

**From:** [Hill, Shannon](#)  
**To:** [Karl Heisler](#)  
**Cc:** [Downtown West Project](#); [Keyon, David](#); [Meryka Dirks](#); [Linda S. Peters](#); [Hillary Gitelman](#); [Michael Burns](#)  
**Subject:** RE: Crane Policy  
**Date:** Monday, November 16, 2020 4:03:07 PM

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Hi Karl,

No, there is not an attachment, only the explanation. The first email from Cary in the thread was the Airport's comments on the DSAP Amendment Initial Study/Addendum. I have removed it from the thread, as it is not applicable to the DTW project and should not have been included. Cary mistakenly referred to the proposed IS/Addendum as an EIR.

Cary provided the explanation of the proposed Downtown Crane Policy timing in response to my follow-up question, and the information has been sent to Circlepoint for consideration in the DSAP Amendment environmental clearance as well. The key is "temporary construction cranes in the DSAP area are subject to FAA airspace safety review pursuant to federal regulations, and are required to obtain FAA 'determination of no hazard' clearances, just as proposed buildings are (depending on specific heights/locations)." This is mentioned in the analysis for **Impact HA-4** in the Hazards section, but the proposed Downtown Crane Policy is not included in the regulatory setting.

Thanks,

Shannon Hill, Planner

Planning, Building & Code Enforcement | Environmental Review Section  
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**From:** Karl Heisler <KHeisler@esassoc.com>  
**Sent:** Monday, November 16, 2020 3:29 PM  
**To:** Hill, Shannon <Shannon.Hill@sanjoseca.gov>  
**Cc:** Downtown West Project <downtownwest@esassoc.com>; Keyon, David <david.keyon@sanjoseca.gov>; Meryka Dirks <mdirks@esassoc.com>; Linda S. Peters <lpeters@esassoc.com>; Hillary Gitelman <HGitelman@esassoc.com>; Michael Burns <MBurns@esassoc.com>  
**Subject:** RE: Crane Policy

[External Email]

Shannon: It seems from the original Airport Department e-mail as though there was an attachment. Is that something that we should see?

During today's City Council study session, Nanci Klein mentioned that the current regulations regarding cranes would preclude the full height limits from being achieved. I gather that she was referring to FAA regulations, given that the City policy is not yet formulated. I don't know if this is discussed in the attachment.

Thank you.

**Karl F. Heisler**

ESA | Environmental Science Associates

***Note that I am working remotely – call or text my mobile at (415) 377-5303.***

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**From:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>

**Sent:** Sunday, November 15, 2020 9:28 PM

**To:** Elliott Schwimmer <[ESchwimmer@esassoc.com](mailto:ESchwimmer@esassoc.com)>; Hillary Gitelman <[HGitelman@esassoc.com](mailto:HGitelman@esassoc.com)>; Karl Heisler <[KHeisler@esassoc.com](mailto:KHeisler@esassoc.com)>; Linda S. Peters <[lspecters@esassoc.com](mailto:lspecters@esassoc.com)>; Meryka Dirks <[MDirks@esassoc.com](mailto:MDirks@esassoc.com)>

**Cc:** Downtown West Project <[downtownwest@esassoc.com](mailto:downtownwest@esassoc.com)>; Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)>

**Subject:** FW: Crane Policy

Hi All,

Please refer to the Airport Department response regarding the timing of the proposed Downtown Crane Policy. It may be good to add this to the Hazards section of the EIR.

Thanks!

Shannon Hill, Planner

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**From:** Greene, Cary

**Sent:** Tuesday, November 10, 2020 11:30 AM

**To:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>

**Cc:** Sheelen, Ryan <[rsheelen@sjc.org](mailto:rsheelen@sjc.org)>

**Subject:** RE: CEQA Admin. Draft Addendum for DSAP Amendment, Comments DUE 11/6/20

Hi Shannon,

There is no Downtown Crane Policy in place today. A proposed policy is in preparation (as directed by Council in March 2019), and the details have not yet been formulated. When drafted, Council consideration and approval of a proposed policy would not occur until at least

early 2021.

Note that temporary construction cranes in the DSAP area are subject to FAA airspace safety review pursuant to federal regulations, and are required to obtain FAA “determination of no hazard” clearances, just as proposed buildings are (depending on specific heights/locations), so is already addressed in the EIR.

Does this take care of the question?

Thanks,  
Cary