

## ATTACHMENT D

### **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:** Sierra Resource Conservation District Sphere of Influence Update (LAFCo File No. USOI – 193).

**PROJECT LOCATION:** The Sierra Resource Conservation District (“Sierra RCD”) service area and SOI are coterminous and encompass 1,847,537 acres. The District is generally east of State Route 41 and bounded by the Madera-Fresno County line to the north, the Fresno-Mono and Fresno-Inyo County lines on the north and east, and the Fresno-Tulare County line on the south.

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

**PROPOSAL DESCRIPTION:** 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. On June 9, 2021, the Commission adopted a Municipal Service Review prepared for the Sierra RCD pursuant to Government Code sections 56425 and 56430.

The Sierra RCD SOI update proposes to expand the existing SOI by approximately 235,776 acre westward to align with State Route (“SR”) 99, see Attachment A. The affected territory consists of unincorporated and urban land uses. The SOI update is necessary to facilitate the subsequent annexation (File No. AD-19-3) of the affected territory into Sierra RCD’s service area.

Overall, the proposed SOI update for Sierra RCD will not change the existing land uses nor change the land use designations depicted by the land use authorities: Fresno County, City of Clovis, City of Fowler, City of Fresno, City of Kingsburg, City of Orange Cove, City of Parlier, City of Reedley, City of Sanger, or City of Selma’s General Plan Land Use Elements.

The purpose of the requested Sierra RCD SOI update and annexation application (File No. AD 19-3) is for the District to extend technical assistance services to communities and rural settlements that are not currently being served and represented in the conservation of local natural resources.

**FINDINGS:** This is to advise that, in conducting environmental review for the Sierra RCD SOI update and annexation, Sierra RCD assumed the role of Lead Agency pursuant to the CEQA Guidelines. The District determined that the proposal will not change the existing land uses nor change the land use designations depicted by either the Fresno County General Plan or any of the affected cities’ general plans proposed to be included in the Sierra RCD SOI update.

Since it can be seen with certainty that the proposal does not have the potential to result in a significant effect on the environment, it is not subject to CEQA pursuant to CEQA guidelines pursuant to Section 15061 (b)(3) of the CEQA Guidelines. On July 24, 2019, the Sierra RCD filed a Notice of Exemption (“NOE”) with the Fresno County Clerk’s Office (#E201910000260).

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

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

The information described above consisting of the Sierra RCD's NOE, Sierra RCD Municipal Service Review, and the Sierra RCD SOI update (LAFCo File No. USOI-193) and Sierra RCD Annexation (LAFCo File No. AD-19-03) 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

October 13, 2021  
Date

**Attachments:**

- A – Sierra Resource Conservation District Map
- B - Determinations for USOI-193;
- C - Notice of Exemption filed by Sierra RCD (#E201910000260)

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