



Community and Economic Development Planning Division

Jamie Bax
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970

PLANNING COMMISSION DATE: March 5, 2019

AGENDA ITEM: #1

CZ	#2017-012	Rezone to CRH (Community, Rural, Highway)
APN	025-220-001	Applicant/Owner: Nis Nissen
CEQA	MND #2018-28	Mitigated Negative Declaration

REQUEST:

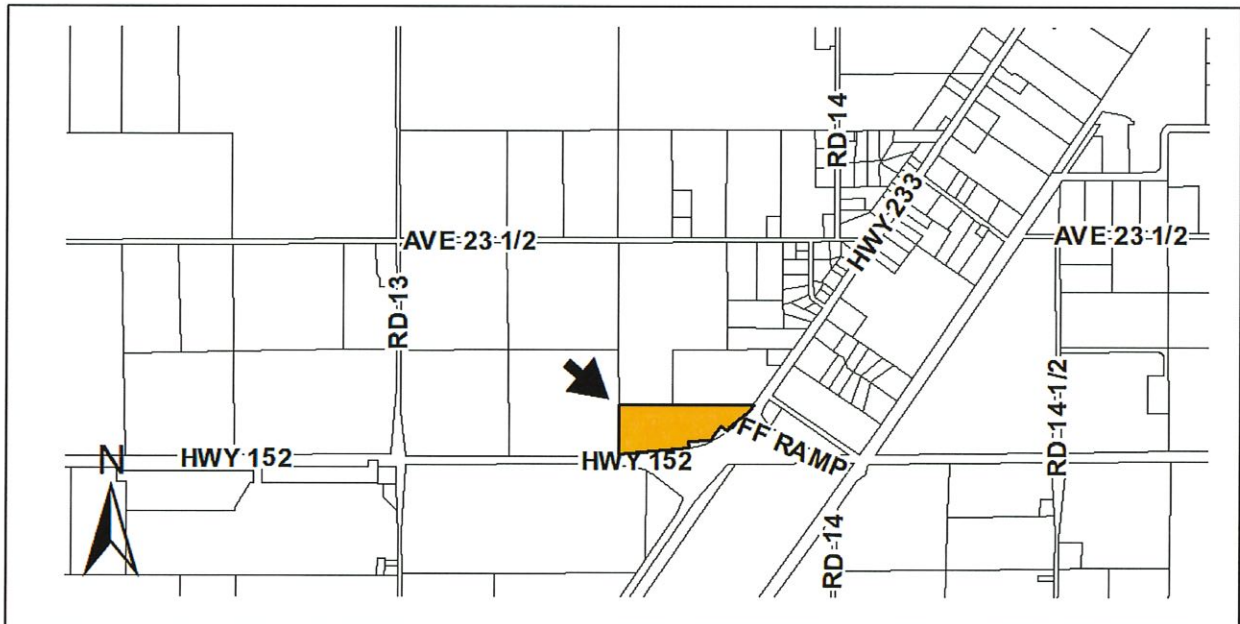
The applicant is requesting approval of a 16.23 acre rezone from ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) to CRH (Commercial, Rural, Highway) creating consistency with the General Plan.

LOCATION:

The property is located on the northwest corner of Highway 152 and Highway 233 (23172 Robertson Blvd) Chowchilla.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2018-28) has been prepared and is subject to approval by the Board of Supervisors.



RECOMMENDATION: Recommend approval of CZ #2017-012, subject to conditions and MND #2018-28 with corresponding Mitigation Monitoring and Reporting Program.

GENERAL PLAN DESIGNATION (EXHIBIT A):

SITE: CC (Community Commercial) Designations.

SURROUNDING: CC (Community Commercial), A (Agricultural), and AE (Agricultural Exclusive) Designations.

ZONING (EXHIBIT B)

SITE: ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre)

SURROUNDING: CRH (Commercial, Rural, Highway) District, ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre), and ARE-40 (Agricultural, Rural, Exclusive, Forty Acre)

PROPOSED: CRH (Commercial Rural Highway) District.

LAND USE:

SITE: Agriculture

SIZE OF PROPERTY: 16.23

ACCESS (EXHIBIT B): Access to the site is via Hwy 233 (Robertson Blvd)

WILLIAMSON ACT:

The subject property is not subject to a Williamson Act (Agricultural Preserve) contract.

BACKGROUND AND PRIOR ACTIONS:

In 1963, a temporary Land Use Permit (63-51) from agricultural to commercial was approved for a six month period for the State of California. In 1999, a rezone (CZ 99-34) was approved to change the use of the land from CRH (Commercial, Rural, Highway) to ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre), to allow for agricultural operations. (See Exhibits H & I)

PROJECT DESCRIPTION:

The applicant is requesting approval of a 16.23 acre Rezone from ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) to CRH (Commercial, Rural, Highway) creating consistency with the General Plan. Permitted uses for a CRH district include service stations, motels, and restaurants. The applicants proposed project only consists of a Rezone and does not include plans for new development or construction on the site.

ORDINANCES/POLICIES:

Madera County Code (Chapter 18.40.010) Commercial, Rural, Highway District – Land Use Regulations

Madera County General Plan Part 1, Land Use Designations

GPA Traffic Analysis, VRPA Technologies, Inc.

ANALYSIS:

The project site is located in an area with commercial zoned properties that border Highway 152 & Highway 233. The proposed change to Commercial Rural Highway will allow for a

handful of uses that include, restaurants, motels, and service stations. The change in land uses can benefit both the local community and the motoring public. Prior to the owner rezoning the land to its current zoning for personal agricultural use, the land was previously zoned CRH (Commercial, Rural, Highway). The applicant's request is to rezone the parcel back to what it was originally zoned. Rezoning the land back to commercial not only creates consistency with the underlying General Plan being CC (Community Commercial), but it also collaborates well with the existing commercially zone properties located north east of the parcel.

With the applicant requesting to rezone their land to a commercially zoned district, water usage will be dramatically reduced as the 16.23 acres will come out of agricultural production. The site is located on the valley floor, yet is not located in a flood hazard area.

The application was circulated to internal and external agencies for comments, including Native American tribes per Assembly Bill 52 requirements. Comments were received from Table Mountain Rancheria, Chowchilla Yokus Tribe, Caltrans and the Fire Division. Due to Caltrans' request for a transportation impact study, analysis for the rezone was used from a recent transportation impact study that incorporated similar intersections of the project's location.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,404.75 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,354.75 Department of Fish and Wildlife fee that took effect January 1, 2019 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, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Board of Supervisors.

GENERAL PLAN CONSISTENCY:

The General Plan designation for the property is CC (Commercial Community) Designation which allows for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses. The property is currently zoned ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre), and is not consistent with the General Plan designation. If the rezone is approved, the proposed CRH (Commercial, Rural, Highway) zone which allows for Restaurants, motels, and service stations, will be consistent with the underlying General Plan designation.

RECOMMENDATION:

Staff recommends approval of CZ#2017-012, Mitigated Negative Declaration #2018-28 and associated Mitigation Monitoring Program.

CONDITIONS:

See attached conditions of approval.

ATTACHMENTS:

1. Exhibit A. General Plan Map
2. Exhibit B. Zoning Map
3. Exhibit C. Assessor Map

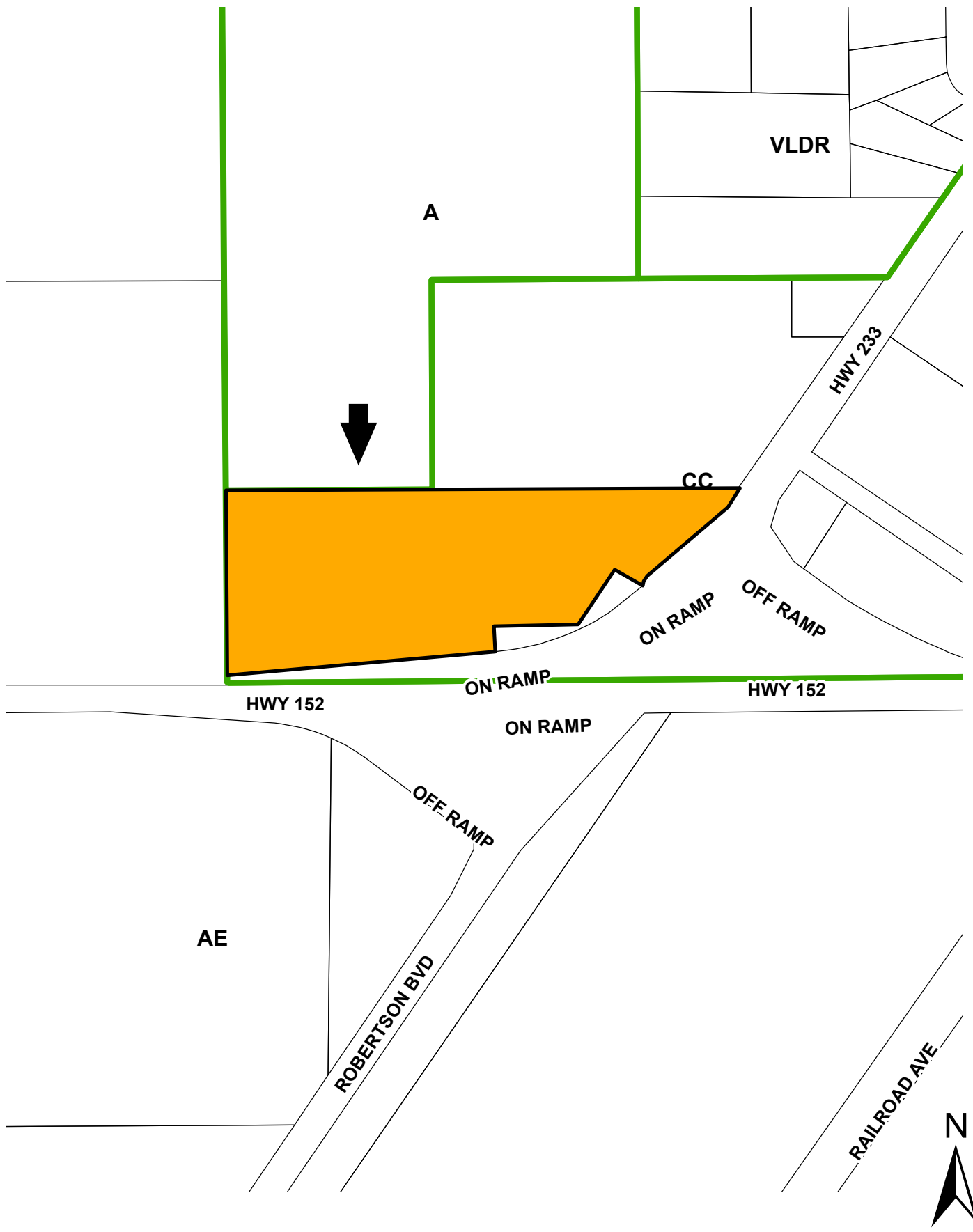
KB

4. Exhibit D. Site Plan
5. Exhibit E. Aerial Map
6. Exhibit F. Topographical Map
7. Exhibit G. Operational Statement
8. Exhibit H. Land Use Permit 63-51 Application
9. Exhibit I. Rezone 99-34 Application
10. Exhibit J. Table Mountain Rancheria Comments
11. Exhibit K. Chowchilla Yokus Tribe Comments
12. Exhibit L. Cal Trans Comments
13. Exhibit M. Fire Division Comments
14. Exhibit N. Initial Study
15. Exhibit O. Mitigation Negative Declaration

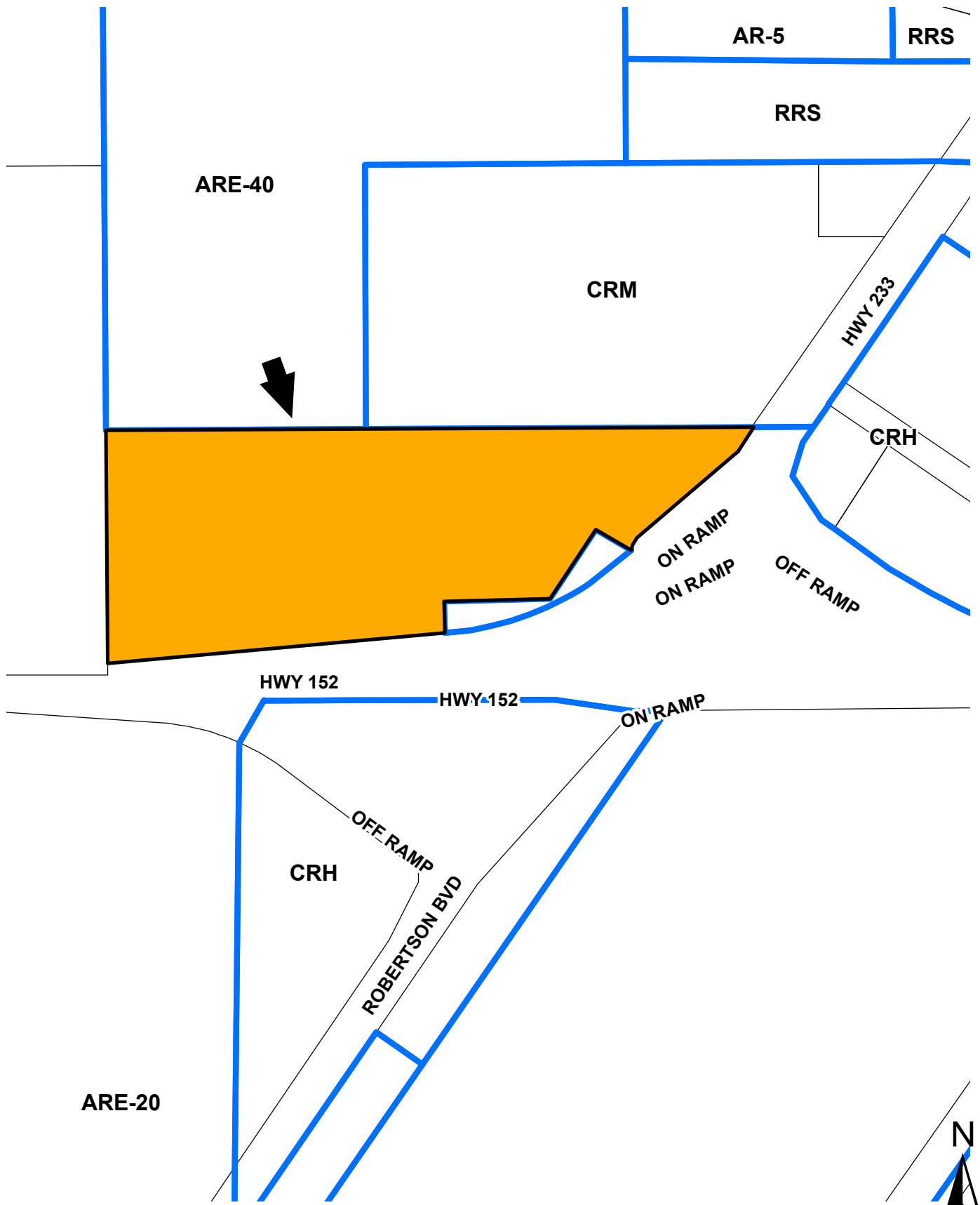
CONDITIONS OF APPROVAL

PROJECT NAME:	CZ #2017-012
PROJECT LOCATION:	on the northwest of Hwy 152 & Southwest of Hwy 223 (23172 Robertson Blvd) Chowchilla
PROJECT DESCRIPTION:	The applicant is requesting approval of a 16.23 acre Rezone from ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) to CRH (Commercial, Rural, Highway) creating consistency with the General Plan.
APPLICANT:	Nis Nissen
CONTACT PERSON/TELEPHONE NUMBER:	Nis Nissen (559)-223-0725

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
Fire					
1	The requested Commercial zoning will require a Fire hydrant system prior to issuance of any commercial use building permits.	Fire			
Planning					
1	Facility to operate in accordance with submitted Operational Statement and plans unless otherwise modified by conditions of approval.	Planning			
2	All mitigation measures outlined in the Mitigated Negative Declaration shall be implemented in development of a project unless added to, deleted from, and/or otherwise modified.	Planning			
Public Works					



GENERAL PLAN MAP



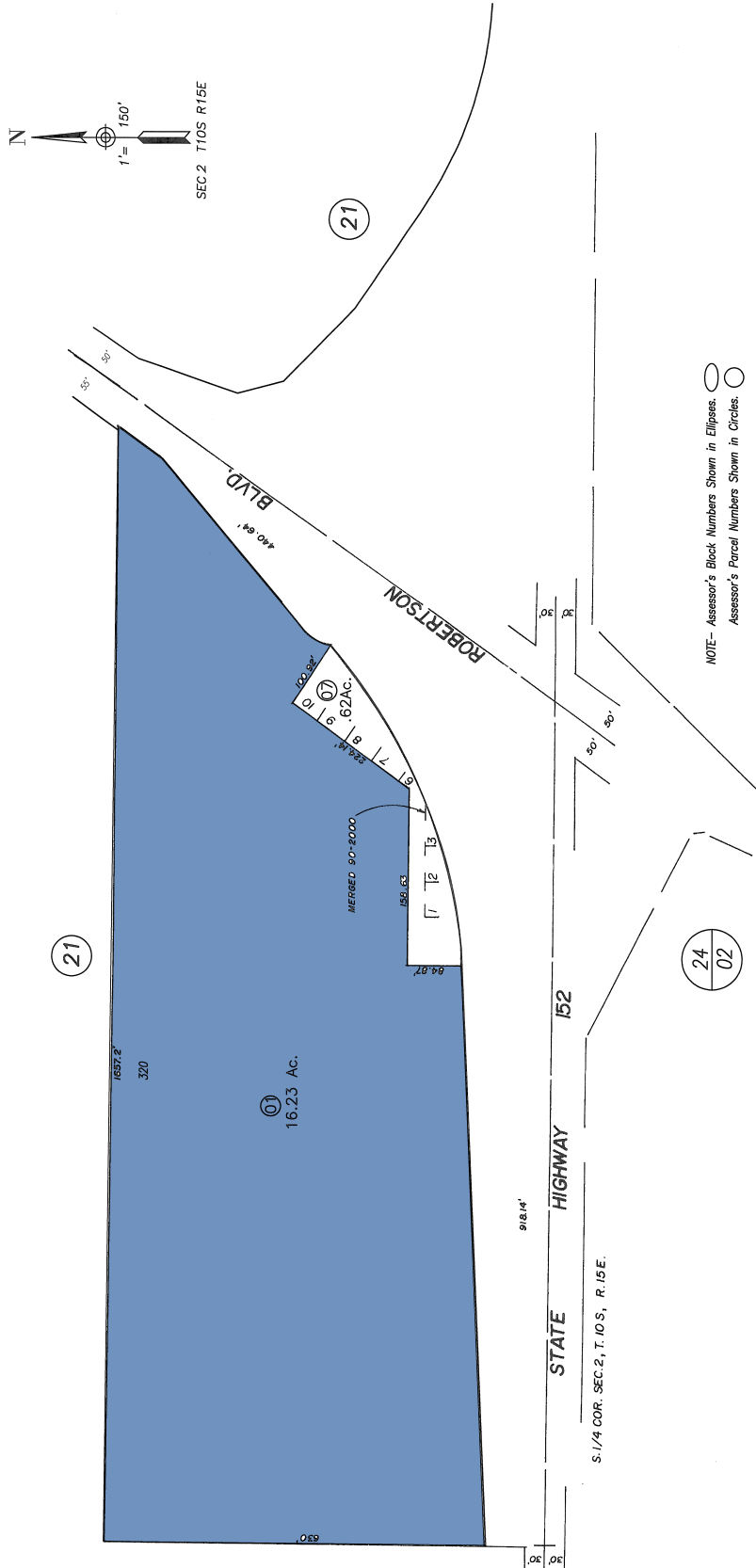
ZONING MAP

25-22

Tax Area Code
60-000

SEC. 2 T.10S. R.15E. M.D.B.&M.
LOT 320 BLK. 9 DAIRYLAND FARMS SUB. NO. 1
MATLI TRACT
VOL. 04 PG. 17.

ORIGINAL



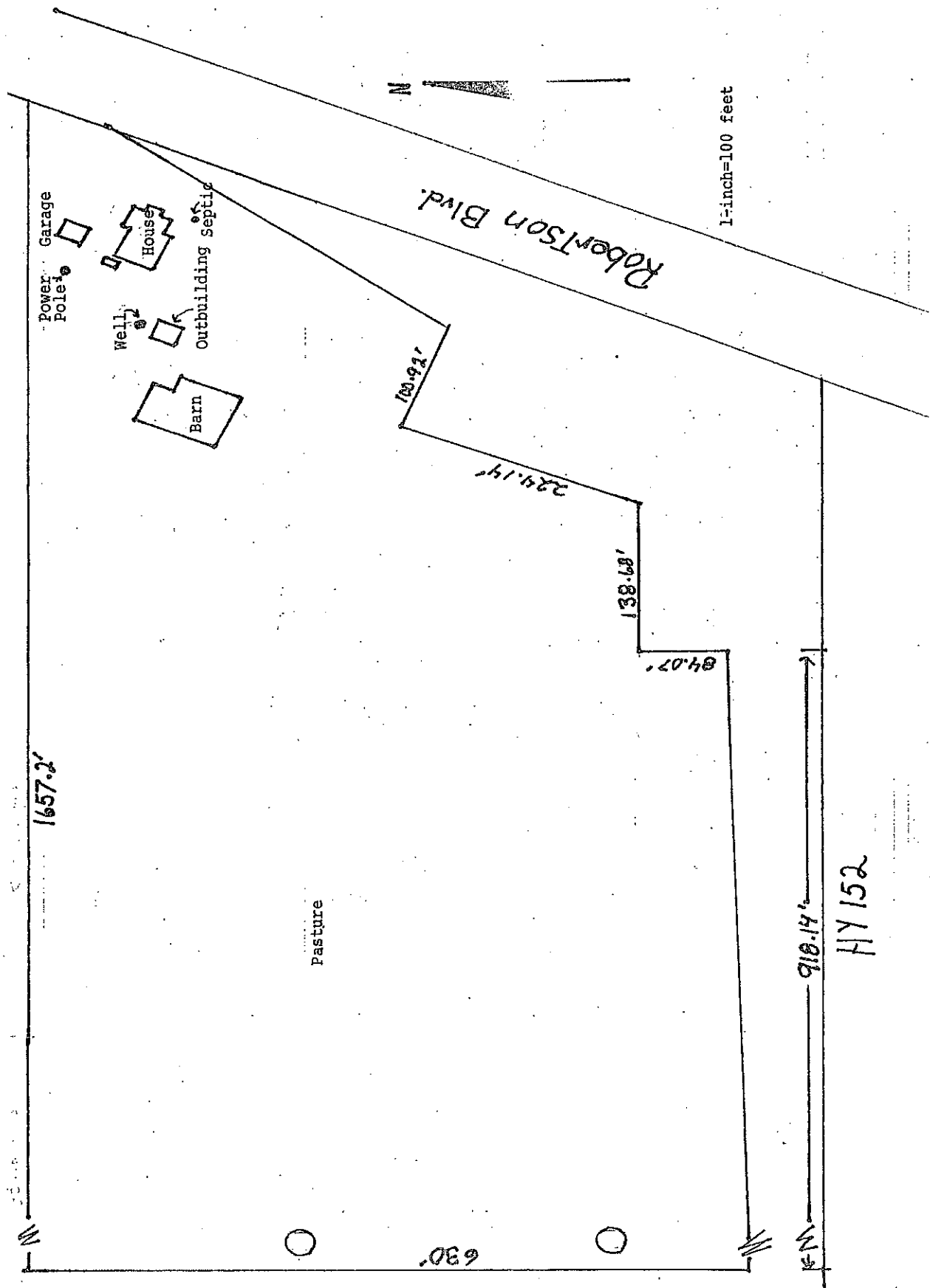
NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

Assessor's Map No. 25-22
Chowchilla Outside
County of Madera, Calif.

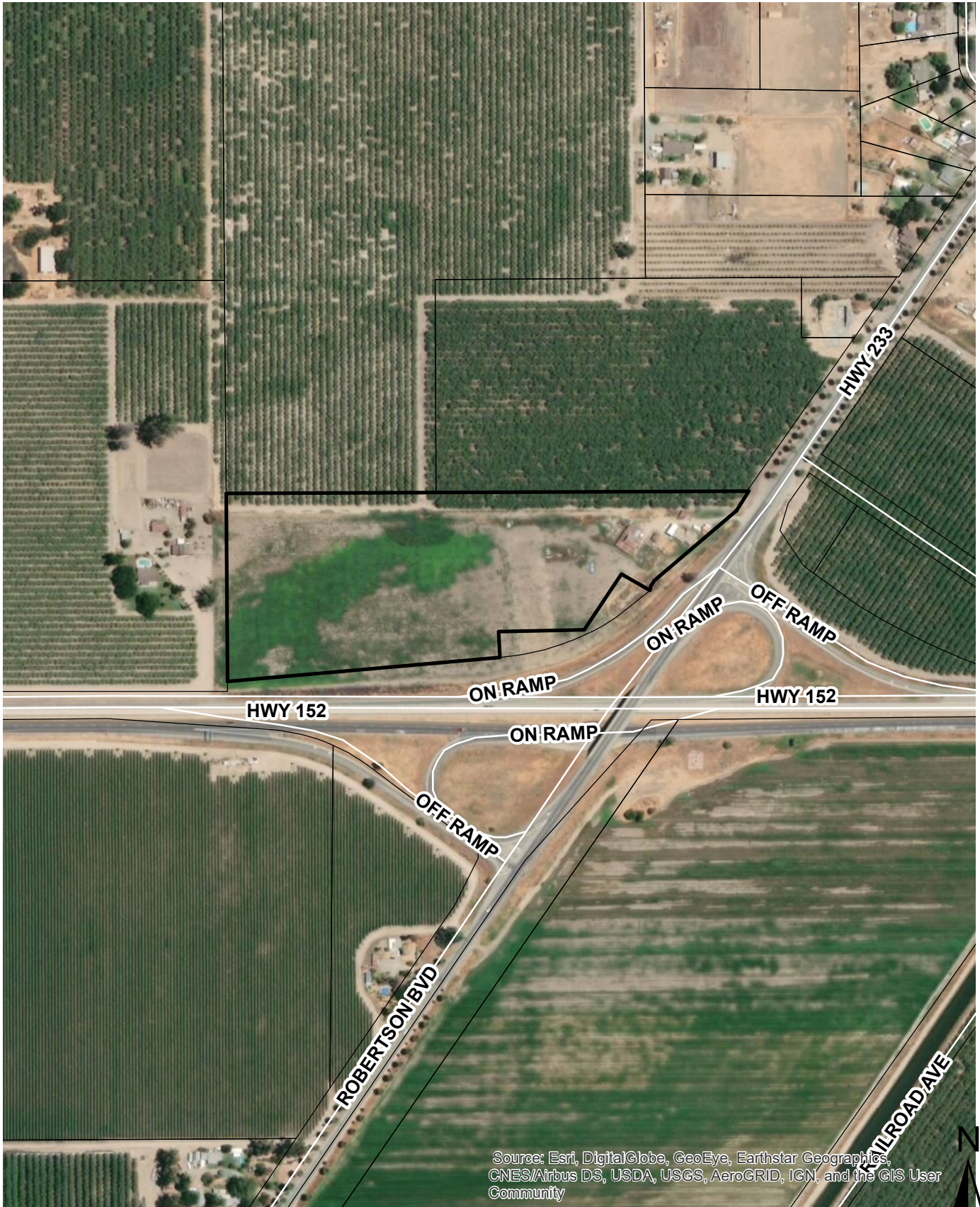
©2004 Madera County Assessor, All Rights Reserved

18187-07 CLR

EXHIBIT D



SITE PLAN

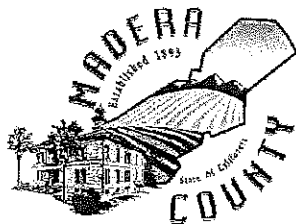


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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: 025-220-001 & 025-220-007

Applicant's Name: Nis Nissen

Address: 513 Adams Drive, Chowchilla, CA 93610-3403

Phone Number: 559 223- 0725 or 559 665-1495

2. Describe the nature of your proposal/operation.

Rezone properties back to CRH from ARE-20

3. What is the existing use of the property?

Single family dwelling, a garage, and a barn.

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?

N/A

5. What are the proposed operational time limits?

Months (if seasonal): N/A

Days per week: N/A

Hours (from to): Total Hours per day: N/A

6. How many customers or visitors are expected?

Average number per day: N/A

Maximum number per day: N/A

What hours will customers/visitors be there? N/A

7. How many employees will there be?

Current: N/A

Future: N/A

Hours they work: N/A

Do any live onsite? If so, in what capacity (i.e. caretaker)? Caretaker

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

N/A

9. Will there be any service and delivery vehicles? N/A

Number: N/A

Type: N/A

Frequency: N/A

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

N/A

11. How will access be provided to the property/project? (street name)

West Robertson Blvd.

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

N/A

13. Describe any proposed advertising, including size, appearance, and placement.

N/A

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.

N/A

15. Is there any landscaping or fencing proposed? Describe type and location.

N/A

16. What are the surrounding land uses to the north, south, east and west property boundaries?

North-zoned CRM/Almond orchard, South-zoned CRH/Grapes
East-zoned CRH/Almond orchard, West-zoned ARE-20/Almond orchard

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

N/A

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).

N/A

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

N/A

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?

N/A

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

N/A

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

No

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): N/A

Square feet of building area(s): N/A

Total number of employees: N/A

Building Heights: N/A

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

N/A

MADERA COUNTY PLANNING COMMISSION

COURTHOUSE ANNEX MADERA, CALIFORNIA

APPLICATION & PERM

LAND USE ; ZONING ; VARIANCE

MADERA COUNTY ORDINANCES No. 225 and No. 210 require a permit for the Use or Change of Use of Certain Land, Buildings, Operations, and Structures.

NAME OF APPLICANT RUDOLPH A. ABENIDO PHONE _____
ADDRESS P.O. BOX 518
13725 HWY 152 CHOWCHILLA, CALIF
NAME OF PROPERTY OWNER RUDOLPH A. ABENIDO BY LEASE FROM STATE OF CALIF
ADDRESS 13725 HWY 152 PHONE _____

No. 63-51 Fee 100
Date 2-10-63
Date of Action 2-18-63
Approved () Disapproved ()
Staff () M. O. ()

THIS APPLICATION IS FOR THE FOLLOWING

Address or Locality _____
Located on the NORTH SOUTH - EAST - WEST side of
HWY 152 Approximately 150 feet from
AVENUE - ROAD - STREET
ROBERSON BLVD.
NAME OF NEAREST NEIGHBOR, CROSS STREET OR SECTION LINE
Tax Parcel No. 25-220-01/07
Lot No. _____ Block No. _____ SUBDIVISION NAME
Legal Description _____
Intended Use: A-B-E BAIT SUPPLIERS

SITE PLAN
NOTE
Approved for six (6) month periods. As long as conditions remain the same applicant can make request for automatic approval.
J. BARRETT
OK TO 2/64
LTR 7/17/63

5-11-T-10 2-15

DESCRIPTION OF WORK

TYPE OF PERMIT	IMPROVEMENTS, CONSTRUCTION	ZONING OR VARIANCES
House Relocation ()	New (<input checked="" type="checkbox"/>)	Setbacks _____
Signboard ()	Modification ()	Area of Lot _____
Commercial (<input checked="" type="checkbox"/>)	Addition ()	Zone Now _____
Industrial ()	Open Area ()	ZONE REQUESTED
Multiple Housing ()	Valuation _____	
Other ()	Other _____	

The foregoing information is true and correct. The applicant hereby acknowledges the requirements as set forth in ORDINANCE NO. 225 and ORDINANCE No. 210, and agrees to comply with all County and State laws.

SIGNATURE OF APPLICANT x Rudolph A. Abenido SIGNATURE OF OWNER x Rudolph A. Abenido

Staff Comments For temporary use specified by State only
No enlargements unless properly approved. Approved in conjunction with State approval.
Authorized Signatures James Barrett Contact Health & Bldg depts for any pertinent permits

This Permit is Void if not used before _____ 19____ No Set Time Limit ()

DISTRIBUTION: Applicant, Bldg. Dept., Assessor, Road Dept., Health Dept., Engineer, File. Section T&R Use permits

APPLICATION & PERMIT MADERA COUNTY PLANNING COMMISSION

135 West Yosemite Avenue
Madera, California 93637-3593
FAX (209) 675-7639 • (209) 675-7821 • TDD (209) 675-8970

Number	<u>02 9934</u>
Date	<u>10-17-99</u>
Fee	<u>627⁰⁰</u> Penalty
Receipt No.	<u>195259</u>
Staff Date of Action	
Staff	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/>
PC Date of Action	<u>1/4/00</u>
PC	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/>
M.O./Res. No.	<u>PCR 00-01</u>
B of S Date of Action	<u>3/21/00</u>
B of S	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/>
M.O./Res. No.	<u>525-478</u>

- | | |
|---|--|
| <input type="checkbox"/> Manufactured Housing Review | <input type="checkbox"/> Zoning Permit |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Variance <input type="checkbox"/> Setback <input type="checkbox"/> Road |
| <input checked="" type="checkbox"/> Rezoning <u>533</u> | <input checked="" type="checkbox"/> Environmental Review <u>95</u> |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Mining Permit | <input type="checkbox"/> Sign Plan Review <input type="checkbox"/> Master |

PLEASE PRINT

Applicant Nis Nissen (P)

Address 513 Adams Drive

City Chowchilla State CA Zip 93610

Phone (559) 665-4431

Property Owner Keith Hollister (P)

Address 14118 Cates Court

City Chowchilla State CA Zip 93610

Phone (559) 665-1238

THIS APPLICATION IS FOR THE FOLLOWING

Sec. 2 Twp. 10 S. Rng. 15 E.

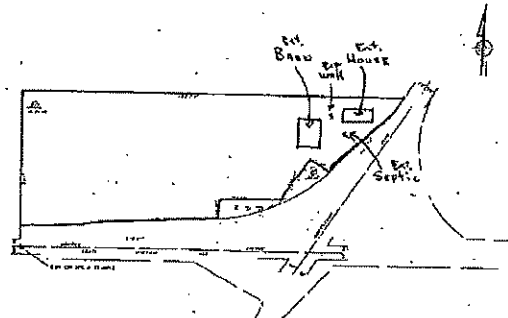
Tax Parcel No. 025-220-001

Subdivision Name Dairyland Farms Sub.#1

Lot No. 320

Intended Use Short term Agricultural operation. Rezone to ARE-20 to allow
Animals-mules

SITE PLAN: Show property boundaries, all structures (existing and proposed, including wells and septic systems), access to the property, north arrow, etc.



The foregoing information is true and correct to the best of my knowledge and belief. The applicant and property owner hereby acknowledge the requirements as set forth in the Madera County Zoning Ordinance and agree to comply with all County and State Laws. (BOTH MUST SIGN).

SIGNATURE OF APPLICANT X Nis Nissen SIGNATURE OF PROPERTY OWNER X Keith Hollister

DO NOT WRITE BELOW THIS LINE

CONDITIONS: As per 525-478

REFER TO ATTACHMENTS

TIME LIMIT: Valid Until _____, 19__

Permits and Variances become void if not used within one year of the date of approval.

AUTHORIZED SIGNATURE [Signature] Date: April 6, 10-2000

Distribution after finalization: White: File; Green: Applicant; Blue: Assessor; Pink: Health; Yellow: Building

PIA	<u>20</u>
ACREAGE	<u>16.23</u>
ZONE	<u>CRH</u>
ZONE REQUESTED	<u>ARE-20</u>
GP	<u>ARE-20 CC</u>
GP REQUESTED	
BUILDING PERMIT #	
DATE	

No. 02 9934



TABLE MOUNTAIN RANCHERIA

TRIBAL GOVERNMENT OFFICE

CERTIFIED 3675 0786

January 22, 2018

Kamara Biawogi, Planner
Madera County
Community and Economic Development
200 W. 4th Street, Suite 3100
Madera, Ca. 93637

Leanne Walker-Grant
Tribal Chairperson

Beverly J. Hunter
Tribal Vice-Chairperson

Craig Martinez
Tribal Secretary/Treasurer

Matthew W. Jones
Tribal Council Member

Richard L. Jones
Tribal Council Member

RE: Rezoning Chowchilla 025-220-001-000

Dear: Kamara Biawogi

This is in response to your letter dated, December 21, 2017, Rezoning Chowchilla 025-220-001-000. Thank you for notifying us of the potential development and the request for consultation.

We decline participation at this time but would appreciate being notified in the unlikely event that cultural resources are identified.

Sincerely,

Robert Pennell
Tribal Cultural Resources Director
rpennell@tmr.org
559.325.0351

23736
Sky Harbour Road
Post Office
Box 410
Friant
California
93626
(559) 822-2587
Fax
(559) 822-2693

RECEIVED
JAN 23 2018
COMMUNITY
AND ECONOMIC DEVELOPMENT

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CZ #2017-012

Return to: Kamara Biawogi, Planning Department

Nissen, Nis

Responding Agency: Chowchilla Yokuts Tribe Date: 1/5/18

Respondent's Signature: Bart Jeppeng

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project?

Approve Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

2. If the project is approved, what conditions of approval are recommended?

OK with zoning change
Area where Native American artifacts
have been discovered in the Past.
In Future if any construction takes
place we would request on site
monitors be present.

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

4. General Comments - Please attach on additional sheet.

RECEIVED

JAN 10 2018

MERCED COUNTY
PLANNING DEPARTMENT

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CZ #2017-012

Return to: Kamara Biawogi, Planning Department

Nissen, Nis

Responding Agency: Chowchilla Yokuts Tribe

Contact Person.: BART Topping Signature: Bart Topping

Telephone No.: 559 868 3339 Date: 1/5/18

ENVIRONMENTAL REVIEW:

1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

 Yes

 X No, the following information is needed: ON SITE VISIT

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

Could uncover Native American artifacts, even possible burials if any digging is done.

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an EIR?

 Yes

 No

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE
 P.O. BOX 12616
 FRESNO, CA 93778-2616
 PHONE (559) 445-5868
 FAX (559) 445-5875
 TTY 711
 www.dot.ca.gov



*Serious drought,
 Help save water!*

January 4, 2018

06-MAD-152-10.799
 Rezone 2017-012
 Nissen Rezone

Mr. Kamara Biawogi, Planner I
 Madera County Planning Division
 200 W. 4th Street, Suite 3100
 Madera, California 93637

Dear Mr. Biawogi:

Thank you for including Caltrans in the environmental review process for the project referenced above. To ensure a safe and efficient transportation system, Caltrans encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl. The following comments are based on the request to rezone APN 025-220-001 and 025-220-007 from ARE-20 (Rural Agricultural) to CRH (Rural Commercial Highway) for a total of 16.52 acres. The property is located on the northwest corner of the intersection of State Route (SR) 233 (Robertson Boulevard) and SR 152:

The environmental document should include an analysis of the multimodal travel demand expected from the proposed project. This analysis should also identify potentially significant adverse impacts from such demands and avoidance, minimization, and mitigation measures needed to address them. Early collaboration, such as sharing the analysis for review and comment prior to the environmental document, leads to better outcomes for all stakeholders. Given that Caltrans current guidelines are in the process of being updated, **a transportation impact study scoping meeting with District staff should be used to discuss the most appropriate methodology for this analysis.** At a minimum, the analysis should provide the following:

1. Vicinity maps, regional location map, and a site plan clearly showing project access in relation to nearby roadways and key destinations. Ingress and egress for all project components should be clearly identified. Clearly identify the State right-of-way (ROW). Project driveways, the State Highway System and local roads, intersections and interchanges, pedestrian and bicycle routes, car/bike parking, and transit routes and facilities should be mapped.
2. Project-related VMT should be calculated factoring in per capita use of transit, rideshare or active transportation modes and VMT reduction factors. The assumptions and methodologies used to develop this information should be detailed in the study, should utilize the latest place based research, and should be supported with appropriate documentation. Mitigation for any roadway section or intersection with increasing VMT should be identified and mitigated in a manner that does not further raise VMT.

Mr. Kamara Biawogi
January 4, 2018
Page 2

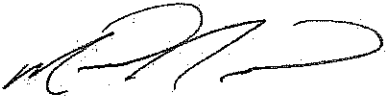
3. Schematic illustrations of walking, biking and auto traffic conditions at the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for AM and PM peak periods. Operational concerns for all road users that may increase the potential for future collisions should be identified and fully mitigated in a manner that does not further raise VMT.

Support for infill and smart growth development is found in our new Mission, Vision, and Goals, the California Transportation Plan 2040, Smart Mobility Framework, Strategic Management Plan, and related guidance documents.

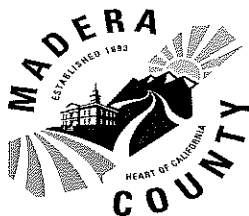
In addition, the County should submit the rezone and site plan to California High-Speed Rail Authority for their review. Based on the Central Valley Wye, one of the alternatives is to locate the rail alignment on the north side of SR 152 and in addition a wye connection to Road 13. This could potentially impact the project.

If you have any further questions, please contact David Padilla, Associate Transportation Planner, Transportation Planning-North Branch, at (559) 444-2493.

Sincerely,



MICHAEL NAVARRO, Chief
Transportation Planning – North



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: Kamara Biawogi
FROM: Deborah Mahler, Fire Marshal
DATE: February 12, 2019
RE: 525- - Nissen, Nis - Rezoning - Chowchilla(025-220-001-000)

Conditions

The requested Commercial zoning will require a Fire hydrant system prior to issuance of any commercial use building permits.

Environmental Checklist Form**Title of Proposal:** CZ #2017-012 – Nis Nissen**Date Checklist Submitted:** 10/24/18**Agency Requiring Checklist:** Madera County Planning Department**Agency Contact:** Kamara Biawogi,**Phone:** (559) 675-7821 *3251**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 the California Environmental Quality Act (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 applicant is requesting to rezone the Zoning District designation from ARE-40 to CRH. The applicant has not submitted any proposed plans for the Rezone. The project is located on the northwest corner of Highway 152 and Highway 233 (23172 Robertson Blvd) Chowchilla.

Project Location:

The property is located on the northwest corner of Highway 152 and Highway 233 (23172 Robertson Blvd) Chowchilla.

Applicant Name and Address:

Nis Nissen
23172 Robertson Blvd
Chowchilla, CA 93610

General Plan Designation:

CC (Community Commercial) Designation

Zoning Designation:

ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) Designation

Surrounding Land Uses and Setting:

Commercial, Agriculture,

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 |
|
<input type="checkbox"/> Tribal Cultural Resources | | |

DETERMINATION: (To be completed by the Lead Agency)

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.

Prior EIR or ND/MND Number

Signature

Date

I.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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) No Impact. According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated scenic routes or eligible state scenic routes in the area.

(b) No Impact. There are no scenic resources on this property that will be damaged as a result of this project.

(c) Less than Significant Impact. The current project consist of a rezone from ARE-20 (Agricultural, Rural, Exclusive – 20 Acre) to CRH (Commercial, Rural, Highway). If approved, the applicant or any other future owner/developer would be allowed to build permitted uses for a Commercial, Rural, Highway (CRH) District. However, this would be consistent with the surrounding commercially zoned parcels in the immediate area.

(d) Less than Significant Impact with Mitigation Incorporation. Any new light source created by future projects will have a less than significant impact due to the mitigation measure for shielding light and directing it away from neighboring properties.

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.

II. **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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact. The property does contain Prime Farmland; however, if approved,

the parcel's zoned district will be consistent with the underlying General Plan of Community Commercial.

(b) No Impact. The property is not subject to a Williamson Act Contract.

(c) No Impact. The property is not located in an area near forest land.

(d) No Impact. The project site is not located in area impacted by forest land.

(e) Less than Significant Impact. See a.

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 oversees 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 non-irrigated 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.

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

Discussion:

(a - e) Less than Significant Impact. The proposed project consists of a rezone with no proposed development at this time. If approved, projects under permitted uses for a CRH (Commercial, Rural, Highway) zoned district including, service stations, motels, and restaurants, will be considered by right. A Traffic Study was prepared addressing additional traffic trips to the area. While the number of trips will be increased, the contribution to the overall amount of traffic will be less than significant impact to the air quality as a whole.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002).

The project is consistent with the Air Quality Element of the General Plan and does not impact it at all.

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is “very high confidence” (by IPCC definition a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

The California Environmental Quality Act (CEQA) requires an agency to engage in forecasting “to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal” (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in Laurel Heights Improvement Association v. Regents of the University of California [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

IV. 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 checked="" type="checkbox"/>	<input 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

filling, hydrological interruption, or other means?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a - f) Less than Significant Impact. There are no habitats identified on this parcel, so no modifications are expected as a result of this project. There are no activities associated with this rezone off-site, therefore there will be no indirect impacts to habitats as a result. If the rezone is approved, projects under permitted uses of the CRH zone can have a potential impact. While there are candidate species identified in the quadrangle in which this project is located, given the commercial uses that have occurred in the area over the years, the chances of any of the listed species being on the parcel are less than likely.

There are no federally protected wetlands on or in the vicinity of this project. There are no streams or bodies of water of which migratory fish or other species that would use bodies of water would be impacted by this project.

The site is a vacant lot surrounded by agricultural and commercial land. While there is a chance that any of the listed species might migrate through, given the proposed development on the site and its surroundings it is unlikely any habitats exist.

While the list below shows a number of species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through. As mentioned, given the development in the immediate area, the chances of disturbing any species are considerably minimal.

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,

Species	Federal_Status	State_Status	Dept. of Fish and Game Listing	CNPS Listing
Swainson's hawk	None	Threatened	-	-
tricolored blackbird	None	Candidate Endangered	SSC	-
yellow-headed blackbird	None	None	SSC	-
hoary bat	None	None	-	-
Hoover's cryptantha	None	None	-	1A
heartscale	None	None	-	1B.2
lesser saltscale	None	None	-	1B.1
subtle orache	None	None	-	1B.2
Northern California black walnut	None	None	-	1B.1
golden goodmania	None	None	-	4.2
recurved larkspur	None	None	-	1B.2

§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 Wildlife's databases for special status species have identified the following species:

Dualton Quadrangle

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)

SSC Species of Special Concern

WL Watch List

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 (VELB) 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 USFWWS, 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.

V. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact. No sites of historical significance are known to exist on or in the vicinity of the subject property.

(b) No Impact. No sites of archeological significance are known to exist on or in the vicinity of the subject property.

(c) No Impact. No known unique geological features in the vicinity of the project site exist. There are no known fossil bearing sediments on the project site. See a & b.

(d) Less Than Significant with Mitigation Incorporation. No known resources exist in the vicinity of this project. Tribal contacts have indicated that there are no cultural resources identified in the area, there impacts are expected to be less than likely. If human remains are discovered due to any future construction, the Coroner's office shall be contacted immediately.

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.

VI

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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: Check if the project is located in the traditional and cultural affiliated geographic area of a California Native American Tribe :

Discussion:

- a) **No Impact.** No impacts have been identified as a result of this project.

VII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a. i-iv) No Impact. The project represents no specific threat or hazard from seismic ground shaking, and any 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.

(b - e) Less than Significant Impact. The proposed rezone does not include any new construction. Future development permitted in a CRH zoned district could potentially add an impact. Topographical maps indicate a relatively flat area with minimal increases in elevation heading from west to east on the property. There are no known impacts that will occur for the proposed rezone.

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.

VIII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - b) Less than Significant Impact. The proposed project consist of a Rezone with no new development. If the proposed rezone is approved, the applicant or any other future owner(s) would be allowed to build permitted uses by right in a Commercial, Rural, Highway (CRH) District. However it is not common for those permitted uses to have significant impacts with greenhouse gas emissions.

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.

IX.	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>

For a project located within an airport land use plan

e) 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 – b) Less than Significant Impact. There are no projects associated with this rezone, therefore no hazards or hazardous materials have been listed. If the rezone is approved, projects under the zone district’s permitted uses, which include: service stations, motels, and restaurants, could potentially have a hazardous impact.

(c – h) No Impact. No impacts have been identified as a result of this proposed rezone. The property is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The parcel location is not located within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport. The project will not interfere with an adopted emergency response plan or emergency evacuation plan. The project site is not located within an area which may be affected by wildland fires.

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>

X. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Place within a 100-year flood hazard area

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) 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. Water quality standards or waste discharge requirements will not be violated with the proposed rezone.

(b) Less than Significant Impact.

Water quality standards or waste discharge requirements will not be violated with the proposed rezone. If new buildings are constructed the amount of water consumed will be increased for the area; however, the impact would be less than significant. The proposed rezone to Commercial Rural Highway will eliminate the ability to farm on the property; therefore a substantial amount of water can potentially go unused.

(c-f) Less than Significant Impact. There are no developments associated with the proposed rezone. Possible impacts to the soil can occur if grading and construction take place due to future projects. 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 of 1-acre or more of site disturbance.

(g-h) No Impact. The project site is not located within a 100-year flood hazard area.

(i-j) No Impact. The project site is not located in an area which would expose people to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The project will not be affected by seiche, tsunami, or mudflow.

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.

XI.	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 - c) No Impact. This project will not physically divide an existing community. The surrounding area consist of commercial and agricultural zoned parcels.

XII.	MINERAL RESOURCES – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

or other land use plan?

Discussion:

(a - b) No Impact. There are no known minerals in the vicinity of the project site.

XIII. 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) Less Than Significant Impact. The proposed project is a Rezone to allow for the permitted uses in a CRH (Commercial, Rural, Highway) District. No new construction will take place due to this project. There is no potential for exposure of persons to or generation of noise levels in excess of standards established in the general plan.

(b - c) Less Than Significant Impact. If the Rezone is approved, the applicant or any other future owner would be allowed to build within the permitted uses for a Commercial, Rural, Highway (CRH) District which include, a restaurant, motel, or service station. Due to the nature of these uses, noise generation can be a possible impact to the area. However, the surrounding areas are zoned for various commercial activities with similar noise generating potential.

(d) Less than Significant Impact. If future developments take place on the parcel, there will be a temporary increase due to construction that can have a less than significant impact on ambient noise levels.

(e - f) No Impact. This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There will be no impacts as a result.

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, 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 vibration	Architectural damage and possibly minor structural damage
Source: Whiffen and Leonard 1971		

XIV. 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 checked="" type="checkbox"/>	<input 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) Less Than Significant Impact. The proposed rezone will allow for restaurants, motels, and service stations. It will not induce substantial population growth.

(b - c) No Impact. No housing will be displaced as a result of the project. People will not be displaced as a result of the project

XV. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i) Less Than Significant Impact. The proposed Rezone will allow for restaurants, motels, and service stations, however, no new construction will be associated with this project. As with all projects, payment of development impact fees will occur with all new construction to fund public services.

The Madera County Fire Department exists through a contract between Madera County and 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.

The building construction will be governed by the requisite Building, Life, Safety and Fire Codes applicable at the time of construction. The mitigation tied to this finding is written in such a manner as to leave open as to what year the applicable codes will be enforced at the time of construction. This will ensure that the most current codes are followed instead of being tied to outdated codes.

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

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

XVI. RECREATION

	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 - b) No Impact. No impacts have been identified to recreational facilities as a result of this project.

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

XVII. 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

mass transit?

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 with Mitigation Incorporation. The proposed project is a rezone to a CRH (Commercial, Rural, Highway) District. No new construction will be associated with this project. This project will not conflict with any plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system. The level of service for the road system will not change as a result of this project

No improvements to roadways are required for this project. The level of service for the road system will not change as a result of this project. Any future development on the site has potential for traffic impacts.

Mitigation measures were provided by a traffic impact study (TIS) performed in close proximity to proposed project and prepared by VRPA Technologies. Any future development on site, would be required to comply with mitigation measures stated in the TIS.

(c) No Impact The proposed project will not result in changes to air traffic.

(d) Less than Significant Impact. See a-b.

(e) No Impact. There is adequate access to the project site.

(f) No Impact. There will be no impacts to alternative transportation systems.

In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks

or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Local circulation is largely deficient with these same State Highways and County Roads composing the only existing network of through streets. Most local streets are dead-end drives, many not conforming to current County improvement standards. Existing traffic, particularly during peak hour and key intersections, already exhibits congestion.

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	> 55-80

	critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	
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.

As this project is not within an airport/airspace overlay district, or in proximity to any airport or airstrip within the County, no impacts to airspace or air flight will occur as a result.

XVIII 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a – g) Less Than Significant Impact. The proposed project consist of a rezone to a CRH zoned district. Individual well and septic system currently exist on the property. The proposed project does not require construction of new water, wastewater, or storm water drainage facilities due to the project not being associated with new development.

Any new construction would be required to design the detention/retention facilities to withstand the 100 year storms, and are required to mitigate for the difference in pre and post development run-off.

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.

Madera County is served by the landfill in Fairmead which complies with federal, state, and local statutes.

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.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

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.

(a) Less than Significant Impact. The proposed Rezone will allow for restaurants, motels, and service stations. The project does not have a high potential to degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or pre- history. The impacts to these resources will be less than significant.

(b) Less than Significant Impact. The amount of water used and an added light source to the area can add to the cumulative amount, but will be individually limited.

(c) Less than Significant Impact. The project will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly as mitigated.

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

Madera County General Plan

California Department of Finance

California Department of Transportation (CALTRANS)

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 Air Quality Element of the General Plan (2010)

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Public Works

Madera County Roads Department

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

MND 2018-28

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March 5, 2019

MITIGATED NEGATIVE DECLARATION

MND

RE: CZ# 2017-012 – Nis Nissen

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the northwest corner of Highway 152 and Highway 233 (23172 Robertson Blvd) Chowchilla. The applicant is requesting approval of a 16.23 acre Rezone from ARE-20 (Agricultural, Rural, Exclusive, Twenty Acre) to CRH (Commercial, Rural, Highway) creating consistency with the General Plan. No submitted plans or future development is associated with this project.

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 Fourth Street, Ste. #3100, Madera, California.

DATED: March 4th, 2019

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2018-28

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	All exterior lighting from future developments shall be hooded and downwards, away from adjacent properties.	Construction						
Agricultural Resources								
Air Quality								
Biological Resources								
Cultural Resources								
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
	If any prehistoric resources or human remains are uncovered during construction, work shall stop immediately and a qualified archeologist shall be contacted to determine further mitigation which may be needed. The County Coroner shall be contacted if human remains are found.	Construction						
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
	Any future development would be required to comply with mitigation measures listed in VRPA Technologies' Traffic Impact Report.							
Utilities and Service Systems								