

**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



Santa Clara County Clerk-Recorder's Office  
State of California



Document No.: 18799  
Number of Pages: 2  
Filed and Posted On: 7/02/2014  
Through: 8/01/2014  
CRO Order Number:  
Fee Total: 3,079.75

**CEQA DOCUMENT DECLARATION**

REGINA ALCOMENDRAS, County Clerk-Recorder  
by Laura Luna, Deputy Clerk-Recorder, u

**ENVIRONMENTAL FILING FEE RECEIPT**

**PLEASE COMPLETE THE FOLLOWING:**

1. LEAD AGENCY: Santa Clara Valley Water District
2. PROJECT TITLE: Upper Llagas Creek Flood Protection Project
3. APPLICANT NAME: Santa Clara Valley Water District PHONE: 408-265-2600
4. APPLICANT ADDRESS: 5750 Almaden Expressway, San Jose 95118
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 checked="" type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)                                   | \$ 3,029.75 | \$ 3,029.75 |
| <input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))                                                  | \$ 2,181.25 | \$ 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                                                       | \$ 1,030.25 | \$ 0.00     |
| <input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ 50.00    |

**b. PROJECTS THAT ARE EXEMPT FROM DFG FEES**

|                                                                                                                                                                                                                                                                                                                                                                                                                    |          |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)                                                                                                                                                                                                                                                                                                                       | \$ 50.00 | \$ 0.00 |
| <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: \$ 3,079.75

\*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 THREE COPIES. (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 01-01-2014)

## NOTICE OF DETERMINATION

File#: 18799

7/02/2014

Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118  
(408) 265-2600

☒ Office of planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95818

☒ County of Santa Clara County Clerk  
70 West Hedding Street  
San Jose CA 95110

### Subject:

*Filing of Notice of determination in compliance with Section 21108 or 21152 of the Public Resource Code.*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------|
| Contact Person:<br>Michael Martin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Telephone No:<br>408-630-3095 | State Clearinghouse No:<br>2012102032 |
| <b>Project Title:</b> Upper Llagas Creek Flood Protection Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                               |                                       |
| <b>Project Location:</b> Southern Santa Clara County in the communities of Morgan Hill and San Martin. The Project includes portions of Llagas Creek, West Little Llagas Creek and East Little Llagas Creek between Buena Vista Avenue in the south to Llagas Road in Morgan Hill to the north, and west to Lake Silveira.                                                                                                                                                                                                                                                                                                    |                               |                                       |
| <b>Project Description:</b> The Project will provide 1-percent flood protection for West Little Llagas Creek in Morgan Hill, 10-percent flood protection on East Little Llagas Creek, and no induced flooding along Llagas Creek through the project limits. Work will include channel widening and deepening, a high-flow bypass tunnel under Nob Hill in Morgan Hill, maintenance roads, culvert modifications, aquatic habitat enhancements, the removal or relocation of utilities and structures, creation of wetland and riparian habitat at Lake Silveira, and acquisition of property needed to complete the project. |                               |                                       |

This is to advise that the Santa Clara Valley Water District has approved the above described project on June 10, 2014, and has made the following determinations regarding the above described project:

1. The project ☐ will, ☒ 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.  
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were, ☐ were not made a condition of the approval of the project.
4. A statement of Overriding Considerations ☒ was, ☐ was not adopted for this project.
5. Findings ☒ were, ☐ were not made pursuant to the provision of CEQA.

This is to certify that the final Environmental Impact Report with comments and responses and record of project approval is available to the General Public at:

Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118

|                                                                                                                   |                                       |                    |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------|
| Signature (Public Agency):<br> | Title:<br>ENGINEERING<br>UNIT MANAGER | Date:<br>6/10/2014 |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------|

Date Received for  
Filing and Posting at OPR: