

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: _____
 Address: _____

From:

Public Agency: Fresno LAFCo
 Address: 1401 Fulton Street, Suite 800
Fresno, CA 93721
 Contact: Monica Leon
 Phone: 559-600-0604

Lead Agency (if different from above):
City of Kerman
 Address: 850 S. Madera Ave
Kerman, CA 93630
 Contact: John Jansons
 Phone: 559-846-9450

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): 2024040147

Project Title: Whispering Falls Reorganization

Project Applicant: City of Kerman

Project Location (include county): City of Kerman, Fresno County

Project Description:

A proposed reorganization to annex approximately 64.76 acres to the City of Kerman and detach from the Kings River Conservation District for territory located east of S. Modoc Ave between W. Kearney Blvd and the W. California Ave Alignment/San Joaquin Valley Railroad. (LAFCo File No. RO-25-01). The City of Kerman, acting as Lead Agency under CEQA, filed an NOD with the Fresno County Clerk's Office on September 3, 2024, Document No. E202410000086, consistent with the requirements of CEQA.

This is to advise that the Fresno LAFCo has approved the above
 Lead Agency or Responsible Agency)

described project on 04/09/2025 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 Kerman, 850 South Madera Avenue, Kerman, CA 93630

Signature (Public Agency): Monica Leon Title: LAFCo Analyst

Date: 04/09/2025 Date Received for filing at OPR: 04/17/2025



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

RECEIPT NUMBER:
E202410000086
 STATE CLEARINGHOUSE NUMBER (if applicable)
2024040147

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF KERMAN	LEAD AGENCY EMAIL	DATE 09/03/2024
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY		DOCUMENT NUMBER E202410000086

PROJECT TITLE
WHISPERING FALLS REORGANIZATION

PROJECT APPLICANT NAME CITY OF KERMAN	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 846-9386
PROJECT APPLICANT ADDRESS 850 S. MADERA AVENUE	CITY KERMAN	STATE CA
		ZIP CODE 93630

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)	\$4,123.50	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,968.75	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,401.75	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input checked="" type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>0.00</u>

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X  Cyan Edmisten	AGENCY OF FILING PRINTED NAME AND TITLE Cyan Edmisten Deputy Clerk
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County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2025007500
4/14/2025 03:58 PM
CCR572471 Cedmisten

Description	Fee
EIR Administrative Fee	
Time Recorded: 3:58 PM	
Recording Fee:	\$50.00
Total Amount Due	\$50.00
Total Paid	
Credit Card #308927190	\$50.00
Amount Due	\$0.00

E202410000086

THANK YOU
PLEASE KEEP FOR REFERENCE

E202410000086

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: Fresno
Address: 2220 Tulare Street
Fresno, CA 93721

From:

Public Agency: Fresno LAFCo
Address: 1401 Fulton Street, Suite 800
Fresno, CA 93721

Contact: Monica Leon
Phone: 559-600-0604

Lead Agency (if different from above): City of Kerman

Address: 850 S. Madera Ave
Kerman, CA 93630

Contact: John Jansons
Phone: 559-846-9450

FILE

D

APR 14 2025

TIME 3:58 pm

FRESNO COUNTY CLERK

By Cyan Edmisten DEPUTY

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): 2024040147

Project Title: Whispering Falls Reorganization

Project Applicant: City of Kerman

Project Location (include county): City of Kerman, Fresno County

Project Description:

A proposed reorganization to annex approximately 64.76 acres to the City of Kerman and detach from the Kings River Conservation District for territory located east of S. Modoc Ave between W. Kearney Blvd and the W. California Ave Alignment/San Joaquin Valley Railroad. (LAFCo File No. RO-25-01). The City of Kerman, acting as Lead Agency under CEQA, filed an NOD with the Fresno County Clerk's Office on September 3, 2024, Document No. E202410000086, consistent with the requirements of CEQA.

This is to advise that the Fresno LAFCo has approved the above (Lead Agency or Responsible Agency)

described project on 04/09/2025 and has made the following determinations regarding the above described project.

- 1. The project 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 made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were 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 Kerman, 850 South Madera Avenue, Kerman, CA 93630

Signature (Public Agency): Monica Leon Title: LAFCo Analyst

Date: 04/09/2025 Date Received for filing at OPR:



State of California - Department of Fish and Wildlife
**2024 ENVIRONMENTAL DOCUMENT FILING FEE
 CASH RECEIPT**
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: E20241000086
STATE CLEARINGHOUSE NUMBER (if applicable) 2024040147

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF KERMAN	LEAD AGENCY EMAIL	DATE 09/03/2024
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E20241000086	

PROJECT TITLE
TSM 2023-01 WHISPERING FALLS RESIDENTIAL PROJECT

PROJECT APPLICANT NAME CITY OF KERMAN	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 846-9386
PROJECT APPLICANT ADDRESS 850 S. MADERA AVENUE	CITY KERMAN	STATE CA
		ZIP CODE 93630

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)	\$4,051.25	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	<u>2,916.75</u>
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>0.00</u>

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 2,966.75

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Cierra Loera Deputy Clerk
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County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2024016424
9/3/2024 03:46 PM
CCR572887 Cloera

E102410000086

Description	Fee
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EIR - Negative Declaration	
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Time Recorded:	3:46 PM
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Recording Fee:	No Fee
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Total Amount Due	\$0.00
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Total Paid

Amount Due \$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2024016425
9/3/2024 03:46 PM
CCR572887 Cloera

Description	Fee
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EIR - Negative Declaration

Time Recorded: 3:46 PM
Recording Fee: \$2,916.75

Total Amount Due \$2,916.75

Total Paid

Credit Card \$2,916.7
#284052420

Amount Due \$0.00

E202410000086

THANK YOU
PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: E202410000086
STATE CLEARINGHOUSE NUMBER (if applicable) 2024040147

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF KERMAN	LEAD AGENCY EMAIL	DATE 09/03/2024
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E202410000086	

PROJECT TITLE
TSM 2023-01 WHISPERING FALLS RESIDENTIAL PROJECT

PROJECT APPLICANT NAME CITY OF KERMAN	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 846-9386
PROJECT APPLICANT ADDRESS 850 S. MADERA AVENUE	CITY KERMAN	STATE CA
		ZIP CODE 93630

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)	\$4,051.25	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	<u>2,916.75</u>
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>0.00</u>

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ **2,966.75**

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Cierra Loera Deputy Clerk
---	---

County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2024016424
9/3/2024 03:46 PM
CCR572887 Cloera

E202410000086

Description	Fee
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EIR - Negative Declaration

Time Recorded: 3:46 PM

Recording Fee: No Fee

Total Amount Due \$0.00

Total Paid

Amount Due \$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2024016425
9/3/2024 03:46 PM
CCR572887 Cloera

Description	Fee
EIR - Negative Declaration	

Time Recorded: 3:46 PM
Recording Fee: \$2,916.75

Total Amount Due \$2,916.75

Total Paid

Credit Card \$2,916.7
#284052420

Amount Due \$0.00

E202410000086

THANK YOU
PLEASE KEEP FOR REFERENCE

County of Fresno
Clerk's Office
James A. Kus

Elections Department
(559) 600-8683

Clerk Services Department
(559) 600-2575

Finalization 2024016426
9/3/2024 03:46 PM
CCR572887 Cloera

Description	Fee
EIR Administrative Fee	

Time Recorded: 3:46 PM
Recording Fee: \$50.00

Total Amount Due \$50.00

Total Paid

Credit Card \$50.00
#284052420

Amount Due \$0.00

E202410000086

THANK YOU
PLEASE KEEP FOR REFERENCE

E202410000086

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: Fresno
 Address: 2220 Tulare St
 Fresno, CA, 93721

From:
 Public Agency: City of Kerman
 Address: 850 South Madera Avenue
 Kerman, CA, 93630
 Contact: John Jansons
 Phone: (559) 846-9450

Lead Agency (if different from above):
 Address:
 Contact: By FRESNO COUNTY CLERK
 Phone: DEPUTY

FILED
 SEP 03 2024
 TIME 3:47 pm

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): 2024040147
 Project Title: TSM 2023-01 Whispering Falls Residential Project
 Project Applicant: Whispering Falls, LLC.
 Project Location (include county): City of Kerman, County of Fresno
 Project Description:
 See attached Project Description.

This is to advise that the City of Kerman has approved the above
 (input checked for Lead Agency or Responsible Agency)
 described project on 08/28/2024 and has made the following determinations regarding the above
 (date)
 described project.

- The project [input not checked] will [input checked] will not have a significant effect on the environment.
- [input not checked] 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.
- Mitigation measures [input checked] were [input not checked] were not made a condition of the approval of the project.
- A mitigation reporting or monitoring plan [input checked] was [input not checked] was not adopted for this project.
- A statement of Overriding Considerations [input not checked] was [input checked] was not adopted for this project.
- Findings [input checked] were [input not checked] 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 Kerman, 850 South Madera Avenue, Kerman, CA, 93630

Signature (Public Agency): John Jansons Title: City Manager
 Date: 08-29-24 Date Received for filing at OPR:

E2024/0000086

Project Description

Whispering Falls, LLC. (Applicant) proposes Annexation (ANX) 2023-01, Rezone (REZ) 2023-01, General Plan Amendment (GPA) 2023-01, Conditional Use Permit (CUP) 2023-02, Tentative Subdivision Map (TSM) 2023-01, Development Plan Permits (DPL) 2023-01 and 02, and Variance (VAR) 2023-01 pertaining to six (6) parcels (APNs 020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S, and 020-041-09U) that total approximately 64.76 acres located on the east side of South Modoc Avenue between West Kearney Boulevard and the West California Avenue Alignment/San Joaquin Valley Railroad.

- ANX-2023-01 would annex approximately 64.76 acres from the County of Fresno to the City of Kerman, in addition to the adjacent right-of-way on South Modoc Avenue and the West California Avenue Alignment and detach the subject area from the Kings River Conservation District into the Fresno Irrigation District.
- REZ 2023-01 would prezone approximately 41.49 acres (APNs 020-160-36S, 020-160-18S, 020-041-45S, and 020-041-47S) to the Smart Development Combining District – Residential – Minimum 2,500 Square Feet (SD-R-2.5) zoning district and rezone approximately 20 acres (APN 020-160-19S) to the Smart Development Combining District – Residential – Minimum 5,000 Square Feet (SD-R-5) Zoning District.
- GPA 2023-01 would amend the Kerman 2040 General Plan to add the SD-R-2.5 zone district as a compatible zone district within the Medium Density Residential land use designation and set a minimum residential density of five (5) dwelling units per acre.
- TSM 2023-01 would subdivide an approximately 21.89 acres (APNs 020-160-36S, 020-041-45S, and 020-041-47S) into 119 lots to account for 118 single-family lots and one (1) lot reserved for 54 multi-family residential units and community center.
- DPL 2023-01 & 02, CUP 2023-02, and VAR 2023-01 would facilitate the 174-unit residential development consisting of 118 single-family residential units and 56 two-bedroom multi-family residential units. The development would also include a community center and related on/off-site improvements (e.g., roadways, sidewalks, landscaping, open space, parking). CUP 2023-02 would also facilitate the development of an off-site temporary drainage basin.