



Community and Economic Development Planning Division

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PLANNING COMMISSION DATE: February 6, 2018

AGENDA ITEM: #2

CUP	#2017-028	Conditional Use Permit to allow a Gas Station with a Mini-mart
APN	# 049-216-019	Applicant: Bob Shockley
CEQA	MND #2017-38	Owner: Roger Guthrie
		Mitigated Negative Declaration

REQUEST:

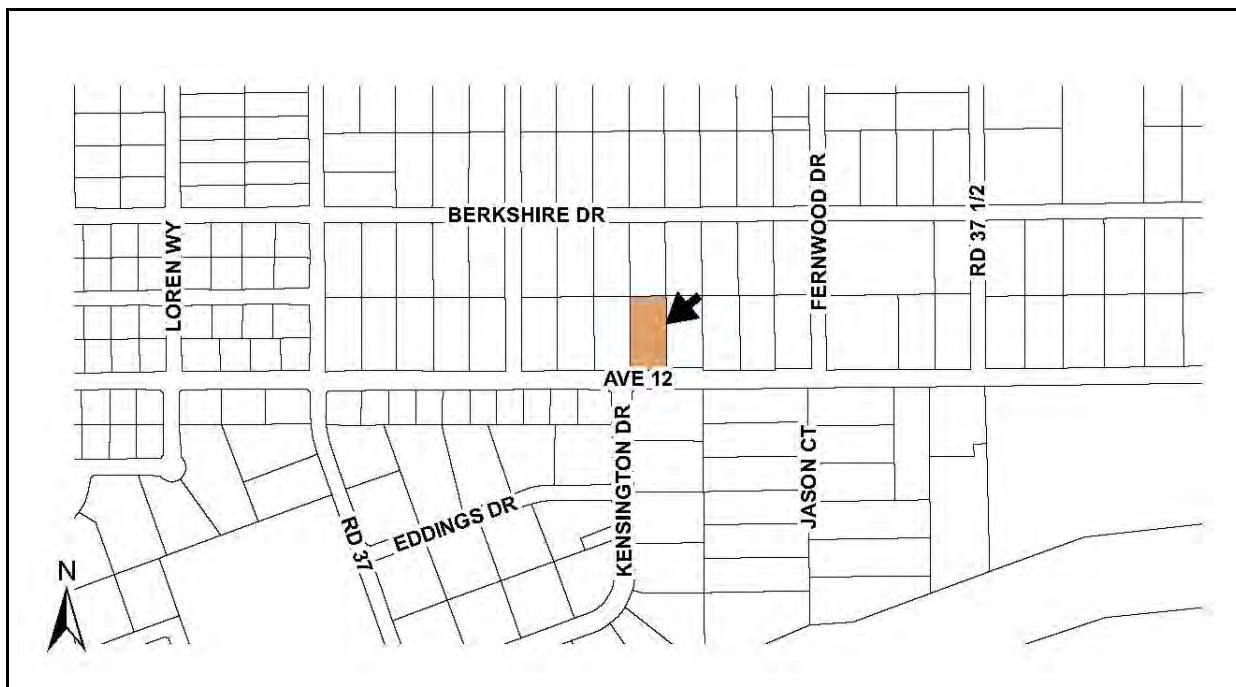
The applicant is requesting a Conditional Use Permit to allow a gas station with a mini-mart.

LOCATION:

The property is located on the north side of Avenue 12 at its intersection with Kensington Drive (no situs) Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2017-38) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit (CUP #2017-028) subject to conditions, the Mitigated Negative Declaration (MND #2017-38) and the mitigation monitoring program.

**CUP #2017-028
STAFF REPORT**

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: CC (Community, Commercial) Designation

SURROUNDING: CC (Community, Commercial), PO (Professional Office) Designations

ZONING (Exhibit B):

SITE: CRM (Commercial, Rural, Median) District

SURROUNDING: CRM (Commercial, Rural, Median) and PDD (Planned Development) Districts

LAND USE:

SITE: Undeveloped

SURROUNDING: Parcels to the west and east are commercially developed; the parcel to the north is residentially developed; and the parcel to the south is vacant.

SIZE OF PROPERTY: 0.98 Acres

ACCESS: Access will be provided to the property by Avenue 12.

BACKGROUND AND PRIOR ACTIONS:

No prior actions.

PROJECT DESCRIPTION:

The applicant is requesting a Conditional Use Permit to allow a 3,584 square foot food mart and a 2,356 square foot canopy with four fuel pumps. The property is currently vacant. Parcels to the west and east are commercially developed; the parcel to the north is residentially developed; and the parcel to the south is vacant. A masonry fence will be required between the proposed facility and the single family dwelling to the north. Landscaping is planned for the east and west perimeter.

The facility will be a single story wood framed building with stucco exterior. Approximately 1,600 gallons a day of water will be provided by Maintenance District MD-10A. Waste water will be disposed of by private septic system.

Access will be from Avenue 12. The facility will operate year-round and will be operational seven days per week from 5:00 a.m. to 12:00 a.m. Approximately 100 to 120 visitors per day are expected. The facility will employ six people working three overlapping shifts, two employees on each shift. It is estimated that there will be an average of 100 cars and 1 truck trip per day. Twenty parking stalls will be provided. There will be a free standing pole sign and signage on the building and canopy.

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ORDINANCES/POLICIES:

Section 18.34.010 of the Zoning Ordinance lists the permitted uses within the CRM (Commercial, Rural, Median) Zone District. Allowable uses include a service station with a conditional use permit.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of Conditional Use Permits.

Madera County General Plan Policy Document (page 7) outlines the allowable uses within the CC (Community Commercial) Designation.

ANALYSIS:

The project site consists of 0.98 acres located on the north side of Avenue 12, in the community center of the Madera Ranchos. The area is a mixture of commercial and residential uses. The parcel is vacant. Parcels in the area range in size from 1 acre to 26 acres. On the east and west side of the subject parcel are commercial facilities; to the north is a single family dwelling. The Soil Survey of Madera County prepared by the Soil Conservation Service indicates soils are classified as San Joaquin sandy loams, 0 to 3% slopes. Runoff is very slow. Internal drainage is restricted by the impervious hardpan. These soils are used for woodland range. Because of the slopes, cultivation is difficult in most places.

The subject parcel is designated by the General Plan as CC (Community Commercial) and is zoned CRM (Commercial, Rural, Median) District. This designation provides for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses. The FAR (Floor Area Ratio) shall not exceed 1.00. This project consists of a Conditional Use Permit to allow for a service station with a mini-mart. The CRM Zone District allows a service station with an approved Conditional Use Permit. Therefore, the proposal is consistent with the Plan.

The facility will have six employees in three (3) overlapping shifts. The mini-mart with sandwich shop/deli is 3,584 square feet. It will be stucco over a wood frame. The Operational Statement indicates that 20 parking spaces are planned where 18 parking spaces are required by Ordinance. Approximately 1,600 gallons per day of water will be provided by MD-10A and wastewater will be conveyed to onsite engineered septic system. Solid waste will be hauled away by Red Rock Disposal. The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code).

This project was circulated to departments and outside agencies for review. This included Caltrans, Regional Water Quality Control, San Joaquin Valley Air Pollution Control Board, Department of Fish and Wildlife, and Local Native American Tribes. No comments were received

If the Planning Commission were to approve the project, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,330.75 to cover the Notice of Determination (CEQA) filing at the Clerks' office. The amount covers the current

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STAFF REPORT

\$2,280.75 Department of Fish and Wildlife fee and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee and Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to approve this Conditional Use Permit application. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the CRM (Commercial, Rural, Median) Zone District allows service stations subject to an approved Conditional Use Permit.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the proposed road mitigation measures will help insure the safety of the intersection and provide a service to the public.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors in that the applicant must operate according to the operational statement and plans. The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code)*
4. *The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability. The project site is currently undeveloped. The proposed facility will be a service to the public.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The General Plan designates this property as CC (Community Commercial) and it is zoned CRM (Commercial, Rural, Median) District. This designation provides for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses. The FAR (Floor Area Ratio) shall not exceed 1.00. This project consists of a Conditional Use Permit to allow for an automobile and truck fuel station with a mini-mart. The CRM Zone District allows a service station with an approved Conditional Use Permit. Therefore, the proposal is consistent with the Plan.

RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit (CUP #2017-028) subject to conditions, the Mitigated Negative Declaration (MND #2017-38) and the mitigation monitoring program.

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CONDITIONS:

See Attached

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Floor Plan
6. Exhibit D-3, Fuel Canopy Elevation
7. Exhibit D-4, Elevation
8. Exhibit D-5, Landscape Plan
9. Exhibit E, Aerial Map
10. Exhibit F, Topographical Map
11. Exhibit G, Operational Statement
12. Exhibit H, Environmental Health Comments
13. Exhibit I, Fire Prevention Comments
14. Exhibit J, Public Works Comments
15. Exhibit K, CalTrans' Comments
16. Exhibit L, Initial Study
17. Exhibit M, Mitigated Negative Declaration

CONDITIONS OF APPROVAL

PROJECT NAME: Shockley, Bob - Conditional Use Permit - Madera (049-216-019-000)
PROJECT LOCATION: The property is located on the north side of Avenue 12 at its intersection with Kensington Drive (no situs) Madera.

PROJECT DESCRIPTION: Service station with a mini-mart

APPLICANT: Shockley, Bob
CONTACT PERSON/TELEPHONE NUMBER: (559) 822-6246

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	Provide a Will Serve letter from Maintenance District (MD10A) concerning availability of water service. (Senate Bill 1263)				
2	Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment and disposal as required by the California Plumbing Code Appendix H, Madera County Local Agency Management Program (LAMP) and Madera County Code Title 13. Wastewater dispersal shall either be accomplished by means of an approved advanced onsite wastewater treatment system or connection to a public/community sewer.				
3	Solid waste collection with sorting for green, recycle, and garbage is required.				
4	Environmental Health Division food plan check will be required for review and approval for food facilities.				
5	Environmental Health Division Underground Storage Tank plan check will be required for review and approval.				
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s): Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
FIRE DEPARTMENT					
7	At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)				
8	A County Standard Dry Barrel Hydrant shall be installed within 400 feet of the furthest portion of the proposed buildings measured by way of drivable access. The hydrant location shall be approved by the Madera County Fire Marshal prior to installation of any portion of the system. (CFC, Section 507.5.1)				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
9	The minimum required fire flow for the proposed buildings is 1,500 gallons per minute (gpm) at 20-psi (pressure per square inch) residual for two hours. 1,500 gpm is required if the building is to be constructed of type V material. If the building construction type changes, the required fire flow may also change. (CFC, Section 507.3 or Appendix B)				
Planning					
10	The project shall be developed and operate in accordance with the operational statement and site plan submitted, except as modified by the mitigation measures and other conditions of approval required for the project.				
11	All landscaping must comply with the County's Water Efficient Landscape Ordinance.				
12	Parking lot must comply with Madera County Code Section 18.102.120				
13	All mitigation measures outlined in the Mitigated Negative Declaration #2017-38 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission or Board of Supervisors.				
Public Works					
14	At the time of applying for the building permits, the applicant/contractor is required to submit a grading along with drainage calculations, and erosion control plans to the Public Works Department for review and approval. Such improvement plans shall be prepared by a licensed professional. On site storm runoff generated by commercial development must be contained on site. Grading permit must be obtained prior to performing any grading on site. If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development and its usage.				
15	Prior to any construction where such construction is occurred within an existing County right-of-way, the applicant is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be obtained prior to commencing the work.				
16	The site's ingress/egress must be constructed to County's commercial driveway approach design standards. It's subjected to inspections performed by the County inspector.				
17	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.				
18	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
19	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation. Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to applicable standard plans and specifications.				

VLDR

BERKSHIRE DR

PO

MAYWOOD DR

CC

AVE 12

CC

NC

VLDR

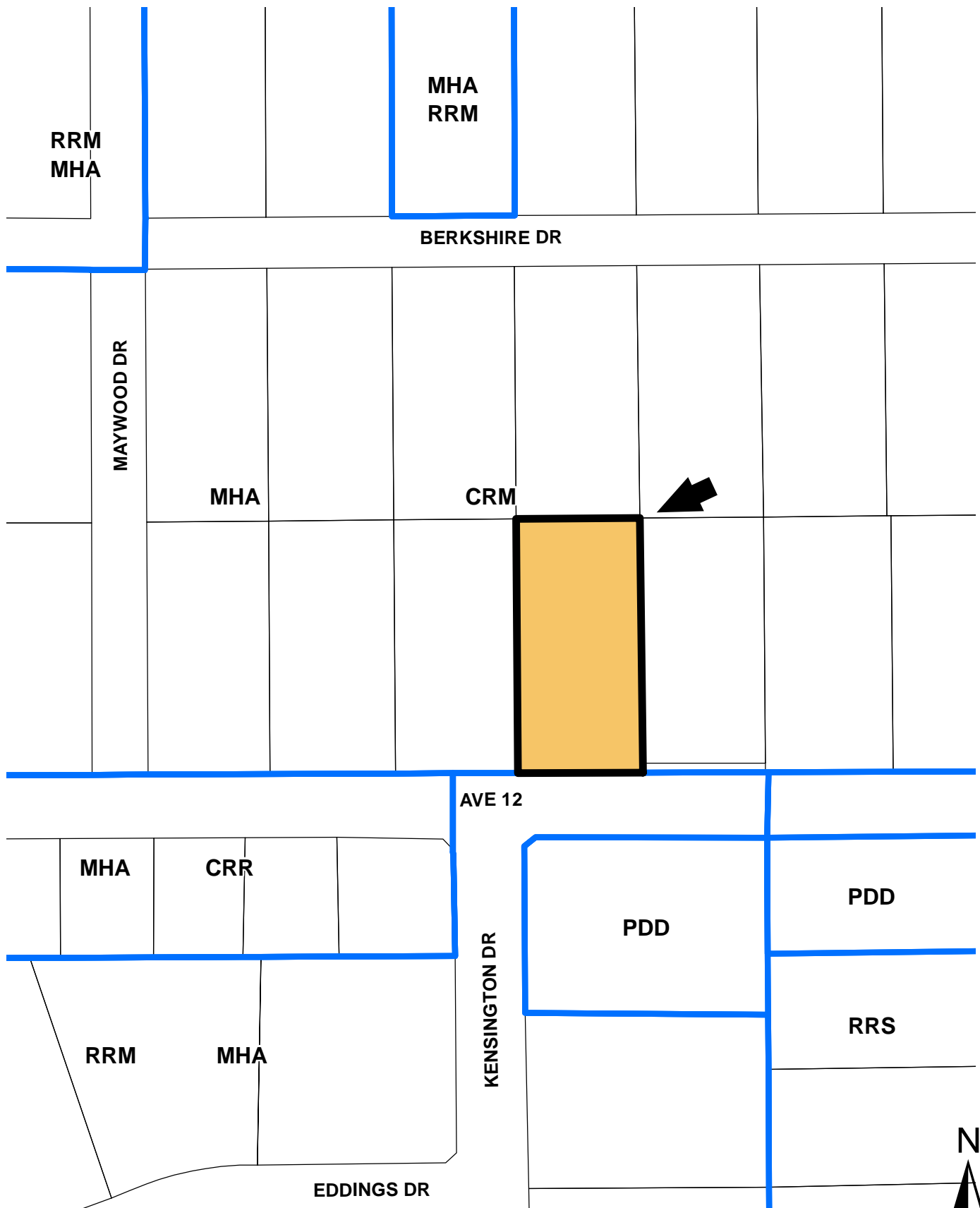
KENSINGTON DR

EDDINGS DR

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GENERAL PLAN MAP

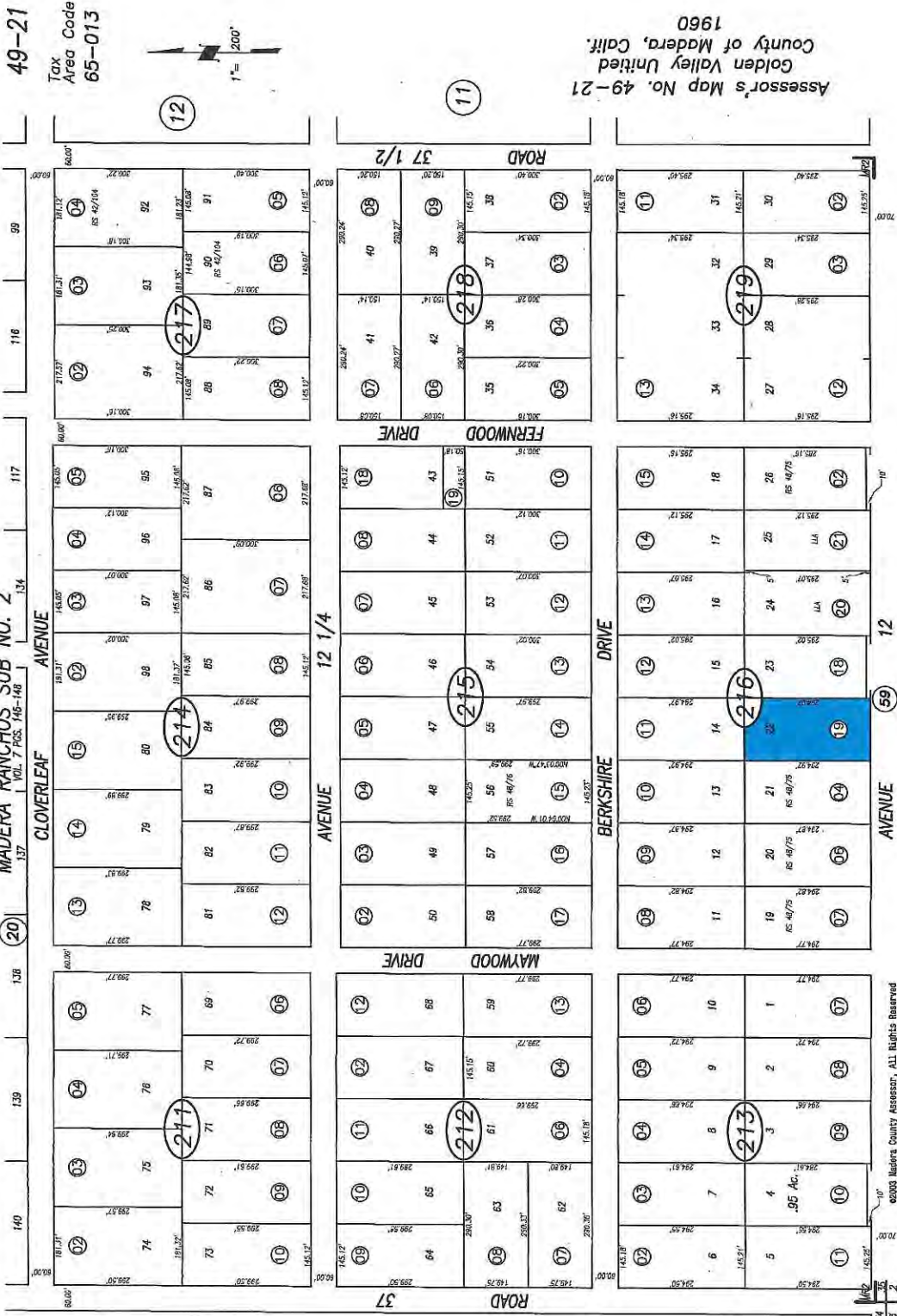




ZONING MAP

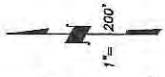
EXHIBIT C

Assessor's Map No. 49-21
 Golden Valley United
 County of Madera, Calif.
 1960



49-21

Tax Area Code
 65-013



MADERA RANCHOS SUB NO. 2
 VOL. 7 PAGES 146-148

CLOVERLEAF AVENUE

MAYWOOD DRIVE

MAYWOOD DRIVE

FERNWOOD DRIVE

BERKSHIRE DRIVE

37 1/2 ROAD

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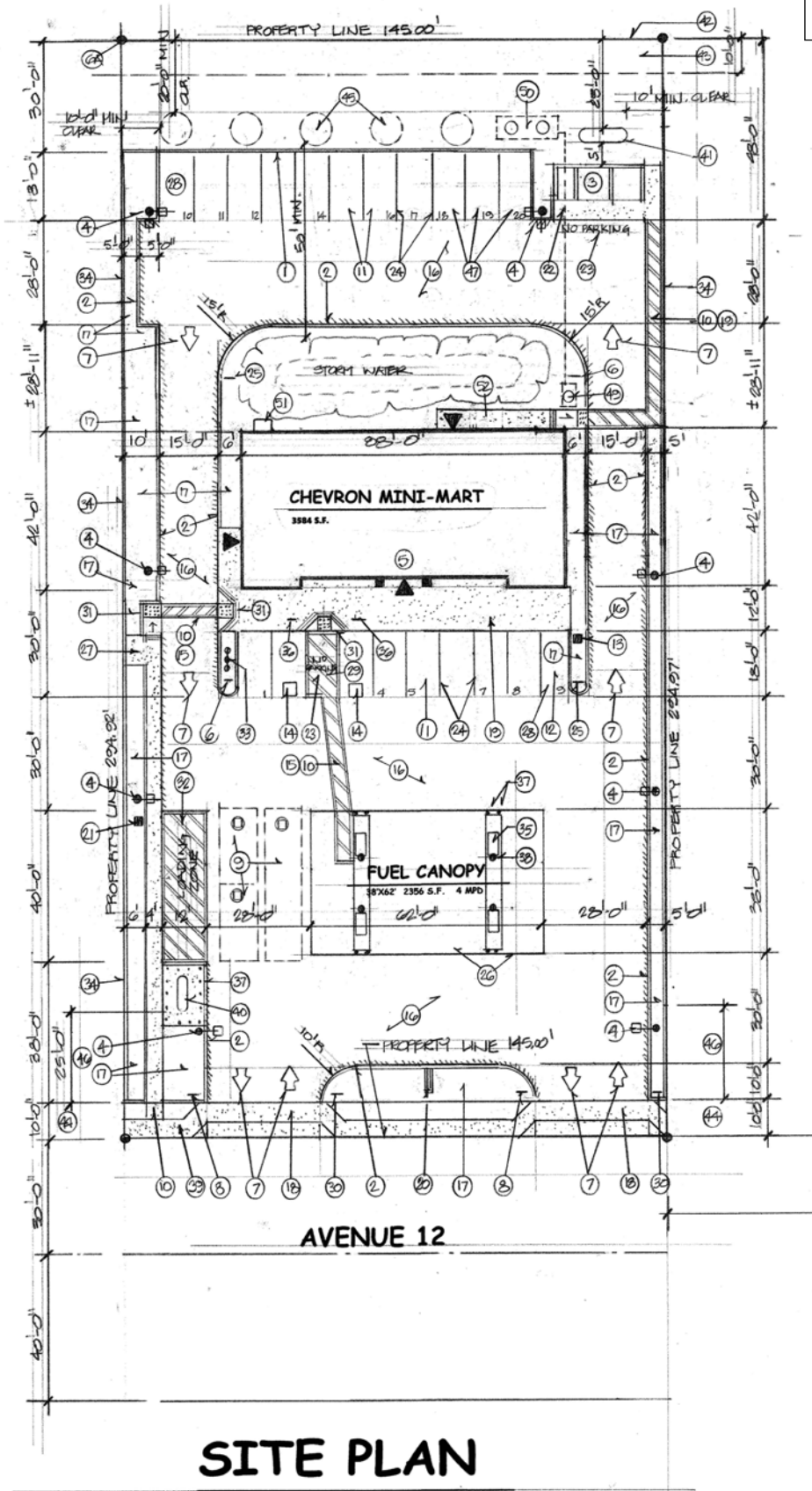
ORIGINAL

NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

1960
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ASSESSOR'S MAP

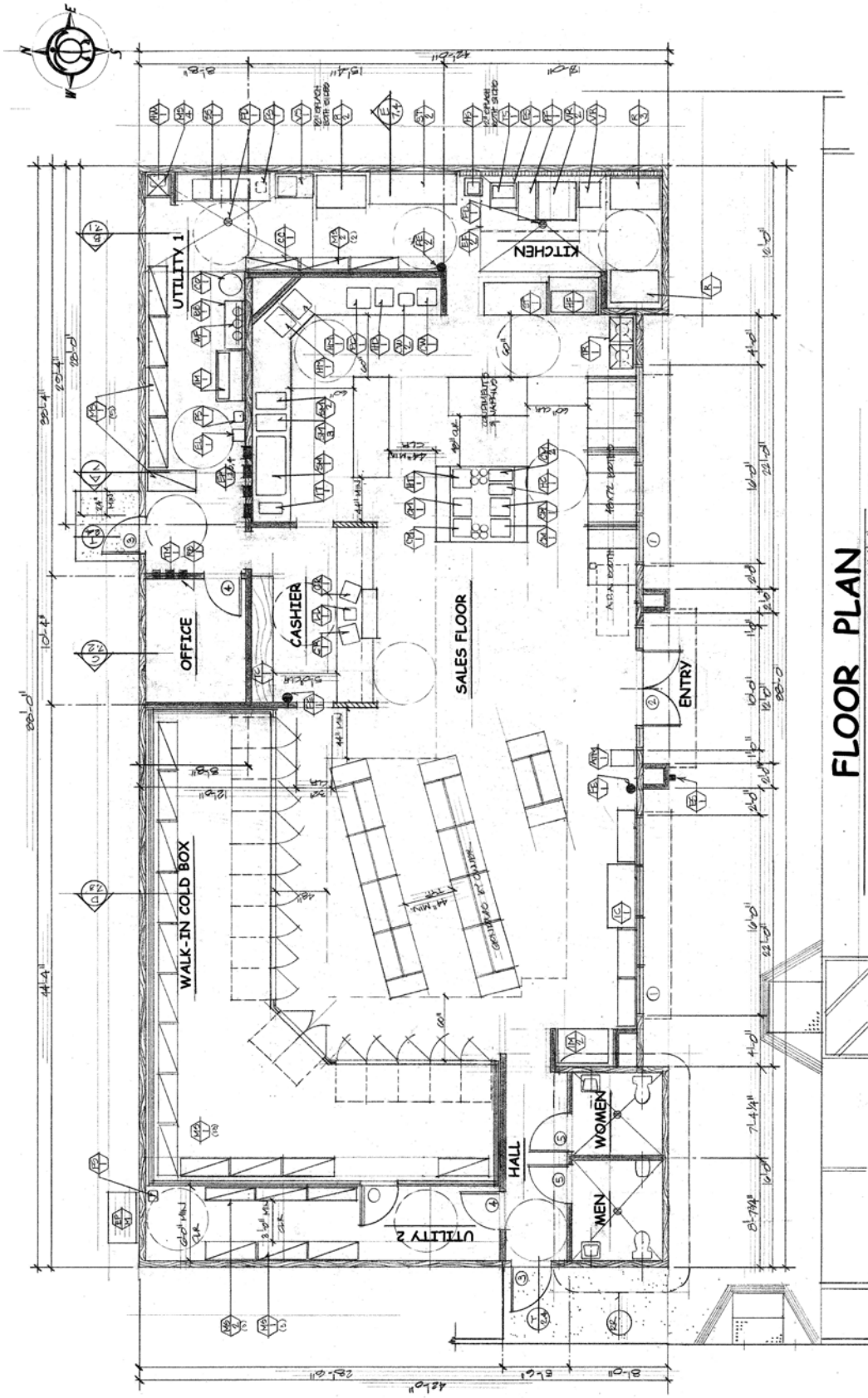
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SITE PLAN

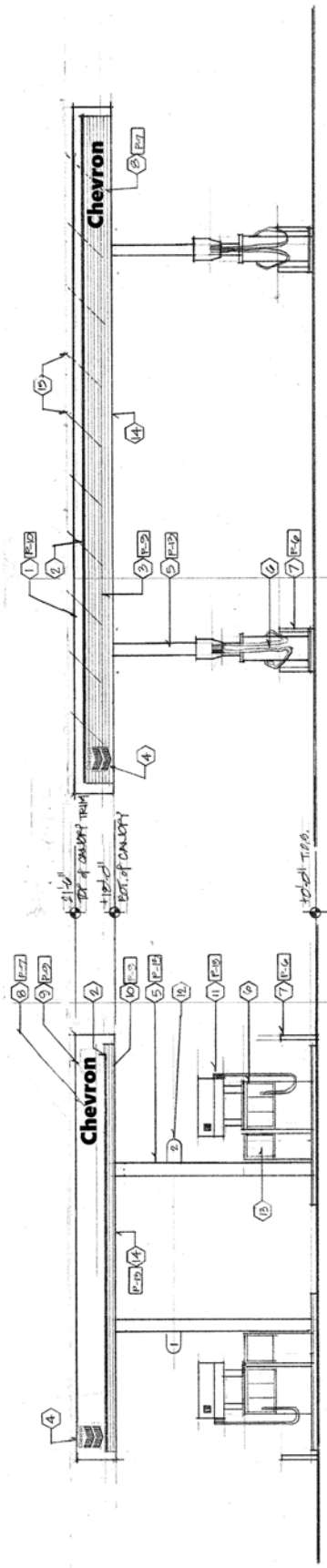
SCALE: 1"=20'-0"

SITE PLAN



FLOOR PLAN

FLOOR PLAN

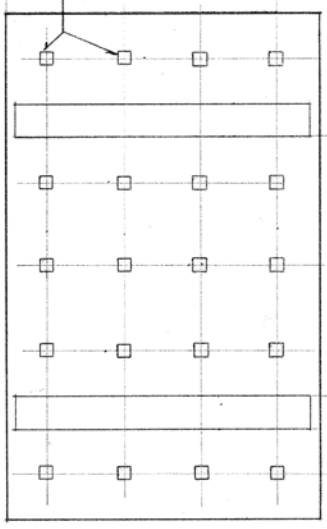


EAST & WEST FUEL CANOPY ELEVATIONS
3/16"=1'-0"

NORTH & SOUTH FUEL CANOPY ELEVATIONS
3/16"=1'-0"

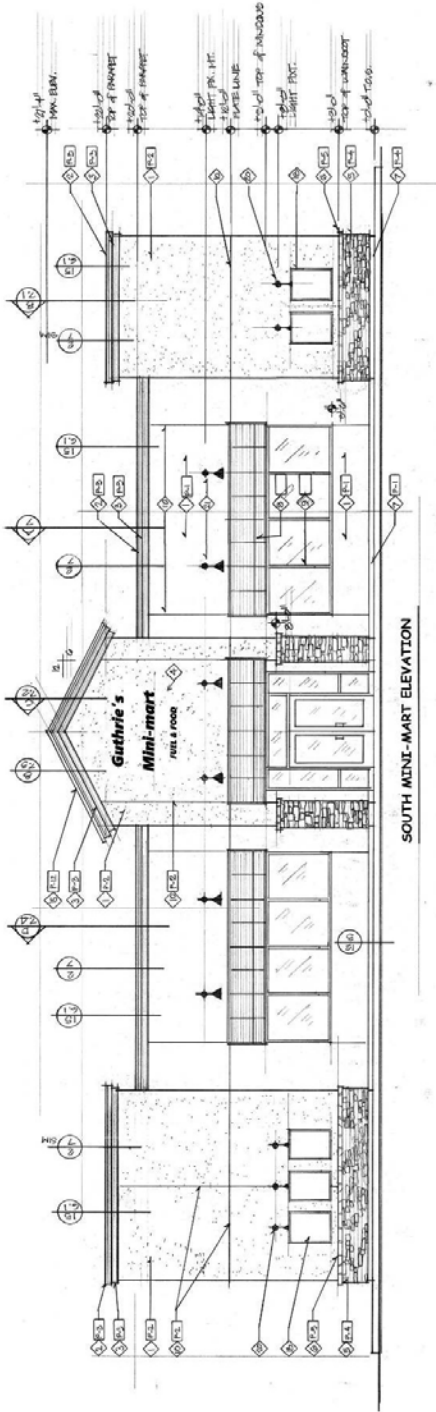
FUEL CANOPY KEY NOTES:

- 1 6" A.C.M. FASCIA, CHARCOAL GREY
- 2 BRIGHT BLUE ILLUMINATED L.E.D. STRIP LIGHT.
- 3 36" A.C.M. FASCIA, BRIGHT BLUE
- 4 BACK-LIT FUEL COMPANY LOGO.
- 5 SUPPORT COLUMN, BRIGHT WHITE, MPD, TYPICAL OF 4.
- 6 6" CONCRETE FILLED PIPE BOLLARD, BROWN RED.
- 7 BLACK-LIT FUEL BRAND NAME, BRIGHT BLUE.
- 8 36" A.C.M. FASCIA, CHARCOAL GREY.
- 9 6" A.C.M. FASCIA, BRIGHT BLUE.
- 10 MPD PUMP SPANNER, WHITE.
- 11 FUELING POSITION NUMBER SIGN, BLACK AND WHITE.
- 12 TRASH RECEPTACLE, MATCHES MPD.
- 13 BRIGHT WHITE FUEL CANOPY CEILING.
- 14 SOLAR PV PANELS ON ROOF
- 15



FUEL CANOPY LIGHTING
1/8"=1'-0"

FUEL CANOPY ELEVATION



SOUTH MINI-MART ELEVATION

PAINT and COLOR SCHEDULE

MARK	DESCRIPTION	MANUFACTURER
E-1	Main walls	Sherrin Williams
E-2	Accent walls	Sherrin Williams
E-3	Floors and trim	Sherrin Williams
E-4	Window sills	Ceresite Stone
E-5	Copy stone	Ceresite Stone
E-6	Chimney	Ceresite Stone
E-7	Roof	Sherrin Williams
E-8	Trim	Sherrin Williams
E-9	Roof	Sherrin Williams
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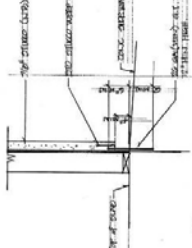
KEY NOTES:

1. SMOOTH FINISH STUCCO.
2. SEE PAINT SCHEDULE FOR COLORS.
3. PAINT TO MATCH CORNICE.
4. 12" TALL STUCCO OVER BUILT-UP PLUMWOOD FASCIA.
5. SEE DETAILS AND PAINT SCHEDULE FOR COLOR.
6. SHOWN FOR REFERENCE.
7. PAINT TO MATCH STUCCO.
8. SEE PAINT SCHEDULE.
9. 4" TALL SHIRT METAL BASE.
10. CANVAS COVERED METAL FRAME CANOPIES.
11. SEE PAINT SCHEDULE FOR COLORS.
12. STANDARD METAL STUCCO EXPANSION JOINTS AS SHOWN.
13. PAINT TO MATCH STUCCO.
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96. PAINT TO MATCH STUCCO.
97. PAINT TO MATCH STUCCO.
98. PAINT TO MATCH STUCCO.
99. PAINT TO MATCH STUCCO.
100. PAINT TO MATCH STUCCO.

EAST MINI-MART ELEVATION



EAST MINI-MART ELEVATION



DETAIL/SECTION

CHEVRON

GUTHRIE'S CHEVRON

MINI-MART

3747 AVENUE 12

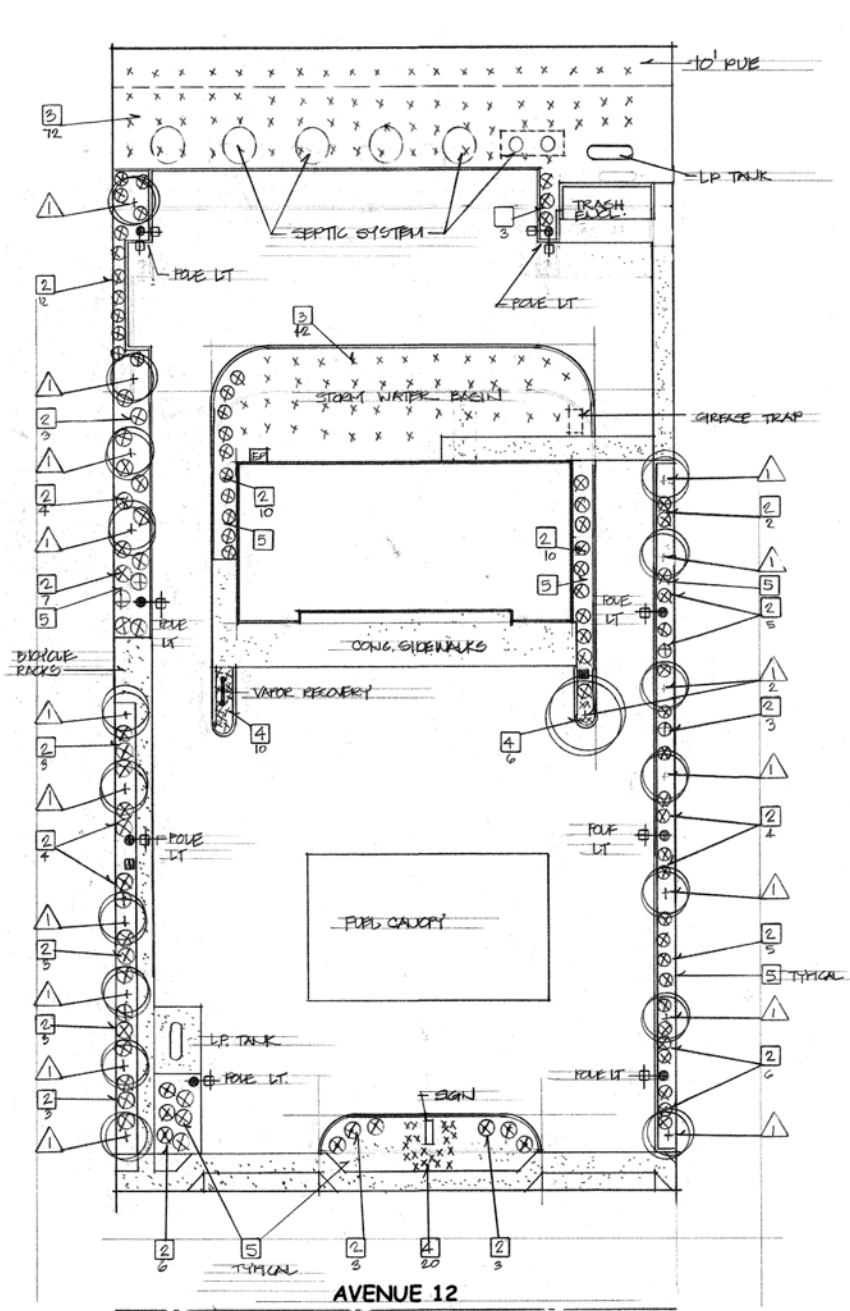
MARINA, CALIFORNIA 90405

ELEVATIONS

DATE: 02/28/17

SCALE: 1/8"=1'-0"

3

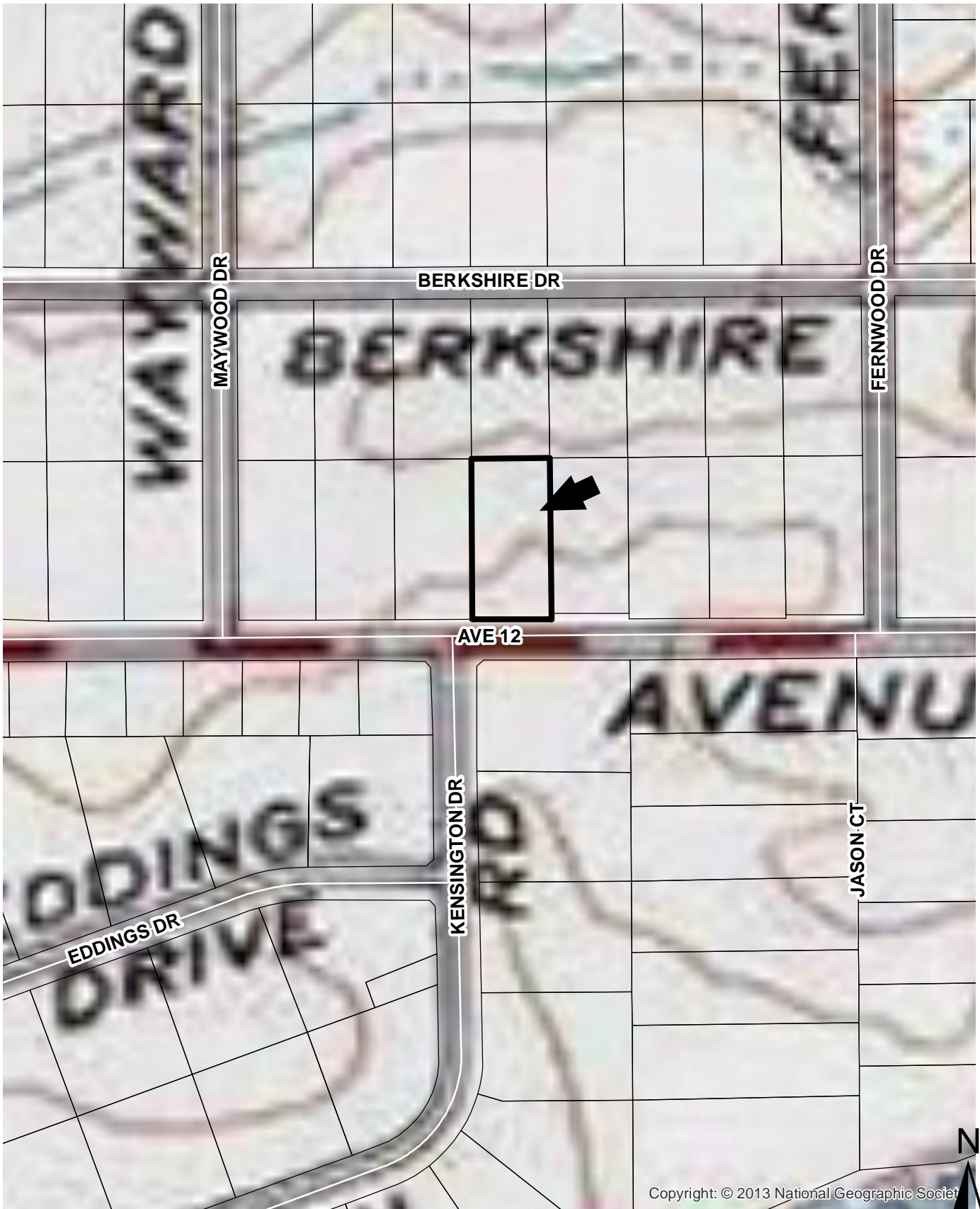


LANDSCAPE SCHEMATIC

LANDSCAPE PLAN



AERIAL MAP



TOPOGRAPHICAL MAP



Community and Economic Development
Planning Division

Norman L. Allinder, AICP
Director

- 200 W 4th Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

OPERATIONAL/ENVIRONMENTAL STATEMENT
CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 0A9-216-010
 Applicant's Name: BOB SHOCKLEY
 Address: 14819 SKYVIEW RD, MADERA, CA 93636
 Phone Number: 822-6246

2. Describe the nature of your proposal/operation.

GAS STATION and MINI-MART

3. What is the existing use of the property?

VACANT

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

TYPICAL MINI-MART WITH INSIDE SANDWICH SHOP/DELI and 4 MPD FUEL CANOPY

5. What are the proposed operational time limits?

Months (if seasonal): 12 MONTHS A YEAR
 Days per week: 7 DAYS A WEEK
 Hours (from ~~SUN~~ 5AM to 12AM Total Hours per day: 19 HOURS (MAX)

6. How many customers or visitors are expected?

Average number per day: 100 VISITORS
 Maximum number per day: 120 VISITORS
 What hours will customers/visitors be there? 5:30AM TO MIDNIGHT (30 MINUTES PREP. TO OPEN)

7. How many employees will there be?

Current: NONE
 Future: 6 (3 SHIFTS OVERLAP W/ 2 PER SHIFT)
 Hours they work: 8 HOURS MAX EACH
 Do any live onsite? If so, in what capacity (i.e. caretaker)? NO

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.
 TYPICAL MINI-MART PRE PACKAGED FOOD and BEVERAGES
 ALSO BEER & WINE (ABC TYPE 70)
9. Will there be any service and delivery vehicles? YES
 Number: 1 PER DAY AVERAGE
 Type: PRODUCT DELIVERY
 Frequency: 1 PER DAY AVERAGE
10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.
 20 PARKING SEE ATTACHED
 ALL PAVING SHALL BE 5/8" THK CONC.
11. How will access be provided to the property/project? (street name)
 2. DRIVE APPROACHES ON AVENUE 12
12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.
 100 CAR VISITS and 1 DELIVERY TRUCK VISIT
13. Describe any proposed advertising, including size, appearance, and placement.
 MONUMENT SIGN 6' TALL x 8' LONG @
 FRONT ENTRY SIGNS & LOGOS ON CANOPY and
 BUILDING SIGNS: SEE PLANS
14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.
 NO EXISTING BUILDINGS
 MINI-MART WILL BE STUCCO OVER WOOD FRAME
 CANOPY WILL BE METAL
15. Is there any landscaping or fencing proposed? Describe type and location.
 YES. CHAIN LINK ON SIDES, CMU IN BACK SEE SHT 1
 ALL NEW LANDSCAPE PER STATE & LOCAL CODES
 SEE SHT L
16. What are the surrounding land uses to the north, south, east and west property boundaries?
 N = HOUSE ON COMMERCIAL LOT. W = SHOPPING CENTER
 E = SHOPPING CENTER / MINI-MART S = COMMERCIAL
17. Will this operation or equipment used, generate noise above other existing parcels in the area?
 NO.
18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).
 1600 GALLONS PER DAY TO BE PROVIDED BY
 SPECIAL DISTRICT MD-10A

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

± 1600 GALLONS PER DAY TO BE CONVEYED TO ON SITE ENGINEERED SEPTIC SYSTEM.

20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

1 CUBIC YARD PER DAY (MAX). TO BE COLLECTED and PROCESSED BY RED ROCK. SEE TRASH/RECYCLE ON SHEET 1

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

GRADING AS REQUIRED FOR BUILDING CONSTRUCTION
NO EXISTING TREES

22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

NONE

23. Locate and show all bodies of water on application plot plan or attached map.

NONE

24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

NONE

25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

GASOLINE FUEL SALES VIA UNDERGROUND STORAGE TANKS and 2 - 499 GALLON LP FUEL TANKS

26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

NO

27. How do you see this development impacting the surrounding area?

GREAT NEW BUILDING and BUSINESS

28. How do you see this development impacting schools, parks, fire and police protection or special districts?

NO IMPACT.

29. If your proposal is for commercial or industrial development, please complete the following; Proposed

Use(s): MINI-MART & FUEL CANOPY

Square feet of building area(s): 3584 and 2356 SEE ATTACHED

Total number of employees: 6

Building Heights: ± 27'-10"

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

NO LAND DIVISIONS



Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

MEMORANDUM

TO: Becky Beavers
FROM: Dexter Marr, Environmental Health Division
DATE: November 27, 2017
RE: Shockley, Bob - Conditional Use Permit - (049-216-019-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: November 7, 2017
RE: Conditional Use Permit (CUP) #2017-028, Bob Shockley, Madera
APN 049-216-019

The Environmental Health Division Comments:

The project shall be served by a community water system. Provide a Will Serve letter from Maintenance District (MD10A) concerning availability of water service. (Senate Bill 1263)

Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment and disposal as required by the California Plumbing Code Appendix H, Madera County Local Agency Management Program (LAMP) and Madera County Code Title 13. Wastewater dispersal shall either be accomplished by means of an approved advanced onsite wastewater treatment system or connection to a public/community sewer.

Solid waste collection with sorting for green, recycle, and garbage is required.

Environmental Health Division food plan check will be required for review and approval. (Submittal through the Environmental Health Division)

Environmental Health Division underground storage tank plan check will be required for review and approval. (Submittal through the Environmental Health Division)

The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code). As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: www.cers.calepa.ca.gov

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions/requirements or for copies of any

If there are any questions or comments regarding these conditions/requirements or for copies of any Environmental Health Permit Application forms, contact this Division at (559) 675-7823.

Statutes

Madera County Local Agency Management Program (LAMP)
Madera County Code Title 13
Senate Bill 1263



Community and Economic Development
Fire Prevention Division

Deborah Mahler, Fire Marshal
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

MEMORANDUM

TO: Becky Beavers
 FROM: Deborah Mahler, Fire Marshal
 DATE: November 27, 2017
 RE: Shockley, Bob - Conditional Use Permit - (049-216-019-000)

Conditions

At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)

Issues to be addressed prior to construction:

A County Standard Dry Barrel Hydrant shall be installed within 400 feet of the furthest portion of the proposed buildings measured by way of drivable access. The hydrant location shall be approved by the Madera County Fire Marshal prior to installation of any portion of the system. (CFC, Section 507.5.1)

The minimum required fire flow for the proposed buildings is 1,500 gallons per minute (gpm) at 20-psi (pressure per square inch) residual for two hours. 1,500 gpm is required if the building is to be constructed of type V material. If the building construction type changes, the required fire flow may also change. (CFC, Section 507.3 or Appendix B)



COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS

AHMAD M. ALKHAYYAT
 DIRECTOR

200 West 4th Street
 Madera, CA 93637-8720
 Main Line - (559) 675-7811
 Special districts - (559) 675-7820
 Fairmead Landfill - (559) 665-1310

MEMORANDUM

DATE: November 27, 2017
TO: Becky Beavers
FROM: Phu Duong, Public Works
SUBJECT: Shockley, Bob - Conditional Use Permit - (049-216-019-000)

Comments

At the time of applying for the building permits, the applicant/contractor is required to submit a grading along with drainage calculations, and erosion control plans to the Public Works Department for review and approval. Such improvement plans shall be prepared by a licensed professionals. On site storm runoff generated by commercial development must be contained on site. Grading permit must be obtained prior to performing any grading on site. If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development and its usage.

Prior to any construction where such construction is occurred within an existing County right-of-way, the applicant is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be obtained prior to commencing the work.

The site's ingress/egress must be constructed to County's commercial driveway approach design standards. It's subjected to inspections performed by the County inspector.

All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.

Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation. Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to applicable standard plans and specifications.

From: [Padilla, Dave@DOT](mailto:Padilla_Dave@DOT)
To: [Becky Beavers](mailto:Becky.Beavers)
Cc: [Navarro, Michael@DOT](mailto:Navarro_Michael@DOT)
Subject: CUP 2017-027
Date: Monday, December 04, 2017 2:43:24 PM
Attachments: [CUP 2017-027 Commercial Office 12042017.pdf](#)

Hello Becky,

Please find attached our comment letter for CUP 2017-027. Please do not hesitate in contacting our office if you have questions.

Thank you

David Padilla, Associate Transportation Planner
Office of Planning & Local Assistance
1352 W. Olive Avenue
Fresno, CA 93778-2616
Office: (559) 444-2493, Fax: (559) 445-5875



District 6

INITIAL STUDY

Title of Proposal: Shockley, Bob - Conditional Use Permit - (049-216-019-000)

Date Checklist Submitted: 12/7/2017

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Becky Beavers

Phone: (559) 675-7821

Description of Initial Study/Requirement

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have significant effects on the environment. In the case of the proposed project, the Madera County Planning Department, acting as lead agency, will use the initial study to determine whether the project has a significant effect on the environment. In accordance with CEQA, Guidelines (Section 15063[a]), an environmental impact report (EIR) must be prepared if there is substantial evidence (such as results of the Initial Study) that a project may have significant effect on the environment. This is true regardless of whether the overall effect of the project would be adverse or beneficial. A negative declaration (ND) or mitigated negative declaration (MND) may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions to the project, or measures agreed to by the applicant, mitigate the potentially significant impacts to a less-than-significant level.

The initial study considers and evaluates all aspects of the project which are necessary to support the proposal. The complete project description includes the site plan, operational statement, and other supporting materials which are available in the project file at the office of the Madera County Planning Department.

Description of Project:

The request is for a Conditional Use Permit to allow a gas station with mini-mart.

Project Location:

The project is located on the north side of Avenue 12 at its intersection with Kensington Drive (no situs) Madera.

Applicant Name and Address:

Shockley, Bob
14819 Skyview Rd.
Madera, CA 93636

General Plan Designation:

CC (Community Commercial) Designation

Zoning Designation:

CRM (Commercial, Rural, Median) District

Surrounding Land Uses and Setting:

The subject property is located in a predominately commercial area. The parcel is flat with an elevation of approximate 240 feet. The area is generally flat to gently rolling with a gradual downward slope toward the south and southwest. Surrounding lands are used for commercial, with a mixed of residential and commercial.

Other Public Agencies whose approval is required: None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.


- | | | |
|---------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

Completed by the Lead Agency: Madera County Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Signature	12/7/2017 Date
--------------------------------------------------------------------------------------------------	-------------------

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

CATEGORY	ANALYSIS SUMMARY (See individual pages for details)				Comments
	<i>Potentially Significant Impact</i>				
	<i>Less than Significant Impact with Project Mitigation</i>				
	<i>Less than Significant Impact</i>				
	<i>No Impact</i>				
					Comments
1. AESTHETICS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Lighting shall be hooded and directed away from roadways and neighboring properties.</i>
2. AGRICULTURE/FORESTRY RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. AIR QUALITY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Must contact SJVAPCD for Permits.</i>
4. BIOLOGICAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. CULTURAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. GEOLOGY/SOILS/SEISMICITY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. GREENHOUSE GAS EMISSIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. HAZARDS/HAZARDOUS MATERIALS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The facility will be regulated under the hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code).</i>
9. HYDROLOGY/WATER QUALITY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. LAND USE/LAND USE PLANNING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. MINERAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. NOISE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. POPULATION/HOUSING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. PUBLIC SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. RECREATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. TRANSPORTATION/TRAFFIC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. TRIBAL CULTURAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. UTILITIES/SERVICE SYSTEMS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
19. MANDATORY FINDINGS OF SIGNIFICANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>All the Above.</i>

1. Aesthetics

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The parcel is currently vacant. However, the parcels to the east and west are developed with commercial facilities. There are no scenic vista in the area. The proposed project is consistent with the General Plan of the area and is allowed with an approved Conditional Use Permit. Landscaping will be included in the development of the property by the applicant in order to lessen aesthetic impacts to surrounding properties.

(b) No Impact

There is not a designated scenic highway within the immediate vicinity of the project.

(c-d) Less than Significant Impact with Mitigation Incorporated

The parcel is zoned commercial. The development is subject to specific mitigation measures on a project by project basis. Any lighting for the projects will be directed away from adjacent properties as to not create any sort of impact.

General Information:

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Light pollution, as defined by the International dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

Light pollution is a problem most typically associated with urban areas. Lighting is necessary for nighttime viewing and for security purposes. However, excessive lighting or inappropriately designed lighting fixtures can disturb nearby sensitive land uses through indirect illumination. Land uses which are considered “sensitive” to this unwanted light include residences, hospitals, and care homes.

Daytime sources of glare include reflections off of light-colored surfaces, windows, and metal details on cars traveling on nearby roadways. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times.

2. Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project will not convert Farmland of Statewide Importance to non-agricultural use. Project site soils are designated "Developed and Built-up Lands" on the 2012 Madera County Important Farm Land Map prepared by the California Department of Conservation. The Soil Survey of Madera County prepared by the Soil Conservation Service indicates soils are classified as San Joaquin sandy loams, 0 to 3% slopes. Runoff is very slow to slow. Internal drainage is restricted by the impervious hardpan. These soils are used for woodland range. Because of the slopes, cultivation is difficult in most places.

(b) No Impact

The project will not convert land. The lands surrounding the site are used for residential and commercial. The commercial use of the site will not interfere with agricultural uses on surrounding lands so it is anticipated the project will have a no impact.

(c-e) No Impact

The project is not subject to the Williamson Act. The proposed project is not significantly displacing the existing agricultural operation or within any Timberland Protection zone.

General Information:

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversee the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California’s agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program’s definition of land is below:

PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project area is a rural area bordering Highway 41 at an elevation ranging from 430-595 ft. above sea level. The Site is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The SJVAPCD is responsible for enforcing, within its jurisdiction, air quality standards established by the California Air Resources Board (CARB) and the federal Environmental Protection Agency (EPA). The SJVAPCD is federally designated as in Extreme Nonattainment for the 1-hour ozone standard, and Nonattainment for the 8-hour ozone, PM 10, and PM 2.5 standards. As specified in the California Clean Air Act of 1988 (CCAA), Chapters 1568-1588, it is the responsibility of SJVAPCD to attain and maintain California's Ambient Air Quality Standards (CCAA).

The CCAA requires that an Attainment Plan be developed by all non-attainment air districts for ozone (O₃), carbon monoxide (CO), sulfur oxides (SO_x), lead, sulfates, hydrogen sulfide, vinyl and nitrogen oxides (NO_x) that are either receptors or contributors of transported air pollutants. The purpose of the Attainment Plan is to comply with the requirements of the CCAA as implemented through the California Health and Safety Code (H&S Code). SJVAPCD monitors air quality and has adopted an Air Quality Management Plan (AQMP) to reduce air pollution to healthful levels. Ozone violations are caused in part by combustion sources and are occasionally influenced by smoke impacts from wildfires. The primary emission source is the internal combustion engine.

Particulate matter is a mixture of solid particles and liquid droplets found in the air. Particulate matter may be produced by natural causes (e.g., pollen, ocean salt spray, and soil erosion) and by human activity (e.g., road dust, agricultural operations, fuel combustion products, wood burning, rock crushing, cement production, and motor vehicles). The California Environmental Protection Agency (Cal-EPA) and the federal EPA regulate "respirable" particles at the 10-micron level (PM₁₀) and "fine" particles at the 2.5-micron level (PM_{2.5}). Both coarse and fine particles are of health concern because they can increase frequency and severity of asthma attacks and bronchitis, and even premature death in people with existing cardiac or respiratory disease. When particle levels in the air increase, so do reports of adverse health outcomes. Those most sensitive to particle pollution include people with existing respiratory and cardiac problems, children, and the elderly. Prolonged and repeated exposure can also have adverse impacts. Life expectancy is somewhat lower in areas with high particle levels. All inhalable particles are harmful – both "coarse" particles, those with a diameter of 2.5 to 10 microns, and "fine" particles, those with a diameter smaller than 2.5 microns. Ozone is formed by a photochemical reaction between NO_x and reactive organic gases. These ozone precursors are emitted as part of the exhaust of internal combustion engines and are transported northward via the prevailing winds. Ozone is a seasonal problem, typically occurring during the months of May through October. Ozone acts as a strong irritant that attacks the body's respiratory system. Symptoms include shortness of breath, chest pain when inhaling deeply, wheezing, and coughing. When ozone levels are high, people with lung disease (e.g., chronic bronchitis, emphysema, and asthma) are particularly susceptible to adverse health impacts. NO_x and reactive organic compounds (ROCs) are used in the formation of ozone. Nitrogen dioxide (NO₂), a toxic reddish-brown gas, and nitric oxide (NO), a colorless gas, comprise NO_x. NO_x is an ingredient in the formation of ozone, and is referred to as an ozone precursor. NO₂ is associated with adverse health effects and is formed in the atmosphere when NO is oxidized to NO₂. Both NO₂ and NO are produced as a result of fuel combustion. ROCs are hydrocarbons released during fuel combustion.

Based on the above discussion in the Environmental Setting, the following Best Management practices (BMPs) will ALSO be implemented where feasible, to further minimize project emissions.

- Individual truck idling in excess of five consecutive minutes will be prohibited, unless allowed under Title 13 of the California Code of Regulations §2485 (CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).
- Diesel-power construction equipment shall use low-sulfur diesel fuel.
- Ensure that all construction equipment is properly tuned and maintained prior to and for the duration of construction.
- Provide adequate ingress and egress to minimize vehicle idling and traffic congestion.
- All contractors will comply with all applicable SJVAPCD rules and regulations in carrying out project activities.

- Maintain slow speeds with all vehicles.
- Covering of soil stockpiles during non-work hours to abate dispersion by wind and rain.
- Contractors will implement feasible measures, as necessary, to reduce construction emissions during high-emission construction phases from vehicles and other fuel driven construction engines and activities that generate fugitive dust.

Table 1, Federal and state Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Standard	California Standard
Ozone (O ₃)	8 Hour	0.075 ppm (147 µg/m ³)	0.070 ppm (137 µg/m ³)
	1 Hour	—	0.09 ppm (180 µg/m ³)
Carbon Monoxide (CO)	8 Hour	9 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)
	1 Hour	35 ppm (40 mg/m ³)	20 ppm (23 mg/m ³)
Nitrogen Dioxide (NO ₂)	Annual Arithmetic Mean	0.053 ppm (100 µg/m ³)	0.030 ppm (57 µg/m ³)
	1 Hour	0.100 ppm (188 µg/m ³)	0.18 ppm (339 µg/m ³)
Sulfur Dioxide (SO ₂)	24 Hour	—	0.04 ppm (105 µg/m ³)
	3 Hour	0.5 ppm	—
	1 Hour	0.075 ppm (196 µg/m ³)	0.25 ppm (655 µg/m ³)
Respirable Particulate Matter (PM ₁₀)	Annual Arithmetic Mean	—	20 µg/m ³
	24 Hour	150 µg/m ³	50 µg/m ³
Fine Particulate Matter (PM _{2.5})	Annual Arithmetic Mean	15 µg/m ³	12 µg/m ³
	24 Hour	35 µg/m ³	—
Sulfates (SO ₄)	24 Hour	—	25 µg/m ³
Lead	30 Day Average	—	1.5 µg/m ³
	Rolling 3-Month Average	0.15 µg/m ³	—
Hydrogen Sulfide (H ₂ S)	1 Hour	—	0.03 ppm (42 µg/m ³)
Vinyl Chloride (chloroethene)	24 Hour	—	0.01 ppm (26 µg/m ³)
Visibility Reducing Particulates	8 Hour	—	Extinction coefficient of 0.23 per kilometer—visibility of 10 miles or more due to particles when relative humidity is less than 70 percent.
SOURCE: California Air Resources Board, Ambient Air Quality Standards, http://www.arb.ca.gov/research/aaqs/caaqs/caaqs.htm accessed June 14, 2016 and US EPA, National Ambient Air Quality Standards, http://www.epa.gov/air/criteria.html , accessed June 14, 2016			

A summary of federal and State air quality standards is provided in Table 1, Potential Health Effects in Table 2, and Criteria Pollutant Thresholds in Table 3.

Table 2, Potential Health Effects of Air Pollutants

Air Pollutant	Primary Source	Primary Health and Welfare Effects
Lead (Pb)	Contaminated soil	Behavioral and hearing disabilities in children; Nervous system impairment
Sulfur Dioxide (SO ₂)	Combustion of sulfur-containing fossil fuels; Smelting of sulfur-bearing metal ores; Industrial processes	Aggravation of respiratory diseases (asthma, emphysema); Reduced lung function

Carbon Monoxide (CO)	Incomplete combustion of fuels and other carbon-containing substances, such as motor vehicle exhaust; Natural events, such as decomposition of organic matter	Aggravation of some heart diseases (angina); Reduced tolerance for exercise; Impairment of mental function; Impairment of fetal development; Death at high levels of exposure
Nitrogen Dioxide (NO ₂)	Motor vehicle exhaust; High-temperature stationary combustion; Atmospheric reactions	Aggravation of respiratory illness
Ozone (O ₃)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	Aggravation of respiratory and cardiovascular diseases; Reduced lung function, Increased cough and chest discomfort
Fine Particulate Matter (PM _{10.0} and PM _{2.5})	Stationary combustion of solid fuels; Construction activities; Industrial processes; Atmospheric chemical reactions	Reduced lung function; Aggravation of respiratory & cardio-respiratory diseases; Increases in mortality rate; Reduced lung function growth in children

SOURCE: SJVAPCD. <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed June 14, 2016.

Table 3, Air Quality Thresholds of significance – Criteria Pollutants

Pollutant/Precursor	Operational Emissions		
	Construction Emissions	Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
CO	100	100	100
NO _x	10	10	10
ROG	10	10	10
SO _x	27	27	27
PM ₁₀	15	15	15
PM _{2.5}	15	15	15

SOURCE: SJVAPCD. <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>.

However, in the interest of streamlining CEQA requirements, SJVAPCD published guidance on determining CEQA applicability, significance of impacts. SJVAPCD established thresholds of significance for criteria pollutant emissions, which are based on New Source Review (NSR) offset requirements for stationary and mobile sources. Using project type and size of proposed projects, SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Projects that fit the descriptions and are less than the project sizes provided below are deemed to have a less than significant impact on air quality due to criteria pollutant emissions and as such, are excluded from quantifying criteria pollutant emissions for CEQA purposes.

The SJVAPCD has established a three-tiered approach to determining significance related to a project's quantified ozone precursor emissions. The three levels of analysis include Small Project Analysis Level (SPAL), Cursory Analysis Level (CAL), and Full-Analysis Level (FAL). The SJVAPCD pre-calculated the emissions on a large number of types of projects to identify the level at which a project would have no potential to exceed emission thresholds. This information was determined for five land use categories according to the number of vehicle trips a project type generates, and according to the sizes of various development projects. Projects under the size thresholds qualify to complete the SPAL approach. According to the SPAL requirements, no quantification of ozone precursor emissions is needed for projects less than or equal to the size thresholds, by vehicle trips and by project type. If other emission factors such as toxic air contaminants, hazardous materials, asbestos, or odors are apparent, these emissions must be addressed.

Discussion:

(a-e) Less than Significant Impact with Mitigation Incorporated

The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. The project is subject to the requirements for District Rule 9510 for Indirect Source Emissions. The SJVAPCD has attainment plans in place that identify strategies to bring regional emissions into compliance with federal and state air quality standards. The proposed mini-mart and service station for both cars and trucks is in conformance with Madera County zoning and land use designations. To ensure the proposed project complies with applicable SJVAPCD rules and regulations, mitigation measures would be required.

4. Biological Resources

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The parcels surrounding the project site are developed. To the east and west are commercial; to the north is residential and to the south is a road and a vacant parcel. The parcels in the area are 1 acre in size. While the table below shows a listing of potential special status species, no special status plant or animal species, or unique habitat, is known to exist on the project site or surrounding area, and no impacts to biological resources would occur as a result of this project. No locally designated resources exist in this portion of the county and resources such as wetland habitat or migration corridors are not present. The project would not conflict with any local policies or ordinances protecting biological resources, and the project would not conflict with the provision of any conservation plans.

(b-f) No Impact

The project does not contain any natural riparian habitat or designated wetlands. In addition, it is not redirecting, obstructing or change a wildlife corridor for native resident species. The project does not reside within an existing habitat conservation plan.

General Information:

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as “fully protected” in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society’s (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County’s and Department of Fish and Game’s databases for special status species have identified the following species in the Lane Bridge Quad where the proposed project is located:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
California tiger salamander	Threatened	Threatened	WL	-
western spadefoot	None	None	SSC	-
Swainson’s hawk	None	Threatened	-	-
osprey	None	None	WL	-
California horned lark	None	None	WL	-
great egret	None	None	-	-
great blue heron	None	None	-	-
western yellow-billed cuckoo	Threatened	Endangered	-	-
yellow-headed blackbird	None	None	SSC-	-
burrowing owl	None	None	SSC	-
vernal pool fairy shrimp	Threatened	None	-	-
midvalley fairy shrimp	None	None	-	-
California linderiella	None	None	-	-
hardhead	None	None	SSC	-
valley elderberry longhorn beetle	Threatened	None	-	-
molestan blister beetle	None	None	-	-
San Joaquin kit fox	Endangered	Threatened	-	-
San Joaquin Pocket Mouse	None	None	-	-
American badger	None	None	SSC	-
Great Valley Mixed Riparian Forest	None	None	-	-
Northern Claypan Vernal Pool	None	None	-	-
Northern Hardpan Vernal Pool	None	None	-	-
spiny-sepaled button-celery	None	None	-	1B.2
Hoover's calycadenia	None	None	-	1B.3
succulent owl's-clover	Threatened	Endangered	-	1B.2
San Joaquin Valley Orcutt grass	Threatened	Endangered	-	1B.1
hairy Orcutt grass	Endangered	Endangered	-	1B.1

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3: Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

Ranking

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk’s Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry’s use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

5. Cultural Resources

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-d) No Impact

This area has been developed since the 1950’s, so it is unlikely that any archeological or historical features of any significance exist on the parcel. Notification went to the local Tribes, no responses have been received.

General Information:

Public Resource Code 5021.1(b) defines a historic resource as “any object building, structure, site, area or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.” These resources are of such import, that it is codified in CEQA (PRC Section 21000) which prohibits actions that “disrupt, or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study.”

Archaeological importance is generally, although not exclusively, a measure of the archaeological research value of a site which meets one or more of the following criteria:

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.

- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions.
- Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- Is at least 100 years old and possesses substantial stratigraphic integrity (i.e. it is essentially undisturbed and intact).
- Involves important research questions that historic research has shown can be answered only with archaeological methods.

Reference CEQA Guidelines §15064.5 for definitions.

Most of the archaeological survey work in the County has taken place in the foothills and mountains. This does not mean, however, that no sites exist in the western part of the County, but rather that this area has not been as thoroughly studied. There are slightly more than 2,000 recorded archaeological sites in the County, most of which are located in the foothills and mountains. Recorded prehistoric artifacts include village sites, camp sites, bedrock milling stations, pictographs, petroglyphs, rock rings, sacred sites, and resource gathering areas. Madera County also contains a significant number of potentially historic sites, including homesteads and ranches, mining and logging sites and associated features (such as small camps, railroad beds, logging chutes, and trash dumps.

6. Geology and Soils

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-e) No Impact

Foothill and Sierra Nevada regions of California are areas that are crossed by very few faults. There is an unnamed fault line that crosses through the southeastern portion of the County and is a part of the Hartley Springs Fault Zone. As such, the chances of rupture of faults in the vicinity are less than likely. Chances are better in feeling shock waves from faultlines that do rupture, depending on their magnitude.

General Information:

Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams which carry runoff from the Sierra Nevada's.

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The Central valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep.

However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

San Andreas Fault: The San Andreas Fault lies approximately 45 miles west of the county line. The fault has a long history of activity and is thus a concern in determining activity in the area.

Owens Valley Fault Group: The Owens Valley Fault Group is a complex system containing both active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other

geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

According to the Madera County General Plan Background Report, groundshaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. According to the Madera County General Plan Background Report, although there are areas of Madera County where the water table is at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content; the soil types mitigate against the potential for liquefaction.

7. Greenhouse Gas Emissions

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-b) No Impact

The greenhouse emissions generated by the project would not be substantial as the uses will be related to travel needs, therefore, the majority of the trips generated will likely travel a limited distance from Highway 41 to the project site or from home to the project site. In addition, the proposed construction of each building will need to comply with building standards which require measures that attempt to mitigate GHG generation.

General Information:

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order

to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

8. Hazards and Hazardous Materials

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

The proposed project will also include fueling stations, which will involve the transport, use, handling, and storage of hazardous materials, such as gasoline and diesel fuel. If spilled, these substances could pose a risk to the environment and to human health. The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code). As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: www.cers.ca.gov.

(b) No Impact

No impacts are identified. As mentioned above, no materials will be onsite, and thus will not constitute a hazard to surrounding properties.

(c) No Impact

No hazardous materials are expected to be used on site during normal operations. The facility is not within 1/4 mile of a school.

(d) No Impact

No impacts are identified. There are no sites in the immediate vicinity that qualify as a site having had hazardous materials on site, or listed as such.

(e) No Impact

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and airstrips. No impacts are identified.

(f) No Impact

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and airstrips. No impacts are identified.

(g) No Impact

No impacts are identified as a result of this project.

(h) No Impact

The area is not located in a wildfire risk area. Normal operations will not pose significant risk of fire.

General Information:

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant present or potential hazard to human health and safety, or the environment the California legislature adopted Article I, Chapter 6.95 of the Health and Safety Code, Sections 25500 to 25520 that requires any business handling or storing a hazardous material or hazardous waste to establish a Business Plan. The information obtained from the completed Business Plans will be provided to emergency response personnel for a better-prepared emergency response due to a release or threatened release of a hazardous material and/or hazardous waste.

Business owners that handle or store a hazardous material or mixtures containing a hazardous material, which has a quantity at any one time during the year, equal to or greater than:

- 1) A total of 55 gallons,
- 2) A total of 500 pounds,
- 3) 200 cubic feet at standard temperature and pressure of compressed gas,
- 4) any quantity of Acutely Hazardous Material (AHM).

Assembly Bill AB 2286 requires all business and agencies to report their Hazardous Materials Business Plans to the Certified Unified Program Agency (CUPA) information electronically at <http://cers.calepa.ca.gov>

9. Hydrology and Water Quality

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

Any installation of facilities such as septic tanks would require permits and need to be properly setback from wells to prevent contamination. However, the development of this project should not substantially contribute to ground water contamination.

(b) Less than Significant Impact

The project proposes to develop a community water system to be privately maintained by the property owners. That system would be required to complete stringent testing in order to ensure that groundwater meets current standards. In addition, the proposed uses would use less water than surrounding agricultural uses and therefore should not contribute to overdraft for the area but actually allow for recharge.

(c-j) No Impact

All drainage will be required to be retained on the parcel.

It is not anticipated that the proposed project would create any need to mitigate for additional degradation of water quality.

The agricultural nature of the project does not typically have any sort of storage of materials which could cause water quality issues like an industrial or heavy commercial project would.

The site is not near any creeks or streams or bodies of water in which runoff could have an impact to water quality. With best management practices during business operations in place, this impact will be insignificant.

The site is not within a special flood zone indicating 100-year floods.

General Information:

Groundwater quality contaminants of concern in the Valley Floor include high salinity (total dissolved solids), nitrate, uranium, arsenic, methane gas, iron, manganese, slime production, and dibromochloropropane with the maximum contaminant level exceeded in some areas. Despite the water quality issues noted above, most of the groundwater in the Valley Floor is of suitable quality for irrigation. Groundwater of suitable quality for public consumption has been demonstrated to be present in most of the area at specific depths.

Groundwater quality contaminants of concern in the Foothills and Mountains include manganese, iron, high salinity, hydrogen sulfide gas, uranium, nitrate, arsenic, and methylbutylethylene (MTBE) with the maximum concentration level being exceeded in some areas. Despite these problems, there are substantial amounts of good-quality groundwater in each of the areas evaluated in the Foothills and Mountains. Iron and manganese are commonly removed by treatment. Uranium treatment is being conducted on a well by the Bass Lake Water Company.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami is an unusually large sea wave produced by seaquake or undersea volcanic eruption (from the Japanese language, roughly translated as “harbor wave”). According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. As this property is not located near any bodies of water, no impacts are identified.

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

10. Land Use and Planning

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

This project will not divide a community. The project location is within an area which is planned for commercial activities.

(b) No Impact

No known impacts exist.

The Zone District for this parcel is commercial that would allow the proposed operation.

(c) No Impact

There is not an adopted habitat conservation plan or natural community conservation plan for the proposed project location.

11. Mineral Resources

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project site does not have any known mineral resources and has not been identified a locally important recovery site by any plan

(b) No Impact

No resource recovery sites are in the vicinity of this project. No impacts identified as a result of this project.

12. Noise

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-d) Less than Significant Impact

The proposed project will have some noise impacts as far as construction and grading are concerned. Those activities are subject to the Madera County Code in terms of defining times and levels of noise acceptable. That ordinance is enforced by the Environmental Health Department. Ambient noise levels would be raised above the current level because there currently is not anything present on the property. Appliances, electricity, cars are among the various sources which will now be present in the area to raise ambient levels. However, that level is not deemed to be significant.

Operations of this facility are not expected to increase noise levels substantially. It is acknowledged that traffic in and out of

the facilities parking lot will generate minimal noise levels during ingress and egress.

Ambient noise levels are not expected to increase.

(e-f) No Impact

This project is not within proximity to an airstrip or airport or an airport/airspace overlay district.

General Discussion:

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for agricultural uses. This impact is therefore considered less than significant.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

Short Term Noise

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

Long Term Noise

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the proposed operations could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES*

		Residential	Commercial	Industrial (L)	Industrial (H)	Agricultural
Residential	AM	50	60	55	60	60
	PM	45	55	50	55	55
Commercial	AM	60	60	60	65	60
	PM	55	55	55	60	55
Industrial (L)	AM	55	60	60	65	60
	PM	50	55	55	60	55
Industrial (H)	AM	60	65	65	70	65
	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55

*As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers at the property line.

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

Note: Each of the noise levels specified above shall be lowered by 5 dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).

Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations	Architectural damage and possibly minor structural damage

Source: Whiffen and Leonard 1971

13. Population and Housing

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project as mitigated would not result in substantial population growth, and would not displace existing housing or people.

(b) No Impact

No impacts are identified as a result of this project. No homes will be displaced as a result of this project.

(c) No Impact

No impacts are identified as a result of this project. No one will be displaced as a result of this project.

General Information:

According to the California Department of Finance, in January of 2012, the County wide population was 152,074 with a total of 49,334 housing units. This works out to an average of 3.33 persons per housing unit. The vacancy rate was 11.84%.

14. Public Services

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i – a-ii) Less than Significant Impact

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sheriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks. Development fees include capital facilities fees which contribute to police and fire services.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an "Amador Plan" contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

Crime and emergency response is provided by the Madera County Sheriff's Department. There will be an incidental need for law enforcement in the event of theft or vandalism on the project site.

(a-iii) No Impact

The project is within the Golden Valley School District. There will be no additional houses built.

(a-iv) No Impact

The project is not subject to the Quimby Act fee that was established for development of park facilities within Madera County. That fee is dependent on the number of units which can be built by the project and would be required to be paid prior to final recordation of a map. The project is not zoned for residential and therefore is not subject to the fee.

(a-v) Less than Significant Impact

The Madera County Fire Station #19 is located approximately 5 miles northwest of the project site, in the Madera Ranchos. The operation of the Avenue 12 Mini-mart and service station project is located in Maintenance District 10A. There is a fire hydrant near the property. Sprinklers will also be required. Compliance with measures as set forth by the Fire Department would be required as conditions of approval and would reduce fire risk and hazard to levels found acceptable by the Madera County Fire Department.

The Madera County Sheriff Department, located in the County of Madera, provides service to the project area. The Madera County Sheriff Department located approximately 15 miles to the south provides service to the project area.

General Information:

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sherriff’s Department. The proposed project will have no impact on local parks and will not create demand for additional parks.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an “Amador Plan” contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1.7 law enforcement officials per 1,000 population.

Single Family Residences have the potential for adding to school populations. The average per Single Family Residence is:

Grade	Student Generation per Single Family Residence
K – 6	0.425
7 – 8	0.139
9 – 12	0.214

The Madera County General Plan allocates three acres of park available land per 1,000 residents’ population.

15. Recreation

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

No impact identified as a result of this project. The proposed development would not be subject to the Quimby Act fees, as previously mentioned, due to the project not being zoned residential.

(b) No Impact

No impacts are identified as a result of this project. See above.

General Information:

The Madera County General Plan allocates three acres of park available land per 1,000 residents' population.

16. Transportation/Traffic

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-b) Less than Significant Impact

The proposed project is located on Avenue 12. The General Plan designates Avenue 12 as a limited expressway. The project site is located in the Madera Ranchos commercial district. The applicant anticipated 100 to 120 visitors per day. However, this service station will serve the people of the Rancho community and people traveling through the Ranchos, it is not expected to bring

additional traffic to the area. There are no public transportation facilities or routes in the area. Thus, the area is almost totally dependent on private automobile and truck access. There are no rail or airport facilities in the area.

(c) No Impact

The site is not located in the vicinity of an airport or airstrip, nor is it in an Airport/Airspace Overlay District. No impacts anticipated as a result of this project. The project is not large enough to significantly affect air traffic patterns of the area. In addition, there are no alternative transportation plans or policies in the area which would be affected. Emergency access will be enhanced by the project through the development of standards required by the Madera County Road Department.

(d-f) No Impact

No impacts are anticipated as a result of this project.

General Information:

According to the Institute of Traffic Engineers (9th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

Madera County currently uses Level Of Service “D” as the threshold of significance level for roadway and intersection operations. The following charts show the significance of those levels.

Level of Service	Description	Average Control Delay (sec./car)
A	Little or no delay	0 – 10
B	Short traffic delay	>10 – 15
C	Medium traffic delay	> 15 – 25
D	Long traffic delay	> 25 – 35
E	Very long traffic delay	> 35 – 50
F	Excessive traffic delay	> 50

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

Level of service	Freeways	Two-lane rural highway	Multi-lane rural highway	Expressway	Arterial	Collector
A	700	120	470	720	450	300
B	1,100	240	945	840	525	350
C	1,550	395	1,285	960	600	400
D	1,850	675	1,585	1,080	675	450
E	2,000	1,145	1,800	1,200	750	500

Capacity per hour per lane for various highway facilities

Madera County is predicted to experience significant population growth in the coming years (62.27 percent between 2008 and 2030). Accommodating this amount of growth presents a challenge for attaining and maintain air quality standards and for reducing greenhouse gas emissions. The increase in population is expected to be accompanied by a similar increase in vehicle miles traveled (VMT) (61.36 percent between 2008 and 2030).

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157
2011	180	53	5.5	NA
2017	210	63	6.7	NA
2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

The above table displays the predicted increase in population and travel. The increase in the lane miles of roads that will serve the increase in VMT is estimated at 120 miles or 0.94 percent by 2030. This indicates that roadways in Madera County can be expected to become much more crowded than is currently experienced.

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

17. Tribal Cultural Resources

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074. SUBSTANTIATION: Check if the project is located in the traditional and cultural affiliated geographic area of a California Native American Tribe <input checked="" type="checkbox"/> : Northern Valley Yokuts (Yokutch)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

No impact identified as a result of this project. Notification was sent to all tribes in the area. No comments were received.

18. Utilities and Service Systems

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

Facilities are not being built that would require any permitting through the Regional Water Quality Control Board. Community waste water and septic systems is being proposed to be used for the project and would be reviewed for applicable standards by the Environmental Health Department.

(b-d) Less than Significant Impact

The proposed project will connect to an existing waste water facilities that meets specific standards as regulated by the Environmental Health Department. In addition, the drainage which exists on the properties will be constructed in a fashion not to contaminate or interfere with septic or water facilities.

(e-g) No Impact

There is not a wastewater treatment provider in the area which will be impacted by the proposed project. The Fairmead Landfill was recently expanded to allow for a higher capacity of solid waste and could therefore serve this project. Waste disposal would be required for each commercial business

General Discussion:

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water

Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

Groundwater provides almost the entire urban and rural water use and about 75 percent of the agricultural water use in the Valley Floor. The remaining water demand is met with surface water. Almost all of the water use in the Foothills and Mountains is from groundwater with only three small water treatment plants relying on surface water from the San Joaquin River and its tributaries.

In areas of higher precipitation (Oakhurst, North Fork, and the topographically higher part of the Coarsegold Area), groundwater recharge is adequate for existing uses. However, some problems have been encountered in parts of these areas due to well interference and groundwater quality issues. In areas of lower precipitation (Raymond-Hensley Lake and the lower part of the Coarsegold area), groundwater recharge is more limited, possibly requiring additional water supply from other sources to support future development.

Madera County is served by a solid waste facility (landfill) in Fairmead. There is a transfer station in North Fork. The Fairmead facility also provides for Household Hazardous Materials collections on Saturdays. The unincorporated portion of the County is served by Red Rock Environmental Group. Above the 1000 foot elevation, residents are served by EMADCO services for solid waste pick-up.

19. Mandatory Findings of Significance

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-c) Less than Significant Impact with Mitigation Incorporated

The project, as proposed, does have some impacts which will need to be mitigated in order to limit the effect on humans, historical and cultural resources, habitat and resources. Mitigation measures listed above do mitigate the potential impacts to a less than significant level. The size of the project is not significant enough to have an impact by itself, thus, the mitigation measures can offset what impacts are created.

General Information:

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1)).

-
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2)).
 - Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

**Documents/Organizations/Individuals Consulted
In Preparation of this
Initial Study**

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm accessed October 31, 2008

California Department of Fish and Game "California Natural Diversity Database"
<http://www.dfg.ca.gov/biogeodata/cnddb/>

Madera County Integrated Regional Water Management Plan.

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012

MITIGATED NEGATIVE DECLARATION

MND 2017-38

RE: Shockley, Bob - Conditional Use Permit - Madera (049-216-019-000)

Location and Description of Project:

The applicant is requesting a Conditional Use Permit to allow a service station with a mini-mart. The project is located on the north side of Avenue 12 at its intersection with Kensington Drive (no situs) Madera.

Environmental Impact:

No adverse environmental impact is anticipated from this project. The following mitigation measures are included to avoid any potential impacts.

Basis for Negative Declaration:

SEE ATTACHED



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 200 West 4th Street, Madera, California.

DATED: December 29, 2017

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2017-38

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
						Initials	Date
Aesthetics							
1	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways						
Agricultural Resources							
Air Quality							
2	Comply San Joaquin Valley Air Pollution Control District conditions						
Biological Resources							
Cultural Resources							
Geology and Soils							
Hazards and Hazardous Materials							
3	The facility will be regulated under the Hazardous Material Business Plan (Article 1, Chapter 6.95, of the California Health & Safety Code)						
Hydrology and Water Quality							
Land Use and Planning							
Mineral Resources							
Noise							
Population and Housing							
Public Services							
Recreation							
Transportation and Traffic							
Utilities and Service Systems							