

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

Santa Clara County - Clerk-Recorder Office
 State of California

File Number: ENV24397

ENVIRONMENTAL FILING

No. of Pages: 5

Total Fees: \$0.00

File Date: 02/06/2023

Expires: 02/27/2023

REGINA ALCOMENDRAS, Clerk-Recorder

By: Ronald Nguyen, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: County of Santa Clara Department of Planning and Development
2. PROJECT TITLE: Lim and Nalukas Residence
3. APPLICANT NAME: MH Engineering PHONE: (408) 799-7381
4. APPLICANT ADDRESS: 16075 Vineyard Blvd, Ste A, Morgan Hill, CA 95037
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 21 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT **NOI for MND**

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|---|-------------|----------------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 3,839.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,764.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,305.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)
Fish & Game Code §711.4(e) | \$ 50.00 | \$ <u>0.00</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 checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 0.00

*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 TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (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)

County of Santa Clara
Department of Planning and Development
 County Government Center, East Wing, 7th Floor
 70 West Hedding Street
 San Jose, CA 95110
 Phone: (408) 299-5700
 www.sccplandev.org



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
PLN22-002		712-04-082	2/6/2023
Project Name		Project Type	
Lim and Nalukas Residence		New Single-Family Residence	
Person or Agency Carrying Out Project	Address	Phone Number	
MH Engineering	16075 Vineyard Blvd, Ste A Morgan Hill, CA 95037	(408) 799-7381	
Name of Applicant	Address	Phone Number	
MH Engineering	16075 Vineyard Blvd, Ste A Morgan Hill, CA 95037	(408) 799-7381	

Project Location

APN 712-04-082, the south side of Richmond Avenue between Santa Teresa Boulevard and Monterey Road, Coyote Valley. 37.19 N 121.72 W.

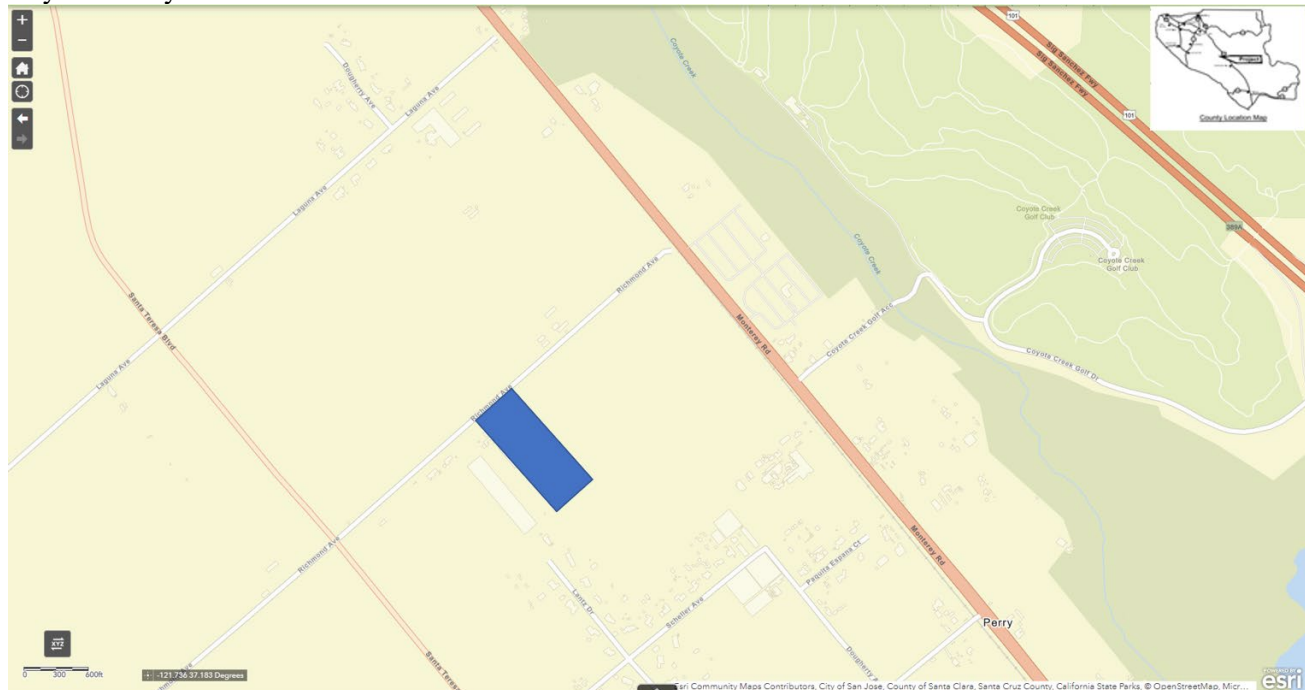


Figure 1 - Location Map

Project Description

The project is a Building Site and Grading Approval application to construct an approximately 6,220-square-foot, two-story single-family residence with attached garage and associated buildings (a 783-square-foot detached garage, a 1,198-square-foot accessory dwelling unit (ADU), a 3,200-square-foot workshop, and a 4,000-square-foot greenhouse) and associated improvements (driveways, patio, pool).

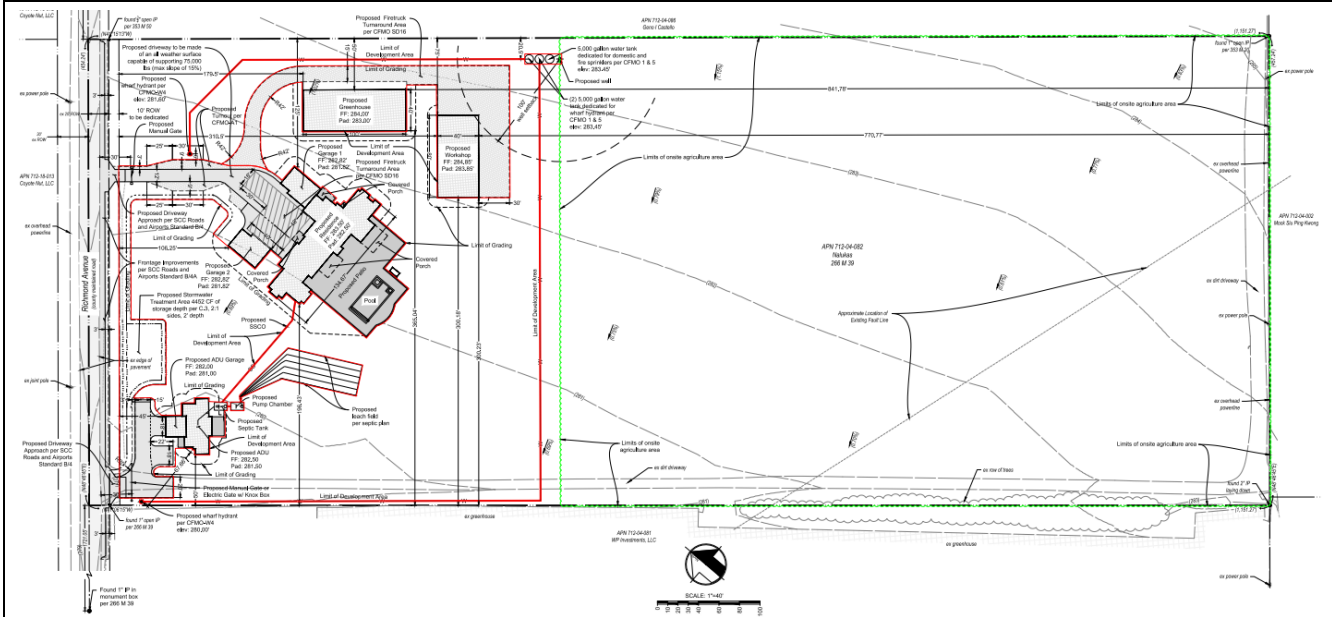


Figure 2 - Site Plan

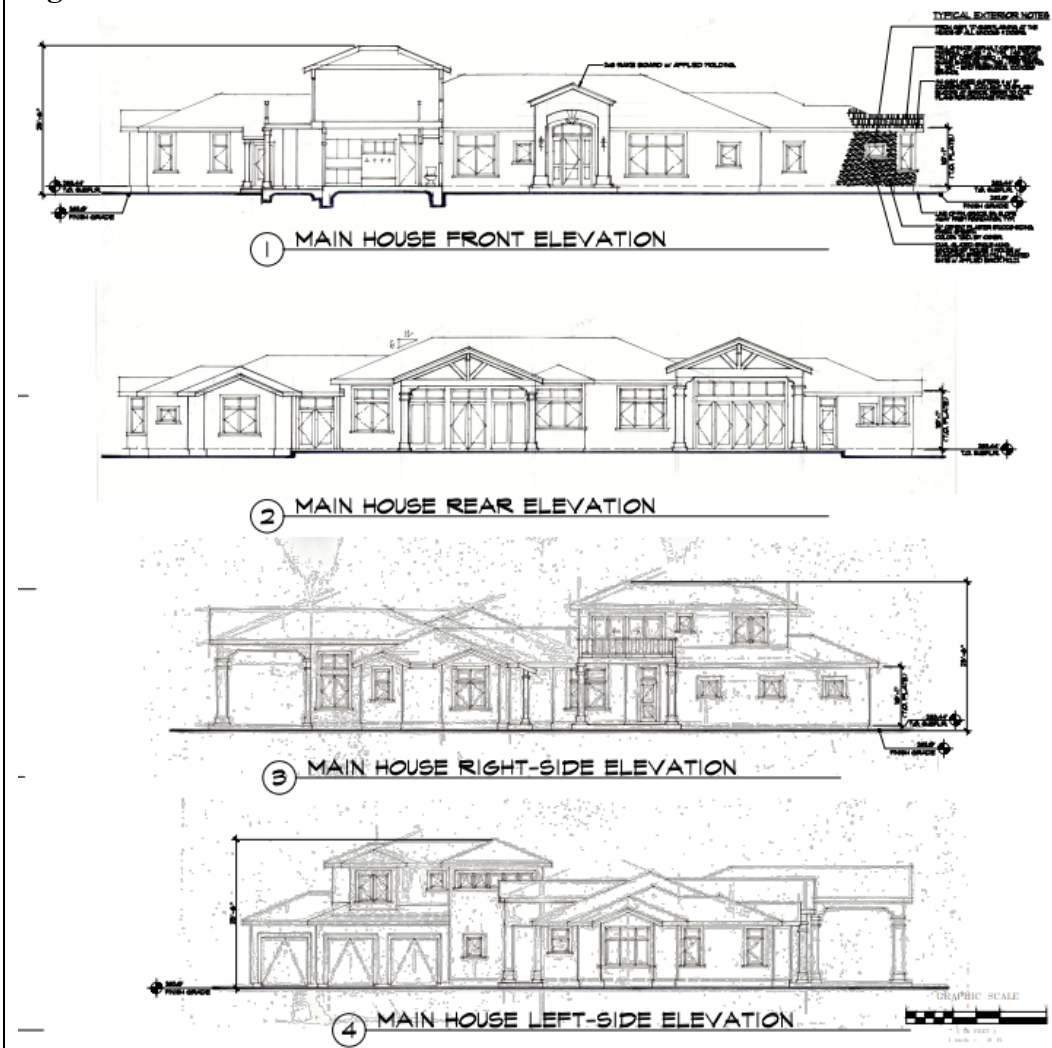


Figure 3 -Main House Elevations

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, 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. The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).</p> <p>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>	
Public Review Period: 21	Begins: 2/6/2023
Ends: 2/27/2023	
<p>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 Robert Cain at the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5700. Comments may also be emailed to robert.cain@pln.sccgov.org. A file containing additional information on this project may be reviewed at the Planning Office or online at https://plandev.sccgov.org/development-projects/current-projects under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Robert Cain at (408) 299-5706 or robert.cain@pln.sccgov.org.</p>	
The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:	
<p>(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110 (2) Planning & Development website www.sccgov.org/sites/dpd (under “Development Projects” > “Current Projects”)</p>	
Responsible Agencies sent a copy of this document	
California Native American Heritage Commission, California Department of Fish and Wildlife, Office of Historic Preservation, Santa Clara Valley Open Space Authority.	
Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:	
BIO-MIT 1	Two preconstruction surveys for western burrowing owls, concluding no more than two days prior to construction or ground disturbance.
BIO-MIT 2, 3	Avoidance of any nests discovered during western burrowing owl breeding season (February 1 to August 31) or nonbreeding season (September 1 to January 31) by establishing a 250-foot buffer.
BIO-MIT 4	Construction Monitoring of buffer zones and training of construction personnel on avoidance procedures, buffer zones, and protocols should a western burrowing owl enter the construction zone.
BIO-MIT 5	Passive Relocation of western burrowing owls to an approved site.
BIO-MIT 6	Avoidance of nesting raptors and other nesting migratory birds; a preconstruction survey required 15 days prior to start of work is required if construction or ground disturbance occurs in the bird breeding season (February 1 to August 31), and a construction-free buffer established.
BIO-MIT 7, 8	Preconstruction survey for American badgers no less than 14 days but no more than 30 days prior to ground disturbance or construction; if a potential den is found it will be monitored via camera traps for three consecutive nights; if an active den, then CDFW shall be consulted on mitigation measures.
BIO-MIT 9	Install an American badger exclusion fence using at minimum a DOT grade silt fence buried at least one foot below ground an encompassing the site.

BIO-MIT 10	Conduct Workers Environmental Training for the entire construction team.
BIO-MIT 11	All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction. All construction shall be restricted to daylight times and shall not extend after sunset.
GEO-MIT 1	Proposed structures will need one of the following foundation options: 1) continuous footings structurally interconnected in a grid system; 2) structural mats; and 3) ground improvement with use of conventional footings. Flexible joints may also be considered for piping and drainage connections.
GEO-MIT 2	In areas to receive engineered fills, buildings, foundations, concrete slabs-on-grade, and pavements, the loose soil should be over-excavated and re-compacted. Recompaction of the loose soil will reduce the potential for soil erosion to a less than significant impact during construction.
HYD-CON 1	The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set prior to grading or building permit issuance.
HYD-CON 2	The applicant shall include one of the following site design measures: A. Direct hardscape and/or roof runoff onto vegetated areas, B. Collect roof runoff in cisterns or rain barrels for reuse, or C. Construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces.
HYD-CON 3	Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance.

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.

<p>Prepared by: Robert Cain, Planner</p>	<p>DocuSigned by: <i>Robert Cain</i> B5CEFA7685054B6...</p>	<p>2/6/2023</p>
<p>Approved by: Samuel Gutierrez, Principal Planner</p>	<p>Signature: <i>[Signature]</i> 4BFDD21FF1FB4D2...</p>	<p>2/6/2023</p>
	<p>Signature</p>	<p>Date</p>