

Notice of Determination

Appendix D

To:

☐ Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth St.

Sacramento, CA 95814

☒ County Clerk

County of: Contra Costa

Address: 555 Escobar

Martinez, CA. 94553

From:

Public Agency: City of Hercules

Address: 111 Civic Drive

Hercules, California 94547

Contact: Dennis Tagashira

Phone: (510) 799-8243

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): 2007062002

Project Title: "Hercules New Town Center Final Environmental Impact Report"

Project Location (include county): Within the City of Hercules, in Contra Costa County, California.

Project Description:

The project consists of amendments to the Hercules General Plan and Zoning Ordinance to create a "New Town Center" (NTC) land use designation and zoning district that would apply to a 35 acre area identified as the Hercules New Town Center (HNTC). The City RDA and Hercules New Town Center LLC (project sponsor) propose redevelopment of one parcel within the HNTC planning area; a 6.6 acre parcel, also referred to as "Market Town" and is proposed with a mixed-use consisting of 400 units, 80,000 sq ft of office, and 60,000 sq ft of retail.

This is to advise that the City Council and the Hercules Redevelopment Agency has approved the above described project on

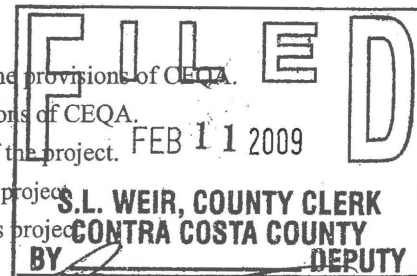
☒ Lead Agency or ☐ Responsible Agency

February 10, 2009

(Date)

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 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: the City of Hercules, 111 Civic Drive, Hercules, California, 94547

Signature (Public Agency)

Dennis Tagashira

Title Planning Director

Date February 11, 2009

Date Received for filing at OPR



State of California—The Resources Agency
DEPARTMENT OF FISH AND GAME
2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# **379262**

STATE CLEARING HOUSE # (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF HERCULES		DATE 2/16/2009
COUNTY/STATE AGENCY OF FILING CCC COUNTY CLERK		DOCUMENT NUMBER
PROJECT TITLE Hercules New Town Center FORMAL EIR		
PROJECT APPLICANT NAME City of Hercules		PHONE NUMBER 510799-8243
PROJECT APPLICANT ADDRESS	CITY	STATE
		ZIP CODE

PROJECT APPLICANT (Check appropriate box):

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

CHECK APPLICABLE FEES:

- | | | |
|---|------------|---------------------|
| ☒ Environmental Impact Report | \$2,768.25 | \$ 2,768.25 |
| ☐ Negative Declaration | \$1,993.00 | \$ |
| ☐ Application Fee Water Diversion (State Water Resources Control Board Only) | \$850.00 | \$ |
| ☐ Projects Subject to Certified Regulatory Programs | \$941.25 | \$ |
| ☒ County Administrative Fee | \$50.00 | \$ 50 |
| ☐ Project that is exempt from fees | | |
| ☐ Notice of Exemption | | |
| ☐ DFG No. Effect Determination (Form Attached) | | |
| ☐ Other | | \$ Ref 37185 |

PAYMENT METHOD:

- ☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ **2,818.25**

SIGNATURE

X

TITLE

DEPUTY COUNTY CLERK

WHITE - PROJECT APPLICANT YELLOW - DFG/ASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK FG 753.5a (Rev. 7/08)

CCC COUNTY CLERK
FEBRUARY 17, 2009 09:00:05

JANITA GONZA, CO Recorder Office
STANLEY L. WALK, Clerk-Recorder

CHECK NUMBER 379262
DATE BY
FEBRUARY 17, 2009

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DATE BY
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CLERK'S CERTIFICATION OF POSTING

CONTRA COSTA COUNTY
P. O. Box 350
Martinez, CA 94553

I certify that I am an employee of the county of Contra Costa and that a true copy of the foregoing notice for project:

"Hercules New Town Center Final Environmental Impact Report"
(Project Name)

was posted for review at:

Contra Costa County Clerk-Recorder's Office
555 Escobar Street
Martinez, CA 94553

This notice was posted for a minimum of 35 days on 2/11/09.
(Filing Date)

Dated: 4/10/09 By: RC
(Mailing Date) Deputy County Clerk