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Coyote Valley environmental report outlines requirements

Silicon Valley / San Jose Business Journal - by [Sharon Simonson](#)

Developers face a complicated and bureaucratic future in Coyote Valley under conditions outlined in a 1,600-page environmental report released April 2 by the city of San Jose.

The document -- years in the making and months behind schedule -- is the first indication of what the city believes necessary to compensate for the damage to natural resources as well as historic and archaeological sites caused by construction of the 7,000-acre city-within-a-city.

Proponents of developing Coyote Valley already have been given an early cost estimate of \$1.67 billion for the roads, water system and other physical infrastructure needed to serve the 25,000 new homes and 12.5 million square feet of new offices.

With the environmental impact report, proponents are now getting their first glimpse of the additional responsibilities they also must bear to make up for the environmental damage, ranging from creating new animal and plant habitat to the preservation of Native American remains and artifacts.

The EIR contains no cost estimates for reaching these goals, but the document's release is a crucial step in getting to the answer that remains at the heart of more than four years' work by a citizen task force on behalf of the city of San Jose:

Is Coyote Valley development, as now conceived, economically viable?

The city has stated unequivocally over many years that whatever development occurs in Coyote cannot weigh on existing city services to the rest of San Jose.

"One of the guiding principals of the Coyote Plan has always been that it has to be self-sufficient," says Pat Dando, president of the San Jose Silicon Valley Chamber of Commerce. "If the environmental requirements are too onerous, the financial viability of the development comes into question."

Dando is also a member of the Coyote Valley Specific Plan Task Force, the citizen committee overseeing creation of a development plan for the area.

No one on the task force reached for this story had yet read the Environmental Impact Report. Some had not even received their hard-bound copies, which the city mailed while also posting an electronic version of the text on its planning department Web site April 2. The task force meets April 16 for its first collective pass at the document.

But roughly 10 hours' review of the first volume hints at the magnitude and scope of endeavors that the city expects developers to undertake to help transform Coyote into the "green" dream community its proponents tout. It identifies nearly 100 "significant impacts" from the development that would harm dozens of native



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A newly released environmental impact report for Coyote Valley outlines actions San Jose expects developers to take to help transform the region into a "green" dream community. Here, Craig Edgerton, the Silicon Valley Land Conservancy director, walks through land along Coyote Ridge.

plants and animals, degrade local air quality and roadway conditions, and potentially upset architectural and other remains of the Native American populations that roamed Coyote Valley in its past.

To address those impacts, the city enumerates close to 200 separate actions it wants developers to take. While some of the stipulations are relatively simple and common in such documents -- keep construction dust to a minimum with daily watering -- in other cases, they are unusual, complex and require years of oversight.

For instance, the EIR asks developers to eradicate bullfrogs and other "invasive predatory species" that crowd native plants and wildlife such as the California red-legged and foothills yellow-legged frogs. Locations where populations of the threatened frogs are found to exist, which would be established by a survey of the property, must be preserved. Similar surveys would have to be done for the California tiger salamander, western pond turtles, burrowing owl, Golden eagles, coast horned toads and other affected plants and animals.

The city also wants developers to create 163 acres of new wetlands to replace those that would be lost and to establish a 477-acre "serpentine grassland" preserve, plus figure out how to monitor its health for a decade.

Before any construction begins, developers must hire a federally-certified archaeologist to create an Archaeological Resources Management Plan. If any human or other archaeologically significant remains are unearthed, the document would direct the response, including notifying the Native American Heritage Commission within a day if the remains are determined to be American Indian. A like plan is required for historic buildings.

And these are just a smattering of the requirements that the document includes.

Environmentally, the EIR concludes, the proposed project is not the best alternative available to the city. That glory lies not in allowing the North Coyote Valley to develop into a 1,700-acre industrial campus and leaving the rest untouched, as is contemplated in the city's existing land-use plan for the area. The preferred route lies in the development of a much-reduced version of the current proposal: 10,000 new homes and enough space to accommodate 20,000 new jobs, or about 5 million square feet of offices.

The EIR is notable for what it doesn't do, too. On one hand, the EIR says the city will not require developers to compensate for 2,400 acres of "prime farmland" that would be lost if the development went forward. That's a stance likely to put the city at odds with the Local Agency Formation Commission of Santa Clara County. LAFCO, as the state body is known, will determine if the city can annex the 1,400-acre mid-Coyote Valley, a prerequisite to the plan's development. LAFCO encourages cities that want to develop on land previously used for farming to take measures to preserve other farmland nearby.

Task force member Craig Edgerton, when told of the city's position, said he did not think it visionary or enlightened.

"There is a huge movement to promote locally grown, quality food," Edgerton says. "It's a health issue. It's also a global warming issue because food grown nearby reduces truck fuel use and traffic congestion."

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Edgerton is also director of the Silicon Valley Land Conservancy, a private non-profit that preserves open space and agricultural land in Santa Clara County.

At the same time, the EIR says that if the city feels it must mitigate for the lost farmland, it could turn to the 3,600-acre "greenbelt" at Coyote Valley's southern end. The greenbelt, ironically the most developed portion of the 7,000-acre valley now, has been designated a permanent reserve under the plan and much of it would retain agricultural zoning under the development plan.

The "greenbelt" designation has been a point of contention between the city and some greenbelt property owners, who believe they will never see substantial increases in their property values as a result and in fact have seen their values depressed. Many argue that agriculture is not a viable business prerogative for them or the area.

"It's impossible to farm. Imagine trying to farm right next to Santana Row," says Eric Flippo, a property owner in the greenbelt whose 20-acre ranch would sit right across from a four-story housing development if the plan were implemented.

The EIR suggests that the city could buy some portion of the properties in the greenbelt, demolish any structures on them, aggregate the smaller parcels into bigger tracts more suitable for food production and sell them to others. This plan has not been widely discussed at any of the dozens of public meetings the task force has had over the last several years, but Flippo says it did come up early in the process. The solution could be of interest to him and other greenbelt property owners, Flippo says, provided the price is right.