

**City of Modesto  
NOTICE OF DETERMINATION**

FILED

2019 APR 15 PM 3:50

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

STANISLAUS CO. CLERK-RECORDER

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: Development Agreement between Stanislaus Food Products and City of Modesto for the Land Exchange of 10<sup>th</sup> and 11<sup>th</sup> Streets between D Street and Morton Boulevard and Abandonment of Portions of 11<sup>th</sup>, 12<sup>th</sup>, and B Streets between D Street and Morton Boulevard.

State Clearinghouse Number: Modesto Urban Area General Plan Master EIR (SCH No. 2007072023)

Contact Person: Paul Liu (209 577 5282)

Applicants: David Romano (209 521 9521)

Owner: Stanislaus Food Products (SFP) and City of Modesto (City)

Project Location: 10<sup>th</sup> and 11<sup>th</sup> Streets between D Street and Morton Boulevard, 12<sup>th</sup> Street between B Street and Morton Boulevard, and B Street between 10<sup>th</sup> and 12<sup>th</sup> Streets

Project Description: The proposed Development Agreement is between Stanislaus Food Products (SFP) and City of Modesto regarding the Land Exchange of 10<sup>th</sup> and 11<sup>th</sup> Streets between D Street and Morton Boulevard. The primary terms of the Development Agreement include that the City agrees to provide to SFP City services that allow and facilitate ongoing operations and vesting right to further develop during the 15-year term of the agreement. SFP agrees to reimburse the City for processing the Development Agreement, land cost, police service, area traffic study, and improvements. SFP also agrees to provide street dedication to allow 10<sup>th</sup> Street to extend to Morton Boulevard.

The proposed street abandonment would be the sections of 11<sup>th</sup> Street between D Street and Morton Boulevard, 12<sup>th</sup> Street between B Street and Morton Boulevard, and B Street between 10<sup>th</sup> and 12<sup>th</sup> Streets. These street segments would revert to or be acquired by SFP.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on April 9, 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.
6. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

The Initial Study, Environmental Assessment No. EA/C&ED 2019-02, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 thru 6, 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



Paul Liu, City of Modesto

Date: April 15, 2019 Title: Senior Planner

Governor's Office of Planning & Research

APR 16 2019

STATE CLEARINGHOUSE



DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT

Lead Agency: CITY OF MODOESTO Date: 10-20-08  
 County/State Agency of Filing: STAN. COUNTY CLERK REC Document No.: 08-0194  
 Project Title: MODOESTO-GENERAL PLAN MASTER EIR UPDATE  
 Project Applicant Name: CITY OF MODOESTO  
 Project Applicant Address: P.O. BOX 642  
 City: MODOESTO State: CA Zip Code: 93553 Phone Number: 209-577-5207

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                                     | \$2505.75          | \$ | <u>2006.75</u> |
| <input type="checkbox"/> Negative Declaration   | \$1875.75          | \$ | _____          |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | \$385.25           | \$ | _____          |
| <input type="checkbox"/> Projects Subject to Certified Regulatory Programs                          | \$385.25           | \$ | _____          |
| <input checked="" type="checkbox"/> County Administrative Fee                                       | <del>\$21.00</del> | \$ | <u>57.00</u>   |
| <input type="checkbox"/> Project that is exempt from fees   |                    |    |                |
| <input type="checkbox"/> Notice of Exemption  |                    |    |                |
| <input type="checkbox"/> DFG No Effect Determination (Form Attached)                                |                    |    |                |

2606.75 # 329350  
 57.00 # 424993  
 TOTAL RECEIVED \$ 2103.75

Signature and title of person receiving payment: Heather A. Oring LEGAL CLERK  
WHITE-PROJECT APPLICANT    YELLOW-OFFICE    PINK-LEAD AGENCY    GOLDENROD-COUNTY CLERK    DFG 753.5a (Rev 11/07)

Governor's Office of Planning & Research

APR 16 2019

STATE CLEARINGHOUSE

REC'T # 0002622777  
 October 20, 2008 — 10:58:32

Stanislaus, County Recorder  
 Lee Lundrigan Co Recorder Office

misc. # 08-353613 -

Check Number 424993  
 RECD BY  
 County Admin Fee    \$57.00  
 Total fee .....    \$57.00  
 Amount Tendered...    \$57.00  
 Change .....    \$0.00  
 OSN,CL/1/0

REC'T # 0002622776  
 October 20, 2008 — 10:58:05

Stanislaus, County Recorder  
 Lee Lundrigan Co Recorder Office

misc. # 08-353613 -

Check Number 33936  
 RECD BY  
 Env Impact Report    \$2,606.75  
 Total fee .....    \$2,606.75  
 Amount Tendered...    \$2,606.75  
 Change .....    \$0.00  
 OSN,CL/1/0



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:  
 50 — 2019 — 072  
 STATE CLEARINGHOUSE NUMBER (if applicable)  
 2007072023

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY City of Modesto	LEAD AGENCY EMAIL	DATE 04/15/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-072	

PROJECT TITLE

Development Agreement between Stanislaus Food Production & City of Modesto for the Land Exchange...

PROJECT APPLICANT NAME David Romano	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 521-9521
PROJECT APPLICANT ADDRESS 10th and 11th Sts between D St & Morton Blvd...	CITY Modesto	STATE CA
		ZIP CODE 95354

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 |

- Exempt from fee  
 Notice of Exemption (attach)  
 CDFW No Effect Determination (attach)  
 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 | \$ | 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>Gail Pilgrim</i>	AGENCY OF FILING PRINTED NAME AND TITLE Gail Pilgrim, Legal Clerk
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Governor's Office of Planning & Research

APR 16 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife  
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Governor's Office of Planning & Research

APR 16 2019

STATE CLEARINGHOUSE

REC'T # 0004256097

April 15, 2019 ----- 15:50:39

Stanislaus, County Recorder  
Donna Linder Co Recorder Office

Environ # 19-072 -

Check Number 690523

RECD BY

County Admin Fee \$57.00

Total fee ..... \$57.00

Amount Tendered... \$57.00

Change ..... 40.00

AKN,C1/1/D