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, with incorporation of mitigation measures, will not have a significant effect on the environment.

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<th>File Number</th>
<th>APN(s)</th>
<th>Date</th>
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<td>10512-13CP</td>
<td>728-35-001</td>
<td>January 22, 2014</td>
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Project Name: James Ranch Expansion Project
Project Type: County Capital Project
Owner: County of Santa Clara
Applicant: County of Santa Clara

Project Location
The subject property is a 150-acre parcel located at 19050 Malaguerra Avenue, Morgan Hill, CA (see Project Site Location figure on Page 2). The entrance to the site is located approximately 1,400 feet from the intersection of Malaguerra Avenue and Cochrane Road.

Project Description
The proposed project would involve construction of new facilities at the William F. James Boys Ranch, an existing minimum security juvenile detention facility located 19050 Malaguerra Avenue in Morgan Hill (see project location figure below). The new facilities would include an admissions / treatment / visitors center, a gymnasium building, and a dormitory as well as related infrastructure, such as parking spaces, driveways, covered walkways, and landscaping. The total project footprint would be 380,000 square feet, including about 50,000 square feet of interior space. The proposed project would also include demolition of the existing dormitory following completion and occupancy of the new one. The admissions / treatment / visitors center would be constructed on the southern portion of the area where the dormitory to be demolished is located.

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 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 would occur.

Public Comments regarding the correctness, completeness, or adequacy of this mitigated negative declaration are invited and must be received on or before the end of public review period. 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, 7th Floor, East Wing, San Jose, CA 95110. 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 David Rader at (408) 299-5779, david.rader@pln.sccgov.org.
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) Planning Office Website www.sccplanning.org (Environmental Documents under “Quick Links”)
(3) Morgan Hill Library: 660 West Main Avenue Morgan Hill, CA 95037

Agencies sent a copy of this document
California Department of Fish and Wildlife, Regional Water Quality Control Board (District 2), Santa Clara Valley Water District, Office of Historic Preservation

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level are attached at the end of this document.

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:
David Rader, Planner III

Approved by:
Rob Eastwood, Principal Planner, AICP

Date:

Signature

Date:

Signature
CULTURAL RESOURCES MITIGATION:

- Due to the possibility that significant buried cultural resources may be found during construction, the County will ensure that this language is included in all construction contracts in compliance with Section B6-16 of the Santa Clara County Ordinance:

  "If historical or unique archaeological resources are accidentally discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The County shall notify the Native American Heritage Commission to arrange for an immediate evaluation of the find by a qualified archaeologist. The qualified archaeologist shall determine whether or not the site is a historical resource as defined in CEQA Guidelines section 15064.5(a). If it is determined that the site is a historical resource, the County shall refer to the provisions of CEQA Guidelines section 15064.5 and the provisions of section 15126.4 of the Public Resources Code to determine the significant environmental effects of the project on this historical resource. If the archaeological site does not meet the criteria defined in CEQA Guidelines section 15064.5(a), but does meet the definition of a unique archaeological resource in Public Resources Code section 21083.2, the preferred project site shall be treated in accordance with the provisions of this section. If it is found that the project will cause damage to a unique archaeological resource, the County shall require that reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Some of the measures to be taken in the event of a discovery include: planning future construction to avoid the archaeological site; deeding archaeological sites into permanent conservation easements; capping or covering archaeological site with a layer of soil before building on the sites; and/or planning parks, greenspace or other open space to incorporate the archaeological sites in the site plan."

- In the event of an accidental discovery or recognition of any human remains during earth moving activities, the following language shall be included in all construction contracts in accordance with CEQA Guidelines section 15064.5(e):

  "If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the County for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The County shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the County rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the County."

CONSTRUCTION NOISE MITIGATION:

- Construction shall be limited to the hours of 7 AM to 8 PM Monday through Friday and 9 AM to 6 PM on Saturdays. This includes all construction activities associated with the project, including grading, excavation, stripping, pavement, foundation, and installing new structures and improvements etc., on-site.
• Contractors shall use "new technology" power equipment with state of the art noise shielding and muffling devices. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers which are in good working condition and appropriate for the equipment.

• Stationary noise generating equipment shall be located as far as possible from sensitive receptors south of Coyote Creek. Staging areas shall be located a minimum of 200 feet from the perimeter of the facility.

• Unnecessary idling of internal combustion engines shall be prohibited.