



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

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| RECEIPT NUMBER: ENV22623 |
| STATE CLEARINGHOUSE NUMBER (If applicable) |

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--|-------------------|--------------------|
| LEAD AGENCY UNION SCHOOL DISTRICT | LEAD AGENCY EMAIL | DATE 02/19/2020 |
| COUNTY/STATE AGENCY OF FILING SANTA CLARA | DOCUMENT NUMBER | |

PROJECT TITLE
 GUADALUPE ELEMENTARY MODULAR CLASSROOM PROJECT

| | | |
|---|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME UNION SCHOOL DISTRICT | PROJECT APPLICANT EMAIL | PHONE NUMBER (408) 377-8010 |
| PROJECT APPLICANT ADDRESS 5175 UNION AVE | CITY SAN JOSE | STATE CA |
| | | ZIP CODE 95124 |

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

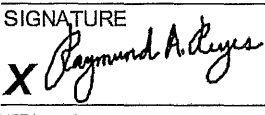
- Environmental Impact Report (EIR) \$3,271.00 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,354.75 \$ _____
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,112.00 \$ _____

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____ \$50.00
- Other \$ _____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED \$ _____ \$50.00

| | |
|---|--|
| SIGNATURE  | AGENCY OF FILING PRINTED NAME AND TITLE Raymund A Reyes, 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: ENV22623

ENVIRONMENTAL FILING

No. of Pages: 5

Total Fees: \$50.00

File Date: 02/19/2020

Expires: 03/20/2020

REGINA ALCOMENDRAS, Clerk-Recorder
By: Raymund A Reyes, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: Union School District
2. PROJECT TITLE: Guadalupe Elementary Modular Classroom Project
3. APPLICANT NAME: Union School District PHONE: 408-377-8010
4. APPLICANT ADDRESS: 5175 Union Avenue San Jose CA 95124
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. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 3,343.25 | \$ <u>0.00</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 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>0.00</u> |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

| | | |
|---|----------|-----------------|
| <input checked="" type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ <u>50.00</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..... \$ 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)

(Fees Effective 01-01-2020)

Notice of Exemption

2020030131

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Clara70 West Hedding StreetSan Jose, CA 95110From: (Public Agency): Union School District5175 Union AvenueSan Jose, CA 95124

(Address)

Project Title: Guadalupe Elementary Modular Classroom ProjectProject Applicant: Union School District

Project Location - Specific:

6044 Vera Cruz Drive, San Jose, CA. 95120

Project Location - City: San JoseProject Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

One 60'x40' portable classroom building, subdivided into two classrooms (with two bathrooms and a storage room), will be constructed on existing school grounds. The purpose is to provide additional classroom space in a cost-effective, sustainable manner.

Name of Public Agency Approving Project: Union School DistrictName of Person or Agency Carrying Out Project: Ms. Rita Sohal, Assistant Superintendent of Bus. Svcs.

Exempt Status: (check one):

 Ministerial (Sec. 21080(b)(1); 15268); Declared Emergency (Sec. 21080(b)(3); 15269(a)); Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); Categorical Exemption. State type and section number: Class 14, Sec. 15314 Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The Class 14 Exemption applies to minor additions to schools that increase student capacity by no more than 25% or an increase of 10 classrooms, whichever is less. The proposed project's additional student/classroom capacity is below the threshold (less than 25% increase in student capacity and only two additional classrooms) and therefore it is exempt.

Lead Agency

Contact Person: Ms. Rita SohalArea Code/Telephone/Extension: 408-377-8010

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes NoSignature:  Date: 2/11/2020 Title: Asst Sup, Business Svcs. Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR's Office of Planning & Research

MAR 04 2020

STATE CLEARINGHOUSE

GUADALUPE ELEMENTARY SCHOOL
KINDERGARTEN MODULAR CLASSROOM CONSTRUCTION PROJECT
NOTICE OF EXEMPTION DISCUSSION

Project Description

Existing Conditions

Guadalupe Elementary School, located at 6044 Vera Cruz Drive in San Jose is owned and operated by the Union School District. The site proposed for a new portable classroom is on existing school grounds in the southwest section of the school property, adjacent to Vera Cruz drive on the south, a large parking lot on the east, a grass area on the west and a paved area on the north between the new portable and the existing kindergarten building. The school is in a single-family residential neighborhood, with homes facing the school property along Vera Cruz Drive. The east and northeast edges of the school property are lined with 6-foot privacy fences along the backyards of the homes on Redmond Avenue and Monteverde Drive. Guadalupe Elementary School enrolled 584 students in grades K-5 for the 2019-20 school year.¹

Proposed Project

The proposed project would consist of constructing one new 60'x40' (2,400 square feet) modular building on a permanent foundation. This new building includes two classrooms divided in the center by two bathrooms and a storage room (accessible to both classrooms). As a result, the total number of kindergarten classroom space on campus would increase by 1,920 square feet (two classrooms, 960 square feet each) with the new modular building. The building would be single-story with gently sloping standing-seam metal roofing. There would be wood siding on the building. There would be four windows on the new modular building, with two in each classroom (front and back of the building).

The new modular building site would be located near the existing kinder classroom permanent building, adjacent to a grassy area. The play equipment area would be relocated nearby its existing location in order to accommodate the new classroom building. Existing on-site parking would be removed to fit the new portable classroom building. There would be a new fence around two sides of the new portable building. A new parking lot would be constructed in the southeast corner of the property.

The project would be constructed in the summer and fall of 2020, with a proposed 8-week construction period between late May and early August.

¹ <https://www.publicschoolreview.com/guadalupe-elementary-school-profile/95120>

Categorical Exemption Analysis

Class 14 Exemption

The Class 14 Exemption (CEQA Guidelines Section 15314) applies to minor additions to schools that increase student capacity by no more than 25% or an increase of 10 classrooms, whichever is less. The proposed new portable would increase overall classroom space by two classrooms (960 square feet each) and would be divided by two bathrooms and a shared storage room (2,400 total square feet). Additional student/classroom capacity is below the threshold, with two additional classrooms and less than 25% increase in student capacity.² Therefore this exemption would apply.

Analysis of Possible Exceptions to Class 14 Exemption

The Class 14 Exemption is subject to the following exceptions:

- **Cumulative Impact.** This exception would apply if the project were to contribute to significant impacts to a resource in combination with other proposed new development nearby. No other such development is proposed, so this exception would not apply.
- **Scenic Highways.** This exception would apply if the project were to result in damage to scenic resources within a scenic highway corridor. The project site is not within or visible from any designated scenic highways, so this exception would not apply.
- **Hazardous Waste Sites.** This exception would apply if the project were to be located on a hazardous waste site listed pursuant to California Government Code section 65962.5. A search of the State Envirostor database conducted on December 17, 2019, found no listed hazardous wastes sites on or within two miles of the school site. (http://www.envirostor.dtsc.ca.gov/public/map/?global_id=21880002)
- **Historical Resources.** This exception would apply if the project were to potentially significantly adversely affect an historical resource. The proposed project includes no alterations to the existing school buildings, and therefore would not have the potential to adversely affect any historical resources.

Significant Effect. The exception would apply if the project would have the potential for a significant effect to the environment due to unusual circumstances.

² Projected student capacity increase is approximately 8%, or approximately 48 students, based on adding two new classrooms and accommodating the existing 24:1 student-teacher ratio applied to existing enrollment of 584 students (2019-20 academic year).

Unusual circumstances may include historic structures, hazardous materials contamination, protected species or habitats, and other similar conditions. There are no other unusual circumstances on the site and there is no potential for significant effect, therefore this exception would not apply.

Conclusions

As discussed above, the project is within the parameters of the Class 14 Exemption. Further, none of the exceptions to the exemption would apply. Therefore, this exemption would apply to the proposed project.