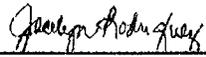


**FILED**

August 20, 2021

DONNA LINDER

STANISLAUS COUNTY  
CLERK-RECORDERSTANISLAUS COUNTY  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354By:   
Deputy Clerk**NOTICE OF DETERMINATION**

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

**Project Title:** General Plan Amendment and Rezone Application No. PLN2018-0081 – Libitzky Management Corporation**Applicant Information:** Kevin Perkins, dba Libitzky Holdings, LP, 1475 Powell Street, Suite 201, Emeryville, CA 94608 (510) 995-5182**Project Location:** 1224 Kiernan Avenue (SR 219), at the southeast corner of Tully Road and Kiernan Avenue, in the Modesto area, Stanislaus County. APN 046-001-001.**Description of Project:** Request to amend the General Plan and zoning designation of a 17.16 acre parcel from Urban Transition and A-2-10 (General Agriculture) to Planned Development, to allow the construction of a 300,000 square-foot building for various light industrial uses.**Name of Agency Approving Project:** Stanislaus County Board of Supervisors**Lead Agency Contact Person:** Teresa McDonald, Associate Planner**Telephone:** (209) 525-6330This is to advise that the Stanislaus County Board of Supervisors on **August 17, 2021** has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The **Negative Declaration** and record of project approval may be examined at:  
Stanislaus County Department of Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

3. Mitigation measures **were not** made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan **was not** adopted for this project.
5. A statement of Overriding Considerations **was not** adopted for this project.
6. Findings **were** 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 <http://www.stancounty.com/planning/agenda/agenda-min-2021.shtm>.

August 18, 2021  
 Dated

  
 Teresa McDonald  
 Associate Planner

Donna Linder  
Stanislaus County  
County Clerk-Recorder  
1021 "I" Street  
Modesto, CA 95354  
(209) 525-5279

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Public

Receipt No.: 2021021773

Cashier: 36

Register: CHQIEV2

Date/Time: 08/20/2021 02:24 PM

| <u>Description</u>   | <u>Fee</u> |
|----------------------|------------|
| Negative Declaration |            |
| Filing Time:         | 02:24 PM   |
| Filing Fee:          | \$2,480.25 |
| Filing Total:        | \$2,480.25 |
| Administration Fee   |            |
| Filing Time:         | 02:24 PM   |
| Filing Fee:          | \$57.00    |
| Filing Total:        | \$57.00    |
| <hr/>                |            |
| Total Amount Due:    | \$2,537.25 |
| <hr/>                |            |
| Total Paid           |            |
| Check Tendered:      | \$2,537.25 |
| #14523               |            |
| Amount Due:          | \$0.00     |

THANK YOU  
PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife  
**2021 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

**Print** **Finalize** **Finalize&Email**

RECEIPT NUMBER:  
 50-08/20/2021-134  
 STATE CLEARINGHOUSE NUMBER (If applicable)

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

|                                                       |                                |                    |
|-------------------------------------------------------|--------------------------------|--------------------|
| LEAD AGENCY<br>STANISLAUS COUNTY BOARD OF SUPERVISORS | LEAD AGENCY EMAIL              | DATE<br>08/20/2021 |
| COUNTY/STATE AGENCY OF FILING<br>STANISLAUS COUNTY    | DOCUMENT NUMBER<br>50-2021-156 |                    |

PROJECT TITLE  
 GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2018-0081 - LIBITZKY MANAGEMENT CORPORATION

|                                                                |                         |                                |
|----------------------------------------------------------------|-------------------------|--------------------------------|
| PROJECT APPLICANT NAME<br>KEVIN PERKINS, LIBITZKY HOLDINGS, LP | PROJECT APPLICANT EMAIL | PHONE NUMBER<br>(510) 995-5182 |
| PROJECT APPLICANT ADDRESS<br>1475 POWELL STREET, SUITE 201     | CITY<br>EMERYVILLE      | STATE<br>CA                    |
|                                                                |                         | ZIP CODE<br>94608              |

**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)                                                  | \$ 3,445.25 | \$ _____           |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                | \$ 2,480.25 | \$ <u>2,480.25</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW         | \$ 1,171.25 | \$ _____           |
| <br>                                                                                                        |             |                    |
| <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)                   |             |                    |
| <br>                                                                                                        |             |                    |
| <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                                         | \$ 57.00    | \$ <u>57.00</u>    |
| <input type="checkbox"/> Other                                                                              |             | \$ _____           |

**PAYMENT METHOD:**

Cash   
  Credit   
  Check   
  Other   
 TOTAL RECEIVED \$ 2,537.25

|                                                |                                                                           |
|------------------------------------------------|---------------------------------------------------------------------------|
| SIGNATURE<br><b>X</b> <i>Jocelyn Rodriguez</i> | AGENCY OF FILING PRINTED NAME AND TITLE<br>Jocelyn Rodriguez Deputy Clerk |
|------------------------------------------------|---------------------------------------------------------------------------|



**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