

**DEPARTMENT OF WATER RESOURCES**

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November 1, 2024

Mr. Cort Hitchens  
Department of Planning, Building and Code Enforcement  
City of San Jose  
200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower  
San Jose, California 95113

Zanker Material Processing Facility Stormwater Basins Project  
SCH# 2024100486  
Santa Clara County

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Dear Mr. Hitchens:

The Division of Safety of Dams (DSOD) has reviewed the Mitigated Negative Declaration Report for the Zanker Material Processing Facility (ZMPF) Stormwater Basins Project, submitted by the City of San Jose, which proposes the construction of two separate, unlined stormwater basins (northwest and southwest basins) to retain, treat, and store stormwater runoff from the existing ZMPF site.

As defined in sections 6002 and 6003, Division 3, of the California Water Code, dams 25 feet or higher with a storage capacity of more than 15 acre-feet, and dams higher than 6 feet with a storage capacity of 50 acre-feet or more are subject to State jurisdiction. The dam height is the vertical distance measured from the maximum possible water storage level to the downstream toe of the barrier.

Insufficient information is provided in the project description to make an accurate jurisdictional determination with regards to the proposed construction work. The City of San Jose needs to submit design drawings for the proposed storage reservoir so that DSOD can make a jurisdictional determination.

If the proposed work is subject to State jurisdiction, a construction application, together with plans, specifications, and the appropriate filing fee must be filed with DSOD for this project. All dam safety related issues must be resolved prior to approval of the application, and the work must be performed under the direction of a Civil Engineer registered in California. Erik Malvick, our Design Engineering Branch Manager, is responsible for the application process and can be reached at (916) 820-7820.

If you have any questions or need additional information, you may contact Area Engineer Jasper Mizani at (916) 565-7822 or me at (916) 565-7820.

Sincerely,

*Timothy Jimenez*

Timothy W. Jimenez, P.E., Regional Engineer  
Central Region  
Field Engineering Branch  
Division of Safety of Dams

cc: Governor's Office of Planning and Research  
State Clearinghouse  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)