

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

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: \_\_\_\_\_
2. PROJECT TITLE: \_\_\_\_\_
3. APPLICANT NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_
4. APPLICANT ADDRESS: \_\_\_\_\_
5. PROJECT APPLICANT IS A:      Local Public Agency      School District      Other Special District      State Agency      Private Entity
6. NOTICE TO BE POSTED FOR \_\_\_\_\_ DAYS.
7. **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT**

**a. PROJECTS THAT ARE SUBJECT TO DFG FEES**

- |   |    |          |
|---|----|----------|
| 1. <b><u>ENVIRONMENTAL IMPACT REPORT</u></b> (PUBLIC RESOURCES CODE §21152)                                   | \$ | \$ _____ |
| 2. <b><u>NEGATIVE DECLARATION</u></b> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ | \$ _____ |
| 3. <b><u>APPLICATION FEE WATER DIVERSION</u></b> (STATE WATER RESOURCES CONTROL BOARD ONLY)                   | \$ | \$ _____ |
| 4. <b><u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u></b>  | \$ | \$ _____ |
| 5. <b><u>COUNTY ADMINISTRATIVE FEE</u></b> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ | \$ _____ |

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

- |  |    |          |
|--|----|----------|
| 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)  | \$ | \$ _____ |
| 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:      ENVIRONMENTAL IMPACT REPORT      NEGATIVE DECLARATION  | \$ | \$ _____ |

**c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES**

- |                       |                  |        |                 |
|-----------------------|------------------|--------|-----------------|
| NOTICE OF PREPARATION | NOTICE OF INTENT | NO FEE | \$ _____ NO FEE |
|-----------------------|------------------|--------|-----------------|

8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_

9. TOTAL RECEIVED..... \$ \_\_\_\_\_

\*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 DETERMINATION



Sunnyvale

Date: May 27, 2020

File Number: 2019-7507

To: X County Clerk  
Santa Clara County  
70 West Hedding Street  
San Jose, California 95110

FROM: Planning Division  
City of Sunnyvale  
P.O. Box 3707  
Sunnyvale, California 94088-3707

— Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, California 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

**Project Title:** 182,500-square foot Office Building at 1265 Borregas Avenue

N/A

State Clearinghouse Number Contact Person Telephone Number

**Project Location (APN):** The properties are located at 1265 Borregas Avenue (APN: 110-35-006), 160 Gibraltar Court (APN: 110-35-005), 1190 Borregas Avenue (APN: 110-34-007), and 1196 Borregas Avenue (APN: 110-34-008)

**Project Description: Major Moffett Park Design Review** to demolish existing buildings and construct a new five-story, 182,500-square foot office building on a merged parcel (1265 Borregas Avenue and 160 Gibraltar Court) resulting in 60.5% floor area ratio (FAR) with use of the green building incentive, **Minor Moffett Park Special Development Permit** to allow surface parking and open space on 1190 and 1196 Borregas Avenue to serve parking requirements for 1265 Borregas Avenue.

This is to advise that the City of Sunnyvale has approved the above described project on May 26, 2020, and has found that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan or Zoning for which an EIR was prepared/certified). The following determination has been made 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 Mitigated Negative Declaration was prepared for this project pursuant to the provision of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

The Final EIR, Mitigated Negative Declaration or Negative Declaration and record of project approval is available to the general public at: Community Development Department, City Hall, 456 West Olive Avenue, Sunnyvale, California 94087.

*Michelle D. King*

Signature, Principal Planner

Date 5/28/2020

**Date Received for Filing at OPR:** \_\_\_\_\_

**Project was considered under the City of Sunnyvale  
Land Use and Transportation Element (LUTE) Program EIR**

- The project is consistent with the development density established by the Sunnyvale Land Use and Transportation Element (LUTE) of the City's General Plan. There are no project-specific significant effects that are peculiar to the project or its site or which cannot be substantially mitigated through uniformly applied development standards or policies. There are no environmental effects that were not analyzed as significant effects in the LUTE EIR, no potentially significant off-site impacts or cumulative impacts that were not discussed in the LUTE EIR, and no previously identified significant effects that will have a more severe adverse impact than discussed in the LUTE EIR.
- The project is exempt from additional CEQA review per CEQA Guidelines section 15183 and Public Resources Code Section 21083.3.
- The LUTE Program EIR was approved and NOD was filed as shown in Attachment 1.
- As per Fish and Wildlife and California Code sections:  
Only **one filing is required** for each project, even if **multiple notices of determination are filed for a project**, unless the project is tiered or phased or separate environmental documents are required [(Fish and Wildlife 711.4 (g); 14 California Code of Regulations 753.5 (e)(3)]. The fee must be paid with the **first notice of determination that is filed; the applicant must attach copies of the receipt** to any additional notices of determination required for the project [(14 California Code of Regulations 753.5 (e)(4)]. The County Clerks and Office of Planning and Research are required to maintain records of all environmental documents received, and remit the filing fees monthly to the Department of Fish and Wildlife [(Fish and Wildlife 7411.4 (e)(1)].

**County of Santa Clara**  
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San Jose, California 95110 (408) 299-5688



Santa Clara County - Clerk-Recorder Office  
State of California

**File Number: ENV20770**

ENVIRONMENTAL FILING

No. of Pages: 2

Total Fees: \$3128.25

File Date: 04/14/2017

Expires: 05/14/2017

**REGINA ALCOMENDRAS**, Clerk-Recorder  
By: Mike Louie, Deputy Clerk-Recorder

**CEQA DOCUMENT DECLARATION**

**ENVIRONMENTAL FILING FEE RECEIPT**

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: CITY OF SUNNYVALE
2. PROJECT TITLE: LAND USE AND TRANSPORTATION ELEMENT (#2016-7708)
3. APPLICANT NAME: CITY OF SUNNYVALE PHONE: 408-730-7440
4. APPLICANT ADDRESS: 456 W Olive Ave. Sunnyvale, CA 94088-3707
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. <b><u>ENVIRONMENTAL IMPACT REPORT</u></b> (PUBLIC RESOURCES CODE §21152)                                   | \$ 3,078.25 | \$ <u>3,078.25</u> |
| <input type="checkbox"/> 2. <b><u>NEGATIVE DECLARATION</u></b> (PUBLIC RESOURCES CODE §21080(C))  | \$ 2,216.25 | \$ <u>0.00</u>     |
| <input type="checkbox"/> 3. <b><u>APPLICATION FEE WATER DIVERSION</u></b> (STATE WATER RESOURCES CONTROL BOARD ONLY)                              | \$ 850.00   | \$ <u>0.00</u>     |
| <input type="checkbox"/> 4. <b><u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u></b>   | \$ 1,046.50 | \$ <u>0.00</u>     |
| <input checked="" type="checkbox"/> 5. <b><u>COUNTY ADMINISTRATIVE FEE</u></b> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ <u>50.00</u>    |

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

- |   |          |                |
|---|----------|----------------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)  | \$ 50.00 | \$ <u>0.00</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: \_\_\_\_\_ \$ 3,128.25

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\*... 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 01-01-2017)

# Notice of Determination

## Appendix D

To:

☐ Office of Planning and Research  
U.S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk  
County of: Santa Clara  
Address: 70 W. Hedding St., East Wing, 1st Floor  
San Jose, CA 95110

From:

Public Agency: City of Sunnyvale  
Address: 456 W. Olive Ave.  
Sunnyvale, CA 94086  
Contact: Andrew Miner, Planning Officer  
Phone: (408) 730-7440

Lead Agency (if different from above):  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2012032003

Project Title: Land Use and Transportation Element (#2016-7708)

Project Applicant: City of Sunnyvale

Project Location (include county): Sunnyvale, Santa Clara County, CA

Project Description:

Land Use and Transportation Element  
The Land Use component of the LUTE addresses how much and where various categories of land use (e.g., housing, commercial, industrial, etc.) can be placed within the City. Note that the Housing Element (Chapter 5), which was updated in 2015, addresses housing affordability. Transportation policies in the draft LUTE focus on a regional approach to reducing vehicle miles traveled, complete streets, alternative transportation modes, and supporting mixed-use development that allows for carlight and car-free living in Sunnyvale. The LUTE accommodates land use and transportation changes in the City of Sunnyvale.

This is to advise that the City of Sunnyvale City Council has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on April 11, 2017 and has made the following determinations regarding the above  
(date)  
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 mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.
5. A statement of Overriding Considerations ☒ was ☐ was not adopted for this project.
6. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Sunnyvale, Community Development Dept., 456 W. Olive Ave., Sunnyvale, CA 94086

Signature (Public Agency):  Title: Planning Officer

Date: April 13, 2017 Date Received for filing at OPR: \_\_\_\_\_



Regina Alcomendras  
Santa Clara County  
Clerk-Recorder  
(408) 299-5688  
<https://www.sccgov.org>

Receipt: 17-72624

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$3,128.25
	# Pages	2
	Document #	ENV20770
	Document Info:	CITY OF SUNNYVALE
	Filing Type	1
<b>Total</b>		\$3,128.25
Tender (Check)		\$3,128.25
Check #	100290588	
Paid By	CUSTOMER	

PLEASE KEEP FOR REFERENCE

1

4/14/17 11:03 AM mlouie

**2016 ENVIRONMENTAL FILING FEE CASH RECEIPT**

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER:

ENV20770

STATE CLEARINGHOUSE NUMBER (if applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY

CITY OF SUNNYVALE

LEAD AGENCY EMAIL

DATE

04/14/2017

COUNTY/STATE AGENCY OF FILING

SANTA CLARA

DOCUMENT NUMBER

PROJECT TITLE

LAND USE AND TRANSPORTATION ELEMENT (#2016-7708)

PROJECT APPLICANT NAME

CITY OF SUNNYVALE

PROJECT APPLICANT EMAIL

PHONE NUMBER

(408) 730-7440

PROJECT APPLICANT ADDRESS

456 W OLIVE AVE

CITY

SUNNYVALE

STATE

CA

ZIP CODE

94088

**PROJECT APPLICANT (Check appropriate box)**

Local Public Agency



School District



Other Special District



State Agency



Private Entity

**CHECK APPLICABLE FEES:**

Environmental Impact Report (EIR)

\$3,070.00

\$

\$3,078.25



Mitigated/Negative Declaration (MND)(ND)

\$2,210.25

\$



Certified Regulatory Program document (CRP)

\$1,043.75

\$



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**

\$

\$3,128.25

SIGNATURE

AGENCY OF FILING PRINTED NAME AND TITLE

Mike Louie, Deputy County Clerk-Recorder