

## NOTICE OF EXEMPTION

TO: County Clerk-Recorder  
County of Santa Clara  
70 W. Hedding Street  
1<sup>st</sup> Fl., E. Wing  
San Jose, CA 95110  
[filing pursuant to Government  
Code Section 21152(b)]

FROM:  
West Valley- Mission  
Community College District  
14000 Fruitvale Avenue  
Saratoga, CA 95070

κ\_ State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

**Project Title:** West Valley District Public Safety and Community Services Building

**Project Location:** This project is situated on the West Valley College (WVC) campus in the City of Saratoga, County of Santa Clara. The campus is located at the intersection of Fruitvale and Allendale avenues (14000 Fruitvale Avenue).

### **Description of Nature, Purpose, and Beneficiaries of Project:**

#### *Proposed New and Upgraded Facilities*

West Valley College is proposing to build a new, expanded public safety and community services building to replace its existing police station on the WVC campus. The existing station is approximately 1285 sq. ft. and located in a portable building adjacent to the College's swim center.

The proposed new police station project site is a portion of the existing Parking Lot I near the corner of Allendale Avenue and Theater Way. The site is primarily a paved parking lot, but also includes an unpaved area with a large mature oak tree. The site is adjacent to Theater Way on the west, Allendale Avenue on the north, and the remainder of Lot I to the east and south. The nearest residences are across Allendale Avenue from the site.

The project would construct a 9,406-sq. ft., one-story police station building, which also would include a 750-sq. ft. community room; 33 secure parking spaces for police vehicles, of which includes 2 parking spaces for evidence storage, and visitors also would be constructed. 70 public/student/staff parking spaces would be eliminated of the 367 parking spaces in Lot I. The existing 1285 sq. ft. police station would be removed upon completion of the project.

Utilities would be provided via connections to existing campus utilities lines.

Three trees would be removed for project construction. These include one large coastal live oak tree and two landscape trees in the parking lot. Tree removal would occur outside of the protected bird species nesting season (removal would occur only between September 1 and January 31)

#### *Site Grading*

The site is generally level, however some grading would be required for installation of the foundations and infrastructure to serve the new police station building. Grading will be required to raise the site, conform to the existing parking lot, and create areas of stormwater treatment. Other minor grading would

be required for landscaping. A total of roughly 1,500 cubic yards of material would be cut, and 4,500 cubic yards of fill is required. All graded removal would be reused on the site.

*Stormwater Management*

Overall site impervious areas will decrease from 39,150 sq. ft. to 37,320 sq. ft. Therefore, the project would slightly increase runoff compared to the existing site. In coordination with the planting design, the project will implement a Low Impact Development bio-treatment area adjacent to the development area to capture and treat runoff from new impervious areas. New storm drain pipes would be plumbed from the bio-treatment areas to connect and discharge to the existing on-site storm drain.

The project area will exceed 1 acre and therefore will require coverage under the construction general permit. A SWPPP should be prepared. A Qualified SWPPP Developer (QSD) will prepare the SWPPP binder and complete the project Notice of Intent on the State's online SMARTS system. A Qualified SWPPP Practitioner (QSP) will be designated during construction to implement and monitor Best Management Practices (BMPs), sample and analyze stormwater runoff, and provide required reporting and uploads to the online SMARTS system. Under the State's NPDES Municipal Stormwater program, WVC is a non-traditional small MS4 that has not been designated for regulation and therefore has no waste discharge requirements under the Municipal Program's Phase II General Permit.

*Construction Timing and Duration*

The project would be constructed in a single phase over a 15-month period, from September 2022 through December 2023. Work hours would comply with the Santa Clara County Noise Ordinance (County Code Sec. B11-154), which requires construction that generates noise be limited to weekdays and Saturdays between 7 am and 7pm, and also limits equipment noise.

*Operational Changes*

The project would not alter the College's enrollment or classroom capacity, nor would it change the number of police officers, support staff, and other WVC staff on the campus. Approximately 31 Campus Police Department staff would be relocated from the existing station to the new station, along with 2 other WVC staff. One staff member relocating to the new building includes the Director of Health Services and the other staff member is from Locksmith/Security. The new station would also have a Community Room.

*Project Objectives and Benefits*

The proposed project would eliminate space constraints at the existing police station, and provide the college with a state-of-the-art police station, along with public meeting space.

**Name of Public Agency Approving Project:** West Valley - Mission  
Community College District

**Name of Person or Agency Carrying out Project:** Gaye Dabalos, Director, Facilities  
West Valley- Mission  
Community College District

**Exempt Status:** (Check one)

Ministerial (§15073, State Guidelines; §4.5, Local Guidelines)

Declared Emergency (§15269[a], State Guidelines; §4.4[A], Local Guidelines)

Emergency Project (§15269 [b] and [c], State Guidelines; §4.4[B] and [C], Local Guidelines)

\_x\_ Categorical or Statutory Exemption, State type and section number:

State Guidelines: §15303, Class 3: New Construction or Conversion of Small Structures

**Reasons why project is exempt:** The project is exempt pursuant to categorical exemptions per CEQA Guidelines §15303(c), *New Construction or Conversion of Small Structures*, which identifies exemptions for construction of limited numbers of new, small facilities or structures, not to exceed 10,000 sq. ft. in urbanized areas on sites zoned for such uses. This project involves the construction of a 9406-sq. ft. new building on a mostly paved site on the WVC campus, and which is zoned for the proposed use.

The project does not include any of the exceptions applicable to Class 3 exemption listed in CEQA Guidelines §15300.2, which would disallow use of a categorical exemption. Those exceptions are:

- *The cumulative impact of the project and successive projects of the same type in the same place, over time is significant.*

There are no other projects proposed adjacent to the proposed project site with impacts that may overlap those of the project.

- *The project will adversely affect a scenic highway or other scenic resources.*

The project site is not visible from any state scenic highway or other scenic resource. It would be a small, low-lying building on an existing college campus, partially protected from views from residences on Allendale Avenue by existing landscape vegetation.

- *There is a reasonable possibility that the project would result in a significant adverse impact due to unusual circumstances.*

The only environmentally sensitive resource on the project site is the large oak tree proposed for removal. That tree would be removed outside of the nesting season of protected bird species, so no potentially significant impacts to sensitive resources is expected to occur.

- *The project may cause a substantial adverse change in the significance of a historical resource.*

The existing police station, which is planning to be removed after the project is constructed is a non-descript portable structure and would not be an historic resource.

- *The project site is located on a hazardous waste site listed pursuant to Government Code Section 65962.5 (i.e. Cortese List).*

A review of the DTSC database indicated no mapped hazardous waste or materials sites within a mile of the project site.

(<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=west+valley+college> accessed May 26, 2021)

As summarized above, none of these exceptions apply to the proposed project exemptions. Staff believes this project qualifies for CEQA Guidelines §15303(c), - Class 3 *New Construction or Conversion of Small Structures* Categorical Exemption; therefore, preparation of a CEQA Initial Study or Environmental Impact Report is not required.

**Contact Person:** Gaye Dabalos

**Telephone:** (408) 741-2077

**Date Mailed:** 2/16/2022

**Signature:**   
Gaye Dabalos, Director, Facilities