

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

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: _____
2. PROJECT TITLE: _____
3. APPLICANT NAME: _____ PHONE: _____
4. APPLICANT ADDRESS: _____
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR _____ DAYS.
7. **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT**

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|---|----|----------|
| 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ | \$ _____ |
| 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ | \$ _____ |
| 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ | \$ _____ |
| 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ | \$ _____ |
| 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ | \$ _____ |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|--|----|----------|
| 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ | \$ _____ |
| 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: ENVIRONMENTAL IMPACT REPORT NEGATIVE DECLARATION | \$ | \$ _____ |

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

- | | | | | |
|-----------------------|------------------|--------|----------|--------|
| NOTICE OF PREPARATION | NOTICE OF INTENT | NO FEE | \$ _____ | NO FEE |
|-----------------------|------------------|--------|----------|--------|

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

9. TOTAL RECEIVED..... \$ _____

*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)



NOTICE OF DETERMINATION

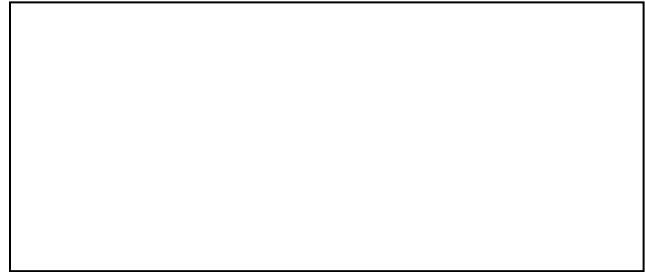
Date: 6/30/2020

File Number: 2019-8001

To: County Clerk Santa Clara County
70 West Hedding Street
San Jose, California 95110

FROM: Planning Division City of Sunnyvale
P.O. Box 3707
Sunnyvale, California 94088-3707

Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, California 95814



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

Project Title: 399 W. Java Drive

N/A

State Clearinghouse Number Contact Person Telephone Number

Project Location (APN): The property is located at 399 W Java Drive, APN 110-26-047

Project Description: Miscellaneous Plan Permit to allow minor modification to previously approved Major Moffett Park DR (# 2011-7495), which allowed construction of a 6-story, 315,000 sf office building, 24,000 sf special use amenities building and a 6-level parking structure. Modifications to the office and parking structure include minor changes to building footprints, change of building material from traditional frame structure to mass timber, relocation of 128 surface parking stalls to the parking structure to create more open/landscaped areas, and increase in height of parking structure by 11' to accommodate taller floor-to-floor heights to allow greater flexibility of use in the future

This is to advise that the City of Sunnyvale has approved the above described project on 6/30/2020 and has made the following determination regarding the above described project:

- 1. The Project [] will [x] 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. [x] A Mitigated Negative Declaration was prepared for this project pursuant to the provision 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 [] was [x] was not adopted for this project.
6. Findings [x] were [] were not made pursuant to the provisions of CEQA.

The Final EIR, Mitigated Negative Declaration or Negative Declaration and record of project approval is available to the general public at: Community Development Department, City Hall, 456 West Olive Avenue, Sunnyvale, California 94087.

Michelle D. King

6/30/2020

Signature, Principal Planner

Date

Date Received for Filing at OPR

On October 10, 2011, the City Planning Commission adopted a mitigated negative declaration (“MND”) in connection with File Number: 2011-7495, a Moffett Park Major Design Review permit for a new 6-story 315,000 square foot office building, 24,000 square foot special amenities building, an one parking structure at 589 and 399 W Java Drive. Given (i) the current project’s environmental effects were examined under the prior MND; (ii) no new unexamined environmental effects will occur; (iii) no new mitigation measures are required, and (iv) the proposed project is consistent with the prior project’s CEQA analysis, the City has determined pursuant to CEQA Guidelines section 15162 that further environmental review is not required and that the previously adopted MND (File Number 2011-7495) may serve as the basis for this discretionary approval.