



STANISLAUS COUNTY CLERK
CEQA FILING COVER SHEET

Mail to:

Name: City of Waterford

Address: 101 E Street

City, State, Zip Waterford, CA 95368

50-2025-200

FILED

November 24, 2025
DONNA LINDER
STANISLAUS COUNTY
CLERK-RECORDER

By: Donna Linder
Deputy Clerk

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

Fahmy Annexation: Annexation, Prezone, and
VTSM 2022-0001

Check Document being Filed:

☐

Environmental Impact Report (EIR)

☒

Mitigated Negative Declaration (MND) or Negative Declaration (ND)

☐

Notice of Exemption (NOE)

☐

Other (Please fill in type):

FILED IN THE OFFICE OF THE STANISLAUS	
COUNTY CLERK ON	<u>11/24/2025</u>
Posted <u>11/24/2025</u>	Removed <u>12/24/2025</u>
Returned to agency on	_____
DEPUTY	<u>Donna Linder</u>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk
County of: Stanislaus
Address: 1021 I Street
Modesto, CA 95354

From:

Public Agency: City of Waterford
Address: 101 E Street
Waterford, CA 95368
Contact: Mark Niskanen, Planning Manager
Phone: (209) 599-8377

Lead Agency (if different from above):
Address: _____
Contact: _____
Phone: _____

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2024090068

Project Title: Fahmy Annexation: Annexation, Prezone, and VTSM 2022-0001

Project Applicant: California Land Development, 331 Santa Rosa Drive, Los Gatos, CA 95032 - 209 681 7094

Project Location (include county): City of Waterford, County of Stanislaus

Project Description:

The Proposed Project consists of the annexation and pre zoning of 43.27-acres, and subdividing 19.20 acres into ninety-eight (98) single family residential units.

This is to advise that the City of Waterford has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on 11/20/2025 and has made the following determinations regarding the above
(date)
described project.

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

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 at:

City of Waterford City Hall, 101 E Street, Waterford, CA 95386

Signature (Public Agency):  Title: Planning Manager

Date: November 21, 2025 Date Received for filing at OPR: _____

**WATERFORD CITY COUNCIL
RESOLUTION NO. 2025-61**

**A RESOLUTION OF THE CITY OF WATERFORD CITY
COUNCIL APPROVAL OF A MITIGATED NEGATIVE
DECLARATION FOR ANNEXATION, PREZONE, AND VESTING
TENTATIVE SUBDIVISION MAP NO. 2022-0001 (FAHMY
ANNEXATION) FOR ASSESSOR PARCEL NUMBERS 080-003,
050, 012, 015, 034, 040, AND 049**

WHEREAS, the City of Waterford has received a request from the Applicant (California Land Development, 331 Santa Rosa Drive, Los Gatos, CA 95032), on behalf of the Property Owner of Record (Fahmy Living Trust) to annex and prezone 43.27-acres into the City of Waterford, Assessor Parcel Numbers 080-003, 012, 015, 034, 040, 049, and 050. The Project also consists of a Vesting Tentative Subdivision Map (VTSM) to allow for the subdivision of 19.20-acres into ninety-eight (98) single family residential lots. The project will connect to the City of Waterford sewer, water and storm drain services. The project site is designated by the City's Vision 2025 General Plan as Low Density Residential (LDR) and is currently zoned Residential Single (RS); and

WHEREAS, the Proposed Project Site is located in the Low Density Residential (LD) land use designation of the City's General Plan Land Use Map; and

WHEREAS, the Proposed Project is considered a "project" as defined by the California Environmental Quality Act (CEQA) and may involve potentially significant effects on the environment; and,

WHEREAS, the City of Waterford, acting as Lead Agency, has prepared and circulated for public and agency review an Initial Study/Mitigated Negative Declaration (IS/MND) addressing the potential environmental effects of the proposed project in accordance with the requirements of CEQA; and,

WHEREAS, the Lead Agency distributed the Public Review Draft IS/MND for public review on September 3, 2024, and the comment period concluded on October 4, 2024; and,

WHEREAS, a Notice of Intent to adopt the IS/MND also identifying the date of this meeting was published in the Waterford News on September 4, 2024, filed with the Stanislaus County Clerk-Recorder Office, and mailed to properties within a 300-foot radius of the Project site; and,

WHEREAS, the Planning Commission has reviewed and independently considered the analysis and conclusions of the IS/MND during a noticed public hearing on October 21, 2025, and recommended certification to the City Council; and,

WHEREAS, a copy of the IS/MND is attached hereto as Exhibit A; and,

RESOLUTION 2025-61

WHEREAS, the Planning Commission has prepared a Mitigation Monitoring/Reporting Plan reflecting the analysis and mitigation recommendations contained in the IS/MND, a copy of which is attached hereto as Exhibit B; and,

WHEREAS, the notice of the special public hearing on the proposed Annexation, Prezone, and VTSM was published in the *Waterford News*, a newspaper of general circulation, on November 4, 2025; and

WHEREAS, notices of the special public hearing on the proposed Annexation, Prezone, and VTSM were mailed to all property owners within 300-feet of the property, according to the most recent assessor's roll, on November 4, 2025; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Waterford makes the following findings and determinations:

1. The Proposed Project is consistent with the City of Waterford Vision 2025 General Plan, and specifically, the Low Density Residential (LD) land use designation assigned by the Vision 2025 General Plan.
2. The site is physically suitable for the density and/or intensity of the Proposed Project.
3. The Proposed Project is not likely to cause substantial environmental damage, or substantially and unavoidably injure fish or wildlife or their habitat.
 - a. As per Sections 15182 and 15162 of the California Environmental Quality Act ("CEQA") Guidelines, this Project is within the scope of the projects covered by the Vision 2025 General Plan Final EIR.
4. A Notice of Determination pertaining to this matter shall be filed with the County Clerk within five (5) business days of this resolution, in accordance with the requirements of CEQA. Documents and materials related to the IS/MND shall be maintained at Waterford City Hall.
5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Waterford hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

NOW, THEREFORE BE IT FURTHER RESOLVED BY THE WATERFORD CITY COUNCIL that it approves the Mitigated Negative Declaration for Annexation, Prezone, and Vesting Tentative Subdivision Map No. 2022-0001.

PASSED, APPROVED, AND ADOPTED by the Waterford City Council of the City of Waterford at a regular meeting this 20th day of November 2025, by the following vote:

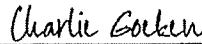
AYES: Goeken, Gutierrez, Harris, Hilton, Talbott

NOES: None

ABSTAIN: None

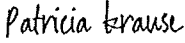
ABSENT: None

CITY OF WATERFORD

Signed by:

6D7A8A7DC0154CF...

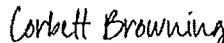
Charlie Goeken, Mayor

ATTEST:

DocuSigned by:

0E40B251B23D4F2...

PATRICIA KRAUSE, CMC
City Clerk

APPROVED AS TO FORM:

Signed by:

F2D1FA69CB4B4A7...

CORBETT J. BROWNING
City Attorney

EXHIBIT A – INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Refer to Attachment 4g of this Staff Report

EXHIBIT B – MITIGATION MONITORING AND REPORTING PROGRAM

**MITIGATION MONITORING/
REPORTING PROGRAM**

FOR THE

FAHMY ANNEXATION
(File No. Annexation, Prezone, and VTSM 2022-0001)

Waterford, CA

Prepared for:

City of Waterford
101 E Street
Waterford, CA 95386

Prepared by:

J.B. Anderson Land Use Planning
139 S. Stockton Avenue
Ripon, CA 9536

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date/Initials)
Agricultural Resources				
Development of the Proposed Project will result in the loss of Prime Farmland.	Ag- 1: Prior to the filing of an annexation request to the Stanislaus LAFCo, the Developer and/or Project Proponent shall provide to the City of Waterford Planning Department a Plan for Agricultural Preservation which shall include written evidence of compliance with Stanislaus LAFCo Policy 22.	Planning Manager	Prior to the filing of an annexation application with Stanislaus LAFCo.	
Air Quality				
Construction activities related to the Proposed Project will create dust.	Air-1: Prior to the commencement of construction activities for each phase of construction, the Project Proponent shall prepare and submit a Dust Control Plan that meets all of the applicable requirements of APCD Rule 8021, Section 6.3.	Planning Manager and City Engineer	Prior to any construction activities.	
Biological Resources				
The Proposed Project could result in potentially significant impacts to Swainson's Hawk habitat.	Bio-1: Pre-construction surveys for nesting Swainson's hawks within 0.25 miles of the Project site are conservatively recommended if construction commences between March 1 and September 15.	Planning Manager	Prior to any construction activities.	

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date/Initials)
	If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction using criteria set forth by CDFW (CDFG, 1994) and the Swainson's Hawk Technical Advisory Committee (SWHTAC, 2000).			
The Proposed Project could result in potentially significant impacts to migratory birds.	Bio-2: Trees in the site could be used by birds protected by the Migratory Bird Treaty Act of 1918 or Fish and Game Code of California. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds is recommended. If active nests are found, work in the vicinity of the nests should be delayed until the young fledge.	Planning Manager	Prior to any construction activities.	
The Proposed Project could result in potentially significant impacts to biological resources.	Bio-3: Prior to the approval of any development project within the Project site that does not include the proposed Tentative Subdivision Map, the Developer and/or Project Proponent shall prepare a Biological Assessment. This Biological	Planning Manager	Prior to the approval of any Tentative Subdivision Map.	

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date/Initials)
	Assessment shall be submitted to the City's Planning Department for their review and evaluation of said development project.			



State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

50-11/24/2025-155

STATE CLEARINGHOUSE NUMBER (If applicable)

2024090068

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF WATERFORD	LEAD AGENCY EMAIL	DATE 11/24/2025
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2025-200	
PROJECT TITLE		

FAHMY ANNEXATION: ANNEXATION, PREZONE AND VTSM 2022-0001

PROJECT APPLICANT NAME CALIFORNIA LAND DEVELOPMENT	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 681-7094
PROJECT APPLICANT ADDRESS 331 SANTA ROSA DRIVE	CITY LOS GATOS	STATE CA
		ZIP CODE 95032

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	\$ 4,123.50	\$	
☒ Mitigated/Negative Declaration (MND)(ND)	\$ 2,968.75	\$	2,968.75
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$ 1,401.75	\$	

☐ Exempt from fee
☐ Notice of Exemption (attach)
☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	\$ 850.00	\$	
☒ County documentary handling fee	\$ 57.00	\$	57.00
☐ Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other 1626

TOTAL RECEIVED \$ 3,025.75

SIGNATURE X <i>Romeo Mora</i>	AGENCY OF FILING PRINTED NAME AND TITLE Romeo Mora Deputy Clerk
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State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/25) 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