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July 14, 2020

**CITY OF TURLOCK
NOTICE OF DETERMINATION
 Mitigated Negative Declaration**

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

STATE CLEARINGHOUSE NUMBER (if applicable): 2020049044

PROJECT TITLE: MINOR DISCRETIONARY PERMIT 2020-01 (ELUM INDUSTRIAL CAMPUS)

PROJECT APPLICANT: LYN BRIGHT 3625 LOCKWOOD RD, CERES CA 95307

APPLICANT PHONE NUMBER: (209)614-4483

PROJECT LOCATION: 812 FRANSIL LANE (Stanislaus County APN: 089-001-011)

PROJECT DESCRIPTION: The applicant is proposing to parcel a 9.6-acre property, at 812 Fransil Lane, Stanislaus County APN 089-001-011, for the development of an Industrial-Business Park. The applicant will be submitting an application to the Engineering Division to divide the property into four approximately 1-acre parcels and one 3.67-acre parcel. Parcel 4 will be developed with a 32,705 square foot manufacturing building, associated office space, parking, fencing, and landscaping. The existing home shown on Parcel 2 will remain, a storm water basin is proposed on the Remainder. No development has been proposed or approved for Parcels 1 and 3 as part of this application. A new industrial roadway will provide access to the parcels. Off-site improvements including curb, gutter, and sidewalks, will be constructed.

FINDINGS:

Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR and the WISP MEIR, Mitigated Negative Declaration and Addendum to the Mitigated Negative Declaration.

1. All feasible mitigation measures developed in the General Plan EIR and WISP EIR, Mitigated Negative Declaration and Addendum have been incorporated into the project.
2. Pursuant to Public Resources Code Sections 21080(c)(2) and 21157.5, the initial study prepared for the proposed project has identified potential new or significant effects that were not adequately analyzed in the General Plan EIR or WISP EIR, Mitigated Negative Declaration and Addendum, but

feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.

3. There is no substantial evidence before the lead agency that the subsequent project, as revised, may have a significant effect on the environment.
4. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR and WISP EIR, Mitigated Negative Declaration and Addendum are adequate for this subsequent project.
5. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
6. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:
 - a. No substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
 - b. That there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
7. Whereas, on November 28, 2017, the City of Turlock adopted minor changes, deletions, and additions to the project described in the Final Master Environmental Impact Report for the Westside Industrial Specific Plan and certified a Mitigated Negative Declaration to the Final EIR demonstrating that the preparation of a Subsequent Environmental Impact Report (EIR) was not required, pursuant to Section 15162 of the California Environmental Quality Act, because none of the following findings could be made:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be 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 previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

PROJECT APPROVAL DATE: July 13, 2020

APPROVAL: Minor Discretionary Permit 2020-01 (ELUM INDUSTRIAL CAMPUS)

DETERMINATION: This is to advise that the City of Turlock has approved and has made the following determinations regarding the project as described above.

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report **was not** prepared for this project pursuant to the provisions of CEQA.
3. A Mitigated Negative Declaration **was**, prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures **were** made a condition of the approval of the project.
5. A mitigation monitoring plan/program **was** adopted for this project.
6. A statement of Overriding Considerations **was not** adopted for this project.
7. Findings were made pursuant to the provisions of CEQA.

This is to certify that documentation for the **Mitigated Negative Declaration** Final Environmental Impact Report with comments and responses and record of project approval is available to the general public at:

City of Turlock - Planning Division
City Hall, 156 S. Broadway, Suite 120
Turlock, CA 95380-5456
TELEPHONE: (209) 668-5640

This documentation can also be found on our website at:

<http://ci.turlock.ca.us/citydepartments/developmentservices/planning/projectenvironmentaldocuments/>

BY: 
KATIE QUINTERO
DEPUTY DIRECTOR DEVELOPMENT SERVICES/PLANNING MANAGER
ENVIRONMENTAL REVIEW

Date Received for filing at OPR: _____