

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



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

File Number: ENV23531

ENVIRONMENTAL FILING

No. of Pages: 4

Total Fees: \$3495.25

File Date: 09/16/2021

Expires: 10/16/2021

REGINA ALCOMENDRAS, Clerk-Recorder

By: Sandy Chanthasy, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose Department of Planning, Building and Code Enforcement (Attn: Kara Hawkins)
2. PROJECT TITLE: Almaden Office Project (SP20-005)
3. APPLICANT NAME: Boston Properties Inc (Attn: Christina Bernardin) PHONE: 415-772-0715
4. APPLICANT ADDRESS: 4 Embarcadero Center, San Francisco, CA, 94111
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. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 3,445.25	\$ <u>3,445.25</u>
<input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,480.25	\$ <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	\$ 1,171.25	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>50.00</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 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	\$ <u>0.00</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..... \$ 3,495.25

*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 01-01-2021)

File Number: SP20-005 & T21-015/State Clearing House
#2003042127

- 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 José Department of Planning, Building and Code Enforcement

Project Applicant: Boston Properties Inc (Attn: Christina Bernardin)

Project Title: Almaden Office Project

Project Description: Special Use Permit and Vesting Tentative Map to allow the construction of a 16-story office building with two towers totaling approximately 2.05 million square feet, including 37,603 gross square feet of ground floor retail and amenity space and 1,416,717 gross square feet of commercial office space with an alternative parking design (three levels of underground parking including stackers, tandem and valet parking) on a 3.57-gross acre site; and to allow up to 15 commercial condominium units and extended construction hours to include Saturday work from 7:00 AM to 7:00 PM and 24-hour concrete pours for up to 12 days per year over the course of construction (approximately 51 months).

Location: Northwest corner of South Almaden Boulevard and Woz Way

Assessor's Parcel Nos: 264-28-019, -022, -023, -024, -025, -028, -149, -152, -153, -160, -167, -168, -169, -172, -173, -174, -175, and -176

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 biological resources, construction and operational air quality, hazards and hazardous materials, and construction noise and vibration.

This is to advise that on **September 14, 2021**, the City Council of the City of San José approved the following actions related to the above-described project:

- 1: Adopt a Resolution certifying the Supplemental Environmental Impact Report (SCH No. 2003042127) to the Downtown Strategy 2040 Environmental Impact Report (Resolution No. 78942) and making certain findings concerning significant impacts, mitigation measures, alternatives, Statement of Overriding Considerations, and adopting a related Mitigation Monitoring and Reporting Plan, all in accordance with the California Environmental Quality

Act (CEQA) which evaluated and analyzed the demolition of an existing surface parking lot and construction of a larger project (up to 16-story office building with two towers [North Tower and South Tower] totaling approximately 2.1 million square feet, including 39,137 gross square feet of ground floor retail and amenity space, and approximately 1,727,777 square feet of office in with three levels of underground parking totally up to 1,343 parking spaces, and extended construction hours to include Saturday work from 7:00 AM to 7:00 PM and 24-hour concrete pours for up to 12 days per year over the course of the entire project construction period).

2. Adopt a Resolution approving, subject to conditions, a Vesting Tentative Map, to merge existing five parcels into one parcel and re-subdivide the single parcel into up to 15-commercial condominium units on this 3.57-gross acre site.
3. Adopt a Resolution approving, subject to conditions, a Special Use Permit, to allow the construction of a 16-story office building with two towers totaling approximately 2.05 million square feet, including 37,603 gross square feet of ground floor retail and amenity space and 1,416,717 gross square feet of commercial office space with an alternative parking design (three levels of underground parking including stackers, tandem and valet parking) on a 3.57-gross acre site; and to allow up to 15 commercial condominium units and extended construction hours to include Saturday work from 7:00 AM to 7:00 PM and 24-hour concrete pours for up to 12 days per year over the course of construction (approximately 51 months).

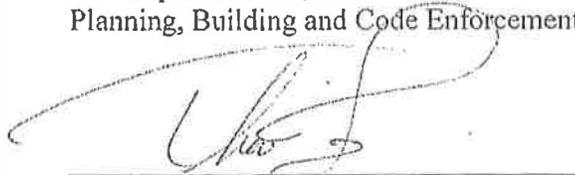
Furthermore, the City Council of the City of San José has made the following determinations regarding such project:

1. A Draft SEIR was prepared for this project pursuant to and in compliance with the provisions of CEQA.
2. A First Amendment to the Draft SEIR was prepared that included responses to comments received during the public comment period.
3. The First Amendment and the Draft SEIR together comprise the Final SEIR for the project.
4. The Final SEIR concluded that implementation of the project could result in certain significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less than significant level.
5. The Final SEIR also concluded that some significant effects of the project would not be reduced to less than significant levels despite the application of mitigation measures.
6. A Mitigation Monitoring and Reporting Program (MMRP) was prepared and adopted for this project.
7. The Planning Commission of the City of San José reviewed the Final SEIR and recommended to the City Council that the FSEIR was completed in accordance with the requirements of CEQA, and further recommended the City adopt a resolution certifying the Final SEIR.
8. The City Council of the City of San José independently reviewed and analyzed the Final SEIR and other information in the record and adopted a Statement of Overriding Consideration for those impacts not reduced to less than significant levels.
9. The City Council of the City of San José has certified the Almaden Office Project Final SEIR, in accordance with CEQA, as amended.

The Initial Study, Supplemental Environmental Impact Report, Mitigation Monitoring and Reporting Program (MMRP), Statement of Overriding Considerations, all associated technical documents, 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, 3rd Floor Tower, San José CA 95113-1905. This notice is in compliance with Section 21152 of the Public Resources Code.

The above-described project was approved and issued on September 14, 2021.

Christopher Burton, Director
Planning, Building and Code Enforcement



Date: 09/15/2021

Deputy

Environmental Project Manager: Kara Hawkins



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

Receipt: 21-266568

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$3,495.25
# Pages		1
Document #		ENV23531
Document Info:	CITY OF SAN JOSE DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT (ATTN: KARA HAWKINS	
Filing Type		I
Total		\$3,495.25
Tender (Check)		\$3,495.25
Check #	1016634	
Paid By	CHRISTINA BERNARDIN	

PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753 Sa (REV. 01/01/21) Previously DFG 753.Sa

RECEIPT NUMBER: 01 - ENV23531
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN JOSE DEPARTMENT OF	LEAD AGENCY EMAIL	DATE 09/16/2021
COUNTY/STATE AGENCY OF FILING SANTA CLARA		DOCUMENT NUMBER

PROJECT TITLE
ALMADEN OFFICE PROJECT (SP20-005)

PROJECT APPLICANT NAME BOSTON PROPERTIES INC (ATTN: CHRISTINA)	PROJECT APPLICANT EMAIL	PHONE NUMBER (415) 772-0715
PROJECT APPLICANT ADDRESS 4 EMBARCADERO CENTER	CITY SAN FRANCISCO	STATE CA
		ZIP CODE 94111

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)	\$3,445.25	\$	<u>\$3,445.25</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,480.25	\$	_____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,171.25	\$	_____
<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		\$	<u>\$50.00</u>
<input type="checkbox"/> Other		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ \$3,495.25

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Sandy Chanthasy, Deputy County Clerk-Recorder
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