

Appendix A
**Notice of Preparation and
Comments Received**

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
KAISER PERMANENTE SAN JOSÉ MEDICAL CENTER PROJECT**

FILE NO: PDC23-006/PD23-002/ER 23-005
PROJECT APPLICANT: Kaiser Foundation Hospitals (Kaiser
Permanente)
APNs: 706-05-011; 706-05-025; 706-05-017;
706-05-037; 706-05-020; 706-05-032;
and 706-05-035

Project Description: The project applicant proposes to demolish the existing 250,000-square-foot (sf) hospital and construct a new 685,000-sf hospital (including basement), a new central utility plant (energy center), and a parking structure at their San José Medical Center campus (“SJMC campus” or “campus”). The existing hospital would continue to function at full capacity while the new hospital is under construction. Projected future campus improvements would include demolition of two one-story medical offices (both approximately 10,100 sf) and construction of a 250,000-sf outpatient facility and a parking garage. As part of the proposed project, the project applicant is seeking a revised Planned Development (PD) zoning and PD permit.

Location: The SJMC campus is located at 250 Hospital Parkway in the Edenvale planning area of San José on an approximately 40-acre site comprised of seven parcels and bounded by Highway 85 and the Valley Transit Authority (VTA) Cottle Light Rail Station and parking lot to the north; Cottle Road to the west; Santa Teresa Boulevard to the south; and Camino Verde Drive, International Circle, and Liska Lane to the east. The site is located in a Planned Development Agriculture Base (A[PD]) Zoning District.

Environmental Impact Report: As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project summarized above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency’s statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

A joint community and environmental public scoping meeting for this project will be held:

When: June 5, 2023 from 6:00 p.m. to 7:30 p.m.

Where: Via Zoom (see instructions below and on www.sanjoseca.gov/activeeirs)

The live meeting will be recorded. You will be muted upon entry to the meeting. Please do not unmute yourself until the presenter has called on you to speak. If you have not participated in a

Zoom meeting before, we encourage you to download the Zoom application to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants who are unable to install Zoom on their computer or mobile device can join a meeting through their computer's web browser. Meeting function may be limited on a web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge.

Electronic Device Instructions

For participants who would like to join electronically from a PC, Mac, iPad, iPhone or Android device, please click this URL: <https://sanjoseca.zoom.us/j/86540068374>.

Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the 'raise hand' feature in Zoom conference call to speak.

Telephone Device Instructions

For one tap mobile please dial: +12133388477,,86540068374# US (Los Angeles) or +14086380968,,86540068374# US (San Jose)

For participants who would like to join via telephone please dial: +1 408 638 0968 or +1 213 338 8477 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free) and when prompted, enter meeting ID: 865 4006 8374. International numbers available: <https://sanjoseca.zoom.us/u/kd5PvPtaeo>. You may also click *9 to indicate you wish to speak.

Public Comments Prior to Meeting

If you would like to submit your comments prior to the meeting, please e-mail Cort.Hitchens@sanjoseca.gov. Comments submitted prior to this meeting will be considered as if you were present in the meeting.

The project description, location, and probable environmental effects to be analyzed in the EIR for the project can be found on the City's Active EIRs website at www.sanjoseca.gov/activeeirs, including the EIR Scoping Meeting information. The deadline for your response is 30 days from publication of this notice, and responses provided before the 30-day deadline are always welcome. The City will accept comments on the scope of the EIR until **5:00 p.m. on June 19, 2023**. If you have comments on the scope of the environmental issues to be addressed in the EIR, please identify a contact person if you represent an organization, and send your response via mail or email to:

City of San José, Department of Planning, Building and Code Enforcement
Attn: Cort Hitchens, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: Cort.Hitchens@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement

May 15, 2023

Deputy

Date

**NOTICE OF PREPARATION OF
A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE KAISER SAN JOSE MEDICAL CENTER PROJECT**

May 17, 2023

Introduction

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

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

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

The EIR also will discuss a range of reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and will evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6[a]).

Project Location

The 40-acre San José Medical Center campus (“SJMC campus” or “campus”) is located at 250 Hospital Parkway (APNs 706-05-011; 706-05-025; 706-05-017; 706-05-037; 706-05-020; 706-05-032; and 706-05-035).¹ The project site is bounded by Highway 85 and the Valley Transit Authority (VTA) Cottle Light Rail Station and parking lot to the north; Cottle Road to the west; Santa Teresa Boulevard to the south; and Camino Verde Drive, International Circle, and Liska Lane to the east. The majority of the campus is developed and includes an existing hospital and emergency center, medical office buildings, one administrative building, two parking structures,

¹ Other addresses assigned to the campus include 255, 256, 258, 260, 270, 274, 275, 276, and 280 Hospital Parkway and 1275 International Circle.

surface parking, and support uses. The campus provides both outpatient and inpatient clinical services. **Figure 1** presents an aerial of the SJMC campus site location and vicinity.

Project Description

Kaiser Foundation Hospitals (Kaiser Permanente), the project applicant, proposes to demolish the existing 250,000-square-foot (sf) hospital and construct a new 685,000-sf hospital, a new central utility plant (energy center), and a six-level parking structure at their SJMC campus. In addition, approximately 200 surface parking would be constructed at the demolished existing hospital site. Projected future campus improvements are expected to include demolition of two one-story 10,100 sf medical office buildings, construction of a 250,000-sf outpatient facility, a six-level parking garage, and surface parking. **Figure 2** illustrates both near-term and projected future campus improvements.

The new 685,000-sf, 110-foot-tall, six-story hospital including basement level would be constructed in the southwest corner of the campus where there is currently surface parking. The proposed hospital would have 302 beds, which is 55 beds more than the existing hospital. **Figure 3** illustrates the proposed site plan. The new hospital would be 435,000 sf larger than the existing hospital. Factors informing the size of the new hospital include the need to comply with applicable building codes and regulations that require taller floor heights and additional space to meet current building code clearances for beds and other mobile equipment, as well as the need to right-size the facility to include private patient rooms and improve staff and patient safety, daylighting, lines of sight from nursing stations, HVAC efficiency, acoustics, and operational efficiencies. Other amenities of the new hospital would include a healing garden, outdoor seating areas, and an outdoor dining area adjacent to the hospital café. The new hospital, would have approximately 2,877 employees, consisting of nurses, physicians, and support staff, of which including approximately 1,785 that would support during the day shift and 1,092 evening/night shifts (combined).

While the new hospital is under construction, the existing hospital would continue to function in full capacity. Once the new hospital is operational, Kaiser Permanente would begin the decommissioning and demolition process. The EIR will provide a project-level analysis of the hospital demolition. Approximately 200 surface parking spaces would be constructed at the demolished hospital site.

A 35-foot-tall, 35,000-sf energy center would house the main electrical, mechanical, and plumbing equipment to supply the new hospital and would be located south of the new hospital along Santa Teresa Boulevard (see Figure 3). The energy center would be designed to be an all-electric facility in alignment with San Jose's Greenhouse Gas Reduction Strategy and Climate Smart initiative to reduce the effects of greenhouse gases on the climate and environment.

An six-level, 419,320-sf parking garage would be constructed on the south end of the site and east of the new hospital where there is currently surface parking (see Figure 3). The parking garage would provide 1,231 spaces and would replace the loss of 606 parking spaces displaced

by the new hospital and parking garage. The parking garage would be accessed from driveways on Camino Verde Drive and International Circle on the west and north sides, respectively.

Project construction would begin in early 2025, with the new hospital, energy center, and parking garage complete before 2030. Construction activities would include, but not be limited to, demolition; site preparation, excavation and grading activities; new building construction; paving; installation of utilities; building interior finishing; exterior hardscaping and landscaping; and improvements within the City right-of-way.

The project applicant also anticipates future campus improvements beyond 2030, which would include the following components (see Figure 1):

- Demolition of two one-story medical office buildings totaling 20,200 sf (280 Hospital Parkway Buildings C and D, #4 on Figure 1) for the construction of approximately 116 surface parking spaces;
- Demolition of the existing surface parking lot at the northeast corner of the site between the administration building (258 International Circle, #6), and the facility engineering building (255 International Circle, #10) and construction of a six-story parking garage with approximately 930 parking spaces (#3);
- Construction of a four- to six-story 250,000 sf medical office building at the southeast corner of the central portion of the campus on the existing surface parking lot (#2); and

The sizing, timing, and exact locations of the projected future campus improvements, which are included in the revised Planned Development zoning required as an approval for the proposed project, are anticipated to be built out in the next approximately 20 years and subject to change. Specific details regarding the design of these campus improvements are not currently known; hence they will be analyzed at a program level in this EIR.

The project site is designated Public/Quasi-Public and Neighborhood/Community Commercial under the Envision San José 2040 General Plan. The site is located in an Agriculture Planned Development (A[PD]) zoning district. The proposed hospital replacement and longer-term future expansions would require a revision to the existing PD to allow for site layout modifications and increased overall building capacity within the PD boundary.

Project Approvals Anticipated to Be Required

1. Revised Planned Development zoning
2. Planned Development permit
3. Demolition permits
4. Storm water pollution prevention plans
5. Building permits
6. Grading permits
7. Encroachment permits and other Department of Public Works clearances, including for work in the public right-of-way

Potential Environmental Impacts of the Project

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as feasible and warranted. The EIR will provide project-level analysis of near-term projects and activities proposed for the initial phase of implementation that are planned for completion by approximately 2030. The EIR will also provide a program-level analysis of campus improvements that could occur after 2030. No analysis of aesthetics for the proposed project is required pursuant to CEQA section 21099(d). The EIR will discuss the project's significant environmental impacts on the following specific environmental categories:

- **Air Quality** – The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational impacts to local and regional air quality in accordance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and thresholds. A health risk assessment (HRA) will be prepared to quantitatively evaluate construction-period toxic air contaminants (TAC) impacts to air quality-sensitive receptors onsite within 1,000 feet of the project site.
- **Biological Resources** – Habitats in the project area are low in species diversity and include predominately urban adapted birds and animals. The EIR will address the loss of trees within, and adjacent to, the construction zone. In addition, the EIR will identify and discuss the project's biological impacts during construction and operation and the project's consistency with the Santa Clara County Habitat Conservation Plan.
- **Cultural Resources** – The EIR will include an evaluation for historic architectural resources on the project site, including an assessment of the historical significance of all buildings on the project site that are 45-years of age or older. The EIR will analyze whether the project would have significant impacts on historic architectural resources and identify mitigation and/or avoidance measures, as appropriate.

Research suggests that the project area has a moderate potential for both prehistoric (Native American) and historical (Post-European) archaeological resources. The EIR will address the impacts to known and unknown buried cultural resources on and within the project area.

- **Energy** – Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will discuss the increase in energy usage on-site and energy efficiency measures proposed by the project.
- **Geology, Soils, and Paleontological Resources** – The EIR will describe the existing geologic and soil conditions and discuss the possible geological impacts associated with seismic activity and the existing onsite soil conditions. Paleontological sensitivity will also be assessed and the EIR will discuss potential impacts during construction.

- **Greenhouse Gas Emissions** – The EIR will address the project’s contribution to regional and global greenhouse gas (GHG) emissions based on established thresholds and consistency with policies adopted by the City of San José for reducing GHG emissions.
- **Hazards and Hazardous Materials** – The EIR will address existing hazards and hazardous materials conditions on and near the project site and will address the potential for hazardous materials impacts which may result from implementation of the proposed project.
- **Hydrology and Water Quality** – The EIR will address the project’s impact to the storm drainage system. In addition, the EIR will address the possible flooding issues (the site is not within a 100-year flood zone) and the project’s effect on storm water runoff quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).
- **Land Use and Planning** – The project site is located within a developed, urbanized area of San José surrounded by residential and commercial land uses. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.
- **Noise and Vibration** – Noise levels in the project area are primarily influenced by vehicular noise on surrounding roadways, primarily Highway 85. The EIR will discuss noise and vibration that would result from the construction and operation of the proposed project (including noise from project-generated traffic) and its impact on nearby sensitive receptors. Noise levels will be evaluated for consistency with applicable noise standards and guidelines. Additionally, the EIR will evaluate the effects of vibration on adjacent buildings during project construction.
- **Population and Housing** – The EIR will discuss the consistency of the project with planned growth within the City. The project would involve the demolition of SJMC campus structures and is not anticipated to displace any residents.
- **Public Services** – The EIR will address the availability of public facilities and services and the project’s potential to result in adverse physical impacts to the service facilities.
- **Transportation** – The EIR will evaluate the project’s transportation impacts pursuant to Senate Bill 743 and the City’s Transportation Analysis Policy (Council Policy 5-1). The project’s consistency with programs, plans, ordinances, or policies addressing the circulation system (including transit, roadway, bicycle, and pedestrian facilities) will also be discussed in the EIR. The project’s impact on Vehicle Miles Traveled (VMT) will be discussed, and mitigation measures identified, as needed, to comply with Policy 5-1.

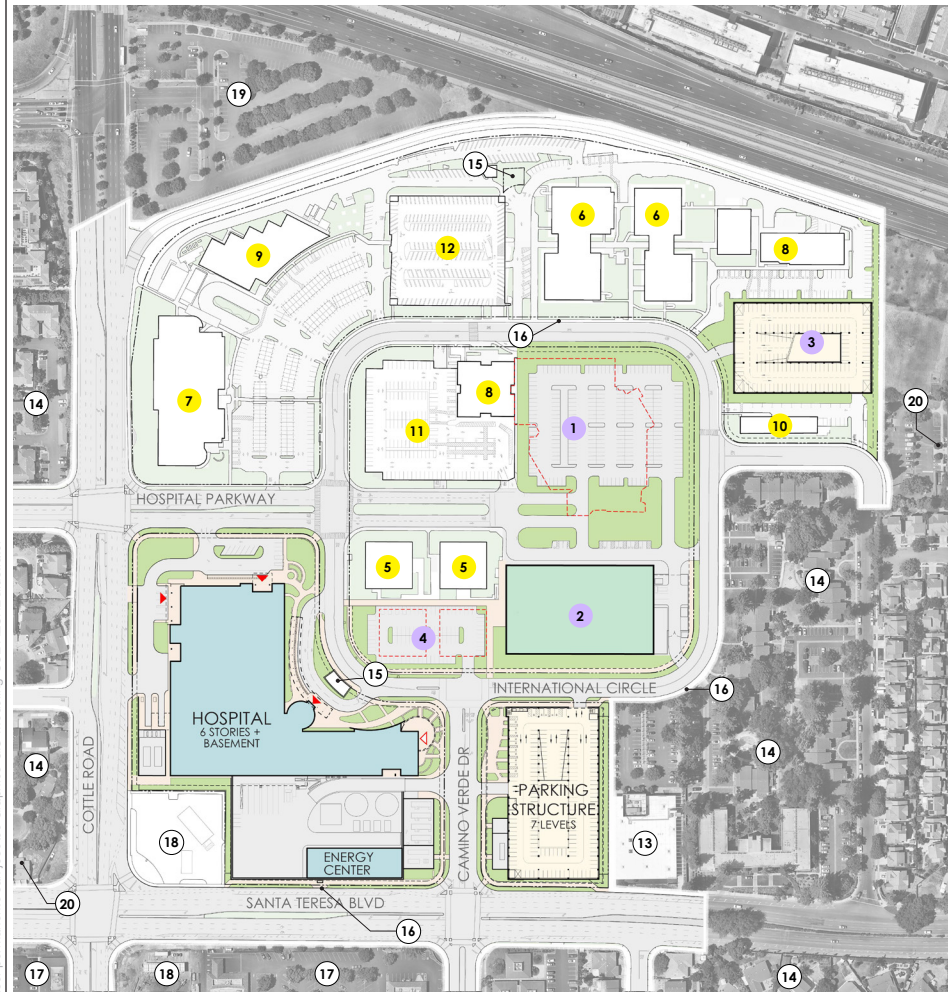
- **Tribal Cultural Resources** – The EIR will assess potential impacts to tribal cultural resources in conjunction with the culturally affiliated Native American tribes and the City during consultation according to the requirements of PRC section 21080.3.1.
- **Utilities and Service Systems** – Implementation of the proposed project could result in an increased demand on utilities and service systems compared to existing conditions. The EIR will examine the impacts of the project on utilities and service systems, including the sanitary sewer and storm drainage systems, water supply, and solid waste management. The EIR will rely on a water supply assessment prepared for the proposed project.
- **Other CEQA Sections** – The EIR will also address the project’s impacts on agriculture and forestry resources, mineral resources, and wildfire. The project’s significant unavoidable impacts and potentially significant cumulative impacts when considered with other past, present, and reasonably foreseeable future projects in the development area will also be identified in the EIR. The EIR will also provide alternatives to the proposed project that could reduce project impacts identified in the EIR.



SOURCE: ESA, 2023

Kaiser Permanente San José Medical Center

Figure 1
Campus Site Location and Vicinity



LEGEND

NEAR-TERM PROJECT

- 1 DEMOLISH EXISTING HOSPITAL + ADD SURFACE PARKING

PROJECTED FUTURE CAMPUS IMPROVEMENTS

- 2 MEDICAL OFFICE BUILDING, 4-6 STORIES (DEMOLISH EXISTING SURFACE PARKING)
- 3 PARKING STRUCTURE, UP TO 6 LEVELS (DEMOLISH EXISTING SURFACE PARKING)
- 4 DEMOLISH SINGLE-STORY MEDICAL OFFICE BUILDINGS AND ADD SURFACE PARKING

NOTE: THIS SITE PLAN SHOWS THE POTENTIAL FUTURE SCOPE, AFTER THE NEW HOSPITAL IS OPEN, SUBMITTED FOR PROGRAM LEVEL APPROVAL

OTHER KAISER PERMANENTE EXISTING BUILDINGS

- 5 EXISTING MEDICAL OFFICE BUILDING, 1-STORY
- 6 EXISTING MEDICAL OFFICE BUILDING, 2-STORY
- 7 EXISTING MEDICAL OFFICE BUILDING, 3-STORY
- 8 EXISTING MEDICAL OFFICE BUILDING, 8-STORY
- 9 EXISTING OUTPATIENT SURGERY BUILDING, 1-STORY
- 10 EXISTING FACILITY ENGINEERING BUILDING, 2-STORY
- 11 EXISTING PARKING STRUCTURE, 2-LEVEL
- 12 EXISTING PARKING STRUCTURE, 5-LEVEL

SURROUNDING USE, OTHER NOTES

- 13 PUBLIC LIBRARY
- 14 RESIDENTIAL
- 15 EXISTING UTILITY, OWNED BY OTHERS
- 16 BUS STOP
- 17 COMMERCIAL / RETAIL
- 18 GAS STATION
- 19 VTA LIGHT RAIL PARKING
- 20 DAY CARE

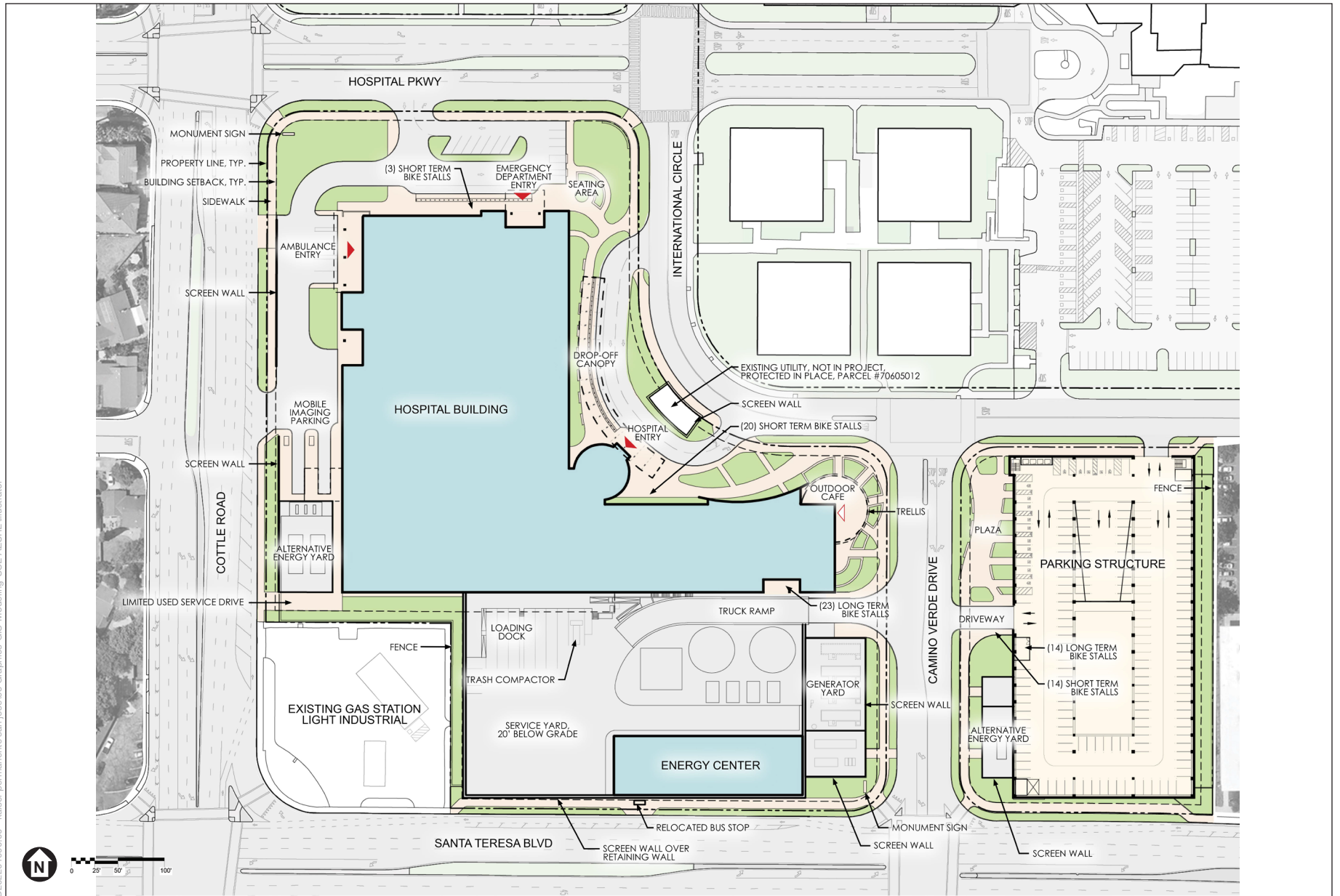
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SOURCE: Stantec, 2023; SANDIS, 2023

Kaiser Permanente San José Medical Center

Figure 2

Proposed Campus Plan (Project-Level and Projected Future Campus Improvements)



SOURCE: Stantec, 2023; SANDIS, 2023

Kaiser Permanente San José Medical Center

Figure 3
Proposed New Hospital, Energy Center, and Parking Garage Site Plan (Project-Level)

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welcome. The City will accept comments on the scope of the EIR until **5:00 p.m. on July 20, 2023**. If you have comments on the scope of the environmental issues to be addressed in the EIR, please identify a contact person if you represent an organization, and send your response via mail or email to:

City of San José, Department of Planning, Building and Code Enforcement
Attn: Cort Hitchens, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: Cort.Hitchens@sanjoseca.gov

From: [Pearse, Brent](#)
To: [Wang, Angela](#); [Hitchens, Cort](#)
Cc: [Banwait, Manjit](#)
Subject: Fw: VTA Comments on San Jose Kaiser Hospital Expansion TIA NF
Date: Tuesday, May 23, 2023 3:47:35 PM
Attachments: [Outlook-1ughfbdh.png](#)
[Outlook-a5vi0qvf.png](#)

[External Email]

FYI, more comments forthcoming on NOP.

Brent Pearse (He/Him)
Transportation Planner
Direct **408-550-4559**
Office **408-546-7985**



From: Pearse, Brent <Brent.Pearse@vta.org>
Sent: Thursday, May 18, 2023 3:58 PM
To: Banwait, Manjit <Manjit.Banwait@sanjoseca.gov>; 'Balance, Renzel' <Renzel.Balance@sanjoseca.gov>
Cc: Lapustea, Florin <Florin.Lapustea@sanjoseca.gov>
Subject: VTA Comments on San Jose Kaiser Hospital Expansion TIA NF

Hello,

Thank you for referring this TIA notification to VTA. We have the following comments.

Intersections

In the Assumptions Memo on page 8, it says "Study intersections 1 through 5 will be compared to the City's acceptable intersection operations standard of LOS D, as established in the City's Handbook. Study intersections 6 and 7 will be compared to the thresholds established in the VTA TIA Guidelines..." VTA recommends comparing study intersections 2, 3, and 5 to the VTA thresholds since they are CMP intersections, while the others can be compared to the City's standard.

Roadway modifications

It is unclear from the site plan provided if any intersection modification to Camino Verde Drive/Santa Teresa Boulevard and Cottle Road/Hospital Parkway intersections will occur. VTA strongly recommends the project modify the intersections and remove the pork-chop islands to reduce speeding and create a safer environment for bicycles and pedestrians. This should also ensure safer walking paths to the Cottle Light Rail Station.

Site Plan

This project site plan turns away from Cottle Road and Santa Teresa Boulevard. This type of site planning invites only automobiles and does not encourage other modes of transportation to access the site. VTA recommends reviewing the site plan for Valley Medical Center on Bascom Avenues in San José that orients itself more directly to the street and integrates with the urban context.

Bicycle Accommodations

VTA recommends that shared-use paths from Cottle Road and Santa Teresa Boulevard lead into the site and directly connect with the lobby, perhaps along Camino Verde Drive and Hospital Parkway. There is sufficient space along both sidewalks. This will encourage safe bicycle access to the main entry of the hospital and remove bicycles from the roadway circulation. As the site plan is presented, it will be very challenging and unsafe for bicycles to access the short-term bike stalls in the auto-oriented drop off zone.

Bus Stops

VTA Routes Local Route 27 and Frequent Route 66 serve Kaiser San José hospital. Route 27 connects Campbell, Los Gatos, and South San José. Route 66 connects North Milpitas and Downtown San Jose to South San José. VTA has the following recommendations:

- Bus Stop on International Circle in front of Kaiser Permanente Building 3
 - This stop serves as the terminus for VTA Routes 27 and 66 and serves as a major bus stop with an average daily weekday boarding of 322 passengers.
 - Install a new 17' Brasco shelter (specs attached).
 - Install 160' new PCC bus pad to accommodate two buses (specs attached). New PCC bus pads require obtaining a VTA permit. Contact permits@vta.org.
 - Widen sidewalk to a minimum of eight feet at the existing stop to accommodate ADA wheelchair boarding (existing sidewalk is 7.5').
- Please include on the construction plans a note to contact VTA at Bus.Stop@vta.org or 403-321-5800 at least 72 business hours prior to any construction that may impact bus operations.
- Relocated Bus Stop on Santa Teresa
 - The new placement of this stop could encourage people to unsafely cross the street mid-block
 - VTA recommends fencing or a barrier be installed on the median island.
 - Should a protected bikeway be planned for Santa Teresa Boulevard, the applicant should be conditioned to construct a floating bus island for the newly relocated stop.

VTA would like the opportunity to review updated site plans to ensure the placement of driveways, landscaping, and any other features do not conflict with bus operations. VTA's Transit Passenger Environment Plan provides design guidelines for bus stops. This document can be downloaded at <https://www.vta.org/projects/transit-passenger-environment-plan>. VTA has a Bus Stop Placement, Closures and Relocations Policy (<https://www.vta.org/sites/default/files/2022-02/Bus%20Stop%20Policy.pdf>).

Regards,

Brent

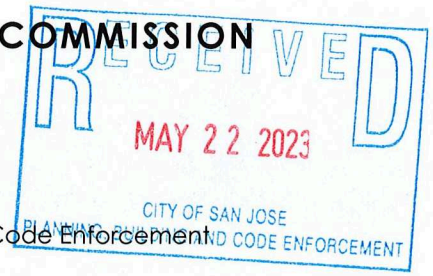
Brent Pearce (He/Him)
Transportation Planner
Direct **408-550-4559**
Office **408-546-7985**



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NATIVE AMERICAN HERITAGE COMMISSION



May 18, 2023

Cort Hitchens
City of San Jose Department of Planning, Building, and Code Enforcement
200 E Santa Clara St, 3rd Floor Tower
San Jose, CA 95113

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
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Chumash

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EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2023050424, Kaiser Permanente San Jose Medical Center Project, Santa Clara County

Dear Mr. Hitchens,

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

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

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

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

AB 52

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

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Cody.Campagne@nahc.ca.gov

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse

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



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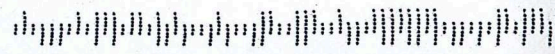
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CHAIRPERSON
Laura Miranda
Luiseño

Cort Hitchens
City of San Jose Department of Planning, Building
200 E Santa Clara St, 3rd Floor Tower
San Jose, CA 95113

Re: 2023050424, Kaiser Permanente San Jose Mec

2511381905 0055



Subject: FW: Planning Division Joint Community and Environmental Scoping Meeting Notice - Proposed Kaiser Permanente San Jose Medical Center Project

From: Wang, Angela <Angela.Wang@sanjoseca.gov>
Sent: Thursday, June 1, 2023 4:59 PM
To: Andrew Quan <AQuan@valleywater.org>
Cc: Lisa Brancatelli <LBrancatelli@valleywater.org>; Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Subject: RE: Planning Division Joint Community and Environmental Scoping Meeting Notice - Proposed Kaiser Permanente San Jose Medical Center Project

Comments received. Thanks Andrew.

From: Andrew Quan <AQuan@valleywater.org>
Sent: Thursday, June 1, 2023 4:58 PM
To: Wang, Angela <Angela.Wang@sanjoseca.gov>
Cc: Lisa Brancatelli <LBrancatelli@valleywater.org>
Subject: Planning Division Joint Community and Environmental Scoping Meeting Notice - Proposed Kaiser Permanente San Jose Medical Center Project

You don't often get email from aquan@valleywater.org. [Learn why this is important](#)

[External Email]

Dear Angela Wang,

The Santa Clara Valley Water District (Valley Water) has reviewed the plans for the proposed project located at 250, 260, 276, and 280 Hospital Parkway and 1275 International Circle in the City of San Jose (APN: 706-05-011, 706-05-017, 706-05-020, 706-05-025, 706-05-032, 706-05-035, 706-05-035, 706-05-037), received by Valley Water on May 16, 2023. Per our review, we request consideration of the following comments:

APN# 70605011:

Santa Clara Valley Water District (District) records indicate that 1 active well is located on the subject property. If the well will continue to be used following permitted activity, it must be protected so that it does not become lost or damaged during completion of permitted activity. If the well will not be used following permitted activity, it must be properly destroyed under permit from the District.

APN# 70605035:

Santa Clara Valley Water District (District) records indicate that 4 active wells are located on the subject property. If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from the District.

While the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage.

If you have any questions or need further information, you can reach me at (408) 630-1667, or by e-mail at AQuan@valleywater.org. Please reference Valley Water File No. 34965 on future correspondence regarding this project.

Thank you,

ANDREW QUAN

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

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

VALLEY WATER

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

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From: [Hitchens, Cort](#)
To: [Susan Yogi](#)
Subject: FW: PDC23-006 & PD23-002: Community Meeting PPT
Date: Friday, June 2, 2023 1:45:09 PM

Hi Susan,

Just highlighting the neighbor comments (below) that came by phone to be aware of at the community meeting on Monday and moving forward.

Thank you,

Cort Hitchens, Planner
Planning, Building and Code Enforcement
200 E. Santa Clara St. – 3rd Floor
San José, CA 95113
Direct: 408.794.7386

From: Wang, Angela <Angela.Wang@sanjoseca.gov>
Sent: Friday, June 2, 2023 1:34 PM
To: Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Subject: RE: PDC23-006 & PD23-002: Community Meeting PPT

FYI: I received two phone calls from residents living adjacent to the site. The main concerns are construction impact (noise and air quality) and tree removal.

I also received VTA and Valley Water's comments and saved them to this folder:

[\\Pbce001\#PBCE001\Implementation\PLANNING FILES\Zonings\2023\PDC23-006 \(Kaiser Hospital\)\6 - Public Comments](#)

Subject: FW: Proposed Kaiser hospital @ Cottle/S Teresa.

From: Wang, Angela <Angela.Wang@sanjoseca.gov>
Sent: Monday, June 5, 2023 1:59 PM
To: T Klopper <surfingtrk@gmail.com>
Cc: Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Subject: RE: Proposed Kaiser hospital @ Cottle/S Teresa.

Comments received. Thanks Theo.

There are no such tunnel/bridge proposed. The project applicant proposes to use the existing crosswalks located at the all stopped intersection at International Cir. & Camino Verde Dr. and the signalized crosswalk at Camino Verde Dr. and Santa Teresa Blvd.

The applicant's contact is tina.x.wehrmeister@kp.org.

The community meeting will start at 6pm tonight. Please check the link below for how to join the meeting on line:

<https://www.sanjoseca.gov/Home/Components/Calendar/Event/6184/4738>

From: T Klopper <surfingtrk@gmail.com>
Sent: Sunday, June 4, 2023 2:28 PM
To: Wang, Angela <Angela.Wang@sanjoseca.gov>
Subject: Proposed Kaiser hospital @ Cottle/S Teresa.

You don't often get email from surfingtrk@gmail.com. [Learn why this is important](#)

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Hello Ms Wang.

Looking at the drawings of the proposed hospital, I am wondering if the plans include a tunnel under Camino Verde Drive, connecting the parking structure with the new hospital.

If not, shouldn't there be such tunnel connection, or else an enclosed bridge, protecting personnel, visitors, and especially the patients?

If no such connection is in the plans, could you please give me the Kaiser person(s) to contact to propose such addition?

Thanks in advance, and have a nice week.

Theo Klopper.
(Senior citizen and KP member)

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From: [Hitchens, Cort](#)
To: ["Zachariasen, Judith@DOC"](#)
Cc: [OLRA@DOC](#); [OPR State Clearinghouse](#)
Subject: RE: Kaiser Permanente San Jose Medical Center Project - SCH Number 2023050424
Date: Wednesday, June 7, 2023 12:40:16 PM
Attachments: [image001.png](#)

Hi Judy,

Received, thank you.

Cort Hitchens, Planner
Planning, Building and Code Enforcement
200 E. Santa Clara St. – 3rd Floor
San José, CA 95113
Direct: 408.794.7386

From: Zachariasen, Judith@DOC <Judith.Zachariasen@conservation.ca.gov>
Sent: Wednesday, June 7, 2023 12:33 PM
To: Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Cc: OLRA@DOC <OLRA@conservation.ca.gov>; OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Subject: Kaiser Permanente San Jose Medical Center Project - SCH Number 2023050424

You don't often get email from judith.zachariasen@conservation.ca.gov. [Learn why this is important](#)

[External Email]

Dear Cort Hitchens,

The California Geological Survey (CGS) has received the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Kaiser Permanente San Jose Medical Center Project. This email conveys the following recommendations from CGS concerning geologic issues related to the project area:

1. Liquefaction Hazards

The project site is located within an earthquake zone of required investigation (ZORI) for liquefaction mapped by CGS. The DEIR and supporting documents should address this hazard as it relates to the design of the proposed structures. Additional information is available at the links below: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>

2. Ground Shaking Hazards

The project area is not located in an Earthquake Fault Zone mapped by CGS. However, several active faults are nearby, and the site could be subject to significant ground shaking. The DEIR and supporting documents should address this hazard as it relates to the design of

the proposed structures. Additional information about ground shaking hazard can be obtained at the following sites:

<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=14d2f75c7c4f4619936dac0d14e1e468>

<https://earthquake.usgs.gov/scenarios/catalog/bssc2014/>

3. Surface Fault Rupture Hazard

The project area is not located in an Earthquake Fault Zone mapped by CGS. However, the Quaternary-age San Jose Fault has been mapped as inferred through the hospital campus. The DEIR and supporting documents should address this hazard as it relates to the design of the proposed structures. Additional information about surface faults can be obtained at the following sites: <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>

If you have any additional comments or questions, please feel free to call or email.

Thank you,
Judy Zachariasen

E-Sig-DOC-Logo



Judith Zachariasen, PhD, PG, CEG

Senior Engineering Geologist
Fault Zoning Unit Supervisor
Seismic Hazards Program
California Geological Survey

California Department of Conservation

715 P Street, MS 1900, Sacramento, CA 95814

T: (916) 879-2844

E: judith.zachariasen@conservation.ca.gov

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June 19, 2023

Cort Hitchens
City of San Jose
200 E Santa Clara St, 3rd Flr
San Jose, CA 95113

Ref: Gas and Electric Transmission and Distribution

Dear Cort Hitchens,

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

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

Below is additional information for your review:

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

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

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

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

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

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

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

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

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

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



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

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

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

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

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

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

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

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

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



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

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

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

Attachment 2 – Electric Facilities

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

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



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

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

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

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

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

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

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

From: [Hitchens, Cort](#)
To: [Susan Yogi](#)
Cc: [Eryn Brennan](#)
Subject: FW: Environmental Review Scoping Request for Kaiser San Jose Medical Center Project/PD23-002
Date: Tuesday, June 20, 2023 12:03:00 PM
Attachments: [Kaiser Tree Map with Healthy Trees.pdf](#)

Hi Susan,

Please find below and attached additional correspondence on the Kaiser NOP. I believe this commenter spoke about trees at the community meeting, as well.

Thank you,

Cort Hitchens, Planner
Planning, Building and Code Enforcement
200 E. Santa Clara St. – 3rd Floor
San José, CA 95113
Direct: 408.794.7386

From: Emily Becker <emily.deal@gmail.com>
Sent: Tuesday, June 20, 2023 11:18 AM
To: Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Subject: Environmental Review Scoping Request for Kaiser San Jose Medical Center Project/PD23-002

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[External Email]

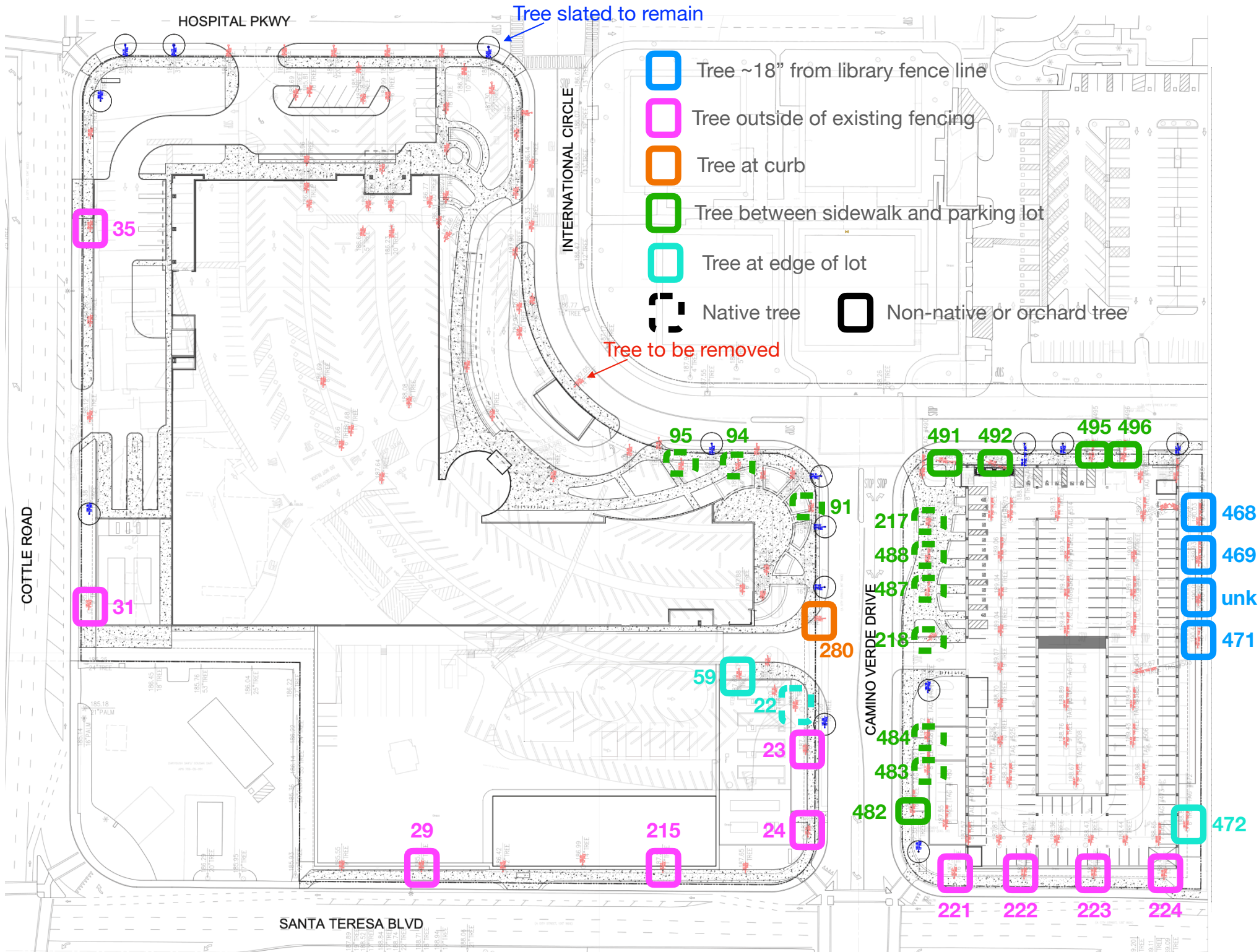
Dear Mr. Hitchens,

I am writing to request that the Environmental Review for the Kaiser San Jose Medical Center Project (PD23-002) include an assessment of the impact of retaining some or all of the healthy, mature trees at the perimeter of the project, as indicated in the attached diagram. As you are aware, such mature trees have several advantages, including increased carbon capture, shade, and a greater capacity for wildlife habitat, compared to younger trees that may be planted to replace them. I believe that efforts to retain these trees would be in keeping with San Jose's commitment to combat climate change, as well as to protect, preserve, restore, and expand our Community Forest.

Thank you,

Emily Becker

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HOSPITAL PKWY

Tree slated to remain



Tree ~18" from library fence line



Tree outside of existing fencing



Tree at curb



Tree between sidewalk and parking lot



Tree at edge of lot



Native tree



Non-native or orchard tree

Tree to be removed

COTTLE ROAD

INTERNATIONAL CIRCLE

SANTA TERESA BLVD

CAMINO VERDE DRIVE

35

31

29

215

24

23

59

22

280

95

94

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June 26, 2023

Cort Hitchens
City of San Jose
200 E Santa Clara Sr
San Jose, CA 95113

Re: Kaiser Permanente San Jose Medical Center
250 Hospital Parkway, San Jose, CA 95119

Dear Cort Hitchens,

Thank you for giving us the opportunity to review the subject plans. The proposed Kaiser Permanente San Jose Medical Center is within the same vicinity of PG&E's existing facilities that impact this property.

PG&E operates existing gas and electric distribution facilities currently serving the various Kaiser Medical Center buildings. You must contact PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require prior to any proposed demolition or new construction.

You may also contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782.

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

If you have any questions regarding our response, please contact me at alexa.gardea@pge.com.

Sincerely,



Alexa Gardea
Land Management
916-760-5738

From: [Hitchens, Cort](#)
To: [Susan Yogi](#)
Cc: [Eryn Brennan](#)
Subject: FW: Comments for NOP of the DEIR for the Kaiser Permanente San Jose Medical Center Project, City of San Jose
Date: Thursday, July 13, 2023 2:54:06 PM
Attachments: [image001.png](#)

Hi Susan,

Please see below for comments from Valley Water on the NOP. No attachment was included, just the emailed comments below.

Thank you,

Cort Hitchens | Planner
City of San José
Planning, Building & Code Enforcement
[200 E. Santa Clara Street, 3rd Floor](#)
[San José, CA 95113](#)
Direct: [\(408\) 794-7386](#)

From: Andrew Quan <AQuan@valleywater.org>
Sent: Thursday, July 13, 2023 2:22 PM
To: Hitchens, Cort <Cort.Hitchens@sanjoseca.gov>
Cc: Lisa Brancatelli <LBrancatelli@valleywater.org>
Subject: Comments for NOP of the DEIR for the Kaiser Permanente San Jose Medical Center Project, City of San Jose

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[External Email]

Dear Cort Hitchens,

The Santa Clara Valley Water District (Valley Water) has received the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the proposed Kaiser Permanente San Jose Medical Center Project, located at 250 Hospital Parkway, San Jose, received by Valley Water on June 16, 2023.

Valley Water has the following comments on the NOP of the DEIR:

1. According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) 06085C0406H, effective May 18, 2009, the entire site is located within Zone D, representing areas of undetermined flood hazard.

2. Valley Water's ability to meet future water supply demands relies heavily on expanding water conservation measures throughout Santa Clara County. Re-development of the site provides opportunities to minimize water and associated energy use by requiring all available water conservation measures such as incorporating on-site reuse for both storm and graywater, and requiring water conservation measures above State of California standards (i.e., CALGreen).
3. In addition to water conservation, another element of the county's water supply portfolio is natural groundwater recharge, which is precipitation that infiltrates into the groundwater in the recharge areas of the basin. Within these areas, water from the surface passes through permeable sands and gravels to benefit water supply aquifers. The project is in the recharge area of the Santa Clara Subbasin. Natural groundwater recharge has declined over the last 100 years as impermeable surfaces within the built environment have increase stormwater runoff and limit infiltration of precipitation. Precipitation that once supported the groundwater basin through natural recharge is now removed through stormwater infrastructure to San Francisco Bay. New development and redevelopment is subject to stormwater quality requirements; however, not all the methods available support groundwater recharge. To address the long-term cumulative impact to natural groundwater recharge, the City of San Jose should require the project to include stormwater measures that retain stormwater on-site to maintain, and where possible, increase natural groundwater recharge and protect groundwater quality.
4. The project will include a basement and potentially below-ground parking. Groundwater in the project area is typically fairly shallow and dewatering may be required during construction. Impacts to shallow groundwater quality and quantity should be evaluated with measures to minimize the need for dewatering incorporated into the design to the greatest extent possible. Underground structures should be designed for waterproofing that avoids the need for permanent dewatering after construction is complete.
5. The project site is subject to dam inundation as it is within the Leroy Anderson Dam failure inundation zone.
6. Valley Water records indicate that 5 active wells are located on the subject parcels (APN 70605011 and APN 70605035). If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from Valley Water.

Valley Water records indicate that 1 abandoned well may be located on the subject parcel (APN 70605035). If this well is found on the subject parcel during development, it must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.

While the District has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. For more information, please call the Valley Water's

Well Ordinance Program Hotline at 408-630-2660.

7. There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed improvements.

We appreciate the opportunity to comment on the NOP and would also appreciate the opportunity to review the DEIR document when it becomes available. If you have any questions, or need further information, you can reach me at (408) 630-1667, or by e-mail at AQuan@valleywater.org. Please reference Valley Water File No. 34965 on future correspondence regarding this project.

Thank you,

ANDREW QUAN

ASSISTANT ENGINEER II - CIVIL

Community Projects Review Unit

Tel. (408) 630-1667



VALLEY WATER

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

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