

**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

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Sunnyvale
2. PROJECT TITLE: Orchard Garden Park Affordable Housing Project
3. APPLICANT NAME: First Community Housing PHONE: 408-291-8650
4. APPLICANT ADDRESS: 75 E. Santa Clara St. Suite 1300
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. <b><u>ENVIRONMENTAL IMPACT REPORT</u></b> (PUBLIC RESOURCES CODE §21152)                                   | \$ 3,445.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <b><u>NEGATIVE DECLARATION</u></b> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ 2,480.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <b><u>APPLICATION FEE WATER DIVERSION</u></b> (STATE WATER RESOURCES CONTROL BOARD ONLY)                   | \$ 850.00   | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <b><u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u></b>  | \$ 1,171.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <b><u>COUNTY ADMINISTRATIVE FEE</u></b> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>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> |
|--|---|--------|------------------|

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)

**Notice of Determination****Appendix D****To:**

Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: Santa Clara County  
 Address: 70 W. Hedding Street E Wing, 1st FL  
San Jose, CA 95110

**From:**

Public Agency: City of Sunnyvale  
 Address: 456 W. Olive Ave  
Sunnyvale, CA 94087  
 Contact: Cindy Hom  
 Phone: 408-730-7411

Lead Agency (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2012032003

Project Title: Orchard Garden Park Affordable Housing Project

Project Applicant: First Community Housing

Project Location (include county): 245 W. Weddell Drive Sunnyvale, CA 94089, Santa Clara County

**Project Description:**

A request to redevelop an existing affordable housing development for a total of 123 affordable units. The proposal consists of demolition of a 32-unit apartment building, construction of 93 residential units in a new six-story building, rehabilitation of the existing 30-unit apartment building and installation of related site improvements located on a 1.72-acre site.

This is to advise that the City of Sunnyvale has approved the above  
 Lead Agency or  Responsible Agency)

described project on 11/8/2021 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://sunnyvale.ca.gov/business/planning/ceqa.htm>

Signature (Public Agency):  Title: Principal Planner

Date: November 9, 2021 Date Received for filing at OPR: \_\_\_\_\_



Sunnyvale

City Hall  
456 West Olive Avenue  
Sunnyvale, CA 94088-3707  
TDD/TYY 408-730-7440  
sunnyvale.ca.gov

## **Project was considered under the City of Sunnyvale Land Use and Transportation Element (LUTE) Program EIR**

- The project is consistent with the development density established by the Sunnyvale Land Use and Transportation Element (LUTE) of the City's General Plan. There are no project specific significant effects that are peculiar to the project or its site or which cannot be substantially mitigated through uniformly applied development standards or policies. There are no environmental effects that were not analyzed as significant effects in the LUTE EIR, no potentially significant off-site impacts or cumulative impacts that were not discussed in the LUTE EIR, and no previously identified significant effects that will have a more severe adverse impact than discussed in the LUTE EIR.
- The project is exempt from additional CEQA review per CEQA Guidelines section 15183 and Public Resources Code Section 21083.3. The LUTE Program EIR was approved and NOD was filed as shown in Attachment I.
- As per Fish and Wildlife and California Code sections: Only one filing is required for each project, even if multiple notices of determination are filed for a project, unless the project is tiered or phased or separate environmental documents are required [(Fish and Wildlife 711.4 (g); 14 California Code of Regulations 753.5 (e)(3)]. The fee must be paid with the first notice of determination that is filed; the applicant must attach copies of the receipt to any additional notices of determination required for the project [(14 California Code of Regulations 753.5 (e)(4)]. The County Clerks and Office of Planning and Research are required to maintain records of all environmental documents received, and remit the filing fees monthly to the Department of Fish and Wildlife [(Fish and Wildlife 7411.4 (e)(1)].

**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



Santa Clara County - Clerk-Recorder Office  
State of California

**File Number: ENV20770**

ENVIRONMENTAL FILING

No. of Pages: 2

Total Fees: \$3128.25

File Date: 04/14/2017

Expires: 05/14/2017

**REGINA ALCOMENDRAS, Clerk-Recorder**

By: Mike Louie, Deputy Clerk-Recorder

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: CITY OF SUNNYVALE
2. PROJECT TITLE: LAND USE AND TRANSPORTATION ELEMENT (#2016-7708)
3. APPLICANT NAME: CITY OF SUNNYVALE PHONE: 408-730-7440
4. APPLICANT ADDRESS: 456 W Olive Ave. Sunnyvale, CA 94088-3707
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)	\$ 3,078.25	\$ <u>3,078.25</u>
<input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,216.25	\$ <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>	\$ 1,046.50	\$ <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>
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8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_
9. TOTAL RECEIVED..... \$ 3,128.25

\*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.

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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.

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(Fees Effective 01-01-2017)

Notice of Determination

Appendix D

To:
Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk
County of: Santa Clara
Address: 70 W. Hedding St., East Wing, 1st Floor
San Jose, CA 95110

From:
Public Agency: City of Sunnyvale
Address: 456 W. Olive Ave.
Sunnyvale, CA 94086
Contact: Andrew Miner, Planning Officer
Phone: (408) 730-7440

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2012032003

Project Title: Land Use and Transportation Element (#2016-7708)

Project Applicant: City of Sunnyvale

Project Location (include county): Sunnyvale, Santa Clara County, CA

Project Description:

Land Use and Transportation Element
The Land Use component of the LUTE addresses how much and where various categories of land use (e.g., housing, commercial, industrial, etc.) can be placed within the City. Note that the Housing Element (Chapter 5), which was updated in 2015, addresses housing affordability. Transportation policies in the draft LUTE focus on a regional approach to reducing vehicle miles traveled, complete streets, alternative transportation modes, and supporting mixed-use development that allows for carlight and car-free living in Sunnyvale. The LUTE accommodates land use and transportation changes in the City of Sunnyvale.

This is to advise that the City of Sunnyvale City Council has approved the above (X) Lead Agency or ( ) Responsible Agency

described project on April 11, 2017 and has made the following determinations regarding the above (date)

described project.

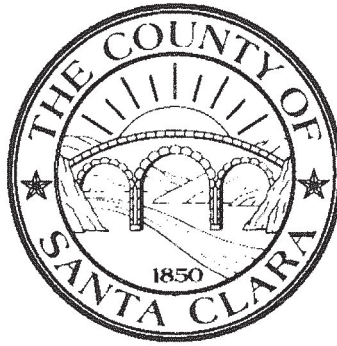
- 1. The project (X) will ( ) will not] have a significant effect on the environment.
2. (X) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. ( ) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (X) were ( ) were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan (X) was ( ) was not] adopted for this project.
5. A statement of Overriding Considerations (X) was ( ) was not] adopted for this project.
6. Findings (X) were ( ) were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Sunnyvale, Community Development Dept., 456 W. Olive Ave., Sunnyvale, CA 94086

Signature (Public Agency): [Signature] Title: Planning Officer

Date: April 13, 2017 Date Received for filing at OPR:



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

Receipt: 17-72624

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$3,128.25
	# Pages	2
	Document #	ENV20770
	Document Info:	CITY OF SUNNYVALE
	Filing Type	1
<b>Total</b>		\$3,128.25
Tender (Check)		\$3,128.25
Check #	100290588	
Paid By	CUSTOMER	

PLEASE KEEP FOR REFERENCE



# 2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER:  
ENV20770

STATE CLEARINGHOUSE NUMBER (If applicable)

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

LEAD AGENCY CITY OF SUNNYVALE	LEAD AGENCY EMAIL	DATE 04/14/2017
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COUNTY/STATE AGENCY OF FILING SANTA CLARA	DOCUMENT NUMBER
--	-----------------

PROJECT TITLE  
LAND USE AND TRANSPORTATION ELEMENT (#2016-7708)

PROJECT APPLICANT NAME CITY OF SUNNYVALE	PROJECT APPLICANT EMAIL	PHONE NUMBER (408) 730-7440
---	-------------------------	--------------------------------

PROJECT APPLICANT ADDRESS 456 W OLIVE AVE	CITY SUNNYVALE	STATE CA	ZIP CODE 94088
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**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) | \$3,070.00 | \$ | \$3,078.25 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)     | \$2,210.25 | \$ |            |
| <input type="checkbox"/> Certified Regulatory Program document (CRP)  | \$1,043.75 | \$ |            |

- Exempt from fee  
 Notice of Exemption (attach)  
 CDFW No Effect Determination (attach)  
 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** \$ 3,128.25

SIGNATURE <i>X Mike Louie</i>	AGENCY OF FILING PRINTED NAME AND TITLE Mike Louie, Deputy County Clerk-Recorder
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