

County of Santa Clara
Office of the County Clerk-Recorder
Business Division



County Government Center
 70 West Hedding Street, E. Wing, 1st Floor
 San Jose, California 95110 (408) 299-5688

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Milpitas
2. PROJECT TITLE: Los Coches Residential
3. APPLICANT NAME: Andy Byde, Braddock & Logan PHONE: 925-736-4000
4. APPLICANT ADDRESS: 455 Blackhawk Plaza Circle, Danville, CA 94506
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 35 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 2,995.25	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,156.25	\$ <u>2,156.25</u>
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 1,018.50	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>50.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ <u>0.00</u>

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION	<input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 2,206.25

*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

Notice of Determination

Appendix D

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM:

City of Milpitas
455 E. Calaveras Boulevard
Milpitas, CA 95035
Contact: Tiffany Brown, City Planner
Phone: 408-586-3283

 X **County of Santa Clara**
Clerk-Recorder's Office
70 W. Hedding Street, 1st Floor, East Wing
San Jose, CA 95110

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title Los Coches Residential
Project Applicant Andy Bye, Braddock & Logan

Project Location (include county) Santa Clara County, 31 Los Coches, Milpitas, CA 95035 (APN: 086-28-041 and APN: 086-38-003)

Project Description:

The project site consists of two separate parcels of land: one lot is a 7.4 acre parcel (APN: 086-28-041) containing a 95,950 square foot unoccupied R&D building with parking lot and the other lot identified as APN: 086-38-003 is approximately 3.9 acres, contains an unoccupied 51,074 square foot R&D building with associated parking. Located to the west of the site is Wrigley Creek. To the North beyond the Calaveras Boulevard overpass is a Terrace Garden Senior Living apartments and the Beresford Square shopping center, zoned Town Center. To the east are two multi-tenant office buildings and two single tenant office buildings currently used for banking. The properties to the south is zoned Heavy Industrial and is currently a business park.

The project application includes a Major Tentative Map (MT12-0003), Site Development Permit (SD12-0005), and a Conditional Use Permit (UP12-0020) requesting to allow for the demolition of 11.3 acres and construction of 80 single-family residential homes including on and off-site trail improvements.

This is to advise that the City of Milpitas (X Lead Agency or Responsible Agency) has approved the above-described project on January 15, 2013 and has made the following determinations
(Date)

regarding the above described project:

1. The project [will / X will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA / X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X were / were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X was / was not] adopted for this project.
5. A statement of Overriding Considerations [/ was X was not] adopted for this project.
6. Findings [X were / were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

City of Milpitas, Planning Department, 455 E. Calaveras Boulevard, Milpitas, CA 95035

	1/23/13	Assistant Planner
Signature	Date	Title

Date Received for filing at OPR: _____