

From: [Karen Hong](#)
To: [Ahluwalia, Charu](#)
Cc: [Stacey Yuen](#); [Paul Joseph Forti](#)
Subject: [EXTERNAL] PLN20-048: Comment letter on conditions of approval
Date: Tuesday, June 29, 2021 12:29:11 PM

Dear Charu,

Thank you for the staff report and draft conditions of approval. We have comments on four of the conditions for your consideration: Conditions 6, 7, and 21 (related to the Habitat Conservation Plan); and Condition 25, related to material delivery hours.

Conditions 6, 7 and 21

We appreciate the effort that County Planning went through to identify the sections of the Habitat Conservation Plan (HCP) that may be applicable to this project. We would like to ask if County Planning would kindly consider not importing the HCP requirements into the County conditions, as they are made by a separate, federal agency with separate reporting requirements. We would like to maintain clarity in our reporting lines. The activities undertaken by the Stanford Conservation Program to meet the requirements of the HCP are reported annually to the U.S. Fish and Wildlife Service (USFWS). We provide a copy to the County each year, together with the preparation of the Annual Report for the 2000 General Use Permit.

Condition J.9 in the 2000 General Use Permit had contemplated the possibility that the conditions addressing the salamander could be entirely replaced by a future Habitat Conservation Plan approved by the USFWS. This was because the California tiger salamander was only a candidate species when the 2000 GUP was approved, but became listed as threatened by the USFWS in 2004. On August 13, 2013, the [Santa Clara County Board of Supervisors acknowledged](#) the County Planning Director's determination that the HCP provides "equal habitat value and protection for the California tiger salamander," thereby superseding the conditions of approval related to the salamander in the 2000 General Use Permit. The HCP covers a 50-year term.

If reference to the HCP must be made in the County conditions, we suggest replacing conditions 6, 7, and 21 with a statement or condition that "the project must comply with all the requirements of the Habitat Conservation Plan approved by the U.S. Fish and Wildlife Service".

Condition 25

For Condition 25, we would like to suggest using the same language recently approved for Shultz and the LBRE Building. This way we can cover any exceptions during construction. The language approved for those two projects was:

"Stanford shall make feasible attempts to limit the number of construction material deliveries from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM (peak-hours) on weekdays. Construction material delivery shall not result in reduction in on-street parking; reduction in pedestrian, bicycle and public transit access; additional peak-hour traffic; use of

non-truck routes by construction traffic; damage to roadways; and interference with special events (This construction note shall be included in the final grading permit plans). Provide estimated total construction material deliveries, as well as estimated material deliveries between these peak-hours as part of the Construction Logistics and Management Plan, and provide notice to residents and interested parties for deliveries during peak hours.”

Thank you for your consideration. We appreciate the ability to continue working out these conditions and their implementation with you.

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