

Appendix K

Notice of Determination

Santa Clara County Clerk – Recorder's Office
State of California

County of Santa Clara
Office of the County Clerk-Recorder
Business Division



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CRO Order Number:
Fee Total: 3,079.75

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688

REGINA ALCOMENDRAS, County Clerk – Recorder
by Veronica Aguirre, Deputy Clerk – Recorder,

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose Dept. of Planning, Building, and Code Enforcement, Env. Review Division (Attn: D. Keyon)
2. PROJECT TITLE: PP09-163: Diridon Station Area Plan
3. APPLICANT NAME: City of San Jose, PBCE, Urban Villages (Michael Brilliot) PHONE: (408) 535-7831
4. APPLICANT ADDRESS: 200 E. Santa Clara St., T-3, San Jose, CA 95113
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input checked="" type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)	\$ 3,029.75	\$ 3,029.75
<input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,181.25	\$ 0.00
<input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ 0.00
<input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>	\$ 1,030.25	\$ 0.00
<input checked="" type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ 50.00

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ 0.00
<input type="checkbox"/> 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: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ 0.00

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ NO FEE
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____
9. TOTAL RECEIVED..... \$ 3,079.75

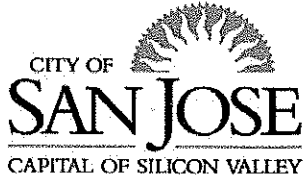
*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

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 THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

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



Department of Planning, Building, and Code Enforcement
HARRY FREITAS, DIRECTOR

File No. PP09-163

County Clerk-Recorder
County of Santa Clara
70 W. Hedding St., San Jose, CA, 95110

Office of Planning and Research
State of California
P.O. Box 3044, Sacramento, CA, 95812

**NOTICE OF DETERMINATION
FOR AN ENVIRONMENTAL IMPACT REPORT**

File No. PP09-163, Diridon Station Area Plan. Adoption of the *Diridon Station Area Plan* (DSAP), which establishes a vision for future development of the Diridon Station and surrounding areas in response to the planned extension of the Bay Area Rapid Transit (BART) to San Jose and the construction of the California High Speed Rail project (HSR). The DSAP includes the following components: 1) A conceptual plan for the expansion of the existing Diridon Station and transit center to accommodate BART and HSR; 2) Amendments to the *Envision San Jose 2040 General Plan* Transportation and Land Use Diagram; 3) Transportation Improvement Strategies, and; 4) Design Guidelines to encourage transit and pedestrian-oriented development within an approximately half-mile radius of the station.

Location: Approximately 250 acres in the area roughly bordered by the Guadalupe River and Delmas Avenue to the east, Interstate 280 to the south, Sunol Avenue and the Caltrain railroad right-of-way to the west, and Lenzen Avenue and the Union Pacific Railroad tracks to the north. **Council District:** 6.

This is to advise that the City Council of the City of San Jose approved the above-described project on June 17, 2014 and has made the following determinations regarding such project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report (EIR) was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of approval of the project.
4. A Mitigation Monitoring or Reporting Program was not adopted for this project.
5. A Statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

The EIR and record of project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 1st Floor Tower, San José CA 95113-1905. This notice is in compliance with Section 21108 and 21152 of the Public Resources Code.

The above-described project was approved and issued on June 17, 2014.

Harry Freitas, Director
Planning, Building and Code Enforcement

Deputy

Date:

6/18/2014