Final Environmental Impact Report

400 Saratoga Avenue Residential Project

SCH No.: 2025050498



Prepared by

CITY OF SANTA CLARA CALIFORNIA
1852
THE MISSION CITY

In Consultation with

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ENVIRONMENTAL CONSULTANTS & PLANNERS

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Section 1.0 Introduction

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the 400 Saratoga Avenue Residential Project.

1.1 Purpose of the Final EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City and any Responsible Agencies in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the lead agency shall certify that:

(1) The Final EIR has been completed in compliance with CEQA;
(2) The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
(3) The Final EIR reflects the lead agency's independent judgment and analysis.

1.2 Contents of the Final EIR

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

a) The Draft EIR or a revision of the Draft;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
e) Any other information added by the Lead Agency.

1.3 Public Review

In accordance with CEQA and the CEQA Guidelines (Public Resources Code Section 21092.5[a] and CEQA Guidelines Section 15088[b]), the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at 1500 Warburton Ave, Santa Clara, CA 95050 on weekdays during normal business hours. The Final EIR is also available for review on the City's website: https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/612/15209.

Section 2.0 Draft EIR Public Review Summary

The Draft EIR for the 400 Saratoga Avenue Residential project (The Greens at Pruneridge Residential Project), dated May 2026, was circulated to affected public agencies and interested parties for a 45-day review period from June 5, 2026 through July 20, 2026. The City undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City's website https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/612/15209;
- Notification of the availability of the Draft EIR was mailed to project-area residents and other members of the public who had indicated interest in the project;
- The Draft EIR was delivered to the State Clearinghouse on June 5, 2026, as well as sent to various governmental agencies, organizations, businesses, and individuals (see Section 3.0 for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- Copies of the Draft EIR were made available on the City's website https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/612/15209, and hard copies were provided for review at the City of Santa Clara City Hall (1500 Warburton Ave, Santa Clara, CA 95050).

Section 3.0 Draft EIR Recipients

CEQA Guidelines Section 15086 requires that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The NOA for the Draft EIR was sent to owners and occupants adjacent to the project site and to adjacent jurisdictions. The following agencies received a copy of the Draft EIR from the City or via the State Clearinghouse:

- Native American Heritage Commission
- Regional Water Quality Control Board (Region 2)
- California Department of Fish and Wildlife
- Department of Toxic Substances Control

Section 4.0 Responses to Draft EIR Comments

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City of Santa Clara on the Draft EIR.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City of Santa Clara are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

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Master Responses

This section provides master responses addressing similar or recurring topics in the comments received on the Draft EIR. The intent of the master responses is to avoid repetition within this document and to provide a single, comprehensive response to these comments. Where applicable, responses to individual comments refer to the master responses.

Master Response 1: Traffic

Comments received on the Draft EIR discuss parking, traffic, and safety related to pedestrians and the nearby Westwood Elementary school. These comments state that the proposed project would provide insufficient parking for the project site, would contribute too many trips to the local streets, and would result in dangerous conditions for pedestrians and school dropoff.

The analysis provided in the Draft EIR was based, in part, on the Transportation Analysis and Transportation Demand Management (TDM) Plan completed in July 2025 by Hexagon Transportation Consultants. This document, included in the Draft EIR as Appendix H, contains an analysis of vehicle miles traveled (VMT) generated by the project, which is the metric by which transportation impacts are identified under CEQA. The transportation report also analyzed the operation of 10 intersections in the vicinity of the project site, freeway segment capacity, vehicle queuing (left turns) at selected intersections, site access and on-site circulation of the project site, parking, and potential operational deficiencies related to bicycle, pedestrian, and transit facilities under project conditions. The full scope of the transportation analysis is defined on pages 1-6 of Appendix H.

Methodology

Pursuant to Senate Bill 743, CEQA uses VMT as the primary metric for evaluating transportation impacts. VMT measures how many miles people drive to travel to basic services, jobs, and housing and is utilized in an effort to reduce greenhouse gas emissions, encourage infill development, and promote alternative modes of transportation.

The Draft EIR does not conclude VMT significance based on the proximity to transit. As part of the transportation analysis, a site specific VMT analysis was completed by modeling the project components which generate trips, including the apartments and park. Although the City of Santa Clara allows projects within a half mile of high-quality transit stops[1] to screen out of VMT analyses, the project is not located within a half mile of a high-quality transit stop as defined by Public Resources Code Section 21155. As such, the Draft EIR findings are based on modeling using the Valley Transportation Authority (VTA) VMT analysis tool. The methodology for the VMT analysis is described on page 4 of Appendix H.

[1] Pursuant to Public Resources Code Section 21155, a high-quality transit stop or corridor is a fixed-route transit service with intervals of 15 minutes or less during peak morning and afternoon commute hours.

Parking

As of the 2009 CEQA Guidelines update, inadequate parking supply, by itself, is not a significant environmental impact under CEQA. Assembly Bill 2097, enacted in September 2022, limits local minimum automobile parking requirements for qualifying development near a major transit stop[2]. As the project site is not located within one-half mile of a major public transit stop as defined by Assembly Bill 2097, the transportation analysis evaluated consistency with the City's applicable parking standards. Because parking is not considered an impact under CEQA, the discussion of parking is provided in the Draft EIR for informational purposes only.

The traffic report included an analysis of parking provided in relation to City Code Section 18.38 requirements. Per this code section, the project is required to provide 379 residential parking spaces for long term parking. In accordance with the Zoning Code, 316 parking spaces would be assigned to the units and the remaining 91 parking spaces would be unbundled and provided at an additional fee. Therefore, the 407 parking spaces proposed by the project meet the City's parking standards.

As proposed, the project includes seven guest parking spaces. Pursuant to the City's Zoning Code (updated July 2025), the City has no minimum parking requirements for residential visitor parking. As such, the project does not conflict with any adopted parking requirements for visitor parking.

The project proposes 13 parking spaces for the public park. The Zoning Code establishes no parking minimum for this use. As such, the 13 parking spaces proposed would be sufficient to serve the project.

Roadway Operations – Congestion/Delay

Similar to parking, traffic operations of roadways, including congestion and delay, are not impacts under CEQA under the transportation framework implementing Senate Bill 743. The operational traffic data in the transportation analysis is provided for informational purposes only to identify potential operational issues in the area around the project. Existing AM and PM peak hour traffic conditions were calculated for local intersections in the immediate project area, and all intersections currently operate at acceptable levels of service as shown in Table ES-1 and Table 3 of Appendix H. The analysis calculated daily and peak hour project trips which were then added to the existing conditions. The project trips were also added to the background[3] and cumulative conditions[4]. Based on this modeling, the study intersections would continue to operate at

[2] The intersection of two or more major bus routes with a service frequency interval of 15 minutes or less during morning and afternoon peak commute periods.
[3] Background conditions are the existing conditions plus traffic from approved but not yet constructed projects.
[4] Cumulative conditions include all traffic trips from past, present, and reasonably foreseeable projects in the project area.

acceptable levels of service under existing plus project, background plus project, and cumulative plus project conditions as shown in Tables ES-1, 6, and 7 of Appendix H. In addition, the transportation analysis assumed a worst-case scenario which included school traffic added to the peak hours. With the addition of school traffic, local intersections would continue to operate at acceptable levels with the addition of project traffic. Therefore, the addition of project traffic would not exacerbate existing operational issues to a level which would mandate improvements to mitigate project traffic effects.

In addition to the level of service/delay analysis, analysis of the operation of left-turn pockets (based on queue lengths[5]) was provided for the intersections near the project site. Based on this analysis, the proposed project would result in a queue length at one intersection that exceeds the 95 percentile. Specifically, the eastbound left-turn lane at Pruneridge Avenue and Saratoga Avenue has a maximum queue length of 150 feet (six cars) in the AM peak hour under existing, background, and cumulative conditions. With the addition of project traffic, the maximum 95th percentile queue would extend by one car to 175 feet. However, due to the lane configuration at this intersection, the additional vehicle would not affect intersection operations as it would not impede through traffic. This is due to the availability of multiple lanes, which would not be blocked by traffic in the event that a turn pocket capacity is exceeded.

Safety

Commenters identified the location of transit as a concern for the proposed project. The proposed project was not found to have impacts on safety for pedestrians or bicyclists because it would not reduce the existing bicycle and pedestrian routes accessible in the project area. Furthermore, it was determined that the area has good pedestrian connectivity and crosswalks are provided on all approaches of all signalized intersections in the vicinity of the project site. All of the crosswalks at the nearby signalized intersections include pedestrian signal heads and push buttons and the existing sidewalks and crosswalks in the project vicinity provide adequate access to the nearby transit facilities. Refer to Section 3.17 and Appendix H of the Draft EIR for the applicable analysis.

Regarding access by emergency vehicles, emergency vehicles are not required to adhere to all traffic laws when in active response. Emergency responders may enter intersections and/or utilize roadway lanes inconsistent with standard traffic operations and laws when they deem it safe to do so. As the project will not cause the level of service of any local intersection to operate below the City's acceptable threshold, emergency vehicles would not be hampered by any substantial delays resulting from traffic generated by the proposed project.

Conclusion

[5] The queue length is the total length of the line of cars waiting to make a left hand turn. Queuing analyses assume a standard car length of 25 feet. When the queue length exceeds the full length of the dedicated turn lane, there is the potential to block traffic in the adjacent through-lane.

For each component, the transportation analysis concluded that the proposed project would have a less than significant impact on VMT and local roadway operations. The transportation analysis did identify recommendations for potential improvements both on and off-site, which are not required to remediate any impact under CEQA. These measures have been recommended to assist with City goals and policies for transportation operations. City staff and/or the City Council may choose to require any or all of these measures as Conditions of Project Approval.

Based on the findings of the transportation analysis and the analysis in the Draft EIR, the proposed project would result in a less than significant traffic impact and no revisions to the Draft EIR are required.

Master Response 2: Open Space Easement

Comments were received asserting that the City does not have the authority to amend a scenic easement that limits use of the project site to golf-course related and other recreational uses. Such claims challenge the City's general authority and are outside the scope of CEQA. Nevertheless, a response is provided below for informational purposes.

In June of 2025, the Applicant submitted to the City applications for a general plan amendment, zoning amendment, architectural review, vesting tentative map, and use of the State Density Bonus Law for the Project for the project site ("Project Entitlements"). The project site is encumbered by a 1978 scenic easement deed ("Easement") that limits the use of the Property to golf course-related and other recreational uses. The Applicant subsequently submitted an application to the City to amend the Easement to permit development of the project on the Property ("Easement Amendment").

The Easement Amendment does not seek approval to abandon the Easement. Rather, the Applicant is seeking an Easement Amendment to allow improvements to the property that would support the continued operation of the golf course and provide a new public park for the benefit of the public.

Neither the Open Space Easement Act nor the Easement prohibit amendment of scenic easements. Nor does the Easement require that the Easement be abandoned in the event of a proposed change to the burdened property. In fact, the Easement authorizes the City Council to approve certain alterations without even going through a formal amendment process. For example, the Council is authorized to approve structures that may be required or desirable for the construction and operation of a public golf course and other recreational uses, without requiring an amendment or abandonment. (Easement, ¶ 1.1.) Further, the Easement expressly authorizes the City Council to approve alterations of use of the burdened property that would materially alter the landscape or other attractive scenic features of the burdened Property without requiring an amendment or abandonment. (Easement, ¶ 1.4.)

Read together, these provisions demonstrate that the City retains discretion to approve new uses and alterations of the burdened property. Although the Applicant could seek approval of the project as an alteration pursuant to the express terms of the Easement, the Applicant is taking the more

conservative course of requesting an amendment of the Easement. The 1997 advice from the City Attorney referenced by several commentors addressed abandonment of the Easement and thus is not relevant to the Applicant's request to amend the Easement.

If there had been an intent to restrict the City's future discretion to approve changes to the property or to make abandonment the exclusive means of modification of the burdened property, the Easement could have so provided, and the decision not to do so must be given effect. (See Richeson v. Heal, 158 Cal. App. 4th 268, 280 (2007) ("Reservation of the police power is implicit in all government contracts and private parties take their rights subject to that reservation. Thus, courts will not read into the contract an abrogation of the potential future exercise of the sovereign police power.") (citations omitted).)

The proposed Easement Amendment would be consistent with the purpose and intent of the Easement. The project would not eliminate the public benefit open space and recreational purposes for which the Easement was established. Rather, residential development would be incorporated in a manner that not only preserves the purpose of the Easement, including by ensuring the continued operation of the golf course, but also would enhance the purpose of the Easement by adding a publicly accessible park for the benefit of all City residents.

Master Response 3: Intent and Purpose of CEQA

Under CEQA, the environmental setting or "baseline" describes the existing conditions in the project vicinity. Pursuant to CEQA Guidelines Section 15125(a), the baseline is generally the physical environmental conditions as they exist at the time the Notice of Preparation is published. In some cases, a historic or future baseline may be applied, but those scenarios are not applicable to the proposed project.

The determination of impacts under CEQA is based on the physical environmental effects of a proposed project compared to the baseline conditions of the project site and surrounding project area. The existing conditions or baseline are not impacts caused by a project. As such, there is no nexus to require mitigation to remediate existing conditions and the lead agency has no legal authority to require mitigation for a preexisting condition.[6] The impacts of any project are determined by comparing the net effect of a project to the established qualitative and quantitative thresholds utilized by the lead agency.

[6] CEQA Guidelines Section 15126.4(4)(A) states that "There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest (Nollan v. California Coastal Commission, 483 U.S. 825 (1987)". In addition, CEQA Guidelines Section 15126.4(4)(B) states "The mitigation measure must be "roughly proportional" to the impacts of the project (Dolan v. City of Tigard, 512 U.S. 374 (1994).

Federal and State Agencies

A. Department of Toxic Substances Control (DTSC) (dated June 12, 2026)

Comment A.1: The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Pruneridge Apartments (Project). The Project site would be divided into three parcels and proposes residential development on the southwestern parcel (3.66 acres), a 1.77acre public park, and the golf course on the remaining 25.54 acres. While the golf course would be reconfigured, no changes are proposed to the existing 6.4-acre portion of the golf course parcel that consists of the driving range, clubhouse, and surface parking lot. The project would include the demolition of approximately 1,800 square feet of maintenance buildings and construction of a five-story apartment building with up to 316 units wrapped around a seven-story parking garage structure (Building 1), and a new one-story, 2,460 square foot maintenance building (Building 2) with an approximately 4,286 square foot outdoor storage and equipment yard. DTSC recommends and requests consideration of the following comments:

> **Response A.1:** This comment summarizes the project description of the development. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment A.2: 1. When agricultural crops and/or land uses are proposed or rezoned for residential use, several Contaminants of Concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichlorodiphenyltrichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing, loading, and storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. These recommendations should be adhered to and become part of the environmental document. Please refer to the DTSC's Human and Ecological Risk Office (HERO) webpage for the most recent guidance and screening levels.

> **Response A.2:** As discussed in Section 3.9 of the Draft EIR, a Phase I Environmental Site Assessment was completed for the project site. The Phase I and Draft EIR identified potential contaminants from an above-ground storage tank and historical agricultural uses of the project site. As a result, Mitigation Measure HAZ-2.1 was identified. The mitigation measure includes preparation of a site management plan based on soil sampling, which will manage contaminants of concern, if present, to prevent exposure to construction workers or nearby residents. The text of the

Mitigation Measure HAZ-2.1 has been revised to more accurately reflect the on-site conditions. Refer to Section 5.0 of this document.

Comment A.3: 2. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of leadbased paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the abovementioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment Guidance Manual.

Response A.3: As described in the Draft EIR, the project would include demolition of an approximately 1,800 square-foot maintenance building. A Phase I Environmental Site Assessment was prepared and included in the Draft EIR at Appendix F. Based on the age of the developments at the project site, asbestos-containing materials (ACMs) may be present. Demolition of the building would be conducted in compliance with Air District Regulation 11-2, which requires that prior to commencement of any demolition or renovation, the owner or operator must thoroughly survey the affected structure or portion thereof for the presence of ACMs.

According to the Phase I Environmental Site Assessment, based on the age of the development on the project site, lead-based paint is not likely to be present. If lead paint is present in structures to be demolished under the project, the stabilization and/or removal of lead paint will be required in accordance with applicable laws and regulations, including but not limited to: California OSHA's Construction Lead Standard, Title 8 CCR Section 1532.1, and Department of Health Services (DHS) regulation 17 CCR Sections 35001 through 36100, as may be amended.

Hazardous building materials removed during demolition or renovation activities must be transported in accordance with DOT regulations and disposed of in accordance with the RCRA, CCR, and/or California Universal Waste Rule at a facility permitted to accept the wastes.

Therefore, the proposed project would be required to survey and remove/dispose of such material in accordance with applicable laws and regulations and no revision to the Draft EIR is required.

Comment A.4: 3. DTSC recommends all imported soil/fill material be tested to ensure all COCs meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual. Furthermore, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing soil/fill is necessary. To minimize the possibility of introducing contaminated soil/fill material, there should be documentation of the origins of the soil/fill material and, if

applicable, sampling be conducted to ensure that the imported soil/fill material is suitable for the intended land use. The sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

Response A.4: The Draft EIR analyzes impacts of the proposed project on the environment and construction activities would follow all legally required construction procedures for handling imported materials, such as fill. The recommendation to sample imported soils will be passed along to decision makers and the applicant for inclusion in the site management plan. Therefore, the Draft EIR does not require revision.

Comment A.5: 4. A Soil Management Plan (SMP) should not be implemented as a primary cleanup plan as outlined in the document in MM HAZ-2.1. DTSC recommends the City of Santa Clara ensure any potential contamination be fully characterized and then remediated under the oversight of a self-certified local agency, DTSC, or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact the relevant Regional Brownfield Coordinator for your Project.

DTSC appreciates the opportunity to comment on the DEIR for the 400 Saratoga Pruneridge Apartments. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via CEQA Review email for additional guidance.

Response A.5: DTSC recommends the City to require a voluntary agreement for potential contamination on the project site. The Phase I Environmental Site Assessment did not identify any Recognized Environmental Conditions and there is no known contamination at the project site. Nevertheless, based on the historical use of the project site and activities occurring in surrounding areas, a Mitigation Measure was included in the Draft EIR. That Mitigation Measure is satisfactory because the Phase 1 only recommended that "prior to the removal of soil, soil should be analyzed for elevated concentrations of herbicides and pesticides".

The Draft EIR stated that there were two Recognized Environmental Conditions (REC) in proximity to the project area as discussed on page 37 of Appendix F. It should be noted that this reference is in error as one of the conditions identified (an aboveground fuel storage tank) is located within the maintenance yard on-site.

The off-site condition associated with Classic Cleaners was identified as a potential vapor encroachment condition for the site. However, based on the ongoing remediation of the condition and its distance from the project site, no investigation or response was recommended.

The aboveground fuel tank located on-site, while represented as an REC in one section of the Phase I report, does not rise to the level of an REC under applicable ASTM Standard 1527-21. This determination is consistent with other correct findings in the Phase 1, which state that there are no RECs or Controlled Recognized Environmental Conditions on-site. The text of the Draft EIR has been revised to more accurately reflect the on-site conditions. Refer to Section 5.0 of this document.

The mitigation included for the proposed project, providing on-site sampling to evaluate potential contamination and the preparation of a site management plan, would be adequate to address the potentially hazardous conditions identified for the project site (page 86 of the Draft EIR), including potential impacts from historical agricultural use and the aboveground fuel storage tank. The text of the Mitigation Measure HAZ-2.1 has been revised to more accurately reflect the on-site conditions and requirements. Refer to Section 5.0 of this document.

B. California Department of Fish and Wildlife (CDFW) (dated July 17, 2026)

Comment B.1: The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (EIR) from the City of Santa Clara (City) for the 400 Saratoga Pruneridge Apartments (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined

by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

> **Response B.1:** This comment explains CDFWs role as a responsible and trustee agency. The comment is informational and does not provide specific comment on the Draft EIR. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment B.2: REGULATORY REQUIREMENTS

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Under CESA, "take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86.) CDFW's issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

California Environmental Quality Act

CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the lead agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the lead agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting river, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the CEQA document and complied with its responsibilities as a responsible agency under CEQA.

Migratory Birds and Raptors
CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

> **Response B.2:** This comment provides regulatory information and does not provide specific comments on the Draft EIR.
> This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment B.3: **PROJECT DESCRIPTION SUMMARY**
Proponent: City of Santa Clara
Objective: The proposed Project would divide the existing Project site into three parcels and proposes residential development on the southwestern parcel (3.66 acres), a 1.77-acre public park, and the golf course on the remaining 25.54 acres. While the golf course would be reconfigured, no changes are proposed to the existing 6.4-acre portion of the golf course parcel that consists of the driving range, clubhouse, and surface parking lot.
Location: The Project is located citywide at the crossroads of Pruneridge Avenue and Saratoga Avenue in the City of Santa Clara in Santa Clara County. GPS coordinates 37°19'51.7"N, Longitude: 121°57'52.9"W.
Timeframe: 36 months

> **Response B.3:** The comment provides project information and does not provide comments on the Draft EIR.
> This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment B.4: COMMENTS AND RECOMMENDATIONS
CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the potential for the Project to have a significant impact on biological resources, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

COMMENT 1: Migratory Birds and Nesting Raptors
Issue: The draft EIR acknowledges there is foraging bird habitat and potential nesting habitat on the Project site that may be impacted by Project disturbance. The draft EIR indicates site disturbance may occur during the nesting bird season (February 1 through August 31). Avoidance and

minimization measure MM BIO-1.1 specifies a qualified ornithologist conduct pre-construction nesting bird surveys “no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).” MM BIO-1.1 also says “if an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction free buffer zone to be established around the nest”. The draft EIR does not prescribe a survey radii or provide an active nest buffer. This is not biologically protective and risks nest abandonment, reduced productivity, and unlawful “take” under California Fish & Game Code and the MBTA.

Evidence that the impact would be significant: Bird and Raptor species are highly sensitive to human disturbance during courtship, incubation, and fledging. Repeated flushes and noise/activity near nests are linked to lower nesting success. Spatial and temporal buffers are necessary to prevent disturbance, and effective distances vary by species and site conditions, often exceeding a few hundred feet (ft.) (Richardson and Miller 1997). CDFW emphasizes that most birds and all raptors are protected under state law (Fish & Game Code §§3503, 3503.5, 3513) and inadequate buffers that cause nest failure or harassment would constitute a significant impact and potential violation (CDFW 2019). Additional raptor research underscores that buffer-setting should account for species traits and local visibility/line-of-sight; conservative distances and seasonal restrictions reduce disturbance risk (White et al. 2022).

Recommendations: The City should revise MM BIO-1.1 to include species-specific, seasonally appropriate, and enforceable measures, including:

1. Minimum no-disturbance buffers: Passerine bird species should generally have a nesting buffer of 50-150 ft. (species dependent), and general raptors should have a buffer of greater than or equal to 500 ft. with direct line-of-sight, which may only be reduced with screening and qualified biologist approval (Richardson and Miller 1997). For species like Swainson’s hawk (Buteo swainsoni), there should be at least a 0.5-mile buffer until fledging is confirmed by a qualified biologist (CDFW 2000). No work shall occur in the nesting buffer until the nest has fledged.

2. Surveys & timing: A qualified biologist shall conduct nesting bird and raptor surveys within at least 1,000 ft. of disturbance footprint before any work during nesting season. If there is a lapse in Project activities of more than five days, new nesting bird surveys shall be performed.

3. Seasonal work windows: Tree removal and high-noise activities shall be performed outside the nesting season where feasible; if not feasible, no work buffers shall be established for active nest and daily monitoring by a qualified biologist shall be conducted (Richardson and Miller 1997).

4. Regulatory coordination: CDFW shall be consulted when an active nest buffer is proposed to be reduced.

Response B.4: The City acknowledges CDFW's concern that surveys completed 14 or 30 days before disturbance may not identify nests established before work begins. The City proposes to strengthen Mitigation Measure BIO-1.1 to require surveys within seven days before each phase of vegetation removal, demolition, grading, or other construction during the nesting season, and repeat surveys after a work lapse exceeding five consecutive days. Surveys shall cover suitable nesting habitat within the work area and adjacent areas that could be disturbed, including trees, shrubs, ground-nesting habitat, and structures.

Specific buffer zones would be established for Passerine bird species, general raptors, Swainson's hawk, and if any buffer is proposed to be reduced from these standards, they shall be done so in consultation with CDFW.

The text of Mitigation Measure BIO-1.1 has been revised to clarify the requirements for nesting bird surveys and buffers. Refer to Section 5.0 of this document.

Comment B.5: COMMENT 2: Bats
Issue: The draft EIR does not adequately assess or disclose potential impacts to bats resulting from tree removal and structural disturbance associated with the Project. While the Project proposes removal of 209 trees and disturbance to features that may provide suitable roosting habitat, the draft EIR lacks a comprehensive bat habitat assessment to address potential impacts. Bat surveys should occur at least two seasons in advance of Project initiation. As a result, the draft EIR minimizes the potential for significant impacts to bats and does not demonstrate that impacts would be reduced to less than significant.

Evidence of Impacts: Bats are a sensitive species that rely on a variety of roosting features, including large trees with cavities or exfoliating bark, crevices in bridges and buildings, and other structural voids. Many bat species exhibit strong seasonal variation in roost use, shifting between maternity roosts, day roosts, night roosts, and hibernacula depending on time of year. Removal or disturbance of roosting habitat during critical life stages, such as maternity season, can result in direct mortality, abandonment of young, or long-term population declines (Kunz and Lumsden 2003; Cryan and Barclay 2009).

Scientific literature demonstrates that single-season or last-minute surveys are inadequate to characterize bat use of a site. Bat occupancy can vary substantially between spring, summer, and fall, and absence during a short survey window does not indicate absence during other biologically important periods (Weller 2007). Maternity colonies, which are typically present during late spring and summer, are especially vulnerable because females give birth to non-volant young that cannot escape disturbance or habitat removal (Kunz and Fenton 2005). Disturbance of maternity roosts is widely recognized as a significant impact because reproductive success in bats is low, with most species producing only one pup per year.

Recommendations: The draft EIR should include the following avoidance and minimization measure:

1. Multi-Season Bat Surveys: Focused bat surveys of suitable habitat shall be conducted by a qualified biologist shall be conducted at least two seasons prior to Project initiation, as follows:

- Spring/early summer (March 1–April 15) to identify maternity roost establishment
- Late summer/fall (August 31–October 15) to document late-season roost use and migration-related activity

2. If the focused survey reveals the presence of roosting bats, then the appropriate exclusionary or avoidance measures will be implemented prior to construction during the period between March 1 to April 15 or August 31 to October 15.

3. Bat Project Avoidance: If active bat roosts are observed during environmental assessments or during construction, at any time, all Project activities should stop until the qualified biologist develops a bat avoidance plan to be implemented at the Project site. The bat avoidance plan should utilize seasonal avoidance, phased construction as well as temporary and permanent bat housing structures developed in coordination with CDFW.

Response B.5: The Draft EIR evaluated potential impacts of the project to biological resources, including habitat and special-status species. As described in the Draft EIR, the project site is in a developed, urban area and is surrounded by existing residential and commercial development. The project site does not contain habitat suitable for special-status plant and animal species. Sensitive biological habitats identified in the City of Santa Clara General Plan are primarily limited to the Ulistac Natural Area, a 40-acre open space parcel located along the Guadalupe River. The project site and other areas of the City are generally not representative of the unique environments found throughout the Bay Area. A Technical Memo was prepared by Live Oak Associates Inc. in August 2025 to characterize existing habitat and wildlife use of the site and to determine the habitat value of the project site, which confirms that the project site does not contain habitat suitable for special-status species. This report is included as an attachment to the FEIR (Appendix B). After a site visit of the golf course and surrounding areas on July 9, 2025, the Live Oak Associates biologist determined that no nesting habitat was present for sensitive species and no habitat or sensitive species were identified during the site survey.

During the site visit, the site was found to have typical landscape trees and shrubs consistent with an urban golf course, including various oak species, eucalyptus, Peruvian pepper, weeping willow and tree of heaven. Wildlife species observed were common to urban areas and included mourning dove, Anna's hummingbird, black phoebe, American crow, common raven, house finch, dark-eyed junco, white-crowned sparrow, and California towhee. The report determined the Pallid and Townsend's big-eared bat may rarely to occasionally use the site but the project site's location within the middle of an urbanized environment and its value for bats is very limited and they would occur only if suitable roosting habitat was nearby. Thus, that although bats could forage above the site, the project site's value for bat species and as bat habitat very limited.

In summary, the biological resources in the City of Santa Clara are limited and constrained by the urbanized character of the area and the project site is not expected to support roosting, and so focused bat surveys are not warranted.

Comment B.6: COMMENT 3: Exterior Windows
Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality.

Evidence the impact would be significant: Birds, typically, do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014). Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas, external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to the U.S. Fish and Wildlife Service's website for Buildings and Glass (https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php).

Response B.6: Refer to Response B.5 regarding the Draft EIR's evaluation of potential impacts to biological resources and its conclusion that the project site does not contain habitat suitable for special-status plant and animal species. Only urban-tolerant wildlife species would be expected to occur on the project site. The City of Santa Clara does not require projects in this area to implement bird safe design, which is usually reserved for natural areas such as near the Ulistac Natural Area in the north portion of the City or near local waterways. The nearest creek to the project site is Saratoga Creek, located more than 0.65 miles away. Based on information provided by the project applicant, the residential building has windows that comprise less than 40 percent of the exterior façade, and the highest windows are under 50 feet. Based on these parameters, and because the site is not in proximity to a riparian corridor, the project is expected to be exempt from typical fritted or bird-safe glass requirements that are more commonly applied to commercial or high-rise urban buildings. The recommendation for the incorporation of bird safe design has been noted for decision makers and can be conditioned on the project if required. No revision to the Draft EIR are required.

Comment B.7: ENVIRONMENTAL DATA
CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link:

https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

Response B.7: The comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment B.8: ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed Emily Carlson, Environmental Scientist, at Emily.Carlson@wildlife.ca.gov; or Jason Faridi, Senior Environmental Scientist (Supervisory), at Jason.Faridi@wildlife.ca.gov.

Response B.8: The Notice of Determination for the proposed project would be filed with the State Clearinghouse upon completion and as a part of the filing, CDFW fees will be paid consistent with the current fee schedule. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Regional and Local Agencies

C. Indian Canyon Band of Costanoan Ohlone People (dated June 30, 2026)

Comment C.1: miSmin Tuuhis [Good Day]
Kan rakat Kanyon Sayers-Roods. I am writing this on behalf of the Indian Canyon Band of Costanoan Ohlone People as requested, responding to your letter As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a potentially eligible cultural site, I am interested in consulting and voicing our concerns. With some instances like this, usually we recommend that a Native American Monitor and an Archaeologist be present on-site at all times during any/all ground disturbing activities. The presence of a Native monitor and archaeologist will help the project minimize potential effects on the cultural site and mitigate inadvertent issues.

Kanyon Konsulting, LLC has numerous Native Monitors available for projects such as this, if applicable, we recommend a Cultural Sensitivity Training at the beginning of each project. This service is offered to aid those involved in the project to become more familiar with the indigenous history of the peoples of this land that is being worked on.

Kanyon Konsulting is a strong proponent of honoring truth in history, when it comes to impacting Cultural Resources and potential ancestral remains, we need to recognise the history of the territory we are impacting. We have seen that projects like these tend to come into an area to consult/mitigate and move on shortly after - barely acknowledging the Cultural Representatives of the territory they steward and are responsible for. Because of these possibilities, we highly recommend that you receive a specialized consultation provided by our company as the project commences, bringing in considerations about the Indigenous peoples and environment of this territory that you work, have settled upon and benefit from.

Response C.1: The Draft EIR evaluates potential impacts to cultural resources at Section 3.5 and to tribal cultural resources at Section 3.18. The analysis was based on an Archeological Sensitivity Assessment that was prepared to identify resources in and around the project area, including tribal cultural resources. A California Historical Resources Information System (CHRIS) search was prepared for the project with a 0.25-mile buffer and no resources were identified. Additionally, a Sacred Lands File search request was submitted to the Native American Heritage Commission and received a response on May 7, 2024 with negative results for tribal cultural resources. Based on these findings, mitigation requiring an archeological monitor for ground disturbing activities is required as outlined in Mitigation Measure CUL-2.1 on Page 53 of the Draft EIR. If resources are found during ground disturbance Mitigation Measure CUL-2.2 (Page 53) would be implemented. Additionally, as discussed in Section 3.18 of the Draft EIR, tribal consultation was conducted through the City for the project and no responses were received. If buried remains are found on-site the NAHC will be contacted for a determination of most likely descendants and proper treatment. The text of Mitigation Measure CUL-

2.1 has been revised to clarify requirements for monitoring. Refer to Section 5.0 of this document.

Comment C.2: As previously stated, our goal is to Honor Truth in History. And as such we want to ensure that there is an effort from the project organizer to take strategic steps in ways that #HonorTruthinHistory. This will make all involved aware of the history of the Indigenous communities whom we acknowledge as the first stewards and land managers of these territories.

Potential Approaches to Indigenous Cultural Awareness/History:
Signs or messages to the audience or community of the territory being developed. (ex. A commemorable plaque, page on the website, mural, display, or an Educational/Cultural Center with information about the history/ecology/resources of the land)

Commitment to consultation with the Native Peoples of the territory in regards to presenting and messaging about the Indigenous history/community of the land (Land Acknowledgement on website, written material about the space/org/building/business/etc, Cultural display of cultural resources/botanical knowledge or Culture sharing of Traditional Ecological Knowledge - Indigenous Science and Technology) Advocation of supporting indigenous lead movements and efforts. (informing one's audience and/or community about local present Indigenous community)

Response C.2: Refer to Response C.1.

D. Santa Clara Valley Bird Alliance (SCVBA) (dated July 20, 2026)

Comment D.1: The Santa Clara Valley Bird Alliance (SCVBA), founded in 1925 as the Santa Clara Valley Audubon Society, promotes the enjoyment, understanding, and protection of birds and other wildlife through education, advocacy, and public engagement. SCVBA submits the following comments on the Biological Resources section of the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Avenue Residential Project.

BIOLOGICAL RESOURCES
Comment 1. The DEIR Does Not Adequately Support Its Biological Conclusions The DEIR concludes that the project site does not contain suitable habitat for special-status plants or animals, does not function as a wildlife corridor, does not provide wildlife nursery sites, and would not substantially affect special-status species. However, it does not disclose the biological information supporting these conclusions.

The Biological Resources section states that it relies, in part, on the April 2024 Arborist Report. That report inventories and evaluates trees for preservation purposes. Its scope is limited to documenting tree species, size, condition, structure, and suitability for preservation. It does not evaluate wildlife use, habitat suitability, special-status species, wildlife movement, wetlands, bats, or other biological resources.

The DEIR does not identify a biological resources assessment, reconnaissance survey, wildlife survey, database review, habitat assessment, or other site-specific biological technical report. Nor does it disclose whether a qualified biologist conducted a site investigation, when field work occurred, what survey methods were used, or what information supports the conclusion that nesting birds are the only biological resource potentially affected by the project.

SCVBA is not asserting that special-status species or sensitive habitats necessarily occur on the site. Rather, the issue is whether the DEIR's conclusions are supported by substantial evidence. The Final EIR should identify the biological information relied upon, including any field surveys, habitat assessments, database searches, or other technical evaluations. If no such evaluation has been completed, the site should be assessed by a qualified biologist, and the biological analysis revised, as appropriate.

Response D.1: Refer to Response B.5.

Comment D.2: Comment 2. Tree Removal Analysis Is Internally Inconsistent
The DEIR and Arborist Report provide materially different accounts of the number of trees proposed for removal. The Arborist Report inventories 216 trees and states that 124 trees would be removed and 92 preserved. In contrast, the DEIR states that 88 trees would be removed for the residential development and an additional 121 trees would be removed for the golf course improvements. Read together, the DEIR appears to identify 209 tree removals rather than the 124 removals evaluated in the Arborist Report.

The DEIR does not explain whether the residential and golf course removal totals overlap, whether the Arborist Report reflects the current project design, or which figures represent the proposed project. Without this information, decision-makers and the public cannot determine the actual extent of tree removal or accurately evaluate the project's impacts.
The replacement calculations are similarly unclear. The DEIR states that 155 new trees would be planted on site and an additional 285 replacement trees would be planted off site, but it does not explain how these figures were derived or reconcile them with the replacement ratios described in the Arborist Report.

The Final EIR should provide a single, internally consistent accounting of:
● the total number of trees proposed for removal and preservation;
● whether the removal totals reported in the DEIR overlap or supersede those in the Arborist Report;
● the basis for the replacement calculations; and
● the number and location of on-site and off-site replacement trees.

Response D.2: . Detailed tree counts, condition ratings, and recommended replacement ratios for trees in the development area are contained in the Arborist Report (Appendix C of the Draft EIR). An additional tree survey of the entire project site is provided in the project plan set on file at the City. To account for the greatest potential impact from the project, the number of trees estimated to be removed

was increased for the Draft EIR analysis. Trees will be replaced at a 1:1 ratio for unsuitable trees and a 2:1 ratio with 24-inch replacement trees (or 4:1 ratio with 15-gallon trees) for protected trees. The total number of replacement trees includes street trees to be removed and all trees to be removed throughout the entire project site. While the total number of trees to be removed may be adjusted during final design and the permitting process of the proposed project, the City's tree replacement requirements would be enforced.

As stated in the Draft EIR the specific number of replacement trees for the golf course portion is not defined at this time and is subject to final design plans. However, the proposed project will be required to comply with the adopted tree replacement policy of the City of Santa Clara. Therefore, the impacts from tree removal are correctly stated in the Draft EIR and no revision is required.

Comment D.3: Comment 3. Biological Effects of Mature Tree Removal Are Not Adequately Evaluated Beyond the inconsistencies in the number of trees proposed for removal, the DEIR does not adequately characterize the biological significance of the trees that would be lost. Although the Arborist Report identifies tree species, condition, and preservation suitability, the DEIR does not disclose the number of coast redwoods, coast live oaks, other protected trees, mature canopy trees, or high-value trees proposed for removal. Nor does it quantify the amount of existing tree canopy that would be lost or the approximate time required for replacement trees to restore comparable canopy cover and ecological functions.

Replacement planting may satisfy the City's numerical tree replacement requirements, but newly planted trees do not immediately replace the environmental benefits provided by mature trees. Established trees provide wildlife habitat, shade, carbon sequestration, stormwater interception, urban cooling, and other ecosystem services that may take decades to recover.

The Final EIR should therefore disclose:
● the species, size, condition, and preservation suitability of trees proposed for removal;
● the number of protected and mature canopy trees to be removed;
● the amount of existing canopy proposed for removal;
● the projected canopy immediately following project implementation and at maturity; and
● the approximate time required for replacement trees to restore comparable canopy and ecological functions.

Response D.3: The temporary loss of tree canopy is not regulated by City policies and the species identified for replacement trees would be provided by the City during the permitting process. The trees would be replaced by either a 2:1 ratio with 24-inch box tree or a 4:1 ratio with 15-gallon tree for protected trees. Additionally, unsuitable trees would be replaced at a ratio of 1:1. The larger number of replacement trees would provide canopy similar to the removed trees on the project site and the suitability and species of these trees would be determined during the permitting process. Therefore, no revision of the Draft EIR is required.

Please also refer to Response B.5 regarding the project site's very limited value for biological resources.

Comment D.4: Comment 4. MM BIO-1.1 Does Not Provide Clear and Enforceable Protection for Nesting Birds The DEIR concludes that construction could significantly affect nesting birds and relies on Mitigation Measure MM BIO-1.1 to reduce this impact to a less-than-significant level. However, MM BIO-1.1 does not provide sufficiently clear or enforceable performance standards to ensure that nesting birds will be adequately protected.

The mitigation measure allows preconstruction surveys to be conducted up to 14 days before construction during February through April and up to 30 days before construction during May through August. These survey intervals are too long to ensure that active nests will be identified before vegetation removal, demolition, grading, or other construction activities begin. Birds may establish nests after a survey has been completed but before work commences, particularly during the peak nesting season.

The project includes extensive tree removal, vegetation disturbance, demolition, grading, golf course improvements, and phased construction over a large site containing trees, shrubs, landscaped areas, turf, buildings, and other features capable of supporting nesting birds. Species such as killdeer may also nest directly on the ground within open turf or gravel areas that could be disturbed during construction.

MM BIO-1.1 also does not adequately address phased construction or temporary work stoppages. Surveys completed before initial construction may no longer be valid for areas entered weeks or months later, and birds may establish nests in previously undisturbed portions of the site or during periods when construction is suspended.

Finally, the mitigation measure provides that protective buffers will be established by a qualified ornithologist in consultation with the California Department of Fish and Wildlife but does not establish minimum performance standards governing survey coverage, survey timing, monitoring, or protection of active nests. While buffer distances should remain site-specific, the mitigation measure should establish objective requirements to ensure consistent implementation.

MM BIO-1.1 should therefore be revised to require:
● Preconstruction surveys conducted no more than seven days before vegetation removal, demolition, grading, or other ground-disturbing activities during the nesting season;
● Repeat surveys before each new phase of construction, before work begins in previously undisturbed areas, and whenever construction has been suspended for more than five consecutive days during the nesting season;
● Surveys of all suitable nesting habitat within and adjacent to the work area, including trees, shrubs, landscaped areas, turf, bare ground, buildings, and other structures;
● Species-specific no-disturbance buffers established by a qualified biologist based on the nesting species and site conditions, with monitoring of occupied nests where construction occurs nearby; and

● Authority for the qualified biologist to modify protective buffers or temporarily suspend construction if nesting birds exhibit signs of disturbance.

Response D.4: Refer to Response B.4 and also to Section 5.0 of this document for revisions to Mitigation Measure Bio-1.1.

Building and grading permits required for construction of the residential portion of the project would be independent from permits required for renovation of the golf course. Independent permits for different phases of the project would require compliance with the applicable mitigation measures prior to issuance. As such, bird surveys will be completed as needed for each phase of the project.

Comment D.5: Comment 5. The DEIR Does Not Evaluate Bird-Window Collision Risk
The proposed project includes a new six-story residential building with substantial exterior glazing adjacent to mature trees, landscaped open space, a public park, and a golf course that provide habitat and foraging opportunities for birds. However, the DEIR does not evaluate the potential for bird-window collisions or determine whether feasible measures are available to reduce this well-documented source of bird mortality.

Bird collisions with buildings are a reasonably foreseeable operational impact associated with reflective and transparent glazing. Although the DEIR evaluates construction-related impacts to nesting birds, it does not evaluate whether operation of the completed project could result in bird mortality or whether feasible bird-safe design measures could substantially reduce that impact. The omission is particularly noteworthy because the City has previously recognized bird-window collisions as a potentially significant biological impact requiring project-specific mitigation. For the Related Santa Clara Phase 2 project, the City adopted Mitigation Measure BIO-1.2 requiring a Bird Safe Design Approach that incorporated architectural, landscape, lighting, and monitoring measures to reduce bird collisions. Those measures included minimizing reflective glass, reducing hazardous transparent features, incorporating bird-safe glazing treatments, minimizing unnecessary nighttime lighting, and recognizing the first 60 feet of building façades as the primary bird-collision zone. Where the City has previously determined that bird-window collisions warrant project-specific analysis and mitigation, the Final EIR should explain why that issue was not evaluated here and determine whether bird-safe design measures are appropriate for this project.

The Final EIR should evaluate bird-window collision risk and consider measures such as:
● Bird-safe treatment of glazing within the primary collision zone, particularly from ground level through approximately 100 feet above grade;
● Minimizing large reflective glass surfaces and hazardous transparent features, including glass corners, passageways, railings, and freestanding glass elements;
● Use of fritted, etched, or other proven bird-safe glazing materials;
● Building, landscape, and lighting design that minimizes reflected vegetation, unnecessary nighttime lighting, and other conditions known to increase bird collisions; and
● Post-construction monitoring and adaptive management if bird collisions are documented.

Response D.5: Refer to Response B.6. The Related Santa Clara project is distinguishable from the project based on height and glass area.

Comment D.6: Comment 6. The DEIR Does Not Adequately Evaluate Potential Impacts to Roosting Bats The project would remove numerous mature trees and demolish existing structures that may provide roosting habitat for bats. However, the DEIR does not disclose whether the site was evaluated for bat roosting habitat or whether any assessment was conducted to determine the potential for impacts to bats.

The Biological Resources section does not identify a bat habitat assessment, bat survey, or other technical evaluation. Nor does it disclose whether a qualified biologist inspected trees or structures for features commonly used by roosting bats, such as cavities, loose bark, crevices, exfoliating bark, or other suitable roost sites. Without this information, it is unclear what evidence supports the conclusion that bat impacts would be less than significant or that no mitigation is necessary. Although bats are not listed under the California Endangered Species Act or the federal Endangered Species Act as a group, many native bat species are protected under California Fish and Game Code provisions governing nongame mammals, and several species have special conservation status. In addition to their legal status, bats provide important ecological functions, including insect control and pollination.

SCVBA is not asserting that bats occupy the project site. Rather, the issue is whether the DEIR discloses sufficient biological information to support its conclusion that impacts to bats would be less than significant.

The Final EIR should disclose whether the site was evaluated for potential bat roosting habitat and summarize the information supporting its conclusions. If suitable roost habitat is identified, the Final EIR should evaluate the potential for project impacts and incorporate appropriate avoidance, minimization, or mitigation measures as necessary.

Thank you for the opportunity to comment on the Draft EIR. SCVBA respectfully requests that the Final EIR address the issues identified above and revise the biological analysis and mitigation measures, as appropriate, to ensure full compliance with CEQA.

Response D.6: Refer to Response B.5.

E. Valley Water (dated July 20, 2026)

Comment E.1: The Santa Clara Valley Water District (Valley Water) has reviewed the draft EIR for the 400 Saratoga Avenue Residential Project in Santa Clara, received on June 4, 2026, and has the following comments:

1. Water Supply and Demand
a. Sections 3.19.1.2 and 3.19.2: Please double-check the reported values for the project's water use. Specifically, the Water Supply section states the existing site use (for the golf course) is

approximately 9,091 gallons of water per day (on page 150). But later in the Project Impacts, Water Use section (page 152), it states the following: "The proposed project would use approximately 31,397 gallons of water per year for the apartment component and approximately 5,020 gallons of water per year for the park portion of the project. This would be an increase of approximately 27,326 gallons of water per year over existing conditions for the same golf course area."
b. The problem is the golf course water use on page 150 was reported in gallons per day, but this proposed project on page 152 is reported in gallons per year. For example, (31,397 + 5,020) – 9,091 = 27,326 but you're mixing units of per day and per year. Because of this, we suspect the proposed project water use section is greatly underestimating the project's water use because 31,397 gallons and 5,020 gallons are per day, not per year. Please review and fix these numbers. And how does this affect the increase demand for water in the City of Santa Clara? Specifically, page 152 says an increase of 0.16 percent but is that accurate given the above issues with the units.

> **Response E.1:** The comment correctly identified a typographic error regarding the units of water consumption at the project site. As noted in the Draft EIR, the proposed project would use approximately 31,397 gallons of water per day for the apartment building and approximately 5,020 gallons of water per day for the park portion of the project. This would be an increase of approximately 27,326 gallons of water per day over existing. Although the units were incorrectly stated, the calculations for total water consumption of the project compared to the proposed water consumption in the build out of the General Plan is correct (0.16 percent increase above existing demand).
>
> To provide a more complete picture of water usage on-site with the project, the language regarding recycled and potable water usage in the Draft EIR has been clarified. The revision to the Draft EIR is provided below in Section 5.0. This change does not alter the findings or require new mitigation for the Draft EIR; therefore, the document does not require recirculation.

Comment E.2: 2. Protection of Groundwater
a. According to Valley Water's Historical Groundwater Elevation Data web tool (https://gis.valleywater.org/Wells.html), depths to first groundwater in the area range from approximately 10 to 30 feet below the ground surface (bgs). Historical groundwater levels in some nearby wells (i.e., 07S01W09J001) have been measured as high as 8.0 ft bgs. Groundwater depths fluctuate seasonally and annually but have been relatively high in recent years due to wet winters and such shallow groundwater should be evaluated during future project planning and development.

b. Given the presence of legacy agricultural use such as fertilizers and pesticides related to the Golf Course and other potential emerging contaminants (PFAS, personal care products, etc.) at the site, please consider the following for the protection of shallow groundwater quality:

> i. Any proposed earthwork should be evaluated and monitored to ensure that construction activities do not adversely impact shallow groundwater quality.

ii. Any stormwater management feature implemented at the site, such as the proposed bioretention/biotreatment areas, self-retaining landscape planters, and flow through planters should be designed to minimize groundwater quality degradation due to infiltrating stormwater. These features should maintain adequate vertical separation to seasonally high groundwater and comply with applicable sections of the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook. Site-specific groundwater levels should be verified during the construction phase and development activities at the site.

iii. The use of chemicals for landscaping (fertilizers, pesticides/herbicides) should be limited and properly managed to promote biofiltration in vegetated areas wherever natural recharge occurs onsite or where stormwater is diverted to stormwater management areas (i.e., bioretention areas, etc.).

iv. The proposed development is located near or downgradient of known groundwater cleanup sites (i.e., contamination sites), which can be identified on the State Water Resources Control Board's GeoTracker webpage (https://geotracker.waterboards.ca.gov/) (i.e., SL608592510; T0608501516). The applicant should ensure that site operations during and after construction (e.g., excavation, dewatering, stormwater management) do not interfere with any active environmental cleanup projects in the surrounding area or adversely impact groundwater quality beneath the site.

Response E.2: The groundwater levels in the Draft EIR were based on information from the Phase 1 Environmental Site Assessment prepared for the project. Although groundwater depth fluctuates, a majority of excavation on-site would be at depths where groundwater is not expected to be encountered. If groundwater is encountered, the proposed project will comply with groundwater dewatering permit requirements to prevent contamination. Construction activities will also proceed in accordance with a Stormwater Pollution Prevention Plan prepared pursuant to the National Pollution Elimination Discharge System.

As discussed in Section 3.9, the project site was used for agricultural activity that could have resulted in residual levels of pesticides or other agricultural contaminants. The proposed project includes the preparation of a site management plan as part of Mitigation Measure HAZ-2.1 to require testing of soils and appropriate management of any contaminated soils identified. This would avoid introduction of hazardous materials into groundwater.

The stormwater management features will be constructed and monitored consistent with applicable sections of the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook.

Chemical use for landscaping shall be performed in accordance with applicable law.

Mitigation Measure HAZ-2.1 requires a site management plan which will require identification of remediation infrastructure or wells. The SMP shall also identify measures to protect and/or abandon any existing remediation systems, groundwater monitoring wells, and soil vapor monitoring wells on the project site.

Therefore, the proposed project would be consistent with the recommendations in the comment.

Comment E.3: 3. Active and Abandoned Wells
a. Valley Water records identify at least three (3) wells at the site, which can be viewed on Valley Water's Well Information webpage (https://gis.valleywater.org/Wells.html). These wells include Well ID# 07S01W10N001 – active water supply well; 07S01W10P001 – destroyed monitoring well; 07S01W15C001 – destroyed monitoring well). Any wells in-use that may be impacted by project activities must be protected. Any abandoned, unused, or unregistered wells identified during project planning or construction should be properly destroyed.

b. Any newly proposed active wells located in the project area must be protected during and post-construction. For more information, contact Valley Water's Well Permitting and Inspection Hotline at (408) 630-2660, or visit: https://www.valleywater.org/contractors/doing-businesseswith-the-district/wells-well-owners.

Response E.3: As stated on pages 86 through 87 of the Draft EIR, the proposed project would be required to develop and implement a Site Management Plan that would identify all wells on-site and identify measures to protect and/or abandon existing remediation systems, groundwater monitoring wells, and soil vapor monitoring wells. All wells to be abandoned shall be permitted through the Valley Water consistent with MM HAZ-2.1. Therefore, no revisions to the Draft EIR are required.

Comment E.4: 4. Wildlife Protection Measures
a. Is there a list of special-status species that were evaluated for their potential to occur on the project site? Was the project site evaluated for it's potential to support Crotch's bumblebee and Monarch butterfly?

Response E.4: The City of Santa Clara does not identify the site as an area which provides natural habitat for sensitive species. As discussed on pages 42 and 44 of the Draft EIR, the project site is in a developed, urban area of the City of Santa Clara and is developed with a golf course and paved parking areas. Surrounding land uses consist of residential and commercial development. Vegetation in the vicinity of the project site includes landscaping consisting of grass, shrubs, and trees. Habitats in developed areas such as the project area include predominantly urban adapted birds and animals. There are no waterways, wetlands, or other sensitive habitats located on or adjacent to the project site. As such, the site does not contain any habitat suitable for special-status species. While it may be possible for individuals of

local species to pass through this urbanized area, they would not permanently reside and would be able to move away from disturbance. Refer also to Response B.5.

Comment E.5: b. For the nesting bird pre-construction surveys, ideally surveys should occur no more than 7 days prior to the initiation of project activities at any time during the bird nesting season. Alternatively, more than one nesting bird survey could be conducted with the latest one being no more than 7 days prior to the initiation of project activities.

Response E.5: Refer to Response B.4.

Comment E.6: Valley Water has no right of way at this site. No encroachment permit will therefore be required based on Valley Water's Water Resources Protection Ordinance, and the site is not adjacent to any creek or waterbody. The proposed project is in FEMA Flood Zone X (moderate to minimum risk of flooding).

Response E.6: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

F. Anitha and Karthek (dated July 20, 2026)

Comment F.1:
My name is Anitha. My husband and I are residents of Pruneridge Place Community.
We are concerned about the safety of pruneridge place community homes and residents, traffic and pollution, public safety, and the environmental impact of this project.

1. The proposed plan to the golf course has a new putting space and an additional hole (making it 2 holes) next to the existing homes in pruneridge place community. The proposed plan to the golf course thereby multiplies the number of golf balls being hit into the home community directly contributing to personnel and property damages (home, car, etc.). Please help clarify the measurements that will be taken to ensure the safety of the occupants and the property of the pruneridge place community.

Response F.1: Operation of the golf course, regarding the potential for golf balls to strike nearby buildings, is not an environmental impact required to be evaluated under CEQA. Refer to Master Response 3. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

For informational purposes, it should be noted that the proposed project would include golf course safety measures consistent with the existing course use, including netting and other barriers. The future golf course redesign would reroute the course for shorter holes (which would prevent most golfers from using a driver), direct holes away from houses and would raise range netting for added protection from errant golf balls. The specific features will be determined at the time that the finalized course plans are completed based on the recommendations of the golf course architect and city requirements.

Comment F.2: 2. We are concerned about the increase in traffic, pollution arising from the proposed new building in this intersection, which is already congested during peek office and school hours. We understand the EIR describes Vehicle trips and other measurements being under the minimum required limits for the process. But we also see that the minimum required values are far from ground reality in the neighborhood. Please help clarify the measures that will be taken to not contribute to increase in traffic, pollution and maintain public safety in the neighborhood.

Response F.2: Refer to Master Response 1 regarding transportation impacts.

It is not clear from the comment what specific concerns the commenter has regarding pollution from the proposed building. Construction and operational impacts of the project area addressed in Section 3.3 and Appendix B of the Draft EIR and were found to be less than significant.

Comment F.3: 3. As we understand, a few decades ago the existing Scenic Open Space Easement was discussed by the City and determined that the apartment complex that was proposed at that time could not be built and that the easement would continue to exist. We heard in one of the meetings the builders of 'The Greens' mention that they have been advised on 'an amendment to existing easement' and a 'rezoning' to overcome the existing easement. What has changed regarding the easement that allows for this development now? Please help clarify clearly and provide any additional details on the topic.

Please consider all aspects of public concerns, and safety in the neighborhood as you evaluate and before approving the proposal for the project.

Response F.3: Refer to Master Response 2.

G. Anton Gerasimov (dated July 20, 2026)

Comment G.1: I am the owner in Pruneridge Place and would like to express my major concerns and definite opposition to building of the new multiple apartment building at 400 Saratoga on territory of Pruneridge Golf Course.

Some of my concerns are (but not limited to) :
- My bedroom windows face the golf course and even now I hear putting noises and it will become worse after moving putting green closer to Pruneridge place

Response G.1: Refer to Master Response 3.

Noise thresholds are based on the overall ambient noise at a noise receptor and the land use of the noise receptor. Ambient noise levels include noise generated by adjacent land uses and transportation noise (including aircraft when applicable). There are no specific thresholds for noise generated by golfers at golf courses. As the existing Pruneridge Place housing was constructed after the golf course was already in operation, the City had previously determined that the housing was compatible with the ambient noise levels of the project area, including the golf course. Even with modification of the golf course layout, the land use remains unchanged and the noise from golf course operations would not increase local ambient noise levels over current conditions. Operational noise associated with the proposed project was addressed in Section 3.13 of the Draft EIR and was determined to be less than significant. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment G.2: - Massive number of extra cars on Pruneridge Avenue will be a major safety concern and inconvenience since cards(sic) will be turning left/right from the new building and people crossing Pruneridge from Lucky parking lot – they will have to park there since only 7 visitors parking spots onsite will be available

The new / extra 400 cars belonging to apartment residents will create terrible traffic conditions on Pruneridge and Saratoga. Already very difficult process of making U-turns and crossing Saratoga in the vicinity of Westmont School will become even more dangerous and scary

Response G.2: Refer to Master Response 1.

Comment G.3: - 5 story apartment building and 7 story parking garage will turn nice and peaceful views of our neighborhood into "concrete jungle"

Response G.3: The comment provides an opinion about the future state of the aesthetic environment after the project. Aesthetic impacts from the proposed project are addressed in Section 3.1 of the Draft EIR. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment G.4: - Large trees which will be removed, and part of this project will not be able to provide shade and oxygen to the neighborhood

I sincerely hope this building will not be approved for construction and I request your assistance in disallowing this project to proceed

Please let me know what other ways I could use to express my concerns and opposition to construction

Response G.4: Trees removed as a part of the proposed project would be replaced consistent with the City replacement ratios as described in Section 3.5 of the Draft EIR. The comment does not raise new information that changes the findings regarding the tree removals; therefore, no revision of the Draft EIR is required.

Additional opportunities for providing public comments will be provided at the Planning Commission and City Council hearings for the proposed project. The commenter may refer to the City's website and/or notices from the City regarding the dates and times of these hearings.

H. Bonnie Silver (dated July 17, 2026)

Comment H.1: I find it very disappointing to see a city, which had previously promised that the Pruneridge Golf Course land would stay green in perpetuity and that the investments we made in our expensive homes at Pruneridge Place be protected, would suddenly consider changing all of that to allow the building of a hi density (sic) complex on the busy intersection of Pruneridge Ave. and Saratoga Ave. We were promised years ago that this would not happen, and yet, here you are considering such an option. All my faith in trusting you is vanishing.

Response H.1: Refer to Master Response 2.

Comment H.2: You have no idea how busy that intersection is. And should this go through, all the parking for the shops across the street will be taken by golfers, homeowners with 2 cars, and visitors. What a mess that will become. And how many accidents will there be as people jay walk across the street!

I urge you not to go through with this!

> **Response H.2:** Refer to Master Response 1.
> This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

I. Brandy Higgins (dated July 16, 2026)

Comment I.1: I am writing to submit my comments on the Draft Environmental Impact Report for Project PLN24-00269, located at 400 Saratoga Avenue ("The Greens" apartment project).
We have owned in this neighborhood for several years and want to express my strong concerns about this proposal. The neighborhood is currently quiet and calm, and I am worried that a 316-unit, six-story apartment building at this location would significantly change that.

My primary concerns are:
Traffic: The additional residents, vehicles, and parking demand from a development of this size would add considerable traffic to Saratoga Avenue, Pruneridge Avenue, and the surrounding intersections, including near the elementary school at Cypress Avenue and the Golf & Tennis Club. This area is not equipped to handle that volume of additional traffic safely.

> **Response I.1:** Refer to Master Response 1. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment I.2: Safety: More traffic also means more risk for pedestrians and cyclists in the area, including those crossing Pruneridge Avenue. Many of our residence are senior citizens which also should be a consideration. Especially considering response times for emergency vehicles with the added congestion. I don't believe the current infrastructure can safely absorb this level of increased activity.

> **Response I.2:** Refer to Master Response 1. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment I.3: Neighborhood character: A six-story building would be out of scale with the surrounding single-family homes, townhomes, and open space, and would fundamentally change the quiet character of this community.

I urge the City to require a more thorough review of these traffic and safety impacts before moving forward with this project. Thank you for considering my comments.

Response I.3: Although the existing built environment in the immediate project area is lower density and does not feature taller buildings at this time, the properties across Pruneridge Avenue and Saratoga Avenue nearest the proposed apartment building are zoned Mixed Use Community Commercial which allows for up to four stories of mixed use residential development (up to 40 feet in height). Furthermore, any new residential developments in the project area and throughout the City could exceed existing zoning heights and densities if they qualify under the State's Density Bonus law. As stated in Section 3.1 of the Draft EIR, while the proposed project would result in a change in the visual character of the project area, the project would be consistent overall with the urban, mixed-use development in the project area. Furthermore, the project would be subject to the City's Architectural Review process which provides recommendations and aesthetics guidelines for all proposed development to ensure compliance with applicable zoning and other regulatory requirements. As such, the Draft EIR found the impact to visual character to be less than significant.

J. Caitlin Dempsey Morais (dated July 20, 2026)

Comment J.1: I appreciate the opportunity to comment on the Draft Environmental Impact Report (EIR) for the proposed 400 Saratoga Avenue Residential Project.

I am a Santa Clara resident with a master's degree in biogeography. After reviewing the Biological Resources section of the Draft EIR, I have several concerns regarding whether the analysis adequately supports its conclusions. CEQA is intended to provide decision-makers and the public with an evidence-based assessment of environmental impacts. My comments focus on whether the Biological Resources analysis provides sufficient information to support informed decision-making.

The Draft EIR repeatedly characterizes the project site as a developed urban area while also acknowledging that it contains more than 200 mature trees and provides nesting habitat for migratory birds protected under state and federal law. Although highly modified, developed landscapes can still provide important habitat functions. Mature trees and established vegetation may provide nesting, roosting, and foraging habitat for resident and migratory birds, bats, and other wildlife. The Final EIR should fully evaluate these ecological functions and ensure they are appropriately avoided, minimized, and mitigated through project design and enforceable mitigation measures.

Response J.1: This comment does not accurately reflect the language in the Draft EIR. The Draft EIR states that the proposed project is located *within* an urban, developed area of the City. The project site itself is correctly identified as a golf course throughout the document. Having a site located within an urban, developed area and also containing hundreds of mature trees is not mutually exclusive. The Draft EIR also identifies the potential for protected avian species to nest on-site (pages 44-45 of the Draft EIR).

Sensitive biological habitat identified in the City of Santa Clara General Plan is primarily located in the Ulistac Natural Area, a 40-acre open space parcel located along the Guadalupe River. The project site and other areas of the City are generally not representative of the unique environments found throughout the Bay Area. Additionally, a Technical Memo was prepared by Live Oak Associates Inc. in August 2025 to determine the habitat viability of the golf course, included as an attachment to the FEIR (Appendix B). This document determined that no nesting habitat was present for sensitive species and no habitat or sensitive species were identified during a site survey performed by the biologist. This included birds, bats, and other wildlife. In summary, the biological resources in the City of Santa Clara are limited and constrained by the urbanized character of the planning area. Therefore, it was not deemed necessary to perform further biological surveys for the project site to support the Draft EIR. The proposed project would be required to conduct preconstruction surveys for bird species, as described on page 45 of the Draft EIR in MM BIO-1.1.

Comment J.2: I am also concerned that the Biological Resources analysis does not fully explain the basis for several of its conclusions. The Final EIR should clearly identify the biological information relied upon, including field surveys, habitat assessments, database reviews, and other technical analyses supporting the determination that impacts to special-status species would be less than significant.

Response J.2: As stated above, the biological information from the City of Santa Clara General Plan EIR as well as the Technical Memo prepared by Live Oak Associates Inc. did not identify habitat for biological resources on site. Therefore, no further revision of the Draft EIR is required. Refer also to Responses B.5 and J.1

Comment J.3: The Draft EIR also identifies the removal of 185 existing trees. While replacement planting is an important mitigation measure, newly planted trees cannot immediately replace the habitat, canopy, carbon storage, cooling benefits, and ecological functions provided by mature trees. The Final EIR should acknowledge this temporal loss and more fully evaluate the ecological consequences of removing mature trees. In addition, I encourage the City to evaluate bird-window collisions associated with the proposed building and consider whether mature trees scheduled for removal may provide habitat for roosting bats. Both are well-documented biological issues associated with projects involving extensive tree removal and multi-story buildings. If these resources have already been evaluated, the Final EIR should summarize the supporting information. If they have not, those analyses should be completed before the EIR is certified.

Response J.3: Detailed tree counts, condition ratings, and recommended replacement ratios for trees in the development area are contained in the Arborist Report (Appendix C of the Draft EIR). An additional tree survey of the entire project site is provided in the project plan set on file at the City. The project will comply with the City of Santa Clara tree replacement requirements (generally 2:1 for most

protected trees with 24-inch box specimens, or 4:1 with 15-gallon trees, and 1:1 for certain unsuitable species). The City's tree replacement requirements were developed, in part, to account for the temporary effects of the removal of mature trees. The maximum tree canopy would be retained where feasible through site planning, tree protection zones during construction, and replacement plantings on both the residential and golf course portions of the site.

Refer to Responses B.5, B.6, D.3, and J.1. In summary, the biological resources in the City of Santa Clara are limited and constrained by the urbanized character of the planning area. Therefore, it was not deemed necessary to perform preliminary biological surveys for the project site. Regarding bird collisions, refer to Response D.5.

Comment J.4: Finally, I believe the mitigation for nesting birds should be strengthened. The survey windows in MM BIO-1.1 do not reflect current biological practice. The mitigation measure allows surveys to be conducted up to 14 days before construction during February through April and up to 30 days before construction during May through August. Those intervals create a substantial risk that survey results will no longer represent actual site conditions when work begins because many bird species can establish active nests within only a few days. The California Department of Fish and Wildlife frequently recommends that pre-construction nesting bird surveys be conducted no more than three days before ground-disturbing activities for precisely this reason. The Final EIR should revise MM BIO-1.1 to require surveys immediately before construction begins, require repeat surveys before each new phase of work, and require additional surveys whenever construction has been delayed during the nesting season.

Thank you for considering my comments. I respectfully request that the Final EIR provide a complete, evidence-based evaluation of the project's biological resources so that decisionmakers and the public can fully understand the environmental consequences before certifying the EIR.

Response J.4: Refer to Response B.4.

K. Dirk Jagdmann (July 20, 2026)

Comment K.1: I am an owner and resident of the town houses on Golf Links Circle, located in the center of the Pruneridge Golf Course. I would like to comment on the project "The Greens at Pruneridge" and the Draft EIR.

1. the public park
I do not see the value in the proposed public park. With a size of 1.77 acres, it seems to be smaller than the gas station on the other side of the street. I do not see any general use of such a tiny area, except for dog walker and outdoor smokers. In addition it seems this corner of the rezoned golf course would have no other commercial utility for the golf course, or any housing development. I have the impression the owner decided to designate this plot of land, which will not generate any income, to the City as a park, and thus won't be reliable for maintenance and property taxes.

I think this "designation" is a decoy to dispose of otherwise useless acreage.

Response K.1: The park portion of the project was developed in response to public comments early in the project development.
This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment K.2: 2. golf course changes
The proposed property will use the area of the golf course holes 1 and 2. Considering the golf course is already only a 9 hole course, this will result in a reduction of area of 2/9th. Looking at the updated golf course layout, I assume the golf course will feature mostly 3 par holes. I do not think this will be attractive for any serious golf player to use a golf course with 8x a 3 par hole.

The owner said that they want to raise money for golf course redevelopment and updates, and this is what part of the housing project's profit will be used for. I personally have the impression that the owner is more interested in slowly decreasing the golf course's profitability and in the long term build new housing units on the entirety of the golf course. As an owner of a property located in the center of said golf course, I do not want to live in a place which will be surrounded by 5 story, or possibly higher, structures.

I am especially worried about the golf course changes to the current hole 9. As is this is a fairly standard layout with a useful fairway width. Towards the town houses on the northers side of the fairway, a row of tree provides useful protection from golf balls. Though every day several do end up on the lawn surrounding the swimming pool. With the proposed changes to host 2 holes, in opposite directions, in essentially the same width as the current hole 9, I am worried about:

- injuries to golfers who have to play 2 holes in opposite directions in approximately half of a regular fairway width.

- increased issues with golf balls on the town house properties. It seems that several protecting trees are planned to be removed, and the tee off area for the new hole 1 will greatly increase the number of stray balls that can hit the townhouse properties.

- the location of the new "putting course" seem directly adjacent to the townhouses, without any protection from trees or other features to obstruct visibility. These town houses have their back patio facing that "putting course". Currently that area is the putting green of hole 9, but there is a good amount of separation from the actual green and the town house property line. With the changes golf course layout it seems that the golf course plans to have "active use" of this area right up to the property line. I do fear that there will be substantial inference of those town house owners right next to the putting course, with a high amount of public visitors disturbing the private enjoyment of the town house property.

Response K.2: The comment provides critique of the golf course design and considerations about future potential development. These comments do not

provide issues with the environmental review and do not identify impacts or mitigation. Regarding errant golf balls, refer to Response F.1.

This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment K.3: 3. scenic easement
I have heard from other owners of the town house community, that a scenic easement was agreed upon by the golf course owners, when the town houses were developed in the lat 1970's. I do not see why this easement should be changed or amended. As stated previously I personally assume that the golf course owners want to replace the golf course with housing in the long term, and approving this development will only set a precedent for future changes and development.

Response K.3: Refer to Master Response 2.

Comment K.4: 4. building height
This area of Santa Clara features mainly one or two story buildings, residential and commercial. Building this 5 story residential building will likely set a precedent for more such construction of the 5-over-1 type buildings in the nearby area. I can imagine that the owner of the shopping area on the other side of Pruneridge Ave might re-develop this plot into residential buildings, once a precedent has been established.

I personally do not want to live in an area, maybe 20 years from now, where the major streets are lined with 100 foot high buildings.

Response K.4: Refer to Response I.3. The Draft EIR evaluated potential growth-inducing impacts of the project at Section 4.0 and determined that the project would not foster or stimulate substantial economic growth or population growth or the construction of additional housing in the surrounding environment.

L. Dirk Speas, Jr. (dated June 9, 2026)

Comment L.1: Separately, our counsel (J Randall Toch, Hoge Fenton) has documented his legal concerns about this EIR. This letter is to express my 'layman's view' of this EIR. In summary, more work needs to be done to have an EIR ready for review; and certain elements of this review are not adequate.
High level, points detailed below
1. EIR Statement of 'Scenic Easement' Is Insufficient
2. Golf Course Redesign Plan Needs to be Completed and Made Public to Enable a Complete EIR and Public Comment
3. Traffic Analysis Does Not Appear to Reflect Planned Changes to the San Tomas Expressway Corridor
4. Traffic Analysis Makes Inadequate Assumptions About Public Transit Availability
5. Miscellaneous

Response L.1: The comment summarizes issues with the project that are discussed further below. Refer to Responses L.2 through L.16 for specific responses.

Comment L.2: 1. EIR Statement regarding 'Scenic Easement' Is Insufficient
It states:

The site has a General Plan designation of Parks/Open Space and is within a PD - Planned Development zoning district. The project site is also under a scenic view easement.
There is an implication in this verbiage that the scenic easement is something in the City's General Plan and Zoning Code, so amendable. But (80% certain) there is no scenic easement in the City's Plan and Code.

Response L.2: The commenters interpretation of the Draft EIR language referenced is incorrect. The language is intended to notate all applicable land use controls related to the site. The scenic easement is noted along with the General Plan and zoning designations just as any other easement or other land use control would be.

Comment L.3: In fact, the property is under a scenic easement granted by the developer (yes, the same one now looking to 'amend') in 1978 under the state's Open-Space Easement Act of 1974. This must be clearly stated in the EIR.

Response L.3: Refer to Master Response 2. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment L.4: Some detail about the easement should be added:
(1.1) The easement allows only recreational buildings; and
(3.3) 'This Agreement ... shall remain in effect permanently.'

The EIR further states:
"The proposed project would include an amendment to the ... easement.. .. The proposed project would not remove this easement from the project site and would be consistent with the land use policy governing this easement."
Two points:

1. Need to state the authority for the City's "discretionary" ability to amend an easement issued under State law. Per discussion with with (sic) you, I agree we don't need to debate within the EIR whether this authority is valid, but to document availability of the land to build apartments, ability to amend must be documented.

2. To say a 316 unit apartment building (key part of the proposed project) is consistent with a scenic view easement is like saying a 747 is compatible with a quiet bird sanctuary because it occasionally flies over the trees ... NOT! But more than that -- where is the 'land use policy governing this easement?'

In order to credibly make the assertion that the project is consistent with said policy, the EIR must cite the policy itself so the reader can reach their own conclusion.
The land use policy governing the easement is within the easement – sections 1.1-1.4, the first of which says recreational buildings only! If elsewhere, please cite.

Response L.4: Refer to Master Response 2.

Comment L.5: 2. Golf Course Redesign Plan Needs to be Completed and Made Public to Enable a Complete EIR and Public Comment

Section 1.1 is clear: EIR is to cover "Pruneridge Apartments and Golf Course Project." Absolutely appropriate - and required - that the EIR include evaluation of the golf course project, as without it the Apartments can't happen. So, by statute EIR coverage must include the golf course project.

But, the golf course project plan is not shown (or a reference provided) anywhere - so how can the reader determine whether the EIR is adequate?

Indeed, at a July 15 community meeting about the apartments, hosted by the developer and attended by the City's responsible Associate Planner, several questions were asked about impact of the golf course redesign on noise, safety, and trees - and the response was consistent: golf course project design not complete.

And, the Associate Planner separately advised me that the City has not received any golf course redesign plan.

So, respectfully, EIR must be delayed until the golf course redesign is sufficiently complete and visible to the City, and the public, so as to enable a complete EIR and resident review thereof.

Response L.5: The golf course redesign is within the existing footprint of the golf course site and would not increase the intensity of the use (adding more holes). The land use itself will not change. Specific layout considerations were not available at the time of preparation of the Draft EIR, however, tree removals; soil disturbance; and other project activity required for understanding the environmental impacts of the redesign were provided. Based on this information construction noise, air quality, biological, and other environmental impacts associated with the project, were considered in the Draft EIR. Additionally, the project description section of the Draft EIR includes a full project area layout which includes an approximate layout of the golf course for the basis of analysis. Therefore, no revisions are required to the Draft EIR.

Comment L.6: Some things that need to be covered in the EIR (I am sure there are more) based on what is visible from the plans for the apartments:

a. Noise. Impact on early morning sleep - by putting new putting green and first tee within fifty feet of Pruneridge Place houses (currently, on the other side of the clubhouse from our units).

Response L.6: The golf course area, including the tennis courts on the northeast side of the golf area, are currently located at a similar distance to the residences as the future planned areas. Additionally, the noise associated with the use of these facilities would be assumed to be normal speaking voices which are approximately 50 dB with no intervening materials.[7] As discussed in Section 3.13 of the Draft EIR, noise impacts are based on the overall ambient noise levels of a project relative to the City's noise standards. The proposed modifications to the layout of the golf course would not increase the ambient noise levels of the project area above the City's acceptable noise threshold. Therefore, the comment does not require revision of the Draft EIR. Refer to Response G.1.

Comment L.7: b. Safety for Pruneridge Place. Two things happening;
i. Removal of trees on the north side of the current 9th fairway (not part of arborist report)
ii. Addition of a new hole in that fairway.

Result is reduction in safety for our adjacent road and pool area, as more golf balls will inevitably be hit into our land.

Trees on north side of the current 9th fairway currently block golf balls hit from the driving range, particularly the second deck.

Question: whether by design or due to recycled water incompatibility, will trees guarding our units along the 7th and 8th holes be lost? Not discussed in arborist report! If so, proposed mitigation?

Response L.7: The safety considerations of the existing golf course use (i.e., where golf balls may land) is not a land use impact under CEQA, but would be an operational design consideration for the golf course. Refer to Response F.1.

The City Code 13.15.150 Recycled water regulations, require the use of recycled water in place of potable water for irrigation where available. The use of recycled water is proposed for the golf course consistent with the City's requirements. The trees that would be susceptible to health issues from recycled water are the redwood trees. As proposed, these trees would be removed and replaced with trees more adaptable to recycled water.

Comment L.8: c. Safety for New Park. The current first tee (new park) receives 'over the net' golf balls from the range; no mention of that risk for the new park.

[7] Illingworth and Rodkin. 400 Saratoga Avenue Noise and Vibration Assessment. June 2025.

Response L.8: Refer to Response L.7.

Comment L.9: d. Recycled Water impact on Tree Health. I can find nothing in the arborist report about the impact of recycled water on the health of the remaining trees.

Response L.9: Refer to Response L.7.

Comment L.10: e. Arborist Report. The arborist report appears to define the 'project area1 as apartment building, new city park, and the driving range side of the current 9th fairway. But this is not consistent with tha (sic) EIR, which states the project area to be the apartment building and the golf course redesign.

EIR needs to have an arborist report for the entire project area,

Response L.10: Detailed tree counts, condition ratings, and recommended replacement ratios for trees in the development area are contained in the Arborist Report (Appendix C of the Draft EIR). An additional tree survey of the entire project site is provided in the project plan set on file at the City. The Draft EIR considers the worst-case scenario for the number of trees to be removed from the site. The replacement ratios noted in the Draft EIR are included to show compliance with City of Santa Clara tree replacement requirements. The golf course tree replacement and removal would be conducted at the time of the golf course project permitting and would be done consistent with City practice. Therefore, the comment does not require revision of the Draft EIR.

Comment L.11: f. Scenic Vista. EIR: 3.1.2.1 asks the following question: Would the project have a substantial adverse affect on a scenic vista.

The response:
The development of a five-story apartment building,,, adjacent to the golf course would not substantively degrade the visual character or quality of the project area.
Uhh, what?? As a golfer myself - a five story apartment will substantially degrade the visual character of the golf course, particularly as golfers play the 1st and 8th holes, potentially also the 7th. Perhaps golfers teeing off on the 1st\ 7th and 8th holes will have a new target, but perhaps a developer issue not EIR.

Additionally, removal of the redwood trees currently between the 9th for fairway and the driving range netting will similarly degrade the visual character of that area, making the driving range net much more visible to the Pruneridge Place townhomes AND players along the (new) 1st and (redesigned) 9th holes.

Response L.11: Refer to Response I.3.

Comment L.12: 3. Traffic Analysis Does Not Appear to Reflect Planned Changes to the San Tomas Expressway Corridor
At the July 15 community meeting and subsequent email, I understood you to say (perhaps I misunderstood) there is a plan to eliminate 'slip lanes' along the corridor, including cross streets such as Pruneridge.

This change will significantly impact Westbound Pruneridge Avenue traffic, and is not mentioned in the Transportation Appendix.

The westbound direction on Pruneridge makes extensive use of the 'slip lane' onto northbound San Tomas, with multiple vehicles using it during a signal cycle. If eliminated, there will be much more backup on Pruneridge Westbound, degrading access from The Greens onto the road. With only a little hyperbole - the currently projected maximum two car wait will become a minimum two car wait during peak period. And that says nothing about eastbound Pruneridge traffic in the center divider waiting to get into the apartments.

Page 27 of the Transportation Appendix does analyze the impact of certain planned changes. And, I recognize that one can't redo an EIR every time a new transportation change is planned. However, a change with this must potential impact should be reviewed.

> **Response L.12:** Based on existing information received from the County of Santa Clara, the removal of slip lanes at the northeast corner of the San Tomas Expressway and Pruneridge Avenue intersection is not proposed at this time. Eastbound Pruneridge traffic operations at the project entrance are discussed on pages 35 – 37 of the Transportation Analysis, Appendix H, and no impacts were identified. Therefore, no revisions to the Draft EIR are required. Refer also to Master Response 1.

Comment L.13: 4. Traffic Analysis makes Inadequate Assumptions about Public Transit Availability

The analysis correctly points out that there is a bus stop 2400 feet away (Pruneridge and Keily) with 0.5 miles, but:

The bus line is not part of a 'transit corridor.

The 2400 feel is misleading; it is more than that from a walking time perspective, because to reach the bus stop a walker has to cross San Tomas, long signal time always but an extended signal times during the relevant commuting period. And, frequent use of that walk signal would likely delay San Tomas traffic, not reflected.

The EIR should reflect the realistic availability of transit, and impact if transit is accessed.

Response L.13: Consistent with this comment, the Draft EIR and Transportation Analysis do not refer to the bus stop near the project site as being part of a transit corridor.

The commenter's concern that the correctly notated distance between the project site and the bus stop as misleading is unclear. The analysis of transit use is based on where transit stops are located relative to a project site. The time it takes to access a transit stop from a specific location varies by individual and whether or not the individual would be walking or utilizing non-motorized transportation. While average walking times from existing land uses are considered in the placement of new bus stops by the VTA, distance is the determining factor when assessing the likely use of existing transit for new development projects. The potential use of existing pedestrian signals by additional transit riders resulting from the proposed project (approximately 18 riders per day) would have no measurable effect on traffic operations. No revision to the Draft EIR is required.

Comment L.14: 5. Miscellaneous Comments
a. Scenic Vista. EIR: 3.1.2.1 Asks the following question: Would the project have a substantial adverse affect on a scenic vista. And concludes The development of a five-story apartment building,,, adjacent to the golf course would not substantively degrade the visual character or quality of the project area.

But: There is nothing taller than two stories for 2.5 miles in either direction along San Tomas Expressway, so arguably the proposed apartments absolutely degrade that visual character. Additionally, there is sound barrier along that stretch for residential properties; this is the only one without, but arguably that is the developer's rental issue.

Also, the 5 story apartment building is absolutely out of character for this area of single family homes and townhouses, maximum of two stories.

Response L.14: The General Plan for Santa Clara does not define the existing golf course area as a scenic vista for the purposes of CEQA. Therefore, no impact was found. Refer to Response I.3.

Comment L.15: b. Chemicals. Prior to becoming a golf course in the 60s, the project area was an orchard. What work has been done to understand whether environmental harm would be done by unearthing the dangerous {now outlawed?) chemicals which were used at the time?

Response L.15: The presence of pesticides potentially present on-site are discussed in Section 3.9 of the Draft EIR and the mitigation measure provided includes the preparation of a Site Management Plan that will direct the safe handling of soils on-site. Refer also to Response A.2.

Comment L.16: c. Traffic Study - Golf Links Circle/Cypress/Saratoga intersection. Westwood Elementary school is adjacent, but traffic impact not even evaluated although this is dangerous intersection already during pick up and drop off hours.

Response L.16: Refer to Master Response 1.

M. Eason Sun (dated July 21, 2026)

Comment M.1: I am writing to provide comments on the Draft Environmental Impact Report (EIR) for Project PLN24-00269 (400 Saratoga Avenue).

I am a Santa Clara resident and a frequent golfer at Pruneridge Golf Club. The course is much more than a recreational facility—it is the only one in the area and serves as a valuable place for community gathering. I appreciate the City's efforts to address housing needs, but I believe this project warrants particularly careful review for several reasons.

Response M.1: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment M.2: 1. Purpose
I'm concerned about whether this project is necessary in its current form. It seems that there is already an oversupply of apartments in the Valley, and many newly built apartment buildings remain partially vacant. We also need to look ahead and consider the impact of AI on future employment. How many additional positions will nearby companies realistically add over the coming years, and how will that affect long-term housing demand?

Response M.2: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment M.3: 2. Approach
I believe there are better locations for new housing than building apartments next to St. Thomas and replacing part of the golf course. For example, the two office buildings next to the golf course have been vacant for years. In addition, there are many older, lower-density apartment complexes nearby that could potentially be redeveloped into higher-density housing with less impact on valuable green space.

Response M.3: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment M.4: 3. Economics and Community Value
People need places to relax and enjoy recreation. I'm also curious: once Great America is demolished, where will people go? Do you think the valley deserves a proper city center and gathering spaces, like other major metropolitan areas? And taking SF as an example, do you think the recovery there is because of high density apartments, or vast green spaces, parks, and historic

landmarks that are preserved despite the high cost of doing so? I believe these are important questions to consider when planning for the long-term future of our community. Character is what defines a community and as long as we preserve the character, I'm sure we can find ways to solve all issues.

I'm sure you have much more experience with these planning decisions than I do. As residents, we count on your thoughtful judgment and careful consideration of both housing needs and the preservation of the community character that make Santa Clara, Santa Clara.
Thank you for your time and hard work.

Response M.4: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

N. Hoge Fenton (dated July 17, 2026)

Comment N.1: Our law firm represents the Pruneridge Place Homeowners Association, a California nonprofit mutual benefit corporation ("PPHOA"), in connection with its public comments to the above referenced Draft Environmental Impact Report ("DEIR") concerning the above referenced proposed development project (the "Proiect") affecting the parcel of real property situated in the State of California, County of Santa Clara, City of Santa Clara, at 400 Saratoga Avenue, Santa Clara, California, 95070 (Santa Clara County Assessor's Parcel Number 294-45-055) (the "Subiect Property").

PPHOA recognizes the duty of the City of Santa Clara (the "City") to facilitate the development of affordable housing within the city limits. However, the Subject Property is burdened, in perpetuity, by an open-space easement (the "Open Space Easement"), in accordance with Open-Space Easement Act of 1974 (Government Code, § 51070, et seq.) (the "Act"), which Open Space Easement was duly recorded in the Official Records of Santa Clara County on March 17, 1978, as Instrument No. 5956983, at Book D, Page 50 (the "Scenic Easement Deed").

Response N.1: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required. Refer to Master Response 2.

Comment N.2: The DEIR for the Project is insufficient such that its deficiencies preclude informed decision-making and meaningful public participation. As a result, substantial revision and recirculation under CEQA Guidelines §15088.5 are required. (Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal.4th 412, 435.)

Response N.2: The comment provides a general statement on the inadequacy of the Draft EIR. The comment does not request specific revision or provide new information for consideration, therefore, no revisions are required.

Comment N.3: I. Summary of Comments in Response to DEIR

The DEIR is missing legally required analyses in several key areas:

1. As set forth in Cal. Code of Regulations title 14, section 15317, the abandonment of, or, as the City calls it, "amendment to", an open-space easement is a project which is not exempt from CEQA and therefore requires an environmental impact analysis. The DEIR fails to disclose and analyze the environmental impacts of the contemplated termination of the Open Space Easement as to portions of the Subject Property, including the proposed removal of 3.66 acres of open-space land from the Open Space Easement. Such a partial abandonment of the Open Space Easement would, itself, be a project, as defined in CEQA, requiring environmental review. Additionally, the Project Overview and Areas of Known Controversy sections of the DEIR do not disclose the existence of the perpetual Open Space Easement or analyze the environmental effects of such termination. Additionally, to the extent that the City contends that an amendment to an open-space easement not authorized by statute may be used to detach lands from the burden of a duly recorded open-space easement under the Act, the future possible impacts as to all open-space easements throughout the State of California must be analyzed. There is no such analysis within the DEIR.

> **Response N.3:** The term "project" refers to the whole of an action and to the underlying activity being approved, not to each governmental approval. (14 Cal Code Regs §15378(a), (c)–(d).) This definition ensures that the action reviewed under CEQA is not the approval itself but the development or other activities that will result from the approval. The Draft EIR evaluates potential impacts of the project, as defined in CEQA. The proposed amendment to the scenic view easement is listed as a required permit or approval in Section 2.4 of the Draft EIR. Refer to Master Response 2.

Comment N.4: 2. Under California Code of Regulations, title 14 section 15378 subdivision (a)(1), General Plan amendments are projects which require CEQA review. No review of the environmental impacts from the proposed General Plan amendment, including foreseeable and cumulative impacts from such an amendment, are discussed in the DEIR. Additionally, to the extent that the City believes General Plan amendments can potentially be used to thwart open-space easements, the future impacts as to all open space easements should be analyzed. There is no such analysis within the DEIR.

> **Response N.4:** Refer to Response N.3. The proposed General Plan Amendment (GPA) is listed as a required permit or approval in Section 2.4 of the Draft EIR. Further, the specific proposal of the GPA is introduced on page 7 of the Draft EIR as a part of the project description. The analysis of the proposed project, including the cumulative impacts of the project, takes into account the additional residential units added by the proposed GPA and the net effect of those units relative to build out of the General Plan where relevant. Regarding the scenic easement, refer to Master Response 2. Therefore, no revisions are required to analyze the GPA.

Comment N.5: 3. Also under California Code of Regulations, title 14 section 15378 subdivision (a)(1), zoning ordinance amendments are recognized as projects which require CEQA review. No review of the environmental impacts from the proposed zoning ordinance amendment, including foreseeable and cumulative impacts from such an amendment, are discussed in the DEIR. Additionally, to the extent that the City believes zoning ordinance amendments can potentially be used to thwart open-space easements, the future impacts as to all open-space easements should be analyzed. There is no such analysis within the DEIR.

> **Response N.5:** Refer to Response N.3. The proposed rezoning is listed as a required permit or approval in Section 2.4 of the Draft EIR. Further, the zoning change of the proposed project is introduced on page 7 of the Draft EIR. The change in zoning would implement the proposed General Plan Amendment, which is already addressed. The zoning informs the parameters by which the General Plan designation is implemented. It does not, by itself, result in physical environmental effects. No revisions to the Draft EIR are required to address the comment.

Comment N.6: Additionally, the DEIR is missing adequate analyses in multiple other key areas, including the following :

1. The DEIR fails to provide an adequate baseline description of existing conditions and repeatedly relies upon conclusory statements unsupported by substantial evidence. In particular, the DEIR does not adequately describe existing environmental conditions that result from the presence of the Open Space Easement, which is an environmental resource "unique to that region," as required by California Code of Regulations, title 14 section 15125 subdivision (c).

> **Response N.6:** CEQA Guidelines Section 15125 addresses requirements for an EIR's discussion of the environmental setting, which is focused on providing an accurate description of the existing physical environment. An EIR must include a description of the physical environmental conditions in the vicinity of the project. (14 Cal Code Regs §15125(a).) Knowledge of the regional setting is crucial to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to the region and would be affected by the project. (14 Cal Code Regs § 15125(c).) As required by CEQA, the Draft EIR accurately describes the physical environmental conditions in the vicinity of the project viewed from a local and regional perspective, including that the project site is developed with a golf course. (14 Cal Code Regs §15125(a).) Refer to Master Response 2 regarding the scenic easement.

Comment N.7: 2. The DEIR fails to disclose the legal infeasibility of the Project. The Open Space Easement prohibits housing construction, unless and until such time as the Open Space Easement is lawfully abandoned in strict accordance with the express provisions of the Act. Although the DEIR mentions possibly "amending" the Open Space Easement in an effort to terminate the Open Space Easement as to portions of the Subject Property, there is simply no lawful mechanism and/or legal authority under the Act for proposing (let alone making) such a specious "amendment" to an open-

space easement. (See Gov. Code§ 51093.) The Scenic Easement Deed expressly restricts the permissible use and structures within the Subject Property to "a public golf course, pro shop, snack bar, restaurant, driving range and structures and appurtenances reasonably related thereto and such other recreational uses as may be approved by the city Council of the City of Santa Clara." Accordingly, housing is not an permitted use under the express terms of the Scenic Easement Deed. Further, the Open Space Easement is perpetual and remains in effect permanently with no termination date.

Response N.7: Refer to Master Response 2.

Comment N.8: 3. The DEIR fails to analyze and discuss the foreseeable consequence of permitting the Project: If housing were built in violation of the easement, California law mandates injunctive relief and removal of unlawful structures, which would have environmental impacts that must be analyzed. Under the Act, no permit may issue for structures violating the Open Space Easement, and the City is required to seek an injunction and mandatory removal of unlawful structures; residents may also seek such relief if the City fails to act. (Gov. Code §§ 51093 and 51086). As such, removal of the Project's violating structures is a foreseeable consequence of the Project.

Response N.8: An EIR must analyze possible future expansion or other action related to a project that is a “reasonably foreseeable consequence” of the project. Conversely, possible future expansion or other action related to a project that is not a reasonably foreseeable consequence of the project need not be included in an EIR’s project description. The City Council will determine whether to approve the project, including the scenic easement amendment. Refer to Master Response 2. It is not “reasonably foreseeable” that the project will be constructed and later required to be demolished, and therefore such impacts would be speculative and are not required to be evaluated under CEQA

Comment N.9: 4. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), Architectural Review, is a project which requires CEQA review. Analysis of such is missing from the DEIR.

Response N.9: Refer to Response N.3. The Draft EIR evaluates potential impacts of the proposed project, as required by CEQA. The proposed architectural review is listed as a required permit or approval in Section 2.4 of the Draft EIR.

California Code of Regulations, title 14 section 15378 subdivision (c) states that “The term project refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval.”

The commenter is not specific regarding what analysis may be missing regarding architectural review. Analysis of the project design, insofar as it can result in physical environmental effects, is incorporated in the analysis of the whole project action as

required by CEQA. Page 15 of the Draft EIR explicitly states that the City Code includes an Architectural Review process (Zoning Ordinance Chapter 18.120), and outlines the Architectural Review process which the project will be required to comply with. The Draft EIR provides analysis of the project as required under CEQA and no revisions are required to respond to the comment.

Comment N.10: 5. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), activities such as issuing permits, including public works clearances and grading, are projects which require CEQA review. Analysis of such activities is missing from the DEIR. While grading is mentioned throughout, the environmental impacts of grading, particularly with respect to the existing open space and residences, are not analyzed.

Response N.10: Refer to Response N.3. The physical effects of activities requiring the issuance of permits, such as grading, are incorporated in the analysis of the whole project action as required by CEQA. In particular, the impacts of grading on nearby residences are specifically addressed in the air quality, noise, and vibration modeling and analysis. The specific project information used to analyze these impacts is identified in the respective technical appendices attached to the Draft EIR.

Without specific concerns identified, it is unclear what impacts the commenter believes would occur to existing open space. It is assumed that the commenter is referring to impacts to the existing golf course from grading. If so, grading of the golf course itself would occur during renovation of the golf course, but would not impact the golf course in terms of its operation and use. No revisions to the Draft EIR are required to respond to the comment.

Comment N.11: 6. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), activities such as issuing permits for tree removal, are projects which require CEQA review. Analysis of such activities is missing from the DEIR.

Response N.11: Refer to Response N.3. Analysis of the potential impacts related to tree removal is addressed in Section 3.4 of the Draft EIR. The commenter provides no specific information on what additional analysis they believe is required. No revisions to the Draft EIR are required to respond to the comment.

Comment N.12: 7. Additionally, there are numerous topic-specific environmental impacts which are insufficiently analyzed:
a. Transportation and Parking. The DEIR's transportation analysis misstates the transit proximity presumption, infers less-than significant impacts despite limited qualifying transit within one-half(½) mile of the site of the Project, and does not grapple with left-turn storage deficiencies identified in the Transportation Analysis or documented neighborhood safety issues and parking shortfalls submitted in public comments

Response N.12: Refer to Master Response 1.

Comment N.13: b. Noise. The DEIR does not address noise effects on the existing residences resulting from the use and occupancy of the proposed residences and new parking facilities. The DEIR does not address noise effects on the existing and proposed residences from the redesigned golf course or describe those redesign impacts with meaningful detail.

Response N.13: Effects of noise generated from occupants and guests of proposed residential projects are not a significant effect on the environment under Public Resources Code section 21085, enacted in 2023 and upheld by the California Supreme Court in Make UC a Good Neighbor v. Regents of University of California (2024) 16 Cal.5th 43. Thus, the Draft EIR is not required to evaluate potential impacts of "social noise" from future residents' use of the apartment building and parking garage. The Draft EIR evaluated operational noise impacts of the project, including from project traffic, in Section 3.13.2.1.

Further, under the general CEQA rule established by the California Supreme Court in California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369, CEQA does not require a lead agency to analysis how existing environmental conditions (including noise) will affect a project's future residents. Nevertheless, Section 3.13.3 of the Draft EIR included analysis for informational purposes regarding existing noise conditions and noise impacts and standards for the proposed residential building. As stated in the Draft EIR, the exterior noise environment would comply with the City's applicable noise standards and the project will be required to implement noise insulation features to meet the 45 dBA CNEL interior noise requirement set forth by the State of California. Refer also to Responses G.1 and L.6.

Comment N.14: c. Light. The DEIR does not address either direct or ambient light effects resulting from the Project on existing residences from the use and occupancy of the proposed residences and new parking facilities. The DEIR does not address either direct or ambient light effects on existing and proposed residences from operation of the improvements contemplated by the Project existing or redesigned golf course or describe those redesign impacts with meaningful detail.

Response N.14: The Draft EIR provides a discussion regarding nighttime lighting in Section 3.1, Aesthetics. The analysis states that the area of the proposed project is currently affected by lighting from roadways and adjacent development which results in a urban lighting environment. Additionally, the golf course currently features lighting at the driving range and is open until 10 pm which contributes to the nighttime lighting environment. Further, the proposed project would be required to comply with City policy through architectural review for direction and shielding of lighting sources. The proposed project would not introduce lighting to the site that is out of character with residential development (such as high voltage unshielded lighting) therefore impacts would not be created at nearby residences.

Golf course operation times are not proposed to change and are currently limited to times where daylight is available. Any lighting proposed for the golf course redesign would be required to meet City requirements as discussed on page 20 of the Draft EIR. Further, under the general CEQA rule established by the California Supreme Court in California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369, CEQA does not require a lead agency to analysis how existing environmental conditions (including lighting) will affect a project's future residents. Nevertheless, the analysis in the Draft EIR describes the project area generally. The project's future residents would similarly experience light and glare that is typical of an urban setting and the City's Architectural Review Process review of lighting and building materials would similarly reduce light and glare to ensure it will not create a substantial source of light or glare for project residents.

Comment N.15: d. Aesthetics. The DEIR concludes that a five-story building adjacent to the golf course would not degrade visual character, without substantiated analysis, despite the area's predominantly one to two story context and the loss of open-space views.

Response N.15: The analysis in the Draft EIR on page 20 states that the proposed development would change the visual environment while preserving a large amount of the open pace character of project site by retaining the golf course on the north part of the project site. All residences interior to the golf course would still have views of the golf course and the views of the proposed project would be obstructed by trees similar to existing development and roads. The golf course also currently features large fence structures that are of similar scale to the proposed development and are visible in golf course spaces. Therefore, the Draft EIR provides analysis of the aesthetic impacts of the proposed project and would not require revision. Refer to Response I.3.

Comment N.16: e. Biological Resources. The DEIR proposes use of recycled water for irrigation without analyzing potential impacts to biological resources, including redwoods and other species. Additionally, the DEIR fails to analyze the role of trees as a safety barrier to existing and proposed residences, and how removal of trees under the proposed redesign will impact safety for persons and property adjacent to the golf course.

Response N.16: Refer to Responses F.1 and L.7. The use of non-potable recycled water for irrigation is supported by the City of Santa Clara for new projects in the City (City Code 13.15.150). Tree compatibility with recycled water will be considered in the replacement tree selection process and the proposed project would remove redwood trees where they may be affected by recycled water. The golf course redesign would also include replacement of safety barriers with netting where necessary which would retain the protective properties of the existing tree line. Therefore, no revisions to the Draft EIR are required.

Comment N.17: II. The Open Space Easement is a Threshold Issue the DEIR Must Address

"An Open Space Easement is an instrument whereby the owner relinquishes to the public the right to construct improvements upon the land, effectively preserving for public use or enjoyment the natural or scenic character of the open-space land. (See Gov. Code, § 51051.)." (Feduniak v. California Coastal Commission (2007) 148 Cal.App.4th 1346, 1353 fn.1.) An Open Space Easement is a recorded restriction that preserves land in its natural or scenic condition by limiting construction to expressly reserved uses. The entirety of the Subject Property is encumbered by the Open Space Easement granted in 1978 and accepted by City Council Resolution No. 3972.

A. The DEIR's Amendment Concept Lacks Legal Foundation.

The DEIR states the Project would include an amendment to the Open Space Easement tied to a proposed General Plan Amendment and asserts the Open Space Easement would remain on-site and be consistent with governing land use policy, but it offers no legal authority or explanation for the feasibility of such amendment to terminate the Open Space Easement as to a portion of the Subject Property without complying with applicable laws.

The Act contains procedures for abandonment of an open-space easement, but not for amending or modifying an existing open-space easement. Code of Civil Procedure section 1858 prohibits courts from inserting omitted terms into a statute; thus, a power to amend an open-space easement cannot be implied when the Act provides only for abandonment. Additionally, California courts have recognized that open-space easements and conservation easements restrict permissible uses more extensively than typical easements. Accordingly, the only means for terminating the Open Space Easement as to all or any portion of the Subject Property would be through the statutory mechanism for abandonment as to the relevant portions of the Subject Property.

It is our understanding that City Staff has stated that the City has no plans to abandon the Open Space Easement, while, at the same time, suggesting that a modification of the areas burdened by the Open Space Easement would be necessary if the Project moves forward . Relying on a clause within the Scenic Easement Deed (Section 1.4) which bars material alteration of landscape or scenic features without City approval to authorize new land uses conflicts with the Act's requirement that any improvements must be expressly reserved in the easement instrument. The City's police powers cannot be construed to authorize uses of the Subject Property that are prohibited under the Open-Space Easement Act. (See Cal. Const. , art. XI , § 7; see also Gov. Code, § 51070 et seq.).

The proposal described in the DEIR for an amendment to terminate the Open Space Easement as to portions of the Subject Property is particularly disconcerting, because the City Attorney of the City has previously acknowledged the legal infeasibility of amending an Open Space Easement in precisely this manner. In 1997, in response to a previous similar proposal to amend the Open Space Easement to allow construction of apartments on portions of the Subject Property, the then City Attorney advised that such a project would require abandonment of the Open Space Easement Because the City does not propose to lawfully abandon the Open Space Easement as to all or any portion of the Subject Property, and California law provides no lawful authority for a municipality to, of its own volition, amend or modify an open-space easement, other than through the abandonment process specified in the Act, there is no legal path to authorize or allow residential

development of the Subject Property under the existing Open Space Easement. The DEIR is insufficient because it fails to describe the legal realities and restrictions of the Open Space Easement or to consider alternatives, mitigations, or solutions that would allow the Project to proceed under existing law.

B. CEQA Review Is Required for Any Open Space Easement Abandonment

The CEQA regulations specifically state that cancellation of an open-space easement will normally be subject to environmental review (see Cal. Code Regs., tit. 14, § 15317), yet the DEIR neither discloses nor evaluates the environmental effects of abandoning any portion of the Open Space Easement. Accordingly, if the City elects to pursue abandonment of the Open Space Easement with respect to all any portion of the Subject Property, that action must undergo CEQA environmental review before or concurrently with project approvals. The DEIR entirely omits this analysis. Of note, the DEIR acknowledges that the Project would increase the demand for parkland, while, inexplicably failing to analyze the environmental impacts resulting from the removal of 3.66 acres of parkland from the Open Space Easement. As such, the statutory requirement for CEQA review of abandonment has not been met, and would need to be met before the abandonment could be sought and the Project could proceed.

The DEIR is insufficient because it fails to describe the legal realities and restrictions of abandoning the Open Space Easement or to otherwise consider alternatives, mitigations, or solutions that would allow the Project to proceed under existing law.

C. Foreseeable Consequence: Mandatory Removal if the Project is Built in Violation of the Open Space Easement

If construction proceeds without lawful abandonment of the Open Space Easement as to the affected portions of the Subject Property, removal of structures is a reasonably foreseeable consequence. The DEIR must analyze the environmental effects of such removal, including demolition, debris hauling, and site restoration .The Act requires the City to seek injunctions against easement violations ordering mandatory removal of unlawful structures. (Gov. Code, § 51093) The Act further authorizes residents to seek such relief if the City fails to act. (Gov. Code,§ 51093.) The DEIR fails to analyze the impacts of foreseeable removal of the Projects structures, should the Project proceed in violation of the Open Space Easement.

Response N.17: Refer to Master Response 2 and Responses N.3 and N.8.

Comment N.18: III. The DEIR Suffers from Baseline Deficiencies and Topic-Specific Impact Gaps
A. The Baseline Must Reflect Actual Conditions and Legal Constraints

A legally adequate baseline must describe existing physical environmental conditions in the vicinity of the Project - not just within the site of the Project itself (see Cal. Code Regs. , tit. 14, § 15125), including operative land-use constraints, and then use that baseline to measure impacts, mitigation, and alternatives.

The DEIR omits critical characteristics of existing conditions, including the operative Open Space Easement constraints, and relies upon conclusory findings of less than-significant or no impact across multiple topics without adequate explanation.

1. Project Description and Golf Course Redesign

The DEIR does not adequately describe the golf course redesign or the environmental effects of that redesign. At the July 15, 2025 community meeting, the developer acknowledged that that golf course redesign is not yet complete. Nevertheless, the DEIR purports to describe the environmental impacts from the redesign. Simply put, the DEIR is premature and wholly inadequate as to the golf-course redesign.

Additionally, the DEIR does not analyze and discuss the environmental effects that will result from related General Plan and zoning changes. (See Cal. Code Regs., tit. 14, § 15378, subd . (a)(1).) Because the DEIR fails to provide meaningful detail enabling informed decision making about golf course redesign impacts and the environmental implications of any General Plan and zoning amendments, the City should revise and recirculate the DEIR to correct these deficiencies.

> **Response N.18:** Refer to Responses L.5 and N.4 through N.6. Although the specific design of the golf course is not finalized at this time, the extent of disturbance and required project activities are known at this time. An approximate layout of the golf course is provided on Figure 2.2-1 Project Site Plan, and the project description provides the approximate area of effect on page 7 of the Draft EIR. The environmental effects of regrading the golf course and tree removal, as well as construction noise of the course redesign work, are discussed in the respective sections of the Draft EIR.

Comment N.19: 2. Transportation and Parking
The DEIR misstates applicable regulatory guidance on when proximity to transit may allow an evaluator to make a presumption of less-than-significant transportation impacts, and it fails to consider substantial evidence that existing traffic operations and safety conditions are already strained, and the Project's access design and parking program would exacerbate those issues.

(a) The Project Site Does Not Qualify for the Presumption of Less-Than-Significant Transportation Impacts

The DEIR states "that projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact." However, this is not what the text of the CEQA regulations actually states. The regulation creates the presumption only for projects that are located within one-half mile of a "major transit stop" or along a "high-quality transit corridor," terms which are specifically defined. A "major transit stop" is defined, in relevant part, as "the intersection of two or more major bus routes with service every 20 minutes or less during peak periods." (Cal. Code Regs., tit. 14, § 21064.3.)

Response N.19: The text referenced by the commenter is part of the regulatory setting in Section 3.17 of the Draft EIR (page 137). The regulatory setting is included to provide background information on the laws and regulations of a particular resource area. While a brief overview of Senate Bill 743 is provided in the regulatory setting, it is not used as the basis for the conclusion of the Draft EIR relative to traffic. Refer to Master Response 1 regarding transportation impacts.

Comment N.20: The DEIR acknowledges in Section 3.17.1.2 that only the Route 57 bus stop is within one half mile of the Project site (and specifically, 2,400 feet, or 0.45 miles, from the Project site) and no other transit route is located within one half mile of the Project site. As such, the Project does not meet the guidance criteria for presuming a less than significant transportation impact. The misstatement of the guidance in the DEIR and explanation of the Project's proximity to Route 57 gives rise to an improper inference that the Project would, by presumption, have a less than significant impact. The DEIR goes on to find a less than significant transportation impact despite substantial evidence to the contrary, discussed below.

Response N.20: The availability of transit in the project area is documented on pages 139 and 140, and Appendix H of the Draft EIR. The determination of a less than significant VMT impact is not based on the proximity of transit under Senate Bill 743. As discussed on page 141 and Appendix H of the Draft EIR, the project specific VMT was calculated using the Santa Clara Countywide VMT Evaluation Tool and compared to the City's VMT thresholds of significance. The City's thresholds are based on the existing countywide average VMT levels. Specifically, for residential uses, the threshold of significance is the countywide average VMT per capita of 13.33 minus 15 percent. Contrary to the commenter's assertion, the conclusion of a less than significant VMT impact is based on substantial evidence developed by a qualified transportation consultant in consultation with the City utilizing the adopted methodologies of the City and the VTA. Refer to Master Response 1 regarding transportation impacts.

Comment N.21: (b) Existing Traffic and Parking Conditions Will Be Greatly Impacted By the Project Channeling all site traffic for a 316-unit complex through a single driveway onto a short, high-demand segment of Pruneridge Avenue would concentrate turning movements and conflict points in an area with documented traffic and safety concerns. Existing traffic conditions on Pruneridge Avenue between Saratoga Avenue and San Thomas Expressway are already constrained during peak hours. The addition of hundreds of households to the block will result in gridlock during peak hours. Intersections in the surrounding area are already dangerous. The neighborhood experiences speeding, reckless driving, and serious crashes between San Tomas Expressway and Pruneridge Avenue; challenging, accident-prone patterns at Saratoga Avenue and Pruneridge Avenue; and school-related traffic, U-turns, and neighborhood ingress/egress creating congestion and safety concerns at Saratoga Avenue at Cypress Avenue/Golf Links Circle.

Response N.21: Refer to Master Responses 1 and 3.

Potential operational traffic impacts resulting from the proposed project are addressed in Section 3.17 and Appendix H of the Draft EIR. In addition to the specific analyses required by CEQA, the analysis includes additional non-CEQA operational analyses to provide the decisionmakers with a complete understanding of the potential effects of the project. The analysis did not identify any significant transportation impacts under CEQA or project-related operational conditions that would be in conflict with the City's adopted transportation policies.

While the commenter makes general anecdotal statements regarding existing traffic concerns, the commenter provides no specific analysis or data to demonstrate that the project would result in a significant transportation impact. No revisions to the Draft EIR are required.

Comment N.22: Separately, the proposed parking plan does not reasonably account for reasonably anticipated resident and guest demand. The Project proposes only seven guest parking spaces for 316 units, which grossly underestimates likely guest parking needs. Comparable nearby experience indicates substantially higher guest demand. PPHOA provides 33 visitor spaces for 79 units, and those spaces are frequently fully utilized. Nearby streets already serve multiple apartment communities and cannot absorb additional on-street parking. Surrounding streets cannot accommodate additional parking demand due to existing use from apartments on Saratoga Avenue, including Summerwood, Brentwood, and La Dea. Spillover is therefore likely to shift to the adjacent shopping center across Pruneridge Avenue, which would undermine the City's intent in establishing parking standards. This shortfall would predictably shift overflow parking to the shopping center across Pruneridge Avenue, inconsistent with the City's purpose in governing parking standards.

Response N.22: Refer to Master Response 1.

Comment N.23: The DEIR should correct its statement of the CEQA transportation presumption and withdraw any reliance on that presumption for this Project. Given existing operational and safety constraints, the Project's single-driveway access, and the inadequate parking supply, the DEIR's conclusion of a less-than-significant transportation impact is unsupported by the record. The City should revise the DEIR's analysis and findings accordingly, and identify feasible mitigation and design modifications to address transportation and parking impacts. The DEIR currently finds a less than significant transportation impact despite substantial contrary evidence in the record.

Response N.23: Refer to Responses N.19 through N.23 and Master Response 1.

Comment N.24: 3. Noise and Light
Operational changes to the golf course will affect ambient noise and lighting at existing and proposed residences. The DEIR does not analyze these effects. Because DEIR does not address noise or light impacts from the apartments, the parking areas, and the redesigned golf course operations on existing or future residents, the City should revise and recirculate the DEIR to correct this deficiency.

Response N.24: Refer to Responses G.1, N.13, and N.14. The Draft EIR addresses the future noise and lighting environments and provides analysis of the potential impacts from construction and operation. Therefore, no revisions are required for the Draft EIR.

Comment N.25: 4. Aesthetics and Visual Character
A five-story building at the golf course edge will alter views and neighborhood character in a predominantly one- to two-story area. The DEIR's conclusion of no substantive degradation is unsupported.

The DEIR concludes that a seven-story building and parking structure along a primary roadway adjacent to the golf course would not substantively degrade visual character, without substantiated analysis of the surrounding one- to two-story residential context and open-space views.

Response N.25: As stated on page 3 of the Draft EIR, the project proposed a five-story apartment building and a seven-story parking structure, not a seven-story building and parking structure as noted by the commenter. Refer to Response I.3 and N.15.

Comment N.26: Additionally, the height of the buildings gives rise to significant privacy concerns for the residents of the existing neighborhood.

Response N.26: Privacy, or lack thereof, is not an impact under CEQA. In addition, the proposed apartment building is approximately 200 feet from the nearest residences which is sufficient to limit visibility to nearby residences.

Comment N.27: Because the DEIR incorrectly concludes there with be no impact, the City should revise and recirculate the DEIR to correct this deficiency.

Response N.27: Refer to Responses N.25 and N. 26. No revisions to the Draft EIR are required. None of the comments or responses constitute "significant new information" as that term is defined in Section 15088.5 of the California Code of Regulations, and, therefore, none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines that would require recirculation of the Draft EIR have been met.

Comment N.28: 5. Biological Resources
The EIR contemplates using recycled water to irrigate landscaping, however, it does not address the impacts to biological resources from using recycled water. Irrigation choices can affect tree and plant health. In particular redwood trees may experience adverse effects from recycled water irrigation.

Separately, the existing trees provide significant barrier protection to homes, people, pets, pools, and property, shielding them from errant golf balls coming into residential spaces from the golf course. The DEIR fails to analyze the extent that the proposed tree removals will impact existing and proposed residences. Further, the DEIR fails to analyze the cumulative effects of the golf course redesign in conjunction with the proposed tree removals and plantings on existing and proposed residences.

Because the DEIR (1) omits analysis of biological-resource impacts from irrigating with recycled water, including potential adverse effects on redwood trees; (2) fails to evaluate how proposed tree removal would compromise the existing protective barrier that shields nearby homes, people, pets, pools, and property from errant golf balls; and (3) does not address the cumulative effects of the golf course redesign together with proposed tree removals and plantings on existing and proposed residences, the City should revise and recirculate the DEIR to correct these deficiencies.

Response N.28: Operation of the golf course, regarding the potential for golf balls to strike nearby buildings, is not an environmental impact under CEQA and was not addressed in the Draft EIR. Refer to Master Response 3.

Refer to Responses F.1 regarding barrier protection, and L.7 and N.16 regarding the use of recycled water.

The potential effects of tree removal from the golf course and the apartment site (both biological impacts and construction related impacts) are addressed in Section 3.4 of the Draft EIR. Refer also to Responses B.4, B.5, and D.3

No revisions to the Draft EIR are required.

Comment N.29: IV. Conclusion

The DEIR does not accurately describe existing conditions or analyze the legal and environmental implications of the recorded Open Space Easement. This is critically important because the Project would remove 3.66 acres of protected open space and replace it with multi-level apartments and parking, violating the Open Space Easement on the Subject Property. If the City approves the Project without following the statutory abandonment process for the Project site, it would set a precedent that could be applied to other open-space easements, undermining Open Space Easement Act's "purpose of preserving and maintaining open space." (Gov. Code,§ 51070.)

Additionally, the DEIR also omits or understates significant topic-area impacts. We respectfully request that the City refrain from proceeding with approvals until the DEIR is revised and recirculated to: (1) fully disclose and analyze the Open Space Easement and any proposed abandonment under CEQA, and/or evaluate the reasonably foreseeable environmental effects of mandatory removal if construction proceeds in violation of the easement; (2) fully disclose the necessary environmental review from related General Plan and zoning changes; and (3) correct the project baseline and provide substantial evidence- supported analyses for transportation and parking, noise, light, aesthetics, and biological resources. Absent these essential corrections, the

DEIR is inaccurate and incomplete and does not provide the full disclosure CEQA requires for informed decision-making.

Response N.29: The comment provides a summary of information included above in the prior comments, please refer to specific responses above. No further response is required.

O. Gabriela de Oliveira (dated July 19, 2026)

Comment O.1: I'm writing with a few concerns shared by myself and other residents of the Pruneridge Place Community about the below project:
Project: PLN24-00269
Location: 400 Saratoga Avenue
Subject: Draft Environmental Impact Report (EIR)

Comment O.2: Safety

- Removing trees along the current 9th fairway reduces the natural protection that helps keep golf balls away from our roadway and swimming pool.
- Having both the 1st and 9th holes adjacent to our community could significantly increase the number of golf balls played in this area.
- Additional vehicle traffic and parking demand may create congestion at the Cypress Avenue/Golf & Tennis Club/Saratoga Avenue intersection, location of an elementary school.

When I play outside with my 3 year old son I'm always worried about a golf ball hitting him, kids are the main users of the pool and pool area.

Also traffic is already erratic and borderline dangerous for kids at the elementary school, increasing the amount of cars on the road with such a big project might not be ideal.

Response O.2: The proposed project would be replanting trees on the golf course after removal, however specific locations of planting have not been determined at this time, and would be determined during the permitting process with the City. Refer to Response F.1 regarding golf course operations and Master Response 1 regarding traffic and parking.

Comment O.3: Environmental Concerns

- Before the golf course existed, the property was an orchard where chemicals that are now prohibited may have been used.
- Has the EIR adequately evaluated potential soil contamination or exposure risks during excavation?

This is a big concern, our community is home to a lot of vulnerable people (kids and elderly) that could be seriously affected by exposure to these substances.

Response O.3: Refer to Responses A.2 and L.15.

P. Gina Schiavo (July 20, 2026)

Comment P.1: This message is from a homeowner at the Pruneridge Place condos on the Pruneridge Golf Course in Santa Clara.

As you have likely heard from many of my neighbors, many of us share quite a few concerns about the proposed apartment complex, parking structure and redesign of the golf course.
Here are my immediate concerns:
>Potential of home value decreasing with the construction of this large apartment complex and parking structure

Response P.1: An EIR is required to evaluate the environmental impacts of a project (Pub Res. Code §21100); a project's economic and social effects, such as changes in property values, are not treated as effects on the environment (14 Cal. Code Regs. § 15131(a)).

Comment P.2: >Loss of current aesthetic and the peacefulness of our community, including the privacy and beautiful trees

Response P.2: Refer to Responses I.3 and G.4.

Comment P.3: >Added traffic congestion. The intersection of Saratoga and Pruneridge already backs up during the morning commute in particular, with cars blocking the intersection to avoid missing the light. Pruneridge and San Tomas expressway is already congested. Adding another light to allow apartment dwellers to pull onto Pruneridge or merge onto the very busy expressway will just add to the congestion and decrease safety.

It's already difficult turning onto Saratoga with all of the cars making a u-turn to go to the golf course

Response P.3: Refer to Master Response 1.

Comment P.4: >Question if there truly has been an adequate environmental study
>Removal of long standing trees on the golf course that are a habitat for many animals, not to mention the loss of privacy and odds of increases golf balls on our property
Thanks for your time.

Response P.4: A Draft EIR was prepared for the proposed project in accordance with the requirements of the California Environmental Quality Act and is available on the City's website for review. Refer to Response F.1 regarding operation of the golf course.

Section 3.4 of the Draft EIR addresses the loss of trees as well as the potential for impacts to bird and wildlife species as a result of the project. Impacts were identified to nesting birds, and the proposed project includes mitigation to monitor for bird nests in trees on and adjacent to the construction area to avoid impacts on avian species. Requirements for tree replacement are also identified. Therefore, no revisions to the Draft EIR are required. Refer to Responses B.4 and N.26.

Q. Ian Champeny (dated July 19, 2026)

Comment Q.1: I am submitting my comments and questions for the Draft EIR of proposed The Greens at Pruneridge Residential Project. I respectfully request that this information be included in the public comments, including my attachments of this email, which reference the Scenic View Easement, Tract Map, and California Government Code sections (51084, 51086, 51090, 51093) referenced to and relevant to the easement. I also ask that this be forwarded to Shannon George, who is consulting on this project.

In regards to the DEIR reference of a proposed amendment (seen below), I would like to ask for the text of the amendment, and when that text will be available for the public.

"Scenic View Easement
The proposed project would include an amendment to the scenic view easement currently in place for the project site. This change would be tied to the General Plan Amendment and would not be removed from the site. Therefore, the proposed project would not remove this easement from the project site and would be consistent with the land use policy governing this easement."

Article 1.1 of the Scenic Easement Deed states, "Grantor agrees for himself, his heirs, successors and assigns, that no structures shall be placed or erected upon the premises except such as may be required or desirable for the construction and operation of a public golf course, pro shop, snack bar, restaurant, driving range and structures and appurtenances reasonably related thereto..." Any change to this is an abandonment of the easement and the specific intent of the easement.

Government Code section 51093 prohibits cities from abandoning open space easements unless several findings are made, including a finding that no public purpose is served by preserving the open space. This would seem to be an impossible finding to make, as the easement itself recognizes the public value of open space. Another required finding is that the abandonment is necessary to avoid a substantial financial hardship to the landowner due to involuntary factors unique to him. There has been no information that the developers have suffered such a financial hardship and it seems unlikely given their substantial holdings.

Accordingly, I don't see how the city can legally abandon the open space easement consistent with state law.

The developers seem to be using the term "amendment," instead of "abandonment" in order to avoid this problem. However, since the development would eliminate a substantial amount of the open space which is specifically protected by the easement, it would seem that approval of this project would be considered an abandonment under the Government Code, regardless of the terminology used. Any other interpretation would render the Government Code sections related to abandonment meaningless as the intent of the statute could be defeated by simply renaming the planned action.

Relatedly, it appears that the developers are reneging on an agreement entered into with the city years ago when the existing housing was developed. In exchange for permission to build the new units, the developers/owners agreed not to develop the remainder of the site in perpetuity. And yet now the developers seek to add housing.

Please confirm receipt of this email and comments and that this (and attachments) will be included in the public comments.

Response Q.1: Refer to Master Response 2.

R. Jocelyn Jackson (dated July 17, 2026)

Comment R.1: I attended the community meeting on Wed., July 15. Yesterday, I was skimming through the Transportation Analysis prepared by Hexagon. I'm most concerned about the traffic this 316-unit apt complex will add to nearby streets.

From the Draft EIR: The Building 1 parking structure would include up to 414 vehicle parking stalls, including 42 electric vehicle (EV) stalls, 274 EV ready stalls, and seven visitor stalls.

It seems a bit naive to think people will opt to not use their vehicles. The TDM is nuts. I read that there would be a TDM Coordinator onsite to provide feedback AFTER construction and move-in to see if in compliance. Really? And, if not in compliance, what? Tear it all down. NO! We will be dealing with the additional traffic on top of the bad traffic already on Pruneridge. At busy times, the entire block from Saratoga to San Tomas Expy is so full of cars, you can't enter the intersection. With only a stop sign at the entrance of the project, it will be extremely difficult to enter or leave from the one driveway.

Response R.1: Refer to Master Response 1.

Comment R.2: You can't force people to use bikes, buses or other ride sharing services. The caveat at the meeting that Demmon need only consider the impact their particular development will have may be nice for them, but it is completely ignoring the current traffic problems on Pruneridge.

Also not mentioned are the fire issues with e-bike batteries. How is that being addressed?

Response R.2: Refer to Master Responses 1 and 3.

Regarding the commenter's concern about e-bike batteries, this would not be an impact under CEQA. Nevertheless, based on information received from the project applicant, the following proposed measures for the community bike room and e-bike use are provided for reference:

- Equipment standards: Only devices and batteries certified to UL 2849 (or EN 15194 equivalent) will be permitted. Batteries should also meet UL 2271 where applicable. Only manufacturer-listed chargers will be allowed. Non-certified, aftermarket, modified, damaged, swollen, or water-damaged batteries will be prohibited or heavily restricted.

- Bike room design: The community bike room will be constructed with a minimum one-hour fire-resistance-rated enclosure, automatic sprinkler protection, and enhanced early-warning detection (air-aspirating smoke detection or radiant energy-sensing detectors consistent with California Fire Code guidance for indoor charging areas).

- Operational measures: House rules will require certified equipment only, direct wall plugging (no extension cords or power strips), and preferred supervised or time-limited charging. Residents will be required to register e-bikes with management and provide proof of certification. Regular inspections of the room and equipment will be conducted. Resident education materials will address warning signs (heat, odor, swelling, hissing, leaking) and response procedures. Lithium-ion / thermal runaway response will be incorporated into the building's fire safety and evacuation plan.

Comment R.3: Additionally, only 7 visitor stalls for 316 units. That seems astoundingly small. Who thinks that is a good idea? I've been to other apt. complexes with very little visitor parking and it is almost impossible to find a place to park. The people who say the shopping center across the street will end up with people parking there are 100% correct. How many might jaywalk to The Greens? Too many to make it safe.

Response R.3: Refer to Master Response 1.

Comment R.4: You can't expect us to believe the City of Santa Clara is really concerned with adding affordable housing. After all, the Sycamore Court single family homes at 1957 Pruneridge are listed near and over $3 MILLION. How is that helping affordability? It's just more evidence of the pro-business City Council and Mayor, for decades a friend of the developer of that property.

Pruneridge Golf is not a good place for such a high density apt. complex. It could work for a smaller, possibly 2-story complex, but that would be townhomes or condos.

Please add my comments to the Draft EIR Comments before the Monday deadline.

Response R.4: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

S. JRA1120 (dated July 18, 2026)

Comment S.1: Nice development but in the wrong location for too many reasons to mention. This does not "bring the golf course into the future" as the developers claim.

Permanent removal of 25 old growth trees and trying to squeeze two fairways out of one fairway now is a mistake.

Response S.1: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required. Refer to Responses D.2 and D.3.

Comment S.2: Also, pretending that the new apartment inhabitants won't try to walk across the five lanes wide Pruneridge avenue in order to visit the Lucky market is not realistic. I have lived at Pruneridge Place for 25 years now and the new inhabitants and their guests who will park in the shopping center parking lot will find out that the cars coming from either direction are asellerating (sic) from their respective stop lights which makes their approaching speed very hard to judge. The jay walkers with family in tow will find out the hard way how dangerous this venture will be, especially during the dark days of winter. The whole project in this location has a "Back to the future" tone that brings us back to the decision to demolish the Santa Clara downtown many years ago. I am not going to sign my name because when there ate (sic) millions and millions of dollars that the developers stand to lose if the project is voted down, retribution is a concern.

Response S.2: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required. Refer to Master Response 1.

T. Karen Butzman (dated July 1, 2026)

Comment T.1: I would like to voice my objection to this project. I currently reside at (REDACTED ADDRESS)[8] Golf Links Circle which is in the middle of Pruneridge Golf Course. I just cannot see such a large project at the proposed location. There isn't enough space to handle the immense traffic that will be generated at the corners of Pruneridge, Saratoga and San Tomas. There is extreme traffic at these corners now, without the addition of 3-400 more cars.

Response T.1: Refer to Master Response 1.

[8] Information redacted for privacy of commenter

Comment T.2: I also fear that the construction process will have an adverse effect on our houses with possible damage happening from all the ground movement. Who will be responsible for fixing any damage that may occur to our homes.

There are plenty of new apartments that have been built in Santa Clara and also many currently in process. We don't need another headache in our neighborhood.

Thank you for this consideration.

> **Response T.2:** Construction impacts associated with development of the proposed project, including air quality, noise, and vibration, , are discussed in Sections 3.3 and 3.13 of the Draft EIR. No significant impacts were identified for the project activities from construction emissions, construction noise, and construction vibration. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

U. Keith Parks (dated July 15, 2026)

Comment U.1: Sir
I just listen into the latest presentation regarding The Greens at Pruneridge. I do have several concerns.

- it was stated that the developer would be changing turf on the course to reduce water usage. Will that offset the water requirement for the tenants? Was the EIR water requirement based on a normal years available water supply and was any consideration given to the multiple years of drought and the burden it placed on current residents.

> **Response U.1:** The water usage estimates for the proposed project were compared to the estimated total Citywide water consumption identified in the 2020 Urban Water Management Plan. This plan provides an analysis of the proposed land uses water consumption under different drought scenarios. Therefore, the water consumption of the proposed project was calculated and analyzed based on the future drought conditions predicted in the region.
>
> The change to the species of grass would reduce the overall water usage of the golf course compared to the current operations. For the purposes of the analysis, however, the golf course water usage was assumed to be consistent with the existing use because it would be speculative to estimate the exact reduction in water use before final design of the golf course. The estimated water usage by the housing was assessed relative to projected water supplies for typical and dry weather years. While any reduction in water usage and the use of recycled water on the golf course would help to offset the overall increase in potable water usage by the proposed residences, the total cannot be quantified at this time. As such, the

analysis was conservative in its water usage estimates. These findings are summarized in Section 3.19 of the Draft EIR.

Comment U.2: - The parking allowances for EV's, what fire safety measures will be put in place to address potential EV battery fires, one thought is appropriate suppression equipment. Also there was no mention for our Fire Department to be able to address fire and public safety since there is only one point of access and egress. There is little space for evacuation zones and the fire safety teams.

Response U.2: The proposed access design was reviewed by the Fire Department for consistency with fire access and emergency evacuation requirements during the application process. Additionally, the Transportation Assessment analyzed access to the site for fire trucks and other emergency vehicles. EV battery fires would not be considered an impact under CEQA, but the parking areas would be constructed according to the California Building Code requirements and would include all necessary fire suppression features. Refer to Master Response 1.

Comment U.3: - The EIR speaks to reduced commute miles. How will cross traffic be managed into the complex without creating additional traffic backups to San Tomas, currently traffic is affected by autos slowing to turn into Lucky's parking lot. Will a traffic light be required?

Response U.3: The commenter expresses issues with traffic management for the site. The proposed project would not add a new traffic light for project site access. Refer to Master Response 1.

Comment U.4: - What additional funds will be provided annually for the maintenance and upkeep of the proposed park.

I appreciate your time for these concerns and look forward to your reply.

Response U.4: The Draft EIR evaluated potential impacts of the project on Public Services (including parks) and Recreation in Section 3.15 and 3.16 of the Draft EIR, respectively. Santa Clara City Code Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a few in-lieu of parkland dedication. The project would result in an increase in population, which would increase the demand for parks and recreation areas. To mitigate for this potential impact, the project will dedicate a 1.7-acre area of the project site to the City of Santa Clara to improve as a park and pay in-lieu fees under the Quimby Act and the Mitigation Fee Act, as applicable, for the remaining acreage. With the parkland dedication and payment of in-lieu fees in compliance with law, project impacts to parks and recreation will be less than significant. Although not a CEQA consideration, residential developments are conditioned under SCCC § 17.35.070(e) to provide continued maintenance of the parks after dedication.

V. Kurt Leubner (dated July 14, 2026)

Comment V.1: I am writing to submit comments regarding the proposed Greens at Pruneridge redevelopment (PLN24-00269). I respectfully ask that the City carefully consider the following concerns before approving this project.

1. Conversion of Parks/Open Space to High-Density Residential
I do not believe sacrificing land currently designated as Parks/Open Space for high-density residential development is justified. Open space is a limited community resource, and predesignating it for residential use sets a concerning precedent for Santa Clara City. Is the city able to demonstrate why this location is appropriate for loss of recreational land.

> **Response V.1:** The project proposes a General Plan amendment and rezoning to accommodate the proposed project uses. The operational use of the golf course would be retained as a part of the proposed project, and a public park would be dedicated to the City at the corner of Pruneridge Avenue and Saratoga Avenue. This would increase public park land in the project area. Although the proposed project would decrease the overall open space area within the project site compared to existing conditions, the increase in public park land does represent an increase in accessible park space for city residents.

Comment V.2: 2. Existing Traffic, Parking, and Emergency Access
The proposal appears to underestimate existing parking and traffic conditions. Parking associated with Pruneridge Golf Club already overflows onto Saratoga Avenue during business hours, weekends, and into neighboring shared business parking lots. Adding 316 apartments will increase demand on an area that already experiences parking shortages and congestion.

In addition, the proposed development appears to rely on a single primary driveway for vehicles entering and exiting a seven-story parking structure and the associated residential parking. I ask the City to explain how this design will function during peak traffic periods and, more importantly, during emergencies. How will emergency vehicles access the site if the entrance or exit is blocked by congestion, a collision, or another incident?

Has the Fire Department reviewed and approved the emergency access and evacuation plan for a development of this size?

I request that the City carefully evaluate whether the traffic, parking, and emergency access analyses accurately reflect existing conditions and the additional demand this project will create.

> **Response V.2:** Refer to Master Response 1 and Response U.2.

Comment V.3: 3. Cumulative Loss of Recreational Space and Mature Trees
Henry Schmidt Park is already undergoing a multi-year renovation, reducing recreational access for nearby residents while also contributing to parking impacts during construction. Residents have

already experienced the removal of mature trees as part of that project. This proposal would further remove mature California redwoods and other established trees that cannot realistically be replaced within our lifetime. Newly planted trees cannot replicate the environmental, aesthetic, and shade benefits provided by decades-old mature trees. The City's environmental review should fully evaluate these cumulative impacts rather than considering each project in isolation.

Response V.3: The temporary loss of open space during renovation of an existing park is not, by itself, an impact under CEQA. The project, as proposed, includes a public park which would increase the total available parkland in the project area if approved.

Under CEQA, the loss of trees is addressed relative to project compliance with local tree policies and potential loss of habitat. Shading is only considered when the tree canopy is directly associated with the viability of a natural habitat, such as a creek. The analysis for these issues is found in Section 3.4 of the Draft EIR. The proposed project, and all other projects within the City, are required to comply with the City of Santa Clara tree replacement ratios for tree removals. The replacement trees and planting locations are determined during the permitting process. Refer to Responses D.2, D.3, and J.3.

Henry Schmidt Park is approximately 1,000 feet from the project site. There are a substantive number of trees within the neighborhoods surrounding both the park and the project site, in addition to other nearby open space areas including Everett Alvarez Junior Park, Mary Gomez Park, Mission City Memorial Park, and Westwood Elementary School. All of which have mature trees and vegetation. Renovations of Henry Schmidt Park are scheduled to be completed next summer, whereas renovation of the golf course is estimated to begin in January 2027 at the earliest. While some overlap would occur, improvements to the nearby park would be completed prior to completion of the proposed project.

Comment V.4: 4. Utility Demand and Infrastructure
The project will significantly increase demand for water, natural gas, and other utilities. California continues to face long-term water supply challenges, and PG&E utility costs are already placing a significant financial burden on residents, with rates expected to continue increasing.
The City should evaluate whether existing infrastructure can adequately support this level of development and explain how increased utility demand aligns with long-term sustainability goals.

Response V.4: The proposed project design was reviewed by the City of Santa Clara Public Works Department to determine if existing infrastructure (water, sanitary sewer, storm drains) would be adequate to serve the proposed project. No issues were identified during this process. Additionally, the City of Santa Clara prepared a Sanitary Sewer Capacity Evaluation for the proposed project in April 2025 to determine if sewer line capacity was adequate to serve the project. All potential

utilities impacts are discussed in Section 3.19 of the Draft EIR and no supply or capacity issues were identified. Therefore, no revision is required for the Draft EIR.

Comment V.5: 5. Impact on the Golf Course
The proposal describes modifications to the golf course as an improvement. However, reducing the size and playing capacity of the course, particularly if it limits the ability to maintain holes beyond par-3 play, should not automatically be characterized as a public benefit. The City should evaluate whether the proposed redesign preserves the recreational value and integrity of the existing golf course for the community.

Thank you for considering these comments. I respectfully request that these concerns be addressed through the Environmental Impact Report and considered by the Planning Commission and City Council before any approvals are granted.

Response V.5: Operation of the golf course, including playing capacity and golf course design, is not an impact under CEQA. Potential project impacts to parks and recreation are evaluated in Section 3.15 and 3.16 of the Draft EIR. This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

W. Liz Lee (dated July 20, 2026)

Comment W.1: I am writing to express my concerns regarding the proposed "The Greens" Apartment project.

In this era of rapid AI advancement, young people will face significantly fewer job opportunities as companies reduce headcounts across industries. As a result, they will not be drawn to expensive, high-density apartment complexes — rather, they will seek open, recreational spaces such as the Golf Course.

The "The Greens" Apartment project, in my view, represents a loss for all stakeholders involved — investors, the city, and the golf course owner.

Project: PLN24-00269 Location: 400 Saratoga Avenue Subject: Draft Environmental Impact Report (EIR)

Response W.1: This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

X. Lorrie Adam (dated July 20, 2026)

Comment X.1: I am submitting comments on the Draft Environmental Impact Report for Project PLN24-00269 at 400 Saratoga Avenue.

My primary concern is that the Draft EIR does not adequately address the property's existing scenic easement or explain how that easement affects the proposed conversion of open-space land to high-density residential development.

The property is subject to a scenic easement granted under California's Open Space Easement Act in 1974. This is not simply a current zoning designation that can be changed through a routine administrative process. It may represent a separate and longstanding legal restriction intended to preserve the property as open space.

Response X.1: Refer to Master Response 2.

Comment X.2: There is also a significant history that should be addressed. A similar apartment proposal was reportedly abandoned in 1997 after the Santa Clara City Attorney concluded that the existing easement could not legally be amended to permit the development. The Draft EIR should disclose and analyze that prior determination, including whether the easement remains in effect, what restrictions it imposes, and what legal authority the City believes would allow residential construction on the property today.

Without that information, residents and decision-makers cannot fully evaluate whether the proposed change from open space to high-density residential use is legally permissible or consistent with the commitments under which the easement was originally granted. The City should make the easement, the 1997 City Attorney analysis, and any current legal analysis publicly available and address them directly in the environmental review before taking further action on the project.

Response X.2: Refer to Master Responses 2 and 3. The Draft EIR provides information required to understand the environmental impacts of the project as proposed at the time of the Notice of Preparation. Therefore, no revisions to the Draft EIR are required.

Comment X.3: Additionally, traffic conditions surrounding the site have already worsened following the construction of two apartment complexes approximately one-quarter mile away. This proposal would introduce hundreds of additional residents and vehicles into an area where Saratoga Avenue, Pruneridge Avenue, San Tomas Expressway, and the Cypress Avenue intersection are already heavily used. The proximity of Westwood elementary school and the likelihood of more pedestrians crossing Pruneridge Avenue make a thorough cumulative traffic and safety analysis especially important. The EIR should account for the recent development that has already occurred nearby and evaluate whether the surrounding streets and intersections can safely accommodate another 316 residential units.

Please require the Draft EIR to be revised to fully address the scenic easement, the history of the prior proposal, and the cumulative traffic effects of recent residential development in the immediate area.

Response X.3: Refer to Master Responses 1, 2, and 3.

Y. Ravi Mahendrakar (dated July 20, 2026)

Comment Y.1: I am writing to submit public comments regarding the Draft Environmental Impact Report (EIR) for 'The Greens' apartment project (PLN24-00269) at 400 Saratoga Ave.
My key concerns include:
- The incomplete golf course redesign.

Response Y.1: The golf course redesign is within the existing footprint of the golf course site and would not increase the intensity of the use (adding more holes). Specific layout considerations were not available at the time of preparation of the Draft EIR, however, tree removals, grading, and other project activities required for understanding the environmental impacts of the redesign were provided. Based on this information, environmental impacts associated with the project, were analyzed in the Draft EIR. Additionally, the project description in the Draft EIR includes a site plan which shows an approximate layout of the golf course for the basis of analysis. If, after final design of the golf course, it is determined by the City that the design, construction, and/or operation would be different than what was analyzed in the Draft EIR, subsequent environmental review would be required. Therefore, no revisions are required for the Draft EIR.

Comment Y.2: - Scenic easement zoning issues.

Response Y.2: Refer to Master Response 2.

Comment Y.3: - Noise impacts for Pruneridge Place units 2402-2428.

Response Y.3: An analysis of noise impacts from the project is provided in Section 3.13 of the Draft EIR. No significant impacts were identified based on technical modeling of noise for any residences near the project site. Therefore, the Draft EIR does not require revision based on the comment.

Comment Y.4: - Removal of redwood trees.

Response Y.4: Removal of trees is allowed with City tree removal permits. The proposed project would comply with the City's established replacement ratios for these trees as discussed in Section 3.4 of the Draft EIR. Therefore, no revision of the Draft EIR is required.

Comment Y.5: - Potential parking congestion in the area.
Thank you for considering these points.

Response Y.5: Refer to Master Response 1.

Z. Karuppusami Muniappan (dated June 8, 2026)

Comment Z.1: My name is Karuppusami Muniappan, and I am a resident of Forbes Avenue, located near the proposed Greens at Pruneridge development. The Greens at Pruneridge is one of the last open spaces left in this area, I hope Santa Clara city will make every effort to keep this place from development.

I am submitting these comments regarding the Draft Environmental Impact Report (EIR) for the proposed project consisting of approximately 316 apartment units, a seven-story parking structure, and associated improvements.

While I recognize the City's housing objectives, I am concerned that the Draft EIR does not adequately evaluate or mitigate several significant impacts that may affect nearby residential neighborhoods, including Forbes Avenue.

1. Neighborhood Traffic and Cut-Through Traffic
The Draft EIR should provide a more detailed analysis of traffic impacts on local residential streets surrounding the project.

Saratoga Avenue already experiences congestion during peak commute periods. As congestion increases, drivers often divert through adjacent residential streets seeking alternate routes. Forbes Avenue and surrounding neighborhood streets may experience increased traffic volumes, speeding, and safety concerns.

I request that the Final EIR:

- Analyze potential cut-through traffic on Forbes Avenue and nearby residential streets.
- Evaluate impacts to pedestrian and bicycle safety.
- Identify specific traffic-calming measures if warranted.
- Consider post-occupancy traffic monitoring requirements.

Response Z.1: Refer to Master Responses 1 and 3.

Comment Z.2: 2. Parking Spillover
The project proposes a substantial number of residential units. The EIR should clearly demonstrate that parking demand assumptions accurately reflect actual vehicle ownership patterns in Santa Clara.

I request that the Final EIR:

- Disclose the proposed parking ratio.
- Evaluate the potential for overflow parking into nearby residential neighborhoods.
- Analyze guest parking demand.
- Identify mitigation measures if spillover parking occurs.

Response Z.2: Refer to Master Response 1.

Comment Z.3: 3. Construction Impacts
Construction of a project of this scale will likely extend over multiple years and may significantly affect nearby residents.

The Final EIR should provide additional analysis regarding:

- Construction truck routes.
- Construction traffic impacts on local streets.
- Noise and vibration impacts.
- Dust and air-quality impacts.
- Construction work hours.

I request that the City adopt the strongest feasible mitigation measures to minimize impacts on nearby residential neighborhoods.

Response Z.3: Construction hours are mandated by the City Code. As discussed on page 111 of the Draft EIR, the City's Code limits construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property to between the hours of 7:00 am to 6:00 pm on weekdays and between the hours of 9:00 am and 6:00 pm on Saturdays. No construction is permitted on Sundays or holidays.

Construction impacts associated with the project are discussed in Sections 3.3 and 3.13 of the Draft EIR. These analyses take into account truck trips, construction work hours, types of construction equipment used, duration of equipment usage, and dust/air quality conditions for modeling of effects. Truck routes for construction vehicles would be established in coordination with City staff during the permitting process. Construction vehicles are predominately routed to primary roadways. As the project site has frontages on three major roadways and no vehicle access from the adjacent residential areas, it is unlikely that construction vehicles would be routed onto secondary streets in the immediate project area.

Comment Z.4: 4. Noise Impacts
The EIR should evaluate both construction and operational noise impacts.

The proposed development will introduce hundreds of new residents, parking activity, deliveries, maintenance operations, and mechanical equipment into an area adjacent to established residential neighborhoods.

The Final EIR should demonstrate that all feasible noise mitigation measures have been incorporated.

Response Z.4: Noise impacts associated with construction and operation of the project site are provided in Section 3.13 of the Draft EIR. Based on the technical evaluation, no significant impacts were identified for construction or operational noise. Therefore, no revisions are required for the Draft EIR.

Comment Z.5: 5. Visual Character, Building Massing, and Privacy
The proposed five-story residential building and seven-story parking structure represent a significant change in scale compared with surrounding single-family neighborhoods.

The Final EIR should provide:

- Additional visual simulations from nearby residential streets.
- Analysis of privacy impacts.
- Analysis of shadowing impacts.
- Evaluation of building massing and neighborhood compatibility.

Response Z.5: Refer to Response I.3 regarding visual character, building massing, and neighborhood compatibility.

Privacy, or lack thereof, is not an impact under CEQA. In addition, the proposed apartment building is approximately 200 feet from the nearest residences which is sufficient to limit visibility to nearby residences.

Shadows resulting from new construction is not an impact under CEQA in most cases. Shading is considered when a tree canopy is directly associated with the viability of a natural habitat, such as a creek. Shading/shadows is also considered if the lead agency has land use policies which regulate shading of adjacent land uses by new construction. Santa Clara has no adopted shade/shadow policy related to buildings.

Comment Z.6: 6. Trees, Open Space, and Environmental Resources
The existing golf course property contributes to the area's open character and contains mature landscaping and trees.
The Final EIR should clearly identify:

- Number and size of trees proposed for removal.
- Tree replacement ratios.
- Long-term landscaping plans.
- Measures to preserve mature trees where feasible.

Response Z.6: As noted on Page 41 of the Draft EIR, an Arborist Report (Appendix C of the Draft EIR) was completed for the project in April 2024. That report, combined with an additional tree survey on file at the City as part of the project plan set, identifies the size, species, and health of all surveyed trees. Figure 3.4-1 in the Draft EIR shows the location of all trees surveyed on and adjacent to the project site and

notes which trees are proposed for removal. Tree replacement and replanting is discussed in the Draft EIR in Section 3.4, Biological Resources, which provides the tree replacement requirements of the City of Santa Clara. The project will comply with the City of Santa Clara tree replacement requirements consistent with General Plan Policy 5.3.1-P10 and City Code Chapter 12.35 as noted in the Condition of Approval on page 47 of the Draft EIR. Maximum tree canopy would be retained where feasible through site planning, tree protection zones during construction, and replacement plantings on both the residential and golf course portions of the site. Landscaping plans are included in the plan set associated with the project application.

Comment Z.7: 7. Cumulative Impacts
Santa Clara is currently experiencing significant residential development activity.

The Final EIR should provide a comprehensive cumulative analysis addressing:

- Traffic.
- Air quality.
- Greenhouse gas emissions.
- Water supply.
- Sewer capacity.
- Public services and infrastructure.

The combined effect of multiple projects may be substantially greater than the impact of any single project.

Conclusion
I respectfully request that the City fully address these concerns in the Final EIR and adopt all feasible mitigation measures necessary to reduce impacts on surrounding neighborhoods, including Forbes Avenue.

Thank you for your consideration of these comments.

Response Z.7: The Draft EIR includes cumulative impact analysis for each resource section at the end of each section. Each section has a different context for analyzing the cumulative impacts of a project based on the extent of cumulative contributions. The geographic considerations for each cumulative analysis is noted on pages 12-13 of the Draft EIR. Traffic, GHG, Water Supply, Sewer Capacity, and Public services are City Wide considerations and, due to the methodology for analyzing these impacts, the project level analysis accounts for a cumulative contribution of other project impacts. The project also included analysis of the General Plan Amendment for the site which was analyzed in relation to the total development in the City. Therefore, the Draft EIR would not require revision to address cumulative impacts of the proposed project.

AA. Soteria Riester (dated July 20, 2026)

Comment AA.1: Thank you for the opportunity to ask questions about "The Greens" project. Thank you also for all the paperwork associated with the Greens E.I.R. and specifically the written Santa Clara City Code Chapter for the replacement of each tree that is removed. I have two Areas of concern; 1) Removal of many Trees and 2) the Sewer System. Please forgive me if either or both or neither of my concerns has been embedded in the EIR.

The Greens Project is scheduled to remove 212 trees. You shared the City Code stipulation with me both verbally and the page highlighted. Approximately 424 trees are required to be replaced. I have possibly missed seeing the plan or they have not yet shared that plan.

Question: Can the City approve the Greens Project without the 424 tree placement plan?

> **Response AA.1:** The project is required to comply with the City of Santa Clara tree replacement requirements consistent with General Plan Policy 5.3.1-P10 and City Code Chapter 12.35. Landscaping plans are included in the plan set associated with the project application. The final location, size, and species of the replacement trees would be determined at the permit stage of the project.

Comment AA.2: My second concern is about the very old Sewer System in this area.{Section 3.19} At the first City Hall meeting, a retired Santa Clara City worker was highly concerned that the sewer system would not currently have sufficient capacity to handle any additional waste material generated by the 316 apartments. I would appreciate your response to his concern.

Question: Has the Santa Clara City Sewer system been discussed in relation to the Greens Project? If so, guide me to where I can read the current capacity of the sewer at this time.

> **Response AA.2:** As stated on page 152 of the Draft EIR, the wastewater system of the City in the project area was analyzed as a part of the Sanitary Sewer Capacity Evaluation for the proposed project. This analysis determined that the proposed project would not exceed existing sanitary sewer capacity and that the proposed project would have a less than significant impact.

BB. Susan Richardson (July 19, 2026)

Comment BB.1: My name is Susan Taylor Richardson and I live at (REDACTED ADDRESS)[9] Golf Links Circle. My family has a long history (I was raised here) with the City of Santa Clara including sitting

[9] Address redacted for commenter privacy

on the council, working for the city and working closely with Earl Carmichael to expand the city's parks.

I have watched this city turn from an agricultural town to a technological one. I was very lucky to be employed in the infancy of the tech boom thus giving me a fulfilling and successful career. I do understand that progress is inevitable, but it does come at a cost. This is something that the city needs to address as a whole, but the project listed above is a part of this picture.

My concerns are:

- I have been wading through the EIR and it is not complete. I specifically cannot find any mention of the tree removal for the new putting green that is proposed that would be directly behind 2402–2428 Golf Links Circle. The current lighted putting green and driving range open at the same time as the first tee time of the day (approximately 6:30 am except for winter months). I also cannot find any noise report regarding the new placement of the first hole and green. I lost count of the number of times when the word "unmitigated" was used.

Response BB.1: Refer to Response Z.6 regarding tree removal. An analysis of construction and operational noise impacts is included in Section 3.13 of the Draft EIR. The Noise and Vibration Assessment, which is the basis for the analysis in the EIR, is provided as Appendix G of the Draft EIR.

The comment regarding the word “unmitigated” has no context to understand the commenters primary concern. As such, no specific response is possible. This comment is acknowledged. This comment does not speak to the adequacy of the Draft EIR and no revisions to the Draft EIR are required.

Comment BB.2: If I understood the information correctly, traffic is now defined as distance travelled. Although distance may not change, the amount of time spent in a car will increase as more traffic will now be added to Pruneridge Avenue. As there is also only one entrance/exit for this project, this will more than likely increase the wait time to enter and exit Pruneridge safely into the proposed project. This will add to a lower air quality along this corridor.

Response BB.2: Refer to Master Response 1 with regard to the traffic analysis methodology. Air Quality is addressed in Section 3.3 and Appendix B of the Draft EIR.

Comment BB.3: The current proposal is for a five-story building with a six-and one-half story parking garage. The current surrounding neighborhood buildings are no more than two stories tall.

Response BB.3: Refer to Response I.3.

Comment BB.4: The EIR seems more focused on the construction implications for the workers but not the surrounding residents. This was once a large orchard and now a golf course where both

used chemicals that are now illegal . They are now considered "forever chemicals" and they would be released into the environment during construction. What safety protocols would be in place to protect the surrounding residents during construction?

Response BB.4: Potential hazardous materials impacts from past and present land uses are discussed in Section 3.9 and Appendix F of the Draft EIR. As discussed in Section 3.9, the project site was historically used for agriculture, which could have resulted in residual levels of pesticides or other agricultural contaminants. In addition, current potential contamination risks associated with an off-site dry cleaner and an on-site aboveground fuel storage tank were also identified. Refer to Response A.2.

Impacts to construction workers were specifically called out primarily related to the above ground storage tank in the maintenance yard. If there are contaminated soils associated with the storage tank, it would be localized and primarily impact construction workers.

Any historical contamination from agricultural uses could theoretically impact nearby land uses during construction. As such, the proposed project includes the preparation of a site management plan as part of MM HAZ-2.1 to require testing and appropriate management of contaminated soils and avoid or mitigate exposure of residents and construction workers to any residual soil contamination. The text of the Mitigation Measure HAZ-2.1 has been revised to more accurately reflect the on-site conditions. Refer to Section 5.0 of this document.

Comment BB.5: The proposed 1.77-acre park is on an extremely busy corner of two four lane Avenues - Saratoga and Pruneridge. There are three larger and more family friendly parks within walking distance. The parking spaces proposed for this park are adjacent to the apartments. This would more than likely turn into overflow parking for the building since the parking allocation per apartment is 1.3 space(s).

Response BB.5: The park portion of the project was proposed in response to resident feedback during public meetings. Parking is provided consistent with City requirements and is not considered an impact under CEQA. Refer to Master Response 1. Therefore, the Draft EIR does not require revision to reply to the comment.

Comment BB.6: The EIR suggests that changing the land use designation from open space to high-density residential is a routine administrative action.

- It does not adequately present the land's current status: it is under a scenic easement granted by the developer under the state's Open Space Easement Act (1974), which limits development on the property. A similar apartment proposal was abandoned in 1997 after the City Attorney concluded that the existing easement could not legally be amended.

Response BB.6: Refer to Master Response 2.

Comment BB.7: Pruneridge Avenue Complete Streets Plan has been stated to now be a hybrid plan. The piece presented to us only addresses the change to Pruneridge Avenue in relation to the new project. It does not address the additional impact as to more vehicles along the entirety of Pruneridge Avenue within the city limits. As Pruneridge Avenue is approximately 85-90% residential, what will be the impact from the proposed project?

Response BB.7: The Pruneridge Avenue Complete Streets Plan is not a part of the project. The proposed project would be required to comply with the requirements of the plan as written and would incorporate design features consistent with the plan proposals. Traffic impacts associated specifically with the proposed project are addressed in Section 3.17 and Appendix H of the Draft EIR. Therefore, no revisions to the Draft EIR are required.

Comment BB.8: Santa Clara needs to construct approximately 9,106 new affordable homes each year to meet its housing goals by 2031. - the Greens at Pruneridge provides 47 "affordable" units - approximately .005 % of what is needed of the overall total. This by no means addresses the larger issue of affordable housing.

Response BB.8: The proposed project provides housing supply and contributes affordable units to the City of Santa Clara in a location where no housing is present. The provision of affordable housing is not a comment on the adequacy of the Draft EIR and no revision is required.

Comment BB.9: According to The Greens at Pruneridge website "The Greens at Pruneridge aims to meet the evolving needs of the community, fostering a vibrant neighborhood spirit and enhancing the local landscape." Where the building's proposed location is a very busy intersection, I cannot see how this would foster a vibrant neighborhood spirit. As to enhancing the local landscape the view driving down Pruneridge Avenue and San Tomas Expressway is currently the golf course. The replacement view - a building. As to view from my patio, it would be a five-story building with a six- and one-half story parking garage, and replacement trees that would take years to grow to maturity.

Response BB.9: The comment is in referenced to the design of the project. This does not provide a comment on the adequacy of the Draft EIR and no revisions are required. Refer to Response I.3.

CC. Suzanne Luttman (dated July 20, 2026)

Comment CC.1: I would like to express my concern over "The Greens at Pruneridge" project proposal. I hope that the city decides to reconsider and disband this proposal after the strong opposition exhibited at the last two zoom meetings I have attended. Those in opposition far exceeded those supporting it at both meetings.

First and foremost, the project requires the park/open space easement, which was granted in perpetuity, be modified to create zoning of very high density residential space.

Response CC.1: This is not a comment on the adequacy of the Draft EIR and no revisions are required. Refer to Master Response 2.

Comment CC.2: Additionally, there are significant traffic concerns for those of us who know best...the ones who live and drive this area every day. None of the alternatives seem to adequately address the needs of the community's existing traffic problems, let alone those that would exist by dumping the staff, employees, and residents of a 316-unit apartment complex onto Pruneridge Avenue. Nor does the concern for how students living in this complex would safely get to school, and Westwood Elementary already is a traffic nightmare during drop-off and pick-up time. It was disclosed at the meeting that by focusing on the desire to provide for housing closer to employers (specifically mentioned were Apple and Nvidia) made it possible to discount local traffic congestion problems. It appears to have been a true statement, given how the valid and vociferous concerns of the nearby residents have been ignored.

Response CC.2: Refer to Master Responses 1 and 3. The commenters interpretation of the discussion about placing housing near jobs is incorrect. There is no policy, regulation, or law that allows the City to "discount local traffic congestion problems" when housing is proposed near jobs. The placement of housing near jobs and services can reduce VMT, but the Draft EIR addressed potential transportation impacts consistent with the requirements of the City of Santa Clara and CEQA (Section 3.17 and Appendix H of the Draft EIR).

DD. Yanki Koppel and Sol Koppel (dated July 16, 2026)

Comment DD.1: I am writing to submit comments on the Draft Environmental Impact Report (EIR) for Project PLN24-00269, the proposed apartment development at 400 Saratoga Avenue. While I appreciate the opportunity to comment, I believe the Draft EIR does not fully evaluate several significant impacts of the project.

My primary concern is that the environmental review is incomplete because the golf course redesign has not been finalized. At the July 15 community meeting, the developer indicated the redesign was still unfinished. Without a completed design, the EIR cannot adequately assess the environmental impacts of the golf course changes, even though those changes are part of the overall project.

Response DD.1: Refer to Response N.18.

Comment DD.2: I am also concerned about the removal of mature trees and the potential loss of additional trees due to the proposed use of recycled irrigation water. These trees provide important

visual screening, reduce noise, and help protect nearby homes from errant golf balls. Their removal could increase noise, reduce neighborhood character, and create additional safety concerns.

Response DD.2: Refer To Responses L.7 and Z.6.

Comment DD.3: The EIR should also more thoroughly address the property's existing scenic easement under the Open Space Easement Act and explain how the proposed land use change is consistent with that restriction, including the history of the similar proposal that was abandoned in 1997.

Response DD.3: Refer to Master Response 2.

Comment DD.4: Additional concerns include:

- Increased traffic, parking demand, and pedestrian safety issues near Saratoga Avenue, Pruneridge Avenue, and the nearby elementary school.
- The visual impact of a six-story building adjacent to existing townhomes, single-family homes, and the golf course.
- Whether potential soil contamination from the site's former orchard use has been fully evaluated.
- Whether the proposed parking supply will be adequate to prevent overflow into surrounding neighborhoods.

I respectfully request that these issues be fully evaluated and addressed before the EIR is finalized.

Response DD.4: Refer to Master Response 1 regarding traffic and parking. An analysis of potential hazardous materials impacts is provided in Section 3.9 and Appendix F of the Draft EIR. Refer to Section 5.0 of the document for text revisions to the hazardous materials section of the Draft EIR. Refer to Response A.2.

The visual impacts of the proposed project are analyzed in Section 3.1 of the Draft EIR. This section discusses the requirements put upon the project and identified that the proposed project, although larger than existing development in the project area, would not result in a significant visual impact. Refer to Response I.3.

Section 5.0 Draft EIR Text Revisions

This section contains revisions to the text of the 400 Saratoga Avenue Residential Project Draft EIR dated May 2026. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Draft EIR.	Since circulation of the Draft EIR, the total acreages for the various development areas of the project have been refined. The Draft EIR used the following acreages for each project component. • 3.66 acres – residential component • 25.54 acres – golf course area • 1.77 acres – park area The updated acreages for each project component are as follows: • 3.73 acres – residential component • 25.5 acres – golf course area • 1.74 acres – park area This update does not change the findings in the environmental document.
Draft EIR, Section 3.4.2.1, Page 45 and Summary of Significant Impacts, Pages iv-v:	MM BIO-1.1 will be **REVISED as follows:** Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31. If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 7 ~~14~~ days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). If there is a lapse in Project activities of more than five days, new nesting bird surveys shall be performed. During ~~this~~ these surveys, the ornithologist shall inspect all trees and other possible nesting habitats within ~~and immediately adjacent to~~ the construction area ~~of~~ for nests and a 1,000 foot buffer area, where feasible. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction free buffer zone to be established around the nest to ensure that nests of

bird species protected by the Migratory Bird Treaty Agreement (MBTA) or Fish and Game Code shall not be disturbed during project construction.

Passerine bird species should generally have a nesting buffer of 50-150 feet (species dependent) and general raptors should have a buffer of greater than or equal to 500 feet with direct line-of-sight, which may be reduced with screening and qualified biologist approval. Swainson's hawk should have a buffer of at least 0.5-mile until fledging is confirmed by a qualified biologist. CDFW shall be consulted when an active nest buffer is proposed to be reduced from these standards to the extent required by applicable law.

Draft EIR, Section 3.5.2.1, Page 53 and Summary of Significant Impacts, page v

Prior to commencement of any ground-disturbing activity on-site, the project applicant shall retain a registered professional archaeologist and Native American monitor, if participating, to be present during all ground-disturbing activity associated with the project. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of the existing structure or site improvements within the development area shown on the project plans. A registered professional archaeologist and Native American monitor, if participating, shall be given five days' written notice prior to the start of any ground-disturbing activity. The project applicant shall document receipt of notification in writing.

Draft EIR, Section 3.9.1.2, Page 83:

The section Recognized Environmental Conditions will be **REVISED** as follows:

According to the Phase I Environmental Site Assessment prepared for the project site ~~Based on the location of the site~~, two ~~Recognized Environmental Conditions RECs~~ potential issues were identified. ~~in proximity to the project site.~~ The two conditions, while not considered to be RECs under the applicable ASTM Standard 1527-21, are outlined below.

- Vapor Encroachment Condition (VEC): An open ~~materials~~ cleanup case associated with a drycleaner on the adjoining parcel to the south is considered a Vapor Encroachment Condition (VEC) because a cross to upgradient release of PCE has been documented to have impacted groundwater and soil to the south of the project site. An engineered sub-surface ventilation system has recently been installed at this cleanup site. Based on prior and on-going remediation it is unlikely for the contamination plume to travel to the project site.
- Business Environmental Risk (BER): In the maintenance yard on-site, there is a large 499-gallon AST for gasoline surrounded by bollards. Based on site observations, no signs of release were noted near the fuel tank. However, although the AST is located on

top of a concrete slab, the refueling area is unpaved. Therefore, negligent fueling of vehicles could lead to accidental surface releases of gasoline onto exposed soil.

Draft EIR, Section 3.9.2.1, Page 85:

Paragraphs two under the "Impact b)" heading will be **REVISED** as follows:

There is a history of agricultural use on-site as well as the nearby groundwater contamination from Classic Cleaners. During construction, soil would be disturbed and, if there are hazardous materials present in soil, groundwater, or soil vapor, the proposed project would potentially expose construction workers to hazardous conditions. In September of 2023 four soil vapor extraction wells (SVE) and Passive Sub-Surface Ventilation system were installed on the Classic Cleaners site to remove and expel volatile organic compounds (VOCs). The groundwater gradient is reported to flow to the north-northeast (cross to upgradient). The nearest well, located approximately 530 feet south of the project site, was last sampled in October 2023 and PCE was detected at 3.7 micrograms per liter (µg/L). The residential environmental screening level is 15 micrograms per cubic meter for sub-slab soil gas or 0.46 micrograms per cubic meter for indoor air, 0.08 milligrams per kilogram in soil, and 0.64 µg/L in groundwater. While the previous sampling detected PCE above the residential levels on the Classic Cleaners site, based on the findings of the Phase 1, the proposed project would not be exposed to hazardous soil vapor from the dry cleaner because the plume is being treated and a subsurface ventilation system has been installed such that contamination is not expected to migrate onto the project site. Furthermore, contamination levels decrease over time and with distance from the source.

Draft EIR, Section 3.9.2.1, Page 86 and Summary of Significant Impacts, Page vi:

MM HAZ-2.1 will be **REVISED** as follows:

MM HAZ-2.1 The project shall develop and implement a Site Management Plan (SMP), based on the findings of the Phase I Environmental Site Assessment and a subsequent Phase II environmental assessment to be performed, that outlines the measures required to mitigate potential risks (avoid exposure ~~of~~ to hazardous petroleum materials or agricultural residual materials such as pesticides) to construction workers and the environment from potential exposure to hazardous substances that may be encountered during soil intrusive or construction activities on-site. As part of the SMP, a worker health and safety plan shall be prepared that identifies procedures to address potential hazards to construction workers and off-site receptors that may result from construction activities.

The SMP shall also identify any ~~all~~ wells on-site and identify measures to protect and/or abandon existing

remediation systems, groundwater monitoring wells, and soil vapor monitoring wells. All wells to be abandoned shall be permitted through the SCVWD.

The SMP shall be submitted to the City~~, the Regional Water Quality Control Board, and the County of Santa Clara Department of Environmental Health (DEH)~~ for review ~~approval~~ prior to commencement of construction activities.

Draft EIR, Section 3.17.2.1, Page 141

The first paragraph will be **REVISED** as follows:

The project would also construct new ~~five-foot~~ sidewalks along the ~~project frontage on San Tomas Expressway to connect the existing sidewalk at the San Tomas Expressway/Pruneridge Avenue intersection to the residential building~~ internal drive aisle in front of the residential building and between the park parking lot and maintenance facility.

Draft EIR, Section 3.19.2.1, Page 152:

The first paragraph under "Water Use" will be **REVISED** as follows:

The proposed project would use approximately 31,397 gallons of potable water per day ~~year~~ for the apartment component and approximately 5,020 gallons of recycled water per day ~~year~~ for the park portion of the project. The golf course is currently irrigated with potable water but will utilize recycled water after renovations are complete. As such, the proposed project would ~~be~~ have an increase of approximately 22,306 ~~27,326~~ gallons of potable water per day ~~year~~ over existing conditions ~~for the same golf course area~~. This would increase demand for water in the City by approximately 0.13~~6~~ percent above existing potable water demand and beyond the planned demand assumed from build out of the General Plan. The project would utilize existing water lines in Pruneridge Avenue and would not require expansion or relocation of City water facilities or installation of new water lines because the proposed project would only marginally increase the total water demand of the City compared to the projected growth identified in the Urban Water Management Plan.[103] Therefore, the proposed development project would have a less than significant impact.

Draft EIR, Appendix I

The Technical Memo that was prepared by Live Oak Associates Inc. in August 2025, has been included as Appendix I of the Draft EIR. This is attached to the FEIR as Appendix B for reference.

Appendix A: Draft EIR Comment Letters

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STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
wildlife.ca.gov

July 17, 2026

Daniel Sobczack, City Planner
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
DSobczak@Santaclaraca.gov

Subject: 400 Saratoga Pruneridge Apartments, Draft Environmental Impact Report, SCH No. 2025050498, City and County of Santa Clara

Dear Mr. Sobczack:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (EIR) from the City of Santa Clara (City) for the 400 Saratoga Pruneridge Apartments (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

REGULATORY REQUIREMENTS

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Under CESA, "take" means "hunt, pursue, catch, capture, or

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86.) CDFW's issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

California Environmental Quality Act
CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the lead agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the lead agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting river, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the CEQA document and complied with its responsibilities as a responsible agency under CEQA.

Migratory Birds and Raptors

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Santa Clara

Objective: The proposed Project would divide the existing Project site into three parcels and proposes residential development on the southwestern parcel (3.66 acres), a 1.77-acre public park, and the golf course on the remaining 25.54 acres. While the golf course would be reconfigured, no changes are proposed to the existing 6.4-acre portion of the golf course parcel that consists of the driving range, clubhouse, and surface parking lot.

Location: The Project is located citywide at the crossroads of Pruneridge Avenue and Saratoga Avenue in the City of Santa Clara in Santa Clara County. GPS coordinates 37°19'51.7"N, Longitude: 121°57'52.9"W.

Timeframe: 36 months

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COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the potential for the Project to have a significant impact on biological resources, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

COMMENT 1: Migratory Birds and Nesting Raptors

Issue: The draft EIR acknowledges there is foraging bird habitat and potential nesting habitat on the Project site that may be impacted by Project disturbance. The draft EIR indicates site disturbance may occur during the nesting bird season (February 1 through August 31). Avoidance and minimization measure MM BIO-1.1 specifies a qualified ornithologist conduct pre-construction nesting bird surveys "no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August)." MM BIO-1.1 also says "if an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction free buffer zone to be established around the nest". The draft EIR does not prescribe a survey radii or provide an active nest buffer. This is not biologically protective and risks nest abandonment, reduced productivity, and unlawful "take" under California Fish & Game Code and the MBTA.

Evidence that the impact would be significant: Bird and Raptor species are highly sensitive to human disturbance during courtship, incubation, and fledging. Repeated flushes and noise/activity near nests are linked to lower nesting success. Spatial and temporal buffers are necessary to prevent disturbance, and effective distances vary by species and site conditions, often exceeding a few hundred feet (ft.) (Richardson and Miller 1997). CDFW emphasizes that most birds and all raptors are protected under state law (Fish & Game Code §§3503, 3503.5, 3513) and inadequate buffers that cause nest failure or harassment would constitute a significant impact and potential violation (CDFW 2019). Additional raptor research underscores that buffer-setting should account for species traits and local visibility/line-of-sight; conservative distances and seasonal restrictions reduce disturbance risk (White et al. 2022).

Recommendations: The City should revise MM BIO-1.1 to include species-specific, seasonally appropriate, and enforceable measures, including:

1. **Minimum no-disturbance buffers:** Passerine bird species should generally have a nesting buffer of 50-150 ft. (species dependent), and general raptors should have a buffer of greater than or equal to 500 ft. with direct line-of-sight, which may only be reduced with screening and qualified biologist approval (Richardson and Miller 1997). For species like Swainson's hawk (*Buteo swainsoni*), there should be at least a 0.5-mile buffer until fledging is confirmed by a qualified biologist (CDFW 2000). No work shall occur in the nesting buffer until the nest has fledged.

2. **Surveys & timing:** A qualified biologist shall conduct nesting bird and raptor surveys within at least 1,000 ft. of disturbance footprint before any work during nesting season. If there is a lapse in Project activities of more than five days, new nesting bird surveys shall be performed.

3. **Seasonal work windows:** Tree removal and high-noise activities shall be performed outside the nesting season where feasible; if not feasible, no work buffers shall be

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established for active nest and daily monitoring by a qualified biologist shall be conducted (Richardson and Miller 1997).

4. **Regulatory coordination:** CDFW shall be consulted when an active nest buffer is proposed to be reduced.

COMMENT 2: Bats

Issue: The draft EIR does not adequately assess or disclose potential impacts to bats resulting from tree removal and structural disturbance associated with the Project. While the Project proposes removal of 209 trees and disturbance to features that may provide suitable roosting habitat, the draft EIR lacks a comprehensive bat habitat assessment to address potential impacts. Bat surveys should occur at least two seasons in advance of Project initiation. As a result, the draft EIR minimizes the potential for significant impacts to bats and does not demonstrate that impacts would be reduced to less than significant.

Evidence of Impacts: Bats are a sensitive species that rely on a variety of roosting features, including large trees with cavities or exfoliating bark, crevices in bridges and buildings, and other structural voids. Many bat species exhibit strong seasonal variation in roost use, shifting between maternity roosts, day roosts, night roosts, and hibernacula depending on time of year. Removal or disturbance of roosting habitat during critical life stages, such as maternity season, can result in direct mortality, abandonment of young, or long-term population declines (Kunz and Lumsden 2003; Cryan and Barclay 2009).

Scientific literature demonstrates that single-season or last-minute surveys are inadequate to characterize bat use of a site. Bat occupancy can vary substantially between spring, summer, and fall, and absence during a short survey window does not indicate absence during other biologically important periods (Weller 2007). Maternity colonies, which are typically present during late spring and summer, are especially vulnerable because females give birth to non-volant young that cannot escape disturbance or habitat removal (Kunz and Fenton 2005). Disturbance of maternity roosts is widely recognized as a significant impact because reproductive success in bats is low, with most species producing only one pup per year.

Recommendations: The draft EIR should include the following avoidance and minimization measure:

1. Multi-Season Bat Surveys: Focused bat surveys of suitable habitat shall be conducted by a qualified biologist shall be conducted at least two seasons prior to Project initiation, as follows:

- Spring/early summer (March 1–April 15) to identify maternity roost establishment
- Late summer/fall (August 31–October 15) to document late-season roost use and migration-related activity

2. If the focused survey reveals the presence of roosting bats, then the appropriate exclusionary or avoidance measures will be implemented prior to construction during the period between March 1 to April 15 or August 31 to October 15.

3. Bat Project Avoidance: If active bat roosts are observed during environmental assessments or during construction, at any time, all Project activities should stop until the qualified biologist develops a bat avoidance plan to be implemented at the Project site. The bat avoidance plan should utilize seasonal avoidance, phased construction as well as temporary and permanent bat housing structures developed in coordination with CDFW.

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COMMENT 3: Exterior Windows

Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality.

Evidence the impact would be significant: Birds, typically, do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014).

Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas, external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to the U.S. Fish and Wildlife Service's website for Buildings and Glass (https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php).

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed Emily Carlson, Environmental Scientist, at Emily.Carlson@wildlife.ca.gov; or Jason Faridi, Senior Environmental Scientist (Supervisory), at Jason.Faridi@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

ec: Craig Weightman, CDFW Bay Delta Region - Craig.Weightman@wildlife.ca.gov
Office of Land Use and Climate Innovation, State Clearinghouse (SCH No. 2025050498)

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From:	CEQAReview
To:	Daniel Sobczak
Cc:	state.clearinghouse@lci.ca.gov; pkallas@davidjpowers.com; scott@demmonpartners.com; Wiley, Scott@DTSC; Kereazis, Dave@DTSC
Subject:	DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 400 SARATOGA PRUNERIDGE APARTMENTS PROJECT DATED JUNE 5, 2026, STATE CLEARINGHOUSE NUMBER 2025050498
Date:	Friday, June 12, 2026 8:21:40 AM
Attachments:	image001.png image002.png DTSC Comments - 400 Saratoga Pruneridge Apartments_ADA.pdf

You don't often get email from ceqareview@dtsc.ca.gov. Learn why this is important

Good morning Daniel Sobczack,

The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Pruneridge Apartments. Attached are DTSC's comments for consideration.

DTSC appreciates the opportunity to comment on the DEIR for the 400 Saratoga Pruneridge Apartments. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances.

CEQA Unit
HWMP-Permitting
Department of Toxic Substances Control
California Environmental Protection Agency
CEQAReview@dtsc.ca.gov

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

June 12, 2026

Daniel Sobczack
City Planner
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1500 Warburton Avenue
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RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 400 SARATOGA PRUNERIDGE APARTMENTS PROJECT DATED JUNE 5, 2026, STATE CLEARINGHOUSE NUMBER 2025050498

Dear Daniel Sobczack,

The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Pruneridge Apartments (Project). The Project site would be divided into three parcels and proposes residential development on the southwestern parcel (3.66 acres), a 1.77-acre public park, and the golf course on the remaining 25.54 acres. While the golf course would be reconfigured, no changes are proposed to the existing 6.4-acre portion of the golf course parcel that consists of the driving range, clubhouse, and surface parking lot. The project would include the demolition of approximately 1,800 square feet of maintenance buildings and construction of a five-story apartment building with up to 316 units wrapped around a seven-story parking garage structure (Building 1), and a new one-story, 2,460 square foot maintenance building (Building 2) with an approximately 4,286 square foot outdoor storage and equipment yard. DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, several Contaminants of Concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing, loading, and storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. These recommendations should be adhered to and become part of the environmental document. Please refer to the DTSC's Human and Ecological Risk Office (HERO) webpage for the most recent guidance and screening levels.
2. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment Guidance Manual.
3. DTSC recommends all imported soil/fill material be tested to ensure all COCs meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment Guidance Manual. Furthermore, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing soil/fill is necessary. To minimize the possibility of introducing

contaminated soil/fill material, there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material is suitable for the intended land use. The sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

4. A Soil Management Plan (SMP) should not be implemented as a primary cleanup plan as outlined in the document in MM HAZ-2.1. DTSC recommends the City of Santa Clara ensure any potential contamination be fully characterized and then remediated under the oversight of a self-certified local agency, DTSC, or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact the relevant Regional Brownfield Coordinator for your Project.

DTSC appreciates the opportunity to comment on the DEIR for the 400 Saratoga Pruneridge Apartments. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via CEQA Review email for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
state.clearinghouse@lci.ca.gov

Patrick Kallas
Project Manager / Consultant
David J Powers and Associates / Consulting Firm
pkallas@davidjpowers.com

Scott Walsh
Director of Acquisitions / Project Applicant
Demmon Partners
scott@demmonpartners.com

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Analyst II
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

From: Elizabeth Elliott
To: KKLLC Admin; Daniel Sobczak
Subject: RE: Notice of Availability of EIR - 400 Saratoga Avenue Project
Date: Tuesday, June 30, 2026 1:31:09 PM
Attachments: image001.png
image003.png

Good Afternoon,
Thank you for your email. By way of my reply, I am including Associate Planner Daniel Sobczak for his review of the information you have provided.

Thank you for providing your input,
Elizabeth

ELIZABETH ELLIOTT | Staff Aide II
Community Development Department | Planning Division
1500 Warburton Avenue | Santa Clara, CA 95050
O : 408.615.2450 Direct : 408.615.2474

From: KKLLC Admin <admin@kanyonkonsulting.com>
Sent: Monday, June 29, 2026 12:41 PM
To: Elizabeth Elliott <EElliott@santaclaraca.gov>
Subject: Re: Notice of Availability of EIR - 400 Saratoga Avenue Project

miSmin Tuuhis [Good Day]
Kan rakat Kanyon Sayers-Roods. I am writing this on behalf of the Indian Canyon Band of Costanoan Ohlone People as requested, responding to your letter
As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a potentially eligible cultural site, I am interested in consulting and voicing our concerns. With some instances like this, usually we recommend that a Native American Monitor and an Archaeologist be present on-site at all times during any/all ground disturbing activities. The presence of a Native monitor and archaeologist will help the project minimize potential effects on the cultural site and mitigate inadvertent issues.

Kanyon Konsulting, LLC has numerous Native Monitors available for projects such as this, if applicable, we recommend a Cultural Sensitivity Training at the beginning of each project. This service is offered to aid those involved in the project to become more familiar with the indigenous history of the peoples of this land that is being worked on.

Kanyon Konsulting is a strong proponent of honoring truth in history, when it comes to impacting Cultural Resources and potential ancestral remains, we need to recognise the history of the territory we are impacting. We have seen that projects like these tend to come into an area to consult/mitigate and move on shortly after - barely acknowledging the Cultural Representatives of the territory they steward and are responsible for. Because of these possibilities, we highly recommend that you receive a specialized consultation provided by our company as the project commences, bringing in considerations about the

Indigenous peoples and environment of this territory that you work, have settled upon and benefit from.

As previously stated, our goal is to Honor Truth in History. And as such we want to ensure that there is an effort from the project organizer to take strategic steps in ways that #HonorTruthinHistory. This will make all involved aware of the history of the Indigenous communities whom we acknowledge as the first stewards and land managers of these territories.
Potential Approaches to Indigenous Cultural Awareness/History:

Signs or messages to the audience or community of the territory being developed. (ex. A commemorable plaque, page on the website, mural, display, or an Educational/Cultural Center with information about the history/ecology/resources of the land)

Commitment to consultation with the Native Peoples of the territory in regards to presenting and messaging about the Indigenous history/community of the land (Land Acknowledgement on website, written material about the space/org/building/business/etc, Cultural display of cultural resources/botanical knowledge or Culture sharing of Traditional Ecological Knowledge - Indigenous Science and Technology)
Advocation of supporting indigenous lead movements and efforts. (informing one's audience and/or community about local present Indigenous community)

We look forward to working with you.
Tumsan-ak kannis [Thank You]
Kanyon Sayers-Roods
Consultant / Tribal Monitor [ICMBCO]
Kanyon Konsulting, LLC

On Thu, Jun 4, 2026 at 2:28 PM Elizabeth Elliott <EElliott@santaclaraca.gov> wrote:

> Good Afternoon,
> ***This email is being sent to all contacts on the Native American Heritage Commission/Native American Contact List compiled by Santa Clara County on April 1, 2026.***
>
> As authorized by the City of Santa Clara as a Lead Agency, the City hereby provides a **45-day public review period** for an Environmental Impact Report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA) for the Greens at Pruneridge proposed project located at 400 Saratoga Avenue.
>
> **AVAILABILITY OF DOCUMENTS**
> The City prepared a Draft EIR, which is available for review on the City's website and copies are available at the Central Park Library at 2635 Homestead Road.
>
> **PUBLIC COMMENT PERIOD**

> Comments may be filed with the City in response to the preparation of the Draft EIR, within the **45-day** review period between **Friday, June 5, 2026 and Monday, July 20, 2026,** pursuant to Section 15087 of the CEQA Guidelines. Comments that are received on the Draft EIR will be addressed and included in the Final EIR. All comments must be submitted in writing on or before the end of the public comment period. Written comments on the Draft EIR should be submitted no later than 5:00 PM on Monday, July 20, 2026
>
> Thank you.
>
> **Elizabeth Elliott** | Staff Aide II
> Community Development Department | Planning Division
> 1500 Warburton Avenue | Santa Clara, CA 95050
> O: 408.615.2450 | D: 408.615.2474
> www.SantaClaraCA.gov

--
Kind Regards

Nichole Rhodes
Executive Administrator Kanyon Konsulting LLC
Email: Admin@kanyonkonsulting.com

From: Shani Kleinhaus
To: Daniel Sobczak
Subject: SCVBA comments on the Draft EIR for 400 Saratoga Pruneridge Apartments
Date: Monday, July 20, 2026 2:28:28 PM
Attachments: SCVBA Comments on Draft EIR for 400 Saratoga Pruneridge Apartments.docx (1).pdf

You don't often get email from shani@scvbirdalliance.org. Learn why this is important

Dear Mr. Sobczak:

The Santa Clara Valley Bird Alliance (SCVBA), founded in 1925 as the Santa Clara Valley Audubon Society, promotes the enjoyment, understanding, and protection of birds and other wildlife through education, advocacy, and public engagement. SCVBA submits the attached comment letter on the Biological Resources section of the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Avenue Residential Project.

Respectfully,

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Bird Alliance
22221 McClellan Rd.
Cupertino, CA 95014



July 20, 2026

Daniel Sobczack, City Planner
City of Santa Clara
dsobczak@Santaclaraca.gov
Via email

RE: Draft EIR for 400 Saratoga Pruneridge Apartments

Dear Mr. Sobczak:

The Santa Clara Valley Bird Alliance (SCVBA), founded in 1925 as the Santa Clara Valley Audubon Society, promotes the enjoyment, understanding, and protection of birds and other wildlife through education, advocacy, and public engagement. SCVBA submits the following comments on the Biological Resources section of the Draft Environmental Impact Report (DEIR) for the 400 Saratoga Avenue Residential Project.

BIOLOGICAL RESOURCES

Comment 1. The DEIR Does Not Adequately Support Its Biological Conclusions

The DEIR concludes that the project site does not contain suitable habitat for special-status plants or animals, does not function as a wildlife corridor, does not provide wildlife nursery sites, and would not substantially affect special-status species. However, it does not disclose the biological information supporting these conclusions.

The Biological Resources section states that it relies, in part, on the April 2024 Arborist Report. That report inventories and evaluates trees for preservation purposes. Its scope is limited to documenting tree species, size, condition, structure, and suitability for preservation. It does not evaluate wildlife use, habitat suitability, special-status species, wildlife movement, wetlands, bats, or other biological resources.

The DEIR does not identify a biological resources assessment, reconnaissance survey, wildlife survey, database review, habitat assessment, or other site-specific biological technical report. Nor does it disclose whether a qualified biologist conducted a site investigation, when field work occurred, what survey methods were used, or what information supports the conclusion that nesting birds are the only biological resource potentially affected by the project.

SCVBA is not asserting that special-status species or sensitive habitats necessarily occur on the site. Rather, the issue is whether the DEIR's conclusions are supported by substantial evidence. The Final EIR should identify the biological information relied upon, including any field surveys, habitat assessments, database searches, or other technical evaluations. If no such evaluation has been completed, the site should be assessed by a qualified biologist, and the biological analysis revised, as appropriate.

Comment 2. Tree Removal Analysis Is Internally Inconsistent

The DEIR and Arborist Report provide materially different accounts of the number of trees proposed for removal. The Arborist Report inventories 216 trees and states that 124 trees would be removed and 92 preserved. In contrast, the DEIR states that 88 trees would be removed for the residential development and an additional 121 trees would be removed for the golf course improvements. Read together, the DEIR appears to identify 209 tree removals rather than the 124 removals evaluated in the Arborist Report.

The DEIR does not explain whether the residential and golf course removal totals overlap, whether the Arborist Report reflects the current project design, or which figures represent the proposed project. Without this information, decision-makers and the public cannot determine the actual extent of tree removal or accurately evaluate the project's impacts.

The replacement calculations are similarly unclear. The DEIR states that 155 new trees would be planted on site and an additional 285 replacement trees would be planted off site, but it does not explain how these figures were derived or reconcile them with the replacement ratios described in the Arborist Report.

The Final EIR should provide a single, internally consistent accounting of:

- the total number of trees proposed for removal and preservation;
- whether the removal totals reported in the DEIR overlap or supersede those in the Arborist Report;
- the basis for the replacement calculations; and
- the number and location of on-site and off-site replacement trees.

Comment 3. Biological Effects of Mature Tree Removal Are Not Adequately Evaluated

Beyond the inconsistencies in the number of trees proposed for removal, the DEIR does not adequately characterize the biological significance of the trees that would be lost.

Although the Arborist Report identifies tree species, condition, and preservation suitability, the DEIR does not disclose the number of coast redwoods, coast live oaks, other protected trees, mature canopy trees, or high-value trees proposed for removal. Nor does it quantify the amount of existing tree canopy that would be lost or the approximate time required for replacement trees to restore comparable canopy cover and ecological functions.

Replacement planting may satisfy the City's numerical tree replacement requirements, but newly planted trees do not immediately replace the environmental benefits provided by mature trees. Established trees provide wildlife habitat, shade, carbon sequestration, stormwater interception, urban cooling, and other ecosystem services that may take decades to recover.

The Final EIR should therefore disclose:

- the species, size, condition, and preservation suitability of trees proposed for removal;
- the number of protected and mature canopy trees to be removed;
- the amount of existing canopy proposed for removal;
- the projected canopy immediately following project implementation and at maturity; and
- the approximate time required for replacement trees to restore comparable canopy and ecological functions.

Comment 4. MM BIO-1.1 Does Not Provide Clear and Enforceable Protection for Nesting Birds

The DEIR concludes that construction could significantly affect nesting birds and relies on Mitigation Measure MM BIO-1.1 to reduce this impact to a less-than-significant level. However, MM BIO-1.1 does not provide sufficiently clear or enforceable performance standards to ensure that nesting birds will be adequately protected.

The mitigation measure allows preconstruction surveys to be conducted up to 14 days before construction during February through April and up to 30 days before construction during May through August. These survey intervals are too long to ensure that active nests will be identified before vegetation removal, demolition, grading, or other construction activities begin. Birds may establish nests after a survey has been completed but before work commences, particularly during the peak nesting season.

The project includes extensive tree removal, vegetation disturbance, demolition, grading, golf course improvements, and phased construction over a large site containing trees, shrubs, landscaped areas, turf, buildings, and other features capable of supporting nesting birds. Species such as killdeer may also nest directly on the ground within open turf or gravel areas that could be disturbed during construction.

MM BIO-1.1 also does not adequately address phased construction or temporary work stoppages. Surveys completed before initial construction may no longer be valid for areas entered weeks or months later, and birds may establish nests in previously undisturbed portions of the site or during periods when construction is suspended.

Finally, the mitigation measure provides that protective buffers will be established by a qualified ornithologist in consultation with the California Department of Fish and Wildlife but does not establish minimum performance standards governing survey coverage, survey timing, monitoring, or protection of active nests. While buffer distances should remain site-specific, the mitigation measure should establish objective requirements to ensure consistent implementation.

MM BIO-1.1 should therefore be revised to require:

- Preconstruction surveys conducted no more than seven days before vegetation removal, demolition, grading, or other ground-disturbing activities during the nesting season;
- Repeat surveys before each new phase of construction, before work begins in previously undisturbed areas, and whenever construction has been suspended for more than five consecutive days during the nesting season;
- Surveys of all suitable nesting habitat within and adjacent to the work area, including trees, shrubs, landscaped areas, turf, bare ground, buildings, and other structures;
- Species-specific no-disturbance buffers established by a qualified biologist based on the nesting species and site conditions, with monitoring of occupied nests where construction occurs nearby; and
- Authority for the qualified biologist to modify protective buffers or temporarily suspend construction if nesting birds exhibit signs of disturbance.

Comment 5. The DEIR Does Not Evaluate Bird-Window Collision Risk

The proposed project includes a new six-story residential building with substantial exterior glazing adjacent to mature trees, landscaped open space, a public park, and a golf course that provide habitat and foraging opportunities for birds. However, the DEIR does not evaluate the potential for bird-window collisions or determine whether feasible measures are available to reduce this well-documented source of bird mortality.

Bird collisions with buildings are a reasonably foreseeable operational impact associated with reflective and transparent glazing. Although the DEIR evaluates construction-related impacts to nesting birds, it

does not evaluate whether operation of the completed project could result in bird mortality or whether feasible bird-safe design measures could substantially reduce that impact.

The omission is particularly noteworthy because the City has previously recognized bird-window collisions as a potentially significant biological impact requiring project-specific mitigation. For the Related Santa Clara Phase 2 project, the City adopted Mitigation Measure BIO-1.2 requiring a Bird Safe Design Approach that incorporated architectural, landscape, lighting, and monitoring measures to reduce bird collisions. Those measures included minimizing reflective glass, reducing hazardous transparent features, incorporating bird-safe glazing treatments, minimizing unnecessary nighttime lighting, and recognizing the first 60 feet of building façades as the primary bird-collision zone.

Where the City has previously determined that bird-window collisions warrant project-specific analysis and mitigation, the Final EIR should explain why that issue was not evaluated here and determine whether bird-safe design measures are appropriate for this project.

The Final EIR should evaluate bird-window collision risk and consider measures such as:

- Bird-safe treatment of glazing within the primary collision zone, particularly from ground level through approximately 100 feet above grade;
- Minimizing large reflective glass surfaces and hazardous transparent features, including glass corners, passageways, railings, and freestanding glass elements;
- Use of fritted, etched, or other proven bird-safe glazing materials;
- Building, landscape, and lighting design that minimizes reflected vegetation, unnecessary nighttime lighting, and other conditions known to increase bird collisions; and
- Post-construction monitoring and adaptive management if bird collisions are documented.

Comment 6. The DEIR Does Not Adequately Evaluate Potential Impacts to Roosting Bats

The project would remove numerous mature trees and demolish existing structures that may provide roosting habitat for bats. However, the DEIR does not disclose whether the site was evaluated for bat roosting habitat or whether any assessment was conducted to determine the potential for impacts to bats.

The Biological Resources section does not identify a bat habitat assessment, bat survey, or other technical evaluation. Nor does it disclose whether a qualified biologist inspected trees or structures for features commonly used by roosting bats, such as cavities, loose bark, crevices, exfoliating bark, or other suitable roost sites. Without this information, it is unclear what evidence supports the conclusion that bat impacts would be less than significant or that no mitigation is necessary.

Although bats are not listed under the California Endangered Species Act or the federal Endangered Species Act as a group, many native bat species are protected under California Fish and Game Code provisions governing nongame mammals, and several species have special conservation status. In addition to their legal status, bats provide important ecological functions, including insect control and pollination.

SCVBA is not asserting that bats occupy the project site. Rather, the issue is whether the DEIR discloses sufficient biological information to support its conclusion that impacts to bats would be less than significant.

The Final EIR should disclose whether the site was evaluated for potential bat roosting habitat and summarize the information supporting its conclusions. If suitable roost habitat is identified, the Final EIR should evaluate the potential for project impacts and incorporate appropriate avoidance, minimization, or mitigation measures as necessary.

Thank you for the opportunity to comment on the Draft EIR. SCVBA respectfully requests that the Final EIR address the issues identified above and revise the biological analysis and mitigation measures, as appropriate, to ensure full compliance with CEQA.

Respectfully submitted,

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Bird Alliance
22221 McClellan Rd.
Cupertino, CA 95014

From:	Shree Dharasker
To:	Elizabeth Elliott
Cc:	Daniel Sobczak
Subject:	RE: Notice of Availability of EIR - 400 Saratoga Avenue Project
Date:	Monday, July 20, 2026 9:17:49 AM
Attachments:	image001.png image002.png

Hi Elizabeth,

The Santa Clara Valley Water District (Valley Water) has reviewed the draft EIR for the 400 Saratoga Avenue Residential Project in Santa Clara, received on June 4, 2026, and has the following comments:

1. **Water Supply and Demand**
    a. Sections 3.19.1.2 and 3.19.2: Please double-check the reported values for the project's water use. Specifically, the Water Supply section states the existing site use (for the golf course) is approximately 9,091 gallons of water per day (on page 150). But later in the Project Impacts, Water Use section (page 152), it states the following: "The proposed project would use approximately 31,397 gallons of water per year for the apartment component and approximately 5,020 gallons of water per year for the park portion of the project. This would be an increase of approximately 27,326 gallons of water per year over existing conditions for the same golf course area."
    b. The problem is the golf course water use on page 150 was reported in gallons per day, but this proposed project on page 152 is reported in gallons per year. For example, (31,397 + 5,020) – 9,091 = 27,326 but you're mixing units of per day and per year. Because of this, we suspect the proposed project water use section is greatly underestimating the project's water use because 31,397 gallons and 5,020 gallons are per day, not per year. Please review and fix these numbers. And how does this affect the increase demand for water in the City of Santa Clara? Specifically, page 152 says an increase of 0.16 percent but is that accurate given the above issues with the units.
2. **Protection of Groundwater**
    a. According to Valley Water's Historical Groundwater Elevation

Data web tool (https://gis.valleywater.org/Wells.html), depths to first groundwater in the area range from approximately 10 to 30 feet below the ground surface (bgs). Historical groundwater levels in some nearby wells (i.e., 07S01W09J001) have been measured as high as 8.0 ft bgs. Groundwater depths fluctuate seasonally and annually but have been relatively high in recent years due to wet winters and such shallow groundwater should be evaluated during future project planning and development.

b. Given the presence of legacy agricultural use such as fertilizers and pesticides related to the Golf Course and other potential emerging contaminants (PFAS, personal care products, etc.) at the site, please consider the following for the protection of shallow groundwater quality:
    i. Any proposed earthwork should be evaluated and monitored to ensure that construction activities do not adversely impact shallow groundwater quality.
    ii. Any stormwater management feature implemented at the site, such as the proposed bioretention/biotreatment areas, self-retaining landscape planters, and flow through planters should be designed to minimize groundwater quality degradation due to infiltrating stormwater. These features should maintain adequate vertical separation to seasonally high groundwater and comply with applicable sections of the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook. Site-specific groundwater levels should be verified during the construction phase and development activities at the site.
    iii. The use of chemicals for landscaping (fertilizers, pesticides/herbicides) should be limited and properly managed to promote biofiltration in vegetated areas wherever natural recharge occurs onsite or where stormwater is diverted to stormwater management areas (i.e., bioretention areas, etc.).
    iv. The proposed development is located near or downgradient of known groundwater cleanup sites (i.e., contamination sites), which can be identified on

the State Water Resources Control Board's GeoTracker webpage (https://geotracker.waterboards.ca.gov/) (i.e., SL608592510; T0608501516). The applicant should ensure that site operations during and after construction (e.g., excavation, dewatering, stormwater management) do not interfere with any active environmental cleanup projects in the surrounding area or adversely impact groundwater quality beneath the site.

3. **Active and Abandoned Wells**
    a. Valley Water records identify at least three (3) wells at the site, which can be viewed on Valley Water's Well Information webpage (https://gis.valleywater.org/Wells.html). These wells include Well ID# 07S01W10N001 – active water supply well; 07S01W10P001 – destroyed monitoring well; 07S01W15C001 – destroyed monitoring well). Any wells in-use that may be impacted by project activities must be protected. Any abandoned, unused, or unregistered wells identified during project planning or construction should be properly destroyed.
    b. Any newly proposed active wells located in the project area must be protected during and post-construction. For more information, contact Valley Water's Well Permitting and Inspection Hotline at (408) 630-2660, or visit: https://www.valleywater.org/contractors/doing-businesses-with-the-district/wells-well-owners.
4. **Wildlife Protection Measures**
    a. Is there a list of special-status species that were evaluated for their potential to occur on the project site? Was the project site evaluated for it's potential to support Crotch's bumblebee and Monarch butterfly?
    b. For the nesting bird pre-construction surveys, ideally surveys should occur no more than 7 days prior to the initiation of project activities at any time during the bird nesting season. Alternatively, more than one nesting bird survey could be conducted with the latest one being no more than 7 days prior to the initiation of project activities.

Valley Water has no right of way at this site. No encroachment permit will therefore be required based on Valley Water's Water Resources Protection Ordinance, and the site is not adjacent to any creek or waterbody. The proposed project is in FEMA Flood Zone X (moderate to minimum risk of flooding).

Please contact me if there are any questions,

Shree Dharasker
Associate Engineer Civil
Community Projects Review Unit
(408)630-3037

From: Elizabeth Elliott <EElliott@santaclaraca.gov>
Sent: Thursday, June 4, 2026 1:46 PM
To: Elizabeth Elliott <EElliott@santaclaraca.gov>
Cc: Daniel Sobczak <dsobczak@Santaclaraca.gov>
Subject: Notice of Availability of EIR - 400 Saratoga Avenue Project

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Good Afternoon,
You are receiving this email because you are listed as a contact to receive City of Santa Clara CEQA notifications.

As authorized by the City of Santa Clara as a Lead Agency, the City hereby provides a **45-day public review period** for an Environmental Impact Report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA).
for the Greens at Pruneridge proposed project located at 400 Saratoga Avenue.

AVAILABILITY OF DOCUMENTS
The City prepared a Draft EIR, which is available for review on the City's website at and copies are available at the Central Park Library at 2635 Homestead Road.

PUBLIC COMMENT PERIOD

Comments may be filed with the City in response to the preparation of the Draft EIR, within the **45-day** review period between **Friday, June 5, 2026 and Monday, July 20, 2026,** pursuant to Section 15087 of the CEQA Guidelines. Comments that are received on the Draft EIR will be addressed and included in the Final EIR. All comments must be submitted in writing on or before the end of the public comment period. Written comments on the Draft EIR should be submitted no later than 5:00 PM on Monday, July 20, 2026

Thank you.

Elizabeth Elliott | Staff Aide II
Community Development Department | Planning Division
1500 Warburton Avenue | Santa Clara, CA 95050
O: 408.615.2450 | D: 408.615.2474
www.SantaClaraCA.gov

ALERT: An active Phishing Scam is targeting residents and business owners with fraudulent payment requests and invoices. Please be aware the City of Santa Clara will never ask you to provide payment information via email, text, phone, direct transfer, or third-party links. If you receive a suspicious payment request, do not click links or send money. Instead, contact the City using the phone or email on our Permit Center website (SantaClaraCA.gov/PermitCenter) to verify the request, and learn more from our Fee Payments page.

[redacted] [redacted]

Subject: "The Greens" - EIR Comments, Response from neighboring community
Date: Monday, July 20, 2026 4:58:56 PM

You don't often get email from anithatv@gmail.com. Learn why this is important

Dear City of Santa Clara Planning Division,

My name is Anitha. My husband and I are residents of Pruneridge Place Community.

We are concerned about the safety of pruneridge place community homes and residents, traffic and pollution, public safety, and the environmental impact of this project.

1. The proposed plan to the golf course has a new putting space and an additional hole (making it 2 holes) next to the existing homes in pruneridge place community. The proposed plan to the golf course thereby multiplies the number of golf balls being hit into the home community directly contributing to personnel and property damages (home, car, etc.). Please help clarify the measurements that will be taken to ensure the safety of the occupants and the property of the pruneridge place community.

2. We are concerned about the increase in traffic, pollution arising from the proposed new building in this intersection, which is already congested during peek office and school hours. We understand the EIR describes Vehicle trips and other measurements being under the minimum required limits for the process. But we also see that the minimum required values are far from ground reality in the neighborhood. Please help clarify the measures that will be taken to not contribute to increase in traffic, pollution and maintain public safety in the neighborhood.

3. As we understand, a few decades ago the existing Scenic Open Space Easement was discussed by the City and determined that the apartment complex that was proposed at that time could not be built and that the easement would continue to exist. We heard in one of the meetings the builders of ‘The Greens’ mention that they have been advised on ‘an amendment to existing easement’ and a ‘rezoning’ to overcome the existing easement. What has changed regarding the easement that allows for this development now? Please help clarify clearly and provide any additional details on the topic.

Please consider all aspects of public concerns, and safety in the neighborhood as you evaluate and before approving the proposal for the project.

Best Regards,
Anitha and Karthek

From: [redacted]
Subject: Opposition to new apartment construction at 400 Saratoga Ave
Date: Monday, July 20, 2026 12:54:44 PM

You don't often get email from [redacted]

[redacted]

July 20, 2026
Attn: Daniel Sobczak dsobczak@santaclaraca.gov
• Project: PLN24-00269
• Location: 400 Saratoga Avenue
• Subject: Draft Environmental Impact Report (EIR)

Daniel,

I am the owner in Pruneridge Place and would like to express my major concerns and definite opposition to building of the new multiple apartment building at 400 Saratoga on territory of Pruneridge Golf Course

Some of my concerns are (but not limited to) :
- My bedroom windows face the golf course and even now I hear putting noises and it will become worse after moving putting green closer to Pruneridge place
- Massive number of extra cars on Pruneridge avenue will be a major safety concern and inconvenience since cards will be turning left/right from the new building and people crossing Pruneridge from Lucky parking lot - they will have to park there since only 7 visitors parking spots onsite will be available
- The new / extra 400 cars belonging to apartment residents will create terrible traffic conditions on Pruneridge and Saratoga. Already very difficult process of making U-turns and crossing Saratoga in the vicinity of Westmont School will become even more dangerous and scary
- 5 story apartment building and 7 story parking garage will turn nice and peaceful views of our neighborhood into "concrete jungle"
- Large trees which will be removed, and part of this project will not be able to provide shade and oxygen to the neighborhood
I sincerely hope this building will not be approved for construction and I request your assistance in disallowing this project to proceed

Please let me know what other ways I could use to express my concerns and opposition to construction

Yours
Anton Gerasimov

[redacted]

[redacted]
Subject: [redacted] The Greens
Date: Friday, July 17, 2026 9:19:13 PM

[redacted]

- **Project:** PLN24-00269
- **Location:** 400 Saratoga Avenue
- **Subject:** Draft Environmental Impact Report (EIR)

I find it very disappointing to see a city, which had previously promised that the Pruneridge Golf Course land would stay green in perpetuity and that the investments we made in our expensive homes at Pruneridge Place be protected, would suddenly consider changing all of that to allow the building of a hi density complex on the busy intersection of Pruneridge Ave. and Saratoga Ave. We were promised years ago that this would not happen, and yet, here you are considering such an option. All my faith in trusting you is vanishing.

You have no idea how busy that intersection is. And should this go through, all the parking for the shops across the street will be taken by golfers, homeowners with 2 cars, and visitors. What a mess that will become. And how many accidents will there be as people jay walk across the street!

I urge you not to go through with this!

Bonnie Silver
[redacted]

From: [redacted]
Subject: Comments on Draft EIR – PLN24-00269, 400 Saratoga Avenue
Date: Thursday, July 16, 2026 2:32:21 PM

You don't often get email from [redacted]. Learn why this is important

Dear Mr. Sobczak,

I am writing to submit my comments on the Draft Environmental Impact Report for Project PLN24-00269, located at 400 Saratoga Avenue ("The Greens" apartment project).

We have owned in this neighborhood for several years and want to express my strong concerns about this proposal. The neighborhood is currently quiet and calm, and I am worried that a 316-unit, six-story apartment building at this location would significantly change that.

My primary concerns are:

Traffic: The additional residents, vehicles, and parking demand from a development of this size would add considerable traffic to Saratoga Avenue, Pruneridge Avenue, and the surrounding intersections, including near the elementary school at Cypress Avenue and the Golf & Tennis Club. This area is not equipped to handle that volume of additional traffic safely.

Safety: More traffic also means more risk for pedestrians and cyclists in the area, including those crossing Pruneridge Avenue. Many of our residence are senior citizens which also should be a consideration. Especially considering response times for emergency vehicles with the added congestion. I don't believe the current infrastructure can safely absorb this level of increased activity.

Neighborhood character: A six-story building would be out of scale with the surrounding single-family homes, townhomes, and open space, and would fundamentally change the quiet character of this community.

I urge the City to require a more thorough review of these traffic and safety impacts before moving forward with this project.

Thank you for considering my comments.

Sincerely,
The Higgins family
[redacted]

From: [redacted]
[redacted]
Subject: Comment: Draft EIR – 400 Saratoga Avenue Residential Project
Date: Monday, July 20, 2026 3:56:22 PM

You don't often get email from [redacted]. Learn why this is important

July 20, 2026

Daniel Sobczak
Associate Planner
City of Santa Clara

RE: Draft Environmental Impact Report – 400 Saratoga Avenue Residential Project

Dear Mr. Sobczak,

I appreciate the opportunity to comment on the Draft Environmental Impact Report (EIR) for the proposed 400 Saratoga Avenue Residential Project.

I am a Santa Clara resident with a master's degree in biogeography. After reviewing the Biological Resources section of the Draft EIR, I have several concerns regarding whether the analysis adequately supports its conclusions. CEQA is intended to provide decision-makers and the public with an evidence-based assessment of environmental impacts. My comments focus on whether the Biological Resources analysis provides sufficient information to support informed decision-making.

The Draft EIR repeatedly characterizes the project site as a developed urban area while also acknowledging that it contains more than 200 mature trees and provides nesting habitat for migratory birds protected under state and federal law. Although highly modified, developed landscapes can still provide important habitat functions. Mature trees and established vegetation may provide nesting, roosting, and foraging habitat for resident and migratory birds, bats, and other wildlife. The Final EIR should fully evaluate these ecological functions and ensure they are appropriately avoided, minimized, and mitigated through project design and enforceable mitigation measures.

I am also concerned that the Biological Resources analysis does not fully explain the basis for several of its conclusions. The Final EIR should clearly identify the biological information relied upon, including field surveys, habitat assessments, database reviews, and other technical analyses supporting the determination that impacts to special-status species would be less than significant.

The Draft EIR also identifies the removal of 185 existing trees. While replacement planting is an important mitigation measure, newly planted trees cannot immediately replace the habitat, canopy, carbon storage, cooling benefits, and ecological functions provided by mature trees. The Final EIR should acknowledge this temporal loss and more fully evaluate the ecological consequences of removing mature trees.

In addition, I encourage the City to evaluate bird-window collisions associated with the proposed building and consider whether mature trees scheduled for removal may provide habitat for roosting bats. Both are well-documented biological issues associated with projects

involving extensive tree removal and multi-story buildings. If these resources have already been evaluated, the Final EIR should summarize the supporting information. If they have not, those analyses should be completed before the EIR is certified.

Finally, I believe the mitigation for nesting birds should be strengthened. The survey windows in MM BIO-1.1 do not reflect current biological practice. The mitigation measure allows surveys to be conducted up to 14 days before construction during February through April and up to 30 days before construction during May through August. Those intervals create a substantial risk that survey results will no longer represent actual site conditions when work begins because many bird species can establish active nests within only a few days. The California Department of Fish and Wildlife frequently recommends that pre-construction nesting bird surveys be conducted no more than three days before ground-disturbing activities for precisely this reason. The Final EIR should revise MM BIO-1.1 to require surveys immediately before construction begins, require repeat surveys before each new phase of work, and require additional surveys whenever construction has been delayed during the nesting season.

Thank you for considering my comments. I respectfully request that the Final EIR provide a complete, evidence-based evaluation of the project's biological resources so that decision-makers and the public can fully understand the environmental consequences before certifying the EIR.

Sincerely,

Caitlin Dempsey
[redacted]

[redacted]
Subject: [redacted] Proposed Pruneridge, Draft EIR comments
Date: Monday, July 20, 2026 2:30:30 PM

[You don't often get email from [redacted] why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear City of Santa Clara Planning Division,

I am an owner and resident of the town houses on Golf Links Circle, located in the center of the Pruneridge Golf Course.

I would like to comment on the project "The Greens at Pruneridge" and the Draft EIR.

1. the public park

I do not see the value in the proposed public park. With a size of 1.77 acres, it seems to be smaller than the gas station on the other side of the street. I do not see any general use of such a tiny area, except for dog walker and outdoor smokers. In addition it seems this corner of the rezoned golf course would have no other commercial utility for the golf course, or any housing development. I have the impression the owner decided to designate this plot of land, which will not generate any income, to the City as a park, and thus won't be reliable for maintenance and property taxes.

I think this "designation" is a decoy to dispose of otherwise useless acreage.

2. golf course changes

The proposed property will use the area of the golf course holes 1 and 2. Considering the golf course is already only a 9 hole course, this will result in a reduction of area of 2/9th. Looking at the updated golf course layout, I assume the golf course will feature mostly 3 par holes. I do not think this will be attractive for any serious golf player to use a golf course with 8x a 3 par hole.

The owner said that they want to raise money for golf course redevelopment and updates, and this is what part of the housing project's profit will be used for. I personally have the impression that the owner is more interested in slowly decreasing the golf course's profitability and in the long term build new housing units on the entirety of the golf course. As an owner of a property located in the center of said golf course, I do not want to live in a place which will be surrounded by 5 story, or possibly higher, structures.

I am especially worried about the golf course changes to the current hole 9. As is this is a fairly standard layout with a useful fairway width. Towards the town houses on the northers side of the fairway, a row of tree provides useful protection from golf balls. Though every day several do end up on the lawn surrounding the swimming pool. With the proposed changes to host 2 holes, in opposite directions, in essentially the same width as the current hole 9, I am worried about

- injuries to golfers who have to play 2 holes in opposite directions in approximately half of a regular fairway width.

- increased issues with golf balls on the town house properties. It seems that several protecting trees are planned to be removed, and the tee off area for the new hole 1 will greatly increase the number of stray balls that can hit the townhouse properties.

- the location of the new "putting course" seem directly adjacent to the townhouses, without any protection from trees or other features to obstruct visibility. Those town houses have their back patio facing that "putting course". Currently that area is the putting green of hole 9, but there is a good amount of separation from the actual green and the town house property line. With the changes golf course layout it seems that the golf course plans to have "active use" of this area right up to the property line. I do fear that there will be substantial inference of those town house owners right next to the putting course, with a high amount of public visitors disturbing the private enjoyment of the town house property.

3. scenic easement

I have heard from other owners of the town house community, that a scenic easement was agreed upon by the golf course owners, when the town houses were developed in the lat 1970's. I do not see why this easement should be changed or amended. As stated previously I personally assume that the golf course owners want to replace the golf course with housing in the long term, and approving this development will only set a precedent for future changes and development.

4. building height

This area of Santa Clara features mainly one or two story buildings, residential and commercial. Building this 5 story residential building will likely set a precedent for more such construction of the 5-over-1 type buildings in the nearby area. I can imagine that the owner of the shopping are on the other side of Pruneridge Ave might re-develop this plot into residential buildings, once a precedent has been established.

I personally do not want to live in an area, maybe 20 years from now, where the major streets are lined with 100 foot high buildings.

--
—> Dirk Jugelmann
[redacted]

[redacted]

9 June 2025

Via E-Mail: dsobczak@santaclaraca.gov and by hand

Daniel Sobczak
Associate Planner
Planning Department
City of Santa Clara
150 Warburton Street
Santa Clara, CA 95050

Re: Review of Draft EIR Report: 400 Saratoga – "The Greens at Pruneridge"
City of Santa Clara File No: PLN24-0269

Dear Daniel:

Separately, our counsel (J Randall Toch, Hoge Fenton) has documented his legal concerns about this EIR. This letter is to express my 'layman's view' of this EIR. In summary, more work needs to be done to have an EIR ready for review; and certain elements of this review are not adequate.

High level, points detailed below

1. EIR Statement of 'Scenic Easement' Is Insufficient

2. Golf Course Redesign Plan Needs to be Completed and Made Public to Enable a Complete EIR and Public Comment

3. Traffic Analysis Does Not Appear to Reflect Planned Changes to the San Tomas Expressway Corridor

4. Traffic Analysis Makes Inadequate Assumptions About Public Transit Availability

5. Miscellaneous

1. **EIR Statement regarding 'Scenic Easement' Is Insufficient**

It states:

> The site has a General Plan designation of Parks/Open Space and is within a PD – Planned Development zoning district. The project site is also under a scenic view easement.

There is an implication in this verbiage that the scenic easement is something in the City's General Plan and Zoning Code, so amendable. But (80% certain) there is no scenic easement in the City's Plan and Code.

In fact, the property is under a scenic easement granted by the developer (yes, the same one now looking to 'amend') in 1978 under the state's Open-Space Easement Act of 1974.

This must be clearly stated in the EIR.

Some detail about the easement should be added:

- (1.1) The easement allows only recreational buildings; and
- (3.3) 'This Agreement...shall remain in effect permanently.'

The EIR further states:

> "The proposed project would include an amendment to the ... easement....The proposed project would not remove this easement from the project site and would be consistent with the land use policy governing this easement."

Two points:

1. Need to state the authority for the City's "discretionary" ability to amend an easement issued under State law. Per discussion with with you, I agree we don't need to debate within the EIR whether this authority is valid, but to document availability of the land to build apartments, ability to amend must be documented.

2. To say a 316 unit apartment building (key part of the proposed project) is consistent with a scenic view easement is like saying a 747 is compatible with a quiet bird sanctuary because it occasionally flies over the trees...NOT!

   But more than that -- **where is the 'land use policy governing this easement?'** In order to credibly make the assertion that the project is consistent with said

policy, the EIR must cite the policy itself so the reader can reach their own conclusion.

The land use policy governing the easement is within the easement – sections 1.1 – 1.4, the first of which says recreational buildings only! If elsewhere, please cite.

2. Golf Course Redesign Plan Needs to be Completed and Made Public to Enable a Complete EIR and Public Comment

Section 1.1 is clear: EIR is to cover "Pruneridge Apartments and Golf Course Project."

Absolutely appropriate – and required – that the EIR include evaluation of the golf course project, as without it the Apartments can't happen. So, by statute EIR coverage must include the golf course project.

But, the golf course project plan is not shown (or a reference provided) anywhere – so how can the reader determine whether the EIR is adequate?

Indeed, at a July 15 community meeting about the apartments, hosted by the developer and attended by the City's responsible Associate Planner, several questions were asked about impact of the golf course redesign on noise, safety, and trees – and the response was consistent: golf course project design not complete.

And, the Associate Planner separately advised me that the City has not received any golf course redesign plan.

So, respectfully, EIR must be delayed until the golf course redesign is sufficiently complete and visible to the City, and the public, so as to enable a complete EIR and resident review thereof.

Some things that need to be covered in the EIR (I am sure there are more) based on what is visible from the plans for the apartments:

a. **Noise**. Impact on early morning sleep – by putting new putting green and first tee within fifty feet of Pruneridge Place houses (currently, on the other side of the clubhouse from our units).

b. **Safety for Pruneridge Place**. Two things happening;

   i. Removal of trees on the north side of the current 9th fairway (not part of arborist report)

ii. Addition of a new hole in that fairway.

Result is reduction in safety for our adjacent road and pool area, as more golf balls will inevitably be hit into our land.

Trees on north side of the current 9th fairway currently block golf balls hit from the driving range, particularly the second deck.

Question: whether by design or due to recycled water incompatibility, will trees guarding our units along the 7th and 8th holes be lost? Not discussed in arborist report! If so, proposed mitigation?

c. **Safety for New Park**. The current first tee (new park) receives 'over the net' golf balls from the range; no mention of that risk for the new park.

d. **Recycled Water impact on Tree Health**. I can find nothing in the arborist report about the impact of recycled water on the health of the remaining trees.

e. **Arborist Report.** The arborist report appears to define the 'project area' as apartment building, new city park, and the driving range side of the current 9th fairway. But this is not consistent with tha EIR, which states the project area to be the apartment building and the golf course redesign.

EIR needs to have an arborist report for the entire project area,

f. **Scenic Vista**. EIR: 3.1.2.1 asks the following question: Would the project have a substantial adverse affect on a scenic vista.

The response:

> The development of a five-story apartment building,,, adjacent to the golf course **would not substantively degrade the visual character** or quality of the project area.

Uhh, what?? As a golfer myself – a five story apartment will substantially degrade the visual character of the golf course, particularly as golfers play the 1st and 8th holes, potentially also the 7th. Perhaps golfers teeing off on the 1st, 7th and 8th holes will have a new target, but perhaps a developer issue not EIR.

Additionally, removal of the redwood trees currently between the 9th for fairway and the driving range netting will similarly degrade the visual character of that

area, making the driving range net much more visible to the Pruneridge Place townhomes AND players along the (new) 1st and (redesigned) 9th holes.

3. **Traffic Analysis Does Not Appear to Reflect Planned Changes to the San Tomas Expressway Corridor**

At the July 15 community meeting and subsequent email, I understood you to say (perhaps I misunderstood) there is a plan to eliminate 'slip lanes' along the corridor, including cross streets such as Pruneridge.

This change will significantly impact Westbound Pruneridge Avenue traffic, and is not mentioned in the Transportation Appendix.

The westbound direction on Pruneridge makes extensive use of the 'slip lane' onto northbound San Tomas, with multiple vehicles using it during a signal cycle. If eliminated, there will be much more backup on Pruneridge Westbound, degrading access from The Greens onto the road. With only a little hyperbole - the currently projected maximum two car wait will become a minimum two car wait during peak period. And that says nothing about eastbound Pruneridge traffic in the center divider waiting to get into the apartments.

Page 27 of the Transportation Appendix does analyze the impact of certain planned changes. And, I recognize that one can't redo an EIR every time a new transportation change is planned. However, a change with this must potential impact should be reviewed.

4. **Traffic Analysis makes Inadequate Assumptions about Public Transit Availability**

The analysis correctly points out that there is a bus stop 2400 feet away (Pruneridge and Keily) with 0.5 miles, **but**:

The bus line is not part of a 'transit corridor.

The 2400 feel is misleading; it is more than that from a walking time perspective, because to reach the bus stop a walker has to cross San Tomas, long signal time always but an extended signal times during the relevant commuting period. And, frequent use of that walk signal would likely delay San Tomas traffic, not reflected.

The EIR should reflect the realistic availability of transit, and impact if transit is accessed.

5. Miscellaneous Comments

a. **Scenic Vista**. EIR: 3.1.2.1 Asks the following question: Would the project have a substantial adverse affect on a scenic vista. And concludes

> The development of a five-story apartment building,,, adjacent to the golf course **would not substantively degrade the visual character** or quality of the project area.

But: There is nothing taller than two stories for 2.5 miles in either direction along San Tomas Expressway, so arguably the proposed apartments absolutely degrade that visual character. Additionally, there is sound barrier along that stretch for residential properties; this is the only one without, but arguably that is the developer's rental issue.

Also, the 5 story apartment building is absolutely out of character for this area of single family homes and townhouses, maximum of two stories.

b. **Chemicals**. Prior to becoming a golf course in the 60s, the project area was an orchard. What work has been done to understand whether environmental harm would be done by unearthing the dangerous (now outlawed?) chemicals which were used at the time?

c. **Traffic Study – Golf Links Circle/Cypress/Saratoga intersection**. Westwood Elementary school is adjacent, but traffic impact not even evaluated although this is dangerous intersection already during pick up and drop off hours.

Thank you for your attention.

Very truly yours,

R. Dixon Speas, Jr.

R. Dixon "Dirk" Speas, Jr.
President, Pruneridge Place Homeowners Association

From: [redacted]
[redacted]
Subject: Draft Environmental Impact Report (EIR)
Date: Tuesday, July 21, 2026 9:01:10 AM

You don't often get [redacted]. Learn why this is important

Dear Daniel,

I am writing to provide comments on the Draft Environmental Impact Report (EIR) for **Project PLN24-00269** (400 Saratoga Avenue).

I am a Santa Clara resident and a frequent golfer at Pruneridge Golf Club. The course is much more than a recreational facility—it is the only one in the area and serves as a valuable place for community gathering. I appreciate the City's efforts to address housing needs, but I believe this project warrants particularly careful review for several reasons.

1. Purpose
I'm concerned about whether this project is necessary in its current form. It seems that there is already an oversupply of apartments in the Valley, and many newly built apartment buildings remain partially vacant. We also need to look ahead and consider the impact of AI on future employment. How many additional positions will nearby companies realistically add over the coming years, and how will that affect long-term housing demand?

2. Approach
I believe there are better locations for new housing than building apartments next to St. Thomas and replacing part of the golf course. For example, the two office buildings next to the golf course have been vacant for years. In addition, there are many older, lower-density apartment complexes nearby that could potentially be redeveloped into higher-density housing with less impact on valuable green space.

3. Economics and Community Value
People need places to relax and enjoy recreation. I'm also curious: once Great America is demolished, where will people go? Do you think the valley deserves a proper city center and gathering spaces, like other major metropolitan areas? And taking SF as an example, do you think the recovery there is because of high density apartments, or vast green spaces, parks, and historic landmarks that are preserved despite the high cost of doing so? I believe these are important questions to consider when planning for the long-term future of our community. Character is what defines a community and as long as we preserve the character, I'm sure we can find ways to solve all issues.

I'm sure you have much more experience with these planning decisions than I do. As residents, we count on your thoughtful judgment and careful consideration of both housing needs and the preservation of the community character that make Santa Clara, Santa Clara.

Thank you for your time and hard work.

Best regards,

Eason

[redacted] [redacted]

Subject: Public Comment to the DEIR re 400 Saratoga Avenue, PLN24-00269
Date: Friday, July 17, 2026 6:57:49 PM
Attachments: image001.png
DEIR Public Comment Letter re PLN24-00269.PDF

You don't often get email from [redacted]. Learn why this is important

Dear Mr. Sobczak,

Attached are public comments to the Draft Environmental Impact Report for Project title: 400 Saratoga Pruneridge Apartments; File No.: PLN24-00269.

Thank you,

Erica R. Hagelberg (they/them)
Attorney

[redacted]

email

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J. Randall Toch
408.947.2452
randy.toch@hogefenton.com

July 17, 2026

Via Email: DSobczak@santaclaraca.gov

Daniel Sobczak, AICP,
Associate Planner
City of Santa Clara,
Community Development Department,
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Public Comment to Draft Environmental Impact Report
Project Title: 400 Saratoga Pruneridge Apartments
(aka The Greens at Pruneridge)
City of Santa Clara File: PLN24-00269
Location: 400 Saratoga Avenue
Applicant: Demmon Partners
Our Matter No.: 211143

Dear Mr. Sobczak:

Our law firm represents the Pruneridge Place Homeowners Association, a California nonprofit mutual benefit corporation ("**PPHOA**"), in connection with its public comments to the above referenced Draft Environmental Impact Report ("**DEIR**") concerning the above referenced proposed development project (the "**Project**") affecting the parcel of real property situated in the State of California, County of Santa Clara, City of Santa Clara, at 400 Saratoga Avenue, Santa Clara, California, 95070 (Santa Clara County Assessor's Parcel Number 294-45-055) (the "**Subject Property**").

PPHOA recognizes the duty of the City of Santa Clara (the "**City**") to facilitate the development of affordable housing within the city limits. However, the Subject Property is burdened, in perpetuity, by an open-space easement (the "**Open Space Easement**"), in accordance with Open-Space Easement Act of 1974 (Government Code, § 51070, et seq.) (the "**Act**"), which Open Space Easement was duly recorded in the Official Records of Santa Clara County on March 17, 1978, as Instrument No. 5956983, at Book D, Page 50 (the "**Scenic Easement Deed**").

The DEIR for the Project is insufficient such that its deficiencies preclude informed decision-making and meaningful public participation. As a result, substantial revision and recirculation under CEQA Guidelines §15088.5 are required. (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.)

I. Summary of Comments in Response to DEIR

The DEIR is missing legally required analyses in several key areas:

1. As set forth in Cal. Code of Regulations title 14, section 15317, the abandonment of, or, as the City calls it, "amendment to", an open-space easement is a project which is not exempt from CEQA and therefore requires an environmental impact analysis. The DEIR fails to disclose and analyze the environmental impacts of the contemplated termination of the Open Space Easement as to portions of the Subject Property, including the proposed removal of 3.66 acres of open-space land from the Open Space Easement. Such a partial abandonment of the Open Space Easement would, itself, be a project, as defined in CEQA, requiring environmental review. Additionally, the Project Overview and Areas of Known Controversy sections of the DEIR do not disclose the existence of the perpetual Open Space Easement or analyze the environmental effects of such termination. Additionally, to the extent that the City contends that an amendment to an open-space easement not authorized by statute may be used to detach lands from the burden of a duly recorded open-space easement under the Act, the future possible impacts as to all open-space easements throughout the State of California must be analyzed. There is no such analysis within the DEIR.

2. Under California Code of Regulations, title 14 section 15378 subdivision (a)(1), General Plan amendments are projects which require CEQA review. No review of the environmental impacts from the proposed General Plan amendment, including foreseeable and cumulative impacts from such an amendment, are discussed in the DEIR. Additionally, to the extent that the City believes General Plan amendments can potentially be used to thwart open-space easements, the future impacts as to all open-space easements should be analyzed. There is no such analysis within the DEIR.

3. Also under California Code of Regulations, title 14 section 15378 subdivision (a)(1), zoning ordinance amendments are recognized as projects which require CEQA review. No review of the environmental impacts from the proposed zoning ordinance amendment, including foreseeable and cumulative impacts from such an amendment, are discussed in the DEIR. Additionally, to the extent that the City believes zoning ordinance amendments can potentially be used to thwart open-space easements, the future impacts as to all open-space easements should be analyzed. There is no such analysis within the DEIR.

Additionally, the DEIR is missing adequate analyses in multiple other key areas, including the following:

1. The DEIR fails to provide an adequate baseline description of existing conditions and repeatedly relies upon conclusory statements unsupported by substantial evidence. In particular, the DEIR does not adequately describe existing environmental conditions that result from the presence of the Open Space Easement, which is an environmental resource "unique to that region," as required by California Code of Regulations, title 14 section 15125 subdivision (c).

2. The DEIR fails to disclose the legal infeasibility of the Project. The Open Space Easement prohibits housing construction, unless and until such time as the Open Space Easement is lawfully abandoned in strict accordance with the express provisions of the Act. Although the DEIR mentions possibly "amending" the Open Space Easement in an effort to terminate the Open Space Easement as to portions of the Subject Property, there is simply no lawful mechanism and/or legal authority under the Act for proposing (let alone making) such a specious "amendment" to an open-space easement. (See Gov. Code § 51093.) The Scenic Easement Deed expressly restricts the permissible use and structures within the Subject Property to "a public golf course, pro shop, snack bar, restaurant, driving range and structures and appurtenances reasonably related thereto and such other *recreational* uses as may be approved by the city Council of the City of Santa Clara." Accordingly, housing is not an permitted use under the express terms of the Scenic Easement Deed. Further, the Open Space Easement is perpetual and remains in effect permanently with no termination date.

3. The DEIR fails to analyze and discuss the foreseeable consequence of permitting the Project: If housing were built in violation of the easement, California law mandates injunctive relief and removal of unlawful structures, which would have environmental impacts that must be analyzed. Under the Act, no permit may issue for structures violating the Open Space Easement, and the City is required to seek an injunction and mandatory removal of unlawful structures; residents may also seek such relief if the City fails to act. (Gov. Code §§ 51093 and 51086). As such, removal of the Project's violating structures is a foreseeable consequence of the Project.

4. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), Architectural Review, is a project which requires CEQA review. Analysis of such is missing from the DEIR.

5. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), activities such as issuing permits, including public works clearances and grading, are projects which require CEQA review. Analysis of such activities is missing from the DEIR. While grading is mentioned throughout, the environmental impacts of grading, particularly with respect to the existing open space and residences, are not analyzed.

6. Under California Code of Regulations, title 14 section 15378 subdivision (a)(3), activities such as issuing permits for tree removal, are projects which require CEQA review. Analysis of such activities is missing from the DEIR.

7. Additionally, there are numerous topic-specific environmental impacts which are insufficiently analyzed:

a. Transportation and Parking. The DEIR's transportation analysis misstates the transit proximity presumption, infers less-than-significant impacts despite limited qualifying transit within one-half (½) mile of the site of the Project, and does not grapple with left-turn storage deficiencies identified in the Transportation Analysis or documented neighborhood safety issues and parking shortfalls submitted in public comments

b. Noise. The DEIR does not address noise effects on the existing residences resulting from the use and occupancy of the proposed residences and new parking facilities. The DEIR does not address noise effects on the existing and proposed residences from the redesigned golf course or describe those redesign impacts with meaningful detail.

c. Light. The DEIR does not address either direct or ambient light effects resulting from the Project on existing residences from the use and occupancy of the proposed residences and new parking facilities. The DEIR does not address either direct or ambient light effects on existing and proposed residences from operation of the improvements contemplated by the Project existing or redesigned golf course or describe those redesign impacts with meaningful detail.

d. Aesthetics. The DEIR concludes that a five-story building adjacent to the golf course would not degrade visual character, without substantiated analysis, despite the area's predominantly one to two story context and the loss of open-space views.

e. Biological Resources. The DEIR proposes use of recycled water for irrigation without analyzing potential impacts to biological resources, including redwoods and other species. Additionally, the DEIR fails to analyze the role of trees as a safety barrier to existing and proposed residences, and how removal of trees under the proposed redesign will impact safety for persons and property adjacent to the golf course.

II. The Open Space Easement is a Threshold Issue the DEIR Must Address

"An Open Space Easement is an instrument whereby the owner relinquishes to the public the right to construct improvements upon the land, effectively preserving for public use or enjoyment the natural or scenic character of the open-space land. (See Gov. Code, § 51051.)." (*Feduniak v. California Coastal Commission* (2007) 148 Cal.App.4th

1346, 1353 fn.1.) An Open Space Easement is a recorded restriction that preserves land in its natural or scenic condition by limiting construction to expressly reserved uses. The **entirety** of the Subject Property is encumbered by the Open Space Easement granted in 1978 and accepted by City Council Resolution No. 3972.

A. The DEIR's Amendment Concept Lacks Legal Foundation.

The DEIR states the Project would include an amendment to the Open Space Easement tied to a proposed General Plan Amendment and asserts the Open Space Easement would remain on-site and be consistent with governing land use policy, but it offers no legal authority or explanation for the feasibility of such amendment to terminate the Open Space Easement as to a portion of the Subject Property without complying with applicable laws.

The Act contains procedures for abandonment of an open-space easement, but not for amending or modifying an existing open-space easement. Code of Civil Procedure section 1858 prohibits courts from inserting omitted terms into a statute; thus, a power to amend an open-space easement cannot be implied when the Act provides only for abandonment. Additionally, California courts have recognized that open-space easements and conservation easements restrict permissible uses more extensively than typical easements. Accordingly, the only means for terminating the Open Space Easement as to all or any portion of the Subject Property would be through the statutory mechanism for abandonment as to the relevant portions of the Subject Property.

It is our understanding that City Staff has stated that the City has no plans to abandon the Open Space Easement, while, at the same time, suggesting that a modification of the areas burdened by the Open Space Easement would be necessary if the Project moves forward. Relying on a clause within the Scenic Easement Deed (Section 1.4) which bars material alteration of landscape or scenic features without City approval to authorize new land uses conflicts with the Act's requirement that any improvements must be expressly reserved in the easement instrument. The City's police powers cannot be construed to authorize uses of the Subject Property that are prohibited under the Open-Space Easement Act. (See Cal. Const., art. XI, § 7; see also Gov. Code, § 51070 et seq.).

The proposal described in the DEIR for an amendment to terminate the Open Space Easement as to portions of the Subject Property is particularly disconcerting, because the City Attorney of the City has previously acknowledged the legal infeasibility of amending an Open Space Easement in precisely this manner. In 1997, in response to a previous similar proposal to amend the Open Space Easement to allow construction of apartments on portions of the Subject Property, the then City Attorney advised that such a project would require abandonment of the Open Space Easement.

Because the City does not propose to lawfully abandon the Open Space Easement as to all or any portion of the Subject Property, and California law provides no lawful authority for a municipality to, of its own volition, amend or modify an open-space easement, other than through the abandonment process specified in the Act, there is no legal path to authorize or allow residential development of the Subject Property under the existing Open Space Easement. The DEIR is insufficient because it fails to describe the legal realities and restrictions of the Open Space Easement or to consider alternatives, mitigations, or solutions that would allow the Project to proceed under existing law.

B. CEQA Review Is Required for Any Open Space Easement Abandonment

The CEQA regulations specifically state that cancellation of an open-space easement will normally be subject to environmental review (see Cal. Code Regs., tit. 14, § 15317), yet the DEIR neither discloses nor evaluates the environmental effects of abandoning any portion of the Open Space Easement. Accordingly, if the City elects to pursue abandonment of the Open Space Easement with respect to all any portion of the Subject Property, that action must undergo CEQA environmental review before or concurrently with project approvals. The DEIR entirely omits this analysis. Of note, the DEIR acknowledges that the Project would increase the demand for parkland, while, inexplicably failing to analyze the environmental impacts resulting from the removal of 3.66 acres of parkland from the Open Space Easement. As such, the statutory requirement for CEQA review of abandonment has not been met, and would need to be met before the abandonment could be sought and the Project could proceed.

The DEIR is insufficient because it fails to describe the legal realities and restrictions of abandoning the Open Space Easement or to otherwise consider alternatives, mitigations, or solutions that would allow the Project to proceed under existing law.

C. Foreseeable Consequence: Mandatory Removal if the Project is Built in Violation of the Open Space Easement

If construction proceeds without lawful abandonment of the Open Space Easement as to the affected portions of the Subject Property, removal of structures is a reasonably foreseeable consequence. The DEIR must analyze the environmental effects of such removal, including demolition, debris hauling, and site restoration.

The Act requires the City to seek injunctions against easement violations ordering mandatory removal of unlawful structures. (Gov. Code, § 51093) The Act further authorizes residents to seek such relief if the City fails to act. (Gov. Code, § 51093.)

The DEIR fails to analyze the impacts of foreseeable removal of the Projects structures, should the Project proceed in violation of the Open Space Easement.

III. The DEIR Suffers from Baseline Deficiencies and Topic-Specific Impact Gaps

A. The Baseline Must Reflect Actual Conditions and Legal Constraints

A legally adequate baseline must describe existing physical environmental conditions in the vicinity of the Project – not just within the site of the Project itself (see Cal. Code Regs., tit. 14, § 15125), including operative land-use constraints, and then use that baseline to measure impacts, mitigation, and alternatives.

The DEIR omits critical characteristics of existing conditions, including the operative Open Space Easement constraints, and relies upon conclusory findings of less-than-significant or no impact across multiple topics without adequate explanation.

1. Project Description and Golf Course Redesign

The DEIR does not adequately describe the golf course redesign or the environmental effects of that redesign. At the July 15, 2025 community meeting, the developer acknowledged that that golf course redesign is not yet complete. Nevertheless, the DEIR purports to describe the environmental impacts from the redesign. Simply put, the DEIR is premature and wholly inadequate as to the golf-course redesign.

Additionally, the DEIR does not analyze and discuss the environmental effects that will result from related General Plan and zoning changes. (See Cal. Code Regs., tit. 14, § 15378, subd. (a)(1).)

Because the DEIR fails to provide meaningful detail enabling informed decision-making about golf course redesign impacts and the environmental implications of any General Plan and zoning amendments, the City should revise and recirculate the DEIR to correct these deficiencies.

2. Transportation and Parking

The DEIR misstates applicable regulatory guidance on when proximity to transit may allow an evaluator to make a presumption of less-than-significant transportation impacts, and it fails to consider substantial evidence that existing traffic operations and safety conditions are already strained, and the Project's access design and parking program would exacerbate those issues.

(a) The Project Site Does Not Qualify for the Presumption of Less-Than-Significant Transportation Impacts

The DEIR states "that projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact." However, this is not what the text of the CEQA regulations actually states. The regulation creates the

presumption only for projects that are located within one-half mile of a "major transit stop" or along a "high-quality transit corridor," terms which are specifically defined. A "major transit stop" is defined, in relevant part, as "the intersection of two or more major bus routes with service every 20 minutes or less during peak periods." (Cal. Code Regs., tit. 14, § 21064.3.)

The DEIR acknowledges in Section 3.17.1.2 that only the Route 57 bus stop is within one half mile of the Project site (and specifically, 2,400 feet, or 0.45 miles, from the Project site) and no other transit route is located within one half mile of the Project site. As such, the Project does not meet the guidance criteria for presuming a less than significant transportation impact. The misstatement of the guidance in the DEIR and explanation of the Project's proximity to Route 57 gives rise to an improper inference that the Project would, by presumption, have a less than significant impact. The DEIR goes on to find a less than significant transportation impact despite substantial evidence to the contrary, discussed below.

(b) Existing Traffic and Parking Conditions Will Be Greatly Impacted By the Project

Channeling all site traffic for a 316-unit complex through a single driveway onto a short, high-demand segment of Pruneridge Avenue would concentrate turning movements and conflict points in an area with documented traffic and safety concerns.

Existing traffic conditions on Pruneridge Avenue between Saratoga Avenue and San Thomas Expressway are already constrained during peak hours. The addition of hundreds of households to the block will result in gridlock during peak hours.

Intersections in the surrounding area are already dangerous. The neighborhood experiences speeding, reckless driving, and serious crashes between San Tomas Expressway and Pruneridge Avenue; challenging, accident-prone patterns at Saratoga Avenue and Pruneridge Avenue; and school-related traffic, U-turns, and neighborhood ingress/egress creating congestion and safety concerns at Saratoga Avenue at Cypress Avenue/Golf Links Circle.

Separately, the proposed parking plan does not reasonably account for reasonably anticipated resident and guest demand. The Project proposes only seven guest parking spaces for 316 units, which grossly underestimates likely guest parking needs. Comparable nearby experience indicates substantially higher guest demand. PPHOA provides 33 visitor spaces for 79 units, and those spaces are frequently fully utilized. Nearby streets already serve multiple apartment communities and cannot absorb additional on-street parking. Surrounding streets cannot accommodate additional parking demand due to existing use from apartments on Saratoga Avenue, including Summerwood, Brentwood, and La Dea. Spillover is therefore likely to shift to the adjacent shopping center across Pruneridge Avenue, which would undermine the City's intent in

establishing parking standards. This shortfall would predictably shift overflow parking to the shopping center across Pruneridge Avenue, inconsistent with the City's purpose in governing parking standards.

The DEIR should correct its statement of the CEQA transportation presumption and withdraw any reliance on that presumption for this Project. Given existing operational and safety constraints, the Project's single-driveway access, and the inadequate parking supply, the DEIR's conclusion of a less-than-significant transportation impact is unsupported by the record. The City should revise the DEIR's analysis and findings accordingly, and identify feasible mitigation and design modifications to address transportation and parking impacts. The DEIR currently finds a less than significant transportation impact despite substantial contrary evidence in the record.

3. Noise and Light

Operational changes to the golf course will affect ambient noise and lighting at existing and proposed residences. The DEIR does not analyze these effects.

Because DEIR does not address noise or light impacts from the apartments, the parking areas, and the redesigned golf course operations on existing or future residents, the City should revise and recirculate the DEIR to correct this deficiency.

4. Aesthetics and Visual Character

A five-story building at the golf course edge will alter views and neighborhood character in a predominantly one- to two-story area. The DEIR's conclusion of no substantive degradation is unsupported.

The DEIR concludes that a seven-story building and parking structure along a primary roadway adjacent to the golf course would not substantively degrade visual character, without substantiated analysis of the surrounding one- to two-story residential context and open-space views. Additionally, the height of the buildings gives rise to significant privacy concerns for the residents of the existing neighborhood.

Because the DEIR incorrectly concludes there with be no impact, the City should revise and recirculate the DEIR to correct this deficiency.

5. Biological Resources

The EIR contemplates using recycled water to irrigate landscaping, however, it does not address the impacts to biological resources from using recycled water. Irrigation choices can affect tree and plant health. In particular redwood trees may experience adverse effects from recycled water irrigation.

Separately, the existing trees provide significant barrier protection to homes, people, pets, pools, and property, shielding them from errant golf balls coming into residential spaces from the golf course. The DEIR fails to analyze the extent that the proposed tree removals will impact existing and proposed residences.

Further, the DEIR fails to analyze the cumulative effects of the golf course redesign in conjunction with the proposed tree removals and plantings on existing and proposed residences.

Because the DEIR (1) omits analysis of biological-resource impacts from irrigating with recycled water, including potential adverse effects on redwood trees; (2) fails to evaluate how proposed tree removal would compromise the existing protective barrier that shields nearby homes, people, pets, pools, and property from errant golf balls; and (3) does not address the cumulative effects of the golf course redesign together with proposed tree removals and plantings on existing and proposed residences, the City should revise and recirculate the DEIR to correct these deficiencies.

IV. Conclusion

The DEIR does not accurately describe existing conditions or analyze the legal and environmental implications of the recorded Open Space Easement. This is critically important because the Project would remove 3.66 acres of protected open space and replace it with multi-level apartments and parking, violating the Open Space Easement on the Subject Property. If the City approves the Project without following the statutory abandonment process for the Project site, it would set a precedent that could be applied to other open-space easements, undermining Open Space Easement Act's "purpose of preserving and maintaining open space." (Gov. Code, § 51070.)

Additionally, the DEIR also omits or understates significant topic-area impacts. We respectfully request that the City refrain from proceeding with approvals until the DEIR is revised and recirculated to: (1) fully disclose and analyze the Open Space Easement and any proposed abandonment under CEQA, and/or evaluate the reasonably foreseeable environmental effects of mandatory removal if construction proceeds in violation of the easement; (2) fully disclose the necessary environmental review from related General Plan and zoning changes; and (3) correct the project baseline and provide substantial-evidence-supported analyses for transportation and parking, noise, light, aesthetics, and biological resources.

Absent these essential corrections, the DEIR is inaccurate and incomplete and does not provide the full disclosure CEQA requires for informed decision-making.

Sincerely,

HOGE, FENTON, JONES & APPEL, INC.

J. Randall Toch
Of Counsel

JRT:ns

cc: Mr. R. Dixon Speas

[redacted] [redacted]
Subject: Comments on Draft Environmental Impact Report (EIR) for "The Greens"
Date: Sunday, July 19, 2026 4:50:33 PM

You don't often get email [redacted]. Learn why this is important

Dear Mr. Sobczak,

I'm writing with a few concerns shared by myself and other residents of the Pruneridge Place Community about the below project:

- **Project:** PLN24-00269
- **Location:** 400 Saratoga Avenue
- **Subject:** Draft Environmental Impact Report (EIR)

Safety

- Removing trees along the current 9th fairway reduces the natural protection that helps keep golf balls away from our roadway and swimming pool.
- Having both the 1st and 9th holes adjacent to our community could significantly increase the number of golf balls played in this area.
- Additional vehicle traffic and parking demand may create congestion at the Cypress Avenue/Golf & Tennis Club/Saratoga Avenue intersection, location of an elementary school.

When I play outside with my 3 year old son I'm always worried about a golf ball hitting him, kids are the main users of the pool and pool area.
Also traffic is already erratic and borderline dangerous for kids at the elementary school, increasing the amount of cars on the road with such a big project might not be ideal.

Environmental Concerns

- Before the golf course existed, the property was an orchard where chemicals that are now prohibited may have been used.
- Has the EIR adequately evaluated potential soil contamination or exposure risks during excavation?

This is a big concern, our community is home to a lot of vulnerable people (kids and elderly) that could be seriously affected by exposure to these substances.

Thank you for your consideration,
Gabriela de Oliveira
[redacted]

[redacted] [redacted]

Subject: Comments re: proposed project # PKN24-00629 - Prunedridge Golf Course construction
Date: Monday, July 20, 2026 1:06:43 PM

You don't often get email [redacted] Learn why this is important

Daniel,

This message is from a homeowner at the Pruneridge Place condos on the Pruneridge Golf Course in Santa Clara.

As you have likely heard from many of my neighbors, many of us share quite a few concerns about the proposed apartment complex, parking structure and redesign of the golf course.

Here are my immediate concerns:
>Potential of home value decreasing with the construction of this large apartment complex and parking structure
>Loss of current aesthetic and the peacefulness of our community, including the privacy and beautiful trees
>Added traffic congestion. The intersection of Saratoga and Pruneridge already backs up during the morning commute in particular, with cars blocking the intersection to avoid missing the light. Pruneridge and San Tomas expressway is already congested. Adding another light to allow apartment dwellers to pull onto Pruneridge or merge onto the very busy expressway will just add to the congestion and decrease safety.

It's already difficult turning onto Saratoga with all of the cars making a u-turn to go to the golf course
>Question if there truly has been an adequate environmental study
>Removal of long standing trees on the golf course that are a habitat for many animals, not to mention the loss of privacy and odds of increases golf balls on our property

Thanks for your time. Gina

[redacted]

Subject: [redacted]
Subject: Public Comment on DEIR - The Greens at Pruneridge
Date: Sunday, July 19, 2026 10:21:09 AM
Attachments: Book D534 Page 50.pdf
CA Santa Clara Maps - Book.Page 415.5.pdf
GC 51084.pdf
GC 51086.pdf
GC 51090.pdf
GC 51093.pdf

You don't often get email from champeny@yahoo.com. Learn why this is important

Dear City Clerk O'Keefe and Daniel Sobczak,

I am submitting my comments and questions for the Draft EIR of proposed The Greens at Pruneridge Residential Project. I respectfully request that this information be included in the public comments, including my attachments of this email, which reference the Scenic View Easement, Tract Map, and California Government Code sections (51084, 51086, 51090, 51093) referenced to and relevant to the easement. I also ask that this be forwarded to Shannon George, who is consulting on this project.

In regards to the DEIR reference of a proposed amendment (seen below), I would like to ask for the text of the amendment, and when that text will be available for the public.

"Scenic View Easement
The proposed project would include an amendment to the scenic view easement currently in place for the project site. This change would be tied to the General Plan Amendment and would not be removed from the site. Therefore, the proposed project would not remove this easement from the project site and would be consistent with the land use policy governing this easement."

Article 1.1 of the Scenic Easement Deed states, "Grantor agrees for himself, his heirs, successors and assigns, that no structures shall be placed or erected upon the premises except such as may be required or desirable for the construction and operation of a public golf course, pro shop, snack bar, restaurant, driving range and structures and appurtenances reasonably related thereto..." Any change to this is an abandonment of the easement and the specific intent of the easement.

Government Code section 51093 prohibits cities from abandoning open space easements unless several findings are made, including a finding that no public purpose is served by preserving the open space. This would seem to be an impossible finding to make, as the easement itself recognizes the public value of open space. Another required finding is that the

abandonment is necessary to avoid a substantial financial hardship to the landowner due to involuntary factors unique to him. There has been no information that the developers have suffered such a financial hardship and it seems unlikely given their substantial holdings.

Accordingly, I don't see how the city can legally abandon the open space easement consistent with state law.

The developers seem to be using the term "amendment," instead of "abandonment" in order to avoid this problem. However, since the development would eliminate a substantial amount of the open space which is specifically protected by the easement, it would seem that approval of this project would be considered an abandonment under the Government Code, regardless of the terminology used. Any other interpretation would render the Government Code sections related to abandonment meaningless as the intent of the statute could be defeated by simply renaming the planned action.

Relatedly, it appears that the developers are reneging on an agreement entered into with the city years ago when the existing housing was developed. In exchange for permission to build the new units, the developers/owners agreed not to develop the remainder of the site in perpetuity. And yet now the developers seek to add housing.

Please confirm receipt of this email and comments and that this (and attachments) will be included in the public comments.

Respectfully,
Ian Champeny

[redacted]

Subject: The Greens at Pruneridge - Draft EIR Comments
Date: Friday, July 17, 2026 2:52:04 PM

You don't often get email from [redacted] Learn why this is important

Hi Daniel,
I attended the community meeting on Wed., July 15. Yesterday, I was skimming through the Transportation Analysis prepared by Hexagon.
I'm most concerned about the traffic this 316-unit apt complex will add to nearby streets.
From the Draft EIR: The Building 1 parking structure would include up to 414 vehicle parking stalls, including 42 electric vehicle (EV) stalls, 274 EV ready stalls, and seven visitor stalls.

It seems a bit naive to think people will opt to not use their vehicles. The TDM is nuts. I read that there would be a TDM Coordinator onsite to provide feedback AFTER construction and move-in to see if in compliance. Really? And, if not in compliance, what? Tear it all down. NO! We will be dealing with the additional traffic on top of the bad traffic already on Pruneridge. At busy times, the entire block from Saratoga to San Tomas Expy is so full of cars, you can't enter the intersection. With only a stop sign at the entrance of the project, it will be extremely difficult to enter or leave from the one driveway.

You can't force people to use bikes, buses or other ride sharing services. The caveat at the meeting that Demmon need only consider the impact their particular development will have may be nice for them, but it is completely ignoring the current traffic problems on Pruneridge.

Also not mentioned are the fire issues with e-bike batteries. How is that being addressed?

Additionally, only 7 visitor stalls for 316 units. That seems astoundingly small. Who thinks that is a good idea? I've been to other apt. complexes with very little visitor parking and it is almost impossible to find a place to park. The people who say the shopping center across the street will end up with people parking there are 100% correct. How many might jaywalk to The Greens? Too many to make it safe.

You can't expect us to believe the City of Santa Clara is really concerned with adding affordable housing. After all, the Sycamore Court single family homes at 1957 Pruneridge are listed near and over $3 MILLION. How is that helping affordability? It's just more evidence of the pro-business City Council and Mayor, for decades a friend of the developer of that property.

Pruneridge Golf is not a good place for such a high density apt. complex. It

could work for a smaller, possibly 2-story complex, but that would be townhomes or condos.

Please add my comments to the Draft EIR Comments before the Monday deadline.
Thank you.

Sincerely,
Jocelyn Jackson
[redacted]

[redacted]
Subject: [redacted] Greens at Pruneridge
Date: Saturday, July 18, 2026 5:03:09 PM

You don't often get email from [redacted]. Learn why this is important

Daniel,

Nice development but in the wrong location for too many reasons to mention.
This does not "bring the golf course into the future" as rhe developers claim.
Permanent removal of 25 old growth trees and trying to squeeze two fairways out of one fairway now is a mistake.
Also, pretending that the new apartment inhabitants won't try to walk across the five lanes wide Pruneridge avenue in order to visit the Lucky market is not realistic. I have lived at Pruneridge Place for 25 years now and the new inhabitants and their guests who will park in the shopping center parking lot will find out that the cars coming from either direction are asellerating from their respective stop lights which makes their approaching speed very hard to judge. The jay walkers with family in tow will find out the hard way how dangerous this venture will be, especially during the dark days of winter. The whole project in this location has a "Back to the future" tone that brings us back to the decision to demolish the Santa Clara downtown many years ago. I am not going to sign my name because when there ate millions and millions of dollars that the developers stand to lose if the project is voted down, retribution is a concern.

Thank you

[redacted] [redacted]
Subject: The Greens at Pruneridge project
Date: Wednesday, July 1, 2026 10:08:02 AM

> You don't often get email from kbutzman@gmail.com. Learn why this is important

Mr Sobczak,

I would like to voice my objection to this project. I currently reside at [redacted] which is in the middle of Pruneridge Golf Course. I just cannot see such a large project at the proposed location. There isn't enough space to handle the immense traffic that will be generated at the corners of Pruneridge, Saratoga and San Tomas. There is extreme traffic at these corners now, without the addition of 3-400 more cars. I also fear that the construction process will have an adverse effect on our houses with possible damage happening from all the ground movement. Who will be responsible for fixing any damage that may occur to our homes.

There are plenty of new apartments that have been built in Santa Clara and also many currently in process. We don't need another headache in our neighborhood.

Thank you for this consideration.

Respectfully,
Karen Butzman

[redacted] [redacted]
Subject: Re: The Greens at Pruneridge
Date: Wednesday, July 15, 2026 8:12:58 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Sir
I just listen into the latest presentation regarding The Greens at Pruneridge. I do have several concerns.
- it was stated that the developer would be changing turf on the course to reduce water usage.
Will that offset the water requirement for the tenants? Was the EIR water requirement based on a normal years available water supply and was any consideration given to the multiple years of drought and the burden it placed on current residents.
- The parking allowances for EV's, what fire safety measures will be put in place to address potential EV battery fires, one thought is appropriate suppression equipment. Also there was no mention for our Fire Department to be able to address fire and public safety since there is only one point of access and egress. There is little space for evacuation zones and the fire safety teams.
- The EIR speaks to reduced commute miles. How will cross traffic be managed into the complex without creating additional traffic backups to San Tomas, currently traffic is affected by autos slowing to turn into Lucky's parking lot. Will a traffic light be required?
- What additional funds will be provided annually for the maintenance and upkeep of the proposed park.

I appreciate your time for these concerns and look forward to your reply.

Sent from my iPad

[redacted] [redacted]
Subject: Project: The Greens at Pruneridge (PLN24-00269)
Date: Tuesday, July 14, 2026 4:30:08 PM

You don't often get email from kleubner@gmail.com. Learn why this is important

Dear Mr. Sobczak,

I am writing to submit comments regarding the proposed Greens at Pruneridge redevelopment (PLN24-00269). I respectfully ask that the City carefully consider the following concerns before approving this project.

1. Conversion of Parks/Open Space to High-Density Residential

I do not believe sacrificing land currently designated as Parks/Open Space for high-density residential development is justified. Open space is a limited community resource, and predesignating it for residential use sets a concerning precedent for Santa Clara City. Is the city able to demonstrate why this location is appropriate for loss of recreational land.

2. Existing Traffic, Parking, and Emergency Access

The proposal appears to underestimate existing parking and traffic conditions. Parking associated with Pruneridge Golf Club already overflows onto Saratoga Avenue during business hours, weekends, and into neighboring shared business parking lots. Adding 316 apartments will increase demand on an area that already experiences parking shortages and congestion.

In addition, the proposed development appears to rely on a single primary driveway for vehicles entering and exiting a seven-story parking structure and the associated residential parking. I ask the City to explain how this design will function during peak traffic periods and, more importantly, during emergencies. How will emergency vehicles access the site if the entrance or exit is blocked by congestion, a collision, or another incident? Has the Fire Department reviewed and approved the emergency access and evacuation plan for a development of this size?

I request that the City carefully evaluate whether the traffic, parking, and emergency access analyses accurately reflect existing conditions and the

additional demand this project will create.

3. Cumulative Loss of Recreational Space and Mature Trees

Henry Schmidt Park is already undergoing a multi-year renovation, reducing recreational access for nearby residents while also contributing to parking impacts during construction. Residents have already experienced the removal of mature trees as part of that project. This proposal would further remove mature California redwoods and other established trees that cannot realistically be replaced within our lifetime. Newly planted trees cannot replicate the environmental, aesthetic, and shade benefits provided by decades-old mature trees. The City's environmental review should fully evaluate these cumulative impacts rather than considering each project in isolation.

4. Utility Demand and Infrastructure

The project will significantly increase demand for water, natural gas, and other utilities. California continues to face long-term water supply challenges, and PG&E utility costs are already placing a significant financial burden on residents, with rates expected to continue increasing. The City should evaluate whether existing infrastructure can adequately support this level of development and explain how increased utility demand aligns with long-term sustainability goals.

5. Impact on the Golf Course

The proposal describes modifications to the golf course as an improvement. However, reducing the size and playing capacity of the course, particularly if it limits the ability to maintain holes beyond par-3 play, should not automatically be characterized as a public benefit. The City should evaluate whether the proposed redesign preserves the recreational value and integrity of the existing golf course for the community.

Thank you for considering these comments. I respectfully request that these concerns be addressed through the Environmental Impact Report and considered by the Planning Commission and City Council before any approvals are granted.

Sincerely,

Resident of Santa Clara district 6

Kurt Leubner

[redacted]

Subject: [redacted] Draft Environmental Impact Report (EIR)
Date: Monday, July 20, 2026 7:02:37 PM

You don't often get [redacted]. Learn why this is important

Hello Daniel,

I am writing to express my concerns regarding the proposed "The Greens" Apartment project.

In this era of rapid AI advancement, young people will face significantly fewer job opportunities as companies reduce headcounts across industries.

As a result, they will not be drawn to expensive, high-density apartment complexes — rather, they will seek open, recreational spaces such as the Golf Course.

The "The Greens" Apartment project, in my view, represents a loss for all stakeholders involved — investors, the city, and the golf course owner.

Project: PLN24-00269 Location: 400 Saratoga Avenue Subject: Draft Environmental Impact Report (EIR)

Best regards,

Liz

[redacted] [redacted]
Subject: Draft Environmental Impact Report - Project: PLN24-00269
Date: Monday, July 20, 2026 8:05:54 PM

You don't often get email [redacted] Learn why this is important

Dear Mr. Sobczak,

I am submitting comments on the Draft Environmental Impact Report for Project PLN24-00269 at 400 Saratoga Avenue.

My primary concern is that the Draft EIR does not adequately address the property's existing scenic easement or explain how that easement affects the proposed conversion of open-space land to high-density residential development.

The property is subject to a scenic easement granted under California's Open Space Easement Act in 1974. This is not simply a current zoning designation that can be changed through a routine administrative process. It may represent a separate and longstanding legal restriction intended to preserve the property as open space.

There is also a significant history that should be addressed. A similar apartment proposal was reportedly abandoned in 1997 after the Santa Clara City Attorney concluded that the existing easement could not legally be amended to permit the development. The Draft EIR should disclose and analyze that prior determination, including whether the easement remains in effect, what restrictions it imposes, and what legal authority the City believes would allow residential construction on the property today.

Without that information, residents and decision-makers cannot fully evaluate whether the proposed change from open space to high-density residential use is legally permissible or consistent with the commitments under which the easement was originally granted. The City should make the easement, the 1997 City Attorney analysis, and any current legal analysis publicly available and address them directly in the environmental review before taking further action on the project.

Additionally, traffic conditions surrounding the site have already worsened following the construction of two apartment complexes approximately one-quarter mile away. This proposal would introduce hundreds of additional residents and vehicles into an area where Saratoga Avenue, Pruneridge Avenue, San Tomas Expressway, and the Cypress Avenue intersection are already heavily used. The proximity of Westwood elementary school and the likelihood of more pedestrians crossing Pruneridge Avenue make a thorough cumulative traffic and safety analysis especially important. The EIR should account for the recent development that has already occurred nearby and evaluate whether the surrounding streets and intersections can safely accommodate another 316 residential units.

Please require the Draft EIR to be revised to fully address the scenic easement, the history of the prior proposal, and the cumulative traffic effects of recent residential development in the immediate area.

Sincerely,

Lorrie Adam
[redacted]

[redacted]
Subject: Public Comments: Draft EIR for "The Greens" (PLN24-00269)
Date: Monday, July 20, 2026 7:42:18 AM

> You don't often get email from [redacted]. Learn why this is important

Dear Daniel Sobczak,

I am writing to submit public comments regarding the Draft Environmental Impact Report (EIR) for 'The Greens' apartment project (PLN24-00269) at 400 Saratoga Ave.

My key concerns include:
- The incomplete golf course redesign.
- Scenic easement zoning issues.
- Noise impacts for Pruneridge Place units 2402-2428.
- Removal of redwood trees.
- Potential parking congestion in the area.

Thank you for considering these points.

Best regards,
Ravi Mahendrakar

[redacted] [redacted]
Subject: Comments on Draft EIR – The Greens at Pruneridge (PLN24-00269)
Date: Monday, June 8, 2026 1:09:29 PM

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City of Santa Clara Community Development Department
Attn: Daniel Sobczak
DSobczak@santaclaraca.gov

Re: Draft Environmental Impact Report – The Greens at Pruneridge, 400 Saratoga Avenue

Dear Mr. Sobczak,

My name is **Karuppusami Muniappan,** and I am a resident of **Forbes Avenue**, located near the proposed Greens at Pruneridge development. The Greens at Pruneridge is one of the last open spaces left in this area, I hope Santa Clara city will make every effort to keep this place from development.

I am submitting these comments regarding the Draft Environmental Impact Report (EIR) for the proposed project consisting of approximately 316 apartment units, a seven-story parking structure, and associated improvements.

While I recognize the City's housing objectives, I am concerned that the Draft EIR does not adequately evaluate or mitigate several significant impacts that may affect nearby residential neighborhoods, including Forbes Avenue.

1. Neighborhood Traffic and Cut-Through Traffic

The Draft EIR should provide a more detailed analysis of traffic impacts on local residential streets surrounding the project.

Saratoga Avenue already experiences congestion during peak commute periods. As congestion increases, drivers often divert through adjacent residential streets seeking alternate routes. Forbes Avenue and surrounding neighborhood streets may experience increased traffic volumes, speeding, and safety concerns.

I request that the Final EIR:

- Analyze potential cut-through traffic on Forbes Avenue and nearby residential streets.
- Evaluate impacts to pedestrian and bicycle safety.
- Identify specific traffic-calming measures if warranted.
- Consider post-occupancy traffic monitoring requirements.

2. Parking Spillover

The project proposes a substantial number of residential units. The EIR should clearly demonstrate that parking demand assumptions accurately reflect actual vehicle ownership

patterns in Santa Clara.

I request that the Final EIR:

- Disclose the proposed parking ratio.
- Evaluate the potential for overflow parking into nearby residential neighborhoods.
- Analyze guest parking demand.
- Identify mitigation measures if spillover parking occurs.

3. Construction Impacts

Construction of a project of this scale will likely extend over multiple years and may significantly affect nearby residents.

The Final EIR should provide additional analysis regarding:

- Construction truck routes.
- Construction traffic impacts on local streets.
- Noise and vibration impacts.
- Dust and air-quality impacts.
- Construction work hours.

I request that the City adopt the strongest feasible mitigation measures to minimize impacts on nearby residential neighborhoods.

4. Noise Impacts

The EIR should evaluate both construction and operational noise impacts.

The proposed development will introduce hundreds of new residents, parking activity, deliveries, maintenance operations, and mechanical equipment into an area adjacent to established residential neighborhoods.

The Final EIR should demonstrate that all feasible noise mitigation measures have been incorporated.

5. Visual Character, Building Massing, and Privacy

The proposed five-story residential building and seven-story parking structure represent a significant change in scale compared with surrounding single-family neighborhoods.

The Final EIR should provide:

- Additional visual simulations from nearby residential streets.
- Analysis of privacy impacts.
- Analysis of shadowing impacts.
- Evaluation of building massing and neighborhood compatibility.

6. Trees, Open Space, and Environmental Resources

The existing golf course property contributes to the area's open character and contains mature landscaping and trees.

The Final EIR should clearly identify:

- Number and size of trees proposed for removal.
- Tree replacement ratios.
- Long-term landscaping plans.
- Measures to preserve mature trees where feasible.

7. Cumulative Impacts

Santa Clara is currently experiencing significant residential development activity.

The Final EIR should provide a comprehensive cumulative analysis addressing:

- Traffic.
- Air quality.
- Greenhouse gas emissions.
- Water supply.
- Sewer capacity.
- Public services and infrastructure.

The combined effect of multiple projects may be substantially greater than the impact of any single project.

Conclusion

I respectfully request that the City fully address these concerns in the Final EIR and adopt all feasible mitigation measures necessary to reduce impacts on surrounding neighborhoods, including Forbes Avenue.

Thank you for your consideration of these comments.

Sincerely,

Karuppusami Muniappan
[redacted] Resident
Santa Clara, California

[redacted]

Subject: The Greens: Questions RE Trees & Sewer
Date: Monday, July 20, 2026 11:48:35 AM

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Hello Daniel,

Thank you for the opportunity to ask questions about "The Greens" project. Thank you also for all the paperwork associated with the Greens E.I.R. and specifically the written Santa Clara City Code Chapter for the replacement of each tree that is removed. I have two Areas of concern; 1) Removal of many Trees and 2) the Sewer System. Please forgive me if either or both or neither of my concerns has been embedded in the EIR.

The Greens Project is scheduled to remove 212 trees. You shared the City Code stipulation with me both verbally and the page highlighted. Approximately 424 trees are required to be replaced. I have possibly missed seeing the plan or they have not yet shared that plan.

Question: Can the City approve the Greens Project without the 424 tree placement plan?

My second concern is about the very old Sewer System in this area.{Section 3.19} At the first City Hall meeting, a retired Santa Clara City worker was highly concerned that the sewer system would not currently have sufficient capacity to handle any additional waste material generated by the 316 apartments. I would appreciate your response to his concern.

Question: Has the Santa Clara City Sewer system been discussed in relation to the Greens Project? If so, guide me to where I can read the current capacity of the sewer at this time.

Kindly,
Soteria Riester
[redacted]

[redacted]
Subject: The Greens at Pruneridge
Date: Sunday, July 19, 2026 4:51:33 PM

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- **Project:** PLN24-00269
- **Location:** 400 Saratoga Avenue
- **Subject:** Draft Environmental Impact Report (EIR)

Mr. Sobczak:

My name is Susan Taylor Richardson and I live at [redacted]. My family has a long history (I was raised here) with the City of Santa Clara including sitting on the council, working for the city and working closely with Earl Carmichael to expand the city's parks.

I have watched this city turn from an agricultural town to a technological one. I was very lucky to be employed in the infancy of the tech boom thus giving me a fulfilling and successful career. I do understand that progress is inevitable, but it does come at a cost. This is something that the city needs to address as a whole, but the project listed above is a part of this picture.

My concerns are:

- I have been wading through the EIR and it is not complete. I specifically cannot find any mention of the tree removal for the new putting green that is proposed that would be directly behind 2402–2428 Golf Links Circle. The current lighted putting green and driving range open at the same time as the first tee time of the day (approximately 6:30 am except for winter months). I also cannot find any noise report regarding the new placement of the first hole and green. I lost count of the number of times when the word "unmitigated" was used.
- If I understood the information correctly, traffic is now defined as distance travelled. Although distance may not change, the amount of time spent in a car will increase as more traffic will now be added to Pruneridge Avenue. As there is also only one entrance/exit for this project, this will more than likely increase the wait time to enter and exit Pruneridge safely into the proposed project. This will add to a lower air quality along this corridor.
- The current proposal is for a five-story building with a six-and one-half story parking garage. The current surrounding neighborhood buildings are no more than two stories tall.
- The EIR seems more focused on the construction implications for the workers but not

the surrounding residents. This was once a large orchard and now a golf course where both used chemicals that are now illegal . They are now considered "forever chemicals" and they would be released into the environment during construction. What safety protocols would be in place to protect the surrounding residents during construction?

- The proposed 1.77-acre park is on an extremely busy corner of two four lane Avenues - Saratoga and Pruneridge. There are three larger and more family friendly parks within walking distance. The parking spaces proposed for this park are adjacent to the apartments. This would more than likely turn into overflow parking for the building since the parking allocation per apartment is 1.3 space(s).
- The EIR suggests that changing the land use designation from open space to high-density residential is a routine administrative action.
  It does not adequately present the land's current status: it is under a scenic easement granted by the developer under the state's **Open Space Easement Act (1974)**, which limits development on the property. A similar apartment proposal was abandoned in 1997 after the City Attorney concluded that the existing easement could not legally be amended.
- Pruneridge Avenue Complete Streets Plan has been stated to now be a hybrid plan. The piece presented to us only addresses the change to Pruneridge Avenue in relation to the new project. It does not address the additional impact as to more vehicles along the entirety of Pruneridge Avenue within the city limits. As Pruneridge Avenue is approximately 85-90% residential, what will be the impact from the proposed project?
- Santa Clara needs to construct approximately 9,106 new affordable homes each year to meet its housing goals by 2031. - the Greens at Pruneridge provides 47 "affordable" units - approximately .005 % of what is needed of the overall total. This by no means addresses the larger issue of affordable housing.
- According to The Greens at Pruneridge website "The Greens at Pruneridge aims to meet the evolving needs of the community, fostering a vibrant neighborhood spirit and enhancing the local landscape." Where the building's proposed location is a very busy intersection, I cannot see how this would foster a vibrant neighborhood spirit. As to enhancing the local landscape the view driving down Pruneridge Avenue and San Tomas Expressway is currently the golf course. The replacement view - a building. As to view from my patio, it would be a five-story building with a six- and one-half story parking garage, and replacement trees that would take years to grow to maturity.

Thank you,
Susan Taylor Richardson
[redacted]
[redacted]

[redacted]
Subject: The Greens at Pruneridge
Date: Monday, July 20, 2026 5:00:32 PM

> You don't often get email from [redacted] Learn why this is important

Hello Daniel,

I would like to express my concern over "The Greens at Pruneridge" project proposal. I hope that the city decides to reconsider and disband this proposal after the strong opposition exhibited at the last two zoom meetings I have attended. Those in opposition far exceeded those supporting it at both meetings.

First and foremost, the project requires the park/open space easement, which was granted *in perpetuity,* be modified to create zoning of *very high density* residential space.

Additionally, there are significant traffic concerns for those of us who know best...the ones who live and drive this area every day. None of the alternatives seem to adequately address the needs of the community's existing traffic problems, let alone those that would exist by dumping the staff, employees, and residents of a 316-unit apartment complex onto Pruneridge Avenue. Nor does the concern for how students living in this complex would safely get to school, and Westwood Elementary already is a traffic nightmare during drop-off and pick-up time. It was disclosed at the meeting that by focusing on the desire to provide for housing closer to employers (specifically mentioned were Apple and Nvidia) made it possible to discount local traffic congestion problems. It appears to have been a true statement, given how the valid and vociferous concerns of the nearby residents have been ignored.

[redacted]

Subject: [redacted] Comments on Draft EIR for PLN24-00269, • Location: 400 Saratoga Avenue
Date: Thursday, July 16, 2026 4:39:07 PM

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Dear Mr. Sobczak,

I am writing to submit comments on the Draft Environmental Impact Report (EIR) for **Project PLN24-00269**, the proposed apartment development at **400 Saratoga Avenue**.
While I appreciate the opportunity to comment, I believe the Draft EIR does not fully evaluate several significant impacts of the project.
My primary concern is that the environmental review is incomplete because the golf course redesign has not been finalized. At the July 15 community meeting, the developer indicated the redesign was still unfinished. Without a completed design, the EIR cannot adequately assess the environmental impacts of the golf course changes, even though those changes are part of the overall project.
I am also concerned about the removal of mature trees and the potential loss of additional trees due to the proposed use of recycled irrigation water. These trees provide important visual screening, reduce noise, and help protect nearby homes from errant golf balls. Their removal could increase noise, reduce neighborhood character, and create additional safety concerns.
The EIR should also more thoroughly address the property's existing scenic easement under the Open Space Easement Act and explain how the proposed land use change is consistent with that restriction, including the history of the similar proposal that was abandoned in 1997.

Additional concerns include:

- Increased traffic, parking demand, and pedestrian safety issues near Saratoga Avenue, Pruneridge Avenue, and the nearby elementary school.
- The visual impact of a six-story building adjacent to existing townhomes, single-family homes, and the golf course.
- Whether potential soil contamination from the site's former orchard use has been fully evaluated.
- Whether the proposed parking supply will be adequate to prevent overflow into surrounding neighborhoods.

I respectfully request that these issues be fully evaluated and addressed before the EIR is finalized.

Thank you for considering my comments.

Sincerely,

Yanki Koppel, Sol Koppel
[redacted]

Appendix B: Live Oak Associates Inc Technical Memorandum

LIVE OAK
ASSOCIATES, INC.

August 7, 2025

Demmon Partners
Attn: Mitch McKinzie, Director of Development
601 University Ave Suite 110
Sacramento, CA 95825

SUBJECT: Technical memo evaluating the lands at the existing Pruneridge Golf Club (400 Saratoga Ave.), Santa Clara, Santa Clara County, California (LOA PN 2970-01).

Dear Mr. McKinzie:

Live Oak Associates, Inc (LOA) has evaluated the lands at the existing Pruneridge Golf Course that are proposed to be converted from golf course to housing as part of the modernization of the existing Pruneridge Golf Club located at 400 Saratoga Ave., Santa Clara, Santa Clara County, California.

It is our understanding that the project would renovate and modernize the golf course and add a residential community and public park. The golf course property is subject to a scenic easement pursuant to the Open Space Easement Act of 1974, Sec. 51084(b)(6).

This memo assesses the extent to which the golf course property has value to the public as a wildlife preserve or sanctuary.

We characterized the existing habitats and wildlife use of site, evaluated the likelihood that the site supports special status plant or wildlife species, supports a wildlife movement corridor to evaluate whether the area in question has value to the public as a wildlife preserve or sanctuary as referenced by the Open Space Easement Act of 1974.

REGIONAL SETTINGS AND EXISTING CONDITIONS

The Pruneridge Golf Course is situated in the heart of the highly urbanized Santa Clara Valley. It is bordered by Saratoga Ave., along its southeastern boundary, Pruneridge Ave, on its southern boundary, San Thomas Expressway on its western boundary and high-density residential development on its northeastern and northern boundaries. High density housing also pushes into the center of the golf course from its eastern boundary creating a “C” shaped golf course.

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The “C” shaped course is relatively narrow at the northern and western portion with a somewhat wider bottom section. The closest “natural areas” are the urbanized Coyote Creek approximately 3 miles to the east, the marsh Baylands nearly 6 miles north of the site, the eastern flank of the Santa Cruz Mountain Range nearly 7 miles to the east and south of the site.

San Thomas Expressway was built in the 1960s and this reach of San Thomas Aquino Creek was channelized and undergrounded, eliminating the naturally occurring creek; it does daylight some miles north of the golf course prior to entering the Bay. The Pruneridge golf course, built in 1967 replaced the existing prune orchards and McCoy Grammar school.

I conducted a site visit of the golf course and surrounding areas on July 9, 2025, and found that it supports typical landscape trees and shrubs for an urban golf course which included various oak species, eucalyptus, Peruvian pepper, weeping willow and tree of heaven. Wildlife species observed were common to urban areas and included mourning dove, Anna’s hummingbird, black phoebe, American crow, common raven, house finch, dark-eyed junco, white-crowned sparrow, and California towhee.

The course, as noted above is relatively narrow on its north and western portions with a somewhat wider region in the southern portion of the golf course.

Sensitive Resources

One metric to use to ascertain if the golf course has value as a wildlife preserve or sanctuary is to assess whether the site supports special status plant and wildlife species, supports a wildlife movement corridor, or supports sensitive habitats such as wetlands, creeks, serpentine or alkaline grasslands. In other words, does the site offer refuge for high valued habitats and their concomitant plant and wildlife species, or does the site consists of habitats and wildlife that are typical of urbanized environments.

Attachment 1 provides details to the likelihood of special status plant and animal species occurring on the site. The site is characterized as “developed” (i.e., not naturally occurring) and does not support habitat for special status plant species. All regional occurring special status plant species are presumed absent, as no natural habitats remain on site. While not common, special status wildlife species can and do inhabit urban habitats from time to time, given their mobility, particularly volant (i.e., flying) species such as birds and bats, Attachment 1 provides an evaluation of the likelihood that any regionally occurring special status wildlife species would use the site.

There are no sensitive or regulated (e.g., wetlands, creeks, serpentine, etc.) habitats on or near the golf course. In fact, as previously stated, the golf course consists entirely of planted turf and landscape trees, shrubs, and herbaceous vegetation. Therefore, the only special status wildlife species that may rarely to occasionally use the site are the Pallid and Townsend’s big-eared bat. Both species forage over urban environments. Nonetheless, the Pruneridge golf course occurs within the middle of an urbanized environment and its value for these bats species is very limited and they would only occur if suitable roosting habitat for them occurred within a couple miles of the golf course. In other words, the golf course provides limited value, not much above the surrounding urban environments.

Attachment 1, notes that the white-tailed kite could nest and forage on the site but rarely does so this far from more natural areas such as the San Francisco Bay or the eastern flank of the Santa Cruz Mountain Range, etc.

The golf course cannot facilitate wildlife movement in the Santa Clara Valley given the developed nature of the site, its isolation from natural habitats some miles away, and its lack of unique characteristics and habitats that would support abundant native wildlife or special status wildlife species.

CONCLUSION

It is my professional opinion that Pruneridge golf course does not have value to the public as a wildlife preserve or sanctuary, the most reasonable and parsimonious conclusion is that the Pruneridge golf course supports neither. While it is true that golf courses because of their nature of supporting turf grasses and vegetative cover, often support higher wildlife use then residential developments, they also support vastly lower species richness (i.e., number of different species) and diversity (i.e., both the number of different species and their abundance – evenness) than natural areas. Pruneridge Golf Course has longed been developed, is situated in the middle of the highly urbanized Santa Clara Valley, is relatively small (9-hole Executive Course), bordered by one of the busier roadways in the Santa Clara Valley (San Thomas Expressway) and isolated from any natural areas. The wildlife species observed on the golf course are common species that occur within the adjacent residential developments, only at a slightly higher density. These species are likely to continue forage on the site once the project is constructed. The site does not support naturally occurring native plant species and the wildlife species richness and diversity is unremarkable and typical of a highly urbanized area.

In conclusion, the area of the Pruneridge Golf Course slated for development, does not in any way support a wildlife preserve or sanctuary.

If you have any questions regarding our conclusions, please contact me at rhopkins@loainc.com or (408) 281-5885 at your earliest convenience.

Sincerely,

Rick A. Hopkins, Ph.D.
Principal
Senior Conservation Biologist

References

California Department of Fish and Wildlife. 2025. Special animals (April 2025). The Natural Resources Agency, Sacramento, CA.

_____. 2025. California natural diversity database. The Resources Agency, Sacramento, CA.

U. S. Fish and Wildlife Service. 2025. Endangered and threatened wildlife and plants.

APPENDIX A: SPECIAL STATUS SPECIES

A search of published accounts for all relevant special status plant and animal species was conducted for the San Jose West USGS 7.5" quadrangle in which the project site occurs and for the eight surrounding quadrangles (Mountain View, Milpitas, Calaveras Reservoir, Cupertino, San Jose East, Castle Rock Ridge, Los Gatos and Santa Teresa Hills) using the California Natural Diversity Data Base (CNDDB) Rarefind (CDFW 2025). These species and their potential to occur in the study area are summarized in Table 1 below.

Because serpentine and alkaline soils are absent from the site, those species that are uniquely adapted to serpentine or alkaline conditions are considered absent from the site. Other special status plant species are also considered absent from the site as the site is within a highly urbanized area and has long supported a golf course and high-density housing.

Animals with a range that occurs outside of the site or in habitats absent from the site (e.g., redwoods, chaparral, marshes, coastal scrub, etc.) are considered absent from the site.

TABLE 1: SPECIAL STATUS SPECIES THAT COULD OCCUR IN THE PROJECT VICINITY.
ANIMALS (adapted from CDFW 2025 and USFWS 2025)
Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Acts

Common and scientific names	Status	General habitat description	*Occurrence in the Project Site
Crotch bumble bee *Bombus crotchii*	CCE	In California, inhabits open grassland and scrub habitats of the southern 2/3 of California. Historically in, but largely extirpated from the Central Valley. Flight period for queens is late February to late October peaking in April and July; flight period for males and workers is March through September peaking in early July. Constructs nests underground in animal burrows. Overwintering sites are likely in soft soils or in debris or leaf litter.	**Absent.** The site does not support suitable habitat, such as California annual grassland and scrub habitat, for the species.

TABLE 1: SPECIAL STATUS SPECIES THAT COULD OCCUR IN THE PROJECT VICINITY.
ANIMALS (adapted from CDFW 2025 and USFWS 2025)
Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Acts

Common and scientific names	Status	General habitat description	*Occurrence in the Project Site
California tiger salamander *Ambystoma californiense*	FT, CT	Breeds in stagnant pools with continuous inundation for a minimum of three months, which may include vernal pools and stock ponds of central California; adults aestivate in grassland habitats adjacent to the breeding sites.	**Absent.** The site lacks stagnant pools and upland habitat.
Foothill yellow-legged frog *Rana boylii*	FT, CE	Occurs in swiftly flowing streams and rivers with rocky substrate with open, sunny banks in forest, chaparral, and woodland habitats, and can sometimes be found in isolated pools and ponds.	**Absent.** The site does not support suitable habitat, such as streams and rivers, for the species. There are no documented occurrences of this species within a three-mile radius of the site.
California red-legged frog *Rana draytonii*	FT, CSC	Dense, shrubby riparian vegetation such as arroyo willow, cattails, and bulrushes with still or slow-moving water. Perennial streams or ponds are preferred, and a salinity of no more than 4.5°/$_{oo}$.	**Absent.** The site does not support suitable habitat, such as streams and rivers, for the species. There are no documented occurrences of this species within a three-mile radius of the site.
Northwestern pond turtle *Actinemys marmorata*	PT, CSC	Intermittent and permanent waterways including streams, marshes, rivers, ponds and lakes. Open slow-moving water of rivers and creeks of central California with rocks and logs for basking.	**Absent.** The site does not support suitable habitat, such as streams, rivers, ponds, and lakes, for the species.

TABLE 1: SPECIAL STATUS SPECIES THAT COULD OCCUR IN THE PROJECT VICINITY.
ANIMALS (adapted from CDFW 2025 and USFWS 2025)
Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Acts

Common and scientific names	Status	General habitat description	*Occurrence in the Project Site
Swainson's hawk *Buteo swainsonii*	CT	Breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah. Requires adjacent suitable foraging areas such as grasslands or alfalfa fields supporting rodent populations.	**Absent.** Breeding and foraging habitat is absent from the site.
Western yellow-billed cuckoo *Coccyzus Americanus occidentalis*	FT, CE	Breed in large blocks of riparian habitats, particularly cottonwoods and willows.	**Absent.** Dense riparian habitat required by the species is absent from the site.
Burrowing owl *Athene cunicularia*	CCE, CSC	Frequents open, dry annual or perennial grasslands, deserts, and scrublands characterized by low growing vegetation. Dependent upon burrowing mammals, most notably the California ground squirrel, for nest burrows.	**Absent.** Suitable habitat, such as dry annual or perennial grasslands, is absent from the site. In addition, no ground squirrel burrows were observed during the site visit.
Tricolored blackbird *Agelaius tricolor*	CT, CSC	Breeds near fresh water, primarily emergent wetlands, with tall thickets. Forages in grassland and cropland habitats.	**Absent.** Breeding habitat is absent from the site and the grassland and cropland habitats required by the species is absent from the site.

TABLE 1: SPECIAL STATUS SPECIES THAT COULD OCCUR IN THE PROJECT VICINITY.
ANIMALS (adapted from CDFW 2025 and USFWS 2025)
California Species of Special Concern and Protected Species

Common and scientific names	Status	General habitat description	*Occurrence in the Project Site
Northern California legless lizard *Anniella pulchra*	CSC	The NCLL (previously called silvery legless lizard) occurs mostly underground in warm moist areas with loose soil and substrate. The NCLL occurs in habitats including sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks.	**Absent.** Suitable habitat, such as sandy loams and sandy washes, is absent from the site.
Golden eagle *Aquila chrysaetos*	CP	Rolling foothills, mountain areas, sage-juniper flats, and deserts. Prefers cliff-walled canyons or large trees for provide nesting and forages in open areas.	**Absent.** Nesting habitat is absent from the site and the site provides very marginal foraging habitat for this species.
White-tailed kite *Elanus leucurus*	CP	Rolling foothills and valley margins with scattered oaks & river bottomlands or marshes next to deciduous woodland. Prefers open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	**Unlikely.** Marginal to fair nesting and foraging habitat exists on the site; this species is known to forage in urban areas, but generally closer to SF Bay.
Northern harrier *Circus hudsonius*	CSC	Frequents meadows, grasslands, open rangelands, freshwater emergent wetlands; uncommon in wooded habitats.	**Absent.** Breeding and foraging habitat is absent from the site.
Long-eared owl *Asio otus*	CSC	Occur on edge habitats including in clumps of trees or edges of open forests that are adjacent to grasslands, shrublands, wetlands, marshes, and farmlands. Need stick nests built by other birds in trees.	**Absent.** Breeding and foraging habitat is absent from the site.

TABLE 1: SPECIAL STATUS SPECIES THAT COULD OCCUR IN THE PROJECT VICINITY.
ANIMALS (adapted from CDFW 2025 and USFWS 2025)
California Species of Special Concern and Protected Species

Common and scientific names	Status	General habitat description	*Occurrence in the Project Site
Purple martin *Progne subis*	CSC	Inhabits woodlands, low elevation coniferous forest of Douglas fir, ponderosa pine, and Monterey pine. Nests in old woodpecker cavities, also in human-made structures and nests widely in human-made birdhouses. Nests often located in tall, isolated trees or snags.	**Absent**. Suitable breeding and foraging habitat are absent from the site. There are no documented occurrences of this species within a three-mile radius of the site.
Pallid bat *Antrozous pallidus*	CSC	Occurs in grasslands, chaparral, woodlands, and forests; most common in dry rocky open areas providing roosting opportunities. Roost sites include caves, mines, rock crevices, and large cavities of trees.	**Possible forager.** While suitable roosting habitat is absent from the site, this species may occasionally forage over the site.
Townsend's big-eared bat *Corynorhinus townsendii*	CSC	Primarily a cave-dwelling bat that may also roost in buildings, bridges, rock crevices, and hollow trees. Occurs in a variety of habitats.	**Possible forager.** While suitable roosting habitat is absent from the site, this species may occasionally forage over the site.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	CSC	Found in hardwood forests, oak riparian and shrub habitats.	**Absent.** The site does not support suitable habitat for the species.
American badger *Taxidea taxus*	CSC	Found in drier open stages of most shrub, forest and herbaceous habitats with friable soils, specifically grassland environments. Natal dens occur on slopes.	**Absent.** Denning and foraging habitat is absent from the site. The site is isolated from and known habitat.

*Explanation of Occurrence Designations and Status Codes
Present: Species observed on the sites at time of field surveys or during recent past.
Likely: Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible: Species not observed on the sites, but it could occur there from time to time.
Unlikely: Species not observed on the sites, and would not be expected to occur there except, perhaps, as a transient.

Absent: Species not observed on the site and precluded from occurring there because habitat requirements not met.

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FPE	Federally Endangered (Proposed)	CR	California Rare
FC	Federal Candidate	CP	California Protected
CSC	California Species of Special Concern	CCE	California Candidate Endangered