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CITY OF SAN JOSE  
DEVELOPMENT SERVICES

June 28, 2007

Darryl Boyd, Principal Planner  
City of San Jose Department of Planning

**Re: COYOTE VALLEY SPECIFIC PLAN, DRAFT ENVIRONMENTAL  
IMPACT REPORT COMMENTS**

Dear Darryl,

I am submitting these comments as an individual citizen, not representing any organization or group.

**Wild Life Corridor (4.6.2.4, p. 253)**

I agree with the DEIR's discussion of corridors up until p. 270, para 3, line 5: "For larger wildlife species, such as deer and mountain lion, there are only three significant passages across 101". Tanya Diamond and her group have discovered an additional crossing for large mammals north of the Bailey exit. They have actually walked upright through the under crossing with plenty of room to spare. I have personally observed deer just to the west of Hwy 101 numerous times at that under crossing. But I never understood why they were always there but not any other place along 101. Tanya's studies provided the explanation.

Furthermore, it seems that there were little if any actual biologic surveys performed by Dr Mike Jocelyn to substantiate the presence of wildlife in Coyote Valley. At the CVSP task force meeting of June 18<sup>th</sup>, I asked Dr. Jocelyn specifically what techniques he used to test for the presence of wildlife and he replied that it was mainly drive by from a car and aerial photos. Does that seem adequate for such an important topic? In addition, more than 40% of the properties were not granted access to do surveys. That raises the question of why there would be a reluctance to survey the properties.

Does the City of San Jose plan to do scientific surveys such as ground surveys, track and scat data, or motion cameras on all CVSP properties to evaluate the presence of important plant and wildlife crossings that may be currently using Coyote Valley to cross from east to west?

**HCP/NCCP (3.10, p. 90)**

The City of San Jose has entered into an agreement to prepare an HCP/NCCP but has designated the CVPS as an interim project not subject to the HCP/NCCP. The DEIR states in the last paragraph on p. 90 that "CVSP shall adequately compensate for all direct and indirect effects from the action, and will not preclude the development of a viable conservation strategy for the HCP/NCCP." Very recently, the HCP/NCCP released Chapter 5 with alternative Conservation Strategies. I understand that this information

was not available at the time of preparation of the DEIR, so I thought it important to bring it to staff's attention in these comments

On p. 5-2 of the HCP/NCCP it states that to comply with the NCCP, Section 2820, the Conservation Strategy must "Sustain the effective movement and interchange of organisms between habitat areas in a manner that maintains the ecological integrity of the Reserve System". This is only one of numerous references to the need for corridors in Chapter 5 of the HCP/NCCP.

Figure 5-9c (attached), shows the Coyote Valley as one of 2 major wildlife corridors connecting the Santa Cruz mountains and the Diablo Range. It further shows high and moderate zones of Conservation Effort on either side of Coyote Valley that needs to be connected by a viable wildlife corridor (yellow arrow near (8)).

There appears to be an inherent conflict as the HCP/NCCP shows Coyote Valley to be a critical corridor and the DEIR states that; "The design of new roads, overpasses, fences, and other linear facilities **should, where possible**, remove existing obstacles to wildlife movement and incorporate design elements to promote, **where possible**, wildlife movement through the Tulare Hill area and the Greenbelt." (MM BIO-26.1, p. 305, DEIR)

If the City of San Jose is to comply with the spirit and intent of the HCP/NCCP, the above paragraph needs to have stronger language to **require** those changes, not simply **suggest** them.

Does the City of San Jose intend to comply with the spirit and intent of the HCP/NCCP by requiring that CVSP perform all actions necessary to preserve Coyote Valley as a viable wildlife corridor as identified in the HCP/NCCP, Chapter 5?

Thank you,

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