



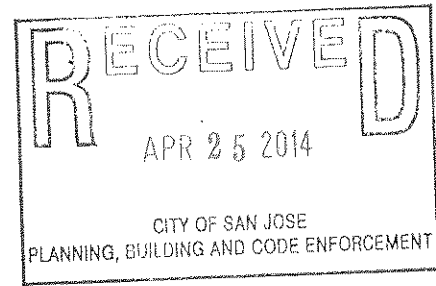
SANTA
CLARA
UNIFIED
SCHOOL
DISTRICT

1889 Lawrence Rd.
Santa Clara, CA
95051
(408) 423-2000

STANLEY ROSE III, Ed.D.
SUPERINTENDENT

April 22, 2014

Planning Building and Code Enforcement
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113



To Whom It May Concern:

The following letter is in response to the November 2013 CEQA addendum completed for the 237@ First Street Office Project (File Number PDC99-054) File Number PD13-012 located within the vicinity of Santa Clara Unified School District's George Mayne Elementary School. The District has expressed its concern for development of the site in letters dated January 13, 2014 letter and March 20, 2013 from Superintendent Stan Rose and former Superintendent Bobbie Plough respectively. The District did not receive a response for either letter.

The District is concerned that the new project which includes a truck loading dock project will negatively impact the Elementary School and surrounding neighborhood. The District has reviewed the CEQA Addendum and the original Mitigation Monitoring Reporting Program and the concerns are as follows:

Hazardous Emissions:

As a part of the California Department of Education (CCR, Title 5) site approval process a School District must ensure that the proposed school site is within an appropriate area for Elementary School Students, this includes the surround properties and land uses.

The District is concerned the intended use of the site, which includes a 74 semi-trailer loading dock will expose the students on campus to levels of diesel emissions unsatisfactory for a school site. The District would like additional information as to how many trucks will be using the facility and potential diesel emissions associated with these vehicles. An Air Health Risk Assessment is suggested for diesel emissions on site to ensure levels are not significant for students, parents and faculty. The District is also concerned with potential truck fueling stations on-site; the CDE requires that any fuel storage within 1,500 feet of a school site complete a risk assessment study.

In the future the District may need to expand the George Mayne School Site. The District would not be able to safely meet California Department of Education School Site Safety standards for any expansion as seen in SFPD 4.07 Part 4 Section C – *School Site Safety*. The District requests health and safety studies for each of the following CCR Title 5 standards to ensure a safe school site for existing and future uses.

- (e) Traffic Noise
- (h) near an above ground water or fuel storage tank or within 1,500 feet of a pipeline, which can pose a safety hazard

"The mission of Santa Clara Unified School District is to prepare students of all ages and abilities to succeed in an ever-changing world."

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- (l) Traffic/pedestrian safety
- (m) Compatible existing and proposed surrounding land uses
- (q) Exposure to adverse light, wind, and air pollution
- (r) Easements restricting access or building placement

Student, Parent, and Staff Safety:

Conflicts are anticipated during school drop off and pick up times whether that is students walking/biking to campus, parent drop off/pick up, or school bus transportation. The District must ensure student safety and suggests that all truck transportation be coordinated with the District during these time periods to reduce conflicts in safety issues.

In conclusion, the District feels that additional information is necessary to ensure the high level standard of safety for the school site remains unchanged; this includes additional information for the following:

- Diesel Emissions/Health Risk Assessment
- Safe Routes to and from School
- Fuel storage tanks (if apart of project)
- Safety Studies necessary to comply with CCR Title 5 Requirements (SFPD 4.07 attached)

Sincerely,



Stanley Rose, III, Ed.D.
Superintendent

Responses to correspondence dated 4/22/2014 from Stanley Rose III, Ed.D., Superintendent of the Santa Clara Unified School District on the Midpoint@237 project, File Number PDC14-004.

District Comment 1: The following letter is in response to the November 2013 CEQA addendum completed for the 237@ First Street Office Project (File Number PDC99-054) File Number PD 13- 012 located within the vicinity of Santa Clara Unified School District's George Mayne Elementary School. The District has expressed its concern for development of the site in letters dated January 13, 2014 letter and March 20, 2013 from Superintendent Stan Rose and former Superintendent Bobbie Plough respectively. The District did not receive a response for either letter.

The District is concerned that the new project which includes a truck loading dock project will negatively impact the Elementary School and surrounding neighborhood. The District has reviewed the CEQA Addendum and the original Mitigation Monitoring Reporting Program and the concerns are as follows:

Hazardous Emissions:

As a part of the California Department of Education (CCR, Title 5) site approval process a School District must ensure that the proposed school site is within an appropriate area for Elementary School Students, this includes the surround properties and land uses.

The District is concerned the intended use of the site, which includes a 74 semi-trailer loading dock will expose the students on campus to levels of diesel emissions unsatisfactory for a school site. The District would like additional information as to how many trucks will be using the facility and potential diesel emissions associated with these vehicles. An Air Health Risk Assessment is suggested for diesel emissions on site to ensure levels are not significant for students, parents and faculty. The District is also concerned with potential truck fueling stations on-site; the CDE requires that any fuel storage within 1,500 feet of a school site complete a risk assessment study.

Response 1: This comment requests that an Air Health Risk Assessment be conducted for diesel emissions on site to ensure levels are not significant for students, parents and faculty. Such an analysis was completed for the project and included as an appendix to the EIR Addendum, see Appendix C, Constructional and Operational Health Risk Assessment, prepared by *Illingworth & Rodkin*. The health risk assessment was based on an assumption the project would feature 110 loading docks generating 220 one-way truck trips each day. The project subsequently reduced the amount of loading docks by roughly 30%, and so the Health Risk Assessment overstates the project's future emissions. Even with the increased number of trucks initially assumed, the exposures to the school and nearby residences were substantially below Bay Area Air Quality Management District community risk thresholds, and therefore less than significant. The comment also expresses concern with potential truck fueling stations on-site; however none are proposed as part of the project.

District Comment 2: In the future the District may need to expand the George Mayne School Site. The District would not be able to safely meet California Department of Education School Site Safety standards for any expansion as seen in SFPD 4.07 *Part 4 Section C-School Site Safety*. The District requests health and safety studies for each of the following CCR Title 5 standards to ensure a safe school site for existing and future uses.

- (e) Traffic Noise
- (h) near an above ground water or fuel storage tank or within 1,500 feet of a pipeline, which can pose a safety hazard
- (l) Traffic/pedestrian safety
- (m) Compatible existing and proposed surrounding land uses
- (q) Exposure to adverse light, wind, and air pollution
- (r) Easements restricting access or building placement

Response 2: This comment indicates the school district may consider a future expansion of the elementary school and identifies various state school site safety standards that will be applicable to any future expansion, and that the proposed Midpoint office, R&D, and requests several studies or conditions to ensure the manufacturing project does not unduly complicate the school district's expansion plans. Traffic noise has already been considered in the 2000 FEIR certified for the Cisco Site 6 Project, and the City Council has conditioned the development occurring on the various former Cisco Site 6 Project parcels, including the Midpoint project, to provide the mitigation identified in the FEIR (irrevocable offer for noise insulation treatments and forced air mechanical ventilation, see MM NOI – 1, EIR Addendum pgs. 41-42). The project does not propose above ground tanks or pipelines. The City's permitting process satisfactorily addresses traffic/pedestrian safety issues, and provides opportunity for the School District to provide constructive input to the project design and operation to ensure safe pedestrian conditions near the Midpoint site. The School District, if and when it elects to proceed with plans for expansion of the school site, will be required to conduct appropriate environmental review acting as lead agency under CEQA, and ultimately ensure the various identified state standards are met.

District Comment 3: Student, Parent, and Staff Safety:

Conflicts are anticipated during school drop off and pick up times whether that is students walking/biking to campus, parent drop off/pick up, or school bus transportation. The District must ensure student safety and suggests that all truck transportation be coordinated with the District during these time periods to reduce conflicts in safety issues.

Response 3: The City concurs with the need to ensure the safety of students, parents, and staff traveling to and from the elementary school, and is open to coordination with the District concerning truck transport to and from the Midpoint site. The EIR Addendum identifies that trucks are anticipated to travel from the freeway (SR 237) along North First Street, to Nortech Parkway, and ultimately Disk Drive to access the manufacturing portion of the site. Trucks would not be expected to travel on North First Street north of Nortech Parkway, or on Grand Boulevard, Wilson Way, or Tony P. Santos Street as those streets do not provide access to the site.

District Comment 4: In conclusion, the District feels that additional information is necessary to ensure the high level standard of safety for the school site remains unchanged; this includes additional information for the following:

- Diesel Emissions/Health Risk Assessment
- Safe Routes to and from School
- Fuel storage tanks (if a part of project)
- Safety Studies necessary to comply with CCR Title 5 Requirements (SFPD 4.07 attached)

Response 4: This concluding comment summarizes issues and requests for additional information that have been addressed in previous responses.