Draft First Amendment/ Final Environmental Impact Report

1000 De Anza Residential Project

Prepared by

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

September 2025

TABLE OF CONTENTS

Section 1.0 Introduction 1
Section 2.0 Draft EIR Public Review Summary 2
Section 3.0 Draft EIR Recipients 3
Section 4.0 Responses to Draft EIR Comments 4
Section 5.0 Draft EIR Text Revisions 15

Appendix A: Draft EIR Comment Letters

SECTION 1.0 INTRODUCTION

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final EIR for the 1000 South De Anza Residential 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 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 office of the Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, Third Floor, San José, California on weekdays during normal business hours. The Final EIR is also available for review on the City's Active EIRs website.

SECTION 2.0 DRAFT EIR PUBLIC REVIEW SUMMARY

The Draft EIR for the 1000 South De Anza Residential project, dated June 2025, was circulated to affected public agencies, the public and interested parties for a 45-day review period from June 6, 2025 to July 21, 2025. The City 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 and Post Record on June 6, 2025;
- 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 uploaded to the State Clearinghouse (SCH # 2024050237) on June 6, 2025, 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); and
- Copies of the Draft EIR were made available at the Dr. Martin Luther King Jr. Library (150 East San Fernando Street, San José, CA 95112) and at the Calabazas Branch Library (1230 S Blaney Ave, San José, CA 95129).

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 NOA for the Draft EIR was sent to interested members of the public, owners and occupants adjacent to the project site, and to adjacent jurisdictions. The following agencies received a copy of the Draft EIR or link to the document from the City or via the State Clearinghouse:

- California Air Resources Board (ARB)
- California Department of Conservation (DOC)
- California Department of Fish and Wildlife, Bay Delta Region 3 (CDFW)
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Parks and Recreation, California Department of Toxic Substances Control (DTSC)
- California Department of Transportation, District 4 (DOT)
- California Department of Transportation, Division of Aeronautics (DOT)
- California Department of Transportation, Division of Transportation Planning (DOT)
- California Department of Water Resources (DWR)
- California Highway Patrol (CHP)
- California Native American Heritage Commission (NAHC)
- California Natural Resources Agency
- California Public Utilities Commission (CPUC)
- California Regional Water Quality Control Board, San Francisco Bay Region 2 (RWQCB)
- California State Lands Commission (SLC)
- Office of Historic Preservation
- State Water Resources Control Board, Division of Drinking Water, District 17

State Water Resources Control Board, Division of Water Quality
Copies of the NOA for the Draft EIR were sent by email and Newsflash to Native American Tribal Contacts, adjacent jurisdictions and organizations, businesses, and individuals who have requested all City notices.

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 of San José are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below. No comments were received from federal or state agencies, organizations, or businesses.

Comment Letter and Commenter **Page of Response**

Regional and Local Agencies 5

A. City of Cupertino – Public Works Department (Dated June 12, 2025) 5

B. The Amah Mutsun Tribal Band of San Juan Bautista & AMTB 7

C. Valley Water (Dated July 21, 2025) 9

Individual Comments 13

A. Jennifer Griffin Comment Letter (Dated June 6, 2025) 13

REGIONAL AND LOCAL AGENCIES

A. City of Cupertino – Public Works Department (Dated June 12, 2025)

Comment A.1: The City of Cupertino appreciates the opportunity to comment on the proposed project. As this site is located just beyond the Cupertino border, the City encourages San Jose to consider the regional transportation impacts of the project and to accept the following comments to ensure regional coordination and compliance with adopted transportation policies. Cupertino's SB 743 Implementation White Paper (2021) highlights the importance of evaluating a project's effect on VMT within a boundary, especially for adjacent jurisdictions. The project's transportation analysis evaluates only project-generated VMT and does not consider VMT traveling into or out of Cupertino, despite the project's immediate proximity to Cupertino city limits.

> **Response A.1:** The comment from the City of Cupertino requests the evaluation of Vehicle Miles Traveled (VMT) to be revised to include trips in and out of Cupertino. The comment suggests that the VMT projections for the project stop at the City limits, which is incorrect. The VMT tool and projections are based on the City of San Jose Transportation Demand Forecasting (TDF) model which is a refinement of the VTA Countywide transportation model. The VMT projections for the project are based on average VMT within a half-mile radius of the project site, which include areas within the City of Cupertino. The projections of VMT do not stop at City limits; i.e. the VMT calculations account for project residents traveling to jobs, retail businesses, etc. in Cupertino. Therefore, the VMT projections account for project-generated VMT traveling into or out of Cupertino as requested, consistent with VTA's recommended methodology. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment A.2: Additionally, the assessment does not include the analysis of traffic volumes on Cupertino streets or intersections. Cupertino requests that intersection volume forecasts or traffic assignment outputs for De Anza Blvd, Bollinger Rd, and other potentially impacted roadways be evaluated and shared. Although LOS is no longer a CEQA metric, Cupertino collects and utilizes this information for planning purposes. Cupertino requests LOS analysis for key intersections such as De Anza Blvd/McClellan Road, following VTA and City of Cupertino guidelines.

Staff is available for further coordination to ensure transportation analysis and mitigation measures appropriately reflect the interconnected nature of our jurisdictions.

> **Response A.2:** The commenter requests intersection volume forecasts or traffic assignment outputs for impacted roadways be evaluated and shared. The transportation analysis included the evaluation of the Bollinger Road and De Anza Boulevard intersection (see pages 33 and 34 of Appendix G – Transportation Assessment). The study of additional intersections along Bollinger Road and De Anza Boulevard, including De Anza Boulevard and McClellan Road, was not warranted because the project would add less than 10 peak hour trips per lane to other intersections. This is consistent with the guidance in the City of San Jose Transportation Handbook April 2023, which states:

If a project is expected to add 10 vehicle trips per hour per lane to a signalized intersection that meets any of the following conditions, the intersection is included in the intersection operations analysis:

1. *Within a ½-mile buffer from a project's property line*
2. *Designated Congestion Management Plan Program (CMP) facility outside of the City's Infill Opportunity Zones*
3. *With the potential to be effects by the project, per engineering judgement of Public Works*

Therefore, the Transportation Analysis did not identify other intersections for assessment in the report. As noted in the comment, the requested information is not relevant to the CEQA process as it relates to vehicle delay and does not pertain to the adequacy of the Draft EIR. Therefore, no further environmental analysis is required.

B. The Amah Mutsun Tribal Band of San Juan Bautista & AMTB

Comment B.1: It is our pride and privilege to be of service for any Native American Cultural Resource Monitoring, Consulting and/ or Sensitivity Training you may need or require. We take our Heritage and History seriously and are diligent about preserving as much of it as we can. Construction is a constant in the Bay Area and with that new discoveries are bound to happen. If you choose our services, we will gladly guide all personnel through proper procedures to safely protect and preserve: Culture, Heritage, and History.

It is highly recommended, if not previously done, to search through Sacred Lands Files (SLF) and California Historical Resource Information Systems (CHRIS) as well as reaching out to the Native American Heritage Commission (NAHC) In order to determine whether you are working in a Cultural and/ or Historic sensitivity.

If you have received any positive cultural or historic sensitivity within 1 mile of the project area here are A.M.T.B Inc's and Amah Mutsun Tribal Band of San Juan Bautista's recommendations:

- All Crews, Individuals and Personnel who will be moving any earth be Cultural Sensitivity Trained.
- A Qualified California Trained Archaeological Monitor is present during any earth movement.
- A Qualified Native American Monitor is present during any earth movement.

If further Consultation, Monitoring or Sensitivity Training is needed please feel free to contact A.M.T.B. Inc. or Myself Directly. A.M.T.B. Inc. 650-851-7747.

Response B.1: As stated in Section 3.18.2.1 of the EIR, the tribal representatives for the Ohlone Tribe, and other tribes known to have traditional lands and cultural places within the City of San José, were sent the Notice of Preparation for the proposed project on April 29, 2024.

In compliance with Assembly Bill (AB) 52, the City notified tribes of the opportunity to consult during preparation of the EIR. A request for consultation was received by the City on May 6, 2024 from the Indian Canyon band of Costanoan Ohlone People and a consultation meeting was held with the Tribal Representative on May 29, 2024. The meeting concluded that the site may be archeologically sensitive. Therefore, the tribe recommended cultural sensitivity training and that project design should prioritize native landscaping and greenery. The measures associated with this consultation are included in Section 3.5 – Cultural Resources of the EIR. All mitigation measures and edits have been accepted and consultation concluded on May 29, 2024.

The Archaeological Sensitivity Assessment for the proposed project determined that the site has a low sensitivity for Native American Resources based on a review of resources inventories and other studies near the project site. This report determined that monitoring during construction would not be required and that sensitivity training and post discovery monitoring would be satisfactory to mitigate impacts.

Additionally, as a part of the Archeological Sensitivity Assessment, a Sacred Lands File Search request was submitted to the Native American Heritage Commission (NAHC) for the project area. A response was received on August 4, 2023, stating that the search results were negative. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

C. Valley Water (Dated July 21, 2025)

Comment C.1: Valley Water has reviewed the Notice of Availability of the Draft Environmental Impact Report (EIR) for the 1000 South De Anza Boulevard Residential Project in San Jose, received on June 6, 2025. Per our review, we have the following comments:

1. All available water conservation measures should be incorporated into the proposed project so that it meets its fair share of water conservation assumptions in the Urban Water Management Plans for Valley Water and the City of San Jose. For example: landscaping that exceeds the requirements of the City's water-efficient landscape regulations; weather- or soil-based irrigation controllers; dedicated landscape meters; submeters for multi-family housing and individual spaces within commercial buildings; dual plumbing to facilitate and maximize the use of alternative water sources of irrigation, toilet flushing, cooling towers, and other non-potable water uses; and alternative water sources for non-potable uses, including recycled water, stormwater, rainwater, and graywater.

Response C.1: The proposed project is located within the service area of the San Jose Water Company (SJW), and therefore the project's water demand is relevant to the SJW's Urban Water Management Plan, not the City of San Jose's, who would not provide domestic water service to the project. The project would be designed and operated consistent with SJW's water conservation requirements. The proposed project would include the use of water efficient appliances and landscaping. Water fixtures would conform with low flow requirements and landscaping would be restricted to plants adapted to a Mediterranean environment with low water requirements. The feasibility for the project to connect to recycled water was considered for the project; however, the nearest recycled water lines were determined to be located too far from the site to provide service (approximately 3.41 miles northeast of the project site).[1] This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.2: Additionally, this project is within an area of the groundwater basin that supports natural groundwater recharge. Natural groundwater recharge is an important component of the County's water supply portfolio. The project will increase the amount of impervious surface, thus reducing natural recharge. Stormwater retention basins and other LID features are generally geared to minimizing impacts to surface water quality. Valley Water encourages that the retention basins and swales be located and designed to retain as much runoff on site to promote natural groundwater recharge while minimizing impacts to groundwater quality.

Response C.2: The commenter correctly identified that the EIR includes a typographic error that the project site is not within a groundwater recharge area in Section 3.10.2.1. These revisions have been made in Section 5.0 below.

As stated on page 109 of the Draft EIR, the proposed project would result in

[1] City of San José. Recycled Water Pipeline System. Accessed August 4, 2025. https://www.sanjoseca.gov/home/showpublisheddocument/522/637662536440600000.

replacement of more than 50 percent of existing impervious surfaces on the project site, however, overall impervious surface area would decrease after redevelopment, by approximately 3,543 square feet. Therefore, the proposed project would be subject to City of San José Site Design, Source Control, and Treatment System requirements. The project includes new pervious areas, directs stormwater towards landscaped parts of the site, and features a bioretention area sized according to the uniform intensity method for storm flows. Therefore, the project would funnel water into bioretention areas which would support groundwater infiltration on the project site and would minimize impacts to groundwater quality by using LID measures. By increasing the amount of pervious surface area, the project would allow for increased infiltration and recharge. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.3: Section 3.10 Hydrology and Water Quality – 3.10.1 Environmental Setting – Regional and Local – Municipal Regional Permit Provision C.3 – Page 103: The Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022, and becomes effective on July 1, 2023. Discussions in the Draft EIR should note consistency with the new MRP. If the project qualifies for coverage under the old MRP, the discussion should clearly note that and explain why it is covered under the old MRP. While the text does mention the re-issuance date of May 2022, please also include the MRP's effective date of July 1, 2023. On Page 104, please include the effective date of July 1, 2023, in Footnote 57.

Response C.3: The commenter requests an update to the regulatory setting language provided in Section 3.10.1 Environmental Setting to describe the re-issuance of the MRP. Updated text reflecting the latest adopted MRP is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.4: Section 3.10 Hydrology and Water Quality – 3.10.1 Environmental Setting – Regional and Local – Water Resources Protection Ordinance and District Well Ordinance - Page 104: For the section "Water Resources Protection Ordinance and District Well Ordinance", please replace the language under this section with the following text: "Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water's fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water's Well Ordinance 90-1, permits are required for any boring, drilling, deepening, refurbishing, or destroying a water well, cathodic protection well, observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County."

Response C.4: The commenter requests an update to the regulatory setting language in Section 3.10.1 describing the Water Resources Protection Ordinance and District Well Ordinance. Updated text is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.5: Section 3.10 Hydrology and Water Quality - 3.10.1 Environmental Setting - 3.10.1.2 Existing Conditions - Page 107: According to Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0216H, effective on May 18, 2009, and the Letter of Map Revision (LOMR) 13-09-1209P, effective April 11, 2023, the western portion of the project site is located within Zone D, which is an area of undetermined but possible flood hazard. Additionally, the remaining portions of the project site are located in Zone X (unshaded), which is an area of minimal flood hazard. Please include "(unshaded)" to Zone X, as there are two types of Zone X.

Secondly, please revise the description of Zone X in the text to "an area of minimal flood hazard".

Thirdly, please include a footnote for the FEMA FIRM 06085C0216H with its effective date of May 18, 2009, and the LOMR 13-09-1209P, effective April 11, 2023.

Response C.5: The commenter requests an update to the language in Section 3.10.1 of the EIR describing the floodplains and floodplain map reference. Updated text is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.6: Section 3.10 Hydrology and Water Quality - 3.10.2 Impact Discussion – Operational Impacts – Discussion (e) Page 110: 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 revise the text that reads "The project site is not located within a groundwater recharge area and would not result in impediment…". The DEIR should consider potential impacts to groundwater recharge resulting from this project and include potential measures to minimize the impacts.

Response C.6: As stated in Response C.2, the EIR includes a typographic error that the project site is not within a groundwater recharge area. As stated in Response C.2, by increasing the amount of pervious surface area, the project would allow for increased infiltration and recharge. Updated text is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.7: Section 8.0 References – Page 188: Please include a reference for the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0216H, effective on May 18, 2009, and Letter of Map Revision 13-09-1209P, effective April 11, 2023.

Response C.7: Section 8.0 – References of the EIR has been revised to include the FEMA floodplain map. Updated text is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment C.8: Section 8.0 References – Page 190: Please include a link to the Valley Water's 2021 Groundwater Management Plan, which can be found here: https://www.valleywater.org/your-water/where-your-watercomes/groundwater/sustainable.

Response C.8: Section 8.0 – References of the EIR has been revised to include the Valley Water's 2021 Groundwater Management Plan. Updated text is included in Section 5.0 of this document. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

INDIVIDUAL COMMENTS

A. Jennifer Griffin Comment Letter (Dated June 6, 2025)

Comment A.1: Thank you for sending the notice about 1000 South De Anza Blvd. This is the site of the old Mari Kitchen Building.

At 90 feet the building is too tall for the area. This is very close to the city of Cupertino so sensitivity Should be considered when building this structure. I think it is important that the city of San Jose Have outreach about this building to the city of Cupertino and residents of both Cupertino and San Jose as South De Anza Blvd. is shared by both cities. There needs to be some coordination in Construction so that there are not giant high rises from San Jose abutting new three story buildings From Cupertino. This makes for a very disorganized landscape.

> **Response A.1:** The commenter expresses concern regarding the height of the proposed building in relation to other adjacent buildings and requested project notification for Cupertino residents. The proposed project utilizes the Builders Remedy provision of the Housing Accountability Act (Government Code Section 65589.5) which allows for approval of qualifying housing development projects which do not have to be consistent with the General Plan or Zoning Code of a City. Nevertheless, the project site is within the South De Anza Boulevard Urban Village, which has a specific established maximum height limit of 120 feet pursuant to Zoning Code Section 20.85.020(E). The proposed building height is 90 feet, which is consistent with the requirements of the Zoning Code.
>
> Additionally, public noticing for the project are prepared in accordance with the requirements of Council Policy 6-30 – Public Outreach Policy for Pending Land Use and Development Proposals. Notification of the proposed project, the community and environmental scoping meeting, and future public hearing are required to be sent to property owners and tenants within 1000 feet of the proposed project. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment A.2: My husband grew up near South De Anza Blvd. And Prospect in an area that was San Jose and switched to Cupertino in 1976. He attended Monta Vista High School. What high school will these students attend at 1000 South De Anza Blvd?

> **Response A.2:** As stated in Section 3.15.1.2 Public Services, on page 138 of the EIR, future residents of the proposed project would be served by the Fremont Union High School District and Lynbrook High School would be the closest high school to the project site.

Comment A.3: It is also important to have adequate setback of buildings from De Anza Blvd. There needs to be room for trees and sidewalks.

> **Response A.3:** This comment pertains to the project design and landscaping, and not the EIR's analysis of the project's environmental impacts. As stated in

Response A.1 above, the proposed project is not required to be consistent with the development standards of the Zoning Code (including standards for setbacks) by meeting the requirements of the Builders Remedy provision of the Housing Accountability Act (Government Code Section 65589.5). However, the proposed project does provide a 10-foot front setback along South De Anza Boulevard, which is consistent with the maximum 10-foot setback requirement of the CP Commercial Pedestrian Zoning District. The 10-foot front setback area would include an eight-foot-wide landscaped area and a two-foot-wide Sidewalk Dedication Easement in order to provide a 12-foot wide sidewalk with three tree wells for street trees along the project frontage. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment A.4: I'm also concerned about the amount of traffic coming out of this project. The Traders Joes Shopping Center already has too much traffic at the corner of Bollinger and South De Anza Blvd.

Response A.4: The proposed project is expected to generate approximately 459 net daily vehicle trips. According to Section 3.17.3 – Non-CEQA Effects of the EIR, the proposed project would not affect intersection operations at nearby intersections and would not result in queuing issues at turning areas near the project site. Therefore, the proposed project was not found to result in deleterious traffic operations due to increased trips from the project site. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

Comment A.5: I am Glad that there will be adequate parking on site the property because this project could have people Parking in the adjacent shopping center parking lots or the Home Depot across the street.

I wish they had put a restaurant back in. We depend on South De Anza Blvd. to provide dining options.

Response A.5: This commenter expresses concern regarding parking supply on the project site. The City of San José does not have minimum off-site parking requirements for development proposals, but the project would be providing 148 vehicle stalls within the parking garage on site. To accommodate the transportation demands from the project, the project applicant would submit a final Transportation Demand Management (TDM) Plan as required by mitigation measure MM TRAN-1.1 (refer to Section 3.17.2.1 of the EIR) prior to obtaining a Certificate of Occupancy for the building. The project applicant would be required to implement the measures in the TDM Plan and submit report to the City's Department of Transportation for monitoring. This comment does not raise any issues about the adequacy of the Draft EIR; therefore, no further environmental analysis is required.

SECTION 5.0 DRAFT EIR TEXT REVISIONS

5.1 DRAFT EIR TEXT REVISIONS

This section contains revisions to the text of the 1000 South De Anza Residential Project Draft EIR dated June 2025. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

EIR, Section 3.10.1.1, Page: 103 The first paragraph under "Municipal Regional Permit Provision C.3" heading will be **REVISED** as follows:

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in May 2022, effective as of July 1, 2023, to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

EIR, Section 3.10.1.1, Page: 104 Footnote 57 will be **REVISED** as follows:

California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022. Effective date July 1, 2023.

EIR, Section 3.10.1.1, Page: 104 The first paragraph under "Water Resources Protection Ordinance and District Well Ordinance" heading will be **REVISED** as follows:

~~Valley Water operates as the flood control agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.~~ Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water's fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water's Well Ordinance 90-1, permits are required for any boring, drilling, deepening, refurbishing, or destroying a water well, cathodic protection well,

observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County.

EIR, Section 3.10.1.2, Page: 107 The second paragraph under Existing Conditions will be **REVISED** as follows:

Groundwater on the project site is 75 feet below the ground surface. There are no wells located on site. The project site is not located within a dam failure inundation zone for either the James J. Lenihan Dam or Anderson Dam. The project site is located partially within the Zone D flood hazard zone and partially in an area with a Zone X (unshaded) flood hazard. Flood Hazard Zone D is where there are possible but undetermined flood hazards or unstudied areas and Flood Hazard Zone X (unshaded) is ~~an area of moderate flood hazard or 0.2% annual chance of flooding~~ an area of minimal flood hazard, usually the area between the limits of the 100 year and 500-year flood plains.[2]

EIR, Section 3.10.2.1, Page: 110 The description of the site's location in a groundwater recharge area will be **REVISED** as follows:

The project site is ~~not~~ located within a groundwater recharge area. ~~and~~ The proposed project would not result in impediment of groundwater on the project site because the depth of excavation is proposed to be approximately 10 feet and depth of groundwater under the site is approximately 75 feet below the ground. Additionally, the proposed project would decrease impervious surface area on the site by approximately 3,543 square feet, incrementally increasing infiltration, and not rely on extraction of groundwater resources beneath the site. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

EIR, Section 8.0 References – Page 188 and 190 The references in this section will be **REVISED** as follows:

Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0216H, effective on May 18, 2009, and Letter of Map Revision 13-09-1209P, effective April 11, 2023

Valley Water. 2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins. November 2021. https://www.valleywater.org/your-water/where-your-watercomes/groundwater/sustainable.

[2] FEMA FIRM 06085C0216H with its effective date of May 18, 2009, and the LOMR 13-09-1209P, effective April 11, 2023

Appendix A: Draft EIR Comment Letters

CITY OF
CUPERTINO

PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333
CUPERTINO.ORG

June 12, 2025

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

Re: Comments on Transportation Assessment for 1000 South De Anza Boulevard

Dear San Jose Planning Department,

The City of Cupertino appreciates the opportunity to comment on the proposed project. As this site is located just beyond the Cupertino border, the City encourages San Jose to consider the regional transportation impacts of the project and to accept the following comments to ensure regional coordination and compliance with adopted transportation policies. Cupertino's SB 743 Implementation White Paper (2021) highlights the importance of evaluating a project's effect on VMT within a boundary, especially for adjacent jurisdictions. The project's transportation analysis evaluates only project-generated VMT and does not consider VMT traveling into or out of Cupertino, despite the project's immediate proximity to Cupertino city limits.

A1

Additionally, the assessment does not include the analysis of traffic volumes on Cupertino streets or intersections. Cupertino requests that intersection volume forecasts or traffic assignment outputs for De Anza Blvd, Bollinger Rd, and other potentially impacted roadways be evaluated and shared. Although LOS is no longer a CEQA metric, Cupertino collects and utilizes this information for planning purposes. Cupertino requests LOS analysis for key intersections such as De Anza Blvd/McClellan Road, following VTA and City of Cupertino guidelines.

A2

Staff is available for further coordination to ensure transportation analysis and mitigation measures appropriately reflect the interconnected nature of our jurisdictions.

Sincerely,

David Stillman

David Stillman
Transportation Manager

The Amah Mutsun Tribal Band of San Juan Bautista & AMTB

Letter of Response

To whom it may concern:

It is our pride and privilege to be of service for any Native American Cultural Resource Monitoring, Consulting and/ or Sensitivity Training you may need or require. We take our Heritage and History seriously and are diligent about preserving as much of it as we can. Construction is a constant in the Bay Area and with that new discoveries are bound to happen. If you choose our services, we will gladly guide all personnel through proper procedures to safely protect and preserve: Culture, Heritage, and History.

It is highly recommended, if not previously done, to search through Sacred Lands Files (SLF) and California Historical Resource Information Systems (CHRIS) as well as reaching out to the Native American Heritage Commission (NAHC) In order to determine whether you are working in a Cultural and/ or Historic sensitivity.

If you have received any positive cultural or historic sensitivity within 1 mile of the project area here are A.M.T.B Inc's and Amah Mutsun Tribal Band of San Juan Bautista's recommendations: B1

- All Crews, Individuals and Personnel who will be moving any earth be Cultural Sensitivity Trained.
- A Qualified California Trained Archaeological Monitor is present during any earth movement.
- A Qualified Native American Monitor is present during any earth movement.

If further Consultation, Monitoring or Sensitivity Training is needed please feel free to contact A.M.T.B. Inc. or Myself Directly. A.M.T.B. Inc. 650-851-7747

Irenne Zwierlein

Irenne Zwierlein

2451 Tyrolean Way, Sacramento CA 95821
amtbinc21@gmail.com
(650)851-7747

Amah Mutsun Tribal Band of San Juan Bautista
&
AMTB

2451 Tyrolean Way, Sacramento CA 95821

Our rates for 2025 are

$200.00 per hour.

4 hours minimum

Cancellations not 48 hours (about 2 days) prior will be charged as a 4-hour minimum. There is a round trip mileage charge if canceled after they have traveled to site.

Anything over 8 hours a day is charged as time and a half.

Weekends are charged at time and a half.

Holidays are charged at double the time.

For fiscal year (FY) 2025, standard per diem rate of $425. ($333. lodging, $92 M&IE).

M&IE Breakdown FY 2025

M&IE Total	Continental Breakfast/ Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
$92.00	$23.00	$26.00	$38.00	$5.00	$69.00

Beginning 2025, the standard mileage rates for the use of a car round trip (also vans, pickups or panel trucks) will be: $.70 cents per mile driven for business use or what the current federal standard is at the time.

Our Payment terms are 5 days from date on invoice.

Our Monitors are Members of the Amah Mutsun Tribal Band of Mission San Juan Bautista.

If you have any questions, please feel free to contact the A.M.T.B. Inc. at the below contact information.

Sincerely,

Irenne Zwierlein

Irenne Zwierlein

2451 Tyrolean Way, Sacramento CA 95821
amtbinc21@gmail.com

(650)851-7747

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 01/14/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATIONIS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ALLIED BROKERS INSURANCE AGCY INC 57101434 591 LYTTON AVENUE PALO ALTO CA 94301	**CONTACT NAME:** **PHONE (A/C, No, Ext):** (866) 467-8730 **FAX (A/C, No):** (888) 443-6112 E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE		**NAIC#**
INSURED AMTB LLC 2451 TYROLEAN WAY SACRAMENTO CA 95821-4809	**INSURER A :** Hartford Underwriters Insurance Company	30104
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR [X] General Liability GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:			57 SBM BM9HAR	01/14/2025	01/14/2026	EACH OCCURRENCE	$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$1,000,000
							MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
							PRODUCTS - COMP/OP AGG	$2,000,000
A	**AUTOMOBILE LIABILITY** [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS			57 SBM BM9HAR	01/14/2025	01/14/2026	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	[ ] **UMBRELLA LIAB** [ ] OCCUR [ ] **EXCESS LIAB** [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	
							AGGREGATE	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? **Y/N** [ ] **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	**N/ A**					[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	
							E.L. DISEASE -EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES **(ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

The Business Liability Coverage Part includes a Blanket Additional Insured By Contract Endorsement, Form SL 30 32.

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Susan L. Castaneda

© 1988-2015 ACORD CORPORATION. All rights reserved.

Provisions to Address Discovery of a Tribal Cultural Resource During Construction

Tribal Cultural Resources Sensitivity Training. The project sponsor, in consultation with any Cultural Resources Team if one is available, shall retain the services of an Ohlone Native American representative and/or archeological consultant from the Qualified List of Archaeological Consultants to provide cultural sensitivity and archeological awareness training to all work crews who will be involved in ground disturbing activities at the project site. The training shall inform all project contractors, subcontractors and work crew members to be on the alert for evidence of the presence of potential tribal cultural resource(s), of how to identify the evidence of such a resource(s), and of stop work, resource protection, and notification requirements in the event of suspected discovery of a tribal cultural resource by construction crew members.

Stop Work and Notification Upon Discovery. Should any indication of a tribal cultural resource be encountered during any soils-disturbing activity of the project, the project Head Foreperson and/or project sponsor shall immediately notify tribe and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the Cultural Monitor and a qualified archeological consultant from the Qualified Archeological Consultants List have assessed the find and the respective parties have determined whether and what additional measures should be undertaken.

Preservation in Place. In the event of the discovery of a tribal cultural resource, the cultural resource team (if one is present on job), the project sponsor, the archeological consultant, and the Ohlone representative shall consult to determine whether preservation in place would be feasible and effective in preserving the values represented by the resource. The archeological consultant, in consultation with the Ohlone representative, shall document the find to current professional standards. The tribe may also require that the project sponsor immediately implement a site security program if the resource is at risk from vandalism, looting, or other damaging actions.

If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, the archeological consultant shall prepare a Resource Preservation Plan (RPP) in consultation with the Ohlone representative, for review, which shall be implemented by the project sponsor during construction.

If it is determined that preservation in place would not be feasible or effective, then archeological assessment and treatment shall be implemented and in consultation with the Ohlone representative, as detailed below.

Archeological Treatment. If it is determined, in consultation with the Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option to preserve the values represented by the resource, then the archeological consultant, in consultation with the Ohlone representative, shall conduct archeological assessment to determine

the significance of the find and determine whether it retains sufficient integrity to warrant additional treatment. If the tribal cultural resource is determined to be a significant archeological resource, the archeological consultant, in consultation with the Ohlone representative, shall recommend appropriate archeological treatment to preserve the data and values of the tribal cultural resource, which may include archeological data recovery. Data recovery shall be implemented in consultation with the Ohlone representative and shall include appropriate analyses and reporting. If an archeological interpretive, monitoring, and/or testing program is required, it shall be consistent with Standard guidelines for such programs and shall be implemented immediately.

Human Remains and Funerary Objects. The treatment of any human remains, and funerary objects discovered during any soils disturbing activity shall comply with applicable State laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. The project sponsor shall immediately notify the Medical Examiner of the County in which the job resides and the Tribe of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage Commission (NAHC) within 24 hours and all provisions of Public Resources Code 5097.98 will be followed.

Interpretive Program. If it is determined, in consultation with Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resource is not a sufficient or feasible option, the project sponsor, in consultation with local Native American representatives, shall prepare a Cultural Resources Public Interpretation Plan (CRPIP) to guide the interpretive program. The CRPIP shall be submitted for review and approval prior to implementation of the program. The interpretive program may but is not limited to artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the sponsor, and Ohlone Native American representatives, and shall include an on-site acknowledgement that the project is built on traditional Ohlone land. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. Upon approval of the CRPIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The project sponsor shall work with the tribal representative to identify the scope of work by the tribal representative to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

From:	Andrew Quan
To:	Nguyen, Nhu
Cc:	Lisa Brancatelli
Subject:	RE: NOTICE OF CEQA POSTING: 1000 South De Anza Boulevard Draft Environmental Impact Report (H23-029 & ER23-232)
Date:	Monday, July 21, 2025 12:03:38 PM
Attachments:	image001.png

[**External Email**. Do not open links or attachments from untrusted sources. Learn more]

Hi Nhu,

Valley Water has reviewed the Notice of Availability of the Draft Environmental Impact Report (EIR) for the 1000 South De Anza Boulevard Residential Project in San Jose, received on June 6, 2025. Per our review, we have the following comments:

1. All available water conservation measures should be incorporated into the proposed project so that it meets its fair share of water conservation assumptions in the Urban Water Management Plans for Valley Water and the City of San Jose. For example: landscaping that exceeds the requirements of the City's water-efficient landscape regulations; weather- or soil-based irrigation controllers; dedicated landscape meters; submeters for multi-family housing and individual spaces within commercial buildings; dual plumbing to facilitate and maximize the use of alternative water sources of irrigation, toilet flushing, cooling towers, and other non-potable water uses; and alternative water sources for non-potable uses, including recycled water, stormwater, rainwater, and graywater. C1

2. Additionally, this project is within an area of the groundwater basin that supports natural groundwater recharge. Natural groundwater recharge is an important component of the County's water supply portfolio. The project will increase the amount of impervious surface, thus reducing natural recharge. Stormwater retention basins and other LID features are generally geared to minimizing impacts to surface water quality. Valley Water encourages that the retention basins and swales be located and designed to retain as much runoff on site to promote natural groundwater recharge while minimizing impacts to groundwater quality. C2

3. **Section 3.10 Hydrology and Water Quality – 3.10.1 Environmental Setting – Regional and Local – Municipal Regional Permit Provision C.3 – Page 103:** The Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022, and becomes effective on July 1, 2023. Discussions in the Draft EIR should note consistency with the new MRP. If the project qualifies for coverage under the old MRP, the discussion should clearly note that and explain why it is covered under the old C3

MRP. While the text does mention the re-issuance date of May 2022, please also include the MRP's effective date of July 1, 2023. C3

On Page 104, please include the effective date of July 1, 2023, in Footnote 57.

4. **Section 3.10 Hydrology and Water Quality – 3.10.1 Environmental Setting - Regional and Local – Water Resources Protection Ordinance and District Well Ordinance - Page 104:** For the section "Water Resources Protection Ordinance and District Well Ordinance", please replace the language under this section with the following text: "Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water's fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water's Well Ordinance 90-1, permits are required for any boring, drilling, deepening, refurbishing, or destroying a water well, cathodic protection well, observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County." C4

5. **Section 3.10 Hydrology and Water Quality - 3.10.1 Environmental Setting - 3.10.1.2 Existing Conditions - Page 107:** According to Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0216H, effective on May 18, 2009, and the Letter of Map Revision (LOMR) 13-09-1209P, effective April 11, 2023, the western portion of the project site is located within Zone D, which is an area of undetermined but possible flood hazard. Additionally, the remaining portions of the project site are located in Zone X (unshaded), which is an area of minimal flood hazard. Please include "(unshaded)" to Zone X, as there are two types of Zone X. C5

   Secondly, please revise the description of Zone X in the text to "an area of minimal flood hazard".

   Thirdly, please include a footnote for the FEMA FIRM 06085C0216H with its effective date of May 18, 2009, and the LOMR 13-09-1209P, effective April 11, 2023.

6. **Section 3.10 Hydrology and Water Quality - 3.10.2 Impact Discussion – Operational Impacts – Discussion (e) Page 110:** 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 revise the text that reads "The project site is not located within a groundwater recharge area and would not result in impediment…". The DEIR should consider potential impacts to groundwater recharge resulting from this project and include potential measures to minimize the impacts. C6

7. **Section 8.0 References – Page 188:** Please include a reference for the Federal C7

Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0216H, effective on May 18, 2009, and Letter of Map Revision 13-09-1209P, effective April 11, 2023.

C7

8. **Section 8.0 References – Page 190:** Please include a link to the Valley Water's 2021 Groundwater Management Plan, which can be found here: https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable.

C8

For any questions, you can reach me at Aquan@valleywater.org or at (408) 630-1667. Please reference File No. 35167 on any future correspondence.

Thank you,

ANDREW QUAN
ASSISTANT ENGINEER II - CIVIL
Community Projects Review Unit
Santa Clara Valley Water District is now known as:

Valley Water

Clean Water • Healthy Environment • Flood Protection

VALLEY WATER
5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

From: Nguyen, Nhu <Nhu.Nguyen@sanjoseca.gov>
Sent: Friday, June 6, 2025 11:13 AM
Subject: NOTICE OF CEQA POSTING: 1000 South De Anza Boulevard Draft Environmental Impact Report (H23-029 & ER23-232)

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) AND PUBLIC COMMENT PERIOD (SCH# 2024050237)

A Draft Environmental Impact Report (Draft EIR) for the 1000 South De Anza Boulevard

Residential Project is now available for public review and comment. The project is a Site Development Permit to allow the demolition of an existing single-story commercial structure and the removal of 13 trees for the construction a 97-foot tall, seven-story, 77,660 square foot, 120-unit residential building on a 0.72-gross-acre site. The new residential building would have 5,017 square feet of common open space and a 148-stall parking area with mechanical lifts and eight outdoor guest parking spaces. The building would be 91 feet tall from the top of the grade to the roofline. Sixteen of the units in the building are included as below market rate affordable living spaces.

Location: The approximately 0.72-acre project site is located at 1000 South De Anza Boulevard in San José.

APNs: 372-26-018

Council District: 1

File No.: H23-029 & ER23-232

The proposed project will have potentially significant environmental effects with regard to air quality, biological resources, cultural resources, hazardous materials, noise, and transportation. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is not contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/1000-south-de-anza-boulevard-residential-project and are also available at the following locations:

Department of Planning, Building,
and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

Calabazas Branch Library
1230 S Blaney Ave,

San José, CA 95129
(408) 808- 3066

The public review period for this Draft EIR will be 45 days, between **June 6, 2025 and July 21, 2025.** Written comments must be received at the Planning Department by **5:00 p.m. on July 21, 2025**, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Nhu Nguyen in the Department of Planning, Building and Code Enforcement via e-mail at Nhu.Nguyen@sanjoseca.gov, or by regular mail at the following mailing address:

Department of Planning, Building, and Code Enforcement
Attn: Nhu Nguyen
200 E. Santa Clara Street, 3rd Floor
San José, CA 95113

For the official record, please email or mail your written comment letter and reference File Nos. H23-029 & ER23-232.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the Draft EIR during the public review period.

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

From: Jennifer Griffin
To: Nguyen, Nhu
Cc: grenna5000@yahoo.com; planningcommission@cupertino.org
Subject: 1000 South De Anza Blvd.
Date: Friday, June 6, 2025 11:05:24 AM

[External Email. Do not open links or attachments from untrusted sources. Learn more<https://aka.ms/LearnAboutSenderIdentification>]

[You don't often get email from grenna5000@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Thank you for sending the notice about 1000 South De Anza Blvd. This is the site of the old Mari Kitchen Building.

At 90 feet the building is too tall for the area. This is very close to the city of Cupertino so sensitivity Should be considered when building this structure. I think it is important that the city of San Jose Have outreach about this building to the city of Cupertino and residents of both Cupertino and San Jose as South De Anza Blvd. is shared by both cities. There needs to be some coordination in Construction so that there are not giant high rises from San Jose abutting new three story buildings From Cupertino. This makes for a very disorganized landscape. My husband grew up near South De Anza Blvd. And Prospect in an area that was San Jose and switched to Cupertino in 1976. He attended Monta Vista High School. What high school will these students attend at 1000 South De Anza Blvd? A1 A2

It is also important to have adequate setback of buildings from De Anza Blvd. There needs to be room For trees and sidewalks. A3

I'm also concerned about the amount of traffic coming out of this project. The Traders Joes Shopping Center already has too much traffic at the corner of Bollinger and South De Anza Blvd. I am Glad that there will be adequate parking on site the property because this project could have people Parking in the adjacent shopping center parking lots or the Home Depot across the street. A4 A5

I wish they had put a restaurant back in. We depend on South De Anza Blvd. to provide dining options.

Thank you very much.

Best regards,

Jennifer Griffin

Cupertino Resident

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