

Notice of Determination

Appendix D

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

From:
Public Agency: City of Escalon
Address: 2060 McHenry Avenue
Escalon, CA 95320
Contact: Tammy Alcator, City Manager
Phone: 209-694-7421

[ ] County Clerk
County of: San Joaquin
Address: 44 N San Joaquin St #260
Stockton, CA 95202

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): 2018122039

Project Title: Well No. 1 Improvement Project

Project Applicant: Lead Agency Project

Project Location (include county): East end of Roosevelt Ave, Escalon

Project Description:
The project includes the construction of a replacement domestic water supply well, installation of new well pumps and modification of existing on-site piping connecting the well to the City distribution system and storage tank. The project will also include the demolition of the existing inactive well and future removal of the existing granulated activated charcoal (GAC) water treatment system.

This is to advise that the City of Escalon has approved the above ( [ ] Lead Agency or [ ] Responsible Agency )

described project on March 18, 2019 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:

Signature (Public Agency): Tammy Alcator Title: City Manager

Date: 03-19-19 Date Received for filing at OPR: Governor's Office of Planning & Research

MAY 01 2019

Filed Doc #: 39-03202019-077  
Wed Mar 20 08:13:36 PDT 2019  
Page: 1 of 2 Fee: \$2404.75  
Steve J. Bestolarides  
San Joaquin County Clerk

By Deputy: samanthat1



**Lead Agency:**

CITY OF ESCALON  
2060 McHenry Ave  
Escalon, CA 95320

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**DOCUMENT TITLE**

Notice of Determination - Negative Declaration  
Well No. 1 Improvement Project

Governor's Office of Planning & Research

MAY 01 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife

### 2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

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

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. It is the responsibility of the project applicant to retain this receipt for all subsequent NOD filings.

#### 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  
1416 9th Street, 12th Floor, Suite 1215  
Sacramento, California 95814



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

RECEIPT NUMBER:  
 39-03202019-077

STATE CLEARINGHOUSE NUMBER (If applicable)  
 2018122039

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF ESCALON	LEAD AGENCY EMAIL	DATE 03/20/2019
COUNTY/STATE AGENCY OF FILING SAN JOAQUIN	DOCUMENT NUMBER 39-03202019-077	

PROJECT TITLE  
 WELL NO. 1 IMPROVEMENT PROJECT

PROJECT APPLICANT NAME CITY OF ESCALON	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 694-7421
PROJECT APPLICANT ADDRESS 2060 MCHENRY AVE	CITY ESCALON	STATE CA
		ZIP CODE 95320

**PROJECT APPLICANT** (Check appropriate box)

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

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$ _____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$ <u>2,354.75</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$ _____
<input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<hr/>		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ <u>50.00</u>
<input type="checkbox"/> Other		\$ _____

**PAYMENT METHOD:**

Cash     Credit     Check     Other

**TOTAL RECEIVED**    \$ 2,404.75

SIGNATURE <i>X. Samantha Landrum</i>	AGENCY OF FILING PRINTED NAME AND TITLE Samantha E. Treat-Landrum, Deputy
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Governor's Office of Planning & Research

MAY 01 2019

STATE CLEARINGHOUSE



**RESOLUTION NO. 03-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCALON, CALIFORNIA  
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A NEW DOMESTIC  
WATER SUPPLY WELL – WELL NO. 1 A**

The City Council of the City of Escalon Does Hereby Resolve as Follows:

**WHEREAS**, the City of Escalon needs to replace inactive Well No. 1, due to the exceedance of the State's Maximum Contaminant Level (MCL) for nitrates. A new domestic water supply well will be constructed, installation of a new well pump and modifications of existing on-site piping connecting the new well to the distribution system and storage tank; and

**WHEREAS**, the Project is considered a "project" as defined by the California Environmental Quality Act (CEQA) and may involve potentially significant effects on the environment; and

**WHEREAS**, the City has prepared and circulated for public and agency review an Initial Study/Mitigated Negative Declaration (IS/MND) addressing the potential environmental effects of the Project in accordance with the requirements of CEQA; and

**WHEREAS**, a Notice of Intent to adopt the IS/MND was published in the Escalon Times on December 19, 2018; and

**WHEREAS**, the City Council has reviewed and independently considered the analysis and conclusions of the IS/MND.

**WHEREAS**, the City Council has considered all of the public or agency comments received during the public review of the IS/MND, which are shown in Chapter 6.0 of the IS/MND and are hereby incorporated by reference, as well as any comments that may have been made during the course of this meeting; and

**WHEREAS**, all comments and concerns have been satisfactorily addressed as shown in Chapter 6.0 of the IS/MND; and

**WHEREAS**, no other substantive environmental issues or concerns were raised in public or agency comments on the IS/MND, and no further response to comments is required; and

**WHEREAS**, the City has prepared a Mitigation Monitoring/Reporting Plan reflecting the analysis and mitigation recommendations contained in the IS/MND, a copy of which is attached hereto as Exhibit A;

**NOW, THEREFORE, BE IT RESOLVED THAT THE ESCALON CITY COUNCIL**  
hereby:

1. Adopts the Final Initial Study/Mitigation Negative Declaration for the Well No. 1A Improvement Project dated March 2019 and in doing so finds that; and

- a) The IS/MND represents the independent judgment and analysis of the City; and
- b) On the basis of the whole record before the City Council that there is no substantial evidence that the project will have a significant effect on the environment; and
- c) Revisions to the IS/MND, if any, are not substantial and do not require that the IS/MND be re-circulated.

2. Adopts the Mitigation Monitoring/Reporting Program for the Well No. 1A Improvement Project Dated March 2019.

3. Approves the Project as described in the IS/MND; and

4. The City Council hereby directs staff to file a notice of determination with the County Clerk of San Joaquin County within five (5) working days of approval of the Project.

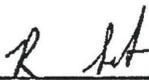
**PASSED, ADOPTED AND APPROVED** this 18<sup>th</sup> day of March, 2019 by the following roll call vote:

**AYES: KRUMEICH, MURKEN, LAUGERO, ALVES, MAYOR SWIFT**

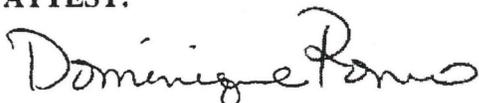
**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

  
\_\_\_\_\_  
**ROBERT SWIFT, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**DOMINIQUE ROMO, Deputy City Clerk**

Governor's Office of Planning & Research

**MAY 01 2019**

**STATE CLEARINGHOUSE**