

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

County Government Center  
 70 West Hedding Street, E. Wing, 1<sup>st</sup> Floor  
 San Jose, California 95110 (408) 299-5665



**Santa Clara County Clerk – Recorder's Office**  
**State of California**



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**CEQA DOCUMENT DECLARATION**

**REGINA ALCOMENDRAS, County Clerk – Recorder**  
 by **Laura Luna, Deputy Clerk – Recorder,** *ll*

**ENVIRONMENTAL FILING FEE RECEIPT**

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Milpitas
2. PROJECT TITLE: Montague Village
3. APPLICANT NAME: Mike Sullivan, Citation Homes PHONE: 408.985.6029
4. APPLICANT ADDRESS: 404 Saratoga Ave., Suite 100, Santa Clara, CA 95050
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. <b>ENVIRONMENTAL IMPACT REPORT</b> (PUBLIC RESOURCES CODE §21152)                                   | \$ 2,839.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <b>NEGATIVE DECLARATION</b> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ 2,044.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <b>APPLICATION FEE WATER DIVERSION</b> (STATE WATER RESOURCES CONTROL BOARD ONLY)                   | \$ 965.50   | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <b>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</b>  | \$ 949.50   | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <b>COUNTY ADMINISTRATIVE FEE</b> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ <u>0.00</u> |

**b. PROJECTS THAT ARE EXEMPT FROM DFG FEES**

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

8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_
9. TOTAL RECEIVED..... \$ 50.00

\*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 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 Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035

County Clerk
County of Santa Clara
70 West Hedding St., E. Wing, 1st Floor
San Jose, CA 95110

(Address)

Project Title: Montague Village

Project Location - Specific:

1200 Piper Drive

Project Location - City: Milpitas

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

A request to amend the previously approved project to allow a fifth story and to replace a "wrap" condominium unit building with townhomes. The project site would accommodate up to 732 dwelling units with density averaging. The proposal includes a vesting tentative map for condominium purposes.

Name of Public Agency Approving Project: City of Milpitas

Name of Person or Agency Carrying Out Project: Mike Sullivan, Citation Homes

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15168(c)(2), 15061(b)(3)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is consistent with the certified EIR for the Transit Area Specific Plan adopted on 6/3/08. The project can also be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Lead Agency
Contact Person: Sheldon S. Ah Sing Area Code/Telephone/Extension: (408) 586.3278

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Sheldon S. Ah Sing Date: 11-02-2011 Title: Senior Planner

- Signed by Lead Agency Date received for filing at OPR:
Signed by Applicant