

## **Appendix A: NOP Scoping Comments**

October 5, 2020

Reema Mahamood  
City of San Jose  
200 E Santa Clara St, T-3  
San Jose, CA 95113

Ref: Gas and Electric Transmission and Distribution

Dear Reema Mahamood,

Thank you for submitting the 605 Blossom Hill Rd plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: [https://www.pge.com/en\\_US/business/services/building-and-renovation/overview/overview.page](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team  
Land Management

## Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ( $90^\circ \pm 15^\circ$ ). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

## Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

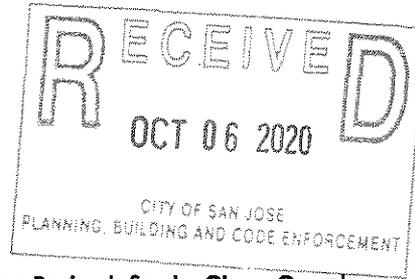
13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



NATIVE AMERICAN HERITAGE COMMISSION

October 1, 2020

Reema Mahamood, Planner III
City of San Jose
200 East Santa Clara Street, T-3
San Jose, CA 95113



Re: 2020100005, Blossom Hill Station Mixed-Use Project, Santa Clara County

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Dear Ms. Mahamood:

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

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](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](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 ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) 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: [Nancy.Gonzalez-Lopez@nahc.ca.gov](mailto:Nancy.Gonzalez-Lopez@nahc.ca.gov).

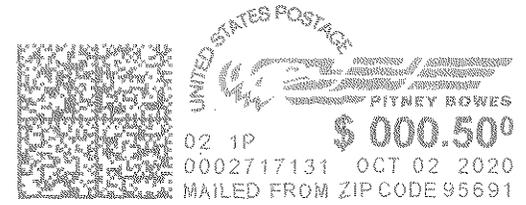
Sincerely,



Nancy Gonzalez-Lopez  
Cultural Resources Analyst

cc: State Clearinghouse

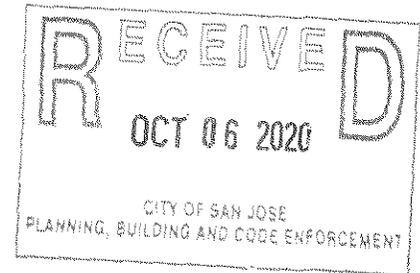
State of California  
Native American Heritage Commission  
1550 Harbor Blvd., Ste. 100  
West Sacramento, CA 95691



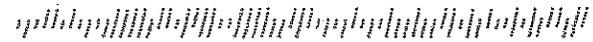
CHAIRPERSON  
**Laura Miranda**  
Luiseño

October 1, 2020

Reema Mahamood, Planner III  
City of San Jose  
200 East Santa Clara Street, T-3  
San Jose, CA 95113



9511381905 0056



**To:** [Mahamood, Reema](#)  
**Subject:** SP20-012& T20-012 Proposed mixed-use building on Blossom Hill  
**Date:** Tuesday, October 13, 2020 9:03:12 AM

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[External Email]

Dear Sir:

I am opposed to this project. It is not acceptable for the City of San Jose to use South San Jose as a dumping ground for undesirable housing projects. We had the homeless homes on Bernal/Monterey Road pushed through by the council even though there was Community opposition. There were and still are homeless encampments and homeless at the grocery stores asking for money, digging through the garbage, using the facilities at fast food restaurants, etc. The high density apartments across from the hospital with designated low income housing have some of those tenants who have trashed the apartments by throwing their garbage anywhere they choose to. This does not promote those who earn incomes and are independent of government aid to rent apartments at such buildings.

The housing problem is not just for South San Jose but must be spread equally throughout the city. The high property tax areas must also share this burden.

Sincerely,  
Laura Kobayashi

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## Carolyn Neer

---

**From:** Mahamood, Reema <reema.mahamood@sanjoseca.gov>  
**Sent:** Wednesday, October 14, 2020 6:33 PM  
**To:** Carolyn Neer; Natalie Noyes  
**Cc:** Van Der Zweep, Cassandra  
**Subject:** FW: Need to Voice Concerns, Please contact me

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Carolyn,  
Please add this string of emails to the NOP comments.  
Thanks,  
Reema

**Reema Mahamood**  
Planner III, Environmental Review

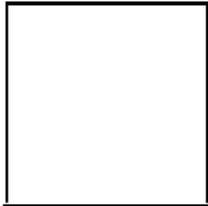
City of San José | Planning, Building & Code Enforcement  
200 E. Santa Clara St., T-3  
San José, CA 95113  
d - 408.535.6872  
[reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)

---

**Sent:** Wednesday, October 14, 2020 6:12 PM  
**To:** Mahamood, Reema <reema.mahamood@sanjoseca.gov>  
**Cc:** Van Der Zweep, Cassandra <Cassandra.VanDerZweep@sanjoseca.gov>; Meiners, Laura <Laura.Meiners@sanjoseca.gov>; Kelly, Patrick (PBCE) <patrick.kelly@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>  
**Subject:** Re: Need to Voice Concerns, Please contact me

[External Email]

Hi Reema,  
Thank you for taking time talking with me and summarizing email with my concerns. First, to correct on **#1.the height of the building would be better fit if it it 4 stories or under. This will reduce the total capacity of units therefor, to reduce already congested traffic flow. you are missing:**  
**#6. the development should be environmental friendly, i.e. set back curb view with green belt, trees, and lawns dividing the lots and building in between. We want this development to be eye catching and beautiful, not become an EYE SORE. This will be very important as the 1ST SIGNATURE VTA PROJECT that might be influential.**



Delta Investment and Properties, Inc.

<https://www.deltapropertyca.com>

DRE #: 01489739

我会说中文

*We appreciate doing business with you in the past and in the future !!*

*Your dream is our Mission. As always, THANK YOU FOR YOUR REFERRAL !!*

On Wed, Oct 14, 2020 at 5:28 PM Mahamood, Reema <[reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)> wrote:

Hello Lily,

Here are your concerns as I heard them in our phone conversation today:

1. The height of the proposed buildings is not compatible with the surrounding neighborhood, a height of 4 or even 5 stories may be a better fit
2. There is an elementary school and a middle school on Blossom Avenue within 1,000 yards of the project, the project will bring in more people without fixing the homeless and drug problem, therefore the safety of children are at stake
3. Traffic congestion will become worse with the additional 600 to 900 people living at the project site driving; school traffic will also be horrendous because it takes 20-30 minutes to get out of the school parking lot right now, more traffic makes the area unsafe for children who walk to school
4. The trail through the underpass is a mess, security cameras and lights are needed to keep people safe and to prevent criminal and drug activities in that area
5. The transit at the site does not go where people need to go, people are still going to be driving to their jobs in adjoining cities and places in the City that are not covered by the light rail and bus systems

Please email me any corrections if I misheard you. These comments will be made part of the public record for this project, which means that a copy will be included in all documents that are submitted to the decision makers for the project (the Planning Commission and the City Council).

You will have the opportunity to comment in writing on the Draft EIR, and speak in person at the hearings before the Planning Commission and the City Council. At this time we do not have dates scheduled for these items.

We will add your email to the list for when the Draft EIR is available for public review. If you received the notice for yesterday's community meeting, you will also receive the notices for when the project will be heard before the Planning Commission and the City Council. If you are not sure that you are on the list, please provide your mailing address and we will ensure that you receive the notices.

You are always welcome to contact your Council Member and the Mayor directly to communicate your thoughts about the project. Contact information for the Mayor and the City Council is available at this link: <https://www.sanjoseca.gov/your-government/-fsiteid-1>

Sincerely,  
Reema

**Reema Mahamood**  
Planner III, Environmental Review

City of San José | Planning, Building & Code Enforcement  
200 E. Santa Clara St., T-3  
San José, CA 95113  
d - 408.535.6872  
[reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)

---

Sent: Wednesday, October 14, 2020 11:12 AM

To: Meiners, Laura <[Laura.Meiners@sanjoseca.gov](mailto:Laura.Meiners@sanjoseca.gov)>; Mahamood, Reema <[reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)>

Subject: Need to Voice Concerns, Please contact me

[External Email]

Hi,  
I attended the hearing meeting last night for blossom Hill road VTV parking lot development. I raised my hand and did not get speak out. The meeting is too short do not allow all participants to speak. I am a local resident for over 25 years and a real estate Profession. I would like to talk to you for our concerns and suggestions representing my Asian community.. Please give me a call at 408-460-3331.



<https://www.deltapropertyca.com>

DRE #: 01489739

我会说中文

***We appreciate doing business with you in the past and in the future !!***

***Your dream is our Mission. As always, THANK YOU FOR YOUR REFERRAL !!***

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

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5528  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

October 29, 2020

SCH # 2020100005  
GTS # 04-SCL-2020-00812  
GTS ID: 19260  
Co/Rt/Pm: SCL/85/4.153

Reema Mahamood  
City of San Jose  
200 East Santa Clara Street, T-3  
San Jose, CA 95113

**Blossom Hill Station Mix-Use Project – Notice of Preparation (NOP) of an Environmental Impact Report (EIR)**

Dear Reema Mahamood:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Blossom Hill Station Mix-use Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the September 2020 NOP.

***Project Understanding***

The project proposes to construct a 6-story mixed-use building with approximately 22,595 square feet (s.f.) of commercial space and up to 239 market rate multi-family residential units and a 6-story multi-family residential building with 89 affordable units, reconfiguration of the parking lot and removal of 52 ordinance-sized trees.

This 7.42-acre site is located at 605 Blossom Hill Road between Canoas Creek and the State Route (SR)-85 off-ramp in city of San Jose. It is located within the Priority Development Area identified in the Plan Bay Area 2040 and within the Transit Priority Areas defined in the California Public Resources Code, Section 21099.

### **Travel Demand Analysis**

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' [Transportation Impact Study Guide](#). The detailed Vehicle Miles Traveled (VMT) analysis should include the following:

- A VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential safety issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.
- Clarification of the intensity of events/receptions to be held at the location and how the associated travel demand and VMT will be mitigated.

### **Highway Operations**

The project applicant shall perform queuing analysis for the ramp terminal intersections listed below. Vehicle queues due to the project added traffic shall be accommodated within the ramps and freeway traffic shall not be impacted. If the project generated traffic impacts ramp operations, the impact shall be mitigated, or a fair share contribution shall be allocated for the mitigation. The project applicant shall coordinate with the City of San Jose and Caltrans for proposed mitigation(s), if there are any impacts due to the project.

- Blossom Hill Road East Eastbound (EB) to SR-85 Southbound (SB)/Northbound (NB) on-ramps; and
- SR-85 SB/NB off-ramps to Blossom Hill Road

### **Multimodal Planning**

Caltrans recommends that the bike lanes and intersection crossings on Blossom Hill Road be improved as part of the project, especially along this block and at the nearby freeway off-ramp. Suggested improvements may include green striping, protected bicycle crossing, left-turn bike boxes, and right-turn bike pockets. Caltrans recommends installing pedestrian improvements at the off-ramp crossing, such as Americans with Disability Act (ADA) ramps and high visibility crossing. To help ease the access to/from the light rail station and the new bus stop, a clearly marked and well-established bike/pedestrian pathway is also recommended between the Blossom Hill Road, the new bus stop and the light rail station.

The lead agency may also consider upgrading the current 4-foot bike lane to at least 5 feet, given that the current travel lane with 15-foot width could allow for a 5-foot bike lane, a 1-foot buffer, and an 11-foot bus parking location to prevent the bus from blocking the bicyclists' travel way while still maintain a 12-foot vehicle way.

In addition, please consider installing wayfinding measures at both the bus stops and the Light Rail entrance tunnel to direct passengers to and from the bus and light rail system via the tree-lined sidewalk, which would help better reserve the Emergency Vehicle Access Easement (EVAE) for emergency vehicles when needed.

### **Traffic Safety**

A single ADA curb ramp design may not be appropriate for this location. Please consider using the two-ramp design as shown in Caltrans Standard Plan A88A – Detail A – Typical Two-Ramp Corner Installation. The design can be viewed at [http://ppmoe.dot.ca.gov/hq/esc/oe/project\\_plans/highway\\_plans/stdplans\\_US-customary-units\\_18/viewable\\_pdf/a88a.pdf](http://ppmoe.dot.ca.gov/hq/esc/oe/project_plans/highway_plans/stdplans_US-customary-units_18/viewable_pdf/a88a.pdf).

The exposed end of the concrete curb and sidewalk could be a tripping hazard, therefore please consider installing Asphalt Concrete (AC) Dike Type E from the end of the new concrete curb to the existing AC Dike Type E and backfill behind the new AC Dike.

Also, please explain how pedestrian traffic would be handled during the curb ramp and sidewalk construction and show the pedestrian detour plans in the Draft EIR.

If temporary construction easement would be needed to construct the curb, please consult Julie McDaniel, the District Office Chief from Caltrans Right-of-Way (ROW) Department, via [julie.mcdaniel@dot.ca.gov](mailto:julie.mcdaniel@dot.ca.gov).

### **Landscape Architecture**

Please include Caltrans ROW lines in the site plans and provide tree protection of any existing trees within Caltrans ROW if needed.

### **Lead Agency**

As the Lead Agency, the City of San Jose is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

### **Construction-Related Impacts & Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto the ROW requires a Caltrans-issued encroachment permit. The IS/MND indicates that a temporary encroachment onto the State ROW would be expected during construction on SR-85. Note that potential impacts to the State ROW from project-related temporary access points should be analyzed. Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit issued by Caltrans. Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to SR-85. For more information, and to apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>.

As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to

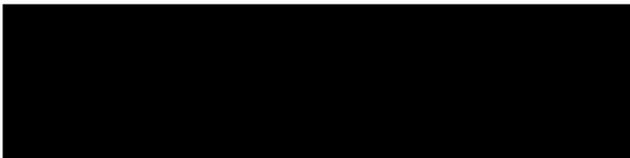
Reema Mahamood  
October 29, 2020  
Page 5

[D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Yunsheng Luo at [Yunsheng.Luo@dot.ca.gov](mailto:Yunsheng.Luo@dot.ca.gov). Additionally, for future notifications and requests for review of new projects, please email [LDIGR-D4@dot.ca.gov](mailto:LDIGR-D4@dot.ca.gov).

Sincerely,



Mark Leong  
District Branch Chief  
Local Development - Intergovernmental Review

cc: State Clearinghouse

# County of Santa Clara

Roads and Airports Department  
Planning, Land Development and Survey

101 Skyport Drive  
San Jose, CA 95110-1302  
(408) 573-2460 FAX 441-0276



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**October 29, 2020**

**Reema Mahamood**

Planner III, Environmental Review  
City of San José | Planning, Building & Code Enforcement  
200 E. Santa Clara St., T-3  
San José, CA 95113

**SUBJECT: NOP - EIR for the Blossom Hill Station Mixed-Use Project**

The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the NOP - EIR for the Blossom Hill Station Mixed-Use Project, and is submitting the following comments:

We would like the project to look at the following intersections as part of the Local Transportation Analysis:

- Almaden Expwy and Blossom Hill
- Almaden Expwy and Almaden Plaza Way/Hwy 85 SB Offramp
- Almaden Expwy and Hwy 85 NB Offramp

If you have any questions or concerns about these comments, please contact me at [REDACTED]

Thank you.



November 2, 2020

RE: Blossom Hill Station Mixed-Use Project

Dear Environment Project Manager, Reema Mahamood:

We are Blossom Hill neighbors. Our lives are built around this part of the city. Our health and well-being depend on it.

The proposed building plans endanger current residents and the environment. Here is why. (Please see attached map).

### **Density**

This suburban area is extremely dense (you can see at first glance of the map). The only relief to this is brought by Martial Cottle Park. Adding 239 multi-family residential units is not sustainable.

### **Infrastructure**

The Hwy 85, Blossom Hill Rd. interchange is plagued by frequent, long traffic jams. Can the highways, roads and road surfaces sustain that much more use? The proposed structure is impinging on a parking lot in use by VTA riders at the moment. Will the space really accommodate parking for all the proposed residential units, and still serve for the population that rides VTA?

### **Safety**

Clogging the infrastructure and taxing the roadways already in poor shape becomes a true safety issue for residents. We live in a neighborhood with many retired families. Do you want to be responsible for people like ourselves not having quick enough access to pharmacies or medical services?

### **Environment**

**Trees:** This proposed building project is asking to remove 52 mature trees. In an era of climate change, every oxygen-producing tree is critical to human residents.

**Watershed** (Please see map): The proposed building site is taking place right ON Canoas Creek, a creek that flows into the Guadalupe Watershed. Canoas Creek will be very vulnerable to any pollutants during construction at least. Any harmful substances from the construction phase run the risk of flowing downstream impacting many square miles of San Jose.

**Animals:** Canoas Creek is home to the endangered California toad. It is also home to the Largemouth Bass, Common Carp and Channel Catfish. As residents, we are stewards to the animals amongst us and ask no harm to be directed at them.

Respectfully,

See our signatures on attached sheet

CC: Mayor of San Jose Sam Liccardo

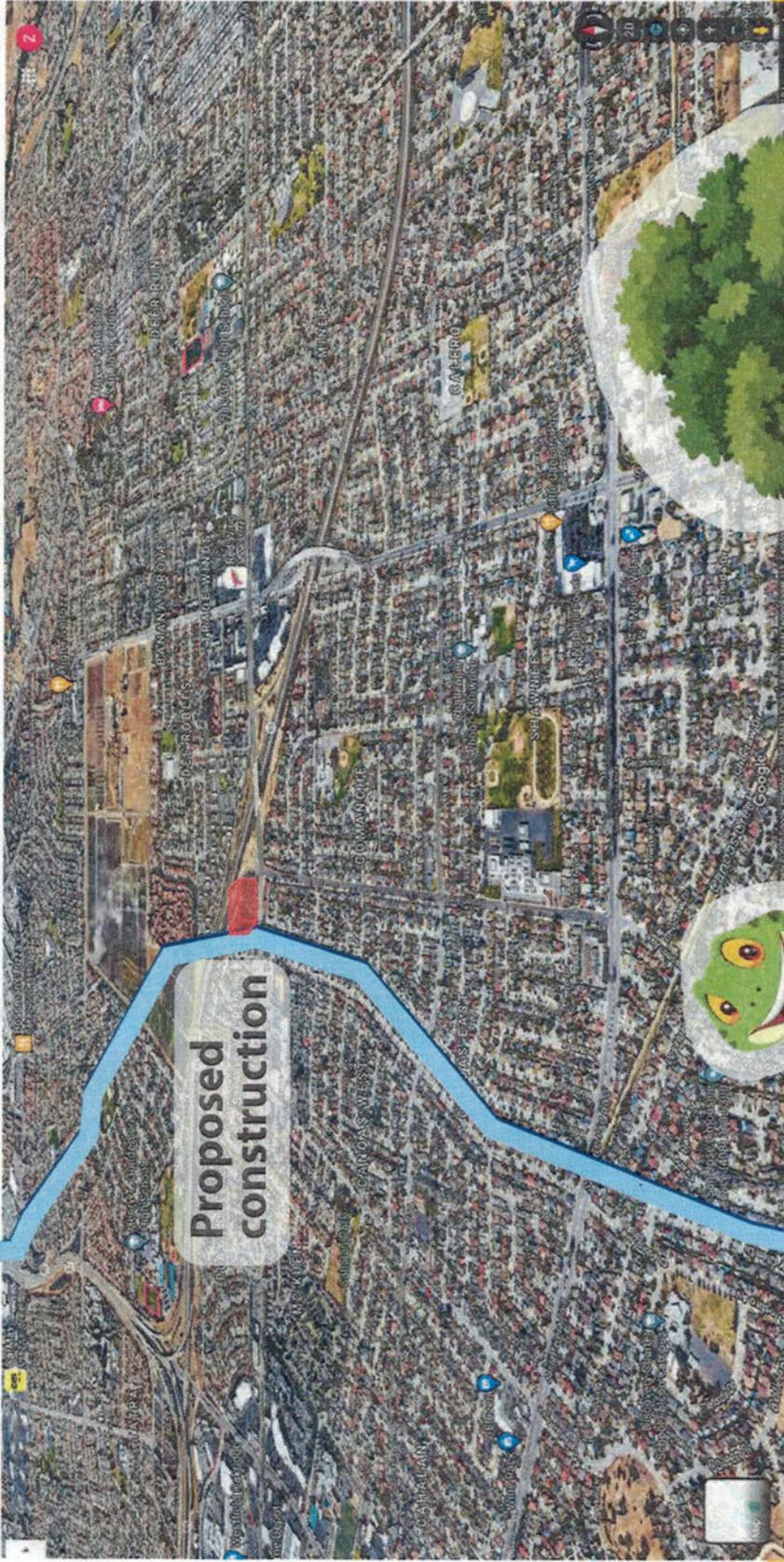
District 10 Council Member Johnny Khamis

San Jose Planning Commission Chair Mariel Caballero

VTA General Manager/CEO Nuria I. Fernandez

# Costs of Proposed Blossom Hill Station Mixed-Use Project

Canoas Creek



Project puts these in danger:



Endangered CA toad



52 Trees

Canoas Creek

Guadalupe Watershed

SIGNATURE	NAME	ADDRESS
[REDACTED]	TATIANA & SERGEI SHUBIN	[REDACTED]
[REDACTED]	WAYNE M. CANTO	[REDACTED]
[REDACTED]	CANDISE CANTO	[REDACTED]
[REDACTED]	SHANTI GAUBRATH	[REDACTED]
[REDACTED]	Dan Wehr	[REDACTED]
[REDACTED]	Ruby Fong	[REDACTED]
[REDACTED]	PAULA Hammer	[REDACTED]
[REDACTED]	RICHARD L. HAMMER	[REDACTED]
[REDACTED]	SUGAN KOSSOW	[REDACTED]
[REDACTED]	JAMES HAGER	[REDACTED]
[REDACTED]	EVELYNE PENA	[REDACTED]
[REDACTED]	JASON HOWARD	[REDACTED]
[REDACTED]	Dean Jones	[REDACTED]
[REDACTED]	MAVIS DZABLY	[REDACTED]
[REDACTED]	Paul & Treese	[REDACTED]

SIGNATURE	NAME	ADDRESS
[REDACTED]	MARTO CARRANZA	[REDACTED]
[REDACTED]	KRYSTAL NGUYEN	[REDACTED]
[REDACTED]	MARY Hageman	[REDACTED]
[REDACTED]	ALEX WRIGHT	[REDACTED]
[REDACTED]	Nicole Kim	[REDACTED]
[REDACTED]	Alejandra Limon	[REDACTED]
[REDACTED]	5348 Entrada D	[REDACTED]
[REDACTED]	5374 Avenida Almendras	[REDACTED]
[REDACTED]	ERIC SIMONSEN	[REDACTED]
[REDACTED]	Behnaz Goodari	[REDACTED]
[REDACTED]	Alfred Safari	[REDACTED]
[REDACTED]	Shmivan Safari	[REDACTED]
[REDACTED]	MARCIALLA Garcia	[REDACTED]
[REDACTED]	RAISA BEZLEY	[REDACTED]
[REDACTED]	Ahmad Elarid	[REDACTED]

SIGNATURE	NAME	ADDRESS
[REDACTED]	DAVID VAN ZANEN	[REDACTED]
[REDACTED]	Jessica Fivero at	[REDACTED]
[REDACTED]	Jeff Silveira	[REDACTED]
[REDACTED]	Patrick Gomez	[REDACTED]
[REDACTED]	MICHAEL LONSBURY	[REDACTED]
[REDACTED]	ELEUTERIO GOMEZ	[REDACTED]
[REDACTED]	GAIL LOPEZ	[REDACTED]
[REDACTED]	CARDI CARLSTROM	[REDACTED]
[REDACTED]	Herbert Carlstrom	[REDACTED]
[REDACTED]	George Mathew	[REDACTED]
[REDACTED]	Esteban PALOMINO	[REDACTED]
[REDACTED]	GUSTAV BALTARAK	[REDACTED]
[REDACTED]	Mekedem Bezuada	[REDACTED]
[REDACTED]	FLOYD L. DAVIS	[REDACTED]
[REDACTED]	RON W BURNETT	[REDACTED]



# County of Santa Clara

## Parks and Recreation Department

298 Garden Hill Drive  
Los Gatos, California 95032-7669  
(408) 355-2200 FAX (408) 355-2290  
Reservations (408) 355-2201  
[www.parkhere.org](http://www.parkhere.org)



November 16, 2020

City of San Jose  
Department of Planning, Building and Code Enforcement  
Attn: Reema Mahamood  
200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower  
San Jose, CA 95113-1905

### **SUBJECT: Notice of Preparation of an EIR for the Blossom Hill Station Mixed-Use Project**

Dear Reema Mahamood,

The applicant is requesting a Special Use Permit to allow a Project within the Blossom Hill/Calahan Urban Village Plan area which includes the following: construction of a six-story mixed-use building with approximately 22,595 square feet of commercial space and up to 239 market-rate multi-family residential units, construction of a six-story multi-family residential building with 89 affordable units, reconfiguration of the VTA surface parking lot and station entrance, removal of 52 ordinance-size trees, and improvements to the Canoas Creek trail adjacent to the project site.

In regards to this proposed project, the Santa Clara County Parks and Recreation Department's (County Parks Department) review is primarily focused on potential impacts related to the *Santa Clara County Countywide Trails Master Plan Update (CWTMP)* (1995) relative to countywide trail routes, public access and regional parks.

The Canoas Creek Trail is an undeveloped trail route identified in the City of San Jose's Trails Master Plan and also referenced in the Martial Cottle Park Master Plan as a looped trail system within the Park and extending from the Canoas Creek waterway. The Park is less than a quarter mile from the Blossom Hill VTA Station and is connected via a Valley Water creek maintenance road. The Canoas Creek trail will connect with the existing trails within Martial Cottle Park. The City envisions the trail system following the creek and permitting an off-street trail system to link the Highway 87 Bikeway to the Blossom Hill Light Rail Station located along Highway 85.

The County Parks Department is in support of the proposed trail improvements and connection to Martial Cottle Park and the development's efforts to collaborate with the Valley Transportation

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian

County Executive: Jeffrey V. Smith



Agency, County of Santa Clara and the City of San Jose to plan and develop appropriate new trail routes and expand local and regional trail systems.

Thank you for the opportunity for County Parks Department to provide comments on the Blossom Hill Station Mixed-Use Development Project. If you have any additional questions, please email me at [Kimberly.brosseau@prk.sccgov.org](mailto:Kimberly.brosseau@prk.sccgov.org)

Sincerely,



Kimberly Brosseau, AICP  
Senior Planner



Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian

County Executive: Jeffrey V. Smith

**Joint Community Meeting and Environmental Scoping Meeting  
Blossom Hill Station TOD Project (Planning File Nos. SP20-012 and T20-012)**

**October 13, 2020**

Comments made by the public included the following topics:

- Traffic congestion in the area
- Height of proposed buildings in relation to surrounding neighborhoods
- Population of the affordable housing units
- Trail connections
- Security measures at VTA station and on light rail
- Potential for homeless problems to exacerbate
- Populations for Area Median Incomes
- Guest parking