



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

RECEIPT NUMBER:

ENV22624

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

NODDIN ELEMENTARY PORTABLE CLASSROOM PROJECT

| | | |
|---|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME UNION SCHOOL DISTRICT | PROJECT APPLICANT EMAIL | PHONE NUMBER (408) 377-8010 |
|---|-------------------------|--------------------------------|

| | | | |
|--|------------------|-------------|-------------------|
| PROJECT APPLICANT ADDRESS 5175 UNION AVENUE | 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:

| | | | |
|---|------------|----|--|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,271.00 | \$ | |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | |
| <input type="checkbox"/> 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)

| | | | |
|---|----------|----|--|
| <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 \$ \$50.00

SIGNATURE

X *Raymund A. Reyes*

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: ENV22624

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: Noddin Elementary Portable 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. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) | \$ 3,343.25 | \$ 0.00 |
| <input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,406.75 | \$ 0.00 |
| <input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ 0.00 |
| <input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | \$ 1,136.50 | \$ 0.00 |
| <input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ 50.00 | \$ 0.00 |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|---|----------|----------|
| <input checked="" type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ 50.00 |
| <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 | \$ 0.00 |

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 | \$ NO FEE |
|--|---|--------|-----------|

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)

2020030134

Notice of Exemption**Appendix E**

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

County Clerk

County of: Santa Clara

70 West Hedding Street

San Jose, CA 95110

From: (Public Agency): Union School District

5175 Union Avenue

San Jose, CA 95124

(Address)

Project Title: Noddin Elementary Portable Classroom Project.

Project Applicant: Union School District

Project Location - Specific:

1755 Gilda Way, San Jose, CA. 95124

Project Location - City: San Jose

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

Two 24'x40' relocatable classroom buildings will be moved from Athenour Elementary and relocated on existing Noddin school grounds, and one new 24' x 20' portable building also will be installed. Minor interior improvements also will be made. The purpose is to provide additional classroom space.

Name of Public Agency Approving Project: Union School District

Name 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 three additional classrooms) and therefore is exempt.

Lead Agency

Contact Person: Ms. Rita Sohal

Area 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 ☐ No

Signature: Rita Sohal 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: _____

Governor's Office of Planning & Research

MAR 04 2020

STATE CLEARINGHOUSE

Revised 2011

NODDIN ELEMENTARY SCHOOL
RELOCATABLE BUILDINGS PROJECT
NOTICE OF EXEMPTION DISCUSSION

Project Description

Existing Conditions

Noddin Elementary School, located at 1755 Gilda Way in San Jose, is owned and operated by the Union School District. The school is in a residential neighborhood, with primarily single-family residences. The portables would be located on a paved play area with existing recreation courts, adjacent to existing school buildings

Views of the project site from off-site are shielded by mature trees (along Harwood Road), existing Noddin portables, and a grassy field. The academic year 2019-20 enrollment at Noddin Elementary School is 622 students in kindergarten through 5th grade.¹

Proposed Project

The proposed project involves the relocation and modification of two 24 by 40-foot portable classrooms (960 sq. ft. each), and installation of one new 24 by 40-foot portable building, for a total of three new portables, on the existing school grounds. These portable classrooms will be moved from Athenour Elementary School (5200 Dent Ave. in San Jose) to Noddin School and situated on new foundations to be constructed on the existing field. No trees would be removed for the project.

The proposed project consists of:

- Purchase one (1) new portable classroom (24'x40', 960 sf) and
- Relocate two portable classrooms (24' x 40', 960 sq. ft. each) from Athenour Elementary School to Noddin Elementary School.
- Install minor plumbing, electrical, and fire alarm connections to the buildings.
- Minor grading and paving for the two relocatable buildings.
- Interior upgrades to the portables.

The purpose of the project would be to add three additional classrooms.

The buildings would be single-story with gently sloping standing-seam metal roofs (12'-8" height) and painted wood siding. The relocatable classrooms would be installed on aggregate building pads with associated asphalt paving.

The project would be constructed in two phases in 2020: January – March and May – August.

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

No increase in enrollment is proposed as part of this project.

Categorical Exemption Analysis

Class 14 Exemption

The Noddin Elementary School Relocatable Classroom Project qualifies for Exemption under CEQA Categorical Exemptions, Class 14 exemption, which applies to minor additions to existing school facilities (assuming no exceptions to the exemptions apply).

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. By adding the three new classrooms, with an estimated student increase of 12%, the proposed project is below the threshold.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. A paving project involving surfacing about 4100 sq. ft. of the play field with asphalt is also proposed at the school. Although construction of the two projects may overlap, no overlapping off-site impacts are anticipated, and cumulative on-site noise and air pollution impacts are expected to be minimal. No off-site projects are known to be proposed.
- **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. The buildings would not create a visual impact in the neighborhood because they will be protected by trees and other existing portables nearby on campus. Thus, there will not be a significant view between the two portables and the surrounding neighborhood.
- **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 January 20, 2020, found no listed hazardous wastes sites on or within two miles of the

² The student capacity increase from adding two relocatable classrooms is estimated at approximately 50 students, which is 8% of 2019-20 enrollment (622 students and 25:1 student to teacher ratio, source: <https://www.publicschoolreview.com/guadalupe-elementary-school-profile/95120>).

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. 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.