

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

PROJECT TITLE

WHISPERING FALLS REORGANIZATION

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
CITY OF KERMAN		(559) 846-9386
PROJECT APPLICANT ADDRESS	CITY	STATE
850 S. MADERA AVENUE	KERMAN	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	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,968.75	\$	0.00
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,401.75	\$	0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

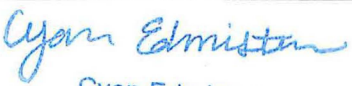
☒ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ **50.00**

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
 X	Cyan Edmisten Deputy Clerk

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	\$50.00
#308927190	
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 By Cyan Edmisten
 Phone: 559-846-9450 **DEPUTY**

FILE D
APR 14 2025
 TIME **3:58pm**
FRESNO COUNTY CLERK

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.

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 (☐ 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: _____



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	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	2,916.75
<input checked="" type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 2,966.75

SIGNATURE

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

Description	Fee
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EIR - Negative Declaration	
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Time Recorded: 3:46 PM

Recording Fee: No Fee

Total Amount Due	\$0.00
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Total Paid

Amount Due \$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

E202410000086

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



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

PROJECT TITLE

TSM 2023-01 WHISPERING FALLS RESIDENTIAL PROJECT

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

PROJECT APPLICANT (Check appropriate box)

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

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☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

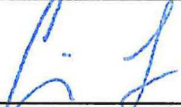
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<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
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<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ **2,966.75**

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X 	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

Description	Fee
EIR - Negative Declaration	

Time Recorded:	3:46 PM
Recording Fee:	No Fee

Total Amount Due	\$0.00
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Total Paid

Amount Due	\$0.00
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THANK YOU
PLEASE KEEP FOR REFERENCE

E102410000086

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
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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
<hr/>	
Total Amount Due	\$50.00
<hr/>	
Total Paid	
Credit Card	\$50.00
#284052420	
Amount Due	\$0.00

E20241000086

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:

Phone:

By

FRESNO COUNTY CLERK

DEPUTY

SEP 03 2024

TIME

3:47pm

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
 (☒ Lead Agency or ☐ Responsible Agency)

described project on 08/28/2024 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):

Title:

Date:

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.