
San Francisco Bay Regional Water Quality Control Board

September 7, 2020
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Governor's Office of Planning & Research

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Sep 08 2020

STATE CLEARINGHOUSE

City of San Jose
ATTN: Kara Hawkins, Environmental Project Planner (kara.hawkins@sanjoseca.gov)
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Subject: San Francisco Bay Regional Water Quality Control Board Comments on the *Supplemental Environmental Impact Report, South Almaden Office Project, File No. SP20-005, City of San Jose, Santa Clara County*
SCH No. 2003042127

Dear Ms. Hawkins:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Supplemental Environmental Impact Report, South Almaden Office Project, File No. SP20-005, City of San Jose, Santa Clara County* (SEIR). The SEIR evaluates the potential environmental impacts associated with constructing the South Almaden Office Project (Project).

Project Summary. The Project will replace an existing parking lot with two office towers. The Project site is located in downtown San Jose, east of the Guadalupe River, west of South Almaden Boulevard, and north of Woz Way.

Summary. As is discussed below, the mitigation proposed for impacts to riparian habitat may not be feasible. We encourage the Project proponents to either document that proposed Mitigation Measure BIO(C)-1.1 is feasible or to revise the Project to avoid intrusion into the riparian corridor.

Comment 1. Please verify that there are feasible opportunities for implementing 3.6 acres of riparian restoration and/or enhancement on the Santa Clara Valley floor in the City of San Jose.

The Project site is adjacent to the Guadalupe River. The *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan) defines the beneficial uses of waters of the State. The following beneficial uses are listed in the Basin Plan for the Guadalupe River: groundwater recharge, cold freshwater habitat, fish migration, preservation of rare and endangered species, fish spawning, warm freshwater habitat, wildlife habitat, water contact recreation, and noncontact water recreation. The beneficial uses of cold freshwater habitat, fish migration, preservation of rare and endangered species, fish spawning, and wildlife habitat are all enhanced by the presence of a well-vegetated

JIM McGRATH, CHAIR | MICHAEL MONTGOMERY, EXECUTIVE OFFICER

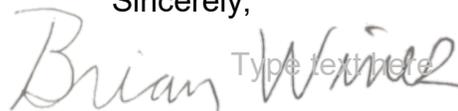
riparian corridor along the River. However, the proposed Project is seeking an exemption from the City of San Jose's Riparian Policy and the Santa Clara Valley Habitat Conservation Plan's guidance for stream and riparian setbacks, both of which recommend a 100-foot setback for riparian corridors. The Project's proposed setbacks range from zero to 26 feet, which would place structures within 1.8 acres of the preferred riparian setback.

As mitigation for the proposed reduction in the riparian setback, Mitigation Measure BIO (C)-1.1 calls for restoring or enhancing 3.6 acres of riparian habitat. The restoration is to be implemented on the Santa Clara Valley floor, in the City of San Jose, and as close to the Project site as possible. While we agree that 3.6 acres of riparian restoration and/or enhancement along the Guadalupe River would be beneficial to the beneficial uses designated for the Guadalupe River, we are concerned that it may be difficult to locate 3.6 acres of land along the Guadalupe River that are available for restoration and/or enhancement.

Much of the land along the Guadalupe River on the Santa Clara Valley floor is under the control of Valley Water, which usually does not allow other parties to implement mitigation projects on the land that Valley Water Controls. In addition, land along the Guadalupe River on the Santa Clara Valley floor is densely developed, which limits opportunities for restoring and/or enhancing significant amounts of riparian habitat. Before the SEIR is finalized, we recommend that feasible opportunities for 3.6 acres of riparian restoration and/or enhancement along the Guadalupe River be identified. If sufficient land cannot be located for full implementation of Mitigation Measure BIO (C)-1.1, then the mitigation measure should be revised to provide a feasible mitigation project. Alternatively, the Project could be revised to reduce intrusion into the riparian setback.

If you have any questions, please contact me at (510) 622-5680, or via e-mail at brian.wines@waterboards.ca.gov.

Sincerely,

 Type text here

Brian Wines
Water Resources Control Engineer
South and East Bay Watershed Section

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFW, Kristin Garrison (kristin.garrison@wildlife.ca.gov)