

Columbus Park Redevelopment Project

Initial Study/Mitigated Negative Declaration

RESPONSES TO PUBLIC COMMENTS

May 4, 2023

CEQA Lead Agency:



City of San José
Department of Planning, Building and Code Enforcement
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In Consultation with:



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Appendix A: Draft Initial Study Comment Letters

SECTION 1.0 INTRODUCTION

The 20-day Initial Study/Mitigated Negative Declaration (IS/MND) public review period for the Columbus Park Redevelopment project started February 8, 2023 and ended March 2, 2023. The following pages contain responses to comments submitted by agencies, organizations, and individuals during the IS/MND public review period. Copies of the comment letters are attached to this document.

Pursuant to CEQA Guidelines §15073.5, recirculation of the MND is required when the document must be “substantially revised” after public notice of its availability. A “substantial revision” is defined as:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

CEQA does not require formal responses to comments on an IS/MND and the decision-making body shall adopt the proposed MND only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and the MND reflects the lead agency’s independent judgment and analysis [CEQA Guidelines §15074(b)].

SECTION 2.0 RESPONSES TO COMMENTS

Below is a list of the agencies that submitted comments on the IS/MND. Copies of the actual letters submitted to the City of San José are attached to this document.

Letter Number	Commenter	Date Received	Page of Response
A	Pacific Gas & Electric	March 1, 2023	3-4
B	Valley Water	March 2, 2023	4-9
C	Santa Clara Valley Audubon Society	March 8, 2023	9-15

The specific comments are included in this memo and are presented as “Comment” with each response directly following (“Response”).

COMMENT LETTER A: PACIFIC GAS & ELECTRIC - MARCH 1, 2023.

Comment A.1: Thank you for giving us the opportunity to review the subject plans. The proposed Columbus Park Redevelopment Project is within the same vicinity of PG&E’s existing facilities that impact this property.

PG&E operates gas and electric underground facilities within the franchise areas surrounding the subject property. In addition, PG&E operates a high-voltage underground electric transmission line within the northeasterly portion of the property. The current site plan does not contain enough information for a proper review to be conducted for impacts to PG&E facilities. The Company requests a fully developed site plan be submitted for review and approval prior to any construction commencing. The site plan should include all existing utilities and easements.

The Company requests all trees and brush planted near said underground facilities maintain a minimum distance of 5-feet for safety and access purposes. PG&E must have unobstructed, heavy-equipment access to all facilities at all times. The proposed gates surrounding the property must be secured with PG&E locks.

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

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

Response A.1: As noted on page 9 of the IS/MND, the proposed landscape plan has not been finalized at this time. The City will forward relevant plans to PG&E for review and will coordinate with PG&E staff during the design process to ensure no conflicts with existing

PG&E facilities occur. All trees and brush planted near PG&E facilities will be planted and maintained to achieve a minimum of five feet distance to PG&E facilities. Any design elements beyond PG&E's jurisdiction will not be subject to PG&E review. This comment does not address the adequacy of the IS/MND. No revisions to the IS/MND are required.

COMMENT LETTER B: VALLEY WATER - MARCH 3, 2023.

Comment B.1: Valley Water has reviewed the Draft Initial Study & Mitigated Negative Declaration (IS/MND) for the Columbus Park Redevelopment Project, received on February 8, 2023. The project site is located directly adjacent to Valley Water's easements, for flood control purposes and mitigation plantings, along the Guadalupe River.

It is not clear if the new parking lot and trail connection are proposed on Valley Water easement. Please note that development/work within Valley Water's easement will need an encroachment permit in accordance with Valley Water's Water Resources Protection Ordinance. Issuance of a Valley Water encroachment permit is a discretionary act and requires Valley Water to be considered a responsible agency under CEQA.

Response B.1: As noted on pages 6 and 8 of the IS/MND, the proposed project would include construction of a new surface parking lot east of Irene Street and a 12-foot wide paved trail connection between the surface parking lot and the Guadalupe River trail. Figure 3.2-1 on page 7 of the IS/MND has been revised to indicate the location of the proposed trail connection to the Guadalupe River trail in relation to Valley Water's easement. As shown in this revised figure, approximately half of the proposed surface parking lot and a small portion of the trail connection are proposed within the Valley Water easement. Thus, an encroachment permit would be required and Valley Water would be considered a Responsible Agency under CEQA. Text on page 2 of the IS/MND has been added to identify this required permit and Valley Water's role as a Responsible Agency. Text on pages 6 through 8 of the IS/MND has been revised to clarify the location of the Valley Water easement in relation to the surface parking lot and trail connection. City staff will share plans during the design process, and coordinate with Valley Water to obtain all necessary permits and agreements to develop the project. This comment does not address the adequacy of the IS/MND. The text revisions do not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.2: Valley Water has the following comments on the Draft IS/MND:

1. Valley Water has an easement along the Guadalupe River which needs to be shown as well as noted in the document. Some of Valley Water's easement contain several native plant mitigation sites related to past flood protection improvements along the river. Since the site is near mitigations sites and includes new tree planting and landscaping, Valley Water encourages conformance with the Guidelines and Standards for Land Use Near Streams (G & S) developed by the Water Resources Protection Collaborative in which the City participated as it includes

additional guidance that compliments the City’s Riparian Corridor Policy, including easy to read guide sheets. Of particular importance are setbacks, appropriate land uses near the riparian corridor, and the use of appropriate plantings adjacent to the riparian corridor. In particular, the use of box size locally native tree species and large nursery containers for locally native shrub and ground cover species, adjacent to the riparian corridor should be avoided to protect the genetic integrity of the existing native riparian plants and instead for areas adjacent to the riparian corridor where large container plants are desired, ornamental and/or nonlocal natives should be used (see G & S Design Guides 2, 3, 4). Locally native riparian plant species, if desired, should be grown from Guadalupe River watershed stock for conformance with the Guidelines and Standards.

Response B.2: This comment requests ornamental or local native species be used in the proposed landscaping. This comment does not address the adequacy of the IS/MND. As noted on page 9 of the IS/MND, the proposed landscaping design, including plant species selected to be planted on-site have not been finalized at this time. However, the City will utilize local native species as requested in the comment. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment B.3:

2. On page 2, the APN 259-08-114 noted in this section is inconsistent with the APNs noted in Section 2.4. Also, APN 259-08-114 is not valid and appears to actually be a reference to 259-07-114. Please revise the document for accuracy.

Response B.3: The project site includes APNs 259-07-115, 259-07-114, and 259-08-103. The text on page 2 of the IS/MND has been revised per the above comment, see Section 3.0 of this memo. The text revision does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.4:

3. On page 4, Figure 2.7-2, the project area hatched on this figure does not appear to include the proposed parking lot (APN 259-07-114) nor match the project boundary shown on Figure 2.7-3 (Page 5) and Figure 3.2-1 (Page 7). Please revise the document for consistency.

Response B.4: As discussed on page 44 of the IS/MND, the project site includes Columbus Park in San José and an undeveloped parcel located to the east of the park which contains a small gravel parking area and grass land. Figure 2.7-2 on page 4 of the IS/MND incorrectly outlined the project site as only the existing Columbus Park. Figure 2.7-2 on page 4 of the IS/MND has been revised to show the entire project site. This revision to Figure 2.7-2 does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.5:

4. On page 6, Site Access, and page 130, Impact Discussion (a), the project proposes a 12-foot wide paved trail connection from the new surface parking lot to the Guadalupe River Trail where Valley Water has an easement. The document doesn't show where the connection is proposed and its relationship to the existing access points in the vicinity of the site. Please provide additional information regarding this connection relative to Valley Water's easement and the need for a Valley Water Permit.

Response B.5: As noted in Response B.1 above, Figure 3.2-1 Site Plan has been revised to show the location of the proposed trail connection and surface parking lot in relation to Valley Water's easement.

Comment B.6:

5. Page 7, Conceptual Site Plan, The figure should include the location of the proposed 12-wide trail connection to the Guadalupe River Trail for clarity.

Response 2.6: Refer to responses B.1 and B.5 above.

Comment B.7:

6. On page 8, Site Access and Parking, the document notes permanently closing Spring Street. Valley Water's Central Pipeline crosses Spring Street at Emory Street and Valley Water requests easements for areas where our pipeline is located within streets to be vacated.

Response B.7: As noted on pages 6 and 8 of the IS/MND, and as shown in Figure 3.2-1 of the IS/MND, the project would close Spring Street between West Taylor Street and Asbury Street and convert this segment of the street to a pedestrian paseo. Spring Street north of Asbury Street (including at the Spring Street/Emory Street intersection) would remain open under the proposed project and no other closures of Spring Street are proposed. Therefore, no easements would be required. This comment does not address the adequacy of the IS/MND. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment B.8:

7. On page 9, Site Access and Parking, this section notes the landscaped parking lot would be constructed west of Irene Street; however, Figure 3.2-1 on page 7 shows the parking lot to the east of Irene Street. The document should be revised for accuracy and consistency.

Response B.8: The proposed parking lot is located east of Irene Street. The text on page 9 of the IS/MND has been revised per the above comment, see Section 3.0 of this memo. The text revision does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.9:

8. On page 38, Impact Discussion (b), the document notes that because the project is located 400 feet from the Guadalupe river, it is not subject to the requirements of the City’s Riparian Corridor Policy. Efforts should be done to preserve the existing riparian vegetation or to enhance the area by planting vegetation suitable for the riparian corridor and not include hardscape or other active uses that would negatively impact the creek and riparian habitat. Please confirm the setback distance which should be measured from the outside dripline of the Riparian Corridor vegetation or top of bank, whichever is greater, and based on a biological review of the site.

Response B.9: According to the City’s Riparian Corridor Policy a “Riparian project means any development or activity that is located within 300 feet of a Riparian Corridor’s top of bank or vegetative edge, whichever is greater, and that requires approval of a development permit as defined in Chapter 20.200 of Title 20 of the San Jose Municipal Code...”¹ As noted on page 38 of the IS/MND, the proposed park and surface parking lot are located approximately 400 feet west of Guadalupe River. This distance was measured from the outside dripline of riparian vegetation to the eastern edge of the proposed surface parking lot. The proposed trail connection to the Guadalupe River trail would be located approximately 150 feet from the Guadalupe River riparian corridor (at its nearest point) as measured from the edge of riparian vegetation (refer to revised Figure 3.2-1 in Section 3.0 Draft IS/MND Text Revisions). Multi-use trails on natural channels such as the Guadalupe River, are allowed under the City’s Riparian Corridor Policy with a minimum buffer of 10 feet from the dripline of riparian vegetation. Thus, the proposed trail connection would be consistent with the buffer distances for multi-use trails established in the City’s Riparian Corridor Policy and would not result in impacts to the Guadalupe River riparian corridor. Text has been added to pages 38 and 39 of the IS/MND to clarify the location of the proposed trail connection. This text revision does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.10:

9. Page 86, Municipal Regional Permit Provision C.3, should note that the Regional Water Quality Control Board (RWQCB) has re-issued the Municipal Regional Stormwater NPDES Permit on May 11, 2022 (Order No. R2-2022-0018, NPDES Permit No. CAS612008) and effective July 1, 2023.

Response B.10: As discussed on pages 10, 70, and 104 of the IS/MND and on page 21 of Appendix E to the IS/MND, project construction would occur over a period of approximately 10 months beginning in July 2022. Therefore, the analysis in the IS/MND assumed construction of the project would occur prior to the July 1, 2023 effective date of the re-issued Municipal Regional Stormwater NPDES Permit (Order No. R2-2022-0018, NPDES Permit No. CAS612008) and would not be subject to the 2022 re-issued order. Although construction of the proposed project did not occur in July 2022, the project is still anticipated to be approved and construction to begin before July 2023. Nonetheless, text has been added on page 86 to acknowledge the re-issued Municipal Regional Stormwater NPDES Permit and note that the project would be subject to the MRP effective at the time of construction. See

¹ City of San José. *Riparian Corridor Protection and Bird Safe Design Policy, Policy 6-34*. August 23, 2016. Page 1.

Section 3.0 of this memo. The text revision does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.11:

10. Pages 86-87, Water Resources Protection Ordinance and Well Ordinance, the text under this section should be replaced with the following:

“Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water’s Water Resources Protection Ordinance, any work within Valley Water’s fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water’s Well Ordinance 90-1, permits are required for any boring, drilling, deepening, refurbishing, or destroying of a water well, cathodic protection well, observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County.”

Response B.11: This comment provides text revisions to the IS/MND regarding the regulatory setting for the Hydrology and Water Quality section. The text on pages 86 and 87 of the IS/MND has been revised per the above comment. See Section 3.0 of this memo. The text revision does not change the analysis, adequacy, or the findings of the IS/MND.

Comment B.12:

11. Section 4.10.1.1 – Regulatory Framework (Page 87): This section includes a subsection on Valley Water’s 2016 Groundwater Management Plan. The subsection should be updated to reference Valley Water’s updated 2021 Groundwater Management Plan which was adopted by the Board of Directors on November 21, 2021. The updated plan can be found at https://s3.us-west-2.amazonaws.com/assets.valleywater.org/2021_GWMP_web_version.pdf.

Response B.12: Text on page 87 of the IS/MND incorrectly refers to the 2016 Groundwater Management Plan. Page 87 of the IS/MND has been revised to correct this error. See Section 3.0 of this memo. The text revision does not change the analysis, adequacy, or the findings of the IS/MND, as the impact conclusions are unchanged.

Comment B.13:

12. Page 89, Existing Conditions, Flooding, and Other Hazards: The text states the “project is not located within a 100-year flood zone”. A small portion of the project site is within Zone AH, a Special Flood Hazard Area, with an elevation of 62 feet (NAVD88). The text should be revised for accuracy.

Response B.13: As noted on page 89 of the IS/MND, the majority of the project site is located within Flood Zone X; however, a small portion of the project site (approximately 10,600 square feet out of the total 544,600 square foot project site) is located within special

hazard Flood Zone AH. As shown in Figure 3.2-1 on page 7 of the IS/MND, this portion of the project site would be developed with a synthetic turf playing fields, trees, sidewalk and Irene Street. No structures are proposed within this portion of the project site. As discussed on pages 79 and 80 of the IS/MND, small quantities of herbicides and pesticides are currently used on-site, and would be transported to and used on the project site for maintenance of park landscaping with implementation of the project. However, under the proposed project, the quantity of herbicides and pesticides transported to and used on-site would be reduced, as the existing natural turf playing fields would be replaced with synthetic turf fields. No herbicides and/or pesticides would be stored within this portion of the project site as no structures are proposed within this area. Furthermore, flood waters in Flood Zone AH originate from with Guadalupe River, terminating at the project site. Therefore, the project would not risk release of pollutants due to inundation in a flood hazard nor would it impede or redirect flood flows. The text on pages 89 and 93 of the IS/MND has been revised per the above comment to clarify the flood zones affecting the project site and the project's impacts in relation to its location within a flood zone (see Section 3.0 of this memo). The text revision does not change the analysis, adequacy, or the findings of the IS/MND, as the impact conclusions are unchanged.

Comment B.14:

13. Page 89, Existing Conditions, Flooding, and Other Hazards: Footnote 72 refers to Flood Rate Insurance Map 06085C0233H; however, only a very small portion of the project site is included on this FIRM Panel. The majority of the project site is within FEMA FIRM Panel 06085C0231H, dated May 18, 2009. Footnote 72 also needs to be revised from "Flood Rate Insurance Map" to "Flood Insurance Rate Map".

Response B.14: The project site is located within FEMA Maps 06085C0233H and 06085C0231H. The footnote on page 89 of the IS/MND has been revised per the above comment, see Section 3.0 of this memo. Refer to Response B.12 above for a discussion of the projects impacts related to its location within Flood Zone AH. The text revision does not change the analysis, adequacy, or the findings of the IS/MND.

COMMENT LETTER C: SANTA CLARA VALLEY AUDUBON SOCIETY - MARCH 8, 2023.

Comment C.1: The Santa Clara Valley Audubon Society is a local environmental organization that works to protect birds and other wildlife species and to promote the enjoyment of nature. We thank you for the opportunity to provide comments on the Initial Study and Mitigated Negative Declaration (IS/MND) for the Columbus Park Redevelopment Project.

The project is planned on approximately 12.5-acres and includes demolition of all existing park facilities, recreational equipment and improvements, and construction of new lighted multi-sport playing fields and courts, restrooms, a picnic area and a maintenance building. The proposed playing

fields would include synthetic turf and stadium lighting and would be designed for use as softball or soccer fields.

1. Lighting

Existing lighting within the park includes 12 stadium lights ranging in height from 40-50 feet located around the sports fields, street lighting around the perimeter of the park, and building mounted securing lights on the restroom and storage buildings. The project would remove the two existing lighting and street lights, and install new lighting throughout the site. The project would add 31 50-foot lights installed around the sports fields and horseshoe pitches and 12 22-foot lights installed around the sports courts.

All lights would be fitted with LED bulbs, would not exceed 50 feet above ground level (AGL) and be oriented downward toward the playing fields and include shielding materials to direct light on the fields only, minimize interference with airport operations, and limit light spillover in the Guadalupe River. Under the proposed project, lights would be on during park operational hours from sunset until closing. Stadium lights around the sports fields would be illuminated only when fields are reserved.

The International Dark Sky Association recently published “Artificial Light at Night: State of the Science 2022”, incorporated here by reference (see attached²). This document summarizes the current state of knowledge about how the widespread and growing use of artificial light at night interacts with six key topics: the night sky (Section 1); wildlife and ecology (Section 2); human health (Section 3); public safety (Section 4); energy security and climate change (Section 5); and social justice (Section 6). The report substantiates a fair argument that the IS/MND should provide an in-depth analysis of these environmental and health impacts as related to:

- The shift to LED lighting
- The increase in overall lighting of the site.

Response C.1: A discussion of the project’s lighting impacts is included on pages 16, 17, and 18 of the IS/MND. As noted on page 8 of the IS/MND, the project would replace the existing 12 40- to 50-foot-tall stadium lights, building-mounted security lights, and streetlights with 31 50-foot lights installed around the sports fields and horseshoe pitches and 12 22-foot lights installed around the sports courts. All new lights would be fitted with LED bulbs, would not exceed 50 feet above ground level (AGL) and would be referred to the FAA for Part 77 Airspace Safety Review. All lights would be oriented downward toward the playing fields and include shielding materials to direct light on the fields only, minimize interference with airport operations, and limit light spillover in the Guadalupe River.

Under baseline conditions,³ sports lights are on from 6:00 PM to 10:00 PM and are fitted with incandescent bulbs. With implementation of the project, stadium lights around the sports

² Artificial Light at Night: State of the Science 2022

<https://www.darksky.org/wp-content/uploads/2022/06/IDA-State-of-the-Science-2022-EN.pdf>

³ As noted on page 6 of the IS/MND, baseline conditions were assumed to be park conditions from 2015 to 2019 due to local and statewide shelter in place directives resulting from the COVID-19 pandemic which were in effect at the time the IS/MND analysis was completed.

fields would be illuminated only when fields are reserved and all other lights would be on during park operational hours from sunset until park closing. As noted on page 6 of the IS/MND, the park is open from sunrise to one hour after sunset 365 days of the year. Therefore, under the proposed project, lights would only be illuminated for one hour after sunset at any time of the year, which is a shorter amount of time than lights are illuminated under baseline conditions.

Although the project would result in an increase in the number of lights on-site compared to existing conditions, due to the high level of existing lighting in the project area and incorporation of shielding materials in the lighting design, the project would not create a new source of substantial light and glare that would adversely affect day or nighttime views in the area (refer to pages 16, 17 and 18 of the IS/MND). Additionally, because most roadways in the project area (including West Taylor, Irene, Asbury, Walnut, and Spring Streets)⁴ are already illuminated by LED streetlights, the project would not create a substantial new source of light or glare that would result in safety concerns for drivers on adjacent roadways. Furthermore, as noted on pages 24 and 104 the nearest residences to the project site are located approximately 1,000 feet from the project site on Coleman Avenue. At this distance, any increase in lighting levels resulting from the project would be imperceptible and would not disrupt the sleeping patterns of residents on Coleman Avenue or result in impacts to human health.⁵

Analyses of the project's energy use and greenhouse gas (GHG) emissions, including those resulting from proposed lighting are included on pages 58-59 and 70- 71 of the IS/MND. Although operation of the new stadium lights, restroom, and maintenance building would consume energy in the form of lighting, the project would comply with Title 24 and CALGreen energy efficiency measures and obtain 90 percent carbon-free energy through SJCE, ensuring that project operations would not use energy in a wasteful manner (refer to pages 58 – 59 of the IS/MND). Furthermore, as noted on page 70-71 of the IS/MND, pursuant to the latest BAAQMD CEQA Air Quality Guidelines and Section 15183.5 of the CEQA Guidelines, a local government may prepare a Qualified Climate Action Plan that is consistent with AB 32 goals and if a project is consistent with that plan, it is presumed that the project would not have significant GHG emissions under CEQA. The City of San José adopted the 2030 GHG Reduction Strategy (GHGRS) in 2020, which is a Qualified Climate Action Plan, and the proposed project was found to be consistent with that plan because it is consistent with the General Plan land use designation for the site, planned growth from build out of the General Plan, and incorporates mandatory GHG reduction measures required by the City. Therefore, the proposed project, including operation of lighting on-site would not result in significant GHG emissions.

⁴ City of San José. "LED Conversion Program." Accessed March 24, 2023. <https://www.sanjoseca.gov/your-government/departments-offices/transportation/streets/streetlights/led-conversion-program#:~:text=LED%20Conversion%20Status,been%20converted%20to%20LED%20fixtures>.

⁵ National Aeronautics and Space Administration. "More on Brightness as a Function of Distance." May 5, 2016. https://imagine.gsfc.nasa.gov/features/yba/M31_velocity/lightcurve/more.html#:~:text=The%20intensity%20or%20brightness%20of,follows%20an%20inverse%20square%20relationship.&text=Notice%20that%20as%20the%20distance,one%20over%20r%20squared%22%20relationship

A discussion of the impacts of project lighting on biological resources, including migratory birds is provided under Response 3.2 below.

This comment also addresses social justice which is not considered an impact under CEQA. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment C.2: The IS/MND limits its analysis and discussion to the CEQA question of whether the Project would “create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.” As clearly shown in the Artificial Light at Night: State of the Science 2022 report, the impacts of lighting are broader than this narrow examination.

The IS/MND should provides analysis, discussion and mitigation of the potential biological impacts of lighting. Please discuss the potential biological impacts and environmental health implications of the chosen Correlated Color Temperature, and discuss impacts to migratory birds⁶ locally and as a cumulative impact.

Response C.2: A discussion of the project’s effects on biological resources, including those related to increased lighting is included on pages 36-41 of the IS/MND. The exact light bulbs to be used on-site have not been selected at this time. Therefore, the correlated color temperature of the proposed lighting is not known and a discussion of the project and cumulative impacts of the lighting color on biological resources and environmental health would be speculative.

The project site is highly urbanized and developed with playing fields, sports courts, and structures associated with the existing City park. Playing fields currently contain gofer burrows which do not meet the definition of Special Status Species under CEQA. The project site does not include natural communities or habitat for special status plant or wildlife species, with the exception of nesting birds (refer to pages 36-37 of the IS/MND). The nearest area in which special status species might be present is the Guadalupe River riparian corridor, located approximately 400 feet east of the project site.

Many animals are sensitive to light cues, which influence their physiology and shape their behaviors, particularly during the breeding season.⁷ Artificial light has been used as a means of manipulating breeding behavior and productivity in captive birds for decades and has been shown to influence the territorial signing behavior of wild birds.⁸ Artificial lighting may indirectly impact mammals and birds by increasing the nocturnal activity of predators such as

⁶ The Growing Effects of Light Pollution on Migratory Birds

<https://www.un.org/en/un-chronicle/growing-effects-light-pollution-migratory-birds>

⁷ R. K. Ringer. “Effect of light and behavior on nutrition.” *Journal of Animal Science*. 35: 642-647. 1972 and J. G. de Molenaar, M. E. Sanders, and D. A. Jonkers. “Road lighting and grassland birds: local influence of road lighting on a black-tailed godwit population.” Rich, C., and T. Longcore, eds. “Ecological Consequences of Artificial Night Lighting.” Covelo, CA: Island Press. Pp 114-136. 2006.

⁸ Ibid. de Molenaar. 2006

owls, hawks, and mammalian predators.⁹ The presence of artificial light may also influence habitat use by rodents and any breeding birds by causing avoidance of well-lit areas, resulting in a net loss of habitat availability and quality.¹⁰ Nocturnally migrating birds may alter their flight direction or behavior upon seeing lights; the birds may be drawn toward the lights or may become disoriented, potentially striking objects such as buildings, adjacent power lines, or even the lights themselves.

The project would be lighted during park operational hours from sunset until park closing and stadium lights around the sports fields would be illuminated only when fields are reserved. All proposed lighting on-site would be oriented downward toward the playing fields and include shielding material to minimize light spillover into adjacent parcels (refer to page 8 of the IS/MND). Due to the distance between the project site and the Guadalupe River riparian corridor and because the intensity of light decreases with increasing distance from the source, any increased lighting resulting from the proposed project would be incremental and would not result in impacts to wildlife within the Guadalupe River riparian corridor (refer to pages 17-18 of the IS/MND). Additionally, because the project would not result in a substantial increase in lighting on-site compared to existing conditions, and all proposed lighting would be oriented downward toward the playing fields with shielding materials, it would not result in a significant change in lighting visible to nocturnal migrating birds and impacts to migratory birds from implementation of the project would be less than significant.

Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment C.3: Please consider:

- IDA-Criteria for Community-Friendly Outdoor Sports Lighting (see attached¹¹).
- Please limit the Correlated Color Temperature (CCT) to the minimum possible Kelvin scale unit.
- To make the lighting the least harmful to wildlife, please make sure the correlated color temperature (CCT) is no more than 4000K. The FIFA standard of 4000K CCT4 exists solely to optimize recording and broadcast of digital video footage, there is no reason a public park should need a higher CCT. The glare rating (GR) should be no greater than 40 GR since that is the maximum GR for the NFL¹³. Also, minimize the upward light ratio, or ULR, which is the proportion of light that is emitted by a luminaire at or above the horizontal when mounted, ideally to under 8% which is the IDA recommendation¹², though some vendors claim their products are under 1% ULR.¹³

⁹ T. Longcore. and C. Rich. "Ecological light pollution." *Frontiers in Ecology and the Environment*. 2(4): 191-198. 2004.; Miller, M. W. 2006. "Apparent effects of light pollution on singing behavior of American robins." *Condor* 108(1): 130-139.; and Ibid. de Molenaar. 2006.

¹⁰ D. I. Rogers, T. Piersma, and C. J. Hassell. "Roost availability may constrain shorebird distribution: Exploring the energetic costs of roosting and disturbance around a tropical bay." *Biological Conservation*. 33(4): 225-235. 2006. And Ibid. de Molenaar. 2006.

¹¹ IDA-Criteria for Community-Friendly Outdoor Sports Lighting, 2018. <https://www.darksky.org/wp-content/uploads/2018/03/IDA-Criteria-for-Community-Friendly-Outdoor-Sports-Lighting.pdf>

¹² Ibid

¹³ Sports Lighting Regulations, 2019 <https://www.allthingslighting.org/sports-lighting-regulations/>

- Please limit the lighting on the new pedestrian paseo to a CCT of under 2700K recommended by ecologists. The lighting on the walkway should be only enough for safety, should be shielded downwards, and of a yellow/orange hue.

Response C.3: This comment provides recommendations for the selection of lighting fixtures on-site and does not address the adequacy of the IS/MND. City staff and the City's electrical consultants will review the IDA Criteria provided in this comment during the design process, evaluate these recommendations for compliance with City codes, and incorporate the recommendations into the design, if feasible. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment C.4:

2. Synthetic turf

- The IS/MND provides no details on the type of synthetic turf and fill that would be used for this project. A recent review of scientific literature on this topic¹⁴ shows that chemicals identified in artificial turf, including polycyclic aromatic hydrocarbons (PAHs), phthalates, and per- and polyfluoroalkyl substances (PFAS), are known carcinogens, neurotoxicants, mutagens, and endocrine disruptors. The review discusses ecotoxicology studies using invertebrate models, vertebrate animal studies, and human epidemiology studies of associations between artificial turf usage and disease. This information should be analyzed and disclosed to the public and to decision makers.

Response C.3: As discussed on pages 6 of the IS/MND, the project would replace the existing natural turf playing fields with two new synthetic turf playing fields. The exact synthetic turf material that would be purchased and used on-site has not been determined at this time. However, the City will use a synthetic turf that includes fill made from natural materials such as cork, or walnut shells, consistent with what is used on other recent City park redevelopment projects such as Ramac Park, which was completed in 2022. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment C.5:

- Synthetic turf fields can create increased environmental heat.¹⁵ The impact of increased heat on the creek corridor should be discussed.

Response C.5: This comment addresses increased environmental heat which is not considered an impact under CEQA. A discussion of the project's effects on the Guadalupe River riparian corridor is included on pages 36-41 of the IS/MND. As discussed in this section of the IS/MND and in Responses 2.1, 2.2, and 2.9 above, due to the level of existing development, nature of the proposed project, and distance between the project site and the Guadalupe River riparian corridor, the project would not result in significant impacts to the

¹⁴ Health impacts of artificial turf: Toxicity studies, challenges, and future directions, 2022 <https://www.sciencedirect.com/science/article/abs/pii/S0269749122010557#preview-section-references>, see also Turf Wars: How Safe Are The Fields Where We Play? 2015 <http://www.espn.com/espnw/news-commentary/article/14206717/how-safe-fields-where-play>

¹⁵ Synthetic Sports Fields and the Heat Island Effect, 2019 <https://www.nrpa.org/parks-recreation-magazine/2019/may/synthetic-sports-fields-and-the-heat-island-effect/>

biological resources within the Guadalupe River riparian corridor. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

Comment C.6:

- Small plastic and rubber particles (microplastics¹⁶) have the potential to accumulate in our waterways, and bioaccumulate in aquatic organisms, harming fish and wildlife. The potential of torn blades and crumb particles to be washed to the Guadalupe River riparian and aquatic ecosystems as well as the San Francisco Bay must be analyzed and mitigated. For example, large swales that are adequately maintained and periodically cleaned of particles should be incorporated into the design and conditions of approval.

Response C.6: As noted on page 92 and shown on Figure 3.2-1 of the IS/MND, the project would include bioretention areas around the perimeter of the synthetic turf playing fields and within the proposed surface parking lot to collect, filter, retain, and treat stormwater before it enters the municipal stormwater system. Consistent with City of San José Post-Construction Urban Runoff Policy 6-29 and the MRP, synthetic turf playing fields are considered impervious surfaces. Therefore, stormwater from the fields would be directed to the bioretention areas on-site where it would be filtered, retained, and treated prior to discharge into the City's Stormwater system, the Guadalupe River, and ultimately the San Francisco Bay. Revisions to the IS/MND are not needed and recirculation of the IS/MND is not required.

¹⁶ Tracking Microplastics from Artificial Football Fields to Stormwater Systems, 2019 <http://www.diva-portal.org/smash/get/diva2:1330304/FULLTEXT02>

SECTION 3.0 DRAFT INITIAL STUDY/MND TEXT REVISIONS

This section contains revisions to the text of the Columbus Park Redevelopment project Initial Study dated February 2023. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page 2 Section 2.3. Project Location and Section 2.4 Assessor's Parcel Number: the text will be **REVISED** as follows:

2.3 PROJECT LOCATION

The approximately 12.5-acre project site includes Columbus Park in San José and an undeveloped parcel located to the east of the park which contains a small gravel parking area and grass land. The project site consists of three parcels (Assessor's Parcel Numbers [APNs] 259-07-115, 259-08-103, and 259-087-114) and is bounded by Asbury Street to the north, West Taylor Street to the south, Guadalupe River Park to the east, and Walnut Street to the west. Surrounding uses include undeveloped land within the Inner Safety Zone of Norman Y. Mineta International Airport to the north, Guadalupe Gardens and Heritage Rose Garden to the south, Guadalupe River Park to the east, and Guadalupe Community Garden and existing industrial and commercial uses to the west. The project site is entirely located within the Inner Safety Zone of Normal Y. Mineta International Airport. Regional, vicinity, and aerial maps of the project site are shown in Figure 2.7-1, Figure 2.7-2, and Figure 2.7-3.

2.4 ASSESSOR'S PARCEL NUMBER

259-07-115, 259-07-114 and 259-08-103

2.5 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

The project site is designated as Open Space, Parklands and Habitat (OPSH) under the City's General Plan and is zoned Two-Family Residential in the San José Zoning Code.

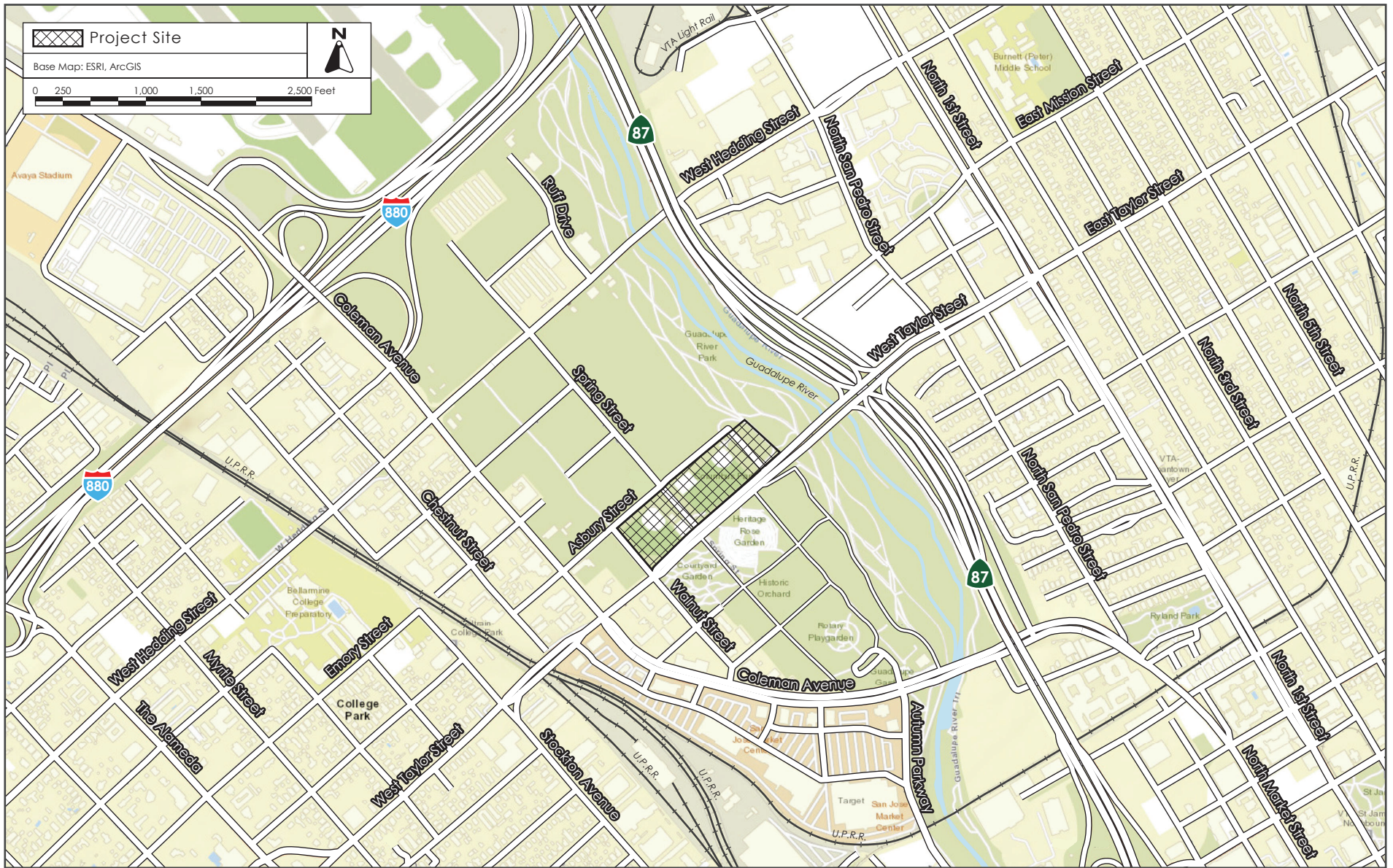
2.6 HABITAT PLAN DESIGNATION

Golf Courses and Urban Parks

2.7 REQUIRED APPROVALS AND RESPONSIBLE AGENCIES

An encroachment permit is required for development of a portion of the surface parking lot and paved trail connection within an existing Valley Water easement. Valley Water would be considered a CEQA Responsible Agency for this project.

Page 4 Figure 2.7-2 Regional Location Map: **REPLACE** with the following figure:



	Project Site
Base Map: ESRI, ArcGIS	

VICINITY MAP

FIGURE 2.7-2

A 236-space, landscaped surface parking lot would be constructed adjacent to the eastern project boundary, ~~west~~east of Irene Street and would provide parking for the proposed project. Bio-swailes and flow-through planters would also be constructed in the median islands of the parking lot. The project proposes to provide bicycle parking in accordance with the City's Municipal Code (Table 20-190), which requires two bicycle parking spaces for every acre of park for a total of 25 spaces.

The proposed project includes renaming and redeveloping the existing park. The project would change the name of the park from Columbus Park to Janet Gray Hayes Park and would include demolition of all existing park facilities, recreational equipment and improvements, and construction of new lighted multi-sport playing fields and courts, restrooms, a picnic area and a maintenance building. The project would also reconfigure Irene, Asbury, and Walnut Streets as a one-directional perimeter access roads, construct a new parking lot on the eastern project boundary,¹⁷ temporarily close Spring Street between Asbury and West Taylor Street, construct a new paved trail connection between the surface parking lot and Guadalupe River trail, and construct a new pedestrian paseo in its place. As a part of the park redevelopment, the park will be renamed. A conceptual site plan is shown on Figure 3.2-1. A detailed description of these improvements is included below.

¹⁷ Approximately half of the proposed surface parking lot would be located within a Valley Water easement.



Source: RRM Design Group, March 9, 2022.

CONCEPTUAL SITE PLAN

FIGURE 3.2-1

The project would temporarily close Spring Street between West Taylor Street and Asbury Street and reconfigure Irene, Asbury, and Walnut Streets as a one-directional perimeter access road. Under the proposed project, vehicular access to the site would be provided via one inbound driveway where Walnut Street and Taylor Street currently intersect and one outbound driveway where Irene Street and Taylor Street currently intersect. Pedestrian access to the project site would be provided via existing sidewalks on West Taylor Street and reconstructed sidewalks along Asbury, Walnut, and Irene Streets and via a newly converted pedestrian paseo where Spring Street currently exists. A 12-foot-wide paved trail connection between the surface parking lot and the Guadalupe River trail would also be constructed and provide access to the site from Guadalupe River. Approximately half of the proposed surface parking lot and a small portion of the paved trail connection would be located within land subject to a Valley Water easement.

The City intends to vacate, or permanently close Spring Street from West Taylor Street to West Hedding Street. Prior to permanent closure of Spring Street, the City would temporarily close Spring Street to allow for construction of the proposed project. Temporary closure would last approximately two years, during which time, the City would seek out permanent closure of Spring Street.

Columbus Park is located east of a developed commercial area with existing sources of light and glare, and west of Guadalupe River Park which is a riparian area with limited artificial lighting. Sources of light and glare that currently exist within the project area to the west include streetlights, vehicular headlights, internal building lights from nearby buildings, and reflective building surfaces and windows. Existing lighting within the park includes 12 stadium lights ranging in height from 40-50 feet located around the sports fields, street lighting around the perimeter of the park, and building mounted securing lights on the restroom and storage buildings. As discussed in Section 3.3, Project Description, the project would include installation of 31 50-foot stadium lights. All lighting on-site would be fitted with LED bulbs, would not exceed 50 feet above ground level (AGL) and would be referred to the FAA for Part 77 Airspace Safety Review.⁷ All lighting would be oriented downward toward the playing fields with shielding materials to minimize interference with airport operations and limiting light spillover into Guadalupe River (refer to Section 4.9 Hazards and Hazardous Materials for further discussion of the projects impacts on airport operations, and Section 4.11 Land Use for further discussion of the airport land use compatibility). ~~Under both lighting scenarios,~~ lights would be on during park operational hours from sunset until park closing and stadium lights around the sports fields would be illuminated only when fields are reserved. Additionally, the project would be required to comply with City Council Policy 6-34, to ensure lighting is properly designed to avoid impacts to the Guadalupe River riparian corridor (refer to Section 4.4 Biological Resources for further discussion of project impacts on biological resources). For these reasons, the project would not substantially impact adjacent uses with daytime glare from building materials or with nighttime light. **(Less than Significant Impact)**

The Bay Area is considered a non-attainment area for ground-level O₃ and PM_{2.5} under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM₁₀ under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O₃ and PM₁₀, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O₃ precursor pollutants (ROG and NO_x), PM₁₀, and PM_{2.5}, and apply to both construction period and operational period impacts.

The nearest sensitive receptors are the residences on Coleman Avenue~~Chestnut Street~~, approximately 1,000 feet ~~north~~southwest of the project site.

As discussed in Section 4.4.1, Environmental Setting, the project site is developed and located within an urban area. The nearest sensitive habitat to the project site is riparian habitat along Guadalupe River, approximately 400 feet east of the project site (including the park and proposed surface parking lot) and 150 feet east of the proposed trail connection as measured from the dripline of the nearest riparian vegetation. The City's Riparian Corridor Policy addresses how development projects should protect and preserve these riparian corridors. The Riparian Corridor Policy applies to projects within 300 feet of a riparian corridor's top of bank or edge of vegetation, whichever is greater. The Riparian Corridor Policy includes guidelines for the design of riparian projects, including establishing minimum buffer distances for certain developments to avoid operational issues that could impact the riparian corridor. Because the proposed park redevelopment~~project site~~ is located 400 feet from the Guadalupe River and is separated from the river by ~~Irene Street~~ and the existing Guadalupe River Trail, it is not subject to the specific requirements of the City's Riparian Corridor Policy. The proposed trail connection would be subject to the Riparian Corridor Policy. Consistent with the Riparian Corridor Policy, the project would be located more than 10 feet from the Guadalupe River riparian corridor. Therefore, the proposed trail connection would not result in operational impacts to the Guadalupe River Riparian corridor. For these reasons, the project would not conflict with the Riparian Corridor Policy and would not result in a loss of sensitive habitat. **(Less than Significant Impact)**

The project site does not support a watercourse or provide habitat that facilitates the movement of any native or migratory fish or wildlife species. The project site is currently developed as a city park with perimeter fencing and an informal gravel parking area. The nearest watercourse to the project site is the Guadalupe River, located approximately 400 feet east of the project site (including the park and proposed surface parking lot) and 150 feet east of the proposed trail connection as measured from the dripline of the nearest riparian vegetation. For these reasons, the site has limited potential to serve as a migratory corridor for wildlife except with regard to migratory birds, which are discussed

under checklist question a. As noted in Section 3.0 Project Description and discussed in Section 4.1 Aesthetics, the project would be lighted during park operational hours from sunset until park closing and stadium lights around the sports fields would be illuminated only when fields are reserved. All proposed lighting on-site would be oriented downward toward the playing fields and include shielding material to minimize light spillover. Because the intensity of light decreases with increasing distance from the source, any increased lighting resulting from the proposed project would be incremental and would not result in impacts to wildlife within the Guadalupe River riparian corridor.¹⁸ Therefore, implementation of the proposed project would not interfere with the movement of wildlife species. **(Less than Significant Impact)**

Page 86

Section 4.10.1.1 Regulatory Framework, Municipal Regional Permit
Provision C.3: the text will be **REVISES** as follows:

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 and again in May 2022 to regulate stormwater discharges from municipalities and local agencies (copermittees) in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun City, and Vallejo. All projects for which building permits are issued now through June 30, 2023 would be subject to the 2015 MRP and projects for which building permits are issued on or after July 1, 2023 would be subject to the 2022 MRP. Under provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. Under Provision C.3 of the 2022 MRP, the threshold to implement site design, source control, and LID-based stormwater treatment controls is 5,000 square feet or more of impervious surfaces. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained. The proposed project would be subject to the MRP effective at the time of construction.

Pages 86-87

Section 4.10.1.1 Regulatory Framework, Water Resources Protection
Ordinance and District Well Ordinance: the text will be **REPLACED** as follows:

~~Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.~~ Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water's fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water's Well Ordinance 90-1, permits are required

for any boring, drilling, deepening, refurbishing, or destroying of a water well, cathodic protection well, observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County.

Page 87

Section 4.10.1. Regulatory Framework: the text will be **REVISED** as follows:

20162021 Groundwater Management Plan

This 20162021 Groundwater Management Plan (GWMP) describes the Valley Water’s comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county’s water supply comes from local sources and the other half comes from imported sources. Imported water includes the District’s State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county’s water supply is recycled water.

Local groundwater resources make up the foundation of the county’s water supply, but they need to be augmented by the District’s comprehensive water supply management activities to reliably meet the county’s needs. These include the managed recharge of imported and local surface water and in lieu recharge through the provision of treated surface water, acquisition of supplemental water supplies, and water conservation and recycling.

Page 89

Section 4.10.1.2 Existing Conditions, Flooding and Other Hazards: the text will be **REVISED** as follows:

The project site is not located within a 100-year flood zone, with the exception of a small portion of the project site (approximately 10,600 square feet of the total 544,500 square foot site) in the northeast corner of the existing Columbus Park. According to the FEMA Flood Insurance Rate Maps, the majority of the project site is located within Zone X, an area with reduced flood risk due to levee.¹⁸ Flood Zone X denotes areas of moderate flood hazard.¹⁹ Flood Zone AH are areas with a one percent annual chance flooding, usually in the form of a pond, with an average depth ranging from one to three feet.²⁰ Due to the location of the site approximately 28 miles east of the Pacific Ocean

¹⁸ Federal Emergency Management Agency. Flood ~~Rate~~ Insurance Rate Maps 06085C0233H and 06085C0231H. May 18, 2009.

¹⁹ Federal Emergency Management Agency. “Flood Zones.” Accessed October 22, 2021. <https://www.fema.gov/glossary/flood-zones>

²⁰ Federal Emergency Management Agency. “Glossary, Zone AH.” Accessed April 6, 2023. <https://www.fema.gov/glossary/zone-ah#:~:text=Areas%20with%20a%201%25%20annual.of%20a%2030%E2%80%90year%20mortgage.>

and approximately seven miles south of San Francisco Bay (the nearest water bodies susceptible to tsunami and seiche, respectively), it would not be subject to tsunami and seiche hazards.

Page 93 Section 4.10.2 Impact Discussion, checklist question c): the text will be **REVISED** as follows:

The nearest waterbody to the project site is the Guadalupe River, approximately 400 feet east of the project site. The proposed project would not include work within Guadalupe River and would not result in alteration of the course of the river.

As noted above, the project site is currently developed with a public park and informal gravel parking area, with approximately 92,800 square feet of impervious surfaces. With project implementation, impervious surfaces would be increase to 99,265 square feet, an increase of one percent compared to existing conditions. The project would comply with the NPDES General Construction Permit to reduce the rate of stormwater runoff while removing pollutants. Compliance with the MRP and associated City policies would reduce the overall rate and volume of runoff entering the storm drain system. As noted in Section 4.10.1.2 Existing Conditions above, a portion of the project site (approximately 10,600 square feet of the total 544,500 square foot site) in the northeast corner of the existing Columbus Park is located within Flood Zone AH, a special hazard flood zone that is subject to one percent annual chance of flood. Flood waters in Flood Zone AH originate from with Guadalupe River, terminating at the project site. As shown in Figure 3.2-1, this portion of the project site would be developed with synthetic turf playing fields, trees, sidewalk and Irene Street. No structures are proposed within this portion of the project site. For these reasons, implementation of the proposed project would not result in an increase in stormwater runoff or pollutants, or substantially alter the existing drainage pattern of the site resulting in substantial flooding on- or off-site; create or contribute runoff water which would exceed capacity of existing or planned stormwater drainage systems or provide substantial sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

Page 93 Section 4.10.2 Impact Discussion, checklist question d): the text will be **REVISED** as follows:

As noted in Section 4.10.1.2 Existing Conditions above, a portion of the project site (approximately 10,600 square feet of the total 544,500 square foot site) in the northeast corner of the existing Columbus Park is located within Flood Zone AH, a special hazard flood zone that is subject to one percent annual chance of flood. As shown in Figure 3.2-1, this portion of the project site would be developed with synthetic turf playing fields, trees, sidewalk and Irene Street. No structures are proposed within this portion of the project site. As discussed in Section 4.9 Hazards and Hazardous Materials, small quantities of herbicides and pesticides are currently and would be transported to and used on the project site for maintenance of park landscaping and playing fields with implementation of the project. However, under the proposed project, the quantity of herbicides and pesticides transported to, and used on-site would be reduced, as the existing natural turf playing fields would be replaced with synthetic turf fields. No herbicides and/or pesticides would be stored within this portion of the project site. Furthermore, flood waters in Flood Zone AH originate from with

Guadalupe River, terminating at the project site. For these reasons, the project would not risk release of pollutants due to inundation in a flood hazard.

A seiche is the oscillation of water in an enclosed body of water such as a lake or the San Francisco Bay. A tsunami or tidal way is a series of water waves caused by displacing a large volume body of water, such as an ocean or a large lake. Due to the location of the project site, the project would not be subject to inundation by seiche or tsunami. **(No Impact)**

SECTION 4.0 CONCLUSION

The comments received on the IS/MND did not raise any new issues about the project’s environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor clarifications were added to the text of the IS/MND (refer to Section 3.0 Draft IS/MND Text Revisions). The text revisions do not constitute a “substantial revision” pursuant to CEQA Guidelines §15073.5 and recirculation of the MND is not required.

Appendix A

Draft Initial Study Comment Letters



March 1, 2023

Bethelhem Telahun
City of San Jose
200 East Santa Clara St
San Jose, CA 95113

Re: Columbus Park Redevelopment Project
Asbury Street & Spring Street, San Jose, CA 95110

Dear Bethelhem Telahun,

Thank you for giving us the opportunity to review the subject plans. The proposed Columbus Park Redevelopment Project is within the same vicinity of PG&E's existing facilities that impact this property.

PG&E operates gas and electric underground facilities within the franchise areas surrounding the subject property. In addition, PG&E operates a high-voltage underground electric transmission line within the northeasterly portion of the property. The current site plan does not contain enough information for a proper review to be conducted for impacts to PG&E facilities. The Company requests a fully developed site plan be submitted for review and approval prior to any construction commencing. The site plan should include all existing utilities and easements.

The Company requests all trees and brush planted near said underground facilities maintain a minimum distance of 5-feet for safety and access purposes. PG&E must have unobstructed, heavy-equipment access to all facilities at all times. The proposed gates surrounding the property must be secured with PG&E locks.

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

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

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

Sincerely,

Alexa Gardea
Land Management
916-760-5738

Carolyn Mogollon

From: Lisa Brancatelli <LBrancatelli@valleywater.org>
Sent: Thursday, March 2, 2023 5:09 PM
To: Telahun, Bethelhem
Cc: Colleen Haggerty
Subject: RE: Public Notice of Intent to Adopt a ND for the Columbus Park Redevelopment Project (ER20-025)

[External Email]

Hello Bethlehem,

Valley Water has reviewed the Draft Initial Study & Mitigated Negative Declaration (IS/MND) for the Columbus Park Redevelopment Project, received on February 8, 2023. The project site is located directly adjacent to Valley Water's easements, for flood control purposes and mitigation plantings, along the Guadalupe River.

It is not clear if the new parking lot and trail connection are proposed on Valley Water easement. Please note that development/work within Valley Water's easement will need an encroachment permit in accordance with Valley Water's Water Resources Protection Ordinance. Issuance of a Valley Water encroachment permit is a discretionary act and requires Valley Water to be considered a responsible agency under CEQA.

Valley Water has the following comments on the Draft IS/MND:

1. Valley Water has an easement along the Guadalupe River which needs to be shown as well as noted in the document. Some of Valley Water's easement contain several native plant mitigation sites related to past flood protection improvements along the river. Since the site is near mitigations sites and includes new tree planting and landscaping, Valley Water encourages conformance with the Guidelines and Standards for Land Use Near Streams (G & S) developed by the Water Resources Protection Collaborative in which the City participated as it includes additional guidance that compliments the City's Riparian Corridor Policy, including easy to read guide sheets. Of particular importance are setbacks, appropriate land uses near the riparian corridor, and the use of appropriate plantings adjacent to the riparian corridor. In particular, the use of box size locally native tree species and large nursery containers for locally native shrub and ground cover species, adjacent to the riparian corridor should be avoided to protect the genetic integrity of the existing native riparian plants and instead for areas adjacent to the riparian corridor where large container plants are desired, ornamental and/or non-local natives should be used (see G & S Design Guides 2, 3, 4). Locally native riparian plant species, if desired, should be grown from Guadalupe River watershed stock for conformance with the Guidelines and Standards.
2. **On page 2**, the APN 259-08-114 noted in this section is inconsistent with the APNs noted in Section 2.4. Also, APN 259-08-114 is not valid and appears to actually be a reference to 259-07-114. Please revise the document for accuracy.
3. **On page 4, Figure 2.7-2**, the project area hatched on this figure does not appear to include the proposed parking lot (APN 259-07-114) nor match the project boundary shown on Figure 2.7-3 (Page 5) and Figure 3.2-1 (Page 7). Please revise the document for consistency.

4. **On page 6, Site Access, and page 130, Impact Discussion (a)**, the project proposes a 12-foot wide paved trail connection from the new surface parking lot to the Guadalupe River Trail where Valley Water has an easement. The document doesn't show where the connection is proposed and its relationship to the existing access points in the vicinity of the site. Please provide additional information regarding this connection relative to Valley Water's easement and the need for a Valley Water Permit.
5. **Page 7, Conceptual Site Plan**, The figure should include the location of the proposed 12-wide trail connection to the Guadalupe River Trail for clarity.
6. **On page 8, Site Access and Parking**, the document notes permanently closing Spring Street. Valley Water's Central Pipeline crosses Spring Street at Emory Street and Valley Water requests easements for areas where our pipeline is located within streets to be vacated.
7. **On page 9, Site Access and Parking**, this section notes the landscaped parking lot would be constructed west of Irene Street; however, Figure 3.2-1 on page 7 shows the parking lot to the east of Irene Street. The document should be revised for accuracy and consistency.
8. **On page 38, Impact Discussion (b)**, the document notes that because the project is located 400 feet from the Guadalupe river, it is not subject to the requirements of the City's Riparian Corridor Policy. Efforts should be done to preserve the existing riparian vegetation or to enhance the area by planting vegetation suitable for the riparian corridor and not include hardscape or other active uses that would negatively impact the creek and riparian habitat. Please confirm the setback distance which should be measured from the outside dripline of the Riparian Corridor vegetation or top of bank, whichever is greater, and based on a biological review of the site.
9. **Page 86, Municipal Regional Permit Provision C.3**, should note that the Regional Water Quality Control Board (RWQCB) has re-issued the Municipal Regional Stormwater NPDES Permit on May 11, 2022 (Order No. R2-2022-0018, NPDES Permit No. CAS612008) and effective July 1, 2023.
10. **Pages 86-87, Water Resources Protection Ordinance and Well Ordinance**, the text under this section should be replaced with the following:

“Valley Water operates as the flood protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. In accordance with Valley Water's Water Resources Protection Ordinance, any work within Valley Water's fee title right of way or easement or work that impacts Valley Water facilities requires the issuance of a Valley Water permit. Under Valley Water's Well Ordinance 90-1, permits are required for any boring, drilling, deepening, refurbishing, or destroying of a water well, cathodic protection well, observation well, monitoring well, exploratory boring (45 feet or deeper), or other deep excavation that intersects the groundwater aquifers of Santa Clara County.”
11. **Section 4.10.1.1 – Regulatory Framework (Page 87)**: This section includes a subsection on Valley Water's 2016 Groundwater Management Plan. The subsection should be updated to reference Valley Water's updated 2021 Groundwater Management Plan which was adopted by the Board of Directors on November 21, 2021. The updated plan can be found at https://s3.us-west-2.amazonaws.com/assets.valleywater.org/2021_GWMP_web_version.pdf.
12. **Page 89, Existing Conditions, Flooding, and Other Hazards**: The text states the “project is not located within a 100-year flood zone”. A small portion of the project site is within Zone AH, a Special Flood Hazard Area, with an elevation of 62 feet (NAVD88). The text should be revised for accuracy.

13. **Page 89, Existing Conditions, Flooding, and Other Hazards:** Footnote 72 refers to Flood Rate Insurance Map 06085C0233H; however, only a very small portion of the project site is included on this FIRM Panel. The majority of the project site is within FEMA FIRM Panel 06085C0231H, dated May 18, 2009. Footnote 72 also needs to be revised from “Flood Rate Insurance Map “ to “Flood Insurance Rate Map”.

If you have any questions, you may reach me at (408) 630-2479, or by e-mail at L.Brancatelli@valleywater.org. Please reference Valley Water File No. 34878 in future correspondence regarding this project.

Thank you,

LISA BRANCATELLI

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Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

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From: Telahun, Bethelhem <Bethelhem.Telahun@sanjoseca.gov>

Sent: Wednesday, February 8, 2023 12:12 PM

Subject: Public Notice of Intent to Adopt a Negative Declaration for the Columbus Park Redevelopment Project (ER20-025)

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**PUBLIC NOTICE
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSE, CALIFORNIA**

Project Name: Columbus Park Redevelopment Project

File No.: ER20-025

Description: Public project to demolish all existing park facilities and recreational equipment on-site and construct new lighted multi-sport playing fields and courts, restrooms, a picnic area, and a maintenance building. The approximately 12.5-acre project site includes Columbus Park in San José and an undeveloped parcel located to the east of the park. The project would also reconfigure Irene, Asbury, and Walnut Streets as a one-directional perimeter access roads, construct a new parking lot on the eastern project boundary, temporarily close Spring Street between Asbury and West Taylor Street, and construct a new pedestrian paseo in its place. As a part of the park redevelopment, the park will be renamed Janet Gray Hayes Park.

Location: The project site is bounded by Asbury Street to the north, West Taylor Street to the south, Guadalupe River Park to the east, and Walnut Street to the west, in the City of San José.

Assessor's Parcel No.: 259-07-115, 259-08-103 and 259-08-103 **Council District:** 6

Applicant Contact Information: City of San José, Department of Public Works (Attn: Chris Mastrodiscasa); 200 East Santa Clara St, 6th floor, San José, CA 95113; (408)535-8300; chris.mastrodiscasa@sanjoseca.gov

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. Based on the review, the City has prepared a Draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment because the project will include mitigation measures that will reduce identified project impacts to a less than significant level. The project site is present on the list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft MND. The public comment period for this Draft MND begins on **Wednesday February 8, 2023 and ends on Thursday March 2, 2023**. The Draft MND, Initial Study, and reference documents are available online at: www.sanjoseca.gov/negativedeclarations

The documents are also available for review with an appointment during normal business hours at the City of San Jose Department of Planning, Building and Code Enforcement, located at City Hall, 200 East Santa Clara Street; or during normal business hours at Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street; and the Joyce Ellington Branch Library located at 491 East Empire Street. Please contact Bethelhem Telahun at (408) 535-5624, or by e-mail at bethelhem.telahun@sanjoseca.gov for appointment request or additional questions, comments, or concerns.

CHRISTOPHER BURTON, Director
Planning, Building and Code Enforcement

Circulation period: February 8, 2023 to March 2, 2023

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March 8, 2023

Bethelhem Telahun, Planning Manager

Via email: bethelhem.telahun@sanjoseca.gov

Re: Columbus Park Redevelopment Project, File ER20-025

The Santa Clara Valley Audubon Society is a local environmental organization that works to protect birds and other wildlife species and to promote the enjoyment of nature. We thank you for the opportunity to provide comments on the Initial Study and Mitigated Negative Declaration (IS/MND) for the Columbus Park Redevelopment Project.

The project is planned on approximately 12.5-acres and includes demolition of all existing park facilities, recreational equipment and improvements, and construction of new lighted multi-sport playing fields and courts, restrooms, a picnic area and a maintenance building. The proposed playing fields would include synthetic turf and stadium lighting and would be designed for use as softball or soccer fields.

1. Lighting

Existing lighting within the park includes 12 stadium lights ranging in height from 40-50 feet located around the sports fields, street lighting around the perimeter of the park, and building mounted securing lights on the restroom and storage buildings. The project would remove the two existing lighting and streetlights, and install new lighting throughout the site. The project would add 31 50-foot lights installed around the sports fields and horseshoe pitches and 12 22-foot lights installed around the sports courts.

All lights would be fitted with LED bulbs, would not exceed 50 feet above ground level (AGL) and be oriented downward toward the playing fields and include shielding materials to direct light on the fields only, minimize interference with airport operations, and limit light spillover in the Guadalupe River. Under the proposed project, lights would be on during park operational hours from sunset until closing. Stadium lights around the sports fields would be illuminated only when fields are reserved.

The International Dark Sky Association recently published “Artificial Light at Night: State of the Science 2022”, incorporated here by reference (see attached¹). This document summarizes the current state of knowledge about how the widespread and growing use of artificial light at night interacts with six key topics: the night sky (Section 1); wildlife and ecology (Section 2); human health (Section 3); public safety (Section 4); energy security and climate change (Section 5); and social justice (Section 6). The report substantiates a fair argument that the IS/MND should provide an in-depth analysis of these environmental and health impacts as related to:

- The shift to LED lighting
- The increase in overall lighting of the site.

The IS/MND limits its analysis and discussion to the CEQA question of whether the Project would “create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.” As clearly shown in the Artificial Light at Night: State of the Science 2022 report, the impacts of lighting are broader than this narrow examination.

The IS/MND should provide analysis, discussion and mitigation of the potential biological impacts of lighting. Please discuss the potential biological impacts and environmental health implications of the chosen Correlated Color Temperature, and discuss impacts to migratory birds² locally and as a cumulative impact.

Please consider:

- IDA-Criteria for Community-Friendly Outdoor Sports Lighting (see attached³).
- Please limit the Correlated Color Temperature (CCT) to the minimum possible Kelvin scale unit.
- To make the lighting the least harmful to wildlife, please make sure the correlated color temperature (CCT) is no more than 4000K. The FIFA standard of 4000K CCT⁴ exists solely to optimize recording and broadcast of digital video footage, there is no reason a public park should need a higher CCT. The glare rating (GR) should be no greater than 40 GR since that is the maximum GR for the NFL⁴. Also, minimize the upward light ratio, or ULR, which is the proportion of light that is emitted by a luminaire at or above the horizontal when mounted, ideally to under 8% which is the IDA recommendation³, though some vendors claim their products are under 1% ULR⁴.
- Please limit the lighting on the new pedestrian paseo to a CCT of under 2700K recommended by ecologists. The lighting on the walkway should be only enough for safety, should be shielded downwards, and of a yellow/orange hue.

¹ Artificial Light at Night: State of the Science 2022

<https://www.darksky.org/wp-content/uploads/2022/06/IDA-State-of-the-Science-2022-EN.pdf>

² The Growing Effects of Light Pollution on Migratory Birds

<https://www.un.org/en/un-chronicle/growing-effects-light-pollution-migratory-birds>

³ IDA-Criteria for Community-Friendly Outdoor Sports Lighting, 2018

<https://www.darksky.org/wp-content/uploads/2018/03/IDA-Criteria-for-Community-Friendly-Outdoor-Sports-Lighting.pdf>

⁴ Sports Lighting Regulations, 2019

<https://www.allthingslighting.org/sports-lighting-regulations/>

2. Synthetic turf

- The IS/MND provides no details on the type of synthetic turf and fill that would be used for this project. A recent review of scientific literature on this topic⁵ shows that chemicals identified in artificial turf, including polycyclic aromatic hydrocarbons (PAHs), phthalates, and per- and polyfluoroalkyl substances (PFAS), are known carcinogens, neurotoxicants, mutagens, and endocrine disruptors. The review discusses ecotoxicology studies using invertebrate models, vertebrate animal studies, and human epidemiology studies of associations between artificial turf usage and disease. This information should be analyzed and disclosed to the public and to decision makers.
- Synthetic turf fields can create increased environmental heat⁶. The impact of increased heat on the creek corridor should be discussed.
- Small plastic and rubber particles (microplastics⁷) have the potential to accumulate in our waterways, and bioaccumulate in aquatic organisms, harming fish and wildlife. The potential of torn blades and crumb particles to be washed to the Guadalupe River riparian and aquatic ecosystems as well as the San Francisco Bay must be analyzed and mitigated. For example, large swales that are adequately maintained and periodically cleaned of particles should be incorporated into the design and conditions of approval.

Thank you for the opportunity to provide comment,

Shani Kleinhaus, Ph.D., Environmental Advocate
Santa Clara Valley Audubon Society
advocate@scvas.org

⁵ Health impacts of artificial turf: Toxicity studies, challenges, and future directions, 2022
<https://www.sciencedirect.com/science/article/abs/pii/S0269749122010557#preview-section-references>, see also
Turf Wars: How Safe Are The Fields Where We Play? 2015

<http://www.espn.com/espnw/news-commentary/article/14206717/how-safe-fields-where-play>

⁶ Synthetic Sports Fields and the Heat Island Effect, 2019

<https://www.nrpa.org/parks-recreation-magazine/2019/may/synthetic-sports-fields-and-the-heat-island-effect/>

⁷ Tracking Microplastics from Artificial Football Fields to Stormwater Systems, 2019

<http://www.diva-portal.org/smash/get/diva2:1330304/FULLTEXT02>