

FILED

NOTICE OF DETERMINATION

To: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

2009 SEP 29 AM 9:19

KAREN D ADAMS

MERCED COUNTY CLERK

BY  DEPUTY

TAMMY LYONS



X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

From: City of Merced
678 West 18th Street
Merced, CA 95340

Filling of a Notice of Determination in compliance with
Section 21152 of the Public Resources Code.

Project Title: General Plan Amendment #06-01; Vacation/Abandonment Application #06-01; Site Plan Review Application #260; and Certification of Environmental Impact Report #06-01, initiated by Carter & Burgess, Inc., agent for Wal-Mart Stores East, LP, property owners.

Lead Agency Contact: Kim Espinosa, Planning Manager **Phone No.** 209/385-6858

Project Location - City: Merced

Project Location - County: Merced

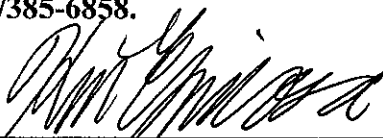
Description of Project: The proposed Wal-Mart Distribution Center includes consideration of a general plan amendment and vacation/abandonment application for a change in the General Plan Circulation Element and the abandonment of the right-of-way for Kibby Road (a designated collector) between Childs and Gerard Avenues; a site plan review application to approve the construction of a regional distribution center (approximately 1.1 million square feet, operating 24 hours per day, and employing approximately 1,200 employees) and associated facilities on approximately 230 acres, generally located at the northwest corner of Gerard Avenue and Tower Road within a Heavy Industrial (I-H) zone; and the certification of an environmental impact report regarding the Project.

This is to advise that the City of Merced (Lead Agency) has approved the above-described project on September 28, 2009 and has made the following determination:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to provisions of CEQA.
3. Mitigation measures and a monitoring program were made a condition of approval of the project.
4. A Statement of Overriding Considerations was adopted for the project.
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Draft and Final Environmental Impact Reports (SCH #2006071029), including comments and responses, and a record of the project approval are available to the general public at the City of Merced, 678 West 18th Street, Merced, CA 95340, 209/385-6858.

Signature: _____


Kim Espinosa, Planning Manager
City of Merced

Date: September 29, 2009