



Regina Alcomendras  
Santa Clara County  
Clerk-Recorder  
(408) 299-5688  
<https://www.clerkrecorder.org>

Receipt: 20-24625

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$50.00
	# Pages	4
	Document #	ENV22598
	Document Info:	CITY OF SAN JOSE
	Filing Type	J
<b>Total</b>		\$50.00
Tender (Check)		\$50.00
Check #	100041675	
Paid By	CITY OF SAN JOSE	

PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife  
**2019 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

RECEIPT NUMBER: ENV22598
STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY CITY OF SAN JOSE	LEAD AGENCY EMAIL	DATE 02/03/2020
COUNTY/STATE AGENCY OF FILING SANTA CLARA	DOCUMENT NUMBER	

PROJECT TITLE  
SAN JOSE TRIBUTE HOTEL

PROJECT APPLICANT NAME KHANNA ENTERPRISES	PROJECT APPLICANT EMAIL	PHONE NUMBER (408) 947-7774
PROJECT APPLICANT ADDRESS 2601 MAIN STREET SUITE 320	CITY IRVINE	STATE CA
		ZIP CODE 92614

**PROJECT APPLICANT** (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$ _____
<input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input checked="" type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ _____ \$50.00
<input type="checkbox"/> Other		\$ _____

**PAYMENT METHOD:**

Cash   
  Credit   
  Check   
  Other

**TOTAL RECEIVED**    \$ \_\_\_\_\_ \$50.00

SIGNATURE X <i>M. Khamphilath</i>	AGENCY OF FILING PRINTED NAME AND TITLE Nina Khamphilath, Deputy County Clerk-Recorder
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**County of Santa Clara**  
Office of the County Clerk-Recorder  
Business Division



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

**File Number: ENV22598**

ENVIRONMENTAL FILING  
No. of Pages: 4  
Total Fees: \$50.00  
File Date: 02/03/2020  
Expires: 03/04/2020

REGINA ALCOMENDRAS, Clerk-Recorder  
By: Nina Khamphilath, Deputy Clerk-Recorder

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

- 1. LEAD AGENCY: City of San Jose
- 2. PROJECT TITLE: San Jose Tribute Hotel
- 3. APPLICANT NAME: Khanna Enterprises PHONE: 408-947-7774
- 4. APPLICANT ADDRESS: 2601 Main Street, Suite 320, Irvine, CA 92614
- 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 type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 3,343.25	\$ <u>0.00</u>
<input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,406.75	\$ <u>0.00</u>
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 1,136.50	\$ <u>0.00</u>
<input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>0.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

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

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	\$ <u>NO FEE</u>
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8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_

9. TOTAL RECEIVED..... \$ 50.00

\*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 (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (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)

(Fees Effective 01-01-2020)





State of California - Department of Fish and Wildlife  
**2019 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

RECEIPT NUMBER:  
 ENV22485  
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN JOSE	LEAD AGENCY EMAIL	DATE 11/18/2019
COUNTY/STATE AGENCY OF FILING SANTA CLARA		DOCUMENT NUMBER

PROJECT TITLE  
 SAN JOSE TRIBUTE HOTEL

PROJECT APPLICANT NAME KHANNA ENTERPRISES	PROJECT APPLICANT EMAIL	PHONE NUMBER (408) 947-7774
PROJECT APPLICANT ADDRESS 2601 MAIN STREET, SUITE 320	CITY IRVINE	STATE CA
		ZIP CODE 92614

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

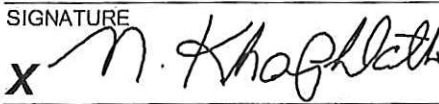
- |   |            |    |            |
|---|------------|----|------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR)                               | \$3,271.00 | \$ | \$3,271.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,354.75 | \$ |            |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,112.00 | \$ |            |
| <br>  |            |    |            |
| <input type="checkbox"/> Exempt from fee  |            |    |            |
| <input type="checkbox"/> Notice of Exemption (attach)   |            |    |            |
| <input type="checkbox"/> CDFW No Effect Determination (attach)                                      |            |    |            |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)           |            |    |            |

- |   |          |    |         |
|---|----------|----|---------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ |         |
| <input checked="" type="checkbox"/> County documentary handling fee   |          | \$ | \$50.00 |
| <input type="checkbox"/> Other  |          | \$ |         |

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED \$ 3,321.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Nina Khamphilath, Deputy County Clerk-Recorder
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**File Numbers: H16-042 & HP17-003**

- County Clerk-Recorder  
County of Santa Clara  
70 W. Hedding St., San José, CA, 95110
- Office of Planning and Research  
State of California  
P.O. Box 3044, Sacramento, CA, 95812

**NOTICE OF DETERMINATION**

**FOR A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

**Lead Agency:** City of San Jose Department of Planning, Building and Code Enforcement

**Project Applicant:** Khanna Enterprises Ltd III LP

**Project Title:** San José Tribute Hotel

**Project Description:** Application for a Site Development Permit and Historic Preservation Permit to construct an approximately 186,500 gross square-foot hotel addition of 274 guest rooms in a new 24-story tower on the north portion of the site, at the location of an existing courtyard. The addition would include a new lobby, and roof-top amenities such as a swimming pool, fitness center, and events space.

**Location:** An approximately 25,000 square-foot portion of the parcel occupied by the Four Points by Sheraton San José hotel at 211 S. First Street. The existing hotel is a historical resource comprising a four-story, 86-room building with a ground floor restaurant.

**Assessor's Parcel No:** 259-42-079

**Council District:** 3

The City prepared a Supplemental Environmental Impact Report (SEIR) to the Downtown Strategy 2040 Environmental Impact Report (EIR) for this project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The SEIR evaluated the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. The evaluation determined that the project would have significant impacts on construction air quality, cultural resources, hazards and hazardous materials, and construction noise and vibration, all of which could be mitigated to less-than-significant levels of impact.

This is to advise that the Hearing Officer designated by the Director of Planning, Building and Code Enforcement of the City of San José approved the above-described project at the Director's Hearing on November 13, 2019, and made the following determinations regarding such project:

1. A Supplemental Environmental Impact Report (EIR) to the Downtown Strategy 2040 EIR referenced above was prepared and completed for this project pursuant to and in compliance with the provisions of CEQA.

2. The Hearing Officer has independently reviewed and analyzed the SEIR and other information in the record and has considered the information contained therein, prior to acting upon or approving the project.
3. The SEIR represents the independent judgment and analysis of the City of San José, as lead agency for the project.
4. This project will not have a significant impact on the environment.
5. Mitigation measures were made a condition of approval of the project.
6. A Mitigation Monitoring and Reporting Program was adopted for this project.
7. Findings were made and adopted for this project pursuant to the provisions of CEQA.

The adequacy of the CEQA document was appealed to the City Council by Preservation Action Council of San José (PAC SJ). The City Council conducted a public hearing and considered the appeal on January 28, 2020. After the hearing, the City Council unanimously voted to deny the appeal and uphold the Director's decision to certify the SEIR.

The SEIR, Mitigation Monitoring and Reporting Program (MMRP), and the 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, 3<sup>rd</sup> Floor Tower, San José CA 95113-1905. This notice is in compliance with Section 21108 and 21152 of the Public Resources Code.

Rosalynn Hughey, Director  
Planning, Building and Code Enforcement

Date: 1/30/2020

And Zf  
Deputy

Environmental Project Manager: Reema Mahamood