

From: [Hill, Shannon](#)
To: [Hillary Gitelman](#); [Karl Heisler](#); [Pete Choi](#)
Cc: [Keyon, David](#)
Subject: NOP Comments
Attachments: [Caltrain-Peninsula Corridor JPA_rcvd_112519.pdf](#)

Hello,

Apparently Caltrain's email to me did not go through on Friday, so the comment letter was submitted today (see attached).

Thank you,

Shannon Hill, Planner
Planning, Building & Code Enforcement | Environmental Review Section
City of San José | 200 East Santa Clara Street
Shannon.Hill@sanjoseca.gov | (408) 535 - 7872



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November 22, 2019

City of San Jose
Department of Planning, Building and Code Enforcement
Attn: Shannon Hill, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113
Email: shannon.hill@santoseca.gov

Dear Ms. Hill:

Thank you for providing the opportunity to comment on the Notice of Preparation (NOP) of the Environmental Impact Report (EIR) for the Downtown West Mixed-Use Plan (Google Project). The Peninsula Corridor Joint Powers Board (Caltrain) has reviewed the NOP and associated development plans and provides the comments below for consideration. Please note that Caltrain may submit additional technical comments on the project itself outside the NOP process, and looks forward to collaborating with the City, Google, and other stakeholders as the Google Project proceeds.

Diridon Integrated Station Concept (DISC) Integration

As you know, the California High-Speed Rail Authority (CHSRA), Santa Clara Valley Transportation Authority (VTA), the City of San José, and Caltrain (Partner Agencies) are working together on a plan to expand and redesign Diridon Station. This effort, known as DISC, has been underway since summer/fall 2018 and has included a significant amount of public involvement and input. Most importantly, based on these discussions, the Partner Agencies have given their input and arrived at a recommendation that would allow the development of a world-class transit center that provides smooth connections between modes and integration with the surrounding neighborhoods. This future transit center must also accommodate the thousands of new jobs and residents in the area that result from the proposed development. The partner agencies released the recommended concept layout on November 15, 2019.

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Caltrain therefore requests that the Draft EIR analyze the proposed project as it relates to the DISC recommended concept layout. For example, the Draft EIR should evaluate how the project might be changed to accommodate the additional land required along the railroad right-of-way to meet future rail service needs consistent with the DISC recommended concept (10 tracks and five platforms). That is just one example of how the proposed development patterns may change as a result of DISC implementation.

We understand that Google's team is working diligently with the DISC design team to potentially integrate design features. However, the overall need for consistency and close coordination between the Google Project EIR and DISC process remains. Most importantly, incorporating the DISC analysis will allow decision makers to better understand the differences between the Google proposal and the recommended DISC design and come to an informed decision.

Need to Assess Impact on Rail Capacity, Rail Infrastructure and Transit Services

As noted in the NOP, Google's project calls for 5,900 residential units; up to 7,300,000 gross square feet (GSF) of office space; up to 500,000 GSF of active uses such as retail, cultural, arts, etc.; up to 300 hotel rooms; up to 800 rooms of limited-term corporate accommodations; an approximately 100,000 GSF event center; up to two central utilities plants totaling approximately 115,000 GSF; and a logistics warehouse(s) of approximately 100,000 GSF; all on approximately 84 acres. The proposal also includes conceptual infrastructure, transportation, and public open space plans.

In other words, there will be tens of thousands of additional people in the project area when the Google Project is fully built out. Compared to San Jose's adopted General Plan, there will be a substantial increase to the daytime and nighttime populations in the immediate Diridon Station area. Caltrain agrees that the Diridon area is the right place for type this project, and fully supports the balance of land uses proposed. The project also appears to do a good job proposing the improvements necessary to handle the increase in bicycles, pedestrians, and vehicles in the area. Furthermore, it is our understanding that the City of San Jose has impact fees that quantify the impact of this project on the local transportation infrastructure (roadways, sidewalks, bike lanes, etc.) and assess a fee consistent with the project's impact.

While we understand that a portion of the increased population in the immediate area may be “shifted” from other areas of proposed growth in the General Plan, the closer people are to a transit center, the more likely they are to use transit. In order

to fully and adequately assess the project's impact on the area's transit services, Caltrain believes the EIR must quantify the impact the project has on rail infrastructure and the overall demand for transit services.

The analysis must look at the impact of this project in two distinct ways. First, given the discrepancies between the DISC design and the Google design, Google's proposed project may be encroaching on the rail right-of-way necessary to support this level of development. In collaboration with the DISC team, the EIR should identify the land that will be necessary to provide increased rail capacity and transit services. Second, the EIR should also determine the increase in transit ridership that will result from this project and quantify the increase in transit infrastructure necessary to support this development. When that is determined, the project applicant should be required to pay their fair and proportional share and dedicate the land necessary to construct the rail improvements that are required to support the Google Project in its entirety.

Finally, Caltrain recommends that the EIR consider the effects of the proposed project on existing and planned compensatory mitigation/ creek restoration projects in the study area. For example, JPB has constructed riparian habitat mitigation at the Los Gatos Creek Bridge, which is adjacent to a site proposed for development by Google. Such development could have direct or indirect impacts (such as shading of vegetation or stormwater runoff) that could affect JPB's mitigation commitments (which at Los Gatos Creek involve 10-years of monitoring and corrective action requirements if success criteria are not met).

Cumulative Impacts

The evaluation of cumulative environmental impacts in the EIR should incorporate a reasonable future scenario that includes construction of the DISC-recommended concept rail improvements. The NOP notes that existing noise sources (including Caltrain) will be addressed in the noise analysis but does not address how future changes in noise sources will be analyzed. For example, potential noise impacts to new development adjacent to the railroad should account for increased rail service frequency by all operators at Diridon, the change from at-grade to elevated structures and the increase in the number of tracks. Noise mitigation should be required for buildings where noise impacts are anticipated in accordance with City requirements.

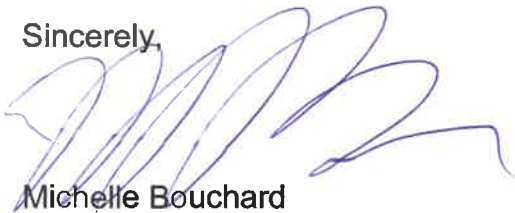
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Responsible Agency

The NOP identifies JPB as a potential responsible agency. We look forward to receiving additional information from the City during the EIR process on the specific discretionary approvals anticipated to be needed from JPB to facilitate the proposed project.

Caltrain looks forward to continuing to collaborate with the City, the Partner Agencies and with Google. Thank you for allowing Caltrain to provide NOP comments, and feel free to contact me with questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MB', with a stylized flourish at the end.

Michelle Bouchard
Chief Operating Officer, Rail