

**RESPONSE TO COMMENTS RECEIVED ON THE MITIGATED  
NEGATIVE DECLARATION FOR FLEETWOOD HOMES  
GENERAL PLAN AMENDMENT AND PLANNED DEVELOPMENT  
ZONING  
FILE NO. GP 08-10-01 & PDC08-051**

**LIST OF AGENCIES & ORGANIZATIONS COMMENTING ON  
THE INITIAL STUDY**

---

A. Santa Clara Valley Water District

**RESPONSES TO COMMENTS RECEIVED ON THE INITIAL  
STUDY**

---

The following section includes all of the comments on the Initial Study that were received by the City of San Jose during the review period. The comments have been excerpted from the letters and are presented as “Comment” with each response directly following “Response”. The actual letters submitted follow the responses to the comments.

LETTER A from Santa Clara Valley Water District, dated May 26, 2009

Comment A-1: The District understands from recent discussions with City staff that connection of this site, the Hudson property, the Jayden Lane site, and the Mazzone property via an extension of the existing frontage road across the District's property (APN:696-01-002) at possibly two locations is still being considered. The extension will impact District property and two district facilities, if extended from Mazzone Drive to Fleetwood Drive. At this time the District has not received any plans to review and determine feasibility of using District property. The MND for the project needs to address the ultimate access for these sites, including when and how the extension will be constructed, i.e. which development(s) will construct the extension, will it be a phased construction by various developments, or will the City construct the extension.

Response A-1: The City and County Roads and Airport Department are currently considering several options for extending the existing frontage road to provide access to this area. Such an extension of the frontage road to provide access to these properties would require the crossing of SCVWD property. The current project description does not include the extension of the frontage road, however, as it proposes to take access from Fleetwood Drive. If the project description and road access change in the future, the environmental impacts of the revised project will need to be reevaluated at that time.

Comment A-2: Page 19 of the Initial Study (IS) states under the findings for flooding/drainage that though the site is a special flood hazard zone, "the project would not expose people or structures to flooding because it must elevate the lowest floor above the flood level." On page 21 of the IS and on page 4 of the MND under the Hydrology and Water Quality section, the documents state to mitigate for flooding impacts the project will either elevate the lowest floor above the flood level or "the applicant shall submit a Flood Study to demonstrate that there are not flooding impacts due to the development of the site since there is not floodway mapped on portions of the Alamos Creek." The first mitigation measure, to elevate the structures, appears to be required by the City's Flood Plain Ordinance to protect the project and its occupants from flooding. The second mitigation measure, to complete the a flood study, is to demonstrate that construction of the project will not adversely impact the existing flood plain due to the cumulative effect of development within the flood plain since a floodway on this reach of the Alamos Creek does not exist. Both mitigation measures are required as they address different aspects of the project's potential impacts on flooding and based on our understanding; both are required by the City's Flood Plain Ordinance.

- Response A-2: The first mitigation measure, as you have correctly noted, simply requires that the project elevate the lowest floor above the flood level and obtain a Flood Elevation Certificate (FEMA Form 81-31) for each structure prior to the issuance of a building permit.

The second mitigation measure is an alternative to meeting the above-noted flood elevation requirement, and stipulates that if applicant submits a flood study demonstrating that the property is incorrectly mapped in the floodway and the City agrees with the study and submits a Letter of Map Revision to FEMA, the applicant would not be required to elevate above the floodway.

Comment A-3: District records show one well located on the project site. To protect groundwater quality and in accordance with District Ordinance 90-1, all existing wells affected by new or redevelopment need to be identified and properly registered with the District and either be maintained or destroyed in accordance with the District's standards. Destruction of any well and the construction of any new wells proposed (including monitoring wells) requires a permit from the District prior to construction. Property owners or their representative should contact the District Wells and Water Measurement Unit (408) 265-2607, extension 2660 for more information.

Response A-3: Comment noted. The conditions of approval for the project will include conformance with District Ordinance 90-1, regarding the identification and registration, or destruction of wells on the property.