

Response to Comments

1520 West San Carlos Mixed Use Project



June 2023

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SECTION 1.0 RESPONSES TO INITIAL STUDY/MITIGATED NEGATIVE DECLARATION COMMENTS

The Initial Study/Mitigated Negative Declaration (IS/MND) for the 1520 West San Carlos Mixed-Use project was prepared and evaluated in compliance with the requirements of the California Environmental Quality Act (CEQA). The IS/MND was circulated for 20 days starting on May 17, 2023 and ending on June 6, 2023.

The City received four comment letters during the public comment period. CEQA does not require formal responses to comments on an IS/MND. Nevertheless, the City has prepared this memo to provide written responses to public comments. 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. Comments received on the IS/MND are listed below.

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REGIONAL AND LOCAL AGENCIES

A. Pacific Gas and Electric Company (May 8, 2023)

Comment A.1: Thank you for submitting the 1520 West San Carlos plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Response A.1: The comment from PG&E provides generalized guidance from the agency for working around PG&E owned facilities. The comment does not address the environmental analysis and no further response is required.

Comment A.2: Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Response A.2: The comment from PG&E provides generalized guidance from the agency for working around PG&E owned facilities. The comment does not address the environmental analysis and no further response is required.

B. Pacific Gas and Electric Company (May 31, 2023)

Comment B.1: Thank you for giving us the opportunity to review the subject plans. The proposed 1520 West San Carlos Mixed Use Project is within the same vicinity of PG&E's existing facilities that impact this property.

The 1520 West San Carlos Mixed Use Project will require the relocation of existing PG&E gas and electric service facilities. The applicant must contact the below resources to apply for the relocation of any existing PG&E gas and electric services that exist on the subject parcels.

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 Justin.Newell@pge.com.

Response B.1: The comment from PG&E provides generalized guidance from the agency for working around PG&E owned facilities. The project proponent will be required to work with PG&E on these relocations during the building permit process. The comment does not address the environmental analysis and no further response is required.

C. County of Santa Clara (dated June 5, 2023)

Comment C.1: The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the Public Notice of Intent To Adopt A Mitigated Negative Declaration for 1520 West San Carlos Mixed-Use Project IS/MND. We submit the following comments:

- Neighborhood Safety Issues Identified in The City of San Jose Walking Audit Report: The study area is bounded by San Carlos Road, Meridian Avenue, Parkmoor Avenue, and Leigh Avenue. The study presented the following summary of the area's collision history:
- In the five-year period between 2016 and 2020, there have been 57 collisions within the neighborhood.
- Speeding was identified as a primary collision factor. The next most common collision factors were unsafe turn movements and vehicle right-of-way violations.
- Three of these collisions within the neighborhood involved a bicyclist or pedestrian.
- Of the issues identified in the survey, the project will be required to implement two radar speed signs along Willard Avenue (locations shown on Figure 18) as part of the project's mitigation of traffic calming concerns identified in the City's Walking Audit Report.

Response C.1: The County of Santa Clara comment states that the San José Walking Audit Report determined that the neighborhood near the project has many vehicle collisions and accidents with pedestrians. As stated in Section 4.17 of the IS/MND, the proposed project would add a pedestrian pathway off the street side by incorporating a paseo behind the structures, which would increase pedestrian safety near the proposed project. Additionally, the proposed project would be consistent with the San José Better Bike Plan by connecting to existing bicycle infrastructure. The proposed project may be conditioned with the improvements stated above; however, the determination to include any additional improvements would be provided by the decision makers. The comment will be provided to decision makers as part of the public record.

Comment C.2: Will the City consider annexing the portion on Leigh Ave, Richmond Ave, and Scott St to address other issues identified in the Walking Audit Report?

Thank you again for your continued outreach and coordination with the County. If you have any questions or concerns about these comments, please feel free to contact me at ben.aghegnehu@rda.sccgov.org.

Response C.2: The commenter asked if the City would annex portions of Leigh Avenue, Richmond Avenue, and Scott Street to address issues in the Walking Audit Report. These actions are outside the scope of the project and environmental review and would not be undertaken as a part of the proposed project. The annexation process involves a separate application and requires additional permitting and environmental review. The comment does not address the environmental analysis and no further response is required. This suggestion will be provided to decision makers as part of the public record.

D. Valley Water Email (dated June 6, 2023)

Comment D.1: The Santa Clara Valley Water District (Valley Water) has reviewed the Mitigated Negative Declaration (MND) and Initial Study (IS) for the 1520 West San Carlos Mixed Use Project located in San Jose, received on May 17, 2023.

Based on our review, we have the following comments:

1. References to “Lexington Dam” throughout the document should be revised to “Lenihan Dam.”

Response D.1: Valley Water specifies a change to the name of Lexington Dam in their comment. This change will be incorporated into the document and these revisions are shown in **Section 2.0** below.

Comment D.2: 2. The Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022 and becomes effective on July 1, 2023. Discussions in the DEIR should note consistency with the new MRP. If the project qualifies for coverage under the old MRP, the discussion should clearly note that and explain why it is covered under the old MRP conditions.

Response D.2: Valley Water identifies that the Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022 and becomes effective on July 1, 2023. The text of the IS/MND has been revised to note that the project was assessed under the 2015 MRP as shown in **Section 2.0** below.

Comment D.3: 3. Page 94, the discussion under “Water Resource Protection Ordinance and District Well Ordinance” needs to be replaced with the following text:

“Valley Water operates as a 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’s 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 with the groundwater aquifers of Santa Clara County.”

Response D.3: Valley Water provided revised language for the regulatory information regarding the Water Resource Protection Ordinance and District Well Ordinance. This language will be revised as shown in **Section 2.0** below.

Comment D.4: 4. Page 96, the discussion under “Flooding” notes that the site is outside of the 100-year floodplain. Since flood hazards haven’t been determined, it is not known if the site is outside the 100-year floodplain. Please remove this statement.

Response D.4: Valley Water requests a revision to the Flooding Subheading to remove the implication that there is no flood hazard. This statement will be removed as shown in **Section 2.0** below.

Comment D.5: 5. Valley Water records indicate that there are no wells found within the property boundaries. While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. For more information, please call Valley Water's Well Ordinance Program Hotline at (408) 630-2660.

Response D.5: Valley Water states that there are no wells on the project site. In the event that unmarked wells are found the project proponent will coordinate with Valley Water as required by Valley Water's Well Ordinance Program.

Comment D.6: 6. Valley Water does not have any right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed project.

We appreciate the opportunity to review the MND and IS. If you have any questions regarding the comments, please contact Matt Sasaki (408)630-3776 or msasaki@valleywater.org. Please reference Valley Water File 34966 on future correspondence regarding this project.

Response D.6: Valley Water states that it does not have right of way or facilities within the project site. This comment does not address the environmental analysis and does not require further response.

SECTION 2.0 IS/MND TEXT REVISIONS

2.1 DRAFT SEIR TEXT REVISIONS

This section contains revisions to the text of the 1520 West San Carlos Mixed-Use Project IS/MND dated May 2023. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

IS/MND, Section 4.10.1.1, Page: 94 Under Municipal Regional Permit Provision C.3., the text will be **REVISED** as follows:

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) ~~in 2015~~ on May 11, 2022 and becomes effective on July 1, 2023, to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.⁴³ Under Provision C.3 of the 2015 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. 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 covered under the 2015 MRP because the May 2022 MRP does not become effective until July 2023.

IS/MND, Section 4.10.1.1, Page: 94 Water Resources Protection Ordinance and District Well Ordinance subheading will be **REVISED** as follows:

~~The Santa Clara Valley Water District (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 a 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's 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 with the groundwater aquifers of Santa Clara County.~~

IS/MND, Section 4.10.1.2, Page: 96 Flooding subheading will be **REVISED** as follows:

According to the FEMA Flood Insurance Rate Maps (FIRM),⁴⁶ the project site is located in Flood Zone D. Zone D is an area of undetermined but possible flood hazard ~~that is outside the 100-year flood plain~~. There are no City floodplain requirements for Zone D.

IS/MND, Section 4.10.1.2, Page: 96 Dam Failure subheading will be **REVISED** as follows:

The project site, is not located within the Anderson Dam or Lenihan ~~Lexington~~ Dam failure inundation hazard zones.^{47,48}

IS/MND, Section 4.10.2, Page: 101 Impact area d) will be **REVISED** as follows:

Due to the location of the project site, the project would not be subject to inundation by seiche or tsunami. In addition, the project area is flat and there are no mountains in proximity. As a result, development of the project site would not cause mudflows that would impact adjacent properties. As mentioned in Section 4.10.1.2, the project site is in Flood Zone D. Zone D is an area of undetermined but possible flood hazard that is outside the 100-year floodplain. There are no floodplain requirements for Zone D. The project site is also not located within the Lenihan ~~Lexington~~ and Anderson Dam failure inundation zones. Therefore, the likelihood of flooding from dam failure is low and the project would not release pollutants due to dam inundation. **(Less than Significant Impact)**

Appendix A: IS/MND Comment Letters



May 18, 2023

Cassandra Van Der Zweep
City of San Jose
200 East Santa Clara St
San Jose DA 95113

Ref: Gas and Electric Transmission and Distribution

Dear Cassandra Van Der Zweep,

Thank you for submitting the 1520 West San Carlos plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



May 31, 2023

Cassandra Van Der Zweep
City of San Jose
200 East Santa Clara St
San Jose CA 95113

Re: H23-004; T21-037; ER21-039; 1520 West San Carlos Mixed Use Project
1520 West San Carlos Street, San Jose, CA 95126

Dear Cassandra:

Thank you for giving us the opportunity to review the subject plans. The proposed 1520 West San Carlos Mixed Use Project is within the same vicinity of PG&E's existing facilities that impact this property.

The 1520 West San Carlos Mixed Use Project will require the relocation of existing PG&E gas and electric service facilities. The applicant must contact the below resources to apply for the relocation of any existing PG&E gas and electric services that exist on the subject parcels.

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 Justin.Newell@pge.com.

Sincerely,

Justin Newell
Land Management
916-594-4068

County of Santa Clara

Roads and Airports Department

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



June 5, 2023

Cassandra van der Zweep
Supervising Planner
Planning, Building & Code Enforcement
City of San José
200 East Santa Clara Street
cassandra.vanderzweep@sanjoseca.gov

SUBJECT: Public Notice of Intent to Adopt A Mitigated Negative Declaration for 1520 West San Carlos Mixed-Use Project IS/MND

The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the Public Notice of Intent To Adopt A Mitigated Negative Declaration for 1520 West San Carlos Mixed-Use Project IS/MND. We submit the following comments:

- Neighborhood Safety Issues Identified in The City of San Jose Walking Audit Report: The study area is bounded by San Carlos Road, Meridian Avenue, Parkmoor Avenue, and Leigh Avenue. The study presented the following summary of the area's collision history:
 - In the five-year period between 2016 and 2020, there have been 57 collisions within the neighborhood.
 - Speeding was identified as a primary collision factor. The next most common collision factors were unsafe turn movements and vehicle right-of-way violations.
 - Three of these collisions within the neighborhood involved a bicyclist or pedestrian.
 - Of the issues identified in the survey, the project will be required to implement two radar speed signs along Willard Avenue (locations shown on Figure 18) as part of the project's mitigation of traffic calming concerns identified in the City's Walking Audit Report.
- Will the City consider annexing the portion on Leigh Ave, Richmond Ave, and Scott St to address other issues identified in the Walking Audit Report?

Thank you again for your continued outreach and coordination with the County. If you have any questions or concerns about these comments, please feel free to contact me at ben.aghegnehu@rda.sccgov.org

Thank you,



Patrick Kallas

From: Van Der Zweep, Cassandra <Cassandra.VanDerZweep@sanjoseca.gov>
Sent: Tuesday, June 6, 2023 5:02 PM
To: Patrick Kallas
Subject: Fw: CPRU File 34966, File Nos. H23-004, T21-037, ER21-039 : 1520 West San Carlos Mixed Use Project

Hi Patrick-

Please see this email as well.

Thanks,

Cassandra van der Zweep

Supervising Planner | Planning, Building & Code Enforcement
City of San José | 200 East Santa Clara Street
Email: cassandra.vanderzweep@sanjoseca.gov | Phone: (408)-535-7659

From: Matthew Sasaki <MSasaki@valleywater.org>
Sent: Tuesday, June 6, 2023 4:37 PM
To: Van Der Zweep, Cassandra <Cassandra.VanDerZweep@sanjoseca.gov>
Subject: CPRU File 34966, File Nos. H23-004, T21-037, ER21-039 : 1520 West San Carlos Mixed Use Project

You don't often get email from msasaki@valleywater.org. [Learn why this is important](#)

[External Email]

Hi Cassandra,

The Santa Clara Valley Water District (Valley Water) has reviewed the Mitigated Negative Declaration (MND) and Initial Study (IS) for the 1520 West San Carlos Mixed Use Project located in San Jose, received on May 17, 2023.

Based on our review, we have the following comments:

1. References to “Lexington Dam” throughout the document should be revised to “Lenihan Dam.”
2. The Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP) was re-issued on May 11, 2022 and becomes effective on July 1, 2023. Discussions in the DEIR should note consistency with the new MRP. If the project qualifies for coverage under the old MRP, the discussion should clearly note that and explain why it is covered under the old MRP conditions.
3. Page 94, the discussion under “Water Resource Protection Ordinance and District Well Ordinance” needs to be replaced with the following text:

“Valley Water operates as a 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’s 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 with the groundwater aquifers of Santa Clara County.”

4. Page 96, the discussion under “Flooding” notes that the site is outside of the 100-year floodplain. Since flood hazards haven’t been determined, it is not known if the site is outside the 100-year floodplain. Please remove this statement.
5. Valley Water records indicate that there are no wells found within the property boundaries. While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water’s records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. For more information, please call Valley Water’s Well Ordinance Program Hotline at (408) 630-2660.
6. Valley Water does not have any right of way or facilities at the project site; therefore, in accordance with Valley Water’s Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed project.

We appreciate the opportunity to review the MND and IS. If you have any questions regarding the comments, please contact Matt Sasaki (408)630-3776 or msasaki@valleywater.org. Please reference Valley Water File 34966 on future correspondence regarding this project.

Thank you,

MATT SASAKI

Pronouns: he/him
Assistant Engineer II
Community Projects Review Unit
msasaki@valleywater.org
Tel. (408) 630-3776

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection
5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

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