

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Jessica Gibson Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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: E202410000110
STATE CLEARINGHOUSE NUMBER (if applicable) E202410000110

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY FRESNO LAFCO	LEAD AGENCY EMAIL	DATE 04/15/2024
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E202410000110	

PROJECT TITLE
ZALDA RECLAMATION DISTRICT NO. 801 DISSOLUTION

PROJECT APPLICANT NAME FRESNO LAFCO	PROJECT APPLICANT EMAIL	PHONE NUMBER (559) 600-1702
PROJECT APPLICANT ADDRESS 1401 FULTON STREET, SUITE 900	CITY FRESNO	STATE CA
		ZIP CODE 93721

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 type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	<u>0.00</u>
<input 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)			
<hr/>			
<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 checked="" type="checkbox"/> Other CATEGORICAL EXEMPTION		\$	<u>0.00</u>

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE  X Cyan Edmisten	AGENCY OF FILING PRINTED NAME AND TITLE 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 2024007036
4/15/2024 04:16 PM
CCR572471 Cedmisten

Description	Fee
EIR Administrative Fee	
Time Recorded: 4:16 PM	
Recording Fee:	\$50.00
Total Amount Due	\$50.00
Total Paid	
Credit Card #269023201	\$50.00
Amount Due	\$0.00

E202410000110

THANK YOU
PLEASE KEEP FOR REFERENCE

E202410000110

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Fresno
2221 Kern Street
Fresno, CA 93721

From: (Public Agency): Fresno LAFCo
1401 Fulton Street, Suite 900
Fresno, CA 93721

(Address) FILED APR 15 2024 TIME 4:16pm

Project Title: Zalda Reclamation District No. 801 Dissolution

Project Applicant: Fresno Local Agency Formation Commission
By: Cyan Edmisten
FRESNO COUNTY CLERK
DEPUTY

Project Location - Specific:
Murphy Slough, Hayes Avenue, Fresno / Kings County boundary, North Fork channel

Project Location - City: Lanare Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

Zalda Reclamation District No. 801 was an inactive district and dissolved pursuant to GC section 56375.1. The Kings River Conservation District is designated as the successor agency pursuant to GC section 56886(m).

Name of Public Agency Approving Project: Fresno Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: Fresno Local Agency Formation Commission

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: CEQA section 15061(b)(3)
Statutory Exemptions. State code number:

Reasons why project is exempt:

Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that the dissolution for the Zalda Reclamation District No. 801 is Categorical Exempt from the provisions of CEQA under the common sense exemption in section 15061(b)(3). There is no possibility that the activity in question has any significant effect on the environment. There are no associated land use changes.

Lead Agency
Contact Person: Jessica Gibson Area Code/Telephone/Extension: 559-600-1702

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Jessica Gibson Date: 04/15/2024 Title: LAFCo Analyst II

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

RESOLUTION NO. DOD-24-01

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS APPROVING THE DISSOLUTION OF ZALDA RECLAMATION DISTRICT NO. 801 IN ACCORDANCE WITH GOVERNMENT CODE SECTION 56881(b)

WHEREAS, on March 8, 2023, the Fresno Local Agency Formation Commission (“Commission”) initiated a proposal for the dissolution of Zalda Reclamation District No. 801 (“Zalda RD” or “District”) pursuant to California Government Code (“GC”) section 56375.1, which was added to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) by Senate Bill No. 938 (Stats. 2022, ch. 89) (“SB 938”) enacted on July 1, 2022 and effective January 1, 2023; and

WHEREAS, the Commission has duly considered and made the following determinations pursuant to GC section 56881(b):

1. Public service costs of the proposal that the Commission is authorizing are likely to be less than or substantially similar to the costs of alternative means of providing the service.
2. The change of organization or reorganization that is authorized by the Commission herein promotes public access and accountability for community services needs and financial resources.

WHEREAS, on March 8, 2023, the Commission held a duly noticed public hearing and commenced the SB 938 process by adopting a municipal service review for Zalda RD (a study prepared pursuant to GC section 56430) and by adopting a resolution of intent to initiate dissolution; and

WHEREAS, the municipal service review determined that, in addition to the District's long-term failure to provide consistent services and its apparent inactivity, the District had met by a preponderance of evidence at least two of the deficiencies identified in GC section 56375.1(a)(1) as follows: (1) the District failed to meet the minimum number of times required in its principal act and taken no apparent action to ensure future meetings are conducted pursuant to GC section 56375.1(a)(1)(D); and (2) the District failed to perform timely audits in the previous three years, and failed to meet the minimum financial requirements over the previous five years pursuant to GC Section 56375.1(a)(1)(E); and

WHEREAS, on September 13, 2023, LAFCo staff provided a mid-point report on the District to the Commission on Zalda RD's remediation efforts and noted the District had not taken action to remedy the stated deficiencies; and

WHEREAS, at the duly noticed public hearing, held at 1:30pm on April 10, 2024, the Commission heard, discussed, and considered all relevant evidence and all testimony, correspondence, and other information received during the public hearing process; and

WHEREAS, at said April 10, 2024, public hearing, the Commission found the District failed to remedy the identified deficiencies; and

WHEREAS, the Commission has the authority to impose terms and conditions designating a city, county, or district as the successor to any local agency that is extinguished as a result of any change of organization or reorganization and provide for the transfer of real property, personal property and funds pursuant to GC sections 56886(h), (i), (m), and (v), and 57451(d); and

WHEREAS, the Kings River Conservation District ("KRCD") has historically operated and maintained approximately 4.5 miles of tile line and interceptor pumps along the North Fork channel owned by the District (the "District Facilities") by written agreement with the District; and

WHEREAS, the KRCD district service area boundaries and SOI encompass Zalda RD in entirety, and therefore no annexation of the dissolved territory is required.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does **HEREBY RESOLVE** and **DETERMINE** as follows:

ACTION 1:

- A. The Recitals above are true and correct, and this Commission so finds and determines.
- B. The Commission hereby orders the dissolution of Zalda Reclamation District No. 801 subject to the following terms and conditions:
 - a. Kings River Conservation District is designated as the successor agency to the District pursuant to GC section 56886(m).
 - b. All remaining assets of the dissolved District shall be distributed to the Kings River Conservation District pursuant to GC sections 56886(h), (i), (m), (v) and 57451(d).
 - c. Pursuant to GC section 57462, Kings River Conservation District shall enter into landowner agreements for those landowners receiving services from the District Facilities and shall continue to operate and maintain the District Facilities for the benefit of such landowners within its service area, until the public trust use, or purpose of the District Facilities is properly vacated, abandoned, or terminated in the manner provided by law.

ADOPTED THIS 10th DAY OF APRIL 2024, BY THE FOLLOWING VOTE:

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

ACTION 2:

- C. Acting as Lead Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines, find that the dissolution under consideration for the Zalda Reclamation District No. 801 is Categorically Exempt from the provisions of CEQA under the common sense exemption, or the "General Rule Exemption," in section 15061(b)(3).

ADOPTED THIS 10th DAY OF APRIL 2024, BY THE FOLLOWING VOTE:

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

STATE OF CALIFORNIA)

COUNTY OF FRESNO)

CERTIFICATION

I, Brian Spaunhurst, Executive Officer of the Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 10th day of April 2024.



Brian Spaunhurst, Executive Officer
Fresno Local Agency Formation Commission