

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

County Clerk Recorder's Office

110 W. Tasman Dr, San Jose CA 95134

From: (Public Agency): City of Cupertino
10300 Torre Ave.

Cupertino, CA 95014

(Address)

Project Title: TR-2026-024

Project Applicant: Kevin Chisholm

Project Location - Specific:

20990 Valley Green Dr.

Project Location - City: Cupertino

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

Tree Removal Permit for the removal and replacement of three protected 16-inch, 14-inch and 20-inch Liquid ambar Development trees in the common area just outside of the patio fence of an apartment unit of the Villages at Cupertino Apartments at 20990 Valley Green Drive. Replacement trees will be two (2), 24-inch-box Quercus agrifolia (Coast Live Oak) trees, one (1) 24-inch-box Quercus rugosa (Natal Oak), and one (1) Quercus laevis (Island Live Oak) planted facing Stelling Road as well as two (2) Lagerstroemia indica (Crepe Myrtle) trees planted in the interior of the property in the common area.

Name of Public Agency Approving Project: City of Cupertino

Name of Person or Agency Carrying Out Project: Kevin Chisholm (kevin.chisholm@arbormd.com)

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 4, Section 15304
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Staff has found the project consistent with CMC 14.18.180(A)(1) that all three Liquid ambar trees "can cause potential damage to existing or proposed essential structures and cannot be controlled or remedied through reasonable relocation or modification of the structure." As well as CMC 14.18.180(A)(3), "That the protected tree(s) are a detriment to the subject property and cannot be adequately supported according to good urban forestry practices due to the overplanting or overcrowding of trees on the subject property." The City's consultant arborist's report states that "the tree roots are likely damaging the wall and concrete patio slab."

Lead Agency

Contact Person: Catherine Tarone

Area Code/Telephone/Extension: 408-777-3297

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: Catherine Tarone Date: 7/30/2026 Title: Permit Technician

• 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: _____