

STANISLAUS COUNTY
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT
1010 10th Street, Suite 3400
Modesto, California 95354

FILED
20 NOV -3 PM 1:22
STANISLAUS CO. CLERK-RECORDER
Jennine Creelmore

NOTICE OF DETERMINATION

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

Project Title: Use Permit and Development Agreement Application No. PLN2019-0133 – Legacy Nursery, LLC. – S. Daubenberger Road.

Applicant Information: Jennina Chiavetta and Marc Etcehbarne dba Legacy Nursery, LLC., PO Box 746 Zephyr Cove, NV 89448, (530) 314-3455

Project Location: 2201 S. Daubenberger Road, at the north corner of the Paulson and S. Daubenberger Road intersection, east of S. Golden State Boulevard, in the Turlock area. Stanislaus County (APN: 044-036-006)

Description of Project: This project is a request to obtain a Use Permit and Development Agreement to establish commercial cannabis nursery business in three phases on a 38.1-acre parcel in the M (Industrial) zoning district.

Name of Agency Approving Project: Stanislaus County Board of Supervisors.

Lead Agency Contact Person: Jeremy Ballard, Associate Planner

Telephone: (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on **October 27, 2020** 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. An Environmental Impact Report was prepared for the General Plan pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of the approval of the General Plan.
4. A mitigation reporting or monitoring plan was not adopted for the General Plan.
5. A statement of Overriding Considerations was adopted for the General Plan.
6. Findings were made pursuant to the provisions of CEQA.
7. The proposed project is consistent with the development density established by the Stanislaus County General Plan and that there are no new or increased impacts peculiar to the project for this site.

NOTE: See General Plan Amendment Application No. PLN2014-0051 – General Plan Update (filed 8/29/16)

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 @ <http://www.stancounty.com/planning/pl/agenda-min.shtm>

Dated

10/29/2020



Kristin Doud
Principal Planner

REC'T # 0004503846
November 03, 2020 ----- 14:10:32

Stanislaus, County Recorder
Donna Linder Co Recorder Office

Document # 20-155 -

Check Number 1225
REQD BY
County Admin Fee \$57.00

Total fee \$57.00
Amount Tendered... \$57.00

Change \$0.00
JMB,C1/0/0



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

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

RECEIPT NUMBER:
 50 — 11/03/2020 — 155
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Stanislaus County Department of Planning and Community Development	LEAD AGENCY EMAIL	DATE 11/03/2020
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 2020-155	

PROJECT TITLE
 Use Permit and Development Agreement Application No. PLN2019-0133-Legacy Nursery, LLC.-S. Daubenger Road

PROJECT APPLICANT NAME Jennina Chiavetta and Marc Etcehbarne dba Legacy Nursery, LLC.	PROJECT APPLICANT EMAIL	PHONE NUMBER (530) 314-3455
PROJECT APPLICANT ADDRESS PO Box 746	CITY Zephyr Cove	STATE NV
		ZIP CODE 89448

PROJECT APPLICANT (Check appropriate box)

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

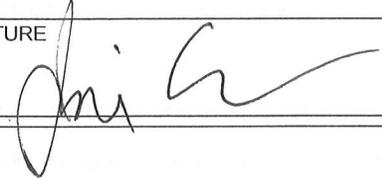
CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input checked="" 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	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	57.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 57.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Jennine Creekmore, Deputy Clerk
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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