

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



April 4, 2023

06-FRE-99-14.722

WHISPERING FALLS PROJECT-TRACK DEVELOPMENT

TTM #2023-01

GTS: <https://ld-igr-gts.dot.ca.gov/district/6/report/29166>

Sent via email

Jesus Orozco
Community Development Director
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Jesus Orozco:

Thank you for the opportunity to review the Tentative Tract Map for the proposed Whispering Falls Project. The proposed project is proposing a three-phase development. Currently, approximately 5 acres are designated as High Density Residential (HDR) and approximately 15 acres for Medium Density Residential (MDR). The proposed site is located at 870 S. Modoc Ave in the City of Kerman, approximately 1.0 miles south of State Route (SR) 180 in Fresno County.

The mission of Caltrans is to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. **Caltrans recommends that a Transportation Impact Study (TIS) be completed for the proposed development.** Caltrans has been entrusted to protect the State Highway system to ensure the safe and efficient movement of people and goods throughout the State. Our recommendation for a TIS is based on our need to fully assess this project's impacts, and to recommend mitigation for all project-related impacts to the State Highway System.

The study should also provide recommendations for any necessary traffic mitigations, such as additional traffic signals, roundabouts, or lane widening. This study will help us ensure that the development does not create any undue traffic congestion or safety concerns in the area.

The TIS should follow the current Caltrans Traffic Impact Study Guide. The analysis should refer to Caltrans' Traffic Operations Policy Directive 20-04, dated December 4, 2020. A Vehicle Miles Traveled (VMT) analysis should also be prepared for the proposed development.

2. Given that the future development may attract regional traffic from employees and trucks, **Caltrans recommends that the project proponents(s) conduct a vehicle-miles traveled (VMT) study once development is proposed.** In the absence of a local agency VMT guideline, the preparer should refer to the Caltrans Vehicle Miles Traveled-Focused Transportation Impact Study Guide, dated May 20, 2020. Improvements for existing/future bike and pedestrian facilities on roads in the vicinity of the Project and connectivity between home to work/home to shops should be considered and included in the VMT mitigation plan.
3. Caltrans **recommends** that the Project implement on-site freight parking areas and/or spaces within the Project boundaries that truck drivers can utilize for extending parking periods before loading or after unloading to alleviate freight parking shortages and maintain the Federal Hours of Service regulations.

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North



LARS ANDERSEN & ASSOCIATES, INC.

CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
ADA COMPLIANCE • LEED ACCREDITED • STORM WATER QUALITY
4694 W JACQUELYN AVENUE
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SCOTT A. MOMMER, PE, QSD
PRESIDENT

DANIEL J. ZOLDAK, PE, PLS, CASp, LEED
AP,
QSD, QSP
VICE PRESIDENT

June 23, 2022

Jesus R. Orozco
Community Development Director
City of Kerman

RE: Revised Development Plans [870 S. Modoc Ave.]

Dear Jesus R. Orozco,

With regards to the Review Comments for the Development Plans for 870 S. Modoc Ave. dated May 10, 2023, responses to each comment have been prepared. See these responses italicized in **red** below.

1) Public Works Requirements

Revisions required. Revise site plan (C3.1), tentative map (C4.0), preliminary grading plan (C5.0), and preliminary utility plan (C6.0) in accordance with **Exhibit A** dated May 10, 2023. Transfer all redline notes and comments to the corrected exhibit(s) and submit them to the Community Development Department. Revisions are summarized as follows.

- a) Confirm if turn radius (see call outs) will accommodate turnaround for fire and solid waste disposal vehicles. Refer to North Central Fresno County District Section 403.002 Fire Department Access Policy for private street requirements (**Exhibit B**). Revise to meet the requirements or if an alternative is proposed, submit the alternative and justification for review.

SINCE STREETS WILL
NOT BE PUBLIC,
PLANNING & FIRE HAVE
FINAL APPROVAL; NO
FURTHER COMMENT

Response: Revised the inside turning radius to 34' at the two areas indicated on the redlines. Also provided hammerhead turnarounds at the west and east end of the alleys in accordance with the Fire Department Access Policy. See Truck Turnaround Detail added to Sheet C3.1.

- b) Proposed 20-foot private streets may be too narrow to accommodate two-way traffic, in addition to fire/emergency access vehicles and water, sewer, and storm drainage (underground with minimum required separations. The recommendation is 12 feet minimum lanes for all streets). Revise to meet the recommendation or if an alternative is proposed, submit the alternative and justification for review.

SINCE STREETS WILL NOT BE
PUBLIC, PLANNING & FIRE HAVE
FINAL APPROVAL; NO FURTHER
COMMENT

Response: Fire Department Access Policy requires private streets to be 20' minimum unless it abuts a structure with roof eaves greater than 30 feet in height, in which case a 26' minimum drive is required along one long side of the building. The southernmost street south of the apartment buildings has been increased from 24' to 26' wide so that all 4 apartment buildings meet this requirement. All other private streets will remain as shown since they meet the minimum requirements in the Fire Department Access Policy.

Sewer lines must have 10' horizontal clearance from storm and water mains. We estimate that in the worst case, we would need 19' of horizontal distance for all three service lines. The 20' roads will be sufficient.

- c) Widths of West California Street to match City Standard P-1 for typical collector street cross section. **NO FURTHER COMMENT; COA'S TO REQUIRE THEY MEET MIN. P-1 or if an alternative cross section is proposed, submit the alternative cross section for review.** **NO FURTHER COMMENT**

Response: Revised West California Avenue to match City Standard P-1 street cross section for typical collector street. See detail added to Sheet C2.0. The previously shown 100' ROW has been reduced to 84' with 8' Landscape easement on both sides of the street. See Sheet C4.0 for added dimensions for the ROW consistent with P-1.

- d) There is a master planned sewer trunk that runs north-south in Modoc Avenue adjacent to the property. The master planned sewer **20' IS NOT SUFFICIENT FOR A LARGE DIAMETER TRUNK MAIN; IF CITY IS GOING TO AGREE TO THIS, THEN CITY WILL HAVE TO ACQUIRE AN ADDITIONAL 20' FROM PROPERTY TO THE WEST** on the width of the west side of Modoc Avenue (i.e., if the west side is 30 feet as well, then a 40 foot total easement for the sewer trunk. Confirm the width of the Modoc right-of-way and revise or update the proposed vacation accordingly.

Response: Confirmed with the Title Report that the width of Modoc Avenue is 40'. The label on Sheet C4.0 has been updated accordingly. We request that the City place the sewer in the west side of Modoc Ave and accept a 20-foot easement.

- e) Show the proposed public utility easements in the private streets and alleys for City water and sewer system/service. **NO FURTHER COMMENT**

Response: Sewer will be private service. See easement for proposed water service added to Sheet C4.0.

- f) The property is at the upstream end of the master-plan drainage area "K." The master planned basin is to be west of Lassen Avenue and will not be constructed in the near future. A temporary basin is required (or other storage method proposal) to store runoff from 100-year, 10-day storm event. Revise the exhibits to show the temporary basin (or other storage method proposal). If proposing another storage method (e.g., the storm water collection / water feature one through four), provide size/capacity and confirm with City Engineer that the storage method is capable of storing runoff from a 100-year, 10-day storm event. **NO FURTHER COMMENT**

Response: The owner of the subject property also owns the 20-acre parcel directly to the north. A temporary basin of approximately 2-acres will be constructed at the southwest corner of the northern property to collect runoff from 100-year, 10-day storm event. See Sheet C3.0 for location of the temporary basin.

- g) Per the City's Sewer Master Plan, the subject property is master planned to be served by the future sewer trunk (30") in Modoc Avenue. The Sewer Master Plan calls for a temporary lift station and temporary main (15") to route wastewater east to California Avenue in the interim. There may be the possibility for only the temporary sewer main (15") to be installed with this project, but there may not be enough fall to get from the southwest corner of the existing manhole in California Avenue. Discuss options with City Engineer and revise utility plan accordingly. **NO FURTHER COMMENT**

Response: A temporary lift station and 15" main will be installed. See Sheet C6.0.

- h) Submit preliminary title report for confirmation of all rights-of-way and easements affecting property. Submit documents for review including Document 2006-0144355 F.C.R. vacating the north 30 feet of West California Avenue right-of-way, document (response not received) vacating the south portion of West California Avenue, and Document 2006-0144355 F.C.R. vacating the north 25 feet of railroad right-of-way.

Response: A title report has been ordered and will be provided to the City as soon as it becomes available.

2) North Central Fresno County Fire Protection District

- a) Revise site plan (C3.1) and tentative map (C4.0) per North Central Fresno County Fire Protection District Section 403.002 Fire Department Access Policy for private streets and driveways (**Exhibit B**). If an alternative is proposed, submit the alternative and justification for review.

Response: Fire Department Access Policy requires private streets to be 20' minimum unless it abuts a structure with roof eaves greater than 30 feet in height, in which case a 26' minimum drive is required along one long side of the building. The southernmost street south of the apartment buildings has been increased from 24' to 26' wide so that all 4 apartment buildings meet this requirement. All other private streets will remain as shown since they meet the minimum requirements in the Fire Department Access Policy.

3) Planning Division

- a) Revise site plan (C3.1) and development plan (C2.2, C2.3) in accordance with **Exhibit C** dated May 10, 2023.

Response: Plan sheets have been updated in accordance with Exhibit C as required. Please see calculation added to Sheet C3.1 showing the ratio of open space to residents. The lot diagrams on Sheet C2.2 have been updated to show usable open space, and that it exceeds 250 SF for each lot. The tables on Sheet C2.2 have been updated to show lot coverage and provided rear yard setback as appropriate.

- b) Remove all water features that are not proposed to be utilized for storm water collection as depicted in water feature plan (L3.0). Removal of these features has been previously discussed with Applicant. Revise plans accordingly.

Response: All water features will be utilized for storm water collection. We are currently finalizing the updated Project Description which will provide a detailed description of the proposed water features. The updated project description will be provided shortly after this package submittal.

LEGEND

SINGLE FAMILY HOMES

MULTI FAMILY HOMES

OPEN SPACE

GARAGE FOR MULTI FAMILY HOMES

GARAGE/STORAGE AREA FOR HOA

6' WOOD FENCE

PROPOSED SIGN (SEE SHEET A.90)

PROPOSED LIGHT (SEE SHEET EP1.0)

PROPOSED HYDRANT

DIRECTION OF DRAINAGE

DEVELOPMENT SUMMARY

Site (+/-) : 20 AC
Total Units: 174
Density: 8.7 du/ac

RESIDENTIAL DEVELOPMENT BREAKDOWN
Total Residential Units: 174

SINGLE FAMILY UNITS
Alley Loaded Single Family Homes: 64
Single Family Cluster Homes: 46
Wide Shallow Single Family Homes: 8
Sub Total: 118

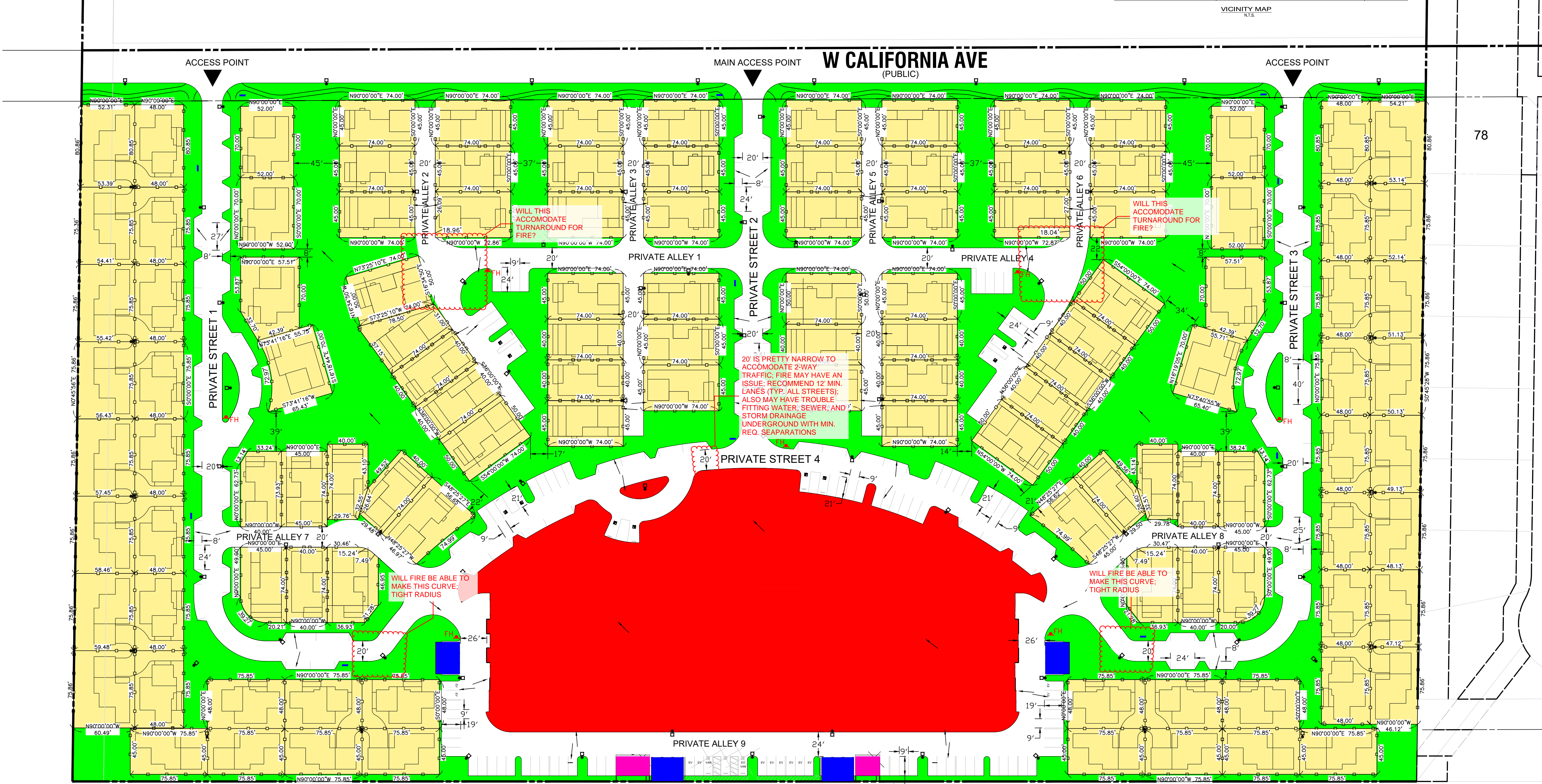
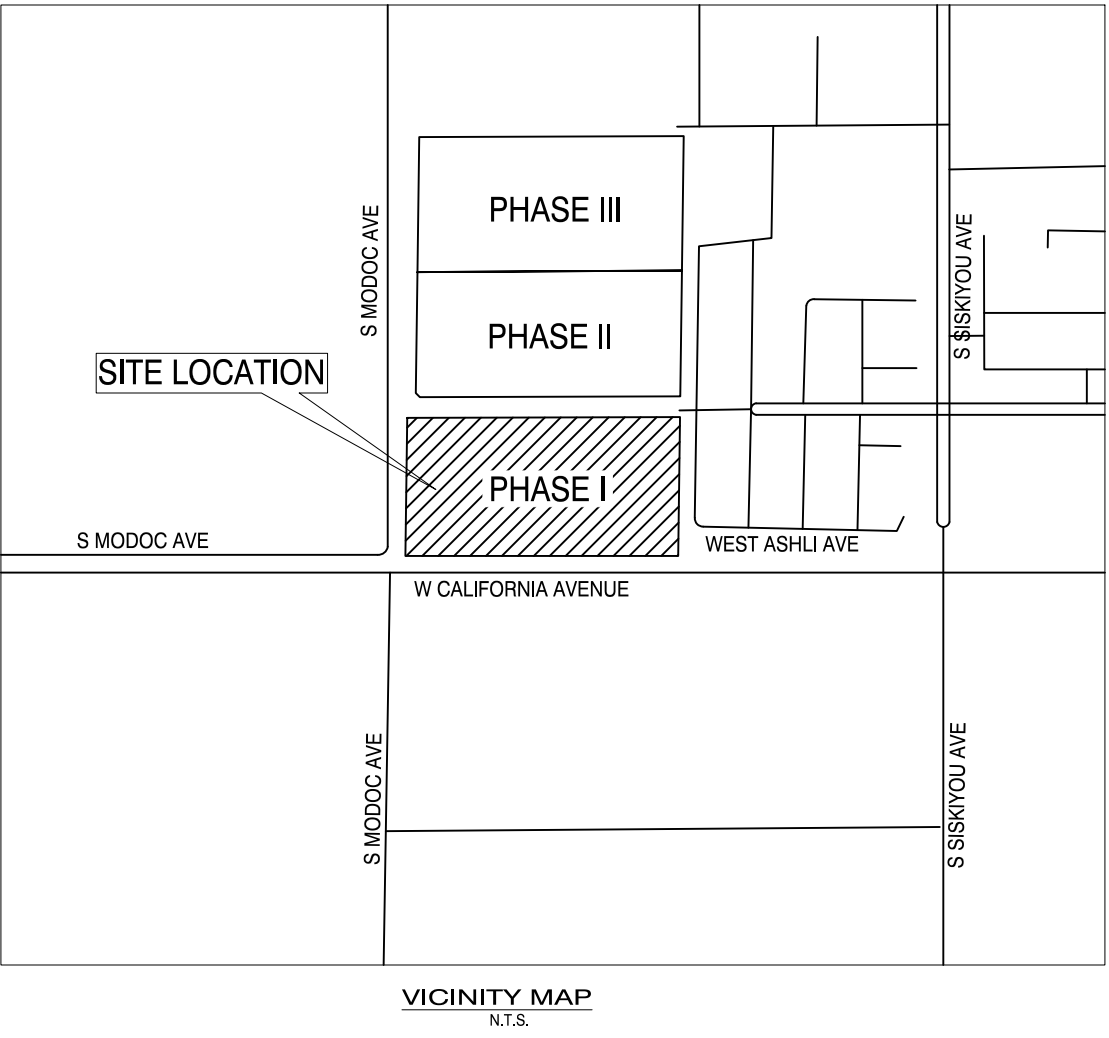
MULTI-FAMILY UNITS
One Bedroom Units: 0
Two Bedroom Units: 56
Sub Total: 56

PARKING DISTRIBUTION
Total Parking: 430 @ 2.5 spaces per unit

SINGLE FAMILY UNITS
Alley Loaded/Cluster/Wide Shallow: 236 @ 2 enclosed sp. /unit

MULTI-FAMILY UNITS
Two Bedroom Units: 56 @ 1 enclosed sp. /unit

Unassigned/ On-street Spaces: 138



ENGINEERING COMMENTS 2023-05-09



WHISPERING FALLS
PLANNED DEVELOPMENT AND
TENTATIVE TRACT MAP IN CITY
OF KERNAN/FRESNO COUNTY

PHASE I SITE PLAN
C3.1

SM325.21

12.12.2022

PARCEL 1:
 THE 17N 17E SECTION 11, TOWNSHIP 14 SOUTH, RANGE 17 EAST, MOUNT DABLO BASIN AND MERIDIAN, OF FRESNO IRRIGATED FARMS CO TRACT, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 8, PAGE 1 OF RECORDS OF SURVEYS, FRESNO COUNTY RECORDS.
 EXCEPTING THEREFROM ALL GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

PARCEL 2:
 THE 18N 18E SECTION 11, TOWNSHIP 14 SOUTH, RANGE 17 EAST, MOUNT DABLO BASIN AND MERIDIAN, OF FRESNO IRRIGATED FARMS CO TRACT, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 8, PAGE 1 OF RECORDS OF SURVEYS, FRESNO COUNTY RECORDS.
 EXCEPTING THEREFROM THE SOUTH 75 FEET OF THE WEST 100 FEET THEREOF.

EXCEPTING THEREFROM ALL GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

PARCEL 3:
 THE SOUTH 75 FEET OF THE WEST 100 FEET OF THE 16N 16E SECTION 11, TOWNSHIP 14 SOUTH, RANGE 17 EAST, MOUNT DABLO BASIN AND MERIDIAN, OF FRESNO IRRIGATED FARMS CO TRACT, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 8, PAGE 1 OF RECORDS OF SURVEYS, FRESNO COUNTY RECORDS.
 EXCEPTING THEREFROM ALL GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

APN: 020-160-365
EXISTING ZONING: AE20
PROPOSED ZONING: PUD
PROPOSED LAND USE: RESIDENTIAL / MULTI-FAMILY
EXISTING LAND USE: VACANT
SURROUNDING ZONING: AE20
SURROUNDING LAND USE: VACANT/ RESIDENTIAL

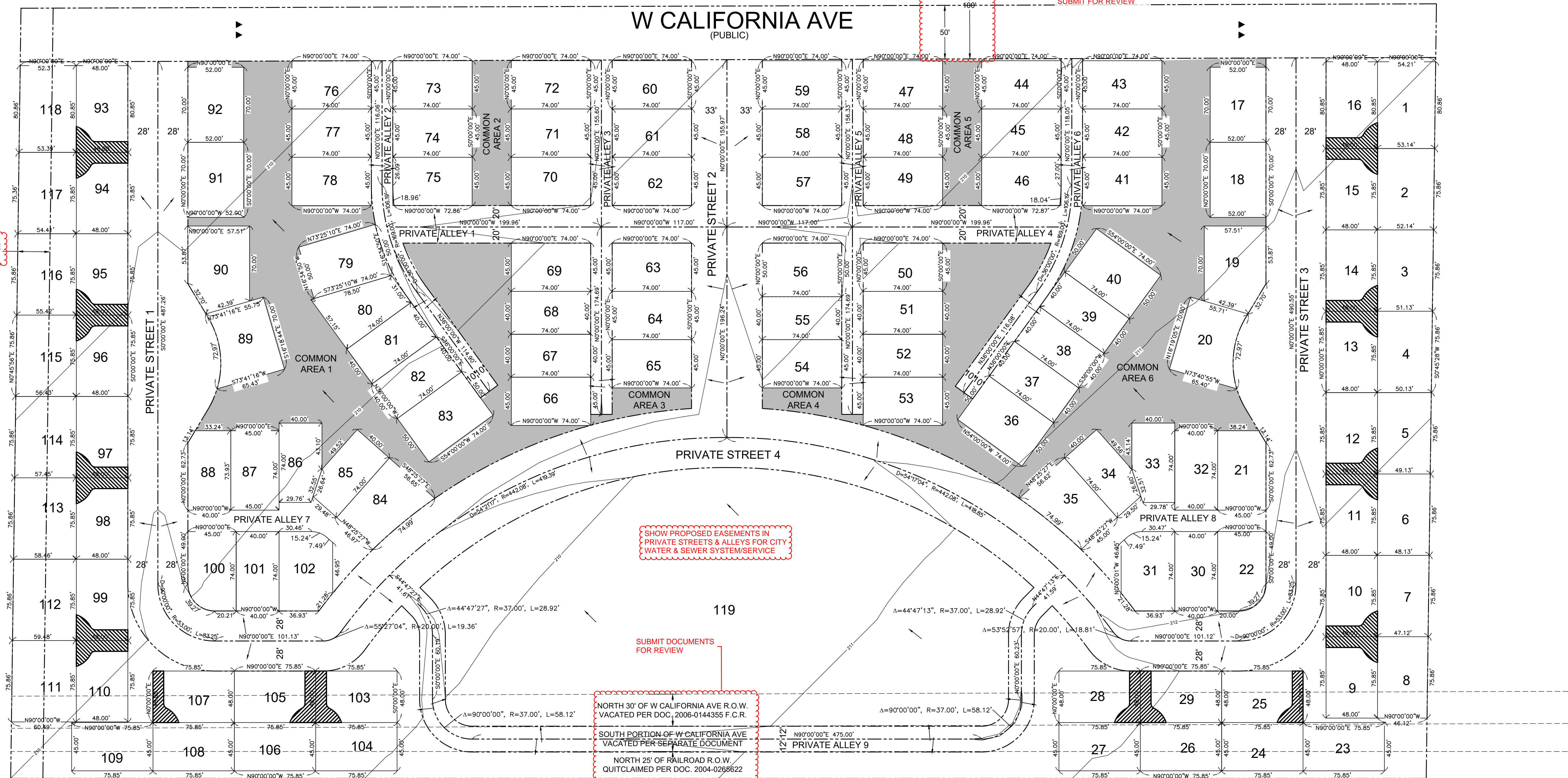
BOYD COMPANIES
275 S. MADERA AVE., #100
KERNAN, CA 93630

PLANNED UNIT DEVELOPMENT FOR WHISPERING FALLS & TENTATIVE TRACT MAP TRACT NO. 6430

1. THE SOURCE OF WATER SUPPLY SHALL BE THE CITY OF KERMAN.

WIDTHS DO NOT
MATCH CITY
STANDARD P-1 FOR
TYPICAL COLLECTOR
STREET CROSS
SECTION; REVISE, OR
IF ALTERNATIVE
CROSS SECTION IS
BEING PROPOSED,
SUBMIT FOR REVIEW

 COMMON AREA
 PROPOSED CROSS ACCESS
 RIGHT-OF-WAY DEDICATED FOR STREET PURPOSES PER THIS MAP



RAILROAD

SUBMIT PRELIMINARY TITLE REPORT
FOR CONFIRMATION OF ALL
RIGHT-OF-WAYS AND EASEMENTS
AFFECTING PROPERTY

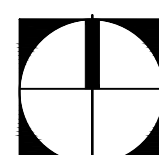
SHOW PROPOSED EASEMENTS IN
PRIVATE STREETS & ALLEYS FOR CITY
WATER & SEWER SYSTEM/SERVICE

**SUBMIT DOCUMENTS
FOR REVIEW**

NORTH 30' OF W CALIFORNIA AVE R.O.W.
VACATED PER DOC. 2006-0144355 F.C.R.

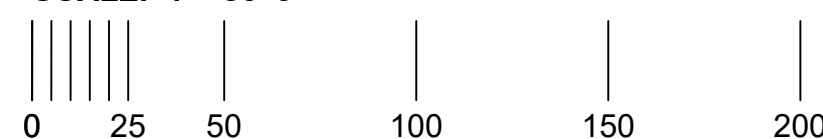
SOUTH PORTION OF W CALIFORNIA AVE
VACATED PER SEPARATE DOCUMENT

NORTH 25' OF RAILROAD R.O.W.
QUITCLAIMED PER DOC. 2004-0265622



TRUE NORTH

SCALE: 1"=50'-0"



WHISPERING FALLS

PLANNED DEVELOPMENT AND
TENTATIVE TRACT MAP IN CITY
OF KERMAN/FRESNO COUNTY

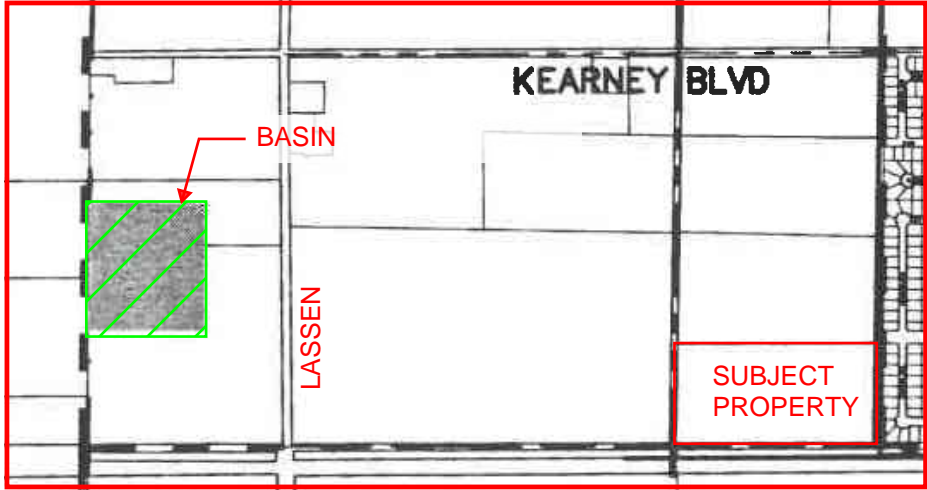
TENTATIVE MAP C4.0

SM325.21

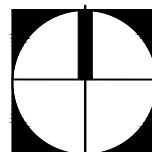
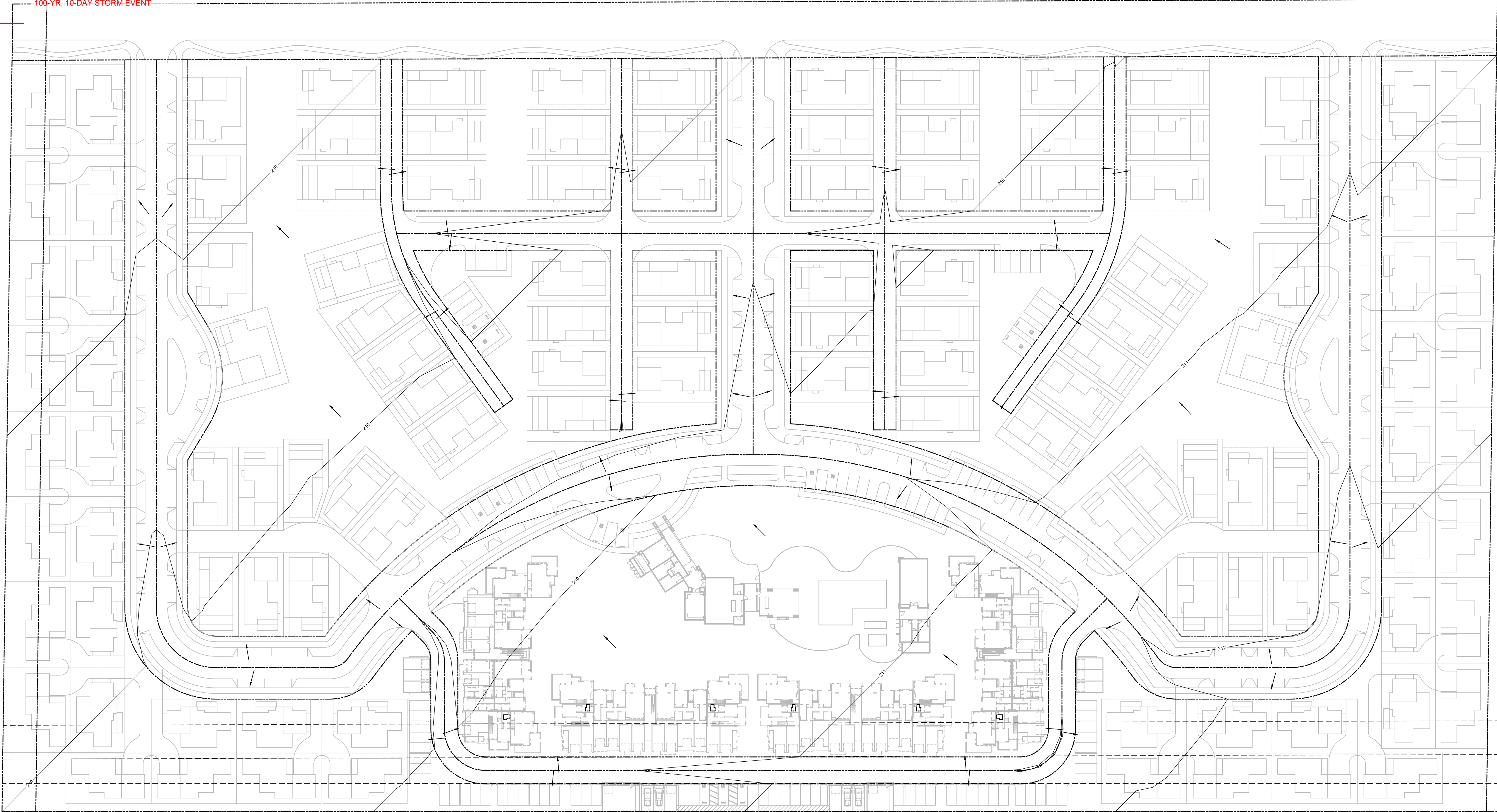
12.12.2022

GRADING LEGEND

DIRECTION OF DRAINAGE

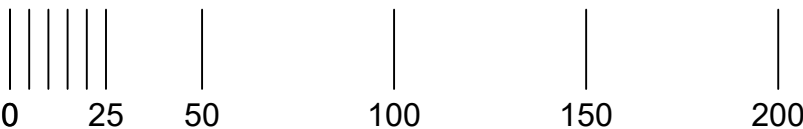


PROPERTY IS AT THE UPSTREAM END OF MASTER-PLAN DRAINAGE AREA "K"; THE MASTER-PLANNED BASIN IS TO BE WEST OF LASSEN AVENUE & WILL NOT BE CONSTRUCTED IN THE NEAR FUTURE; TEMP BASIN IS REQUIRED (OR OTHER STORAGE METHOD PROPOSAL) REQUIRED TO STORE RUNOFF FROM 100-YR, 10-DAY STORM EVENT



TRUE NORTH

SCALE: 1"=50'-0"



WHISPERING FALLS

PLANNED DEVELOPMENT AND
TENTATIVE TRACT MAP IN CITY
OF KERNAN/FRESNO COUNTY

PRELIMINARY GRADING PLAN

C5.0

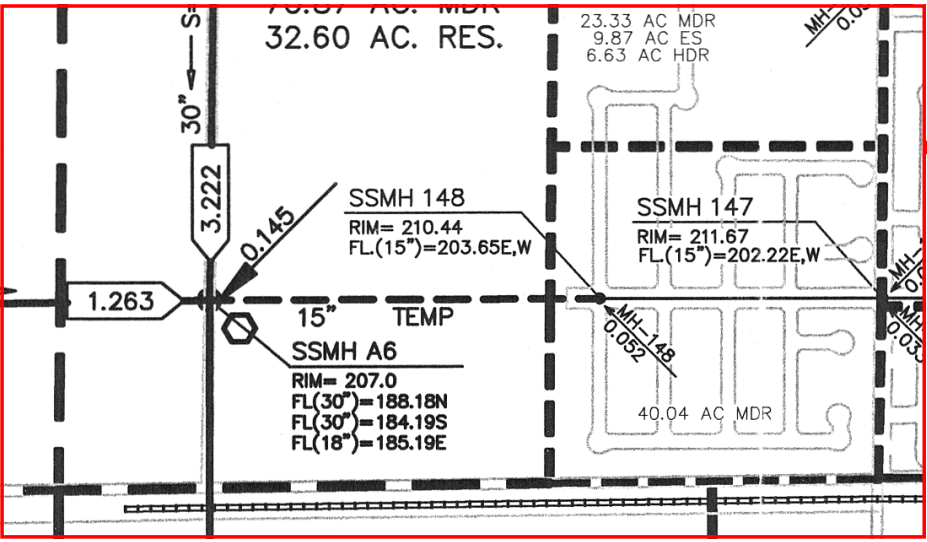
SM325.21

12.12.2022

LINETYPE LEGEND

- PROPOSED SANITARY SEWER SERVICE
- PROPOSED DOMESTIC WATER SERVICE
- PROPOSED FIRE HYDRANT

TEMP LIFT STATION



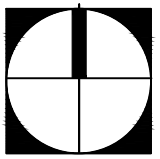
PER THE CITY'S SEWER MASTER PLAN, THE SUBJECT PROPERTY IS MASTER PLANNED TO BE SERVED BY THE FUTURE SEWER TRUNK IN MODOC; THE MASTER PLAN CALLS FOR A TEMP LIFT STATION AND MAIN TO ROUTE WASTEWATER EAST TO CALIFORNIA AVENUE IN THE INTERIM; MAY BE POSSIBLE FOR ONLY THE TEMP SEWER MAIN TO BE INSTALLED WITH THIS PROJECT, BUT I DON'T THINK THERE IS EVEN ENOUGH FALL TO GET FROM THE SW CORNER OF THE PROPERTY TO THE EXISTING MANHOLE IN CALIFORNIA

TEMP 15\"/>

MASTER-PLANNED 12\"/>

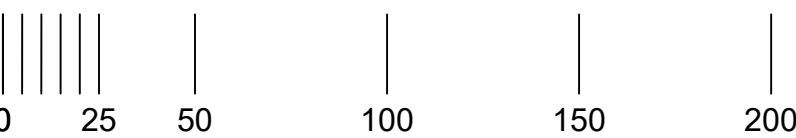
TO CONNECTION TO EX. SEWER MAIN IN CALIFORNIA AVENUE

MASTER-PLANNED 30\"/>



TRUE NORTH

SCALE: 1"=50'-0"



WHISPERING FALLS
PLANNED DEVELOPMENT AND
TENTATIVE TRACT MAP IN CITY
OF KERNAN/FRESNO COUNTY

PRELIMINARY UTILITY PLAN
C6.0

SM325.21

12.12.2022



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

April 3, 2023

Jesus Orozco
Community Development Director
City of Kerman
(559) 846-9386
jorozco@cityofkerman.org

SUBJECT: REQUEST FOR REVIEW AND COMMENTS – City of Kerman, Whispering Falls Development

Dear Jesus,

The County of Fresno appreciates the opportunity to review and comment on the subject project being reviewed by the City of Kerman. The documents received for this review were circulated to our various divisions of the Fresno County Public Works and Planning Department. Based on an initial review, we offer the following comments:

Administration offers the following comments:

Development of the proposal would require annexing the subject area into the City of Kerman. Such annexation proposal should include the entire widths of road rights-of-way.

Transportation Planning offers the following comments:

This project is likely to impact county facilities and should require a TIS, please include the county in all future routings best point of contact is hluna@fresnocountyca.gov. Using ITE trip Generation Manual (11th Edition) trips are calculated to be over the county's threshold.

The entire right-of-way for that segment of W. Kearney Blvd. from the existing City of Kerman city limit to S. Modoc Ave should be annexed to the City of Kerman.

The entire right-of-way for that segment of W. California Ave. from the existing City of Kerman city limit to S. Modoc Ave should be annexed to the City of Kerman.

The entire right-of-way for that segment of S. Modoc Ave. from W. Kearney Blvd. to W. California Ave. should be annexed to the City of Kerman.

The intersection of W. Kearney Ave. and S. Modoc Ave. should be annexed to the City of Kerman.

The intersection of W. California Ave. and S. Modoc Ave. should be annexed to the City of Kerman.

If you have any further questions regarding this matter, please contact Hector Luna at hluna@fresnocountyca.gov.

Public Health, Environmental Health Division offers the following comments:

Construction permits for the proposed development should be subject to assurance that the City of Kerman community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.

Construction permits for the proposed development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.

Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

Future construction and projects have the potential to expose nearby residents to elevated noise levels. Consideration should be given to the City of Kerman Municipal Code and the Fresno County Noise Ordinance Code.

As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental

Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

If you have any further questions regarding this matter, please contact Kevin Tsuda at ktsuda@fresnocountyca.gov.

Policy Planning offers the following comments:

The City of Kerman is anticipating amending its Sphere of Influence (SOI) and annexing an 80-acre territory to the incorporated city boundary. The 80-acre territory consist of four parcels each of which is approximately 20 acres. Below are the APNs of the subject parcels and the status of the Williamson Act contract for each parcel.

- APN 020-160-36s - Not under contract.
- APN 020-160-18s - Under Contract No. 4388.
- APN 020-160-19s - Under Contract No. 4388.
- APN 020-160-02s - Under Contract No. 3926.

As noted above, except APN 020-150-36s, the rest of the subject parcels are under Williamson Act contract. Annexation of land subject to a Williamson Act contract is addressed under Article 3. Contracts (51240-51257.5) of the Government Code which must be addressed by the City of Kerman and the Fresno County LAFCo at the time the SOI amendment and annexation of territory is being considered by LAFCo.

If you have any further questions regarding this matter, please contact Jordan Walton at jowalton@fresnocountyca.gov.

If you have any questions regarding the information described in this letter, please contact me at rmartin@fresnocountyca.gov or (559) 600-4305.

Sincerely,

Raymond Martin, Staff Analyst
Development Services and Capital Projects Division

G:\4360Devs&Pln\PROJSEC\PROJDOCS\Environmental\OAR\City of Kerman\Whispering Falls Development\City of Kerman Whispering Falls OAR Response Letter.docx



2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

April 7, 2023

Jesus Orozco
City of Kerman
Planning & Development Department
850 S. Madera Avenue
Kerman, CA 93630

RE: Annexation Application No. ANX 2023-01, Pre-zone Application No. REZ 2023-01, General Plan Amendment Application No. GPA 2023-01, Tentative Subdivision Map Application No. TSM 2023-01, Conditional Use Permit Application No. 2023-02, and Development Plan Application No. DPL 2023-01 and 02
S/E Kearney Boulevard and Modoc Avenue
FID's Siskiyou No. 146

Dear Mr. Orozco:

The Fresno Irrigation District (FID) has reviewed the proposed Applications for Whispering Falls Development located at 870 South Modoc Avenue in the City of Kerman proposing to develop a 20-acre parcel and phased development on three additional parcels, APNs: 020-160-02S, 18S, 19S, and 36S. FID has the following comments:

1. FID has a canal within the Project Area as shown on the attached FID exhibit map. The facility includes FID's Siskiyou No. 146. In most cases, the existing facilities will need to be upgraded to meet then-current urban standards or relocated by the developer to accommodate new urban developments which will require new pipelines and new exclusive easements. FID will impose the same conditions on future projects as it would with any other project located within the common boundary of the City of Kerman and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.
2. The City of Kerman has a Surface Water supply agreement with FID, entered into on June 7, 2022. The proposed area is outside the sphere of influence at the time of execution of the agreement and will therefore not be eligible for any additional surface water supplies.

Summary of Requirements:

- FID Board Approval.
- Existing Encroachments removed and/or relocated.
- Review and Approval of all Plans.
- Execute Pipeline Replacement and Easement Agreement.
- Replace existing pipeline with 24" RGRCP ASTM C-361 RGRCP (with MacWrap).

G:\Agencies\Kerman\Tract Map\Whispering Falls\2023-01.doc

BOARD OF DIRECTORS

President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

- Execute Agreement(s), as necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Area of Concern

1. FID's Siskiyou Lateral No.146 runs southwesterly, traversing the north portion of the Annexation Boundary, and crossing Modoc Avenue approximately 15 feet west of the subject property, as shown on the attached FID exhibit map, and will be impacted by future development. FID records indicate a 15 feet easement recorded on March 15, 1984, as Document. No. 84025511 Official Records of Fresno County. These easements do not meet FID's current standards for 48-inch pipe as shown on the attached FID Standard Detail P-06. Additional easement width will be required to provide a minimum of 40 feet wide easement for the pipeline and an agreement entered into with FID for that purpose.
2. FID's records indicate this section of the Siskiyou Lateral pipeline was installed in 1984 (39 years old) as a 20-inch inside diameter Polyvinyl Chloride Pipe with Solvent Weld Joint (PVC-S). PVC-S is a non-reinforced PVC pipe that is easily damaged, extremely prone to leakage, and does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas and will need to be replaced.
3. FID requires the Applicant/Developer to replace the existing pipeline with new 24-inch diameter ASTM C-361 B25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement with FID for that purpose.
4. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.
5. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-watertight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID will require external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
6. FID requires all exposed facilities (standpipes, air vents, covers, etc.) within the subject property or directly adjacent to the subject property must be adapted with additional features in order to transition from a rural setting to an urban setting, to

mitigate for the effects of new development and increased population, and provide for public safety within FID's property/easement and the development.

General Comments

1. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Storm drain, Street, Landscaping, Dry Utilities, and all other utilities.
2. FID requires the Applicant/Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Pipeline or result in drainage patterns that could adversely affect FID.
3. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits.
4. FID does not allow FID owned property or easements to be in common use with public utility and/or road easements and right-of-ways but will in certain instances allow for its property to be in common use with landscape easements if the City of Kerman enters into the appropriate agreement.
5. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.
6. Footings of retaining walls shall not encroach onto FID property/easement areas.
7. Trees will not be permitted within FID's property/easement areas.
8. FID requires its easements be shown on all plans with proper recording information.
9. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.
10. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing cast-in-place concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.
11. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area was historically agricultural land and a significant portion of its water supply was imported surface water, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Kerman require the proposed development balance anticipated groundwater use

with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

12. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Kerman are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Kerman should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
13. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.

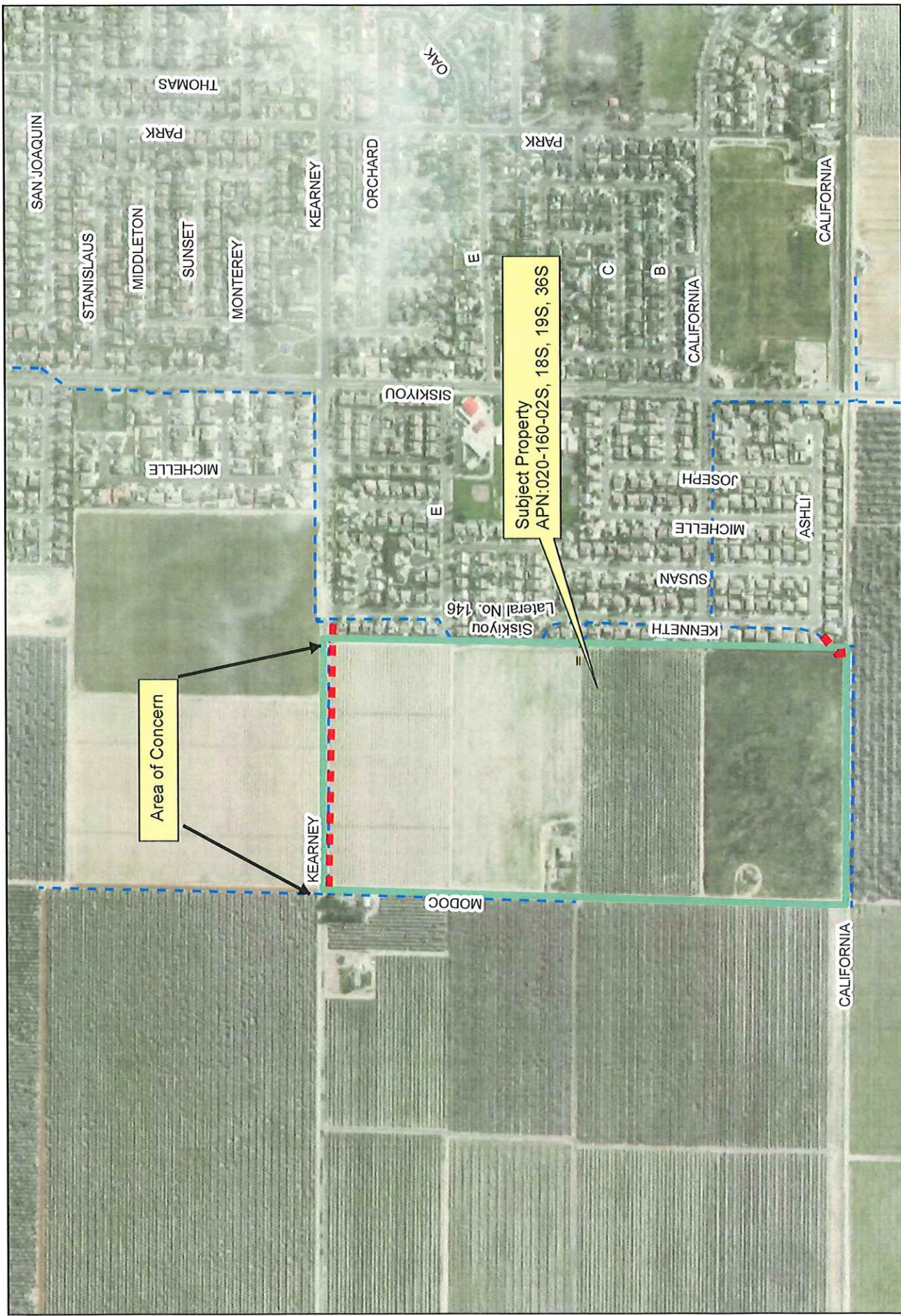
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.


Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment





FRESNO IRRIGATION DISTRICT

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Path: G:\FID\GIS\20230223 FID Master.mxd
 Spatial Reference
 Name: NAD 1983 StatePlane California IV FIPS 0404

Legend

- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- FID Canal
- Private Canal
- Abandoned Canal
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

Scale: 1 inch = 658.44 feet

0 330 660 Feet

North Arrow

Jeremy Landrith

From: Jesus Orozco <jorozco@cityofkerman.org>
Sent: Monday, March 13, 2023 12:12 PM
Subject: City of Kerman Project Distribution Whispering Falls ANX 2023-01 & TSM 2023-01
Attachments: Kerman_Whispering Falls Project Distribution 03 13 2023_TSM 2023-01.pdf; Kerman Distribution Package 3.13.2023.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Whispering Falls and associated exhibits proposed within City of Kerman Sphere of Influence boundaries.

Please provide comments or questions on or before **April 13, 2023**.

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)
- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Jesus R. Orozco | Community Development Director
City of Kerman | Community Development Department
p. (559) 846.9386 | f. (559) 846.6199



850 S. Madera Ave. Kerman, CA 93630
jorozco@cityofkerman.org
cityofkerman.net



City of Kerman

Community Comes First

850 SO. MADERA AVE.
KERMAN, CA 93630-1799
Telephone: 559-846-9384
FAX: 559-846-6199

March 13, 2023

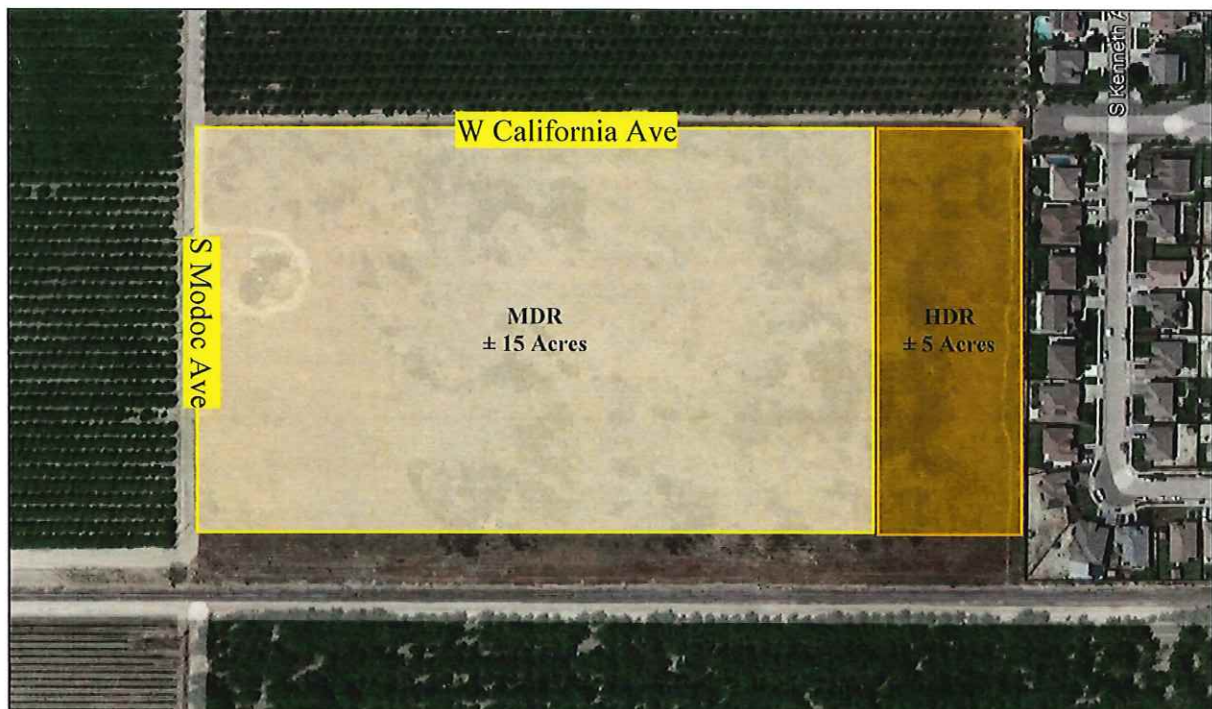
Subject: Project Distribution and Request for Comments for Application(s) related to Whispering Falls Development located at 870 S. Modoc Avenue, Kerman, CA 93630 (APN 020-160-36S)

Dear Stakeholder:

Please accept this project distribution as a formal invitation to provide comments related to a project proposal referred to as Whispering Falls. Below are details of the project proposal.

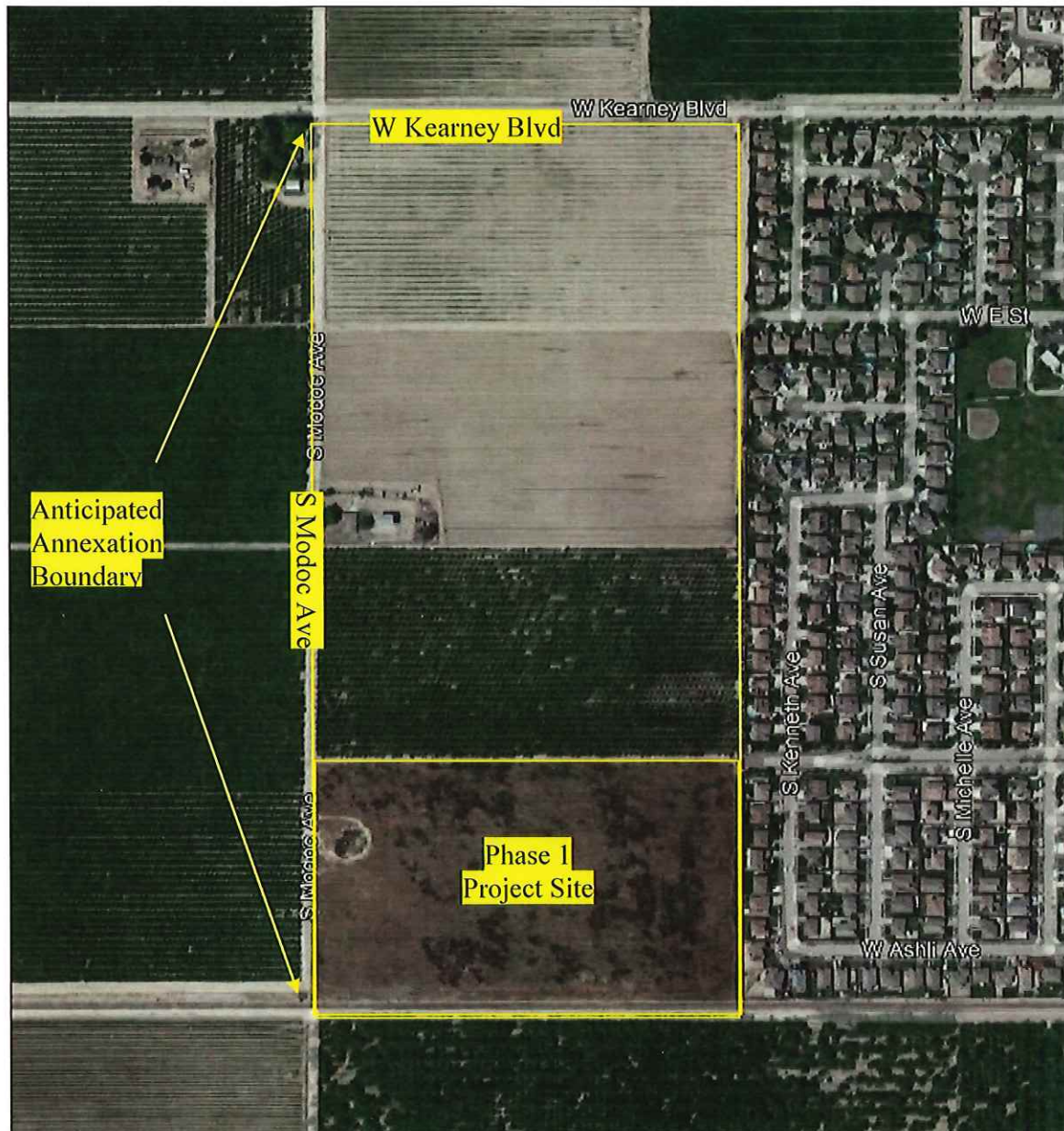
A. Site Information

Site Address	870 S. Modoc Avenue, Kerman, CA 93630
APN	020-160-36S
Size	20.01 acres (gross)
General Plan Land Use Designation	MDR – Medium Density Residential and HDR – High Density Residential (City)
Zone District	AE-20 – Exclusive Agricultural (County)



C. Annexation (ANX 2023-01)

The project applicant is proposing a three-phase development, all of which is currently located out of City of Kerman city limits. The first phase of the project encompasses approximately 20 acres as shown on page 1. Development of Phase 1 entails the review and processing of entitlements listed C through H below. In order to ensure proper growth management, consistent with the 2040 General Plan goals and policies (LU-3), it is anticipated that approximately 60 additional acres of land located to the north of the project site will be included as part of the annexation application, for a total of approximately 80 acres. Final annexation boundary to be determined by Fresno County LAFCO.



D. Pre-zone (REZ 2023-01)

Phase 1. The proposed pre-zoning is substantially consistent with the underlying General Plan land use designations. Currently, approximately 5 acres are designated as High Density Residential (HDR), and approximately 15 acres are designated as Medium Density Residential (MDR). Proposed pre-zoning includes SD-R-2.5 (Multi-Fam) and SD-R-5 (Single-Fam)

Phase 2 & 3. A pre-zone for Phases 2 & 3 has not been determined at this time. Anticipated pre-zoning will be consistent with the MDR (Medium Density) land use designation; R-1-7, R-1-12, R-2, SD-R-5, SD-R-4.5, SD-R-3.5.

E. General Plan (Text) Amendment (GPA 2023-01)

The project proposal entails a blending of densities. As a result, a General Plan Text Amendment is being considered to ensure consistency between the proposed pre-zoning and existing General Plan Land Use designations. The General Plan Text Amended will include the SD-R-2.5 zone district as a compatible zone within the MDR (Medium Density Residential) land use designation. No change to the project site's land uses are being proposed.

F. Tentative Subdivision Map (TSM 2023-01)

A tentative subdivision map encompassing 118 single family residential units and 56 multi-family residential units with private streets and other common amenities will be considered. Access into the site will be via W California Ave alignment, to be improved to City standards. Interior access street will be privately maintained by an HOA, to be established as a condition to recordation of a final map. *See Exhibit 'A'*

G. Conditional Use Permit (CUP 2023-02)

Conditional uses within the SD district are those uses listed on the conditional use lists of the R-1, R-2 and R-3 zone districts (Section 17.58.040). Multi-family residential is listed as a conditional use in the R-1 zone district and therefore the proposed development would be subject to a Conditional Use Permit. Because the project implements a blending of densities, the CUP will memorialize multi-family development where single-family development is traditionally permitted as a by-right use.

H. Development Plan (DPL 2023-01 &02)

Physical elements associated with the development (e.g. architecture, floor plans, landscaping, parking, setbacks etc.) of TSM 2023-01 will be considered. Development Plans for the single-family and the multi-family residential development will be considered separately. Key considerable features of the project include streets and open space areas to be privately maintained by an HOA's. The project design also includes areas with alley-loaded garages.

Physical construction will be subject to the California Building Code and zoning Development standards in effect at the time of construction.

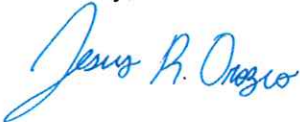
I. CEQA (ENV 2023-01)

An initial study for the project will be prepared consistent with CEQA guidelines to be distributed for public comment at a later date. Tentatively the following technical studies will be conducted:

- Air Quality/GHG/HRA Analysis to quantify emissions and evaluate compared to the SJVAPCD GAMAQI significance thresholds.
- Biological Resources Assessment because the project would be located on land where no urban development has occurred.
- Cultural Resources Assessment (may not be required – will utilize CHRIS record search, SLF results, and tribal consultation).
- Phase I ESA because the project would be located on a site that is currently or previously developed with agricultural uses.
- Noise Study to measure and quantify noise sources compared to established Noise Compatibility Standards identified in the General Plan.
- Traffic Study to estimate trip generation, identify roadway improvements, and ensure maintenance of LOS standards in compliance with the General Plan.
- VMT Analysis since the site does not screen out utilizing OPR guidance or Fresno COG VMT mapping.

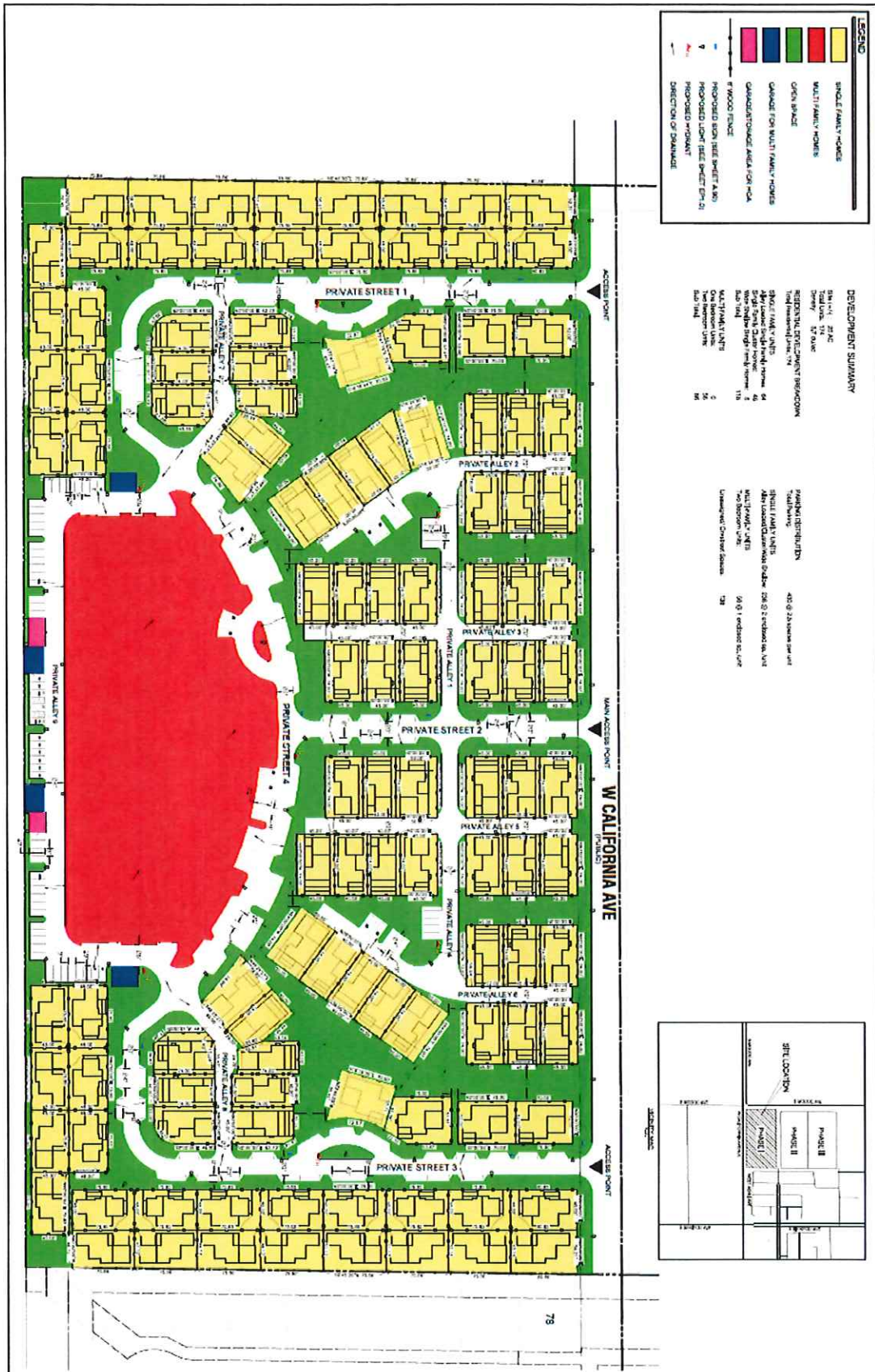
Your cooperation in this matter is greatly appreciated. Should you have any questions, please feel free to contact me at (559) 846-9386 or email at jorozco@cityofkerman.org.

Sincerely,



Jesus R. Orozco
Community Development Director

Exhibit 'A'



PROJECT NARRATIVE

The Kerman mixed-density project is located on the western edge of the city of Kerman identified as Planning Area per T1 The City of Kerman's General Plan. It keeps with the General Plan support for the city's growth and development, including from detached single-family and duplex homes to multi-family apartments.

The project aims to provide a variety of housing types, including a mix of detached single-family homes, multi-family units, and multi-family units. The project is designed to be a walkable community with a mix of housing types, including a mix of detached single-family homes, multi-family units, and multi-family units. The project is designed to be a walkable community with a mix of housing types, including a mix of detached single-family homes, multi-family units, and multi-family units.

The proposed central clubhouse is located on an axis from the main entry providing a sense of arrival and community. The clubhouse is designed to be a walkable community with a mix of housing types, including a mix of detached single-family homes, multi-family units, and multi-family units. The project is designed to be a walkable community with a mix of housing types, including a mix of detached single-family homes, multi-family units, and multi-family units.

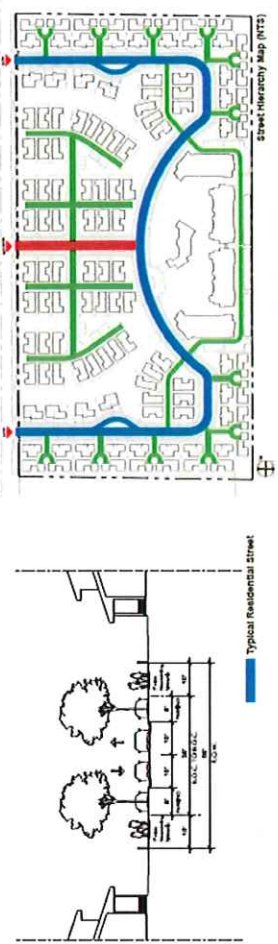
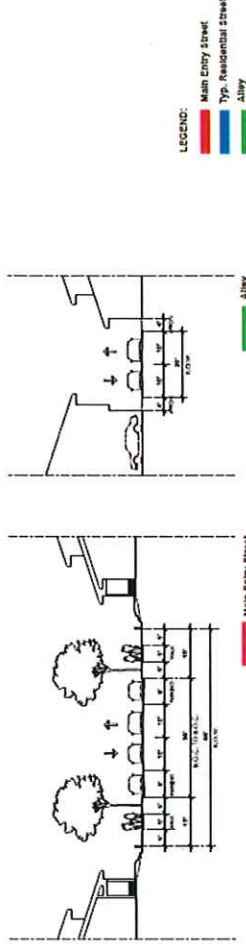
The proposed project both thorough to design and range of housing types, is an opportunity to create a truly distinct and unique masterplan project in the City of Kerman.

DEVELOPMENT SUMMARY

Site Area: 28.4 AC	PARKING DISTRIBUTION	400 @ 2.5 spaces per unit
Total Units: 774	Total Parking:	
Density: 17.7 du/ac		
RESIDENTIAL DEVELOPMENT BREAKDOWN		
Total Residential Units: 774		
SINGLE FAMILY UNITS		
Alley-Located Single Family Homes: 64		
Wide Shallow Single Family Homes: 46		
Wide Shallow Single Family Homes: 8		
Sub Total: 118		
MULTIFAMILY UNITS		
One Bedroom Units: 0		
Two Bedroom Units: 56		
Sub Total: 56		
	Unassigned Overlaid Spaces:	138



HOUSING TYPOLOGY AND DISTRIBUTION



STREET SECTIONS & STREET HIERARCHY

WHISPERING FALLS PROJECT INFORMATION

PLANNED DEVELOPMENT AND TENTATIVE TRACT MAP IN CITY OF KERMAN/FRESNO COUNTY

SN335.21

12.12.2022



For the benefit of the
Fresno Irrigation District

84025511



GRANT OF EASEMENT

THIS INDENTURE, made and entered into this 24th
day of June, 1982, by and between Iris L. Steffen, as
Trustee under the Iris L. Steffen Living Trust Agreement dated March 30, 1981

as Grantors, and FRESNO IRRIGATION DISTRICT, a public corporation in
the County of Fresno, State of California, as Grantee,

W I T N E S S E T H:

For a valuable consideration, receipt of which is hereby
acknowledged, Grantors do hereby grant unto Grantee, its successors
and assigns, a perpetual and exclusive easement and right-of-way to
construct, install, operate, use, maintain, alter, repair, improve,
reconstruct, enlarge and supplement pipes, pipelines and conduits,
and to flow and conduct water through said pipes, pipelines and con-
duits, across, over, through and under that certain real property
owned by Grantors in the County of Fresno, State of California, more
particularly described as follows:

See Exhibit "A" attached hereto.

Said easement and right-of-way is described as follows:

See Exhibit "A" attached hereto.

Said easement and right-of-way shall include all rights
convenient or incidental to the use thereof including the right of
ingress to and egress from said easement and right-of-way so des-
cribed over and across said real property owned by Grantors.

All pipes, pipelines, conduits and other facilities con-
structed by Grantee upon and within said easement shall become and
remain the property of Grantee and shall be maintained by Grantee at
Grantee's expense and Grantor shall have no right, title or interest
therein.

When said pipes, pipelines and other structures or facili-
ties shall be constructed, the manner in which they shall be con-
structed and the time and manner for conducting and discharging water
through the same shall be in the sole and absolute control of Grantee.
If Grantee fails to construct the pipeline project and determines
that the easement is not needed Grantee will abandon the easement by
recorded document. Said easement shall not be deemed abandoned by
Grantee until and unless such document is recorded.

Grantors reserve the right to use the surface of the land
within said easement for their own purposes, so long as said use by
Grantors does not interfere with the use of said easement by Grantee
for the purposes for which said easement is granted, provided
Grantors shall not build or construct any building or other perma-
nent structure on said easement without the written permission and
consent of Grantee. Grantee shall have the right, without notice,
and at Grantors' expense, to remove any structures, fences, trees,
vines, shrubs or other encroachments from said easement which do
interfere with the purposes or use of said easement. Grantors shall
maintain the surface of said land and keep it in a safe condition
for the use of Grantee and others.

This indenture shall apply to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the undersigned have caused this grant of easement to be executed the date herein above written.

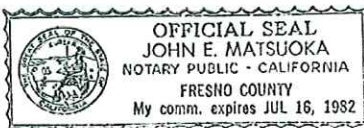
WITNESSED BY

Kenneth E. Sangmaster

Iris L. Steffen as Trustee
under the Iris L. Steffen
Living Trust Agreement dated March 30, 1981

STATE OF CALIFORNIA

County of FRESNO
On this 29th day of JUNE in the year one thousand nine hundred and 82, before me
JOHN E. MATSUOKA, a Notary Public, State of California, duly commissioned and sworn, personally appeared
KENNETH E. SANGMASTER
known to me to be the person whose name IS subscribed to the within instrument
as WITNESS thereto, who, being by me duly sworn AND
deposed and said: that HE resides in THE County of
FRESNO, State of CALIFORNIA
that HE was present and saw IRIS L. STEFFAN AS TRUSTEE UNDER
THE IRIS L. STEFFAN LIVING TRUST AGREEMENT DATED MARCH 30, 1981
(personally known to HIM to be the person described in, and who executed the said
within instrument as part thereto), sign, seal, and deliver the same; that the said
IRIS L. STEFFAN AS TRUSTEE UNDER THE IRIS L. STEFFAN LIVING
TRUST AGREEMENT DATED MARCH 30, 1981 duly acknowledged in the presence of
said affiant, that SHE executed the same and that HE, the said affiant,
thereupon, and at the request of said IRIS L. STEFFAN
subscribed HIS name as WITNESS thereto.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal
in the County of FRESNO the day and year in this
certificate first above written.



This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The publisher does not make any warranty, either express or implied, as to the legal validity of any provision or the suitability of these forms in any specific transaction.

Cowdery's Form No. 48 (Acknowledgment—Witness). (FEB. 80)
(C. C. Secs. 1193-1197, C. C. P. Sec. 1935)

John E. Matsuoka
Notary Public, State of California.
My Commission Expires JULY 16, 1982

The above Grant of Easement is accepted for and on
behalf of the Fresno Irrigation District this 7th
day of March, 1984.

BY:

Robert L. Amy

TITLE:

Secretary

84025511

EXHIBIT A

IRIS L. STEFFEN
APN 20-140-05
APN 20-160-02

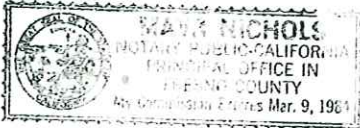
EXISTING PROPERTY

Lots 23 and 24 and the West 3/4ths of Lots 25, 26 and 27 and 28 in Section 11, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to "Map of Subdivision of Sections 2 and 11 and part of Sections 1 and 12, Township 14 South, Range 17 East, Mount Diablo Base and Meridian part of FRESNO IRRIGATED FARMS COMPANY TRACT" recorded in Book 8 Page 1 of Record of Surveys, records of Fresno County.

EXCEPTION THEREFROM all oil, gas and other hydrocarbon substances.

EASEMENT

The North 15.00 feet of the above mentioned Lot 24 and the West 15.00 feet of the above mentioned Lots 23 and 24.

STATE OF CALIFORNIA	}	ss.
COUNTY OF <u>Fresno</u>		
	On this <u>7th</u> day of <u>March</u> , in the year 19 <u>84</u> before me, the undersigned, a Notary Public in and for said State, personally appeared <u>Robert L. Simpson, Secretary of the</u> <u>Fresno Irrigation District</u> , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that the Corporation executed it.	
	WITNESS my hand and official seal.	
	<u>Mava Nichols</u> Notary Public in and for said State.	
ACKNOWLEDGMENT—Corporation—Wolcotts Form 222CA-X—Rev. 5-82 ©1982 WOLCOTTIS, INC.		

FRESNO IRRIGATION DISTRICT

ROBERT E. LEAKE, JR. ... MANAGER

DISTRICT ENGINEER

PLANS FOR CONSTRUCTION OF

IRRIGATION FACILITIES
SISKIYOU LATERAL

MARCH 1984

STANDARD SYMBOLS and ABBREVIATIONS

Proposed Pipeline Construction	Property line, Co. R/W & R.D. R/W
Section line & Section corner monument	
FID easement	
Telephone Cable	
Edge of Pavement	
Service Pole with Meter	
Telephone Pole, Service Pole, Power Pole & Tensaturner Pole	
Temporary Bench Mark	
Pump with Concrete Base	
Stand pipe	
Slump	
Existing underground Irrigation Line	
Existing Irrigation Structures	
Trench, Trunk Diameter as noted	
Vineyards	
Structure as noted	
Sanitary Sewer Manhole	
Irrigation Valves	
Railroad Tracks	
Fences as noted	
Underground electrical conduit	
Power Main	
Gas Main	
Water Line	
Well, Bore	

Sports

1. Where understood and surface structures are shown on the plans, the location, depth and dimensions of structures are believed to be correct. The contractor shall be responsible for the accuracy of the data shown for the information of the contractor, but information so given is not to be construed as a warranty of the accuracy of the structures which may be encountered.
2. All work shall be completed within the time limits of the County Irrigation District.
3. All work shall be done in accordance with the State of California and Federal laws, rules, regulations, orders, and other physical improvements shall be determined, restricted or limited in kind.
4. Contractor shall conduct his operations in a manner which will least disturb the adjacent lands and crops. That conduct is mandatory. Contractor shall be responsible for the construction schedule with the County Irrigation District.

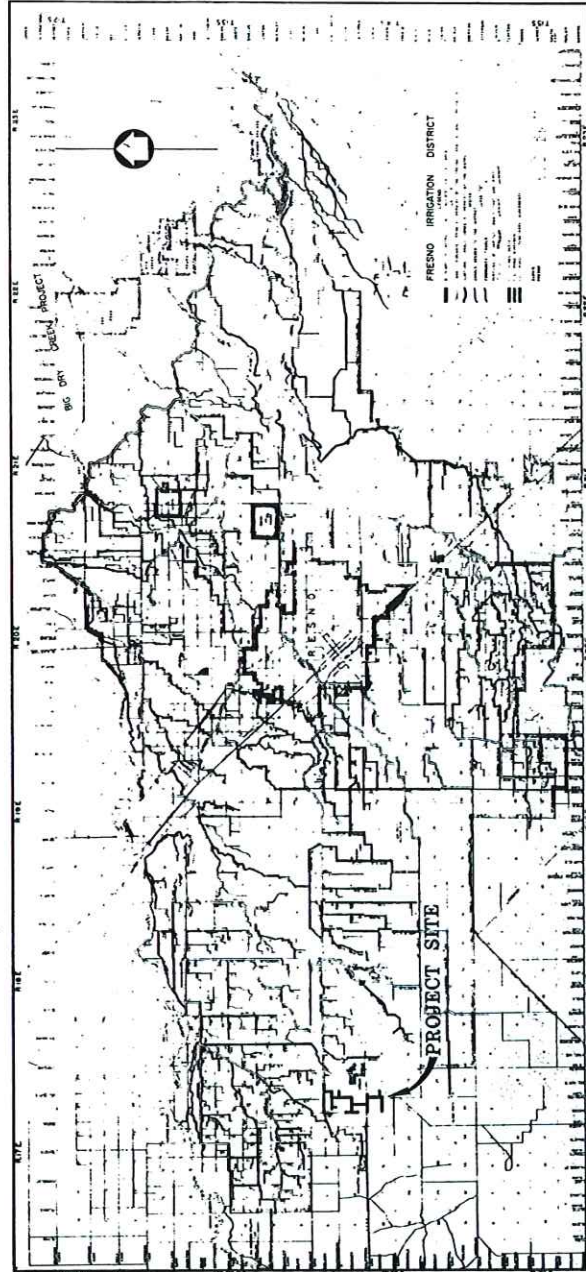
[illegible]

- DP 00472 "A" on top of bedwall 76.60' North of Lelaen Avenue
West side of N. Santa Ana Avenue, Elev. = 2580.95 Fresno State Datum
- DP 00473 Fresno County brass cap monument stamped N16.43.71 North of
Nelson Avenue 19.02 East of Shalaby Avenue 46.7 Northeast
of sec. corner. Elev. = 216.51, Fresno State Datum
- DP KD14 Fresno County brass cap monument Southwest P.P., 140 ± North
of intersection of West Shalaby Avenue, Elev. = 2491.5
Fresno State Datum
- DP 00477 1/2 U.S.C. & G.S. monument -234, 1973, 0.1 mile east of Leavenworth,
Common, along side railroad tracks, Elev. = 207.15 Fresno State Datum

INDEX

DESCRIPTION	SHEET No.
COVER SHEET	1
LAYOUT SHEET	2
PLAN AND PROFILE SHEETS	3-5
DETAIL SHEET	16-17

48 HOURS
Before Excavating
CALL "U.S.A." TOLL FREE
800 642-2444
UNDERGROUND SERVICE
ALERT

VICINITY MAP
MYS

مجلس الشورى
البحرين

FRESNO IRRIGATION DISTRICT
1888
M. Milbrook
Fresno, California 93702

1997

COVER SHEET

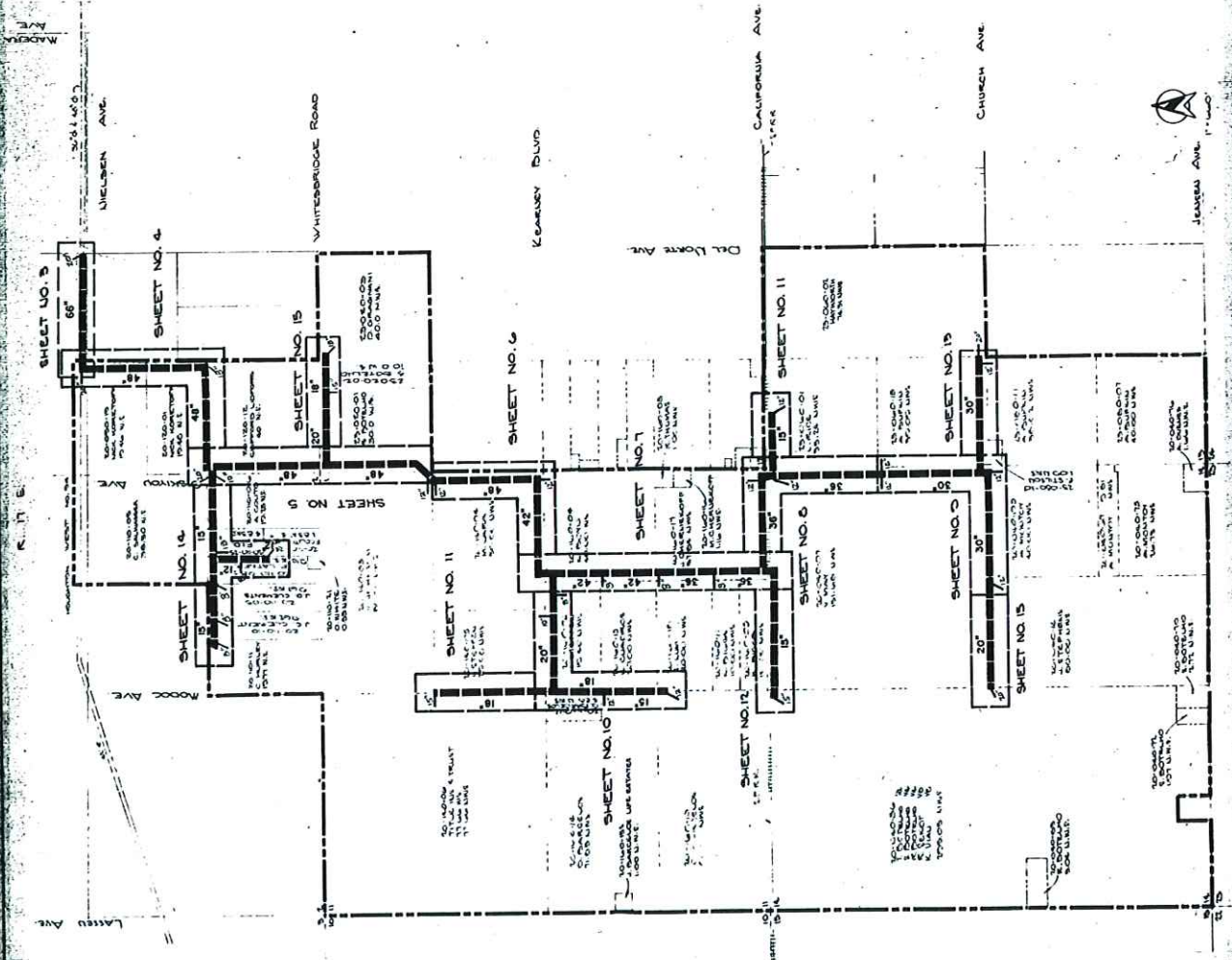
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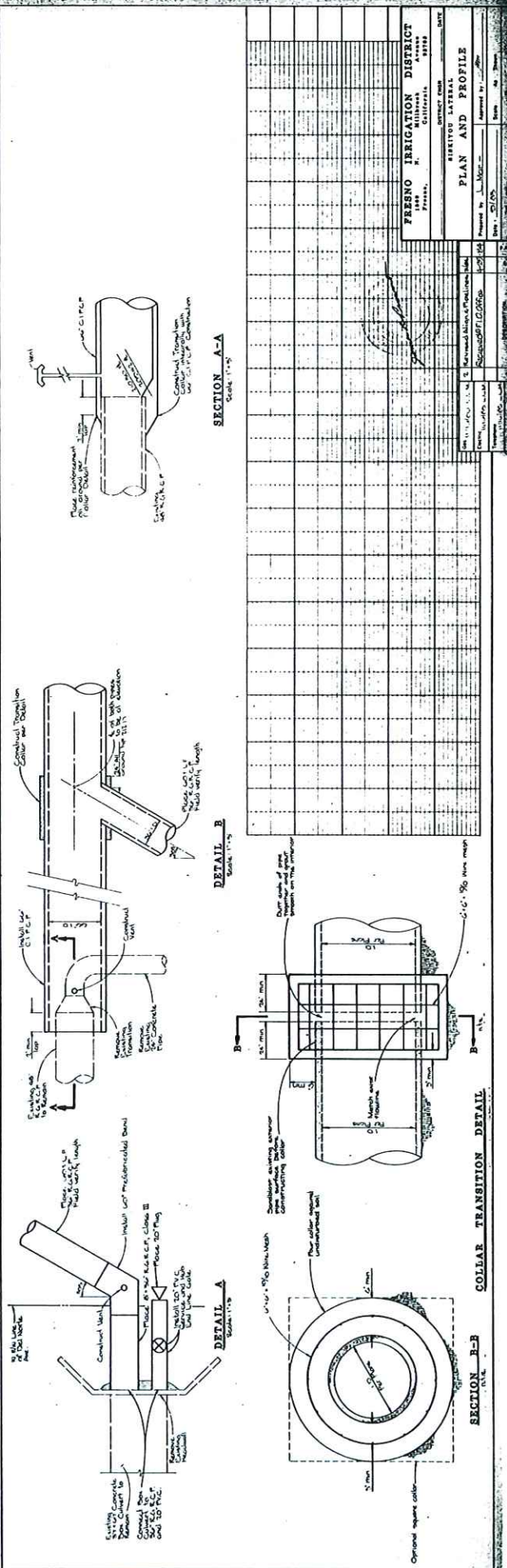
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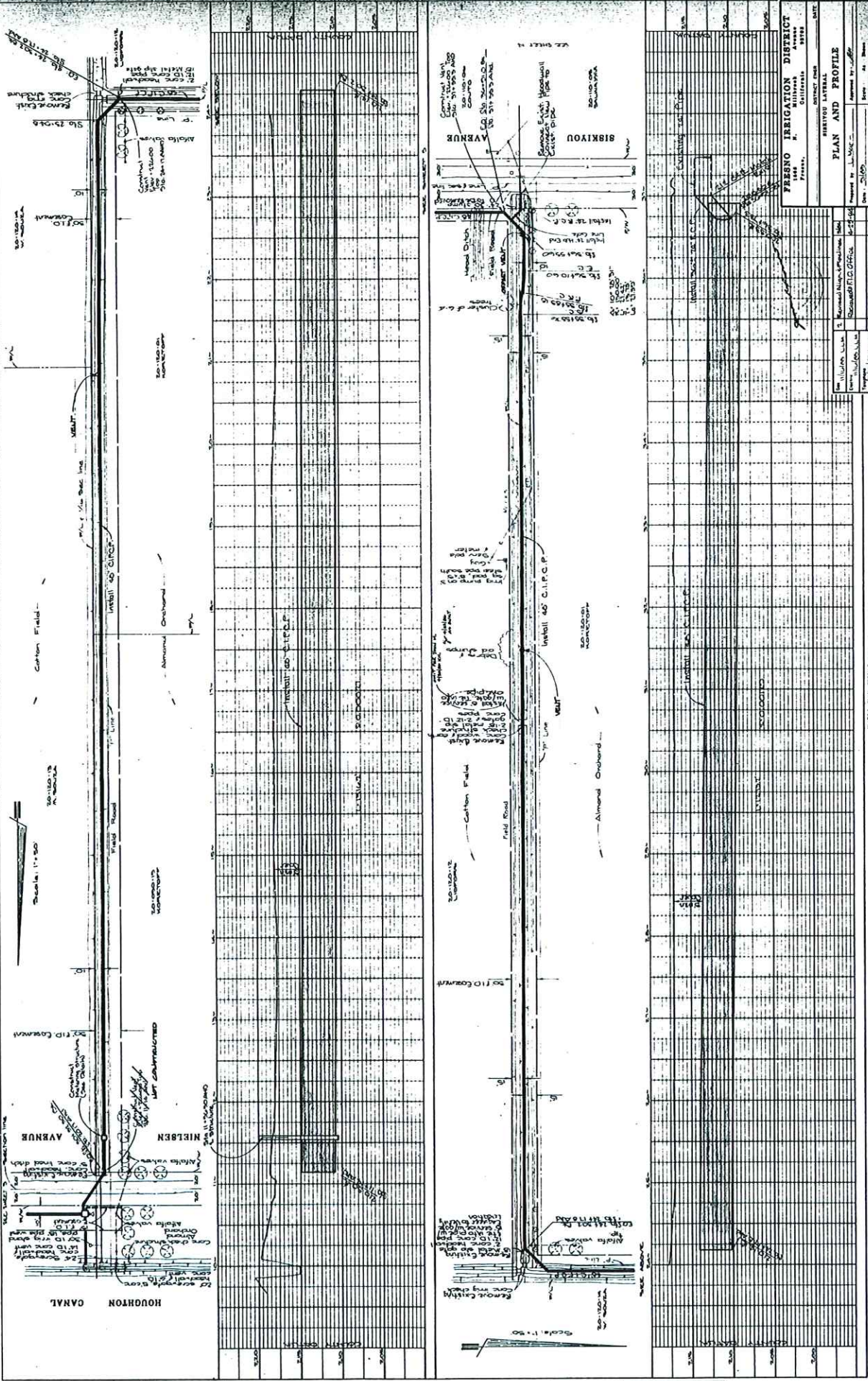
FRESNO IRRIGATION DISTRICT	
FRESNO, CALIFORNIA	
DISTRICT NO. 1	
SHEET NO. 1	
LAYOUT SHEET	
Prepared by	Checked by
Approved by	Accepted by
Date	Date
Scale	Sheet
Project	Page

T 10 2



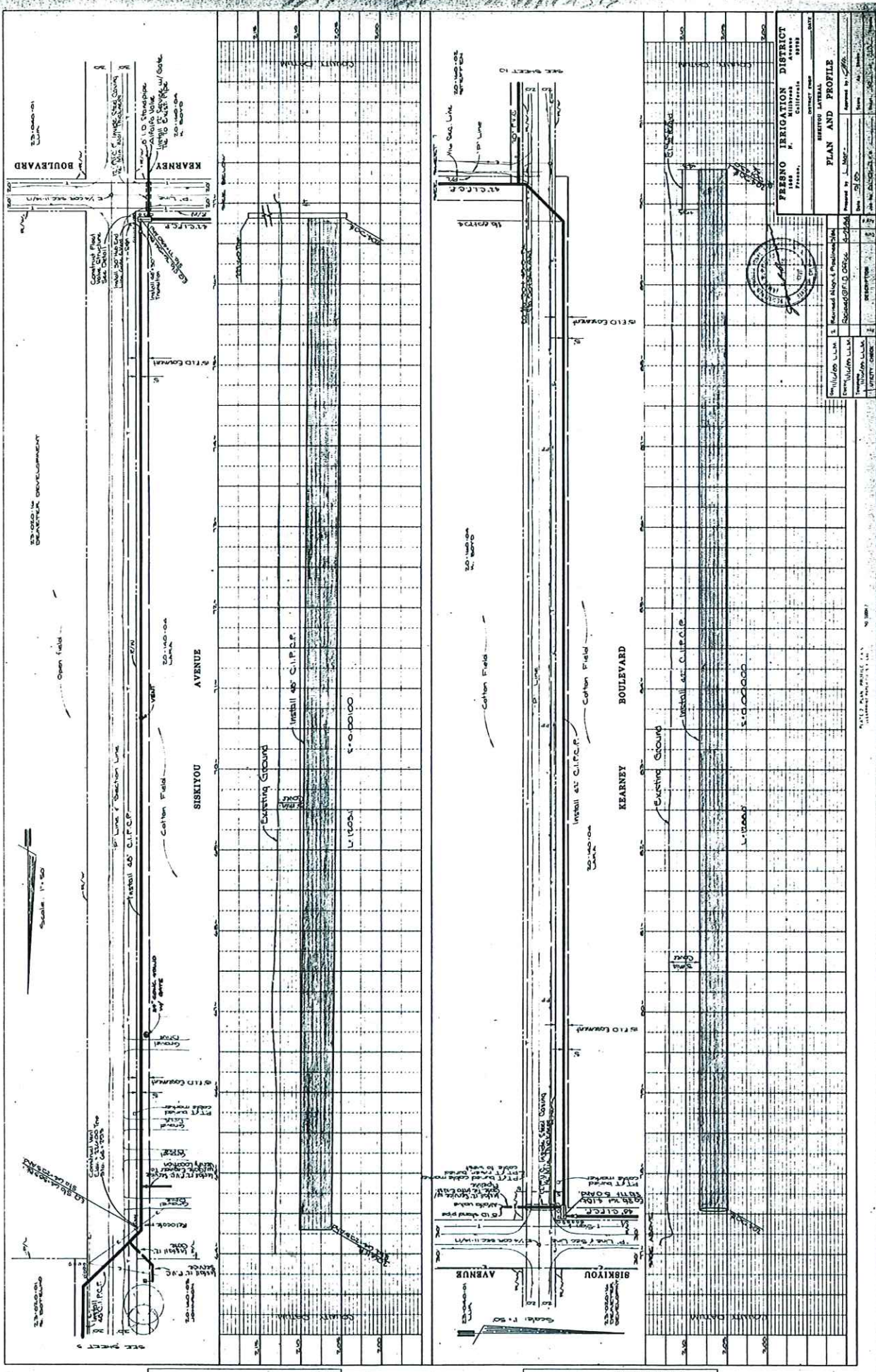
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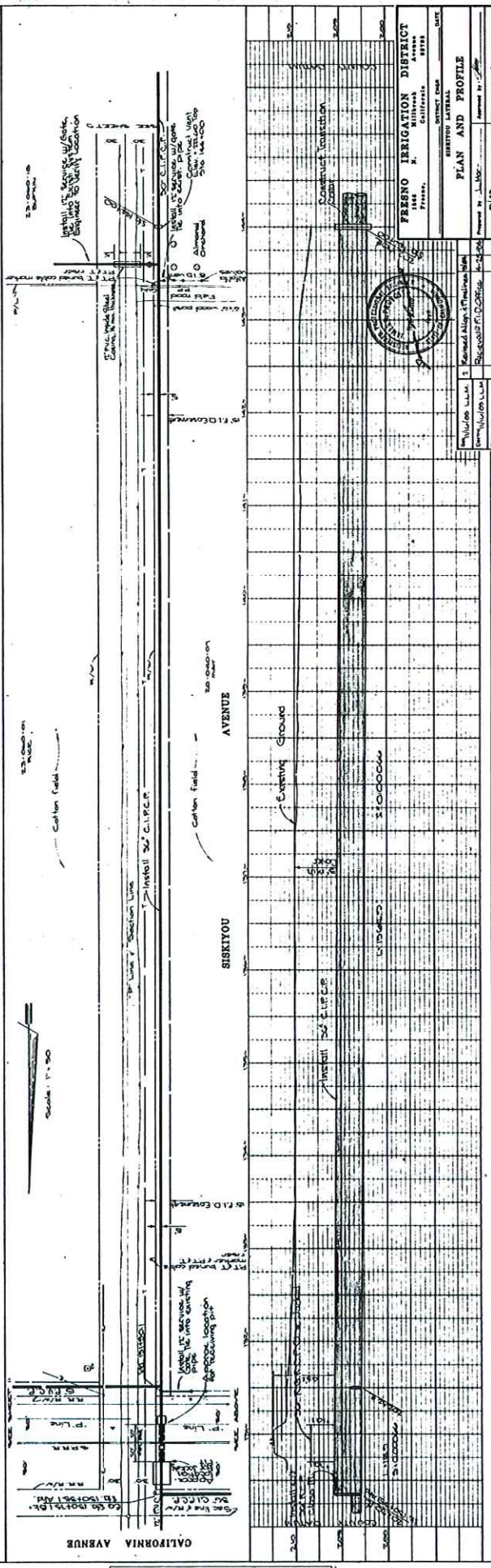
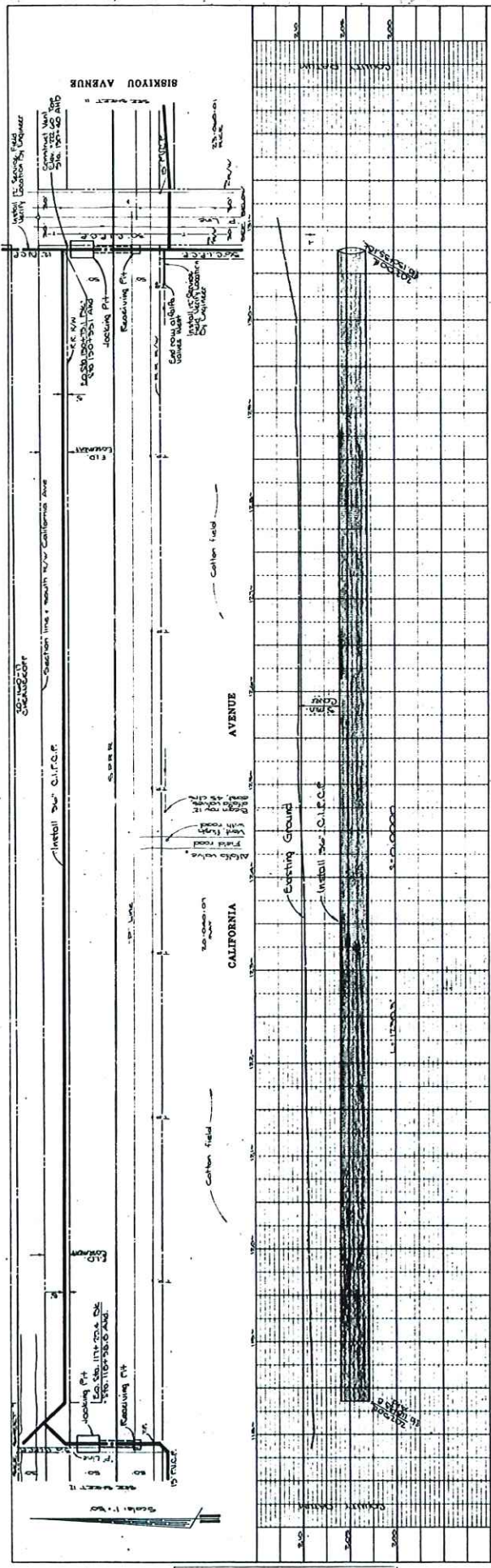
FRESNO IRRIGATION DISTRICT	
FRESNO, CALIFORNIA	
DISTRICT ENGINEER	
DATE	
PLAN AND PROFILE	
PROJECT NO.	
SHEET NO.	
SHEET TOTAL	
DRAWN BY	
CHECKED BY	
APPROVED BY	

NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES. 2. THE LATERAL SHALL BE CONSTRUCTED TO A MINIMUM STANDARD OF 100 FEET PER SECOND. 3. THE LATERAL SHALL BE MAINTAINED IN GOOD ORDER AT ALL TIMES. 4. THE LATERAL SHALL BE SUBJECT TO THE DISCRETION OF THE DISTRICT ENGINEER.



FRESNO IRRIGATION DISTRICT 1400 California 93703	
SISKIYOU LATERAL District Engineer 1400 California 93703	
PLAN AND PROFILE Prepared by: J. M. Smith Date: 10/1/50 Checked by: J. M. Smith Date: 10/1/50 Approved by: J. M. Smith Date: 10/1/50	

10/1/50
 J. M. Smith
 District Engineer



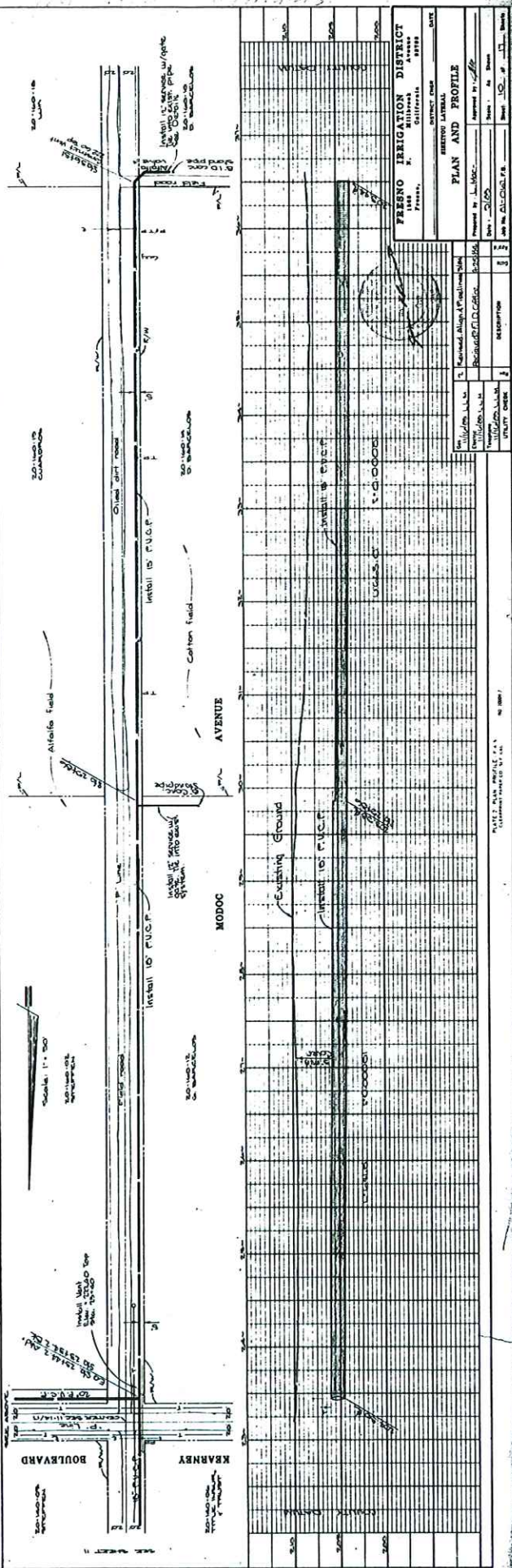
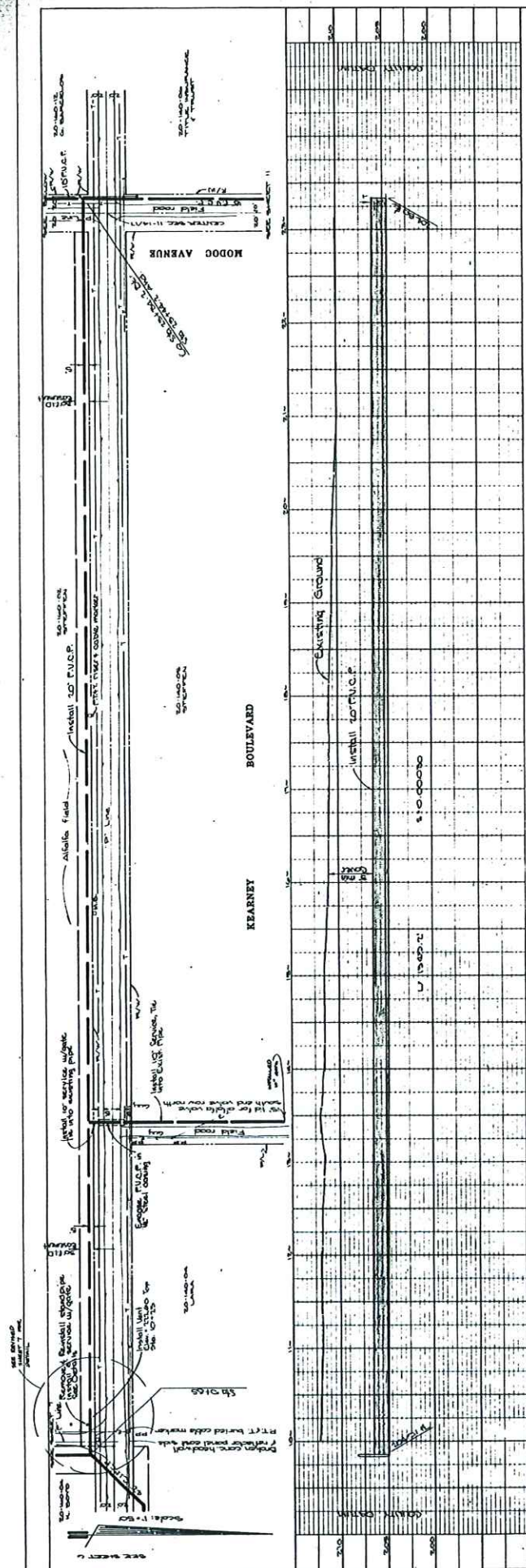
FRESNO IRRIGATION DISTRICT
 Fresno, California
 DISTRICT OFFICE
 93703

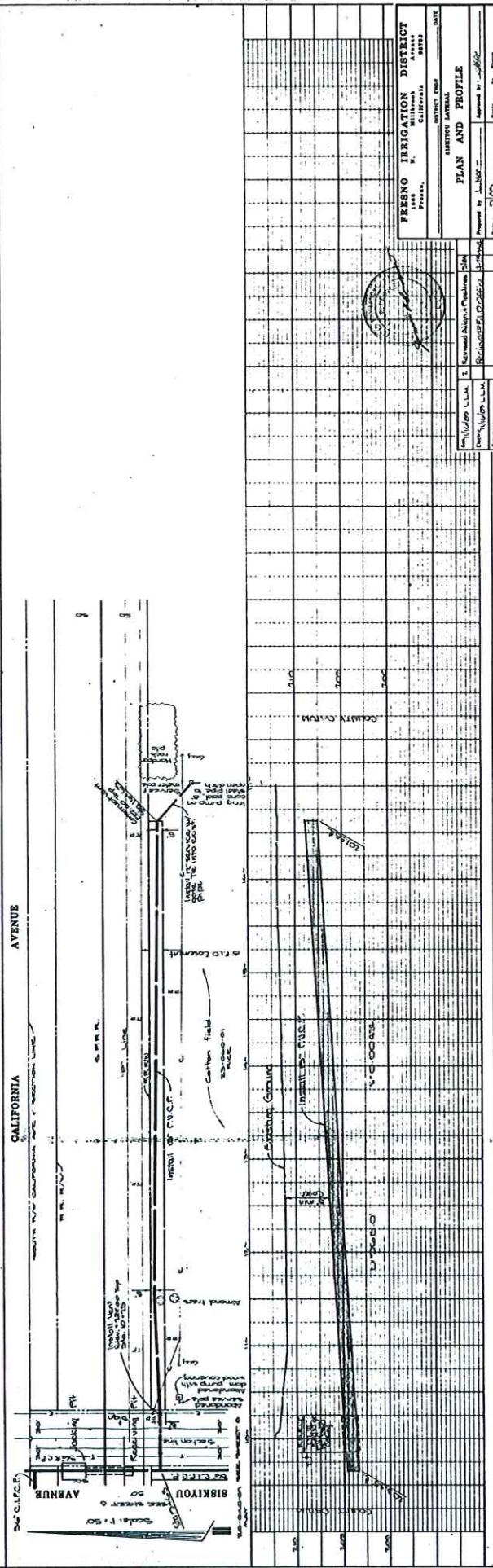
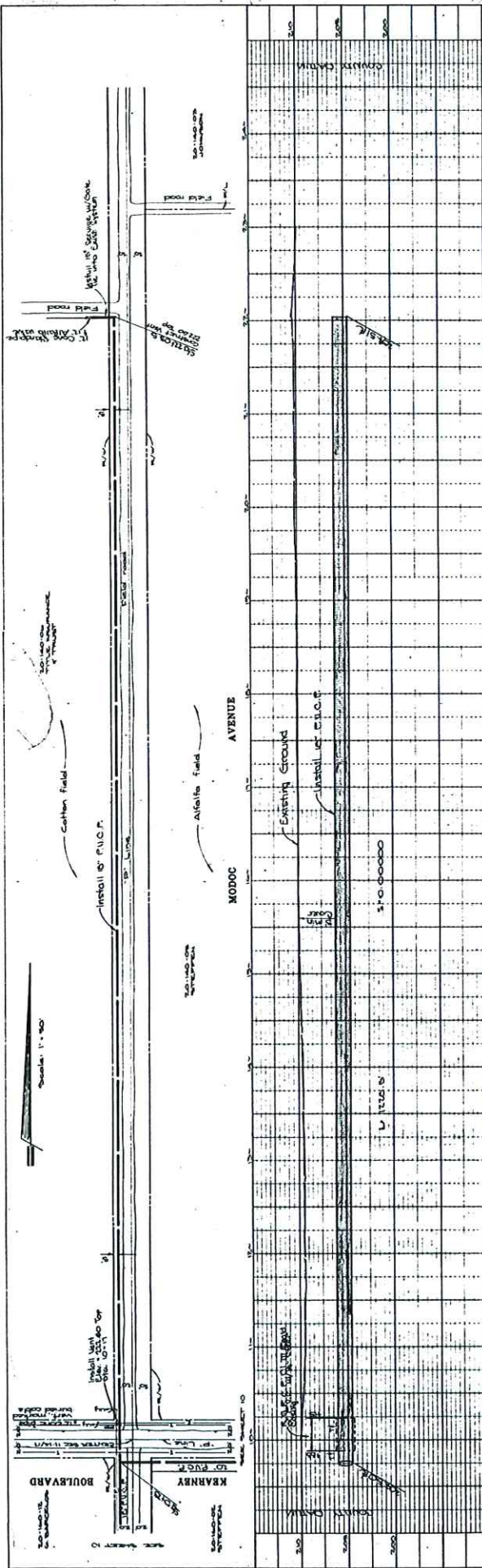
PLAN AND PROFILE
 SISKIYOU LATERAL
 Project No. 1-100-
 Date: 12/1/50
 Drawn by: J. M. [illegible]
 Checked by: [illegible]
 Approved by: [illegible]



Project No.	1-100-
Date	12/1/50
Drawn by	J. M. [illegible]
Checked by	[illegible]
Approved by	[illegible]

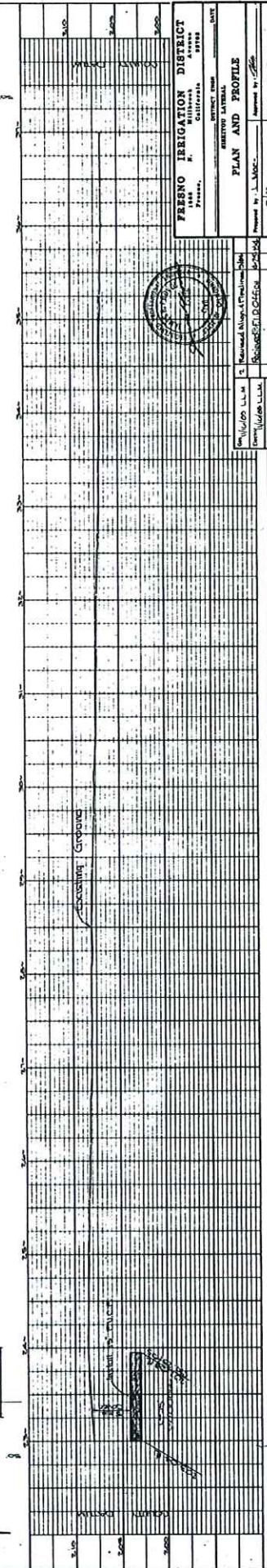
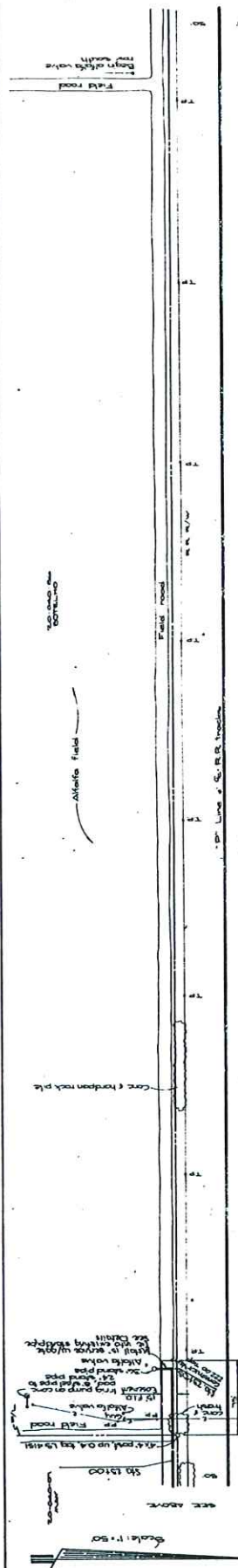
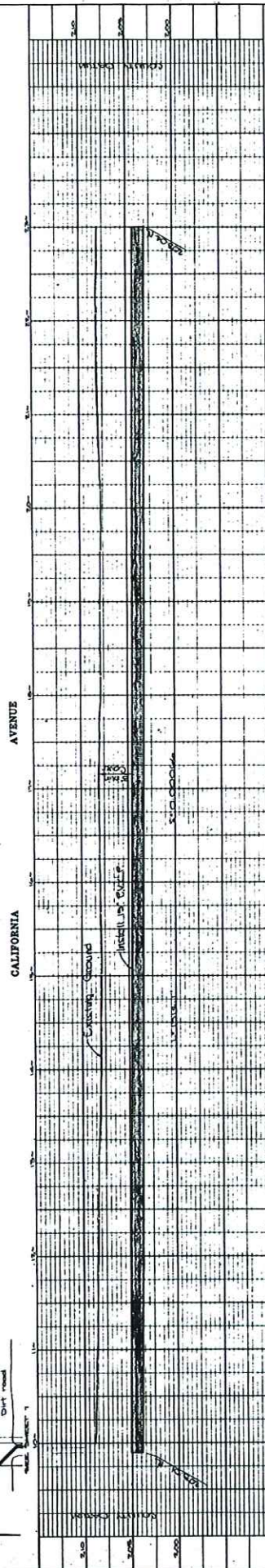
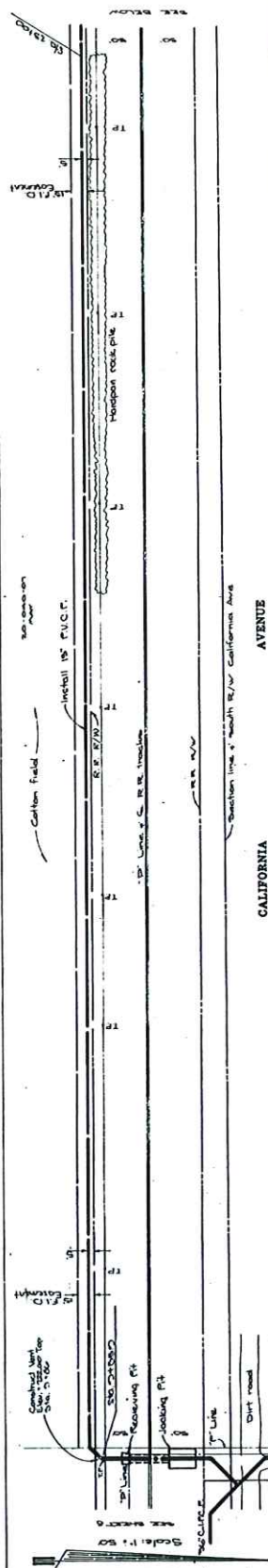
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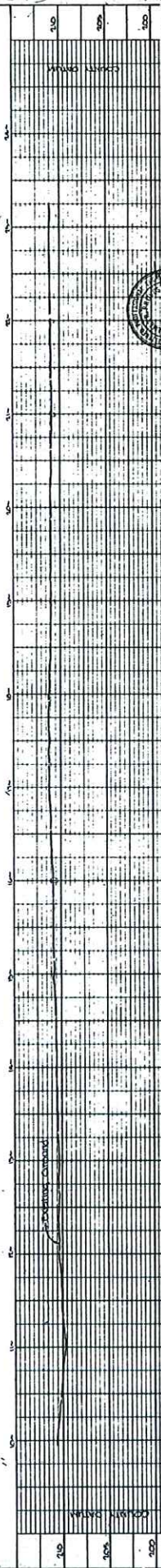
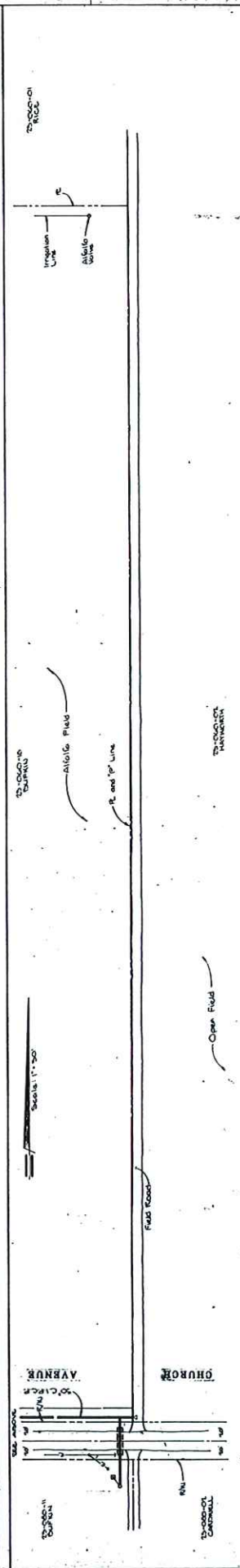
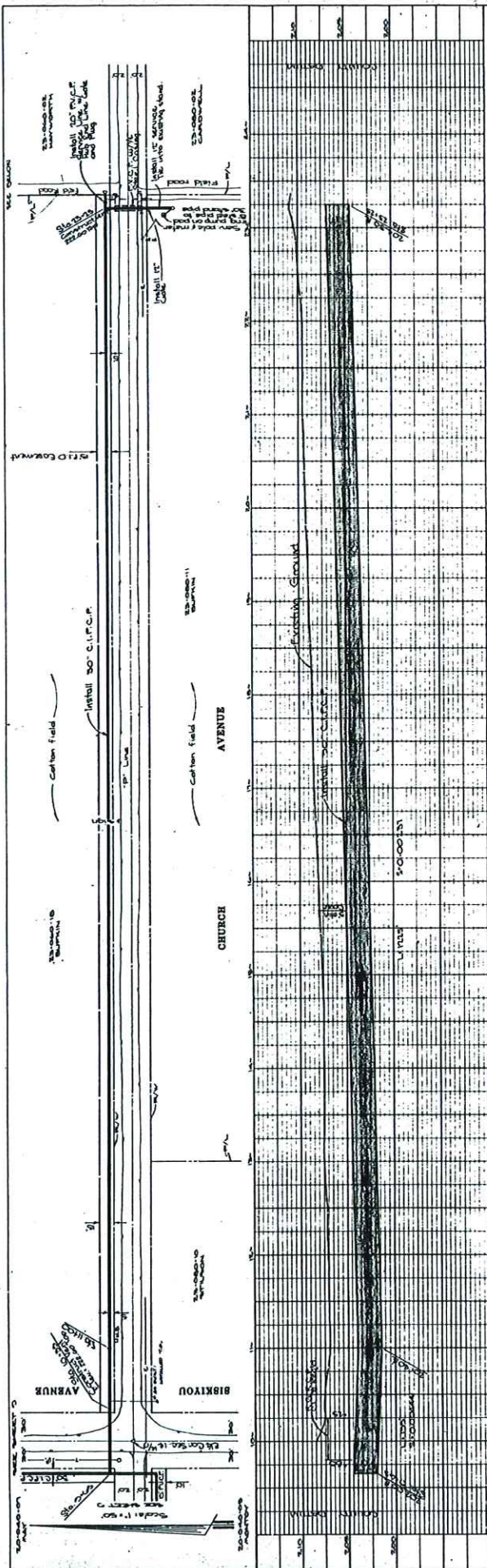
FRESNO IRRIGATION DISTRICT		DISTRICT ENGINEER		DATE	
FRESNO, CALIFORNIA		J. H. DUNN		1918	
PLAN AND PROFILE		PROJECT		SHEET	
Proposed by J. H. DUNN		Approved by J. H. DUNN		Sheet 11 of 11	
Date 1-10-18		Description		Proposed Water Line	
J. H. DUNN		J. H. DUNN		J. H. DUNN	

NOTE: PLAN AND PROFILE ARE TO BE USED TOGETHER.



FRESNO IRRIGATION DISTRICT 1608 N. Millbrook Avenue Fresno, California 93716	DISTRICT PHONE _____ DATE _____	SHEETNO LATERAL _____	
		PLAN AND PROFILE	
Prepared by: <u>J. McC-</u>	Approved by: <u>John</u>	_____	

Gen. #	W/L	OS	W/L	OS	2	Reviewed Alignment & Preliminary Slope	
Every	W/L	OS	W/L	OS		Revised F.I.D. Office	W/L
Transpare	W/L	OS	W/L	OS			
UTILITY CHECK						DESCRIPTION	W/L



FRENO IRRIGATION DISTRICT
 1848
 Fresno, California
 DISTRICT ENGINEER

PLAN AND PROFILE

Prepared by: J. W. [Name]
 Date: 1900
 Checked by: [Name]
 Date: 1900

RECORD BOOK

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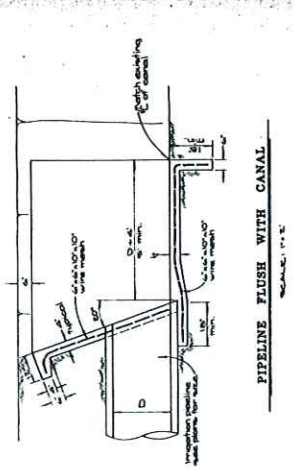
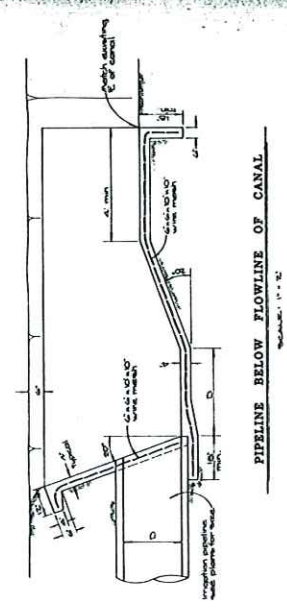
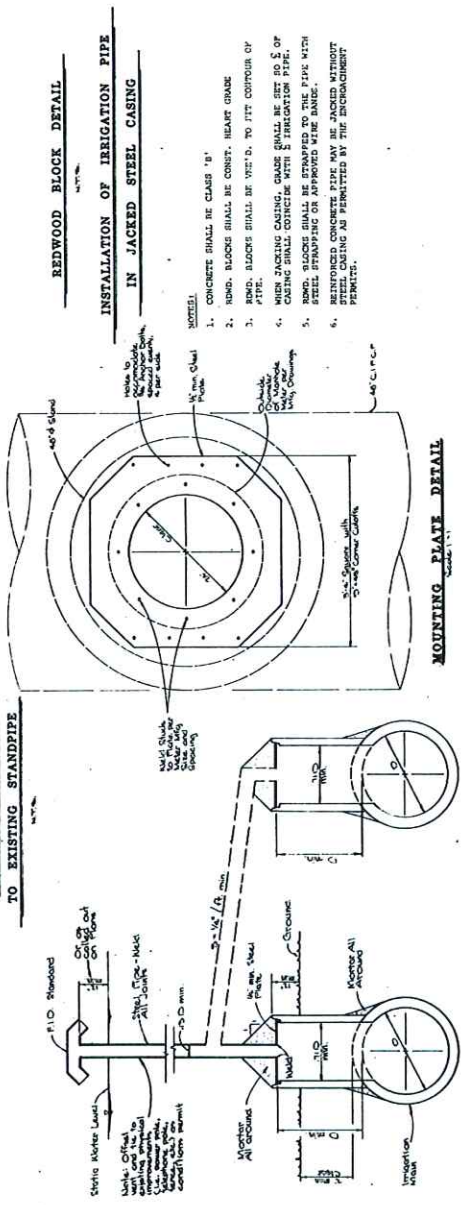
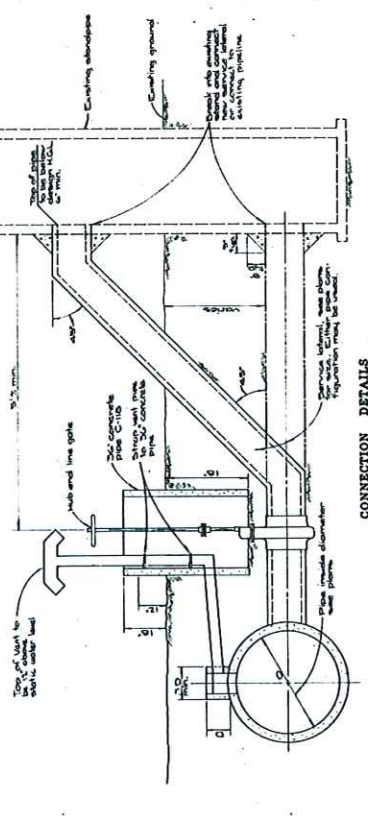
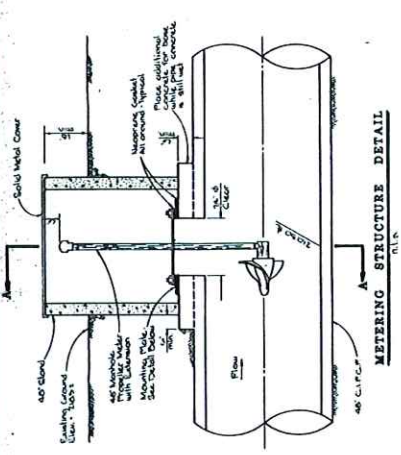
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STATION	ELEVATION	REMARKS
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10+00	100.00	
20+00	100.00	
30+00	100.00	
40+00	100.00	
50+00	100.00	
60+00	100.00	
70+00	100.00	
80+00	100.00	
90+00	100.00	
100+00	100.00	End of canal



CONNECTION DETAILS TO EXISTING DITCH

FRESNO IRRIGATION DISTRICT
 1548
 MILLBROOK
 W.
 CALIFORNIA
 DISTRICT OFFICE

DISTRICT CHIEF

SHEET NO. 1

DETAIL SHEET

Prepared by: W. H. H. H.

Approved by: W. H. H. H.

Date: 10/10/10

Scale: 1" = 100'

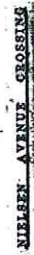
Sheet No. 1

Job No. 100

2	Reviewed Alleg. & Pipeline Plan	Plan
	Reviewed E.I.D. Office	4/25/98

OPPERT: AIR VENT

VENT DETAIL



FLOAT VALVE BOX

HOUGHTON CANAL / SISKIYOU LATERAL DIVERSION

COVER DETAIL
FOR Houghton / Siskiyon Division

NIELSEN AVENUE CROSSING



Fresno Local Agency Formation Commission

November 13, 2023

Jenna Chilingarian, AICP
Contract Senior Planner
City of Kerman

Dear Ms. Chilingarian:

Subject: Comments Regarding Concurrent Applications: Annexation (ANX 2023-01), Pre-zone (REZ 2023-01), Tentative Subdivision Map (TSM 2023-01), General Plan Amendment (GPA 2023-01), Development Plan (DPL 2023-01&02), Conditional Use Permit (CUP 2023-02) and CEQA (ENV 2023-01).

Thank you for the opportunity to comment on this project. From the material provided to this office, my understanding of the project description is as follows:

- **Annexation (ANX 2023-01)**, a request to approve the Annexation of approximately 80 acres. This annexation request is consistent with the 2040 General Plan goals and policies (LU-3);
- **Pre-zone (REZ 2023-01)** pertains to the pre-zoning of the proposed project. Currently the project area is zoned AE-20 – Exclusive Agricultural County zoning. The project will be pre-zoning will be consistent with the MDR (Medium Density) land use designation; R-1-7, R-1-12, R-2, SD-R-5, SD-R-4.5, SD-R-3.5;
- **General Plan Amendment (GPA 2023-01)** pertains to A General Plan Text Amendment will be processed concurrently with the Pre-zone and Annexation process;
- **Conditional Use Permit (CUP 2023-02)** Conditional uses within the SD district are those uses listed on the conditional use lists of the R-1, R-2 and R-3 zone districts (Section 17.58.040). Multi-family residential is listed as a conditional use in the R-1 zone district and therefore the proposed development would be subject to a Conditional Use Permit. Because the project implements a blending of densities, the CUP will memorialize multi-family development where single-family development is traditionally permitted as a by-right use;
- **CEQA (ENV 2023-01)** pertains to an initial study being prepared for the project consistent with CEQA guidelines;
- **Development Plan (DPL 2023-01 &02)** Pertains to Physical elements associated with the development (e.g. architecture, floor plans, landscaping, parking, setbacks etc.) of TSM 2023-01 will be considered. Development Plans for the single-family and the multi-family residential development will be considered separately. Key considerable features of the project include streets and open space areas to be privately maintained by an HOA's. The project design also includes areas with alley-loaded garages. Physical construction will be subject to the California Building Code and zoning Development standards in effect at the time of construction;
- **Tentative Subdivision Map (TSM 2023-01)** pertains to the subdivision of land and proposed street dedications/improvements to accommodate for the above referenced uses. The proposed project would include A tentative subdivision map encompassing 118

single-family residential units will be considered.

The Fresno Local Agency Formation Commission (LAFCo) regulates, through approval or denial, the boundary changes proposed by local agencies or individuals. LAFCo's objectives are to:

- Encourage orderly formation and development of agencies;
- Encourage consistency with spheres of influence and recommended reorganization of agencies;
- Encourage orderly urban development and preservation of open space patterns;
- Encourage conservation of prime agricultural lands and open space areas; and
- Identify and address disadvantaged unincorporated communities.

LAFCo should be identified in the city's environmental document as a Responsible Agency under CEQA whose role is to consider reorganizations and spheres of influence. Commission action on the reorganization request should be noted in the environmental document. As a Responsible Agency, the Commission is required to review and consider the City's environmental documents prior to taking its action. A Responsible Agency complies with CEQA by considering the environmental analysis prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project. The Commission may then make a finding that it independently reviewed and considered the information in the environmental document and that the environmental document is sufficient to support a determination on the proposed reorganization.

Project-Specific Comments

The city will be required to submit the appropriate application materials including fees to LAFCo for reorganization. These materials are enumerated on our website (www.fresnolaftco.org) through the "Applications and Documents" tab under "Items Necessary for a complete application".

The fee schedule for changes of organization/reorganization (annexation) of 41-80 acres is \$12,00 and for changes of organization/reorganization (annexation) of 81 to 160 acres is \$14,400.

The annexation boundary and map and legal description is recommended to include APN(s) 02016019S and 02016002S.

If the proposal would result in the annexation to a city of land that is subject to a contract executed pursuant to the Williamson Act (Chapter 7 (commencing with Section 51200) of Division 1), then the petition and/or resolution for reorganization request shall state whether the city shall succeed to the contract pursuant to Section 51243 or whether the city intends to exercise its option to not succeed to the contract pursuant to Section 51243.5.

Annexation of full rights of way contiguous to parcel boundaries should be presumed in the reorganization's legal description and map.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at (559) 600-0604.

Sincerely,



Juan Lara
LAFCo Analyst III



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Michael Foglio

Michael Golden • Rusty Nonini • Amanda Souza

Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters

15850 W. Kearney Boulevard

Kerman, California 93630-9335

(559) 878-4560 • FAX (559) 846-3788

www.northcentralfire.org

March 28, 2023

Jesus OROZCO, Building & Planning Dept.

City of Kerman

Planning & Development Department

850 S. Madera Ave

Kerman, CA. 93630-1799

Transmitted by Email to: jorozco@cityofkerman.org

RE:

Reference # **TSM 2023-01**

Applicant Name **City of Kerman**

Project Address **870 S Modoc Ave**

Project City & Zip **KERMAN, 93630**

Project APN: **020-160-36S**

North Central Fire Protection District (NCFPD) has received notice of the project and will continue to review the project for its potential impacts on the NCFPD.

Application Types

Site Plan Review (SPR)

Director Review Application (DRA)

Conditional Use Permit (CUP)

Tentative Parcel Map (TPM, TPMW)

Pre-Application for Certificate of Compliance (PCOC)

Initial Study Application (ISA)

Variance Application (VA)

General Plan Application (GPA)

Tentative Tract Map (TTM)

All application types stated above **SHALL** comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. Prior to receiving your NCFPD conditions of approval for your project, you must submit construction plans to the City of Kerman Planning & Development for review. It is the **Applicants Responsibility** to deliver a minimum of **one** set of digital plans to the NCFPD.

Before plans are submitted to the North Central Fire Protection District please visit our website at www.NorthCentralFire.org and fill out the Fire District Permit Application (DFP-001f) to submit with your plans.

Please Note – requirements for your project may include but are not limited to:

☒ **Water Flow Requirements**

☐ **Water Storage Requirements**

☐ **Fire Pumps**

☒ **Road Access (includes Compaction Report)**

☐ **Hood Suppression System**

☒ **Fire Hydrants**

☒ **Fire Sprinklers Systems**

☐ **Fire Alarm Systems**

☒ **Premises Identification**

☒ **NCFPD Ordinance 2022-01**

Please contact the NCFPD at Fire.Prevention@NorthCentralFire.org to schedule an over the counter meeting to receive your specific requirements for your project. Failure to schedule an appointment with the NCFPD will affect your ability to obtain final approval for your project.

Sincerely,

TIMOTHY V. HENRY, CFO, EFO
Fire Chief

By



GEORGE D MAVRIKIS, FIRE MARSHAL
Fire Prevention Division



March 14, 2023

Jesus Orozco
City of Kerman
850 S Madera Ave
Kerman, CA 93630

Ref: Gas and Electric Transmission and Distribution

Dear Jesus Orozco,

Thank you for submitting the ANX 2023-01 and TSM 2023-01 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



May 5, 2023

Jesus Orozco
City of Kerman
850 S Madera Ave
Kerman, CA 93630

Re: ANX 2023-01 & TSM 2023-01
Whispering Falls

Dear Jesus Orozco,

Thank you for providing PG&E the opportunity to review the proposed plans for Whispering Falls dated 3/13/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

April 18, 2023

Jesus Orozco
City of Kerman
Planning Division
850 S. Madera Avenue
Kerman, CA 93630

Project: Annexation 2023-01, Whispering Falls Development

District CEQA Reference No: 20230278

Dear Mr. Orozco:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the project documentation from the City of Kerman (City) for the Whispering Falls Development identified as Phase 1. Per the documentation, the project proponent is proposing a three-phase development on approximately 80 acres of land. Phase 1 is to allow for the construction of approximately 118 single family residential units and 56 multi-family residential units (Project). Phases 2 and 3 have not been determined at this time. The Project will also include an annexation and pre-zone of the 80 acres of land.. The Project is located on 20 acres of the 80 acres land at 870 S. Modoc Avenue in Kerman, CA.

The District offers the following comments regarding the Project:

1) Project Related Emissions

The District's initial review of the Project (i.e., Phase 1) concludes that emissions resulting from construction and/or operation of the Project are not expected to exceed any of the following significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:
<https://www.valleyair.org/transportation/GAMAQI.pdf>.

While Phase 1 may individually be under the District's Small Project Analysis Levels (SPAL), all three development phases when assessed in its entirety may exceed the SPAL. Therefore, if applicable, the District recommends that the City assess the entire three-phased development under the California Environmental Quality Act (CEQA).

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1890 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

For the Project, the District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

1b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

<https://www.valleyair.org/transportation/GAMAQI.pdf>.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at:

<https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

1c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These

health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals

please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.

4) Voluntary Emission Reduction Agreement

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the environmental review also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and

implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

5) Vegetative Barriers and Urban Greening

There are residential units located east of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

6) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential development, gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate

economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

7) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

7a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

7b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 units of residential development.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

7c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

7d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<http://www.valleyair.org/rules/currnrules/r4601.pdf>

7e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

7f) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no

person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:
<http://valleyair.org/rule4901/>

7g) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

8) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Matt Crow by e-mail at Matt.Crow@valleyair.org or by phone at (559) 230-5931.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager



NORTH CENTRAL FIRE PROTECTION DISTRICT

Board of Directors: Ken Abrahamian • Cheryl Belluomini
Michael Foglio • Rusty Nonini • Amanda Souza
Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters
15850 W. Kearney Boulevard
Kerman, California 93630-9335
(559) 275-5531 • FAX (559) 846-3788
www.northcentralfire.org

September 14, 2023

Jesus Orozco, Director
Community Development Department
850 S. Madera Ave
Kerman, CA 93630

Transmitted by Email to: mcampos@cityofkerman.org

RE:CUP 2023-02, ANX 2023-01, REZ 2023-01, GPA 2023-01, TSM 2023-01

Applicant Name **Scott A. Mommer**

Project Address 870 S. Modoc Ave

Project City & Zip **Kerman, 93630**

Project APN: **200-160-36S**

North Central Fire Protection District (NCFPD) has received the revisions sent by Jenna Chilingirian via email on September 6, 2023 for the above referenced project along with the associated documentation for the Whispering Falls project. The Fire District does not have land use authority and cannot approve or deny these types of applications. The following comments are offered at this time as advisements to the project for future permitting requirements. The comments / conditions are in accordance with the 2022 edition of the California Building and Fire Codes. This review is ONLY for CUP, ANX, REZ, GPA and TSM applications. Review was NOT completed for structural elements of the site.

Before plans are submitted to the North Central Fire Protection District please visit our website at www.NorthCentralFire.org and fill out the Fire District Permit Application (**DFP-001f**) to submit with your plans.

Please be advised, the documents received are the same as the documents reviewed July 31 (i.e. the dates and plans are the same). As such, no additional comments have been generated.

The conditions of approval are as follows:

1. Roadways less than 26-feet in width are NOT permitted to have parking on either side. Roadways greater than 26-feet but less than 35-feet may

have parking on one side. Civil plan submittal shall clearly show how no-parking areas will be marked and enforced.

2. Please note that sheet C2.0 does not match sheet C3.1 in regards to the alley width to the south of the Apartment buildings. Sheet C3.1 shows the required minimum width of 26-feet.
3. Hydrant spacing, location and main sizes have not been evaluated at this time. The utility plans Sheet C6.0 do not show main sizes.
4. Per California Fire Code, Section D103.1 – where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26-feet exclusive of shoulders. There are currently several sections of roadway on sheet C3.1 and Sheet C6.0 that DO NOT meet this requirement.
5. It is indicated that the apartment buildings will be 10-feet apart in some instances. Please be advised that this may cause some significant difficulties in meeting code requirements for exterior construction and opening protection.

There were two follow-up items requested from fire:

- 1) Request Fire red-line requested points of access and required road / alley widths.
- 2) Request Fire to provide draft COS's related: fire main flow analysis, fire sprinkler system type, HOA fire fee agreement, FH and FH distance req. etc.

In response to item 1. Please see comments 1, 2 and 4 above. Additionally, per the California Fire Code, fire access shall be provided to within 150-feet of all portions of the buildings. Please show compliance with this requirement on the plan set. This will identify where points of access will be required along with the roadway (alley widths).

In response to item 2. This is out of the scope of the fire department. It is the project engineers and architects to determine the fire flow, fire sprinkler type and fire hydrant distribution. There are too many variables in how sprinklers are used as trade-offs in the type of construction, egress requirements, type of construction, etc.

Please work with Chief Henry and Chief Kutka in regards to any fire fee agreements.

Please contact the NCFPD at Fire.Prevention@NorthCentralFire.org to schedule a site inspection for verification of the above conditions.

Sincerely,

A handwritten signature in black ink that reads "George W. Apple". The signature is written in a cursive style with a large, stylized "G" and "A".

George Apple, CFM
Contract Fire Plans Examiner

"Mission: To integrate with our community by exceeding traditional service expectations"