



Community and Economic Development
Planning Division
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PLANNING COMMISSION DATE: October 6, 2020

AGENDA ITEM: #3

S	#2020-001	156 Lot Tentative Subdivision Map
APN	MULTIPLE	Applicant: NFV-1 INV LLC
CEQA	EXEMPT	Section 15162

REQUEST:

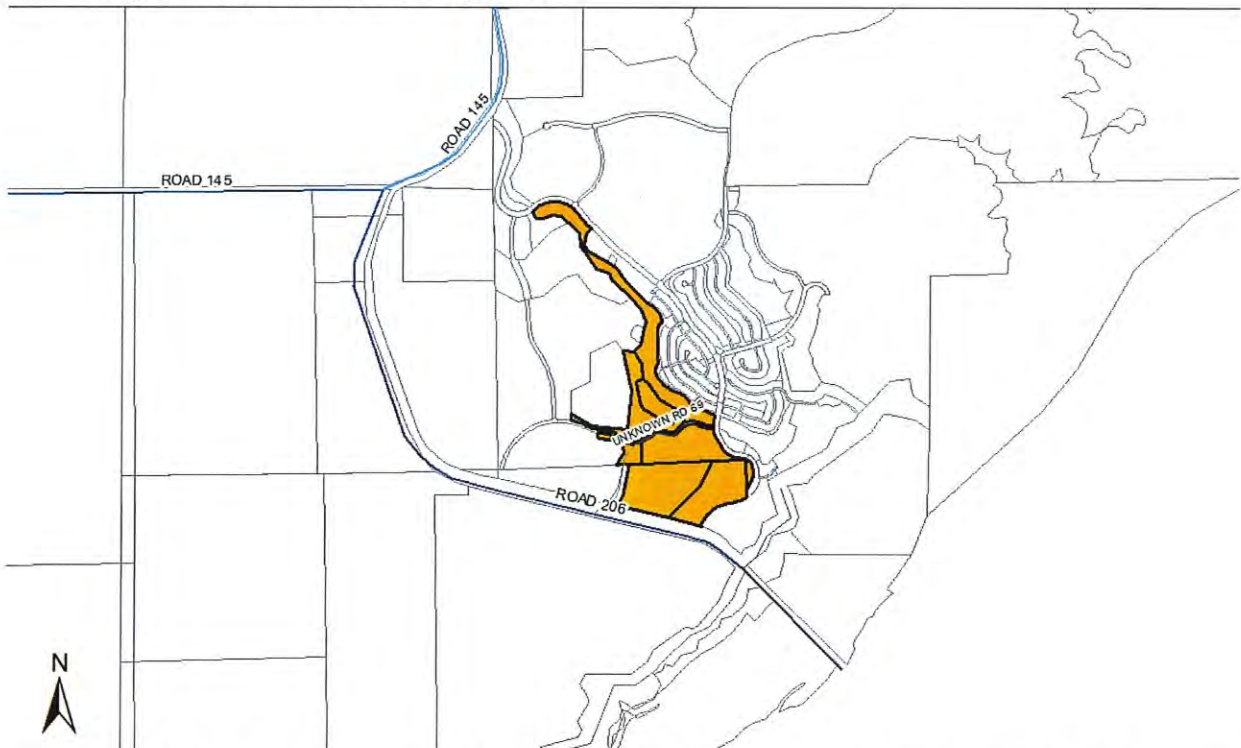
NFV-1 INV LLC is requesting approval of a tentative subdivision map of 156 lots within the North Shore at Millerton Lake (aka North Fork Village) Specific Plan.

LOCATION:

The property is located north of Road 206, west of the Madera Canal, one mile northwest of the town of Friant, Madera.

ENVIRONMENTAL ASSESSMENT:

An Environmental Impact Report, Specific Plan, and other previously certified related documents in which this project is consistent with was adopted by the Board of Supervisors on December 8, 2008.



RECOMMENDATION: Approval of the Tentative Subdivision Map subject to conditions and compliance with the previously certified Environmental Impact Report.

GENERAL PLAN DESIGNATION (EXHIBIT A):

SITE: LDR (Low Density Residential), MDR (Medium Density Residential), and OS (Open Space).

SURROUNDING: LDR (Low Density Residential), MDR (Medium Density Residential), OS (Open Space), and Designations.

ZONING (EXHIBIT B)

SITE: NFV-MDR (Medium Density Residential), NFV-MU (Mixed Use), and NFV-OSN (Open Space Natural) Districts.

SURROUNDING: NFV-MU (Mixed Use), NFV-HDR (High Density Residential), ARF (Agricultural Rural Foothills) Districts, NFV-MDR (Medium Density Residential) District, NFV-OSN (Open Space Natural) Districts, NFV-OSP (Open Space Preserve) Districts.

LAND USE:

SITE: Vacant, dry cattle grazing.

SURROUNDING: Surrounding parcels are currently in agricultural production, and dry cattle grazing.

SIZE OF PROPERTY (EXHIBIT C): Approximately 78.5 acres

ACCESS (EXHIBIT C):

The subdivision is proposed to be accessed from Road 206.

WILLIAMSON ACT:

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

BACKGROUND AND PRIOR ACTIONS:

The North Shore at Millerton Lake (aka North Fork Village) Specific Plan and corresponding Environmental Impact Report were approved on December 8, 2008.

PROJECT DESCRIPTION:

NFV-1 INV LLC is requesting approval of a tentative subdivision map for 156 lots.

ORDINANCES/POLICIES:

Tesoro Viejo Specific Plan Adopted by Board of Supervisors November 5, 2012.

Madera County Code (Chapter 17.20 regulates tentative subdivision maps).

California Government Code Title 7 (Subdivision Map Act).

ANALYSIS:

The Preserve at Millerton, originally Millerton North Shore, was approved by the Board of Supervisors in 2008. In the preceding time of nine (9) years the project has been negotiating with State and Federal agencies in the implementation of the adopted mitigation measures for endangered species and natural resource preservation. The result is a reduced project developable area of approximately 879 acres and 1,400 lots versus 2,100 acres and 2,966 lots as originally approved. The area now dedicated to conservation land is 1,224 acres.

Subsequent to the project approval, the property owner has negotiated an Incidental Take Permit with the California Department of Fish and Wildlife, necessary to mitigate impacts to endangered species, as well as United States Army Corps of Engineers and United States Fish and Wildlife Service permits to mitigate impacts to endangered species and waters of the United States. As a result of the Incidental Take Permit, the property owner is setting aside at least 1,216.8 acres of the approved project area for habitat and species mitigation. The habitat preserve will be burdened by a habitat conservation easement, approved by CDFW, prohibiting any development within the habitat preserve. The net result is that the project will yield less than 47% of the originally approved number of residential units.

This tentative map includes 122 residential lots, two (2) multi-family residential purpose lots, two (2) commercial lots, 17 outlots for trails, open space, parks and drainage purposes, and 13 outlots for private roads. The current terrain consists of rolling foothills, oak trees, and grasslands. Slopes vary between 1% to greater than 50%, depending on location.

Currently, the site is being used as grassland for grazing. Access will be from Road 206 and Road 145 to the west. There are seven (7) wells on the site that have been there since as early as 1989. Water supply will be delivered via a public water system as indicated in the certified Water Supply Assessment. In January 2019, the property entered into an agreement with California Water Company (Cal Water) to acquire the water and wastewater assets of the project. The project site is within the boundaries of County Service Area 22A, which will be the mechanism for providing services such as Sheriff and Fire protection. The proposed road system is private and will be privately maintained and operated by the HOA.

A certified Environmental Impact Report, Specific Plan, Area Plan, and other related documents in which this project is consistent with, was adopted by the Board of Supervisors on December 8, 2008. In review of the proposed Tentative Map for development of the project there are no significant changes that would cause one or more impacts to the environment. The certified EIR analyzed a maximum of 2,966 dwelling units within the Specific Plan. The California Environmental Quality Act (CEQA) Guidelines Section 15162 set forth the criteria for determining the appropriate level of additional environmental documentation, if any, to be completed when there is a previously certified Environmental Impact Report covering the project for which a subsequent discretionary action is required, in this case the tentative subdivision map. This environmental analysis (Exhibit G) has been prepared to assist the County of Madera in determining whether any additional environmental documentation is needed for the subject discretionary action. As per Section 15182 of CEQA, where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section. Also, as per Section 15183 of the Government Code, CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. There are no

circumstances that have occurred that would result in environmental impacts since the certification of the EIR.

FINDINGS OF FACT:

1. *The proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan. The proposed tentative map is consistent with the approved Specific Plan and Rio Mesa Area Plan.*
2. *The tentative subdivision map meets all of the requirements or conditions imposed by the Subdivision Map Act and Title 17 of the Madera County Code. All requirements and proposed conditions are consistent with the Subdivision Map Act and Title 17 of the Madera County Code including road standards, and lot design. Infrastructure as required by the Specific Plan and Development Agreement will be required.*
3. *The site is physically suitable for the type and density of development. The project site is located in a New Growth area of Madera County allowing for residential, commercial, institutional, and industrial uses. The North Shore at Millerton Lake Specific Plan incorporates elements of community design, land use, parks and open space, traffic and circulation, and public facilities and services into a comprehensive plan that implements the project vision.*
4. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. In accordance with CEQA Section 15162 a certified Environmental Impact Report for the Specific Plan includes mitigation measures which would alleviate impacts to the environment. Mitigation measures applicable to this tentative map will be enforced.*
5. *The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare. Mitigation measures have been adopted to regulate lighting, noise levels, and creating environmentally sound storm drainage facilities, to ensure a safe and peaceful community.*
6. *The land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (and the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use). The subject property is not subject to Williamson Act Contract.*

GENERAL PLAN CONSISTENCY STATEMENT:

The project is consistent with the land use policies in the Rio Mesa Area Plan and the General Plan.

The project provides for the division of 156 lots. These lots will comply with densities and lot sizes approved in the Specific Plan.

In accordance with Goal 1.B of the General Plan, New Growth Areas are comprehensively planned and developed as well-balanced, independent communities. The Rio Mesa Area Plan is considered a New Growth Area with higher-density residential uses as per Policy

1.B.2b. Also, this tentative map supports Policy 1.B.2c of integrating residential and open space and making it possible to travel by bicycle, foot, and automobile.

RECOMMENDATION:

The analysis contained in this report supports approval of the Tentative Subdivision Map subject to compliance with the conditions and the previously adopted environmental impact report.

CONDITIONS:

See attached conditions of approval.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit A-2, Area Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C-C2, Assessor Map
5. Exhibit D1-D5, Tentative Map
6. Exhibit E, Aerial Map
7. Exhibit F, Topographical Map
8. Exhibit G, CEQA Guideline Section 15162 Analysis
9. Exhibit H, Operational Statement
10. Exhibit I, Adopted Mitigation Monitoring and Reporting Program

CONDITIONS OF APPROVAL

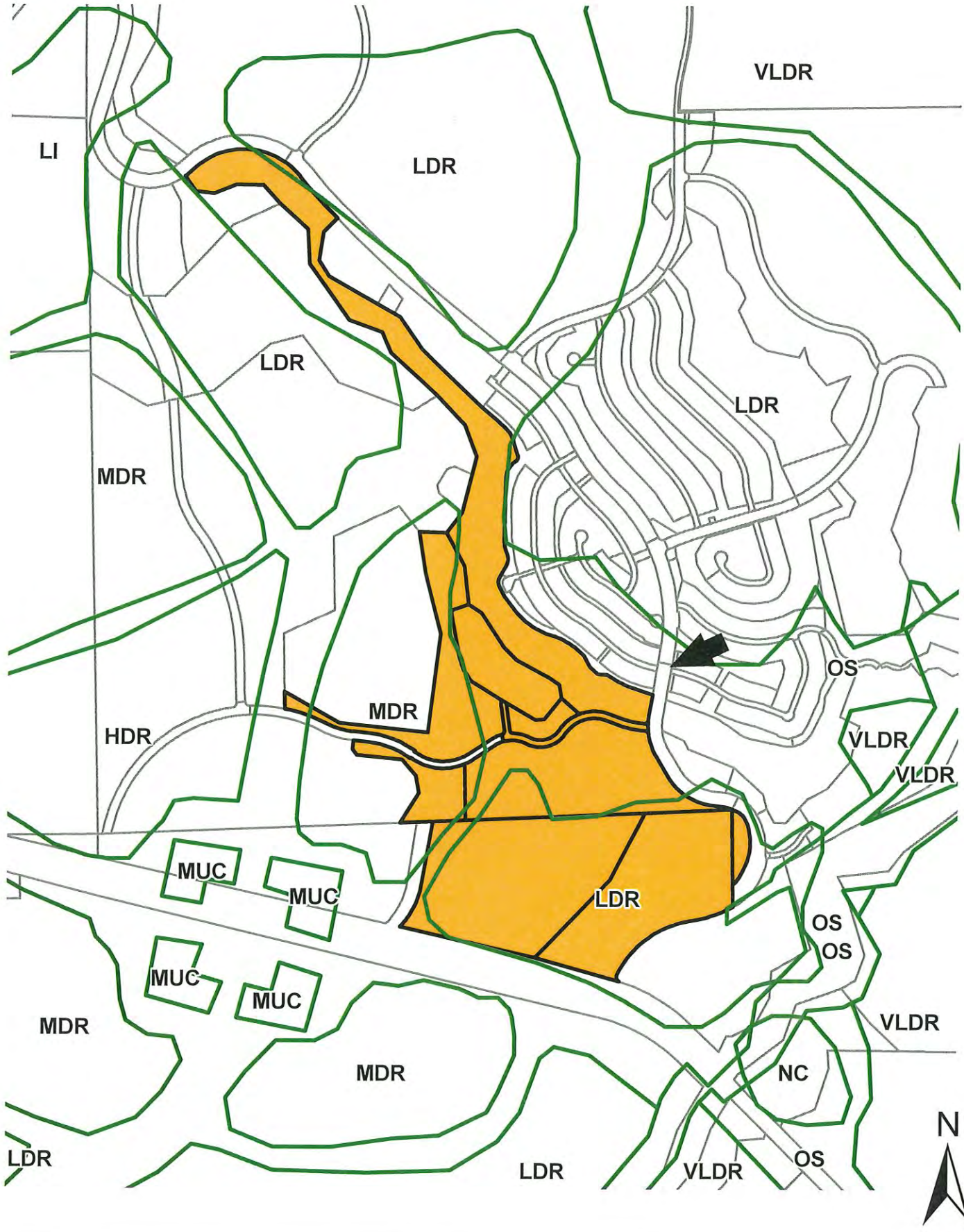
PROJECT NAME:	S #2020-001 NFV-1 INV LLC
PROJECT LOCATION:	The property is located north of Road 206, west of the Madera Canal, one mile northwest of the town of Friant, Madera.
PROJECT DESCRIPTION:	NFV-1 INV LLC is requesting approval of a tentative subdivision map for 156 lots.
APPLICANT:	NFV-1 INV LLC
CONTACT PERSON/TELEPHONE NUMBER:	NFV-1 INV LLC / (559)-436-1900

No.	Condition	Department/Age ncy	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	This proposed development shall be served by a community water system and a community sewer system [MCC Title 17.48]. Water and sewer services for any structures, on any parcels, within this development must be connected to an approved community water system and community sewer system that is approved by the Regional Water Quality Control Board (RWQCB) and State Water Resource Control Board Drinking Water Program (DWP)	EH			
2	Solid Waste collection with sorting for green waste, recyclable materials and garbage is required.	EH			
3	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.	EH			
4	During the application process for any required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.	EH			
5	Any new creation of a Public Water System the applicant must comply with Senate Bill 1263.	EH			
6	Solid Waste collection with sorting for green waste, recyclable materials and garbage is required.	EH			
Public Works					

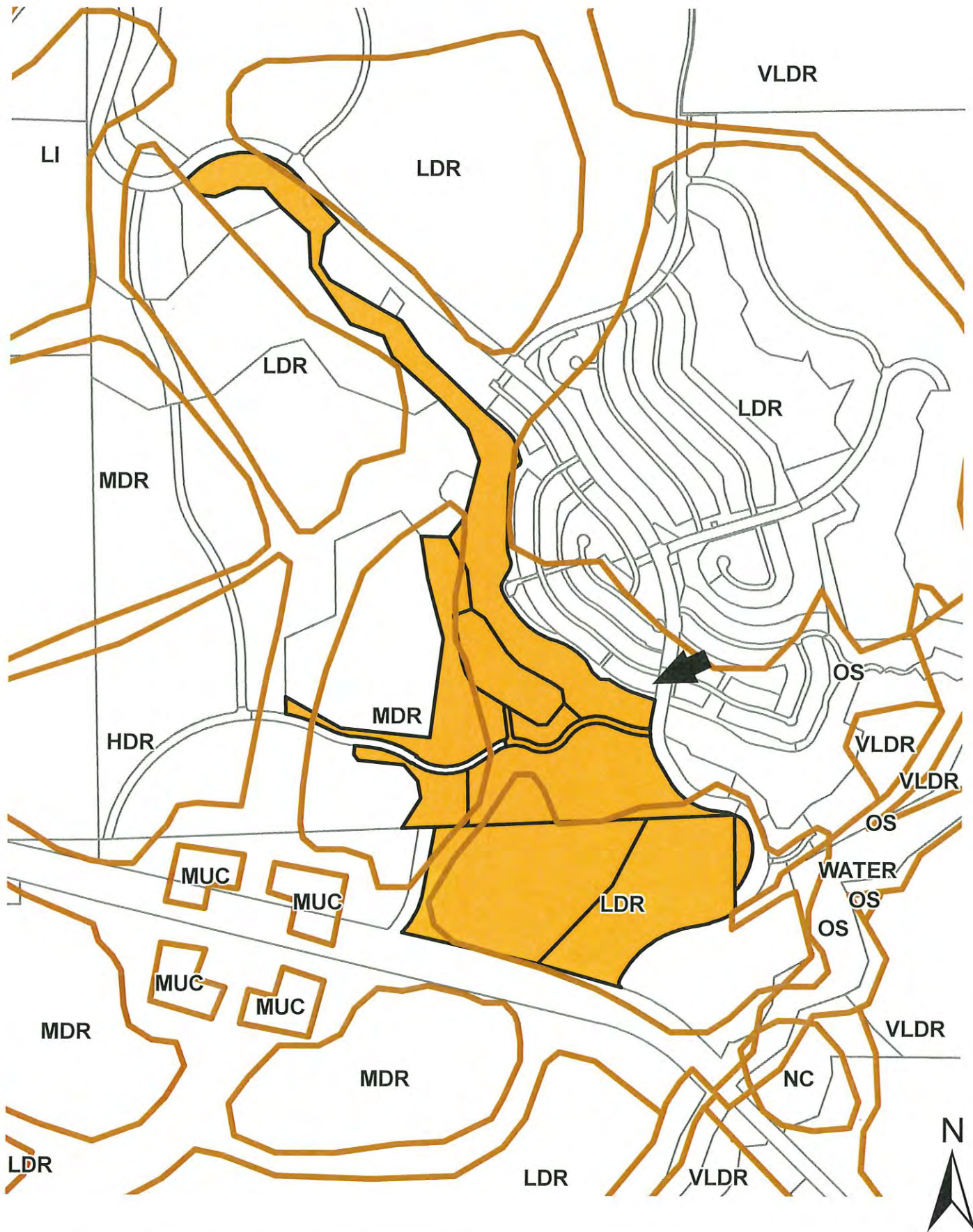
No.	Condition	Department/Age ncy	Verification of Compliance		
			Initials	Date	Remarks
1	All internal private roads still need to be reviewed by the County and approved by the County.	Public Works			
2	Contact Public Works Department once the source of sewage/wastewater system has been chosen or determined to discuss the design and operation of the facility.	Public Works			
3	Grading plans and applicable drainage calculations are required to submit to Public Works Dept. for review and approval.	Public Works			
4	A more detailed review of the improvements will be provided at the time of building application	Public Works			
Planning					
1	All mitigations measures outlined in the certified EIR for the North Shore at Millerton Lake Specific Plan shall be implemented in development of this project unless added to, deleted from and/or otherwise modified.	Planning			
2	The developer shall submit written certification of implementation of all mitigation measures to the Planning Department prior to recordation of the final map(s).	Planning			
3	The tentative and final maps shall be prepared and processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.	Planning			
4	The applicant's engineer shall submit the construction plans for all improvements (i.e., water, sewer, drainage, roads, etc.) required for this subdivision to the Planning Department simultaneously with the final subdivision map filing.	Planning			
5	Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with State law, County ordinance and conditions of approval.	Planning			
6	All improvements (water, sewer, roads, street signs, hydrants, utilities, vegetation clearing, etc.), including any necessary easements, required by the appropriate governmental agencies and/or public utilities shall be installed to each lot, unless bonded, prior to final map approval. Written certification that each improvement has been installed or will be bonded shall be submitted to the Planning Department by the responsible permitting agency/utility.	Planning			
7	Use of the outlot(s) is restricted to the specific use(s) indicated on the final map. Any deviation will require the approval of the County of Madera.	Planning			

No.	Condition	Department/Age ncy	Verification of Compliance		
			Initials	Date	Remarks
8	Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by the map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt of a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.	Planning			
9	The final subdivision map shall require the signature of the Madera County Engineering/Surveyor and his Certificate of Acceptability	Planning			
10	A Subdivision Guarantee, current within 30 days, shall be provided to the Planning Department simultaneously with the final map	Planning			
11	Payment of all current, supplemental, pending supplemental, delinquent, and estimated taxes, as applicable, shall be made prior to approval of the final subdivision map	Planning			
12	A recording fee based upon the number of final map sheets, shall be provided to the Planning Department for us in the final map recordation	Planning			
13	Any changes to the proposed phasing will require re-analysis of the project.	Planning			
14	The tentative map shall comply with the approved Environmental Impact Report, Mitigation Monitoring and Reporting Program, and Specific Plan	Planning			
15	The parcels being created shall have public access.	Planning			
16	In the event any parcels are sold to third parties, they would be altered to the conditions currently in place.	Planning			
17	The new acreages (gross and net) of all parcels/lots are provided for review prior to completion.	Planning			
Assessor's Office					
1	The applicant shows all improvements on applicant's land.	Assessor's Office			
2	The applicant files 1 completed Assessor's Form AO 93 regarding the Subdivision/Parcel Map improvements	Assessor's Office			
Fire					

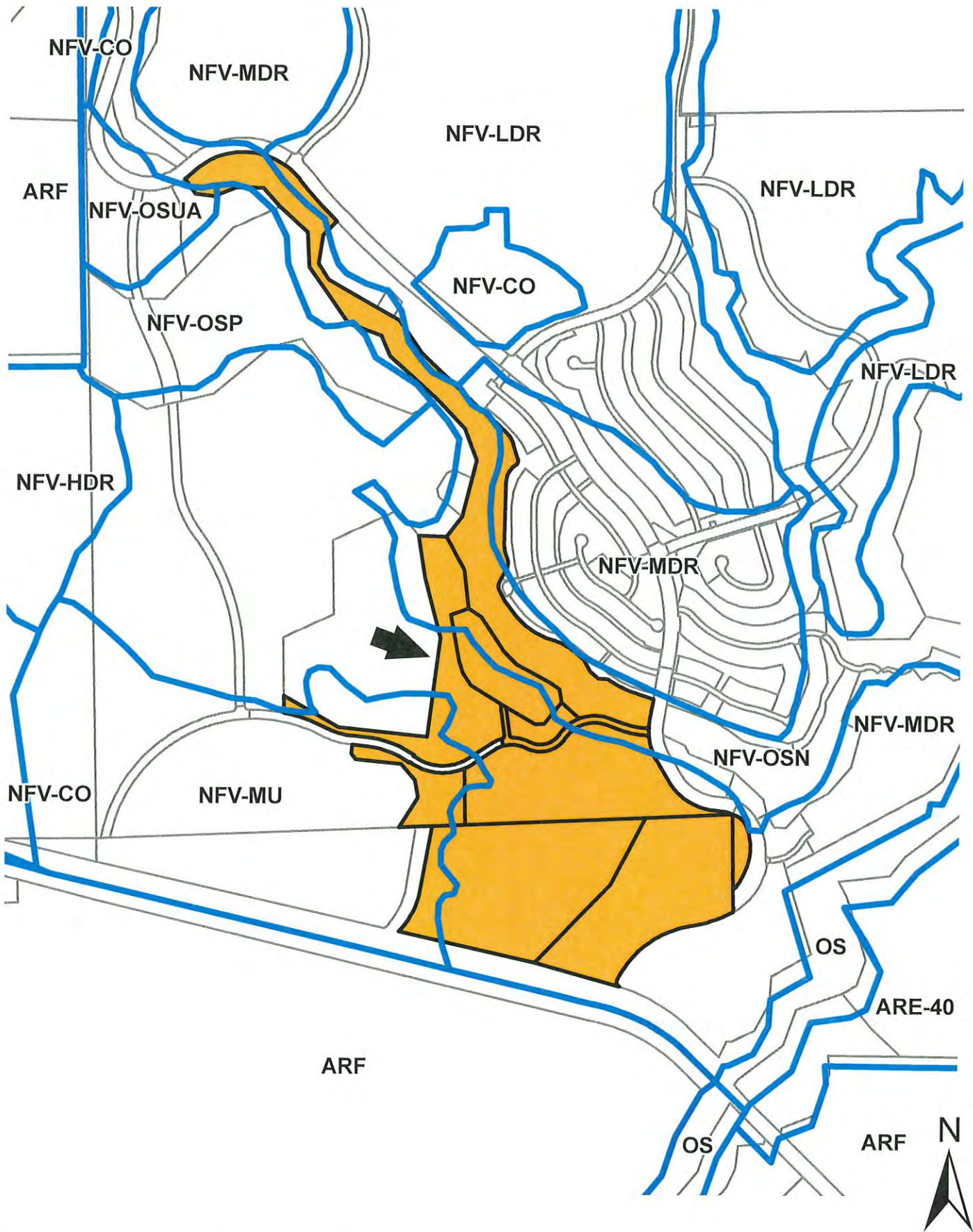
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
1	Per the preliminary report from July 2020, location of the required fire station still needs to be shown on the preliminary subdivision map.	Fire			
2	All roads accessing or proposed within the subdivision shall be constructed to Madera County and California state Fire Code standards prior to construction.	Fire			
3	A fire suppression hydrant water system meeting the minimum standards of the currently adopted CFC shall be installed prior to the issuance of any building permits.	Fire			



GENERAL PLAN MAP



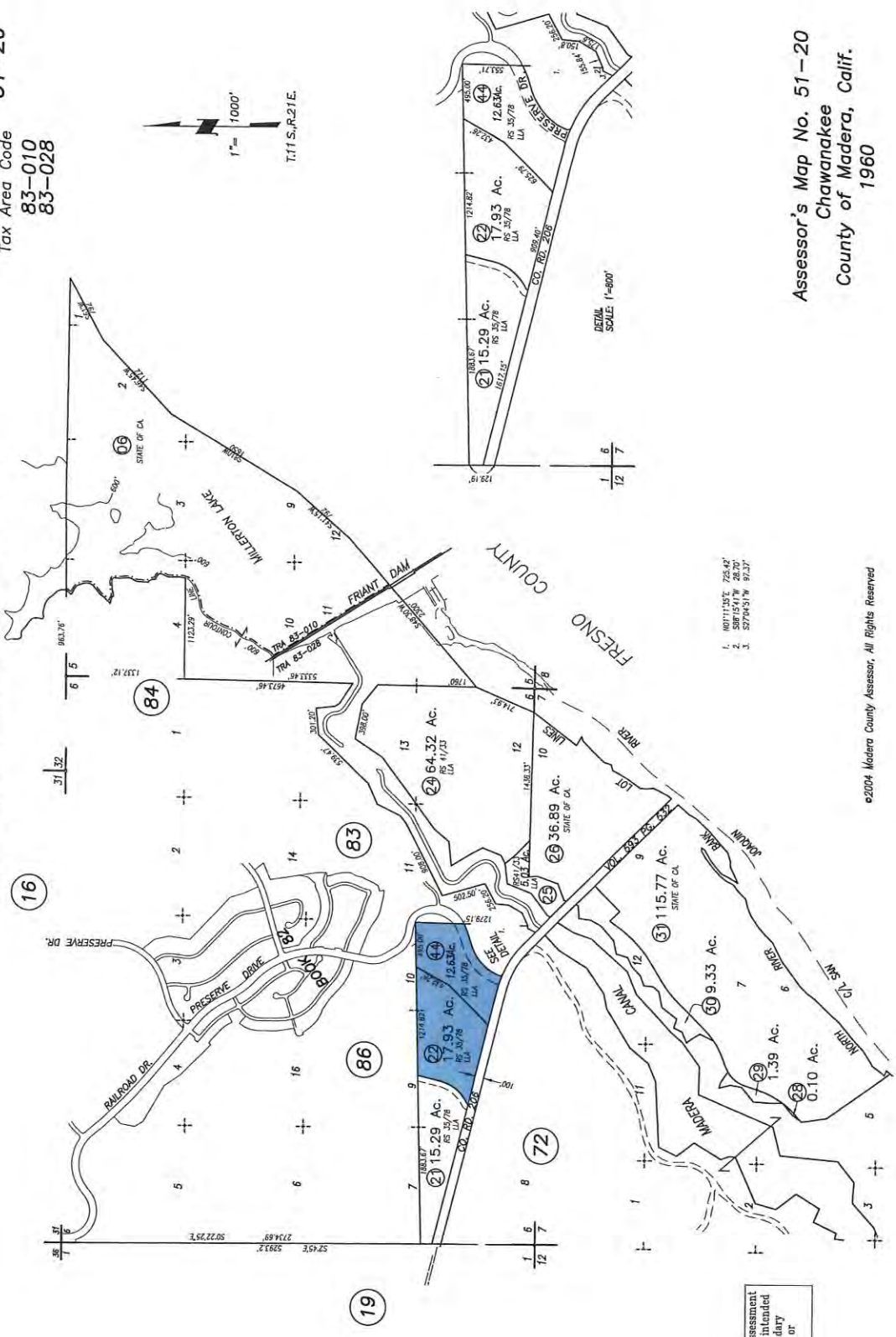
RIO MESA AREA PLAN MAP



ZONING MAP

Tax Area Code
83-010
83-028
51-20

SEC. 5, 6, 7 T.11S. R.21E. M.D.B.&M.



ORIGINAL



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

Assessor's Map No. 51-20
Chawanakee
County of Madera, Calif.
1960

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2013-44 GR

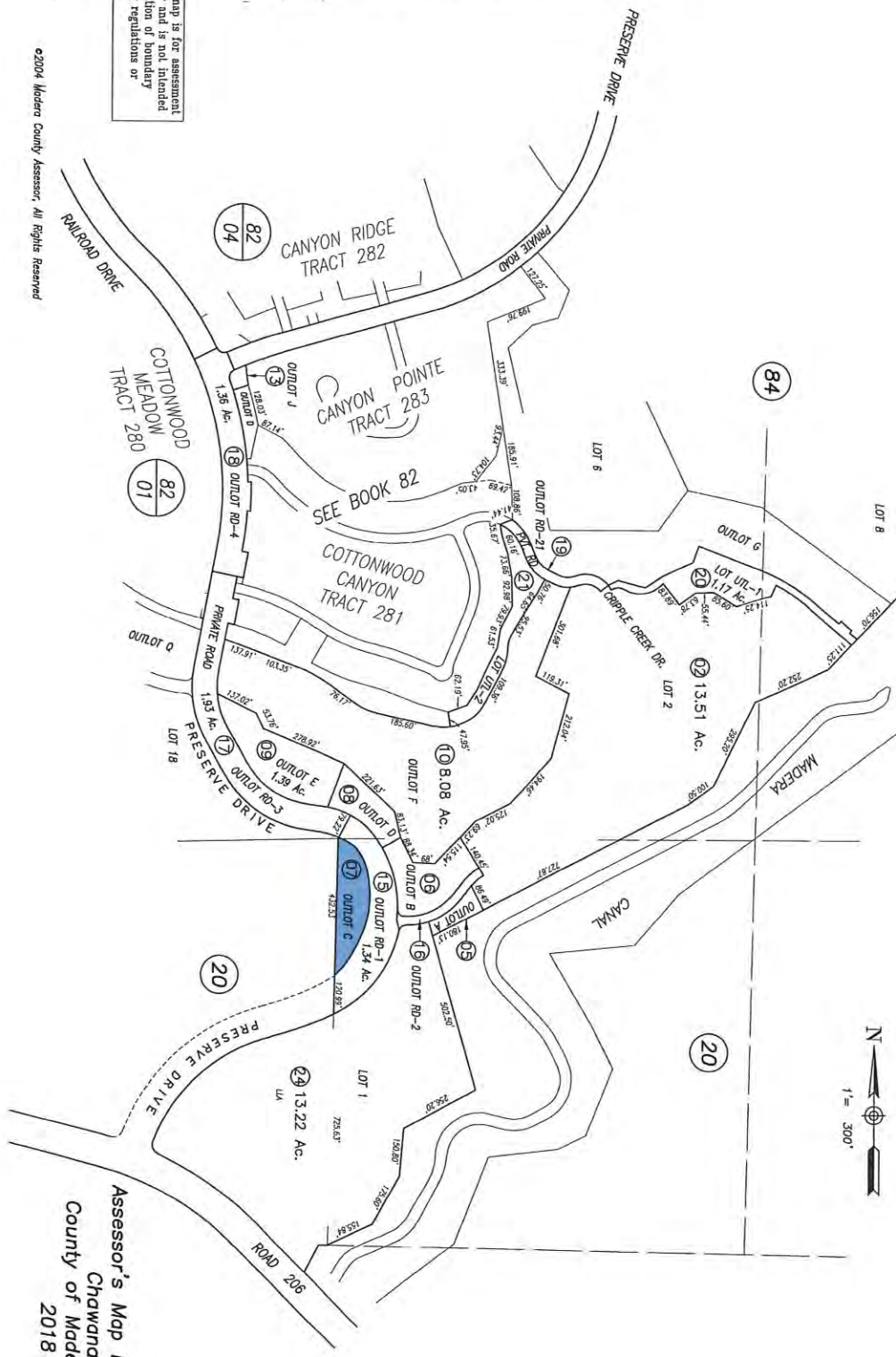
ORIGINAL



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

2018-24 428

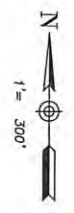
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SEC. 6 T.11S. R.21E. M.D.B.&M.
THE PRESERVE AT MILLERTON LAKE
VOLUME Pgs. 114-151
TRACT NO. 272

Tax Area Code
83-028

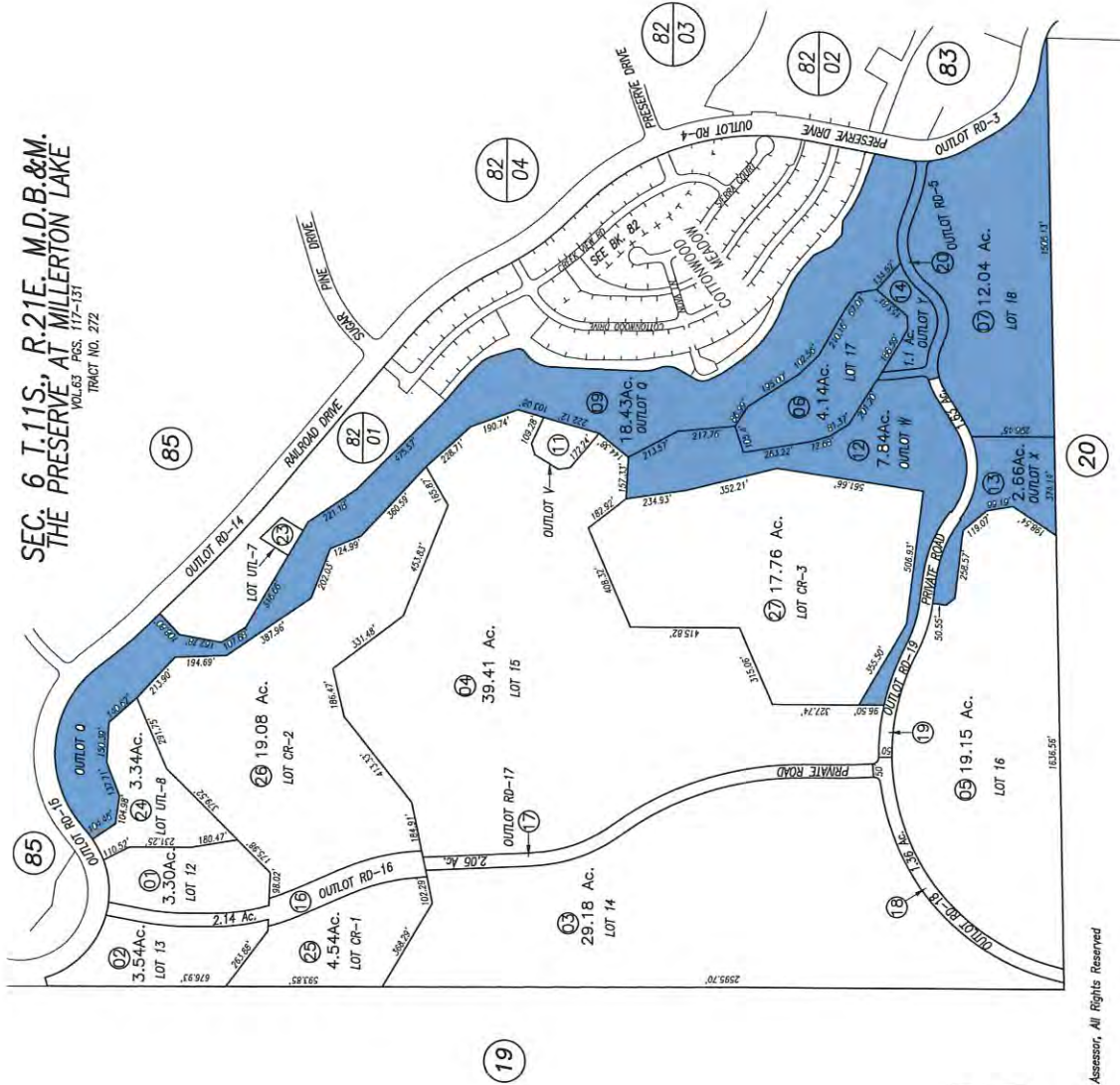
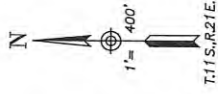
51-83



Assessor's Map No. 51-83
Chawandkee
County of Madera, Calif.
2018

Tax Area Code 51-86
83-028

SEC 6 T.11S., R.21E. M.D.B.&M.
THE PRESERVE AT MILLERTON LAKE
VOL.63 PGS. 117-131
TRACT NO. 272



Assessor's Map No. 51-86
Chawanakee
County of Madera, Calif.
2018

ORIGINAL

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TENTATIVE TRACT MAP

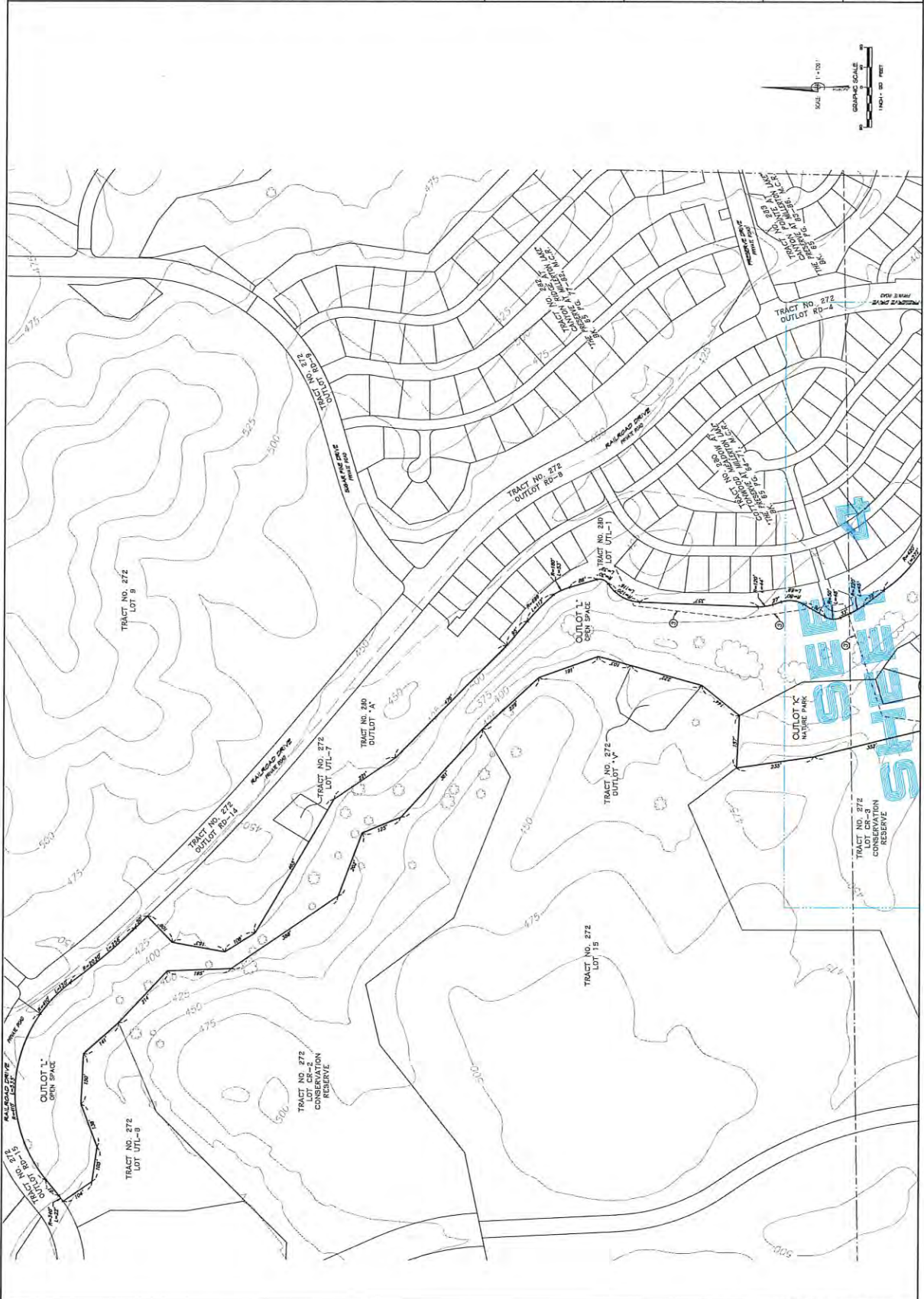
PREPARED BY: **DALE G. KRILL & ASSOCIATES**
 1515 S. GARDEN AVENUE, SUITE 200, ANAHEIM, CALIFORNIA 92805
 PHONE: (714) 771-1111 FAX: (714) 771-1112

PREPARED FOR: **MPV-1 INVESTMENTS, L.L.C.**
 P.O. BOX 2151
 SHELBY BEACH, CA 93448

SITE LOCATION: **THE PRESERVE AT MILETON LAKE**
 ASSASSON'S MARCEL MOUNTAIN
 081-460-014, 081-460-026, 081-460-027, 081-460-028, 081-460-029, 081-460-030, 081-460-031, 081-460-032, 081-460-033, 081-460-034, 081-460-035, 081-460-036, 081-460-037 & PORTION OF 081-460-038

BEING A PORTION OF SECTION 6, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MOUNT Diablo BASE & MERIDIAN

DATE: 09/17/2009
 SCALE: 1" = 100'
 PLOT: 8000.43M
 SHEET: 3 OF 5





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



AERIAL MAP



TOPOGRAPHICAL MAP

Environmental Checklist for Determination Under CEQA Guidelines Section 15162

Section 15162 of the California Environmental Quality Act (CEQA) Guidelines sets forth the criteria for determining the appropriate level of additional environmental documentation, if any, to be completed when there is a previously certified Environmental Impact Report covering the project for which a subsequent discretionary action is required. This environmental analysis has been prepared to assist the County of Madera in determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted Final Environmental Impact Report (FEIR) for the North Shore at Millerton Lake Specific Plan:

The FEIR was prepared for the North Shore at Millerton Lake Specific Plan, which contemplates the development of a comprehensively planned conversion of 2,100 acre site to urban uses. The master planned community consists of 1,400 residential lots after a project reduction occurred from conservation land dedication. The project is located on the north and east sides of Road 206, west of the Madera Canal, one mile northwest of the town of Friant, Madera.

The proposed project being analyzed in this document is a Tentative Subdivision Map of 156 lots (the "Tentative Map"). This is the second phase of development contemplated under the North Shore at Millerton Lake Specific Plan. The specific plan area comprises a total of 733.31 acres per assessor's records. The project applicant is NFV-1 INV LLC, which is the successor to Kesterson Development, the project applicant for the approval of the Specific Plan.

2. Lead Agency Name and Address:
Planning Division
Community and Economic Development
Madera County
200 W. Fourth Street, Suite 3100
Madera CA 93637

3. Contact:
Jamie Bax
Senior Planner
(559) 675-7821

4. Project Applicant's Name and Address:
NFV-1 INV LLC
PO Box 3151
Shell Beach CA 93448

5. Summary of the activities authorized by entitlement application:
The proposed project being analyzed in this document is a Tentative Subdivision Map (S#2020-001), which includes the creation of 156 lots. This is the second phase of development contemplated in the North Shore at Millerton Lake Specific Plan. The proposed Tentative Subdivision map includes 78.5 acres. The development shown on the proposed Tentative Map is envisioned to develop 123 residential lots, two commercial lots, and 30 outlots for various purposes. The specific plan area comprises a total of 733.31 acres.

The environmental factors identified below have been analyzed to determine the following:

- Are substantial changes proposed in the project which will require major revisions to the certified EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- Has new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The factors below are either checked yes to indicate that additional analysis under the California Environmental Quality Act is necessary, or no which indicates that the previously certified EIR needs no further amendments.

Yes	No		Yes	No		Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Air Quality
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geology /Soils
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Population / Housing
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transportation/Traffic
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Greenhouse Gases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mandatory Findings of Significance

I. AESTHETICS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to aesthetic resources that were discussed in the certified EIR. As explained in the certified EIR, the visual setting of the project site contains rural and agricultural features typical of the southeastern portion of Madera County. Much of the aesthetic quality of the site is attributed to its current rural, open space character, its varied landforms, and oak woodlands. The project site is visible from Millerton Lake State Recreation Area (SRA), Road 206 along the project south boundary, and from portions of Road 211 and SR-145 along the site's western and northern boundaries. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. After project reduction occurred from conservation land dedication, the current project allows for 1,400 dwelling units, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial aesthetic changes occurred in the circumstances under which the project is being undertaken?

No. There has been no development of the property or adjacent properties since the certification of the EIR. The circumstances are the same for this proposed tentative subdivision map as it was at the time the EIR was prepared and certified.

Has any new aesthetic information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The mitigation measure adopted within the certified EIR remains applicable to the Tentative Map, and will be required as a condition of approval for the Tentative Map. The potential impacts on aesthetic resources have not changed, there are no additional significant effects that were not discussed within the certified EIR. Those impacts identified in the EIR have not become more severe since adoption of the North Shore at Millerton Lake Specific Plan in 2008, and as previously stated the proposed Tentative Map has less of an impact than what was analyzed in the certified EIR. With the incorporation of the required mitigation, the Tentative Map will result in a less than significant effect on the environment, and therefore no additional mitigation measures are required at this time. All feasible mitigation measures and alternatives were analyzed in the certified EIR, and no changes are required as a result of aesthetic impacts.

II. AGRICULTURAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to agricultural resources. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. The property is currently used as grazing land. The proposed development is for 156 lots within the plan area, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial agricultural changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to agriculture. The types of soil within the North Shore at Millerton Lake Specific Plan boundary have not changed from the certified EIR.

Has any new agricultural information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified potential impacts on agriculture for the North Shore at Millerton Lake Specific Plan which were less than significant. There are no mitigation measures listed within the EIR.

III. AIR QUALITY

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to air quality. The project site is currently being used for agriculture, and is used as grazing land. As a result, existing sources of air pollutant emissions include agricultural equipment, unpaved farm roads, and work areas. The proposed development is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial air quality changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the North Shore at Millerton Lake Specific Plan related to air quality.

Has any new air quality information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified seven potential impacts related to air quality for the North Shore at Millerton Lake Specific Plan. Impacts ranged from No impact to significant and unavoidable. Those mitigation measure adopted within the Certified EIR remain applicable to this project, and will be required as conditions of approval.

IV. BIOLOGICAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to biological resources. For the purpose of the determining potential biological impacts, the scope of the analysis in the certified EIR included transportation rights-of-way, well sites, and off-site areas for effluent storage, in addition to the habitable areas within the Specific Plan boundary. The specific plan area has been used primarily for agricultural purposes. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. The proposed development is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial biological changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the North Shore at Millerton Lake Specific Plan related to biological resources. The certified EIR had a biological report prepared and reviewed by Madera County prior to its adoption. There are no circumstances that have occurred that would result in biological resource impacts since the certification of the EIR.

Has any new biological resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**

2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified potential impacts on biological resources for the implementation of the North Shore at Millerton Lake Specific Plan. Some impacts were identified as significant and unavoidable. As a result, the certified EIR provided several mitigation measures as listed in attachment A to this report. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measure adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval. Therefore, no further analysis is required for biological resources.

V. CULTURAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to cultural resources.

Have Substantial cultural resource changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the North Shore at Millerton Lake Specific Plan related to cultural resources. The certified EIR had a cultural resource report prepared and was reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in cultural resource impacts since the certification of the EIR.

Has any new cultural resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified potential impacts on cultural resources for the implementation of the North Shore at Millerton Lake Specific Plan. Four impacts required mitigation measures to mitigate to a less than significant impact. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval. Therefore, no further analysis is required for cultural resources.

VI. GEOLOGY AND SOILS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to geology and soils. The site is characterized by rolling hillsides at elevations ranging from approximately 350 above mean sea level to 1,400 above mean sea level. Approximately 35 percent of the property has slopes exceeding 25 percent. Steep north-south trending bluffs reside within the northernmost regions of the site, and Cottonwood Creek bisects the site.

Have Substantial geology and soils changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to geology and soils. The certified EIR had a geotechnical report prepared and reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in geology and soil impacts since the certification of the EIR.

Has any new geology and soil information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified five potential impacts on geology and soils for the implementation of the North Shore at Millerton Lake Specific Plan. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR.

VII. HAZARDS AND HAZARDOUS MATERIALS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to hazards and hazardous materials. The site of the proposed project has been used recently for cattle grazing and chicken raising, and past uses including mining/quarry activity. The site contains structures, evidence of previous structures (foundations, debris, etc.) containers of petroleum products, above ground storage tanks, potential polychlorinated biphenyl (PCB) containing equipment, pits/ponds/lagoons, water wells, and septic systems. Each of these is potentially hazardous material that, by their nature and properties, have the capacity to cause harm or create a health hazard during normal exposure or an accidental release. They are characterized as toxic, corrosive, flammable, reactive, an irritant, or a strong sensitizer. The presence of suspected or known hazardous waste contamination sites within the project site and immediate vicinity was determined through the Phase 1 Environmental Site Assessment.

There are no additional hazards known to occur, such as those related to being located within an airport land use plan or in the vicinity of a private airstrip. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area, as identified in Figure 1. The proposed development under the Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hazards and hazardous material changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Specific Plan related to hazards and hazardous materials. There are no circumstances that have occurred which would result in hazards and hazardous material impacts since the certification of the EIR.

Has any new hazard and hazardous material information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The Certified EIR identified nine potential impacts on hazards and hazardous material for the implementation of the North Shore at Millerton Lake Specific Plan. Seven of the impacts required mitigation measures to mitigate the potential impacts of the project to a less than significant impact. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval for the Tentative Map.

VIII. HYDROLOGY AND WATER QUALITY

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to hydrology and water quality. The proposed development contains eleven wells. The primary producing wells lie in two clusters: one on the southern part of the property and one on the northern edge. Well capacity data were obtained from pump tests conducted on each well within the project boundaries. Production ranged from 50 gallons per minute to 540 gallons per minute. Total well production was proven to be 1,373 gallons per minute, 2,215 acre-feet per year. The proposed development under the Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hydrology and water quality changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with respect to the implementation of the North Shore at Millerton Lake Specific Plan related to hydrology and water quality. The certified EIR had a water supply assessment, which was reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in hydrology and water quality impacts since the certification of the EIR.

Has any new hydrology and water quality information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified potential impacts on hydrology and water quality for the implementation of the North Shore at Millerton Lake Specific Plan. Two of the impacts required mitigation measures to mitigate the impacts of the plan to a less than significant level. There are no significant effects on hydrology and water quality that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified, or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

IX. LAND USE AND PLANNING

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to land use and planning. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. The proposed development is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial land use and planning changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the North Shore at Millerton Lake Specific Plan related to land use and planning. There are no circumstances that have occurred which would result in land use and planning impacts since the certification of the EIR.

Has any new land use and planning information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

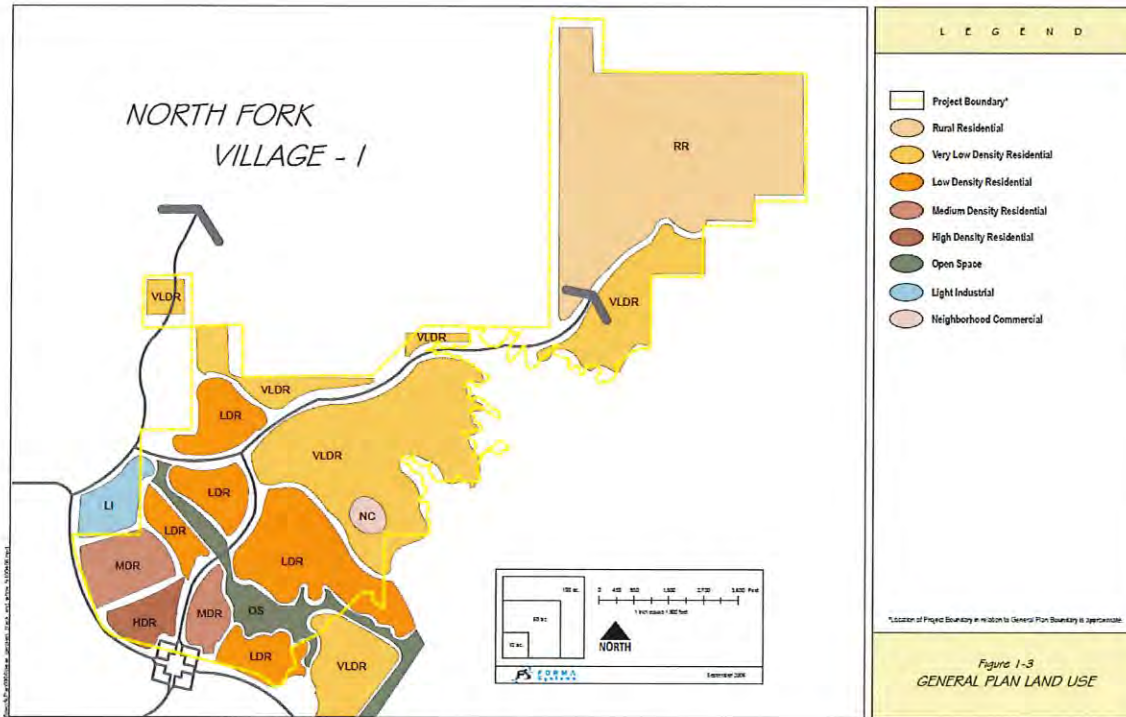


Figure 1-3
GENERAL PLAN LAND USE

No. The Certified EIR identified potential impacts on land use and planning for the implementation of the North Shore at Millerton Lake Specific Plan. Seven of the potential impacts required mitigation measures to mitigate to a less than significant level. There is no significant effect on land use and planning that was not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

X. MINERAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to mineral resources. The proposed Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hazards and hazardous material changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the North Shore at Millerton Lake Specific Plan related to mineral resources. There are no circumstances that have occurred which would result in mineral resource impacts since the certification of the EIR.

Has any new mineral resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The certified EIR identified three potential impacts on mineral resources for the implementation of the North Shore at Millerton Lake Specific Plan. None of the impacts required mitigation measures to mitigate to a less than significant level. There is no significant effect on mineral resources that was not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XI. NOISE

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to noise. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. The proposed Tentative Map contemplates 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial noise changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the North Shore at Millerton Lake Specific Plan related to noise. There are no circumstances that have occurred which would result in noise impacts since the certification of the EIR.

Has any new noise information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The Certified EIR identified four potential impacts on noise resulting from the implementation of the North Shore at Millerton Lake Specific Plan. Three of the impacts required mitigation measures to mitigate to a less than significant level. There are no additional significant effects

that were not discussed in the certified EIR. The significant effects examined within the certified EIR are less significant due to the proposed tentative map having fewer residential lots that what was analyzed within the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XII. POPULATION, EMPLOYMENT, AND HOUSING

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to population, employment, and housing. The certified EIR analyzed a maximum of 2,966 dwelling units within plan area. The proposed Tentative Map contemplates 156 lots with 123 for residential purpose, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial population, employment, and housing changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with respect to the implementation of the North Shore at Millerton Lake Specific Plan related to population, employment, and housing. There are no circumstances that have occurred which would result in population, employment, and housing impacts since the certification of the EIR.

Has any new population, employment, and housing information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified two potential impacts on population, employment, and housing for the implementation of the North Shore at Millerton Lake Specific Plan. None of the impacts required mitigation measures to mitigate such impacts to a less than significant level. There is no significant effect on population, employment, and housing that were not discussed and analyzed in the certified EIR. The significant effects examined within the certified EIR are less significant due to the proposed tentative map having fewer residential lots that what was analyzed within the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

XIII. PUBLIC SERVICES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to public services. The certified EIR analyzed a maximum of 2,966 dwelling units within plan area. The proposed Tentative Map contemplates 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial public service changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the North Shore at Millerton Lake Specific Plan related to public services. There are no circumstances that have occurred which would result in public service impacts since the certification of the EIR.

Has any new public service information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified potential impacts on public services for the implementation of the North Shore at Millerton Lake Specific Plan. Sixteen of the impacts required mitigation measures to mitigate to a less than significant level. There are no significant effect on public services that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measure adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

XIV. RECREATION

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to recreation. The certified EIR analyzed a maximum of 2,699 dwelling units within the plan area. The proposed Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial recreation changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the North Shore at Millerton Lake Specific Plan related to recreation. There are no circumstances that have occurred which would result in recreation impacts since the certification of the EIR.

Has any new recreation information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
- 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
- 4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified potential impacts on recreation related to the implementation of the North Shore at Millerton Lake Specific Plan. Two of the impacts required mitigation measures to mitigate to a less than significant level. There are no significant effect on recreation that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XV. TRANSPORTATION AND CIRCULATION

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to transportation and circulation. The certified EIR analyzed a maximum of 2,966 dwelling units. The proposed Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial transportation and circulation changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred within the North Shore at Millerton Lake Specific Plan related to transportation and circulation. There are no circumstances that have occurred which would result in transportation and circulation impacts since the certification of the EIR.

Has any new transportation and circulation information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- 1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
- 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;**

3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified potential impacts on transportation and circulation for the implementation of the Specific Plan. There are eight mitigation measures for those impacts. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to this project, and will be required as conditions of approval.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to the mandatory findings of significance in the California Environmental Quality Act, as it relates to the cumulative impacts of the North Shore at Millerton Lake Specific Plan, substantial adverse effects on human beings, or the potential to degrade the quality of the environment. The certified EIR analyzed a maximum of 2,966 dwelling units within the plan area. The proposed Tentative Map is for 156 lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to the mandatory findings of significance. There are no circumstances that have occurred which would result in impacts since the certification of the EIR.

Has any new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The project proponent is bound to the certified EIR and the adopted mitigation measures, which shall be included as conditions of approval of the Tentative Map. There are no significant effects of the Tentative Map that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

DETERMINATION:

On the basis of this initial evaluation:

The proposed Tentative Subdivision Map would NOT result in any additional significant effects or the need for new additional mitigation measures or alternatives that are not already discussed in the North Shore at Millerton Lake Program Environmental Impact Report. Therefore, the proposed Tentative Subdivision map will not cause any additional significant effects which were not analyzed in the North Shore at Millerton Lake Program Environmental Impact Report.

All feasible and appropriate mitigation measures and alternatives set forth in the North Shore at Millerton Lake Program Environmental Impact Report have been applied, verbatim as adopted by the Board of Supervisors on December 8, 2008, to the project or otherwise made conditions of approval of the project.

No substantial changes have occurred with respect to the circumstances under which the North Shore at Millerton Lake Environmental Impact Report was certified and there is no new available information which was not known and could not have been known at the time the North Shore at Millerton Lake Program Environmental Impact Report was certified.

Signature _____ Date _____

**Mitigation Monitoring and Reporting Program
for
Draft Environmental Impact Report
Northshore at Millerton Lake
Madera County, California
State Clearinghouse No. 2006011101**

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Michael Brandman Associates

November 19, 2008

MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Section 21081.6 of the Public Resources Code and the CEQA Guidelines Section 15097, a lead agency is required to adopt a monitoring and reporting program for assessing and ensuring compliance with the required mitigation measures applied to a proposed project for which an EIR has been prepared. As stated in the Public Resources Code:

“...The public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.”

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR. The lead agency may delegate reporting or monitoring responsibilities to another public agency or a private entity, which accept delegations. The lead agency, however, remains responsible for ensuring that implementation of the mitigation measures occur in accordance with the program.

The mitigation monitoring table below lists mitigation measures that are required to reduce the significant effects of the Northshore at Millerton Lake (formerly called North Fork Village-I Specific Plan) project. These measures may also be included as conditions of approval for the project. These measures correspond to those outlined in Section 2 (Executive Summary), of the Draft EIR. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsible entity for monitoring each measures. The project applicant will have the responsibility for implementing the measures, and various public agencies will have primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

The Mitigation Monitoring and Reporting Program is set up as a Compliance Report, with space for confirming the correct mitigation measures have been implemented for the Northshore at Millerton Lake project. In order to sufficiently track and document the status of mitigation measures, the matrix below has been prepared with the following components.

- Mitigation measures.
- Monitoring phase.
- Enforcement agency.
- Monitoring agency.
- Action Indicating Compliance.
- Verification of Compliance (for use during the reporting/monitoring)

Madera County - Northshore at Millerton Lake
Mitigation Monitoring and Reporting Program for Draft Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
5.1 - AESTHETICS							
Measure 5.1.4: The following project design features shall be implemented to minimize light and glare impacts:							
A-1. To preserve the significant aesthetic and visual resources of the site, project development shall comply with Grading Plan Development Standards specified in the NFV-1 Specific Plan. Grading plans shall be submitted for County of Madera Resource Management Agency review and approval for individual major phases of development, as well as subsequent stages of development including Tentative Maps and Final Maps. Prior to the approval of plans and Subdivision Maps for any development phase, the applicant, developer and/or successor in interest is responsible for providing Madera County Engineering and General Services Department with copies of the NFV-1 Grading and Designs Standards as accepted by the County.	Pre-Construction	Madera County Planning Department and General Services and Engineering Department	Madera County Engineering Department and General Services Department and Engineering Department	Approval of Grading and Design Standards accepted by Madera County			
A-2. The project should comply with the guidelines for building within oak woodland areas specified in the Madera County Oak Woodlands Management Plan (August 2004). The following measures shall be implemented during construction and shall be enforceable through Conditions, Covenants, and Restrictions (CC&Rs) and deed restrictions on individual lots. <ul style="list-style-type: none"> • Protect existing oaks during construction; replace trees with seedlings if removal is unavoidable. • Avoid root compaction by limiting heavy equipment in the root zone (1.5 times the crown width). • Minimize cutting roots during road construction, building foundations, or septic systems. 	Construction	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting During Construction Report of findings and Inventory			

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<ul style="list-style-type: none"> Avoid grade changes in the dripline zone of the trees. Avoid landscaping which requires or allows irrigation within the dripline of the crown of the tree. 						
A-3. The height of all structures within Mixed Use (MU) Planning Areas 27, 28, and 29 (PA-27, PA-28, and PA-29) shall be limited to 35 feet.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building or Grading Permit		
5.3 - AIR QUALITY						
AQ-1. The project applicant shall comply with San Joaquin Valley Air Pollution Control District Rule 9510 and implement control measures. District Rule 9510 requires that development projects meeting certain criteria to implement control measures and/or purchase emissions offsets to mitigate NOX and PM10 emissions associated with the project's construction and operation. Compliance with Rule 9510 is separate from the CEQA process, although the control measures used to comply with Rule 9510 may be used to mitigate CEQA impacts.	Construction and Operation	San Joaquin Valley Air Pollution Control District	Madera County Planning Department	Periodic Reporting Compliance During Construction and Operations		
AQ-2. Wood burning fireplaces and wood stoves shall be prohibited within the development. The use of natural gas fireplaces shall be allowed if desired.	Operation	Madera County Planning Department	Madera County Planning Department	Issuance of Building Permit		
5.4 - BIOLOGICAL RESOURCES						
B-1 A focused survey for Hartweg's golden sunburst was conducted in Spring 2000, and all populations on the Project Site were mapped. Additional surveys for this species will not be necessary. <u>Avoidance:</u> Under the CEQA guidelines, the preferred mitigation for impacts to listed species' habitat is avoidance. Avoidance would require that areas of the site supporting populations of special status plant species not be developed. The current project plans provide for the avoidance of approximately 7.6 acres of the site that are occupied by Hartweg's golden sunburst.	Pre-Construction	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Issuance of Grading Permit		

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<p>Compensation: An alternative to the avoidance of special status plant populations is the acquisition and protection of habitat off-site. Compensation ratios are typically 2:1 to 3:1, meaning that for every acre of impacted habitat, two to three acres of compensatory habitat must be created and protected under conservation easement. The applicant also has the option to purchase credits in a local conservation bank. Proposed project plans include a 28-acre preserve for Hartweg's golden sunburst, of which 7.6 acres are known to support this species. Compensation would also require the development of a relocation and monitoring plan for the plants which occur on 4.1 acres of the site slated for development. This plan would need to address seed collection, summer seed storage, site preparation of the preserve, and long-term management of the site, pending approval of California Department of Fish and Game, U. S. Fish and Wildlife Service, and Madera County.</p> <p>Permit Compliance: Prior to any elimination and/or relocation of state and federally listed plant species, the applicant must comply with provisions of the state and federal Endangered Species Acts.</p>						
<p>B-2. Surveys: A focused botanical survey for Madera linanthus will be required. These surveys will need to be conducted at two week intervals between late March and early June, to positively identify the species during its blooming period. Additional mitigation measures for the Madera linanthus would not be necessary if it is determined to be absent from the project site.</p> <p>Avoidance: Under the CEQA guidelines, the preferred mitigation for impacts to listed species' habitat is avoidance. Avoidance would require that areas of the site supporting populations of special status plant species not be developed.</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Compensation and Development of a Relocation and Monitoring Plan and Issuance of Grading Permit		

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<p><i>Compensation:</i> An alternative to the avoidance of special status plant populations is the acquisition and protection of habitat off-site. Compensation ratios are typically 2:1 to 3:1, meaning that for every acre of impacted habitat, two to three acres of compensatory habitat must be created and protected under conservation easement. The applicant also has the option to purchase credits in a local conservation bank. Compensation would also require the development of a relocation and monitoring plan for the plants that would need to address seed collection, summer seed storage, site preparation of the preserve, and long-term management of the site.</p>							
<p><i>B-3 Surveys:</i> Focused botanical surveys for vernal pool plant species will be required. Surveys will follow USFWS guidelines to determine presence/absence of vernal pool plant species including Succulent owl's clover, Hoover's purge, Bogg's Lake hedge hyssop, San Joaquin orcutt grass, hairy orcutt grass, and spiny-sepal button celery. These surveys will need to be conducted at two week intervals during the appropriate blooming period in order to determine presence/absence of each species. Additional mitigation measures for vernal pool plant species will not be necessary if it is determined that these species are absent from the project site.</p> <p><i>Avoidance:</i> Under the CEQA guidelines, the preferred mitigation for impacts to listed species' habitat is avoidance. Avoidance would require that areas of the site supporting populations of special status plant species not be developed.</p> <p><i>Compensation:</i> An alternative to the avoidance of special status plant populations is the acquisition and protection of habitat off-site. Compensation ratios are typically 2:1 to 3:1. The applicant also has the option</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Madera County Planning Department and California Department of Fish and Game and U. S. Fish and Wildlife Service	Compensation and Development of a Relocation and Monitoring Plan and Issuance of a Grading Permit			

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<p>to purchase credits in a local conservation bank. Compensation would also require the development of a relocation and monitoring plan for the plants that would need to address seed collection, summer seed storage, site preparation of the preserve, and long-term management of the site, pending approval of California Department of Fish and Game and U. S. Fish and Wildlife Service and Madera County.</p> <p>B-4 Surveys: Focused surveys for vernal pool invertebrates will be required. Surveys will need to be conducted according to USFWS guidelines to determine presence/absence of vernal pool fairy shrimp and vernal pool tadpole shrimp onsite. These surveys require two consecutive wet season surveys, or one wet season and one dry season survey. Neither wet nor dry season survey sampling shall be conducted at any project site unless the permittee receives prior permission from USFWS. If the listed invertebrate species are not found, then the mitigation measures discussed below would not be warranted.</p> <p>Avoidance: Under the CEQA guidelines, the preferred mitigation for impacts to listed species' habitat is avoidance. Avoidance would require that areas of the site supporting populations of special status invertebrate species not be developed.</p> <p>Compensation: If it is not possible to avoid populations of state and federally listed invertebrate species, habitat on or off-site could be constructed or acquired and protected from future disturbance. Typical compensation ratios are 2:1 preservation of existing habitat and 1:1 creation of new habitat. Compensatory habitat must be created and protected under conservation easement. The applicant also has the option to purchase credits in a local conservation bank.</p>	Pre-Construction	Madera County Planning Department and U. S. Fish and Wildlife Service	Madera County Planning Department and U. S. Fish and Wildlife Service	Section 7 Consultation with the U.S. Fish and Wildlife Service			

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<p><i>Permit Compliance:</i> Prior to any elimination of federally listed invertebrate species, the project applicant would be required to initiate consultation with the USFWS under Section 7 of the Endangered Species Act.</p> <p>B-5 Surveys: Focused surveys for California Tiger Salamander (CTS) will be required to determine the presence/absence of this species in pools and stock ponds within the project area. Surveys need to be conducted according to USFWS guidelines. Surveys would concurrently establish the presence/absence of western spadefoot in these habitats. These surveys require two consecutive wet season surveys in which pit traps are arrayed around potential breeding pools. Pit traps must then be checked at the time of every storm event throughout the monitoring period. If CTS and western spadefoot are not detected during surveys, the mitigation measures discussed below would not be warranted.</p> <p><i>Avoidance:</i> Under the CEQA guidelines, the preferred mitigation for impacts to listed species' habitat is avoidance. The project plans provide for complete avoidance of one vernal pool, six stock ponds, and up to 450 acres of potential aestivation habitat.</p> <p><i>Compensation:</i> If is not possible to avoid impacts to federally protected amphibian species habitat, mitigation onsite may require a substantial buffer around suitable habitat (e.g. up to 1.2 mile). Typical offsite mitigations include compensation at a 1:1 ratio at an approved mitigation bank. <i>To support offsite mitigation for project impacts to sub-marginal CTS aestivation habitat, the applicant will pay at close of escrow a development impact fee in the amount of \$450.94 per dwelling unit.</i> Storm water retentions basins are not considered suitable compensation.</p>	Pre-Construction	Madera County Planning Department and U. S. Fish and Wildlife Service	Madera County Planning Department and U. S. Fish and Wildlife Service	Compliance with provisions of the federal Endangered Species Act			

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<p>Mitigation measures will follow the requirements set by California Department of Fish and Game, U S Fish and Wildlife Service and Madera County.</p> <p><i>Permit Compliance:</i> Prior to any elimination of federally listed amphibian species, the applicant must comply with provisions of the federal Endangered Species Act.</p> <p>Additional information concerning California Tiger Salamander (CTS) has been added to the EIR Appendix C. This information includes two online/internet articles; 1)US Fish & Wildlife Service, Sacramento Fish & Wildlife Office, Species Account: California Tiger Salamander (Ambystoma californiense) and 2) an extract from the Ecological Society of America – ESA Online Journals Access Control: Amphibian Upland and Habitat Use and Its Consequences for Population Viability.</p>						
<p>B-6 Avoidance: All construction activities should occur outside of the nesting season (February through July), in order to avoid potential impacts to nesting Bald Eagles.</p> <p><i>Pre-construction Surveys:</i> If construction is to occur during the nesting season (February through July), a pre-construction survey for nesting raptors will need to be conducted by a qualified biologist within 30 days prior to the on-set of construction.</p> <p><i>Establish Buffers:</i> If pre-construction surveys conducted during the nesting season (February through July) locate active nests within or near construction zones, the nests and an appropriate buffer around them would remain off-limits to construction until the breeding season ends. A minimum distance of 500 feet between occupied nests and proposed construction activities may be required.</p>	Pre-Construction and Construction	Madera County Planning Department and U. S. Fish and Wildlife Service	Madera County Planning Department and U. S. Fish and Wildlife Service	Compliance Reporting During Pre-Construction and Report of Findings and Inventory		

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<p>B-7 Avoidance: All construction activities should occur outside of the nesting season (March through July), in order to avoid potential impacts to nesting Swainson's hawks.</p> <p>Pre-construction Surveys: If construction is to occur during the nesting season (March through July), a pre-construction survey for nesting raptors will need to be conducted by a qualified biologist within 30 days prior to the on-set of construction.</p> <p>Establish Buffers: If pre-construction surveys conducted during the nesting season (March through July) locate active nests within or near construction zones, the nests and an appropriate buffer around them would remain off-limits to construction until the breeding season ends. A minimum distance of 500 feet between occupied nests and proposed construction activities may be required.</p> <p>Compensation: If it is not possible to avoid impacts to foraging or nesting habitat of Swainson's hawk, on or off site mitigation may be required. Mitigation measures will follow the required protocol set for by California Department of Fish and Game and Madera County.</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game	Madera County Planning Department and California Department of Fish and Game	Compliance Reporting During Pre-Construction and Report of Findings and Inventory		
<p>B-8 Avoidance: All construction activities should occur outside of the nesting season (February through August), in order to avoid potential impacts to nesting raptors.</p> <p>Pre-construction Surveys: If construction is to occur during the nesting season (February through August), a pre-construction survey for nesting raptors will need to be conducted by a qualified biologist within 30 days prior to the on-set of construction.</p> <p>Establish Buffers: If pre-construction surveys conducted during the nesting season (February through</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game	Madera County Planning Department and California Department of Fish and Game	Compliance Reporting During Pre-Construction and Report of Findings and Inventory		

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<p>August) locate active nests within or near construction zones, the nests and an appropriate buffer around them would remain off-limits to construction until the breeding season ends. A minimum distance of 250 feet between occupied nests and proposed construction activities may be required.</p> <p>B-9 Focuses Surveys: A focused survey for burrowing owls and short-ear owls will be required. Surveys need to be conducted by a qualified biologist in order to determine presence/absence of the species. The surveys need to be conducted according to guidelines established by CDFG and the Burrowing Owl Consortium (BOC) for burrowing owl. The burrowing owl survey would also establish the presence of the short-ear owl.</p> <p>Pre-construction Surveys: A pre-construction survey for burrowing owls and short-ear owls will need to be conducted by a qualified biologist within 30 days prior to the on-set of construction. The survey will need to be conducted according to guidelines established by CDFG and the Burrowing Owl Consortium (BOC) for burrowing owl.</p> <p>Establish Buffers: If surveys conducted during the nesting season (February through August) locate active nest burrows within or near construction zones, the nests and an appropriate buffer around them would remain off-limits to construction until the breeding season ends. A minimum distance of 100 meters between occupied nest burrows and construction activities may be required.</p> <p>Relocation: Resident burrowing owls may be relocated to alternative habitat during the non-breeding season (August through January). Short-eared owls vacate their nests at the end of the breeding season, and would</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game	Madera County Planning Department and California Department of Fish and Game	Compliance Reporting During Pre-Construction and Report of Findings and Inventory		

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<p>not need to be relocated. Relocation efforts should be conducted according to a relocation plan prepared by a qualified biologist. This plan should provide for the owls' relocation to land that provides available nesting and foraging habitat.</p> <p><i>Compensation:</i> If it is not possible to avoid impacts to foraging habitat of burrowing owl, on or off site mitigation may be required. Mitigation measures will follow the requirements set for burrowing owl by California Department of Fish and Game and Madera County.</p>							
<p>B-10 Avoidance: All construction activities should occur outside of the nesting season (March through July), in order to avoid potential impacts to nesting horned larks.</p> <p><i>Pre-construction Surveys:</i> If construction is to occur during the nesting season (March through July), a pre-construction survey for nesting horned larks will need to be conducted by a qualified biologist within 30 days prior to the on-set of construction. The pre-construction survey should include all areas within 250 feet of construction activity.</p> <p><i>Establish Buffers:</i> If pre-construction surveys conducted during the nesting season (March through July) locate active nests within or near construction zones, the nests and an appropriate buffer around them would remain off-limits to construction until the breeding season ends. A minimum distance of 250 feet between occupied nests and proposed construction activities may be required.</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game	Madera County Planning Department and California Department of Fish and Game	Compliance Reporting During Pre-Construction and Report of Findings and Inventory			
<p>B-11 Verify Existing Delineation of Jurisdictional Waters: An updated, detailed delineation of potential jurisdictional waters should be prepared for the project site. The completed Jurisdictional Delineation report</p>	Pre-Construction	Madera County Planning Department and California	Madera County Planning Department and California	Obtain a Clean Water Act permit issued by the U.S. Army			

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<p>should be submitted to the USACE for verification so that the extent of USACE jurisdiction can be determined.</p> <p><i>Avoidance:</i> The preferred mitigation measure for impacts to jurisdictional waters is avoidance. The project has been designed to avoid all direct impact to Cottonwood Creek and most direct impacts to tributaries of Cottonwood Creek. Less than 10% of the total area of Waters of the United States on the project site will be unavoidably impacted by site development.</p> <p><i>Setbacks:</i> The County will assure implementation of the riparian protection zones around natural watercourses identified in the NFV-1 Specific Plan (Section 6.5.2). Riparian protection zones shall include the bed and bank of both low and high flow channels and associated riparian vegetation, the band of riparian vegetation outside the high flow channel, and buffers of 100 feet in width as measured from the top of bank of unvegetated channels and 50 feet in width as measured from the outer edge for the canopy of riparian vegetation. Exceptions may be made in existing developed areas where existing development and lots are located within the setback areas.</p> <p><i>Compensation:</i> Based on the loss of one acre of Waters of the United States, compensation measures would include the protection of existing drainage channels, stock ponds, and vernal pools, and the creation of new wetland habitat. The applicant proposes to create approximately 27 acres of stormwater retention basins onsite, of which 21 acres will function as natural wetlands. According to current project plans, the ratio of constructed wetlands to wetlands lost would be approximately 20:1.</p> <p><i>Permit Compliance:</i> Prior to any site development that will impact onsite wetlands, the applicant must obtain a</p>		Department of Fish and Game	Department of Fish and Game	Corps of Engineers and a Water Quality Certification issued by the Regional Water Quality Control Board			

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<p>Clean Water Act permit issued by the USACE and a Water Quality Certification issued by the RWQCB. The applicant would also be obligated to implement all mitigation measures prescribed by either agency.</p> <p>B-12 Avoidance: The project will comply with the guidelines for building within oak woodland areas specified in the Madera County 'Oak Woodlands Management Plan' (August 2004). The following measures shall be implemented during construction and shall be enforceable through Conditions, Covenants, and Restrictions (CC&Rs) and deed restrictions on individual lots.</p> <p>Protect existing oaks during construction, replace trees with seedlings if removal is unavoidable.</p> <p>Avoid root compaction by limiting heavy equipment in the root zone (1 ½ times the crown width).</p> <p>Minimize cutting roots during road construction, building foundations, or septic systems.</p> <p>Avoid grade changes in the dripline zone of the trees.</p> <p>Avoid landscaping which requires or allows irrigation within the dripline of the crown of the tree.</p> <p>Oaks impacted by construction will be replaced at a 4:1 ratio.</p> <p>Preservation: Oak woodlands on the project site are located almost entirely within the northern unit comprised of the planned Oak Ranch and Sierra Crest Neighborhoods. Prior to recordation of any Final Map for development in these areas, the project shall prepare an Oak Woodland Conservation and Monitoring Plan to ensure the preservation of the significant oak woodlands onsite. The Plan will be submitted to the</p>	Pre-Construction	Madera County Planning Department and California Department of Fish and Game	Madera County Planning Department and California Department of Fish and Game	Preparation of an Oak Woodland Conservation and Monitoring Plan and Recordation of a Final Map		

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County and made available for review and comment by the California Department of Fish & Game.							
5.5 - CULTURAL RESOURCES							
C-1. Avoidance. The Applicant/Developer shall submit to the County of Madera RMA-Planning Department an aerial topographic map of the NFV-1 project site depicting the location of all recorded cultural sites. The map shall be used in conjunction with review of subsequent Tentative Map submittals to assure avoidance of cultural resource sites, consistent with recommendations of the project cultural survey report (Appendix D).	Pre Construction	Madera County Planning Department	Madera County Planning Department	Receipt of Topographic and Map Submittal of Tentative Map			
C-2. Avoidance. Cultural resource sites shall be plotted on project Tentative Map submittals to assure avoidance, consistent with recommendations of the project cultural survey report (Appendix D.)	Pre Construction	Madera County Planning Department	Madera County Planning Department	Submittal of Tentative Map			
C-3. Buried Archaeological Deposits. In the unlikely event that buried archaeological deposits are encountered by construction staff during earthmoving activities, work in the immediate vicinity of the find should cease until the significance of the find can be evaluated by a qualified archaeologist, and appropriate treatment recommendations are implemented.	Construction	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting During Construction Report of Findings and Inventory			
C-4. Human Remains. If human remains are encountered during earthmoving activities within the project area, all work in the adjacent area shall stop immediately and the County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants shall be notified by the coroner, and recommendations for treatment and disposition of remains solicited (CEQA Guidelines § 15064.5; Health and Safety Code §	Construction	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting During Construction Report of Findings and Inventory			

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7050.5; Public Resources Code §§ 5097.94 and 5097.98).							
5.6 - GEOLOGY AND SOILS							
GS-1. Specific recommendations have been included by the geotechnical engineer. These recommendations shall be implemented along with Madera County construction standards. The recommendations are included in Appendix E, Geology/Hazards, of this Draft EIR.	Pre-Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Issuance of Grading or Building permit			
GS-2. A detailed site-specific Geotechnical Engineering Investigation shall be conducted for each phase of the proposed development. Prior to the issuance of Grading or Building Permit, grading and/or construction plans shall minimally meet design and construction for the appropriate seismic zone requirements of the Uniform Building Code adopted by Madera County at the time the Grading or Building Permit is issued.	Each Development Phase	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Issuance of Grading or Building permit			
GS-3. Compressible surficial materials unsuitable for construction shall be removed or over-excavated prior to construction in accordance with the standards of the Madera County	Pre-Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Issuance of Grading or Building permit			
GS-4. As part of the site grading and prior to the commencement of building construction, unconsolidated fill materials, and organic rich soils shall be excavated and shall be replaced with engineered fill.	Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Periodic Compliance Reporting During Construction Report of Findings and Inventory			

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<p>GS-5. Obtain the required NPDES permit and prepare and implement the required Best Available Technology (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate storm water pollution during construction.</p>	Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Periodic Compliance Reporting During Construction Report of Findings and Inventory			
<p>GS-6. Develop a project specific grading plan for new proposed development, to be approved by the Madera County Engineer which incorporates, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Ground cover removal onsite shall minimize erosive effects, and shall be replaced as soon as possible after construction operations. • Temporary mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during construction activities. • Exposed earth surfaces shall be watered by the contractor as required to control dust. Tarpaulins or similar covers shall be used on haul trucks to reduce fugitive dust emissions. 	Each Development Phase	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Approval by the Madera County Engineer			
<p>GS-7. Prior to the final phase development in the proposed Sierra Crest Neighborhood, the applicant/developer shall submit soils investigations and design recommendations for sites proposed for septic tanks and leach fields. Such investigations shall demonstrate the ability of these sites to accept proposed septic systems, to the satisfaction of the Madera County Environmental Health Department.</p>	Prior to Final Development Phase	Madera County Environmental Health Department	Madera County Environmental Health Department	Submittal of Soils Investigations and Design Recommendations			

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5.7 - HAZARDS AND HAZARDOUS MATERIALS							
HHM-1 Prior to the issuance of grading or demolition permits, a site study will be conducted to locate septic systems on the site. Closure and removal of septic systems shall be conducted in accordance with the regulations of the Environmental Health Department of Madera County and the State Department Toxics Substance Control.	Pre-Construction	Madera County Environmental Health Department	Madera County Environmental Health Department	Issuance of grading or demolition permit			
HHM-2. A site study will be conducted of the structures and facilities on the site to test for the presence of lead based paints, asbestos containing building materials and polychlorinated biphenyls (PCBs). If these substances are detected, prior to the issuance of permits by the County for any structural demolition activities on the project site, the project developer will be required to submit documentation to the County Department or Environmental Health that remediation actions will be undertaken in conformance with the regulations of the Air Quality Management District and the State of California, Division of Occupational Health and Safety.	Pre-Construction	Madera County Environmental Health Department	Madera County Environmental Health Department	Issuance of Grading or Demolition Permit			
HHM-3. All development in high fire hazard areas shall be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable state and county fire standards.	Pre-Construction	Madera County Planning Department and Fire Department	Madera County Planning Department	Issuance of Building or Grading Permits			
HHM-4. All development shall include fire resistant vegetation, cleared firebreaks, or a comprehensive fuel management program.	Pre-Construction	Madera County Planning Department and Fire Department	Madera County Planning Department and Fire Department	Issuance of Building or Grading Permits			

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HHM-5. Water systems shall meet County fire flow requirements. Where minimum fire flow is not available to meet County standards, alternate fire protection measures, including sprinkler systems shall be incorporated if approved by the County Fire Department.	Pre-Construction	Madera County Planning Department and Fire Department	Madera County Planning Department and Fire Department	Issuance of Building or Grading Permits		
HHM-6. All development shall have adequate access for fire and emergency vehicles and all major subdivisions shall have at least two points of ingress and egress.	Pre-Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Issuance of Building or Grading Permits		
HHM-7. Prior to the issuance of grading permits, a dust control plan to include frequent watering and other measures shall be prepared and approved by the County Engineering Department and the Madera County Mosquito Abatement and Vector Control District to control the release of vectors and dormant spores	Pre-Construction	Madera County Engineering Department and the Madera County Mosquito Abatement and Vector Control District	Madera County Engineering Department and the Madera County Mosquito Abatement and Vector Control District	Approval of Dust Control Plan		
5.8 - HYDROLOGY AND WATER QUALITY						
HWQ 5.8-1. Detailed studies will be prepared to evaluate the location, operation, and maintenance of reclaimed water facilities and submitted to the County and Regional Water Quality Control Board for approval.	Pre-Construction	Madera County Planning Department and Engineering Department	Madera County Planning Department and Engineering Department	Approval from Madera County and Regional Water Quality Control Board		
HWQ 5.8-2. The Area Plan project shall be required to participate in an area-wide groundwater recharge program as may be implemented by Madera County, or any regional recharge program as may be implemented jointly by multiple jurisdictions.	Operation	Madera County Planning Department	Madera County Planning Department	Approval of Groundwater Recharge Program		

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5.9 - LAND USE							
<p>LU-1. Findings should be recommended by the Planning Commission to the Board of Supervisors that site specific limitations on the proposed site exist as documented in the EIR that would prevent the proposed project from achieving the density envisioned by the RMAP, and that given such site limitations the density proposed is acceptable under the policies of the Area Plan.</p>	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Recommended Findings by the Madera County Planning Commission			
<p>LU-2. To reduce the project's contribution to recreational impacts of increased access and activity within the San Joaquin River Parkway, the specific design, location, and timing of implementation of the Cottonwood Creek trail extension to the Parkway Corridor shall be coordinated with the San Joaquin River Parkway Conservancy. To the extent feasible, public access shall be limited to access points that are consistent with regional trail system plans.</p>	Pre-Construction and Each Development Phase	Madera County Planning Department	Madera County Planning Department and San Joaquin River Parkway Conservancy	Periodic Reporting and Report of Findings			
<p>LU-3. The project shall make publicly available educational pamphlets or other materials promoting awareness and stewardship of the significant resource values of the San Joaquin River Parkway corridor. These materials may be provided at appropriate locations within the project (e.g. information kiosks, shopping centers, trailheads, etc.). Content of the materials will be coordinated with the Parkway Conservancy.</p>	Operation	Madera County Planning Department	Madera County Planning Department	Production of Publicly Available Educational Pamphlets			
<p>LU-4. Prior to recordation of any Final Map sharing a common boundary with Millerton Lake State Recreation Area (SRA), the project shall prepare a Boundary Zone Plan specifying the proposed boundary design in conformance with the standards and guidelines of the Specific Plan. The boundary zone plan shall identify specific access control measures to</p>	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Recordation of a Final Map Sharing a Common Boundary with Millerton Lake State Recreation			

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be employed (e.g. fencing, walls, signage, etc.), landscape treatments, and fire hazard reduction measures. The Boundary Zone Plan shall conform to the standards and guidelines of the Specific Plan, and shall be made available for review and comment by the California Department of Parks and Recreation (DPR) and Millerton Lake SRA.				Area		
LU-5. The project shall make available to the public pamphlets that promote awareness of the resource values of the Millerton Lake SRA and identify designated SRA facilities and access points. These materials shall be provided at residential occupancy, and may be made available through Homeowners' Associations to residents and guests. Content of the materials will be coordinated with DPR and Millerton Lake SRA.	Operation	Madera County Planning Department	Madera County Planning Department	Production of Publicly Available Awareness Pamphlets.		
LU-6. The project shall construct a barbed wire, locking gate between the Millerton Lake SRA and the trail system being constructed by the project, to prohibit unpaid access and to avoid potential impacts to the operations and maintenance of the MLSRA.	Operation	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting during operation Report of findings and Inventory		
5.11 - NOISE						
N-1. The final grading and construction plans for any Final Map will include conditions requiring all construction equipment to be properly maintained with operating mufflers and air intake silencers, and prioritize the location of equipment staging and storage away from residential uses when practical. This measure shall be implemented to the satisfaction of the County Planning Director.	Pre-Construction and Construction	Madera County Planning Department	Madera County Planning Department	Issuance of a Grading Permit		

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N-2. The final grading and construction plans for any Final Map will include perimeter walls, berms or other noise attenuation features with a total height of 6 feet to reduce exterior traffic noise to 60 dB CNEL or less adjacent to any proposed residential units within 600 feet of Road 145, Road 206, or Road 211. This mitigation is needed to bring noise levels down to acceptable levels along these roadways (and supersedes the shorter distance requirement found in Rio Mesa Area Plan EIR.)	Construction	County Planning Director	County Planning Director	Approval of the Final Grading and Construction Plans for any Final Map		
N-3. An interior acoustical study shall be performed for all Tract Maps within the proposed specific plan. The study shall be completed and submitted prior to final plan check approval. The interior acoustical study shall evaluate noise at ground level and second stories of residential units adjacent to all collector and arterial roadways to verify that the structural features are adequate to meet the 45 dB CNEL interior standard. Noise attenuation features recommended in the study such as dual-paned windows, deck balcony enclosures, and/or additional insulation requirements sufficient to reduce interior noise levels to 45 dB CNEL or less interior noise levels shall be implemented.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Final Plan Check Approval		
5.13 - PUBLIC SERVICES AND FACILITIES						
PSF-LE-1. Madera County shall establish a law enforcement impact fee for the RMAP area (or countywide) sufficient to provide resources to expand police and law enforcement services to the adopted standards. The developer shall be responsible for paying such impact fee at the time prescribed by the County in the impact fee structure.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Payment of the Law Enforcement Impact Fee		
PSF-LE-2. The applicant/developer shall be responsible for petitioning LAFCo to expand the responsibility and authority of the administered	Pre-Construction	Madera County Planning Department and	Madera County Planning Department	Approval of LAFCO Funding Mechanism		

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Community Services District to provide for enhanced law enforcement services (i.e., private security services). The developer shall provide evidence that a funding mechanism approved by Madera County will provide a continuous source of revenue to finance private security services.		Madera County LAFCo					
PSF-FS-1. The applicant/developer shall offer for dedication to the Madera County Fire Department an improved Fire Station and minimum equipment located in the South Mesa Neighborhood as defined by the NFV IMP such that it provides fire and emergency medical services within response time requirements of state law as stated in the Specific Plan, and pay Fire Impact Fees as established by Madera County. The developer shall be reimbursed from Fire Impact Fees collected from the area of fire protection benefit.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Offer of Dedication and Payment of Impact Fees			
PSF-FS-2. The applicant/developer shall provide a funding mechanism through the Community Services District that will generate sufficient funds (collected from the area of fire protection and emergency response benefit) to provide emergency response of 10 minutes or less to the project site pursuant to the Madera County General Plan. Such funding shall be proportionate to the benefit received by the project site if such funding provides additional personnel at an existing Fire Station.	Pre-Construction	Madera County Planning Department and Community Services District	Madera County Planning Department and Community Services District	Acceptance of Funding Mechanism			
PSF-S-1. Prior to the approval of the first Tentative Tract Map in the NFV-1 Specific Plan area, the developer shall dedicate a school site located in the South Mesa Neighborhood approved by the Chawanakee Unified School District and the State Architect.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Approval of the First Tentative Map and Acceptance of Dedication offer			

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PSF-S-2. Prior to the issuance of building permits, the project applicant shall pay developer (school) impact fees to the Chawanakee Unified School District in accordance with Section 65995 of the Government Code for the proposed residences.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building Permits and Payment of School Impact Fees			
PSF-S-3. The project applicant shall provide Madera County with certification from the Chawanakee Unified School District that school mitigation has been accepted by the District prior to the approval of the Final Tract Map pursuant to the District's request.	Pre-Construction	Chawanakee Unified school District and Madera County Planning Department	Chawanakee Unified school District and Madera County Planning Department	Certification of Impact Fee Payment			
PSF-WS-1. A Community Services District (CSD) or Public Utilities District (PUD) shall be formed to assure adequate water service in phase with NFV-1 Specific Plan development. In order to provide interim water service facilities until the CSD can be approved by a majority of registered voters a Community Facilities District (CFD) may be formed by the election of landowners with a condition of approval that the property owners will agree to annex to the CSD.	Pre-Construction and each Development Phase	Madera County Planning Department	Madera County Planning Department	Formation of a Community Services District or Public Utilities District			
PSF-WS-2. The NFV-1 project will file monthly well production reports with the California Department of Health Services (DHS) which will ensure to the satisfaction of DHS delivery of safe and reliable drinking water to the NFV-1 Specific Plan area (see Appendix F, Hydrology and Water Quality). In addition, annual drinking water reports and consumer confidence reports will be filed per state mandate.	Operation	Madera County Environmental Health Department	California Department of Health Services	Monthly Well Production Reports			
PSF-WS-3. All development within the NFV-1 Specific Plan shall include at a minimum, the following water saving features: <ul style="list-style-type: none"> • Low flow toilets, shower heads, and faucets; • Dual meters to separately monitor indoor and outdoor usage 	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building or Grading Permits			

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<ul style="list-style-type: none"> Minimum landscaping requirements on single family residential 							
<p>PSF-WS-4. The community service district or other water purveyor formed to serve the project shall implement a water rate structure that discourages wasteful use and encourages conservation.</p>	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Implementation of Water Rate Structure			
<p>PSF-WS-5. Recycled water from the tertiary treatment plant shall be used to the extent feasible to irrigate common landscaped areas or other areas as approved by the County and the State.</p>	Operation	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting and Findings			
<p>PSF-WW-1. Prior to issuance of building permits, the project shall join an existing Public Utility District or establish a Community Services District to provide for the treatment and distribution of domestic and reclaimed water.</p>	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building Permits and Evidence of Annexation to a Public Utilities District			
<p>PSF-WW-2. Prior to issuance of certificates of occupancy for any wastewater generating use, the wastewater treatment facility and delivery system will be constructed and operational to the satisfaction of the County of Madera.</p>	Pre-Construction	Madera County Environmental Health Department	Madera County Planning Department	Issuance of Certificates of Occupancy for Wastewater Generating Use			
<p>PSF-WW-3. Prior to the issuance of building permits for lots proposing individual on-site sewage treatment, the project applicant shall provide the County with a recommended on-site sewage system design with soil engineering reports or studies demonstrating that the system design is adequate to prevent all water quality and health impacts.</p>	Pre-Construction	Madera County Planning Department, Health Department, and Engineering Department	Madera County	Issuance of Building or Grading Permits			
<p>PSF-SD-1. Prior to issuance of building permits, the project shall join an existing Public Utility District or establish a Community Services District to operate and maintain stormwater facilities. In order to provide funding and management of interim surface water</p>	Pre-Construction	Madera County	Madera County	Issuance of Building Permits and Evidence of Annexation to a Public Utilities			

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drainage facilities until the Community Services District or other water district can be approved by a majority of registered voters, a Community Facilities District (CFD) may be formed for the construction and installation of the surface and stormwater drainage systems, by the election of landowners, with a condition of approval that the property owners will agree to annex to the CSD.				District or Establishment of a Community Services District			
5.14 - PARKS AND RECREATION							
PR-1. The Development Agreement for the NFV-1 Specific Plan shall include provisions to assure that 3 acres of useable, active park space is provided for every 1,000 residents inhabiting the project site.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Approval of Development Agreement			
PR-2. Prior to recordation of the first Final Map, the project shall prepare and submit to the County RMA a Master Parks and Open Space Landscape Plan, identifying the placement and acreages of all public parks and recreational facilities planned for the NFV-1 project, including linkages to community trails. A maintenance plan shall be included, specifying responsibilities for public parks and major open space areas.	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Recordation of the first Final Map and Submittal of Master Parks and Open Space Landscape Plan and Maintenance Plan			
5.15 - TRAFFIC AND CIRCULATION							
TC-1. <i>Rio Mesa Boulevard and Road 206 Intersection</i> - Prior to County issuance of the 1st Certificate of Occupancy, the Project shall provide improvements to the intersection at Rio Mesa Boulevard and Road 206. The intersection will be constructed to its ultimate configuration as shown in the NFV-1 Specific Plan and described in the NFV-1 Development Agreement, consisting of a 4-lane road with median on Road 206 and a 4-lane road with median on Rio Mesa Boulevard, with traffic signal.	Pre-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Issuance of the 1 st Certificate of Occupancy by the County			

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<p>TC-2. Road 145 and Cottonwood Drive Intersection - Prior to County issuance of the 1st Certificate of Occupancy, the Project shall provide improvements to the intersection of Road 145 and Cottonwood Drive. The intersection will be constructed to its ultimate configuration as shown in the NFV-1 Specific Plan and described in the NFV-1 Development Agreement, consisting of a 2-lane road with center turn pockets on Road 145 and a 2-lane road with median on Cottonwood Drive. A traffic signal shall be installed by the project at the 300th Certificate of Occupancy.</p>	Pre-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Issuance of the 1 st Certificate of Occupancy by the County			
<p>TC-3. Road 206 and Friant Road - A traffic signal should be installed when warrants are met at this intersection. <i>The project shall contribute \$187.67 per dwelling unit at close of escrow for each of the first 750 dwelling units constructed within the NFV-1 Specific Plan, for the construction of a traffic signal at Road 206 and Friant Road.</i> Intersection signalization should include left-turn lanes and protected left-turn phasing on Friant Road. Permissive left-turns are expected to result in acceptable levels of service on Road 206. A turn pocket with adequate queue length in the northbound left-turn lane on Friant Road (northbound Friant Road to westbound Road 206) should be provided.</p>	Post-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Submittal of Traffic warrants for Road 206 and Friant Road			
<p>TC-4. In the event that the identified RMAP projects do not proceed as anticipated, then prior to County issuance of the 1500th Certificate of Occupancy or the completion of 25,000 sq ft of commercial property (whichever comes first), the project shall provide the following needed transportation improvements, subject to reimbursement on a fair share basis from Madera County Road Impact Fees and/or Measure T funds:</p> <ul style="list-style-type: none"> <p><i>Road 206 and Friant Road -</i> In addition to the improvements required for Phase 1 of the project, it is anticipated that a second northbound left-turn lane</p> 	Post-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Prior to the Issuance of the 1500th Certificate of Occupancy or the Completion of 25,000 sq ft of Commercial Property (whichever comes first)			

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<p>on Friant Road will be required to mitigate excessive queue lengths.</p> <ul style="list-style-type: none"> SR 145 and SR 41 - Dedicated left-turn lanes and protected left-turn phasing should be constructed in the eastbound and westbound directions. Two westbound left-turn lanes should be constructed. However, this would require that two southbound receiving lanes be available on SR 41. If two lanes are not available, the intersection is expected to operate at acceptable levels of service; however, a single westbound left-turn lane would need to provide approximately 350 feet of storage capacity. Road 206 - Road 206 from Friant Road to Wagner Road shall be reconstructed to the road standard specified in the NFV-1 Specific Plan and described in the NFV-1 Development Agreement. If Road 206 is adopted as the future State Route 65 alignment, such road reconstruction shall be to Caltrans standards. 						
<p>TC-5. The project shall contribute a fair share amount to area wide transportation improvements identified in the NFV-1 Traffic Impact Study. Fair share amounts determined by the County of Madera shall take into account existing development impact fees, Madera County Road Impact Fees collected from the project, and intersection and/or road improvements provided by the project that qualify for reimbursement.</p>	Pre-Construction and Post-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building or Grading Permits		
<p>TC-6. The project shall contribute a fair share amount to the San Joaquin River Corridor Traffic Study (SJRCTS), which is evaluating cross-county traffic circulation patterns and inter-county impacts. The project shall also pay fair share impact fees that result from an approved SJRCTS.</p>	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Payment of fair share impact fees		

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<p>TC-7. The project shall construct on additional traffic lane, 450 feet in length, starting at the Millerton Lake SRA Entrance Gate and heading west. The lane will be constructed as an auxiliary lane for vehicles queuing for access to ML.SRA. This lane will be constructed and in place prior to certificate of occupancy of any project home north of Road 145. (Note: This mitigation measure was numbered TC-9 in the Summary of Changes and Additions to the Draft EIR document; it is the same mitigation measure.)</p>	Pre-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Certificate of Occupancy		
<p>TC-8. Roadway improvements to meet County safety requirements shall be made by the project to the following road segments:</p> <ol style="list-style-type: none"> Road 206 from Road 145 to County Line; Road 145 SR to Millerton Road; Millerton Road which is designated as a secondary access point, where dead end roads exceed maximum length requirements. If Millerton Road will not be utilized as a secondary access to meet dead end road length requirements, then a secondary access suitable to the Road Departments shall be provided. Any secondary access point deemed necessary to comply with over-length dead end roads within the project shall be brought up to current design and construction standards. <p>(Note: This mitigation measure was numbered TC-10 in the Summary of Changes and Additions to the Draft EIR document; it is the same mitigation measure.)</p>	Pre-Construction	Madera County Planning Department and Road Department	Madera County Planning Department and Road Department	Issuance of Building Permit or Grading Permit and Determination of Use of Millerton Road for use of a Secondary Access point		

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GLOBAL CLIMATE CHANGE							
<p>GCC-1. To reduce waste generated by the project, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a) Any construction waste shall be reused or recycled to the extent feasible. b) The County shall ensure that the project will have recycling available for the residents during project occupancy. 	Construction	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting during construction and Report of findings and Inventory			
<p>GCC-2. To increase energy efficiency, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a) The project shall incorporate light-colored roofs, paints, and driveway materials. b) Solar powered water heaters shall be offered to the homebuyer as an option. c) Each appliance (i.e., washer/dryer, refrigerators, stoves, etc.) provided by the builder shall be Energy Star qualified if an Energy Star appliance is available. d) The maximum possible photovoltaic array (solar panels) shall be installed on the building roofs to generate electricity required by the project. 	Pre-Construction and Operation	Madera County Planning Department	Madera County Planning Department	Issuance of Building or Grading Permit and Periodic Compliance Reporting during construction and Report of findings and Inventory			
<p>GCC-3. To reduce water usage, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a) Low flow, water saving appliances (i.e., toilets, dishwashers, shower heads, washing machines) shall be installed if provided by the builder. 	Pre-Construction	Madera County Planning Department	Madera County Planning Department	Issuance of Building or Grading Permit			
<p>GCC-4. To reduce excessive diesel emissions, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a) All commercial dock and delivery areas that accept diesel trucks shall include: <ul style="list-style-type: none"> • Signage advising truck drivers to turn off engines when not in use. • Signage advising truck drivers of State law prohibiting diesel idling of more than five 	Operation	Madera County Planning Department	Madera County Planning Department	Periodic Compliance Reporting during construction and Report of findings and Inventory			

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minutes. • Auxiliary 110v and 220 volt power units so trucks can power refrigeration units or other equipment without idling.							