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 seq.) that the following project will not have a significant effect on the environment.

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<th>File Number</th>
<th>TAZ</th>
<th>APN(s)</th>
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<td>10136-12B-12G</td>
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<td>701-35-012</td>
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**Project Name**
Golden Shiloh, L.L.C.

**Owner**
Golden Shiloh, L.L.C.

**Project Type**
Residential

**Applicant**
Sane

**Project Location**
The subject property is a 12.3-acre parcel located on McKean Road, a County designated scenic road (sr), west of Fortini Road and south of San Vicente Avenue, in the unincorporated County of Santa Clara. The subject property is located in the Almaden Valley, northwest of Calero Reservoir, with the Santa Teresa Hills to the east and Almaden Quicksilver County Park and the base of the Santa Cruz Mountains to the west.

**Project Description**
The proposed project is a Single Building Site and Grading Approval application for a 1,000 square foot single family residence with 200 square foot detached carport, 20,000 square foot covered horse arena, 6,533 square foot horse stable/barn, 840 square foot hay storage barn, and includes the existing 38,000 square foot open exercise arena and 1,200 square foot corral. Associated site improvements include a new septic system, driveway improvements, and horse trailer parking area. All proposed uses are for personal use and no commercial, industrial, or institutional uses are proposed. Grading for the project will include approximately 1,398 cubic yards of cut and 1,379 cubic yards of fill (total 2,777 cubic yards). No trees would be removed and no secondary dwelling is proposed.

**Purpose of Notice**
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.

A decision on the proposed project is tentatively scheduled for the Planning Office on June 18, 2013. 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.

**Public Review Period:**

- **Begins:** May 29, 2013
- **Ends:** June 17, 2013

Board of Supervisors: Blanca Alvarado, Donald F. Gage, Pete McHugh, James T. Beall Jr., Liz Kniss
Acting County Executive: Pete Kutrzas, Jr.
Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770**

Oral comments may be made at the hearing. 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 Mitigated Negative Declaration, please contact **Kim Rook** at (408) 299-5790.

**The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:**

1. Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
2. San Jose Public Library, 180 W San Carlos Street, San Jose, CA 95113
3. Santa Clara County Planning Office website: www.sccplanning.org

**Responsible Agencies sent a copy of this document**

California Department of Fish & Wildlife; U.S. Fish & Wildlife Service; Santa Clara Valley Water District

**Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:**

**American Badgers:**

1. Pre-construction Surveys: A qualified mammalogist will conduct a pre-construction survey for badger dens on and within 300-feet of the study area (as access allows) within 2 weeks prior to ground-breaking in any given area currently occupied by ruderal grassland/agricultural habitat.

2. Buffer Zones: If an active maternity badger den is located, the mammalogist will determine the measures that will be taken to avoid impacts on the den during the pupping season (i.e., February 1 through July 1, or as otherwise determined through surveys and monitoring of the den), in consultation with the California Department of Fish and Wildlife. For example, a buffer will be established between the maternity den and any construction activities, the size of the buffer being determined by the qualified mammalogist in consultation with the CDFW.

3. Passive Relocation: After the pupping season, if a den is located in an on-site impact area, the badgers will be evicted by excavation of the den using hand tools, in consultation with the CDFW and under the supervision of a qualified mammalogist.

**Cultural Resources:**

4. As recommended in the archaeological report, dated 10/14/2010, a qualified archaeologist shall monitor during construction and grading activities. If any archaeological resources are observed, all construction/grading shall stop and the archaeologist shall assess the impacts. Grading and construction activity may need to be altered to avoid any further disturbance to cultural resources.
   a. The property owner shall provide evidence of contract to the Planning Office with a qualified archaeologist for archaeological monitoring work prior to grading permit issuance.
   b. The property owner shall provide a copy of the archaeological monitoring report to the Planning Office prior to final inspection/occupancy.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

**Prepared by:**
Kim Rook, Planner III

**Approved by:**
Rob Eastwood, Planner III, AICP

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