

City of San José
Coyote Valley Specific Plan

Summary of Task Force Meeting
April 16, 2007
City Hall, Committee Rooms W118-120

Task Force Members Present

Co-Chair Councilmember Forrest Williams, Co-Chair Councilmember Nancy Pyle, Eric Carruthers, Helen Chapman, Gladwyn D'Sousa, Craige Edgerton, Phaedra Ellis-Lamkins, Melissa Hippard, Doreen Morgan, Ken Saso, and Steve Speno.

Task Force Members Absent

Supervisor Don Gage, Chuck Butters, Pat Dando, Russ Danielson, Dan Hancock, Chris Platten, Steve Schott, Jr., and Neil Struthers.

Technical Advisory Committee (TAC) Members Present

Michele Beasley (Greenbelt Alliance), Dawn Cameron (SCC County Roads), Mike Griffis (Santa Clara County Roads), Libby Lucas (CA Native Plant Society), Jane Mark (SCC Parks & Recreation), Sarah Muller (Working Partnerships), Dunia Noel, (SCC LAFCO), Brian Schmidt (Committee for Green Foothills), Tim Steele (Sobrato Development), and Pamela Vasudeva (Santa Clara Valley Transportation Authority).

City Staff and Other Public Agencies Present

Anthony Drummond (Council District 2), Lee Wilcox (Council District 10), Lisa Jensen (Planning Commission), Colleen Valles (Office of Supervisor Don Gage), Laurel Prevetti (PBCE), Darryl Boyd (PBCE), Susan Walsh (PBCE), Jared Hart (PBCE), Stefanie Hom (PBCE), Perihan Ozdemir (PBCE), and Regina Mancera (PBCE).

Consultants Present

Doug Dahlin (Dahlin Group), Roger Shanks (Dahlin Group), Ken Kay (KenKay Associates), Yasmine Farazian (KenKay Associates), Eileen Goodwin (APEX Strategies), Teifion Rice-Evens (EPS), and Bill Wagner (HMH Engineers).

Community Members Present (Additional people were present; however, the names below only reflect individuals who identified themselves on the sign-up sheet.)

Peter Benson, Julie Ceballos, Roger Costa, Frank Crane, Consuelo Crosby, Jo Crosby, Mini Damodaran, Robert Eltgroth, Leila Forouhi, Jessica Frowlm, Michael Greene, Janet Hebert, Bernardo Hernandez, Virginia Holtz, Jack Kuzia, Dennis Kyne, Fred Lester, Lee Lester, Linda LeZotte, Rick Linquist, Vic LoBue, Joanne McFarlin, Mark Anthony Medeiros, George Reilly, Peter Rothschild, Annie Saso, Pete Silva, Sharon Simonson, Linda Spencer, Rodney Stewart, Dave Tymm, Al Victors, and Michael Woods.

1. Welcome

The meeting convened at approximately 5:30 p.m. with Co-Chair Councilmember Forrest Williams welcoming everyone to the Coyote Valley Specific Plan (CVSP) Task Force meeting.

2. Acceptance of March 12, 2007 Task Force Meeting Summary

Co-chair Councilmember Nancy Pyle called for a motion to accept the March 12, 2007 Task Force meeting summary. The motion passed unanimously.

3. Acceptance of March 28, 2007 Technical Advisory Committee Meeting Summary

Co-chair Councilmember Nancy Pyle called for a motion to accept the March 28, 2007 Technical Advisory Committee meeting summary. The motion passed unanimously.

4. Update on the CVSP Schedule /Work Program

Laurel Prevetti, Assistant Director of the Department of Planning, Building and Code Enforcement, reviewed the upcoming Task Force meeting dates and the CVSP Draft EIR schedule. The Draft EIR comment period commenced on March 30, 2007, and will end on June 29, 2007. The comment period has been extended from its original date, from 60 days to 90 days, per the request of the public. After comments have been received on the Draft EIR, they will start the plan refinement process and the financing strategy plan.

The Task Force provided the following questions and comments:

- What would the two upcoming community meetings cover? *Laurel indicated the meetings would both cover the Draft EIR.*
- Has staff considered having a third community meeting during the Draft EIR commenting

- period? *Laurel indicated staff would consider it.*
- There are a lot of meetings in May and June. *Laurel indicated they “doubled-up” meetings together to make the schedule more efficient.*
 - Are all comments on the Draft EIR due by August? *Yes. Laurel suggested checking the CVSP website (www.sanjoseca.gov/coyotevalley/) for updates.*
 - Will all comments on the Draft EIR be posted on the website? *No.*

5. Discussion of the CVSP Draft Environmental Impact Report (DEIR)

Darryl Boyd, Principal Planner with the Department of Planning, Building and Code Enforcement, gave an overview of the Coyote Valley Specific Plan Draft EIR. Darryl indicated ways the CVSP is self mitigating, as well as the significant unavoidable impacts. Questions were taken throughout the presentation.

The Task Force provided the following questions and comments:

- Curious about alternatives, especially considering the Greenbelt Alliance’s “Getting it Right” as an alternative. *Darryl indicated that CEQA looks for alternatives that would reduce potentially significant environmental impacts. There was a request for the City to look at the Greenbelt Alliance’s “Getting it Right” plan as an alternative, which was done in the Draft EIR.*
- Pleasantly surprised by the alternatives.
- Recommended providing an executive summary of the Draft EIR that is less than five pages for people that are not familiar with the plan. *Darryl indicated they initially planned to provide a short summary, but there were time constraints. Staff is working on a “newsletter” summary.*
- The alternatives seem to have individual problems. *Darryl indicated some significant unavoidable impacts cannot be fixed. The CEQA process is intended to generate discussion.*
- The impacts identified in the Draft EIR are contrary to what is said by the Task Force and have a different focus than the CVSP Initial Draft. The CVSP Initial Draft focuses on pedestrian access, but the Draft EIR focuses on vehicular traffic. *Darryl indicated CEQA and City policies are clear on what the EIR analyzes and why. Staff will make sure the EIR and Initial Draft are properly aligned.*
- The Greenbelt Alliance’s “Getting it Right” plan was done in a vacuum without any public input. The plan does not reflect Task Force comments.
- Congratulated staff on the Draft EIR document. They have done extensive research.
- Should actively solicit comments from neighboring communities and the South County communities. *Darryl indicated staff has made offers to set up meetings with the City of Morgan Hill and Gilroy. Staff is also setting up meetings with other agencies.*
- There is still a lot of work to be done before the proposed City Council adoption date of December 2007.
- Need to look at financing and phasing. *Darryl indicated staff is currently working with consultants on a financing and phasing plan.*
- Looking forward to a conversation about mitigation. Would like to make decisions with

staff.

- Need a plan for people who live in the City of San Jose, especially District 2 and District 10.

Darryl continued to discuss findings in the CVSP Draft EIR. He went over transportation issues, including the transportation study area, transportation modeling, transportation numbers, and gave a summary of transportation impacts.

The Task Force provided the following questions and comments:

- Surprised by comments from the Technical Advisory Committee (TAC) and the Santa Clara Valley Transportation Authority (VTA). The issues they raised do not relate to the EIR. *Darryl indicated that he assumes the VTA staff that submitted comments is not the same VTA staff that is involved with the TAC and the South County Circulation Study. The letter is not on official VTA letterhead.*
- The Draft EIR does not address the wildlife corridor and animal crossings. *Darryl indicated that the Draft EIR does address but barriers to the wildlife crossing are a pre-existing condition. The Draft EIR looks at pre-existing conditions and how Coyote Valley would affect them. The wildlife corridor U.S. 101 barrier is a current condition and it is not CVSP's responsibility to fix it, only mitigate its impacts.*
- Did the biological opinion that came from the Coyote Valley Research Park (CVRP) project speak to this project, which is why the Habitat Conservation Plan (HCP)/Natural Communities Conservation Plan (NCCP) process started? There is a relationship between the Draft EIR and the HCP/NCCP process. *Darryl confirmed that there is a relationship between the two. The wildlife corridor however, is a regional issue that is not solely the responsibility of the CVSP project to fix. The Draft EIR concludes the project is not precluding the ability to continue to have wildlife connectivity. But we also do not want to bring mountain lions into an urban area. Staff will consider improving wildlife connectivity as part of the plan refinement process.*
- The Draft EIR indicates that the project would result in an intensity of growth in the CVSP development area that is not foreseen in the current General Plan, and not included in the population projection used for the 2005 Ozone Strategy study. However, that projection is used in the population studies to base the 70/30 split that would be generated for the north and south areas. There is an inconsistency between how the population studies were used in the plan. *Darryl clarified that the future population that would reside in the urban reserve is not contemplated in the existing General Plan. Therefore it is not included in the regional air quality plan, and that inconsistency leads to a significant impact. The population being talked about in the other situation is based upon the forecasting of what would happen if the project went forward.*
- Want to make sure there is discussion about public services and parks.
- Pulling out the idea of only one high school is a good idea.
- There is a less than significant impact for schools. But people in the surrounding areas are going to have an impact. There should be further discussion.

Darryl discussed the biology impacts identified in the Draft EIR, including habitat impacts, required habitat mitigation, and significant species impacts. He also indicated there is an

emphasis in the plan to preserve and relocate trees, and that removed trees would be replaced at a comparable ratio.

The Task Force provided the following questions and comments:

- The loss of farmland is a significant unavoidable impact. Concerned how the loss of farmland is going to be mitigated. *Darryl indicated that the Draft EIR identifies two different options. Option 1) Mitigation would be required to result in no net loss of agricultural land acreage, which means existing non-agricultural land would need to be converted into agricultural use. That scenario is the only one that is a less than significant impact. However, it is not very feasible. Option 2) The Draft EIR indicates mitigation to replace agricultural lands at a 1:1 ratio, but it would not mitigate to a less than significant level, so the Draft EIR concludes it is still a significant unavoidable impact. This is included in the project.*
- If the Draft EIR suggests that a 1:1 mitigation be undertaken, but still requires a finding of overriding considerations, would there be both? *Yes. The City would need to go through the Santa Clara County Local Agency Formation Commission (LAFCO) process with the Urban Service Area Expansion, so they are trying to find a mitigation policy that is consistent with LAFCO's proposed policies.*
- The additional traffic would impact the wildlife corridor. *Darryl indicated that the EIR concludes that it is a significant impact and there are mitigation measures, but only for environmental impacts due to CVSP.*
- Animals are going to get hit. When animals are mixed with people, it is trouble. Animals have a place where they are, and people have a place where they are.
- Would like a cost analysis of the pruning and maintenance of the Keesling Black Walnut trees. They are not being taken care of and are dangerous.
- Everyone has a different level of interest in the Plan. It might be helpful for each Task Force member to pick a part and give comments. *Darryl indicated that is up to the Task Force. Staff expects comments would be from the groups/agencies they are representing.*

Darryl explained that the next steps are to further develop transportation and biological mitigation programs. This includes drafting the CVSP Transportation "Area Development" Policy, determining a fair share and negotiation process for off-site mitigation measures, continuing the regulatory permit process (EIS), and preparing the Resource Management Plan.

The Task Force provided the following questions and comments:

- Do the agencies involved in the HCP have copies of the Draft EIR? *Yes.*
- Is there any consideration for Coyote Valley to be included in the HCP? *The Draft EIR is available for the HCP to look at issues and impacts.*
- Would Coyote Valley be a covered activity in the HCP? *No.*

6. Additional Discussion/Comments on the initial Draft of the Coyote Valley Specific Plan (Deferred from March 12th meeting)

- Bailey Over the Hill is mentioned a lot, but isn't that premature? *No, it is envisioned in the General Plan after a certain number of jobs, and would require subsequent environmental review since we do not have enough details on it at this time.*

7. Public Comments

- Mark Anthony Mederios, a student from San Jose State University, commented that the Draft EIR reads like a eulogy to Coyote Valley. There are issues that the Draft EIR does address, including how Coyote Valley is going to be a barrier to animal migration, and how the transportation system would be implemented if VTA does not have enough money. Coyote Valley is going to be like Los Angeles. Would like to give the project the consideration it deserves.
- Consuelo Crosby, a property owner in the Greenbelt, is disappointed that the Draft EIR does not include any plans for the Greenbelt. She was told early on that all property owners would be compensated. Her property has been up for sale, but no one will buy it because the future plans for the Greenbelt are unknown.
- Jo Crosby, a property owner in the Greenbelt, has been coming to meetings held by the City for many years. He has been told the City has a plan for the Greenbelt, but keeps hearing the excuse that they are "still studying it." Real estate agents do not know how to price his property. Should include "loss of land" as a significant impact.
- Leila Forouhi, a student from San Jose State University, asked if potential flooding in the area addressed in the EIR?

8. Adjourn

Co-chair Councilmembers Forrest Williams thanked everyone for coming and complimented the staff on their hard work.

Co-Chair Councilmember Williams adjourned the meeting at approximately 7:30 p.m.

The next Task Force meeting will take place on May 21, 2007, from 5:30 to 9:00 p.m..