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 when implemented will not have a significant impact on the environment.

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<tr>
<th>File</th>
<th>TAZ</th>
<th>APN(s)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>922</td>
<td>704-11-009, 704-11-010, 704-11-013, and a portion of 704-11-016</td>
<td>July 29, 2009</td>
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</table>

**Project Name**

Santa Teresa County Park Historic Area Site Plan

**Owner**

Santa Clara County Parks and Recreation Department

298 Garden Hill Drive, Los Gatos, CA 95032

**Project Location**

Santa Teresa County Park is located at the southern end of the Santa Teresa Hills in South San Jose. The project location is within the northern portion Santa Teresa County Park, bordered by Curie Drive, San Ignacio Avenue and Manila Drive.

**Project Description**

The project consists of a site plan for the undeveloped portion of the Santa Teresa County Park Historic Area. The Site Plan is a concept document which identifies proposed improvements including trails connecting functional and interpretive areas within the project site, a trail connection to developed portions of the Historic Area, a staging area/parking lot, site access, street improvements along Curie Drive and San Ignacio Avenue, bus drop-off/parking area on Curie Drive, fencing, interpretive and display areas and facilities, signage (interpretive, directional, and regulatory), vegetated areas/plantings, restored oak woodlands and native grasslands, elements that depict the water theme (water theme elements include a dry creek bed, seasonal water detention areas or swales, and aesthetic water features such as a well and troughs.), related infrastructure improvements, such as storm drainage and irrigation, and a visitor center which includes a courtyard, courtyard walls, trellises, and gardens. The proposed visitor center was evaluated at a program level and will require additional CEQA analysis prior to implementation/construction.

The Site Plan does not propose any alterations or changes to the historic structures, which consist of the Jacoba Bernal house and garage and the Pedro Bernal house. However, changes are proposed to some of the outbuildings/auxiliary buildings including the “L” shaped barn and were analyzed at a project level CEQA review. The Site Plan also identifies planned improvements to areas around the Jacoba Bernal house, including relocation of the driveway, fencing along the park entry and Curie Drive, street improvements along Curie Drive, and a new adobe wall and trellis to separate the historic house from public use, and provide screening and privacy from the planned visitor center.

Additional CEQA review will be required for any potential future trail connection from the project site to the existing Norred Trail, which is contingent on approval from the Santa Clara Valley Water District for a future public crossing at the Coyote Alamoitos Canal and the maintenance road which is owned by the District and not part of the park’s trail system. The Coyote Alamoitos canal and maintenance road is not within the project area.

The Site Plan does not address other aspects of park development and use beyond the project area.

For additional details including a list and description of planned site improvements and long range planned improvements, see the Initial Study and Mitigated Negative Declaration for the Santa Teresa County Park Historic Area Site Plan, Chapter II – Project Description.

The full text of the Initial Study and Mitigated Negative Declaration may be viewed at the following locations:

Santa Clara County Parks and Recreation Department Office, 298 Garden Hill Dr. Los Gatos; County Parks Dept. website at www.parkhere.org; Santa Clara County Clerk Recorder’s Office, 70 W. Hedding St. San Jose; Edenvale Public Library at 101 Branham Ln. East, San Jose; Hellyer County Park Ranger Office at 985 Hellyer Avenue, San Jose. A printed copy is also available upon request. When requesting to view these documents, please refer to the project name appearing at the top of this form.
Purpose of Notice

The purpose of this notice is to inform you that the County Parks & Recreation Department Staff has recommended that a Mitigated Negative Declaration be adopted for this project. Action is tentatively scheduled on this proposed Mitigated Negative Declaration before the County of Santa Clara Board of Supervisors on November 3, 2009 in the Board Chambers, 70 W. Hedding, San Jose. It should be noted that the adoption 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.

Review Period

The public review period for this document begins July 30, 2009 and ends August 30, 2009. Public comments regarding the correctness, completeness, or adequacy of this Mitigated Negative Declaration are invited. Such comments should be based on specific environmental concerns. Written comments must be received on or before the close of the public review period and should be addressed to the County of Santa Clara, Department of Parks and Recreation, Planning and Development Section, 298 Garden Hill Drive, Los Gatos, CA 95032, Tel (408) 355-2235, attention Antoinette Romeo, Planner III. Oral comments may be made at the Board of Supervisor’s meeting. Oral comments may also be made at the County Parks and Recreation Commission meeting and the Housing, Land Use, Environment, and Transportation Committee meeting. Those meetings have not been scheduled at this time but will be posted on the County Parks Department’s website and County of Santa Clara’s website.

Responsible Agencies sent copy of this document

There are no responsible agencies for this project.

Basis for Negative Declaration Recommendation

The Planning and Development Section of the Department of Parks and Recreation has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case since the mitigation measures have been added to the project.

This finding is based on the following considerations (See Note below):

Based on the environmental evaluation presented in the Initial Study, the project will not cause significant adverse effects related to aesthetics, air quality, agricultural resources, hazards and hazardous materials, hydrology/ water quality, land use planning, mineral resources, noise, population/ housing, public services, recreation, transportation/ traffic and utilities/ service systems. In addition, substantial adverse effects on humans, either direct or indirect, will not occur. The project will not cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.

Environmental Measures - Best Management Practices (BMPs) have been incorporated into the project to ensure that project-related effects are minimized or avoided. Environmental measures are methods, measures, or practices incorporated into the project that avoid, reduce, or minimize a project’s adverse effects on various environmental resources. In addition, BMPs have been incorporated into the project to ensure that project-related effects are minimized or avoided. Successful implementation of design guidelines and BMPs would ensure the minimization of air quality impacts related to construction dust, and minimization of erosion and siltation.

Mitigation measures are required for the following environmental impact areas: Biological Resources, Historical/Archaeological. See the Initial Study/Mitigated Negative Declaration (Chapter III) for a discussion of the potential impacts and those measures necessary to mitigate or avoid significant environmental impacts as a result of the implementation of the project. These impacts and mitigation measures are identified in the attached Mitigation and Monitoring Plan Table. The mitigation measures will ensure that all impacts remain less than significant.

Note: 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:
Antoinette Romeo, Planner III
Santa Clara County Parks
signature

Approved by:
Julie Mark, Deputy Director
Santa Clara County Parks
signature

Antoinette Romeo
7/29/09
date
Julie Mark
7/31/09
date
The following Mitigation, Monitoring and Reporting Plan (MMRP), has been prepared for this project pursuant to CEQA Guidelines. According to the Guidelines:

“In order to ensure that the mitigation measures and project revisions identified in the EIR or Negative Declaration (Initial Study/Mitigated Negative Declaration) are implemented, the Lead Agency, Santa Clara County (County) shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (§15097(a))

“The Lead Agency may choose whether its program will monitor mitigation, report on mitigation, or both. Reporting generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Monitoring is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (§15097(c))

The MMRP lists the Environmental Impacts, Mitigation Measures, and Timing of the Mitigation Measure (when the measure will be implemented) related to the implementation of the proposed Site Plan project. The responsibility for ensuring that the mitigation measure has been implemented would be the responsibility of the Santa Clara County Parks & Recreation Department. All of the mitigation measures listed in the MMRP would be implemented by the County or by its appointees.

According to CEQA Guidelines Section 15126.4 (a) (2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Therefore, all mitigation measures listed in this MMRP would be adopted by the County when the project is approved.
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<td><strong>BIO-1 Impact:</strong> There is potential for special status plant species to occur in the project site. There is marginal potential suitable habitat on-site to support these species. Annual grasslands on serpentine soil and coyote brush scubs may support five special-status plant species including the Metcalf Canyon jewel flower, Santa Clara Valley dudleya, most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita. Metcalf Canyon jewelflower and Santa Clara Valley dudleya are federally listed plant species. Most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita are not listed species, they are designated as CNPS 1B species (plants considered by CNPS to be rare, threatened, or endangered in California, and elsewhere).</td>
<td><strong>Mitigation Measure BIO-1 Survey for Special-Status Plants:</strong> A survey for all special-status plants, which could occur in areas where development is proposed in habitats likely to support the species will be carried out during appropriate blooming period prior to construction. This measure includes surveying for the three CNPS-listed plants (most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita). If special-status plants are found in an area where trails or other infrastructure are to be built, the trail(s) will be rerouted to avoid these plants. If re-routing proves to be infeasible, the County Parks Department would consult with the appropriate regulatory agencies to determine if the special status plants could be relocated.</td>
<td><strong>Implementation:</strong> Qualified County Natural Resource Staff or Qualified Consulting Biologist. County Parks Staff to schedule plant surveys. Qualified County Natural Resource Staff or Qualified consulting biologist will submit report. <strong>Timing:</strong> Prior to construction of the project.</td>
<td>County Parks Staff</td>
<td>Initials_________</td>
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*Date_______*
**Impact**

**Nesting Migratory Birds:**
Removal of vegetation for developments identified in the Site Plan, including construction of trails and display/interpretive areas, during the migratory bird nesting season (April 15–July 31) could result in the loss of migratory bird nests, eggs, or individuals.

**Nesting Raptors:**
Cooper's hawks are known to occur within Santa Teresa County Park which provides nesting sites and foraging habitat. Trees on-site provide potential nesting sites and foraging habitat for raptors. If construction activities associated with implementation of the Site Plan are carried out during the nesting period (in this part of California is February 1–July 31), nesting raptors could be impacted.

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**Mitigation Measure BIO-2 Nesting Migratory Birds and Nesting Raptors:**

*Mitigation Measure BIO-2 Nesting Migratory Birds:* All vegetation clearing, including trimming of shrubs or trees will take place outside the migratory bird nesting season (March 1–July 31). If vegetation removal must occur during the nesting season, a survey for nesting migratory birds will occur within five days prior to the start of clearing or construction activities. Every attempt will be made to ensure completion of the vegetation clearing and trimming activities within the five-day period. If more than five days elapse between the initial nest search and the beginning of construction activities, another nest survey will be conducted. If any active nest(s) are detected, all vegetation clearing activities will be suspended and a 50-foot radius buffer established. All vegetation clearing activities within 50-feet of the active nest(s) will take place after the nest(s) are no longer active and chicks have fledged. CDFG generally accepts a 50-foot radius buffer around passerine and non-passerine land bird nests; however the County natural resource staff shall have flexibility to reduce or expand the buffer depending on the specific circumstances.

*Mitigation Measure BIO-2 Nesting Raptors:* All vegetation clearing, including trimming of shrubs or trees, and/or construction activities, will take place outside the raptor-nesting season (February 1–July 31). If such activities must occur during the raptor-nesting season, all suitable raptor-nesting habitat within 500 feet of the impacted area will be surveyed for active raptor nests. If an active raptor nest is located within 500 feet of the construction area, a no-activity buffer of 250 feet will be erected around the nest while it is active to protect the nesting raptors. Every attempt will be made to protect trees and nests that contain active raptor nests. CDFG generally accepts up to a 250-foot buffer radius for raptors, however, the County natural resource staff, in consultation with CDFG, may have flexibility to reduce or expand the buffer depending on the specific circumstances such as for nests not within the line of sight of construction.

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**Implementation Responsibility & Timing**

**Implementation:** Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or county natural resource staff to submit a letter/report of survey results.

**Timing:** Prior to and during the construction phase of the project

**Monitoring Responsibility**

**Monitoring:** County Parks Staff.

**Verified Implementation**

Initials ________ Date ________
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<td><strong>BIO-3 Impact:</strong> The project site provides potential foraging habitat and roosting habitat (buildings on-site, large oak trees) for two species of bats (Pallid bat and Hoary bat) which are listed as California Species of Special Concern. Although no roosts were detected on-site in November 2007, there is reasonable probability of occurrence of these species in the project area. Implementation of projects identified in the Site Plan, including the removal of existing abandoned buildings and sheds, could result in the loss of individuals and an overall reduction in the local bat population.</td>
<td><strong>Mitigation Measure BIO-3 Bats:</strong> Perform preconstruction surveys for potential bat roosts in abandoned buildings and in large trees prior to construction activities or demolition of buildings. If work is to take place during months when bats may be breeding (April through August) or hibernating (November through March), a bat survey shall be conducted. Surveys shall be conducted in late April or early May, when bats are establishing maternity roosts but before the females give birth. If roosting bats are detected establish a minimum 100 foot buffer and avoid disturbances until after the breeding period has ended but prior to the hibernation period (September through October). If it is not feasible to halt activities within the buffer, then under the supervision of a biological monitor, permit the encroachment on the 100 foot buffer. If the monitor observes bats leaving the roost site during construction activities, then all work near the roost site will be halted and the appropriate buffer reinstated. Buildings being used by bats will not be demolished until it has been determined (by qualified County Natural Resource staff or qualified biologist) that bats are no longer using the site or until demolition can be carried out without harming any bats.</td>
<td><strong>Implementation:</strong> Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or county natural resource staff to submit a letter/report of survey results. <strong>Timing:</strong> Prior to and during the construction phase of the project</td>
<td><strong>Monitoring:</strong> County Parks Staff</td>
<td><strong>Verified Implementation</strong></td>
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<p>| <strong>BIO-4 Impact:</strong> The San Francisco dusky-footed woodrat is widely distributed in Santa Clara County and expected to occur on-site. Active nests were observed on the site during November 2007 survey. Construction and construction related activity have the potential to disturb the houses of the woodrat, potentially causing abandonment or destroying the houses all together. This would be considered a | <strong>Mitigation Measure BIO-4 San Francisco Dusky-footed Woodrat:</strong> The following avoidance/minimization measures for San Francisco dusky-footed woodrat shall be implemented: 1. Preconstruction Surveys Known woodrat houses shall be flagged and avoided during construction activities. Conduct preconstruction surveys and if a dusky-footed woodrat house is detected, and assuming the house is of the San Francisco dusky-footed woodrat subspecies, the County will complete one of the following avoidance/minimization measures. These | <strong>Implementation:</strong> Qualified County Natural Resource Staff or Qualified Consulting Biologist. Project supervisor and project crew members. (a) Consulting biologist or county natural resource staff to submit a letter report of survey results; (b) Project crew to sign a sheet for receipt of woodrat training, sign-in sheet held by project supervisor; (c) Biological monitor (qualified | <strong>Monitoring:</strong> County Parks Staff | <strong>Verified Implementation</strong> |</p>
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| significant but temporary impact.      | measures are listed in order of priority, where the first measure is the preferred measure to be implemented as it provides the least amount of impact to the woodrat. If the first measure cannot be implemented due to extenuating site conditions, the second shall be implemented and so forth down the list.  
  a) The development (e.g. display/interpretive area, structure, or trail alignment) will be rerouted/re-sited to avoid the woodrat house by at least 50 feet; if it is a structure, a greater distance is recommended.  
  b) If the development is a trail which cannot be sited at least 50 feet from the house, it will be sited as far away from the nest as possible but not closer than 5 feet from the house. Safety and/or silt fencing (for houses downslope) will be erected around all houses within 25 feet of the constriction activities to avoid impacts during construction.  
  c) If the project footprint must go directly through or within 5 feet of a house, CDFG should be consulted with one of the two following options:  
    1) If the house appears inactive (e.g. no scat or fresh leaves and twigs), approval will be sought from CDFG to dismantle the house and replace the lost resource by building an artificial house. One artificial house should be built for every one existing inactive house that is dismantled.  
    2) If the house appears active, approval will be sought from CDFG to 1) trap the occupant(s) of the house, 2) dismantle the house, 3) construct a new artificial house with the materials from the dismantled house, and 4) release the occupant into the new artificial house. The new house should be placed no more than 20 feet from its original location and as far from the project footprint as necessary to be protected from construction activities. If the house is to be moved downslope of the project footprint, extra precautions should be taken, such as a debris barrier, to stop falling/sliding materials from impacting the new house. Houses should only be moved in the early morning during the non- | consulting biologist, County natural resource staff, or a trained, on-site monitor) to report daily to project supervisor.  
  **Timing:** Prior to construction and during construction as specified in previous column. |                           |                           |
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<td>1.</td>
<td>breeding season (October through February). If trapping has occurred for three consecutive nights and no woodrats have been captured, the house should be dismantled and a new house constructed.</td>
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<td>2.</td>
<td>Employees and Contractor Education Program. An employee education program will be conducted prior to the initiation of project activities. The program will consist of a brief presentation by persons knowledgeable in federally listed and state special status species biology and legislative protection to explain concerns to contractors and their employees. The program would include the following: a description of woodrat and their habitat needs; an explanation of the status of woodrat and its protection under state and federal laws; and a list of measures being taken to reduce impacts to woodrat during project activities. Crews will be instructed that if a woodrat house is found in the project footprint, it is to be left alone and all operations should cease. Notify Project site lead and County Parks Department staff (if site lead is a contractor) or notify Parks Natural Resource Program Supervisor (NRPS) if Project Lead is parks staff.</td>
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<td>3.</td>
<td>Daily Monitoring. During the construction phase of the project, a qualified biologist, County natural resource staff, or a trained, on-site monitor will check the site in the morning every day before construction activities begin for the presence of woodrat or other wildlife present within the work area. If woodrat is found, the monitor shall have the authority to halt construction in the immediate area and immediately notify appropriate County Parks Department staff (Natural Resource Program Supervisor or designated staff). If the monitor is County Parks' natural resource staff, or qualified biologist, they will have the authority to notify the appropriate regulatory agency for guidance on procedure. Subsequent recommendations made by the USFWS or CDFG shall be followed. The monitor would not handle or try to relocate any special-status species.</td>
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| H/A Impacts: Construction of the proposed site improvements, such as trails, undergrounding of utilities, and structures, including footings, has the potential to disturb archaeological, paleontological and historic resources. | Mitigation Measure H/A 1: Develop and implement a historic, pre-historic, and paleontological resource training program for construction personnel. | Implementation: County Parks Staff, Contractor  
Timing: Prior to construction | Monitoring: County Parks Staff | Initials  
Date |
| | Mitigation Measure H/A 2: Design trails to avoid historic and pre-historic sites, and where feasible, construct trails at grade. In some cases trails will be routed to historic or pre-historic sites for interpretive purposes. If significant resources are identified and if impacts to the site cannot be avoided through routing the trail away from the site, evaluation of the site will be performed consistent with professional archeological standards and State and County requirements. These may include formal recordation of the site and mapping showing the extent of the deposit area. If it is determined that materials are of a prehistoric nature, procedures outlined in the State Public Resources Code pertaining to the protection of Native American remains and associated goods will be implemented and most likely descendant will be notified. | Implementation: County Parks Staff or Qualified Consulting Archaeologist  
Timing: After delineation of trail alignment, prior to construction. | Monitoring: County Parks Staff | Initials  
Date |
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|        | Mitigation Measure H/A 3: Where ground disturbing work will occur in locations where prehistoric or historic sites have been previously documented, evaluation of the site would be performed consistent with professional archeological standards and State and County requirements. An appropriate treatment plan will be developed and implemented to evaluate affected archaeological sites that are determined eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) and cannot be avoided by construction. | Implementation: County Parks Staff Timing: Prior to construction. | Monitoring: County Parks Staff | Initials________
|        | Date________ | | | |
|        | Mitigation Measure H/A 4: Where ground disturbing work will occur in locations where historic, pre-historic, or paleontological sites have been determined to have a high probability of occurring, field surveys will be conducted by a qualified archaeologist within the vicinity of the proposed final trail alignments. In the event previously undocumented pre-historic resources are discovered during project construction (including but not limited to dark soil containing shellfish, bone, or groundstone) work within the immediate vicinity of the find will be halted until procedures outlined in the County Ordinance Relating to Indian Burial Grounds (County of Santa Clara, 1987) and State Public Resources Code can be implemented and most likely descendant notified. In the event that human skeletal remains are encountered, work within the vicinity will be halted and the County Coroner notified immediately (County Ordinance No. B6-18). Upon determination by the County Coroner that the | Implementation: County Parks Staff or Qualified Consulting Archaeologist Timing: After delineation of trail alignment, prior to and during construction | Monitoring: County Parks Staff or Qualified Consulting Archaeologist | Initials________
|        | Date________ | | | |
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.

**Mitigation Measure II/A 5:** If historic, prehistoric, or paleontological resources are discovered during construction, then the priority will be to relocate the proposed improvement to avoid and/or minimize impacts. If the trail cannot be rerouted and impacts cannot be avoided, then work will cease in the area until the archaeological evaluation and treatment plan has been completed.

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<td><strong>Implementation:</strong> County Parks Staff or Qualified Consulting Archaeologist. &lt;br&gt;&lt;br&gt;<strong>Timing:</strong> During construction</td>
<td><strong>Monitoring:</strong> County Parks Staff.</td>
<td>Initials ____  &lt;br&gt; Date ____</td>
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ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY:  Santa Clara County Parks and Recreation Department

2. PROJECT TITLE:  Santa Teresa County Park Historic Area Site Plan

3. APPLICANT NAME:  Santa Clara County Parks and Recreation Department    PHONE: (408) 355-2200

4. APPLICANT ADDRESS:  298 Garden Hill Drive, Los Gatos, CA 95032

5. PROJECT APPLICANT IS A:  ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

6. NOTICE TO BE POSTED FOR ___________ DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECT THAT IS SUBJECT TO DFG FEES

   ☐ 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) $2,606.75

   ☐ 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) $1,876.75

   ☐ 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) $886.25

   ☐ 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS $886.25

   ☐ 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a1 THROUGH a4 ABOVE) $50.00

   ☐ 6. ENVIRONMENTAL IMPACT REPORT $0.00

   ☐ 7. NEGATIVE DECLARATION $0.00

b. PROJECT THAT IS EXEMPT FROM DFG FEES

   ☐ 1. NOTICE OF EXEMPTION ($50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) $50.00

   ☐ 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:  ☐ ENVIRONMENTAL IMPACT REPORT ☐ NEGATIVE DECLARATION $50.00

   ☐ 3. NOTICE OF PREPARATION $0.00

8. OTHER:  $0.00

9. TOTAL RECEIVED $0.00

*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 TWO COPIES. INCLUDE A THIRD COPY IF YOU REQUIRE AN ENDORSED COPY FOR YOUR RECORDS.

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, UNLESS THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID."  Fish & Game Code §711.4(c)(3)

06-09-2008