

APPENDIX A

Public Comment Letters



**The Amah Mutsun Tribal Band of San Juan Bautista
&
A.M.T.B. Inc.**

Letter of Response

To whom it may concern:

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

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

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

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

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

Irenne Zwiierlein

Irenne Zwiierlein



3030 Soda Bay Road, Lakeport
CA 95453
amtbinc21@gmail.com
(650)851-7447

**Amah Mutsun Tribal Band of San Juan Bautista
&
AMTB Inc.**

3030 Soda Bay Road Lakeport, CA 95453

Our rates for 2024 are

\$275.00 per hour.

4 hours minimum

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

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

Weekends are charged at time and a half.

Holidays are charged at double the time.

For fiscal year (FY) 2024, standard per diem rate of \$412. (\$333. lodging, \$79 M&IE).

M&IE Breakdown FY 2023

M&IE Total¹	Continental Breakfast/ Breakfast²	Lunch²	Dinner²	Incidental Expenses	First & Last Day of Travel³
\$79.00	\$18.00	\$20.00	\$36.00	\$5.00	\$59.25

Beginning 2024, the standard mileage rates for the use of a car round trip (also vans, pickups or panel trucks) will be: \$.67 cents per mile driven for business use or what the current federal standard is at the time.

Our Payment terms are 5 days from date on invoice.

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

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

Sincerely,

Irenne Zwielerlein

Irenne Zwielerlein

3030 Soda Bay Rd, Lakeport
CA 95453
amtbin21@gmail.com
(650)851-7747



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/29/2023

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

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

PRODUCER Allied Brokers 591 Lytton Avenue Palo Alto CA 94301	CONTACT NAME: PHONE (A/C, No, Ext): (650) 328-1000 FAX (A/C, No): (650) 324-1142 E-MAIL: BusinessVIP@alliedbrokers.com ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED Amah Mutsun Tribal Band Consulting & Monitoring, LLC 330 Soda Bay Rd Lakeport CA 95453	INSURER A: Scottsdale Insurance Company NAIC # 41297	
	INSURER B: United States Liability Insurance Company 25895	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CPS7829150	07/09/2023	07/09/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in Nh) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Professional Liability			SP1573468C	06/21/2023	06/21/2024	Each Claim \$1,000,000 Aggregate \$1,000,000

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

Proof of Coverage

CERTIFICATE HOLDER FOR YOUR INFORMATION	CANCELLATION SHOULD ANY OF THE ABOVE-DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Mimi Watson</i>

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State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

(707) 428-2002

www.wildlife.ca.gov

GAVIN NEWSOM, Governor

CHARLTON H. BONHAM, Director



August 27, 2024

Bethelhem Telahun, Planner I Environmental Review

City of San José

200 E Santa Clara Street

San Jose, CA, 95113

Bethelhem.Telahun@sanjoseca.gov

Subject: Good Samaritan Hospital Project, Draft Environmental Impact Report,
SCH No. 2023060108, City of San José, Santa Clara County

Dear Bethelhem Telahun:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a draft Environmental Impact Report (EIR) from the City of San José (City) for the Good Samaritan Hospital Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

REGULATORY REQUIREMENTS

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. Under CESA, “take” means “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” (Fish & G. Code, § 86). CDFW’s issuance of an ITP is subject to CEQA and to facilitate permit issuance, any Project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA permit.

CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. c & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065). In addition, pursuant to CEQA, the Lead Agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the Lead Agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, does not eliminate the Project proponent’s obligation to comply with the Fish and Game Code.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting rivers, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or

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floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification.

Migratory Birds and Raptors

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

Fully Protected Species

Several Fully Protected Species (Fish & G. Code § 3511 and 4700) have the potential to occur within or adjacent to the Project area, including, but not limited to: salt-marsh harvest mouse (*Reithrodontomys raviventris*), white-tailed kite (*Elanus leucurus*), golden eagle (*Aquila chrysaetos*), California least tern (*Sternula antillarum browni*), and California Ridgway's rail (*Rallus obsoletus obsoletus*).

Project activities described in the draft EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock;
- They are a covered species whose conservation and management are provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515); or
- Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met (See Fish & G. Code §2081.15.).

CDFW also recommends the draft EIR analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species. Project proponents should consult with

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CDFW early in the Project planning process.

PROJECT DESCRIPTION SUMMARY

Proponent: City of San José

Objective: The objective of the Project is to meet the seismic structural requirements for acute hospital care under Senate Bill (SB) 1953. Primary Project activities include demolition of the existing bed tower and daycare center associated with the existing Good Samaritan Hospital Campus and the phased construction of an eight-story building, a central utility plant, two new parking garages, a medical office building, underground water and sewer tanks.

Location: Located at 2425 Samaritan Drive and 2333 Samaritan Place, City of San José, Santa Clara County (County). The coordinates for the approximate center of the Project are 37°15'7.52"N latitude 121°56'46.43"W longitude (WGS 84). The Assessor's Parcel Numbers are 421-36-009 and 421-36-011.

Timeframe: Approximately years 2024 to 2034. Phase 1 would be constructed over approximately 5.8 years starting in 2024. Phase 2 would occur over approximately 2 years starting in December 2029. Phase 3 would be constructed over approximately 2.8 years starting in 2032.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

ENVIRONMENTAL SETTING

Sufficient information regarding the environmental setting is necessary to understand any potentially significant impacts on the environment of the proposed Project (CEQA Guidelines, §§15063 & 15360). CDFW recommends that a full list or table is included in the updated Biological Resources Section of the draft EIR that notes species common name, scientific name, state and federal listing status (as applicable), habitat type preference and determination on presence, for all special-status species with the potential to occur within the Project area.

CDFW recommends the draft EIR provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including all rare, threatened, and endangered species

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(CEQA Guidelines, §15380). The draft EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project area (for sensitive natural communities, see: <https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities>), and any stream or wetland set back distances the City or County may require.

CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine U.S. Geologic Survey 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see Data Use Guidelines on the Department webpage <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the potential presence of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship System, California Native Plant Society Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations. Only with sufficient data and information can the City adequately assess which special-status species are likely to occur in the Project vicinity.

According to Biogeographic Information and Observation System (BIOS) records, the Project site contains positive detections of several special-status species and has the potential to support numerous special-status species and their associated habitat. Species with potential to occur on-site include but are not limited to those listed in Attachment 1.

I. Environmental Setting and Related Impact Shortcoming

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

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COMMENT 1: Nesting Birds (Section 4.3, Pages 12-13)

Issue: The draft EIR states that the Project has the potential to disturb nesting habitat for birds and raptors; however, the draft EIR does not adequately mitigate potential impacts to nesting birds protected under the MBTA and/or Fish and Game Code because it does not identify suitable nesting seasons or buffers for active nests within or near the Project area. Burrowing owl (*Athene cunicularia*), California least tern (*Sternula antillarum browni*), California Ridgway's rail (*Rallus obsoletus obsoletus*), Cooper's hawk (*Accipiter cooperii*), golden eagle (*Aquila chrysaetos*), grasshopper sparrow (*Ammodramus savannarum*), northern harrier (*Circus hudsonius*), tricolored blackbird (*Agelaius tricolor*), and white-tailed kite (*Elanus leucurus*) occurrences have been documented within the vicinity of the Project area and historic observations occur elsewhere in the County (CDFW 2024, CNDDDB 2024).

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less-than-significant:

Recommended Mitigation Measure 1: Avoidance

CDFW encourages Project implementation outside of the bird nesting season, which extends from early January through early September (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors).

Recommended Mitigation Measure 2: Nesting Bird Surveys

If Project-related work is scheduled during the nesting season (early January through early September), CDFW recommends that a qualified biologist with applicable species and habitat experience should conduct two surveys for active nests. No more than fourteen (14) days prior to the start of ground or vegetation disturbance a qualified biologist shall conduct a survey to establish a behavioral baseline of all identified nests. A final survey shall be conducted forty-eight (48) hours prior to Project activities to maximize the probability that nests that could potentially be impacted are detected. Appropriate minimum survey buffer surrounding the work area are typically the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; and iii) 1,000 feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day and during appropriate nesting times.

Recommended Mitigation Measure 3: Buffer Zones

CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding

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season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

Recommended Mitigation Measure 4: Reporting

Prior to any tree removal and Project activities, the qualified biologist shall submit a report indicating the results of the survey and any designated buffer zones to CDFW.

COMMENT 2: Bats

Issue: The Project includes the removal of 370 trees. Pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and western mastiff bat (*Eumops perotis californicus*) occurrences have been documented within the vicinity of the Project area and historic observations occur elsewhere in the County (CDFW 2024, CNDDDB 2024). To determine the extent to which impacts may occur to bats and determine where habitat loss may occur from the removal of trees, the draft EIR should propose measures to conduct a bat habitat assessment of suitable bat roosting habitat.

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less-than-significant:

Recommended Mitigation Measure 5: Bat Habitat Monitoring

CDFW recommends that a qualified biologist with applicable species and habitat experience should conduct a survey from March 1 to April 1 or August 31 to October 15 prior to construction activities. The habitat assessment shall include a visual inspection of features within the work area for potential roosting features including trees, crevices, parking garages, siding or roofs of buildings, and hollow areas (bats need not be present). The surveys should occur at least two seasons in advance of Project initiation. If the focused survey reveals the presence of roosting bats, then the appropriate exclusionary or avoidance measures will be implemented prior to construction during the period between March 1 to April 15 or August 31 to October 15.

Recommended Mitigation Measure 6: Avoidance

If active bat roosts are observed during environmental assessments or during construction, at any time, all Project activities should stop until a qualified biologist develops a bat avoidance plan to be implemented at the Project site. The bat avoidance plan should utilize seasonal avoidance, phased construction as well as temporary and permanent bat housing structures developed in coordination with CDFW.

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Recommended Mitigation Measure 7: Reporting

Prior to Project activities, the qualified biologist shall submit a report to CDFW that discusses the results of the suitable habitat assessment and if any bats or signs of bats (feces or staining at entry/exit points) are discovered.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

COMMENT 3: Oak Trees

Issue: The draft EIR states that the most common tree species in the Project site are holly oak (*Quercus ilex*) and coast live oak (*Quercus agrifolia*). Additional oak species within the Project site include silk oak (*Grevillea robusta*) and southern live oak (*Quercus virginiana*). Of the 370 trees that will be removed within the Project area, approximately 186 are oak species (60 coast live oak). The importance of oak woodlands is further supported through the Oak Woodlands Conservation Act (Fish & G. Code §1360–1372). The draft EIR does not include a compensatory mitigation ratio or restoration monitoring period. A temporal loss also exists for regaining the specific habitat that oak trees provide such as canopy cover, trunk and branch cavities, downed woody debris, and snags (SFEI 2017). Oaks are very slow growing trees and monitoring of oaks/oak woodland habitat should be for at least 10 years. A longer monitoring period with appropriate corrective measures should be included to account for such climate uncertainties, such as drought.

Recommended Potentially Feasible Mitigation Measures to reduce impacts to less-than-significant:

Recommended Mitigation Measure 8: Compensatory Mitigation

Compensatory mitigation for loss of sensitive natural communities (e.g., oak woodland) should be based on species and size of trees to be impacted. Appropriate compensatory mitigation should be through preservation and protection in perpetuity of equal or higher quality habitat, or through creation, enhancement, and/or restoration. Replanted or restored mitigation sites should be monitored for a 10-year period.

A mitigation and monitoring plan should be developed and include success criteria to be met at the end of the monitoring period. If success criteria are not met, the mitigation plan should include adaptive management actions along with additional years of monitoring as well as additional mitigation for the temporal loss.

All restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The

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restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management.

CDFW recommends mitigation for the loss of ecological value through the permanent removal of trees with the following ratios:

- Oaks
 - Less than 4 inches Diameter at breast height (DBH): 1:1;
 - 4-10 inches DBH: 4:1;
 - 11-15 inches DBH: 5:1;
 - Greater than 15 inches DBH: 10:1.

If the Project site does not contain sufficient area to accommodate the required replacement tree plantings, replacement oaks may be planted at an off-site location within the same watershed (Guadalupe River) as the Project. The draft EIR should state that a mitigation plan will be developed and provided to CDFW.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

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

Questions regarding this letter or further coordination should be directed to Melony Wood, Environmental Scientist at (707) 428-2002 or Melony.Wood@Wildlife.ca.gov.

Sincerely,

Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Special-Status Species and Commercially/Recreationally Important Species

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2023060108)
Craig Weightman, CDFW Bay Delta Region – Craig.Weightman@wildlife.ca.gov
Jason Faridi, CDFW Bay Delta Region – Jason.Faridi@wildlife.ca.gov

REFERENCES

California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed August 15, 2024.

California Natural Diversity Database (CNDDDB). July 2024. Special Animals List. California Department of Fish and Wildlife. Sacramento, CA.

San Francisco Estuary Institute-Aquatic Science Center (SFEI), 2017. Re-Oaking Silicon Valley: Building Vibrant Cities with Nature. Publication # 825, San Francisco Estuary Institute, Richmond, CA.

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ATTACHMENT 1: Special Status Species

Species	Status
Birds	
burrowing owl (<i>Athene cunicularia</i>)	Species of Special Concern (SSC)
California least tern (<i>Sternula antillarum browni</i>)	Federal Endangered (FE), State Endangered (SE), State Fully Protected (FP)
California Ridgway's rail (<i>Rallus obsoletus obsoletus</i>)	FE, SE, FP
Cooper's hawk (<i>Accipiter cooperii</i>)	State Watch List (SWL)
golden eagle (<i>Aquila chrysaetos</i>)	FP
grasshopper sparrow (<i>Ammodramus savannarum</i>)	SSC
northern harrier (<i>Circus hudsonius</i>)	SSC
tricolored blackbird (<i>Agelaius tricolor</i>)	State Threatened (ST), SSC
white-tailed kite (<i>Elanus leucurus</i>)	FP
Mammals	
Pallid bat (<i>Antrozous pallidus</i>)	SSC
San Francisco dusky-footed woodrat (<i>Neotoma fuscipes annectens</i>)	SSC
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)	SSC
western mastiff bat (<i>Eumops perotis californicus</i>)	SSC



County of Santa Clara
Roads and Airports Department

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

August 29, 2024

VIA U.S. MAIL & EMAIL (bethelhem.telahun@sanjoseca.gov)

Department of Planning, Building & Code Enforcement
City of San José
200 E. Santa Clara Street, 3rd Floor
Attn: Bethelhem Telahun

SUBJECT: Roads and Airports Department Comments on Draft Environmental Impact Report for Good Samaritan Hospital Project (File No. PDC22-132)

The County of Santa Clara Roads and Airports Department (the “Department”) appreciates the opportunity to review and comment on the Draft Environmental Impact Report for the Good Samaritan Hospital Project (PDC22-132). On behalf of the Department, we submit the following comments:

- The project has trips going through the Department’s intersections, which are San Tomas Expressway/Highway 17 and Camden-San Tomas Expressway/Curtner-White Oaks, and due to the goals set forth in the TDM the project was able to apply trip reductions therefore resulting in fewer vehicle trips. The Department would like to see if those goals are met for each monitoring period; if not the claimed trip reductions need to be revisited, which could result in more vehicle trips, which in turn creates more impacts on the Department’s intersections. Therefore the Department recommends that the City share the Travel Demand Management (TDM) Compliance and Monitoring results with the Department when available.
- It is recommended that the Transportation Analysis (Appendix N) use PTV Vistro 2022 for LOS analysis for County intersections #15 and #16 because the Santa Clara Valley Transportation Authority’s (VTA) Traffic Impact Analysis (TIA) Guideline is in the process of revising the LOS software from TRAFFIX to Vistro. We understand that the new guideline has not been adopted, but we recommend using the new software in anticipation of its adoption.



Thank you again for your continued outreach and coordination with the Department. If you have any questions or concerns about these comments, please feel free to contact me at ben.aghegnehu@rda.sccgov.org

Thank you,

From: [Telahun, Bethelhem](#)
To: [Graham, Kiana](#)
Cc: [tina.garg](#)
Subject: FW: NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)
Date: Wednesday, August 28, 2024 2:16:38 PM

Hi Kiana,

Please see the email below from VTA for the Good Sam EIR.

Thanks,
Bethelhem Telahun
Planner | Environmental Review

From: Lin, Ian <ian.lin@vta.org>
Sent: Wednesday, August 28, 2024 2:07 PM
To: Telahun, Bethelhem <Bethelhem.Telahun@sanjoseca.gov>
Cc: plan.review@vta.org
Subject: RE: NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)

[External Email]

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Hi Bethelhem,

VTA appreciates the opportunity to comment. We applaud the comprehensiveness of the transportation analysis.

Our previous comments in different stages of the CEQA process still stand.

As bus routes 27 and 61 operate through the project site, please keep VTA in the loop should the proposed mitigation measures will be moved forward. These include, but not limited to, the 5-to-3 lane road diet, protected bike lanes, the proposed roundabout, and any potential bus stop relocation. VTA would like to be in the discussion with City staff to maintain a good quality of bus service and enhance pedestrian and bicycle safety and connectivity.

Thank you,
Ian

From: Telahun, Bethelhem <Bethelhem.Telahun@sanjoseca.gov>
Sent: Friday, July 19, 2024 11:38 AM
Subject: [EXTERNAL] NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)

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**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2023060108)**

A Draft Environmental Impact Report (Draft EIR) for the Good Samaritan Hospital Project is now available for public review and comment. The project is a Planned Development Rezoning to a Commercial General CG(PD) Planned Development Zoning District to allow demolition of the existing bed tower and daycare center associated with the existing Good Samaritan Hospital Campus and the phased construction of two new hospital wings totaling approximately 750,000 square feet, a 200,000-square-foot medical office building, two parking garages, and a central utility plant with underground water and sewer holding tanks (to support 72 hours of emergency operation at the hospital). The project would increase the number of licensed acute care beds from 404 to 419 and result in a net increase of 958 new jobs. In total, all phases of construction will last approximately 10 years.

Location: The approximately 20-acre project site is comprised of two parcels located in southwestern portion of San José. The site is located at 2425 Samaritan Drive and 2333 Samaritan Place near the borders to the Town of Los Gatos and the City of Campbell.

APNs: 421-36-009 and 421-36-011

Council District: 4

File No.: PDC22-132, and ER23-041

The proposed project will have potentially significant environmental effects with regard to air quality, biological resources, cultural resources, hazardous materials, noise, and transportation. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

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

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

Cambrian Library
1780 Hillsdale Avenue,
San José, CA 95124
(408) 808-3080

The public review period for this Draft EIR will be 45 days, between **July 19, 2024 and September 3, 2024**. Written comments must be received at the Planning Department by **5:00 p.m. on September 3, 2024**, in order to be addressed as part of the formal EIR review process.

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

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

For the official record, **please email or mail your written comment letter and reference File No. PDC22-132.**

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

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California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



September 3, 2024

SCH #: 2023060108
GTS #: 04-SCL-2022-01310
GTS ID: 27481
Co/Rt/Pm: SCL/85/10.07

Bethelhem Telahun, Environmental Project Manager
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Re: Good Samaritan Hospital Project – Draft Environmental Impact Report (DEIR)

Dear Bethelhem Telahun:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Good Samaritan Hospital Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the July 2024 DEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding

The project proposes to demolish the existing 359,000 square foot hospital and construct two new hospital wings totaling approximately 715,000 square feet, an approximately 200,000 square foot medical office building, two new parking garage structures totaling approximately 720,000 square feet, and one level of subterranean parking. Project implementation would require a new Planned Development Zoning District to authorize the uses proposed by the project. The project site is adjacent to State Route (SR)-85.

Travel Demand Analysis

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

Caltrans acknowledges the incorporated mitigations included in the Transportation Demand Management (TDM) Plan that aim to reduce employee and guest VMT. The proposed measures identified in the TDM plan should be documented with annual monitoring reports to demonstrate effectiveness.

Hydrology

Please take into consideration that Caltrans has a permanent drainage easement that extends 15 feet from the existing access control line on to the hospital's property. Figure 2-3 of the DEIR shows the helipad and a fire lane that appear to be within the 15-foot easement area, though the Right-of-Way (ROW) line is not shown on the plan. The drainage easement may affect the setback requirements of Building C and potentially the helipad.

Please ensure that any increase in storm water runoff to State Drainage Systems or Facilities be treated, contained on project site, and metered to preconstruction levels. Any floodplain impacts must be documented and mitigated. It is recommended that runoff from the property be captured and discharged into City Storm water system with no run-off encroaching on Caltrans ROW.

Construction-Related Impacts

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, please visit Caltrans Transportation Permits ([link](#)).

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

Lead Agency

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

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Encroachment Permit


Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement.

The Office of Encroachment Permit requires 100% complete design plans and supporting documents to review and circulate the permit application package. To obtain more information and download the permit application, please visit Caltrans Encroachment Permits ([link](#)). Please note that the checklist TR-0416 is used to determine the appropriate Caltrans review process for encroachment projects. Your application package may be emailed to D4Permits@dot.ca.gov. The Office of Encroachment Permits will provide specific instructions regarding the necessary submittals. Continue to coordinate with Caltrans to address any potential conflicts related to traffic management during the construction phase.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Marley Mathews, Associate Transportation Planner, via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDR-D4@dot.ca.gov.

Sincerely,



YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

From: [Telahun, Bethelhem](#)
To: [Graham, Kiana](#)
Cc: [tina.garg](#)
Subject: FW: NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)
Date: Tuesday, September 3, 2024 4:16:16 PM
Attachments: [image001.png](#)

Comment letter from Valley Water below.

Bethelhem Telahun

Planner | Environmental Review

From: Andrew Quan <AQuan@valleywater.org>
Sent: Tuesday, September 3, 2024 4:14 PM
To: Telahun, Bethelhem <Bethelhem.Telahun@sanjoseca.gov>
Cc: Lisa Brancatelli <LBrancatelli@valleywater.org>
Subject: RE: NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)

[External Email]

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

Hi Bethelhem,

Valley Water has reviewed the Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the Good Samaritan Hospital Project at 2425 Samaritan Drive and 233 Samaritan Place in San Jose, received on July 19, 2024. Per our review, we have the following comments:

1. Throughout the DEIR, the document introduces and primarily refers to the Santa Clara Valley Water District with the abbreviation, "SCVWD". However, in a few places, the DEIR also uses "Valley Water". The correct shortened agency name for the Santa Clara Valley Water District is "Valley Water". Thus, please review the entire DEIR and revise all "SCVWD" abbreviations to "Valley Water".

Additionally, please ensure to revise the section heading on Page 4.9-6 to either spell out "Santa Clara Valley Water District Groundwater Management Plan" or use "Valley Water Groundwater Management Plan".

2. **Section 4.9 Hydrology and Water Quality – Environmental Setting – Flooding – Page 4.9-2:** According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) 06085C0239H, effective on May 18, 2009, the project site is located in Zone D, defined as an area in which flood hazards are undetermined but possible. Please revise the description of Zone D to "area of undetermined but possible flood hazard" on Page 4.9-2.

Additionally, please include the FEMA FIRM number and effective date in the text and the footnote on Page 4.9-2, as well as on Pages 4.9-16 and 9-3.

3. **Section 4.9 Hydrology and Water Quality – Regulatory Setting – Valley Groundwater Management Plan – Page 4.9-6:** Valley Water's 2021 Groundwater Management Plan (GMP) can be found here: <https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable>. Please include a reference to the 2021 GMP in the text on Page 4.9-6, as well as on Pages 4.9-13, 4.9-16, 4.9-18, and 4.16-10. On those same pages, please include the 2021 GMP with the link as a footnote.

Additionally, please include the 2021 GMP with the link as a reference on Pages 9-4 and Page 35 of Appendix J.

4. **Section 4.9 Hydrology and Water Quality – Regulatory Setting – Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirement – Page 4.9-6:** The Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022, and became effective on July 1, 2023. While the DEIR does reference the updated date of May 2022, the text should be revised for accuracy to include the date the revised MRP became effective.

5. **Section 4.9 Hydrology and Water Quality – Impacts and Mitigation Measures – Discussion HYDRO-2 – Page 4.9-13:** "As shown in Figure 2-1 of the 2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasin, the Project site is located within the Santa Clara Plain confined area, but is not located on or near the Santa Clara Plain recharge area. Thus, subsurface geologic formations in the Project area restricts vertical flow of groundwater. Because the Project would be developed on a site that is not recharging

groundwater, construction of the Project would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin." According to Valley Water's records, the project site is located within the Santa Clara Plain Recharge Area of the Santa Clara Subbasin. Please revise this section to include this information for accuracy. The DEIR should consider potential impacts to groundwater recharge resulting from this project and include potential measures to minimize the impacts.

6. **Section 4.16 Utilities and Service Systems – Environmental Setting – Water Service and Supply – Page 4.16-1:** "Based on water supply projections reported in SCVWD's 2020 UWMP, 129 conservation methods..." It appears that the "129" referring to Footnote 129 is not superscripted. Please edit the "129" to be a superscript of "UWMP".
7. **Section 9.0 – References – Page 9-4:** Please include a reference for Valley Water's Supply Master Plan 2040 as the plan is referenced multiple times throughout the document. The plan can be found here: <https://www.valleywater.org/your-water/water-supply-planning/water-supply-master-plan>.
8. **Appendix G – Section 3.0 Geologic Hazards – Subsection 3.2.4 – Flooding – Page 7:** "Based on our review of the Santa Clara Valley Water District Inundation Maps, the site is located within a dam failure inundation area for Lexington Reservoir." According to Valley Water records, while the project site is adjacent to the James J. Lenihan dam inundation area, it is not within it. Please revise this statement for accuracy.

Please let me know if you have any questions. You may reach me at AQuan@valleywater.org or at 408-630-1667. Please reference File No. 29104 on any 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

From: Telahun, Bethelhem <Bethelhem.Telahun@sanjoseca.gov>

Sent: Friday, July 19, 2024 11:38 AM

Subject: NOTICE OF CEQA POSTING: Good Samaritan Hospital Project (PDC22-132)

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Council District: 4

File No.: PDC22-132, and ER23-041

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(408) 808-3080

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

For the official record, **please email or mail your written comment letter and reference File No. PDC22-132.**

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Town of Los Gatos

Parks & Public Works
41 Miles Avenue
Los Gatos, CA 95030
(408) 399-5770

September 3, 2024

VIA EMAIL

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

RE: Comments on the Draft EIR for the Good Samaritan Hospital at 2425 Samaritan Drive and 2333 Samaritan Place

Dear Bethlehem,

Thank you for addressing the Town's previous comments and for the opportunity to provide comments for the Draft EIR for the Samaritan Hospital Expansion. The following comments are to address the Town's concerns regarding the proposed Draft EIR, Appendix N, The Transportation Analysis and potential traffic impacts of the proposed project:

1. As noted on page 10 of the Transportation Analysis, "The addition of Phase 3 (Buildout) Project trips increases the capacity of mixed flow lane and HOV lane at two freeway segments which are already operating at LOS F, causing a significant adverse effect. No improvements involving freeway widening to increase vehicle capacity are identified as it is not feasible for the proposed Project to bear the cost of implementing the improvements due to constraints related to right-of-way (ROW) and land acquisition costs." Coupled with the proposed Samaritan Drive Road Diet, won't this most likely result in additional traffic impacts on other local neighborhood roadways?
2. On page 12, it states "Per the City's parking standard, the Project site is anticipated to provide sufficient on-site vehicle and bicycle parking." However, on page 19 & 20, VMT reduction strategies such as "Parking measures that discourage personal motorized vehicle trips" seem contradictory and likely to increase potential parking intrusion in the local neighborhoods. Town of Los Gatos residents in the area are concerned about potential parking impacts in the neighborhoods. How will these potential impacts be monitored and addressed?
3. The Town of Los Gatos still reviews level of service for unsignalized intersections and requested the unsignalized Los Gatos intersection at National & Carlton to be included as a study intersection for level of service and operational analysis. Please add this as a study intersection.
4. Los Gatos Boulevard within the Town of Los Gatos has a posted speed limit of 35 mph not 40 mph. Please correct typo on page 31.

5. Under Phase 1 Trip Generation Estimates, as noted on page 48, “With all applicable trip reductions (location-based adjustment of 9%, VMT reductions, and existing driveway trip credits), the Phase 1 Project is anticipated to generate a total of 3,266 daily trips, 196 AM peak hour trips (165 In / 31 Out), and 197 PM peak hour trips (25 In / 172 Out).” What are the potential impacts if all applicable trip reductions are not realized? What if only half of the trip reductions are achieved? How would the potential impacts change? Please address the same questions regarding Phase 3.
6. As stated on page 56 under Methodology, “The premise is that the hospital expansion would not cause an increase in the number of trips but instead result in a change in trip-making because adding hospital beds and a medical office building does not mean that more people will be seeking medical care. Therefore, it is assumed that some employees would leave their jobs at other hospitals and find employment at the hospital expansion.” It seems the new facilities will still require a certain number of employees and other existing medical office buildings are not going to reduce their staff sizes. Although some jobs may shift, it seems the new medical office building will still result in an increase in the number of trips by employees because other employees will replace those who shift from the existing hospitals. It seems there will still be a net increase in employee trips.
7. As noted on page 152, “It should be noted that no project trips are added along National Ave. during Phase 1 and Phase 3 (Buildout). Even though the observed 85th percentile speed along National Ave. is 33 mph in both directions, comprehensive traffic calming projects are not recommended.” The Town and local residents believe that National Avenue will be used by some hospital patients, employees and visitors and requests that this recommendation be reconsidered to better address the neighborhood residents’ concerns.
8. Consider further evaluation of the parking conditions along National Avenue that may be impacted by the proposed project. Many residents are concerned that parking on National Avenue is being occupied by some of the medical office staff, visitors and patients.
9. The lead agency should identify feasible improvements to Los Gatos’ facilities. The lead agency should either construct the identified improvement or propose a fair-share mitigation contribution for the proposed improvements.

Please address these comments regarding the Transportation Analysis, Appendix N, and adjust the Draft EIR accordingly. If you have any questions regarding this letter, please feel free to contact me at 408-399-5777 or mvroman@losgatosca.gov.

Sincerely,

Mike Vroman

Mike Vroman, T.E.
Senior Traffic Engineer
Town of Los Gatos