

**City of Modesto  
NOTICE OF DETERMINATION**

FILED

2019 APR 10 AM 8:59

**ATTENTION COUNTY CLERK:  
PLEASE DO NOT REMOVE BEFORE Tuesday, May 14, 2019**

STANISLAUS CO. CLERK-RECORDER  
**ASHIKA NARAYAN**

**TO:** County Clerk-Recorder  
County of Stanislaus  
1021 I Street  
Modesto, CA 95354

**FROM:** City of Modesto  
Community & Economic Development Dept.  
Planning Division  
P.O. Box 642  
Modesto, CA 95353

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

**Project Title:** PDZ-18-001—Rezone of 2.25 Acres from R-1 Zone to Planned Development Zone P-D(605)

**State Clearinghouse Number:** Modesto Urban Area General Plan Master EIR (SCH No. 2007072023)

**Contact Person:** Katharine Martin, Associate Planner Phone: 209-577-5267

**Applicants:** All Properties LLC, PO Box 615, Salida CA 95368 Ph: 209-613-0050  
Angel Family Trust, 1384 Merle Ct., Ripon, CA 95366 Ph: 209-810-8367.

**Owner:** All Properties LLC, PO Box 615, Salida CA 95368  
Angel Family Trust, 1384 Merle Ct., Ripon, CA 95366

**Project Location:** 2531 Rumble Road, Modesto CA

**Project Description:** Rezone of 2.25 acres of semi-vacant land within the Low Density Residential (R-1) Zone to Planned Development Zone P-D(605) to allow for a 50-unit apartment complex with associated off-street parking areas and community building/pool amenities.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on April 9, 2019 and has made the following determinations, pursuant to Section 21157.1 of the CEQA Guidelines:

The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. The following findings have been found to be true:

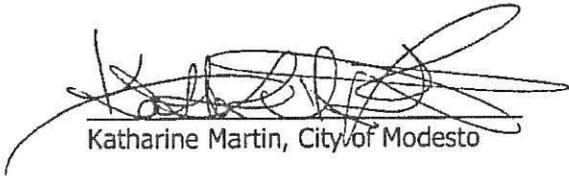
1. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.
2. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.
3. No new or additional mitigation measures or alternatives are required.
4. The subsequent project is within the scope of the project covered by the Master EIR.

5. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.
6. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

The Initial Study, Environmental Assessment No. EA/C&ED 2018-20, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 thru 6, noted above.

This is to certify that the Master EIR is available to the general public at:

City of Modesto, Community & Economic Development Department, Planning Division,  
1010 Tenth Street, Modesto, CA 95354



Katharine Martin, City of Modesto

Date: April 10, 2019 Title: Associate Planner

Governor's Office of Planning & Research

APR 10 2019

STATE CLEARINGHOUSE

REC'T # 0004254123  
April 10, 2019 ----- 08:57:18

Stanislaus, County Recorder  
Dorra Linder Co Recorder Office

Environ # 19-070 -

Check Number 4744  
RECD BY

County Admin Fee	\$57.00
-----	
Total fee .....	\$57.00
Amount Tendered...	\$57.00
-----	
Change .....	10.00

APR, 02/1/0

Governor's Office of Planning & Research.

APR 10 2019

STATE CLEARINGHOUSE



DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT

000010

Lead Agency: CITY OF MODOESTO Date: 10-20-08  
 County/State Agency of Filing: STAN. COUNTY CLERK REC. Document No.: 08-0194  
 Project Title: MODOESTO-GENERAL PLAN MASTER EIR UPDATE  
 Project Applicant Name: CITY OF MODOESTO  
 Project Applicant Address: P.O. BOX 642  
 City: MODOESTO State: CA Zip Code: 95353 Phone Number: (209) 577-5267

Project Applicant (check appropriate box):

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

Check Applicable Fees:

- |   |                    |    |                |
|---|--------------------|----|----------------|
| <input checked="" type="checkbox"/> Environmental Impact Report                                     | \$2506.75          | \$ | <u>2606.75</u> |
| <input type="checkbox"/> Negative Declaration   | \$1876.75          | \$ | _____          |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | \$386.25           | \$ | _____          |
| <input type="checkbox"/> Projects Subject to Certified Regulatory Programs                          | \$386.25           | \$ | _____          |
| <input checked="" type="checkbox"/> County Administrative Fee                                       | <del>\$57.00</del> | \$ | <u>57.00</u>   |
| <input type="checkbox"/> Project that is exempt from fees   |                    |    |                |
| <input type="checkbox"/> Notice of Exemption  |                    |    |                |
| <input type="checkbox"/> DFG No Effect Determination (Form Attached)                                |                    |    |                |

2606.75 # 329350  
 57.00 # 424993  
 TOTAL RECEIVED \$ 21063.75

Signature and title of person receiving payment: Heather A. Ornelas LEGAL CLERK  
WHITE-PROJECT APPLICANT      YELLOW-DFG/ASB      PINK-LEAD AGENCY      GOLDENROD-COUNTY CLERK      DFG 733.5a (Rev. 11/07)

Governor's Office of Planning & Research  
 APR 10 2019  
 STATE CLEARINGHOUSE

REC'T # 0002622777  
 October 20, 2008 — 10:58:32  
 Stanislaus, County Recorder  
 Lee Lundrigan Co Recorder Office  
 misc. # 08-353613 -  
 Check Number 424993  
 RECD BY  
 County Admin Fee      \$57.00  
 Total fee .....      \$57.00  
 Amount Tendered...      \$57.00  
 Change .....      \$0.00  
 DSK, C1/1/0

REC'T # 0002622776  
 October 20, 2008 — 10:58:05  
 Stanislaus, County Recorder  
 Lee Lundrigan Co Recorder Office  
 misc. # 08-353613 -  
 Check Number 339336  
 RECD BY  
 Env Impact Report      \$2,606.75  
 Total fee .....      \$2,606.75  
 Amount Tendered...      \$2,606.75  
 Change .....      \$0.00  
 DSK, C1/1/0





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

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. (Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs., Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD (no environmental filing fee is due).

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE (no environmental filing fee is due).

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090