



July 21, 2020

San Jose General Plan 4-Year Review Task Force  
City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113

Re: Coyote Valley in San Jose General Plan 4-Year Review

Dear Co-Chairs Alvarado and Pandori and Task Force Members:

The undersigned organizations submit these comments to the Task Force on the topic of Coyote Valley. We are a coalition of Native American tribes and environmental organizations united by our commitment to the protection of the environment, nature and open space, in San Jose and regionally, and we represent thousands of members within the city of San Jose. Our history of involvement with issues of proposed development in Coyote Valley goes back to the 1970's. For decades, we have advocated for the preservation of this critical open space region.

We recommend the following changes to the General Plan:

1. Relocate all the projected jobs out of Coyote Valley.
2. Change the land use designation on all undeveloped parcels in North Coyote Valley from Industrial Park to either Agriculture (for privately-owned parcels) or Open Space, Parklands and Habitat (for lands acquired for conservation).
3. Eliminate the designation of "Urban Reserve" for Mid Coyote Valley.

### **A New Vision For Coyote Valley**

In 2019, the City of San Jose, together with the Santa Clara Valley Open Space Authority (OSA) and Peninsula Open Space Trust (POST), acquired 937 acres of open space land in North Coyote Valley for permanent conservation. This historic transaction ushered in a new era for Coyote Valley. As stated in the Memorandum that was unanimously approved by the City Council:

Coyote Valley has captured the imagination of San Joseans for generations, but also has sat within the crosshairs of development proposals— for everything from Apple’s world headquarters, to campuses for Tandem, Cisco, and Xilinx, to tens of thousands of units of housing. Only recently did we start to embrace **a more future-focused vision for Coyote Valley - one that views nature and green infrastructure as our allies in the face of climate change.** Our residents got it quickly, though—when we presented this vision to voters through Measure T, it passed with 71 percent of the vote.

To bring **this new vision for Coyote Valley** to fruition, we must embark on a thoughtful master planning process that includes the City, our partners, community stakeholders, and the public. . . .

In keeping with the will of the voters, **the plan for Coyote Valley should focus on a comprehensive vision and set of goals that embrace nature and green infrastructure.**<sup>1</sup>

In unanimously adopting this memo, the Council’s direction is clear: San Jose has a new vision for Coyote Valley that is focused on nature and green infrastructure, rather than the approach of the past which considered Coyote Valley solely as a location for future sprawl development.

Further, in approving the scope of this General Plan 4-Year Review, the Council specified that the Task Force should “discuss the long-term future of North Coyote Valley and the Mid-Coyote Urban Reserve to achieve key city objectives including **the preservation of open space and wildlife habitat, flood and groundwater protection, agriculture, climate change resilience, and passive recreation.**”<sup>2</sup> Note that jobs are not mentioned in the above list. The only mention of jobs relative to Coyote Valley in the scope of the 4-Year Review occurs in the context of relocating projected jobs out of Coyote Valley.

The Envision 2040 General Plan should reflect the new vision for Coyote Valley by incorporating the changes recommended above. By relocating all the projected jobs out of Coyote Valley, changing the land use designations in North Coyote Valley, and eliminating the Mid Coyote Valley Urban Reserve designation, the General Plan will be brought in alignment with the direction of San Jose with regard to nature, sustainability, climate resilience and future growth.

### **New Job Growth Should Be In Infill Areas, Not On Open Space**

Over the past few years, the City has adopted and implemented numerous climate-resilient policies intended to prioritize infill development, discourage sprawl, and reduce greenhouse gas emissions. These policies include the Urban Villages, Climate Smart San Jose, the Vehicle

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<sup>1</sup> Memorandum by Mayor Liccardo, Vice-Mayor Jones, and Councilmembers Foley, Jimenez and Peralez, November 6, 2019 (emphasis added).

<sup>2</sup> Memorandum by Mayor Liccardo and Councilmembers Arenas, Jimenez, and Peralez, June 7, 2019 (emphasis added).

Miles Traveled (VMT) policy, the Climate Emergency Resolution, and of course Measure T's \$50 M for green infrastructure. Experts agree that concentrating new development in infill areas and protecting open space are both necessary to achieve emissions reduction. When we build new development on open space, we encourage single-use vehicle travel as well as destroying the carbon-absorbing potential of the open space itself. "Up, not out" is the new mantra of climate-conscious land use planning. Developing on open spaces such as Coyote Valley would be the exact opposite of these climate-smart policies.

**It is clear that the current estimated projection of 35,000 jobs in North Coyote Valley no longer comports with reality.** The permanent conservation of 937 acres in North Coyote Valley puts that land permanently off limits for development, meaning that the great majority of the acreage in North Coyote Valley is no longer available for job growth. (It should, however, be noted that open space conservation could create some jobs in fields such as resource management, conservation, education, tourism etc.)

In addition, the 35,000 figure dates from a time when the expectation was that giant tech campuses (such as the Coyote Valley Research Park, approved in 1999 but never built) would bring dozens of multi-story buildings to North Coyote Valley. The experience of the past two decades have proved that this expectation is no longer realistic. Tech companies, from Google to Apple to Adobe, are clearly not interested in locating in Coyote Valley; instead, they have proposed development in and around the Downtown area, near Diridon Station and on North First Street. The only development proposals that have been brought forward in recent years have been one proposal for a warehouse and one proposal for a battery storage facility -- uses which generate very few jobs.

### **Coyote Valley Is Far More Valuable as Open Space Than as Warehouse-Type Development**

Coyote Valley provides tangible economic benefits as open space -- benefits that would be lost if this land were to be developed. As indicated in OSA's study [Healthy Lands, Healthy Economies: Nature's Value in Santa Clara County](#), open space provides goods and services like clean air and water, food, flood protection, and recreation. Santa Clara County's open spaces provide at least \$1.6 billion to \$3.9 billion to people and the local economy each year, and the total asset value of this "natural capital" is on the order of hundreds of billions of dollars. With regard to Coyote Valley specifically, the benefits provided include wildlife habitat and connectivity, flood risk reduction, groundwater recharge, agriculture, and recreation.

Coyote Valley is a critical landscape linkage connecting the Santa Cruz Mountains to the Diablo Range -- a migratory pathway that enables many species to access the habitat areas they need to survive. Coyote Valley also serves as a floodplain that reduces the extent of flooding in downtown San Jose during severe storm events, and a groundwater recharge area that replenishes the County's drinking water aquifer. Coyote Valley contains prime farmland soils that help support local agriculture. Finally, the hiking and biking trails in and around Coyote

Valley provide much-needed outdoor recreation for the residents of San Jose and the surrounding region.

Some landowners have submitted communications to the Task Force arguing that the parcels they own are somehow lacking in the habitat, floodplain and agricultural benefits that the entire rest of the valley abounds in. The facts show that these arguments are without merit.

- With regard to wildlife, the landowners appear to point to a camera study from 2016, which placed wildlife cameras along the Fisher Creek corridor. Indeed, that study documented animals moving along Fisher Creek. The study did not document any occurrences on the landowners' property, because no cameras were placed on their property. Obviously, this does not prove that animals do not use the landowners' property.
- With regard to flooding, in both 2017 and 2019 there was widespread flooding all throughout North Coyote Valley. Although not all properties had standing water on them, the roadways were inundated in many places, including at the intersection of Santa Teresa Boulevard and Bailey Road, where the landowners' properties are located. A photograph from 2019 shows kayakers navigating the floodwaters directly in front of the landowners' property (see attached). Additionally, the significance of flooding in Coyote Valley is not just flood risk reduction but also groundwater contamination. Because the water table lies close to the surface in Coyote Valley, the groundwater aquifer is extremely vulnerable to contamination, which industrial development would threaten.
- With regard to agriculture, the County - in consultation with the City of San Jose and other municipalities and agencies - has invested significant effort and resources in conserving our valley's farmland and ranchland. The Santa Clara Valley Agricultural Plan (Ag Plan), an innovative climate change adaptation, mitigation and economic development strategy adopted in 2018, identifies a suite of recommendations to support climate resilience, local farms and the County's agricultural economy, which currently contributes over 8,000 jobs and \$830 million each year. The County has begun to implement the Ag Plan within the Agricultural Resource Area that stretches from Coyote Valley to the county's southern boundary. One of the primary threats to the success of the Plan and hence the viability of local farms, however, is the conversion of farmland to non-farm uses and the incompatibility of farm operations from encroaching development -- exactly what the landowners are requesting they be able to pursue. Just as with impacts to wildlife movement and flooding, the landowners seem to be unable to comprehend that the ramifications of their actions are not limited to the boundaries of their property, but will also impact the surrounding landscape.

As stated above, the only industrial development that is likely to locate in Coyote Valley, based on the evidence of recent years, is warehouse-type development, which creates relatively few, low-paying jobs. Meanwhile, the economic benefits of preserving Coyote Valley as open space are clear, even without considering the aesthetic and quality of life benefits.

**The “Urban Reserve” designation for Mid Coyote Valley no longer makes sense.**

Mid Coyote Valley is designated in the General Plan as the “Coyote Valley Urban Reserve.” This area is outside of San Jose’s city limits and is under the land use jurisdiction of Santa Clara County. The Urban Reserve designation means that urban or suburban development in Mid Coyote Valley will not be considered until the year 2040.

This designation dates from a time when North Coyote Valley was expected to be entirely developed with industrial uses; in fact, development in Mid Coyote Valley was required to be contingent on industrial job development in the North. With the City’s new vision for Coyote Valley, the Urban Reserve designation no longer makes sense. Although the General Plan does not allow development in Mid Coyote Valley currently, and with the relocation of projected jobs away from North Coyote Valley, the required development triggers are highly unlikely to ever be reached, the General Plan should be updated so that the treatment of Mid Coyote Valley reflects the new reality.

**Conclusion**

The Task Force should follow the clear direction of the City Council in prioritizing Coyote Valley’s value as open space in the General Plan. Please adopt the recommendations contained in this letter so that the new vision for Coyote Valley can be reflected in the General Plan.

Sincerely,

Alice Kaufman, Legislative Advocacy Director  
Green Foothills

Shani Kleinhaus, Environmental Advocate  
Santa Clara Valley Audubon Society

Zoe Siegel, Director of Special Projects  
Greenbelt Alliance

Deb Kramer, Executive Director  
Keep Coyote Creek Beautiful

Charlene Nimjeh, Chairwoman  
Muwekma Ohlone Tribe of the SF Bay Area

Valentin Lopez, Chair  
Amah Mutsun Tribal Band

James Reber, Executive Director  
San Jose Parks Foundation

Susan Butler-Graham, Team Leader  
Mothers Out Front Silicon Valley (formerly  
South Bay)

Katja Irvin and Gladwyn d’Souza, Conservation  
Committee Co-Chairs  
Sierra Club Loma Prieta Chapter

Linda Ruthruff, Conservation Chair  
California Native Plant Society, Santa Clara  
Valley Chapter