



Memorandum

TO: Mayor and City Council

FROM: Councilmember Kansen Chu
Councilmember Ash Kalra

SUBJECT: SANTA CLARA VALLEY
HABITAT PLAN EIR APPEAL

DATE: November 27, 2012

APPROVED:

DATE:

11/27/12

RECOMMENDATION:

Support Planning Staff and Planning Commission's recommendations to approve the Environmental Impact Report (EIR).

ANALYSIS:

The purpose of the Santa Clara Valley Habitat Conservation Plan (HCP)/Natural Communities Conservation Plan (NCCP) is to provide a higher level of conservation to protect and improve natural resources and endangered species while streamlining the permitting process to create certainty for planned development, infrastructure, and maintenance activities. In order for the City of San Jose to grant the HCP/NCCP, the EIR certification is needed for approval.

The City of San Jose has been involved with planning the HCP/NCCP since 2005. It is important for the City Council to continue moving forward by approving the EIR in order to avoid escalating costs to the City, delay planning for developers, potential violations of the Endangered Species Act, and uncertainty for projects awaiting approval. According to staff, no further revision or analysis is required.

The U.S. Fish and Wildlife Service, California Department of Fish and Game, Greenbelt Alliance, Nature Conservancy, Santa Clara Audubon Society, Committee for Green Foothills, among other agencies have expressed their continued support of the HCP/NCCP and EIR. Agencies that have already approved the EIR include the City of Gilroy, City of Milpitas, Santa Clara County, and the Santa Clara Valley Water District.