

## **Appendix D: Tribal Consultation Letters**

AB 52 Notification: File No: SP20-012

July 16, 2021

Tamien Nation  
Chairwoman Quirina Luna Geary  
P.O. Box 8053  
San José, CA 95155  
[Qgeary@tamien.org](mailto:Qgeary@tamien.org)

Jonathan Costillas  
Tribal Cultural Resource Officer  
P.O. Box 866  
Clearlake Oaks, CA 95423  
[Jcostillas@tamien.org](mailto:Jcostillas@tamien.org)

*Sent by email and U.S. Postal Service Certified Mail*

Dear Ms. Geary and Mr. Costillas,

In response to the verbal notice we received from you on June 17, 2021 and the written notice received June 28, 2021, that in accordance with Public Resources Code Section 21080.3.1 subd (b) you, as the Tamien Nation representatives, request notification of all proposed projects that require a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report; we are sending you by mail and email notification of the following proposed project on file with the City of San José.

|                                 |  |
|---------------------------------|--|
| <b>Project File No.:</b>        | SP20-012 (Blossom Hill Station Project)  |
| <b>Project Location:</b>        | 605 Blossom Hill Road, San José, north of Blossom Hill Road, approximately 300 feet east of Chesboro Avenue  |
| <b>Project Description:</b>     | Special Use Permit to allow the development of a Signature Project per Policy IP-5.10 of the San José General Plan, including the demolition of existing surface parking, the removal of 55 ordinance-size trees and 14 non-ordinance trees, and the construction of one six-story mixed use building with 13,590 square feet of commercial space and 239 market-rate multi-family residential units and one five-story multifamily residential building with 89 affordable housing units, with trail improvements to Canoas Creek, and the subdivision of one lot into five lots on a 5.39-gross acre site. |
| <b>Project Applicant</b>        | Green Republic Blossom Hill LLC  |
| <b>Project Point of Contact</b> | Reema Mahamood, Environmental Project Manager<br><a href="mailto:reema.mahamood@sanjoseca.gov">reema.mahamood@sanjoseca.gov</a> , 408.535.6872   |

Additional information, including project plans, are available electronically through the City's shared one drive account. Please let us know if you have any further document requests or are having trouble accessing the materials.

If you would like to consult with the City on the review of this project, please respond in writing within 30 days of receipt of this letter to the project point of contact noted above. Should the City not receive a response within 30 days, it will be presumed that you have declined consultation.

Please contact me if you have any questions or need additional information.

Sincerely,



Reema Mahamood  
Planner III, Environmental Review Team  
Department of PBCE, Planning Division

Attachments:

- Notice of Preparation for the Blossom Hill Station Project

**NOTICE OF PREPARATION OF AN  
ENVIRONMENTAL IMPACT REPORT FOR THE  
BLOSSOM HILL STATION MIXED-USE PROJECT**

FILE NOS: SP20-012 AND T20-012  
PROJECT APPLICANT: GREEN REPUBLIC BLOSSOM HILL LLC  
APN: 464-22-032

**Project Description:** The applicant seeks a Special Use Permit to allow a Signature Project within the Blossom Hill/Calahan Urban Village Plan area which includes the following: construction of a six-story mixed-use building with approximately 22,595 square feet of commercial space and up to 239 market-rate multi-family residential units, construction of a six-story multi-family residential building with 89 affordable units, reconfiguration of the VTA surface parking lot and station entrance, removal of 52 ordinance-size trees, and improvements to the Canoas Creek trail adjacent to the project site.

**Location:** 605 Blossom Hill Road, San José, California

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project referenced above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

An online **joint community and environmental public scoping meeting** for this project will be held on **Tuesday, October 13, 2020 at 6:30 p.m.**

The live meeting will be held via Zoom. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom app to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants can also join a meeting through their computer's web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge. Members of the public may view and to the meeting and comment on the project by following the instructions listed below.

Electronic Device Instructions

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Telephone Device Instructions

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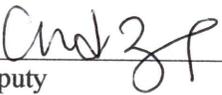
Public Comments Prior to Meeting

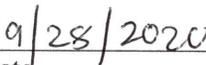
If you would like to submit your comments prior to the meeting, please email your comments to [reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov). Comments submitted prior to this meeting will be considered as if you were present in the meeting.

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRs website at [www.sanjoseca.gov/activeeirs](http://www.sanjoseca.gov/activeeirs), including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice. However, responses earlier than 30 days are always welcome. If you have comments on this Notice of Preparation, please identify a contact person from your organization, and send your response to:

City of San José  
Department of Planning, Building and Code Enforcement  
Attn: Reema Mahamood, Environmental Project Manager  
200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower  
San José CA 95113-1905  
Phone: (408) 535-6872, e-mail: [reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)

Rosalynn Hughey, Director  
Planning, Building and Code Enforcement

  
Deputy

  
Date

**NOTICE OF PREPARATION  
OF AN ENVIRONMENTAL IMPACT REPORT  
FOR THE BLOSSOM HILL STATION MIXED-USE PROJECT  
(FILE NOS. SP20-012 AND T20-012)**

**September 2020**

***Introduction***

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the public of the environmental effects of the proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. An Environmental Impact Report (EIR) will be prepared to identify potentially significant issues pursuant to CEQA Guidelines Section 15178. In accordance with the requirements of CEQA, the EIR will include the following:

- Summary of the project;
- Project description;
- Description of the existing environmental setting, analysis of environmental impacts, and mitigation measures for identified significant impacts for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) any growth inducing impacts of the proposed project; and (d) cumulative impacts

***Project Location***

The 7.42-acre site is located at 605 Blossom Hill Road (Assessor's Parcel Number: 464-22-032), between Canoas Creek and the State Route (SR) 85 off-ramp, in south San José. The project site is currently developed with a surface parking lot, Santa Clara Valley Transportation Authority (VTA) bus stop, VTA light rail station, landscaping and ornamental trees. Regional, vicinity, and aerial maps of the project site are shown in Figures 1 to 3.

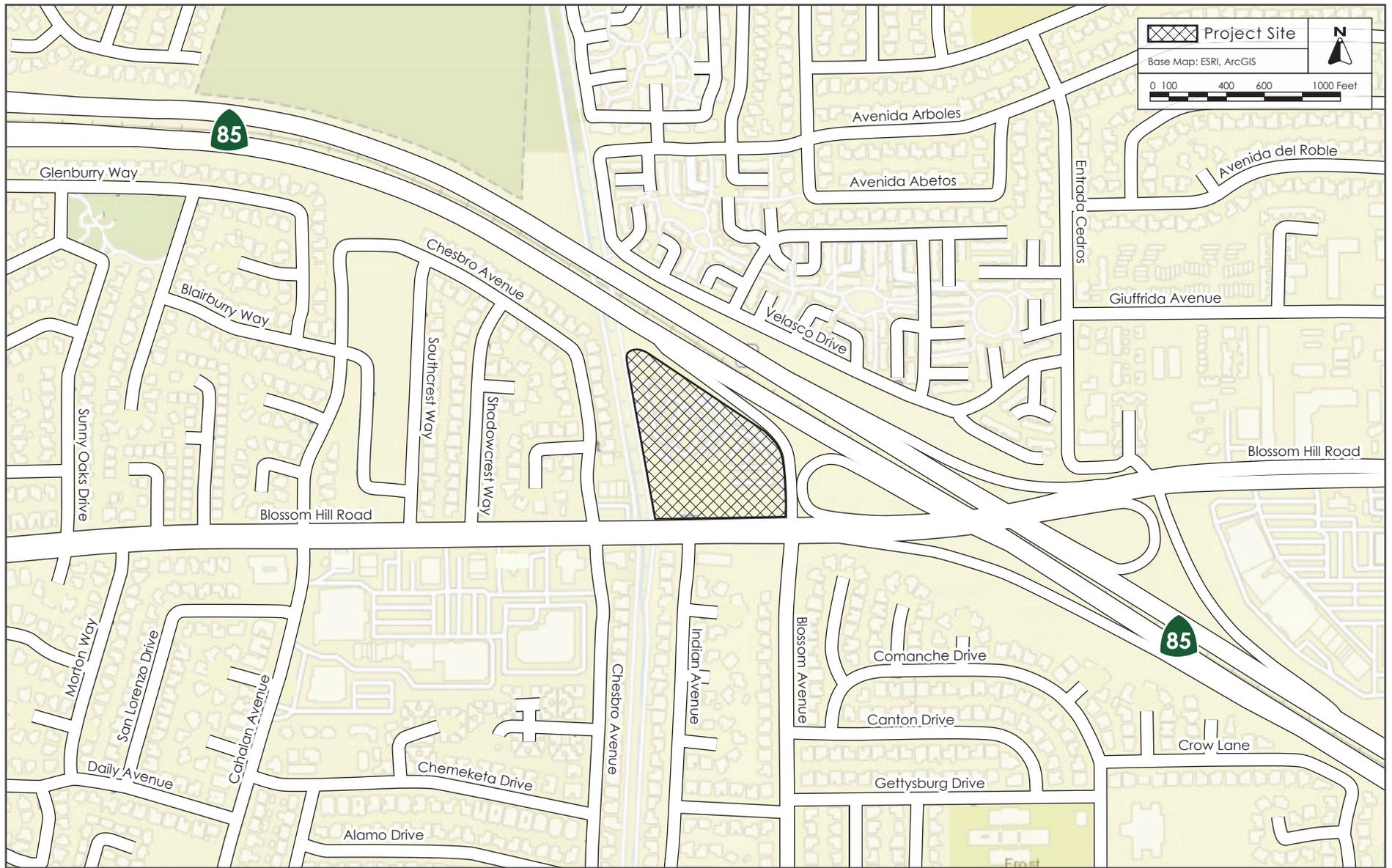
***Project Description***

The proposed project would remove approximately half of the existing surface parking lot and associated landscaping along Blossom Hill Road and construct a new mixed-use building (Building A), a new residential building (Building B), as well as on-site and off-site trail improvements (see Figures 4 and 5). The existing bus stop by the light rail station entrance would be relocated to Blossom Hill Road. The proposed project would retain the light rail station and retain but reconfigure 212 parking spaces in the northern half of the project site.



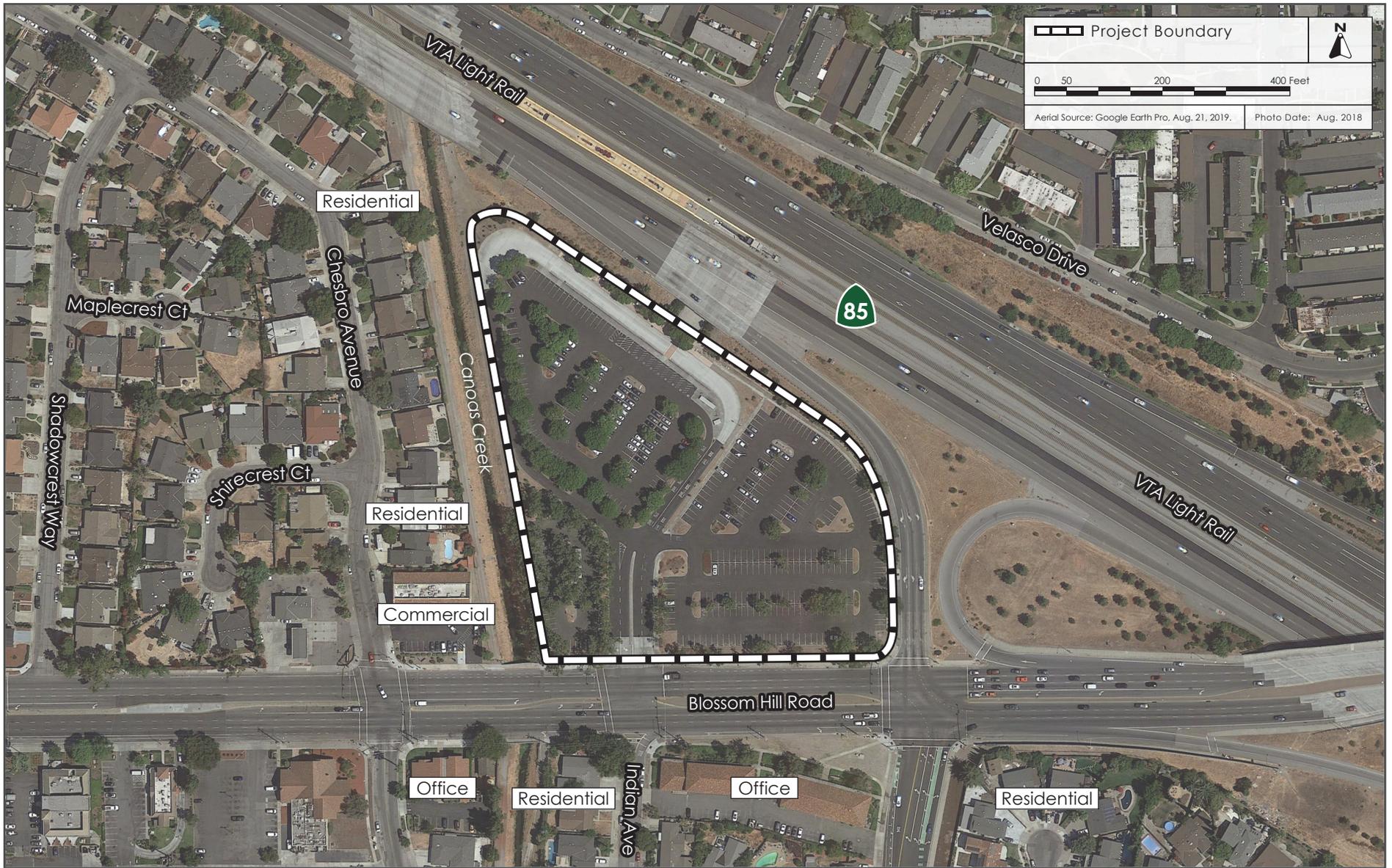
REGIONAL MAP

FIGURE 1



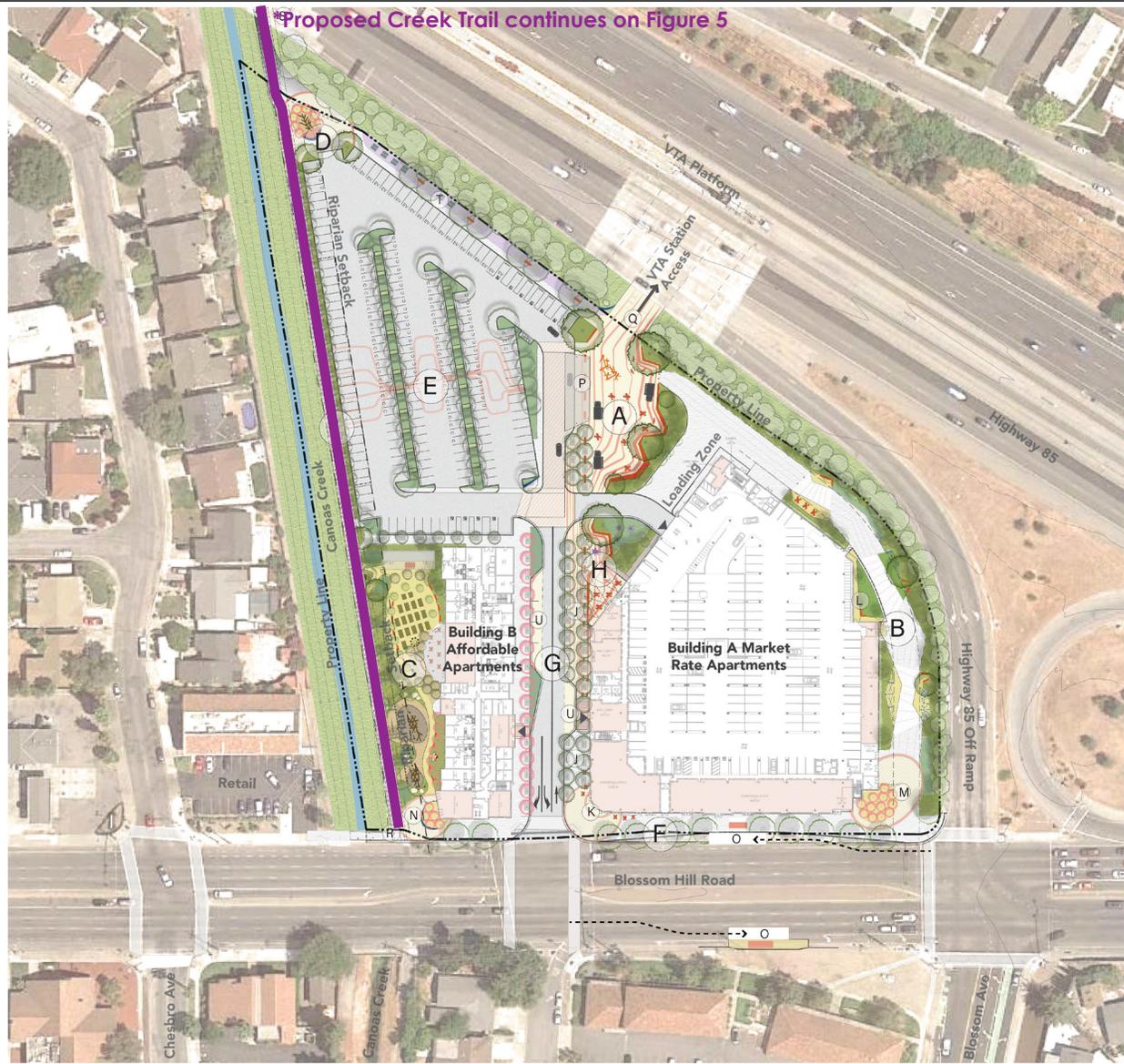
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



**LEGEND**

**Key Open Space Areas:**

- A Transit Plaza
- B Public Amenity Trail
- C Affordable Building Amenity Space
- D Trail Head Plaza
- E VTA Parking Lot
- F Blossom Hill Road Streetscape
- G Access Road
- H Outdoor Neighborhood Amenity Space
- I Canoas Creek Trail

**Key Landscape Features:**

- J Tree Paseo
- K Retail Plaza
- L Fenced Dog Walk (private)
- M Amenity Trailhead
- N Canoas Creek Trailhead

**Transit-Oriented Facilities:**

- O Relocated Bus Stops
- P Drop-off/Pick-up
- Q Access to VTA Station
- R Ramp for Bike and Service Access for Creek
- S Potential Future Access to VTA Station and Trail Connection
- T Micromobility Zone with Commuter Bike Lockers
- U Drop-off/Pick-up and Loading Zone

— Proposed Creek Trail



CONCEPTUAL SITE PLAN

FIGURE 4



CONCEPTUAL CREEK TRAIL

FIGURE 5

The applicant is evaluating multiple configurations ranging from 231 to 328 units and 10,775 to 22,595 square feet of commercial space. Because the exact unit count and square footages have not been determined, the analysis in the EIR will conservatively assume Building A would include up to 22,595 square feet of commercial space and up to 239 residential units. In all configurations, Building A would be six stories tall with a maximum height of 79.6 feet (including mechanical screen) and would include a combination of neighborhood and resident amenity space, and an entrance lobby for building residents. Parking for Building A would be provided in the form of two levels of podium parking, wrapped by the building façade.

Building B would be six stories tall with a maximum height of 64 feet (including mechanical screen) and would contain 89 affordable housing units and amenity space as well as bicycle parking within the building. All vehicle parking for Building B residents would be provided in the form of a surface parking lot adjacent to the building.

The project site is designated *Neighborhood/ Community Commercial* under the Envision San José 2040 General Plan and is located within the Blossom Hill/Cahalan Avenue Urban Village. The site has a zoning designation of *Agriculture (A)*. Implementation of the project would require the removal of 52 ordinance-sized trees.

The proposed project also includes improvements to the Canoas Creek Trail from Blossom Hill Road adjacent to the project site and approximately 0.8 mile off-site to Martial Cottle Park (see Figures 4 and 5). Trail improvements adjacent to the project site would include resurfacing the trail. While the design and improvements for the portion of the trail adjacent to the project site have been defined, the trail improvement beyond the project site is still a work in progress. The EIR will discuss the trail improvements for the portion extending from the project site to Martial Cottle Park at a programmatic level. When those off-site trail improvements have been defined, a supplemental CEQA document would be prepared to address those improvements and their potential impacts on environmental resources. The applicant will enter into a Development Agreement or other binding document with the City to ensure that the future trail improvements are implemented.

***Possible Required Project Approvals:***

1. Special Use Permit
2. Tentative Map
3. Building Permit
4. Grading Permit
5. Department of Public Works Clearances

***Potential Environmental Impacts of the Project***

The EIR will describe the existing environmental conditions on the project site and will identify the potentially significant environmental effects anticipated to result from development of the project as

proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will include the following specific environmental categories as related to the proposed project:

1. Aesthetics

The EIR will analyze the aesthetic impact of redeveloping a surface parking lot with two six-story buildings, and removal of mature trees on the project site. The analysis will include a discussion of the proposed project and landscape improvements in relation to the adjacent trail and the neighboring uses.

2. Air Quality

The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's impacts to local and regional air quality according to the 2017 Bay Area Air Quality Management District (BAAQMD) guidelines and thresholds.

The EIR will also evaluate the operational and construction air quality impacts of the proposed project on nearby sensitive receptors in accordance with current BAAQMD CEQA Guidelines and thresholds.

3. Biological Resources

The project site is currently developed with a surface parking lot, VTA bus stop, VTA light rail station, landscaping and 138 trees. Canoas Creek forms the western project boundary. The EIR will address the loss of trees on site and the potential impact on birds and wildlife. Additionally, the EIR will describe the project's impacts to biological resources during project construction and operation and the project's consistency with the Santa Clara County Habitat Conservation Plan, and the City's Riparian Corridor Policy.

4. Cultural Resources

Based on the City's General Plan, the project site is located within an archaeologically sensitive area near Canoas Creek. The EIR will address the impacts to known and unknown buried cultural resources on the project site and surrounding area. Mitigation and/or avoidance measures will be identified for significant cultural resource impacts, as appropriate.

5. Energy

Implementation of the proposed project will result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.

## 6. Geology & Soils

The project site is in a seismically active region in the United States. The EIR will discuss the potential geological impacts associated with seismic activity at the project site and the suitability of the proposed project for the existing soil conditions.

## 7. Greenhouse Gas Emissions

The EIR will address the project's consistency with the City's Greenhouse Gas (GHG) Reduction Strategy and the State's GHG reduction goals. The EIR will also analyze proposed design measures to reduce energy consumption, which would potentially reduce GHG emissions.

## 8. Hazards and Hazardous Materials

Development in the project area consists of primarily one- and two-story residential and commercial buildings. The EIR will summarize known hazardous materials conditions on the project site and the surrounding area and will address the potential for hazardous impacts to occur from implementation of the proposed project.

## 9. Hydrology and Water Quality

Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps, the project site is primarily located in Zone D, an area of low risk, and the western edge located in Zone A, an area of one-percent annual chance of flooding. The EIR will address the potential for flooding at the site and the effectiveness of the proposed storm drainage system. The EIR will also discuss project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB), and the possible water quality impacts to Canoas Creek during project construction.

## 10. Land Use

The project site is in an urbanized area surrounded by SR-85 and the Blossom Hill VTA station to the north/northeast, Blossom Hill Road to the south, and the channelized Canoas Creek to the west. Surrounding developments beyond these roadways and the creek consist of primarily residential and commercial buildings. Agricultural fields planted with row crops are in Martial Cottle County Park located northwest of the project site across SR-85. The EIR will describe the consistency of the project with the City's General Plan and zoning code and compatibility of the proposed and existing land uses in the project area.

## 11. Noise and Vibration

The EIR will discuss noise that will result from operation of the proposed project, as well as temporary construction noise. Noise levels will be evaluated for consistency with the City's applicable standards and guidelines.

## 12. Public Services

Implementation of the proposed project would place new residences on-site, resulting in an increased demand on public services, including police and fire protection, and recreational facilities. The EIR will address the availability of public facilities and service systems and the potential for the project to require the construction of new facilities.

## 13. Transportation

The EIR will examine the existing traffic conditions in the immediate vicinity of the project site. A Transportation Analysis (TA) will be prepared that will include both a vehicle miles traveled (VMT) analysis to evaluate the project's impacts under CEQA and a local transportation analysis (LTA) to evaluate the project's operational effects on the local transportation network consistent with City Council Policy 5-1. The LTA includes an evaluation of project access, circulation, parking, Congestion Management Plan conformance, and multi-modal (bicycle and pedestrian) facilities.

## 14. Tribal Cultural Resources

The EIR will discuss the project's potential to impact tribal cultural resources.

## 15. Utilities

Implementation of the proposed project would result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary systems and storm drains, water supply/demand, and solid waste management.

## 16. Wildfire

The proposed project is located within a urbanized area of San José. The EIR will discuss if the proposed project would impact or exacerbate wildfire risk and/or impair emergency response.

## 17. Other Topic Areas

The EIR will also address the project's impacts on agricultural resources, population and housing, and mineral resources. These discussions will be based on the City's General Plan Final EIR and other available technical data.

## 18. Alternatives

The EIR will examine alternatives to the proposed project including a "No Project" alternative, a 100 percent affordable housing alternative in which 100 percent of the proposed dwelling units are deed restricted, and other development alternatives based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the objectives of the project.

## 19. Significant Unavoidable Impacts

The EIR will identify those significant impacts that cannot be avoided, if the project is implemented as proposed.

## 20. Cumulative Impacts

The EIR will address the potentially significant cumulative impacts of the project by resource area when considered with other past, present, and reasonably foreseeable future projects in the development area.

In conformance with the CEQA Guidelines, the EIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) references and organizations/persons consulted, and 5) EIR authors.



TAMIEN NATION  
P.O. Box 8053, San Jose, California 95155  
(707) 295-4011 tamien@tamien.org

Sent Via Email:

RE: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act(CEQA), Public Resources Code section 21080.3.1, subd. (b), (d) and (e),

**Project:**

Dear

This letter constitutes a formal request for tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural resource for the above referenced project. Tamien Nation requested formal notice and information for all projects within your agency's geographical jurisdiction and received notification on \_\_\_\_\_ regarding the above referenced project.

Tamien Nation requests consultation on the following topics checked below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subd. (a):

- Alternatives to the project
- Recommended mitigation measures
- Project description, including detailed ground disturbance plans, maps, blueprints or site plans outlining phases of project.
- Project timelines

Tamien Nation also requests consultation on the following discretionary topics checked below (Public Resources Code section 21080.3.2, subd. (a):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies standards used by your agency or to determine significance of tribal cultural resources
- Significance of the project's impacts on tribal cultural resources

Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:

- (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning green-space, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- (2) Treating the resources with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:
  - a. Protecting the cultural character and integrity of the resource.
  - b. Protecting the traditional use of the resource; and
  - c. Protecting the confidentiality of the resource.
- (3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- (4) Protection of the resource(s) itself.

Additionally, Tamien Nation would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

- (1) The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
  - A listing of all known cultural resources that have already been recorded on or adjacent to the APE.
  - Copies of all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response.
  - If the probability is low, moderate, or high that cultural resources are in the APE.
  - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are in the potential APE; and
  - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
- (2) The results of any archaeological inventory survey that was conducted, including:
  - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.

- (3) The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. The request form can be found at [http://www.nahc.ca.gov/slf\\_request.html](http://www.nahc.ca.gov/slf_request.html). USGS 7.5-minute quadrangle name, township, range, and section required for the search.
- (4) Any ethnographic studies conducted for any area including all or part of the potential APE; and
- (5) Any geotechnical reports regarding all or part of the potential APE.

We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b) (3) states that preservation in place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subd. (b)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that “feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts.” *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal. App.4<sup>th</sup> 48, disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4<sup>th</sup> 439.

Tamien Nation expects to begin consultation within 30 days of your receipt of this letter. Please contact Tamien Nation lead contacts:

Quirina Geary  
Tamien Nation, Chairwoman  
PO Box 8053  
San Jose, CA 95155  
(707) 295-4011  
[qgeary@tamien.org](mailto:qgeary@tamien.org)

Johnathan Costillas  
Tamien Nation, Tribal Historic Preservation Officer (THPO)  
PO Box 866  
Clearlake Oaks, CA 95423  
(925) 336-5359  
[jcostillas@tamien.org](mailto:jcostillas@tamien.org)

Please refer to identification number TN- \_\_\_\_\_ in any correspondence concerning this project. Thank you for providing us with this notice and the opportunity to comment.

Sincerely,



Quirina Geary  
Chairwoman

cc: Native American Heritage Commission

AB 52 Notification: File No: SP20-012

July 16, 2021

Kanyon Sayers-Roods  
1615 Pearson Court  
San José, CA 95122  
[kanyon@kanyonkonsulting.com](mailto:kanyon@kanyonkonsulting.com)

*Sent by email and U.S. Postal Service Certified Mail*

Dear Ms. Sayers-Roods,

In response to the verbal notice we received from you that in accordance with Public Resources Code Section 21080.3.1 subd (b) you, as the Indian Canyon Mutsun Band of Costanoan representative, request notification of all proposed projects that require a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report; we are sending you by mail and email notification of the following proposed project on file with the City of San José.

**Project File No.:** SP20-012 (Blossom Hill Station Project)

**Project Location:** 605 Blossom Hill Road, San José, north of Blossom Hill Road, approximately 300 feet east of Chesboro Avenue

**Project Description:** Special Use Permit to allow the development of a Signature Project per Policy IP-5.10 of the San José General Plan, including the demolition of existing surface parking, the removal of 55 ordinance-size trees and 14 non-ordinance trees, and the construction of one six-story mixed use building with 13,590 square feet of commercial space and 239 market-rate multi-family residential units and one five-story multifamily residential building with 89 affordable housing units, with trail improvements to Canoas Creek, and the subdivision of one lot into five lots on a 5.39-gross acre site.

**Project Applicant** Green Republic Blossom Hill LLC

**Project Point of Contact** Reema Mahamood, Environmental Project Manager  
[reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov), 408.535.6872

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Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Reema Mahamood". The signature is written in a cursive, flowing style.

Reema Mahamood  
Planner III, Environmental Review Team  
Department of PBCE, Planning Division

Attachments:

- Notice of Preparation for the Blossom Hill Station Project

**NOTICE OF PREPARATION OF AN  
ENVIRONMENTAL IMPACT REPORT FOR THE  
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FILE NOS: SP20-012 AND T20-012  
PROJECT APPLICANT: GREEN REPUBLIC BLOSSOM HILL LLC  
APN: 464-22-032

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An online **joint community and environmental public scoping meeting** for this project will be held on **Tuesday, October 13, 2020 at 6:30 p.m.**

The live meeting will be held via Zoom. If you have not participated in a Zoom meeting before, we encourage you to download the Zoom app to your phone, tablet, or computer and feel free to log in early to troubleshoot any technical issues that may arise. Participants can also join a meeting through their computer's web browser. Zoom currently works best with Google Chrome, Apple Safari, Mozilla Firefox, and Chromium Edge. Members of the public may view and to the meeting and comment on the project by following the instructions listed below.

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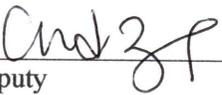
Public Comments Prior to Meeting

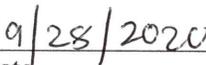
If you would like to submit your comments prior to the meeting, please email your comments to [reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov). Comments submitted prior to this meeting will be considered as if you were present in the meeting.

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRs website at [www.sanjoseca.gov/activeeirs](http://www.sanjoseca.gov/activeeirs), including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice. However, responses earlier than 30 days are always welcome. If you have comments on this Notice of Preparation, please identify a contact person from your organization, and send your response to:

City of San José  
Department of Planning, Building and Code Enforcement  
Attn: Reema Mahamood, Environmental Project Manager  
200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower  
San José CA 95113-1905  
Phone: (408) 535-6872, e-mail: [reema.mahamood@sanjoseca.gov](mailto:reema.mahamood@sanjoseca.gov)

Rosalynn Hughey, Director  
Planning, Building and Code Enforcement

  
\_\_\_\_\_  
Deputy

  
\_\_\_\_\_  
Date

**NOTICE OF PREPARATION  
OF AN ENVIRONMENTAL IMPACT REPORT  
FOR THE BLOSSOM HILL STATION MIXED-USE PROJECT  
(FILE NOS. SP20-012 AND T20-012)**

**September 2020**

***Introduction***

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the public of the environmental effects of the proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. An Environmental Impact Report (EIR) will be prepared to identify potentially significant issues pursuant to CEQA Guidelines Section 15178. In accordance with the requirements of CEQA, the EIR will include the following:

- Summary of the project;
- Project description;
- Description of the existing environmental setting, analysis of environmental impacts, and mitigation measures for identified significant impacts for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) any growth inducing impacts of the proposed project; and (d) cumulative impacts

***Project Location***

The 7.42-acre site is located at 605 Blossom Hill Road (Assessor's Parcel Number: 464-22-032), between Canoas Creek and the State Route (SR) 85 off-ramp, in south San José. The project site is currently developed with a surface parking lot, Santa Clara Valley Transportation Authority (VTA) bus stop, VTA light rail station, landscaping and ornamental trees. Regional, vicinity, and aerial maps of the project site are shown in Figures 1 to 3.

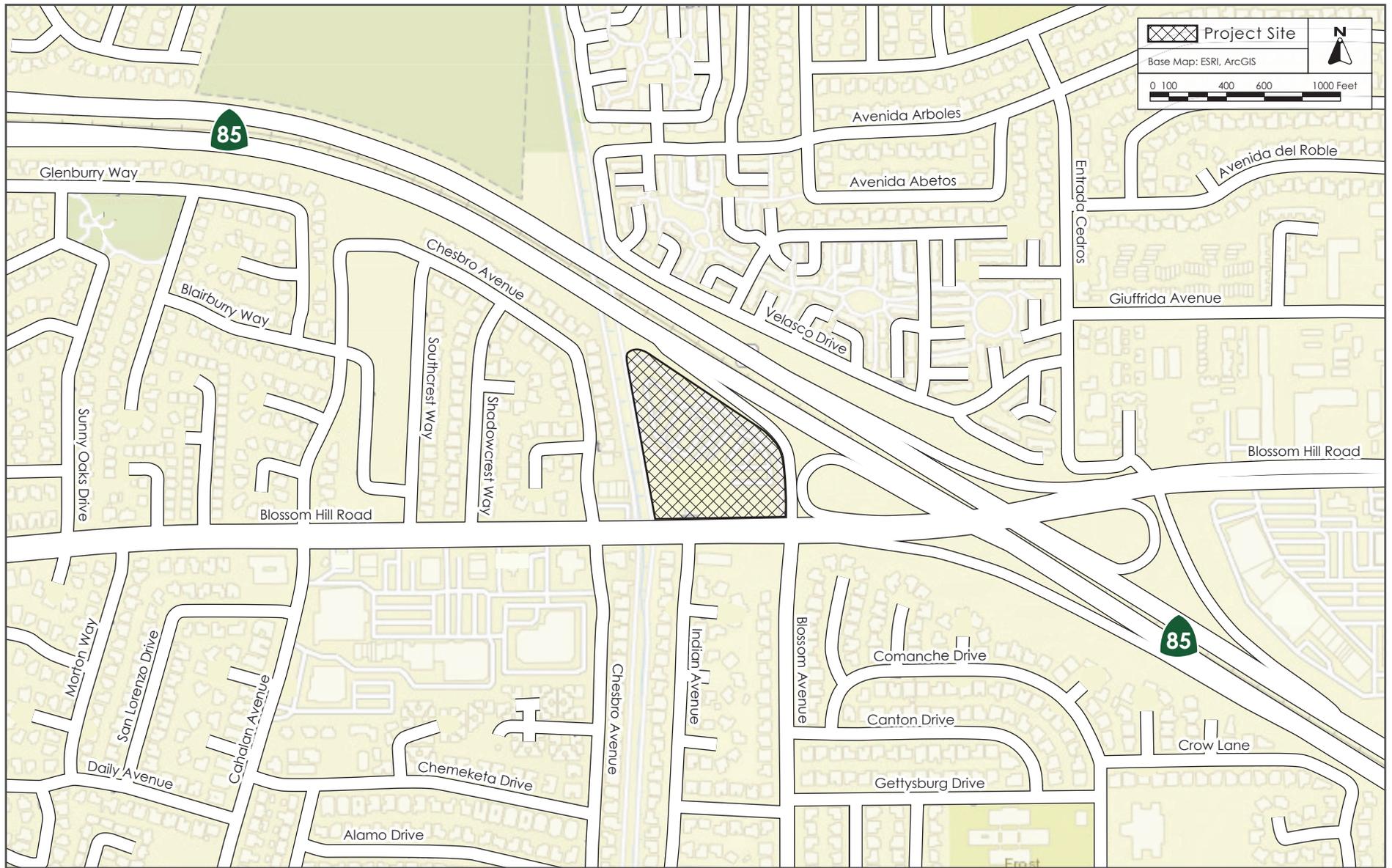
***Project Description***

The proposed project would remove approximately half of the existing surface parking lot and associated landscaping along Blossom Hill Road and construct a new mixed-use building (Building A), a new residential building (Building B), as well as on-site and off-site trail improvements (see Figures 4 and 5). The existing bus stop by the light rail station entrance would be relocated to Blossom Hill Road. The proposed project would retain the light rail station and retain but reconfigure 212 parking spaces in the northern half of the project site.



REGIONAL MAP

FIGURE 1



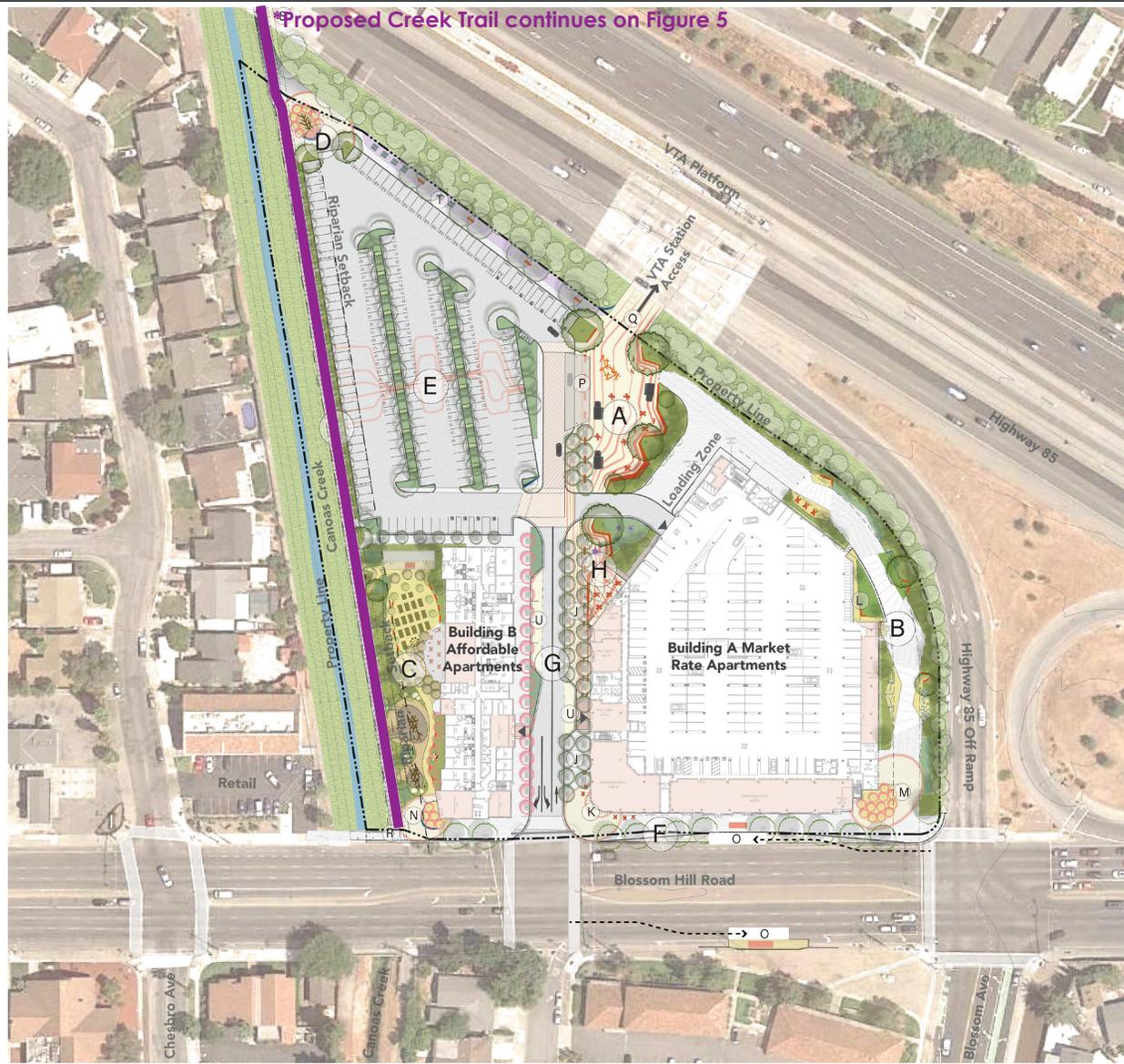
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



**LEGEND**

**Key Open Space Areas:**

- A Transit Plaza
- B Public Amenity Trail
- C Affordable Building Amenity Space
- D Trail Head Plaza
- E VTA Parking Lot
- F Blossom Hill Road Streetscape
- G Access Road
- H Outdoor Neighborhood Amenity Space
- I Canoas Creek Trail

**Key Landscape Features:**

- J Tree Paseo
- K Retail Plaza
- L Fenced Dog Walk (private)
- M Amenity Trailhead
- N Canoas Creek Trailhead

**Transit-Oriented Facilities:**

- O Relocated Bus Stops
- P Drop-off/Pick-up
- Q Access to VTA Station
- R Ramp for Bike and Service Access for Creek
- S Potential Future Access to VTA Station and Trail Connection
- T Micromobility Zone with Commuter Bike Lockers
- U Drop-off/Pick-up and Loading Zone

— Proposed Creek Trail



CONCEPTUAL SITE PLAN

FIGURE 4



CONCEPTUAL CREEK TRAIL

FIGURE 5

The applicant is evaluating multiple configurations ranging from 231 to 328 units and 10,775 to 22,595 square feet of commercial space. Because the exact unit count and square footages have not been determined, the analysis in the EIR will conservatively assume Building A would include up to 22,595 square feet of commercial space and up to 239 residential units. In all configurations, Building A would be six stories tall with a maximum height of 79.6 feet (including mechanical screen) and would include a combination of neighborhood and resident amenity space, and an entrance lobby for building residents. Parking for Building A would be provided in the form of two levels of podium parking, wrapped by the building façade.

Building B would be six stories tall with a maximum height of 64 feet (including mechanical screen) and would contain 89 affordable housing units and amenity space as well as bicycle parking within the building. All vehicle parking for Building B residents would be provided in the form of a surface parking lot adjacent to the building.

The project site is designated *Neighborhood/ Community Commercial* under the Envision San José 2040 General Plan and is located within the Blossom Hill/Cahalan Avenue Urban Village. The site has a zoning designation of *Agriculture (A)*. Implementation of the project would require the removal of 52 ordinance-sized trees.

The proposed project also includes improvements to the Canoas Creek Trail from Blossom Hill Road adjacent to the project site and approximately 0.8 mile off-site to Martial Cottle Park (see Figures 4 and 5). Trail improvements adjacent to the project site would include resurfacing the trail. While the design and improvements for the portion of the trail adjacent to the project site have been defined, the trail improvement beyond the project site is still a work in progress. The EIR will discuss the trail improvements for the portion extending from the project site to Martial Cottle Park at a programmatic level. When those off-site trail improvements have been defined, a supplemental CEQA document would be prepared to address those improvements and their potential impacts on environmental resources. The applicant will enter into a Development Agreement or other binding document with the City to ensure that the future trail improvements are implemented.

***Possible Required Project Approvals:***

1. Special Use Permit
2. Tentative Map
3. Building Permit
4. Grading Permit
5. Department of Public Works Clearances

***Potential Environmental Impacts of the Project***

The EIR will describe the existing environmental conditions on the project site and will identify the potentially significant environmental effects anticipated to result from development of the project as

proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will include the following specific environmental categories as related to the proposed project:

1. Aesthetics

The EIR will analyze the aesthetic impact of redeveloping a surface parking lot with two six-story buildings, and removal of mature trees on the project site. The analysis will include a discussion of the proposed project and landscape improvements in relation to the adjacent trail and the neighboring uses.

2. Air Quality

The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's impacts to local and regional air quality according to the 2017 Bay Area Air Quality Management District (BAAQMD) guidelines and thresholds.

The EIR will also evaluate the operational and construction air quality impacts of the proposed project on nearby sensitive receptors in accordance with current BAAQMD CEQA Guidelines and thresholds.

3. Biological Resources

The project site is currently developed with a surface parking lot, VTA bus stop, VTA light rail station, landscaping and 138 trees. Canoas Creek forms the western project boundary. The EIR will address the loss of trees on site and the potential impact on birds and wildlife. Additionally, the EIR will describe the project's impacts to biological resources during project construction and operation and the project's consistency with the Santa Clara County Habitat Conservation Plan, and the City's Riparian Corridor Policy.

4. Cultural Resources

Based on the City's General Plan, the project site is located within an archaeologically sensitive area near Canoas Creek. The EIR will address the impacts to known and unknown buried cultural resources on the project site and surrounding area. Mitigation and/or avoidance measures will be identified for significant cultural resource impacts, as appropriate.

5. Energy

Implementation of the proposed project will result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.

## 6. Geology & Soils

The project site is in a seismically active region in the United States. The EIR will discuss the potential geological impacts associated with seismic activity at the project site and the suitability of the proposed project for the existing soil conditions.

## 7. Greenhouse Gas Emissions

The EIR will address the project's consistency with the City's Greenhouse Gas (GHG) Reduction Strategy and the State's GHG reduction goals. The EIR will also analyze proposed design measures to reduce energy consumption, which would potentially reduce GHG emissions.

## 8. Hazards and Hazardous Materials

Development in the project area consists of primarily one- and two-story residential and commercial buildings. The EIR will summarize known hazardous materials conditions on the project site and the surrounding area and will address the potential for hazardous impacts to occur from implementation of the proposed project.

## 9. Hydrology and Water Quality

Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps, the project site is primarily located in Zone D, an area of low risk, and the western edge located in Zone A, an area of one-percent annual chance of flooding. The EIR will address the potential for flooding at the site and the effectiveness of the proposed storm drainage system. The EIR will also discuss project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB), and the possible water quality impacts to Canoas Creek during project construction.

## 10. Land Use

The project site is in an urbanized area surrounded by SR-85 and the Blossom Hill VTA station to the north/northeast, Blossom Hill Road to the south, and the channelized Canoas Creek to the west. Surrounding developments beyond these roadways and the creek consist of primarily residential and commercial buildings. Agricultural fields planted with row crops are in Martial Cottle County Park located northwest of the project site across SR-85. The EIR will describe the consistency of the project with the City's General Plan and zoning code and compatibility of the proposed and existing land uses in the project area.

## 11. Noise and Vibration

The EIR will discuss noise that will result from operation of the proposed project, as well as temporary construction noise. Noise levels will be evaluated for consistency with the City's applicable standards and guidelines.

## 12. Public Services

Implementation of the proposed project would place new residences on-site, resulting in an increased demand on public services, including police and fire protection, and recreational facilities. The EIR will address the availability of public facilities and service systems and the potential for the project to require the construction of new facilities.

## 13. Transportation

The EIR will examine the existing traffic conditions in the immediate vicinity of the project site. A Transportation Analysis (TA) will be prepared that will include both a vehicle miles traveled (VMT) analysis to evaluate the project's impacts under CEQA and a local transportation analysis (LTA) to evaluate the project's operational effects on the local transportation network consistent with City Council Policy 5-1. The LTA includes an evaluation of project access, circulation, parking, Congestion Management Plan conformance, and multi-modal (bicycle and pedestrian) facilities.

## 14. Tribal Cultural Resources

The EIR will discuss the project's potential to impact tribal cultural resources.

## 15. Utilities

Implementation of the proposed project would result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary systems and storm drains, water supply/demand, and solid waste management.

## 16. Wildfire

The proposed project is located within a urbanized area of San José. The EIR will discuss if the proposed project would impact or exacerbate wildfire risk and/or impair emergency response.

## 17. Other Topic Areas

The EIR will also address the project's impacts on agricultural resources, population and housing, and mineral resources. These discussions will be based on the City's General Plan Final EIR and other available technical data.

## 18. Alternatives

The EIR will examine alternatives to the proposed project including a "No Project" alternative, a 100 percent affordable housing alternative in which 100 percent of the proposed dwelling units are deed restricted, and other development alternatives based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the objectives of the project.

## 19. Significant Unavoidable Impacts

The EIR will identify those significant impacts that cannot be avoided, if the project is implemented as proposed.

## 20. Cumulative Impacts

The EIR will address the potentially significant cumulative impacts of the project by resource area when considered with other past, present, and reasonably foreseeable future projects in the development area.

In conformance with the CEQA Guidelines, the EIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) references and organizations/persons consulted, and 5) EIR authors.

## Carolyn Neer

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**From:** KKLLC Admin <admin@kanyonconsulting.com>  
**Sent:** Wednesday, August 4, 2021 8:57 AM  
**To:** Mahamood, Reema  
**Subject:** SP20-012 Blossom Hill Station Project

You don't often get email from admin@kanyonconsulting.com. [Learn why this is important](#)

[External Email]

miSmin Tuuhis [Good Day]

Kan rakat Kanyon Sayers-Roods. I am writing this on behalf of the Indian Canyon Band of Costanoan Ohlone People as requested, responding to your letter

As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a potentially eligible cultural site, I am interested in consulting and voicing our concerns. With some instances like this, usually we recommend that a Native American Monitor and an Archaeologist be present on-site at all times during any/all ground disturbing activities. The presence of a Native monitor and archaeologist will help the project minimize potential effects on the cultural site and mitigate inadvertent issues.

Kanyon Consulting, LLC has numerous Native Monitors available for projects such as this, if applicable, we recommend a Cultural Sensitivity Training at the beginning of each project. This service is offered to aid those involved in the project to become more familiar with the indigenous history of the peoples of this land that is being worked on.

Kanyon Consulting is a strong proponent of honoring truth in history, when it comes to impacting Cultural Resources and potential ancestral remains, we need to recognise the history of the territory we are impacting. We have seen that projects like these tend to come into an area to consult/mitigate and move on shortly after - barely acknowledging the Cultural Representatives of the territory they steward and are responsible for. Because of these possibilities, we highly recommend that you receive a specialized consultation provided by our company as the project commences, bringing in considerations about the Indigenous peoples and environment of this territory that you work, have settled upon and benefit from.

As previously stated, our goal is to Honor Truth in History. And as such we want to ensure that there is an effort from the project organizer to take strategic steps in ways that #HonorTruthinHistory. This will make all involved aware of the history of the Indigenous communities whom we acknowledge as the first stewards and land managers of these territories.

Potential Approaches to Indigenous Cultural Awareness/History:

➤ Signs or messages to the audience or community of the territory being developed. (ex. A commemorative plaque, page on the website, mural, display, or an Educational/Cultural Center with information about the history/ecology/resources of the land)

➤ Commitment to consultation with the Native Peoples of the territory in regards to presenting and messaging about the Indigenous history/community of the land (Land Acknowledgement on website, written material about the space/org/building/business/etc, Cultural display of cultural resources/botanical knowledge or Culture sharing of Traditional Ecological Knowledge - Indigenous Science and Technology)

➤ Advocacy of supporting indigenous lead movements and efforts. (informing one's audience and/or community about local present Indigenous community)

We look forward to working with you.

Tumsan-ak kannis [Thank You]

Kanyon Sayers-Roods

Consultant / Tribal Monitor [ICMBCO]

Kanyon Consulting, LLC

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