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.

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<th>File Number</th>
<th>APN(s)</th>
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<td>10891-17S</td>
<td>830-04-005</td>
<td>8/16/2017</td>
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**Project Name**
Church Avenue Subdivision

**Project Type**
Two-lot Subdivision

**Owner**
Lai Kin Wong and Miang Choon Chee

**Applicant**
Amanda Musy-Verdel

**Project Location**
The project site is located at 190 Church Avenue, Gilroy, as shown on Figure 1.

**Project Description**
The proposed project is a two-lot subdivision to divide an approximately 30-acre parcel, zoned RR-5ac, into two parcels, as shown on Figure 2. Parcel A would be 12.00 acres gross (11.77 acres net), and Parcel B would be 17.29 acres gross (16.99 acres net). Parcel A contains an existing single-family residence, which would remain. A new single-family residence, driveway, and septic system is proposed to be constructed on Parcel B. Access to both parcels would be from Church Avenue.

**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 public hearing for the proposed project is tentatively scheduled for the Zoning Administration Hearing on September 7, 2017 in the County Government Center, 70 W. Hedding St. San Jose, CA 95110, Room 157. 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:** 20 days **Begins:** 08-17-2017 **Ends:** 09-5-2017

Public Comments regarding the correctness, completeness, or adequacy of the Initial Study and Mitigated Negative Declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Christopher Hoem at the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5784. 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, please contact Christopher Hoem at (408) 299-5784 or Christopher.Hoem@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 & Development website www.sccgov.org/sites/dpd (under “Development Projects” > “Current Projects”)
(3) Santa Clara County Library at Gilroy, 350 W 6th St, Gilroy.

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:

Cultural Resources

As recommended in the archaeological report, dated March 31, 2017, 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.

Human Remains

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 Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
Christopher Hoem, AICP, Associate Planner

Approved by:
Manira Sandhir, AICP, Principal Planner
Figure 1 - Project Location