

**Responses to Comments  
on the  
Initial Study/Negative Declaration  
for the  
Evans Lane Urban Residential General Plan Amendment  
File No.: GP19-007**



**Prepared for the City of San José Department of  
Planning, Building & Code Enforcement**

**200 East Santa Clara Street, 3<sup>rd</sup> Floor San José,  
CA 95113-1905**



**Prepared by David J. Powers & Associates, Inc.**

**1871 The Alameda, Suite 200 San José,  
CA 95126**

**August 2020**

**Evans Lane Urban Residential General Plan Amendment (File No: GP19-007)**  
**RESPONSE TO COMMENTS**

The June 2020 Evans Lane Urban Residential General Plan Amendment Initial Study and Negative Declaration (IS/ND) was prepared in compliance with the requirements of the California Environmental Quality Act (CEQA). The IS/ND was circulated for public comment from June 12 to July 6, 2020. The City received the following two comment letters during the public comment period:

- |                               |               |
|-------------------------------|---------------|
| A. County of Santa Clara      | June 29, 2020 |
| Roads and Airports Department |               |
| B. Valley Water               | July 6, 2020  |

This memo responds to comments on the IS/ND as they relate to the environmental impacts of the project under CEQA and includes appropriate text revisions to the IS/ND. Numbered responses correspond to comments in each comment letter. Copies of all comment letters are attached.

## **COMMENT LETTER A: County of Santa Clara Roads and Airports Department**

**Comment A-1:** The County understands that the current provided documents/information on this project is that it's a General Plan update but there's no defined proposed project so the Local Transportation Analysis (LTA) was not prepared. Our previous submitted comments should still stand whenever City eventually comes with a defined residential project.

For reference our previous comments for the *Transportation Analysis Workslope for Evans Lane Transitional Housing Project* were as below:

- Please provide details of trip generation analysis for the project, including breakdown of mixed-use facilities.
- Please provide updated counts for Canoas Garden/Evans Lane/Almaden Expressway and Canoas Garden/Curtner Ave. intersections.
- Please provide evaluation of possible geometric modifications at Canoas Garden/Evans Lane/Almaden Expressway intersection to prohibit left turns.
- Please provide lighting analysis to ensure proper lighting for Canoas Garden/Evans Lane/Almaden Expressway intersection for all modes of traffic.
- Consider moving project driveway further away from Canoas Garden/Evans Lane/Almaden Expressway ramp.
- Please look into extending the existing Evans Lane sound wall on opposite side of property frontage.
- The City of San José should look into providing fencing on median barrier of Almaden Expressway to prevent illegal pedestrian crossings.
- The City of San José to ensure that Almaden Expressway SB off ramp queue loop remains functioning with Almaden Expressway SB Off Ramp/Curtner Ave. signalized intersection such that queue lengths do not exceed the queue loop.

**Response A-1:** As indicated by the commenter, a Local Transportation Analysis (LTA) would be required for any future development project at the site. The City will ensure that the LTA considers the operational issues noted in Comment A-1, in addition to project-specific characteristics which would be known at the time of a development proposal.

## **COMMENT LETTER B: Valley Water**

**Comment B-1:** Page 51, Groundwater, should be revised to indicate the site is located within the Santa Clara Subbasin not the Santa Clara Valley Groundwater Basin. Additionally, while the site may not be located adjacent to any Valley Water recharge ponds, the site is located within a designated groundwater recharge zone, the Santa Clara Subbasin recharge zone.

**Response B-1:** The commenter is correct that the groundwater basin is referred to as the Santa Clara Valley Groundwater Basin in the existing conditions discussion on page 51 of the IS/ND. This is a typographical error. The text revisions to the IS are included below, and the Attached Errata to the IS/ND will reflect this correction. The IS/ND correctly identifies the groundwater basin as the Santa Clara Subbasin in the impact analysis on page 81. It is acknowledged that the project site is located within a designated groundwater recharge zone

for the Santa Clara Subbasin. The recharge zone is generally located along the margins and southern portions of the subbasin, which includes large areas of San José. The project's location within the recharge zone does not affect the analysis in the IS/ND, as no specific development is proposed at this time. At the time a future development is proposed, potential impacts to groundwater recharge would be assessed, taking into account the project's location within the Santa Clara Subbasin recharge zone and the amount of impermeable surfaces that would be on-site.

**Comment B-2:** Page 77, Hydrology and Water Quality states the project is exempt from HMP requirements as the site is located in a “subwatershed greater than or equal to 65 percent impervious surfaces” per the City of San José Hydromodification Management Plan Applicability Map. However, in reviewing the City of San José Hydromodification Management Plan Applicability Map, this site appears to be located within the area defined as “watersheds less than or equal to 65% impervious;” and therefore, HMP requirements would apply to development of the site.

**Response B-2:** The IS/ND incorrectly stated that the project site would be exempt from HMP requirements. The text revisions to the IS are included below, and the Attached Errata to the IS/ND will reflect this correction. Because the site is located in a watershed less than or equal to 65 percent impervious, any development on the project site that creates and/or replaces one acre or more of impervious surface or results in an increase in impervious surfaces above pre-project conditions would be subject to HMP requirements. The project is a General Plan Amendment which does not include a specific development; however, any future development at the site would be required to prepare a Hydromodification Management Plan that meets the requirements of the Municipal Regional Stormwater NPDES Permit as detailed in the Post Construction Hydromodification Management policy (City Council Policy 8-14).

**Comment B-3:** Page 79, Flooding and Other Hazards, references the site is located on FEMA FIRM Panel 06085C0241H; however, the site is located on FIRM Panels 06085C0261H and 06085C0242H, effective May 19, 2009.

**Response B-3:** The commenter is correct that the project site is located on FIRM Panels 06085C0261H and 06085C0242H. The analysis in the IS/ND is still valid; any future development on the project site would be required to comply with FEMA FIRM requirements for the applicable flood zones. The text revisions to the IS are included below, and the Attached Errata to the IS/ND will reflect this correction.

**Comment B-4:** The text on page 79, Flooding and Other Hazard, notes portions of the site located in the Special Flood Hazard Zone AH would be subject to flood depths of one to three feet. The FIRM Panels for the site specify flooding would be to elevation 131 feet NAVD 88, and the IS/ND should provide this specific flood elevation.

**Response B-4:** The proposed project is a General Plan Amendment with no specific development proposal. Any future development on the project site would be required to comply with FEMA FIRM requirements for the applicable flood zones, taking into

consideration the specific flood elevation for Special Flood Hazard Zone AH.

**Comment B-5:** On page 79, Flooding and Other Hazards the text should be revised to note the site is also within the dam failure inundation area of the Guadalupe Dam.

**Response B-5:** Subsequent CEQA analysis would occur at the time of a development proposal and would take into account all potential environmental impacts related to flood hazards at the site, including the potential for dam failure inundation from the Guadalupe Dam and subsequent pollutant release. As the project is a General Plan Amendment only, this comment does not change the conclusions of the IS/ND.

**Comment B-6:** Impact HYD-2 on page 81 notes that the site is not located on or adjacent to any of Valley Water's recharge systems; however, the site is located in the Santa Clara subbasin recharge zone and any analysis of ground water impacts should also take that into consideration.

**Response B-6:** As noted in Response B-1, the project's location within the recharge zone does not affect the analysis in the IS/ND, as no specific development is proposed at this time. At the time a development is proposed, potential impacts to groundwater recharge and groundwater quality would be assessed during subsequent CEQA analysis, taking into consideration the project's location within the Santa Clara Subbasin groundwater recharge zone.

**Comment B-7:** Impact HYD-4 on page 82, should be revised to note the site is also located within the dam failure inundation area of the Guadalupe Dam in addition to Leroy Anderson Dam.

**Response B-7:** As noted in Response B-5, subsequent CEQA analysis would occur at the time of a development proposal and would take into account all potential environmental impacts related to flood hazards at the site, including the potential for dam failure inundation from the Guadalupe Dam and Leroy Anderson Dam and subsequent pollutant release. As the project is a General Plan Amendment only, this comment does not change the conclusions of the IS/ND.

**Comment B-8:** Valley Water records do not show any wells on the project site; however, it is always possible that a well exists that is not in Valley Water records. Abandoned or unused wells can provide a vertical conduit for contaminants to pollute groundwater. To avoid impacts to groundwater quality, any wells found on-site that will not be used must be properly destroyed in accordance with Ordinance 90-1, which requires issuance of a well destruction permit or registered with Valley Water and protected during construction. Property owners or their representatives should call the Wells and Water Measurement Unit at (408) 630-2660 for more information regarding well permits and registration for the destruction of wells.

**Response B-8:** Any existing wells discovered during implementation of a future project would be removed in accordance with the procedures set forth by Valley Water.

**Comment B-9:** There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water’s Resource Protection Ordinance, a Valley Water permit is not required for the proposed improvements.

**Response B-9:** This comment does not speak to the analysis in the IS/ND. No response is required.

**Evans Lane Urban Residential General Plan Amendment (File No: GP19-007)**

**TEXT REVISIONS**

This section contains revisions to the text of the Evans Lane Urban Residential General Plan Amendment IS/ND dated June 2020. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page 51          Section 4.7.1.2 Existing Conditions, the third paragraph is **REVISED** as follows:

The project site is located within the Santa Clara ~~Valley Groundwater Basin-Subbasin~~. ~~There are no groundwater recharge areas on or adjacent to the project site.~~ The project site is located within a designated groundwater recharge area for the Santa Clara Subbasin. There are no groundwater recharge ponds on or adjacent to the site.

Page 77          Section 4.10.1.1 Regulatory Framework, the third paragraph is **REVISED** as follows:

The proposed project is ~~exempt from the NPDES hydromodification requirements related to preparation of an HMP because the project site is~~ located in a subwatershed greater than or equal to 65 percent impervious surfaces. Therefore, any future project that creates and/or replaces one acre or more of impervious surface or results in an increase in impervious surfaces above pre-project conditions would be required to conform to the NPDES hydromodification requirements related to preparation of an HMP, in conformance with City Council Policy 8-14.

Page 79          Section 4.10.1.2 Existing Conditions, the first paragraph is **REVISED** as follows:

The majority of the project site is located within Zone D. Zone D is an area where there are possible but undetermined flood hazards, as no analysis of flood hazards has been conducted (~~Map No. 06085C0241H, May 18, 2009~~). (Map No. 06085C0242H, May 18, 2009). A portion of the site adjacent to SR 87 is located in Zone AH. Zone AH is an area within the 100-year floodplain with flood depths of one to three feet (Map No. 06085C0261H, May 18, 2009). The FEMA FIRM Panels for the site specify flooding would be to an elevation 131 feet North American Vertical Datum (NAVD) 88.

Page 79          Section 4.10.1.2 Existing Conditions, the second paragraph is **REVISED** as follows:

The project site is located within the dam failure inundation zone for the Anderson Dam and the Guadalupe Dam, as identified in the General Plan FEIR. The site could be subject to inundation following potential failure of the Anderson Dam or the Guadalupe Dam.

Page 81          Section 4.10.2 Impact Discussion, Impact HYD-2 is **REVISED** as follows:

The project site is not located on or adjacent to one of the SCVWD's ~~18 major groundwater recharge systems, groundwater recharge ponds~~; however, the site is located within the Santa Clara Subbasin recharge area. At the time a development is proposed, potential impacts to groundwater recharge and groundwater quality would be assessed during subsequent CEQA analysis, taking into consideration the project's location within the Santa Clara Subbasin groundwater recharge area.

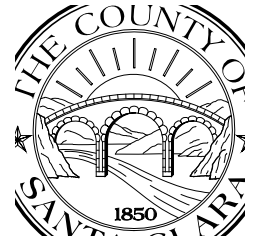
Page 87          Section 4.10.2 Impact Discussion, Impact HYD-4 is **REVISED** as follows:

The project site is located in the dam failure inundation zone for the Anderson Dam and Guadalupe Dam; however, inundation risks following dam failure are adequately addressed by hazard mitigation planning at the local and regional level.

# County of Santa Clara

Roads and Airports Department  
Planning, Land Development and Survey

101 Skyport Drive  
San Jose, CA 95110-1302  
(408) 573-2460 FAX 441-0276



**June 29, 2020**

## **Reema Mahamood**

Planner III, Environmental Review  
City of San José | Planning, Building & Code Enforcement  
200 E. Santa Clara St., T-3  
San José, CA 95113

### **SUBJECT: Notice of Intent to Adopt a Negative Declaration for the Evans Lane Urban Residential GPA (GP19-007)**

The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the Notice of Intent to Adopt a Negative Declaration for the Evans Lane Urban Residential GPA (GP19-007), and is submitting the following comments:

The County understands that the current provided documents/information on this project is that it's a General Plan update but there's no defined proposed project so the Local Transportation Analysis (LTA) was not prepared. Our previous submitted comments should still stand whenever City eventually comes with a defined residential project.

For reference our previous comments for the *Transportation Analysis Workscope For Evans Lane Transitional Housing Project* were as below:

- Please provide details of trip generation analysis for the project, including breakdown of mixed-use facilities.
- Please provide updated counts for Canoas Garden/Evans Lane/Almaden Expressway and Canoas Garden/Curtner Ave. intersections.
- Please provide evaluation of possible geometric modifications at Canoas Garden/Evans Lane/Almaden Expressway intersection to prohibit left turns.
- Please provide lighting analysis to ensure proper lighting for Canoas Garden/Evans Lane/Almaden Expressway intersection for all modes of traffic.
- Consider moving project driveway further away from Canoas Garden/Evans Lane/Almaden Expressway ramp.
- Please look-into extending the existing Evans lane sound wall on opposite side of property frontage.
- The City of San Jose should look-into providing fencing on median barrier of Almaden Expressway to prevent illegal pedestrian crossings.
- The City of San Jose to ensure that Almaden Expressway SB off ramp queue loop remains functioning with Almaden Expressway SB Off Ramp/Curtner Ave. signalized intersection such that queue lengths do not exceed the queue loop.

If you have any questions or concerns about these comments, please contact me at 408-573-2462 or [ben.aghegnehu@rda.sccgov.org](mailto:ben.aghegnehu@rda.sccgov.org)

Thank you.

**Board of Supervisors:** Mike Wasserman, Dave Cortese, Susan Ellenberg, S. Joseph Simitian, Cindy Chavez  
**County Executive:** Jeffrey V. Smith





File: 9707  
Guadalupe River

July 6, 2020

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

Subject: Initial Study/Draft Negative Declaration – Evans Lane Urban Residential General Plan Amendment (GP19-007)

Dear Ms. Mahamood:

Valley Water has reviewed the Initial Study (IS)/Draft Negative Declaration (ND) for the Evans Lane Urban Residential General Plan Amendment, received on June 12, 2020.

The proposed project is a City Initiated General Plan Land Use / Transportation Diagram Amendment from Mixed Use Neighborhood to Urban Residential designation on a 5.93 gross acre site. The project site is comprised of two parcels located on the east side of Evans Lane, north of Curtner Avenue, between Almaden Expressway and State Route (SR) 87.

Valley Water has reviewed the draft ND /IS and has the following comments:

1. Page 51, Groundwater, should be revised to indicate the site is located within the Santa Clara Subbasin not the Santa Clara Valley Groundwater Basin. Additionally, while the site may not be located adjacent to any Valley Water recharge ponds, the site is located within a designated groundwater recharge zone, the Santa Clara Subbasin recharge zone.
2. Page 77, Hydrology and Water Quality states the project is exempt from HMP requirements as the site is located in a “subwatershed greater than or equal to 65 percent impervious surfaces” per the City of San Jose Hydromodification Management Plan Applicability Map. However, in reviewing the City of San Jose Hydromodification Management Plan Applicability Map, this site appears to be located within the area defined as “watersheds less than or equal to 65% impervious;” and therefore, HMP requirements would apply to development of the site.



Ms. Reema Mahamood

July 6, 2020

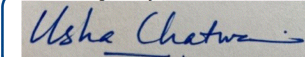
Page 2

3. Page 79, Flooding and Other Hazards, references the site is located on FEMA FIRM Panel 06085C0241H; however, the site is located on FIRM Panels 06085C0261H and 06085C0242H, effective May 19, 2009.
4. The text on page 79, Flooding and Other Hazard, notes portions of the site located in the Special Flood Hazard Zone AH would be subject to flood depths of one to three feet. The FIRM Panels for the site specify flooding would be to elevation 131 feet NAVD 88, and the IS/ND should provide this specific flood elevation.
5. On page 79, Flooding and Other Hazards, the text should be revised to note the site is also within the dam failure inundation area of the Guadalupe Dam.
6. Impact HYD-2 on page 81 notes the site is not located on or adjacent to any of Valley Water's recharge systems; however, the site is located in the Santa Clara subbasin recharge zone and any analysis of ground water impacts should also take that into consideration.
7. Impact HYD-4 on page 82, should be revised to note the site is also located within the dam failure inundation area of the Guadalupe Dam in addition to Leroy Anderson Dam.
8. Valley Water records do not show any wells on the project site; however, it is always possible that a well exists that is not in Valley Water records. Abandoned or unused wells can provide a vertical conduit for contaminants to pollute groundwater. To avoid impacts to groundwater quality, any wells found on-site that will not be used must be properly destroyed in accordance with Ordinance 90-1, which requires issuance of a well destruction permit or registered with Valley Water and protected during construction. Property owners or their representatives should call the Wells and Water Measurement Unit at (408) 630-2660 for more information regarding well permits and registration for the destruction of wells.
9. There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water permit is not required for the proposed improvements.

We appreciate the opportunity to comment on the draft ND and IS and would also appreciate the opportunity to review any further documents when they become available. If you have any questions, or need further information, you can reach me at (408) 630-2479, or by e-mail at [LBrancatelli@valleywater.org](mailto:LBrancatelli@valleywater.org). Please reference Valley Water File No. 9707 on future correspondence regarding this project.

Sincerely,

DocuSigned by:



F4950AD6E49F4B7  
Lisa Brancatelli

Assistant Engineer II

Community Projects Review Unit

cc: U. Chatwani, C. Haggerty, L. Brancatelli