

**City of Modesto  
NOTICE OF DETERMINATION**

FILED

2019 MAY 17 AM 10:31

**ATTENTION COUNTY CLERK:  
PLEASE DO NOT REMOVE BEFORE JUNE 17, 2019**

STANISLAUS CO. CLERK-RECORDER

**Phaiyomn Prum**

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: Wells Avenue Residential Annexation

State Clearinghouse Number: Modesto Urban Area General Plan Master EIR (SCH No. 2014042081)

Contact Person: Cindy van Empel, (209) 577-5267

Applicants: Rich DePonte, Tesoro Homes, Inc (209) 649-4141  
Jennifer Chen, Calandev, LLC (209) 977-1888

Owners: Douglas K. Highiet Trust  
Calandev, LLC  
City and County of San Francisco  
County of Stanislaus  
City of Modesto

Project Location: South of Pelandale Avenue and west of McHenry Avenue

Project Description: An amendment to the text of the General Plan, prezone to Planned Development, and filing of an application to the Stanislaus Local Agency Formation Commission to annex 35.19 acres of land to the City of Modesto and to detach from the Salida Fire Protection District

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on May 15, 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.

The Initial Study, Environmental Assessment No. EA/C&ED 2019-08, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 through 5, 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

  
Cindy van Empel, City of Modesto

Date: May 16, 2019 Title: Senior Planner

Governor's Office of Planning & Research

MAY 20 2019

STATE CLEARINGHOUSE



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

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

RECEIPT NUMBER:  
 50 — 2019 — 035  
 STATE CLEARINGHOUSE NUMBER (If applicable)  
 SCH No. 2014042081

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>CITY OF MODESTO</b>	LEAD AGENCY EMAIL	DATE <b>03/06/2019</b>
COUNTY/STATE AGENCY OF FILING <b>Stanislaus</b>	DOCUMENT NUMBER <b>50-2019-035</b>	

PROJECT TITLE  
**CITY OF MODESTO GENERAL PLAN AMENDMENT 2040**

PROJECT APPLICANT NAME <b>BRAD WALL, MPA, AICP, PRINCIPAL PLANNER</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(209) 577-5273</b>
PROJECT APPLICANT ADDRESS <b>P.O. BOX 642</b>	CITY <b>MODESTO</b>	STATE <b>CA</b>
		ZIP CODE <b>95353</b>

**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 (EIR)	\$3,271.00	\$	<u>3,271.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$	<u>0.00</u>
<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)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>57.00</u>
<input type="checkbox"/> Other		\$	<u>          </u>

**PAYMENT METHOD:**

Cash     Credit     Check     Other

**TOTAL RECEIVED**    \$    3,328.00

SIGNATURE <b>X</b> 	AGENCY OF FILING PRINTED NAME AND TITLE <b>CLERK RECORDER-ADAM LOERA-LEGAL CLERK</b>
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Governor's Office of Planning & Research  
**MAY 20 2019**  
 STATE CLEARINGHOUSE