

## MEMORANDUM

**DATE:** August 4, 2021

**To:** Lillian VanHua, AICP, Associate Planner, City of Milpitas

**FROM:** Theresa Wallace, AICP, Principal  
Matthew Wiswell, AICP, Planner

**SUBJECT:** Peer Review of the Qualitative Consistency Analysis Summary for the 2001 Tarob Court Project

The purpose of this peer review is to determine whether the Qualitative Consistency Analysis Summary for the 2001 Tarob Court Project (Consistency Analysis) prepared by First Carbon Solutions dated April 28, 2021 meets the requirements of the California Environmental Quality Act (CEQA). The Consistency Analysis was prepared by First Carbon Solutions under contract with TTLC Tarob 4, LLC, the project applicant for the proposed 2001 Tarob Court Project (proposed project). The City of Milpitas (City) is the Lead Agency.

Based on LSA's review, the Consistency Analysis generally meets the requirements of CEQA and employs sound methods and analysis to develop its conclusions. LSA concurs with the finding that the proposed project is still within the scope of the Final Environmental Impact Report prepared for the Milpitas Transit Area Specific Plan (TASP FEIR) and subsequently prepared Categorical Exemption prepared for a previous version of the 2001 Tarob Court Project in June 2019, and would not have any new significant or more severe environmental impacts beyond those that have been previously identified. However, the following comments are provided to ensure that the Consistency Analysis is complete and adequately addresses the requirements of CEQA.

1. The Hazards and Hazardous Materials section on page 7 should include a discussion of the requirements of TASP Policies 5.20, 5.21, and 5.22. While the discussion on page 7 indicates that the project applicant would comply with these policies by coordinating with the Santa Clara County Department of Environmental Health (SCCDEH) and entering into a Remedial Action Agreement, it should be noted that the potential impacts related to Hazards and Hazardous Materials are addressed by existing TASP policies, and that coordination with SCCDEH and the Remedial Action Agreement are not new mitigation.
2. The Transportation/Traffic section on page 9 should incorporate the findings of the Peer Review-Traffic Operations Report for 2001 Tarob Court, Milpitas CA and Trip Generation Technical Memorandum prepared by TJKM dated April 29, 2021. LSA's transportation planning staff have reviewed this report and concur with the findings.