

RESOLUTION NO. DD-15-1

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

IN THE MATTER OF

LAFCO DETERMINATION

A REQUEST BY THE SIERRA)	MADE FINDINGS AND APPROVED
RESOURCE CONSERVATION DISTRICT)	DETACHMENT FROM THE SIERRA
TO DETACHT OF TERRITORY FROM THE)	RESOURCE CONSERVATION
SIERRA RESOURCE CONSERVATION)	DISTRICT
DISTRICT)	

WHEREAS, these proceedings were initiated by the Sierra Resource Conservation District to detach approximately 112,711 acres of territory from the Sierra Resource Conservation District's boundary that is currently located in Tulare County, and also being described within Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, the application was submitted to this Commission by the Sierra Resource Conservation District as required by State Law, and the application for said proposed detachment was accepted for filing by the Executive Officer and set for hearing on the 10th day of February, 2016, at the hour of 1:30 p.m.; and

WHEREAS, the Sierra Resource Conservation District requested approval of this detachment to allow the Tulare County Resource Conservation District to annex the land proposed to be detached from the Sierra Resource Conservation District's service area in Tulare County; and

WHEREAS, notice of the hearing of said application was given as required by State Law; and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, including a recommendation for approval, said report having been mailed at least five days before the public hearing; and

WHEREAS, said report was duly considered by this Commission pursuant to State law; and

WHEREAS, this Commission, acting as "Lead Agency" with respect to the detachment, reviewed and considered whether the detachment was categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3); and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that approval of the requested detachment from the Sierra Resource Conservation District is Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3).

ADOPTED THIS 10th DAY OF FEBRUARY, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PEREA, PACHECO, SANTOYO, SILVA

NOES: NONE

ABSENT: NONE

Section #2. This Commission Assigns the distinctive short form designation "Sierra Resource Conservation District Detachment" and approves the detachment subject to the following condition of approval:

Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

Section #3. This Commission finds pursuant to the CKH that the territory is inhabited and not all landowners and affected agencies have consented to the detachment.

Section #4. This Commission finds that the notice mailed on January 19, 2016, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and that "The Commission intends to waive protest proceedings pursuant to section 56663(b)(c) unless written opposition is received before the conclusion of the Commission proceedings on this proposal."

Section #5. This Commission finds that no written opposition to the proposal was received prior to the conclusion of the hearing and approves the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with the above condition, and waives further Conducting Authority Proceedings.

Section #6. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

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ADOPTED THIS 10TH DAY OF FEBRUARY, 2016, BY THE FOLLOWING VOTE:

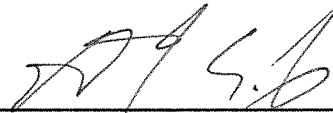
AYES: COMMISSIONERS PARRA, PEREA, PACHECO, SANTOYO, SILVA

NOES: NONE

ABSTAIN: NONE

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

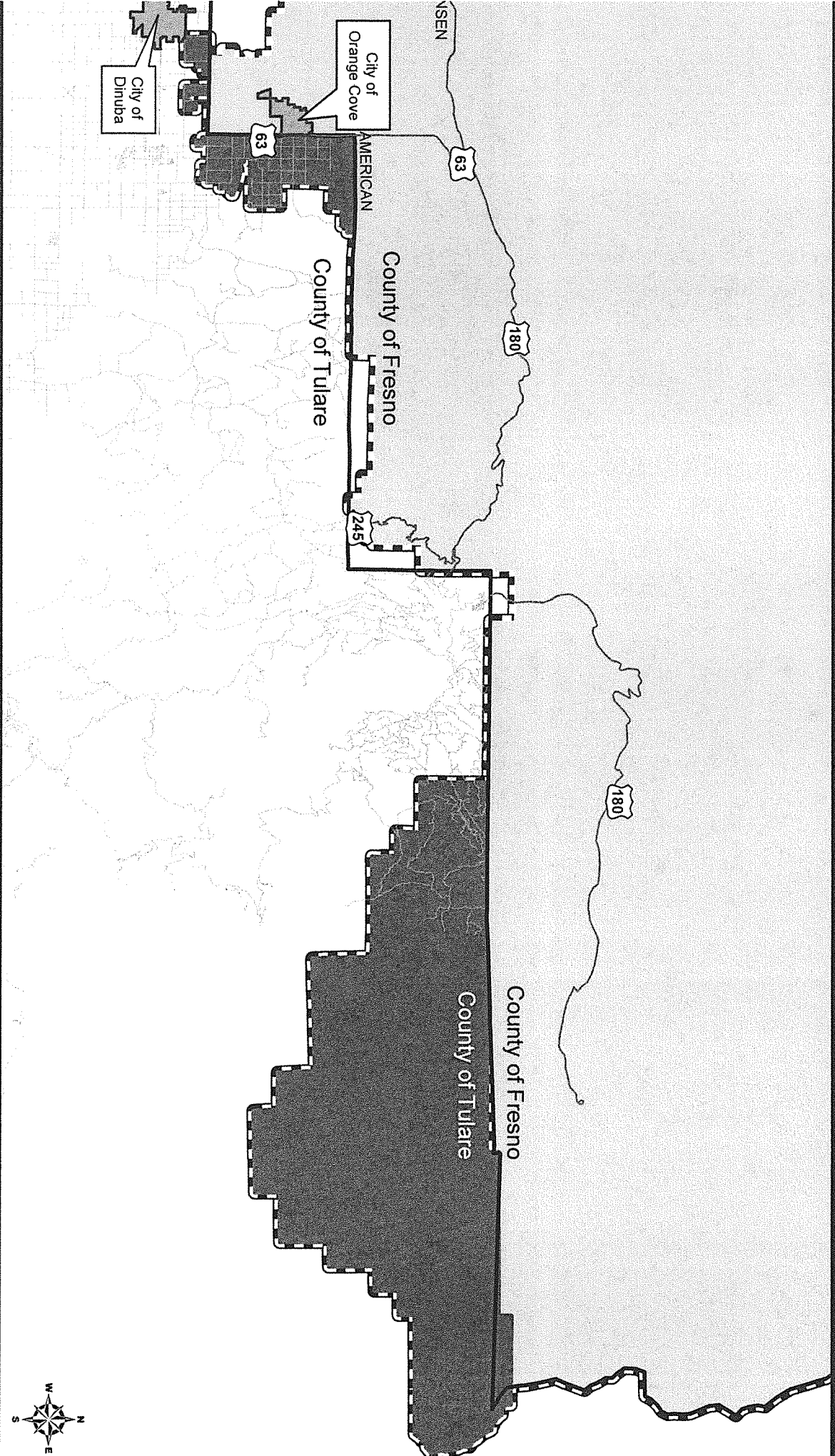
I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission certify that the foregoing resolution was adopted by the Local Agency Formation Commission of Fresno County, State of California, at a regular meeting held on the 10th day of February, 2016.



**David E. Fey, AICP, Executive Officer
Fresno Local Agency Formation Commission**

Sierra Resource Conservation District - Detachment

Note: No Legal Description



General Description: Sierra Resource Conservation District is a Multiple County District. The proposed detachment will remove land from the District's service area in County of Tulare. The proposal will align the District's service area and SOI with the County of Fresno's boundary line.