

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's Office
State of California



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 Fee Total: 2,151.50

REGINA ALCOMENDRAS, County Clerk – Recorder
 by **Veronica Aguirre, Deputy Clerk – Recorder,**

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Milpitas
2. PROJECT TITLE: McCandless Mixed Use Project
3. APPLICANT NAME: Integral Communities, McCandless, LLC PHONE: 925-984-7137
4. APPLICANT ADDRESS: 675 Hartz Ave., Ste. 202, Danville, CA 94526
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) | \$ 2,919.00 | \$ 0.00 |
| <input checked="" type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,101.50 | \$ 2,101.50 |
| <input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ 0.00 |
| <input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | \$ 992.50 | \$ 0.00 |
| <input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ 50.00 | \$ 50.00 |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ 0.00 |
| <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 | \$ 0.00 |

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 | \$ NO FEE |
|------------------------------------------------------------------------------------------|--------|-----------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____
9. TOTAL RECEIVED..... \$ 2,151.50

*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

File#: 17298

3/22/2012

Appendix D

To:

Office of Planning and Research
For U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St.
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: Santa Clara
Address: 70 West Hedding St. E. Wing, 1st Floor

From:

Public Agency: City of Milpitas
Address: 455 E. Calaveras Blvd.
Milpitas, CA 95008
Contact: Sheldon S. Ah Sing
Phone: (408) 586-3278

Lead Agency (if different from above):

Address:

Contact

Phone:

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

State Clearinghouse Number (if submitted to State Clearinghouse): N/A

Project Title: McCandless Mixed Use Project

Project Location (include county): 1315-1600 McCandless Drive, Milpitas, Santa Clara County

Project Description: The Project entails four mixed use buildings (954 residential units and 87,023 square feet of commercial) and 27 multi-family buildings (200 residential units). The commercial portion includes a grocery store and there will be a public plaza along future Street A. The Project also includes a public trail along Penetencia Creek. Project approvals include the following: (1) Site Development Permit; (2) Major Tentative Map Amendment; and (3) Conditional Use Permit (required for the grocery store and certain deviations from the Transit Area Specific Plan).

Project Applicant: Integral Communities McCandless, LLC

This is to advise that the City of Milpitas (lead agency) has approved the above described project on March 20, 2012 and has made the following determinations regarding the above described project:

(Date)

- 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 Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [x] were [] were not] incorporated into the project as approved.
4. A mitigation reporting or monitoring plan [x] was [] was not] adopted for this project in compliance with CEQA Guideline 15097(b).
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: 455 E. Calaveras Blvd., Milpitas, CA 95035

Signature (Public Agency) Sheldon S. Ah Sing Title Senior Planner

Date 22 Mar 2012 Date Received for filing at OPR

*** The City also determined that the Project falls within the scope of the project and activities previously described in the Transit Area Specific Plan EIR and that the prior EIR adequately covers the project, requiring no further review pursuant to CEQA Guideline § 15168(c).