

TABLE OF CONTENTS

Section 1.0 Responses to Comments on the Draft Initial Study/MND 1
Section 2.0 Draft Initial Study/MND Text Revisions 3

Appendices

Appendix A: Draft Initial Study/MND Comment Letters

SECTION 1.0 RESPONSES TO COMMENTS ON THE DRAFT INITIAL STUDY/MND

The Draft Initial Study/Mitigated Negative Declaration (MND) for the San José Municipal Water New Offices project, dated November 2022, was circulated to affected public agencies and interested parties for a 30-day review period from December 9, 2022 through January 3, 2023. While not required by the CEQA Guidelines, this document includes written responses to comments received by the City of San José on the Draft Initial Study/MND during the public comment period.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City of San José are included in their entirety in Appendix A of this document. This memorandum includes responses to comments on the Initial Study/MND as they relate to the environmental impacts of the project under CEQA. Comments received on the Draft Initial Study/MND are listed below.

<u>Comment Letter and Commenter</u>	<u>Page of Response</u>
A. Pacific Gas and Electric Company (dated December 30, 2022)	2
B. Valley Water (dated January 3, 2023).....	2

A. Pacific Gas and Electric Company (dated December 30, 2022)

Comment A.1: The proposed 3025 Tuers Road project is within the same vicinity of PG&E's existing facilities that impact this project. PG&E operates both overhead and underground electric distribution facilities on the subject property. Please continue to work with PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require and reference your existing application (PG&E PM 35385473):

Response A.1: The project team will continue to work with PG&E on utility needs and requirements for this site. This comment is not related to the CEQA analysis for the project. No further response is required.

B. Valley Water (dated January 3, 2023)

Comment B.1: Valley Water does not have any land rights nor facilities within the project limits, and therefore, in accordance with Valley Water's Resources Protection Ordinance, a Valley Water permit is not required for this project.

1. The IS/MND should describe how the project is consistent with the Guidelines and Standards for Land Use Near Streams (Guidelines and Standards), which was developed by the Water Resources Protection Collaborative, including what measures and design features will be employed to protect the riparian habitat. The Guidelines and Standards are applicable to all portions of the project located adjacent to Coyote Creek that are not within Valley Water's right of way.
2. To maintain ecological compatibility with the existing riparian forest and ensure genetic specificity, areas should be landscaped with plant species native to the local watershed. However, since the development is situated outside of the riparian corridor, it does not need to use native species. The Guidelines and Standards Design Guide #3 promotes use of non-invasive, drought tolerant, non-native ornamental plants having no potential to cross-pollinate native riparian species. Valley Water has Coyote watershed-specific mitigation sites downstream from Coyote Creek which we would want to protect. If the project's plant materials are inconsistent with the Guidelines and Standards, Valley Water mitigation sites downstream and existing riparian corridor areas will be negatively affected.
3. Valley Water records show that seven (7) active wells are located on the project site (APN 499-35-001). To protect groundwater quality and in accordance with Valley Water Ordinance 90-1, all existing wells affected by new or redevelopment need to be identified and properly registered with Valley Water and either be maintained or destroyed in accordance with Valley Water standards. Destruction of any wells and the construction of any new wells proposed, including monitoring wells, require a permit from Valley Water prior to construction. Property owners or their representative should contact Valley Water Wells and Water Production Unit at (408) 265-2660, for more information.

Response B.1: Section 5.4 Biological Resources of the IS/MND discusses the project in relation to riparian and biological resources near the site. There is not riparian habitat on or immediately adjacent to the project site. Further, the project is in conformance with all requirements of the General Plan, including provisions for

riparian setbacks and development in and near flood hazard zones. Any development that may affect existing wells will be coordinated with Valley Water.

The additional comments are not related to the CEQA analysis for the project. No further response is required.

SECTION 2.0 DRAFT INITIAL STUDY/MND TEXT REVISIONS

This section contains revisions to the text of the San José Municipal Water New Offices Project Initial Study/MND dated November 2022. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

No revisions to the text of the San José Municipal Water New Offices Project Initial Study/MND were necessary.

Appendix A: Draft Initial Study/MND Comment Letters

- 1) Pacific Gas and Electric Company (dated December 30, 2022)
- 2) Valley Water (dated January 3, 2023)



December 30, 2022

Cort Hitchens
200 E. Santa Clara Street, 3rd Floor
San José, CA 95113

Re: SAN JOSÉ MUNICIPAL WATER NEW OFFICES PROJECT
3025 Tuers Road in San José, CA

Dear Cort Hitchens:

Thank you for giving us the opportunity to review the subject plans. The proposed 3025 Tuers Road project is within the same vicinity of PG&E's existing facilities that impact this property.

PG&E operates both overhead and underground electric distribution facilities on the subject property. Please continue to work with PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require and reference your existing application (PG&E PM 35385473).

You may also contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782.

If you have any questions regarding our response, please contact me at Ashley.Van@pge.com

Respectfully,

Ashley Van

Land Management
916-207-4947



File: 17854
Coyote Creek

January 3, 2023

Cort Hitchens
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Subject: Initial Study / Mitigated Negative Declaration – San Jose Municipal Water New Offices Project
(File No. ER22-114)

Dear Cort Hitchens:

The Santa Clara Valley Water District (Valley Water) has reviewed the Initial Study / Mitigated Negative Declaration (IS/MND) for the San Jose Municipal Water New Offices Project, received on December 8, 2022.

Valley Water does not have any land rights nor facilities within the project limits, and therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water permit is not required for this project.

1. The IS/MND should describe how the project is consistent with the Guidelines and Standards for Land Use Near Streams (Guidelines and Standards), which was developed by the Water Resources Protection Collaborative, including what measures and design features will be employed to protect the riparian habitat. The Guidelines and Standards are applicable to all portions of the project located adjacent to Coyote Creek that are not within Valley Water's right of way.
2. To maintain ecological compatibility with the existing riparian forest and ensure genetic specificity, areas should be landscaped with plant species native to the local watershed. However, since the development is situated outside of the riparian corridor, it does not need to use native species. The Guidelines and Standards Design Guide #3 promotes use of non-invasive, drought tolerant, non-native ornamental plants having no potential to cross-pollinate native riparian species. Valley Water has Coyote watershed-specific mitigation sites downstream from Coyote Creek which we would want to protect. If the project's plant materials are inconsistent with the Guidelines and Standards, Valley Water mitigation sites downstream and existing riparian corridor areas will be negatively affected.
3. Valley Water records show that seven (7) active wells are located on the project site (APN 499-35-001). To protect groundwater quality and in accordance with Valley Water Ordinance 90-1, all existing wells affected by new or redevelopment need to be identified and properly registered with Valley Water and either be maintained or destroyed in accordance with Valley Water standards. Destruction of any wells and the construction of any new wells proposed, including monitoring wells, require a permit from Valley Water prior to construction. Property owners or their representative should contact Valley Water Wells and Water Production Unit at (408) 265-2660, for more information.

If you have any questions or need more information, you can reach me at kthai@valleywater.org or (408) 630-3157.

Sincerely,


Kevin Thai, CFM

Associate Engineer
Community Projects Review Unit

cc: Y. Arroyo, C. Haggerty, L. Spahr, J. Miguel, K. Thai, File

