

## ATTACHMENT C

### **NOTICE OF EXEMPTION**

In compliance with Section 21152 of the Public Resources Code

**LEAD AGENCY:** Fresno Local Agency Formation Commission, 2607 Fresno Street, Suite B, Fresno, CA 93721 (559) 600-0604.

**PROJECT TITLE:** Adoption of Municipal Service Reviews and Sphere of Influence Updates prepared for Tranquillity Resource Conservation District (LAFCo File No. USOI – 194), Firebaugh Resource Conservation District, James Resource Conservation District, Panoche Resource Conservation District, and Westside Resource Conservation District.

**PROJECT LOCATION:** Five Resource Conservation Districts (“RCDs”): Tranquillity RCD, Firebaugh RCD, James RCD, Panoche RCD, and Westside RCD are identified in the 2007 RCD consolidated sphere of influence (“SOI”) in Fresno County’s westside. The 2007 RCD consolidated SOI is bounded by the Fresno-Merced County line to the northwest, the Fresno-Madera County line to the northeast, the Fresno-San Benito County line and the Fresno-Monterey County line to the west, the Fresno-Kings County line to the south, and it generally follows Jameson Avenue, Crescent Ditch, and Plumas Avenue to the east. The 2007 RCD consolidated SOI encompasses approximately 1,342,718 acres.

**NAME OF AGENCY APPROVING PROJECT:** Fresno Local Agency Formation Commission.

**PROPOSAL DESCRIPTION:** Fresno LAFCo has prepared Municipal Service Reviews (“MSRs”) for: Tranquillity RCD, Firebaugh RCD, James RCD, Panoche RCD, and Westside RCD pursuant to Government Code section 56430. The MSR updates consist of data collection, research, and LAFCo’s written determinations and recommendations pertaining to services provided by each of the RCDs. The Cortese-Knox-Hertzberg Act of 2000 require LAFCOs to conduct service reviews prior to, or in conjunction with, but no later than the time it considers SOI updates.

Pursuant to Government Code sections 56430 and 56425, the MSRs prepared for the RCDs recommend Fresno LAFCo to remove the 2007 RCD consolidated SOI; and, determine individual SOIs that are coterminous with the service areas for: Firebaugh RCD, James RCD, and Panoche RCD. No SOI was determined for Westside RCD.

The MSR prepared for Tranquillity RCD recommends the approval of an expanded Tranquillity RCD SOI (per LAFCo File No. USOI-194) that encompasses the District’s service area and the addition of 137,553 acres. The 137,533-acre affected territory is located east of the District; and, generally south of the City of Kerman, Brawley Avenue is located to the east, and Kamm Avenue is generally located to the most southern edge. The Tranquillity RCD SOI update is essential to facilitate Tranquillity RCD’s annexation application (LAFCo File No. AD 19-02) for the affected territory. The purpose of the Tranquillity RCD’s SOI update and subsequent annexation is for the District to extend planned technical assistance programs to landowners and growers that promote the conservation of local soil and water resources in the affected territory.

Overall, the proposed SOI updates for the RCDs will not change the existing land uses nor change the land use designations depicted by the land use authorities: Fresno County, Merced County, Kings County, City of Firebaugh, City of Mendota, or City of San Joaquin's General Plan Land Use Elements.

**FINDINGS:** This is to advise that, in conducting environmental review for the Tranquillity RCD SOI update and annexation, the Tranquillity RCD assumed the role of Lead Agency. Tranquillity RCD determined that LAFCo applications File No. USOI-194 and AD 19-02 are ministerial in nature. Since it can be seen with certainty that the Tranquillity RCD's proposals do not have the potential to result in a significant effect on the environment, they are not subject to CEQA pursuant to Section 15268 of the CEQA Guidelines and Section 21080 (b)(1) of Public Resources Code, Ministerial. On August 21, 2019, the Tranquillity RCD filed a Notice of Exemption with the Fresno County Clerk (#E201910000302).

As a "Responsible Agency" pursuant to CEQA Guidelines, Fresno LAFCo, independently reviewed and considered the potential environmental effects of the Tranquillity RCD SOI update and annexation as presented in the NOE prepared by Tranquillity RCD, Lead Agency, prior to reaching a decision on the Proposals and SOI updates.

LAFCo finds that it can be seen with certainty that the proposed SOI update for the Tranquillity RCD SOI and subsequent annexation, and the SOI updates for the Firebaugh RCD, James RCD, and Panoche RCD do not have the potential to result in any significant effect on the environment, therefore the SOI updates are not subject to CEQA pursuant to section 15061 (b)(3) of the CEQA Guidelines.

The information described above consisting of the MSRs for Tranquillity RCD, Firebaugh RCD, James RCD, Panoche RCD, and Westside RCD; and, Tranquillity RCD SOI update (LAFCo File No. USOI-194) and Tranquillity RCD Annexation (LAFCo File No. AD-19-02) are available to the general public at office address:

**Fresno Local Agency Formation Commission**  
2607 Fresno Street, Suite B  
Fresno, CA 93721

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David E. Fey, Executive Officer

May 12, 2021  
Date

**Attachments:**

- A - Resource Conservation District Maps
- B - Determinations for SOI updates:
  - Tranquillity RCD (LAFCo File No. USOI-194);
  - Firebaugh RCD (USOI-201);
  - James RCD (USOI-202);
  - Panoche RCD (SOI-203)
- C - Notice of Exemption filed by Tranquillity RCD (#E201910000302)