

FILED

2019 APR 16 AM 11:52

STANISLAUS CO. CLERK-RECORDER

ASHIKA NARAYAN

**City of Modesto
NOTICE OF DETERMINATION**

**ATTENTION COUNTY CLERK:
PLEASE DO NOT REMOVE BEFORE: Monday, May 20, 2019**

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: TPM-19-001: Vesting Tentative Parcel Map, Division of Property Totaling 19.03 Acres into Twelve Parcels

State Clearinghouse Number: Kiernan Business Park Specific Plan Amendment No. 4 EIR (SCH No. 2007062071)

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

Applicants: M & B Bruno Family, LP
PO Box 1530, Turlock, CA 95381 (209-652-2719)

Owner: Survivors Trust Created under Mathew A and Barbara Bruno Family Trust

Project Location: 2706 Kiernan Avenue, Modesto, CA

Project Description: Vesting Tentative Parcel Map to divide a single 19.03-acre parcel designated for Business Park uses into twelve new parcels between one acre and 2.41 acres in size. Dedication of roadways Heathcare Way, Bruno Parkway and half-width of Gretta Way to be made via the Parcel Map, with right-of-way improvements on Healthcare Way and Bruno Parkway to be constructed prior to certificate of occupancy for development of any parcel created by the Parcel Map.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on April 15, 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 Kiernan Business Park Specific Plan Amendment #4 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 Kiernan Business Park Specific Plan Amendment #4 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 Kiernan Business Park Specific Plan Amendment #4 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 Kiernan Business Park Specific Plan Amendment #4 EIR was adopted which shows any of the following:
 - a. One or more significant effects which is not discussed in the Kiernan Business Park Specific Plan Amendment #4 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 Kiernan Business Park Specific Plan Amendment #4 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 2019-10, 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 Kiernan Business Park Specific Plan Amendment #4 EIR and Initial Study, Environmental Assessment No. EA/C&ED 2019-10 are 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: April 16, 2019 Title: Associate Planner

Governor's Office of Planning & Research

APR 19 2019

STATE CLEARINGHOUSE



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
 2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 377783
 STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Modesto DATE 9-4-09
 COUNTY/STATE AGENCY OF FILING County of Stanislaus DOCUMENT NUMBER 09-0184
 PROJECT TITLE Kiernan Business Park Specific Plan Amendment #4 Project
 PROJECT APPLICANT NAME Dr. Aruna Chopra PHONE NUMBER ()
 PROJECT APPLICANT ADDRESS 313 Banner Court Ste B Modesto 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 checked="" type="checkbox"/> Environmental Impact Report	\$2,768.25	\$ <u>2768.25</u>
<input type="checkbox"/> Negative Declaration	\$1,993.00	\$ _____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs	\$941.25	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	57 \$57.00	\$ <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)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD: #1158
 Cash Credit Check Other
 TOTAL RECEIVED \$ 2825.25

SIGNATURE X [Signature] TITLE Legal Clerk

WHITE - PROJECT APPLICANT YELLOW - DFG/ASS PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK FG 753.5a (Rev. 7/08)

REC'T # 0002778800
 September 04, 2009 14:35:27

Stanislaus, County Recorder
 Lee Lundrigan Co Recorder Office

misc. # 09-0184 -

REQD BY
 Env Impact Report \$2,768.25
 County Admin Fee \$57.00
 Total fee \$2,825.25
 Amount Tendered... \$2,825.25
 Change \$0.00
 OKS, C.L./L/O