



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

Receipt: 20-237520

| Product | Name | Extended |
|----------------|----------------------|---------------------------------------|
| CEQA | ENVIRONMENTAL FILING | \$3,393.25 |
| | # Pages | 4 |
| | Document # | ENV23009 |
| | Document Info: | CITY OF SAN JOSE (ATTN: THAI-CHAU LE) |
| | Filing Type | I |
| Total | | \$3,393.25 |
| Tender (Check) | | \$3,393.25 |
| Check # | 5238792 | |
| Paid By | CITY OF SAN JOSE | |

PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

| |
|--|
| RECEIPT NUMBER: ENV23009 |
| STATE CLEARINGHOUSE NUMBER (If applicable) |

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--|-------------------|--------------------|
| LEAD AGENCY CITY OF SAN JOSE (ATTN: THAI-CHAU LE) | LEAD AGENCY EMAIL | DATE 10/30/2020 |
| COUNTY/STATE AGENCY OF FILING SANTA CLARA | DOCUMENT NUMBER | |

PROJECT TITLE
 ST. JAMES PARK CAPITAL VISION AND PERFORMING ARTS PAVILLON PROJECT (PP16-037/HP19-008/STATE)

| | | |
|---|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME CITY OF SAN JOSE DEPARTMENT OF PARKS, | PROJECT APPLICANT EMAIL | PHONE NUMBER (408) 793-5514 |
| PROJECT APPLICANT ADDRESS 200 EAST SANTA CLARA STREET, 9TH FLOOR | CITY SAN JOSE | STATE CA |
| | | ZIP CODE 95113 |

PROJECT APPLICANT (Check appropriate box)

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

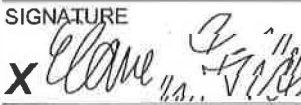
CHECK APPLICABLE FEES:

| | | | |
|---|------------|----|------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR) | \$3,343.25 | \$ | \$3,343.25 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,406.75 | \$ | |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,136.50 | \$ | |
| | | | |
| <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 \$ 3,393.25

| | |
|---|---|
| SIGNATURE  | AGENCY OF FILING PRINTED NAME AND TITLE Elaine Fader, Deputy County Clerk-Recorder |
|---|---|

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

Santa Clara County - Clerk-Recorder Office
 State of California

File Number: ENV23009

ENVIRONMENTAL FILING

No. of Pages: 4

Total Fees: \$3393.25

File Date: 10/30/2020

Expires: 11/29/2020

REGINA ALCOMENDRAS, Clerk-Recorder
 By: Elaine Fader, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose (Attn: Thai-Chau Le)
2. PROJECT TITLE: St. James Park Capital Vision and Performing Arts Pavillon Project (PP16-037/HP19-008/State Clearing House #2016052074)
3. APPLICANT NAME: City of San Jose Department of Parks, Recreation and Neighborhood Services (Attn: Nicole Burnham) PHONE: 408-793-5514
4. APPLICANT ADDRESS: 200 East Santa Clara Street, 9th Floor 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) | \$ 3,343.25 | \$ <u>3,343.25</u> |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,406.75 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,136.50 | \$ <u>0.00</u> |
| <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 | \$ <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> |
|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 3,393.25

*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 01-01-2020)

File Number: PP16-037/HP19-008/State Clearing House
#2016052074

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 AN ENVIRONMENTAL IMPACT REPORT**

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

Project Applicant: City of San Jose Department of Parks, Recreation and Neighborhood Services
(Attn: Nicolle Burnham)

Project Title: St. James Park Capital Vision and Performing Arts Pavilion Project

Project Description: The The project includes both physical and programmatic changes to St. James Park, an approximately 7.5-acre urban park in downtown San Jose. The project proposes to renovate and revitalize St. James Park by implementing both physical and programmatic changes. The project would result in the demolition and removal of most of the existing improvements at the park, with the exception of the monuments and heritage trees. The physical improvements proposed include:

- Performing Arts Pavilion
- Café and Restroom Building
- Picnic Pavilion and Naglee Picnic Grove
- Two Dog Parks
- McKinley Meadow
- Plaza
- Playground
- Fountain
- Park Office Building
- Security Lighting
- Landscaping
- Perimeter Garden Fencing
- Transportation Network Modifications and Pedestrian Improvements including a Monument Walk
- Utility Improvements

The project proposes to maintain the existing park use (passive park uses and events) and have additional programmatic elements, including events at the Performing Arts Pavilion. The Performing Arts Pavilion could accommodate a variety of events, such as film festivals, concerts, and dance and theatre performances. It is assumed that 50 to 300 events (with up to 72 large concerts/events) would be held annually at the Performing Arts Pavilion, with larger events accommodating up to 5,000 attendees. In addition, the project proposes to allow commercial uses including the proposed café, food, beverage, and merchandise vendors associated with events at the Performing Arts Pavilion, street performers, and a farmer's market, which may require an event or development permit.

Location: St. James Park is located in downtown San José. The approximately 7.5-acre park is square shaped and bounded by East St. James Street to the north, East St. John Street to the south, North 1st Street to the west, and North 3rd Street to the east. North 2nd Street bisects the park.

Assessor's Parcel No: 467-21-001 and 467-21-014

Council District: 3

The City prepared a Environmental Impact Report (EIR) for this project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The EIR 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 unavoidable impacts on Aesthetic, Cultural Resources, Noise, and Recreation. The evaluation also determined that the project would have significant impacts on biological resources, air quality, cultural resources, hazards and hazardous materials, and noise and vibration, all of which are related to construction and could be mitigated to less-than-significant levels of impact. The project is not located on any of the list of hazardous sites under Section 6596.5 of the Government Code.

This is to advise that on October 27, 2020, the City Council of the City of San José approved the following actions related to the above-described project:

- a) Adopt a resolution certifying the St. James Park Capital Vision and Performing Arts Pavilion Project Environmental Impact Report (EIR) and make certain findings concerning significant impacts, mitigation measures, alternatives, and adopt a Statement of Overriding Considerations and a related Mitigation Monitoring and Reporting Program, all in accordance with the California Environmental Quality Act (CEQA).
- b) Approve the St. James Park Updated Capital Vision (Master Plan) to guide future rehabilitation of this downtown park.

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

1. A Final Environmental Impact Report was prepared for this project and certified on October 27, 2020 pursuant to the provisions of CEQA.
2. The project will have significant effects on the environment relating to biological resources, 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.
3. The project will have significant unavoidable impacts on Aesthetic, Cultural Resources, Noise, and Recreation.
4. Mitigation measures were made a condition of approval of the project.
5. A Mitigation Monitoring and Reporting Program (MMRP) was adopted for this project.
6. A Statement of Overriding Considerations was adopted for this project.
7. Findings were made and certified pursuant to the provisions of CEQA.

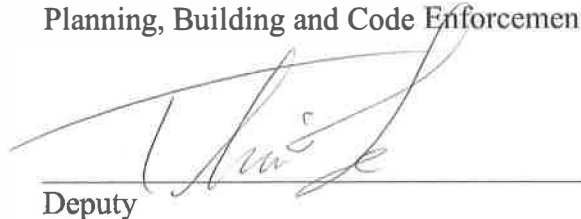
The Initial Study, Environmental Impact Report, Mitigation Monitoring and Reporting Program (MMRP), all associated technical documents, and the record of project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 3rd Floor Tower, San José CA 95113-1905.

In response to the COVID-19 and Shelter-in-Place policy, hard copies for viewing may be limited during restricted hours for the location listed above. Therefore, these documents and record of approval could also be viewed online at www.sjpermits.org and/or www.sanjoseca.gov/activeeirs.

This notice is in compliance with Section 21108 and 21152 of the Public Resources Code.

The above-described project was approved and issued on October 27, 2020.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement



Deputy

Date: 10/28/2020

Environmental Project Manager:
Thai-Chau Le