

E202410000086

Notice of Determination

Appendix D

To:
[ ] Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 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 ( [ ] Lead Agency or [ ] Responsible Agency ) described project on 08/28/2024 (date) and has made the following determinations regarding the above 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): 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.



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 <b>CITY OF KERMAN</b>	LEAD AGENCY EMAIL	DATE <b>09/03/2024</b>
COUNTY/STATE AGENCY OF FILING <b>FRESNO COUNTY</b>		DOCUMENT NUMBER <b>E202410000086</b>
PROJECT TITLE <b>TSM 2023-01 WHISPERING FALLS RESIDENTIAL PROJECT</b>		

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

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency    
  School District    
  Other Special District    
  State Agency    
  Private Entity

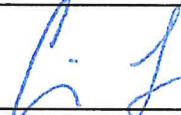
CHECK APPLICABLE FEES:

<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)			
<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  <b>X</b> 	AGENCY OF FILING PRINTED NAME AND TITLE  <b>Cierra Loera Deputy Clerk</b>
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County of Fresno  
Clerk's Office  
James A. Kus

Elections Department  
(559) 600-8683

Clerk Services Department  
(559) 600-2575

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

*E102410000086*

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Description	Fee
EIR - Negative Declaration	

Time Recorded:    3:46 PM  
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

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

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Description	Fee
EIR - Negation Declaration	

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

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Total Amount Due            \$2,916.75

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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

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

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Description	Fee
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EIR Administrative Fee

Time Recorded:      3:46 PM

Recording Fee:                      \$50.00

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Total Amount Due                      \$50.00

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Total Paid

Credit Card                              \$50.00

#284052420

Amount Due                              \$0.00

*E20241000086*

THANK YOU

PLEASE KEEP FOR REFERENCE