

**From:** [Hill, Shannon](#)  
**To:** [Downtown West Project](#)  
**Subject:** FW: ADEIR4 Roundtable Action Items: Due 8/17  
**Date:** Friday, August 14, 2020 2:34:07 PM  
**Importance:** High

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**From:** Hill, Shannon  
**Sent:** Friday, August 14, 2020 2:33 PM  
**To:** Tu, John <john.tu@sanjoseca.gov>; Han, James <James.Han@sanjoseca.gov>  
**Subject:** ADEIR4 Roundtable Action Items: Due 8/17  
**Importance:** High

Hi John and James,

I'm sending this list of remaining actions items that have not been resolved from the last couple weeks. ESA has requested that answers to all outstanding items be provided Monday (8/17) by noon, if at all possible, but I'm requesting by COB if you need more time. Hopefully these are easy questions to answer:

1. **Noise from "entertainment pavilions":** We received clarification that the newly proposed pavilions will be enclosed on sides facing the riparian corridor (if applicable), so this change will be reflected in the screencheck. However, there will be at least one side that can open to the outdoors for spill out, and amplified sound will be a "regular" occurrence. What are the permit requirements associated with this use? Also, were you aware these were being added? The addition completely changed the biological resources analysis, and the environmental team was not aware of the change until we received ADEIR4. It's a big change for the environmental document this late in the process.
2. **Mitigation Measure NO-1a-2 (Noise Control Plan for Outdoor Amplified Sound):** How would this tie into the permit required for event? Is this a standard requirement? Also, instead of this being a mitigation measure, it should probably be included in the DWDSG as a standard and/or GDP because it's proposed in order to comply with muni code sound control requirements.
3. **Program Decks, Kiosks, etc.:** These are additional features not previously addressed in the EIR and are within the 50-foot riparian corridor buffer. Applicant team provided clarification that program decks are proposed on existing building footprints within the 50-foot buffer, and amplified noise will be prohibited. What are the permitting requirements, and what needs to be included in the GDP or other document to prohibit amplified noise on the program decks and other uses within or directly adjacent to the 50-foot riparian corridor? This may be addressed in the revised DWDSG when we receive it and will need to be confirmed. However, I want to flag this because it likely needs to be incorporated into the permit documents as well.

Please provide your responses in this email, and we can have a follow-up call if necessary.

Thanks!

Shannon Hill, Planner

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