

April 14, 2007

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Coyote Valley Specific Plan Task Force

Task Force,

As a member of the CVSP from the beginning, I want to make some observations and comments as this process comes to a close.

For the first 2 years I was pretty optimistic for a really dynamic and progressive plan that the City of San Jose would be proud. The concept that encouraged me was the idea that the plan would begin with the environmental footprint. I was excited to see a plan that took the environmental concerns into account first. It was clearly stated that protecting the environment and considering the impact was the first priority. In fact, the first layer of planning was determining how this footprint would impact Coyote Valley. My optimism was short lived.

As the process proceeded and environmental issues were brought up, such as water quality and quantity, protection of the aquifer, wildlife connectivity, corridor issues, and impacts for existing species, it became clear that the impacts of the footprint were not much of a concern at all. It appeared to be more window dressing than really avoiding serious impacts. My excitement and support for the plan began to dwindle.

In 2006, Dr. Grey Hayes from the Elkhorn Slough Coastal Training program presented a scientific talk on the importance of Coyote Valley as a wildlife corridor between the Santa Cruz Mountains and the Mt. Hamilton Range. At that time, I thought staff would make some modifications in the CVSP to accommodate for this important information. Instead the reaction was as if the information had never been presented. It was clearly stated by Dr. Hayes that major projects in Southern California, similar to CVSP, had had serious delays because of lack of addressing the wildlife connectivity issue.

As I brought up some of these issues at the CVSP meetings and to staff, I was assured that they would be addressed in the DEIR. The general comment was that they were gathering information and would reply and address them all satisfactorily in the DEIR.

When the DEIR came out, I, along with many others, were confounded to find that the issues were barely addressed and hardly any mitigation or adjustment in the plan was recommended. It was almost as though the issues were given cursory attention and that **nobody would notice or care**. I think the over 1,500 pages of comments, mostly negative, in the DEIR was a clear indication that there are many citizens, not only in San Jose but state wide, that **did notice** and **do care**. It was, at least in part, the reason the CVSP collapsed under its own weight. Had it taken seriously the environmental impacts and addressed them in a way that would actually minimize impacts, it may have been a viable plan could have garnered critical environmental support.

My understanding of at least one reason why the DEIR was so poorly prepared was the quality of the data provided to staff, especially by the biologist from WRA who did a “windshield survey” of animal populations in Coyote Valley. A “windshield survey” means driving around in a car and looking through a windshield to see what animals are present. I am certainly no biologist but it seems logical that that type of survey is, at a minimum, inadequate and, at worst, incompetent. It seems to me that either an on ground scientific survey should have been done or it should have been noted that he was unable to do a proper survey and that proper scientific data was unobtainable. (As a side note, a group of students from De Anza College have been able to gather significant on ground data in a large portion of Coyote Valley and Coyote Creek, under the guidance of Tanya Diamond and Dave Johnston from the California Department of Fish and Game. This data was given to staff to include in the final EIR but, of course, that document has not been completed).

In addition, over 40% of the prime area impacted was not able to be surveyed because of lack of cooperation from some of the land owners in Coyote Valley who would not give permission to survey their properties. This lack of cooperation was unfortunate and my hope is that if the EIR is ever completed that these land owners reconsider and let the biologists (or De Anza students) do proper surveys.

It also needs to be noted that the CVSP is heading into a very serious conflict with the Santa Clara County Habitat Plan (HP). Even though the Habitat Plan isn’t scheduled to be complete until mid 2009, it has preliminarily designated 3 critical wildlife connections in the study area. One of those is the Tulare Hill area including Coyote Creek, Fisher Creek, Metcalf Road and portions of Coyote Valley. The HP has also budgeted \$2 million to do a complete survey of plants and animals that use Coyote Valley as a corridor and to analyze techniques to enhance this critical corridor.

During the 5 + year process of the CVSP, I also made comments regarding the economic projections and how they were using, in my opinion, assumptions that were overly aggressive. Specifically, I challenged the fact that housing prices, a major component of property taxes and revenue for the plan, were using a 3% growth rate starting in 2006, the top of the housing bubble. It was obvious, at least to me, that if the financial consultants used the most optimistic possible projections, the overall project was financially very positive. I asked staff to consider doing projections assuming the housing bubble contracted and see how the financial projections looked from, say a 15% decrease in housing prices. Again, the request fell on deaf ears, I heard no reply and nothing was done. As it turns out, one of the reasons given by the CHG for withdrawing from the plan was “economic factors”. Given the general housing market, I can only assume that part of those “economic factors” was the very soft housing market, i.e. a reduction in prices and prospects that there won’t be a significant recovery any time soon. It appears that my initial concern for overly optimistic projections came true.

In addition, the City of San Jose has had a very strong and successful commitment to infill development. At some point, the City of San Jose will have to discontinue sprawl. Tulare Hill is a natural boundary for that sprawl to stop. The development community of

San Jose and Silicon Valley are very intelligent and creative people. If they are clear that Coyote Valley is off limits, they can focus their energy on completing the infill. Other cities with natural boundaries, such as San Francisco with the Pacific Ocean and the Bay have managed for many years without having sprawl. San Jose has that opportunity to now.

My hope and recommendation is, that if the CVSP is ever revived, that it seriously considers the environmental footprint as a first consideration. If that time ever comes, there should be significantly more scientific data to show whether this is a really critical area and that if the data shows that the two (the CVSP and the wildlife corridor) cannot co-exist, then preference should be given to the corridor.

Sincerely,

G. Craige Edgerton  
CVSP Task Force Member