

FILED

**City of Modesto
NOTICE OF DETERMINATION**

2019 JUN -4 PM 12:45

**ATTENTION COUNTY CLERK:
PLEASE DO NOT REMOVE BEFORE Monday, July 8, 2019**

STANISLAUS CO. CLERK-RECORDER

Phaiyann 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: TSM-18-002: Woodglen Tentative Subdivision Map

State Clearinghouse Number: Woodglen Specific Plan Focused EIR (SCH No. 2007042087)

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

Applicants: Fitzpatrick Land Development; 4805 Sisk Road, Suite C
Modesto, CA 95356 Phone: 415-380-1144

Owner: William Luchessa, Fred Luchessa (APN 046-007-037)
Margaret Waterman (APN 046-007-021)

Project Location: North of Pelandale Avenue, east of Carver Road, west of Tully Road, south of Bangs Avenue in the City of Modesto (APNs 046-007-021 and -037)

Project Description: Tentative Subdivision Map to divide 80.8 acres into 367 single-family residential lots, one multi-family residential lot, two open space/storm basin lots, one park lot and ten landscape lots.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on June 3, 2019 and has made the following determinations, pursuant to Section 15164 of the CEQA Guidelines:

The project will not result in major revisions to the previously-certified Woodglen Specific Plan Focused EIR, and pursuant to Section 15162 of the CEQA Guidelines, no new environmental review is required. The following findings have been found to be true:

1. There are no substantial changes proposed in the project which result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects and, therefore, no major revisions to the Woodglen Specific Plan Focused EIR are required.
2. No substantial changes have occurred with respect to the circumstances under which the proposed project are undertaken which will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects and, therefore, no major revisions to the Woodglen Specific Plan Focused EIR are required.

3. There is no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence when the Woodglen Specific Plan Focused EIR was adopted which shows any of the following:
- a. One or more significant effects which is not discussed in the Woodglen Specific Plan Focused EIR, or
 - b. Significant effects which were previously examined will be substantially more severe than previously shown, or
 - c. Previously infeasible mitigation measures or alternatives are now feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative, or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the Woodglen Specific Plan Focused EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Initial Study, Environmental Assessment No. EA/C&ED 2019-20, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 thru 3, noted above.

This is to certify that the Woodglen Specific Plan Focused EIR and Initial Study, Environmental Assessment No. EA/C&ED 2019-20 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: June 4, 2019 Title: Associate Planner

Governor's Office of Planning & Research

JUN 07 2019

STATE CLEARINGHOUSE

State of California—Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
2013 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	437667
STATE CLEARING HOUSE # (if applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Modesto	DATE 7/10/13
COUNTY/STATE AGENCY OF FILING Stanislaus County Clerk Recorder	DOCUMENT NUMBER 13-067
PROJECT TITLE Woodalen Project	
PROJECT APPLICANT NAME Fitzpatrick Homes	PHONE NUMBER 209 571-5540
PROJECT APPLICANT ADDRESS 4216 Kiernan Ave, Ste 205 Modesto	STATE CA ZIP CODE 95354
PROJECT APPLICANT (Check appropriate box): <input type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input checked="" type="checkbox"/> Private Entity	

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$2,995.25	\$ 2,995.25
<input type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)	\$2,156.25	\$ _____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,018.50	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ 57.00
<input type="checkbox"/> Project that is exempt from fees	57.00	\$ _____
<input type="checkbox"/> Notice of Exemption		
<input type="checkbox"/> DFW No Effect Determination (Form Attached)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD: #2195
 Cash Credit Check Other _____

TOTAL RECEIVED \$ 3,052.25

SIGNATURE X Ruth Engen	TITLE Legal Clerk IV
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WHITE - PROJECT APPLICANT YELLOW - DFWASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK DFG753.5a (Rev. 11/12)

REC'T # 0003403272
 July 10, 2013 ----- 14:20:35

Stanislaus County Recorder
 Lee Lundrigan Co Recorder Office

misc. #13-437667 -

Check Number 2195
 REQD BY
 Env Impact Report \$2,995.25
 County Admin Fee \$57.00

 Total fee \$3,052.25
 Amount Tendered... \$3,052.25

 Change \$0.00
 DRE, C2/L/O

Governor's Office of Planning & Research
 JUN 07 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 — 105
 STATE CLEARINGHOUSE NUMBER (If applicable)
 SCH No. 2007042087

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MODESTO COMMUNITY & ECONOMIC DEVELOPMENT DEPT.	LEAD AGENCY EMAIL	DATE 06/04/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-105	

PROJECT TITLE

TSM-18-002: WOODGLEN TENTATIVE SUBDIVISION MAP

PROJECT APPLICANT NAME FITZPATRICK LAND DEVELOPMENT	PROJECT APPLICANT EMAIL	PHONE NUMBER (415) 380-1144
PROJECT APPLICANT ADDRESS 4805 SISK ROAD, SUITE C	CITY MODESTO	STATE CA
		ZIP CODE 95356

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 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,112.00 | \$ | 0.00 |
|
 | | | |
| <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 | \$ | 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 X <i>Phaivann Prum</i>	AGENCY OF FILING PRINTED NAME AND TITLE PHAIVANN PRUM, LEGAL CLERK
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Governor's Office of Planning & Research
 JUN 07 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

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