

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7<sup>th</sup> Floor  
70 West Hedding Street  
San Jose, California 95110

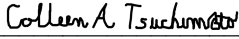
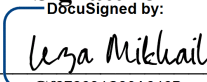


	<b>Administration</b>	<b>Development Services</b>	<b>Fire Marshal</b>	<b>Planning</b>
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## Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
PLN19-0016	354	825-06-022	12/22/2020
Project Name		Project Type	
Loayza Grading Abatement		Grading Abatement	
Person or Agency Carrying Out Project		Address	Phone Number
Edmundo Loayza		2096 Stone Avenue San Jose, CA 95125	(408) 261-8120
Name of Applicant		Address	Phone Number
Westfall Engineers, Inc.		14583 Big Basin Way, #3 Saratoga, CA	(408) 867-0244
Project Location			
15220 Monterey Rd. Morgan Hill			
Project Description			
<p>This application is for a Grading Abatement to restore the site to pre-graded condition in two areas on the property. Grading abatement includes excavation quantities of 58 cubic yards of cut and 58 cubic yards of fill.</p> <p>Area 1 will include restoration of an existing ditch connecting an existing culvert beneath Monterey Road with a creek crossing (West Little Llagas Creek) along the easterly boundary of the property. The unpermitted fill and a 48 inch corrugated metal pipe, approximately 80 feet long, fencing and a new pond across the unpermitted fill area will be removed. The creek top of bank will be restored and revegetated in compliance with a Riparian Restoration Plan.</p> <p>Area 2 will include removal of unpermitted three foot high retaining walls constructed in the northeast corner of the property and a fence across easement boundaries. The grading material generated by restoring the ditch on Area 1 will be used to restore the areas on the property with a gentle slope to match pre-graded condition.</p>			
Purpose of Notice			
<p>The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, <b>finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.</b> The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).</p> <p>The proposed project is tentatively scheduled to be approved or denied on January 25, 2021 in the County Planning Dept. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.</p>			

<b>Public Review Period:</b> 30 days	<b>Begins:</b> 12/23/2020	<b>Ends:</b> 1/22/2021
Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Colleen Tsuchimoto at the <b>County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5797</b> . A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Colleen Tsuchimoto at (408) 299-5797 or Colleen.Tsuchimoto@pln.sccgov.org		
<b>The Mitigated Negative Declaration and Initial Study may be viewed at the following location:</b>		
Planning & Development website <a href="http://www.sccgov.org/sites/dpd">www.sccgov.org/sites/dpd</a> (under "Development Projects" > "Current Projects – Morgan Hill")		
<b>Responsible Agencies sent a copy of this document</b>		
CA Dept. of Fish and Wildlife, Regional Water Quality Control Board, Army Corp of Engineers, Santa Clara Valley Water District		
<b>Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:</b>		
<b><u>Biological</u></b> [BIO-MIT No. 1]: A riparian restoration plan shall be submitted for review and approval by the County and Habitat Agency, prior to issuance of final grading abatement permit.		
<b><u>Hydrological</u></b> [HWQ-MIT No. 1]:the project will require the following Agency approvals/permits for altering the water course on-site. Prior to final grading abatement issuance, the applicant will be required to provide evidence of obtaining permits or clearance regarding the following:		
<ul style="list-style-type: none"> <li>• Army Corps of Engineers (404 Permit)</li> <li>• Regional Water Quality Control Board (401 Permit)</li> <li>• CA Dept. of Fish and Wildlife Service (1600 Streambed alteration Agreement)</li> <li>• Santa Clara Valley Water District</li> </ul>		
A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.		
<b>Prepared by:</b> Colleen Tsuchimoto, Senior Planner		December 22, 2020
	<b>Signature</b> <small>DocuSigned by:</small>	<b>Date</b>
<b>Approved by:</b> Leza Mikhail, Principal Planner		12/22/2020
	<b>Signature</b> <small>Signature ID: C4272684C30A646B...</small>	<b>Date</b>

