

# Fourth Street 84-in Interceptor Phase VI-A Project

CPMS ID # 4880



Location Map  
N.T.S.

# City of San Jose - PBCE – Planning Division - Imaging Index Cover Sheet

Address/Location: North 4th St from Commercial St north, crossing Highway 101 to Zanker Rd; and Commercial St from North 4th St to North 5th St

Permit/Project No.: PP10-160 Issuance Date: 9/8/2011

Prepped By: John Davidson Closed By: John Davidson RSN: 1431050

Category	Document Type	Sub Document Type
<input checked="" type="checkbox"/> (EF) Environmental Files (203)	<input checked="" type="checkbox"/> (PP) Public Project Files (203-03)	<input type="checkbox"/> (EN) EIR <input type="checkbox"/> (DA) Approved Document <input type="checkbox"/> (EM) Maps <input type="checkbox"/> (AE) Application <input checked="" type="checkbox"/> (AG) Agency Correspondence <input type="checkbox"/> (EG) General Correspondence <input type="checkbox"/> (TR) Technical Reports <input type="checkbox"/> (RE) Archaeological Reports <input type="checkbox"/> (EP) Plans
<input type="checkbox"/> (GP) General Plan (204)	<input type="checkbox"/> (GA) General Plan Amendments (204-02)	<input type="checkbox"/> (AM) Amendment <input type="checkbox"/> (AA) Application <input type="checkbox"/> (CG) Correspondence
	<input type="checkbox"/> (GE) Environmental Review (for 204 series GP Amendments)	<input type="checkbox"/> (GD) Approved Document <input type="checkbox"/> (GI) EIR <input type="checkbox"/> (GS) Supporting Documents <input type="checkbox"/> (GT) Technical Reports <input type="checkbox"/> (GR) Archaeological
<input type="checkbox"/> (DR) Development Review (207)	<input type="checkbox"/> (PR) Projects (207-02, 207-03, etc.)	<input type="checkbox"/> (ZN) Zoning <input type="checkbox"/> (PE) Permit <input type="checkbox"/> (MP) Maps <input type="checkbox"/> (AP) Application <input type="checkbox"/> (AC) Agency Correspondence <input type="checkbox"/> (GC) General Correspondence <input type="checkbox"/> (PL) Plans <input type="checkbox"/> ST Approved Storm-Water Ctrl Plans
	<input type="checkbox"/> (ER) Environmental Review (for 207 series Project Files)	<input type="checkbox"/> (EA) Approved Document <input type="checkbox"/> (EI) EIR <input type="checkbox"/> (ES) Supporting Documents <input type="checkbox"/> (ET) Technical Reports <input type="checkbox"/> (AR) Archaeological
	<input type="checkbox"/> (AD) Adjustments (207-12)	<input type="checkbox"/> (DO) Documents <input type="checkbox"/> (PA) Plans <input type="checkbox"/> SW Approved Storm-Water Ctrl Plan <input type="checkbox"/> PK Parking Analysis
	<input type="checkbox"/> (PI) Public Info Letters (207-29)	<input type="checkbox"/> (LE) Letter <input type="checkbox"/> (LS) Supporting Docs

County of Santa Clara  
Office of the County Clerk-Recorder  
Business Division

County Government Center  
70 West Hedding Street, E. Wing, 1<sup>st</sup> Floor  
San Jose, California 95110 (408) 299-5665



Santa Clara County Clerk-Recorder's Office  
State of California



Document No.: 420  
Number of Pages: 8  
Filed and Posted On: 6/10/2011  
Through: 6/09/2011  
CRO Order Number:  
Fee Total: 0.00

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose
2. PROJECT TITLE: Sewer Interceptor Phase VIA Public Project, File No. PP10-160
3. APPLICANT NAME: Alan Kam, City of San Jose, Department of Public Works, T&HS PHONE: (408) 793-4150
4. APPLICANT ADDRESS: 200 E. Santa Clara Street, Tower, 5th Floor, San Jose, CA 95113
5. PROJECT APPLICANT IS A: ☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- |   |             |         |
|---|-------------|---------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)                                   | \$ 2,839.25 | \$ 0.00 |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ 2,044.00 | \$ 0.00 |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)                   | \$ 965.50   | \$ 0.00 |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>  | \$ 949.50   | \$ 0.00 |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ 0.00 |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- |   |          |         |
|---|----------|---------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)  | \$ 50.00 | \$ 0.00 |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) |          |         |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION   | \$ 50.00 | \$ 0.00 |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- |  |  |        |           |
|--|--|--------|-----------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ NO FEE |
|--|--|--------|-----------|

8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_
9. TOTAL RECEIVED..... \$ 0.00

\*NOTE: "**SAME PROJECT**" MEANS **NO** CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE **SUBSEQUENT** FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

**PUBLIC NOTICE  
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION  
CITY OF SAN JOSÉ, CALIFORNIA**

**Sewer Interceptor Phase VIA Public Project, File No. PP10-160.** Approval of the sewer project would result in the installation of new 72- and 84-inch diameter reinforced concrete pipe (RCP) sewer interceptor pipeline and new junction box within the existing public right-of-way of North 4th Street, Commercial Street and under Highway 101 to connect to the existing sewer structures in Zanker Road. The proposed pipeline will run from the intersection of N. Fifth Street and Commercial Street, westerly along Commercial Street to its intersection with N. Fourth Street, then along N. Fourth Street N. northward and under Highway 101, for an approximate length of 4,900 LF. The project is located in Council Districts: 3 and 4.

California State Law requires the City of San José to conduct environmental review for all pending projects. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. Based on an initial study, the Director of Planning, Building & Code Enforcement has concluded that the project described above will not have a significant effect on the environment. The project location does contain a listed toxic site.


The purpose of this notice is to inform the public of the San Jose City Council's intent to adopt a Mitigated Negative Declaration for the proposed project on or after June 13, 2011, and to provide an opportunity for public comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on **May 13, 2011** and ends on **June 13, 2011**. Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance.

The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 200 East Santa Clara Street, San José CA 95113-1905. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, the Joyce Ellington Branch Library, 491 East Empire Street, San José, CA 95112, and online at <http://www.sanjoseca.gov/planning/eir/MND.asp>.

For additional information, please call Janis Moore at (408) 535-7815.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

Circulated on: May 13, 2011

  
Deputy



**DRAFT**  
**MITIGATED NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

**NAME OF PROJECT:** Sewer Interceptor Phase VIA Public Project

**PROJECT FILE NUMBER:** PP10-160

**PROJECT DESCRIPTION:** Approval of the Sewer Interceptor Phase VIA Public Project will allow the installation of new 72- and 84-inch diameter reinforced concrete pipe (RCP) sewer interceptor pipeline and new junction box within the existing public right-of-way of North 4th Street, Commercial Street and under Highway 101 to connect to the existing sewer structures in Zanker Road.

**PROJECT LOCATION & ASSESSORS PARCEL NO.:** From the intersection of N. Fifth Street and Commercial Street, westerly along Commercial Street to its intersection with N. Fourth Street, then along N. Fourth Street N. northward and under Highway 101, for an approximate length of 4,900 LF.

**COUNCIL DISTRICT:** 3 and 4

**APPLICANT CONTACT INFORMATION:** City of San Jose, Department of Public Works, Transportation and Hydraulic Services Division (Attn: Alan Kam, Associate Engineer; Tel: 408-793-4150)

**FINDING:** The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of the draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

**MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL**

- I. **AESTHETICS.** The project will not result in significant aesthetic impacts, therefore no mitigation is required.
- II. **AGRICULTURE AND FOREST RESOURCES.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.
- III. **AIR QUALITY.** The project will not have significant impacts on air quality; however, construction-generated dust, if uncontrolled, could result in a significant air quality impact.
  - A. The proposed project includes the following mitigation measures that can reduce construction impacts to a less than significant level. BAAQMD has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. The following construction practices shall be implemented during construction of the proposed project.

1. All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
7. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
8. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
9. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
10. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
11. Vegetative ground cover (e.g. fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
12. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
13. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
14. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
15. Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
16. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
17. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**IV. BIOLOGICAL RESOURCES.** The project could result in significant environmental impacts to biological resources.

- A. Construction disturbance of or near nests can result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFG. The project proposes to implement the following mitigation measures to reduce the impact to nesting birds to a less than significant level.

1. Pre-construction/Pre-disturbance Surveys. If construction is to occur during the breeding season (February 1 through August 31), pre-construction surveys shall be conducted by a qualified ornithologist no more than 7 days prior to the initiation of construction in any given area. Pre-construction surveys will identify active nests of species protected by the MBTA and State Code.
2. Avoid the Nesting Season. If possible, potential nesting substrates (e.g., bushes, trees, grass, buildings, burrows) to be removed by the project should be removed between September 1 and January 31, to avoid the nesting season.
3. Buffer Zones. If an active nest is found and is greater than half completed, a qualified ornithologist, in consultation with the CDFG, will determine the extent of a construction-free buffer zone to be established around the nest, until nesting is complete. Typical buffer widths are 250 feet for a nesting raptor and 100 feet for other species. The establishment of construction-free buffer zones will ensure that no active nests of species protected by the MBTA and California Fish and Game Code will be disturbed by construction.

**V. CULTURAL RESOURCES.** The project will not have a significant impact on cultural resources, therefore no mitigation is required.

**VI. GEOLOGY AND SOILS.** The project will not have a significant impact on due to geology and soils, therefore no mitigation is required.

**VII. GREENHOUSE GAS EMISSIONS.** The project will not result in a significant climate change impact due to the emission of greenhouse gases, therefore no mitigation is required.

**VIII. HAZARDS AND HAZARDOUS MATERIALS.** The project could result in significant hazards and hazardous materials impacts.

A. The project will include the following mitigation measures upon completion of final design and prior to project construction, which would reduce the risks of potential soil or groundwater contamination or residual pesticides and/or herbicides contamination at the site to future construction workers to a less than significant level.

1. Prior to project development, a soil and groundwater investigation shall be completed to determine if residual contaminants of concern (COCs: petroleum hydrocarbons, volatile organic compounds, metals, or agricultural chemicals) are present in the proposed excavated soil. The analytical results will be compared against applicable environmental screening levels for construction workers and hazardous waste criteria. Based on these results, the investigation will provide recommendations regarding soil handling procedures and disposal of affected soils in the project area including the potential reuse of affected soil during project development. Impacted soil deemed for removal shall be disposed of at a licensed facility. If contaminants are present in the soil and/or groundwater, the extent of the impact shall be evaluated to determine if the appropriate regulatory agency (i.e. Regional Water Quality Control Board or Department of Toxic Substances Control) should be contacted and regulatory oversight sought.
2. A site management plan shall be developed to establish management practices for construction worker safety while handling contaminated soil, groundwater, or other materials if encountered during excavation and construction activities.

3. A hazardous materials licensed contractor shall conduct construction earthwork activities with properly trained employees in areas where contaminated soil or ground water are present. Employees conducting earthwork activities at the site must complete a 40-hour training course, including respirator and personal protective equipment training. Each contractor working at the site shall prepare a health and safety plan (HSP) that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection.

B. Excavation of the project alignment could result in exposure of construction workers to soils and groundwater contamination with lead

1. Prior to project development, a soil investigation shall be completed to determine whether ADL has affected soils that will be excavated as part of the proposed project. The investigation for ADL shall be performed in accordance with the Caltrans' *Lead Testing Guidance Procedure* (dated March 16, 2001). The analytical results will be compared against applicable environmental screening levels for construction workers and hazardous waste criteria. Based on analytical results, the investigation will provide recommendations regarding soil handling procedures, management and disposal of affected soils in the project area including the reuse potential of ADL-affected soil during project development. The provisions of a variance granted to Caltrans by the California Department of Toxic Substances Control (DTSC) on September 22, 2000 (or any subsequent variance in effect when the project is constructed) regarding aerially-deposited lead shall be followed, and will reduce this impact to a less than significant level.

- IX. **HYDROLOGY AND WATER QUALITY.** The project will not result in a significant hydrology or water quality impact, therefore no mitigation is required.
- X. **LAND USE AND PLANNING.** The project will not result in a significant land use or planning impact, therefore no mitigation is required.
- XI. **MINERAL RESOURCES.** The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. **NOISE.** The project will not have a significant noise impact, therefore no mitigation is required.
- XIII. **POPULATION AND HOUSING.** The project will not have a significant impact on population and housing, therefore no mitigation is required.
- XIV. **PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.
- XV. **RECREATION.** The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. **TRANSPORTATION / TRAFFIC.** The project will not have a significant traffic impact, therefore no mitigation is required.
- XVII. **UTILITIES AND SERVICE SYSTEMS.** The project will not have a significant impact on utilities or service systems, therefore no mitigation is required.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.** The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.

**PUBLIC REVIEW PERIOD**

File#: 420

6/10/2011

Before 5:00 p.m. on **June 13, 2011**, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

Approved for circulation, from **May 13, 2011** to **June 13, 2011**



Deputy

**MITIGATION MONITORING AND  
REPORTING PROGRAM**

**Sewer Interceptor Phase VIA Project**

**PP10-160**

**City of San José  
May 2011**

# P R E F A C E

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

On \_\_\_\_\_, 2011, the Mitigated Negative Declaration was adopted for the Sewer Interceptor Phase VIA Project. The Final Initial Study concluded that the implementation of the project could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they will be implemented.

**These Mitigation Monitoring and Reporting Program Mitigation Measures are to be included in all project Plans & Specs.**

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Air Quality</b>				
Construction dust could result in a significant air quality impact.	<p>The following mitigation measures are included in the project to minimize dust fall and locally elevated levels of PM10 downwind during construction activities:</p> <p>All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</p> <ul style="list-style-type: none"> <li>• All haul trucks transporting soil, sand, or other loose material offsite shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>• Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.</li> <li>• Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer's</li> </ul>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	All measures shall be printed on all construction documents, contracts, and project plans.	During all phases of construction on the project site

	<p>specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <ul style="list-style-type: none"> <li>• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</li> <li>• Vegetative ground cover (e.g. fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</li> <li>• The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</li> <li>• All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</li> <li>• Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</li> <li>• Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</li> <li>• Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</li> <li>• Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>			
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Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Biological Resources</b>				
Construction disturbance of or near nests can result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of	<p>The project proposes to implement the following mitigation measures to reduce the impact to nesting birds.</p> <ul style="list-style-type: none"> <li>• <b>Pre-construction/Pre-disturbance Surveys.</b> If construction is to occur during the breeding season (February 1 through August 31), pre-construction</li> </ul>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	All measures shall be printed on all construction documents, contracts, and project plans.	Prior to and during all phases of construction on the project site

reproductive effort is considered a taking by the CDFG.	<p>surveys shall be conducted by a qualified ornithologist no more than 7 days prior to the initiation of construction in any given area. Pre-construction surveys will identify active nests of species protected by the MBTA and State Code.</p> <ul style="list-style-type: none"> <li>• <b>Avoid the Nesting Season.</b> If possible, potential nesting substrates (e.g., bushes, trees, grass, buildings, burrows) to be removed by the project should be removed between September 1 and January 31, to avoid the nesting season.</li> <li>• <b>Buffer Zones.</b> If an active nest is found and is greater than half completed, a qualified ornithologist, in consultation with the CDFG, will determine the extent of a construction-free buffer zone to be established around the nest, until nesting is complete. Typical buffer widths are 250 feet for a nesting raptor and 100 feet for other species. The establishment of construction-free buffer zones will ensure that no active nests of species protected by the MBTA and California Fish and Game Code will be disturbed by construction.</li> </ul>			
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Environmental Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Hazards and Hazardous Materials</b>				
Excavation of the project alignment could result in exposure of construction workers and other potential receptors to soil and/or groundwater contamination, increased handling/disposal costs, and possible treatment or disposal of groundwater associated with dewatering activities, in the event these hazardous materials are encountered.	<p>Conformance with the following mitigation measures upon completion of design and prior to project construction would reduce risks of the potential soil or groundwater contamination at the site to future construction workers.</p> <ul style="list-style-type: none"> <li>• Prior to project development, a soil and groundwater investigation shall be completed to determine if residual contaminants of concern (COCs: petroleum hydrocarbons, volatile organic compounds, metals, or agricultural chemicals) are present in the proposed excavated soil. The analytical results will be compared against applicable environmental screening levels for construction workers and hazardous waste criteria. Based on these results, the investigation will provide recommendations</li> </ul>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	All measures shall be printed on all construction documents, contracts, and project plans.	Prior to and during all phases of construction on the project site

	<p>regarding soil handling procedures and disposal of affected soils in the project area including the potential reuse of affected soil during project development. Impacted soil deemed for removal shall be disposed of at a licensed facility. If contaminants are present in the soil and/or groundwater, the extent of the impact shall be evaluated to determine if the appropriate regulatory agency (i.e. Regional Water Quality Control Board or Department of Toxic Substances Control) should be contacted and regulatory oversight sought.</p> <ul style="list-style-type: none"> <li>• A site management plan shall be developed to establish management practices for construction worker safety while handling contaminated soil, groundwater, or other materials if encountered during excavation and construction activities.</li> <li>• A hazardous materials licensed contractor shall conduct construction earthwork activities with properly trained employees in areas where contaminated soil or ground water are present. Employees conducting earthwork activities at the site must complete a 40-hour training course, including respirator and personal protective equipment training. Each contractor working at the site shall prepare a health and safety plan (HSP) that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection.</li> </ul>			
Excavation of the project alignment could result in exposure of construction workers to soils contamination with residual pesticides and/or herbicides.	See previous Hazards and Hazardous Materials mitigation measures.			
Excavation of the project alignment could result in exposure of construction workers to soils and groundwater contamination with lead.	Prior to project development, a soil investigation shall be completed to determine whether ADL has affected soils that will be excavated as part of the proposed project. The investigation for ADL shall be performed in accordance with the Caltrans' <i>Lead Testing Guidance Procedure</i> (dated March 16, 2001). The analytical results will be compared against applicable			

	<p>environmental screening levels for construction workers and hazardous waste criteria. Based on analytical results, the investigation will provide recommendations regarding soil handling procedures, management and disposal of affected soils in the project area including the reuse potential of ADL-affected soil during project development. The provisions of a variance granted to Caltrans by the California Department of Toxic Substances Control (DTSC) on September 22, 2000 (or any subsequent variance in effect when the project is constructed) regarding aerially-deposited lead shall be followed, and will reduce this impact to a less than significant level.</p>			
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Source: City of San Jose. Initial Study for Sewer Interceptor Phase VIA Project. May 2011.

Construction Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Biological Resources</b>				
Construction activities could impact existing trees that are to be retained.	<p>The following tree protection standard measures are included in the project during all construction activities in order to protect existing trees to be retained:</p> <p><u>Pre-construction treatments:</u></p> <ul style="list-style-type: none"> <li>The applicant shall retain a consulting arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.</li> <li>Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to demolition, grubbing or grading. Fences shall be six feet chain link or equivalent as approved by consulting arborist. Fences are to remain until all grading and construction is completed.</li> <li>Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.</li> </ul> <p><u>During Construction</u></p> <ul style="list-style-type: none"> <li>No grading, construction, demolition or other work shall occur within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the consulting arborist.</li> <li>Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.</li> <li>Supplemental irrigation shall be applied as determined by the consulting arborist.</li> <li>If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the</li> </ul>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	All measures shall be printed on all construction documents, contracts, and project plans.	Prior to and during all phases of construction on the project site

	<p>consulting arborist so that appropriate treatments can be applied.</p> <ul style="list-style-type: none"> <li>• No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TREE PROTECTION ZONE.</li> <li>• Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.</li> <li>• As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement.</li> </ul>			
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Construction Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Cultural Resources</b>				
Construction activities could unexpectedly unearth cultural resources.	<p>The following cultural resources standard measures are included in the project in the event prehistoric resources are encountered during excavation or installation:</p> <ul style="list-style-type: none"> <li>• Should evidence of prehistoric cultural resources be discovered during installation, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed by a qualified archaeologist and implemented under the direction of the City's Environmental Principal Planner.</li> <li>• As required by County ordinance, this project has incorporated the following guidelines: Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during installation, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage</li> </ul>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>A final report shall be submitted to the City's Director of PBCE when mitigation, if required, is completed.</p>	<p>The identified measures shall apply during all earth moving activities.</p> <p>A final report shall be submitted to the City's Director of PBCE when mitigation, if required, is completed.</p>

	<p>Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the City of San Jose, as land owner, shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p> <ul style="list-style-type: none"> <li>• A final report shall be submitted to the City's Director of Planning containing a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's City's Director of Planning.</li> </ul>			
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Construction Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Geology and Soils</b>				
Construction of the project is not anticipated to result in significant geologic or soil impacts; however, project construction would result in temporary air quality impacts due to construction dust.	<p>The project proposes to implement the following standard measure to reduce geologic and soil impacts:</p> <p>The project will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent substantial erosion and siltation during construction activities:</p> <ol style="list-style-type: none"> <li>1. Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season.</li> <li>2. Utilize on-site sediment control BMPs (such as fiber rolls, sand bag barriers, sediment traps, silt fences, straw bales, and storm drain inlet protection) to retain sediment on the project site;</li> <li>3. Utilize stabilized construction entrances and/or wash racks;</li> <li>4. Provide temporary cover of disturbed surfaces to help control erosion during construction;</li> <li>5. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.</li> <li>6. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</li> </ol>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	All measures shall be printed on all construction documents, contracts, and project plans.	Prior to and during all phases of construction on the project site

Environmental Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Hydrology and Water Quality</b>				
The construction of the project could result in temporary water quality impacts during construction activities.	The following water quality standard measures are included in the project to reduce or avoid temporary water quality impacts during construction activities:	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	Include the identified water quality protection measures in all contract specifications, plans and documents; submit documentation verifying	Implement water quality mitigation measures during project construction.

	<p><b>Construction Measures</b></p> <ul style="list-style-type: none"> <li>• Prior to the commencement of any clearing, grading or excavation, the project shall comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:             <ol style="list-style-type: none"> <li>1. The City shall develop, implement and maintain a Storm Water Pollution Protection Program (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities;</li> <li>2. The City shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).</li> </ol> </li> <li>• The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities. Examples of BMPs are contained in the <i>Blueprint for a Clean Bay</i>. Prior to grading, the City will prepare an Erosion Control Plan approved by the City Project Engineer, Department of Public Works, 200 E. Santa Clara Street, San Jose, California 95113. The Erosion Control Plan may include BMPs as specified in ABAG's <i>Manual of Standards Erosion &amp; Sediment Control Measures</i> for reducing impacts on the City's storm drainage system from construction activities. For additional information about the Erosion Control Plan, the NPDES Permit requirements or the documents mentioned above, please call the Department of Public Works at (408) 535-8300.</li> <li>• The project will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:             <ol style="list-style-type: none"> <li>1. Restriction of grading to the dry season (June 15 through October 15) or meet City requirements for</li> </ol> </li> </ul>		<p>compliance with the identified construction measures to all appropriate regulatory agencies prior to project completion.</p>	<p>File the Notice of Intent, prepare SWPPP and file the Notice of Termination as specified in the standard measures.</p>
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	<p>grading during the rainy season.</p> <ol style="list-style-type: none"> <li>Utilize on-site sediment control BMPs (such as fiber rolls, sand bag barriers, sediment traps, silt fences, straw bales, and storm drain inlet protection) to retain sediment on the project site;</li> <li>Utilize stabilized construction entrances and/or wash racks;</li> <li>Implement damp street sweeping;</li> <li>Provide temporary cover of disturbed surfaces to help control erosion during construction;</li> <li>Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.</li> </ol> <p><b>Post Construction</b></p> <ul style="list-style-type: none"> <li>The project shall comply with applicable provisions of the following City Policies-1) Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs for all projects and 2) Post-Construction Hydromodification Management Policy (8-14) which provides for numerically sized (or hydraulically sized) TCMs.</li> </ul>			
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Construction Impacts	Standard Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
<b>Noise</b>				
The construction of the project could result in temporary increases to noise in the vicinity of the project.	<p>The following standard construction noise control measures are included in the project to further reduce any short-term noise impact from excavation and all other construction activities:</p> <ol style="list-style-type: none"> <li>Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building, and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.</li> </ol>	<p>Project applicant and contractors</p> <p>San Jose Municipal Water System</p>	Include the identified noise control measures in contract specifications and documents.	Implement noise control measures during the entire construction period.

	<ul style="list-style-type: none"> <li>• Use the best available noise control techniques (including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) for all equipment and trucks to minimize construction noise impacts.</li> <li>• Locate stationary noise generating equipment as far from sensitive receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) will be used as necessary to comply with daytime noise limits. Any enclosure openings or venting will face away from sensitive receptors.</li> <li>• Locate material stockpiles as well as maintenance/equipment staging and parking areas a minimum of 200 feet from noise sensitive receptors, such as residential uses.</li> <li>• Designate a project liaison that will be responsible for responding to noise complaints during the construction phase. The name and phone number of the liaison will be conspicuously posted at construction areas and on all advanced notifications. This person will take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring will be presented at regular project meetings with the project contractor, and the liaison will coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible.</li> <li>• Require a reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions.</li> </ul>			
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**NOTE:** The above standard construction measures are routine requirements required of all projects, but do not require monitoring by PBCE.

# INITIAL STUDY / (MITIGATED) NEGATIVE DECLARATION DISTRIBUTION CHECKSHEET

Project Name: <u>Sewer Interceptor Phase VIA</u>	
File No. <u>PP10-160</u>	
SCH No. _____	
APN No.: <u>Public ROW</u>	
Mailing Radius: <u>500 feet</u>	
Environmental Coordinator: <u>Janis Moore</u>	
<b><u>SUPPORT STAFF ONLY</u></b>	
Posted at County By: _____	Date: _____
Notice Mailed By: _____	Date: _____
Distributed By: _____	Date: _____

# COPIES TO SEND	SENT
<input type="checkbox"/> PLANNING COMMISSIONERS (7 COPIES) .....	<input type="checkbox"/>
<b>APPLICANT / OWNER / DEVELOPER</b>	
<input checked="" type="checkbox"/> *APPLICANT (HARD COPY)(ALAN KAM, DPW, T&HS) .....	<input type="checkbox"/>
<input type="checkbox"/> *OWNER .....	<input type="checkbox"/>
<input type="checkbox"/> *DEVELOPER .....	<input type="checkbox"/>
<input type="checkbox"/> .....	<input type="checkbox"/>
ADDRESSES FOR THE APPLICANT / OWNER / DEVELOPER ARE <u>ACCURATE IN AMANDA?</u>	

**PLANNING DEPARTMENT**

<input type="checkbox"/> PLANNING DIRECTOR .....	<input type="checkbox"/>
<input type="checkbox"/> PLANNING ASSISTANT DIRECTOR .....	<input type="checkbox"/>
<input type="checkbox"/> *PROJECT PRINCIPAL PLANNER .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> *ENVIRONMENTAL SENIOR PLANNER .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> ENVIRONMENTAL COORDINATOR (HARD COPY) .....	<input type="checkbox"/>
<input type="checkbox"/> PROJECT MANAGER .....	<input type="checkbox"/>
<input type="checkbox"/> EIR LIBRARY .....	<input type="checkbox"/>
<input type="checkbox"/> PUBLIC INFORMATION COUNTER .....	<input type="checkbox"/>
<input type="checkbox"/> PUBLIC DISTRIBUTION (10± COPIES) .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> *EMAIL TO SUPPORT STAFF .....	<input type="checkbox"/>

**LIBRARY (HARD COPY OF ND & INITIAL STUDY)**

<input checked="" type="checkbox"/> MLK LIBRARY (HARD COPY) .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> JOYCE ELLINGTON BRANCH LIBRARY (HARD COPY) .....	<input type="checkbox"/>

**CITY OF SAN JOSÉ (LARGE OR CONTROVERSIAL PROJECTS – MARK BOX FOR MAYOR & COUNCIL)**

<input checked="" type="checkbox"/> *MAYOR .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> *CITY COUNCIL (10 COPIES) .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> CITY ATTORNEY .....	<input type="checkbox"/>

**AREAWIDE AND REGIONAL IMPACTS**

<input checked="" type="checkbox"/> SC COUNTY PLANNING DEPARTMENT .....	<input type="checkbox"/>
<input type="checkbox"/> CITY/COUNTY OF SAN FRANCISCO PLANNING DEPT .....	<input type="checkbox"/>
<input type="checkbox"/> ASSOC OF BAY AREA GOVERNMENTS .....	<input type="checkbox"/>
<input type="checkbox"/> LAFCO (10 COPIES) .....	<input type="checkbox"/>
<input type="checkbox"/> ENVIRO PROTECTION AGENCY, REG. 9 .....	<input type="checkbox"/>

**SANTA CLARA CO. CITIES**

<input type="checkbox"/> CAMPBELL .....	<input checked="" type="checkbox"/> MILPITAS .....
<input type="checkbox"/> CUPERTINO .....	<input type="checkbox"/> MORGAN HILL .....
<input type="checkbox"/> FREMONT .....	<input checked="" type="checkbox"/> SANTA CLARA .....
<input type="checkbox"/> GILROY .....	<input type="checkbox"/> SARATOGA .....
<input type="checkbox"/> LOS GATOS .....	<input type="checkbox"/> SUNNYVALE .....

**AIR QUALITY**

<input checked="" type="checkbox"/> BAY AREA AIR QUALITY MGMT DIST .....	<input type="checkbox"/>
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**HAZARDOUS MATERIALS AND WASTE PROCESSING**

<input type="checkbox"/> ENVIRONMENTAL SERVICES DEPT (NAPP FUKUDA) .....	<input type="checkbox"/>
<input type="checkbox"/> ENVIRONMENTAL ENFORCEMENT (CODE ENF. - LEA) .....	<input type="checkbox"/>
<input type="checkbox"/> HAZARDOUS MATERIALS (FIRE DEPT) .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF TOXIC SUBSTANCES CONTROL .....	<input type="checkbox"/>

**IMPORTANT NOTES:**

**Project Managers:** Mark/unmark boxes to folks that need to receive hard copies of ND, Initial Study, CD of the appendices, and the Intent to Adopt. Seven (7) hard copies are sent to the Planning Commission; two (2) for libraries and one (1) is placed in the file. Email the web link of the ND & Initial Study to folks with an asterisk (\*).

☞ For Controversial Projects, a hard copy is sent.

**State Clearinghouse** – If a State Department issues a discretionary permit for the project, the ND will need to be sent to the SCH, please check with the Environmental Team. If an ND is required for the Clearinghouse, the consultant will do the mailing of 15 paper copies (text of ND, IS, & CD of appendices). The NOC is prepared by the Project Manager. If the Project Manager prepared the IS, give one (1) hard copy and CD of appendices to Support Staff for copying & mailing.

# COPIES TO SEND	SENT
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**STATE CLEARINGHOUSE**

<input checked="" type="checkbox"/> STATE CLEARINGHOUSE (15 COPIES, CONSULTANT SENDS) <input type="checkbox"/>	
<input type="checkbox"/> CALIF AIR RESOURCES BOARD .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> CALIF DEPT. OF FISH AND GAME .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT. OF CONSERVATION .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT. OF WATER RESOURCES .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> REGIONAL WATER QUALITY CTRL BD, #2 .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF DEPT OF HEALTH SERVICES .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF INTEGRATED WASTE MGMT BOARD/DRRR .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF OFFICE OF HISTORIC PRESERVATION .....	<input type="checkbox"/>
<input type="checkbox"/> NATIVE AMERICAN HERITAGE COMM .....	<input type="checkbox"/>
<input type="checkbox"/> CALTRANS, PLANNING (HEADQUARTERS) .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> CALTRANS, DISTRICT 4 .....	<input type="checkbox"/>
<input type="checkbox"/> CALTRANS, DIVISION OF AERONAUTICS .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF PUBLIC UTILITIES COMMISSION .....	<input type="checkbox"/>
<input type="checkbox"/> CALIF ENERGY COMMISSION .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> CALIF TOXIC SUBSTANCES CONTROL .....	<input type="checkbox"/>

# INITIAL STUDY / (MITIGATED) NEGATIVE DECLARATION DISTRIBUTION CHECKSHEET

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<input type="checkbox"/> CITY ARBORIST (DOT) .....	<input type="checkbox"/>	<b>AIRPORT SAFETY</b>	
<b>BIOLOGICAL RESOURCES</b>			
<input checked="" type="checkbox"/> CA DEPT OF FISH AND GAME (DAVE JOHNSTON) .....	<input type="checkbox"/>	<input type="checkbox"/> AIRPORT PLANNING AND DEVELOPMENT' .....	<input type="checkbox"/>
<input type="checkbox"/> US FISH AND WILDLIFE SERVICE .....	<input type="checkbox"/>	<input type="checkbox"/> AIRPORT LAND USE COMM (COUNTY PLANNING) .....	<input type="checkbox"/>
<input type="checkbox"/> SIERRA CLUB .....	<input type="checkbox"/>	<input type="checkbox"/> FEDERAL AVIATION ADMINISTRATION .....	<input type="checkbox"/>
<input type="checkbox"/> AUDUBON SOCIETY .....	<input type="checkbox"/>	<input type="checkbox"/> COALITION RESP. AIRPORT MGMT & POLICY .....	<input type="checkbox"/>
<input type="checkbox"/> NATIVE PLANT SOCIETY .....	<input type="checkbox"/>	<input type="checkbox"/> CALIFORNIA PILOTS ASSOCIATION .....	<input type="checkbox"/>
<input type="checkbox"/> GREENBELT ALLIANCE .....	<input type="checkbox"/>	<b>CULTURAL AND HISTORIC RESOURCES</b>	
<input type="checkbox"/> GUADALUPE-COYOTE RES, CONSERV. DIST. ....	<input type="checkbox"/>	<input type="checkbox"/> HISTORIC PRESERVATION OFFICER (PLANNING) .....	<input type="checkbox"/>
<input type="checkbox"/> OPEN SPACE AUTHORITY .....	<input type="checkbox"/>	<input type="checkbox"/> HISTORIC LANDMARKS COMMISSION .....	<input type="checkbox"/>
<b>GEOLOGIC HAZARDS</b>			
<input type="checkbox"/> CITY GEOLOGIST (PUBLIC WORKS) .....	<input type="checkbox"/>	<input type="checkbox"/> COUNTY HISTORICAL HERITAGE COMMISSION .....	<input type="checkbox"/>
<b>WATER RESOURCES</b>			
<input type="checkbox"/> WATERSHED PROTECTION (ESD) (DIONNE EARLY, OFFICE OF SUSTAINABILITY, 10 <sup>TH</sup> FLOOR) .....	<input type="checkbox"/>	<input type="checkbox"/> PRESERVATION ACTION COUNCIL OF SAN JOSE .....	<input type="checkbox"/>
<input type="checkbox"/> SANTA CLARA VALLEY WATER DIST. ....	<input type="checkbox"/>	<input checked="" type="checkbox"/> NORTHWEST INFO CTR, SONOMA ST UNIV .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> E-MAIL TO SCVWD .....	<input type="checkbox"/>	<b>PARKS AND RECREATION</b>	
<input type="checkbox"/> S.F. BAY CONSERV & DEV COMM (FOR ALVISO) .....	<input type="checkbox"/>	<input type="checkbox"/> PARKS, REC, NEIGH SVCS .....	<input type="checkbox"/>
<input type="checkbox"/> US ARMY CORPS OF ENGINEERS .....	<input type="checkbox"/>	<input type="checkbox"/> COUNTY PARKS AND RECREATION .....	<input type="checkbox"/>
<b>URBAN SERVICES AND PUBLIC UTILITIES</b>			
<input type="checkbox"/> PROJECT ENGINEER (PW - DEV SVCS) .....	<input type="checkbox"/>	<b>SJ ARENA</b>	
<input type="checkbox"/> FIRE SERVICES .....	<input type="checkbox"/>	<input type="checkbox"/> ARENA AUTHORITY .....	<input type="checkbox"/>
<input type="checkbox"/> POLICE DEPARTMENT R&D .....	<input type="checkbox"/>	<b>SCHOOL DISTRICTS</b>	
<input type="checkbox"/> WATER POLLUTION CONTROL (ESD) .....	<input type="checkbox"/>	<input checked="" type="checkbox"/> SAN JOSÉ UNIFIED .....	<input type="checkbox"/>
<input type="checkbox"/> SANITARY DISTRICT NO. ....	<input type="checkbox"/>	<input type="checkbox"/> EAST SIDE UNION HIGH .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> PACIFIC GAS AND ELECTRIC .....	<input type="checkbox"/>	<input type="checkbox"/> ALUM ROCK UNION .....	<input type="checkbox"/>
<input type="checkbox"/> SAN JOSÉ MUNICIPAL WATER SYSTEM (ESD) .....	<input type="checkbox"/>	<input type="checkbox"/> BERRYESSA UNION .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> SAN JOSÉ WATER COMPANY .....	<input type="checkbox"/>	<input type="checkbox"/> EVERGREEN .....	<input type="checkbox"/>
<input type="checkbox"/> GREAT OAKS WATER COMPANY .....	<input type="checkbox"/>	<input type="checkbox"/> FRANKLIN-MCKINLEY .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> AT&T .....	<input type="checkbox"/>	<input type="checkbox"/> CAMPBELL UNION HIGH .....	<input type="checkbox"/>
<input type="checkbox"/> UNION PACIFIC RAILROAD .....	<input type="checkbox"/>	<input type="checkbox"/> CAMBRIAN .....	<input type="checkbox"/>
(SEND TO WATER DISTRICT & OTHERS IF CONTROVERSIAL OR LARGE PROJ)			
<input type="checkbox"/> UNION PACIFIC RAILROAD .....	<input type="checkbox"/>	<input type="checkbox"/> CUPERTINO UNION ELEM .....	<input type="checkbox"/>
<b>TRANSPORTATION</b>			
<input type="checkbox"/> PROJECT ENGINEER (PW - DEV SVCS) .....	<input type="checkbox"/>	<input type="checkbox"/> LOS GATOS JOINT UNION HIGH .....	<input type="checkbox"/>
<input type="checkbox"/> TRANSPORTATION PLANNING (DOT) .....	<input type="checkbox"/>	<input type="checkbox"/> LOS GATOS UNION ELEMENTARY .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> SC VALLEY TRANSPORTATION AUTHORITY .....	<input type="checkbox"/>	<input type="checkbox"/> SANTA CLARA UNIFIED .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> COUNTY ROADS AND AIRPORTS .....	<input type="checkbox"/>	<input type="checkbox"/> MORGAN HILL UNIFIED .....	<input type="checkbox"/>
<input type="checkbox"/> METROPOLITAN TRANS COMM (STATE) .....	<input type="checkbox"/>	<b>COLLEGES</b>	
<input checked="" type="checkbox"/> FEDERAL HIGHWAY ADMINISTRATION .....	<input type="checkbox"/>	<input type="checkbox"/> FOOTHILL COMMUNITY COLLEGE .....	<input type="checkbox"/>
<b>REDEVELOPMENT AREA</b>			
<input type="checkbox"/> RDA STAFF .....	<input type="checkbox"/>	<input type="checkbox"/> SAN JOSÉ CITY COLLEGE .....	<input type="checkbox"/>
<b>AFFORDABLE HOUSING, LOW INCOME</b>			
<input type="checkbox"/> HOUSING DEPARTMENT .....	<input type="checkbox"/>	<input type="checkbox"/> WEST VALLEY COMMUNITY COLLEGE .....	<input type="checkbox"/>
<input type="checkbox"/> HUD, FHA-SAN FRANCISCO OFFICE .....	<input type="checkbox"/>	<b>OTHER</b>	
		<input checked="" type="checkbox"/> ELECTRONIC COPY POSTED ON WEB SITE .....	<input type="checkbox"/>
		<input checked="" type="checkbox"/> ADAMS, BROADWELL, JOSEPH & CARDOZO .....	<input type="checkbox"/>
		<input type="checkbox"/> .....	<input type="checkbox"/>
		<input type="checkbox"/> .....	<input type="checkbox"/>

\*\*ITALICIZED = REPRESENTS CITY DEPARTMENTS\*\*

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # \_\_\_\_\_

**Project Title:** Sewer Interceptor Phase VIA Public Project, File No. PP10-160**Lead Agency:** City of San Jose**Contact Person:** Janis Moore**Mailing Address:** 200 East Santa Clara Street, Tower, 3<sup>rd</sup> Floor**Phone:** 408-535-7815**City:** San Jose**Zip:** 95113-1905**County:** Santa Clara, CA**Project Location:** County: SANTA CLARACity/Nearest Community: San Jose**Cross Streets:** From N. 4<sup>th</sup> St. & Commercial St. to 4<sup>th</sup>/Zanker**Zip Code:** 95112**Lat. / Long.:** 37 ° 21 ' 34 " N / 121 ° 5 ' 4 ' 10 " W**Total Acres:** \_\_\_\_\_**Assessor's Parcel No.:** N/A**Section:** \_\_\_\_\_**Twp.:** \_\_\_\_\_**Range:** \_\_\_\_\_**Base:** \_\_\_\_\_**Within 2 Miles:** State Hwy #: 101, 237, 17/880**Waterways:** Guadalupe River & Coyote Creeks**Airports:** NYM San Jose Int'l. Airport**Railways:** UPRR**Schools:** SJ Unified & ESUnion Hi/Orchard SD**Document Type:**CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other \_\_\_\_\_☒ Mit Neg Dec

Other \_\_\_\_\_

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☒ Other Sanitary sewer main**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq. Ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Commercial: Sq. Ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Industrial: Sq. Ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Educational: \_\_\_\_\_☐ Recreational: \_\_\_\_\_☐ Water Facilities: \_\_\_\_\_ MGD \_\_\_\_\_☐ Transportation: \_\_\_\_\_☐ Mining: \_\_\_\_\_☐ Power: \_\_\_\_\_☐ Waste Treatment: \_\_\_\_\_ MW \_\_\_\_\_☐ Hazardous Waste: \_\_\_\_\_☒ Other: Sanitary sewer main**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Wildlife☐ Coastal Zone☒ Noise☒ Solid Waste☒ Greenhouse Gas Emissions☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Land Use☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Cumulative Effects

**Present Land Use/Zoning/General Plan Designation:** Public Right-of-Way / A(PD) Planned Development (for residential uses), R-2 Two-Family Residential, CP - Pedestrian Commercial, CN - Neighborhood Commercial, CG - General Commercial, A(PD) Planned Development (for industrial uses), LI - Light Industrial, and HI Heavy Industrial Zoning Districts / Medium Density Residential (8-16 DU/AC), Transit Corridor Residential (25-65 DU/AC)/General Commercial, Combined Industrial/Commercial, Industrial Park, Light Industrial, and Public Parks/Open Space

**Project Description:** Sewer Interceptor Phase VIA Public Project for the installation of new 72- and 84-inch diameter reinforced concrete pipe (RCP) sewer interceptor pipeline and new junction box within the existing public right-of-way of North 4th Street, Commercial Street and under Highway 101 to connect to the existing sewer structures in Zanker Road. The proposed pipeline will run from the intersection of N. Fifth Street and Commercial Street, westerly along Commercial Street to its intersection with N. Fourth Street, then along N. Fourth Street N. northward and under Highway 101, for an approximate length of 4,900 LF.

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".  
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Caltrans District # 4	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Planning (Headquarters)	<input type="checkbox"/> Reclamation Board
<input type="checkbox"/> Coachella Valley Mountains Conservancy	<input checked="" type="checkbox"/> Regional WQCB # 2
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> S.F. Bay Conservation & Development Commission
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> Santa Monica Mountains Conservancy
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input checked="" type="checkbox"/> Fish & Game Region # 3	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Forestry & Fire Protection	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> General Services, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> Housing & Community Development	
<input type="checkbox"/> Integrated Waste Management Board (aka DRRR)	<input type="checkbox"/> Other
<input type="checkbox"/> Native American Heritage Commission	<input type="checkbox"/> Other
<input type="checkbox"/> Office of Emergency Services	

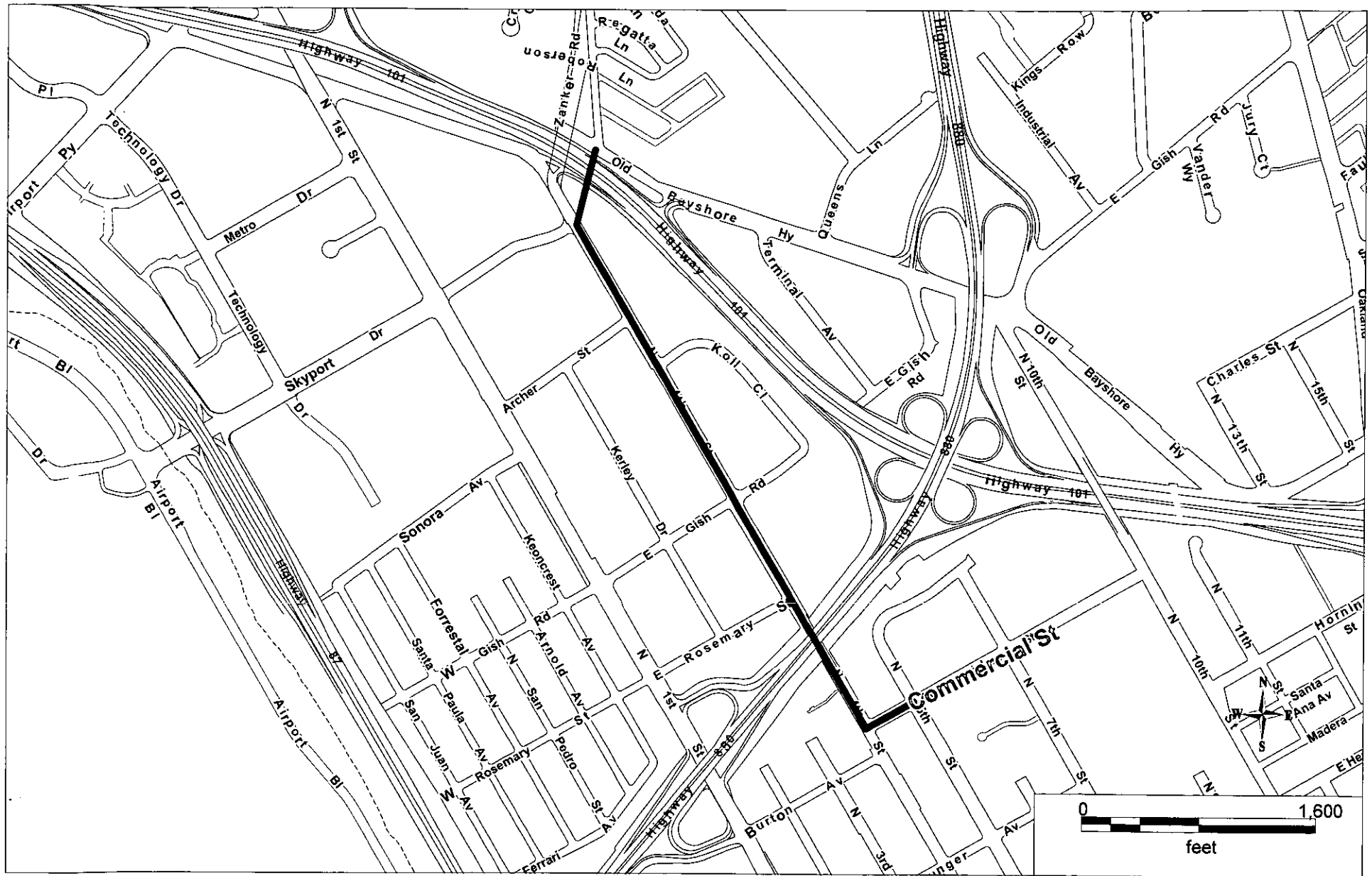
**Local Public Review Period (to be filled in by lead agency)**Starting Date: May 13, 2011Ending Date: June 13, 2011**Lead Agency (Complete if applicable):**Consulting Firm: David J. Powers & AssociatesApplicant: City of San Jose, DPW, T&HSAddress: 1871 The Alameda, Suite 200Address: 200 E. Santa Clara Street, 5<sup>th</sup> FloorCity/State/Zip: San Jose, CA 95126City/State/Zip: San Jose CA 95113Contact: John Schwarz, Principal Project ManagerPhone: 408-793-4150Phone: (408) 248-3500Contact: Alan Kam, Associate Engineer

Signature of Lead Agency Representative:



Date

5-5-11



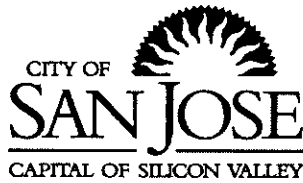
File No: PP10-160

District: 3

Location



Prepared by the Department of Planning,  
Building, and Code Enforcement  
4/27/2011



*Department of Planning, Building and Code Enforcement*

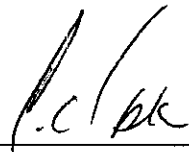
JOSEPH HORWEDEL, DIRECTOR

File No. PP10-160

**DECLARATION OF MAILING**

I certify that the attached Public Hearing Notice was mailed to the project applicant(s) and the owners of parcels of land that are within 500 feet of the subject project as shown on the project mailing list, or as otherwise required by the San Jose Municipal Code. This notice was mailed on the date noted below.

Date Mailed: May 11, 2011  
Total Mailed: 392

  
\_\_\_\_\_  
Cindy Clark

IRIS_L APN	MAIL_OWNE	C_HOUSE_A_	C_CTY_STA
1 MULTI 235-09-022	GARY B. & MARY J. DRIEDGER	10 JACKSON ST #107	LOS GATOS CA 95030-7168
2 COMM 235-04-003	CCM DEVELOPMENT LLC	10190 JUDY AVE	CUPERTINO CA 95014-3523
3 INDUS 235-11-005	MMM INVESTMENTS UNLIMITED	1045 N 7TH ST	SAN JOSE CA 95112-4426
4 INDUS 235-11-029	ERIC N. & MAUREEN C. REEVES	1050 WESTWOOD DR	SAN JOSE CA 95125-4335
5 INDUS 235-11-028	SIGI J. VALENCIA	1052 N 5TH ST	SAN JOSE CA 95112-4413
6 DUPL 235-09-032	VERENA M. & STEVE W. MARKET	1055 N 4TH ST	SAN JOSE CA 95112-4942
7 MULTI 235-09-022	GARY B. & MARY J. DRIEDGER	1058 N 4TH ST	SAN JOSE CA 95112-4920
8 OFFIC 235-05-006	ANITA CHAN	106 E GISH RD	SAN JOSE CA 95112-4701
9 OFFIC 235-09-023	KELLY K. & AARON K. WONG	1060 N 4TH ST	SAN JOSE CA 95112-4941
10 INDUS 235-11-029	ERIC N. & MAUREEN C. REEVES	1060 N 5TH ST	SAN JOSE CA 95112-4413
11 DUPL 235-09-009	NGUYEN BAO N & T H T AB TRUST	1067 N 5TH ST	SAN JOSE CA 95112-4414
12 COMM 235-09-024	DONALD R. & TOMMY L. STEWART	1070 N 4TH ST	SAN JOSE CA 95112-4941
13 DUPL 235-09-031	KENNETH R. MAGGI	1071 N 4TH ST	SAN JOSE CA 95112-4942
14 MULTI 235-09-008	ALLEN & LILLIAN WONG	1073 N 5TH ST	SAN JOSE CA 95112-4444
15	RESIDENT	1073 N 5TH ST APT 1	SAN JOSE CA 95112 4444
16	RESIDENT	1073 N 5TH ST APT 2	SAN JOSE CA 95112 4444
17	RESIDENT	1073 N 5TH ST APT 3	SAN JOSE CA 95112 4444
18	RESIDENT	1073 N 5TH ST APT 4	SAN JOSE CA 95112 4444
19 MULTI 235-09-007	NORTH 5TH BUSINESS LLC	1077 N 5TH ST	SAN JOSE CA 95112-4414
20 DUPL 235-09-030	LORRAINE VIGIL	1079 N 4TH ST	SAN JOSE CA 95112-4942
21 MULTI 235-09-006	NORTH 5TH BUSINESS LLC	1081 N 5TH ST	SAN JOSE CA 95112-4414
22 DUPL 235-09-029	JONATHAN & CORRINE GONZALEZ	1085 N 4TH ST	SAN JOSE CA 95112-4942
23 MULTI 235-09-005	NORTH 5TH BUSINESS LLC	1085 N 5TH ST	SAN JOSE CA 95112-4414
24 MULTI 235-09-004	NORTH 5TH BUSINESS LLC	1089 N 5TH ST	SAN JOSE CA 95112-4414
25 INDUS 235-09-003	MLEJNEK EVELYN M & LELAND A JR	1091 N 5TH ST	SAN JOSE CA 95112-4414
26 DUPL 235-09-028	LINH T. & VAN T. DINH	1093 N 4TH ST	SAN JOSE CA 95112-4942
27 WARE 235-09-002	DEERFIELD PROPERTIES	1095 N 5TH ST	SAN JOSE CA 95112
28 INDUS 235-11-001	GARY S. VANDEWEGHE	1095 N 7TH ST	SAN JOSE CA 95112-4434
29 WARE 235-09-002	DEERFIELD PROPERTIES	1097 N 5TH ST	SAN JOSE CA 95112-4414
30 WARE 235-09-001	JAGDISH PATEL	1099 N 5TH ST	SAN JOSE CA 95112-4414
31	OCCUPANT	110 E GISH RD	SAN JOSE CA 95112 4701
32 COMM 235-12-021	BANKERS TRUST CO CALIF NA TRUS	1101 N 5TH ST	SAN JOSE CA 95112-4416
33 INDUS 235-12-006	TOM T. CAO	1102 N 5TH ST	SAN JOSE CA 95112
34 SFR 235-06-007	BLANCA A. RAMIREZ	1103 N 4TH ST	SAN JOSE CA 95112-4945
35 INDUS 235-12-031	GERALDINE HARRIS	1104 ALLSTON WAY	SAN JOSE CA 95120-3102
36 SFR 235-06-006	GEORGE M. & ALYCE Y. IMAMURA	1107 N 4TH ST	SAN JOSE CA 95112-4945

37 OFFIC	235-03-002	CHANG INCOME PROPERTY PARTNE	111 E GISH RD	SAN JOSE CA 95112-4702
38 SFR	235-09-052	MARK A. FERRIERA	1112 N 3RD ST	SAN JOSE CA 95112-4937
39 SFR	235-09-053	TOMIKO TANASE	1116 N 3RD ST	SAN JOSE CA 95112-4937
40 DUPLF	235-06-005	CLINTON BUTSUDA	1117 N 4TH ST	SAN JOSE CA 95112-4945
41 SFR	235-09-054	JOHN G. KARRIS	1120 N 3RD ST	SAN JOSE CA 95112-4937
42 SFR	235-07-003	MOORE M D 2006 LIVING TRUST	1121 N 3RD ST	SAN JOSE CA 95112-4956
43 DUPLF	235-06-004	CLINTON BUTSUDA	1125 N 4TH ST	SAN JOSE CA 95112-4945
44 STOR	235-12-002	SPARTAN SHOPS INC	1125 N 7TH ST	SAN JOSE CA 95112-4428
45 SFR	235-06-024	K. STUART & ANN NAKASHIMA	1126 N 2ND ST	SAN JOSE CA 95112-4955
46 SFR	235-09-055	CROPPER LIVING TRUST	1126 N 3RD ST	SAN JOSE CA 95112-4937
47 SFR	235-06-020	DOLORES WRIGHT	1127 N 3RD ST	SAN JOSE CA 95112-4957
48 DUPLF	235-09-056	EUDORO G. MENDOZA	1128 N 3RD ST	SAN JOSE CA 95112-4937
49 SFR	235-06-019	LOUISE M. & JAMES P. WIGHTMAN	1131 N 3RD ST	SAN JOSE CA 95112-4957
50 SFR	235-06-009	BARBARA A. HONDA	1134 N 3RD ST	SAN JOSE CA 95112-4958
51 SFR	235-06-018	GEORGE & LYNNE S. YAMAICHI	1135 N 3RD ST	SAN JOSE CA 95112-4957
52 DUPLF	235-06-003	LUCY M. & MIGUEL A. CORONA	1135 N 4TH ST	SAN JOSE CA 95112-4945
53 DUPLF	235-06-010	RICARDO M. REYNOSO	1136 N 3RD ST	SAN JOSE CA 95112-4958
54 SFR	235-06-016	EARL THAXTON	1137 N 3RD ST	SAN JOSE CA 95112-4979
55 SFR	235-06-017	EARL THAXTON	1137 N 3RD ST 1	SAN JOSE CA 95112-4979
56		RESIDENT	1137 N 3RD ST APT A	SAN JOSE CA 95112 4980
57		RESIDENT	1137 N 3RD ST APT B	SAN JOSE CA 95112 4980
58		RESIDENT	1137 N 3RD ST APT C	SAN JOSE CA 95112 4980
59 SFR	235-06-016	EARL THAXTON	1137 N 3RD ST B	SAN JOSE CA 95112-4980
60		RESIDENT	1137 N 3RD ST FRNT	SAN JOSE CA 95112 4980
61		OCCUPANT	1138 N 5TH ST	SAN JOSE CA 95112 4415
62		OCCUPANT	114 E GISH RD	SAN JOSE CA 95112 4701
63 SFR	235-06-011	EDITH C. HASHIMOTO	1140 N 3RD ST	SAN JOSE CA 95112-4958
64 SFR	235-06-015	MICHAEL J. & MARIANN SOLARI	1141 N 3RD ST	SAN JOSE CA 95112-4957
65 SFR	235-06-012	SAMUEL T. & JUNE ONO	1142 N 3RD ST	SAN JOSE CA 95112-4958
66 SFR	235-06-013	DELORME STOVALL	1144 N 3RD ST	SAN JOSE CA 95112-4958
67 COMM	235-09-025	HOY YUM & PING GONG	1144 N 4TH ST	SAN JOSE CA 95112-4944
68 DUPLF	235-09-056	EUDORO G. MENDOZA	1145 CYPRESS ST	EAST PALO ALTO CA 94303-1742
69 COMM	235-05-008	360 ENTS LLC GLOBAL	11469 CLAYTON RD	SAN JOSE CA 95127-5007
70 DUPLF	235-06-002	GRACE GROESSER	1147 N 4TH ST	SAN JOSE CA 95112-4945
71 SFR	235-06-014	JOHN J. SEISLOVE	1148 N 3RD ST	SAN JOSE CA 95112-4958
72 SFR	235-06-008	PATRICIA S. SMITH	115 BURTON AVE	SAN JOSE CA 95112-4906
73		OCCUPANT	115 E GISH RD STE 200	SAN JOSE CA 95112 4700

74	OCCUPANT	115 E GISH RD STE 201	SAN JOSE CA 95112 4700
75	OCCUPANT	115 E GISH RD STE 222	SAN JOSE CA 95112 4700
76	OCCUPANT	115 E GISH RD STE 225	SAN JOSE CA 95112 4712
77	OCCUPANT	115 E GISH RD STE 234	SAN JOSE CA 95112 4712
78	OCCUPANT	115 E GISH RD STE 246	SAN JOSE CA 95112 4712
79	OCCUPANT	115 E GISH RD STE 270	SAN JOSE CA 95112 4700
80	OFFIC 235-06-042	ROMAN CATHOLIC BISHOP SAN JOSE	1150 N 1ST ST
81	INDUS 235-12-007	T. C. & KATHRYN YUEN	1150 N 5TH ST
82	INDUS 235-06-041	SAN JOSE POLICE OFFICER S ASSOC	1151 N 4TH ST
83	OFFIC 235-09-026	DARRELL E. & ANGELIN M. DUKES	1156 N 4TH ST
84	OCCUPANT	1156 N 4TH ST FRNT	SAN JOSE CA 95112 4901
85	OCCUPANT	1156 N 4TH ST STE A	SAN JOSE CA 95112 4901
86	COMM 235-12-022	BANKERS TRUST CO CALIF NA TRUS	1160 N 4TH ST
87	INDUS 235-06-040	AMRIK S. & JAGTAR K. ATWAL	1161 N 4TH ST
88	COMM 235-12-024	BANKERS TRUST CO CALIF NA TRUS	1164 N 4TH ST
89	COMM 235-12-019	NGUYEN THE THO & HO NANCY Y	1165 N 5TH ST
90	COMM 235-12-026	BANKERS TRUST CO CALIF NA TRUS	1170 N 4TH ST
91	INDUS 235-12-008	BABBITT BEARING CO INC	1170 N 5TH ST
92	INDUS 235-06-039	THOMAS & ANN ATKINSON	1171 N 4TH ST STE
93	OCCUPANT	1171 N 4TH ST STE 10	SAN JOSE CA 95112 4968
94	OCCUPANT	1171 N 4TH ST STE 80	SAN JOSE CA 95112 4968
95	OFFIC 235-12-009	BABBITT BEARING CO INC	1180 N 5TH ST
96	INDUS 235-06-038	DCR REAL ESTATE III SUB I LLC	1181 N 4TH ST
97	OCCUPANT	1181 N 4TH ST STE 30	SAN JOSE CA 95112 4962
98	OCCUPANT	1181 N 4TH ST STE 50	SAN JOSE CA 95112 4962
99	SFR 235-12-018	BARBARA M. VANDEWEGHE	1181 N 5TH ST
100	OPEN 235-12-017	SAN & MICHAEL ONG	1184 N 4TH ST
101	INDUS 235-12-027	SAN & MICHAEL ONG	1186 N 4TH ST
102	OCCUPANT	1190 N 4TH ST	SAN JOSE CA 95112 4946
103	TRUCI 235-12-016	DOUGLAS D. & VIOLET C. ALLEN	1191 N 5TH ST
104	INDUS 235-12-031	GERALDINE HARRIS	1195 N 5TH ST
105	OFFIC 235-12-032	KONG YIN YIU	1199 N 5TH ST
106	OCCUPANT	120 E GISH RD	SAN JOSE CA 95112 4701
107	OCCUPANT	121 E GISH RD	SAN JOSE CA 95112 4702
108	OCCUPANT	123 E GISH RD	SAN JOSE CA 95112 4702
109	INDUS 235-12-010	LEN CAR INVESTMENTS	1236 N 5TH ST
110	OCCUPANT	125 E GISH RD	SAN JOSE CA 95112 4702

111	COMM 235-09-025	HOY YUM & PING GONG	1257 POPLAR AVE #C	SUNNYVALE CA 94086-8669
112	INDUS 235-04-006	PAUL A. & JANICE L. & HEYMANN JAN	1265 AVIS DR	SAN JOSE CA 95126-4005
113	NURSI 235-05-017	CORNERSTONE EVANGELICAL BAPT	1275 N 4TH ST	SAN JOSE CA 95112-4705
114	WARE 235-05-020	ST PART VISCOVICH	1280 BROOKFIELD AVE #4	SUNNYVALE CA 94087-1535
115	COMM 235-05-018	JAMES J. & WAMBOI LIPARI	1280 N 4TH ST	SAN JOSE CA 95112-4711
116	INDUS 235-03-009	130 ARCHER LLC	130 ARCHER ST	SAN JOSE CA 95112-4504
117	OFFIC 235-05-019	H. EUGENE & SHIRLEY SMITH	1302 N 4TH ST	SAN JOSE CA 95112-4713
118	VACAI 235-05-009	4TH ST SJ LLC	1305 N 4TH ST	SAN JOSE CA 95112
119	WARE 235-05-020	ST PART VISCOVICH	1330 N 4TH ST	SAN JOSE CA 95112-4713
120	OFFIC 235-01-012	RNM FIRST STREET CENTER L P	135 MAIN ST #1140	SAN FRANCISCO CA 94105-1815
121	COMM 235-05-021	GROUP LLC PANION	1350 N 4TH ST	SAN JOSE CA 95112-4713
122	COMM 235-05-008	360 ENTS LLC GLOBAL	1355 N 4TH ST	SAN JOSE CA 95112-4714
123		OCCUPANT	1355 N 4TH ST	SAN JOSE CA 95112 4714
124	OFFIC 235-09-027	KOREAN AMERICAN COMMUN SERV	136 BURTON AVE	SAN JOSE CA 95112-4973
125		OCCUPANT	136 BURTON AVE FRNT	SAN JOSE CA 95112 4974
126	COMM 235-05-022	GROUP LLC PANION	1368 N 4TH ST	SAN JOSE CA 95112
127	OFFIC 235-05-023	LAOFERTA REVIEW NEWSPAPER INC	1376 N 4TH ST	SAN JOSE CA 95112-4721
128		OCCUPANT	1376 N 4TH ST STE 200	SAN JOSE CA 95112 4721
129	COMM 235-05-024	THO VAN NGUYEN	1394 N 4TH ST	SAN JOSE CA 95112-4722
130		OCCUPANT	1394 N 4TH ST STE A	SAN JOSE CA 95112 4722
131		OCCUPANT	1394 N 4TH ST STE B	SAN JOSE CA 95112 4722
132		OCCUPANT	1394 N 4TH ST STE C	SAN JOSE CA 95112 4722
133	INDUS 235-03-010	RAMIRO & BERTHA M. & JOSE L. & BI	140 ARCHER ST	SAN JOSE CA 95112-4504
134	INDUS 235-04-016	DOLLINGER ST ASSOCS 4TH & DAVIE	1410 KOLL CIR	SAN JOSE CA 95112-4601
135	INDUS 235-04-009	DOLLINGER ST ASSOCS 4TH & DAVIE	1415 KOLL CIR CL	SAN JOSE CA 95112-4615
136	COMM 235-03-001	RUBEN & GLADYS CERVANTES	1415 N 4TH ST	SAN JOSE CA 95112-4716
137		OCCUPANT	1420 N 4TH ST	SAN JOSE CA 95112 4715
138	INDUS 235-04-002	FRED F. SUNG HO	1420 N 4TH ST A	SAN JOSE CA 95112-4715
139		OCCUPANT	1430 KOLL CIR STE 101	SAN JOSE CA 95112 4608
140		OCCUPANT	1430 KOLL CIR STE 102	SAN JOSE CA 95112 4608
141		OCCUPANT	1430 KOLL CIR STE 103	SAN JOSE CA 95112 4608
142		OCCUPANT	1430 KOLL CIR STE 104	SAN JOSE CA 95112 4608
143		OCCUPANT	1430 KOLL CIR STE 105	SAN JOSE CA 95112 4608
144		OCCUPANT	1430 KOLL CIR STE 106	SAN JOSE CA 95112 4608
145		OCCUPANT	1430 KOLL CIR STE 107	SAN JOSE CA 95112 4608
146		OCCUPANT	1430 KOLL CIR STE 108	SAN JOSE CA 95112 4608
147		OCCUPANT	1430 KOLL CIR STE 109	SAN JOSE CA 95112 4608

148	OCCUPANT	1430 KOLL CIR STE 110	SAN JOSE CA 95112 4608
149	INDUS 235-04-002 FRED F. SUNG HO	1432 OLD BAYSHORE HWY	SAN JOSE CA 95112-2813
150	OCCUPANT	1435 KOLL CIR STE 101	SAN JOSE CA 95112 4610
151	OCCUPANT	1435 KOLL CIR STE 102	SAN JOSE CA 95112 4610
152	OCCUPANT	1435 KOLL CIR STE 104	SAN JOSE CA 95112 4610
153	OCCUPANT	1435 KOLL CIR STE 105	SAN JOSE CA 95112 4610
154	OCCUPANT	1435 KOLL CIR STE 106	SAN JOSE CA 95112 4610
155	OCCUPANT	1435 KOLL CIR STE 107	SAN JOSE CA 95112 4610
156	OCCUPANT	1435 KOLL CIR STE 110	SAN JOSE CA 95112 4610
157	OCCUPANT	1435 KOLL CIR STE 111	SAN JOSE CA 95112 4610
158	OCCUPANT	1435 KOLL CIR STE 112	SAN JOSE CA 95112 4610
159	OCCUPANT	1440 KOLL CIR STE 101	SAN JOSE CA 95112 4609
160	OCCUPANT	1440 KOLL CIR STE 102	SAN JOSE CA 95112 4609
161	OCCUPANT	1440 KOLL CIR STE 103	SAN JOSE CA 95112 4609
162	OCCUPANT	1440 KOLL CIR STE 104	SAN JOSE CA 95112 4609
163	OCCUPANT	1440 KOLL CIR STE 106	SAN JOSE CA 95112 4609
164	OCCUPANT	1440 KOLL CIR STE 107	SAN JOSE CA 95112 4609
165	OCCUPANT	1440 KOLL CIR STE 108	SAN JOSE CA 95112 4609
166	OCCUPANT	1440 KOLL CIR STE 110	SAN JOSE CA 95112 4609
167	OCCUPANT	1440 KOLL CIR STE 112	SAN JOSE CA 95112 4609
168	COMM 235-04-003 CCM DEVELOPMENT LLC	1440 N 4TH ST	SAN JOSE CA 95112-4715
169	RECRI 235-03-013 STREET LLC NORTH	1441 N 4TH ST	SAN JOSE CA 95112-4716
170	OCCUPANT	1444 N 4TH ST	SAN JOSE CA 95112 4715
171	OCCUPANT	1445 KOLL CIR STE 101	SAN JOSE CA 95112 4611
172	OCCUPANT	1445 KOLL CIR STE 102	SAN JOSE CA 95112 4611
173	OCCUPANT	1445 KOLL CIR STE 103	SAN JOSE CA 95112 4611
174	OCCUPANT	1445 KOLL CIR STE 104	SAN JOSE CA 95112 4611
175	OCCUPANT	1445 KOLL CIR STE 105	SAN JOSE CA 95112 4611
176	OCCUPANT	1445 KOLL CIR STE 106	SAN JOSE CA 95112 4611
177	OCCUPANT	1445 KOLL CIR STE 107	SAN JOSE CA 95112 4611
178	OCCUPANT	1445 KOLL CIR STE 108	SAN JOSE CA 95112 4611
179	OCCUPANT	1445 KOLL CIR STE 109	SAN JOSE CA 95112 4611
180	OCCUPANT	1445 KOLL CIR STE 110	SAN JOSE CA 95112 4611
181	OCCUPANT	1445 KOLL CIR STE 111	SAN JOSE CA 95112 4611
182	OCCUPANT	1445 KOLL CIR STE 112	SAN JOSE CA 95112 4611
183	OCCUPANT	1445 KOLL CIR STE 113	SAN JOSE CA 95112 4611
184	OCCUPANT	1445 KOLL CIR STE 114	SAN JOSE CA 95112 4611

185	OCCUPANT	1450 KOLL CIR STE 101	SAN JOSE CA 95112 4612
186	OCCUPANT	1450 KOLL CIR STE 102	SAN JOSE CA 95112 4612
187	OCCUPANT	1450 KOLL CIR STE 103	SAN JOSE CA 95112 4612
188	OCCUPANT	1450 KOLL CIR STE 104	SAN JOSE CA 95112 4612
189	OCCUPANT	1450 KOLL CIR STE 105	SAN JOSE CA 95112 4612
190	OCCUPANT	1450 KOLL CIR STE 107	SAN JOSE CA 95112 4612
191	OCCUPANT	1450 KOLL CIR STE 108	SAN JOSE CA 95112 4612
192	OCCUPANT	1450 KOLL CIR STE 109	SAN JOSE CA 95112 4612
193	OCCUPANT	1450 KOLL CIR STE 110	SAN JOSE CA 95112 4612
194	OCCUPANT	1450 KOLL CIR STE 111	SAN JOSE CA 95112 4612
195	OCCUPANT	1450 KOLL CIR STE 113	SAN JOSE CA 95112 4612
196	OCCUPANT	1450 KOLL CIR STE 114	SAN JOSE CA 95112 4612
197	OCCUPANT	1450 N 4TH ST	SAN JOSE CA 95112 4715
198	COMM 235-04-004	&. & HEL PERS LOCALD WAREHOUS	1452 N 4TH ST
199	OCCUPANT	1452 N 4TH ST FRNT	SAN JOSE CA 95112-4717
200	OCCUPANT	1452 N 4TH ST STE B	SAN JOSE CA 95112 4723
201	DUPLE 235-09-031	KENNETH R. MAGGI	1457 DONOHUE DR
202	OCCUPANT	1460 KOLL CIR STE A	SAN JOSE CA 95112 4616
203	OCCUPANT	1460 KOLL CIR STE B	SAN JOSE CA 95112 4616
204	OCCUPANT	1460 KOLL CIR STE C	SAN JOSE CA 95112 4616
205	OCCUPANT	1460 KOLL CIR STE D	SAN JOSE CA 95112 4616
206	VACAT 235-04-005	1ST COMMUNITY HOUSING INC	1470 N 4TH ST
207	COMM 235-03-003	VALLEY HWANG LLC SILICON	1471 N 4TH ST
208	INDUS 235-03-011	RAMIRO & BERTHA M. & JOSE L. & BI	148 ARCHER ST
209	OCCUPANT	1482 N 4TH ST	SAN JOSE CA 95112 4715
210	INDUS 235-04-006	PAUL A. & JANICE L. & HEYMANN JAN	1488 N 4TH ST
211	INDUS 235-04-007	GREEN LLC WASHINGTON	1500 N 4TH ST
212	COMM 235-03-005	1505 NORTH ST LTD 4TH	1505 N 4TH ST
213	COMM 235-04-008	LAWRENCE & RUBY FONG	1516 N 4TH ST
214	OCCUPANT	1518 N 4TH ST	SAN JOSE CA 95112 4606
215	OCCUPANT	1520 N 4TH ST	SAN JOSE CA 95112 4606
216	MULTI 235-03-004	GARDEN LLC ATRIUM	1536 KERLEY DR
217	OFFIC 235-05-019	H. EUGENE & SHIRLEY SMITH	15481 BLACKBERRY HILL RD
218	INDUS 237-12-118	MOHAWK LAND & CATTLE CO INC	1551 PEREGRINO WAY
219	OCCUPANT	1560 N 4TH ST FRNT	SAN JOSE CA 95125-4544
220	OCCUPANT	1560 N 4TH ST STE 101	SAN JOSE CA 95112 4618
221	OCCUPANT	1560 N 4TH ST STE 102	SAN JOSE CA 95112 4618

222 WARE 237-12-102	BOBBY R. & MICHAEL SUTTON	15745 E ALTA VISTA WAY	SAN JOSE CA 95127-1736
223 INDUS 235-03-006	BRUCE & JEAN C. SWITZER	1580 KERLEY DR	SAN JOSE CA 95112-4815
224 INDUS 235-03-012	JOHN & HELENE L. VOSSOUGH	1585 N 4TH ST	SAN JOSE CA 95112-4605
225	OCCUPANT	1585 N 4TH ST STE A	SAN JOSE CA 95112 4605
226	OCCUPANT	1585 N 4TH ST STE B	SAN JOSE CA 95112 4605
227	OCCUPANT	1585 N 4TH ST STE BB	SAN JOSE CA 95112 4619
228	OCCUPANT	1585 N 4TH ST STE D	SAN JOSE CA 95112 4605
229	OCCUPANT	1585 N 4TH ST STE F	SAN JOSE CA 95112 4605
230	OCCUPANT	1585 N 4TH ST STE G	SAN JOSE CA 95112 4605
231	OCCUPANT	1585 N 4TH ST STE J	SAN JOSE CA 95112 4605
232	OCCUPANT	1585 N 4TH ST STE K	SAN JOSE CA 95112 4605
233	OCCUPANT	1585 N 4TH ST STE L	SAN JOSE CA 95112 4605
234	OCCUPANT	1585 N 4TH ST STE M	SAN JOSE CA 95112 4605
235	OCCUPANT	1585 N 4TH ST STE R	SAN JOSE CA 95112 4605
236	OCCUPANT	1585 N 4TH ST STE X	SAN JOSE CA 95112 4605
237 OFFIC 235-03-007	FRANK J. & MARY T. TAVOLACCI	1590 KERLEY DR	SAN JOSE CA 95112-4815
238 INDUS 235-04-007	GREEN LLC WASHINGTON	15939 VIEWFIELD RD	MONTE SERENO CA 95030-3148
239 OFFIC 235-04-011	DANIEL J. & MICHEL S. ORLANDO	1600 N 4TH ST	SAN JOSE CA 95112-4613
240 INDUS 235-03-008	JAMES D. & KARRIE MACHADO	1604 KERLEY DR	SAN JOSE CA 95112-4815
241 23716069		1610 CRANE CT	SAN JOSE CA 95112-4201
242 OFFIC 235-04-012	FAZZARI CLARITA & PROPERTIES	1610 N 4TH ST	SAN JOSE CA 95112-4613
243 OFFIC 235-05-015	1ST & ROSEMARY FAMILY HSN	1650 LAFAYETTE ST	SANTA CLARA CA 95050-3915
244 INDUS 237-12-103	ERNEST L. & PATRICIA D. GOBLE	1650 ZANKER RD #100	SAN JOSE CA 95112-1133
245 INDUS 237-12-104	CIRCLE LLC REYNOLDS	1650 ZANKER RD #100	SAN JOSE CA 95112-1133
246 VACA 237-12-101	MOHAWK PACKING CO	1660 OLD BAYSHORE HWY	SAN JOSE CA 95112-4304
247 INDUS 235-11-006	JOE M. & CANDACE V. HALEY	1675 VINE HILL RD	SANTA CRUZ CA 95065-9703
248 INDUS 235-01-004	GBR SAN JOSE LLC	1695 N 4TH ST	SAN JOSE CA 95112-4513
249 MULTI 235-01-022	PORTFOLIO ESSEX	1700 N 1ST ST	SAN JOSE CA 95112-4548
250 INDUS 235-03-012	JOHN & HELENE L. VOSSOUGH	1701 SWEETBNAR DR	SAN JOSE CA 95125
251 OFFIC 235-01-003	CARL A. & SHARON L. LILJENSTOLPE	1705 N 4TH ST	SAN JOSE CA 95112-4515
252	OCCUPANT	1707 N 4TH ST	SAN JOSE CA 95112 4515
253 UTILIT 235-01-002	CALIFORNIA WATER SERVICE CO	1720 N 1ST ST	SAN JOSE CA 95112-4508
254 INDUS 237-12-118	MOHAWK LAND & CATTLE CO INC	1720 OLD BAYSHORE HWY	SAN JOSE CA 95112-4306
255 OFFIC 235-01-012	RNM FIRST STREET CENTER L P	1730 N 1ST ST	SAN JOSE CA 95112-4508
256 VACA 237-12-101	MOHAWK PACKING CO	1736 OLD BAYSHORE HWY	SAN JOSE CA 95112
257 COMM 235-01-019	AIRPORT HOTEL LLC SAN JOSE	1740 N 1ST ST	SAN JOSE CA 95112-4508
258 VACA 235-04-015	ST LLC ARCHER	1740 N 4TH ST	SAN JOSE CA 95112-4514

259 COMM 235-01-019	AIRPORT HOTEL LLC SAN JOSE	1750 N 1ST ST	SAN JOSE CA 95112
260 WARE 237-12-102	BOBBY R. & MICHAEL SUTTON	1764 OLD BAYSHORE HWY	SAN JOSE CA 95112
261	OCCUPANT	1780B OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
262	OCCUPANT	1780D OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
263	OCCUPANT	1780E OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
264	OCCUPANT	1780F OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
265	OCCUPANT	1780G OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
266	OCCUPANT	1780H OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
267	OCCUPANT	1780J OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
268	OCCUPANT	1780K OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
269	OCCUPANT	1780L OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
270	OCCUPANT	1780M OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
271	OCCUPANT	1780O OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
272	OCCUPANT	1780Q OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
273	OCCUPANT	1780R OLD BAYSHORE HWY	SAN JOSE CA 95112 4312
274	OCCUPANT	180 E GISH RD	SAN JOSE CA 95112 4703
275 OFFIC 235-04-011	DANIEL J. & MICHEL S. ORLANDO	1801 GREENCREEK DR	SAN JOSE CA 95124-1121
276 OFFIC 235-05-025	NBO LLC	186 E GISH RD	SAN JOSE CA 95112-4703
277	OCCUPANT	190 COMMERCIAL ST	SAN JOSE CA 95112 4907
278 INDUS 235-04-001	SUNG W. & CHI M. SHIN	191 E GISH RD	SAN JOSE CA 95112-4704
279 INDUS 235-03-006	BRUCE & JEAN C. SWITZER	1926 CASTRO DR	SAN JOSE CA 95130-1715
280	OCCUPANT	193 E GISH RD	SAN JOSE CA 95112 4704
281	OCCUPANT	195 E GISH RD	SAN JOSE CA 95112 4704
282 INDUS 235-11-033	BARRY L. & MARY E. COHEN	19519 KENOSHA CT	SARATOGA CA 95070-5524
283 VACA 235-05-007	ANITA CHAN	20 CITRUS CT	HILLSBOROUGH CA 94010-6569
284 WARE 235-11-031	NELSON LIVING TRUST	206 COMMERCIAL ST	SAN JOSE CA 95112-4401
285 INDUS 235-03-009	130 ARCHER LLC	2152 GARDEN TRL	MOUNTAIN VIEW CA 94040
286 INDUS 235-11-007	KATHLEEN M. BACIOCCO	22 BROOKSIDE AVE	SAN JOSE CA 95117-1005
287 INDUS 235-12-006	TOM T. CAO	2273 SHADOWTREE DR	SAN JOSE CA 95131-1964
288 SFR 235-11-032	DAVID M. & MARIA M. RODRIGUES	232 COMMERCIAL ST	SAN JOSE CA 95112-4401
289 OFFIC 235-05-026	EASTFIELD MING QUONG INC	232 E GISH RD	SAN JOSE CA 95112-4706
290 WARE 235-12-005	JOSE A. & MAGDALENA CASTILLO	233 COMMERCIAL ST	SAN JOSE CA 95112-4402
291 OFFIC 235-05-033	MANTECA LLC SCP	234 E GISH RD	SAN JOSE CA 95112-4724
292 DUPL 235-09-009	NGUYEN BAO N & T H T AB TRUST	2343 RENFIELD WAY	SAN JOSE CA 95148-4039
293 INDUS 235-11-006	JOE M. & CANDACE V. HALEY	245 KINNEY DR	SAN JOSE CA 95112-4433
294 INDUS 235-11-033	BARRY L. & MARY E. COHEN	250 COMMERCIAL ST	SAN JOSE CA 95112-4401
295 OFFIC 235-05-026	EASTFIELD MING QUONG INC	251 LLEWELLYN AVE	CAMPBELL CA 95008-1940

296 INDUS 235-11-007	KATHLEEN M. BACIOCCO	254 KINNEY DR	SAN JOSE CA 95112-4433
297 WARE 235-12-004	LEN CAR INVESTMENTS	255 COMMERCIAL ST	SAN JOSE CA 95112-4402
298 MULTI 235-03-004	GARDEN LLC ATRIUM	255 W JULIAN ST #200	SAN JOSE CA 95110-2406
299 INDUS 235-11-005	MMM INVESTMENTS UNLIMITED	259 KINNEY DR	SAN JOSE CA 95112-4433
300 LUMBI 235-11-034	SAN JOSE URBAN MINISTRY	260 COMMERCIAL ST	SAN JOSE CA 95112-4401
301 INDUS 235-11-004	LANDSCAPE MAINTENANC NORTHWI	271 KINNEY DR	SAN JOSE CA 95112-4433
302 DUPLF 235-09-028	LINH T. & VAN T. DINH	2917 GLEN DARBY CT	SAN JOSE CA 95148-2530
303 INDUS 235-12-003	INN VISION THE WAY HOME	297 COMMERCIAL ST	SAN JOSE CA 95112-4402
304 INDUS 235-01-004	GBR SAN JOSE LLC	3 MANHATTANVILLE RD	PURCHASE NY 10577-2116
305 INDUS 235-09-003	MLEJNEK EVELYN M & LELAND A JR	30 MOTT DR	ALAMO CA 94507-1714
306 INDUS 235-12-010	LEN CAR INVESTMENTS	3206 TERRA GRANADA DR #1B	WALNUT CREEK CA 94595-3551
307 COMM 235-03-001	RUBEN & GLADYS CERVANTES	3279 PINOT BLANC WAY	SAN JOSE CA 95135-1143
308 SFR 235-06-017	EARL THAXTON	3321 GLENEAGLE DR	FINDLAY OH 45840-2916
309 SFR 235-06-007	BLANCA A. RAMIREZ	3397 BELGROVE CIR	SAN JOSE CA 95148-3158
310 INDUS 235-06-038	DCR REAL ESTATE III SUB I LLC	360 CENTRAL AVE #1220	ST PETERSBURG FL 33701-3838
311	OCCUPANT	401 REYNOLDS CIR	SAN JOSE CA 95112 1104
312	OCCUPANT	403A REYNOLDS CIR	SAN JOSE CA 95112 1104
313	OCCUPANT	403B REYNOLDS CIR	SAN JOSE CA 95112 1104
314	OCCUPANT	406A REYNOLDS CIR	SAN JOSE CA 95112 1103
315	OCCUPANT	406B REYNOLDS CIR	SAN JOSE CA 95112 1103
316	OCCUPANT	409 REYNOLDS CIR	SAN JOSE CA 95112 1104
317 COMM 235-09-024	DONALD R. & TOMMY L. STEWART	4093 PARTRIDGE DR	SAN JOSE CA 95121-1009
318	OCCUPANT	410 REYNOLDS CIR	SAN JOSE CA 95112 1103
319	OCCUPANT	412 REYNOLDS CIR	SAN JOSE CA 95112 1103
320	OCCUPANT	414 REYNOLDS CIR	SAN JOSE CA 95112 1103
321 COMM 235-12-019	NGUYEN THE THO & HO NANCY Y	4149 PARTRIDGE DR	SAN JOSE CA 95121-1011
322	OCCUPANT	415 REYNOLDS CIR	SAN JOSE CA 95112 1104
323	OCCUPANT	416 REYNOLDS CIR	SAN JOSE CA 95112 1103
324	OCCUPANT	417 REYNOLDS CIR	SAN JOSE CA 95112 1104
325	OCCUPANT	419 REYNOLDS CIR	SAN JOSE CA 95112 1104
326	OCCUPANT	420 REYNOLDS CIR	SAN JOSE CA 95112 1103
327	OCCUPANT	421 REYNOLDS CIR	SAN JOSE CA 95112 1104
328	OCCUPANT	422 REYNOLDS CIR	SAN JOSE CA 95112 1103
329	OCCUPANT	426 REYNOLDS CIR	SAN JOSE CA 95112 1103
330	OCCUPANT	428 REYNOLDS CIR	SAN JOSE CA 95112 1103
331 COMM 235-03-005	1505 NORTH ST LTD 4TH	43083 VIA MORAGA	FREMONT CA 94539-5747
332	OCCUPANT	431 REYNOLDS CIR	SAN JOSE CA 95112 1104

333	INDUS 235-06-040	AMRIK S. & JAGTAR K. ATWAL	4310 BELLA MADEIRA LN	SAN JOSE CA 95127
334		OCCUPANT	433 REYNOLDS CIR	SAN JOSE CA 95112 1104
335		OCCUPANT	437A REYNOLDS CIR	SAN JOSE CA 95112 1104
336		OCCUPANT	439 REYNOLDS CIR	SAN JOSE CA 95112 1104
337	DUPLE 235-09-032	VERENA M. & STEVE W. MARKET	4399 ALUM ROCK AVE	SAN JOSE CA 95127-2905
338	OFFIC 235-03-007	FRANK J. & MARY T. TAVOLACCI	471 N 10TH ST	SAN JOSE CA 95112-3328
339	INDUS 235-11-028	SIGI J. VALENCIA	480 MONTEREY AVE	LOS GATOS CA 95030-5303
340		OCCUPANT	485 REYNOLDS CIR	SAN JOSE CA 95112 1122
341		OCCUPANT	489 REYNOLDS CIR	SAN JOSE CA 95112 1122
342		OCCUPANT	491 REYNOLDS CIR	SAN JOSE CA 95112 1122
343		OCCUPANT	493 REYNOLDS CIR	SAN JOSE CA 95112 1122
344		OCCUPANT	495 REYNOLDS CIR	SAN JOSE CA 95112 1122
345		OCCUPANT	497 REYNOLDS CIR	SAN JOSE CA 95112 1122
346	INDUS 237-12-104	CIRCLE LLC REYNOLDS	499 REYNOLDS CIR CL	SAN JOSE CA 95112-1122
347	COMM 235-04-008	LAWRENCE & RUBY FONG	5064 WESTDALE DR	SAN JOSE CA 95129-1860
348	OFFIC 235-03-002	CHANG INCOME PROPERTY PARTNE	520 S EL CAMINO REAL #9TH	SAN MATEO CA 94402-1726
349	TRUCI 235-12-016	DOUGLAS D. & VIOLET C. ALLEN	526 SARATOGA AVE	SANTA CLARA CA 95050-5623
350	INDUS 235-11-001	GARY S. VANDEWEGHE	5343 GREENSIDE DR	SAN JOSE CA 95127-1615
351	DUPLE 235-06-003	LUCY M. & MIGUEL A. CORONA	538 CANTON DR	SAN JOSE CA 95123-3222
352	COMM 235-03-003	VALLEY HWANG LLC SILICON	555 E WASHINGTON AVE	SUNNYVALE CA 94086-2125
353	INDUS 235-04-016	DOLLINGER ST ASSOCS 4TH & DAVIE	555 TWIN DOLPHIN DR #600	REDWOOD CITY CA 94065-2130
354	COMM 235-12-023	BANKERS TRUST CO CALIF NA TRUS	560 S WINCHESTER BLVD #200	SAN JOSE CA 95128-2500
355	COMM 235-05-018	JAMES J. & WAMBOI LIPARI	566 LINCOLN AVE	PALO ALTO CA 94301-3232
356	INDUS 235-12-007	T. C. & KATHRYN YUEN	5915 CASTANO DR	SAN JOSE CA 95129-3064
357	OFFIC 235-05-015	1ST & ROSEMARY FAMILY HSNB	66 E ROSEMARY ST	SAN JOSE CA 95112-4718
358	INDUS 235-06-039	THOMAS & ANN ATKINSON	75 ALPINE AVE	LOS GATOS CA 95030-7130
359	VACAF 235-04-005	1ST COMMUNITY HOUSING INC	75 E SANTA CLARA ST #1300	SAN JOSE CA 95113-1837
360	OFFIC 235-05-033	MANTECA LLC SCP	777 N 1ST ST #5TH	SAN JOSE CA 95112-6337
361	INDUS 235-05-016	1ST & ROSEMARY FAMILY HSNB	80 E ROSEMARY ST	SAN JOSE CA 95112-4718
362	NURSI 235-05-017	CORNERSTONE EVANGELICAL BAPT	801 SILVER AVE	SAN FRANCISCO CA 94134-1011
363	OFFIC 235-05-004	ANITA CHAN	90 E GISH RD	SAN JOSE CA 95112-4806
364		OCCUPANT	90 E GISH RD STE 1	SAN JOSE CA 95112 4800
365		OCCUPANT	90 E GISH RD STE 2	SAN JOSE CA 95112 4832
366		OCCUPANT	90 E GISH RD STE 21	SAN JOSE CA 95112 4800
367		OCCUPANT	90 E GISH RD STE 21A	SAN JOSE CA 95112 4800
368		OCCUPANT	90 E GISH RD STE 22	SAN JOSE CA 95112 4800
369		OCCUPANT	90 E GISH RD STE 24	SAN JOSE CA 95112 4800

370	OCCUPANT	90 E GISH RD STE 25	SAN JOSE CA 95112 4800
371	OCCUPANT	90 E GISH RD STE 4	SAN JOSE CA 95112 4800
372	OCCUPANT	90 E GISH RD STE 5	SAN JOSE CA 95112 4800
373	OCCUPANT	90 E GISH RD STE 6	SAN JOSE CA 95112 4800
374	OCCUPANT	90 E GISH RD STE 9	SAN JOSE CA 95112 4800
375	OCCUPANT	90 E GISH RD STE A	SAN JOSE CA 95112 4834
376	OCCUPANT	90 E GISH RD STE C	SAN JOSE CA 95112 4834
377	OCCUPANT	90 E GISH RD STE D	SAN JOSE CA 95112 4834
378	OCCUPANT	90 E GISH RD STE E	SAN JOSE CA 95112 4835
379	OCCUPANT	90 E GISH RD STE F	SAN JOSE CA 95112 4834
380	OCCUPANT	90 E GISH RD STE G	SAN JOSE CA 95112 4834
381	OCCUPANT	90 E GISH RD STE H	SAN JOSE CA 95112 4834
382 OFFIC 235-06-042	ROMAN CATHOLIC BISHOP SAN JOSE	900 LAFAYETTE ST #301	SANTA CLARA CA 95050-4966
383 MULTI 235-01-022	PORTFOLIO ESSEX	925 E MEADOW DR	PALO ALTO CA 94303-4233
384 SFR 235-06-021	JOHN C. GEORGE	95 BURTON AVE	SAN JOSE CA 95112-4904
385 LUMBI 235-11-034	SAN JOSE URBAN MINISTRY	974 WILLOW ST	SAN JOSE CA 95125-2344
386 INDUS 235-12-003	INN VISION THE WAY HOME	974 WILLOW ST	SAN JOSE CA 95125-2344
387 SFR 235-07-002	EDWARD & KATHLEEN CEFALU	98 BURTON AVE	SAN JOSE CA 95112-4903
388 VACA 235-11-030	NELSON LIVING TRUST	N 5TH ST	SAN JOSE CA 95112
389 MULTI 235-09-007	NORTH 5TH BUSINESS LLC	PO BOX 15151	FREMONT CA 94539-2251
390 OFFIC 235-04-012	FAZZARI CLARITA & PROPERTIES	PO BOX 1704	STUDIO CITY CA 91614-0704
391 OFFIC 235-12-032	KONG YIN YIU	PO BOX 32833	SAN JOSE CA 95152-2833
392 MULTI 235-09-008	ALLEN & LILLIAN WONG	PO BOX 700005	SAN JOSE CA 95170-0005
393 COMM 235-05-022	GROUP LLC PANION		
394 OFFIC 235-04-013	CLARITA FAZZARI		
395 INDUS 235-04-014	ST LLC ARCHER		
396	OCCUPANT		
397 DUPL 235-06-005	CLINTON BUTSUDA		
398 INDUS 235-12-027	SAN & MICHAEL ONG		
399 INDUS 235-05-016	1ST & ROSEMARY FAMILY HSNB		
400 UTILIT 235-01-005	CALIFORNIA WATER SERVICE CO		
401 UTILIT 235-01-010	CALIFORNIA WATER SERVICE CO		
402 VACA 235-05-010	ANITA CHAN		
403 OFFIC 235-05-006	ANITA CHAN		
404 OFFIC 235-05-004	ANITA CHAN		
405 OFFIC 235-05-005	ANITA CHAN		
406 WARE 235-12-004	LEN CAR INVESTMENTS		

407 SFR 235-12-018 BARBARA M. VANDEWEGHE  
408 INDUS 235-04-009 DOLLINGER ST ASSOCS 4TH & DAVID  
409 OPEN 235-12-025 BANKERS TRUST CO CALIF NA TRUS  
410 VACA 235-12-020 BANKERS TRUST CO CALIF NA TRUS  
411 COMN 235-12-021 BANKERS TRUST CO CALIF NA TRUS  
412 COMN 235-12-022 BANKERS TRUST CO CALIF NA TRUS  
413 COMN 235-12-024 BANKERS TRUST CO CALIF NA TRUS  
414 COMN 235-12-026 BANKERS TRUST CO CALIF NA TRUS  
415 OFFIC 235-05-005 ANITA CHAN  
416 MULTI 235-09-006 NORTH 5TH BUSINESS LLC  
417 MULTI 235-09-005 NORTH 5TH BUSINESS LLC  
418 MULTI 235-09-004 NORTH 5TH BUSINESS LLC  
419 OFFIC 235-04-013 CLARITA FAZZARI

## RESPONSES TO COMMENTS ON THE INITIAL STUDY FOR THE SEWER INTERCEPTOR PHASE VIA PROJECT

### Letter from Caltrans dated June 10, 2011 (Letter 1)

**Comment 1A:** As lead agency, the City of San Jose (City) is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency ensure resolution of the Department's California Environmental Quality Act (CEQA) concerns prior to submittal of the encroachment permit application. Further comments will be provided during the encroachment permit process if required.

#### Highway Operations

The MND should clearly state the hours of construction activities, specifically along US 101 and Zanker Road, and elaborate what would be the traffic impacts during construction hours. Also, a queuing analysis for US 101 off-ramp at Zanker Road must be provided by the City to the Department.

**Response 1A:** The project is proposing to intercept and divert flow from an existing 60-inch brick sanitary sewer line to a new reinforced concrete pipe (RCP) sewer interceptor line to be installed within the existing right-of-way of Commercial Street, North Fourth Street (under a portion of Interstate 880) and finally under U.S. Highway 101. The proposed project would not impact traffic trips, nor would it impact the U.S. Highway 101 off-ramp at Zanker Road.

Hours of construction are provided in Section 4.12 of the IS/MND. Construction would be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building, and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses. During boring work under U.S. Highway 101, which is anticipated to last four months, hours of construction will be 24 hours a day, seven days a week.<sup>1</sup>

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<sup>1</sup> Personal communication. Andy Romer, AECOM. July 20, 2011.

**Comment 1B: Traffic Safety**

An encroachment permit will be required from the Department for this project.

**Response 1B:** The comment is noted. An encroachment permit will be obtained for work within the State right-of-way, as necessary.

**Comment 1C: Geotechnical**

The Department recommends the City change the MND, Section 4.6.2 "Environmental Checklist and Discussion" "Geology and Soils,1b" (see page 39), checkbox from "Less than Significant Impact" to "Less than Significant Impact with Mitigation Incorporated" in accordance with the discussion in Section 4.6.1.2 "Seismicity and Seismic Hazards" (see page 38).

**Response 1C:** The project site is located in a seismically active region. Therefore, in accordance with City practice, the proposed project intends to incorporate standard engineering and design practices, as mentioned in Section 4.6.2.2 of the IS/MND. The proposed project would not require further mitigation measures.

**Comment 1D: Environmental Planning**

Erosion control measures must not introduce plant species listed as noxious or invasive. Precautions must be taken to not spread noxious or invasive plant species, if these species are found in or adjacent to the construction areas. Such precautions include, but are not limited to, daily inspection and cleaning of equipment. Also, precautions include the development and implementation of eradication strategies, should noxious or invasive plant species be found in the construction areas.

**Response 1D:** The project will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:

1. Restrict grading to the dry season (June 15 through October 15) or meet City requirements for grading during the rainy season.
2. Utilize on-site sediment control BMPs (such as fiber rolls, sand bag barriers, sediment traps, silt fences, straw bales, and storm drain inlet protection) to retain sediment on the project site;
3. Utilize stabilized construction entrances and/or wash racks;
4. Implement damp street sweeping;
5. Provide temporary cover of disturbed surfaces to help control erosion during construction;
6. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

The project will not use species listed as noxious weeds. Precautions will be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.

Prior to grading, any infested areas will be cleared of vegetation and all vegetative material destroyed off-site, taking care to prevent any seed dispersal in the process. Native seed from a local source (within the same watershed if practicable) will be planted on all disturbed ground outside of the roadway areas.

The proposed project does not include ramp closures for U.S. 101 or Interstate 880. Therefore, mitigation measures have not been included in the IS/MND document.

**Comment 1E: Cultural Resources**

The Cultural Resources study and mitigation measures outlined in the MND satisfies environmental legal compliance for cultural resources within State ROW for the Department. Should construction activities within State ROW take place as part of this project, these mitigation measures shall be implemented for an archaeological discovery. If there should be an inadvertent archaeological or burial discovery within State ROW, the Department's Office of Cultural Resource Studies shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact. The Department requires review of any potential data recovery plans within State ROW.

**Response 1E:** The comment is noted and does not raise any questions regarding the environmental analysis. The procedures outlined will be followed in the event of an unanticipated discovery.

**Comment 1F: Encroachment Permit**

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

**Response 1F:** The comment is noted. An encroachment permit will be obtained for work within the State right-of-way, as necessary.

**Letter From Caltrans Dated June 21, 2011 (Letter 2)**

**Comment 2A: Right-of-Way**

1. The Draft MND states the project will not have significant traffic impacts; therefore, no mitigation is required. Section 3.2.3, on page 9, lists numerous impacts to traffic (e.g., reduction of traffic to one lane, closing of two intersections for up to two months, etc.). Because there are significant traffic

impacts listed in the Draft MND, the statement that the project will not have significant impacts to traffic is false and must be corrected.

2. The change in alignment would require either: (a) an Encroachment Permit for work within or below the State ROW; or (b) an alteration of any existing Joint Use or Consent to Common Use Agreements. Any new crossing of the ROW will require a new Encroachment Permit or Joint Agreement.

**Response 2A:** The project is proposing temporary restriping and detours for various local City roadway segments in the project area during construction. The temporary nature of the limited roadway access would avoid any significant traffic impacts, and mitigation measures would not be required in accordance with CEQA.

The project proposes excavations in relation to the proposed boring under U.S. 101. The boring holes are located within the Caltrans right-of-way and will require approval from Caltrans in the form of an encroachment permit, which will be processed in advance of the work.

#### **Letter From VTA Dated June 15, 2011 (Letter 3)**

**Comment 3A:** VTA, in conjunction with Caltrans, is conducting planning, engineering, and environmental studies for the U.S. 101 Express Lanes Project. Because the proposed pipeline would cross U.S. 101 at 4<sup>th</sup> Street and Old Bayshore Freeway, it is important that VTA be provided the pipeline alignments and profiles when available so that we can review them for any potential conflicts with the U.S. 101 Express Lane Project.

VTA is also interested in reviewing the alignments and profiles of the pipeline along 4<sup>th</sup> Street that runs under I-880 to determine if the pipeline would impact any future work on I-880.

**Response 3A:** The alignments and cross-sections for the proposed pipeline are provided in Appendix A of the Initial Study document.

August 9, 2011

Ms. Janis Moore  
Environmental Review Section  
City of San Jose  
Department of Planning, Building and Code Enforcement  
200 E. Santa Clara Street, Tower, 3rd Floor  
San Jose, CA 95113

**RE: Comment Letters from Caltrans on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Sewer Interceptor Phase VIA Project**

Dear Janis:

We have received and reviewed the letters you forwarded from Caltrans (dated June 10, 2011 and June 21, 2011) regarding the proposed Sewer Interceptor Phase VIA Project. The letters include comments regarding the analysis included in the Draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared in accordance with the requirements of the California Environmental Quality Act (CEQA). This letter provides our responses to the substantive issues raised in the Caltrans letters.

**June 10, 2011 Letter**

**Highway Operations**

The project is proposing to intercept and divert flow from an existing 60-inch brick sanitary sewer line to a new reinforced concrete pipe (RCP) sewer interceptor line to be installed within the existing right-of-way of Commercial Street, North Fourth Street (under a portion of Interstate 880) and finally under U.S. Highway 101. The proposed project would not impact traffic trips, nor would it impact the U.S. Highway 101 off-ramp at Zanker Road.

Hours of construction are provided in Section 4.12 of the IS/MND. Construction would be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building, and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses. During boring work under U.S. Highway 101, which is anticipated to last four months, hours of construction will be 24 hours a day, seven days a week.<sup>1</sup>

---

<sup>1</sup> Personal communication. Andy Romer, AECOM. July 20, 2011.

### Traffic Safety

The comment is noted. An encroachment permit will be obtained for work within the State right-of-way, as necessary.

### Geotechnical

The project site is located in a seismically active region. Therefore, in accordance with City practice, the proposed project intends to incorporate standard engineering and design practices, as mentioned in Section 4.6.2.2 of the IS/MND. The proposed project would not require further mitigation measures.

### Environmental Planning

The project will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:

1. Restrict grading to the dry season (June 15 through October 15) or meet City requirements for grading during the rainy season.
2. Utilize on-site sediment control BMPs (such as fiber rolls, sand bag barriers, sediment traps, silt fences, straw bales, and storm drain inlet protection) to retain sediment on the project site;
3. Utilize stabilized construction entrances and/or wash racks;
4. Implement damp street sweeping;
5. Provide temporary cover of disturbed surfaces to help control erosion during construction;
6. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

The project will not use species listed as noxious weeds. Precautions will be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.

Prior to grading, any infested areas will be cleared of vegetation and all vegetative material destroyed off-site, taking care to prevent any seed dispersal in the process. Native seed from a local source (within the same watershed if practicable) will be planted on all disturbed ground outside of the roadway areas.

The proposed project does not include ramp closures for U.S. 101 or Interstate 880. Therefore, mitigation measures have not been included in the IS/MND document.

### Cultural Resources

The comment is noted and does not raise any questions regarding the environmental analysis. The procedures outlined will be followed in the event of an unanticipated discovery.

Encroachment Permit

The comment is noted. An encroachment permit will be obtained for work within the State right-of-way, as necessary.

**June 21, 2011 Letter**

Right-of-Way

The project is proposing temporary restriping and detours for various local City roadway segments in the project area during construction. The temporary nature of the limited roadway access would avoid any significant traffic impacts, and mitigation measures would not be required in accordance with CEQA.

The project proposes excavations in relation to the proposed boring under U.S. 101. The boring holes are located within the Caltrans right-of-way and will require approval from Caltrans in the form of an encroachment permit, which will be processed in advance of the work.

Please do not hesitate to contact me if you have any questions about this letter, or if you want to discuss this matter further.

Best regards,

John Schwarz  
Principal Project Manager

/attachments

August 9, 2011

Ms. Janis Moore  
Environmental Review Section  
City of San Jose  
Department of Planning, Building and Code Enforcement  
200 E. Santa Clara Street, Tower, 3rd Floor  
San Jose, CA 95113

**RE: Comment Letter from Valley Transportation Authority (VTA) on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Sewer Interceptor Phase VIA Project**

Dear Janis:

We have received and reviewed the letter you forwarded from VTA (dated June 15, 2011) regarding the proposed Sewer Interceptor Phase VIA Project. The letter included a comment regarding the Draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared in accordance with the requirements of the California Environmental Quality Act (CEQA). This letter provides our response to the comment raised in the VTA letter.

**June 15, 2011 Letter**

The alignments and cross-sections for the proposed pipeline are provided in Appendix A of the Initial Study document. Additional copies are provided as Attachment A of this response letter.

Please do not hesitate to contact me if you have any questions about this letter, or if you want to discuss this matter further.

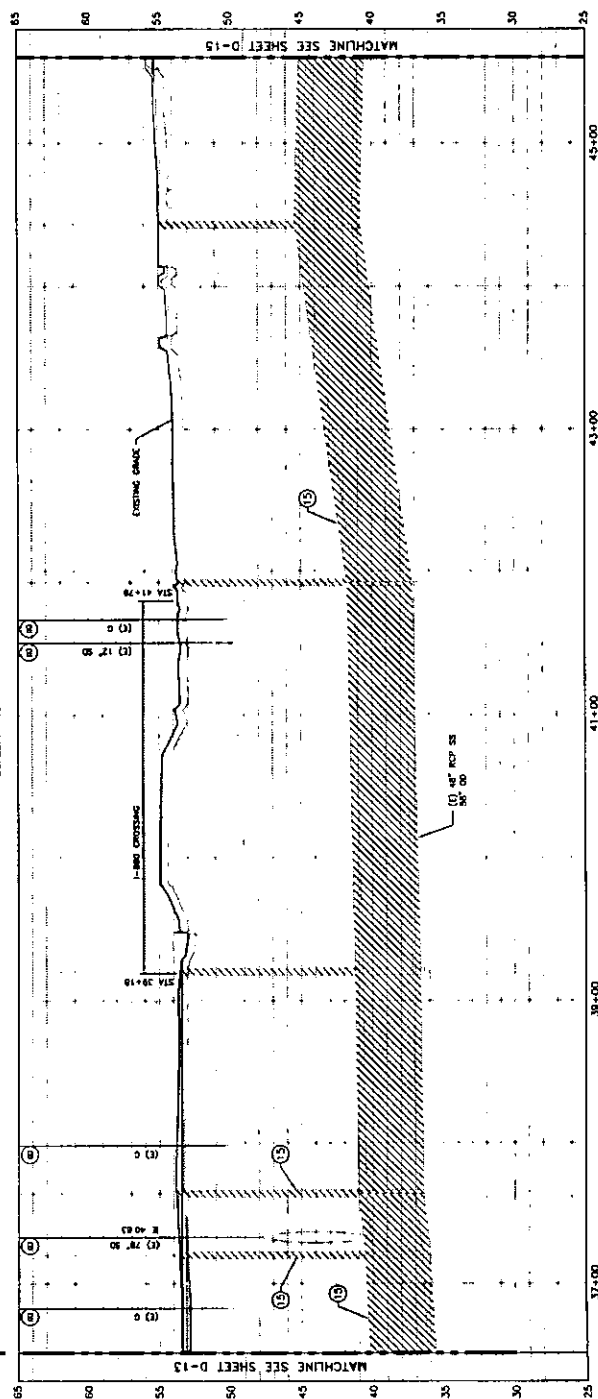
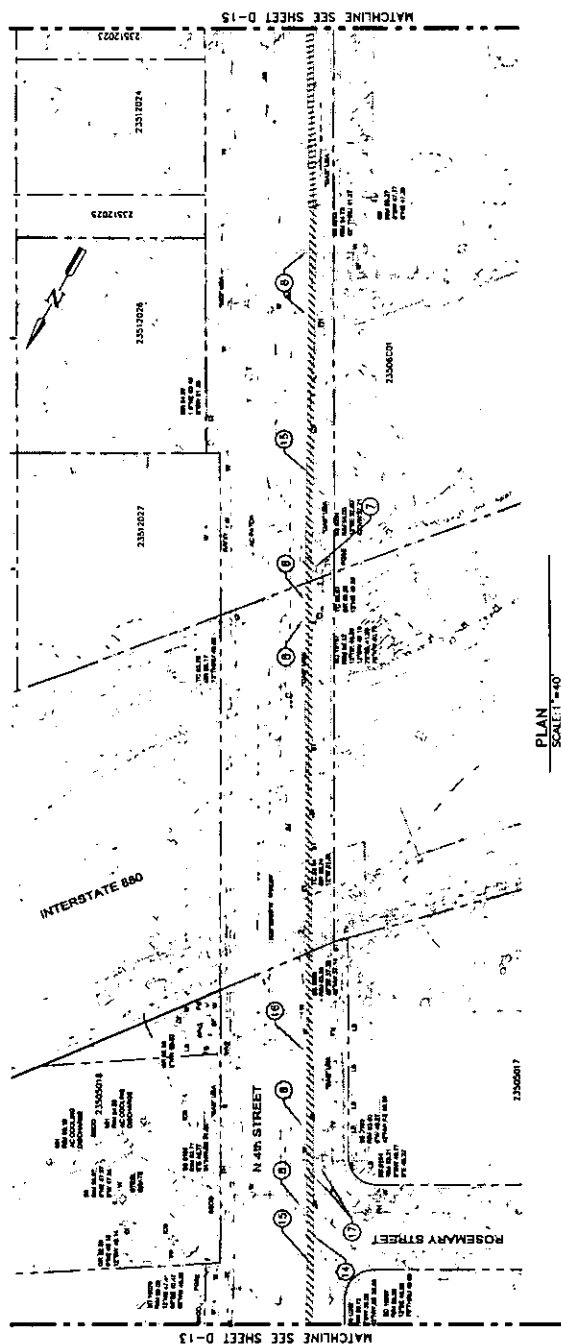
Best regards,

John Schwarz  
Principal Project Manager.

/attachments

**ATTACHMENT A**  
**Project Alignment and Cross-Section**



[illegible]

43+00 45+00  
330% DESIGN PROGRESS - NOT FOR CONSTRUCTION

60 Inch Brick Interceptor Phase VIA Project



**AECOM**  
1405 Howard Street, Suite 600  
San Francisco, CA 94103  
Tel: (415) 774-5000

CONSTRUCTION	DEVELOPMENT
ELECTRICAL	DEPARTMENT OF TRANSPORTATION
MATERIALS LAB	MAINTENANCE
SANITARY	TRAFFIC OPS
STATION	
SURVEY	

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TO: DRP	THOM BORDEN
BY: AEA	DEPUTY DIRECTOR OF PUBLIC
FOR: ME	
DATE: 10/19/2010	
SIGNATURE: [Signature]	

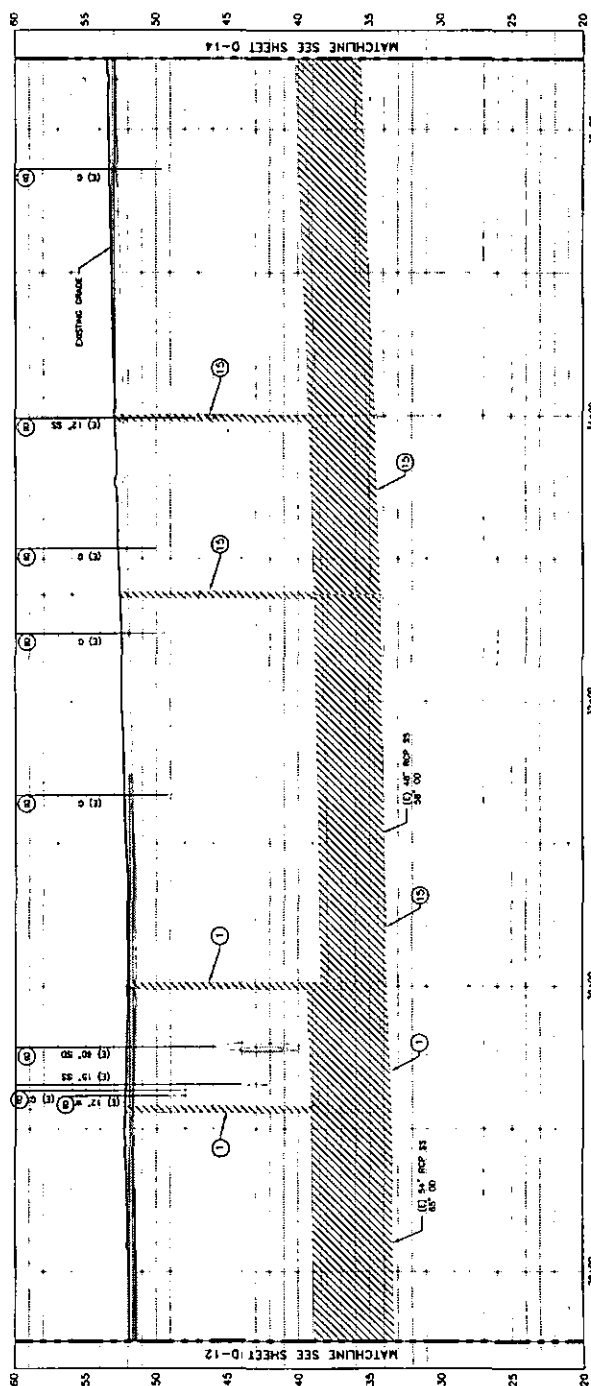
DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA



CITY OF  
**SAN JOSE**  
CAPITAL OF SILICON VALLEY

DRAWN BY: LDP CHECKED BY: ALR PREP. ENGINE: ME DATE: 9/7/2010 SCALE: AS SHOWN	TIAN BORDEN DEPUTY DIRECTOR OF PUBLIC WORKS
---	--

7. DEMOLISH AND DISPOSE OF (1) 34" RCP SS AND (2) MANHOLES
8. REMOVE, DISPOSE AND REPLACE INTERFERING (1) CURB, CUTTER, AND SIDEWALK, PROTECT ALL STREET LIGHTS AND POWER POLES IN PLACE. (NOTE PERTAINS TO ENTIRE REACH).
9. MANHOLE PERMITS, CURB AND CUTTER PERMITS
10. DEMOLISH & DISPOSE OF (1) 15" SS RECONNECT TO (N) MANHOLE PERMITS
11. DEMOLISH & DISPOSE OF (1) 12" SS LINES, RECONNECT TO (N) SS PERMITS
12. DEMOLISH & DISPOSE OF (1) 18" RCP SS AND (2) MANHOLES, RECONNECT (2) LATERALS



32-000  
PROFILE  
SCALE: H 1"=40' V 1"=4'

### 60 Inch Brick Interceptor Phase VIA Project

DEMOLITION PLAN &amp; PROFILE

STATION 27+50 TO 36+50



**AECOM**

105 Howard Street, Suite 400  
San Francisco, CA 94105  
PHONE (415) 522-5000

CONSTRUCTION \_\_\_\_\_ DEVELOPMENT \_\_\_\_\_  
ELECTRICAL \_\_\_\_\_ DEPARTMENT OF TRANSPORTATION \_\_\_\_\_

MAINTENANCE \_\_\_\_\_  
TRAFFIC OPS. \_\_\_\_\_  
MATERIALS LAB \_\_\_\_\_  
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STORM \_\_\_\_\_

\_\_\_\_\_ SURVEY \_\_\_\_\_



### ALTIMA NORTH VALLEY CAPITAL OF MINION VALLEY

DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

BY:                       
FOR:                     

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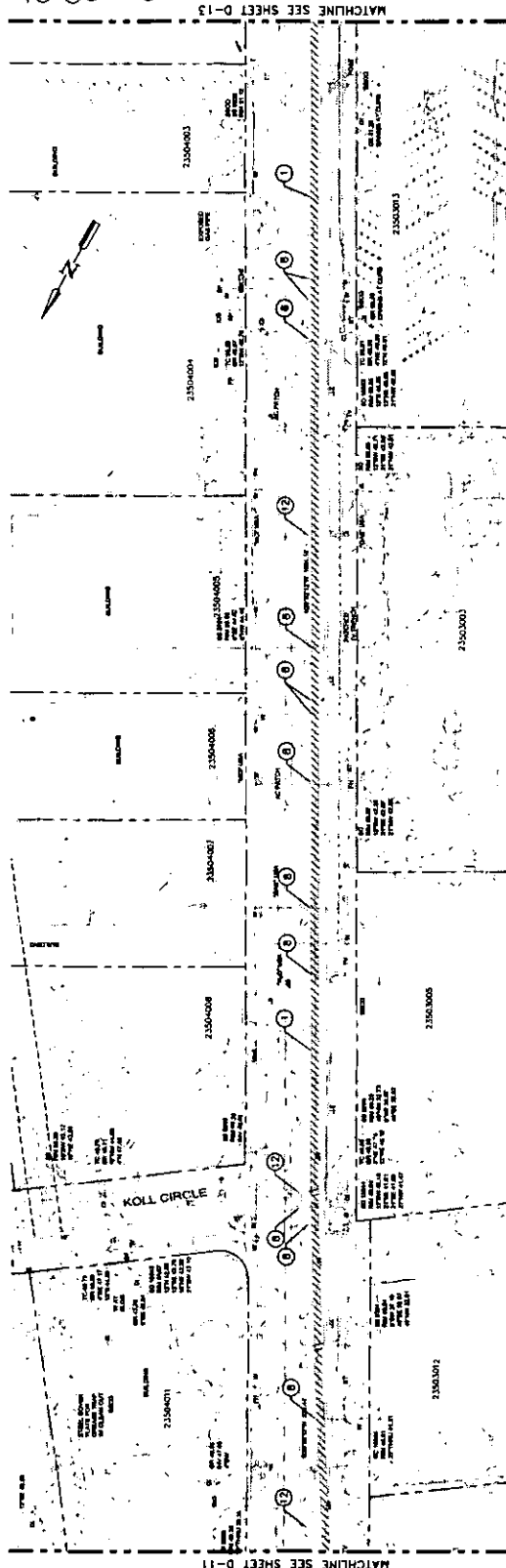
PUBLIC WORKS  
CALIFORNIA

**TYLON BORDEN**  
**CHIEF OF POLICE**

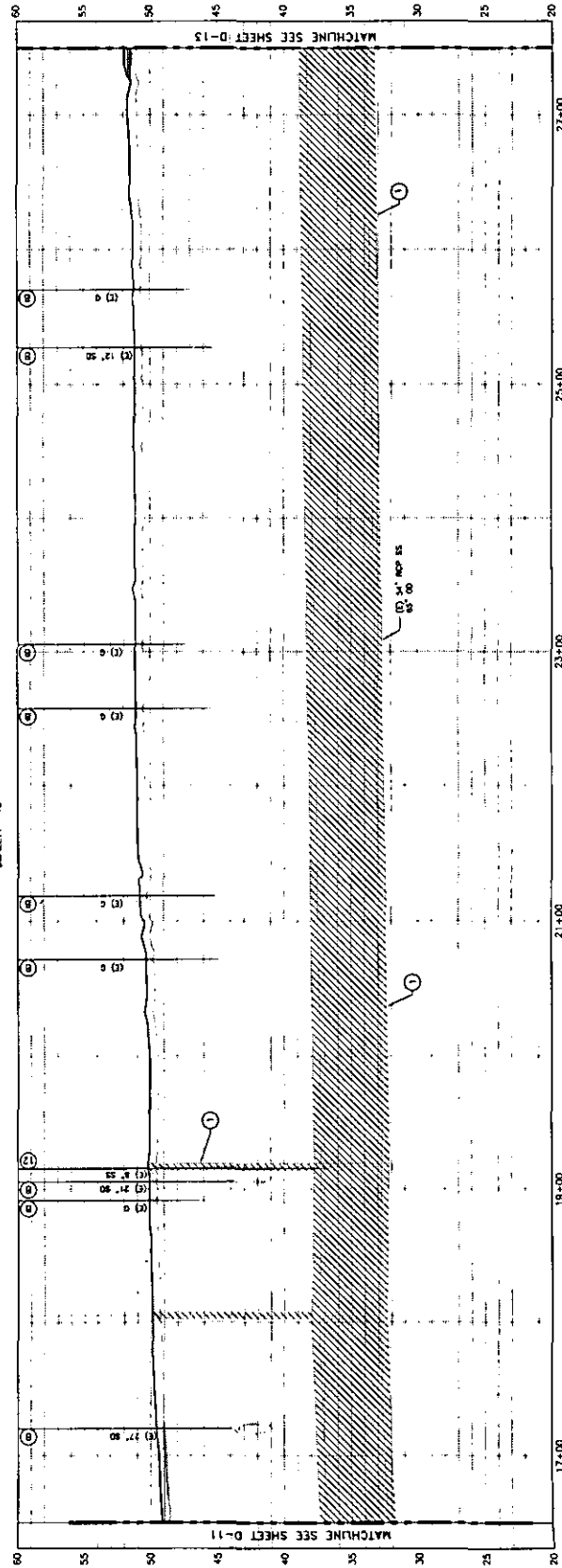
4026 - 30

# DEMOLITION NOTES

- 1 DEMOLISH AND DISPOSE OF (1) 54" RCP SS AND (2) INTERLACE.
- 2 PROTECT AND/OR SUPPORT IN PLACE.
- 3 REMOVE, DISPOSE AND REPLACE INTERLACING (1) STREET LIGHTS AND (2) STREET POLES IN PLACE. NOT PERMITTED TO BE REMOVED OR DESTROYED.
- 4 DEMOLISH AND DISPOSE OF (1) 8" SS RECONNECT TO (1) 8" RCP SS FOR



PLAN  
SCALE: 1"=40'



PROFILE  
SCALE: 1"=40' V.T.T.

D-12

811

DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

DESIGNED BY: JEP  
CHECKED BY: JEP  
DATE: 10/07/2010  
SCALE: AS SHOWN  
SHEET NO. 2 OF 3 SHEETS

CITY OF SAN JOSE  
OFFICE OF PUBLIC WORKS

CONSTRUCTION  
DEPARTMENT OF TRANSPORTATION  
MATERIALS LAB  
SANITARY  
DATE: 10/07/2010  
REVISIONS

60 inch Brick Interceptor Phase VIA Project  
DEMOLITION PLAN & PROFILE  
STATION 16+50 TO 27+50

AECOM  
400 Howard Street, Suite 400  
San Francisco, CA 94105  
Project #13-121-0000

17+00 19+00 23+00 25+00 27+00

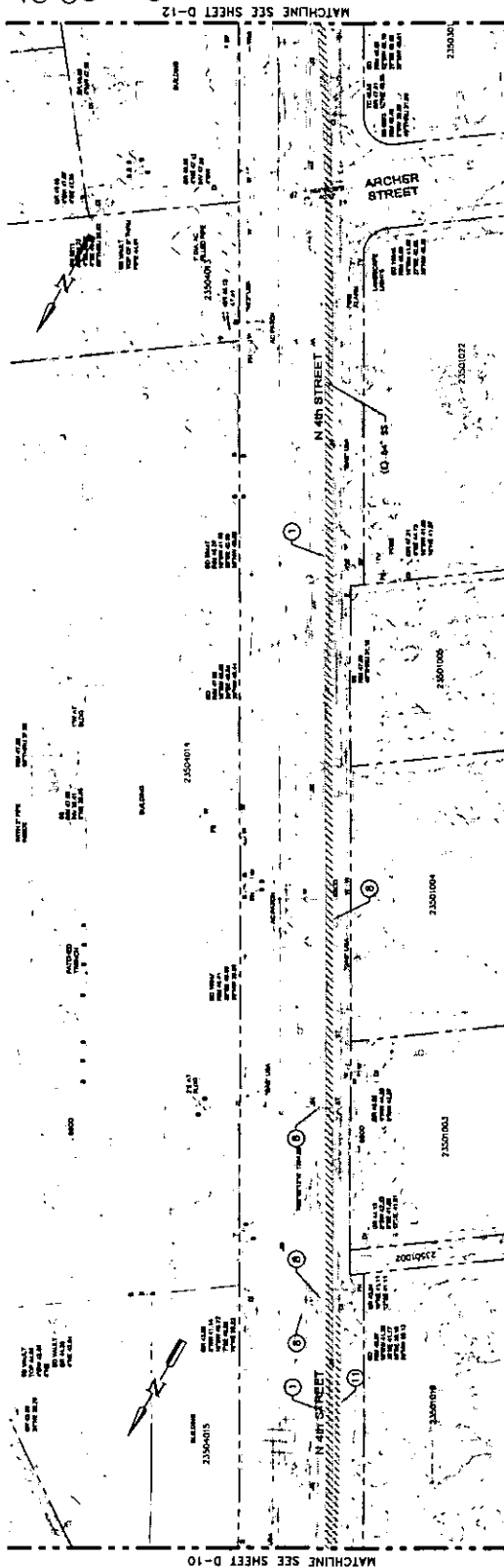
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MATCHLINE SEE SHEET D-11

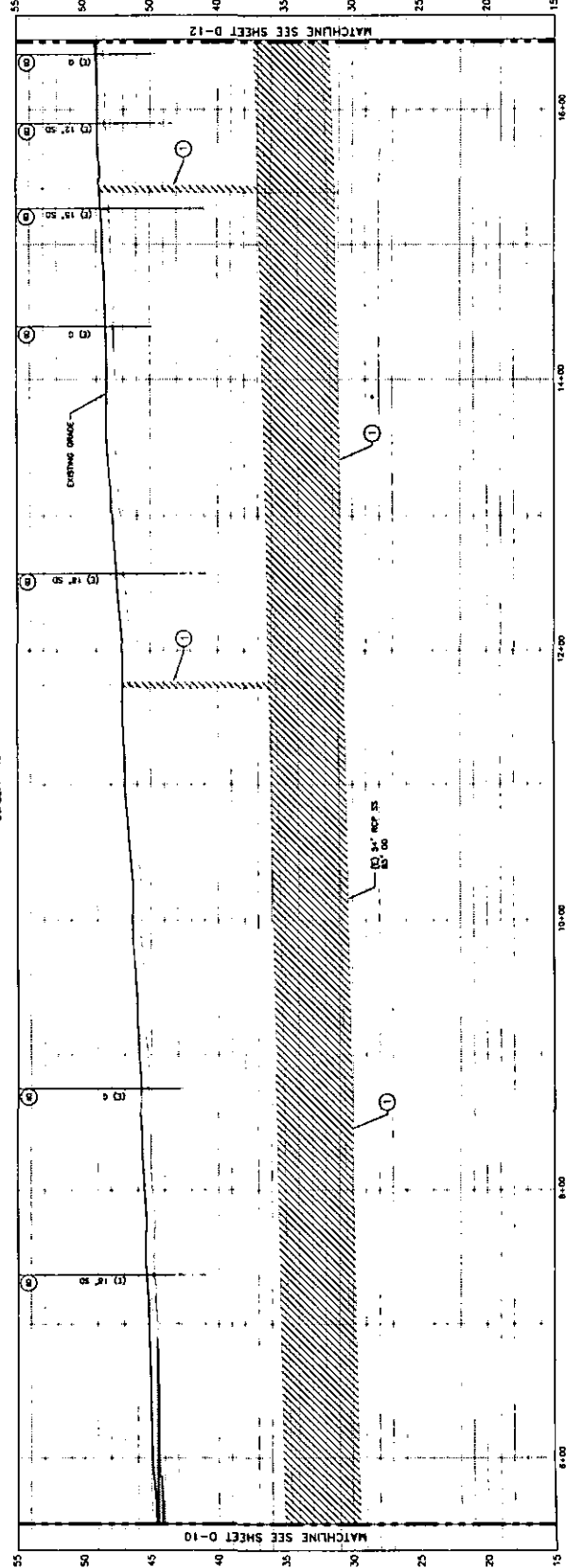
MATCHLINE SEE SHEET D-13

# DEMOLITION NOTES

1. DEMOLISH AND DISPOSE OF (S) 54" ROP SS AND (S) MANHOLE.
2. PROTECT AND/OR SUPPORT IN PLACE.
3. REMOVE, DISPOSE AND REPLACE INTERFERING EXISTING STRUCTURES AND UTILITIES (ALL STREET LIGHTS AND POWER POLES IN PLACE (NOT MOVING TO OTHER LOCATIONS) PER CITY OF SAN JOSE AND GTR).
4. (S) 54" ROP SS TO BE REMOVED AND REPLACED BY NEW 54" ROP SS TO BE CONSTRUCTED WITH STREET CROWN DRAIN TO CONSTRUCTION.



PLAN  
SCALE 1"=40'



PROFILE  
SCALE 1"=40', V 1"=4'

30% DESIGN PROGRESS - NOT FOR CONSTRUCTION

60 inch Brick Interceptor Phase VIA Project

DEMOLITION PLAN & PROFILE

STATION 5+50 TO 16+50



**AECOM**  
400 Howard Street, Suite 400  
San Francisco, CA 94105  
Phone: (415) 221-5500

CONSTRUCTION  
ELECTRICAL (A) \_\_\_\_\_  
MECHANICAL (A) \_\_\_\_\_  
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STRUCTURAL \_\_\_\_\_  
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**CITY OF SAN JOSE**  
OFFICE OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

DESIGNED BY: J. L. BROWN  
CHECKED BY: J. L. BROWN  
DATE: 10/01/2010  
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SHEET NO. 1 OF 2 SHEETS  
FILE NO. 1088 - 30

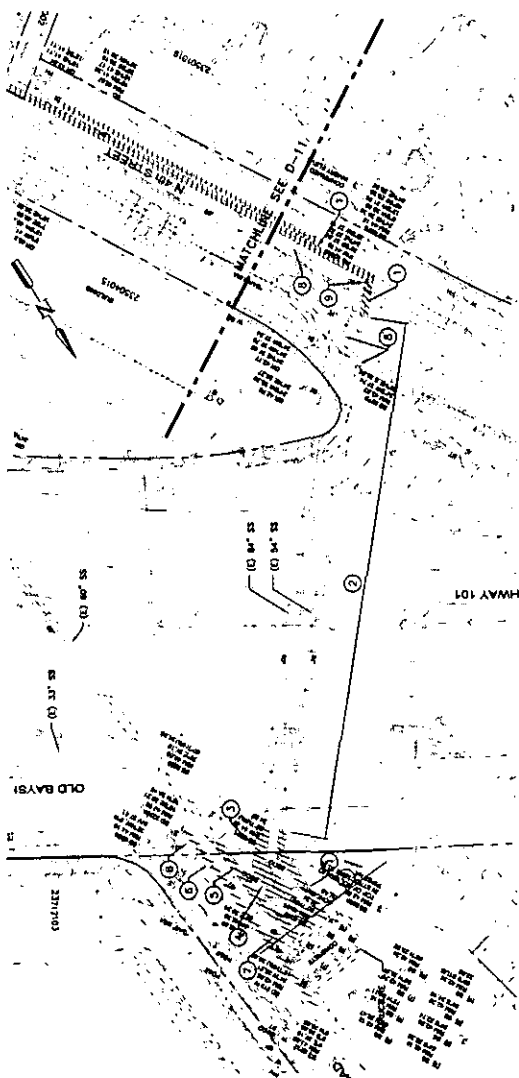


CALL 811  
FOR  
"TWO DEEP"  
D-11

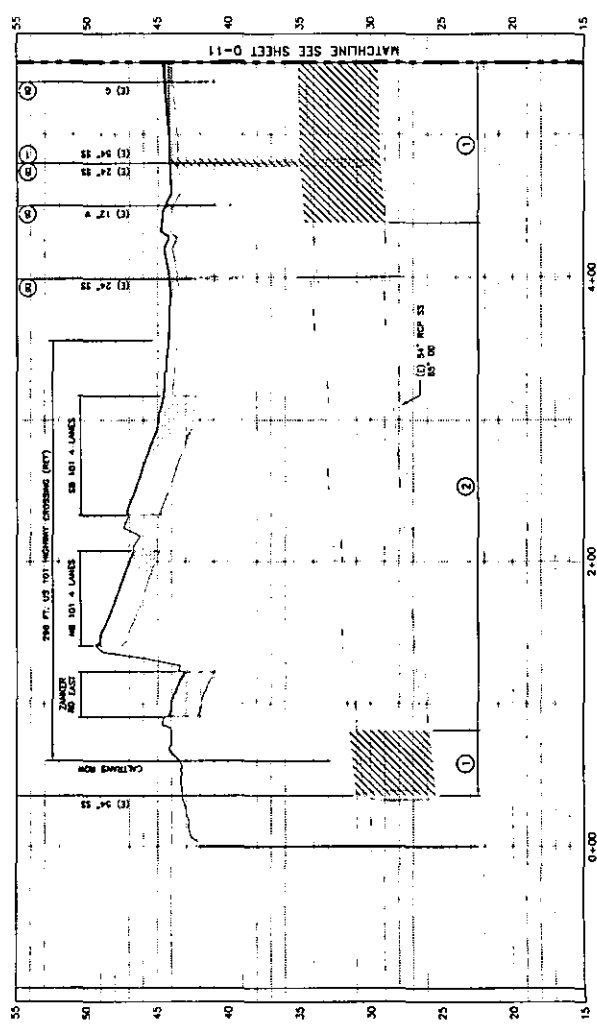
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# DEMOLITION NOTES

- DEMOLISH AND DEPOSE OF (E) 54" ROP SS AND (C) MANHOLE.
- MANHOLE IN PLACE (E) 54" ROP SS. PLUS DOWS WITH 12" THICK CONCRETE PLUG.
- DEMOLISH AND DEPOSE OF (E) 54" ROP SS.
- DEMOLISH AND DEPOSE OF (E) 60" ROP SS.
- DEMOLISH AND DEPOSE OF (E) 60" ROP SS & (C) MANHOLE.
- DEMOLISH AND DEPOSE OF (E) 15" \_\_\_\_\_ SS. PROTECT (E) MANHOLE UPSTREAM MANHOLE AND DEMOLISH (E) DOWNSTREAM MANHOLE.
- DEMOLISH AND DEPOSE OF (E) 30 CATCH BASIN AND \_\_\_\_\_ " 50.
- PROTECT AND/OR SUPPORT IN PLACE.
- PROVIDE TEMPORARY 24" PLUG.
- REMOVE DEPOSITS AND REPLACE INTERIOR (E) CURB, GUTTER AND SIDEWALK. PROTECT ALL STREET LIGHTS AND POWER POLES IN PLACE. CURB AND GUTTER PAVEMENT.
- (E) \_\_\_\_\_ CAN LANE TO BE BROWED AND DEPOSED OF, AND RELOCATED COORDINATE WITH UTILITY OWNER PRIOR TO DISTRIBUTION.



PLAN  
SCALE 1"=40'



PROFILE  
SCALE 1"=40', V 1"=4'

## 30% DESIGN PROGRESS - NOT FOR CONSTRUCTION

60 inch Brick Interceptor Phase VIA Project

DEMOLITION PLAN & PROFILE

STATION 40+00 TO 5+50



**AECOM**

400 Howard Street, Suite 400  
San Francisco, CA 94105  
Phone: (415) 222-5600

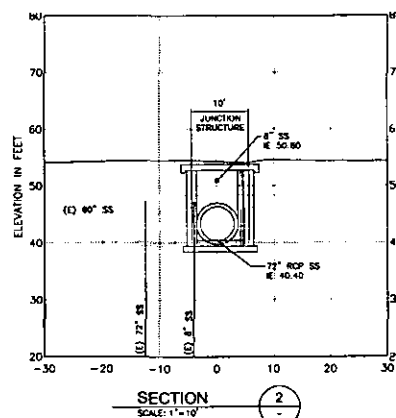
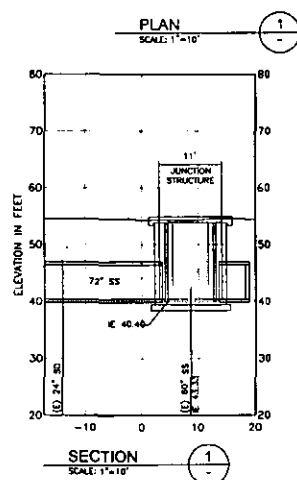
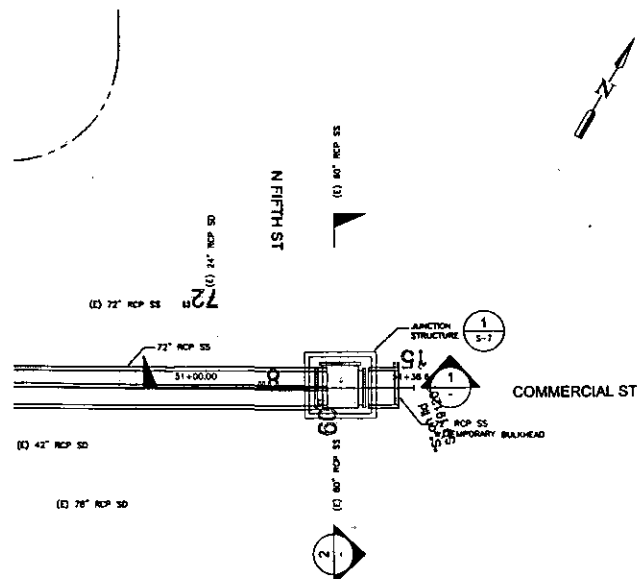
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ELECTRICAL	LAND	TRANSPORTATION
MECHANICAL	PLANNING	TRAFFIC OPS
PAVEMENT	SAFETY	STATION
SEWER	SURVEY	DATE
		RESPONSE

DESIGNED BY	SAINT
CHECKED BY	ASR
PROJ. ENG. NO.	100
SCALE	AS SHOWN
SHEET NO.	1 OF 1 SHEETS
FILE NO.	0088 - 35

DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA  
OFFICE OF THE CITY ENGINEER  
CITY OF SAN JOSE



DRAWING NO. **D-10**



30% DESIGN PROGRESS - NOT FOR CONSTRUCTION



CALL 811  
FOR UTILITY INFORMATION

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**C-19**

**AECOM**

405 Howard Street, Suite 400  
San Francisco, CA 94105  
PHONE (415) 522-5000



60 Inch Brick Interceptor Phase VIA Project

ENLARGED PLAN  
FIFTH ST. AT COMMERCIAL

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CONSTRUCTION  
ELECTRICAL  
WATER/SEWER LAB  
SANITARY  
STORM  
SURVEY

DEVELOPMENT  
DEPARTMENT OF TRANSPORTATION  
MAINTENANCE  
TRAFFIC OPS



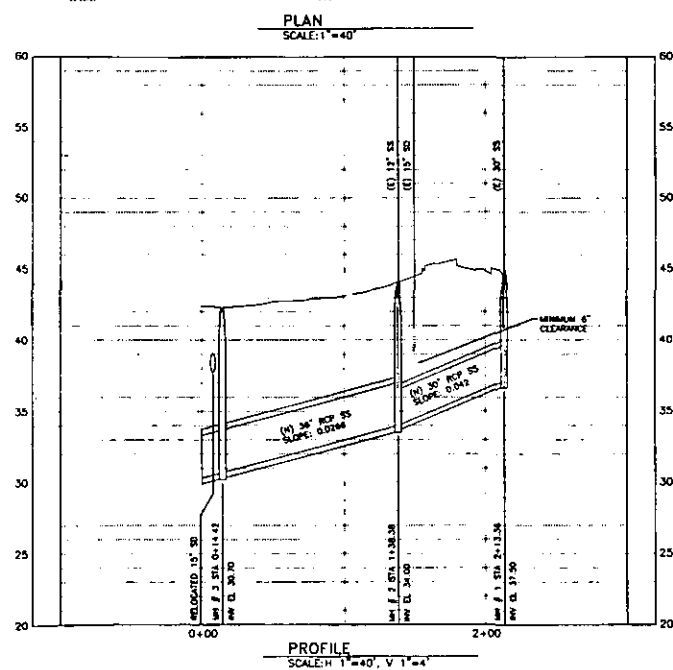
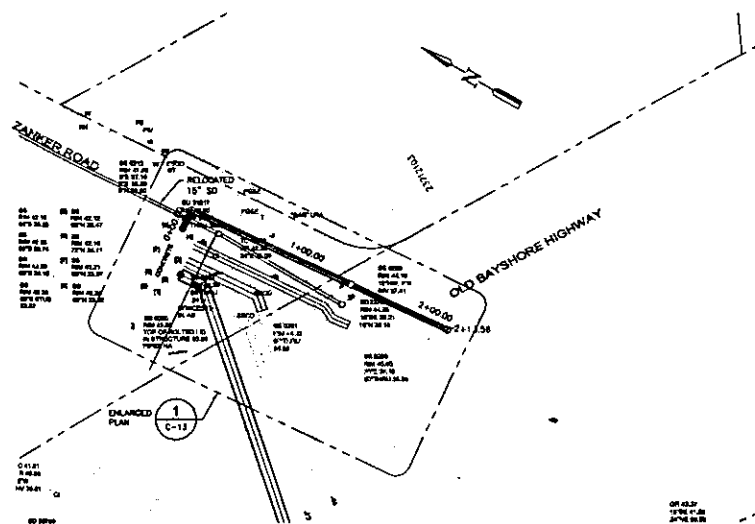
DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

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THOM BORDEN  
DEPUTY DIRECTOR OF PUBLIC WORKS

FILE NO. 4086 - 30





30% DESIGN PROGRESS - NOT FOR CONSTRUCTION



DRAWING NO. C-10

**AECOM**  
400 Howard Street, Suite 400  
San Francisco, CA 94105  
PHONE (415) 525-3000



60 Inch Brick Interceptor Phase VIA Project  
PLAN & PROFILE  
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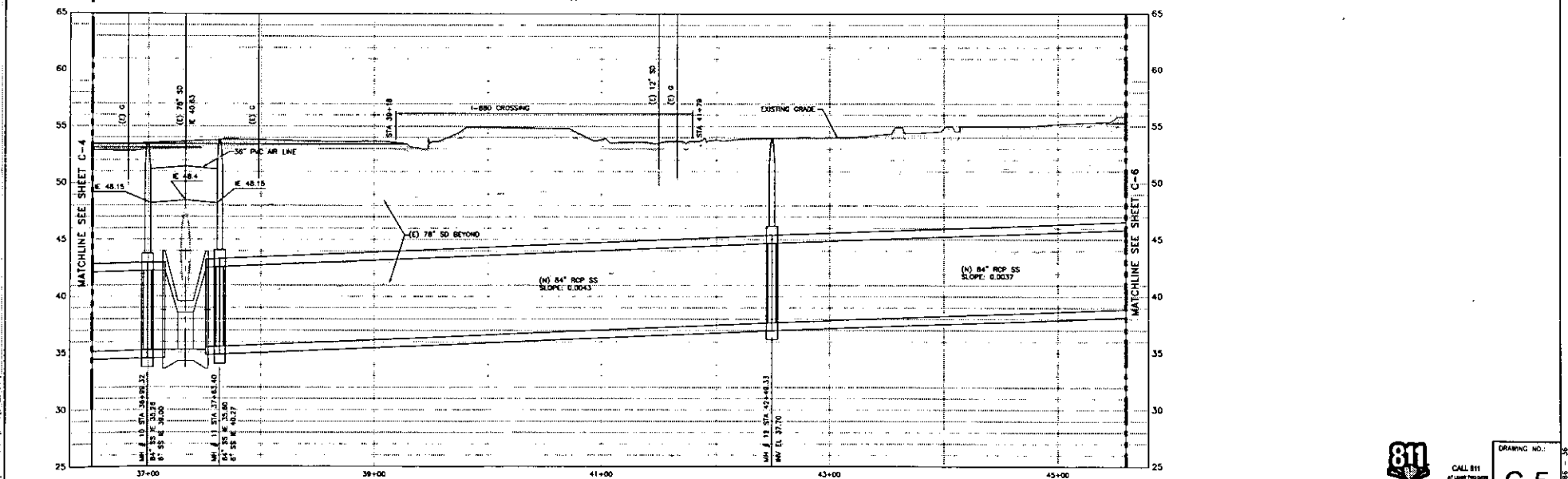
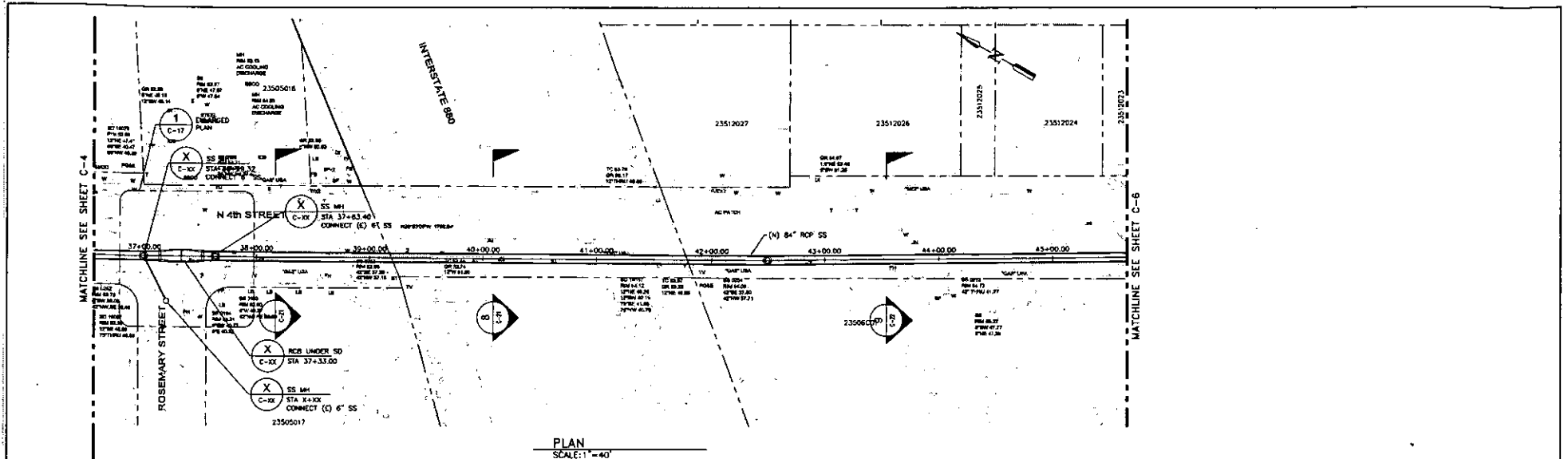
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INTERIORS LAB  
SANITARY  
STORM  
SURVEY

DEVELOPMENT  
DEPARTMENT OF TRANSPORTATION  
MAINTENANCE  
TRAFFIC OPS



DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA  
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PROJ. ENGR. JES  
DATE: 8/19/2010  
SCALE: AS SHOWN  
SHEET NO. 17 OF 88 SHEETS  
FILE NO. 4086 - 30





30% DESIGN PROGRESS - NOT FOR CONSTRUCTION

**AECOM**

400 Powell Street, Suite 400  
San Francisco, CA 94105  
PHONE (415) 522-5000



60 Inch Brick Interceptor Phase VIA Project

PLAN & PROFILE  
STATION 36+50 TO 45+60

NO.	REVISIONS	DATE
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CONSTRUCTION	
ELECTRICAL	
MATERIALS LAB	
SANITARY	
STORM	
SURVEY	

DEVELOPMENT	
DEPARTMENT OF TRANSPORTATION	
MAINTENANCE	
TRAFFIC OPS	



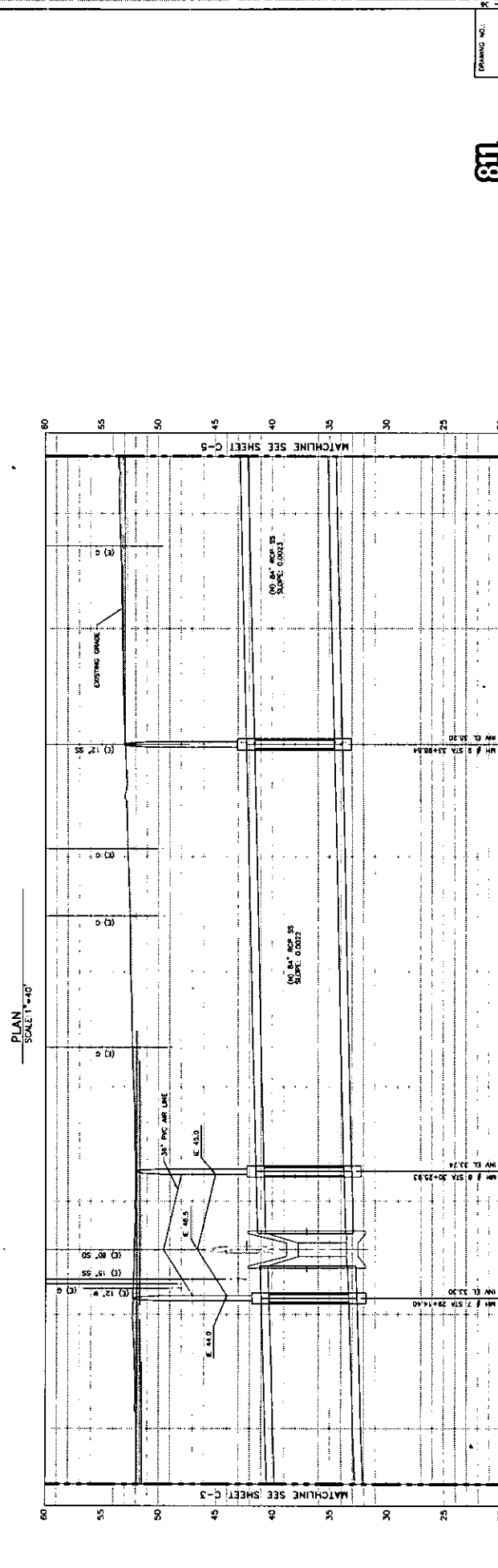
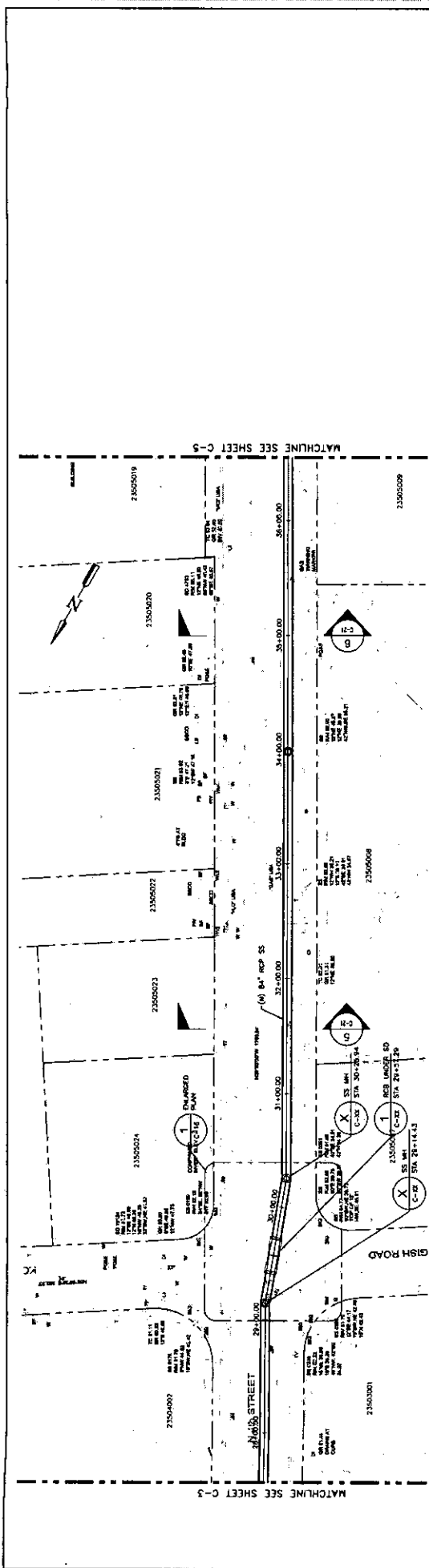
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SHEET NO. 1 OF 1 SHEETS

DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

TAM BORDEN  
DEPUTY DIRECTOR OF PUBLIC WORKS

FILE NO. 4056 - 36

DRAWING NO.:  
**C-5**



**811**  
CALL 811  
"TOLL FREE"

**DEPARTMENT OF PUBLIC WORKS**  
SAN JOSE, CALIFORNIA

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DATE: 3/7/2000  
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SHEET NO.: 1 OF 1 SHEETS

**30% DESIGN PROGRESS - NOT FOR CONSTRUCTION**

**60 Inch Brick Interceptor Phase Via Project**

PLAN & PROFILE  
STATION 27+50 TO 36+50

**CONSTRUCTION**  
ELECTRICAL L&B  
MAINTENANCE  
TRAFFIC OPS  
SURVEY

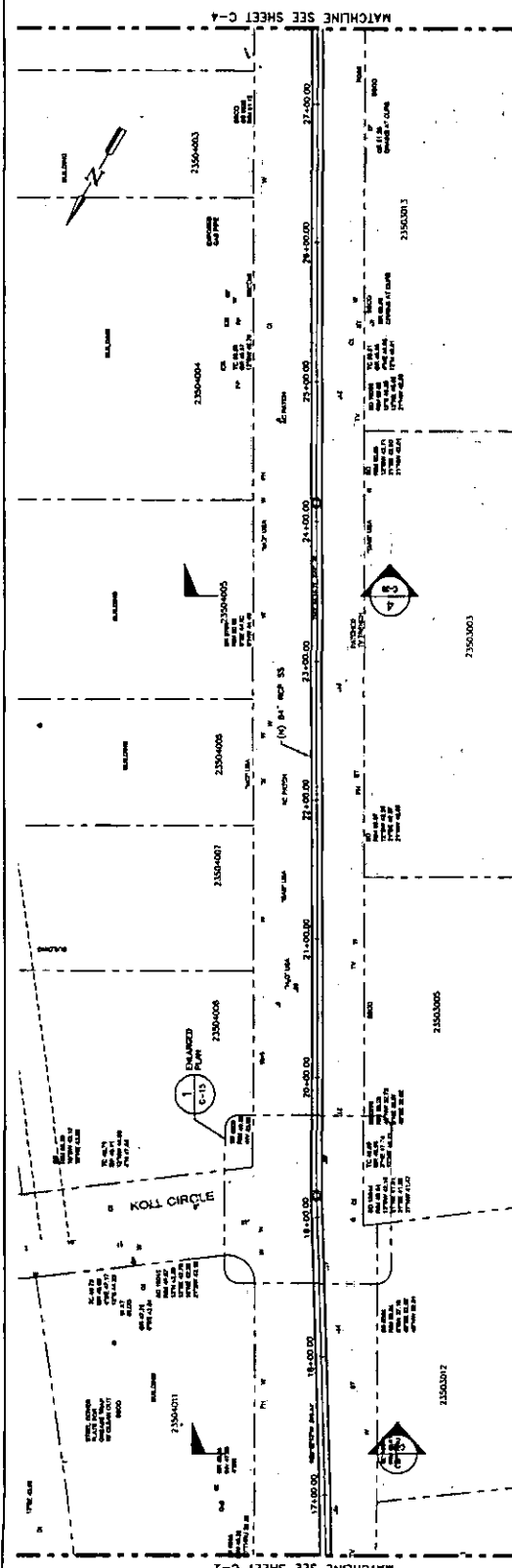
USE ONLY IF TRANSPORTATION

DATE: 3/7/2000

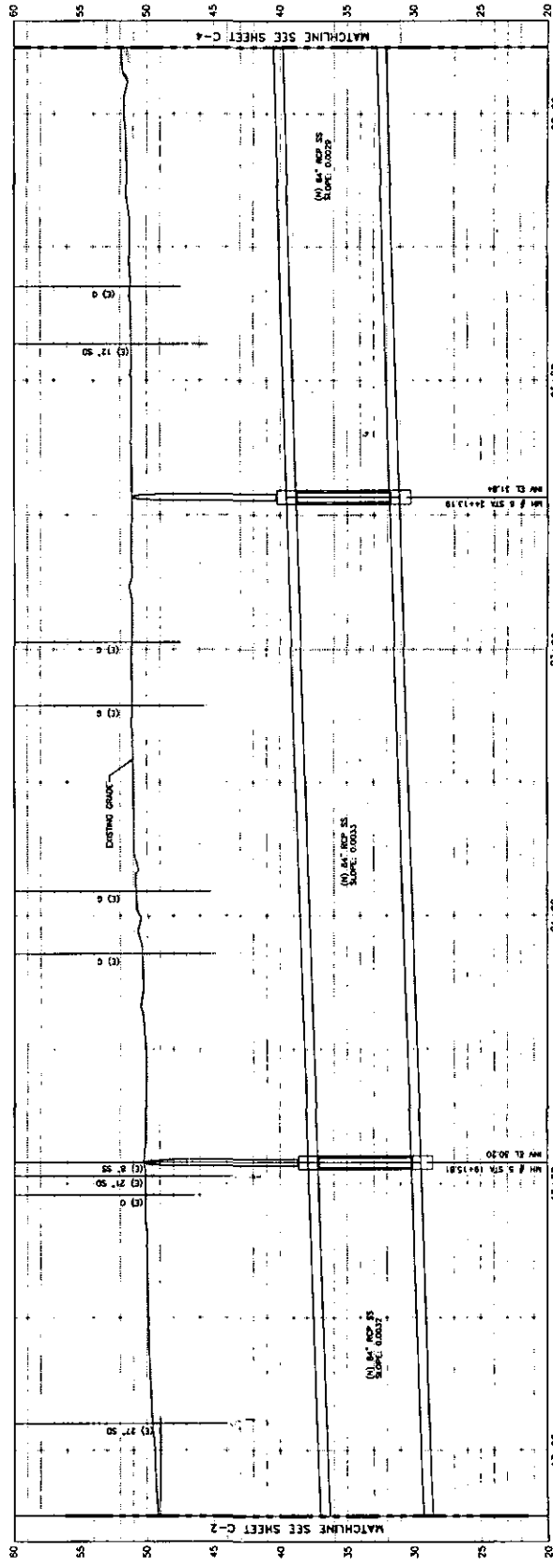
**AECOM**  
1000 Power of Mind  
San Jose, CA 95128  
PHONE: (415) 321-5000

**SEAL**  
Professional Engineer  
No. 100000000  
State of California

**811**  
CALL 811  
"TOLL FREE"



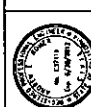
PLAN  
SCALE 1"=40'



PROFILE  
SCALE 1"=40' H, 1"=10' V

30% DESIGN PROGRESS - NOT FOR CONSTRUCTION

60 inch Brick Interceptor Phase Via Project  
PLAN & PROFILE  
STATION 16+60 TO 27+50



**AECOM**  
400 Newland Street, Suite 400  
San Francisco, CA 94111  
PHONE (415) 321-5000

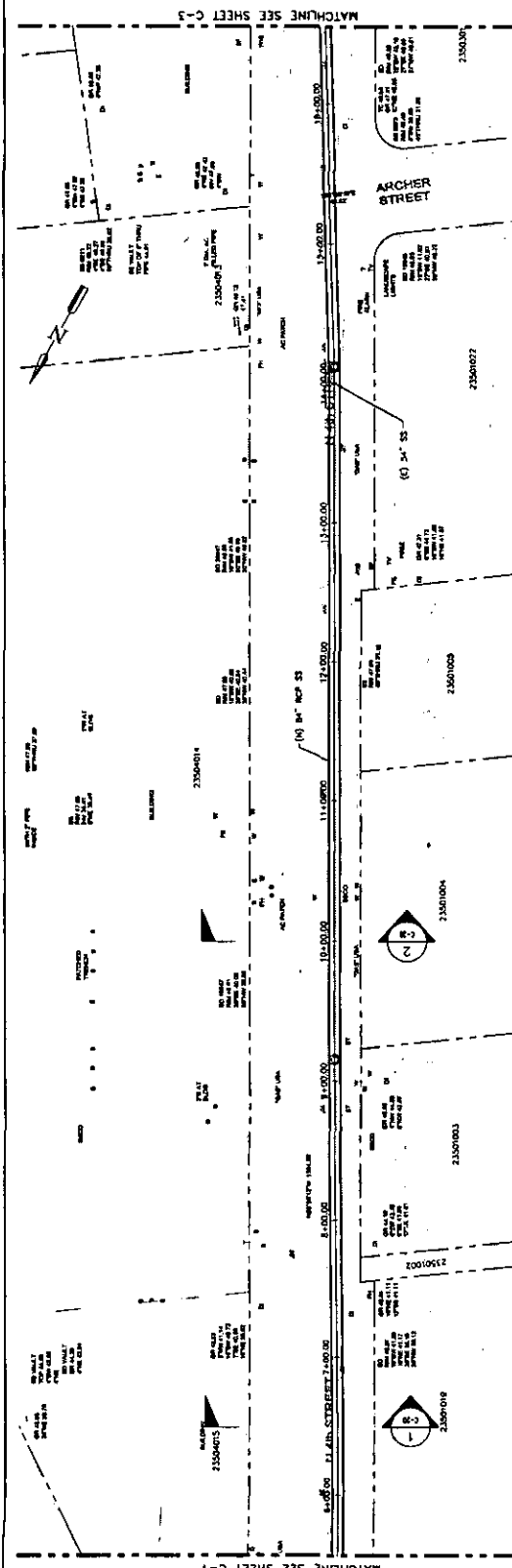
REVISIONS	DATE
1	
2	
3	
4	
5	

**CITY OF SAN JOSE**  
CAPITAL OF SILICON VALLEY

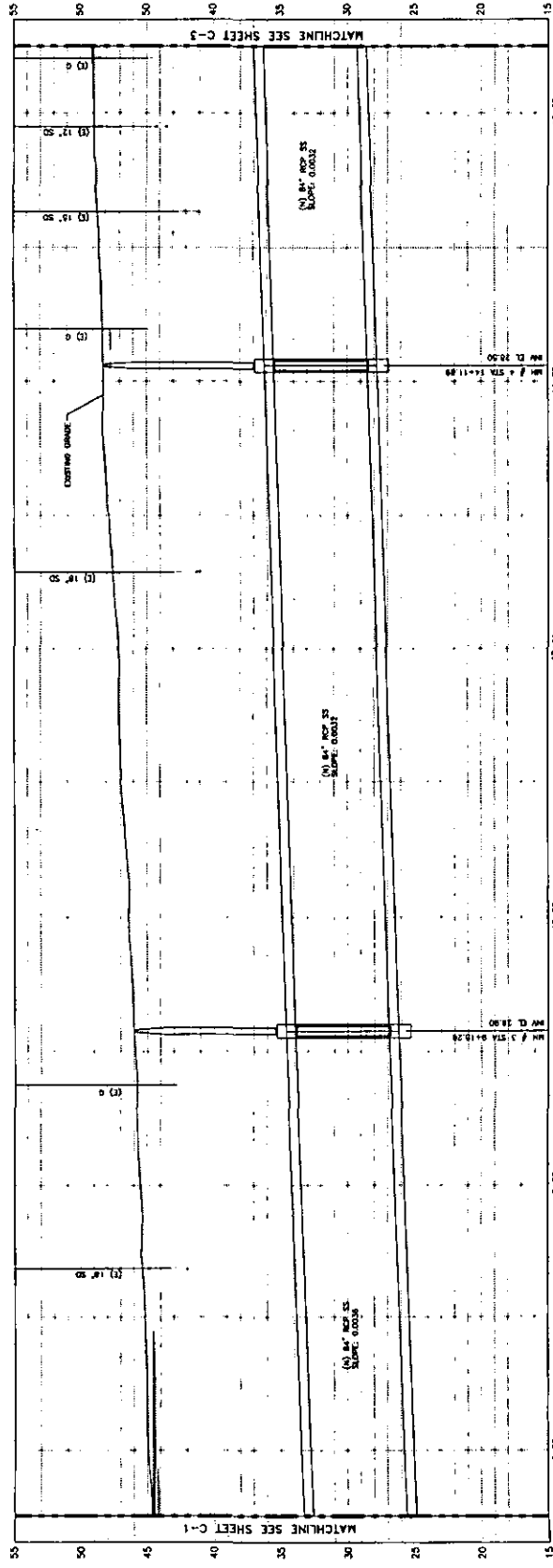
DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA  
Drawn by: LEP  
Checked by: JER  
Date: 10/1/00  
Scale: AS SHOWN  
Sheet No. 1 of 1  
File No. 4000 - 30



DRAWING NO. **C-3**  
C-3



PLAN  
SCALE: 1"=40'



PROFILE  
SCALE: 1"=40', V 1"=4'

60 inch Brick Interceptor Phase Via Project  
PLAN & PROFILE  
STATION 8+50 TO 18+50



**AECOM**  
400 Wood Street, Suite 400  
San Francisco, CA 94105  
Phone: (415) 311-3000

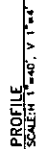
NO.	REVISIONS	DATE
1		
2		
3		
4		

CONSTRUCTION	DEVELOPMENT
ELECTRICAL	DEPARTMENT OF TRANSPORTATION
MECHANICAL	TRAFFIC DEPT.
PLUMBING	
STRUCTURAL	
UTILITY	

**CITY OF SAN JOSE**  
LIMITS OF SEWER VALLEY

**DEPARTMENT OF PUBLIC WORKS**  
SAN JOSE, CALIFORNIA  
SEWER DIVISION  
CHECKED BY: [Signature]  
DATE: 10/1/00  
SCALE: AS SHOWN  
SHEET NO. 1 OF 1 SHEETS  
FILE NO. 0088 - 30

**811**  
CALL IT  
BEFORE YOU DIG  
DRAWING NO. **C-2**



330% DESIGN PROGRESS - NOT FOR CONSTRUCTION.



CALL 811  
BEFORE YOU DIG  
Digging Your Way  
Through the Soil

DRAWING NO.:  
C-1

**60 Inch Brick Interceptor Phase VIA Project**

## PLAN & PROFILE

STATION ±0+00 TO 5+50

**AECOM**

405 Howard Street, Suite 400  
San Francisco, CA 94105  
PHONE (415) 522-5000

CONSTRUCTION	DEVELOPMENT
ELECTRICAL	DEPARTMENT OF TRANSPORTATION
INTERIORS	MAINTENANCE
MATERIALS LAB	TRAFFIC OPS
SANITARY	
STORM	
SURVEY	



**SAN JOSE**  
STATE UNIVERSITY

DEPARTMENT OF PUBLIC WORKS  
SAN JOSE, CALIFORNIA

DRAWN BY: <u>13</u> CHECKED BY: <u>ACR</u>	TIAU BORDEN DEPUTY DIRECTOR OF PUBLIC SAFETY
---	---

PROJ. ENGR. MS  
DATE 8/19/2010  
BY AS SHOWN



June 15, 2011

City of San Jose  
Department of Planning and Building  
200 East Santa Clara Street  
San Jose, CA 95113

Attention: Janis Moore

Subject: City File No. PP10-160 / Sewer Interceptor Phase VIA

Dear Ms. Moore:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study/Negative Declaration for new 72-inch and 84-inch diameter pipes under 4<sup>th</sup> Street, Commercial Street, and U.S. 101. We have the following comments.

VTA, in conjunction with Caltrans, is conducting planning, engineering, and environmental studies for the U.S. 101 Express Lanes Project. Because the proposed pipeline would cross U.S. 101 at 4<sup>th</sup> Street and Old Bayshore Freeway, it is important that VTA be provided the pipeline alignments and profiles when available so that we can review them for any potential conflicts with the U.S. 101 Express Lanes Project.

VTA is also interested in reviewing the alignments and profiles of the pipeline along 4<sup>th</sup> Street that runs under I-880 to determine if the pipeline would impact any future work on I-880.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

A handwritten signature in black ink, appearing to read "RM", is written over a horizontal line.

Roy Molseed  
Senior Environmental Plan

SJ1107

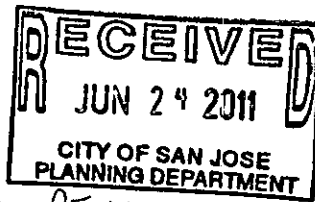
**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5541  
FAX (510) 286-5559  
TTY 711



*Flex your power!  
Be energy efficient!*

June 21, 2011



SCL-101/38.9, 880/3.75  
SCLVAR010  
SCH# 2011052033

Ms. Janis Moore  
City of San Jose  
200 East Santa Clara Street  
Tower, 3rd Floor  
San Jose, CA 95113-1905

Dear Ms. Moore:

**Sewer Interceptor Phase VIA Public Project, File No. PP10-160 – Mitigated Negative Declaration (MND)**

To follow-up on the Department's letter to you, dated June 10, 2011, we add these additional comments on the MND referenced in the subject heading.

***Right-of-Way (ROW)***

1. The Draft MND states the project will not have significant traffic impacts; therefore, no mitigation is required. Section 3.2.3, on page 9, lists numerous impacts to traffic (e.g., reduction of traffic to one lane, closing of two intersections for up to two months, etc.). Because there are significant traffic impacts listed in the Draft MND, the statement that the project will not have significant impacts to traffic is false and must be corrected.

2. The change in alignment would require either: (a) an Encroachment Permit for work within or below the State ROW; or (b) an alteration of any existing Joint Use or Consent to Common Use Agreements. Any new crossing of the ROW will require a new Encroachment Permit or Joint Agreement.

Please feel free to contact Brian Brandert at (510) 286-5505, if you have any questions regarding this letter.

Sincerely,

GARY ARNOLD  
District Branch Chief  
Local Development-Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

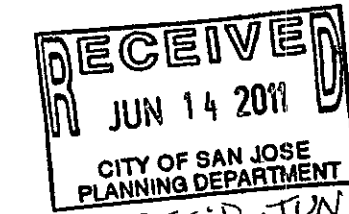
**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 622-5491  
FAX (510) 286-5559  
TTY 711



*Flex your power!  
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June 10, 2011



FAX REC'D JUN 10, 2011  
SCL-101/38.9, 880/3.75  
SCLVAR010  
SCH2011052033

Ms. Janis Moore  
City of San Jose  
200 East Santa Clara Street  
Tower, 3rd Floor  
San Jose, CA 95113-1905

Dear Ms. Moore:

**Sewer Interceptor Phase VIA Public Project, File No. PP10-160 – Mitigated Negative Declaration (MND)**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above-referenced project. We have reviewed the proposed project's MND and are pleased to offer the following comments.

As lead agency, the City of San Jose (City) is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency ensure resolution of the Department's California Environmental Quality Act (CEQA) concerns prior to submittal of the encroachment permit application. Further comments will be provided during the encroachment permit process if required; see the end of this letter for more information regarding the encroachment permit process.

***Highway Operations***

The MND should clearly state the hours of construction activities, specifically along US 101 and Zanker Road, and elaborate what would be the traffic impacts during construction hours. Also, a queuing analysis for US 101 off-ramp at Zanker Road must be provided by the City to the Department.

***Traffic Safety***

An encroachment permit will be required from the Department for this proposed project.

### ***Geotechnical***

The Department recommends the City change the MND, Section 4.6.2 "Environmental Checklist and Discussion" "Geology and Soils, 1b" (see page 39), checkbox from "Less than Significant Impact" to "Less Than Significant Impact with Mitigation Incorporated" in accordance with the discussion in Section 4.6.1.2 "Seismicity and Seismic Hazards" (see page 38).

### ***Environmental Planning***

Erosion control measures must not introduce plant species listed as noxious or invasive. Precautions must be taken to not spread noxious or invasive plant species, if these species are found in or adjacent to the construction areas. Such precautions include, but are not limited to, daily inspection and cleaning of equipment. Also, precautions must include the development and implementation of eradication strategies, should noxious or invasive plant species be found in the construction areas.

An encroachment permit will be required from the Department for construction beneath Interstate 880 and US 101 (see MND, Section 4.16.2.2, pages 75-76). Mitigation measures for ramp closures should be included in the MND. The City will need to coordinate any US 101 ramp closures with the Department and will be required to do public outreach about the closures, especially to emergency services, hotels, other businesses, residents & the senior living facility. Outreach includes signage before and during project construction.

### ***Cultural Resources***

The Cultural Resources study and mitigation measures outlined in the MND satisfies environmental legal compliance for cultural resources within State ROW for the Department. Should construction activities within State ROW take place as part of this project, these mitigation measures shall be implemented for an archaeological discovery. If there should be an inadvertent archaeological or burial discovery within State ROW, the Department's Office of Cultural Resource Studies shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact. The Department requires review of any potential data recovery plans within State ROW.

### ***Encroachment Permit***

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

Office of Permits  
California DOT, District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

See the website link below for more information.  
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Ms. Janis Moore/City of San Jose  
June 10, 2011  
Page 3

Please feel free to contact Brian Brandert at (510) 286-5505, if you have any questions regarding this letter.

Sincerely,



GARY ARNOLD  
District Branch Chief  
Local Development-Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

# County of Santa Clara

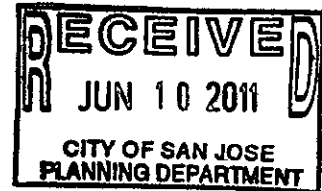
Roads and Airports Department

101 Skyport Drive  
San Jose, California 95110-1302  
(408) 573-2400



June 8, 2011

Ms. Janis Moore  
Planning, Building and Code Enforcement  
City of San Jose  
200 East Santa Clara St  
San Jose, CA 95113



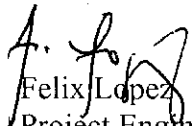
Subj: Notice of Intent to Adopt a Mitigated Negative Declaration for Sewer Interceptor Phase VI A

Dear Ms. Moore:

We have received and reviewed your Notice of Intent to Adopt a Mitigated Negative Declaration of the Sewer Interceptor Phase VIA Project, File No. PP10-160 and we have no comments.

Thank you for the opportunity to review and comment on this project. If you have questions, please call me at (408) 573-2462.

Sincerely,

  
Felix Lopez  
Project Engineer

cc: MA, AP, WRL, RN, file



EDMUND G. BROWN JR.  
GOVERNOR

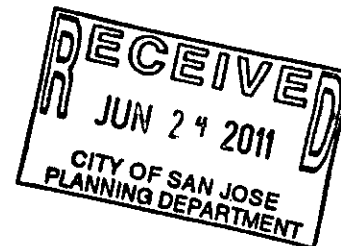
STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

June 22, 2011

Janis Moore  
City of San Jose  
200 E. Santa Clara Street, Tower, 3rd Floor  
San Jose, CA 95113-1905



Subject: Sewer Interceptor Phase VIA Public Project, File No. PP10-160  
SCH#: 2011052033

Dear Janis Moore:

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 10, 2011. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2011052033) when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**DEPARTMENT OF TRANSPORTATION**

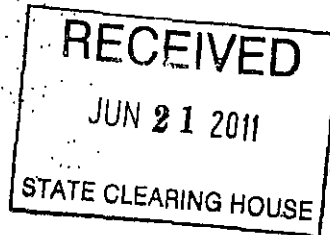
P.O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5541  
FAX (510) 286-5559  
TTY 711

late  
6/10/2011  
0



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June 21, 2011



SCL-101/38.9, 880/3.75  
SCLVAR010  
SCH# 2011052033

Ms. Janis Moore  
City of San Jose  
200 East Santa Clara Street  
Tower, 3rd Floor  
San Jose, CA 95113-1905

Dear Ms. Moore:

**Sewer Interceptor Phase VIA Public Project, File No. PP10-160 – Mitigated Negative Declaration (MND)**

To follow-up on the Department's letter to you, dated June 10, 2011, we add these additional comments on the MND referenced in the subject heading.

***Right-of-Way (ROW)***

1. The Draft MND states the project will not have significant traffic impacts; therefore, no mitigation is required. Section 3.2.3, on page 9, lists numerous impacts to traffic (e.g., reduction of traffic to one lane, closing of two intersections for up to two months, etc.). Because there are significant traffic impacts listed in the Draft MND, the statement that the project will not have significant impacts to traffic is false and must be corrected.

2. The change in alignment would require either: (a) an Encroachment Permit for work within or below the State ROW; or (b) an alteration of any existing Joint Use or Consent to Common Use Agreements. Any new crossing of the ROW will require a new Encroachment Permit or Joint Agreement.

Please feel free to contact Brian Brandert at (510) 286-5505, if you have any questions regarding this letter.

Sincerely,

GARY ARNOLD  
District Branch Chief  
Local Development-Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

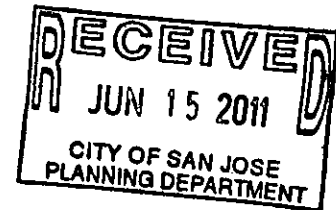


JERRY BROWN  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



June 13, 2011



Janis Moore  
City of San Jose  
200 E. Santa Clara Street, Tower, 3rd Floor  
San Jose, CA 95113-1905

Subject: Sewer Interceptor Phase VIA Public Project, File No. PP10-160  
SCH#: 2011052033

Dear Janis Moore:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 10, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 622-5491  
FAX (510) 286-5559  
TTY 711



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June 10, 2011

clear  
6/10/11  
E  
**RECEIVED**

JUN 10 2011

STATE CLEARING HOUSE

SCL-101/38.9, 880/3.75  
SCLVAR010  
SCH2011052033

Ms. Janis Moore  
City of San Jose  
200 East Santa Clara Street  
Tower, 3rd Floor  
San Jose, CA 95113-1905

Dear Ms. Moore:

**Sewer Interceptor Phase VIA Public Project, File No. PP10-160 -- Mitigated Negative Declaration (MND)**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above-referenced project. We have reviewed the proposed project's MND and are pleased to offer the following comments:

As lead agency, the City of San Jose (City) is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The project's traffic mitigation fees should be specifically identified in the environmental document. Any required roadway improvements should be completed prior to issuance of project occupancy permits. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency ensure resolution of the Department's California Environmental Quality Act (CEQA) concerns prior to submittal of the encroachment permit application. Further comments will be provided during the encroachment permit process if required; see the end of this letter for more information regarding the encroachment permit process.

**Highway Operations**

The MND should clearly state the hours of construction activities, specifically along US 101 and Zanker Road, and elaborate what would be the traffic impacts during construction hours. Also, a queuing analysis for US 101 off-ramp at Zanker Road must be provided by the City to the Department.

**Traffic Safety**

An encroachment permit will be required from the Department for this proposed project.

Ms. Janis Moore/City of San Jose

June 10, 2011

Page 2

### ***Geotechnical***

The Department recommends the City change the MND, Section 4.6.2 "Environmental Checklist and Discussion" "Geology and Soils, 1b" (see page 39), checkbox from "Less than Significant Impact" to "Less Than Significant Impact with Mitigation Incorporated" in accordance with the discussion in Section 4.6.1.2 "Seismicity and Seismic Hazards" (see page 38).

### ***Environmental Planning***

Erosion control measures must not introduce plant species listed as noxious or invasive. Precautions must be taken to not spread noxious or invasive plant species, if these species are found in or adjacent to the construction areas. Such precautions include, but are not limited to, daily inspection and cleaning of equipment. Also, precautions must include the development and implementation of eradication strategies, should noxious or invasive plant species be found in the construction areas.

An encroachment permit will be required from the Department for construction beneath Interstate 880 and US 101 (see MND, Section 4.16.2.2, pages 75-76). Mitigation measures for ramp closures should be included in the MND. The City will need to coordinate any US 101 ramp closures with the Department and will be required to do public outreach about the closures, especially to emergency services, hotels, other businesses, residents & the senior living facility. Outreach includes signage before and during project construction.

### ***Cultural Resources***

The Cultural Resources study and mitigation measures outlined in the MND satisfies environmental legal compliance for cultural resources within State ROW for the Department. Should construction activities within State ROW take place as part of this project, these mitigation measures shall be implemented for an archaeological discovery. If there should be an inadvertent archaeological or burial discovery within State ROW, the Department's Office of Cultural Resource Studies shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact. The Department requires review of any potential data recovery plans within State ROW.

### ***Encroachment Permit***

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

Office of Permits  
California DOT, District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

See the website link below for more information.  
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Ms. Janis Moore/City of San Jose

June 10, 2011

Page 3

Please feel free to contact Brian Brandert at (510) 286-5505, if you have any questions regarding this letter.

Sincerely,



GARY ARNOLD

District Branch Chief

Local Development-Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

**RESOLUTION NO. 77626**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE SEWER INTERCEPTOR PHASE VI-A PROJECT MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, AND A RELATED MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Sewer Interceptor Phase VI-A Project under Planning File No. PP10-160 (the “initial Study/Mitigated Negative Declaration”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

**WHEREAS**, the Sewer Interceptor Phase VI-A Project (“Project”) analyzed under the Initial Study/Mitigated Negative Declaration consists of the installation of a new 72-inch and 84-inch diameter reinforced concrete pipe (RCP) sewer interceptor pipeline and new junction boxes within the existing public right-of-way within the City of San José; and

**WHEREAS**, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in certain significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

**WHEREAS**, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to

incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level; and

**WHEREAS**, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and reporting program has been prepared for the Project for consideration by the decision-maker of the City of San José as lead agency for the Project (the "Mitigation Monitoring and Reporting Program"); and

**WHEREAS**, the City of San José is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to undertake the Project; and

**WHEREAS**, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

**WHEREAS**, the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project are on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José, California, 95113, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein;

**NOW, THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE:

**THAT THE CITY COUNCIL** does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project. The City Council designates the Director of Public Works at the Director's Office at 200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José California, 95113, as the custodian of documents and records of proceedings on which this decision is based.

**THAT THE CITY COUNCIL** does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project (Planning File No. PP10-160). The Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José California, 95113 and (2) available for inspection by any interested person.

//

//

//

//

ADOPTED this 15<sup>th</sup> day of December, 2015, by the following vote:

AYES: CARRASCO, HERRERA, JONES, KALRA, KHAMIS, M.  
NGUYEN, T. NGUYEN, OLIVERIO, PERALEZ, ROCHA;  
LICCARDO.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



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SAM LICCARDO  
Mayor

ATTEST



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TONI J. TABER, CMC  
City Clerk

**RESOLUTION NO. 77627**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE FINDING THAT THE DESIGN-BUILD PROCUREMENT PROCESS FOR THE DESIGN AND CONSTRUCTION OF THE 60-INCH BRICK INTERCEPTOR PHASE VI-A PROJECT WILL SAVE MONEY AND RESULT IN FASTER PROJECT COMPLETION THAN IF THE CITY USED A TRADITIONAL DESIGN-BID-BUILD PROJECT DELIVERY SYSTEM, APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSALS AND THE EVALUATION CRITERIA AND PROCESS BY WHICH THE CITY SHALL SELECT A DESIGN-BUILD ENTITY FOR THE PROJECT, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ISSUE ADDENDA TO THE REQUEST FOR PROPOSALS TO ADD ANY ADDITIONAL REQUIREMENTS AND TO MAKE SUCH OTHER REVISIONS TO THE REQUEST FOR PROPOSALS THAT ARE CONSISTENT WITH THE SCOPE AND SELECTION CRITERIA AS APPROVED BY COUNCIL**

**WHEREAS**, Section 1217(e) (7) of the Charter of the City of San José ("City") authorizes the City to negotiate and award a design-build contract for a public works project that meets the following criteria: (1) the design-build contract for the project will cost more than \$5,000,000, and (2) the City Council finds that the design-build procurement process would save money or result in faster project completion; and

**WHEREAS**, Chapter 14.07 of Title 14 of the San Jose Municipal Code requires a design-build entity to be procured under Charter Section 1217(e)(7) pursuant to a competitive request for proposals ("RFP") process and sets forth the procurement procedures; an

**WHEREAS**, Section 14.07.310 of Chapter 14.07 of the San Jose Municipal Code requires the City Council to do each of the following before issuing an RFP for a design-build entity: (1) make findings that the cost of the proposed design-build contract is

likely to exceed \$5,000,000, and that the design-build procurement process is likely to save money or result in faster project completion than if the City used a procure process involving its normal competitive bidding procedures, and (2) approve the RFP and the criteria and process by which the City shall select a design-build entity; and

**WHEREAS**, the City desires to proceed with an RFP in accordance with the above-referenced Charter and Municipal Code provisions to select a design-build entity for the 60-Inch Brick Interceptor Phase Vi-A Project ("Project"); and

**WHEREAS**, the City further desires to authorize the Director of Public Works to issue addenda to the RFP to add any additional requirements and to make such other revisions to the RFP that are consistent with the scope and selection criteria as approved by Council; and

**WHEREAS**, City staff has submitted a memorandum to Council for this item, dated November 23, 2015, that outlines the design-build procurement process and shows that said procurement process will likely result in faster completion of the Project than the traditional design-bid-build procurement process ("Council Memorandum");

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:**

**Section 1.** Compliance with the requirements of Section 14.07.310 of Chapter 14.07 of the San José Municipal Code:

A. The City Council hereby finds that the Council Memorandum demonstrates the following facts to be true:

1. The preliminary estimated cost of the design-build contract for the Project is at least \$32,000,000; and

2. The expected cost savings to be achieved from using the design-build project delivery system is approximately \$2,000,000; and
  3. The expected time savings to be achieved from using the design-build project delivery system is approximately three months.
- B. Based on the above facts, the City Council hereby makes the following findings:
1. The cost of the proposed design-build contract for the Project is likely to exceed \$5,000,000; and
  2. The design-build project delivery system will result in cost savings and faster completion of the Project than if the City used a traditional design-bid-build project delivery system.
- C. Based on the above findings, the City Council hereby determines that the requirements of Section 14.07.310A of the San José Municipal Code are satisfied.

**Section 2.** In accordance with Section 14.07.310B of the San José Municipal Code, the City Council hereby approves the RFP and the criteria and process by which the City will select a design-build entity, as set forth more specifically in the Council Memorandum.

**Section 3.** The Director of Public Works is hereby authorized to issue addenda to the RFP to add any additional requirements and to make such other revisions to the RFP that are consistent with the scope and selection criteria as approved by Council.

ADOPTED this 15<sup>TH</sup> day of December, 2015, by the following vote:

AYES: CARRASCO, HERRERA, JONES, KALRA, KHAMIS, M.  
NGUYEN, T. NGUYEN, OLIVERIO, PERALEZ, ROCHA;  
LICCARDO.

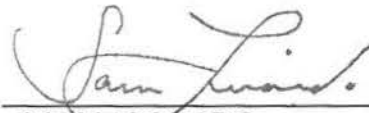
NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

ATTEST:  


TONI J. TABER, CMC  
City Clerk

  
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SAM LICCARDO  
Mayor