

From: Lee, Lani [Lani.Lee@deh.sccgov.org]
Sent: Wednesday, July 16, 2014 7:32 AM
To: Rebecca Tolentino
Subject: Parkside Trails Project MND

Rebecca –

The County of Santa Clara Department of Environmental Health – Site Mitigation Program has reviewed pertinent sections of your MND and agrees with the conclusions included and has no additional comments. Comments may be coming from other sections of our department.

Lani Lee
Acting Hazardous Materials Program Manager
Site Mitigation Program

County of Santa Clara
Department of Environmental Health
1555 Berger Drive Suite #300
San Jose, CA 95112
(408) 918-1977 – Phone
(408) 280-6479 – Fax
www.ehinfo.org

My normal office hours are 7-3:30.

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Rebecca Tolentino

From: Urs Mader [Urs.Mader@maximIntegrated.com]
Sent: Saturday, July 26, 2014 12:26 PM
To: Rebecca Tolentino
Cc: Steve Ammann (sammann5678@att.net); Pete Ammann (PAmmann@nvidia.com)
Subject: Re: Parkside Trails Development

Rebecca,

I took a look at the website to try to better understand the development with respect to bike safety along Steven's Canyon road. There is an existing bike trail in what looks like is part of the proposed residential part of the site that significantly improves bike safety and access into Fremont Older Park. It may be hard to believe that this serves as bike access, but it does..



The report really should address mountain bike access into the Steven's Creek park from the roadway. Today, only pedestrian access is discussed below:

Rebecca Tolentino
May 29, 2014
Page 5 of 5

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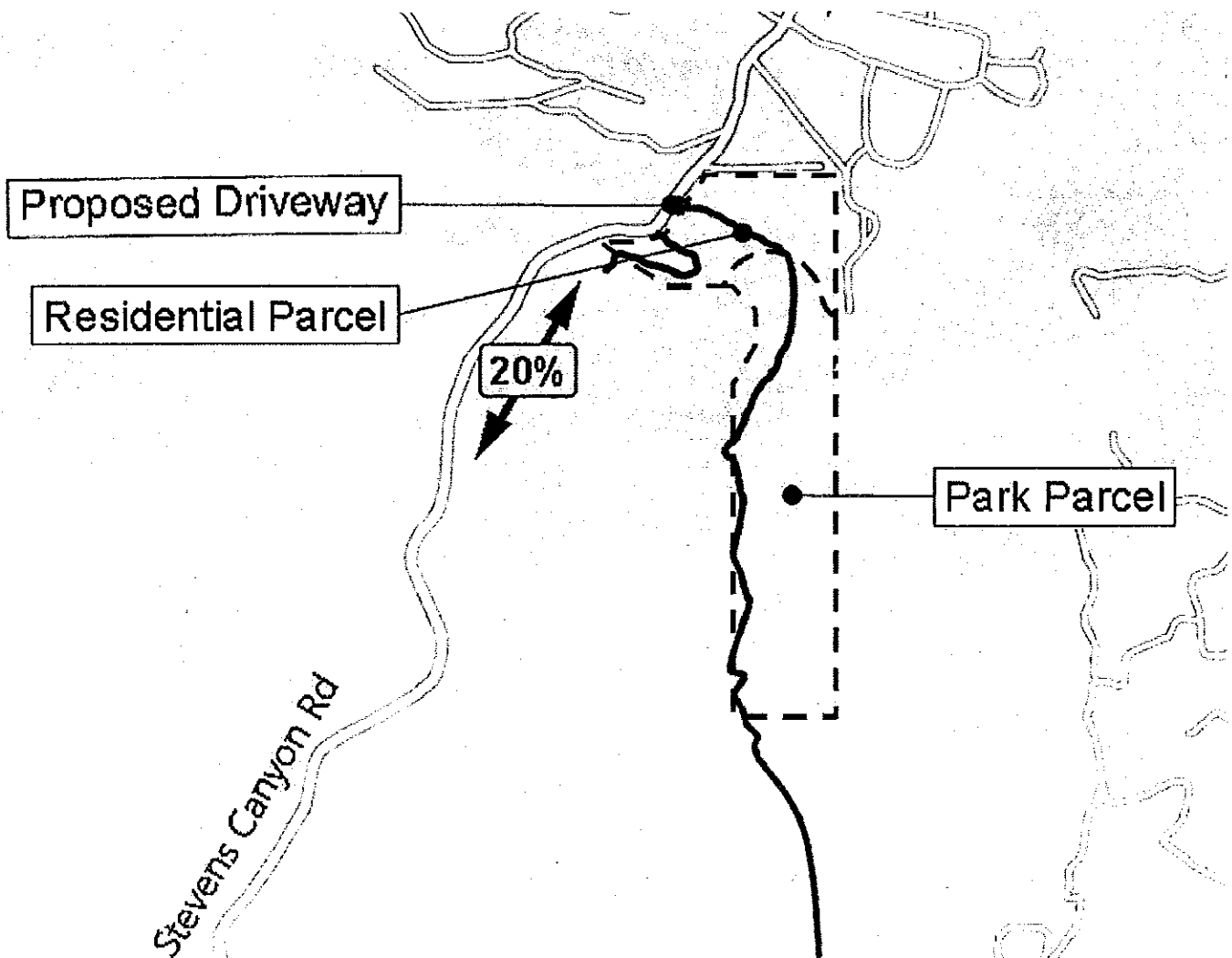
Our review of the General Plan policies and Cupertino Pedestrian Transportation Guidelines determined that there are no significant impacts on pedestrians.

Regarding the access to Stevens Creek Park, the applicant has indicated that they would agree to allow the public use of the A Street sidewalk to access Stevens Creek Park, if Santa Clara County were to create a formal entrance to the park from the sidewalk.

The problem is that the road between this property and the official Steven's Creek Park entrance is very narrow and prone to speeding and biking accidents with cars. The numerous memorials along this section of road attest to the high level of lethal danger on this section of road. I am not sure if this is due to Kaiser cement trucks, or locals in a hurry around what is a blind corner in the picture above. A big mirror on that turn may also help...

I see two acceptable solutions to this drawn on the map below where the current situation with how this land is used today would not be negatively impacted:

1. Reroute the existing access to maintain the current path into Steven's Creek Park lower parking lot for bike access in **RED**. This existing path today does not violate the Steven's Creek park bike policy because it is not part of Steven's Creek park.
2. Allow Bikes through what is now private property in the old quarry that is marked Park Parcel in **GREEN**. The road in green is a ridgeline trail that is largely already existing. It would not take a lot to get this path to become a bike friendly entrance alternative to Fremont Older's highlands and would not conflict with the no bikes policy of Steven's Canyon Park. In many ways this would be a very welcome extension to the Fremont Older Park. Park Trails would need to give up a public easement to allow access however.



My extended family and I have been biking this area since the 80's and have walked the hills before that. It would be a shame if the development plan could not maintain the level of access and safety that the current situation (although a little rough) allows.

Please see what you can do. I am not against development, but I am very sensitive to keeping our open spaces open and because this development borders on open space it needs special consideration to maintain the level of access it had in it's kind of "grandfathered" pre-development state.

Please don't give in to the zoning pressure from this developer without serving the bigger Cupertino community. If you could do both #1 and #2 that would be a huge bonus and would really show that Cupertino is smart about development as our density increases.

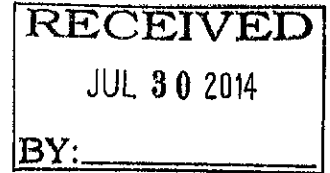
Thanks,

Urs

Urs Mader
Distinguished Member of Technical Staff IC Design
Office: +1 (408) 601-5878
Maxim Integrated | www.maximintegrated.com

July 28, 2014

Rebecca Tolentino, Senior Planner
City of Cupertino, Community Development Dept.
10300 Torre Avenue
Cupertino, CA 95014



Dear Rebecca,

Please find attached my comments on the Initial Study of Parkside Trails as it relates to traffic hazards. As a long time resident of Cupertino in the neighborhood of the proposed project, I am intimately aware of the traffic hazards on Stevens Canyon Road as I must deal with them myself on a daily basis.

I have reviewed the plans for the entrance to Parkside Trails, and think that the mitigations suggested are lacking given the nature of the hazards which potential future residents will face daily. Personally, I think that if the project is built with only the mitigations as suggested, it will simply be a matter of time before a serious and likely deadly accident occurs. One only needs to stand at the proposed entrance and observe the traffic (especially truck) for a short while to realize how dangerous the poorly mitigated design will be.

Thank you for the opportunity to comment on the proposal. I hope you will find my comments and observations worthwhile.

Sincerely,

A handwritten signature in cursive script that reads "Steve Faust".

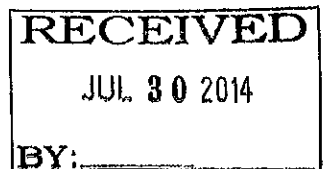
Steve Faust
11033 Canyon Vista Drive
Cupertino, CA 95014

This response to the proposed Parkside Trails Development addresses the mitigation of the proposed project entrance off of Stevens Canyon Road presented in the Parkside Trails Initial Study, section 4.16.2.2. Specifically, the study points out that the Fehr & Peers traffic study found that the proposed intersection of Stevens Canyon Road and "A" Street of the project does not meet the Caltrans CSD sight distance standards for southbound vehicles, and could result in an increase in hazards due to a design feature (Significant Impact). The proposed mitigation preference is Option 1.2A because it provides an additional 10 feet of southbound travel to mitigate the deficiency.

Discussion: Here is the reality of the conditions at the project entrance:

1. Southbound travelers on Stevens Canyon Road approaching the entrance must deal with a blind corner as the western site line is completely blocked by a hillside as they approach the entrance.
2. The proposed entrance is at the apex of a sharp low corner at which both southbound and northbound roadway are downward sloping, thus increasing stopping distances and risks.
3. This section of Stevens Canyon Road has proved to be extremely dangerous as demonstrated by the auto collision deaths of several bicyclists within 75 yards of the proposed entrance.
4. Southbound drivers entering the project will need to come to a complete stop to "peek" around the corner to determine that the roadway is clear. As the Fehr & Peers study points out, the critical distance for making this determination is 10 feet as that is the limit of the mitigation provided. Note: Southbound trucks on the road would also need to stop (behind a turning vehicle) and then begin a slow uphill acceleration beyond the entrance. Slowly accelerating trucks at this point on the roadway would be an additional hazard to following southbound traffic as the truck would be hidden from view on the blind curve.
5. The proposed entrance to the project is at the apex of the first turn of a reverse "S" turn. Figure 1 attached is a copy of the proposed mitigated corner provided by Fehr and Peers which demonstrates that the mitigation insufficiently mitigates the CSD as the site line to the apex of the second corner is obstructed. Smaller vehicles including motorcycles, bicyclists, and small cars may disappear from view as they proceed northbound through the apex of the second corner to the west of the proposed entrance and thus be hidden from view of a turning driver.
6. A southbound driver entering the development must proceed sufficiently forward at the turn to assure that no oncoming cars are hidden, and then make what would be an acute left turn into the project entrance.
7. Northbound traffic potentially hidden from view would not have sufficient distance (300 feet) to come to a stop traveling at 40 mph (or more) in the event of a misjudged turn by a southbound driver entering the project.

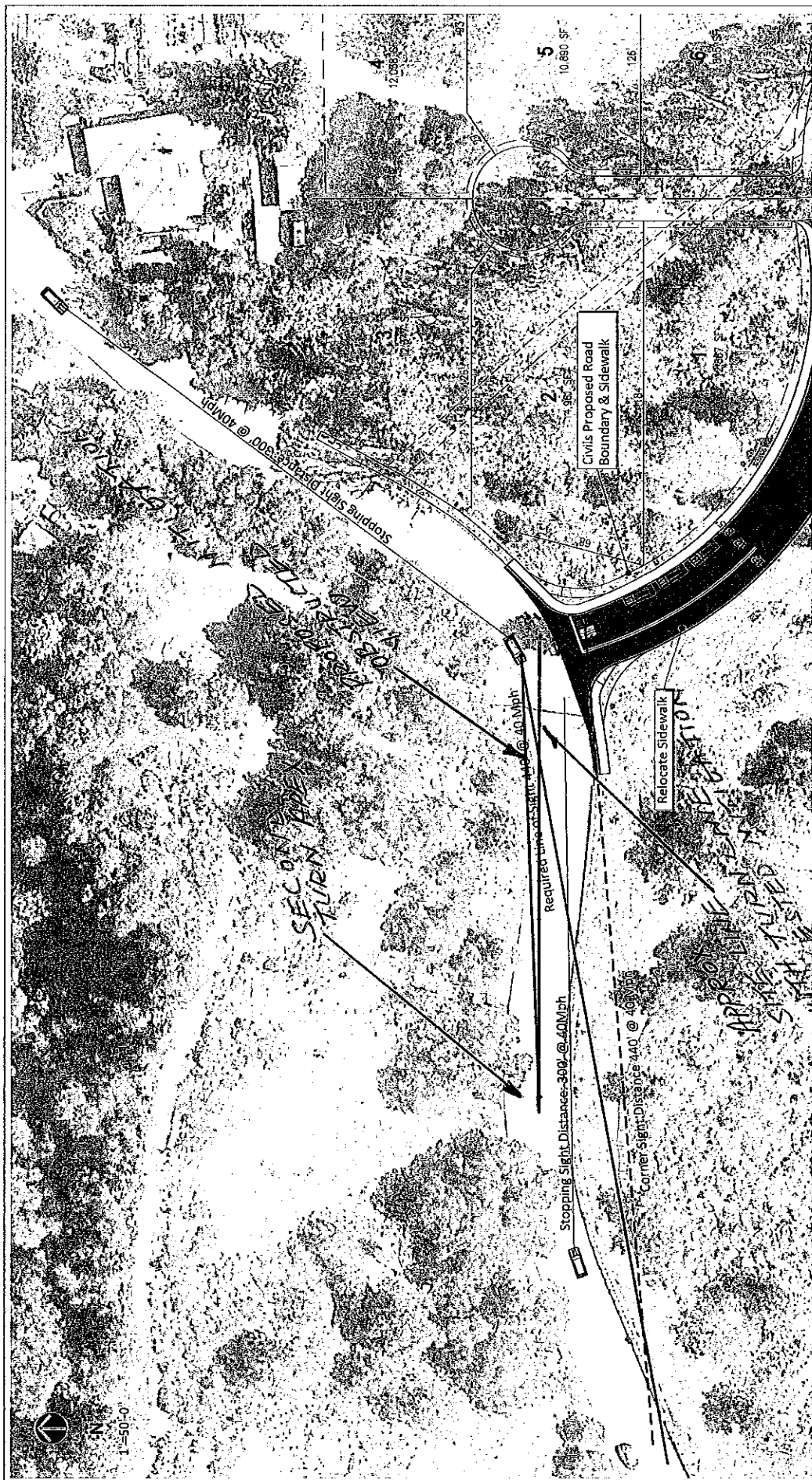
Proposed Alternative: A complete mitigation of the dangerous entrance could be achieved by requiring a southbound turning lane into the project off of Stevens Canyon Road. The benefits would be:



1. One or more cars turning into the proposed development would be moved out of the southbound traffic thus eliminating the need for through traffic to stop. Note that much of the northbound and southbound traffic during the day is large loaded dual trailer trucks transiting to and from the nearby quarry.
2. The required eastward movement of the turning lane would substantially increase the sight line of oncoming traffic (See figure 1), and eliminate any hidden traffic in the apex of the next turn.
3. Drivers entering the development would feel more comfortable as they would be out of the southbound through traffic which would not have to back up behind them on a busy roadway, particularly during commute hours.

It should be noted here that any review of the conditions at the proposed development entrance should be viewed in person. It is difficult to appreciate the potential dangers associated with the location without a site visit. At the site, one can fully appreciate the circumstances and imagine how frightening executing a turn into the site might be for a partially distracted driver dealing with oncoming and trailing traffic, particularly intimidating trucks. By observing, particularly the southbound truck traffic at the site entrance, it can easily be imagined the potentiality of them coming to a stop at the corner to permit a turning vehicle, and then slowly accelerating westward behind a completely blind turn.

The site location is dangerous, and the proposed mitigation is insufficient. Given that the F & P traffic study has determined that the project will generate over 750 attempted entrances to the site weekly, and over 39,000 annually, planners and decision makers need to re-evaluate this potential hazard and consider an alternative mitigation as suggested above.



From: Ben Lee [benbglee@gmail.com]
Sent: Friday, August 01, 2014 11:33 AM
To: Rebecca Tolentino
Subject: Re: Parkside Trails Project

Hi Rebecca,

Thank you for your quick response. I do have some follow-up comments.

I have attended several neighborhood meetings with the Project Developer and they have made clear that the connection of the sidewalk from Miramonte to the sidewalk they plan to install on their proposed property is not their responsibility and is up to the City of Cupertino to address. This is why I was communicating with the City Public Works Dept.

It seems clear that we have an impasse of sorts where the City of Cupertino is not making the sidewalk a priority therefore no funding and the Developer's position is its not their problem. Meanwhile, a total of 35+ households, assuming this project is approved, will not have a SAFE pedestrian walkway. This is roughly a 1000 linear ft to connect the proposed project development to Miramonte. The City estimate of \$1 million dollars seems awfully expensive.

However, I would challenge any City official to walk along Stevens Canyon road during the workday and see if they believe its safe to walk with all the quarry trucks, car traffic, bikers, and runners approaching from the rear as you walk towards Miramonte. Trucks and cars are moving at high speeds at times above the speed limit and with illegal texting while driving, it would not take much for a vehicle to veer into the current bike lane and hit a pedestrian, runner, biker, etc. You see very little pedestrian traffic currently because of the safety factor. I know many of my neighbors and I must get into our cars and drive to another nearby neighborhood to take a walk or walk the dog beyond our street..

If the City is going to allow more construction in this vicinity, they should address this unsafe pedestrian walkway either by making it a priority with its own capital budget or make it a condition to the Developer for project approval which you point out is an option by the City. I am not opposed to this project but the City has a responsibility to provide safe pedestrian walkways and connecting this neighborhood to the rest of Cupertino if they are approving further growth of homes..

Is there anything I can do to influence the City to address this issue.

Respectfully,

Ben Lee

On Thu, Jul 31, 2014 at 10:33 AM, Rebecca Tolentino <RebeccaT@cupertino.org> wrote:
Good Morning Mr. Lee,

Thank you for your email below and for your continued interest in the Parkside Trails project. The proposed sidewalk along Stevens Canyon Road referenced in the excerpt below pertains to the sidewalk that will be installed along the project frontage if the residential development is approved. The next part of the excerpt stating *'The pedestrian improvements proposed along Stevens Creek* [typo; should be Canyon] *Road support the City's plans to provide a pedestrian connection along Stevens Creek* [Canyon] *Road from Miramonte Road*

to Stevens Creek Park' relates to the City's Pedestrian Transportation Guidelines. The Cupertino Pedestrian Transportation Guidelines includes a list of recommended pedestrian improvements and prioritizes these improvements based on a number of criteria. One of the recommended improvements is a pedestrian pathway from Miramonte to Stevens Creek Park. As part of the environmental assessment for the Parkside Trails development, one of the things the environmental consultants reviewed is consistency with established City documents/plans, including the Pedestrian Transportation Guidelines. Based on the consultants' review of the project, they determined the size of the project did not trigger a requirement under the California Environmental Quality Act (CEQA) to extend the sidewalk from the project site to Miramonte. However, they did want to acknowledge that such a pedestrian connection is recommended in the Pedestrian Transportation Guidelines, and the sidewalk improvements along the project frontage would support this future connection.

Also, I do want to point out that as part of the related Development Agreement, the City may consider requiring the applicant to install a sidewalk from the project site to Miramonte (see page 18 of the Initial Study). As Winnie points out in her email below, there are major challenges to constructing the sidewalk and the City does not have specific plans or the budget to install the improvement. Given the proposed Parkside Trails development is requesting to intensify the project site through the General Plan Amendment and would be introducing a larger number of residents near the western limits of the City if approved, staff may be recommending the sidewalk installation as a term of the Development Agreement. However, the final decision regarding the sidewalk will be the City Council's to make. *If* the project is required to construct the sidewalk, we anticipate it would be constructed around the same time as the residential development.

I hope this information is helpful. Please let me know if you have additional questions. I can be reached via email or phone at (408) 777-3313.

Best regards,
Rebecca

From: Ben Lee [mailto:benbqlee@gmail.com]
Sent: Wednesday, July 30, 2014 2:15 PM
To: Rebecca Tolentino
Subject: Parkside Trails Project

Hi Rebecca,

I was reading the environmental report for the Parkside Project related to Appendix M on Pedestrian Analysis.

The conclusion of the analysis was the following:

CONCLUSION

The proposed sidewalk along Stevens Canyon Road significantly improves the pedestrian experience and enhances pedestrian safety along this section of the roadway. The pedestrian improvements proposed along Stevens Creek Road support the City's plans to provide a pedestrian connection along Stevens Creek Road from Miramonte Road to Stevens Creek Park.

Our review of the General Plan policies and Cupertino Pedestrian Transportation Guidelines determined that there are no significant impacts on pedestrians

The above suggests there is a plan by the City to provide a pedestrian connection along Stevens Canyon Road from Miramonte Road to Stevens Canyon Park.

However, in my correspondence with Cupertino Public Works, regarding my expressed concern that there is no SAFE pathway along Stevens Canyon Road. I asked if there is any plan by the City to improve the situation and received the following reply.

Hi Ben,

Last week we visited the site and walked from the project site to Miramonte to get some ideas what some of the constraints are. Here are the major challenges: significant retaining wall will required (at least 5' or higher in certain segments) due to steepness of the embankment, several oak trees will need to be removed or impacted, removal of vegetation along the entire path, modification to existing property improvements, street conform at intersections. Additional right-of-way will be required from two properties and we also anticipate there may be potential neighborhood opposition due to loss of privacy with vegetation removal.

Based on the site visit, the cost of the improvements could be in the range of \$1M not including the soft cost such as design, construction management, right-of-way, etc.

Thanks.

**Winnie Pagan, PE
Associate Civil Engineer
Public Works Dept.
City of Cupertino
(408)777-3337**

Its unclear to me from Winnie's response what is really the case with regard to a pedestrian connection. Are there specific plans by the City to build this pedestrian connection assuming the Parkside Project is approved?

If so what is the time frame?

If not, then I believe the public is being mislead by the environmental report.

I would appreciate an answer to my question.

Best regards,

Ben Lee
22560 Ricardo Rd.

Rebecca Tolentino

From: turboc2.0@gmail.com on behalf of Peter Willson [peterwillsonw01@gmail.com]
Sent: Thursday, July 31, 2014 3:00 AM
To: Rebecca Tolentino
Subject: Please block parkside trails

This project with the increased density is a great threat to wild life and environment to the area around. Please stop it.

Thank you

Peter Willson

Rebecca Tolentino

From: tracey meng [tracey_meng@yahoo.com]
Sent: Friday, August 01, 2014 11:00 PM
To: Rebecca Tolentino
Subject: parkside trails Development

Hi Rebecca,

I have a recommendation to the Parkside Trails development project. The foothill blvd. (the section between Mc Clellan to Stevenscreek) is very crowded now, especially in the morning. The Parkside Trails project will induce more traffic to foothill blvd. As a result, please include the expansion of foothill from two single lanes to two double lanes to this project.

Thanks,

Tracey Meng
A resident on Alcalde Road

Susan Hoge Kilian and Charles Kilian
22366 Rancho Deep Cliff Drive
Cupertino, CA 95014

August 5, 2014

City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

We request that you recommend to the Planning Commission and the City Council that an Environmental Impact Report be conducted regarding the Parkside Trails application for General Plan Amendment, re-zoning, subdivision map etc. A Mitigated Negative Declaration would be inadequate in that it is highly unlikely that the mitigations will eliminate all significant effects on the environment created by this project

Both as City residents and former City employees, we are concerned that this current application, if approved, will not further current General Plan goals, nor will it adhere to the current slope-density formula. In addition, we view the potential impact on Stevens Creek as significant. We spent many long hours listening to public input and commission and council deliberations formulating these well thought out policies.

This parcel, we believe, has historically been one of the most environmentally challenging to develop in the entire City. Given the City's past careful deliberation and consideration for projects affecting hillside development and Stevens Creek preservation, we ask that this same care and deliberation be extended to this current proposal.

Sincerely,

Susan Hoge Kilian and Charles Kilian

Susan Hoge Kilian and Charles Kilian

August 5, 2014

I reside at Rancho Deep Cliff and have lived here for over sixteen years. I'm very concerned about the traffic from the two quarries that would make the road into the subdivision unsafe.

I also am concerned that this community that wants to keep some hillside space open is vulnerable to the tax revenue that it would receive from these huge homes that they are planning to build.

I also am concerned with the large amount of earth that will be moved and it's impact on our native plants and animals. It will also have an impact on Steven's Creek Reservoir.

I strongly feel that a full environmental impact report be initiated prior to any movement on this project.

Antoinette Morley
11062 Canyon Vista Dr.
Cupertino, CA 95014

J. Bradley Clayton
Linda G. Clayton
11092 Canyon Vista Drive
408/257-9026

Rebecca Tolentino
Senior Planner
City of Cupertino

Re: Need for an Environmental Impact Study for Parkside Trails

I have lived in Rancho Deep Cliff since 1979. Prior to that I lived in another PUD in Sunnyvale and currently am a member of a large PUD in northern Sonoma County where I am the Utilities Operations Manager.

My professional career started in the early 1970's in the municipal water and wastewater utilities industry and I am currently a California certified drinking water treatment operator and a California certified wastewater treatment operator.

I offer the following comments, which should be addressed in greater detail in an Environmental Impact Review.

- Has the Sewer District performed an engineering review of the piping system down-stream of the connection point to insure there is adequate hydraulic capacity, when the pumps start, to prevent backup into adjacent sewer mains and homes and to prevent manhole overflows (Sanitary Sewer Overflows – SSO's)? There was no information found regarding the location of the tie-in point, or what entity will maintain the backup generator.
- There is a note on the Preliminary Stormwater Control Plan, Sheet No. TM-4, that indicates the operation and maintenance of the bioretention pond will be the responsibility of the Homeowners Association. I suspect that the people that will be able to afford these homes will be upper management and senior technical people who will have very demanding and time consuming jobs and will not have the time, desire, expertise, knowledge of discharge requirements or carry any required certifications. I also suspect that this small PUD will have problems maintaining adequate governance and providing adequate funding.
- In consideration of this I strongly suggest that these lots be established as individual single family residences. I strongly urge that the drinking water, sanitary sewer, stormwater drain system including the bioretention pond and streets be dedicated to the appropriate municipal agency. This will insure that proper operation and maintenance of all utilities by personnel that have the training, expertise, tools, financial resources and any needed governmental operator certifications will be achieved.

- In the environmental study (Attachment A, PD Impact BIO-5) there was mention of the red legged frog and whether it was present on the site. There was no mention of the existing, native tree frog and its protection.
- The environmental study (Attachment A, PD Impact BIO-9) also noted that a large number of trees were going to be removed. There was no specific mention of the heritage oaks that exist on the site, and whether they were going to be removed, and if so, what the replanting program would be.
- The project includes the installation of a groundwater cutoff and erosion control wall. There was no mention of where the excavated soil was going to be stockpiled while the cutoff wall was being installed. It was not clear how groundwater accumulating on the north (project side) of the cutoff wall was going to be controlled.
- The 18 homes proposed for this project are extremely large when compared to the surrounding homes and may restrict view and sunlight for some. The current Cupertino General Plan and property zoning ordinance only allow for 10-12 homes, and the ordinance should not be changed to allow 18 homes. Additionally, it is suggested that any homes adjacent to Rancho Deep Cliff have a height limit of 18 feet.
- What provisions are going to be established to insure the project is completed, including restoration of environmental damage, should the developer default?

Thank you for your consideration and for requiring a full EIR.

Brad Clayton
Linda Clayton

Rebecca Tolentino

From: Jim Mergard [jmergard@me.com]
Sent: Tuesday, August 05, 2014 10:37 PM
To: Rebecca Tolentino
Subject: Environmental Review Committee for Parkside Trails

Hello Rebecca,

I am a resident of Rancho Deep Cliff and writing about the proposed Parkside Trails construction. I have a few questions and concerns.

First, I am aware that as we continue to encroach on the natural habitat of several endangered animals they become more of a threat to residential areas. My home backs up to the forest facing the reservoir and we occasionally see bobcats and regularly see deer, coyotes, and wild turkeys. I am concerned about bobcats and more so mountain lions of which at least one has been reported to be in the area. This is of special concern when we take more of their natural habitat and replace with families with small children. I'd like to understand what studies have been performed to ensure this will not be a threat or concern.

Secondly, I'd like to understand how we can ensure safety at the intersection of Stevens Creek and the entrance to Parkside Trails. It is already risky with the southbound traffic due to speed of traffic coming down the hill even with the viewing distance of the location of our entrance, so the new entrance to Parkside Trails seems very dangerous. Even northbound traffic has a tendency to be risky for people turning into RDC, and I'm concerned about the potential for vehicles getting rear-ended as significantly more traffic is turning left into the new development. I'm also concerned about the impact to the very significant number of cyclists riding down the hill in these conditions.

Finally, I would like to understand if the Fish and Game department has been adequately consulted and a full impact has been assessed to the aquatic life of Stevens Creek which runs through the area and around my section of RDC.

Thank you.

Jim Mergard
11103 Canyon Vista Drive
Cupertino, Ca. 95014
512-922-1642

Sent from my iPad Air

From: SKrisnsteve@aol.com
Sent: Wednesday, August 06, 2014 1:33 PM
To: Rebecca Tolentino
Cc: ekburchard@comcast.net; kristinastone123@gmail.com
Subject: Environmental Review Committee for Parkside Trails
Attachments: Scan.pdf

Dear Ms Tolentino: I believe that a full Environmental Impact Statement is required on Parkside Trails for the reasons set forth in the attached file.

Your full consideration of these serious issues is requested.

Steven & Kristina Stone
11072 Canyon Vista Drive
Cupertino, CA 95014
408 446-3103

Potential ERC Topics

The range of issues justifying a more complete EIR would include:

- What are the long-term cumulative negative impacts on avian habitat and the adjoining riparian corridor due to the removal of 264 of 309 trees with more than 100 having diameters of greater than 12" from proposed Parcel 1?
- With the extreme amount of earth movement estimated at 200,000 cubic yards (the equivalent of 15+ vertical feet of earth movement for every sq ft of area across the 8.5 acre parcel), what are the long-term negative impacts on flora and fauna along the riparian corridor?
- With the installation of a mechanically stabilized earth buttress in association with the extreme volume of earth movement, what are the short- and long-term water quality impacts on Stevens Creek, and the modified underground aquifer?
- The proposed housing element of 18 very large homes (4,500-5,300 sq ft) would imply families with children located within a short stone's throw from Stevens Creek. What are the potential long-term negative environmental impacts on physical safety, aquatic life and riparian corridor preservation?
- The two proposed sewer systems (sanitary and storm water) would both employ forced pumping in the same general area relying on back-up power generation during the power outages that our area is known to have. Any maintenance lapses or malfunction in back-up would likely result in cross-mixing and pollution of Stevens Creek. What long-term management solutions and security bonds would ensure against this negative occurrence?
- The Fehr & Peers traffic study found that the proposed intersection of Stevens Canyon Road and "A" Street of the project does not meet the Caltrans CSD sight distance standards for southbound vehicles, and could result in an increase in hazards due to a design feature (Significant Impact). The proposed mitigation preference is Option 1.2A provides an additional 10 feet of southbound travel to mitigate the deficiency. However, the Fehr & Peers traffic study itself indicates this is an insufficient mitigation remedy due to inadequate sight lines and insufficient stopping distances to protect drivers turning into the proposed development. Why isn't a complete mitigation of the dangerous entrance being examined by requiring a left turning lane into the project off of Stevens Canyon Road?
- The proposed housing construction project is estimated to last 3-5 years during which a variety of unforeseen events may occur after the hillsides have been denuded of protective trees and other restraining natural cover. What appropriate protections will be in place to mitigate against longer-term soil erosion and creek damage in the event of severe storms or incomplete project abandonment due to adverse business conditions?
- The proposed mitigated ND focuses primarily on the housing development on New Parcel 1. However, the full scope of the Application is insufficiently being considered for environmental risk assessment and mitigation. The Applicant is requesting Old Parcel 1 be sub-divided into New Parcels 1, 2 and 3. New Parcel 2 encompasses Stevens Creek, and it is not being specifically evaluated for both short- and long-term environmental risks. It will certainly be impacted with the introduction of a major construction site and eventually 18 very large family homes within a mere 20-30 foot distance. New Parcel 3 encompasses a significant percentage (est'd at 30-40%) of the old quarry floor and the surrounding steep, hazardous side walls. These walls have not been remediated from the old abandoned quarry state to modern quarry reclamation

standards. These old quarry walls pose a significant environmental risk to physical safety. It seems only logical to consider such reclamation and mitigation of these hazardous conditions as part of the environmental review for the application of which they are a key part.

Elizabeth K. Burchard
11082 Canyon Vista Drive
Cupertino, CA 95014

August 6, 2014

City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

As a Cupertino resident for nearly 20 years, I have enjoyed the bucolic nature of my neighborhood just a few yards from Stevens Creek County Park. During this time I have felt fortunate that the vacant land near my home is designated as hillside by the City, which means only a few houses can be built there. It continues to be zoned as hillside property to this day.

Not surprisingly, I am concerned about the proposed Parkside Trails development of eighteen 4500 to 5300 square foot houses on the land (8.5 acres). With the intended substantial changes to the property, it seems especially important that an Environmental Impact report be required.

My major concerns are as follows:

Before house construction begins, 200,000 square yards of earth would be moved on the 8.5 acres, averaging 15 vertical feet of earth for every surface foot. Obviously, very few living things would survive the upheaval, a strong motivation for requiring an Environmental Impact Report.

Of the 309 trees, 264 would be removed, over 100 of which are 12" or more in diameter. How many birds and critters would be seriously impacted by this loss? How long would it take new plantings to reach the size of the currently existing ones? In the meantime (20 to 30 years), extensive environmental benefits provided now would be forfeited.

During and after construction, Stevens Creek and the riparian corridor would be at risk, especially in times of severe weather. In addition, the responsibility of the planned retention pond has not been clearly assigned. As a result, its proper maintenance is not assured, creating additional risk to the Creek and its corridor.

Traffic on Stevens Canyon Road would be significantly increased with the addition of 18 large homes. In the Parkside Trails' plans, there is no proposed left turn lane into the complex, which would result in backups, as cars would wait for oncoming traffic before turning left. Driving this road is already challenging with its many turns, narrow lanes, numerous cars, and imposing cement trucks. Eighteen new homes will only add to the danger of navigating Stevens Canyon Road.

Given the above concerns, I urge you to require an Environmental Impact Report for this project.

Sincerely,
Elizabeth K. Burchard
Cupertino resident since 1994

Rancho Deep Cliff Home Owners Association

August 6, 2014

City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

I am writing to you as the President of the Rancho Deep Cliff Home Owners Association. We are the owner of the longest independent and privately held common boundary with the proposed Parkside Trails development project. This letter is to formally request the Environmental Review Committee to recommend to the City Council that the project applicant, Parkside Trails, be required to submit a full Environmental Impact report (EIR) rather than accept the inadequate Mitigated Negative Declaration (MND) now being considered. The reasoning behind this request follows.

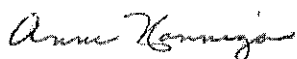
The scope of the MND as offered is far too limited given the high degree of deforestation, earth movement and terrain re-profiling that is being proposed for a protected Cupertino hillside property adjoining a major riparian corridor. The MND does not address the longer term, cumulative impacts on the riparian corridor. The involvement of the Department of Fish and Game, and the Army Corps of Engineers via an EIR would more effectively address this shortcoming.

Similarly, the offered MND does not address the nuances of each of the three new parcels being created as elements of this single application. We believe there are environmental risks, and indeed safety hazards, associated with each of the three parcels. The proposed MND is largely silent on these short and long term environmental risks. A more comprehensive EIR would address these issues.

Finally, our Rancho Deep Cliff residents who make left turns to enter our community on a daily basis know the feeling of risk while waiting for traffic to clear. This is with the benefit of a 'passing lane space' on the right side which is often used by trailing vehicles. The proposed Parkside Trails development would have no such safety space, while having more limited driver visibility. The MND notes this limitation, but offers no solution. One hopes an EIR would better address this safety issue.

In summary, the Rancho Deep Cliff HOA believes the Parkside Trails MND as submitted is an inadequate assessment of the environmental risks and safety hazards associated with the proposed project. Both breadth of coverage across all three parcels and longer term cumulative impacts have not been appropriately considered. We request that you recommend an EIR study be performed to correct these deficiencies. Thank you for your thoughtful consideration of this request.

Sincerely,



Anne Hannigan
President

Roger Costa
10932 Canyon Vista Drive
Cupertino, CA 95014

August 6, 2014

City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

I am a long term Cupertino homeowner who resides near the proposed Parkside Trails development. I am quite familiar with the geographic area involved and the specific application before the City. This letter is a formal request that you recommend against a Mitigated Negative Declaration and in favor of a full Environmental Impact Report due to the significant and under-evaluated environmental risks enumerated in the following.

The proposed mitigated negative declaration as submitted focuses almost exclusively on the housing development proposed for New Parcel 1. However, the full scope of the Application is insufficiently being considered for environmental risk assessment and mitigation. The Applicant is requesting that Old Parcel 1 be sub-divided into New Parcels 1, 2 and 3. New Parcel 3 encompasses a significant percentage (est'd at 30-40%) of the old quarry floor and the surrounding steep, hazardous side walls. These walls have not been remediated from the old abandoned quarry state to modern quarry reclamation standards. These old quarry walls pose a significant environmental risk to physical safety. It seems only logical to consider such reclamation and mitigation of these hazardous conditions as part of the environmental review for the application of which they are a key part. Further, the proposed housing element of 18 very large homes (4,500-5,300 sq ft) would imply families with children will be located very near the Parcel 3 quarry floor with the walls posing a potential attractive nuisance. Additionally, since this application requires explicit City decisions on General Plan modification, Zoning modification, the subdivision of Old Parcel 1, and the development of New Parcel 1, the City becomes a direct party to introducing a large number of families to an area with nearby physically hazardous risks,

As stated above the proposed mitigated negative declaration as submitted is New Parcel 1 centric. New Parcel 2 which is also part of the Application does not have any analysis focused on the longer term environmental risks to Stevens Creek which it encompasses. Applying basic common sense would suggest that introducing 18 very large family homes immediately adjacent to the creek in Parcel 2 will likely have some longer term environmental impact. The mitigated negative declaration appears to be silent on this

issue. An EIR with a longer time horizon and broader scope of analysis would identify these risk elements and their potential mitigation.

The traffic analysis by Fehr & Peers, Appendix K of the proposed mitigated negative declaration, indicates that traffic safety will be problematic for south-bound drivers turning into the proposed development. Residents of the area know that traffic issues exist along this section of roadway. The proposed entrance to the development is at the bottom of a dip with obscured sight lines and steady traffic (car and truck) in both directions. A left turn lane would be the safest and best solution for traffic safety, but the proposal is silent on this mitigation measure. A formal EIR would need to respond to this recorded personal safety issue.

The proposed new 18 unit housing development on New Parcel 1 will require practically the total denuding of flora and fauna on 8.5 acres of Cupertino hillsides which are referred to in the Cupertino General Plan as **“an irreplaceable resource shared by the entire Santa Clara Valley. The hillsides provide important habitat for wildlife, watershed capacity to prevent flooding of urbanized areas, a wide vegetative belt that cleanses the air of pollutants, recreational opportunities for residents, and visual relief from sprawling development.”** Further, an estimated 200,000 cubic yards of earth will be excavated and repositioned. This volume of earth movement is equivalent to greater than 15 vertical feet of earth over every square foot of surface area across the entire 8.5 acre parcel. There will also be constructed an approximate 30-foot buried wall which will serve as a mechanically stabilized earth buttress to retain the graded soil and redirect an underground aquifer. These activities will be performed within 20-30 feet of Stevens Creek. The proposed mitigated negative declaration discusses behavioral measures to mitigate environmental impacts during construction but is silent on longer term structural impacts. Common sense would indicate that a broader review of both short- and long-term impacts on the riparian corridor should take place as part of an EIR. This would include the appropriate involvement by the Department of Fish and Game, and the Army Corps of Engineers.

Thank you for your careful consideration of these environmental risks, and how they would be better addressed via a more thorough EIR recommendation.

Sincerely,

Roger Costa

Roger Costa.

Rebecca Tolentino

From: YFLee [yflee89@yahoo.com]
Sent: Wednesday, August 06, 2014 10:36 PM
To: Rebecca Tolentino
Subject: Comment on Parkside Trails Development

Dear Ms. Rebecca Tolentino:

I recently received a Cupertino notice requesting comments on the Parkside Trails Development.

I am a Cupertino resident living near the Parkside Trails Development area for 35 years. I have seen changes in this area in the past 35 years. The single lane road (on both directions) from Stevens Canyon Road to Foothill Boulevard is the only road going directly to the nearby cities. Traffic congestion on this single lane road which shared by residents' vehicles and construction trucks (loaded with rocks) is getting worse every year. I am sure that it is caused by all these amendments for open space rezoning and higher residential density.

The Parkside Trails Development will continue making the traffic congestion worse. All these similar amendments should stop.

Thanks for a chance for providing comments.

Sincerely,
Yuen Lee
10446 Avenida Ln, Cupertino, CA

Stephen J. Pavlovich
Lea E. Pavlovich
11042 Canyon Vista Drive
Cupertino, CA 95014

August 7, 2014

Rebecca Tolentino
Senior Planner
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

Lea and I have lived and worked in the Los Altos-Cupertino area for over thirty-five years and currently reside in the Rancho Deep Cliff development off Stevens Canyon Road.

As you know, RDC is adjacent to the PST property. The purpose of this letter is to strongly encourage you to require a full Environmental Impact Report (EIR) be done on the proposed PST development application.

In general, I am supportive of residential developments that enhance the community and protect the environment while complying with established City standards. The right kind of progress benefits us all.

However, I don't believe the PST development as proposed meets these criteria. The City has a General Plan in place that specifically addresses the appropriate limitations on hillside land development. As I understand it, the current PST development plan does not comply with the General Plan's guidelines. Approving the development plan as it stands compromises the validity of the policy and sets precedent for the approval of future developments that are also out of compliance. I do not support setting aside our hillside development policy without compelling reasons and certainly not without a full EIR. We need to fully vet this project. There's just too much at stake to risk getting it wrong.

Sincerely,

Steve Pavlovich

Erika Williams
22385 Rancho Deep Cliff Dr.
Cupertino, CA 95014

August 7, 2014

Rebecca Tolentino
Senior Planner
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

Attn: Environmental Review Committee for Parkside Trails

Dear Committee Members,

This month marks the 10th anniversary of my living in Rancho Deep Cliff and Cupertino. I have been very impressed by the efforts of the city, its staff and the citizens who have developed a well thought-out General Plan to prevent some of the problems that were created in the past.

The proposed development, due to its size, location and complexity, if not planned, executed and maintained properly, has the potential for being one of those “mistakes” that the neighborhood and the city might have to live with for a very long time.

At this point in the process, it is imperative that a full Environmental Impact Study be conducted to better understand the risks and potential remediation for a project of this scale and complexity.

I am an avid hiker, and would hate to see the beautiful area next to the Fremont Older Open Space Preserve and Stevens Creek County Park be damaged due to poor planning and/or due diligence.

Respectfully,



STANDARD PACIFIC HOMES

August 5, 2014

Ms. Rebecca Tolentino
Senior Planner
City of Cupertino
Community Development Department
10300 Torre Avenue
Cupertino, CA 95014

Re: Parkside Trails Residential Project Initial Study/Mitigated Negative Declaration

Dear Ms. Tolentino:

Thank you for the opportunity to submit comments on the Parkside Trails Residential Project Initial Study/Mitigated Negative Declaration ("Parkside Trails IS/MND"). We commend the City of Cupertino ("City") for the thorough analysis of potential environmental impacts resulting from the development of the proposed Parkside Trails Project and the City's future trail and other projects which may be developed on the properties offered for dedication. We noted, however, the following minor comments and clarifications for the City's consideration.

Project Description – Offsite Sidewalk Improvements

Throughout the Parkside Trails IS/MND, the document states that the Developer may be required to construct a sidewalk from Miramonte to the project site as part of the Development Agreement (see e.g., page 18). Please note that the requirement to construct a sidewalk from Miramonte Road to the project site remains under discussion as part of the Development Agreement negotiations. The Developer remains concerned that the City is requiring that the Developer fund and construct a sidewalk in an existing residential neighborhoods as part of the Parkside Trails Project when the Project itself is not creating the demand for the sidewalk (see IS/MND Appendix M, page 3). Moreover, the City's proposed sidewalk location includes construction challenges that have not been vetted with the surrounding residents, which may make sidewalk construction at this location infeasible.

We request that in order to maintain consistency between the Development Agreement and the Parkside Trails IS/MND, the City revise the IS/MND to reflect the Development Agreement's resolution of the sidewalk issue.

Corridor and Park Parcels & Offsite Dedications, Easements and Land Trades

Page 28 of the Parkside Trails IS/MND states that the project does not commit the City to constructing any of the possible future trails on the parcels subject to the proposed land dedications. Additionally, the Parkside Trails IS/MND indicates that mitigation measures specific to offsite dedications, easements and land trades, as well as other offsite improvements will be included in the project Development

Agreement and will be implemented, as appropriate, as part of the acceptance of easements and/or dedications, sidewalk construction, and/or any future trail or 12-space parking lot construction. The Parkside Trails IS/MND identifies numerous mitigation measures which would apply to the remainder of the 42.4 acre site and the offsite dedications, easements and land trades that will be implemented pursuant to the Development Agreement (see e.g., DA MM AIR-1.1, DA MM BIO-2.1, DA MM BIO-2.2, etc.). Because the Development Agreement addresses both Developer obligations and City obligations, we request that the City clarify in the IS/MND that the mitigation measures pertaining to the acceptance of easements and/or dedications, sidewalk construction, and/or any future trail or 12-space parking lot construction will be the City's responsibility to implement as part of the City's future projects, and not the responsibility of the Developer.

We appreciate the opportunity to submit comments on the Parkside Trails IS/MND and look forward to the Planning Commission and City Council's deliberations regarding the Parkside Trails Project in the near future. Please feel free to contact us if you have any questions concerning our comments.

Very truly yours,



Bridgit Koller
Standard Pacific Homes



Darcelle Pruitt
Parkside Trails, LLC

Cc:
Geoff Entire
Alicia Guerra



August 6, 2014

Rebecca Tolentino
Senior Planner
City of Cupertino
Community Development Department
10300 Torre Avenue
Cupertino, CA 95014

Subject: Comments to Initial Study/Mitigated Negative Declaration, Parkside Trails Residential Project

Dear Ms. Tolentino:

Acterra, in collaboration with Gillian Schultz Ph.D., Professor of Biology at Foothill College, and Kristin Sullivan, Professor of Environmental Studies at De Anza College, has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the Parkside Trails Residential Project in the City of Cupertino. In the following comments we provide a fair argument based on substantial evidence that the project may cause numerous significant impacts – both individual and cumulative – which are neither sufficiently analyzed nor mitigated for in this IS/MND. In accordance with CEQA Guidelines Section 15064, the City of Cupertino as the lead agency must prepare a draft Environmental Impact Report (EIR) should the decision be made to continue with the development of this project.

Comments

- 1) Section 1.1, Purpose of the Initial Study, page 1, contains several errors. The text reads,

“This IS provides both “program level” and “project level” environmental review for the proposed project, in accordance with CEQA Guidelines Sections 15151 and 15168.”

“The details of the proposed residential development are known and, in accordance with Section 15161 of the CEQA Guidelines, the environmental review of the proposed residences will focus on the changes in the environment that could result from the proposed residences including planning, construction and operation.”

The CEQA Guideline Sections 15151, 15168 and 15161 all refer to EIRs and not to IS/MNDs such as this document. Indeed, an EIR, with the greater depth and breadth of accountability required, would have been the proper tool to evaluate the impacts from this complex and inherently disruptive project adjacent to and within the Stevens Creek Corridor. The inclusion of references to inapplicable CEQA Guidelines in the opening paragraphs of the document is disturbing in that the unwary reader may be led to believe that a level of care was exercised in the evaluation of environmental impacts from this project that simply was not the case.

- 2) Section 4.0 Corridor and Park Parcels & Offsite Dedications, Easements, and Land Trades, page 27, contains an important error. The text reads,

“The proposed General Plan land use designations (*Riparian Corridor and Parks and Open Space*) and rezoning of *OS, Open Space* reflect a proposed change in intended uses for the

Corridor and Park parcels. No specific development is proposed at this time and the stated purpose is to protect the riparian corridor and open space.”

The last statement is not correct. Although the route has not been specifically determined, trail development is specifically being proposed through both the riparian corridor and the park parcels as evinced by the preparation of the Parkside Trails Feasibility Study and the proposal to deed land in fee or easement to the city or other agency for the purpose of building a trail in exchange for permission to proceed with the housing development. The well-documented disturbance to wildlife from trail usage most definitely does not protect the riparian corridor or open space. Please refer to the discussion of negative impacts from trail usage within Comment 8.

- 3) Section 4.4.1.2 on page 60 which discusses California red-legged frogs (CRLF), fails to take into account the seasonal wetlands on the nearby quarry floor which, according to the Parkside Trails Feasibility Study cited on pages 56/57, may provide habitat for CRLF. This omission skews any later discussion of CRF.
- 4) Section 4.4.2 on page 66 which contains the Environmental Checklist cites checklist source(s) as 1, 9, and 22 referring to:
 1. Professional judgment and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
 9. **HortScience, Inc.** *Revised Arborist Report, Parkside Trails, Cupertino, CA.* April 2014
 22. **H.T. Harvey & Associates, Inc.** *Parkside trails Residential Development Biological Resources Report (HTM #3396 - 02).* May 8, 2014

These checklist sources only provide a basis for estimating impacts to the “Residential Parcel.” None of the sources refer to the “Remainder of 42.2-acre Site and Offsite Dedications, Easements, and Land Trades” (Remainder Area) - the area for the proposed trail development. In fact, no appropriate study of biological resources in this Remainder Area was conducted. The Parkside Trails Feasibility Study, not cited in this checklist, but cited elsewhere in the IS/MND, was conducted as a means “to assess the potential cost and process for developing trails” in the Remainder Area and included only a cursory biological assessment.

It is therefore improper that this Environmental Checklist and the IS/MND in general refer to impacts, supposedly mitigated to less than significant level, in the “Remainder of 42.2-acre Site and Offsite Dedications, Easements, and Land Trades” as well as the “Residential Parcel.” There is only supporting evidence for a discussion of impacts and mitigations within the Residential Parcel.

- 5) Section 4.4.3, beginning on page 67, elaborates on the impacts and mitigations. Once again, there is only supporting evidence for a discussion of impacts and mitigations of the “Residential Parcel.” The discussion of impacts and mitigations for the “Remainder Area” – pages 78-84, 92-95, and 98-100 – lacks appropriate supporting evidence and therefore cannot provide decision makers with a substantial basis to evaluate environmental damage. Its inclusion in this IS/MND clouds the issue and may well mislead the public into thinking a more thorough evaluation of environmental impacts has occurred than did in fact occur.

- 6) Although we make comments on individual impacts and mitigation measures for both the Residential Parcel and the Remainder Area discussed in Section 4.4.3, pages 67-100, our comments referring to the Remainder Area are offered solely to assist in the future preparation of the EIR which is clearly needed for this project; the comments are not meant to imply that minor adjustments to the IS/MND would be sufficient to protect the biological resources.
- 7) Section 4.4.3.1, Impacts to Upland Habitats, Residential Parcel, page 67. The text here reads,

“Project construction activities on the Residential parcel would result in the loss or conversion of up to 7.77 acre of coastal live oak woodland, coyote brush scrub, eucalyptus woodland, and the ruderal/nonnative grassland habitats (refer to Figure 4.4-1). Impacts on these habitats during construction will reduce their extent on the project site and will result in a reduction in abundance of some of the common plant and wildlife species that use the site.”

This last statement is clearly inaccurate. Preparation of the up to 7.77 acres will include digging up the entirety of the building site ground to a depth of many feet, installing drains, retaining walls, and whatever is needed to stabilize the site, and then laying back out and leveling the ground. Surely almost *all* plant and wildlife species will be extirpated in this 7.77 - acre area, at least for a time, with perhaps the possible exception of a few hardy invertebrates. Please refer to pages 55-56 in the IS/MND to get an indication of the wide variety of plants and wildlife which will be eliminated.

On pages 67-68, the text further reads,

“These habitat types are relatively abundant and widespread regionally...secondary growth volunteer trees...Therefore, impacts on these habitats... are not considered significant.”

California courts have not supported the notion that other available habitat renders a loss as insignificant. “The proximity of larger wilderness areas did not necessarily compel the conclusion that the site was insignificant to animal wildlife.” (Mejia v. City of Los Angeles, 130 Cal. App. 4th 322 (Cal. Ct. App. 2005)) The IS/MND assertion that the relative abundance of similar habitats locally contributes to a finding of less than significant impact is therefore invalid.

Of the 264 trees proposed for removal, 135 are considered to be protected trees under the City of Cupertino Tree Ordinance. Of these protected trees, 35 have a trunk size of over 12 and up to 18 inches, 56 have a trunk size of over 18 up to 36 inches and 14 are over 36 inches. The IS/MND assertion that these “secondary growth volunteer trees” are such inferior life forms that their loss appropriately contributes to a finding of less than significant impact to this habitat is not valid. The size of these protected trees speaks volumes. Although the IS/MND later discusses the replacement trees which will be provided as mitigation for the trees lost, it should be noted that this is not at all the same as mitigating for upland habitat value lost.

Our comments provide a fair argument based on substantial evidence that the project may cause significant impacts to the upland habitats of the Residential Parcel.

- 8) Section 4.4.3.1, Impacts to Upland Habitats, Remainder of 42.4-acre Site and Offsite Dedications, Easements, and Land Trades, page 68. The text here reads,

“...The construction of the parking lot and trails or improvement of existing informal trails would affect the upland habitats, although it is not anticipated that the effects of new trail and parking lot construction would substantially reduce areas of these upland habitats in Cupertino or the region. (Less than significant impact)”

Those without an understanding of basic ecology do tend to think the impact of a trail is due merely to the physical presence of the trail, the area by which the trail reduces habitat. In fact, ecologists understand this sort of impact is relatively small compared to the impact which results from the use of the trail. For the layperson to get a sense of this, perhaps it is helpful to think in terms of how one would feel if the city proposed building a trail through one's home (habitat). Let us further suppose that the city has offered to reduce the impact of this trail by building a boardwalk or perhaps installing a suspension bridge so that trail users would not be walking on the floors.

And for good measure, let us suppose that the city will be doing a bit of habitat restoration in the home by installing state-of-the-art appliances in the kitchen. Obviously, the average person is still going to feel that the trail has a huge impact on the value of their home habitat, more because of the impacts associated with trail usage than because of the square footage lost to the trail. Most people will be quite upset thinking that strangers may harm their children, steal their food, and interfere with, um, breeding. These impacts are very similar to the impacts experienced by wildlife. When applied to our own habitat, our homes, it is clear that trail usage is the major contributor to the impact.

The following discussion illustrates and documents the impacts from trail usage to surrounding upland and riparian habitats. Complicating efforts to address these impacts is the fact they are so widely underestimated. A survey of backcountry hikers in Utah revealed that 50% assumed they had no negative impacts on the wildlife in the surrounding area (Taylor & Knight, 2003). A large body of research refutes such assumptions for sites both distant from and adjacent to urban areas.

For instance, one study showed that even when bird communities in riparian areas have been heavily impacted by urbanization in surrounding lands, the presence of hikers, joggers and bicyclers along a recreational trail have a significant further impact, especially on species that nest close to the ground or forage low for insects or seeds (Miller *et al.*, 2003). In many cases, disturbance from human activity is the most important factor affecting the number of bird species, surpassing even the effects from habitat loss due to development (Schlesinger *et al.*, 2008).

In a study of six sites, three with a recreational trail running adjacent to a riparian corridor and three with no trail, the number of raptor species was consistently greater in the sites with no trail (Fletcher *et al.*, 1999). In grasslands, nests were less likely to occur near trails than away from trails. In grasslands and forests, nest survival increased with increasing distance from a trail. The zone of influence was approximately 75 meters, or 246 feet, from a trail for most species (Miller *et al.*, 1998). Trails alter predation patterns differently for different groups of animals; birds attack more nests near trails than away from trails, whereas mammals appear to avoid nests near trails to some extent (Miller & Hobbs, 2000).

Hiking and bicycling trails were shown in one study to be correlated with a five-fold decline in the density of native carnivores and a substantial increase in nonnative carnivore species (Reed & Merenlender, 2008). The authors suggested this might put an unsustainable predation pressure on native birds and small mammals, thereby jeopardizing their survival. The authors went on to say that in larger areas, the configuration of the trails may be the most important factor, but in moderately sized areas near urban development, the key variable seems to be whether or not the site is open to public access. A related study suggested that bobcats, in particular, were displaced by the disturbance caused by bikers and hikers (George & Crooks, 2006). It may be interesting to note that

the studies reviewed did not indicate bicycle traffic on trails to be more disruptive to wildlife than pedestrians. In fact, some of the authors voiced their sneaking suspicion that those of us who stop and gawk at the wildlife have a greater impact than those who whiz by on bicycles.

The above studies are not local, but are cited because of their applicability and relevance to our local situation – proposed recreational trails and other public access to upland and riparian open space areas. These studies are part of a much larger body of scientific evidence documenting the effects which trails have on surrounding habitat. In an interesting counterpoint, a local study found bayside trails had no significant effects on shorebird numbers, species richness, or percent of birds foraging (Trulio & Sokale, 2008). There are a great many differences between bayside and streamside habitats which prevent applying the findings of this study to riparian areas, though. For instance, shorebirds have the open bay on one side in which to flee if needed, are used to foraging in sand flat areas which have no vegetative cover, and do not nest there.

Based on the aforementioned lack of an appropriate study of biological resources in this area and our comments on the effects to surrounding habitat caused by trail usage, we provide a fair argument based on substantial evidence that the project might cause significant impacts on the upland habitats of the Remainder of 42.4-acre Site and Offsite Dedications, Easements, and Land Trades.

- 9) Section 4.4.3.2 Impacts to Riparian, Aquatic and Wetland Habitats, Residential Parcel, Impacts to Riparian Habitat, page 69. The text reads,

“Riparian habitat could also be impacted indirectly through potential disturbance of wildlife as a result of the increased lighting and noise disturbance resulting from occupation of the residences following construction.”

“The roads and residences would also be located approximately 20 to 30 vertical feet above the creek bed of Stevens Creek. The relatively high, steep banks of the creek are expected to partially buffer the creek and riparian corridor from the increased lighting and noise disturbance associated with occupation of residences following construction.”

In a footnote on page 14 of the IS/MND, the outer perimeter of the Stevens Creek riparian corridor is defined as the top of bank of the creek or the edge of the existing riparian vegetation, whichever is greater. Quite obviously, not all of the riparian corridor is down at the level of the creek, but is also at the top of bank and beyond. These latter areas would not enjoy the same 20 to 30 vertical foot difference as between the residences and the creek bed and so cannot be expected to equally benefit from the partial buffering mentioned in the IS/MND text.

On page 70, the impact (PD Impact BIO-1) to adjacent riparian and aquatic habitats was determined to be significant. A host of mitigation measures was set forth on pages 70-78, including a measure to prevent spillover of light into the riparian corridor. What was not included was any mitigation for the noise, smells, and hustle and bustle of day to day activities taking place in the residential area which in this project is so very close to the riparian corridor. Nor is any mention made of, or mitigation suggested for, the impacts due to the incursions of children and pets into the riparian corridor.

Much research has been conducted on the “edge effects” the occupation of residences have on adjacent wildlife habitats and corridors. In a recent and local biological resources report (H. T. Harvey & Associates, 2009) it was determined that house cats associated with new residences could

potentially kill and eat San Francisco dusky-footed woodrats, a State species of special concern. One of the mitigation measures proposed was to prohibit unleashed house cats from being outdoors. The report admitted that this measure might not be considered feasible and so the impact to woodrats was identified as potentially significant and unavoidable.

In a survey of birds in the riparian woodlands of Santa Clara County, it was determined that the number of bird species in a riparian area increased with the distance to the nearest buildings and the width of the riparian habitat (Rottenborn, 1995). The number of development sensitive birds decreases in greenways as the percent cover of pavement and bare earth adjacent to greenways increases (Mason, et al. 2006). Nonnative bird species such as European starling, Brown-headed cowbird, House finch, and Mourning dove tend to increase with a reduction in greenway width.

We also have concerns about the possible need to mow fire breaks around the development area each spring/summer. With the residences and roads so close to the riparian corridor, we feel this activity may have a significant impact on the function of the riparian corridor which should be analyzed.

Through our above comments, we provide a fair argument based on substantial evidence that the project, even with the proposed mitigations, may cause significant impacts to the riparian habitat adjacent to the Residential Parcel.

- 10) Section 4.4.3.2 Impacts to Riparian, Aquatic and Wetland Habitats, Remainder of 42.4-acre Site and Offsite Dedications, Easements and Land Trades, page 79.

As we stated in Comment 4, no appropriate study of biological resources in this Remainder Area was conducted. It is therefore improper that this IS/MND lists supposed impacts and mitigations for this area at all. Our comments about the specifics in this section are intended to assist in the preparation of the needed EIR.

Mitigation Measures on page 79 refer to several State and Federal regulations and policies within the City's General Plan designed to avoid or reduce possible impacts to important habitats. The city policies in particular demonstrate a sad irony as the housing project proposed for the Residential Parcel across the creek runs counter to three of the six cited policies: the project will cluster new houses near riparian corridors (contrary to Policy 5-9), the project will destroy existing natural vegetation, landscape features, and open space (contrary to Policy 5-11), and the project will not respect the natural topography and drainages to the extent practicable to reduce the amount of grading necessary and limit disturbance to natural drainage systems caused by development, including roads (contrary to Policy 5-19). The IS/MND's citation of these policies as supposed governors to limit environmental damage to the Remainder Area is unconvincing.

DA MM BIO-2.1: Habitat Survey, Including Wetland Determination. A survey in itself is not considered mitigation, unless it is accompanied by specific mitigation measures. Simply indicating that direct and indirect impacts will be minimized is not enough. Having trail alignments or structures cross sensitive habitat areas where avoidance is "infeasible" will likely result in unavoidable and significant impacts. Please refer to the discussion of the impacts caused by trails to the surrounding habitat in Comment 8.

DA MM BIO-2.2: Habitat Mitigation and Monitoring Plan (HMMP). Delaying determination of the extent of the impact and the mitigation choices available denies the public of meaningful input into the decision making process for developing trails on or near sensitive habitat.

DA MM BIO-2.3 Avoidance, Protection, and Riparian Tree Replacement Measures on page 81. The text states,

“Possible impacts to riparian or seasonal wetland habitat shall be avoided to the greatest extent feasible by using free span bridges or boardwalks where trail crossings over these habitats cannot feasibly be avoided.”

This is insufficient as per our discussion in Comment 8 which provided evidence that the major impacts of trails comes not so much from their physical structure, but rather from the disturbance to surrounding habitat from their use.

Through our above remarks and those in Comment 8, we provide a fair argument based on substantial evidence that the project, even with the proposed mitigations, may cause significant impacts to the riparian habitat adjacent to the Remainder Area.

- 11) Section 4.4.3.5 Impacts to Trees, Residential Parcel and Adjacent Area, page 97.

PD MM BIO-9-1. This mitigation measure does not stipulate that replacement trees be locally sourced. Preserving the genetic integrity of local plant communities is generally recognized as an important part of protecting ecosystem function. We recommend replacement trees be sourced as per the Santa Clara Valley Water District’s guidelines for restoration projects near creeks.

- 12) Impacts on the California Red-legged Frog (CRLF), page 86. Both the discussion here and on page 60 fail to take into account the seasonal wetlands on the nearby quarry floor which, according to the Parkside Trails Feasibility Study cited on pages 56/57, may provide habitat for CRLF. This should be included in the discussion/evaluation associated with an EIR.

This section also contains somewhat contrary assertions which should be addressed in a future EIR. One assertion is that CRLF cannot readily disperse through residential developments and the other assertion is that CRLF can:

“Because the Residential parcel is separated from these ponds by residential development, red-legged frog dispersal overland to these areas likely would be impeded.”

“Further, the habitats on the Residential parcel do not provide high-quality movement or refugial habitat, and red-legged frog dispersal through the site will still be possible following the proposed development on the Residential parcel.”

- 13) Potential Impacts on the Western Pond Turtle, page 87. The text reads,

“Pond turtles are not expected to nest within the upland habitats of the Residential parcel and adjacent Corridor parcel as they are too shaded by vegetation or lack the clay and silty soils where this species nest.”

This evaluation of the suitability of the site for nesting habitat is not supported by the evidence. While the Corridor parcel is rather shady, the Residential parcel has many large sunny areas. And the compactness of the soil referred to elsewhere in this IS/MND would appear to be quite suitable for the turtles according to an assessment of Western Pond Turtles conducted for the Oregon

Department of Fish and Wildlife: "The western pond turtle requires both aquatic and terrestrial habitats...The species moves on to land for nesting, overwintering, dispersal and basking... Nesting typically occurs within 200 m of aquatic habitat in areas with compact soil, sparse vegetation and good solar exposure." "Nesting habitat is usually in areas of sparse vegetation consisting of grass and forbs, with compact soil composed of clay or silt fraction, or sandy loam, and sometimes gravel/cobble mixed with soil" (Rosenburg, 2009). In the Geology and Soils section of this IS/MND, the quarry fill, which seems to be the dominant surficial soil, is described as, "The fill is generally comprised of a mixture of loose to medium dense, silty sand, clayey sand, and clayey gravel." This is fully consistent with soils in which the turtles are known to nest.

The text on page 87 further reads,

"Project construction, however, does not have the potential to not affect a large enough number of individuals to have a substantial effect on the regional population, and the amount and quality of habitat for western pond turtles being impacted is very low compared with the available habitat in the vicinity."

California courts have not supported the notion that other available habitat renders a loss as insignificant. "The proximity of larger wilderness areas did not necessarily compel the conclusion that the site was insignificant to animal wildlife." (Mejia v. City of Los Angeles, 130 Cal. App. 4th 322 (Cal. Ct. App. 2005)) The IS/MND assertion that the relative abundance of similar habitats locally contributes to a finding of less than significant impact is therefore invalid.

We provide a fair argument based on substantial evidence that the project may cause significant impacts to Western pond turtles through loss of potential nesting sites in the habitat of the Residential Parcel.

14) Impacts to San Francisco Dusky-footed Woodrats, page 89. The IS/MND states that,

"San Francisco dusky-footed woodrats are relatively common in suitable habitat regionally and have high reproductive capabilities. As a result, project impacts on dusky-footed woodrats would not have a substantial effect on regional populations."

California courts have not supported the notion that other available habitat renders a loss as insignificant. "The proximity of larger wilderness areas did not necessarily compel the conclusion that the site was insignificant to animal wildlife." (Mejia v. City of Los Angeles, 130 Cal. App. 4th 322 (Cal. Ct. App. 2005)) The IS/MND assertion that the relative abundance of similar habitats locally contributes to a finding of less than significant impact is therefore invalid.

The IS/MND text goes on to say,

"The increase in the number of homes in the area may also result in an increase in the number of domestic cats, which prey on dusky-footed woodrats."

This concern for the impacts after the construction phase and resulting from occupation of the residences was cited in the following impact:

PD Impact BIO-6: Construction and *occupation* [the emphasis is ours] of residences and an access road would result in direct impacts to three San Francisco dusky-footed woodrat nests.(Significant Impact)

All mitigation measures cited in this section addressed impacts associated with the construction phase only, with no mention of any mitigation measures for the impacts caused by residential occupation. In addition, although there are only three woodrat nests in the area now, there may be many more in the future which may be impacted by the residential occupation.

The concern that domestic cats have a significantly negative impact on this ecologically important animal is not peculiar to this project. We know we cited the following H.T. Harvey biological resources report in Comment 9, but its applicability here warrants another mention. In that report it was determined that house cats associated with new residences could potentially kill and eat San Francisco dusky-footed woodrats, a State species of special concern (H. T. Harvey & Associates, 2009). One of the mitigation measures proposed in that report was to prohibit unleashed house cats from being outdoors. The report admitted that this measure might not be considered feasible and so the impact to woodrats was identified as potentially significant and unavoidable.

We provide a fair argument based on substantial evidence that the project, even with the cited mitigation measures, may cause significant impacts to San Francisco Dusky-footed Woodrats.

15) 4.9.3.3 Drainage and Runoff Impacts, Offsite Stormwater Runoff, page 145. Text reads,

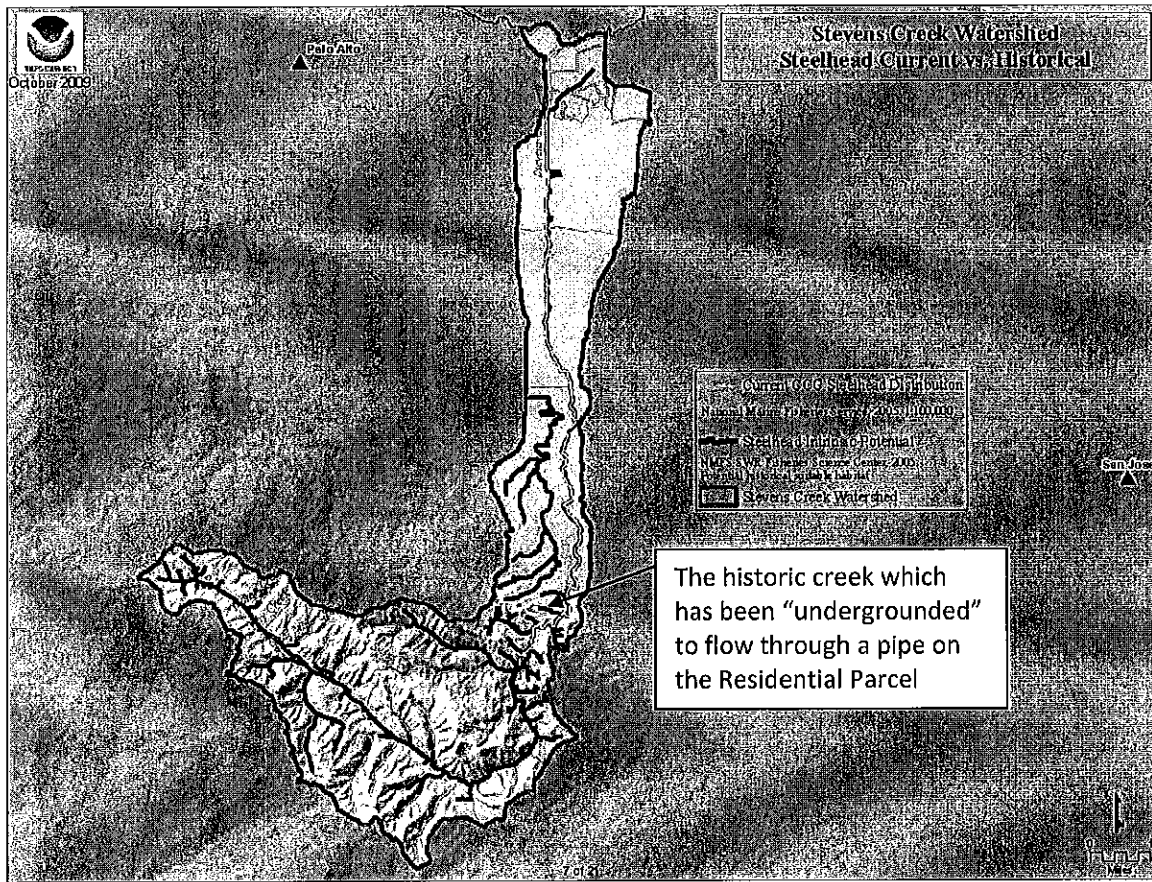
“An existing outfall to Stevens Creek is located on the Corridor parcel. Under existing conditions, offsite stormwater runoff from Stevens Canyon Road and approximately 28 acres west of the project site across Stevens Canyon Road is conveyed through the Residential parcel in an 18-inch storm drain line to the existing outfall. The offsite stormwater runoff would continue to be routed through the Residential parcel to the existing outfall under the proposed project, with the following modifications:

- The 18-inch storm drain line would be rerouted through the Residential parcel within the proposed street.
- The storm drain system on Stevens Canyon Road would be improved to prevent localized flooding.”

Generally, smallish bodies of water which carry stormwater runoff are referred to as “creeks” as in the nearby “Stevens Creek.” What is referred to in the above IS/MND text as “stormwater runoff” is actually a creek, ephemeral though it may be, and used to flow through the gorge which one can see on the other side of Stevens Canyon Road and overland through what is now termed the Residential Parcel to join with Steven Creek.

When Stevens Canyon Road was put in, the creek was diverted to flow into a culvert under the road and at some point the creek was “undergrounded” to flow through an 18-inch pipe within the Residential Parcel to Stevens Creek (references elsewhere in the IS/MND cite an incised channel where this little creek used to flow above ground through the property). During big storm events when the volume of water is high and carrying woody debris, the capacity of the culvert and pipeline is exceeded and the creek jumps its banks, so to speak, flowing overland over the road and the Residential Parcel. The creek “daylights” itself and for a while at least, the surrounding habitat benefits from these surface flows.

With the very extensive damage done to this little creek over the years, it is difficult to say whether further alterations will cause a significant impact, but we wish to state for the record that this *is* a creek and not just a stormwater drainage. We include a National Marine Fisheries Service map below which shows this little creek as historically having “Steelhead Intrinsic Potential,” which is to



say it is quite possible that Steelhead trout used this creek for part of their life cycle in times gone by. And whether anyone else acknowledges this as a creek, the creek “knows” it is a creek and that it is supposed to run overland from the mouth of the gorge down to Stevens Creek. Culverts and pipelines may temporarily entomb the creek, retaining walls may temporarily secure the soils, but unless a constant battle is waged, eventually the creek will break free.

Section 4.18.2, Cumulative Impacts, page 188. The text reads,

“In addition, under Section 15152(f) of the CEQA Guidelines, where a lead agency has determined that a cumulative effect has been adequately addressed in a prior EIR, the effect is not treated as significant for purposes of later environmental review and need not be discussed in detail.”

“The cumulative effects of planned development in Cupertino were previously addressed in the 2005 City of Cupertino General Plan Final EIR (State Clearinghouse #2002122061), although

greenhouse gas emissions were not required to be evaluated under the CEQA Guidelines at the time of preparation of the EIR.”

General Plan amendments and rezoning are part of the Parkside Trails Residential Project proposal and so cumulative effects addressed in the 2005 General Plan EIR do not apply in this case; this proposed project scenario was not a part of the planned development at the time that EIR was completed. Even if it were not for this project’s proposed changes to the General Plan, the IS/MND for this project should have carefully reviewed any previous environmental documents to consider how relevant the analysis was to the project-specific and cumulative impacts in the present case. No such review is evinced in this IS/MND.

Biological Resources on page 89. A series of sentences in the IS/MND text assert that the project minimizes or offsets all individual impacts. The text then states,

“Other individual projects in the City of Cupertino, especially those located along the Stevens Creek corridor, are assumed to implement similar measures based upon regulatory requirements of resources agencies and policies in the City’s General Plan for resources protection. Through these measures, the project’s contribution to habitats and special-status species impacts would not be cumulatively considerable or result in a new cumulative impact to these resources.”

The assumption within the IS/MND seems to be that if none the individual impacts is deemed significant for this project or the other mysterious, but unnamed and un-reviewed local projects, that automatically means the cumulative impacts will not be significant. Absolutely no evidence is given that effects of the cumulative impacts within the project were considered, let alone the effects of cumulative impacts among projects – at all. It seems the very definition of cumulative impacts was not understood. Cumulative impacts are not just a sum of the parts, they are a dark synergy.

Section 15355 of the CEQA Guidelines states, “Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

The cumulative impacts within this project and among other local projects along the Stevens Creek corridor are legion. There is one particular cumulative impact, however, which is very clear and easy to understand so we will use it as an example here. When one looks at maps and photos of the project area and environs, it is immediately obvious that the creek canyon is narrow at this point. Installing a housing development adjacent to the riparian corridor on the west of the creek and a free span bridge to accommodate the maybe-trail on the east side of the creek will make the space available for wildlife habitat and migration very, very narrow. This narrowness is exacerbated by a previous housing development immediately downstream of the project area.

The disturbance to the narrow wildlife corridor from occupation of the houses and use of the trail may effectively choke off and fragment – in terms of function and not just space–the corridor upstream of the project area from the corridor downstream of the project area. A number of

Citations

- George, S.L., Crooks, K.R. 2006. Recreation and large mammal activity in an urban nature reserve. *Biological Conservation* 133:107-117
- Fletcher Jr., R.J., McKinney, S.T. and Bock, C.E. 1999. Effects of recreational trails on wintering diurnal raptors along riparian corridors in a Colorado grassland. *Journal of Raptor Research* 33(3):233-239
- H.T. Harvey & Associates, 2008. Winding Way Property Tax Exchange Agreement for Annexation - Final Focused EIR, Appendix A, Section 3, Impacts to Biological Resources.
- Hilty, J.A, Lidicker Jr., W.Z., Merenlender, A.M. 2006. Corridor ecology, the science and practice of linking landscapes for biodiversity conservation. Island Press
- Mason, J., Moorman, C., Hess, G., Sinclair, K. 2007, Designing suburban greenways to provide habitat for forest-breeding birds. *Landscape and Urban Planning*, Volume 80, Issues1-2, 28 March 2007, Pages 153-164
- Miller, J.A., and Hobbs, N.T., 2000, Recreational trails, human activity, and nest predation in lowland riparian areas: *Landscape and Urban Planning*, v. 50 (4), p. 227-236
- Miller J.R., Wiens, J.A., Hobbs N.T., and Theobald D.M. 2003. Effects of human settlement on bird communities in lowland and riparian areas of Colorado (USA). *Ecological Applications*, 13(4):1041–1059
- Miller, S.G., Knight, R.L. and Miller, C.K. 1998. Influence of recreation trails on breeding bird communities. *Ecological Applications* 8:162-9.
- Reed, S.E. and Merenlender, A.M. 2008. Quiet, nonconsumptive recreation reduces protected area effectiveness. *Conservation Letters* 1(3):146 – 154
- Rosenberg, D. *et al*, 2009. Conservation Assessment of the Western Pond Turtle in Oregon (*Actinemys marmorata*), Sponsored by USDI Bureau of Land Management and Fish and Wildlife Service, USDA Forest Service Region 6, Oregon Department of Fish and Wildlife, City of Portland, Metro
- Rottenborn, S. C. 1999. Predicting the impacts of urbanization on riparian bird communities. *Biological Conservation*, Volume 88, Issue 3, June 1999, Pages 289–299
- Schlesinger, M.D., Manley, P.N., Holyoak, M. 2008. Distinguishing stressors acting on land bird communities in an urbanizing environment. *Ecology* 89(8): 2302-2314
- Taylor, A.R., Knight, R.L., 2003. Wildlife responses to recreation and associated visitor perceptions. *Ecological Applications* 13:951–963.
- Trulio, L.A. and Sokale, J., 2008. Foraging shorebird response to trail use around San Francisco Bay. *Journal of Wildlife Management* 72(8):1775-1780.

complex factors contribute to an effective corridor and actually now most ecologists use the term "connectivity" rather than "corridor" to emphasize that the focus needs to be on function rather than the creation of some sort of wildlife highway which wildlife may or may not use. Among the many important factors, one should keep in mind that size matters; the width of the corridor is highly related to its functionality. Generally wider is more effective than narrower and many researchers feel that the longer the corridor is, the wider it needs to be to remain functional (Hilty, et al. 2006).

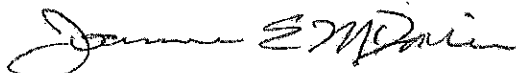
Throughout our comments we have detailed a few of the many ways that the riparian corridor and adjacent upland habitats may be impacted by the proposed development. The fact that the canyon is naturally narrow here and a previous development has further narrowed the effective width will combine with and enlarge on the effects from the proposed development. Hundreds of pages of documents carefully assembled by would-be developers cannot undo this cumulative impact to a regionally important wildlife habitat area and connectivity.

We provide a fair argument based on substantial evidence that the project may cause and contribute to significant cumulative impacts to the function of the Stevens Creek riparian habitat and wildlife corridor.

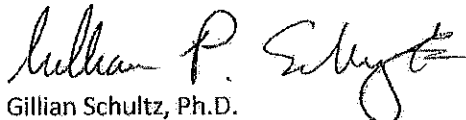
- 16) "The purpose of the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code § 21000 et seq., is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind." (Berkeley Keep Jets over the Bay Com. v. Board of Port Comrs., 91 Cal. App. 4th 1344 (Cal. Ct. App. 2001))

Acterra, in collaboration with Gillian Schultz Ph.D, Professor of Biology at Foothill College, and Kristin Sullivan, Professor of Environmental Studies at De Anza College, appreciates the opportunity to comment on the Initial Study/Mitigated Negative Declaration for the Parkside Trails Residential Project in the City of Cupertino. If there are any questions regarding this letter, please contact Joanne McFarlin, Senior Ecologist at joannem@acterra.org.

Sincerely,



Joanne McFarlin
Senior Ecologist, Acterra



Gillian Schultz, Ph.D.
Professor of Biology, Foothill College

Kristin Jensen Sullivan

Kristin Sullivan
Professor of Environmental Studies, De Anza College

Rebecca Tolentino

From: Lori Castro [lcastro58@outlook.com]
Sent: Thursday, August 07, 2014 2:26 PM
To: Rebecca Tolentino
Subject: No More Houses on the Hill!!!

Hello,

Sending this about the project to build more houses off of Stevens Canyon Road. We don't need anymore homes up there and in this neighborhood. There is already too much traffic in this area, especially during school year with all the cars on McClellan Road, which is where I reside. Sometimes you can't even get out of your driveway during the school commute time. And already too much traffic from the trucks going up and down Stevens Canyon Road. Plus all the drivers that short cut in this area off of Highway 85. Adding more homes will cause too much more traffic congestion. We don't need more homes, cars and people in Cupertino.

Thank you,
Lori Castro and others in my neighborhood
lcastro58@outlook.com

Sent from Windows Mail

Rebecca Tolentino

From: ew2524@aol.com
Sent: Thursday, August 07, 2014 4:28 PM
To: Rebecca Tolentino
Subject: water

Just one question: Where is the water coming from for all the building that is going on in Cupertino?? (and the rest of the county)

18 new homes, along with the Apple construction, lots of apartments, condos, etc..

All will need much water.

I'm happy to conserve if necessary, but from what I see, businesses are going their merry way.

E. Maston ew2524@aol.com

Rebecca Tolentino

From: Warren Chan [privacyviolated@gmail.com]
Sent: Thursday, August 07, 2014 4:31 PM
To: Rebecca Tolentino
Cc: City Clerk; City Council
Subject: IS/MND Parkside Trails

I am concerned about this proposed development. I have reviewed the initial study. Why is this developer attempting to squeeze new homes inbetween our existing residential areas and Stevens Creek? We need to maintain a buffer zone of open space around the creek so that it can be maintained as clean as possible. If any development is to be approved on this property, it should be on the East side adjacent to Linda Vista Drive. This area would have much less impact on the environment adjacent to Stevens Creek. Stevens Creek is a wildlife corridor from the Santa Cruz Mountains to the Bay. It flows into San Francisco Bay and needs to be kept clean. Stevens Creek can be a wonderful environmental, recreational and scenic corridor from the Santa Cruz Mountains to the San Francisco Bay. If you use poor judgement and approve this development (without an EIR) we will lose this Creek Corridor forever. Please do not approve this IS/MND. At the minimum, require a full EIR.

Sincerely yours,
Warren Chan
22812 Medina Ln
Cupertino, CA 95014

Rebecca Tolentino

From: gb136@comcast.net
Sent: Thursday, August 07, 2014 6:23 PM
To: Rebecca Tolentino; City Clerk
Subject: Comment for public record - proposed Stevens Canyon Housing development

I would like to let you know that I really think you should reject the IS/MND and insist that a proper EIR be prepared to better protect the Stevens Creek Wildlife Corridor.

So many people, and the city too!, have worked hard to restore habitat in this invaluable wildlife corridor - a true gem in an urban setting. **The** development, noted below, currently proposed upstream has high potential to ruin all the downstream work and is a highly unproductive step back. This is not in line with today's thinking - it's a huge step backward in protecting this watershed and special place especially in light of the work Cupertino did in Blackberry Farm et al. .

This is a bad plan! -- housing development, between Stevens Canyon Road and the creek just downstream of Steven Creek County Park. Due to an ephemeral creek, unstable fill and a steep slope, site preparation will include digging up the entirety of the up to 7.77 acres of ground to a depth of many feet, installing drains, retaining walls, and whatever is needed to stabilize the site, and then laying back out and leveling the ground. Almost all plant and wildlife species will be extirpated in this 7.77 acre area next to the creek. Up to 264 trees will be removed, 135 of which are considered protected. In their place, 18 luxury homes will be installed.

Please demand a full EIR! Thank you for your time reading my email and I urge you to take this much needed step!

Gail Bower
Orange Ave
Cupertino Ca

Rebecca Tolentino

From: City of Cupertino Planning Dept.
Sent: Friday, August 08, 2014 4:14 PM
To: Rebecca Tolentino
Subject: FW: Parkside Trails development project

From: Shabbir Nomanbhoy [<mailto:shabbir.nomanbhoy@gmail.com>]
Sent: Thursday, August 07, 2014 7:21 PM
To: City of Cupertino Planning Dept.
Cc: Mark Santoro
Subject: Parkside Trails development project

Dear Planning Commission

This project should not be approved in my opinion. Cupertino should not allow destruction of 135 protected trees and maybe hundreds/thousands of other trees in our community for the sake of allowing more housing and more development. Nor should Cupertino allow 18 residential units in our hillsides to be created from a 42 acre parcel of very low density that could have a max of only 5 residences if subdivided.
Shabbir Nomanbhoy

