

March 3, 2022

Norman E. Matteoni
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Hon. Mayor Sam Liccardo and Members of the San Jose City Council
San Jose City Hall
200 Santa Clara Street, 18th Floor
San Jose, CA 95113

Re: Monterey Corridor Study Report; City Council Agenda March 8, 2022;
Item No. 8.4

Dear Mr. Mayor and Members of the Council:

The property owners were promised a study of appropriate uses for the east side of the Monterey Corridor at the General Plan hearing last Fall.

The corridor was singled out for special study because of its unique characteristics from the rest of Coyote Valley, in that: it fronted a major arterial: many parcels were annexed with promises of services that were never delivered: the parcels are small; most are not put to active agricultural use; there is a mix of uses (industrial, commercial, and residential) along the corridor.

A Memorandum from the Mayor endorsed undertaking that study. This was included in the motion that approved amendments to the General Plan for Coyote Valley.

Now comes the report of Planning Department that more narrowly defines the potential uses that may result from the study as agriculture operations and agricultural supportive uses. In light of the existing uses, sizes of parcels and circumstances of the corridor properties, that is too narrow a focus.

For example, the Coyote Creek Golf Park is a large track of land, both in the City and County unincorporated area, serving a community creational use. To continue to be viable and competitive, it needs to be able to adapt. Second, there are RV parks along the corridor

Further, the Planning Department interprets the Council's action last November as approving one residence relating to agriculture as the only use for the corridor properties, just as the rest of the valley. The

owners along the corridor understood that residential development was not to be allowed, but that uses that served the area and were compatible with existing uses on Monterey Road would be considered.

Moreover, the long-standing generational farmer owners are criticized as standing in the way of agricultural pursuits in the Coyote Valley. The corridor owners have paid their city taxes and maintained their properties without City assistance for decades. Second, the corridor has become a dumping ground for trash and campground sites for the homeless straddling public and private property. Last Spring the City undertook a cleanup effort of Monterey Road. That effort has not been repaid with a continuation of the same conditions. Finally, the owners initiated an agricultural study showing agriculture on these properties was not viable.

To limit the study to agricultural related use would be a betrayal of the Council's words of reassurance that the corridor would be separately addressed through an independent study.

The owners pledge to participate in an open planning study of the corridor. They ask that the study be initiated within the next few months. They do not ask that uses be predetermined, rather that potential uses, including commercial and industrial, be fully stated.

Very truly yours



ghi

NEM/jlc

Cc: City Clerk, Gerry De Young, Ken Saso, Chris Marchese, Leo Cacitti, Sean Hu,
Vic LoBue, Joe Filice, Loren Gunderson



SIERRA CLUB
LOMA PRIETA CHAPTER



March 4, 2022

San Jose City Council
200 E. Santa Clara St.
San Jose, CA 95113

Re: Coyote Valley Monterey Corridor Study

Dear Mayor Liccardo and Councilmembers,

The undersigned organizations submit the following comments with regard to the Coyote Valley Monterey Corridor Study. Our organizations represent thousands of residents in San Jose and Santa Clara County who care about Coyote Valley and other open space areas. For decades, we have advocated for the protection of Coyote Valley. The recent action by the City Council to maintain Coyote Valley as habitat, open space and agriculture was a huge step to benefit wildlife, open space, climate resilience, flood and groundwater protection, and farmland preservation.

First of all, the question must be asked whether this study should even be undertaken under current conditions, given the enormous uncertainty surrounding the future of High-Speed Rail, which seems likely to run right through the Monterey Road/railway corridor. The various possibilities of eminent domain, relocation of the Monterey Road right of way, long years of construction causing disruption to public access to Monterey Road parcels, and other factors that are complete unknowns at this point, make it questionable whether the City should be expending staff time and resources on this study at this time.

Leaving that question aside, with regard to the proposed scope of work for the Coyote Valley Monterey Corridor study, we have the following recommendations:

1. **Any new uses along the Coyote Valley Monterey Road corridor should not negatively impact wildlife movement or increase wildlife mortality on Monterey Road.**

Monterey Road is currently a roadkill hot spot. According to the 2019 report [“Recommendations to reduce wildlife-vehicle collisions on the Monterey Road corridor in Coyote Valley”](#) by the Santa Clara County Wildlife Corridor Technical Working Group, more animals are struck and killed by vehicles on the stretch of Monterey Road that goes through Coyote Valley than on

Highway 101. Any new uses or increased development as a result of the Monterey Corridor Study should not make this problem worse. It would be ironic if, after all the actions taken by the City and other agencies to improve wildlife connectivity through Coyote Valley, the City were to take action now that actually **increased** the number of animals killed.



Bobcat kill on Monterey Road. Photo by Pathways for Wildlife.

Recommendations to reduce wildlife-vehicle collisions on the Monterey Road corridor in Coyote Valley, Santa Clara County. Santa Clara County Wildlife Corridor Technical Working Group, San Jose, CA.

At the same time, the solution is not to simply block animals from the Monterey Road corridor. Coyote Valley is a critical wildlife pathway for animals to migrate between the Santa Cruz Mountains and the Diablo Range. The fact that bobcats, coyotes, deer and smaller animals continue to be struck and killed on Monterey Road is a testament to the fact that animals **need** to move across this barrier in order to survive.

Furthermore, it should be noted that the Envision 2040 General Plan includes several policies that address the need to facilitate wildlife movement across roadways, specifically including the Coyote Valley Monterey Road corridor. These policies must be considered as part of the framework for the Monterey Corridor Study:

ER-7.2: In areas important to terrestrial wildlife movement, design new or improve existing roads so that they allow wildlife to continue to move across them (e.g., either over the road surface or through under-crossings or over-crossings designed for the animals moving through the areas).

ER-7.4: To facilitate the movement of wildlife across Coyote Valley, work with the appropriate transportation agencies to replace portions of the median barrier on Monterey Road with a barrier that maintains human safety while being more permeable to wildlife movement and implement other improvements to benefit wildlife movement.

ER-7.5: Support the ongoing identification and protection of critical linkages for wildlife movement in the Mid-Coyote Valley.

In conclusion, given the fragility of wildlife linkage in Coyote Valley and its importance in the decision to protect Coyote Valley, San Jose should go beyond simply avoiding “significant” negative impacts to wildlife movement and corridors, and require that that an approved corridor policy have no negative impact at all on movement and corridors. Achieving this could be done via the original proposed project and alternatives, or by requiring mitigation to eliminate all net impacts on movement and corridors. The scientific report linked above contains several recommendations for how to achieve this, including constructing wildlife crossings, altering the median barrier on Monterey Road, and reducing vehicle speeds.

2. Any new uses along the Coyote Valley Monterey Road corridor should not negatively impact wildlife movement and habitat along the Coyote Creek corridor.

In addition to wildlife movement across Monterey Road itself, the potential exists for increased development and activity on the parcels adjoining Monterey Road to negatively impact wildlife habitat and connectivity along the Coyote Creek corridor. Coyote Creek, which runs along the back of the Monterey Road parcels, provides a critical pathway for wildlife movement through Coyote Valley. Noise, nighttime lighting, trash, and other impacts from increased development could have a significant negative impact on the ability of wildlife to use this migration corridor. The scope of the Monterey Corridor study must include design standards that limit these impacts. For instance, any uses that would need to operate after dark (such as restaurants that are open for dinner) should be limited so that increased noise and lighting does not deter nocturnal animals from using the Coyote Creek corridor or reduce the quality of their habitat. Outdoor dining is particularly problematic due to the potential for food scraps, litter, and other debris that can be harmful to wildlife, and the potential for noise and light to interfere with the activity of animals along the creek at night.

3. The City should not allow uses that are more expansive in size or intensity of use than what is permitted in the County jurisdiction.

Due to historic patterns of annexation, the Monterey Road corridor through Coyote Valley is a patchwork of City and County jurisdiction. Currently, County zoning allows more uses within the

agricultural zone than the City's zoning ordinance allows. We are generally supportive of the City aligning its zoning requirements with the County's in order to reduce confusion and create consistency and equal treatment for all landowners along the Coyote Valley Monterey Road corridor, as well as to allow landowners the ability to undertake ag-supportive uses such as farmstands and pick-your-own operations.

However, the scope of the study as outlined in the Staff memo goes farther than what is allowed in the County zoning jurisdiction. For example, the Staff memo includes potential uses such as beer gardens, restaurants and outdoor special event areas. These uses are not allowed in the County's agriculture district and thus should not be included in the scope of this study. In addition, the category of small eco-hotels and bed and breakfasts should be clarified to ensure alignment with the County's restriction of only 6 guestrooms.

4. The Study should not result in approval of significant agricultural, wildlife, or habitat impacts

The point of protecting Coyote Valley in areas under both City and County jurisdiction was and is to preserve its agricultural and open space character, including the crucial biological values across the valley floor and along the Coyote Creek corridor. When the Council directed staff to come back with a budget and timeline for the Monterey Corridor Study, that direction emphasized that any new uses must be compatible with the Coyote Creek Park Chain and with broader environmental objectives for Coyote Valley. While the use of the EIR process could allow the City to accept significant impacts on agriculture and wildlife, doing so would directly contravene the entire reason and trajectory of protection for Coyote Valley dating at least to the interim protection of Mid-Coyote Valley in the 2011 General Plan. The City has the authority to determine in advance that it will not accept significant impacts for these issues, and design the Corridor Study and EIR accordingly to fully explore avoidance of significant impacts on these issues. This will provide the broadest range of options to avoid impacts, as opposed to a relatively narrow consideration of what is the key reason for protecting Coyote Valley.

Thank you for your consideration of these comments.

Sincerely,

Alice Kaufman, Legislative Advocacy Director
Green Foothills

Shani Kleinhaus, Environmental Advocate
Santa Clara Valley Audubon Society

James Eggers, Chapter Chair
Sierra Club Loma Prieta Chapter

Deb Kramer, Executive Director
Keep Coyote Creek Beautiful



Andrea Mackenzie, General Manager
Alex Kennett, District 1
Mike Flaughner, District 2
Helen Chapman, District 3
Dorsey Moore, District 4
Vicki Alexander, District 5
Mike Potter, District 6
Kalvin Gill, District 7

March 7, 2022

San José Mayor & City Council
City of San José
200 E. Santa Clara Street
San José, CA 95113

Re: Comments on Item 8.4 Report on the Proposed Scope, Schedule, and Budget for the Coyote Valley Monterey Corridor Study

Dear Mayor, City Councilmembers,

On behalf of the Santa Clara Valley Open Space Authority (Open Space Authority), I am writing to support the steps recommended by staff in the memo dated February 22, 2022, the additional recommendations highlighted in the memo from Councilmember Jimenez, dated March 4, 2022, to initiate the Monterey Corridor Study, and support in the City's budget to fund this important planning study.

The Open Space Authority is a public, independent special district created by the California State Legislature in 1993 to conserve the natural environment, support agriculture, and connect people to nature by protecting open spaces, natural areas, and working farms and ranches for future generations.

Within the proposed staff recommendations, **the Authority would like to emphasize its support for:**

- "Agricultural supportive uses" as outlined in the staff memo, especially as those uses are aligned with the County's Agricultural zoning district.
- Consideration in the plan for maintaining and enhancing wildlife movement across Monterey Rd. and to Coyote Creek, and minimizing disturbance of wildlife by allowed uses along the Corridor.
- Close coordination between the Monterey Corridor Study and the Coyote Valley Conservation Areas Master Plan (CVCAMP).
- Encourage engaging consultants that preferably have familiarity with Coyote Valley land use, agriculture and the local agricultural economy.
- Consideration of how the development of high-speed rail will affect future uses and improvements along the Monterey Road Corridor.
- Consideration of Monterey Road itself and complete street design recommendations for Monterey Road that support traffic safety for wildlife and people.

- Placemaking/economic development for the village of Coyote.

Thank you for the opportunity to provide these comments. The Authority looks forward to working closely with the City of San Jose and other stakeholders as the City undertakes the Monterey Corridor Study.

Thank you for your consideration.

Sincerely,



Andrea Mackenzie
General Manager

CC: Santa Clara Valley Open Space Authority Board of Directors