



Community and Economic Development Planning Division

Jamie Bax
Deputy Director

JB

- 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

PLANNING COMMISSION DATE:

September 1, 2020

AGENDA ITEM: #3

CUP	#2020-001	Conditional Use Permit to allow a 2,000 square foot LED Highway Sign within the Planned Development District (PDD) and a 120'-00" height variance.
VA	#2020-003	
APN	048-191-009	Applicant/Owner: RNDS Properties, LLC
CEQA	2020-03	Mitigated Negative Declaration

REQUEST:

The applicant is requesting a 2,000 square foot LED Highway Sign within the Planned Development District (PDD) and to allow a 120'-00" height variance, where 90'-00" is allowed by ordinance.

LOCATION:

On the west side of Golden State Blvd, approximately 1,100 feet north of its intersection with Avenue 7 (no situs), Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2020-03) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of Conditional Use Permit #2020-001 and VA #2020-003, subject to conditions and MND #2020-03 with corresponding Mitigation Monitoring and Reporting Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: HSC (Highway Service Commercial) Designation

SURROUNDING: HSC (Highway Service Commercial) and AE (Agricultural Exclusive) Designations

ZONING (Exhibit B):

SITE: PDD (Planned Development District)

SURROUNDING: PDD (Planned Development District), ARE-40 (Agricultural Rural Exclusive-40 Acre) District, ARE-20 (Agricultural Rural Exclusive-20 Acre) District, CRH (Commercial Rural Highway) District

LAND USE:

SITE: Vineyard

SURROUNDING: Agriculture, Tasting Room, Gas Station, Commercial

SIZE OF PROPERTY: 0.74 Acres

ACCESS (Exhibit A): The property is accessed by Golden State Blvd.

BACKGROUND AND PRIOR ACTIONS:

The subject parcel was Lot 14 of the Tharsa Colony Farm which recorded November 6, 1911. It was reconfigured as parcel #3 of Lot Line Adjustment 2004-47 and again as Parcel #3 in Lot Line Adjustment 2007-45. The property was then divided by Parcel Map 4154 in 2011. The project site was part of Conditional Use Permit #2009-001 (CUP #2009-001) which allowed for the conversion of an existing single family dwelling into a wine tasting room. In 2011, the subject property was part of Project #2011-002 (PRJ #2011-002). The 2011 project included a rezoning from Agriculture Rural Exclusive-20 Acre (ARE-20) to Planned Commercial District (PCD) to allow for future land division (Parcel Map 4154), commercial development and an amendment to CUP #2009-001 to allow a seasonal fruit-stand and expansion of the tasting room. In July of 2011, the Board of Supervisors approved Zoning Ordinance Text Change #2011-006 which eliminated the previous five planned zone districts, including PCD, and rezoned all subject properties to Planned Development District (PDD).

PROJECT DESCRIPTION:

This is a request for a Conditional Use Permit to allow a 2,000 square foot double sided LED Highway Sign within the Planned Development District (PDD) and a Variance to allow the proposed sign to be 120'-00" high where a maximum of 90'-00" is allowed by ordinance. The project site is currently part of a vineyard. The sign would advertise for businesses within the Northwest Quadrant of the Avenue 7 and Highway 99 interchange. The proposed sign will utilize a LED display and a plank

design to allow future and existing business in the area to consolidate signs and rent sign space on the proposed sign. The sign will also feature a canister sign for Madera County's logo.

ORDINANCES/POLICIES:

Chapter 18.67.020 of the Madera County Zoning Ordinance outlines the allowable uses within the PDD (Planned Development District).

Chapter 18.90.160 of the Madera County Zoning Ordinance outlines the guidelines for Freeway 99 Corridor Signs.

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

Chapter 18.106 of the Madera County Zoning Ordinance outlines the procedures for the processing of Variances.

Madera County General Plan Policy Document (page 10) outlines the allowable uses within the HSC (Highway Service Commercial) Designation.

ANALYSIS:

The project site consists of 0.74 acres and is approximately 100 feet west of Highway 99. The subject parcel is designated Highway Service Commercial (HSC) by the General Plan. The HSC designation allows for commercial activities that are oriented to highway and through traffic. The current zone district, Planned Development District (PDD) is a unique zone district. The allowed uses in PDD are a reflection of the underlying commercial General Plan designation. Both the General Plan designation and zone district are consistent for the proposed use. However, the maximum height allowed for a Highway-Oriented Sign is 90'-00", therefore a variance is required for the proposed height of the sign. The project also includes a 2,000 square foot LED sign above a 440 square foot fuel sign and two rows of 207 square foot plank signs. The total area of proposed signage is 2,647 square feet. The proposed sign area exceeds the maximum area of 1,200 square feet, therefore a variance is required for the area of the proposed sign.

The project is located within the Northwest Quadrant of the Avenue 7 and Highway 99 interchange (Exhibit G). To the south of the project is a Tasting Room, an existing Chevron Gas Station and a 16,487 Travel Plaza that is to be developed. The proposed sign would be shielded by a tree canopy located on the property south of the project site. The additional height and proposed sign area would notify motorists of the businesses and services available along the interchange in a timely matter. The LED display would further illuminate the sign and allow for proper preparation to exit the highway safely in order to use the commercial center. Highway oriented services, as designed in the General Plan, are intended to be convenient and provide immediate service needs to motorists. Without the added height, sign area and LED display, it would be difficult for business along the

interchange to be visible. There is an existing 100'-00" monopole sign located on the northwest corner of Avenue 7 and Golden State Blvd. The existing sign required a Variance (VA #2012-003) to allow the sign's height, sign area and close proximately to the interchange. The proposed highway sign is a unique feature and would meet the requirement for special circumstances granting a variance. Moreover, the granting of the variance would be consistent and would not constitute a special privilege to this property because other properties in the area have been granted additional height and area for signage.

The proposed sign's 2,000 square foot LED display would be a unique feature. There are smaller LED display signs located throughout the county along Highway 99 and Highway 41. The LED display will be required to comply with all applicable local, state and federal regulations concerning Highway signage and illumination levels.

The project has been circulated to County Departments and outside regulatory agencies for comments. This included the California Department of Transportation, Regional Water Quality Control Board, Department of Fish and Wildlife, San Joaquin Valley Unified Air Pollution Control District, the Chowchilla Yokuts Tribe, Dumna Wo Wah Tribal Government, Picayune Rancheria of Chukchansi, and Table Mountain Rancheria. Comments were received by The Sheriff's Office, Picayune Rancheria of Chukchansi, California Department of Transportation and Environmental Health Division. The Sheriff's Office and Picayune Rancheria of Chukchansi have recommended approval for the project. CALTRANS has declined to comment. The Environmental Health Division has recommended conditions for the project to adhere to best manage practices during operation and construction, and maintain setback requirements from any on-site septic system or water well.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,456.75 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. 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.

FINDINGS OF FACT:

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.* The project site is Zoned PDD (Planned Development District). The proposed sign is consistent with provisions of the Planned Development District. The sign's proposed height, 120 feet, and 1,200 square foot LED Sign do require a variance. However, the sign maintains the majority of design features required for Highway 99 corridor sign and will serve as advertisement space for business within the northwest Highway 99 Avenue 7 interchange quadrant.

2. *The proposed project is not contrary to the public health, safety, or general welfare. The proposed project is not contrary to public health, safety or general welfare. The proposed project is required to adhere to all applicable local, state and federal regulations.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors in that the project must adhere to local and state health and building codes. The project will emit additional lighting during the day and evening. The additional light is not anticipated to become hazardous or a nuisance.*
4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. There is an existing communication tower on the project site. The replacement tower is anticipated to have a negligible effect on property values and general desirability of the surrounding properties. While there are a few distant residences within the vicinity of the project, there are no major development within the area.*

VARIANCE FINDINGS:

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same zoning district in that the project site is partially blocked by an existing tree canopy of a neighboring property to the south and the Avenue 7 overpass. These two features would block the view of the sign for travelers along northbound Highway 99.*
2. *The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner. The granting of this application would allow the property owner to fully advertise businesses located within the northwest quadrant of the Avenue 7 and Highway 99 interchange. The sign is ideally situated along Highway 99 and would attract potential customers.*
3. *The granting of such application will not, under the circumstances of this particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, in the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood. No aspect of the submitted plan would indicated that there would be adverse impact to health safety and welfare. The project is required to comply Conditions of Approval and Mitigation Measures.*

4. *The granting of the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.* Granting this variance shall not constitute any special privilege as the applicant is going through the same process as other parcels within Highway 99 interchange quadrants would have to go through under similar circumstances.
5. *Because of special circumstances, applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.* Due to the tree canopy located immediately south of the project site and the Avenue 7 overpass, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties within the vicinity with identical zoning.

SIGN VARIANCE FINDINGS:

1. *A highway/freeway-oriented sign is necessary because signage that conforms to the area and height standards otherwise applicable to the site would not be visible to the travelling public for a distance on the freeway of one-third mile (one thousand seven hundred sixty feet) preceding the freeway exit providing access to said premises; or for a line-of sight distance of two thirds' mile (three thousand five hundred twenty feet), whichever is less.* The area in the northwest quadrant of the Highway 99 and Avenue 7 interchange, has several limitations in terms of visibility. South of Avenue 7, Highway 99 curves towards the East. The change in direction limits the view of travelers along the northbound lanes of Highway 99. Also, there is a tree canopy immediately south of the project site. The tree canopy further limits visibility to northbound traffic.
2. *The highway/freeway-oriented sign will not interfere with the driving public's view of a significant feature of natural or built environment.* The proposed sign does not obstruct the views of any significant features. The project site is surrounded by agricultural activity and commercial development to the south. The highway sign is a significant distance from the views of the Sierra Nevada Mountain Range.

WILLIAMSON ACT:

The property is not subject to a Williamson Act Contract.

GENERAL PLAN CONSISTENCY:

The General Plan designation for the property is HSC (Highway Service Commercial) Designation which allows for restaurants, service stations, truck stops, hotels and motels, and retail and amusement uses that are oriented principally to highway through traffic, public and quasi-public uses and similar and compatible

uses. The property is zoned PDD (Planned Development District) and allows for the proposed use with a conditional use permit. Based on Goal 1.D.1, commercial centers shall be located “adjacent to major activity nodes and major transportation corridors,” the proposed sign is ideally located to attract travelers along Highway 99. Goal 1.E.6 also states that, “the County shall encourage flexibility in development standards to accommodate uses that provide and substantial economic benefit to the community.” The proposed Highway Sign would advertise for businesses within the northwest Highway 99, Avenue 7 interchange quadrant.

RECOMMENDATION:

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2020-001), Variance (VA #2020-003) and Mitigated Negative Declaration (MND #2020-03).

CONDITIONS

See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor’s Map
4. Exhibit D-1, Site Plan Map
5. Exhibit D-2, Enlarged Site Plan Map
6. Exhibit D-3, Elevation Map
7. Exhibit E, Aerial Map
8. Exhibit F, Topographical Map
9. Exhibit G, Quadrant Map
10. Exhibit H, Operational Statement
11. Exhibit I, Sheriff’s Office Comments
12. Exhibit J, Environmental Health Division Comments
13. Exhibit K, CALTRANS Comments
14. Exhibit L, Picayune Rancheria of Chukchansi Indians Comments
15. Exhibit M, Initial Study
16. Exhibit N, Mitigated Negative Declaration MND #2020-03

CONDITIONS OF APPROVAL

PROJECT NAME:

RNDS Properties LLC– Conditional Use Permit, Variance – Madera (048-191-009)

PROJECT LOCATION:

On the west side of Golden State Blvd, approximately 1,100 feet north of its intersection with Avenue 7 (no situs), Madera.

PROJECT DESCRIPTION:

Conditional Use Permit to allow a 2,000 square foot LED Highway Sign within the Planned Development District (PDD) and a 120'-00" height variance.

APPLICANT:

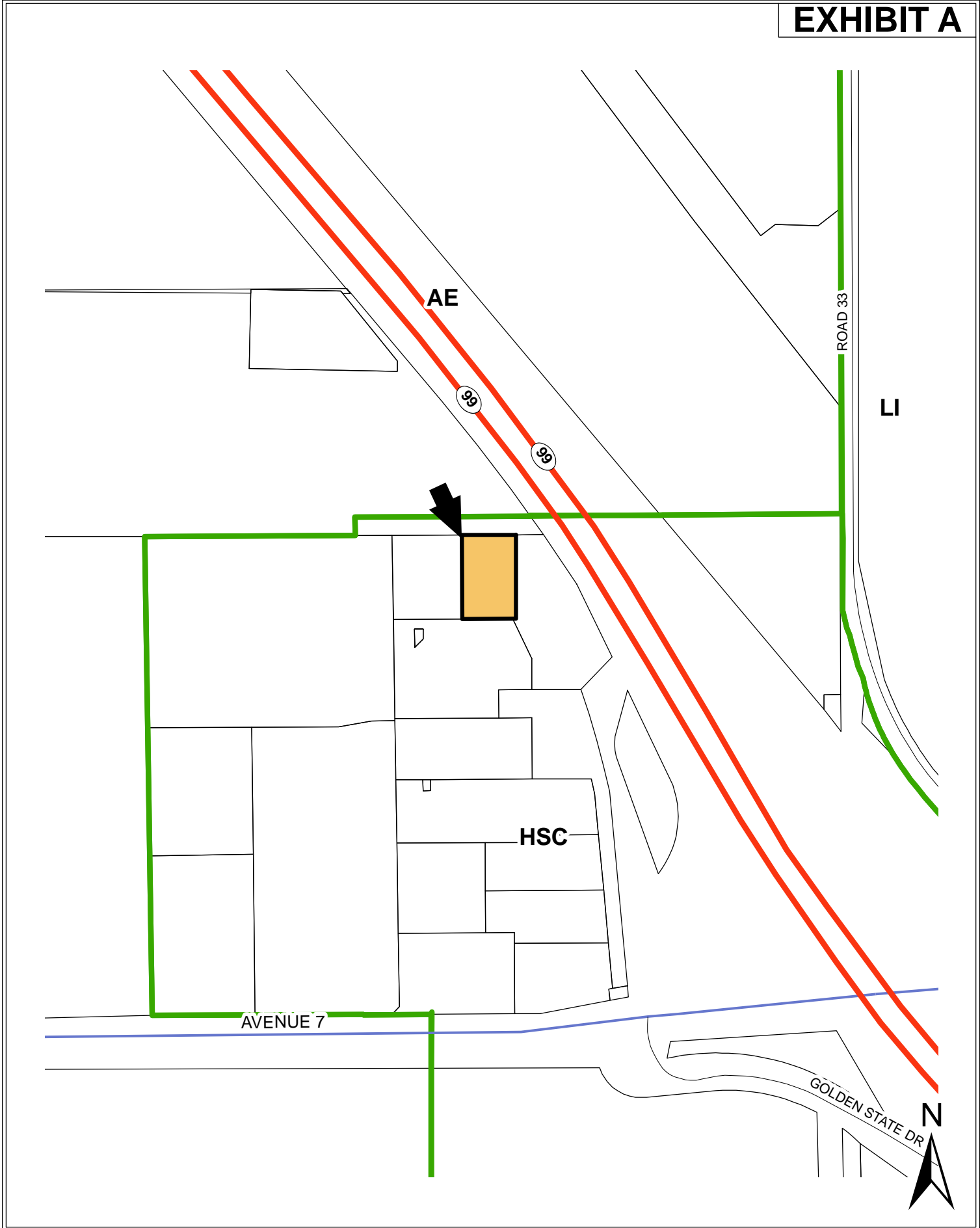
RNDS Properties

CONTACT PERSON/TELEPHONE NUMBER:

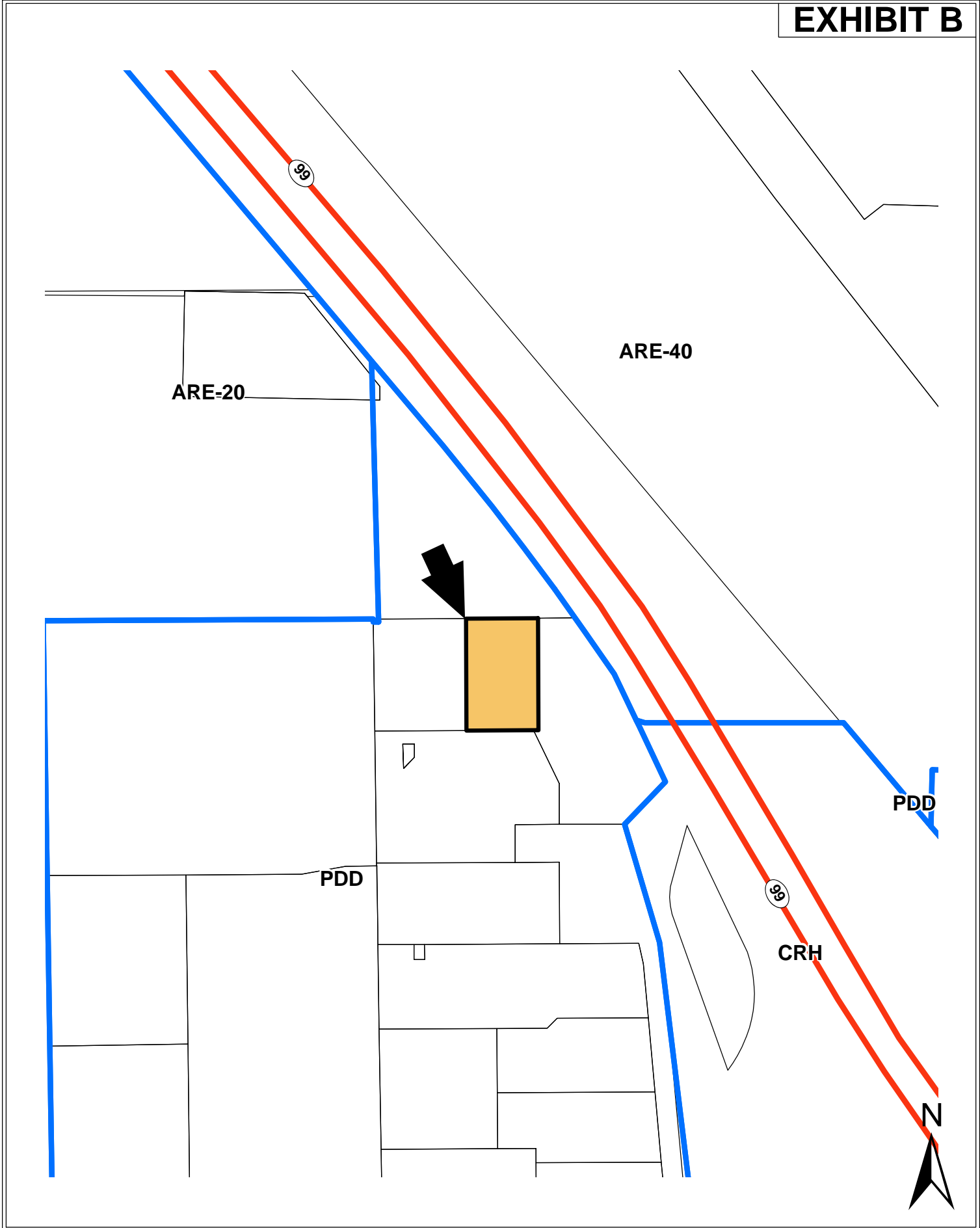
(559) 903-4627

No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	Maintain County setback requirements from on-site septic system and water well.	Environmental Health Division			
2	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction	Environmental Health Division			
Planning					
1	The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning Division			
2	Any construction activity associated with this project will be limited limited to the hours of 7AM to 7PM Monday through Friday and 9AM to 5PM on Saturday. Construction activities will be prohibited on Sundays.	Planning Division			
3	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.	Planning Division			

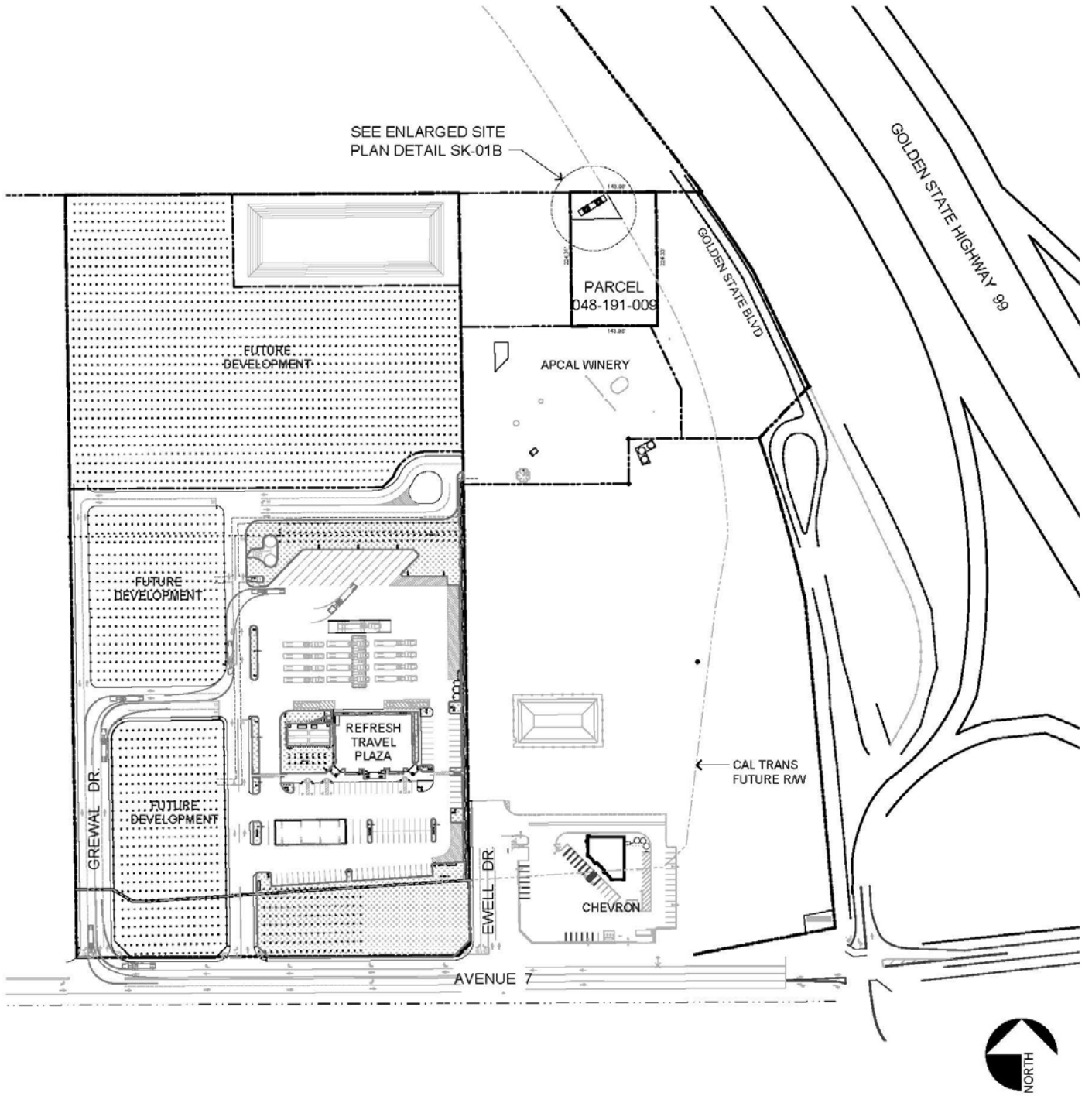
No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
4	As per MCC section 18.90.150 (B): The sign shall not be illuminated by intermittent light. The LED display must stay static.	Planning Division			
5	All roadways and parking areas associated with this project are to be covered and maintained with material sufficient to create a dust free environment.	Planning Division			
6	The sign may not be used for general advertising for hire. Advertisements are limited to business within the northwest quadrant of Highway 99 and Avenue 7.	Planning Division			
7	A blue "swish" cap manufactured of metal and painted the correct shade of blue	Planning Division			
8	There needs to be a twelve inch spacing between the planks.	Planning Division			
9	<p>Businesses within the interchange segment shall be provided the opportunity to advertise on the freeway sign. Businesses within the Quadrant shall be considered on premises tenants.</p> <ul style="list-style-type: none"> - The tenant shall be responsible for the design fabrication and installation of the tenant signage on the freeway sign. The tenant shall keep a lease arrangement with the property owner/landlord in good standing for the entire period signnage is installed on the freeway sign. <p>Such signage shall be removed promptly upon termination of the applicable lease agreement with the property owner/landlord.</p> <ul style="list-style-type: none"> - If at any time, the tenant does not keep the lease agreement in good standing, the property owner, may at his/her discretion and at the tenant's expense, ader proper notice to the tenant, replace or remove any sign that is installed with the property owner's consent, or that is not executed in conformance with the approved submission. 	Planning Division			
10	The LED display must to comply with all applicable local, state and federal regulations concerning Highway signage and illumination levels.	Planning Division			



GENERAL PLAN MAP



ZONING MAP



ideation
DESIGN GROUP

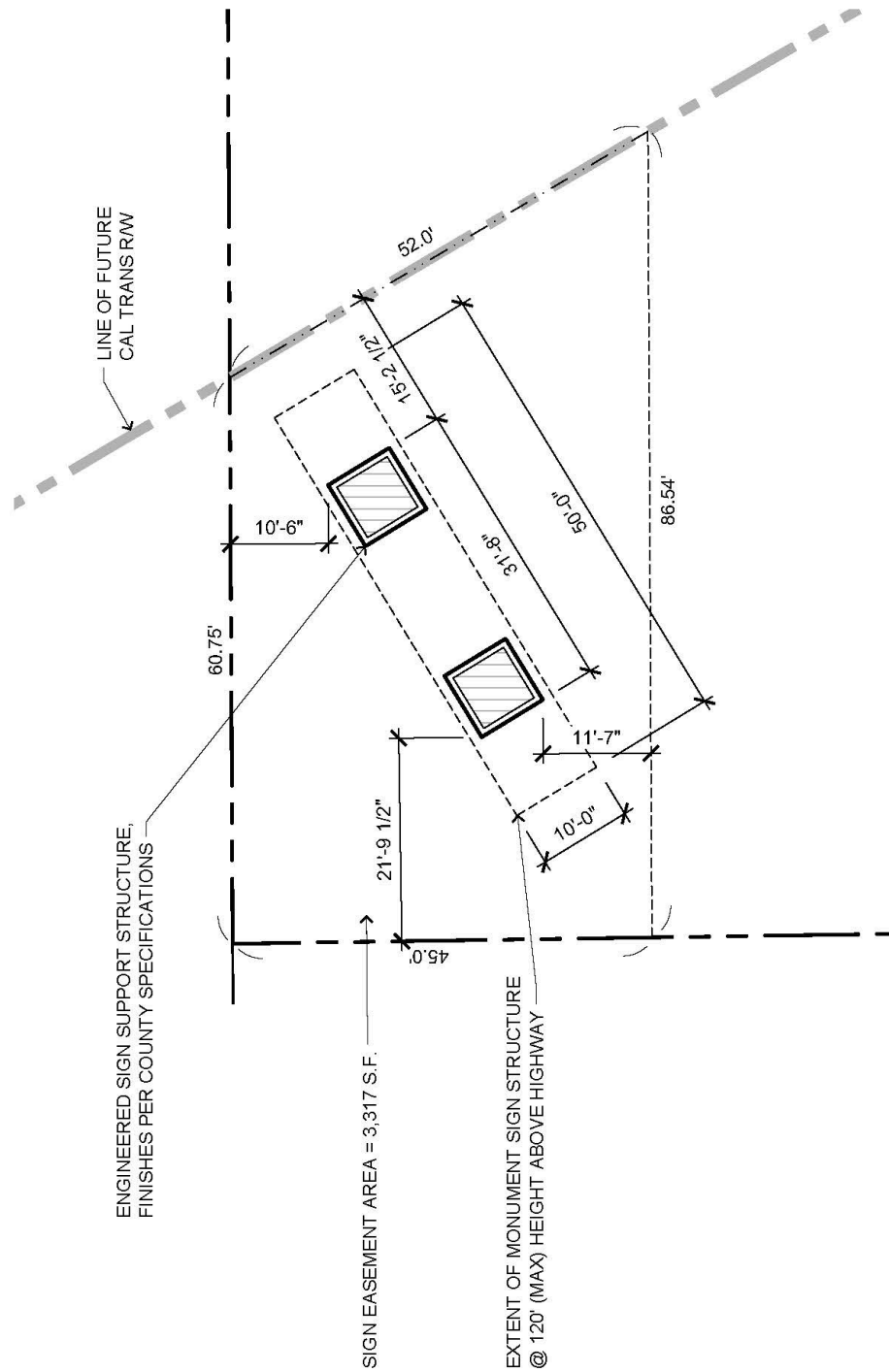
4805 EAST WASHINGTON ST. PHOENIX, ARIZONA 85024
TEL: 602.752.1750 FAX: 602.752.1540
INTERIOR DESIGN | FOODSERVICE DESIGN | ARCHITECTURE

REFRESH TRAVEL PLAZA ~ AVENUE 7
32603 AVENUE 7
MADERA, CALIFORNIA 93637

MONUMENT SIGN CONCEPT ~ AREA LOCATION MAP

DATE: 01.24.20
SCALE: 1" = 200'
ISSUED BY: WJRB

SHEET:
SK-01
A

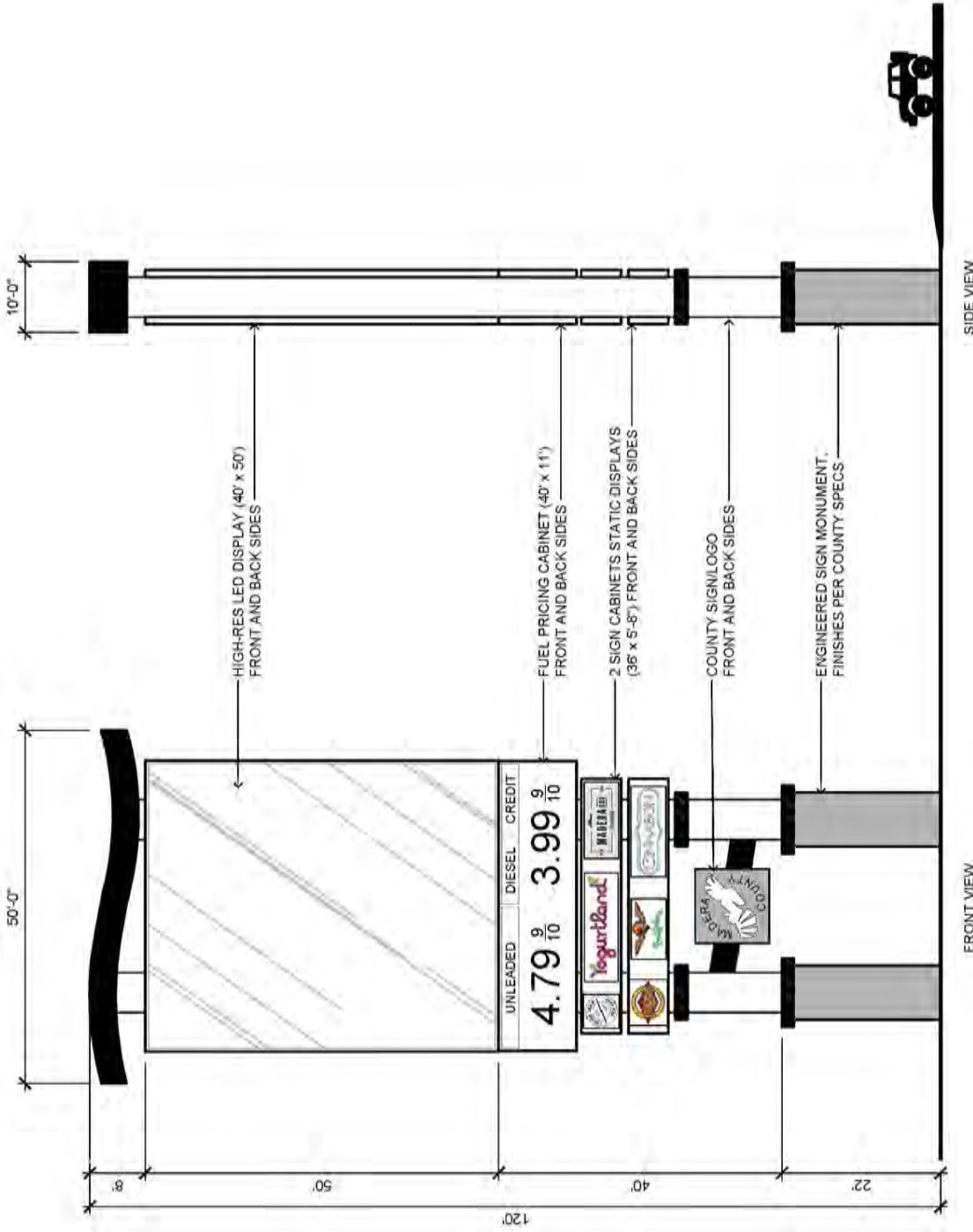


SHEET: **SK-01 B**
 DATE: 01.24.20
 SCALE: 1/16" = 1'-0"
 ISSUED BY: WJRB

REFRESH TRAVEL PLAZA ~ AVENUE 7
 32603 AVENUE 7
 MADERA, CALIFORNIA 93637
 MONUMENT SIGN CONCEPT ~ ENLARGED SITE PLAN PARCEL 048-191-009

ideation
DESIGN GROUP
 PHOENIX, ARIZONA 85004
 485 EAST WASHINGTON ST.
 PHOENIX, ARIZONA 85004
 INTERIORS DESIGN | FOODSERVICE DESIGN | ARCHITECTURE

ENLARGED SITE PLAN



DATE: 01.24.20
SCALE: 1/16" = 1'-0"
ISSUED BY: WURB

SHEET: SK-01
C

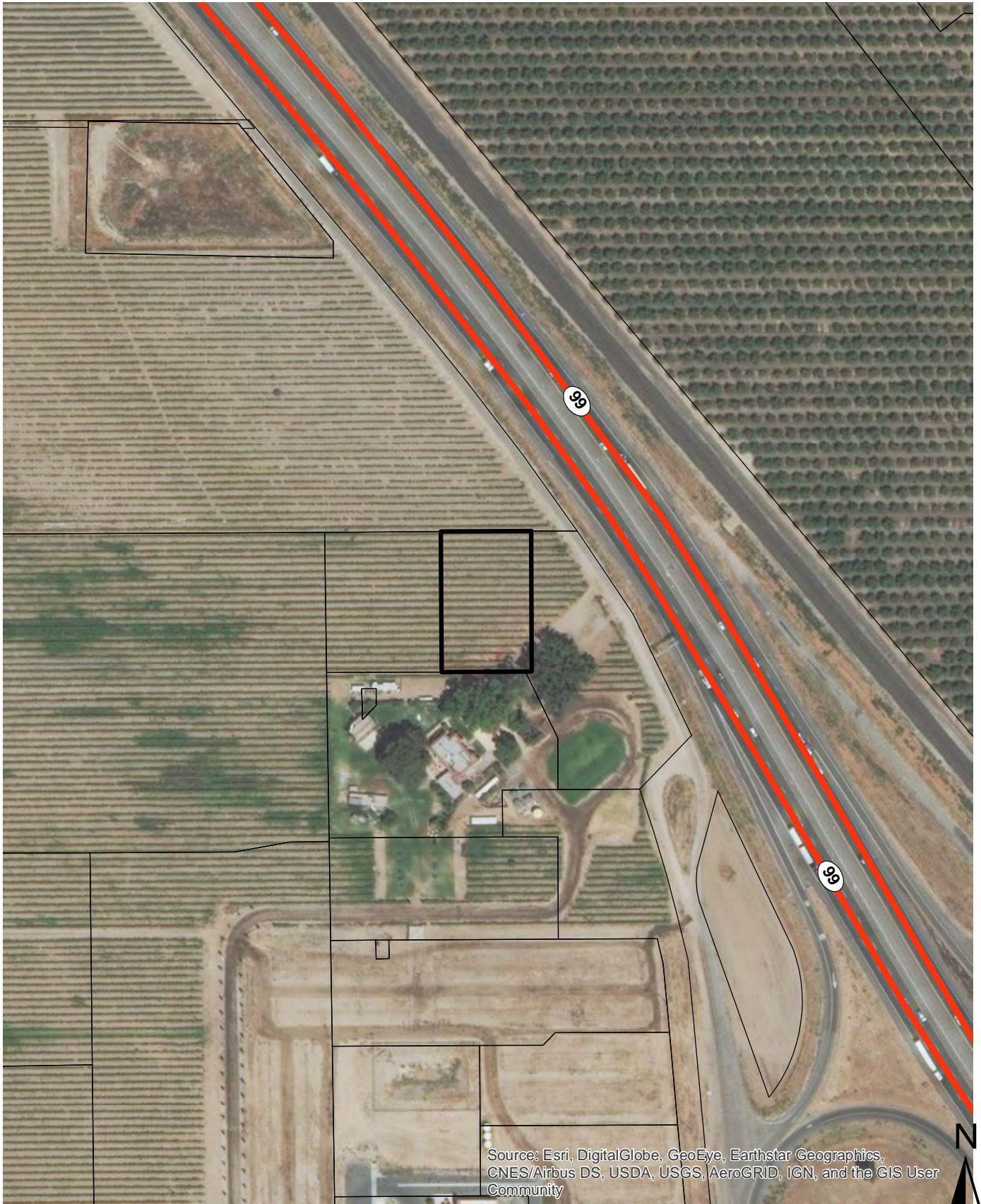
REFRESH TRAVEL PLAZA ~ AVENUE 7
32603 AVENUE 7
MADERA, CALIFORNIA 93637

MONUMENT SIGN CONCEPT ~ ELEVATION

ideation
DESIGN GROUP

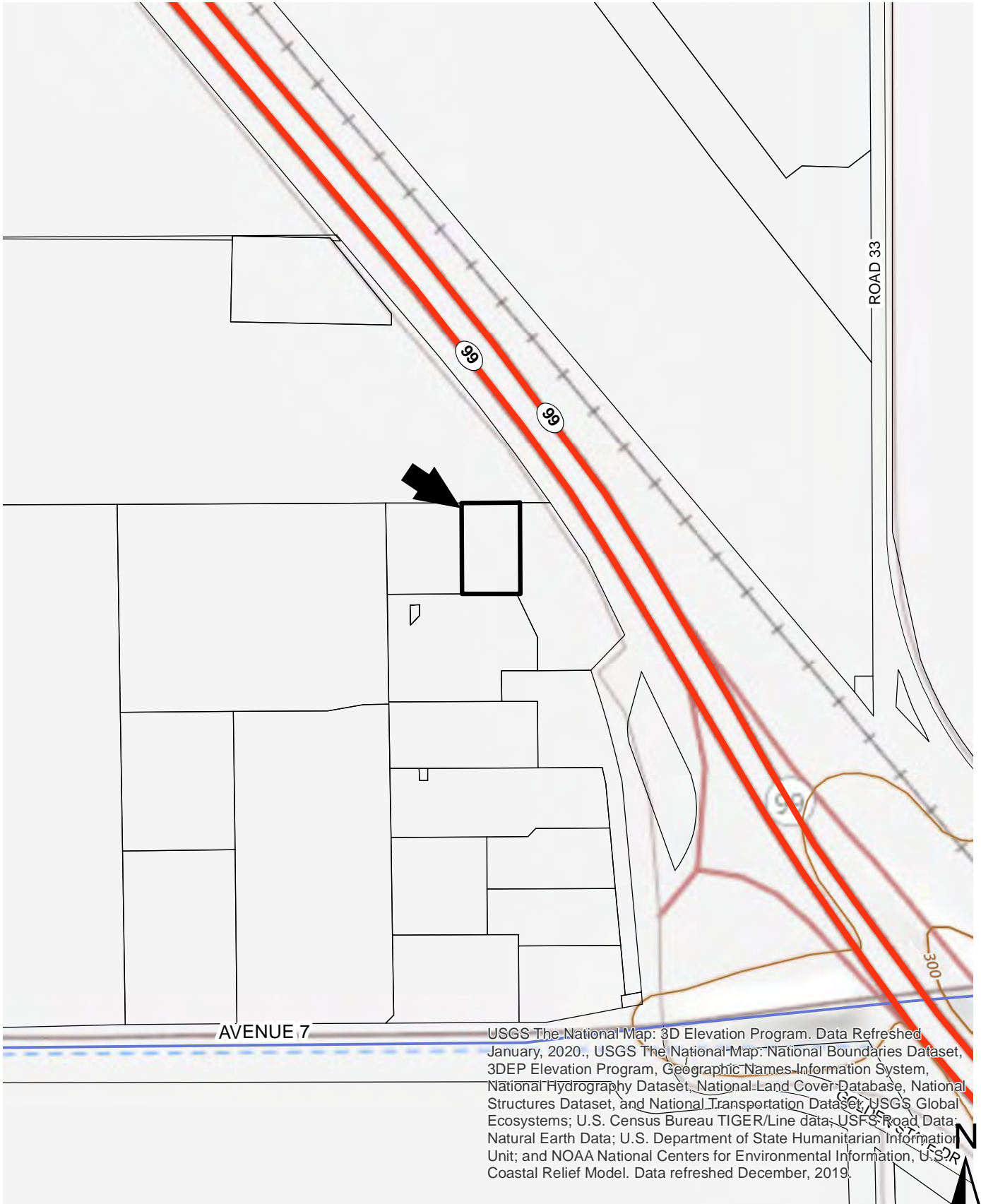
1000 N. GATE AVENUE, SUITE 100
MADERA, CA 93637
TEL: 562.421.1000 | WWW.IDEATIONGROUP.COM

ELEVATION MAP



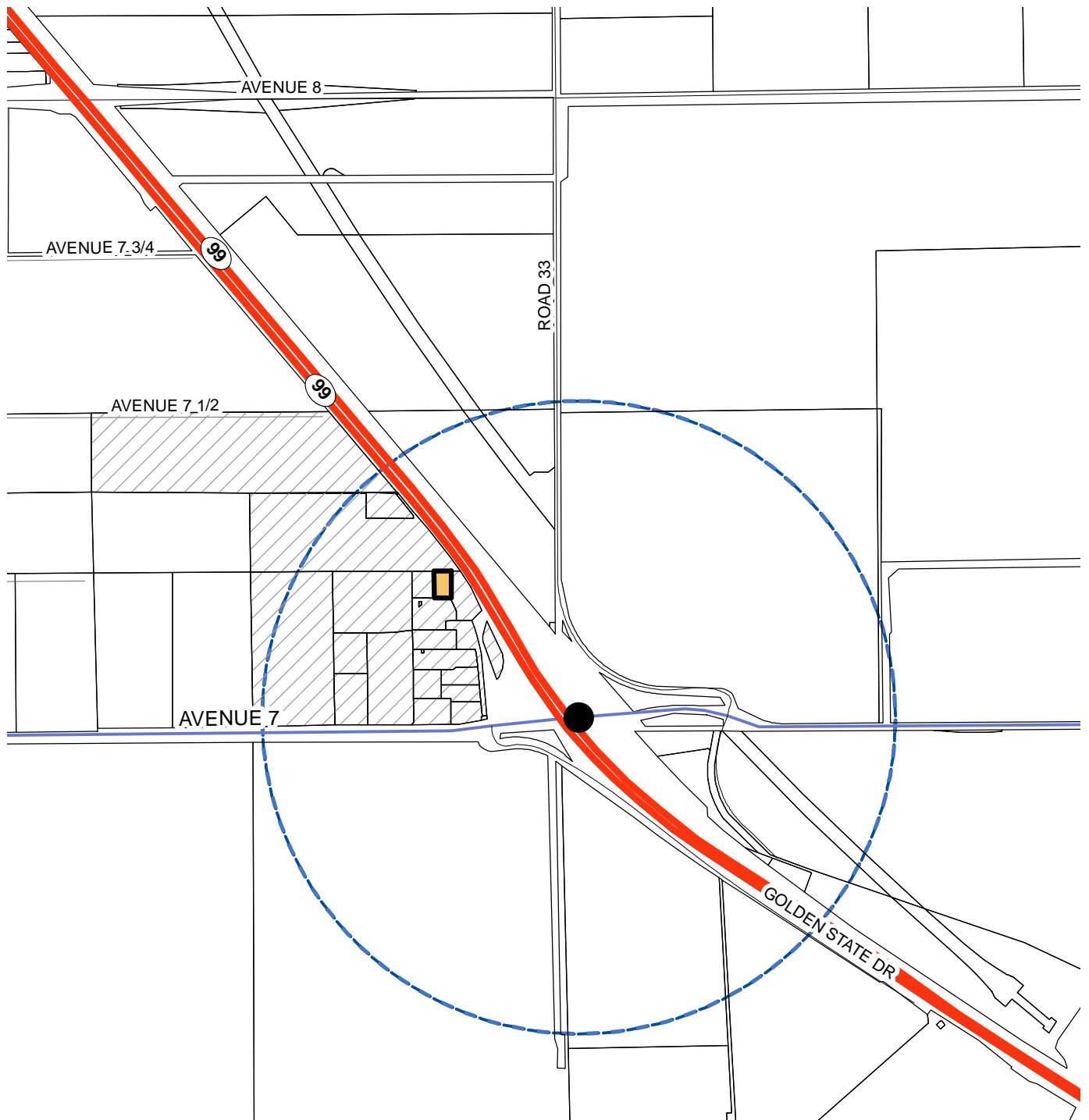
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

AERIAL MAP






USGS The National Map: 3D Elevation Program. Data Refreshed January, 2020., USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed December, 2019.

TOPOGRAPHICAL MAP



Legend

-  Project Site
-  1/2 Mile Radius
-  Properties in Northwest Quadrant



**NORTHWEST QUADRANT
AVENUE 7 AND HIGHWAY 99 INTERCHANGE**



Community and Economic Development Planning Division

Matthew Treber 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: 048-191-009
Applicant's Name: SACHIN MALIK / RND'S PROPERTIES LLC
Address: 755 N DEACH AVE STE E-3, CLOVIS CA 93611
Phone Number: 559.903.4627

2. Describe the nature of your proposal/operation.

Construct / Intall a 120' Highway Sign.

3. What is the existing use of the property?

Commercial vacant land with Sachin grapes vines planted sporadically.

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?

5. What are the proposed operational time limits?

Months (if seasonal): 24/7 lighted - 365 days a year.
Days per week:
Hours (from to): Total Hours per day:

6. How many customers or visitors are expected?

Average number per day: 1500
Maximum number per day: 2000
What hours will customers/visitors be there? 24/7.

7. How many employees will there be?

Current: N.A.
Future:
Hours they work:
Do any live onsite? If so, in what capacity (i.e. 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: _____

Type: _____

Frequency: _____

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)

Via Avenue 7.

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.

Cabinet Signs, LED Digital Sign.

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 - ~~Almonds~~ Almonds grove, South - AVAL event Center,
West - Refresh Travel Plaza, East - Highway 99.

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

~~N.A.~~ NO

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

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.)

None

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

N.A.

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?

Bringing visibility and increased visitor traffic on Avenue 7.

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): Highway Sign See attached Exhibit

Square feet of building area(s):

Total number of employees:

Building Heights:

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

No.

NOTE: PLEASE WRITE LEGIBLY OR TYPE: _____ Application(s): CUP #2020-001

Return to: Emily Lane, Planning Division

RNDS Properties, LLC

Responding Agency: Madera County Sheriff's Office
Contact Person: Jay A. Varney Signature: [Signature]
Telephone No.: 559-675-7770 Date: 2-20-2020

ENVIRONMENTAL REVIEW:

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

Yes

No, the following information is needed: _____

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.

None.

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

Yes No



Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

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

MEMORANDUM

TO: Emily Lane

FROM: Dexter Marr, Environmental Health Division

DATE: February 24, 2020

RE: RNDS Properties, LLC - Conditional Use Permit - Madera (048-191-009-000)

Comments

TO: Planning Division

FROM: Environmental Health Division

DATE: February 20, 2020

RE: Conditional Use Permit (CUP) #2020-001, RNDS Properties, LLC – Madera, APN: 048-191-009

Environmental Health Division Comments:

Maintain County setback requirements from on-site septic system and water well.

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

If there are any questions or comments regarding these conditions/requirements or for please, contact this department at (559) 675-7823.

From: [Padilla, Dave@DOT](mailto:Padilla_Dave@DOT)
To: [Emily Lane](#)
Subject: RE: Request for Review: Conditional Use Permit CUP #2020-001
Date: Tuesday, February 25, 2020 7:34:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good Morning Emily,

We no concerns with the proposed sign project.

Thank you,

DAVID PADILLA

Associate Transportation Planner

Caltrans

Office of Planning & Local Assistance

1352 W. Olive Avenue

Fresno, CA 93778-2616

Office: (559) 444-2493, Fax: (559) 445-5875



Picayune Rancheria
of
CHUKCHANSI INDIANS
49260 Chapel Hill, PO Box 2226 * Oakhurst, CA 93644 * (559) 412-5590

February 25, 2020

Emily Lane
Madera County Planning Department
200 W. 4th Street Suite #3100
Madera, CA 93637

Dear Ms. Lane,

Picayune Rancheria of the Chukchansi Indians has received your letter in regards to CUP – Madera (048-191-009-000). At this time, we do not have concerns in regards to this project application.

Sincerely,

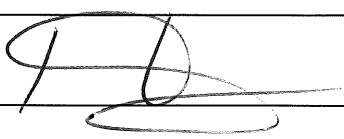
Heather Airey
THPO/Cultural Resources Director
559-676-9299
hairey@chukchansi-nsn.gov

NOTE: PLEASE WRITE LEGIBLY OR TYPE: _____ Application(s): CUP #2020-001

Return to: Emily Lane, Planning Division

RNDS Properties, LLC

Responding Agency: Picayune Rancheria of the Chukcheansi Indians Date: 2/25/20

Respondent's Signature: 

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

Y Approve _____ Deny

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

n/a

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

n/a

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

n/a

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE: _____ Application(s): CUP #2020-001

Return to: Emily Lane, Planning Division

RNDS Properties, LLC

Responding Agency: Picayune Rancheria of the Chickasaw Indians
 Contact Person: Leather Airey Signature: [Signature]
 Telephone No.: 559-676-9299 Date: 2/25/20

ENVIRONMENTAL REVIEW:

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

X Yes

No, the following information is needed: _____

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.

n/a

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

_____ Yes _____ No

**County of Madera
California Environmental Quality Act (CEQA)
Initial Study**

- 1. Project title:** CUP #2020-001 – RNDS Properties, LLC
- 2. Lead agency name and address:** County of Madera
Community and Economic Development Department
200 West 4th Street, Suite 3100
Madera, California 93637
- 3. Contact person and phone number:** Emily Lane, Planner I
559-675-7821
Emily.Lane@maderacounty.com
- 4. Project Location & APN:** on the west side of Golden State Blvd, approximately 1,100 feet north of its intersection with Avenue 7 (no situs), Madera.

APN #: 048-191-009
- 5. Project sponsor's name and address:** Sachin Malik
755 N Peach Ave #E-3
Clovis, CA 93611
saach78@gmail.com
- 6. General Plan Designation:** HSC (Highway Service Commercial)
- 7. Zoning:** PDD (Planned Development District)
- 8. Description of project:**
The applicant is requesting a 120 foot Highway Sign within the Planned Development District (PDD) and a variance to allow a 2,000 square foot double-sided LED sign and a 120 foot height variance, where 90 feet is allowed by ordinance.
- 9. Surrounding Land Uses and Setting:**
Agricultural, Commercial
- 10. Other Public Agencies Whose Approval is Required:**
None
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

At this time, the County has not received any input or requests for consultation from any Californian Native American tribe traditionally or culturally affiliated with the project area.

DETERMINATION (to be completed by 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 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.

Signed:  Date: February 26, 2020

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <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"/> |

Responses:

(a - b) Less Than Significant Impact. There are no scenic vistas in the vicinity of this project site. There are no scenic resources on this property that will be damaged as a result of this project. Limited grading may take place on-site. The project does not include the removal of trees, rock outcroppings or historic buildings. The project site is west of Highway 99. Highway 99 is not a state scenic highway.

(c) Less Than Significant Impact. The project is located in a largely rural area. There is commercial development south of the project site. The project would advertise the businesses within the immediate area. The design of the sign is consistent with other signs located along the Highway 99 interchanges in Madera County. The design of the sign is not anticipated to substantially degrade the existing visual character or quality of public views.

(d) Less than Significant with Mitigation Incorporation. The billboard is not anticipated to cause notable daytime glare. Due to the proposed placement of the LED pylon sign adjacent to Highway 99, the sign will be required to conform to California Vehicle Code 21466.5:

No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.

The brightness reading of an objectionable light source shall be measured with a 1 1/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

The sign will also need to comply with all California Department of Transportation (Caltrans) standards, such as have static frame images, and four second minimum frame display times. Due to the large size of the proposed sign, a longer minimum duration of 10 seconds would be appropriate.

General Information

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether agricultural 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:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (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 use? | <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?

Responses:

(a) Less Than Significant Impact. The project site has two farmland designations. The majority of the parcel is designated as Farmland of Statewide Importance and is divided by a strip of Prime Agricultural Farmland that runs east to west. The project site was previously rezoned in ARE-20. In 2011, the project site was part of a project that included a Rezone from ARE-20 to PCD. Currently there are grape vines on the project site. The vines are anticipated to be demolished. The parcel is also less than an acre. The impact is anticipated to be less than significant.

(b - e) No Impact.

The project parcel and is zoned for PDD Planned Development District. The project does not entail a rezone, so there will be no impacts. The property is not within the Timberland Zone District. The parcel is not currently a part of the Williamson Act.

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 no 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.

VACANT OR DISTURBED LAND (V): Open field areas that do not qualify as an agricultural category, mineral and oil extraction area, off road vehicle areas, electrical substations, channelized canals, and rural freeway interchanges.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

III. AIR QUALITY

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

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) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a, b, d) Less Than Significant Impact.

Implementation of the proposed project would not exceed the California Air Quality Standard. The project is not anticipated to conflict with any air quality plans. Although impacts from construction related air pollutant emissions are temporary in duration, such emissions can still represent a significant air quality impact. In some cases, construction impacts may represent the largest air quality impact associated with a proposed Project. Construction activities such as grading, excavation, and travel on unpaved surfaces can generate substantial amounts of dust, and can lead to elevated concentrations of PM10. Emissions from construction equipment engines can also contribute to elevated concentrations of PM10 and CO, as well as increased emissions of ozone precursors. The proposed Project would not result in long-term air quality impacts, as emissions would not exceed the SJVAPCD adopted operational thresholds. Additionally, adherence to SJVAPCD rules and regulations would alleviate potential impacts related to cumulative conditions on a Project-by-Project basis. Construction activities associated with the proposed Project may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short-term in nature and cease upon Project completion. Any impact to existing adjacent land uses would be short-term and are considered less than significant.

(c) Less Than Significant Impact with Mitigation Measures.

The project site is adjacent to a tasting room. There is some potential for sensitive receptors to be exposed to particulate matter during construction. The parcel will be required to maintain a dust free environment on all driveways and parking areas.

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).

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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES				
Would the project:				
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 type="checkbox"/>	<input checked="" 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a - f) No Impact. The project site is currently part of a vineyard and is agriculturally developed. 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. Due to the lack of quality biological habitat within and immediately surrounding the site, the proposed Project would not interfere with the movement of fish or wildlife or impact wildlife corridors. No sensitive biological resources are located on the Project site. The project is not anticipated to conflict the provisions of any adopted local state or regional habitat conservation plans.

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, §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::

Species	Federal Status	State Status	Dept. of Fish and Game Listing	CNPS Listing
Swainson's hawk	None	Threatened	-	-
great blue heron	None	None	-	-
yellow-headed blackbird	None	None	SSC	-
double-crested cormorant	None	None	WL	-
valley elderberry longhorn beetle	Threatened	None	-	-
San Joaquin kit fox	Endangered	Threatened	-	-
San Joaquin Pocket Mouse	None	None	-	-

American badger	None	None	SSC	-
western pond turtle	None	None	SSC	-
hairy Orcutt grass	Endangered	Endangered	-	1B.1

Herndon 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

Movement corridors are characterized by the regular movements of one or more species through relatively well defined landscape features. They are typically associated with ridgelines, wetland complexes, and well-developed riparian habitats.

The area surrounding the parcel site has been developed for agricultural purposes, and there are some residential uses in the area, so the chances of habitats being present for nesting or migratory species are minimal. There is no construction proposed on the parcel, so there will be no disruptions in that regard. The storage of the gondolas is the only operational component proposed, with these units being hauled in and out on a periodic basis. Operations of the facilities will have negligible impacts.

General Information

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 USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every

Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

Hairy Orcutt grass (*Orcuttia pilosa*) is listed as endangered under the federal Endangered Species Act (ESA) throughout its range and is listed as endangered under the California ESA (DFG 2011). The California Native Plant Society (CNPS) includes Hairy Orcutt grass on California Rare Plant Rank 1B (formerly List 1B): Plants Rare, Threatened, or Endangered in California and Elsewhere (CNPS 2010). Hairy Orcutt grass inhabits vernal pools in rolling topography on remnant alluvial fans and stream terraces in the Central Valley.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a - c) Less Than Significant with Impact. The proposed project is not projected to have an adverse change in the significance historical or archaeological resource. At this time, the Lead Agency has not received any comments from any tribal governments regarding this project.

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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a & b) Less Than Significant Impact. Minimal energy resources will be used during construction. During operation of the sign, electricity will be required. To control brightness levels on LED signs, signs are equipped with light sensors which measure the amount of light available in the surrounding environment. In the brightest sun, the Led sign would need to be bright to provide the necessary contrast the make the sign legible. At night, the sign would be much dimmer to adjust to surrounding light conditions. Due to this reactive brightness level, the energy to power the LED sign would be conserved. The project is not anticipated to conflict with any state or local renewable energy plan or energy efficiency plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

VII. GEOLOGY AND SOILS

Would the project:

a) Directly or indirectly cause 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 Zone Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) 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"/> |

Responses:

(a – e) No Impact. The parcel is in an area where it is topographically not conducive to landslides, so therefore there will be no impacts. Topographical maps indicate that the project site and surrounding area are flat. There are no known impacts that will occur as a direct or indirect result of this project.

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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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"/> |

Responses:

(a - b) Less than Significant Impact. Project related GHG emission would include emission from direct and indirect sources. A direct sources would include emissions from construction activities. An indirect source would be from electricity consumption. The short duration of construction activities and the minimal electricity consumption of the Project would produce minimal GHG emissions. Therefore the proposed Project would result in a less than significant impact on the environment. The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing 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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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"/>
	<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?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Responses:

(a – b) Less than Significant Impact. The project proposal will not bring significant hazardous impact to the surrounding area. There will be a slight increase in traffic during the construction phase.

(c – d) No Impact. No impacts have been identified as a result of this project. The project is not listed a hazardous site nor is located with one-quarter mile of an existing school. The project site is not on the list of hazardous material sites.

(e - g) No Impact. The project is not located within the vicinity of a private airstrip. The City of Madera Airport is over 10 miles away from the project site. Given its distance from the Airport and since it is located outside the City of Madera Airport Planning Area, construction and operation of the Project would not increase the frequency of air traffic or alter air traffic patterns. Therefore, no impacts would occur. The project is not anticipated to interfere with an emergency evacuation or emergency response plan. No impacts have been identified as a result of this project. The project is not in a wildland fire area and therefore would not

expose people or structures to a wildland fire.

General Information

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

river or through the addition of impervious surfaces, in a manner which would:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| (i) result in substantial erosion or siltation on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iii) 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; or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iv) Impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

(a) Less Than Significant Impact. Short-term impacts related to water quality would occur during the grading and construction phase, when the potential for erosion and sedimentation would be the greatest. Construction for the proposed Project will have a small footprint therefore construction activities associated with proposed project would have a less than significant impact on surface water quality. Longer term operation of the LED sign would have minimal impacts related to water quality.

(b) No Impact. The project would not substantially deplete groundwater supplies in the site vicinity, since no groundwater extraction would occur during long-term operations. Therefore, no impacts are anticipated.

(c) Less Than Significant Impact. The proposed project would not substantially alter the existing drainage patterns of site nor the immediate vicinity. No natural drainage systems exist onsite. The project site is flat and does have existing vines. The vines will be removed as part of the project. The proposal would not substantially alter the topography or drainage of the site.

(d) No Impact. The is not in flood hazard, tsunami or seiche zone.

(e) No Impact. The project will is not anticipated to conflict or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.

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 (from the Japanese language, roughly translated as “harbor wave”) is an unusually large sea wave produced by seaquake or undersea volcanic eruption. According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. Additionally, there are no bodies of water (lakes, etc.) within proximity of the site. Madera County is geographically located in the center of the state, therefore not affected by tsunamis.

Rainfall is unable to percolate into paving that is expected to be on each site (building pad, driveways, structures, etc.) and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. It is possible that the quality of storm water may be affected by pollution such as, but not limited to, oil, grease, fuel, dissolved metals from batteries, and glycols from automotive coolant or antifreeze. The applicant shall mitigate any impacts associated with storm water contamination caused by this project.

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 (from the Japanese language, roughly translated as “harbor wave”) is an unusually large sea wave produced by seaquake or undersea volcanic eruption. 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, flood proofed, 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.

With mitigations, this impact will be maintained as less than significant.

XI. LAND USE AND PLANNING

Would the project:

	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) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a - c) No Impact. No impacts identified as a result of this proposed project.

XII. MINERAL RESOURCES

Would the project:

	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 or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

XIII. NOISE

Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or 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"/> |

Responses:

(a – b) Less than Significant Impact. Noise is anticipated during the constructions phase of the project. Once construction is complete any noise generated from the site is anticipated to be less than significant.

(c) 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, and 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	Architectural damage and possibly minor structural damage

Source: Whiffen and Leonard 1971

With mitigations, this impact will be maintained as less than significant.

Potentially Significant Impact
 Less Than Significant With Mitigation Incorporation
 Less Than Significant Impact
 No Impact

XIV. POPULATION AND HOUSING

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Responses:

(a - b) No Impact. No impacts identified as a result of this project.

XV.PUBLIC SERVICES

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:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a-i and a-ii) Less Than Significant Impact. During construction there is potential for demand Emergency Services in case of a workplace accident. Once construction is complete demand for Emergency Services would likely become minimal to non-existent.

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 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.

(a-iii) No Impact. No impacts are anticipated as a result of this project as it does not relate to any educational programs, or increase the surrounding 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

(a - iv) No Impact. No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

(a - v) No Impact. No impacts identified as a result of this project.

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.

County Sherriff's Department personnel are strapped for resources as well. With new development, the potential for criminal activity (including but not limited to: home burglaries, assaults, auto thefts) increases.

Currently, the Madera County's Sherriff's Department provides law enforcement and patrols in the planning area, operating from substations in Oakhurst on Road 425B and the Mountain Government Center in Bass Lake.

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.

XVI. RECREATION

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?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<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"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Responses:

(a - b) No Impact. No impacts as a result of this project. The project does not include any recreational facilities.

XVII. TRANSPORTATION

Would the project:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

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

c) Substantially increase hazards due to a geometric 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"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

d) Result in inadequate emergency access?

Responses:

(a) No Impact. In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by the lack of developed should and sidewalks. The proposed Project does not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Implementation of the Project would not increase use of the public transportation system.

(b) No Impact. The project is not anticipated to produce any significant level of vehicle miles traveled directly. Indirectly the project and associated advertisements, may attract motorists to business along Avenue 7 and Highway 99.

(c) Less than Significant Impact. The proposed Project does not involve any modification to the roadway system within the Project vicinity. Therefore, the proposed Project would not impact the current road design or introduce incompatible uses. Therefore, no impacts would occur with respect to road design. The proposed 120'-00" high sign is not near an airstop and is also under the 150'-00' height threshold for ALUC issues. The signs height will also allow more time for motorists on Highway 99 to see the sign and safely maneuver towards the exit. Restrictions on LED Highway signs contained within the Outdoor Advertising Act and enforced by Caltrans regulate many of the conditions that have been identified as relevant to traffic safety and driver distractions. Caltrans regulates the location of proposed digital billboards through its application process, and the distance between such signs is also regulated. California statutory provisions regulate brightness of displays. Through local and state law, such signage would be prohibited from displaying flashing lights, flashing images, or moving images. The Project would be required to comply with restrictions regarding intensity of light, light trespass, or other restrictions, especially those enforced by the Caltrans pursuant to its authority under the agreements between the U.S. Department of Transportation under the Highway Beautification Act, and the Outdoor Advertising Act.

(d) No Impact. The sign will not affect emergency access to the property.

Caltrans has also stated: *Caltrans has established a fair share cost for the intersection improvement on SR 41/SR 145. The fair share cost was estimated to be \$916.56/trip. The improvements would widen the intersection to dual left-turn lanes, 2 through lanes, and a right-turn lane on all approaches. The Project should contribute their fair share for the intersection improvement on SR 41/SR 145. However, the Project may pay into the Madera County Road Impact Fee Program.*

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 critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

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.

	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Potentially Significant Impact			

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

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

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

Responses:

(a) No Impact. Tribal Governments have not notified the county of either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value. The project site is small and has previously been developed for agricultural purposes.

	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Potentially Significant Impact			

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

(a - e) No Impact. No impacts have been identified as a result of this project. The project will be an unmanned highway sign, and would not require any permanent restroom facilities. The proposed Project would result in the generation of solid waste during the construction of the proposed LED sign.

Water Quality Issues

Erosion and sedimentation/siltation are two potentially significant impacts related to development with the entire Oakhurst area. These impacts are generally proportional to the intensity of development which occurs in an area, including the amount of the clearing and grading which is necessary.

Rainfall is unable to percolate into the portions of each site that are paved over and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. Pollutants associated with parking lots (oil & grease predominately) will be found

in high quantities after the first rain of the season. These pollutants have the potential of contaminating ground and surface water sources.

Groundwater availability issues

Groundwater within the area is generally limited and unpredictable as a result of geologic formation which characterizes the mountain and foothill regions of Madera County. These areas are generally underlain by impervious bedrock, and “groundwater” is available only through water bearing fractures within these formations. Within these “fracture” systems the ability to store and transmit water is solely dependent on the development of secondary openings such as faults, joints and exfoliation planes.

Due to these concerns regarding the uncertainty of groundwater, the Area Plan outlines the need to both understand groundwater availability for the area, and to examine opportunities to develop a source of surface water for the community. Several potential surface water sources for the greater eastern Madera County area have been evaluated over the years. Planning documents for the area beginning in the early 1960's identified the potential for a “Soquel” reservoir above Oakhurst within the Sierra National Forest. Later concepts included purchasing surface rights and delivering water from Bass Lake or the Fresno River. Most recently, the potential to purchase and deliver water from Redinger Lake has been studied. The development and implementation of a plan for surface water source been hindered by the presence of existing commitments for all surface water in the area. Additionally, environmental clearances, technical requirements, and the costs associated with developing a surface water source are significant. Despite these hurdles, the Area Plan notes that a surface water source must be viewed as the long-term solution and includes as a policy the initiation of a study to examine opportunities for a surface water source. The following Area Plan policies are proposed to address issues related to the provision of water.

Wastewater Issues

The reliance on septic systems has generated concerns regarding potential impacts to both surface and ground water quality, particularly where septic systems are concentrated on individual lots. This project will have an on-site treatment facility.

Solid Waste Issues

According to the Madera County General Plan Background report, all solid waste generated in the unincorporated area is currently disposed of at the Fairmead Landfill, which is owned by the County and operated by Madera Disposal Systems, Inc. The landfill facility is located on 48 acres at the southeast corner of Road 19 and Avenue 22. The landfill is expected to reach capacity in 2020. If additional waste can be diverted, the life of the expansion area could be increased. There is the potential for approximately 28 residential units' total that would be in need of disposing of residential related waste material to this landfill. Recycling measures are strongly encouraged. According to the California Integrated Waste Management Board, the generation rate per resident is 0.63 pounds per day of trash.

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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XX. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Responses:

(a- d) No Impact. No impacts identified as a result of this project.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially 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, substantially 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 checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant 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 checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Responses:

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 - c) Less Than Significant Impact. While there have been some impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant. With appropriate mitigations, those impacts can be reduced to less than significant or not significant.

Mitigation Measures

See attached.

Bibliography

California Department of Finance

California Department of Transportation (CALTRANS), *Outdoor Advertising Act and Regulations*, 2014.

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website https://dot.ca.gov/-/media/dot-media/programs/design/documents/design-and-eligible-aug2019_a11y.xlsx accessed January 31, 2020

California Department of Fish and Wildlife “California Natural Diversity Database” <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data#43018410-cnddb-quickview-tool>

Federal Highway Administration (FHWA), “The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update.” February 2009.

Madera County Airport Land Use Compatibility Plan

Madera County Dairy Standards Environmental Impact Report

Madera County General Plan

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Fire Marshall’s Office

Madera County Department of Public Works

Madera County Roads Department

National Cooperative Highway Research Program (NCHRP), Project 20-7 (256), “Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs”

Outdoor Advertising Act (Business and Professions Code §§5200 et seq.)

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020, with 2010 Census Benchmark*. Sacramento, California, January 2020

MND 2020-03

1

February 26, 2020

MITIGATED NEGATIVE DECLARATION

MND

RE: CUP #2020-001 – RNDS Properties LLC.

LOCATION AND DESCRIPTION OF PROJECT:

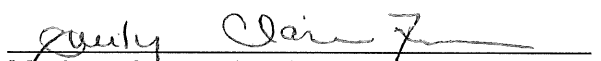
The subject property is located on the west side of Golden State Blvd, approximately 1,100 feet north of its intersection with Avenue 7 (no situs), Madera. This request is for a Conditional Use Permit (2020-001) and Variance (2020-003) to allow a 120 foot Highway Sign within the Planned Development District (PDD) and a variance to allow a 2,000 square foot double-sided LED sign and a 120 foot height variance, where 90 feet is allowed by ordinance. The sign is considered a compatible use with the property's zoning and general plan land use designation.

ENVIRONMENTAL IMPACT:

No adverse environmental impact is anticipated from this project.

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: February 26, 2020

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

ENVIRONMENTAL DOCUMENT

PROJECT NAME: RND5 Properties LLC- Conditional Use Permit; Variance – Madera (048-191-009)

PROJECT LOCATION: On the west side of Golden State Blvd, approximately 1,100 feet north of its intersection with Avenue 7 (no situs), Madera.

PROJECT DESCRIPTION: The applicant is requesting a 2,000 square foot LED Highway Sign within the Planned Development District (PDD) and a height variance to allow a 120'-00" height variance where 90'-00" is allowed by ordinance.

LEAD AGENCY: Madera County Planning Department

CONTACT PERSON/TELEPHONE NUMBER: Emily Lane (559) 675-7821 ext 3222

APPLICANT: RND5 Properties

CONTACT PERSON/TELEPHONE NUMBER: (559) 903-4627

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	The LED sign will include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.	Permitting Phase	Planning Department	Planning Department	Finalized Building Permit			
2	The LED sign will need to conform with California Vehicle Code 21466.5. The applicant must provide specifications that demonstrate the LED sign complies with brightness standards.	Permitting Phase	Planning Department	Planning Department	Finalized Building Permit			
3	Staff recommends a minimum of 10 seconds for each displayed advertisement on the LED sign.	Permitting Phase	Planning Department	Planning Department	Finalized Building Permit			
Agricultural Resources								
Air Quality								
1	All roadways and parking areas associated with the project are to be covered and maintained with material sufficient to create a dust free environment.	Site Inspection	Planning Department	Planning Department	Site Inspection Verification Prior to Operation			
Biological Resources								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Cultural Resources								
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Transportation and Traffic								
Utilities and Service Systems								