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.

<table>
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<tr>
<th>File Number</th>
<th>APN(s)</th>
<th>Date</th>
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<tbody>
<tr>
<td>10337-13P-13A-13G-13EA</td>
<td>825-01-017&amp;018</td>
<td>10/29/2013</td>
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**Project Name**
Auto Auction Storage facility for Copart

**Project Type**
Commercial/Industrial

**Owner**
Albert Mendoza Revocable Trust

**Applicant**
Copart Inc./Gloria Ballard, MH Engineering

**Project Location**
0 Llagas Avenue, San Martin, CA 95046

**Project Description**
The proposed project is a Use Permit, Architecture and Site Approval, and Grading Approval application for a 20-acre overflow and parking lot/automobile storage facility for an online automobile auction facility for Copart Inc. Associated site improvements include grading to control drainage and base rock for surfacing. The project includes fencing the lot to provide screening. Proposed use of the vacant lot is to store automobiles prior to their online sale. The facility will not be open to the general public. Employees of Copart will remain at the existing Copart’s location at 13895 Llagas Avenue, San Martin and will direct delivery of incoming vehicles to the proposed overflow yard. Once vehicles are received at the outdoor storage facility, they will be photographed and sold online to buyers. The proposed hours of operation will be Monday through Friday, 8:00 a.m. to 5:00 p.m. Grading for the project will include approximately 5,517 cubic yards of cut and 5,728 cubic yards of fill (total 11,245 cubic yards). There are no existing structures on the property and no structures are proposed. The proposed project entails removal of 53 Walnut and nut trees greater than 12” in diameter. A maximum of 8 vehicle trips will be generated per day through this use. Landscaping will be required as mitigation for visibility and in accordance with the adopted San Martin Integrated Design Guidelines.

**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 Commission on November 21, 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.
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<th><strong>Public Review Period:</strong></th>
<th><strong>Begins:</strong> October 30, 2013</th>
<th><strong>Ends:</strong> November 19, 2013</th>
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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 Priya Cherukuru at (408) 299-5787.

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. MORGAN HILL LIBRARY, 660 WEST MAIN AVE., MORGAN HILL, CA 95037

Responsible Agencies sent a copy of this document

None.

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

**AESTHETICS**

**MITIGATIONS:**

1. Install and maintain a minimum of twenty feet (20’) landscaping strips along the front, rear and sides of the proposed development.

2. Landscape plans emphasizing native and naturalized, tall growing trees, white wood truss fencing, shrubs and other screening plant material shall be required to screen the use from public view. Landscaping plans must be submitted to the Planning Office prior to Building Permit issuance.

3. The project scope does not include any signs. If any signs are proposed in the future, these signs shall be reviewed and approved by the Architectural and Site Approval Committee of the County prior to Building Permit issuance.

4. Full cutoff lighting shall be used and shall be low-level, constant in intensity and color and shall be directed onto the property so as to not create glare and illumination on neighboring lands.

5. Rural or natural looking fencing such as wooden rail or split rail fencing shall be used. No chain link fences are permitted. A combination of fencing and landscaping may be used as screening.

**CULTURAL RESOURCES:**

**MITIGATION:**

1. In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site, a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.
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.

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<th>Prepared by:</th>
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<tr>
<td>Priya Cherukuru, Planner III</td>
<td>Signature</td>
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<th>Approved by:</th>
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<td>Rob Eastwood, Principal Planner, AICP</td>
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