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APPENDIX A

NOTICE OF PREPARATION AND RESPONSES

NOTICE OF PREPARATION
(REVISED)
OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED
WESTFIELD VALLEY FAIR SHOPPING CENTER EXPANSION
2855 STEVENS CREEK BOULEVARD,
SAN JOSÉ AND SANTA CLARA, CALIFORNIA

June, 2006

PROJECT APPLICANT: Valley Fair Mall LLC
CITY OF SAN JOSE FILE NO: H06-027
APNs: 274-43-031,-032, -035, -037, -040, -043, -046, -048, -055, -059, -061 thru -063, -065 thru -073, -075 thru -080

The project site is located within the jurisdictions of both the cities of San José and Santa Clara; therefore, it has been determined that, for the purposes of CEQA, the City of San José shall serve as the Lead Agency for this proposal. As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the proposed project. The City would like to know your views regarding the scope and content of the environmental information to be addressed in the EIR. This EIR may be used by your agency when considering permits or other approvals for this project.

The project description, location, and probable environmental effects, which will be analyzed in the Draft EIR for the project, are attached. According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Written comments will be accepted until July 17, 2006. Please identify a contact person, and send your response to:

City of San José
Department of Planning, Building and Code Enforcement
Attn: Janis Moore
200 East Santa Clara Street
San José, CA 95113-1905
Phone: (408) 535-7815
Fax: (408) 292-6055

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

Attn: Davidson, Deputy

Date: June 14, 2006

NOTICE OF PREPARATION (REVISED)
OF AN ENVIRONMENTAL IMPACT REPORT
FOR THE WESTFIELD VALLEY FAIR SHOPPING CENTER EXPANSION PROJECT
2855 STEVENS CREEK BOULEVARD
CITIES OF SAN JOSÉ AND SANTA CLARA

June 2006

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential for significant impacts on the environment; to examine methods of reducing adverse environmental impacts; and to consider alternatives to the project. Although an EIR is one of the first documents to be reviewed when considering a project, the document itself, including its certification, does not constitute project approval. The proposed project will undergo a public hearing before the Planning Commission prior to any formal City action.

The EIR for the proposed expansion of the shopping center will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, the EIR will include:

- A summary of the project,
- A project description,
- A description of the existing environmental setting, potential environmental impacts, and mitigation measures,
- Alternatives to the project as proposed, and
- Environmental consequences, including: (a) any significant environmental effects which 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.

Project Location

The 71-acre project site is located at 2855 Stevens Creek Boulevard and is bounded by Stevens Creek Boulevard on the south, Forest Avenue on the north, Monroe Street on the east, and Winchester Boulevard on the west. Approximately 18 acres of the southwestern portion of the project site is located in the City of Santa Clara, while the remaining approximately 53 acres of the site are located in the City of San José. The project site is surrounded primarily by commercial uses, although residential uses are located to the north, northwest, and southeast of the shopping center.

Regional, vicinity, aerial maps of the site are shown on Figures 1, 2, and 3, respectively.

Project Description

The proposed project consists of an approximately 650,000 gross square foot expansion of the existing Westfield Valley Fair Shopping Center to accommodate up to two new anchor stores and additional retail space. The project also includes the demolition and reconstruction of two existing parking structures, up to approximately 930,000 square feet in size. One structure would be reconstructed and expanded in its existing location in the northeastern portion of the site (New Parking Structure "E"), while the other structure would be relocated to the south of its existing location (New Parking Structure "F"). These two new five-level parking structures would include roof-top parking and would provide approximately 2,500 additional parking spaces, bringing the total number of on-site parking spaces to approximately 9,600 spaces.

Three existing commercial buildings would be demolished and relocated as part of the project. These buildings include two bank buildings located along the southern boundary of the site and the grocery/drug store building located near the southwestern corner of the site. The bank buildings are currently located within the City of San José and would be relocated to the southwestern portion of the site which is located in the City of Santa Clara. The grocery/drug store building would be relocated to the north of the existing building, and would remain within the City of Santa Clara.

The project also includes access and circulation improvements, including the relocation of a southern driveway along Stevens Creek Boulevard so that it would align with South Baywood Avenue. This realignment would require the relocation of the traffic signal on Stevens Creek Boulevard. Other access and roadway improvements are also proposed along the western boundary of the site along Winchester Boulevard and could include the relocation of the existing traffic signal at Dorcich Street.

The proposed project requires Site Development Permit approval from the City of San Jose. The portion of the site within the City of San José is designated as *Regional Commercial* in the Land Use/Transportation Diagram of the San José 2020 General Plan, and is zoned CG : Commercial General Zoning District. The southwestern portion of the site that is within the City of Santa Clara is designated as *Community and Regional Commercial* in the Santa Clara General Plan and is zoned Community Commercial. The proposed commercial uses are permitted under these existing zoning designations.

The stated goal of the applicant is to construct a high quality, economically viable addition to the existing shopping center structure in a manner that is compatible and complimentary with surrounding residential and commercial land uses. The expansion of the highly successful shopping center would increase sales tax revenues and employment within the cities, while providing additional retail opportunities in the highly commercial project area and the region.

Potential Environmental Impacts of the Project

The project EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. The EIR will include at least the following specific environmental categories related to the proposed development:

Land Use

The project site is currently developed with approximately 2 million square feet of commercial uses, consisting of the existing shopping center structure, and five separate commercial buildings within the parking lots. The site also contains four parking structures, surface parking lots, driveways, and landscaping.

The EIR will describe the existing land uses on the site and in the project area. The EIR will identify land use impacts and conflicts that could result to the various project components from nearby land uses, as well as impacts upon nearby land uses resulting from the project. Mitigation and avoidance measures will be identified, as necessary, for significant land use impacts.

Geology and Soils

The EIR will describe the geologic conditions of the site and potential impacts to the project and will identify standard design and construction measures, as necessary, to reduce any geological impacts to a less than significant level.

Drainage and Water Quality

The EIR will include an analysis of the change in stormwater runoff generated by the proposed project and will identify any improvements necessary to avoid significant impacts from storm water runoff, as appropriate.

Biological Resources

Although the site has been developed with structures, parking lots, and landscaping, the EIR will identify any biological resources on the site, including existing landscape trees. Impacts to trees and other biological resources on site will be disclosed, and mitigation and avoidance measures will be identified as necessary.

Hazardous Materials

The project site is currently developed with commercial uses, although an auto repair facility is located on the site. This repair facility would not be affected by the proposed shopping center expansion and hazardous materials are not used routinely on the remainder of the site. Potential impacts to the proposed development from surrounding land uses that may be using or have used hazardous materials will also be examined.

Traffic and Circulation

The EIR will identify the existing roadway conditions, circulation patterns, and other elements of the transportation system in and around the project site, including the local streets and intersections, and freeways. A traffic impact analysis will be prepared in accordance with the requirements of the City of San José and Santa Clara Valley Transportation Authority Congestion Management Program. The EIR will include a near-term level of service intersection analysis, to identify the potential traffic impacts of the proposed commercial development. Impacts to freeway segments will also be identified as necessary. Mitigation measures for significant traffic and circulation impacts will be identified, as appropriate.

Air Quality

The EIR will describe the air quality conditions in the Bay Area and will evaluate the air quality impacts of the proposed shopping center expansion. The EIR will evaluate both the local and regional air quality impacts associated with the proposed project, based on an air quality report to be prepared for the project. Short-term air quality impacts associated with construction will also be addressed. Mitigation measures will be identified, as appropriate, for significant impacts.

Noise

The EIR will describe the existing noise conditions in the project area and address potential noise impacts, including impacts to and from adjacent land uses. The EIR will also discuss demolition and construction noise impacts and will discuss conformance with City of San José noise guidelines and identify mitigation and avoidance measures for significant noise impacts.

Visual Resources

The EIR will describe the existing visual character of the project area and the change in visual character resulting from development of the project. The EIR will describe any relevant policy issues in terms of the City's landscaping, architecture, and commercial design review standards.

Cultural Resources

The EIR will discuss the likelihood that archaeological or other cultural resources could be impacted by the project, and identify appropriate mitigation measures, if necessary.

Utilities and Service Systems

The EIR will describe the existing utilities and services in the project area, including sanitary and storm sewer systems and will address any utility infrastructure improvements necessary to serve the project. The EIR will identify appropriate mitigation measures, if necessary.

Public Services

The EIR will describe the provision of public services, including police service and fire protection in the project area, and the capacity of the service providers to serve the project.

Energy

In conformance with CEQA the EIR will examine the potential for the project to result in energy impacts and discuss any energy conservation measures included in the project.

Cumulative Impacts

The EIR will include a discussion of cumulative impacts of the proposed project in combination with other past, pending, and reasonably foreseeable future development in the area, based upon information available from the City and neighboring jurisdictions. The EIR will analyze and describe the significant cumulative impacts to which the project would contribute. It is anticipated that this discussion will focus mainly on cumulative traffic and air quality impacts.

Alternatives

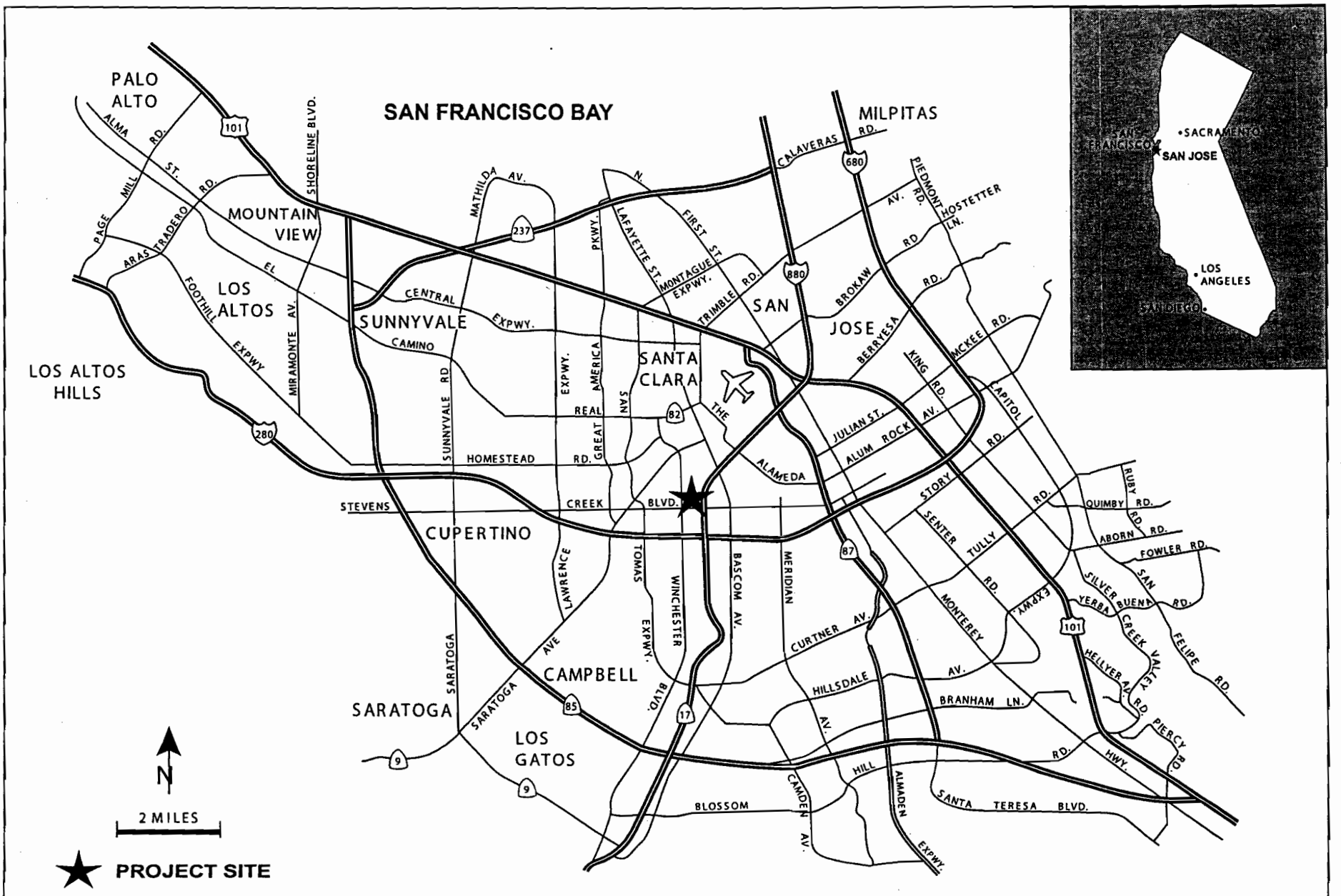
The EIR will evaluate possible alternatives to the proposed project, based on the results of the environmental analysis. The alternatives discussion will focus on those alternatives that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the project's significant environmental effects. The alternatives to be evaluated in the EIR could include, but are not limited to the following:

1. No Project Alternative (i.e., existing conditions);
2. Reduced Development Alternative; and
3. Alternative Location.

The alternatives discussion will describe the environmental impacts and benefits of the alternatives, compared with the proposed project. In accordance with CEQA, the EIR will identify an environmentally superior alternative from the alternatives described, based on the number and degree of associated environmental impacts.

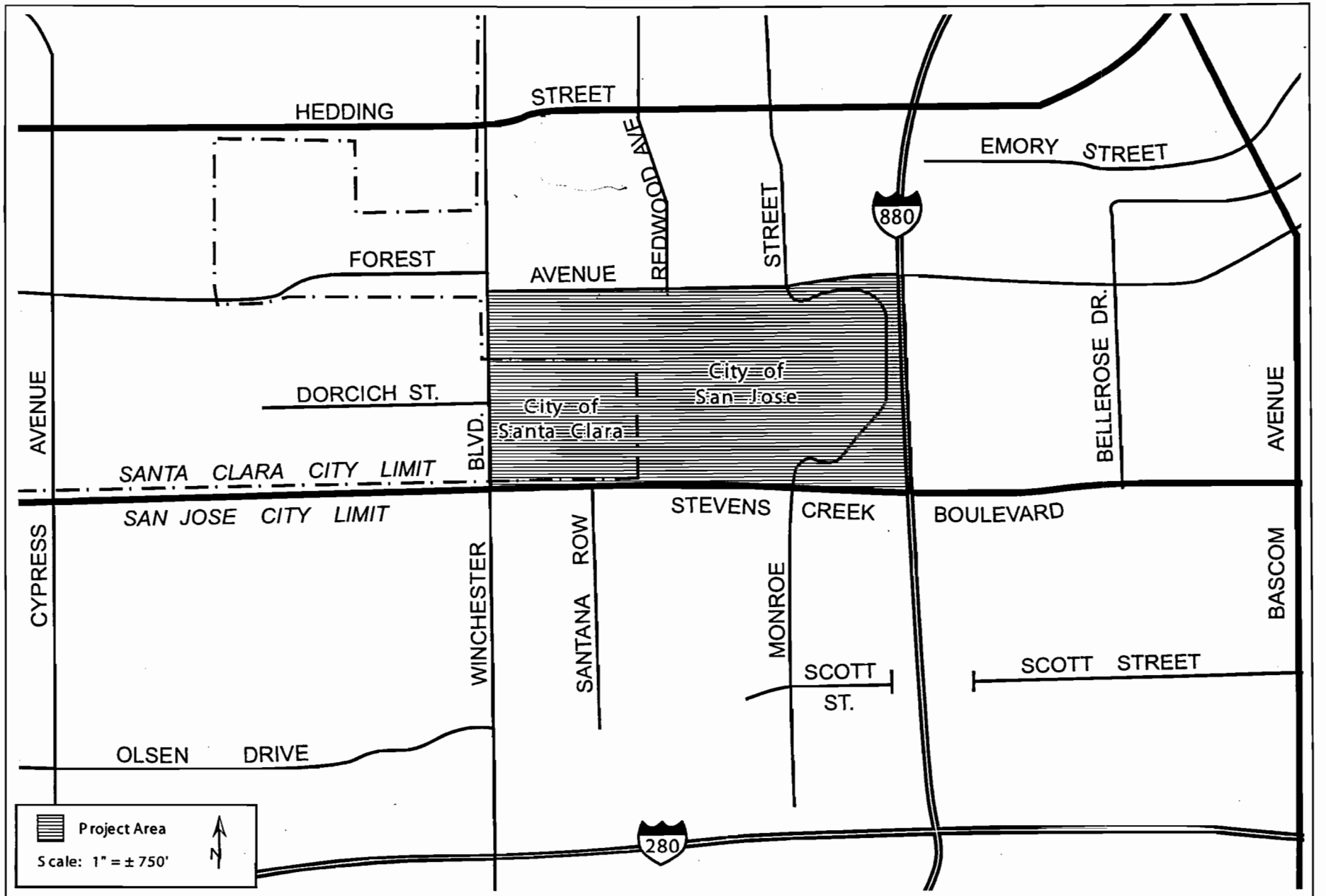
Other Required Sections

The above discussions identify and highlight the major topical issues to be addressed in the proposed EIR. In conformance with the CEQA Guidelines, the EIR will also include other information required for an EIR. These other sections include the following: 1) Consistency with General and Regional Plans; 2) Significant Unavoidable Impacts; 3) Growth Inducing Impacts; 4) Significant Irreversible Environmental Changes; 5) EIR References and Organizations & Persons Consulted; and 6) EIR Authors.



REGIONAL MAP

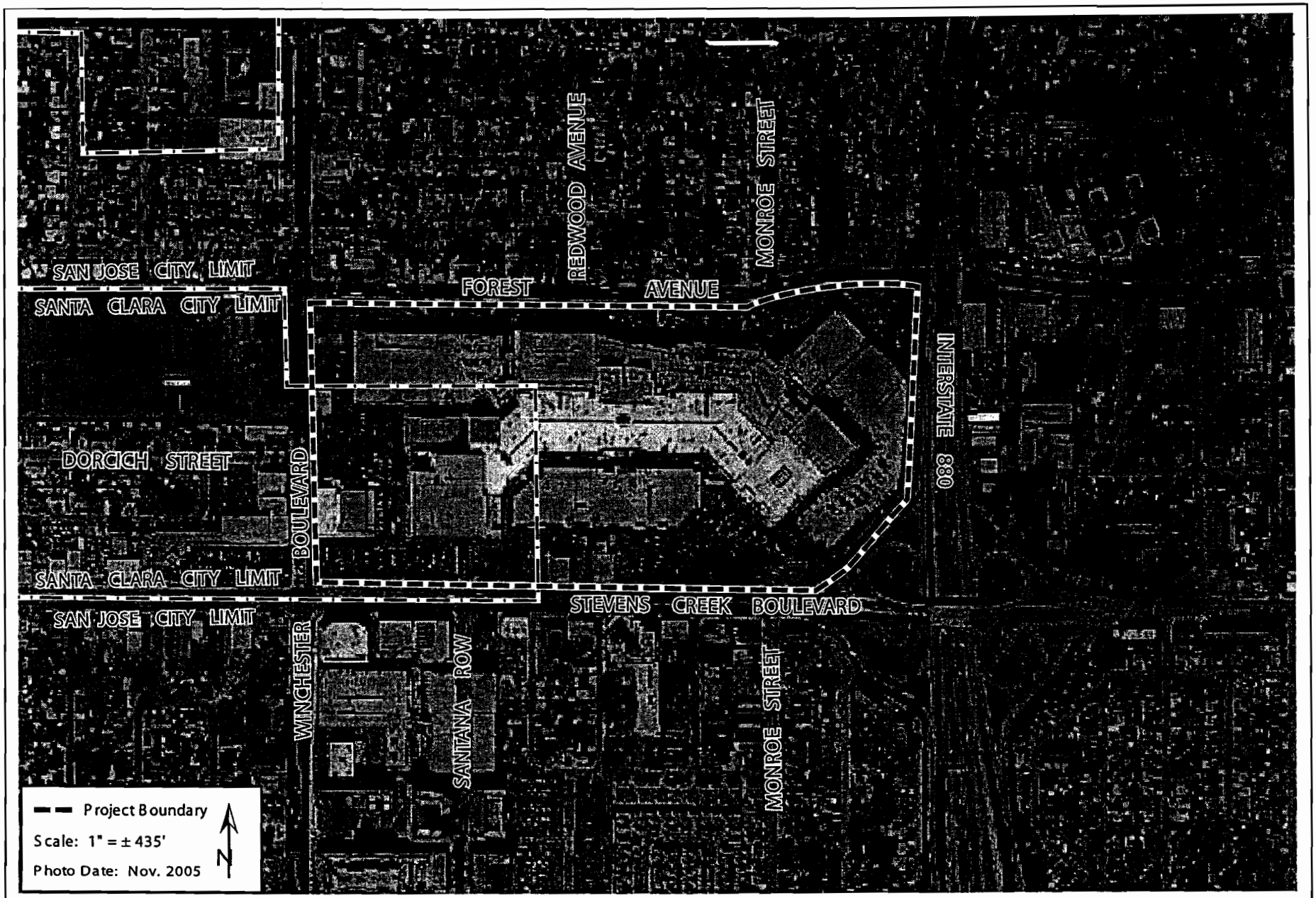
FIGURE 1



VICINITY MAP

FIGURE 2

xxx



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3

XXX

NOTICE OF COMPLETION (REVISED) FORM A

Mail To: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044 (916) 445-0613 SCH # 2006052162

Project Title **Westfield Valley Fair Site Development Permit File No. H06-027**

Lead Agency: City of San José Contact Person: Janis Moore
Mailing Address: 200 East Santa Clara Street Phone: (408) 535-7815
City: San José Zip: 95113-1905 County: Santa Clara

Project Location
County: Santa Clara City/Nearest Community: City of San José
Cross Streets: I-880 and Stevens Creek Blvd. Zip Code ____ Total Acres: 71
Assessor's Parcel No.: 274-43-274-43-031,-032, -035, -037, -040, -043, -046, -048, -055, -059, -061 thru -063, -065 thru -073, -075 thru -080
Section: n/a Twp. n/a Range: n/a Base: n/a
Within 2 miles: State Hwy #: I-880, Hwy 280 Waterways: Los Gatos Creek
Airports: N.Y. Mineta S.J. Internat'l. Railways: CalTrain, LRT, UPRR Schools: S.J. Unified, Campbell Union

Document Type

CEQA: ☒ NOP	☐ Supplemental/Subsequent	**NEPA:** ☐ NOI	**Other:** ☐ Joint Document
☐ Early Cons	(Prior SCH No.) _____	☐ EA	☐ Final Document
☐ Neg Dec	☐ EIR (Prior SCH No.)	☐ EIS Draft	☐ Other _____
☐ Draft EIR	☐ Other _____	☐ FONSI	

Local Action Type

☐ General Plan Update	☐ Specific Plan	☐ Rezone	☐ Annexation
☐ Gen Plan Amendment	☐ Master Plan	☐ Prezone	☐ Redevelopment
☐ Gen Plan Element	☐ Planned Unit Development	☐ Use Permit	☐ Coastal Permit
☐ Community Plan	☒ Site Plan	☐ Land Division (Subdivision, etc)	☐ Other _____

Development Type

☐ Residential:	*Units* _____	*Acres* _____	☐ Water Facilities:	*Type* _____	*MGD* _____
☐ Office:	*Sq.Ft.* _____	*Acres* _____ *Employees* _____	☐ Transportation:	*Type* _____	
☒ Commercial:	*Sq.Ft.* 1.54 MSF	*Acres* 71 *Employees* _____	☐ Mining:	*Mineral* _____	
☐ Industrial:	*Sq.Ft* _____	*Acres* _____ *Employees* _____	☐ Power:	*Type* _____	*Watts* _____
☐ Educational _____			☐ Waste Treatment:	*Type* _____	
☐ Recreational			☐ Hazardous Waste:	*Type* _____	

Project Issues Discussed in Document

☒ Aesthetic/Visual	☐ Flood Plain/Flooding	☐ Schools/Universities	☒ Water Quality
☐ Agricultural Land	☐ Forest Land/Fire Hazard	☐ Septic Systems	☒ Water Supply/Groundwater
☒ Air Quality	☒ Geologic/Seismic	☒ Sewer Capacity	☐ Wetland/Riparian
☒ Archeological/Historical	☐ Minerals	☐ Soil Erosion/ Compaction/ Grading	☒ Wildlife
☒ Alternatives	☒ Noise	☒ Solid Waste	☒ Growth Inducing
☒ Drainage/Absorption	☒ Population/Housing Bal	☒ Toxic/Hazardous	☒ Land Use
☒ Economic/Jobs	☒ Public Services/Facilities	☒ Traffic/Circulation	☒ Cumulative Effects
☐ Fiscal	☐ Recreation/Parks	☒ Vegetation	☒ Energy _____

Present Land Use / Zoning / General Plan Designation:
The majority of the site in San Jose: Shopping Center complex / CG – Commercial General Zoning District / *Regional Commercial*;
The southwestern portion of the site in Santa Clara: Shopping Center complex / Community Commercial Zoning District / *Community and Regional Commercial*

Project Description: The proposed project consists of an approximately 650,000 gross square foot expansion of the existing Westfield Valley Fair Shopping Center to accommodate up to two new anchor stores and additional retail space. The project also includes the demolition and reconstruction of two existing parking structures, up to approximately 930,000 square feet in size. One structure would be reconstructed and expanded in its existing location in the northeastern portion of the site (New Parking Structure "E"), while the other structure would be relocated to the south of its existing location (New Parking Structure "F"). These two new five-level parking structures would include roof-top parking and would provide approximately 2,500 additional parking spaces, bringing the total number of on-site parking spaces to approximately 9,600 spaces. Three existing commercial buildings would be demolished and relocated as part of the project, including two bank buildings located along the southern boundary of the site and the grocery/drug store building located near the southwestern corner of the site. The bank buildings are currently located within the City of San José and would be relocated to the southwestern portion of the site in the City of Santa Clara. The grocery/drug store building would be relocated to the north of the existing building, and would remain within the City of Santa Clara. The project also includes access and circulation improvements, including the relocation of a southern driveway along Stevens Creek Boulevard so that it would align with South Baywood Avenue. This realignment would require the relocation of the traffic signal on Stevens Creek Boulevard. Other access and roadway improvements are also proposed along the western boundary of the site along Winchester Boulevard and could include the relocation of the existing traffic signal at Dorcich Street.

REVIEWING AGENCIES CHECKLIST

RESOURCES AGENCY
__ BOATING & WATERWAYS
__ COASTAL COMMISSION
__ COASTAL CONSERVANCY
__ COLORADO RIVER BOARD
__ CONSERVATION
4 FISH & GAME
__ FORESTRY & FIRE PROTECTION
__ OFFICE OF HISTORIC PRESERVATION
__ PARKS & RECREATION
__ RECLAMATION BOARD
__ S.F. BAY CONSERVATION & DEVELOPMENT COMMISSION
4 WATER RESOURCES (DWR)

BUSINESS, TRANSPORTATION & HOUSING
__ AERONAUTICS
4 CALIFORNIA HIGHWAY PATROL
S CALTRANS DISTRICT # 4
__ DEPT OF TRANSPORTATION PLANNING (HEADQUARTERS)
__ HOUSING & COMMUNITY DEVELOPMENT

__ FOOD & AGRICULTURE

HEALTH & WELFARE
4 HEALTH SERVICES _____

STATE & CONSUMER SERVICES
__ GENERAL SERVICES
__ OLA (SCHOOLS)

Key
S = Document Sent By Lead Agency
X = Document Sent By SCH
4 = Suggested Distribution

ENVIRONMENTAL AFFAIRS
4 AIR RESOURCES BOARD
4 CALIFORNIA WASTE MANAGEMENT BOARD
__ SWRCB: CLEAN WATER GRANTS
__ SWRCB: DELTA UNIT
4 SWRCB: WATER QUALITY
__ SWRCB: WATER RIGHTS
4 REGIONAL WQCB # 2 (_____)

YOUTH & ADULT CORRECTIONS
__ CORRECTIONS

INDEPENDENT COMMISSIONS & OFFICES
__ ENERGY COMMISSION
4 NATIVE AMERICAN HERITAGE COMMISSION
4 PUBLIC UTILITIES COMMISSION
n/a ~~SANTA MONICA MOUNTAINS CONSERVANCY~~
__ STATE LANDS COMMISSION
n/a ~~TAHOE REGIONAL PLANNING AGENCY~~
__ OTHER _____

Public Review Period (To be filled in by Lead Agency)

Starting Date June 16, 2006 Ending Date July 17, 2006

Signature _____ Date June 14, 2006

Lead Agency: City of San Jose	
Consulting Firm:	David J. Powers & Associates
Address:	1885 The Alameda, Suite 204
City/State/Zip:	San Jose, CA 95126
Contact:	Jodi Starbird
Phone:	408) 248-3500
Applicant:	Valley Fair Mall LLC
Address:	11601 Wilshire Blvd, 12th Floor
City/State/Zip:	Los Angeles, CA 90025
Phone:	Contact: Paul Kurzawa (408) 248-4450

For SCH Use Only
Date Received at SCH:
Date Review Starts:
Date to Agencies:
Date to SCH:
Clearance Date:
Notes:

Explanation of the Notice of Completion Form

Form A is **required** to be submitted with 15 copies of every draft Environmental Impact Report and Negative Declaration that is reviewed through the State Clearinghouse (see CEQA Guidelines Section 15085[d]).

LEAD AGENCY

Project Title: This is the project's common name. It is best to use project specific words in order to facilitate database searches.

Lead Agency: This is the name of the public agency that has legal responsibility for preparation and review of the environmental document.

Contact Person: Name of contact person from the Lead Agency. This should not be the consultant's name. **Phone:** Phone number of the contact person at Lead Agency. **Mailing Address:** This is the mailing address for the contact person at the Lead Agency. State comments will be mailed to this address.

City: City of the Lead Agency address. This is not necessarily the city in which the project is located.

Zip: Zip code of the Lead Agency. Please indicate the new nine-digit zip code if applicable.

County: County of the Lead Agency address. This is not necessarily the county in which the project is located.

PROJECT LOCATION

County: County in which the project is located. Most state agencies assign projects for review according to the county of the project. The State Clearinghouse is not always able to determine the location of the project based on the address of the Lead Agency. An example of this problem is Los Angeles Department of Airports projects located at Ontario International Airport.

City/Nearest Community: City or town in which the project is located, or the community nearest the location of the project.

Cross Streets: Indicate the nearest major cross street or streets.

Total Acres: The total area encompassed by the project site gives some indication of the scope of the project and its regional significance.

Assessor's Parcel Number: For locational purposes.

Section, Township, Range and Base: Please indicate base meridian. If you are not able to provide Assessor's Parcel Number, please indicate Section, Township, and Range.

Highways, Airports, Railroads, Schools, and Waterways (including streams or lakes): These identifiers are of consequence to many projects. By restricting the information to those features within a two-mile radius of the project site, unnecessary data collection can be avoided. Please indicate the name(s) of the waterways, airports, railroads, schools, and the route number(s) of the state highways.

DOCUMENT TYPE

This identifies the nature of the environmental document. Mark appropriate blanks with an "X."

LOCAL ACTION TYPE

This helps reviewers understand the type of local approvals that will be required for the project and the nature of the project and its environmental documentation. Mark appropriate blanks with "X."

DEVELOPMENT TYPE

This data category helps identify the scope of the project for distribution purposes. Additionally, the information serves to identify projects of a similar character to assist in the reuse of environmental documents. For some of the development types, the form asks for the number of acres, square footage, and number of permanent employees. Fill in the blanks.

PROJECT ISSUES DISCUSSED IN DOCUMENT

These are the topics on which the environmental document focuses attention. These are not necessarily the adverse impacts of the project, but the issues which are discussed in some depth. Check appropriate blanks.

PRESENT LAND USE AND ZONING

This enables the agencies to understand the extent of the changes proposed and again helps to identify projects with similar environmental issues for later reuse of information.

PROJECT DESCRIPTION

This response should provide a brief (1-2 paragraph) description of the proposed project, yet thorough enough for the reviewing agencies to understand the total project concept. The data categories can provide guidance and structure to the explanation given.

REVIEWING AGENCIES CHECKLIST

The back of the form lists the agencies and departments to whom SCH may distribute a draft document. The Lead Agency can indicate for SCH's information any Responsible, Trustee, or concerned agencies they would like to review the document, or who have previously been involved in the project's review. Any agencies that received the document directly from the Lead Agency also should be marked.

PUBLIC REVIEW PERIOD

This section is to be filled in when the Notice of Completion form is being filed and not being submitted with environmental documents.

CONSULTING FIRM

This information is to be filled in only if applicable.

APPLICANT

This identifies whether the applicant/project proponent is a private developer or the Lead Agency.

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, ACTING DIRECTOR

NOTICE

PUBLIC SCOPING MEETING
for the
Westfield Valley Fair
Environmental Impact Report

The Department of Planning, Building and Code Enforcement of the City of San José will hold a Public Scoping Meeting for an Environmental Impact Report (EIR) to describe the proposed project and the environmental review process and to obtain your input on the EIR analysis for the proposal. This EIR Public Scoping Meeting will be held in compliance with the California Environmental Quality Act (CEQA), as amended.

The EIR Public Scoping Meeting will be held:

When:	**Monday, June 19, 2006**
	6:30 p.m.
Where:	**San Jose City Hall, Third Floor, Meeting Room T-332**
	200 E. Santa Clara Street, San Jose
	(on the southwest corner of E. Santa Clara Street and S. 6th Street)

You are welcome to attend and give us your input on the scope of the EIR so that it addresses all relevant environmental issues. The project for which the EIR is being prepared is:

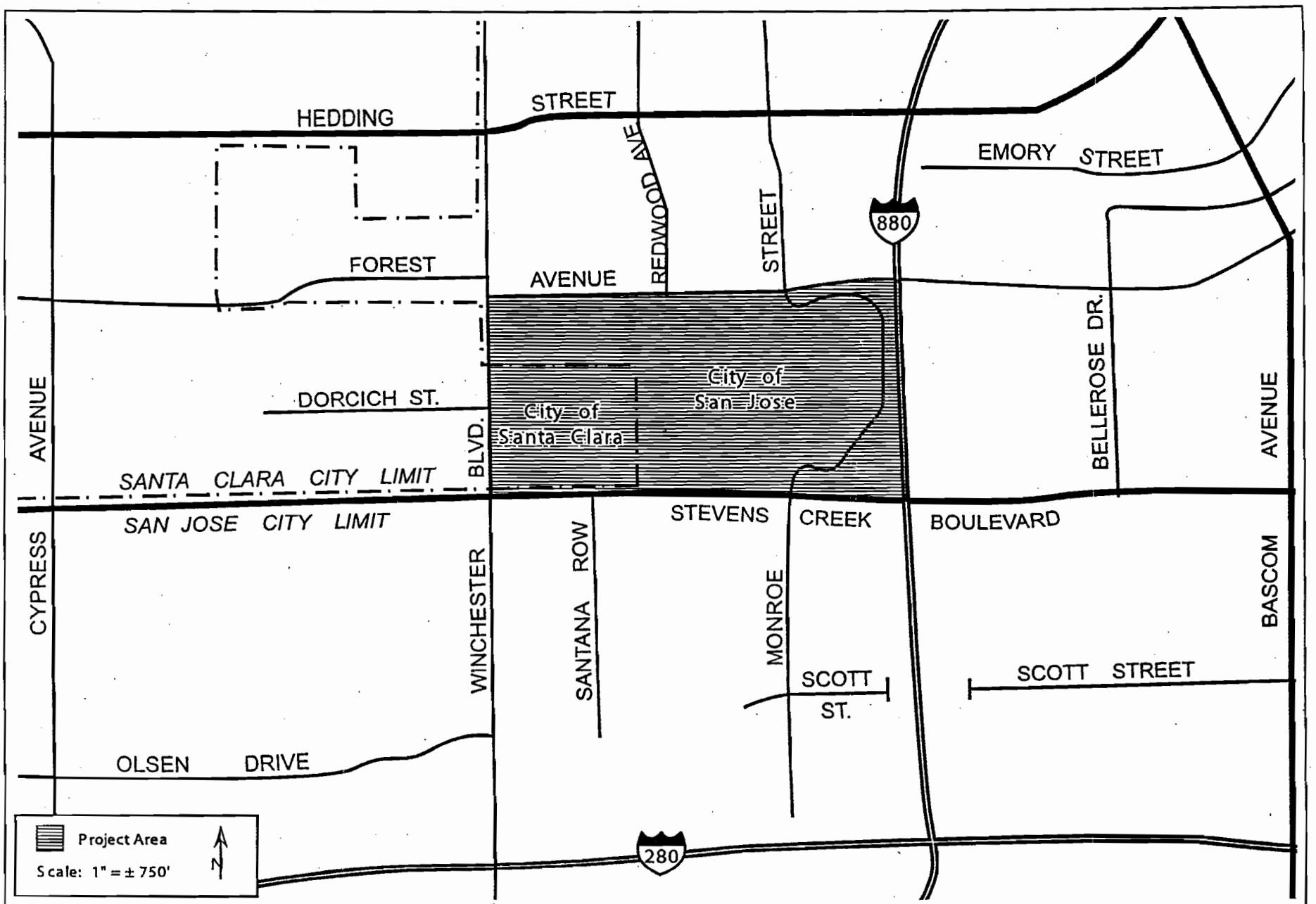
H06-027 Site Development Permit to allow construction of up to approximately 1.5 million square feet of commercial construction at Westfield Valley Fair Shopping Center. The project consists of up to approximately 610,000 square feet of new retail construction and up to approximately 930,000 square feet of new parking structures. The project includes the demolition and reconstruction of two existing parking structures, to provide approximately 9,500 parking spaces, an increase of approximately 2,300 spaces over the number currently existing on site. In addition, the two bank buildings located along the southern boundary of the site and the grocery/drug store building located near the southwestern corner of the site, would be demolished and relocated as part of the project. The bank buildings would be relocated to the southwestern portion of the site, in the City of Santa Clara; the grocery/drug store building would be relocated to the north of the existing building, remaining within the City of Santa Clara. The project also includes various access and circulation improvements (see attached site location map). Council District: 6

The Notice of Preparation is available for review online at the City of San José's website: http://www.sanjoseca.gov/planning/eir/eir.asp. Comments and questions regarding the EIR should be referred to Janis Moore of the Department of Planning, Building and Code Enforcement (408) 535-7815.

Joseph Horwedel, Acting Director
Planning, Building & Code Enforcement

Akemi Daniels
Deputy
Date: 5/23/06

EIR Public Scoping Mtg Notice.doc/jam



VICINITY MAP

FIGURE 2

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement

JOSEPH HORWEDEL, ACTING DIRECTOR

Attendance Sheet

EIR Public Scoping Meeting
Westfield Valley Fair, File No. H06-027
June 19, 2006

Name	Address	Phone	E-mail
REBECCA STAMM	444 PATTON AVE SJ 95128	408 295 2101	Rebeccajstamm@yahoo.com
Michael O'Halloran	3330 Cecil Ave SJ 95117	408 845-4175	MOHallrn@aol.com
Peter Sorich	133 Harold Ave SJ 95117	408 234 6803	petersorich@sbcglobal.net
Janie McLeod	561 Camino Dr. SC 95050	408 768 3579	janie@janiemcleod.org
CRYSTAL MORROW	CITY Hall, Council Dist 1	408 535 4918	crystal.morrow@sanjoseca.gov
David Moffatt	3408 Valley Fair Way	408. 377. 6059	dmoffattsprint@earthlink.net
T. Ted Rahman	4231 26th St	917.542.2082	Trahman@sbcglobal.net
Elizabeth Manley	9.		
RANDI KINMAN	801 Richmond Ave 95128	4088352881	randiKinman@yahoo
Erin Morris	Planning	57846	

Scop Mtg Attend Sht.doc

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, ACTING DIRECTOR

Attendance Sheet

EIR Public Scoping Meeting
Westfield Valley Fair, File No. H06-027
June 19, 2006

Name	Address	Phone	E-mail
Eric Huang	448 Ives Terrace Sunnyvale 94087	408-219-7661	ehuang99@hotmail.com
MARY GOTTSCHALK	1095 THE ALAMEDA	200.1035	MGOTTSCHALK@COMMUNITY-NEWSPAPERS.COM
Charles Lamer	3592 Payne AVE #7 95117	650-580-0396	Clamere@sbcglobal.net
Eileen Goodwin	Apex Strategies	408 309-1426	
Andrea V. Perry	Office of Sup. Jim Beall	(408) 299-5040	attending for Michelle Sierra (*)
Ash Kalra	5222 Rooster Dr. SJ 95136	(408) 888-7526	ashukalra@hotmail.com
Tracie Johnson	220 Bel Ayre Dr SJ 95117	408 247-1825	Tracie.-Johnson@fwhsd.o
Michael Grevelink	3081 Stevens Creek Blvd	408-243-7774	mgrevelink@longs.com
KIM GARAY	465 S 1ST ST SAN JOSE CA 95113	408 292-1132	KGARAY@CHARITIESHOUSING.ORG
Megan Doyle	200 E. Santa Clara St 95110	535-4952	megan.doyle@sanjoseca.g
Brent Immura	200 E Santa Clara St 95113	408-535-8456	brentimmura@yahoo.g

(*) michele.sierra@bos.sccgov.or

200 East Santa Clara Street, San José, CA 95113-1905, tel (408) 535-7800, fax (408) 292-6055, www.sanjoseca.gov

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

Notice of Preparation

June 16, 2006

To: Reviewing Agencies

Re: Westfield Valley Fair Site Development Permit File No. H06-027
SCH# 2006052162

Attached for your review and comment is the Notice of Preparation (NOP) for the Westfield Valley Fair Site Development Permit File No. H06-027 draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Janis Moore
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

for Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2006052162
Project Title Westfield Valley Fair Site Development Permit File No. H06-027
Lead Agency San Jose, City of

Type NOP Notice of Preparation

Description The proposed project consists of an approximately 650,000 gross square foot expansion of the existing Westfield Valley Fair Shopping Center to accommodate up to two new anchor stores and additional retail space. The project also includes the demolition and reconstruction of two existing parking structures. These two new five-level parking structures would be up to approximately 930,000 total square feet in size. One structure would be reconstructed and expanded in its existing location in the northeastern portion of the site (New Parking Structure "E"), while the other structure would be relocated to the south of its existing located (New Parking Structure "F"). These two new five-level parking structures would include roof-top parking amd would provide approximately 2,500 additional parking spaces, bringing the total number of on-site parking spaces to approximately 9,600 spaces. Three existing commercial buildings would be demolished and relocated as part of the project. Including two bank buildings located along the southern boundary of the site and the grocery/drug store buildings located near the southwestern corner of the site. The bank buildings are currently lolcated within the City of San Jose and would be relocated to the southwestern portion of the site in the City of Santa Clara. The grocery/drug store buildings would be relocated to the north of the existing building, and would remain within the City of Santa Clara. The project also includes access and circulation improvemenets, including the relocation of a southern driveway along Steven's Creek Boulevard so that it would align with South Baywood Avenue. This realignment would require the relocation of the traffic signal on Steven's Creek Boulevard. Other access and roadway improvements are also proposed along the western boundary of the site along Winchester Boulevard and could include the relocation of the existing traffic signal at Dorcich Street.

Document Details Report
State Clearinghouse Data Base

Lead Agency Contact

Name Janis Moore
Agency City of San Jose
Phone 408-535-7815 **Fax**
email
Address 200 East Santa Clara Street

City San Jose **State** CA **Zip** 95113-1905

Project Location

County Santa Clara
City San Jose
Region
Cross Streets I-880 and Stevens Creek Boulevard
Parcel No. 274-43-274-43-031, 032, 035, 037, 040, 048, 055, 059, 061 thru 063, 065 thru 073, 075 thru 080
Township **Range** **Section** **Base**

Proximity to:

Highways I-880, Hwy 280
Airports N.Y. Mineta S.J. International
Railways CalTrain, LRT, UPRR
Waterways Los Gatos Creek
Schools S.J. Unified, Campbell Union
Land Use The majority of site is in San Jose: Shopping Center complex / CG-Commercial General Zoning District / Regional Commercial
The southwestern portion of the site is in Santa Clara: Shoppig Center complex / Community Commercial Zoning District / Community and Regional Commercial

Project Issues Air Quality; Archaeologic-Historic; Drainage/Absorption; Economics/Jobs; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Sewer Capacity; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wildlife; Other Issues; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Native American Heritage Commission; Public Utilities Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Integrated Waste Management Board; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

Date Received 06/16/2006 **Start of Review** 06/16/2006 **End of Review** 07/17/2006

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

NOP Distribution List

County: Santa Clara

SCH# [illegible]

esources Agency

- [ ] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  David Johnson
- [ ] **California Coastal Commission**
  Elizabeth A. Fuchs
- [ ] **Colorado River Board**
  Gerald R. Zimmerman
- [ ] **Dept. of Conservation**
  Roseanne Taylor
- [ ] **California Energy Commission**
  Paul Richins
- [ ] **Dept. of Forestry & Fire Protection**
  Allen Robertson
- [ ] **Office of Historic Preservation**
  Wayne Donaldson
- [ ] **Dept of Parks & Recreation**
  Environmental Stewardship Section
- [ ] **Reclamation Board**
  DeeDee Jones
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve McAdam
- [ ] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou
- [ ] _____
  Conservancy

Fish and Game

- [ ] **Depart. of Fish & Game**
  Scott Flint
  Environmental Services Division
- [ ] **Fish & Game Region 1**
  Donald Koch
- [ ] **Fish & Game Region 2**
  Banky Curtis
- [ ] **Fish & Game Region 3**
  Robert Floerke
- [ ] **Fish & Game Region 4**
  Julie Vance
- [ ] **Fish & Game Region 5**
  Don Chadwick
  Habitat Conservation Program
- [ ] **Fish & Game Region 6**
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] **Fish & Game Region 6 I/M**
  Tammy Allen
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Game M**
  George Isaac
  Marine Region

Other Departments

- [ ] **Food & Agriculture**
  Steve Shaffer
  Dept. of Food and Agriculture
- [ ] **Depart. of General Services**
  Public School Construction
- [ ] **Dept. of General Services**
  Robert Sleppy
  Environmental Services Section
- [ ] **Dept. of Health Services**
  Veronica Malloy
  Dept. of Health/Drinking Water

Independent Commissions,Boards

- [ ] **Delta Protection Commission**
  Debby Eddy
- [ ] **Office of Emergency Services**
  Dennis Castrillo
- [ ] **Governor's Office of Planning & Research**
  State Clearinghouse
- [ ] **Native American Heritage Comm.**
  Debbie Treadway
- [ ] **Public Utilities Commission**
  Ken Lewis
- [ ] **State Lands Commission**
  Jean Sarino
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

Business, Trans & Housing

- [ ] **Caltrans - Division of Aeronautics**
  Sandy Hesnard
- [ ] **Caltrans - Planning**
  Terri Pencovic
- [ ] **California Highway Patrol**
  Shirley Kelly
  Office of Special Projects
- [ ] **Housing & Community Development**
  Lisa Nichols
  Housing Policy Division

Dept. of Transportation

- [ ] **Caltrans, District 1**
  Rex Jackman
- [ ] **Caltrans, District 2**
  Marcelino Gonzalez
- [ ] **Caltrans, District 3**
  Jeff Pulverman
- [ ] **Caltrans, District 4**
  Tim Sable
- [ ] **Caltrans, District 5**
  David Murray
- [ ] **Caltrans, District 6**
  Marc Bimbaum
- [ ] **Caltrans, District 7**
  Cheryl J. Powell
- [ ] **Caltrans, District 8**
  Dan Kopulsky
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [ ] **Caltrans, District 11**
  Mario Orso
- [ ] **Caltrans, District 12**
  Bob Joseph

Cal EPA

Air Resources Board

- [ ] Airport Projects
  Jim Lerner
  - [ ] Transportation Projects
    Ravi Ramalingam
  - [ ] Industrial Projects
    Mike Tollstrup
- [ ] **California Integrated Waste Management Board**
  Sue O'Leary
- [ ] **State Water Resources Control Board**
  Jim Hockenberry
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Steven Herrera
  Division of Water Rights
- [ ] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [ ] **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____

Last Updated on 04/28/06

Moore, Janis

From: Don & Linda DeWald [sjmail@sbcglobal.net]
Sent: Tuesday, June 06, 2006 1:00 PM
To: janis.moore@sanjoseca.gov
Subject: Westfield Valley Fair Shopping Center Expansion (File # H06-027)
Attachments: pat1030544265; pat347155439; pat1931816874

Ms. Moore, I am an owner-occupant of a home very near Westfield Valley Fair. This email is my response to the Notice of Preparation of a DEIR for the Westfield Valley Fair Shopping Center Expansion project (File # H06-027).

Specifically, it is about vacant land along the north side of Forest Ave., south of Genevieve Lane, as shown on the attached Assessor's map and two photos. The lot with weeds, No. 501 portion of APN 274-44-079, appears to be privately owned. The dirt area appears to be publicly owned street right of way.

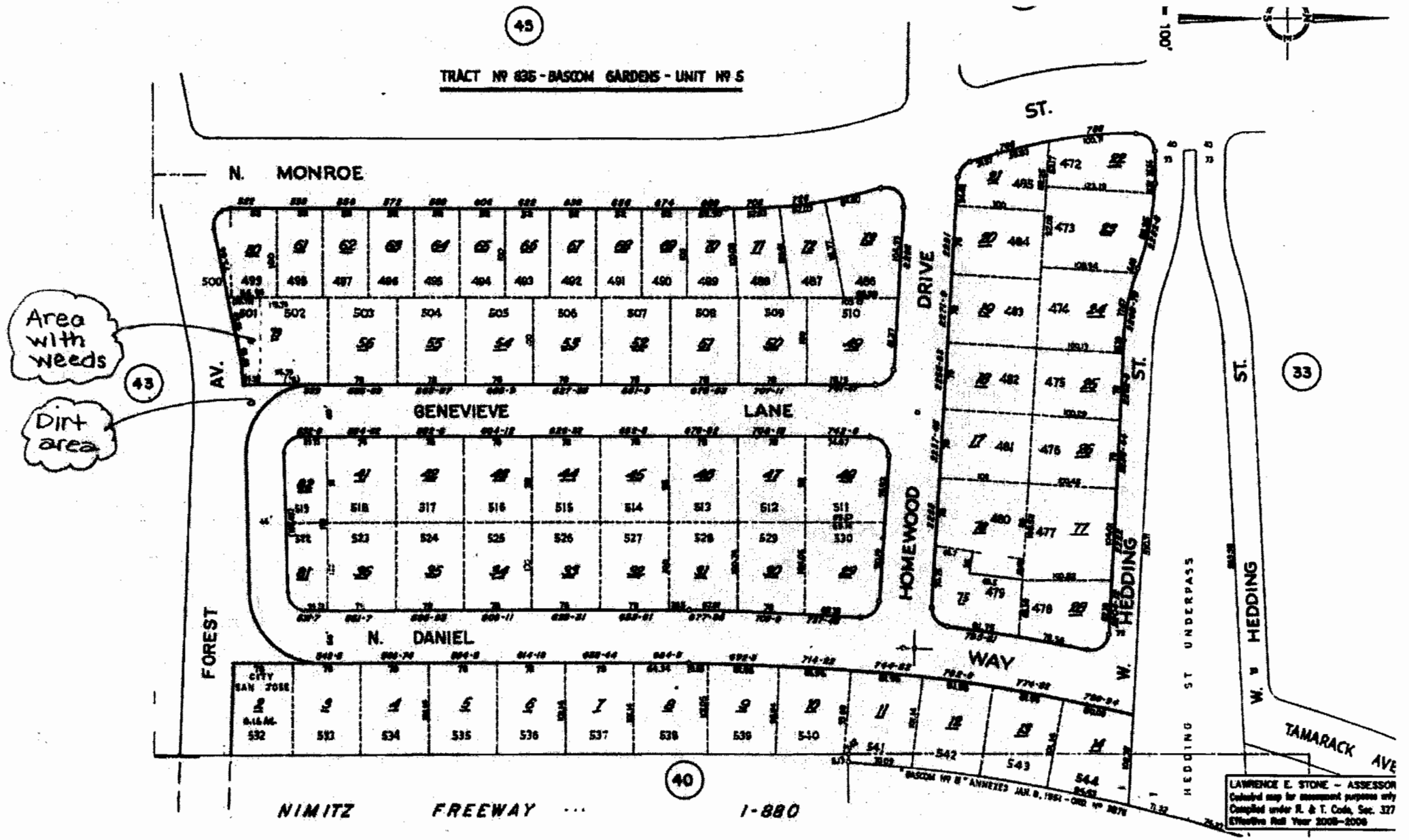
This land is a visual "gateway" to the mall and the neighborhood, but it is not landscaped and is a blight on the neighborhood.

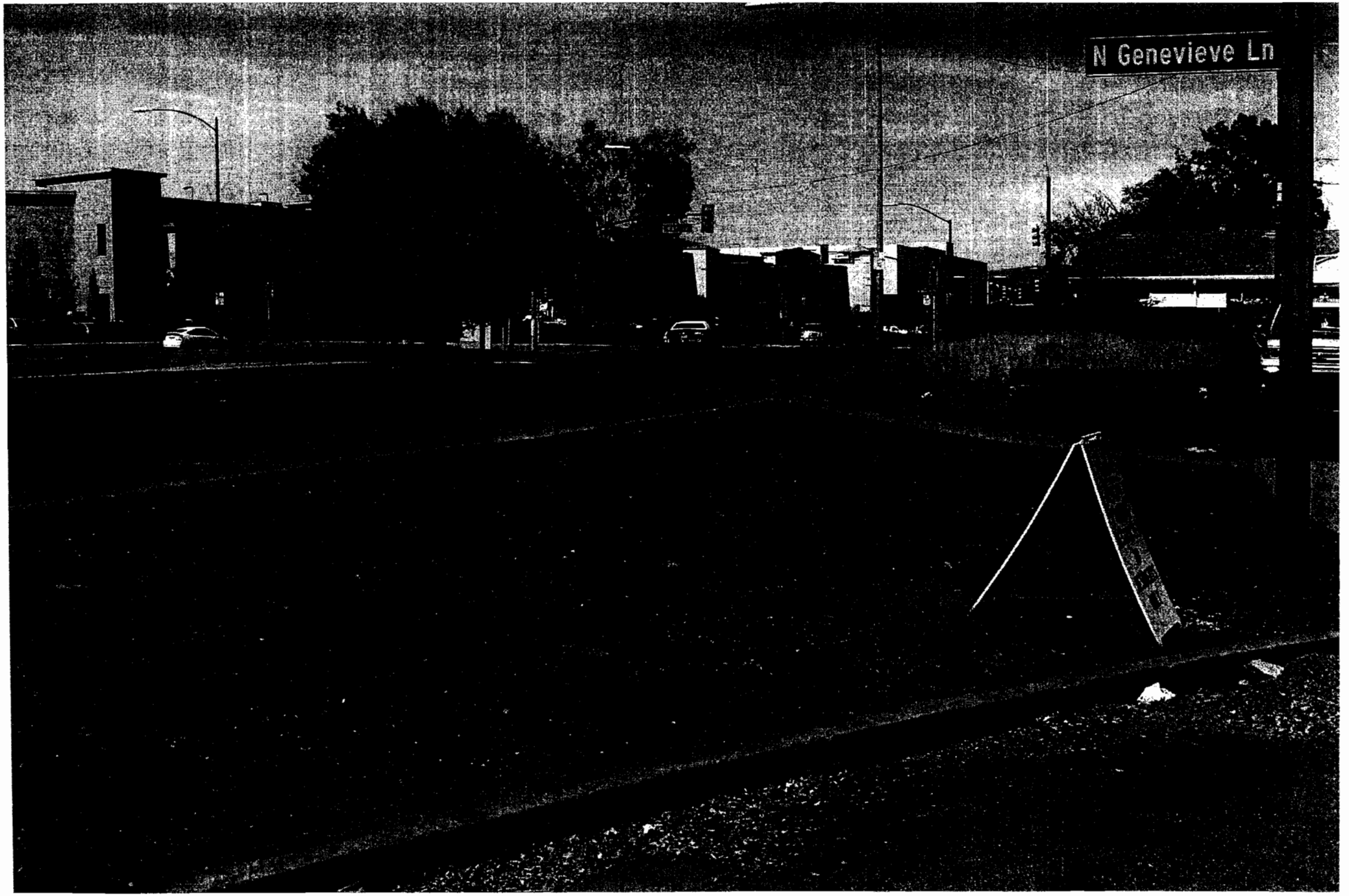
If all or a portion of this land were landscaped, perhaps that could serve as an off-site mitigation for project impacts. Perhaps the developer and/or City staff could contact the private owner about a friendly acquisition or long term ground lease of the weeded portion of that parcel.

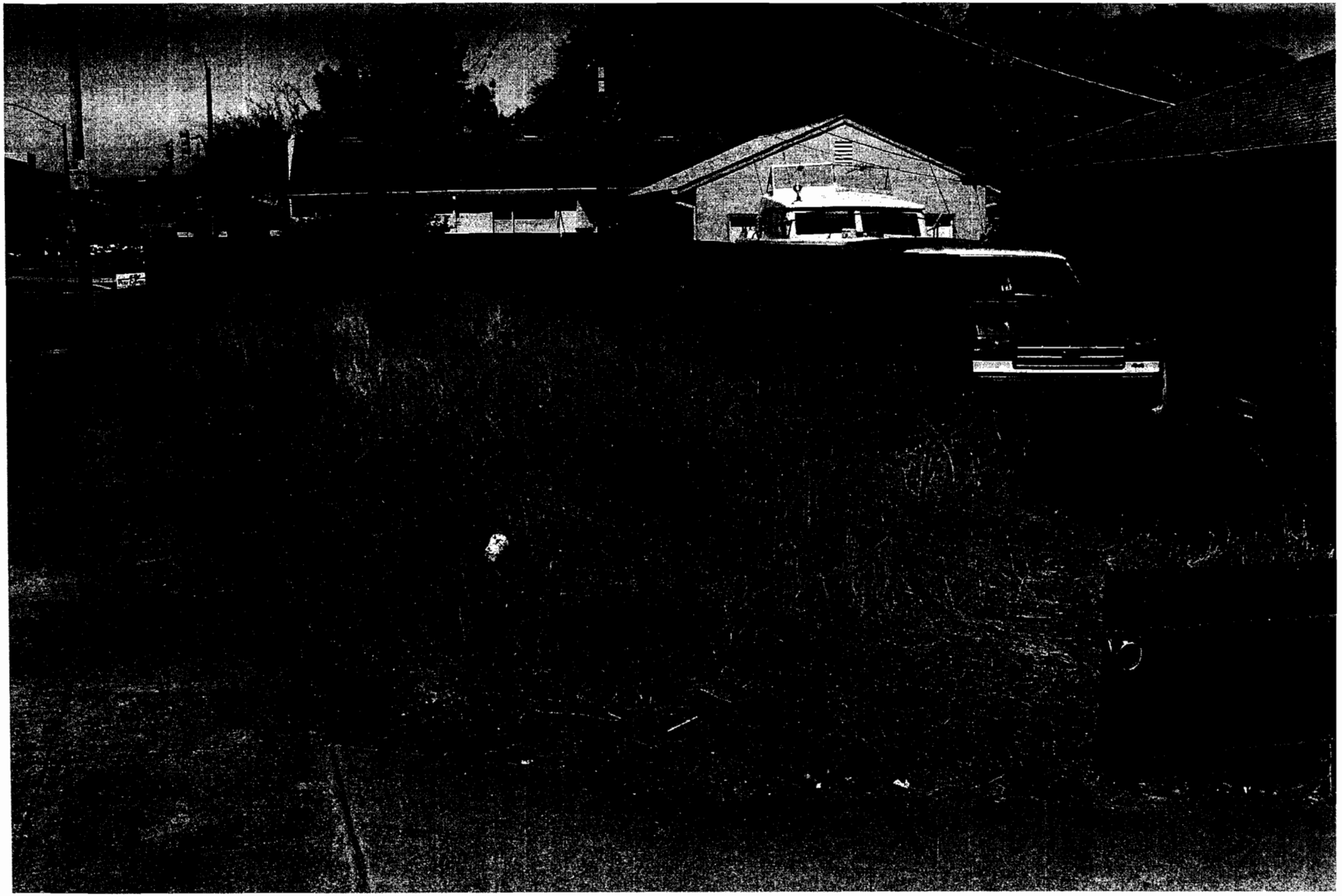
I assume this would most appropriately be addressed in the Biological Resources and/or Visual Resources discussion in the EIR.

Even an attractive hard-scape improvement would be a significant upgrade over current conditions.

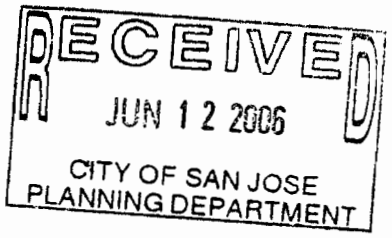
Thank you for your consideration. Linda DeWald


45
TRACT Nº 835 - BASCOM GARDENS - UNIT Nº 5
ST.
N. MONROE
Area with weeds
Dirt area
43
AV.
GENEVIEVE
LANE
DRIVE
HOMEWOOD
ST.
HEDDING
W.
33
FOREST
N. DANIEL
WAY
HEDDING ST UNDERPASS
TAMARACK AVE
40
NIMITZ FREEWAY ... I-880
LAWRENCE E. STONE – ASSESSOR


N Genevieve Ln



June 7, 2006



Department of Planning, Building and Code Enforcement
Attn: Janis Moore
200 East Santa Clara Street
San Jose, CA 95113

Re: City of San Jose File Number H06-027

Dear Ms. Moore:

My name is Debra Batton and I live at 366 South Redwood Avenue. As you know, it was a very stressful time for residents of the Baywood/Redwood neighborhood when Santana Row was being built. When we became aware of the planning of Santana Row and looked at the artist's renderings, we thought "Gee, kind of looks like a slice of old-time small town America." Well, the artist's renderings and real life are a vast distance apart. What we have is a 200-pound 'growth', grafted onto a 150-pound sick person which is stifling the very existence of our neighborhood.

Several main points in the original "Master Plan" that was issued were:
1. The project will NOT negatively impact the surrounding areas.
2. The project will pay for under-grounding of utilities on adjacent streets.
3. They will construct the 'streets and infrastructures' to support the project.

That whole project has already negatively affected our neighborhood on several fronts and if that isn't bad enough, now Westfield Valley Fair Shopping Center is looking to expand. By relegating our streets as a thoroughfare for the clubs, restaurants, etc., our quiet residential streets are now on the same level as Stevens Creek and Winchester Boulevards as an arterial access route. This is particularly odious as we have small children living in the neighborhood. The explanation from officials regarding the Santana Row Project was that this should not be of concern to us because businesses will close at midnight at the latest. Of course we also don't have to worry about drunk drivers either. Right!!! Here we go again with the dust, heavy equipment noise, commercial vehicles clogging our streets, etc. Shall I go on?

Santana Row never lived up to either the letter OR the spirit of their "Master Plan" and I doubt Westfield Valley Fair Shopping Center will either. City Officials (and others) keep taking away our quality of life and expect the residents surrounding this area to be OK with it. Just what this valley needs....another mall expansion. If traffic gets any worse, maybe 'someone' will offer helicopter shuttles for us. That's certainly what we'll need when an emergency arises in our neighborhood thanks to Santana Row (and all parties involved), etc., etc.

With that said, I am NOT in agreement with the Valley Fair Mall Expansion Project as stated on the Public Scoping and Notice of Preparation documents that we received.

Best Regards,

Debra Batton

Debra Batton
366 South Redwood Avenue
San Jose, CA 95128

County of Santa Clara
Roads and Airports Department

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

June 14, 2006

Janis Moore
City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113-1905

Subj: Notice of Preparation of a Draft Environmental Impact Report for Westfield Valley Fair Center
City File No: H06-027

Dear Ms. Moore:

We have received and reviewed your Notice of Preparation of a Draft Environmental Impact Report (DEIR) for Westfield Valley Fair Shopping Center. The following are our comments:

1. Your Environmental Impact Report should include potential traffic impact analysis of the proposed commercial development to San Tomas Expressway and Lawrence Expressway. Mitigation measures for significant traffic and circulation impacts should also be identified for all County facilities.
2. Please provide us a copy of your DEIR for our review and comment.

Thank you for the opportunity to review and comment on this project. Please call me at (408) 573-2462 for any questions.

Sincerely,

Felix Lopez
Project Engineer

cc: MA, TH, WRL, RN, file

County of Santa Clara

Roads and Airports Department
Land Development and Permits

101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2460 FAX (408) 441-0275

July 6, 2006

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

Subject: Westfield Valley Fair Shopping Center Expansion Project
Notice of Preparation of a Draft Environmental Impact Report

Attn: Janis Moore

Dear Janis:

This is in response to your Notice of Preparation of a draft environmental impact report issued to us on June 15, 2006 regarding the subject project.

The review is complete and we have the following comments:

Traffic and Electrical Operations

1. Please include the traffic impact analysis in the EIR for Lawrence Expressway and San Tomas Expressway and the proposed mitigation of the traffic impact to the expressways. Provide a Draft EIR for further review and comment of this project.

If you have any questions concerning the above, please contact me at (408) 573-2463.

Sincerely,

William K-Y. Yeung

William Yeung
Associate Civil Engineer
Land Development and Permits

Cc: File

Santa Clara Valley
Water District

5750 ALMADEN EXPWY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACIMILE (408) 266-0271
www.valleywater.org
AN EQUAL OPPORTUNITY EMPLOYER

File: 14859
San Tomas Aquino Creek

June 20, 2006

Re: NOP for EIR
Westfield Valley Fair Expansion

Department of Planning, Building
and Code Enforcement
City of San Jose
Attention: Ms. Janis Moore
200 East Santa Clara Street
San Jose, CA 95113-1905

Subject: Westfield Valley Fair Expansion Project, File No. H06-027

Dear Ms. Moore:

Santa Clara Valley Water District (District) staff have reviewed the Notice of Preparation for the Draft Environmental Impact Report (EIR) for the subject project. It appears that District concerns regarding drainage and water quality will be addressed by this EIR.

The expansion of the shopping center will offer opportunities to design storm water quality control measures for the parking lot and other structures. The use of parking structures is generally advantageous from an urban runoff quality standpoint since the area of parking that is exposed to storm water is reduced. However, care should be taken so that maintenance activities, such as cleaning, do not result in pollutants entering the storm drain system and, thus, District facilities. The design of exterior parking should include consideration of parking lot best management practices.

According to the Federal Emergency Management Agency's Flood Insurance Rate Map, this area is not subject to flooding during a 100-year, or 1 percent, event. The District does not have any facilities or right of way within or adjacent to the project property.

Thank you for allowing us to comment on this Notice of Preparation. We look forward to the chance to review the Draft EIR. If you have any comments or questions, contact me at (408) 265-2607, extension 2731.

Sincerely,

Sue Tippets

for Usha Chatwani, P.E.
Associate Civil Engineer
Community Projects Review Unit

cc: S. Tippets, U. Chatwani, B. Goldie, File (2)
uc:fd
0620a-pl.doc

SANTA CLARA
Valley Transportation Authority

June 26, 2006

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

Attention: Janis Moore

Subject: City File No. H06-027 / Westfield Valley Fair Expansion

Dear Ms. Moore:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the NOP for a Draft EIR for expansion of a shopping center by 610,000 square feet at the northeast corner of Winchester Boulevard and Stevens Creek Boulevard. We have the following comments.

Bus Rapid Transit Corridor

Stevens Creek Boulevard is identified in VTA's Community Design and Transportation Program as well as the recently approved Transportation Expenditure Plan as a Bus Rapid Transit corridor and BRT service is on track to be implemented within the next three years. Currently, there are no transit stops on Stevens Creek Boulevard between Monroe Street and Winchester Boulevard. The implementation of BRT service on Stevens Creek will require a transit center that is located between Santana Row and Valley Fair or BRT stops on each side of Stevens Creek between the two locations. As such, VTA requests that environmental analysis of the Valley Fair expansion assume BRT service in one of these configurations. For information on BRT stop design, reference Appendix A of the Community Design and Transportation Manual. For more information on the CDT Program or to request a copy of the Manual, please contact VTA's Congestion Management Division at (408) 321-5725.

Transportation Impact Analysis

VTA's Congestion Management Program (CMP) requires a Transportation Impact Analysis (TIA) for any project that is expected to generate 100 or more new peak-hour trips. Based on the information provided about the project a TIA will be required. VTA's *Transportation Impact Analysis Guidelines* should be used when preparing the TIA, and may be downloaded from http://www.vta.org/news/vtacmp/ under "Technical Guidelines." For more information on TIA guidelines, please call Murali Ramanujam, Development & Congestion Management Division, at (408) 952-8905.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

RM:kh

cc: Ebrahim Sohrabi, San Jose Public Works
Samantha Swan, VTA

6-21-06

Janis Moore:

This is in response to your report on the proposed Valley Fair shopping Center.

#1- This is the 3rd project that all of us who live North of Forrest Ave have been through.

#2 the main concern is that we have more than enough traffic now. We have on busy days shoppers parking on our streets. Valley Fair has been cooperative in that they make folding signs that have been placed on the streets, and you know how some people are - they ignore the signs.

#3 I'm sure that during construction there will be a lot of Noise + equipment traffic.

#4 With the bulk of the construction being on the south + west side We hope they activity can be isolated to the South.

#5 Those of us who are original owneers plan to stay - a lot of us are 80 ish and retired. I'm sure you will make an effort to look out for us

Thank you We were here first

H.W. Wright + Elizabeth
552 No Baywood Ave
95128-4603

Moore, Janis

From: Gerry Young [Gerry@FocusedITSolutions.com]
Sent: Thursday, June 29, 2006 3:01 PM
To: janis.moore@sanjoseca.gov
Cc: Toni Sindelar; Gerry Young; Ken Yeager
Subject: Valley Fair retail expansion...

Importance: High

Janis Moore,

While reading the current Rose Garden Resident is the first time that I heard about plans for expansion at the Valley Fair Shopping Center.

We moved to the Cory Neighborhood because of many reasons, one being the close proximity of shopping at Longs, Safeway and Wells Fargo. Having a home based business, Wells Fargo is most convenient for financial as well as business transactions. Also, my disabled wife counts on having access to both Longs and Safeway again because of their proximity to our home.

If the ownership of the Valley Fair complex has decided to terminate all leases on the Winchester side of the complex; demo and rebuild, I hope that they include the existing businesses within the new plans because they are a vital part of our local Cory Neighborhood and community. If the public has no say in what businesses are placed within the new construction, please allow us to further voice our concerns about local traffic.

Local traffic within a 1/2 mile circumference around the Valley Fair Shopping Mall has more than tripled in the ten years that we've owned our home on Walnut Grove Avenue. After the Santana Row complex opened, it seamed to double again - making it virtually impossible to travel within the area in a reasonable time frame. And to also point out the Christmas traffic, I don't think is necessary.

My point about traffic is this, please do not allow any expansion until all existing highway exit improvement projects have been completed and also that local streets have been designed in such a fashion to allow for local residents to travel during prime times within reasonable time frames. This might mean adding a few one-way streets where none exist now.

Thank you for considering my thoughts on this matter. Please keep me informed as to any developments and/or meetings regarding this subject as I am more than concerned about my property values as well.

Regards,
Gerry Young.
Member Cory Neighborhood Association.

Gerry Young
Focused I.T. Solutions
(408) 246-9400 - o
(408) 768-9477 - c
www.FocusedITSolutions.com
Board Member: www.FamilyGivingTree.org
Member: www.LinkedIn.com

Moore, Janis

From: Stan Searing [stans@sycard.com]
Sent: Saturday, July 01, 2006 10:20 AM
To: janis.moore@sanjoseca.gov
Subject: Westfield Valley Fair Shopping Center Expansion (File # H06-027)

Dear Janis Moore,
I understand that you can answer questions regarding the EIR for the Valley Fair expansion plan.
I commute by bicycle past Valley Fair on Monroe Street.
I consider the Valley Fair stretch of Monroe Street the most dangerous to bicyclists of any part of my 17 mile commute.
The dangers discourages bicycling and encourages one to get back in the car and just drive it to work.

Will the EIR address the following:
Lack of a safe bicycling route when going Southbound on Monroe Street past Valley Fair?
Lack of a safe bicycling lane when going Southbound on Monroe Street at Stevens Creek Boulevard?
Lack of roadway traffic sensors that can detect a bicycle at the intersection of Monroe and Stevens Creek Boulevard?
Lack of roadway traffic sensors that can detect a bicycle at the intersection of Monroe and Forest Avenue?
Limiting the impact to bicyclists during construction (including impacts and dangers presented by potholes, traffic diversions, temporary traffic control measures, uneven paving surfaces, traffic lanes too narrow to safely allow automobiles and trucks to pass bicyclists, transitions to steel plates covering roadway holes, visibility impairing signs and structures where traffic enters Monroe from the Valley Fair parking areas, dirt and gravel on roadways, and airborne dirt and dust that can affect the vision of bicyclists)?

Sincerely,
Stan Searing

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5559
TTY (800) 735-2929

Flex your power!
Be energy efficient!

August 2, 2006

SCL-880-0.40
SCL880227
SCH2006052162

Ms. Janis Moore
City of San José
200 East Santa Clara Street
San José, CA 95113

Dear Ms. Moore:

Westfield Valley Fair Site Development – Notice of Preparation (NOP)

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the proposed project. The following comments are based on our review of the proposed project NOP. As lead agency, the City of San José is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The project's traffic mitigation fees should be specifically identified in the DEIR. Any required roadway improvements should be completed prior to issuance of project occupancy permits. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore we strongly recommend that the lead agency ensure resolution of the Department's California Environmental Quality Act (CEQA) concerns prior to submittal of the encroachment permit application. Further comments will be provided during the encroachment permit process if required; see the end of this letter for more information regarding the encroachment permit process.

While the City of San José conducts its traffic studies in accordance with guidelines, which conform to the local Congestion Management Program managed by the Santa Clara County Valley Transportation Authority, the Department's thresholds are primarily concerned with potential impacts to the State Highway System. We encourage the City of San José to coordinate preparation of the study with our office to help sharpen the focus of your scope of work and answer any questions you may have. Please see the Caltrans' *"Guide for the*

Preparation of Traffic Impact Studies" at the following website for more information: http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

Specifically, a detailed Traffic Impact Analysis (TIA) should identify impacts to I-880, I-280 and State Route (SR) 82 with and without the proposed project. The TIA should include, but not be limited to the following:

1. Information on the project's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed.

2. Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets and highways, including crossroads and controlling intersections.

3. Schematic illustration of the traffic conditions for: 1) existing, 2) existing plus project, and 3) cumulative for the intersections in the project area.

4. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the State Highway facilities being evaluated.

5. Mitigation measures should consider highway and non-highway improvements and services. Special attention should be given to the development of alternate solutions to circulation problems that do not rely on increased highway construction.

6. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We look forward to reviewing the TIA, including Technical Appendices and the Draft Environmental Impact Report (DEIR) for this project. Please send two copies to:

José L. Olveda
Office of Transit and Community Planning
Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Encroachment Permit

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

See the website link below for more information.
http://www.dot.ca.gov/hq/traffops/developserv/permits/

Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Should you have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

Timothy C. Sable

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Scott Morgan (State Clearinghouse)

Moore, Janis

From: georgedownes@mac.com

Sent: Sunday, July 16, 2006 2:31 AM

To: Ken Yeager

Cc: janis.moore@sanjoseca.gov; erin.morris@sanjoseca.gov; megan.doyle@sanjoseca.gov; svallee@westfield.com; Toni Sindelar; Richard Allen; Ken Braly; Dan Bruno; Werner Field; Martin Garcia; Art Maurice; Kevin Smith; Rochelle Yousefian

Subject: Cory Neighborhood Resident; proposed Valley Fair Mall Expansion

July 15, 2006

George Downes & David Humphrey
726 North Monroe Street, San Jose 95128

re: the proposed expansion of Valley Fair Mall

Please allow us to introduce ourselves. We are residents of North Monroe Street and the Cory Neighborhood. We work in healthcare and law enforcement on the evening shift and there has not been enough advanced notice to make arrangements, therefore, we have been unable to attend the recent meetings and open house. We are planning to attend the July 17th neighborhood meeting at Cory School.

However, my family wish to express our concerns regarding the proposed Valley Fair Mall expansion. We feel this expansion of almost a third its current size is unnecessary considering the mall is so large now, traffic is often backed up on lanes in the middle of the freeways surrounding the area; it borders on unmanageable for a visit . There are also empty stores and turnover of tenants. Santana Row has been a much better example of growth and development scale.

However, our primary concerns are for our neighborhood and specifically our street through our neighborhood. With the mall's expansion of such a magnitude will surely come increased traffic and we hope there are considerations being made in the plans regarding North Monroe Street. We would hope that traffic is certainly not further encouraged to drive through our streets and preferably discouraged.

Over the years as home ownership changes our street is changing as well. We have fewer older households. There are more children; every one of our new neighbors is a family with pets and younger children who ride their bicycles and play along the street. There are more pedestrians than ever; many of them the learning disabled students who are now attending Cory School. Cory neighborhood is a great neighborhood.

In order to make the inevitable growth of the mall less intrusive on our neighborhood and to discourage more dangerous traffic we would like to see the following improvements taken into consideration for our section of North Monroe Street between Forest Avenue and Hedding Street:

- Lower the speed limit from 35mph to 30mph or even 25mph.

- Restripe the street changing it from four narrow lanes to two lanes with a center two-way turn lane and turn lanes at the intersections as the rest of North Monroe Street is currently striped through the neighborhood and around the mall. Bike lanes would be a great consideration.

- Install a crosswalk at Homewood Drive across North Monroe Street.
- Consider a hump or dip to slow traffic, perhaps at the crosswalk. Other cities have raised crosswalks to slow traffic.

The traffic on North Monroe Street has never really been a problem of congestion as there is hardly ever a constant large volume traffic. Its more a problem of behavior. The rest of Monroe Street (around the mall, through the rest of Cory neighborhood, on through Santa Clara) is single lane with most sections having a center two way turn lane.

Because the three block section of North Monroe between Forest Avenue and Hedding is four lanes people drive like they have just entered an expressway! Traffic regularly speeds over the speed limit (35mph) which is generally unenforced; the speed limit seems too high for the street anyway as our street is somewhat a blind curve. Drivers overreact, screech and swerve around us as we slow to enter our driveways. Traffic drives straddling the lines and in all lanes constantly changing lanes because the lanes seem too narrow; there is almost never congested traffic in all four lanes. Stevens Creek Blvd., Winchester Blvd. and Bascom Avenue are 35mph streets but they are up to six lanes with medians or center turn lanes. We've seen multiple rear-end accidents and many near misses at Homewood Drive because there is no turn lane for traffic turning left . Crossing the street at Homewood Drive is near impossible because of motorists' behavior. A bicyclist was forced to wreck into a parked car because of the behavior of cars passing him and in the last month our own vehicle was rear-ended while parked in front of our home; one driver crossed the center line causing another driver to swerve and skid 90 feet into our parked truck at an estimated speed of 45-55mph according to the SJPD officer present after the accident. We incurred $7000 damage to our brand new vehicle.

We have spoken to many of our neighbors who all agree there should be changes to North Monroe Street. While the city is certainly excited by the possibility of increased sales taxes by visitors to the mall; we feel the city should remember we are the residents of San Jose because of its livable neighborhoods and as homes change ownership at ncreased property values more property taxes are generated.

We would like to see our neighborhood - Cory neighborhood - remain livable and desirable. We would be happy to present a petition if this would make these improvements more likely to be considered. Thank you for your time and attention.

George Downes
David Humphrey
726 North Monroe Street, San Jose 95128
tel: 408-553-9910

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental
Protection

Maureen Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Arnold Schwarzenegger
Governor

July 14, 2006

Ms. Janis Moore
City of San Jose
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street
San Jose, California 95113-1905

Dear Ms. Moore:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Westfield Valley Fair Site Environmental Impact Report (SCH #2006052162). As you may be aware, pursuant to the California Health and Safety Code, Division 20, Chapter 6.8, the California Department of Toxic Substances Control (DTSC) oversees cleanup of sites where hazardous substances have been released. As a potential Resource Agency, DTSC is submitting comments to help ensure environmental documentation prepared for the Westfield Valley Fair Site under the California Environmental Quality Act (CEQA) adequately addresses any remediation activities pertaining to releases of hazardous substances.

According to the NOP, the Westfield Valley Fair Development project encompasses a 71-acre area bounded on the south by Stevens Creek Boulevard, on the north by Forest Avenue, on the east by Monroe Street, and on the west by Winchester Boulevard. The project includes the expansion of the existing shopping center to accommodate 650,000 square feet of additional retail space and the demolition and reconstruction of two parking structures. One structure would remain in place on the northeast side of the shopping center and the other would be relocated south of its current location. Two existing commercial buildings on the south central part and one on the southwestern part of the site would be demolished and relocated to the southwest and western end of the site as part of the project. The project would include the relocation of the driveway along Stevens Creek and improvements to access and roadways along Winchester Boulevard.

The various proposed activities in the project area have the potential to disturb soil containing hazardous substances from both agricultural and industrial activities.

DTSC's EnviroStor database identifies a site in the project area south of Stevens Creek. EnviroStor lists properties regulated by the DTSC where extensive investigation and/or cleanup actions are planned or have been completed. The site, formerly San Jose Town & Country Village Shopping Center, now Santana Row, was used for agriculture until the early 1960s and was found to be contaminated with lead, arsenic, and chlorinated pesticides. In addition, road work associated with the project may disturb soil potentially

contaminated with aerially deposited lead.

The draft EIR does not mention the need to thoroughly investigate the historical land use of all properties both within and near the project area. Without this information, DTSC will be unable to determine whether hazardous substances may have been released to project areas. We strongly suggest that the City of San Jose thoroughly assess all historical activities within and near project areas. Based on that information, samples should be collected to determine whether additional issues need to be addressed in the CEQA compliance document. If hazardous substances have been released to the soil, ground water, or surface water, these releases will need to be addressed as part of the Plan.

For example, if the Plan includes soil excavation and remediation, the CEQA document should include: (1) an assessment of air and health impacts associated with soil excavation activities; (2) identification of applicable local standards, which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset if an accident occurs at the Site.

DTSC and the Regional Board signed a Memorandum of Agreement (MOA), March 1, 2005 aimed at preventing duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at brownfield sites. Under the MOA, anyone requesting oversight from DTSC or the Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographic area.

Please contact Amy E. DeMasi at (510) 540-3812 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,

Denise M. Tsuji, Unit Chief
Northern California - Coastal Cleanup Operations Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
PO Box 3044
Sacramento, California 95812-3044

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
PO Box 806
Sacramento, California 95812-0806