



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: ENV22711
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY UNION SCHOOL DISTRICT	LEAD AGENCY EMAIL	DATE 04/22/2020
COUNTY/STATE AGENCY OF FILING SANTA CLARA	DOCUMENT NUMBER	

PROJECT TITLE  
 NODDIN ELEMENTARY PAVING 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

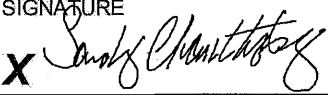
CHECK APPLICABLE FEES:

<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	\$ _____
<input checked="" type="checkbox"/> Exempt from fee		
<input checked="" type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> 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 	AGENCY OF FILING PRINTED NAME AND TITLE Sandy Chanthasy, Deputy County Clerk-Recorder
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**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

**File Number: ENV22711**

ENVIRONMENTAL FILING

No. of Pages: 5

Total Fees: \$50.00

File Date: 04/22/2020

Expires: 05/22/2020

**REGINA ALCOMENDRAS, Clerk-Recorder**

By: Sandy Chanthasy, 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 Paving Project
3. APPLICANT NAME: Union School District PHONE: (408) 377-8010
4. APPLICANT ADDRESS: 5175 Union Ave, 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 35 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	\$ <u>0.00</u>
<input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,406.75	\$ <u>0.00</u>
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 1,136.50	\$ <u>0.00</u>
<input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (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>
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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

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 Paving 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:

The proposed project involves paving three areas (11,987 sq. ft combined) within the existing school grounds.

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 1, Sec. 15301

Statutory Exemptions. State code number: General Rule Exemption, Section 15061(b)(3)

Reasons why project is exempt:

The paving project would be a minor improvement of an existing facility, therefore Class 1 Exemption applies. The General Rule Exemption also applies because the proposed paving project does not have the potential to result in a significant impact to the physical environment.

Lead Agency

Contact Person: Ms. Rita Sohal, Asst. Sup. Bus. 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: R Sohal Date: 3/11/2020 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: 3/11/2020  
Governor's Office of Planning & Research

APR 29 2020  
STATE CLEARINGHOUSE

**NODDIN ELEMENTARY SCHOOL PAVING 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 residences and trees across the street from the school along Gilda Way, Harlow Way, and Harwood Road. The paving project, which is comprised of three areas, would be located within the existing internal school grounds.

Proposed Project

The proposed project involves paving three areas (11,987 sq. ft combined) within the existing school grounds. The proposed project consists of:

- Replace asphalt paving (150'x20' area, 3000 sq. ft.) around existing utility boxes that border a section of classrooms on the north exterior of the main school building.
- Pave a new asphalt area (77'x55' area, 4235 sq. ft.) along the northwest side of campus, on the school's grassy playfield, adjacent to existing recreation courts under a shade structure.
- Pave a new asphalt area (108'x44' area, 4752 sq. ft.) along the northeast side of campus, on the school's grassy playfield, adjacent to existing recreation courts and portable classrooms along Harwood Road

The project would be constructed in one phase: June – August 2020.

The purpose of this project is to expand the school's capacity. No other construction on the school grounds is proposed.

**Categorical Exemption Analysis**

Class 1 Exemption

The CEQA Class 1 Exemption applies to minor alteration of existing facilities, including mechanical equipment and electrical conveyances as well as repairs and maintenance, where there would be negligible or no expansion of existing use (per CEQA Guidelines Section 15301). Minor alterations of existing streets, sidewalks, bicycle and pedestrian trails, and similar facilities is also covered under this exemption (Section 15301 (c)). Further, this exemption includes restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety Section 15301 (d)).

The project would involve asphalt paving (new sections and repairs) in three locations on the existing school grounds, with negligible or no expansion of existing use. Therefore, this

exemption would apply.

### Analysis of Possible Exceptions to Class 1 Exemption

Per CEQA Guidelines section 15300.2, exceptions to the Section 15301 Categorical Exemption can apply (and make the exemption not applicable to a project) where the following occur:

- **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. Three portable classroom buildings also are proposed for installation at the school, with construction potentially overlapping the paving project construction. While construction timing of these projects may overlap, no 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 in proximity of the school.
- **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 paving project areas would not create a visual impact in the neighborhood because they will be protected by trees or otherwise not be in view by 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 27, 2020, found no listed hazardous wastes sites on or within one mile of the school site. ([http://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=21880002](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.

### General Rule Exemption

Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to environmental review. In such cases, the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. (See CEQA Guidelines Section 15061(b)(3)). As described above, the proposed project does not have the potential to result in a significant impact to the physical environment. Therefore, this exemption would apply.

### Conclusions

As discussed above, the project is within the parameters of the Class 1 Categorical Exemption and the General Rule Exemption. Further, as detailed above, none of the exceptions to this exemption would apply. Therefore, these exemptions would apply to the proposed project.