrence" databases such as California Natural Diversity Database (CNDDB). Based on the data and information from the habitat assessment, the draft EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. The Project will result in the removal of 19 trees which could impact habitat for birds and bats. Survey and monitoring protocols and guidelines are available below and at:

<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>.

- Burrowing Owl (*Athene cunicularia*): A qualified biologist shall conduct a habitat assessment for burrowing owl, and surveys if habitat is present. The qualified biologist shall follow the *California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology* prior to Project activities occurring during the burrowing owl wintering season from September 1 to January 31.
- Swainson's hawk (*Buteo swainsoni*) and white-tailed kite (*Elanus leucurus*): CDFW recommends using the Swainson's Hawk Technical Advisory Committee's *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (TAC Report)
- Bats: CDFW recommends the use of survey protocols located at the North American Bat Monitoring Program's Collect Data page, <https://www.nabatmonitoring.org/collect-data>.
- Bumble bee: Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (<https://wildlife.ca.gov/Conservation/CESA>)

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Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (<http://www.cnps.org/cnps/rareplants/inventory/>, CRPR), must be conducted during the blooming period within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrological conditions, and require the identification of reference populations². CDFW recommends two years of completed botanical survey results and obtaining CDFW's written acceptance of the results. The botanical survey results shall follow CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities. Please refer to CDFW protocols for surveying and evaluating impacts to special-status plants available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

IMPACT ANALYSIS AND MITIGATION MEASURES

The draft EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of

¹ CRPR 1B plants are considered rare, threatened, or endangered in California and elsewhere. Further information on CRPR ranks is available in CDFW's Special Vascular Plants, Bryophytes, and Lichens List (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline>) and on the California Native Plant Society website (<https://www.cnps.org/rare-plants/california-rare-plant-ranks>).

Nhu Nguyen
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available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the Lead Agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

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 CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See: Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Marcus Griswold, Senior Environmental Scientist (Specialist), at (707) 815-6451 or Marcus.Griswold@wildlife.ca.gov.

Nhu Nguyen
City of San Jose
June 4, 2024
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Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486
Erin Chappell
Regional Manager
Bay Delta Region

ATTACHMENT 1: Special-Status Species

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2024050237)
Craig Weightman, CDFW Bay Delta Region – Craig.Weightman@wildlife.ca.gov

REFERENCES

California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed April 25, 2024.

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ATTACHMENT 1: Special-Status Species

| Species | Status |
|---|--|
| Fish and Invertebrates | |
| Crotch's bumble bee (<i>Bombus crotchii</i>) | State candidate (SC) |
| Birds | |
| burrowing owl (<i>Athene cunicularia</i>) | State Species of Special Concern (SSC) |
| Cooper's hawk (<i>Accipiter cooperii</i>) | State Watch List |
| Swainson's hawk (<i>Buteo swainsoni</i>) | State Threatened (ST) |
| white-tailed kite (<i>Elanus leucurus</i>) | State Fully Protected (FP) |
| Mammals | |
| San Francisco dusky-footed woodrat (<i>Neotoma fuscipes annectens</i>) | SSC |
| Townsend's big-eared bat (<i>Corynorhinus townsendii</i>) | SSC |
| Yuma myotis | Federally Threatened (FT), SSC |
| Plants | |
| Santa Clara red ribbons (<i>Clarkia concinna</i> ssp. <i>automixa</i>) | S3, 4.3 |
| arcuate bush-mallow (<i>Malacothamnus arcuatus</i>) | S3, 2B.2 |
| woodland woollythreads (<i>Monolopia gracilens</i>) | S3, 1B.2 |
| Congdon's tarplant (<i>Centromadia parryi</i> ssp. <i>congdonii</i>) | S2, 1B.1 |
| Loma Prieta hoita (<i>Hoita strobilina</i>) | S2, 1B.1 |



May 13, 2024

Nhu Nguyen
City of San Jose
200 East Santa Clara St, 3rd Flr Tower
San Jose, CA 95113

Re: 1000 South De Anza Residential Project

Dear Nhu Nguyen:

Thank you for giving us the opportunity to review the 1000 South De Anza Residential Project. The proposed plan is within the same vicinity of PG&E's existing facilities that impact this property.

The 1000 South De Anza Residential Project will require the relocation of existing PG&E gas and electric service facilities. The applicant must contact the below resources to apply for the relocation of any existing PG&E gas and electric services that exist on the subject parcels before the proposed demolition begins.

PG&E operates both electric and gas underground facilities in a PUE on the property. It is imperative that the facilities are marked before any work begins for the safety of those working in the area and the surrounding community.

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at paul.takemoto@pge.

Sincerely,

Paul Takemoto
Land Management

Nguyen, Nhu

From: Melson <c57balb@gmail.com>
Sent: Wednesday, June 5, 2024 5:45 PM
To: Erik Schoennauer
Cc: Lee, Jason; Atienza, Manuel; Nguyen, Nhu
Subject: File No. H23-029

[External Email]

Some people who received this message don't often get email from c57balb@gmail.com. [Learn why this is important](#)

Dear Mr. Vfk rhq qdxhu and PM's

I was checking the schedule for another project and stumbled across your project and the proposed removal of 19 trees! Seriously, in this day and age of the rapid heating of our neighborhoods from dumping of rocks and cement where vegetation used to be and cutting down mature trees that sequester thousands of pounds of carbon? There are two other things I can think of before removing mature trees from a site and tossing them to become more carbon pollution. Please consider, building around them or having them moved to elsewhere on the site. We can't afford to lose 19 trees when SJ citizens are surreptitiously removing thousands of trees. Please contact:

<http://mightytreemovers.com/services>

Please build responsibly. and consider planting vegetation native to the valley, saving water, decreasing dependence on cooling systems, vermin control and saving in maintenance. Cactus and palm trees are not indigenous to this region.

Thank you for your consideration.

Dr. E Melson

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Nguyen, Nhu

From: Andrew Quan <AQuan@valleywater.org>
Sent: Thursday, May 9, 2024 3:29 PM
To: Lee, Jason; Nguyen, Nhu
Cc: Lisa Brancatelli
Subject: Valley Water Comments re: Proposed Site Development Permit to Allow Demolition of Commercial Building and Removal of Trees for Construction of Residential Building at 1000 S De Anza Blvd

Follow Up Flag: Follow up
Flag Status: Flagged

[External Email]

Hi Jason Lee and Nhu Nguyen,

Valley Water has received the mailed notice for a Joint Community and Environmental Impact Report Scoping Meeting with plans to discuss a proposed Site Development Permit to allow demolition of an existing commercial building and the removal of 19 trees for the construction of a multifamily residential building at 1000 S De Anza Boulevard in San Jose, received on April 22, 2024.

Per our review, we have the following comments:

1. Throughout the plans on multiple sheets, there are numbers and letters that are not appearing in the texts. Please check and verify the entire plan set and revise for completion.
2. On Sheet C-1.0, regarding the call-out for "APPROXIMATE FEMA FLOOD ZONE DELINEATION", there seems to be a linetype to separate Zone D and Zone X. Please include the linetype used for this call-out in the "EXISTING" Legend on the top-right corner of the sheet.
3. On Sheet C-4.0, in the Site Information Conditions Table, it appears that letters are not appearing. Please see "Calabazas Creek", "Zone X" and "Zone D" and revise for completion.
4. On Sheet C-4.0, please carefully check, verify, and revise all numbers to ensure all data are correct and no digits are missing.
5. On Sheets C-1.0, C-2.0, and C-5.0, the existing overland release path seems to show that the drainage is directed to the adjacent property. Plans need to be revised so that the overland drainage is to be directed toward a ventilated area and/or to the City of San Jose's storm drain system, not the adjacent property.
6. According to Valley Water's records, there are no wells within the property boundary. 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. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. For more information, please call Valley Water's Well Ordinance Program Hotline at (408) 630-2660.
7. There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed improvements.

Thank you for the opportunity to provide comments. If you have any further questions, you can contact me at (408) 630-1667 or at AQuan@valleywater.org. For future correspondence related to this project, please reference File 35167.

Thank you,

ANDREW QUAN

ASSISTANT ENGINEER II - CIVIL
Community Projects Review Unit
Tel. (408) 630-1667

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

VALLEY WATER

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

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Nguyen, Nhu

From: Andrew Quan <AQuan@valleywater.org>
Sent: Thursday, May 30, 2024 10:38 AM
To: Nguyen, Nhu
Cc: Lisa Brancatelli
Subject: Valley Water Comments re: NOP of DEIR for 1000 S De Anza Blvd

[External Email]

Morning Nhu,

Valley Water has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the 1000 South De Anza Boulevard Resident Project in San Jose, received on May 3, 2024. Per our review, we have the following comments:

1. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0217H, effective on May 18, 2019, and Letter of Map Revision 13-09-1209P, effective April 11, 2023, the eastern portion of the project site is located in Zone X, which is an area of minimal flood hazard. Please revise the current text describing Zone X from "an area with a flood probability of less than the 100-year storm" to the description above for accuracy.
2. According to Valley Water's records, the subject property is located within the Santa Clara Plain Recharge Area of the Santa Clara Groundwater Subbasin. Please include this as a comment in the DEIR. The DEIR should consider potential impacts to groundwater recharge resulting from this project and include potential measures to minimize the impacts.
3. According to Valley Water's records, there are no wells within the property boundary. 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. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. For more information, please call Valley Water's Well Ordinance Program Hotline at (408) 630-2660.
4. There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed improvements.

We appreciate the opportunity to review this Notice of Preparation. When the Draft Environmental Impact Report becomes available, we'd also be interested in reviewing that. For any questions, you may contact me at (408) 630-1667 or at AQuan@valleywater.org. For future correspondence, please reference File No. 35167.

Thank you,

ANDREW QUAN

ASSISTANT ENGINEER II - CIVIL
Community Projects Review Unit
Tel. (408) 630-1667

Santa Clara Valley Water District is now known as:



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VALLEY WATER

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www.valleywater.org

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Nguyen, Nhu

From: Ventana Place HOA <ventanaplacehoa@gmail.com>
Sent: Monday, June 3, 2024 4:33 PM
To: Nguyen, Nhu; Lee, Jason; Atienza, Manuel
Cc: coralyn@hoaorganizers.com; meghann@hoaorganizers.com; 'Poonam B'; 'Stanislav Tsikine'; 'Brad Burdick'; 'Rashi'
Subject: Input for NOP of Environmental Impact Study for 1000 S. De Anza Blvd Borello Building
Importance: High

[External Email]

Some people who received this message don't often get email from ventanaplacehoa@gmail.com. [Learn why this is important](#)

Hello All,

I hope this finds you all well.

Nhu,

I apologize that I am submitting this at the last minute, but life has been extremely hectic.

We would like to ask that the impact on Ventana Place HOA just south of the proposed new building at 1000 South De Anza Blvd. (Borello Bldg) be included in the upcoming Environmental Impact Study. We are particularly concerned about the effect of vibrations and the impact that it might have on our structures. We know that the project site is located close to a liquefaction zone. We also know from past experience that the soil that Ventana was built on is prone to settling and sinking. We are concerned that the integrity of our post tension slab and our buildings could be compromised by the construction, thus causing very expensive damage which may not be able to be repaired.

Additionally, we are also concerned about the activities which might take place on the roof of the structure, including loud music and fireworks which could cause a significant fire risk to surrounding properties.

With regard to transportation, the area has very poor, unreliable and almost non-existent public transportation. With little more than one parking space per unit at this new site, we predict that there will be very serious parking problems, and the spillover will impact the entire area. Ventana struggles with parking every day, and we have just

a bit fewer than two parking spaces per unit. When we are at full capacity, we have serious problems. We can only begin to imagine the problems that this new building will have and the resulting impact on the entire area.

Needless to say, we are quite concerned about 14+ months of loud construction noise.

And finally, although this may not fall directly under the Environmental Impact study, we feel that such a huge seven story building is way out of proportion for this area. It will create major strains for congestion and utilities.

We would be grateful for a recommendation to reduce the size of the building.

Thank you for considering the impact on the surrounding neighborhood, especially that of Ventana Place HOA.

Warm regards,

Rebecca Bender
Ventana Place HOA, President
VentanaPlaceHOA@gmail.com
Bender333@gmail.com
(408) 255-8811

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June 3, 2024

City of San José Department of Planning, Building, and Code Enforcement
200 E. Santa Clara St., 3rd Floor
San José, CA 95113

Attn: Nhu Nguyen, Environmental Project Manager
By Email: nhu.nguyen@sanjoseca.gov

Dear Nhu,

VTA appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the residential project proposed at 1000 South De Anza Boulevard. VTA has reviewed the NOP and has the following comments:

Pedestrian Environment

VTA recommends revising the site plan to include street trees and a planting strip on sidewalks between the pedestrian walk zone and the curblineline. Planting buffers pedestrians from traffic, shades and cools the immediate vicinity, and thereby enhances pedestrian safety and comfort. This enhancement is found at the property directly to the south of the project site. See VTA's [Community Design and Transportation \(CDT\) Manual](#) for design guidelines in regard to pedestrian environment.

Pedestrian Access to Bus Stops

There are three bus stops within a quarter of a mile of the project site. These bus stops serve Local Route 51, which connects West Valley College, Mountain View Transit Center, and Moffett Field. The De Anza & Bollinger (southbound) bus stop is located right across from the project site. VTA recommends the Draft EIR assess the need for providing safe access to these bus stops.

Bicycle Parking

VTA recommends labeling the number of bicycle parking spaces that will be provided in the proposed site plans.

Site Access/Circulation

Though a right-turn only sign (R3-5R) was proposed, the location of the northbound left-turn pocket on South De Anza Boulevard makes it convenient for motorists to access State Route 85 by exiting the project driveway, cutting directly across three through lanes, and making a U-turn at the northbound left-turn pocket. VTA recommends that the Draft EIR assess this potential vehicle movement and make improvements as needed to the driveway and/or the left-turn pocket to prevent such a vehicle movement.

City of San José

June 3, 2024

Page 2 of 5

Thank you again for the opportunity to review this project. If you have any questions, please do not hesitate to contact me at 408-321-5809 or ian.lin@vta.org.

Sincerely,

Ian Lin

Transportation Planner III