

Comment Letter A15—Bay Area Air Quality Management District, Jean Roggenkamp (letter dated November 23, 2015)

Letter A15

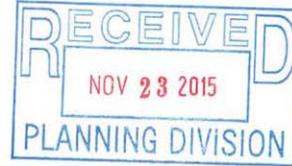


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EXECUTIVE OFFICER/APCO

November 23, 2015

Debby Fernandez
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050



Subject: DEIR for City Place Santa Clara

Dear Ms. Fernandez,

Bay Area Air Quality Management District (Air District) staff reviewed the Draft Environmental Impact Report (DEIR) prepared by the City of Santa Clara (City) for City Place Santa Clara (Project). The Project is located on seven City-owned parcels north of Tasman Drive, east of Great America Parkway, west of the Guadalupe River, and south of State Route 237.

The City is proposing to build up to 9.16 million square feet of office buildings, retail and entertainment facilities, residential units, and hotel rooms. In addition the Project would also include surface and structured parking facilities, large open spaces, pedestrian and vehicular entrances, roadway networks, and expanded infrastructure. To accommodate the Project, the City is proposing a new General Plan land use designation (Urban Center/Entertainment District) within the Mixed-Use designations.

The DEIR identified significant and unavoidable air quality impacts from reactive organic gas (ROG), oxides of nitrogen (NOx), particulate matter (PM 2.5), and greenhouse gas (GHG) emissions associated with long-term operational emissions generated by the Project (Impacts AQ-1, AQ-3, AQ-4, GHG-1). Emissions for ROG and NOx are estimated to be 7-10 times greater than the significance thresholds identified in Table 3.4-8. This substantial increase in emissions will make it more difficult for the region to attain and maintain health based National Ambient Air Quality Standards (NAAQS). As NAAQS become more stringent over time, as recently occurred for the ozone standard, it will be more important for projects like this to implement all feasible mitigation measures to reduce the severity of the air quality impacts.

Air District staff commends the City for including a number of mitigation measures (MM GHG 1.2, TRA 1.1) that will reduce these impacts. However, due to the magnitude of the Project's anticipated impacts, Air District staff recommends the City implement the following additional mitigation measures to further reduce the identified impacts to the maximum extent feasible:

- Increase the transportation demand management (TDM) plan requirement to reduce peak-hour and daily vehicle trips from 10% to at least 25%;
- Prepare a comprehensive parking plan for the entire project area that establishes parking pricing strategies, unbundling of parking costs, and shared parking for visitors and employees;
- Require electrical hook-ups for diesel trucks at loading docks;
- Prohibit all diesel powered trucks from idling for more than 2 minutes;
- Require truck fleets based within the Project site meet CARB's highest engine tier standard in place at the time the building permits are issued;
- Require only electrical landscaping equipment;

A15.1

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A15.1
Cont.

- Require solar hot water heating systems;
- Require electric heat pumps for space heating;
- Require recycling and composting programs for offices and residences;
- Require energy efficiency reductions at least 25% beyond Title 24 on all new development at the time the building permits are issued;
- Require on-site photovoltaic (PV) solar to meet at least 50% of the electricity demand; and
- For electricity not generated on-site (e.g., via PV), require that buildings receive the maximum amount achievable from renewable energy.

According to the DEIR, implementation of the Project could result in exposure of sensitive populations to increased local air pollution from roadway traffic, diesel-related truck activity, trains, and stationary sources such as emergency generators. To reduce these impacts, the DEIR includes mitigation measure AQ-7.1, which requires the implementation of filtration in residences and daycare facilities. Air District staff supports AQ-7.1 because it will help to reduce the exposure of sensitive populations to increased local air pollution. To further protect the health of new residents and children (who will utilize the daycare facilities referenced on pg. 3.4-39) from increased local air pollution, Air District staff recommends that the following measures be included as part of mitigation measure AQ-7.1:

A15.2

- Locate residences or daycare facilities as far from major pollution sources as feasible;
- Require that all filtration systems be equipped with MERV 13 or higher filters;
- Build the residential and/or daycare facilities that are the closest to roadway and/or truck emission sources at a later date in time, as feasible (as new regulations to clean up the mobile fleet are phased in, potential cancer risks are anticipated to decrease);
- Place windows, balconies, and building air intakes as far away from any emission source(s) as possible;
- Plant trees and other vegetation between sensitive land uses (including residential and daycare facilities) and emission sources; and
- Avoid placing truck activity, including loading docks, near planned sensitive land uses such as residences and daycare facilities.

Air District staff is available to assist the City in addressing these comments. If you have any questions, please contact Jennifer Langfield, Senior Planner, at (415) 749-8619 or jangfield@baaqmd.gov.

Sincerely,



Jean Roggenkamp
Deputy Executive Officer

cc: BAAQMD Director Cindy Chavez
BAAQMD Director Liz Kniss
BAAQMD Director Jan Pepper
BAAQMD Director Rod G. Sinks

Response to Comment Letter A15—Bay Area Air Quality Management District, Jean Roggenkamp (letter dated November 23, 2015)

A15.1 *The commenter commends the City for including a number of mitigation measures (Mitigation Measures GHG-1.2 and TRA-1.1) to reduce impacts but states that, because of the magnitude of the impacts, additional mitigation measures are recommended to reduce long-term air quality and greenhouse gas impacts to the extent feasible.* Operational mitigation measures were incorporated into the Draft EIR in order to reduce significant and unavoidable air quality impacts from ROG, NO_x, PM_{2.5}, and GHG emissions associated with long-term operational emissions generated by the Project (Mitigation Measures GHG-1.2 and TRA-1.1). The City and Project Developer have carefully evaluated the additional mitigation measures proposed by BAAQMD in this comment, and have agreed to incorporate those measures that they have determined to be feasible. Each of the measures proposed by BAAQMD is discussed below.

Regarding requiring the Project's energy efficiency to be 25 percent better than Title 24, the Project Developer has consulted with multiple energy efficiency and sustainability experts to determine if this request is feasible. However, the Project Developer has determined that there are too many uncertainties at this stage of Project design about whether the Project can feasibly achieve a 15 percent reduction from the current Title 24 standards, particularly with respect to buildings with retail and food and beverage tenants, whose energy usage is more difficult to predict than office tenants. Furthermore, a series of revisions to Title 24 are planned during the build-out of the Project that would culminate in a "net zero" energy requirement, which, when fully implemented, would render infeasible any requirement to be more efficient than Title 24.

Regarding the request to increase the TDM target from 10 percent to 25 percent, please see Master Response 2 concerning TDM. Regarding a comprehensive parking plan, parking pricing strategies and unbundled parking costs (for residential buildings) have been added to the list of measures to be considered for inclusion in the TDM plan (Mitigation Measure TRA-1.1).

Regarding recycling, as stated on page 3.14-32 of the Draft EIR, the Project would comply with the mandatory requirements of the Santa Clara Commercial and Residential Recycling Programs to help the City meet its waste diversion goal of 50 percent as well as the City ordinances that regulate single-use carryout bags and expanded polystyrene foam food service ware. Solid waste reduction strategies that would be implemented as part of the Project include optimization of an organic waste collection system to support operations at Mission Trail Waste Systems, grease collection/recycling for off-site biofuel conversion, and triple-chute waste collection in proposed residential and hotel buildings. Therefore, Mitigation Measure GHG-1.2 has not been revised concerning recycling.

Upon consideration of this comment, Mitigation Measure GHG-1.2 has been revised, starting on page 3.5-18 of the Draft EIR, to clarify and amplify the mitigation requirements, to incorporate the recommended measures to the extent feasible.

GHG-1.2: Operational GHG Emissions Reduction Measures. The Project Developer shall implement the operational GHG emissions reduction strategies described below.

1. **Energy Efficiency:** The Project's energy efficiency shall be ~~15~~ percent better than the base case energy model developed pursuant to the 2013 Title 24 requirements or shall meet the Title 24 requirements that are applicable at the time of issuance

of the building permits for individual phases, whichever is more stringent (Climate Action Plan [CAP] Measure 2.1).

2. On-site Solar Energy: The Project already includes on-site PV solar to meet 10 percent of electricity demand. The Project shall obtain renewable energy electricity corresponding to ~~2950~~ percent of on-site electricity demand by 2030 through a combination of on-site solar, the purchase of renewable energy, or other measures (CAP Measure 2.4). This requirement may be phased in as follows: 2020 – ~~1015~~%, 2025 – ~~2529~~%, 2030 – ~~2950~~%. If the Project Developer can demonstrate, to the City's satisfaction, that through Project design, adopted State or federal regulations, or other assured actions that the Project's emissions overall will meet the 2030 metric identified in this document without implementation of this particular measure or its full implementation, then this measure (or its full implementation) may be waived by the City.
3. Food Waste: All retail restaurants shall be required to participate 100 percent in any extant City food waste and composting programs and any that may be developed in the future (CAP Measure 4.1).
4. Electrical Landscaping Equipment: The Project shall include the installation of electrical outlets near all maintained landscaping areas to allow for the use of electrical landscaping equipment (CAP Measure 5.1). In the landscaped City Center, only electrical landscape equipment shall be used. Use of electrical landscaping equipment shall not be required for the extensive natural landscaping contemplated at the edges of the City Center and at Parcels 1, 2, and 3.
5. Electrical Vehicle Charging/Preferential Parking (CAP Measure 6.3): The Project shall provide preferential parking in all parking lots for electric vehicles and shall also provide charging equipment, as follows:
 - a) Residential Use: A total of 10 percent of the required parking spaces shall be provided with a listed cabinet, box, or enclosure and connected to a conduit that links the parking spaces to the electrical service in a manner approved by the building and safety official. Of the listed cabinets, boxes, or enclosures provided, 50 percent shall have the necessary electric vehicle supply equipment installed to provide active charging stations that are ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents. Electrical vehicle batteries and charging technology may change substantially over the next 15 years. As such, the City shall have the discretion to modify the specific requirements for this measure over time, provided that 10 percent of the spaces have electrical service and 5 percent have active charging, depending on what the technology at the time requires.
 - b) Commercial Use: New commercial uses shall provide the electrical service capacity necessary as well as all conduits and related equipment necessary to serve 2 percent of the parking spaces with charging stations in a manner approved by the City's Building Official. Of these parking spaces, 50 percent shall initially be provided with the equipment necessary to function as online charging stations upon completion of the Project. The remainder shall be installed at such time as they are needed for use by customers, employees, or

other users. Electrical vehicle batteries and charging technology may change substantially over the next 15 years. As such, the City shall have the discretion to modify the specific requirements for this measure over time, provided that two percent of the spaces have electrical service and one percent have active charging, depending on what the technology at the time requires.

6. Shade Trees: Where surface parking lots are not covered by PV solar, shade trees shall be planted to reduce urban heat island effects on adjacent buildings (CAP Measure 7.1).
7. Urban Cooling: Any uncovered parking lots or spaces shall use light-colored pavement (CAP Measure 7.2).
8. Leases for businesses that base a diesel truck fleet within the Project site: Ensure those fleets meet the highest CARB engine-tier standard in place at the time of issuance of the building permits for the building that such businesses occupy, or the execution of a lease, whichever comes first.
9. Electrical hook-ups at loading docks for businesses that will receive deliveries from refrigerated diesel trucks: Stipulate in the lease agreement for such businesses a requirement to use the hook-ups if the trucks will be idling for more than 2 minutes.
10. Leases for business receiving deliveries: Prohibit all diesel-powered trucks from idling for more than 2 minutes.
11. Solar hot water heating systems: Incorporate for appropriate applications, including any swimming pools and buildings with swimming pools.
12. Electric heat pumps, or other energy-efficiency techniques, including radiant systems: Include for space heating and cooling, under appropriate circumstances.

A15.2 *The commenter states that implementation of the Project could result in exposure of sensitive populations to air pollution from roadway traffic, truck activity, trains, and stationary sources and recommends including additional measures in Mitigation Measure AQ-7.1.* The comments pertain to the potential increase in exposure of sensitive receptors to pollutant sources. Such pollutant sources include those that currently exist, including roadways, trains, and stationary/permitted sources, as well as Project-related sources, including diesel truck and equipment activity on-site during construction and diesel truck and stationary source (generator) activity during operations.

The comments were received prior to the recent California Supreme Court ruling in *California Building Industry Association v. Bay Area Air Quality Management District* (Supreme Court Case No. S213478, December 17, 2015) in which the court concluded that, under CEQA, a project is not required to analyze the existing environment's impact on a project, with some exceptions, none of which apply in this instance.¹ The ruling in this case means that impacts of the environment on the Project are not significant impacts under CEQA and there is no requirement

¹ The Project does not exacerbate existing pollution sources in terms of somehow transforming or changing exposure conditions related to existing pollution sources, which would otherwise be an exception to the court ruling. In addition, the Project does not qualify for a categorical exemption; thus, any exemption-related exceptions to the court ruling also do not apply.

to identify mitigation measures under CEQA pertaining to siting receptors away from existing emissions sources. Thus, the Draft EIR has been revised to remove the related significance finding concerning impacts of existing emissions on new Project receptors. The cumulative analysis continues to include consideration of existing emissions, as PRC 21083 requires consideration of past, present, and probable future projects when evaluating cumulative effects.

However, new receptors would be exposed to air pollution from existing sources, regardless of whether it is considered a CEQA impact or not and, as such, the impact analysis is included for informational purposes in the EIR. The previously identified CEQA mitigation measure (Mitigation Measure AQ-7.1) has been retitled as a potential Condition of Approval in the EIR and the City Council may consider whether or not to adopt it. The City is not required to impose mitigation under CEQA for impacts of existing pollution on new receptors.

The following are specific responses to comments raised:

- *Locate residences or daycare facilities as far from major pollution sources as feasible:* The Project residential areas are already away from freeway sources, but some are located in proximity to the existing rail line, Lafayette Street, or Tasman Drive. However, as noted above, the effect of existing pollution sources on new receptors is not a matter for consideration under CEQA.
- *Require that all filtration systems be equipped with MERV 13 or higher filters:* Mitigation Measure AQ-6.1 requires filtration for on-site receptor locations as necessary to address construction-period Project emissions impacts. The Project's construction-period emissions impacts are not affected by the court ruling and remain significant. The mitigation is still required. Mitigation Measure AQ-7.1 in the Draft EIR required all filters to be rated MERV-13 or higher for operational impacts, including impacts from existing sources of pollution. With the *CBIA vs. BAAQMD* ruling, the operational emissions impacts are no longer considered significant on their own, because once the impacts of the existing sources of pollution are excluded, the Project's operational emissions would not result in impacts that would be above BAAQMD thresholds. Cumulative emissions impacts were determined to be less than significant in the Draft EIR related to on-site receptors because they are below BAAQMD thresholds and remain so.

The combined project construction emissions and operational emissions impacts on on-site receptors would exceed the BAAQMD's cancer risk threshold of 10 in 1 million for certain locations, and, thus, the MERV-13 filter requirement could apply to both construction and operational periods under CEQA but only if such filtration is required during both periods to reduce impacts to a less-than-significant level. If provision of filtration during the construction period alone (or other mitigation approached in Mitigation Measure AQ-6.1) were enough to lower the combined construction plus operational impact to a less-than-significant level, then filtration would not be required for the operational period under CEQA.

The EIR has been clarified relative to the *CBIA vs. BAAQMD* ruling. The prior mitigation is still included for informational purposes, and the City Council may consider imposition of the measure as a condition of approval separate from CEQA, but is not required to do so.

- *Build the residential and/or daycare facilities that are the closest to roadway and/or truck emission sources at a later date in time, as feasible (as new regulations to clean up the mobile fleet are phased in, potential cancer risks are anticipated to decrease):* This appears to be based on a concern that is no longer a CEQA concern under the *CBIA vs. BAAQMD* decision. The residential uses at the Project site are already proposed to be located away from freeway sources; therefore, phasing would have little efficacy.
- *Place windows, balconies, and building air intakes as far away from any emission source(s) as possible:* This is, in general, good building practice and will be implemented in the natural course of Project design, but the concept is inappropriately vague to be memorialized in a mitigation measure.
- *Plant trees and other vegetation between sensitive land uses (including residential and daycare facilities) and emission sources:* This is, in general, good building practice and will be implemented in the natural course of Project design, but the concept is inappropriately vague to be memorialized in a mitigation measure.
- *Avoid placing truck activity, including loading docks, near planned sensitive land uses such as residences and daycare facilities:* The Project will include a mixed-use urban area that will require deliveries and refuse removal by trucks. The waste hauler utilizes a clean fleet, and other service deliveries will not exceed those typically associated with mixed-use urban environments. Proximity to residences could be a planning criterion when selecting locations for truck delivery services.

Comment Letter A16—County of Santa Clara Roads and Airports Department, Dawn S. Cameron (letter dated November 23, 2015)

Letter A16

County of Santa Clara
Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
1-408-573-2400



November 23, 2015

Debby Fernandez
Associate Planner
1500 Warburton Avenue
Santa Clara, CA 95050

**SUBJECT: Notice of Availability of Draft Environmental Impact Report
City Place Santa Clara**

Dear Ms. Fernandez:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) for the subject project and is submitting the following comments.

A16.1

- 1) Transportation mitigation measure TRA-1.2: Intersection Improvements (page ES-15) of the DEIR states that “*where there is no feasible mitigation measure, no fair share is identified (0 percent)*”. Section 3.3 of the DEIR identified the intersection of Lawrence Expressway/Tasman Drive as one such location with no feasible mitigation measure. County does not agree with this determination. The preliminary Comprehensive County Expressway Planning Study 2040 identified grade separation of light rail track from the intersection as a feasible measure. Please incorporate this improvement into the study. The project should make a fair share contribution towards this improvement.

A16.2

- 2) Transportation mitigation measure TRA-1.2: Intersection Improvements (pages ES-12 through ES-15) of the DEIR state “*The intersection improvements and off-setting mitigation measures summarized in Table 3.3-20 shall be implemented, and Project Developer shall pay the fair-share contributions for the mitigation measures summarized in Table 3.3-20.*” County supports this mitigation strategy. It is the County’s understanding and expectation that fair-share contributions will be provided for expressway system improvements at locations recommended for a finding of “significant and unavoidable”.

If you have any questions about these comments, please contact Aruna Bodduna at 408-573-2462 or at aruna.bodduna@rda.sccgov.org.

Sincerely,

Dawn S. Cameron
County Transportation Planner

cc: MA, AP
Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

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Response to Comment Letter A16—County of Santa Clara Roads and Airports Department, Dawn S. Cameron (letter dated November 23, 2015)

- A16.1 *The commenter identifies a grade separation of the light rail tracks at the intersection of Lawrence Expressway and Tasman Drive as a possible intersection mitigation measure. Grade separating light rail within Santa Clara has not been identified as an improvement in any plan. Such a change could create a barrier for bicycle and pedestrian activity and separate established neighborhoods. Further, this improvement would require additional analysis to determine feasibility and multiple funding sources to construct and is well beyond the ability of any single development to fund.*
- A16.2 *The commenter supports the mitigation approach of the Project Developer contributing a fair-share to expressway improvements, including those where the impact is deemed “significant and unavoidable” but where an improvement has been identified. Mitigation Measure TRA-1.2, as included on page 3.3-90 of the Draft EIR, states that the Project Developer shall pay the fair-share contributions for the mitigation measures summarized in Table 3.3-20 (starting on page 3.3-93 of the Draft EIR). The commenter’s support of the mitigation measure is noted.*

Comment Letter A17a—City of San José, Harry Freitas (letter dated November 23, 2015)

Letter A17a



Department of Planning, Building and Code Enforcement

HARRY FREITAS, DIRECTOR

November 23, 2015

Debby Fernandez
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: City Place Project, Comments on Draft Environmental Impact Report
SCH #2014072078

Dear Ms. Fernandez,

This letter is in response to the Notice of Availability for Public Review of the Draft Environmental Impact Report prepared for the City Place Project (Project) received by the City of San José on October 9, 2015. The project site is located north of Tasman Drive on the west side of the Guadalupe River. The 240-acre site is immediately adjacent to the City of San José limits to the east. The City of San José is a responsible agency for purposes of mitigation measure implementation within City limits. The City of San José has the following comments on the project and DEIR.

Project Description

A17a.1

The project description is clear with regard to the inclusion of a General Plan Amendment for the creation of a new General Plan Land Use designation of Urban Center/Entertainment District that would be applied to the site. It is also clear the development of the site as described is not currently included or planned for in the adopted Santa Clara General Plan. The conclusions of the DEIR raise serious issues with respect to the City of Santa Clara's ability to determine General Plan conformance for this project.

Based on the land use analysis it appears that Santa Clara did not shift development capacity or revise the General Plan and GP environmental review to account for this project. It is not apparent how some of the significant unavoidable impacts of the project can be reconciled with inconsistencies with very fundamental General Plan policies, particularly with regard to increased jobs/housing ratio, VMT, air quality and population/housing. The document is not clear that the environmental impact assessment includes a comprehensive analysis of updating the General Plan to include the additional development from the project.

Land Use and Planning

A17a.2

The conclusions of the Land Use and Planning analysis raise serious concerns for San José's ability to implement its own General Plan and construct desired development in North San José

200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113-1905 tel (408) 535-7900 www.sanjoseca.gov

Ms. Debby Fernandez
 City of Santa Clara
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particularly. The lack of adequate residential development as part of the proposed project results in inadequate housing being made available to support the number of new jobs created, a substantial increase in VMT and congestion, and a corresponding degradation in regional air quality and increase in GHG emissions. The lack of proposed housing by the project or incorporated in the Santa Clara General Plan results in major General Plan policy inconsistencies. This raises the question how the project can be approved without major revisions to the General Plan and additional environmental impact analysis.

The amount of proposed development is unplanned locally and regionally, i.e. not accounted for in any plans. The project results in 24,760 “net” new jobs. Only 13.5% of project employees are estimated to live in Santa Clara. The project will result in the demand for 15,408 residential units to be provided outside of Santa Clara. This equates to a population growth of 40,677 residents to be accommodated regionally. The Santa Clara General Plan projects a population increase of only 34,000 residents between 2015 and 2040. This housing demand and population growth from the project becomes a burden for other jurisdictions -- “...*the likely result of the induced housing demand resulting from Project generated jobs is upward pressure for additional housing units to be built in the City, region and possibly even outside the region.*” (p.3.12-11)

A17a.2
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Given the scope of the City Place project and the regional nature of housing, the EIR should provide analysis of the jobs-housing conditions on a broader geographic scale, as the project deficiency in providing housing may adversely affect other nearby jurisdictions. The project as currently proposed will exacerbate the region’s housing crisis as there are no plans to include affordable housing. This will add pressure on neighboring cities, such as San José, to provide housing for all sectors of the workforce.

The impact/burden of induced housing demand and population on San José will result in the need for additional services to be provided by the City (police, fire, parks, etc.). Pushing the induced housing demand and resulting population to other jurisdictions will affect their respective fiscal health. Cities that have significant fiscal challenges, i.e. jobs-poor cities like San José, provide the bulk of public services to our most in need (poor) communities in the South Bay. Jobs-rich cities don’t carry that financial burden. This project will perpetuate the wealth and resource divide between cities and further aggravate disparity in our county.

The Land Use impact analysis should be amended to include an analysis and discussion of the number of housing units required for Santa Clara to maintain the currently projected 2.57 jobs/housing ratio. We estimate the number to be about 9,634 residential units. Footnote No. 15 on page 3.1-13 should be modified to provide clarification that 6,640 additional housing units are not adequate to offset the number of jobs created by the project in order to maintain the current jobs/housing ratio.

Mitigation Measure LU-1.1 is inadequate as a mitigation measure and should not be referred to as such. A valid mitigation measure cannot defer to further study during some future General Plan update. It provides no certainty that the significant and unavoidable land use impacts will be avoided, minimized or reduced. It should not be listed as a mitigation measure, unless the city does the necessary General Plan analysis at this time.

Ms. Debby Fernandez
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A17a.2
 Cont. | If the project site cannot accommodate additional housing units, then the City of Santa Clara should amend its General Plan to plan for additional units in the City first. If it is not possible for Santa Clara to balance the project induced jobs and housing city-wide, then the City should provide assistance for other jurisdictions to accommodate the housing, such as a financial contribution to affordable housing.

Transportation

A17a.3 | Detailed comments regarding the transportation analysis, impact conclusions and mitigation measures are attached to this letter. The detailed comments are generally focused on:

- ABAG 2020 vs. San José GP 2040 land use projections for North San José
- Mitigation measures to support multi-modal use
- Fair share calculation methodology
- 19 specific project mitigation measures

The City of San José is requesting additional technical information, including more detailed traffic assumptions, full project definitions for the proposed mitigation measures (i.e. feasibility analysis), the estimated full cost of each mitigation measure (including potential property acquisitions), the methodology for calculating fair-share and timing of mitigation measures and/or payments.

A17a.4 | Traffic impacts were identified based on current Level of Service standards of congestion along all the major transportation facilities within North San José. The report also identified unmitigated impacts to the surrounding regional County facilities serving North San José, which resulted in significant project volumes within San Jose and unmitigated traffic impacts. Of the 26 study intersections in San Jose, approximately 12 were significantly impacted and no capacity improvements were provided in North San Jose to mitigate project traffic. Therefore, the report did not demonstrate whether traffic capacity truly exists to support City Place traffic volumes in San Jose.

If it is Santa Clara's intent to not demonstrate or provide transportation capacity because it is assumed that the measurement of traffic impacts will shift to VMT standards, then the analysis is inadequate and conclusions are faulty. The project will realistically have more traffic impacts using VMT thresholds since the proposed project does not reduce project generated traffic by proposing a balanced mixed use project, i.e. jobs to housing units. Whether using LOS or VMT, the implementation of the City Place project will have significant transportation impacts in North San Jose with no immediate solutions to providing traffic capacity. The added traffic to North San Jose will be overwhelming.

Air Quality

A17a.5 | As a secondary impact, regional air quality is made worse due to the lack of substantially more residential units being incorporated into the project or Santa Clara's General Plan. The lack of new residential units leads to a dramatic increase in VMT. The project conflicts with the 2010 Clean Air Plan because it is inconsistent with population and employment growth in the 2010

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A17a.5
 Cont. | Clean Air Plan. Both Scheme A and B would be Significant Unavoidable, but Scheme A with 1,360 housing units is somewhat better because it provides more housing with the 24,760 net new jobs. The Air Quality analysis should be amended to include a discussion of the potential benefits of decreasing GHG emissions by increasing housing capacity in Santa Clara to offset the increase in employment.

A17a.6 | Health Risks from Construction Period Air Quality Impacts
 Mitigation Measures AQ-6.1 and AQ-7.1 only apply to construction that occurs after the first occupancy of on-site residences and day care centers. The construction activities on the eastern portion of the site along the Guadalupe River will be closer to sensitive receptors in residences in the City of San Jose than the proposed residences on the site (the distance between the project site and residents across the Guadalupe River is less than 600 feet). We ask that these mitigation measures be required to be implemented for construction along the eastern portion of the site in addition to construction near proposed on-site residences.

Biological Resources

A17a.7 | Although the project site is located outside of the Santa Clara Valley Habitat Plan (SCVHP) area, it is immediately adjacent to the border of the covered area, just west of the City of San Jose. The SCVHP is the best regional biology science available, particularly for Burrowing Owls and Nitrogen Deposition. Even though Santa Clara is not in the SCVHP, the DEIR should utilize the SCVHP framework for analytical information and disclosure purposes. It would be prudent for Santa Clara to remember that the original intent of the wildlife agencies was for the SCVHP to be County-wide in coverage.

Burrowing Owl

A17a.8 | The EIR analysis does not adequately address the potential impacts due to the loss of 100 acres of burrowing owl habitat. The project site is located in an area of the Santa Clara Valley that has been documented as prime burrowing owl habitat. The project site is located within the Extended Study Area for Burrowing Owl Conservation designated by the SCVHP- areas where burrowing owl conservation areas are expected to occur between 2013 and 2063. The north San José area is designated as a Burrowing Owl Fee Zone. The project will reduce nesting and foraging of the habitat that could affect populations in North San Jose.

The burrowing owl mitigation measures are inadequate to reduce the impacts to a less than significant level. Mitigation is proposed by simply allowing SCVHP Agency biologists access to portions of the site for annual surveying. This mitigation approach does not meet what is considered best practice/science. Mitigation does not provide any mechanism for proactively replenishing the habitat lost through this project. There are no proposed burrowing owl habitat surveys to be conducted through the phases of the project. Active pre-construction surveys specific to Burrowing Owl habitat is not proposed and does not meet the best science/practice of the SCVHP (Condition 15). The City of Santa Clara has not contributed to conservation efforts for this species since the noted 58.8 acres in 1999. The knowledge base for burrowing owls has advanced significantly since 1999 and should be reflected in the DEIR.

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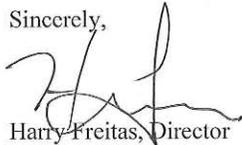
A17a.9

Nitrogen Deposition/Bay Checkerspot Butterfly

The proposed 39% voluntary contribution does not account for a fair share contribution given the site proximity to the SCVHP boundaries. This project will contribute to a significant number of new vehicle trips and will have impacts equal to a project proposed within the same general area covered by the SCVHP. The project is likely to result in a significant unavoidable impact on air quality, but concludes a less than full nitrogen deposition contribution. It does not seem reasonable that this can mitigate nitrogen deposition to less than significant based on project size.

Thank you for the opportunity to comment on the City Place DEIR. If you have any questions, please contact Steve McHarris, Planning Official at (408) 535-7819, or steve.mcharris@sanjoseca.gov. We can make ourselves available to meet with the City of Santa Clara at your earliest convenience to discuss our comments and concerns in more detail. The City looks forward to partnering with the City of Santa Clara to support future development, particularly in North San José.

Sincerely,



Harry Freitas, Director
Department of Planning, Building & Code Enforcement
City of San José

Enclosure: Transportation Comments Attachment

cc: City Manager
City Attorney
Mayor's Office

Response to Comment Letter A17a—City of San José, Harry Freitas (letter dated November 23, 2015)

A17a.1 *The commenter states that it is unclear if the environmental impact assessment includes a comprehensive analysis of updating the General Plan to include the additional development from the Project.* As explained on page 3.1-17, the Project site is currently designated for Parks/Open Space (Parcels 1–4) and Regional Commercial (Parcel 5) land uses, and the existing General Plan would maintain these designations for the Project site through Phase III (2025–2035) of the General Plan. The Project would include office buildings, retail and entertainment facilities, residential units, hotel rooms, and open spaces. Therefore, the Project would not be consistent with the existing land use designation. The inconsistency with land use designations does not, by itself, constitute a significant environmental impact because the land use designations were not enacted to mitigate or lessen environmental effects as a primary objective. In order to accommodate high intensity, urban-oriented development, a new General Plan land use classification (Urban Center/Entertainment District) is proposed within the Mixed-Use Designations category. The language on page 3.1-18 of the Draft EIR, which is proposed to be incorporated into the General Plan, outlines the allowed uses for the recommended Urban Center/Entertainment District land use classification.

As the commenter notes, due to the increased development at the Project site, beyond what is analyzed in the General Plan, the Project may not be consistent with every individual General Plan policy. Table 3.1-7, on pages 3.1-21 to 3.1-67 in Section 3.1, *Land Use and Planning*, outlines the General Plan goals and policies applicable to the Project. A determination of “Consistent” or “Inconsistent” is provided for each policy. The determination of whether the Project would conflict with applicable policies is based on the environmental analysis provided in the applicable resource sections of the Draft EIR. Although the table shows some inconsistencies with the General Plan, particularly in respect to jobs/housing balance, vehicle miles traveled (VMT), air quality, noise, and population/housing, the ultimate determinations of General Plan consistency can and will be made by City Council.

As explained in Master Response 1 (regarding jobs/housing balance and general plan consistency), and on page 3.1-19 of the Draft EIR, the ultimate finding of General Plan consistency does not require that a project be entirely consistent with each individual General Plan policy. A proposed project can be generally consistent with a general plan even though the project may not promote every applicable goal and policy. The Project would generally be consistent with applicable goals, policies, and actions, resulting in a less-than-significant impact. Therefore, aside from the General Plan Amendment for the new land use classification, the General Plan does not need to be updated as a result of this Project. In addition, a separate environmental assessment for updating the General Plan as a result of the Project-induced changes is not required. The analysis regarding the updates to the General Plan, as included in this EIR, is sufficient and no further environmental review is necessary.

A17a.2 *The commenter expresses concern related to the job/housing ratio, impacts resulting from regional growth associated with the Project, and the inadequacy of the proposed mitigation measure.* Please refer to Master Response 1 for an analysis of the jobs/housing imbalance as a result of the Project.

A17a.3 *The commenter requests additional information on the transportation analysis, Project mitigation descriptions, the estimated cost of each mitigation measure, and the methodology for*

calculating fair-share and timing of mitigation measures and/or payments. Detailed comments are attached to the letter. Please see responses to the individual more-detailed comments that begin with Response A17b.

A17a.4 *The commenter acknowledges that the Draft EIR analysis estimates substantial traffic volumes on North San José streets and on regional facilities serving North San José. As a result, there are unmitigated impacts on the regional facilities and 12 study intersections in North San José with significant impacts and no identified capacity improvements as mitigation. The commenter concludes that the Draft EIR therefore does not demonstrate whether traffic capacity exists in San José to accommodate the Project. The commenter then states that if the City of Santa Clara were to use VMT standards, more traffic impacts would be identified due to the Project's land use mix.* The Draft EIR analysis concludes that the Project would have a significant impact on one intersection in North San José with no identified physical improvements and would have a substantial contribution to the cumulatively significant impacts on four intersections in North San José with no identified physical improvements. Off-setting mitigation measures, similar to the North San José Deficiency Plan, were identified for all of these intersections. At the time of this analysis, the City of Santa Clara was using vehicle level of service to identify significant impacts according to CEQA. While there is the possibility of VMT being used for CEQA analysis in the future, this draft guidance has not been finalized by the California Office of Planning and Research (OPR). Plus a VMT analysis would not be able to identify whether Project impacts would occur on City of San José streets and/or intersections.

A17a.5 *The commenter states that while both Scheme A and Scheme B would be inconsistent with the population and growth assumptions within the Clean Air Plan, Scheme A offers more housing. Thus, the air quality analysis should be amended to include a discussion of the GHG benefits of increased housing to offset increased employment.* In Section 3.4, *Air Quality*, the Draft EIR properly describes the Project's inconsistency with the population and growth assumptions within the Clean Air Plan and describes the different air quality impacts of Scheme A and Scheme B. Section 3.5 of the Draft EIR, *Greenhouse Gas Emissions*, discusses the GHG-related effects of both Scheme A and Scheme B. The impacts from both Scheme A and Scheme B would be similar, although Scheme A would display slightly lower air quality- and GHG-related emissions given the reduced VMT and better GHG emission efficiency given the better jobs/housing balance. Mitigation Measure TRA-1.1 requires feasible TDM, which would lead to a reduction in VMT and associated emissions to bring the Project into compliance with the City's CAP. The Project would see an 11 percent reduction in VMT due to its location near transit, its mixed-use character, and the implementation of TDM measures.

The commenter is correct that the addition of housing and a corresponding reduction of office space associated with Scheme A would help reduce air quality and GHG emissions. Section 3.4, *Air Quality*, discloses that air quality-related emissions would be lower for Scheme A than Scheme B (see Tables 3.4-8 and 3.4-9). The Draft EIR considers an increased housing alternative as well. The City Council may consider these differences in emissions and housing when considering approval of the Project, scheme, or alternative. Given that the air quality analysis discusses emissions from both Scheme A and Scheme B accurately, no changes to the air quality analysis are necessary.

Regarding the potential for increasing housing in Santa Clara, please see further discussion in Master Response 1 regarding jobs/housing balance issues. In addition, the Draft EIR also analyzes an increased housing alternative in Chapter 5, *Alternatives*.

A17a.6 *The commenter states that Mitigation Measures AQ-6.1 and AQ-7.1 only apply to construction after first occupancy, and that construction on the eastern portion of the site will be close to the residents in the City of San José (across Guadalupe River). The commenter requests that mitigation be required on this portion of the site as well. Mitigation Measures AQ-6.1 and AQ-7.1 are required after first occupancy of the Project residences because the only DPM-related risks due to exposure to construction-related emissions occurs on-site, and this exposure only occurs after on-site residential or daycare facilities are occupied.*

Risk at the residential areas east of the site across Guadalupe River is below applicable BAAQMD risk thresholds. For example, maximum incremental cancer risk at these areas, due to Project construction, at the nearest affected residences (the Stonegate Apartments along Renaissance Drive, north of Tasman Drive and immediately east of the river trail; Receptor 295 in the AERMOD output), is approximately 1.01 cases per million, which is below BAAQMD's threshold of 10 cases per million. Moreover, the first phase of construction (Phase 1) occurs at the southwest corner of the Project site, which is over 2,300 feet from the nearest residence east of the Guadalupe River. Therefore, no further mitigation is required.

A17a.7 *The commenter asserts that the Draft EIR should utilize the SCVHCP framework for analytical information and disclosure purposes. The Draft EIR acknowledges the Santa Clara Valley Habitat Conservation Plan (Plan) and that the Project is located just beyond its boundaries (page 3.8-4). The impact analysis and proposed mitigation for western burrowing owl has been developed in accordance with the California Department of Fish and Wildlife's protocols, set forth in a 2012 Department Staff Report. The nitrogen deposition analysis utilizes scientific data from the SCVHCP. Please refer to Master Response 4 for a discussion of the proposed mitigation for impacts on burrowing owl habitat from the Project.*

A17a.8 *The commenter asserts that the burrowing owl mitigation measures in the Draft EIR are inadequate to reduce the impacts to a less-than-significant level because it does not meet what is considered best practice/science and does not provide a habitat replacement mechanism. The commenter also notes that the City of Santa Clara has not contributed to conservation efforts for burrowing owl since the noted 58.8 acres in 1999. Please refer to Master Response 4 for a discussion of the proposed mitigation for impacts on burrowing owl habitat from the Project.*

A17a.9 *The commenter asserts that the 39 percent voluntary nitrogen deposition contribution does not account for a fair-share contribution to mitigate contributions to nitrogen deposition impacts, and that the Project will have impacts equal to a project proposed within the SCVHP. As explained in the Draft EIR, Section 3.8, *Biological Resources*, on page 3.8-23 to page 3.8-26, the relative impact of nitrogen emissions on nitrogen deposition in sensitive grassland areas depends on the proximity of the emissions to the sensitive grasslands and the direction relative to prevailing wind patterns. In general, the farther a source of emissions is from a receptor point, the greater the dispersion and the lower the deposition. The prevailing wind direction from the Project site is to the southeast. The sensitive grassland areas that are a concern for nitrogen deposition downwind of the Project site are in the eastern and western grassland slopes south of San José. The Project site is located in an area that is approximately 14 miles northwest and upwind from the nearest large area of sensitive grassland habitat (Metcalf Critical Habitat for the Bay Checkerspot butterfly also referred to as Coyote Ridge) and farther away from other critical habitat south of San Jose. The average new development location within the SCVHP is much closer to sensitive grassland habitat than the Project site. Although mobile emissions associated with trips to and from the Project site would include*

some trips that proceed southeasterly in areas closer to sensitive grassland habitat, the trip generation would be in a radial pattern and would include many trips that head north and west toward locations farther away from sensitive grassland habitat south of San José. Thus, it is a reasonable approach to assume the average location of mobile emissions is at and in the immediate vicinity of the Project site.

As explained in the Draft EIR, Section 3.8, ICF used the same air quality model used to support development of the SCVHP and analyzed the difference in nitrogen deposition from emissions in the vicinity of City Place compared with the average deposition from emissions in the SCVHP as a whole. Taking into account the Project's emissions profile, the result of the analysis is that nitrogen emissions in the vicinity of the project would have 38 percent of the effect on deposition in the Coyote Ridge habitat area as average nitrogen emissions in the SCVHP.

The text on pages 3.8-24 to 3.8-26 in the Draft EIR states that the result of the calculations was 39 percent, but the actual number as shown in Draft EIR Appendix 3.4 (*Air Quality*) is 38 percent. The text in has been updated to reflect the correct calculation results.

The commenter provides no evidence as to why the analytical approach used in the Draft EIR does not reasonably assess the differences in the effect of emissions in the vicinity of the Project site to the average effect of emissions in the SCVHP, and thus no further revisions are warranted.

In response to this comment, the following revisions have been made to the text on page 3.8-24:

The Community Multiscale Air Quality (CMAQ) modeling system was used for the Santa Clara Valley HCP/NCCP analysis to compare the effect of nitrogen emissions from the Project to the average effect of equivalent emissions from within the HCP/NCCP area. Nitrogen deposition per unit of emissions in the vicinity of the Coyote Ridge habitat area was estimated for nitrogen emissions originating from the vicinity of the Project to the average nitrogen deposition per unit of emissions in the Coyote Ridge habitat area from the HCP/NCCP area for 2035. The year 2035 was chosen since the Project's build-out year will be approximately 2030 or later. The analysis reviewed mobile and non-mobile emission sources separately, since the Project's emissions are predominantly mobile with lesser area and point sources. The comparison indicated that mobile and non-mobile emissions in the area containing the City Place project would result in 34 percent and 60 ~~75~~ percent, respectively, of the nitrogen deposition per unit of emissions compared to the average nitrogen deposition per unit of mobile and non-mobile emissions in the HCP/NCCP area. Taking into account the Project's emissions profile (the Project's mobile NO_x emissions are approximately 87 percent of its total NO_x emissions), the Project would result in 38 ~~39~~ percent of the average nitrogen deposition of an equivalent amount of emissions in the HCP/NCCP area. Thus, while nitrogen emissions from the Project would contribute to cumulative nitrogen deposition, on a per-unit of emissions basis, Project emissions would have a lesser effect on nitrogen deposition than average development in the HCP/NCCP area. The calculations for this analysis are presented in Appendix 3.4 (*Air Quality*).

The following revisions are made to Mitigation Measure BIO-C.1 on page 3.8-25 and 3.8-26:

BIO-C.1: Make a Fair-Share Nitrogen Deposition Fee Contribution to the Santa Clara Habitat Agency's Voluntary Fee Payment Program. Consistent with its voluntary commitment to contribute a nitrogen deposition fee through the fee program of the Santa Clara Habitat Agency, the Project Developer shall make a pro-rated per-vehicle-trip nitrogen deposition fee contribution, which will be based on the amount charged by the Santa Clara Valley Habitat Agency under its Voluntary Fee Payments Policy (<http://scv-habitatagency.org/DocumentCenter/View/345>). Specifically, the per-vehicle trip fee shall be adjusted as set forth below to take into account the different dispersion characteristics of the Project vs. the average dispersion characteristics for development in the HCP/NCCP area.

The Project is located farther from serpentine grassland habitat than average development within the Santa Clara Valley HCP/NCCP area. Thus, the required fair-share contribution shall be figured as ~~38~~ 39 percent (based on the ICF analysis) of the established fee of the habitat agency for the year in which the building permits are issued for the Project. The fee may be paid up front or in installments in proportion to mitigated vehicle trip generation for the phase of the Project for which the building permits are issued. For fiscal year 2015–2016, the adopted HCP/NCCP nitrogen deposition fee was \$4.20 per new vehicle trip. Using Scheme B's estimated trip generation (140,730 trips/day), taking into account the trip reduction effect of Mitigation Measure TRA-1.1 (reduction to 137,910 trips/day), and the ~~38~~ 39 percent adjustment factor, if all fees were paid in 2015, the estimated total would be ~~\$220,104~~ \$225,897.

Comment Letter A17b—City of San José, Harry Freitas (letter dated November 23, 2015)

Letter 17b

ATTACHMENT 1

TRANSPORTATION COMMENTS

November 10, 2015

- A17b.1 The City of San Jose (“San Jose”) has completed the review of the transportation chapter of the Draft Environmental Impact Report (“DEIR”) for the City Place Project (“Project”) located in the City of Santa Clara. This attachment provides a detailed summary of our technical comments. Overall, we believe that the DEIR inadequately addresses the transportation impacts of the development of the Project on San Jose, which is immediately adjacent to the Project site. The DEIR also inadequately addresses the s proposed for the Project impacts within San Jose. The assumptions used in developing Project-generated trips, mode split and future growth were generally sound. San Jose provides the following comments consistent with the City’s mobility goals to provide an efficient, safe, and attractive transportation system for pedestrians, bicyclists, and transit riders.
- San Jose has the following comments after review of the DEIR:
- Page 3.3-48 San Jose Land Use Projections under Background Conditions**
The North San Jose Area Development Policy and Final Environmental Impact Report approved 26.7 million square feet of industrial space, 1.7 million square feet of commercial space, and 32,000 residential units in the North San Jose area. The approved North San Jose development is much larger than the ABAG 2020 land use projections in the area. Given that North San Jose is immediate proximity to the City Place site, please explain the use of ABAG 2020 land use projections for San Jose instead of the full North San Jose and San Jose General Plan 2040 land use assumptions.
- A17b.2 **Page 3.3-61 Project Trip Distribution and Assignment**
The DEIR indicates that the application of the VTA Travel Demand Forecasting model in the Project trip generation stage is to develop Project traffic assignments. Please provide both trip distribution and trip assignment that show the distribution of City Place-generated traffic and the proportion of trips traveling through San Jose.
- A17b.3 **Mitigation Measures to Support Multimodal Use**
In proposing full, partial, or off-setting mitigation measures to Project impacts, the DEIR proposes modifications to intersection geometries or operations but does not adequately address improvements to bicycle, pedestrian, and transit facilities. With the goal to shift travelers from automobiles to bicycling, walking, and transit uses, San Jose supports mitigation measures that pursue the following improvements in addition to LOS improvements:
- Provide multiple points of access and safer, more effective routes to the Guadalupe River Trail
 - Complete the Coyote Creek Trail and safer and more effective access to the trail
 - Install or improve pedestrian and bicycle facilities along Montague Expressway
 - Improve light rail including operations, speed, frequency, and connectivity of stations

A17b.3
Cont.

- Support the establishment of a transportation management association to effectively manage auto traffic demand
- Support the upgrades of traffic signals and ITS to manage traffic generated by the Project
- To offset traffic impacts and minimize effects of Project traffic, support or construct innovative bicycle treatments that enhance visibility and safety for bicyclists and pedestrians, such as two-stage left-turns or bike boxes particularly where a second or third left-turn lane is proposed, bicycle or pedestrian detectors, pedestrian bulbouts, and separated bikeways.

Calculations of Fair-Share Contribution

The Project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed between San Jose and City of Santa Clara for all proposed mitigation measures. One generally adopted methodology is the percent increase in average vehicular delay caused by the Project at each impacted intersection. Please submit calculations of fair share for review by San Jose.

San Jose would like to work with the City of Santa Clara fully address the following specific comments to the DEIR:

Page 3.3-193 Renaissance Drive/ Tasman Drive, Off-setting Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward implementation of off-setting mitigation measures to this Cumulative impact, which could include the proposed light-rail operations capital improvements.

Page 3.3-94 and 3.3-194 Rio Robles/ Tasman Drive, Partial Mitigation

A17b.4

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of partial mitigation measures to this impact. The mitigation measure at this intersection is to widen the southbound approach to include one left-turn lane, one through lane, and one right-turn lane. Given the high pedestrian volume at this intersection during commute periods, the mitigation measures shall include crosswalk treatments that enhance visibility and pedestrian safety, and traffic surveillance cameras at the intersection.

Page 3.3-95 and 3.3-194 North First Street/ Tasman Drive, Off-setting Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of off-setting mitigation measures to this impact. Besides the proposed off-setting mitigation measure, San Jose supports the inclusion of upgrades at the Tasman Light Rail Station and crosswalks to enhance pedestrian and bicycle access to and from the light rail station.

Page 3.3-194 Zanker Road/ Tasman Drive, Off-setting Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward constructing or implementation of off-setting mitigation measures to this Cumulative impact, which could include the proposed light-rail operations capital improvements.

Page 3.3-96 and 3.3-195 North First Street/ Montague Expressway, Off-setting Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of a full-grade separation of the light rail. A full-grade separation will improve light rail speed, signal operations, and access to the light rail station, consistent with San Jose's multimodal vision.

Page 3.3-96 and 3.3-195 Zanker Road/ Montague Expressway, Partial Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of Zanker Road Widening project that includes separated bike lanes on both sides of the street, crosswalk treatments, and other improvements consistent with San Jose's multimodal mobility goals. San Jose also supports the inclusion of a second northbound left-turn lane and a second southbound left-turn lane as part of the Zanker Widening project identified in the current North San Jose Area Development Policy.

Page 3.3-97 and 3.3-195 Montague Expressway/Plumeria Drive-River Oaks Parkway, Partial Mitigation

Please explain the proposed mitigation measure to limit northbound (Montague Expressway) U-turns. Appendix 3.3E shows that under the Existing condition, the northbound left is a critical movement with 666 vehicles and 118 vehicles during the AM and PM peak hour, respectively, and the Project will contribute a minimal amount of vehicles to this movement during these periods. Is there a significant amount of northbound U-turn activities that prohibiting these U-turns is expected to reduce the average delay at the intersection?

A17b.4
Cont.

San Jose supports signal modifications, which could include an overlap phase on the eastbound right movement, that improve access to existing sites and driveways without compensating pedestrian crossing.

Page 3.3-97 and 3.3-195 Trimble Road/ Montague Expressway, Partial Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of the Montague-Trimble fly-over.

Page 3.3-97 and 3.3-195 McCarthy Boulevard-O'Toole Avenue/ Montague Expressway, Partial Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of the square-loop interchange along with the interchange modifications at I-800/ Montague Expressway as a bundled project identified in the County Expressway Plan 2040.

Page 3.3-97 and 3.3-196 De La Cruz Boulevard/ Trimble Road, Partial Mitigation

Appendix 3.3E shows that under the Background condition, the Project would contribute 510 vehicles to the southbound left movement during the PM peak hour, causing the V/C ratio to from 0.83 to 1.12 and a significant increase in average delay at this movement and the intersection as a whole. However, during the AM peak hour, zero Project trips are added to the westbound right movement that operates below capacity. This is counter-intuitive; if Trimble Road is used by Project trips as an alternative route to bypass congestion on Montague Expressway, it would make more sense that a comparable amount of Project trips in the PM peak hour would be contributed to the counter, westbound right movement in the AM peak hour. The same issue applies to the 560 eastbound left Project trips in the AM peak hour but zero

southbound right Project trips in the PM peak hour. Please explain the origin of these Project trips and how trip assignment is assumed for these trips.

Page 3.3-98 and 3.3-196 North First Street/ Trimble Road, Partial Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of mitigation measures that include a second eastbound left-turn lanes, a second northbound left-turn lane, a second southbound left-turn lane, and the construction of adequate treatments at the intersection to facilitate safe and comfortable bicycle left-turns and pedestrian crossing, such as bike boxes/ two-stage left-turn boxes, pedestrian refuges/bulbouts, and signal jump detectors, etc.

Page 3.3-196 Zanker Road/ Trimble Road, Off-setting Mitigation

San Jose proposes to alter the proposed off-setting mitigation measure to this Cumulative impact that the Project Developer pays a fair-share contribution toward the construction of Zanker Road Widening project that should include separated bike lanes on both sides of the street, crosswalk treatments, and other improvements consistent with San Jose's multimodal goals.

Page 3.3-98 and 3.3-196 North First Street/ Brokaw Road, Partial Mitigation

The mitigation measure to address the impact at this intersection is the connection of Zanker Road from Old Bayshore Highway to Skyport Drive, along with a partial US-101 interchange for the connection. The Zanker Road-Skyport Drive connection diverts vehicular traffic away from North First Street, and is part of the North San Jose Grid Street System project identified in the current North San Jose Area Development Policy. The Project Developer shall contribute fair-share toward this mitigation measure.

Page 3.3-196 Zanker Road/ Brokaw Road, Partial Mitigation

San Jose supports that the Project Developer pays a fair-share contribution toward the construction of Zanker Road Widening project that includes a second eastbound left-turn lane, a second northbound left-turn lane, and a second southbound left-turn lane as an off-setting mitigation measure to this Cumulative impact.

A17b.4
Cont.

Page 3.3-101 and 3.3-198 Great America Parkway/ SR 237 NB Off-Ramp, Full Mitigation

The DEIR incorrectly indicates that the interchange of Great America Parkway/ SR 237 northbound off-ramp is a CMP-designated intersection within the City of Santa Clara; the interchange is a CMP intersection located within San Jose, and should be under the jurisdiction of both San Jose and County of Santa Clara.

The Highway 237 Bikeway that extends in parallel to SR-237 has an on-street connection between Lafayette Street and Great America Parkway. From the connectivity standpoint, this segment is one of the missing pieces of what would otherwise be a complete, off-street trail network direct linkage between the Bay Trail, San Tomas Aquino Creek Trail, Guadalupe River Trail, and Coyote Creek Trail. Currently, bicyclists and pedestrians need to cross the Great American Parkway/ SR-237 NB Off-Ramp interchange and Gold Street/ Gold Street Connector intersection to complete the connection. The proposed full mitigation measure to add a third westbound left-turn lane and a second westbound right-turn lane require right-of-way acquisition

that could affect the alignment of this on-street connection and make bicycle and pedestrian travel even less encouraging.

San Jose supports that the Project Developer is fully responsible for geometry changes at the intersection that include the alignment of the bikeway connection. In addition, San Jose supports the inclusion of high-quality, safe and convenient bicycle and pedestrian facilities along Great American Parkway to improve visibility and access to and from the Great America Station that hosts Amtrak's Capitol Corridor trains and Altamont Corridor Express trains.

Page 3.3-106 and 3.3-201 Gold Street/ Gold Street Connector, Partial Mitigation

San Jose supports the partial mitigation measure to add a second northbound left-turn lane, add a second eastbound right-turn lane, and crosswalk relocation that improves connection to the trail. The required right-of-way acquisition on Gold Street Connector will affect the alignment of the on-street, Highway 237 Bikeway connection.

As an off-setting mitigation measure, San Jose proposes to install new traffic surveillance cameras and high quality, safe and convenient bicycle and pedestrian facilities at the intersection. San Jose also supports for improved connections between Coyote Creek Trail and Highway 237 Bikeway, such as upgrading the existing bicycle facilities or extending the Highway 237 Bikeway from North First Street to Zanker Road. The cost and construction of these mitigation measures is the full responsibility of the Project Developer.

A17b.4
Cont.

Page 3.3-108 and 3.3-202 Great America Parkway/ Gold Street Connector, Full Mitigation

San Jose supports that the Project Developer is fully responsible for the cost and construction of the proposed second northbound right-turn lane as a receiving lane and a bundled project to the associated second westbound right-turn lane proposed at the Great America Parkway/ SR 237 northbound off-ramp intersection.

Page 3.3-109 and 3.3-202 San Tomas Expressway/ Stevens Creek Boulevard, Partial Mitigation

San Jose supports that the Project Developer pays fair-share contribution toward construction of the widening of San Tomas Expressway, which should also include components consistent with San Jose's multimodal vision, including but not limited to the removal of pork chops and free northbound right-turns, improved access to transit, more human-scale pedestrian crossing, and traffic calming treatments, etc.

Page 3.3-113 Liberty Street/ North Taylor Street, Proposed Mitigation

Appendix 3.3E shows that under the Background condition, the Project is expected to contribute 600 vehicles to the eastbound through movement during the PM peak hour, causing the V/C ratio to rise from 0.17 to 1.21 and the signal warrant to be met at this all-way-stop intersection. However, zero project trips are assigned to the counter, westbound through movement in the AM peak hour. Please explain the general destination of these trips and how trip assignment is assumed for these trips during the two periods.

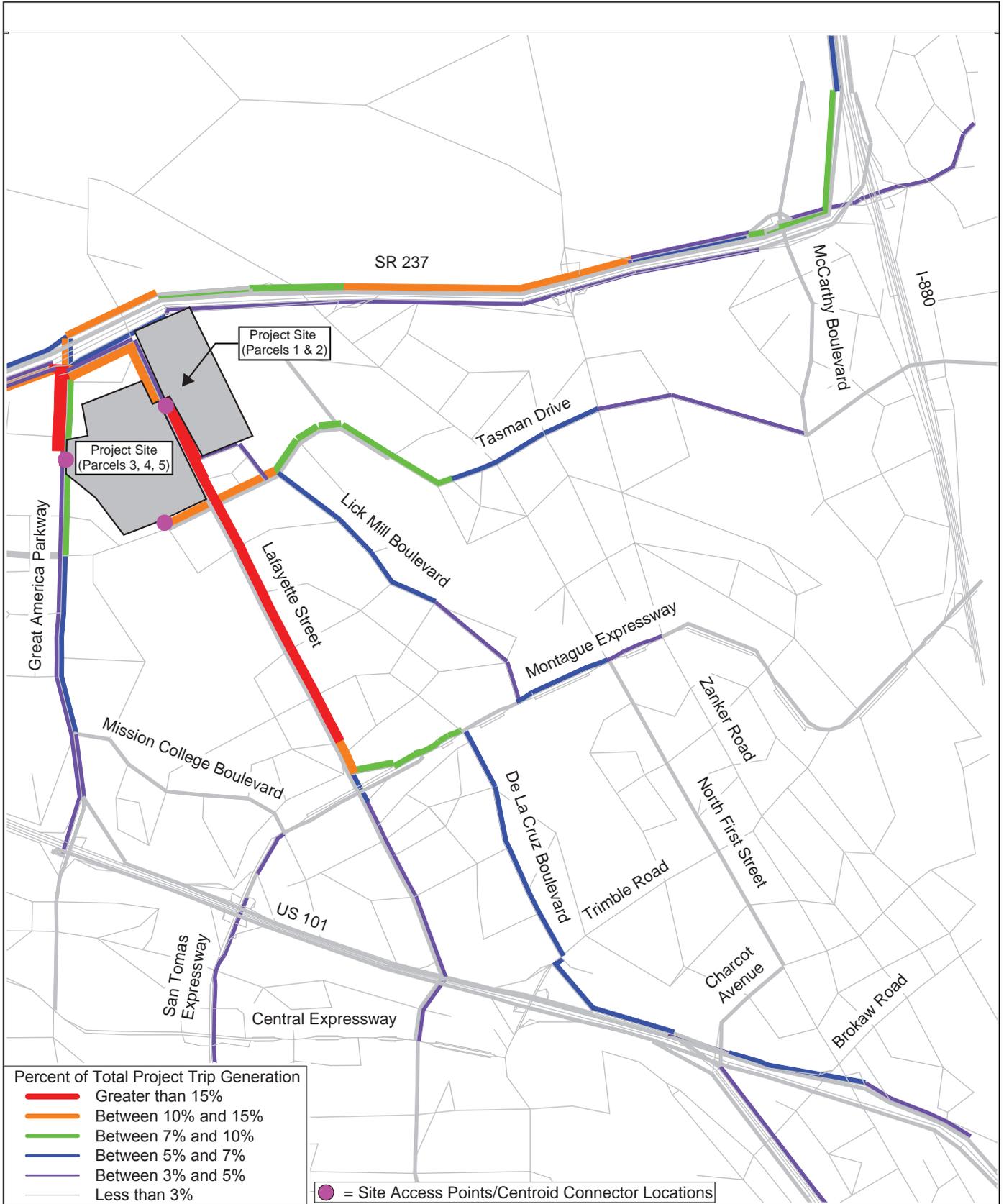
San Jose is concerned about the effect of Project-generated vehicles on local streets within the Alviso neighborhood. In lieu of installing a traffic signal, construct traffic control devices at the intersection and/or other locations along Gold Street and North First Street to divert Project traffic from intruding the Alviso neighborhood. The Project Developer shall contribute fair-share toward the construction of traffic control devices.

Response to Comment Letter A17b—City of San José, Harry Freitas (letter dated November 23, 2015)

- A17b.1 *The commenter requests an explanation of why the ABAG 2020 projections were used rather than the approved development levels for build-out of North San José for the Background Conditions analysis. To be consistent with CMP guidelines for use of a model to prepare traffic forecasts, the VTA travel model was used. The model's land use data and transportation networks for 2020 were used for the analysis of Background Conditions, which includes traffic associated with existing and approved developments. (Land use forecasts and transportation networks for 2040 were used to represent Cumulative Conditions.) Although the level of development for build-out of North San José has been approved, it will not all be constructed and occupied in the time frame that coincides with the VTA's definition of Background Conditions. Therefore, the model's land use data (an increase of 23,530 jobs and 6,800 households within North San José between 2014 and 2020) was used.*
- A17b.2 *The commenter would like to see the project trip distribution and assignment within San José. A "select zone" analysis illustrates the distribution of vehicle trips to/from a project site throughout the model network. It is sensitive to the relative locations of regional destinations and to the ease and convenience of access to the major streets (in this case, Great America Parkway, Tasman Drive, and Lafayette Street) adjacent to the Project site. A select zone analysis showing AM Peak Hour Project traffic within the North San José area is included as Figure A17b-1, and the PM Peak Hour Project traffic is shown on Figure A17b-2.*
- A17b.3 *The comment describes potential off-setting improvements (improvements to pedestrian, bicycle, and transit facilities and operations to offset roadway impacts) in North San José. The Draft EIR identifies pedestrian, bicycle, and transit improvements as off-setting mitigation measures for intersection impacts in North San José.*
- A17b.4 *The commenter inquires about the fair share calculation for intersection mitigation measures within the City of San José and requests fair share percentages based on percent increase in vehicular delay. The commenter states approval or opinions on the following mitigation measures:*

Renaissance Drive/Tasman Drive (page 3.3-193) – *The commenter supports the fair share contribution at this intersection toward the proposed off-setting mitigation. This comment does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. The Draft EIR was prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits. Accordingly, no further response is necessary.*

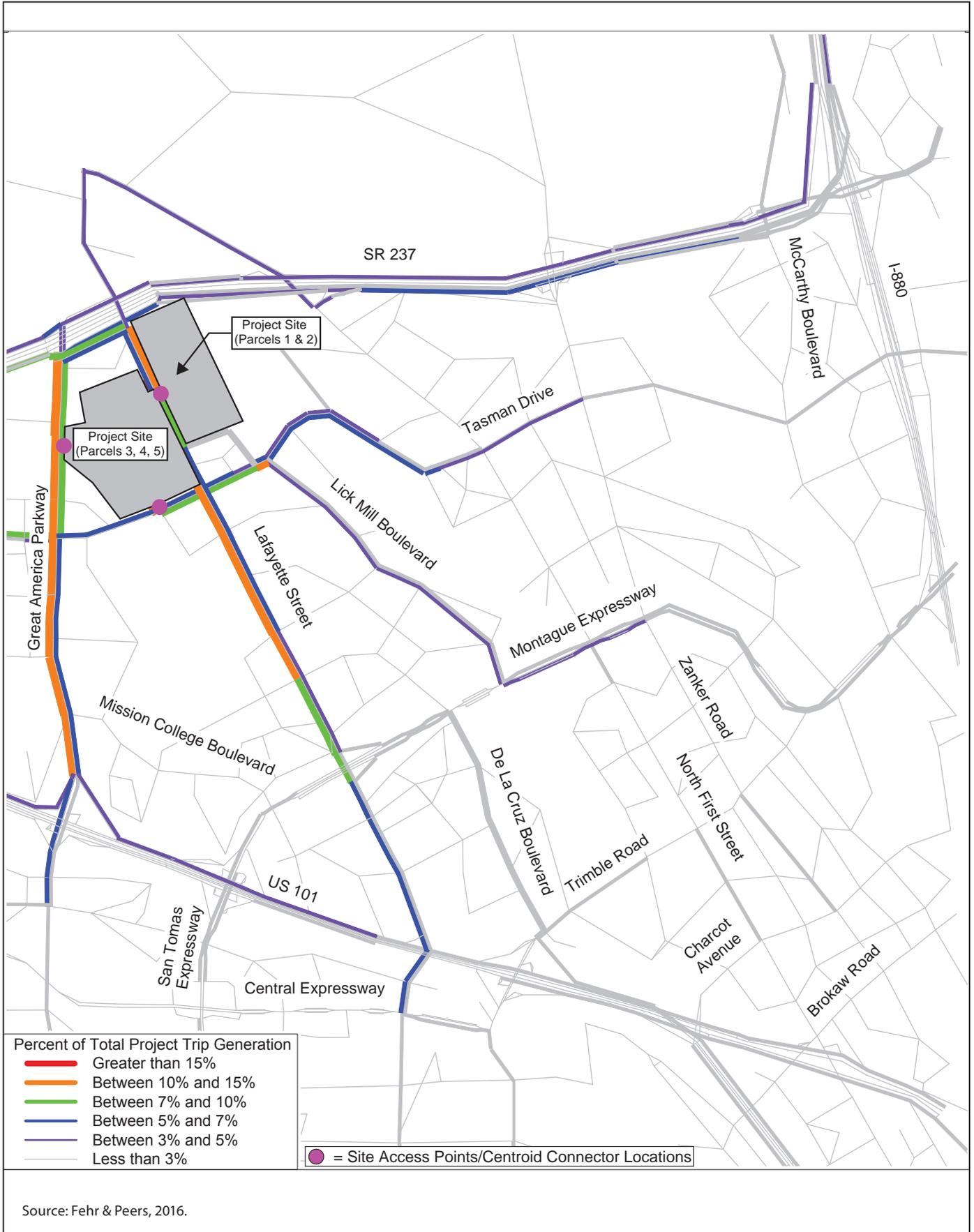
Rio Robles/Tasman Drive (pages 3.3-94, 3.3-194) – *The commenter supports the fair share contribution at this intersection toward a modified partial mitigation of one left-turn lane, one through lane, and one right-turn lane. The commenter also requests that the mitigation measure include crosswalk treatments that enhance visibility and pedestrian safety, and traffic surveillance cameras at the intersection. This mitigation measure for Rio Robles/Tasman Drive has been revised in Table 3.3-20 (page 3.3-94 of the Draft EIR), Table 3.3-26 (page 3.3-131), Table 3.3-50 (3.3-194), and the corresponding appendices in this document. Surveillance cameras would be installed at the intersection (but without any communications). The mitigation measure text has been updated in these tables as follows:*



Source: Fehr & Peers, 2016.



Figure A17b-1
Project Trip Assignment – Background AM Peak Hour
 City Place Santa Clara



Graphics ... 00333.14 (2-26-2016).tm



Figure A17b-2
Project Trip Assignment – Background PM Peak Hour
 City Place Santa Clara

Widen the southbound approach to include one left-turn lane and one shared through/right-turn lane. Change phasing on the northbound/southbound approaches from split to protected. Install crosswalk treatments that enhance visibility and traffic surveillance cameras at the intersection (but without any communications).

North First Street/Tasman Drive (pages 3.3-95, 3.3-194) – *The commenter supports the fair share contribution at this intersection toward the proposed off-setting mitigation and would like them to include upgrades to the Tasman Light Rail Station and crosswalks to enhance pedestrian and bicycle access to and from the light rail station.* The Project Developer would pay a fair-share contribution of off-setting mitigation, which only includes the shuttle bus stop. These fees could go towards the improvements described by the commenter; however, the improvements described are of a level of detail beyond what is typically provided in an environmental impact review or included in impact and mitigation language.

Zanker Road/Tasman Drive (page 3.3-194) – *The commenter supports the fair share contribution at this intersection toward the proposed off-setting mitigation.* This comment does not address the adequacy of the environmental analysis. Accordingly, no further response is necessary.

North First Street/Montague Expressway (pages 3.3-96, 3.3-195) – *The commenter supports the fair share contribution at this intersection toward the full-grade separation of the light rail.* This comment does not address the adequacy of the environmental analysis. Accordingly, no further response is necessary.

Zanker Road/Montague Expressway (pages 3.3-96, 3.3-195) – *The commenter supports the fair share contribution at this intersection toward the Zanker Road widening and the inclusion of a second northbound left-turn lane and a second southbound left-turn lane.* This comment does not address the adequacy of the environmental analysis. Accordingly, no further response is necessary.

Montague Expressway/Plumeria Drive-River Oaks Parkway (pages 3.3-97, 3.3-195) – *The commenter supports signal modifications, which may include the proposed partial mitigation measure. The commenter requests additional information regarding the limitation of northbound U-turns at this intersection. The commenter is concerned that there may be a significant amount of northbound U-turning vehicles that would be adversely affected with this mitigation measure.* To modify the signal operations at Montague Expressway and Plumeria Drive-River Oaks Parkway with an eastbound right turn overlap phase, northbound U-turns must be prohibited. Field observations indicate that very few vehicles make U-turns at this location. This field observation is consistent with the lack of driveways along Montague Expressway.

Trimble Road/Montague Expressway (pages 3.3-97, 3.3-195) – *The commenter supports the fair share contribution toward the Montague-Trimble fly-over.* The City of San José is fully responsible for the improvement at Trimble Road/Montague Expressway, per the North San José agreement with Santa Clara County. Therefore, the Project would not contribute a mitigation measure. The mitigation measure description in Tables 3.3-20 (page 3.3-97), 3.3-26 (page 3.3-132), 3.3-50 (page 3.3-195), and 3.3-60 (page 3.3-231) of the Draft EIR has been updated as follows:

A "fly-over" is identified at this intersection as a Tier 1B priority (Comprehensive County Expressway Planning Study 2008 Update, March 2009). The City of San José is fully responsible for implementing this improvement.

In addition, the Project Responsibility for Trimble Road/Montague Expressway in Tables 3.3-20 (page 3.3-97), 3.3-26 (page 3.3-132), 3.3-50 (page 3.3-195), and 3.3-60 (page 3.3-231) has been changed, as follows:

~~% of Total Traffic~~ 0%

McCarthy Boulevard-O'Toole Avenue/Montague Expressway (pages 3.3-97, 3.3-195) – *The commenter supports the fair share contribution at this intersection toward the square-loop interchange along with the interchange modifications at I-880/Montague Expressway as a bundled project identified in the County Expressway Plan 2040. The mitigation was unchanged because the improvements at I-880 and Montague Expressway are solely the responsibility of the City of San José per the North San José settlement agreement.*

In addition, the Project Responsibility for Trimble Road/Montague Expressway in Tables 3.3-20 (page 3.3-97), 3.3-26 (page 3.3-132), 3.3-50 (page 3.3-195), and 3.3-60 (page 3.3-231) has been changed, as follows:

~~% of Total Traffic~~ 0%

De La Cruz Boulevard/Trimble Road (pages 3.3-97, 3.3-196) – *The commenter expressed concern regarding the directionality of Project traffic in the AM and PM peak hours. The directions of travel are not complementary in the AM and PM peak hours. The commenter asks for an explanation of the origin of the Project trips and how the trip assignment is assumed for these trips. The Project would cause shifts in travel patterns throughout the area due to its large size and existing traffic congestion. Therefore, some of the changes in traffic volumes at individual intersections would be different in the morning peak hour than in the evening peak hour.*

North First Street/Trimble Road (pages 3.3-98, 3.3-196) – *The commenter supports the fair share contribution toward the proposed partial mitigation measure. The City would also like the construction of adequate treatments at the intersection to facilitate safe and comfortable bicycle left-turns and pedestrian crossings. The Project Developer will pay either the North San José fee or a fair-share contribution of off-setting mitigation. These fees could go towards the improvements described by the commenter.*

Zanker Road/Trimble Road (page 3.3-196) – *The commenter proposes a change to the off-setting mitigation measure under Cumulative with Project Conditions to the fair share contribution of the Zanker Road widening project that includes separated bike lanes on both sides of the street, crosswalk treatments, etc. The Cumulative analysis includes the widening of Zanker Road, which the City of San José can design to their multimodal standards. However, the City of Santa Clara does not agree with this suggested mitigation as it should be a part of the Zanker widening project. No change has been made to the Draft EIR.*

North First Street/Brokaw Road (pages 3.3-98, 3.3-196) – *The commenter proposes to change the mitigation measure at this intersection to include the Zanker Road connection from Old Bayshore Highway over US 101 to Skyport Drive along with a partial US 101 interchange to alleviate traffic congestion along North First Street. This improvement is identified in the North San José Area Development Policy. The commenter requests that the Project contribute their fair share toward this mitigation measure. The proposed mitigation is to pay the North San José fee or a fair share contribution of mitigation, which means the City of San José can choose to dedicate the funding to the suggested improvement. The partial intersection mitigation would incrementally improve the intersection operations in the near-term and would not preclude the City of San José from implementing the suggested improvement, which is a long-term*

improvement that is scheduled towards the last phase of the North San José development. No change has been made to the offsetting mitigation identified in the Draft EIR.

Zanker Road/Brokaw Road (page 3.3-196) – *San José supports the fair share contribution at this intersection toward the proposed partial mitigation, which includes the widening of Zanker Road and includes adding second eastbound, northbound, and southbound left-turn lanes. This comment does not address the adequacy of the environmental analysis. Accordingly, no further response is necessary.*

Great America Parkway/SR 237 WB Off-Ramp (pages 3.3-101, 3.3-198) – *This intersection is identified in the Draft EIR as a City of Santa Clara and CMP intersection, but is actually a City of San José and CMP intersection. The commenter expresses concerns about the connectivity of the existing SR 237 bikeway that extends in parallel to SR 237 and has an on-street connection between Lafayette Street and Great America Parkway. The commenter states that the proposed mitigation measure would require right-of-way acquisition that could affect the alignment of this on-street connection and make bicycle and pedestrian travel even less comfortable. The commenter supports the Project Developer being fully responsible for geometry changes at the intersection that include the alignment of the bikeway connection. The commenter also requests the inclusion of high-quality, safe, and convenient bicycle and pedestrian facilities along Great America Parkway. The intersection list, tables, and figures have been updated to indicate this intersection as the responsibility of the City of San José. These changes are shown in Chapter 5 of this document, *Revisions to the Draft EIR*. The mitigation feasibility analysis does indicate that right-of-way is needed for these improvements. To the extent that the bicycle facility would be affected, it would be relocated; however, constructing an enhanced bicycle facility relative to the version that exists today and under City of San José design guidelines would be beyond what is required to mitigate the Project's impact and, therefore, would be the responsibility of the City of San José. The Project Developer would pay fees to the City of San José for construction of the third westbound left-turn lane and associated receiving lane under the SR 237 underpass and an additional second westbound right-turn lane. These fees could go toward the improvements described by the commenter.*

Gold Street/Gold Street Connector (pages 3.3-106, 3.3-201) – *The commenter supports the proposed partial mitigation measure. The comment proposes to install new traffic surveillance cameras and high-quality, safe, and convenient bicycle and pedestrian facilities at this intersection. The comment also supports improved connections between Coyote Creek Trail and SR 237 Bikeway, such as upgrading the existing bicycle facilities or extending the SR 237 Bikeway from North First Street to Zanker Road. The cost and construction of these mitigation measures is the full responsibility of the Project Developer, not a fair share contribution. The Project Developer would convert the northbound through lane to a shared left-turn/through lane in order to add a second northbound left-turn lane and construct a second eastbound right-turn lane, and relocate the pedestrian crossing to the north leg.*

Great America Parkway/Gold Street Connector (pages 3.3-108, 3.3-202) – *The commenter supports that the Project Developer is fully responsible for cost and construction of this mitigation measure bundled with the associated second westbound right-turn lane proposed at the Great America Parkway/SR 237 Westbound Ramps intersection. This comment is related to the public discourse on the merits of the Project and does not address the adequacy of the environmental analysis. Accordingly, no further response is necessary.*

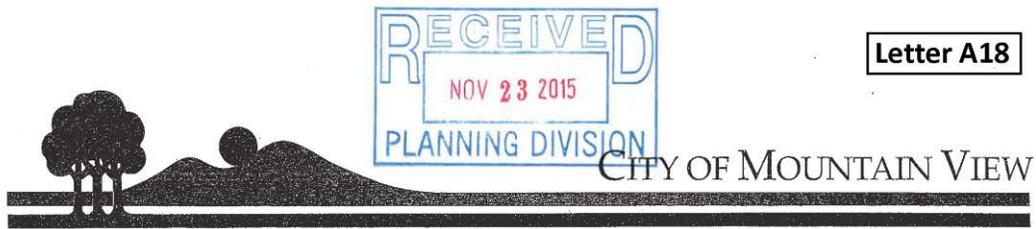
San Tomas Expressway/Stevens Creek Boulevard (pages 3.3-109, 3.3-202) – *The commenter supports the fair share contribution toward the proposed partial mitigation. The widening of San Tomas Expressway should include the removal of pork chops and free northbound right-turns,*

improved access to transit, traffic calming treatments, etc. The Project Developer would pay a fair-share contribution of the improvement identified in the Draft EIR. These fees could go toward the improvements described by the commenter; however, the improvements described are of a level of detail beyond what is typically provided in an environmental impact review or included in impact and mitigation language.

Liberty Street/North Taylor Street (page 3.3-113) - *The commenter expresses concern regarding the directionality of Project traffic in the AM and PM peak hours. The directions of travel are not complementary in the AM and PM peak hours. The comment seeks an explanation of the origin of the Project trips and how the trip assignment is assumed for these trips. The commenter is also concerned about the amount of traffic through the Alviso neighborhood and proposes an alternative mitigation measure. In lieu of installing a traffic signal, the commenter prefers to construct traffic control devices at the intersection and/or other locations along Gold Street and North First Street to divert Project traffic from intruding the Alviso neighborhood. The commenter requests that the Project Developer pay a fair share toward the construction of traffic control devices.* The Project would cause shifts in travel patterns throughout the area due to its large size and existing traffic congestion. Therefore, some of the changes in traffic volumes at individual intersections would be different in the morning peak hour than in the evening peak hour. Additionally, the changes in traffic patterns would result in more Project traffic being added to roadways and intersection approaches that currently have less congestion than other locations.

Because of volume shifts between No Project and With Project Conditions, delays were not used to calculate fair share. Therefore, fair share percentages presented in Appendix 3.3-K of the Draft EIR (included as Appendix 5.2 of this document) are based on the Project's added volume at each impacted intersection. City of Santa Clara Public Works staff will discuss with City of San José Public Works staff the final mitigation measures, including those to be constructed by the Project Developer and the Project Developer's financial contributions.

**Comment Letter A18—City of Mountain View, Michael A. Fuller
(letter dated November 23, 2015)**



PUBLIC WORKS DEPARTMENT
500 Castro Street • Post Office Box 7540 • Mountain View • California • 94039-7540
650-903-6311 • Fax 650-962-8503

November 23, 2015

Ms. Debbie Fernandez, Associate Planner
City of Santa Clara Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

DRAFT ENVIRONMENTAL IMPACT REPORT – CITY PLACE SANTA CLARA
PROJECT

Dear Ms. Fernandez:

The City of Mountain View appreciates the opportunity to share with you its comments and concerns regarding the Draft Environmental Impact Report (DEIR) prepared for the City Place Santa Clara Project (Project) dated October 2015.

After reviewing the DEIR, the City of Mountain View is concerned about the potentially significant freeway and other regional transportation impacts the Project will have on the quality of life for those who live and work in the Santa Clara Valley.

We request that the City of Santa Clara carefully consider the comments and concerns contained in this letter and work with City of Mountain View staff as the environmental review process continues to ensure that Mountain View's interests are addressed and proper mitigations are included in the Final EIR to be released in 2016.

A18.1

The DEIR's Freeway Segment Analysis correctly determined that the Project will add traffic to certain freeway segments resulting in significant impacts, but then falls far short of the expectation and intent of the environmental review process by crafting a set of inadequate mitigation measures based on a conclusion that the mitigation of freeway impacts is beyond the scope of any individual development project, making the impacts both significant and unavoidable.

More specifically, Mitigation Measure TRA-3.1, Freeway Segment Improvements, only requires the Project developer to make a voluntary contribution toward certain VTP 2040 Express Lane Projects rather than requiring the developer to work with the City of Santa Clara to proactively identify and implement a more robust/meaningful package of specific transportation improvements. Such improvements should not only decrease

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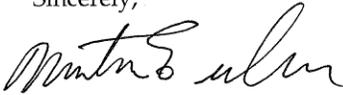
Ms. Debbie Fernandez
November 23, 2015
Page 2

A18.1
Cont. | reliance on freeways and automobile use during peak commute periods, but should also encourage the use of other commute modes (e.g., transit, rail, active transportation).

A18.2 | The City of Mountain View is successfully using these transportation strategies and others with developers looking to build in the City's North Bayshore Area and other areas. The City of Mountain View is also studying adding a substantial amount of housing units to the North Bayshore Area to shorten commute times and reliance on our already impacted transportation infrastructure. We encourage the City of Santa Clara to implement these approaches with the City Place development.

Please contact me at michael.fuller@mountainview.gov or 650-903-6077 if you have any questions or require additional clarification regarding the City's comments.

Sincerely,



Michael A. Fuller
Public Works Director

MAF/LF/7/PWK
905-11-23-15L-E

cc: City Council

CM, CA, CC, APWD—Solomon, TBM, TP, File

**Response to Comment Letter A18—City of Mountain View, Michael A. Fuller
(letter dated November 23, 2015)**

- A18.1 *The commenter states that the mitigation measures for the freeway impacts should include a robust package of transit, rail, and active transportation improvements to provide transportation options for future employees, residents, and visitors to the Project site. The Transportation Demand Management (TDM) Plan identified in Impact TRA-1 of the Draft EIR would include pedestrian and bicycle support facilities and shuttle access to rail stations that would partially address the comment. Further enhancements to the Great America station could be considered as part of the Station Area Master Plan and/or as part of the Multimodal Improvement Plan. Additionally, a Deficiency Plan/Multimodal Improvement Plan to address Project impacts on CMP facilities (including the freeways) would be prepared. Please refer to Master Response 3 regarding the Deficiency Plan/Multimodal Improvement Plan.*
- A18.2 *The commenter shared its approach to accommodating future development by using non-automobile transportation strategies and by studying additional residential development near employment centers. The City of Santa Clara also supports the use of non-automobile transportation strategies to provide access to the Project site and to reduce Project impacts on the surrounding freeway system. Please see Response A18.1, above. The amount of housing on the Project site is constrained by environmental issues associated with the previous use (a landfill). The City of Santa Clara is exploring potential housing sites throughout the City of Santa Clara.*

Regarding issues related to jobs/housing balance, please see the Master Response 1 regarding General Plan consistency.

Comment Letter A19—City of Sunnyvale, Gerri Caruso (letter dated November 23, 2015)

Letter A19



November 23, 2015

Debby Fernandez, Associate Planner
City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050



Re: Comments to Draft Environmental Impact Report (DEIR) for the City Place Santa Clara Mixed-use Project

Dear Ms. Fernandez:

Thank you for the opportunity to review the DEIR for the proposed 240-acre, 9.16 million gross square feet, mixed-use project at 5155 Stars and Stripes Drive in Santa Clara. The following comments cover issues the City of Sunnyvale would like to be discussed in the DEIR:

A19.1

General Questions and Comments:

The following comments were provided when the City of Sunnyvale commented on the Notice of Preparation. These comments were not specifically addressed in the DEIR.

1. Please provide a discussion of how the proposed project works with the 49er stadium parking and traffic circulation plan, especially during construction of the proposed project.
2. Provide the current Levi Stadium parking plan (as part of the Transportation Management and Operations Plan- TMOP) and envisioned TMOP parking plan at initial and complete project build-out.

A19.2

Community Outreach:

It is our understanding that the City of Santa Clara plans to hold a community outreach meeting that includes Sunnyvale residents. Please provide the City of Sunnyvale with the location, time and date of this meeting at the time that residents are noticed.

A19.3

Noise Impacts:

1. In the project mitigations include the requirement for a project noise coordinator and provide the contact information to the City of Sunnyvale and to Sunnyvale residents located east of Lawrence Expressway and between Hwy 101 and Hwy 237.

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501

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Debby Fernandez, Associate Planner
November 23, 2015 Page 2

A19.4

2. In the construction traffic control plan direct construction traffic away from Tasman Drive in Sunnyvale due to potential increased noise.

D. Traffic and Transportation Input for the Notice of Preparation:

Per page 3.3-17, the study intersections were selected by identifying locations where the project contributed vehicles that would require 2% of the roadway capacity. Per the VTA guidelines, any intersection where the project adds 10 peak hour vehicles per lane to any intersection movement should be analyzed. Depending upon the existing intersection volumes and configuration, the 2% capacity requirement may result in a higher threshold (more than 10 vehicles per lane) for intersections to be considered for evaluation. Consequently locations could have been left out from this study, which otherwise would have qualified for evaluation.

The following intersections are on the City's Major Arterials which connects to routes (Tasman Drive, SR 237) providing direct access to the development site.

A19.5

These intersections should also be evaluated for possible impacts:

- E. Java Drive and Crossman Avenue.
- E. Java Drive and Geneva Drive.
- E. Java Drive and Borregas Avenue.
- W. Java Drive and Bordeaux Drive.
- N. Mathilda Avenue and W. Java Drive.
- N. Fair Oaks Avenue and Caliente Drive.
- N. Fair Oaks Avenue and E. California Avenue.
- N. Fair Oaks and Kifer Road.

The City of Sunnyvale appreciates your consideration of the comments provided. Please contact me at 408 730-7591 or gcaruso@sunnyvale.ca.gov if you have any questions or concerns about items discussed in this letter.

Sincerely,



Gerry Caruso

Principal Planner, Community Development Department

cc: Trudi Ryan, Director of Community Development
Manuel Pineda, Director of Public Works
Andy Miner, Planning Officer
Carol Shariat, Principal Transportation Engineer
Kevin Riley, Santa Clara Director of Planning and Development

Response to Comment Letter A19—City of Sunnyvale, Gerri Caruso (letter dated November 23, 2015)

- A19.1 *The comment seeks additional information on how the traffic and parking during events at Levi's Stadium will work with the Project, both once it is constructed and while it is under construction and requests a copy of current stadium parking plan (as part of Traffic Management and Operations Plan (TMOP)) and envisioned TMOP with the Project.* The City of Santa Clara has developed a TMOP to accommodate traffic and parking during events at Levi's Stadium. It is periodically updated to reflect operational and surrounding area changes and will be revised as phases of the Project are constructed.
- A19.2 *The commenter requests information about a community outreach meeting for Sunnyvale residents.* A community outreach meeting was held on January 14, 2016, from 6:00 p.m. to 7:30 p.m. at the Sunnyvale Community Center. Postcards were mailed to businesses in the Woods Business District and emailed to the Lakewood Village and San Miguel Neighborhood Associations as well as the Fox Hollow, Casa De Amigos, Plaza Del Rey, and Adobe Wells Mobile Parks.
- A19.3 *The commenter suggests the inclusion of a Project noise coordinator as mitigation.* A requirement for a Project noise coordinator as part of the construction noise mitigation has been added to Mitigation Measure NOI-1.1 on page 3.6-20 of the Draft EIR, as follows:

NOI-1.1: Prepare and Implement a Construction Noise Control Plan to Reduce Construction Noise at Adjacent Land Uses. The Project Developer shall develop a noise control plan that requires that the Project construction activities comply with the City Code noise limits. The requirements and limitations specified in the plan shall be determined by phase and/or parcel and/or subsections of a parcel or phase. The construction noise control plan shall require the following:

- The Project Developer shall appoint a Project noise coordinator who will serve as the point of contact for noise-related complaints during Project construction. The Project noise coordinator shall transmit all construction noise-related complaints to the construction contractor, and the construction contractor shall enhance or refine the noise best management practices discussed herein to address the received noise complaints to the extent feasible. The contact information for the Project noise coordinator shall be sent to residents in the greater vicinity of the Project site that could be affected by Project noise and municipalities affected by Project construction noise.

- A19.4 *The comment requests that the construction traffic control plan direct construction traffic away from Tasman Drive in Sunnyvale.* Construction traffic will use Great America Parkway and the portion of Tasman Drive in Santa Clara to reach the Project site. The City may invite input from the Capitol Corridor Joint Power Authority, the Santa Clara Valley Transportation Authority (VTA), and the Altamont Corridor Express (ACE) for review and comment on the Construction Management Plan to ensure that their concerns are addressed. The language of TRA-18.1 has been modified to include these parties in the plan review. Mitigation Measure TRA-18.1 has been updated on page 3.3-219 of the Draft EIR, as follows:

TRA-18.1: Construction Management. Prior to the issuance of each building permit, the Project Developer and construction contractor shall meet with the Public Works Department to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion during construction of the Project and develop acceptable detour routes for emergency vehicles and for shuttles to the Great America ACE/Capitol Corridor station. The City will coordinate with appropriate transit agencies. The Project Developer shall prepare a Construction Management Plan for review and approval by the Public Works Department who shall share the plan with the Capitol Corridor Joint Power Authority, the VTA, and ACE for review and comment. The plan, which shall be implemented during construction, shall include at least the following items and requirements:

A19.5 *The comment requests the following eight intersections be evaluated for possible Project impacts: E. Java Drive/Crossman Avenue; E. Java Drive/Geneva Drive; E. Java Drive/Borregas Avenue; W Java Drive/Bordeaux Drive; N. Mathilda Avenue/W. Java Drive; N. Fair Oaks Avenue/Caliente Drive; N. Fair Oaks Avenue/E. California Avenue; and N. Fair Oaks Avenue/Kifer Road.* The list of study intersections was selected by identifying those intersections where the Project would contribute two percent or more of the roadway capacity; the resulting study area is roughly the area bounded by I-880 to the east, I-280 to the south, and US 101 and SR 237 to the west and north. The VTA travel demand model was used to assign Project traffic, which included some shifting of existing traffic to account for existing congestion and to achieve balanced traffic operations. The amount of traffic added to Fair Oaks Avenue or at Java Drive did not meet this threshold. Therefore, these intersections were not selected for analysis.

Comment Letter A20—San Francisco Bay Regional Water Quality Control Board, Brian Wines (letter dated November 24, 2015)

Letter A20

Subject: FW: Draft EIR Comments - Santa Clara City Place

From: Wines, Brian@Waterboards [<mailto:Brian.Wines@waterboards.ca.gov>]
Sent: Tuesday, November 24, 2015 9:08 AM
To: Debby Fernandez; Carlton, Cleet@Waterboards; state.clearinghouse@opr.ca.gov
Cc: Jeffrey Ludlow (jludlow@Langan.com); Ruth Shikada; stan.chau@deh.sccgov.org; Blamey, Jim@SANTA CLARA COUNTY; wes.mindermann@calrecycle.ca.gov; alfred.worcester@calrecycle.ca.gov; Robert Van Heuit (ryanh2000@yahoo.com); barry@milstonegeo.com; steve.eimer@related.com; Widen, Barry (Barry.Widen@Related.com); Schmall, Deborah (deborahschmall@Paulhastings.com); gordonhart@paulhastings.com; alice@greenfoothills.org; Roberson, Keith@Waterboards; Seward, Terry@Waterboards; Austin, Tamarin@Waterboards
Subject: RE: Draft EIR Comments - Santa Clara City Place

Hi Debby

Please consider a recirculated DEIR, prior to going to an FEIR.

A20.1

There are sufficient unknowns in the DEIR that going directly to an FEIR to resolve all comments is not likely to produce a CEQA document that would support future issuance of a CWA Section 401 Water Quality Certification for the Project.

Brian Wines
 Water Resource Control Engineer
 510-622-5680

Response to Comment Letter A20—San Francisco Bay Regional Water Quality Control Board, Brian Wines (letter dated November 24, 2015)

A20.1 *The commenter requests a recirculated Draft EIR.* The warrants for recirculation of the Draft EIR, as stated in State CEQA Guidelines Section 15088.5, have not been met. Specifically, in no instance do the changes to the Draft EIR, as summarized in Chapter 5 of this document, *Revisions to the Draft EIR*, present 1) a significant new environmental impact, 2) a substantial increase in the severity of an environmental impact, 3) a feasible project alternative or mitigation measure that would be considerably different from others that were analyzed, or 4) a case that the Draft EIR is inadequate. As such, although the Draft EIR has been revised in this document to amplify or clarify its analysis, none of the changes are significant enough to warrant recirculation.

Comment Letter A21—Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan (letter dated November 25, 2015)

Letter A21



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor’s Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

November 25, 2015

Debby Fernandez
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: City Place Santa Clara
SCH#: 2014072078

Dear Debby Fernandez:



The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on November 23, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

A21.1 The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2014072078) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

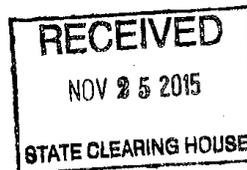
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SCL237205
 SCL/237/PM 6.45
 SCH# 2014072078

Ms. Debbie Fernandez
 Planning Division
 City of Santa Clara
 1500 Warburton Avenue
 Santa Clara, CA 95050

Dear Ms. Fernandez:

City Place Santa Clara – Draft Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above (Project). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Caltrans has reviewed the Draft Environmental Impact Report (DEIR) to ensure consistency with its mission and state planning priorities of infill, conservationism, and efficient development. Please refer to the previous Notice of Preparation comment letter, dated August 29, 2014, on this Project. Caltrans provides these comments consistent with the State's smart mobility goals to support a vibrant economy and build communities, not sprawl.

Project Understanding

The proposed Project is located immediately south of State Route (SR) 237 in the southwest and southeast quadrants of the overcrossing at Lafayette Street. The Project site is located on seven City-owned parcels. The parcels total approximately 240 acres. The Project site is currently designated in the *City of Santa Clara 2010–2035 General Plan* as Parks/Open Space and Regional Commercial. To accommodate high-intensity urban-oriented development such as the Project, a new General Plan land use designation (Urban Center/Entertainment District) is proposed within the category of Mixed-Use designations. In addition, an amendment to the Climate Action Plan element of the General Plan is proposed to reflect the new land use designation.

The Project would include up to 9.16 million gross square feet (gsf) of office buildings, retail and entertainment facilities, residential units, and hotel rooms. It would also include surface and structured parking facilities. In addition, the Project would include large shared open spaces throughout the Project site; new pedestrian and vehicular entrances and roadway networks; new

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roads; new, upgraded, and expanded infrastructure; and new utilities with improvements to off-site connections. To accommodate proposed roadways, construction would occur at off-site locations, which would include the demolition of three existing office buildings in Tasman East for the Lick Mill Boulevard extension.

Lead Agency

As the lead agency, the City of Santa Clara (City) is responsible for all project mitigation, including any needed improvements to State highways. The Project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Traffic Impacts

1. The proposed plan is likely to have impacts on the operations of the following metered freeway on-ramps:
 - Eastbound (EB) SR 237/Great America Parkway diagonal on-ramp (metered Monday through Friday 2:30 am to 7:00 am);
 - Westbound (WB) SR 237/Great America Parkway diagonal on-ramp (metered Monday through Friday 6:00 am to 9:00 am and 3:00 pm to 7:00 pm);
 - WB SR 237/Lawrence Expressway loop on-ramp (metered Monday through Friday 6:00 am to 9:00 am and 3:00 pm to 7:00 pm);
 - Southbound (SB) US Highway (US) 101/Bowers Avenue diagonal on-ramp (metered Monday through Friday 3:00 pm to 7:00 pm); and
 - SB US 101/De La Cruz Boulevard diagonal on-ramp (metered Monday through Friday 3:00 pm to 7:00 pm).
2. During ramp metering (metering hours maybe extended to both morning and afternoon peaks in the future), the on-ramp queues will likely be lengthened with the additional traffic demand by this Project, and they may impede onto the local streets affecting their operations. Please provide additional storage on the on-ramps/local streets for the freeway on-ramp traffic to avoid such impacts.

Vehicle Trip Reduction

Caltrans encourages the City to locate future housing, jobs and employee-related services near major mass transit centers with connecting streets configured to facilitate walking and biking. Caltrans encourages the Project to add housing units to achieve a better housing to jobs balance and reduce vehicle trips. This would promote mass transit use thereby reducing regional vehicle miles traveled (VMT) and traffic impacts. Given this Project's location, in an area well-served by transit and regional rail, and adjacent to an existing trail network, Caltrans suggests the Travel Demand Management (TDM) strategy of reducing the proposed parking supply and refer the City to "Reforming Parking Policies to Support Smart Growth," an MTC study funded by Caltrans, for sample parking ratios and strategies that support compact growth.

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Reducing parking supply can encourage alternate forms of transportation, reduce regional vehicle miles traveled, and lessen future traffic impacts on SR 237 and the State Highways System (SHS). TDM programs should be monitored and documented with annual reports by an onsite TDM coordinator to demonstrate effectiveness. This smart growth approach is consistent with MTC's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS) goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent each.

Considering these smart growth goals, please explain why the Increased Housing Alternative was not selected as the preferred alternative to carry forward. This alternative would help better meet the City's job/housing balance policy, conform better to the region's SCS, and produce less traffic impacts and greenhouse gas emissions. Also, when compared to the Project Alternative, the Increased Housing Alternative would result in a similar number of impact categories that are significant and unavoidable, but the degree of impacts would be less severe. The only exceptions where this alternative has more severe significant unavoidable impacts than the Project Alternative are "Conflicts with airport land use plan and City policies related to airport noise" and "Population growth" categories.

Mitigation Measures TRA-1.2, 1A.1, 6.1, 6.2, 14.1, and 16.1 state that "if the removal of bicycle facilities was required...." Caltrans recommends that the Project not remove any bicycle facilities, and that any impact to bicyclists be fully mitigated.

Traffic Impact Fees

Given the Project's contribution to area traffic and its proximity to SR 237 the Project should contribute fair share traffic impact fees. These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity.

In addition to the Express Lane projects toward which the City will contribute mitigation fees, the Santa Clara Valley Transportation Authority (VTA) also submitted the following projects to MTC to be included in the next RTP. Contributions towards these projects should also be considered as viable mitigation measures to address the Project's traffic impacts to SR 237 WB/EB Aux Lanes (N. 1st Street to Coyote Creek and Zanker Road to N. 1st Street). Alternatively, contributions could go towards SR 237/Great America Parkway WB off-ramp improvements and a second SB US 101 off-ramp to SB SR 87.

Voluntary Contribution Program

Caltrans encourages the City to participate in the VTA's voluntary contribution program and plan for the impact of future growth on the regional transportation system.

Traffic Control Plan (TCP)

Since it is anticipated that vehicular, bicycle, and pedestrian traffic along SR 237 will be impacted during the construction of the proposed Project requiring traffic restrictions and detours, a Caltrans-approved TCP is required to avoid project-related impacts to the SHS. The TCP must also comply with the requirements of corresponding jurisdictions. In addition, pedestrian access through the construction zone must be in accordance with the Americans with

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Disabilities Act regulations (see Caltrans' *Temporary Pedestrian Facilities Handbook* for maintaining pedestrian access and meeting ADA requirements during construction at: www.dot.ca.gov/hq/construc/safety/Temporary_Pedestrian_Facilities_Handbook.pdf) (see also Caltrans' Traffic Operations Policy Directive 11-01 "Accommodating Bicyclists in Temporary Traffic Control Zones" at: www.dot.ca.gov/hq/traffops/policy/11-01.pdf).

For further TCP assistance, please contact the Caltrans District 4 Office of Traffic Management Operations at (510) 286-4579. Further traffic management information is available at the following website:
www.dot.ca.gov/hq/traffops/trafmgmt/tmp_lcs/index.htm.

Hazardous Materials

Since the Project is partially on a landfill site, all motor carriers and drivers involved in transportation of hazardous materials must comply with the requirements contained in federal and State regulations, and must apply for and obtain a hazardous materials transportation license from the California Highway Patrol. When transporting certain types of hazardous materials including inhalation hazards, safe routing and safe stopping places are required. A route map must be carried in the vehicle. More information is available at:
www.dot.ca.gov/hq/traffops/trucks/ops-guide/hazard.htm.

Transportation Permit

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. See the following website for more information: www.dot.ca.gov/hq/traffops/permits.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See this website for more information: www.dot.ca.gov/hq/traffops/developserv/permits.

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Should you have any questions regarding this letter, please contact Brian Ashurst at (510) 286-5505 or brian.ashurst@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse
Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy
Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy

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**Response to Comment Letter A21—Governor’s Office of Planning and Research,
State Clearinghouse and Planning Unit, Scott Morgan (letter dated
November 25, 2015)**

A21.1 *The commenter includes a letter from the California Department of Transportation (Caltrans). The Caltrans letter, dated November 23, 2015, has been responded to and is included in this document as Letter A10. Please see Letter A10 for the responses to the Caltrans comments.*

Comment Letter A22—Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan (letter dated November 24, 2015) Refer to Appendix 4.1 for attachments to letter



Edmund G. Brown Jr.
Governor

Letter 22

STATE OF CALIFORNIA

Governor’s Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

November 24, 2015

Debby Fernandez
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: City Place Santa Clara
SCH#: 2014072078

Dear Debby Fernandez:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 23, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

A22.1

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

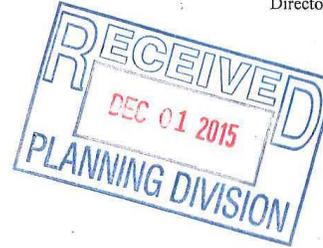
This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



**Document Details Report
State Clearinghouse Data Base**

SCH# 2014072078
Project Title City Place Santa Clara
Lead Agency Santa Clara, City of

Type EIR Draft EIR

Description The Project would include up to 9.16 million gsf of office buildings, retail and entertainment facilities, residential units, and hotel rooms, and would also include surface and structured parking facilities, open spaces, pedestrian/vehicular entrances, roadway networks, upgraded/expanded infrastructure, new utilities, and reconstruction of Fire Station 10. The conceptual land use plan provides two options, Scheme A and Scheme B, for the five parcels at the Project site, both of which would have the same amount of building area. A new General Plan land use designation (Urban Center/Entertainment District) is proposed within the category of Mixed-Use designations. To reflect the new land use designation, an amendment to the Climate Action Plan element of the General Plan is proposed.

Lead Agency Contact

Name Debby Fernandez
Agency City of Santa Clara
Phone (408) 615-2450 **Fax**
email
Address 1500 Warburton Avenue
City Santa Clara **State** CA **Zip** 95050

Project Location

County Santa Clara
City Santa Clara
Region
Lat / Long 37° 24' 22" N / 121° 58' 18" W
Cross Streets Tasman Drive, Stars and Stripes Drive, Great America Parkway, Lafayette Street
Parcel No. 104-03-036, -37, 097-01-039, etc.
Township **Range** **Section** **Base**

Proximity to:

Highways SR 237, US 101
Airports
Railways VTA, UPRR
Waterways San Tomas Aquino Creek, Guadalupe River, SF Bay
Schools Santa Clara Unified
Land Use Regional Commercial and Parks/Open Space;
 Z: Commercial Park and Public or Quasi-Public

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual; Agricultural Land

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Air Resources Board; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; Other Agency(ies)

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report
State Clearinghouse Data Base**

Date Received 10/09/2015 *Start of Review* 10/09/2015 *End of Review* 11/23/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response to Comment Letter A22—Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan (letter dated November 24, 2015)

A22.1 *The commenter acknowledges that the City of Santa Clara has complied with the State Clearinghouse requirements for draft environmental documents per the California Environmental Quality Act (CEQA).* The City notes the receipt of the State Clearinghouse comment letter, which indicates that the City Place Santa Clara Project Draft EIR has been distributed to State agencies and departments for review and that the City has complied with the State Clearinghouse review requirements. The letters forwarded from the State Clearinghouse include those from the State Water Resources Control Board, CalRecycle, County of Santa Clara Department of Environmental Health, and the San Francisco Bay Regional Water Quality Control Board. These letters have been responded to and are included in this document as Letters A2, A6, A7, and A13, respectively. Please see Letters A2, A6, A7, and A13 for the responses to these letters.