



# Community and Economic Development Planning Division

Jamie Bax  
Deputy Director

JB

- 200 W. Fourth St.
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**PLANNING COMMISSION DATE:** January 5, 2021

**AGENDA ITEM:** #1

<b>CUP</b>	<b>#2020-014</b>	<b>Conditional Use Permit to allow an unmanned RV and boat storage</b>
<b>APN</b>	<b>051-195-007</b>	<b>Applicant/Owner: Smiley, Wesley/Smiley LLC</b>
<b>CEQA</b>	<b>MND #2020-20</b>	<b>Mitigated Negative Declaration</b>

**REQUEST:**

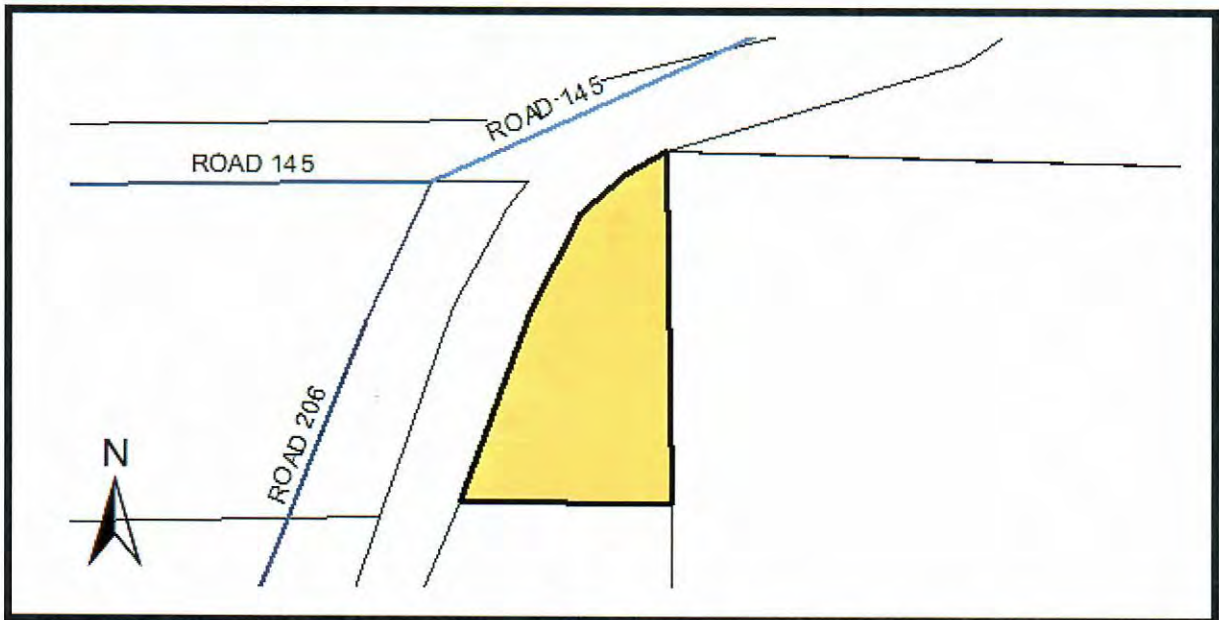
The applicant is requesting a Conditional Use Permit to allow an unmanned RV and boat storage facility.

**LOCATION:**

The project is located on the southeast corner of the intersection of Road 206 and Road 145 (44704 Road 145) Friant.

**ENVIRONMENTAL ASSESSMENT:**

Mitigated Negative Declaration (MND #2020-20) has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:** Recommend approval of CUP #2020-014, subject to conditions, findings of fact and MND #2020-20 with corresponding Mitigation Monitoring and Reporting Program.

**GENERAL PLAN DESIGNATION (EXHIBIT A):**

SITE: OS (Open Space) Designation

SURROUNDING: AE (Agricultural Exclusive) Designation  
LI (Light Industrial/Business Park) Designation

**RIO MESA AREA PLAN (EXHIBIT A-1)**

SITE: OS (Open Space) Designation

**ZONING (EXHIBIT B)**

SITE: CRG (Commercial, Rural, General) District

SURROUNDING: ARE-40 (Agricultural, Rural, Exclusive, Forty Acre), ARF (Agricultural, Rural, Foothill) and IH (Heavy Industrial) District.

**LAND USE:**

SITE: Commercial

**SIZE OF PROPERTY:** 1.8 Acres

**ACCESS (EXHIBIT B):** Access to the site is via Road 206

**WILLIAMSON ACT:**

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

**BACKGROUND AND PRIOR ACTIONS:**

In 1958, land use permit #58-118 was approved to allow a 12'x26' directional sign. In 1961, land use permit #61-52 was approved for a boat storage and gasoline pumps. In 1981, Zoning Permit #81-58 was approved to allow a mobile home on property while single family residence was constructed.

**PROJECT DESCRIPTION:**

This applicant is requesting an unmanned outdoor RV and boat storage facility. The project will not include the construction of new structures or buildings. The surrounding property uses are agricultural and industrial. A Conditional Use Permit is required to allow an outdoor storage facility in the zone district.

The project is located on the southeast corner of the intersection of Road 206 and Road 145 (44704 Road 145), Friant and is accessed from Road 206. The facility will be unmanned with access for customers from 8:00am to 5:00pm seven days a week. It is estimated there will be two to five customers per day.

If approved, the proposed storage will consist of appropriate screening surrounding the perimeter of the facility, along with landscape buffering developments bordering public rights-of-ways.

**ORDINANCES/POLICIES:**

Madera County Code (Chapter 18.30.010) Commercial, Rural, General District – Land Use Regulations

Rio Mesa Area Plan (Goals & Policies for Open Space Land Use) Policies for Open Space Land Use

Madera County General Plan Part 1, Land Use Designations

**ANALYSIS:**

The project consists of an unmanned RV and boat storage facility. The facility is an ideal area due to proximity of surrounding large subdivisions, lakes, and lack of storage facilities in the region. The project will not include the construction of any buildings or structures. Conditions have been placed for the facility to have appropriate screening around the perimeter of the site and landscape buffering per Madera County municipal code (18.94.075). Details listed in the application show a chain-link fence and close-fitting slats built to county standard, along the northern and western property and a landscape buffer along Road 206 and Road 145.

The site plan submitted indicates 55 boat/RV spaces on the project site. The site currently includes a 10' chain-link fence with privacy slating along Road 206 and Road 145. All landscaping plans will be provided to the County that outline the irrigation method and overall water use from the on-site well, as required by the Model Water Efficiency Landscaping Ordinance (MWELo).

The project site already has overhead lighting which is shown on the site plan provided by the applicant. Security cameras will be installed and maintained to deter theft and vandalism. Gates will require code entry for customers. The project was circulated to the Madera County Sheriff's Office, no comments were received.

The RV and Boat storage will be an unmanned facility. The site would utilize an aggregate base for circulation patterns within the facility. No office building will be established with the project. Storage of fuel or other flammable liquids will be prohibited on site. Maintenance and or repairs of boats, trailers and RV's will not be allowed on site. Onsite parking will be provided at a ratio of one stall per twenty-five storage spaces.

The facility is in an ideal area due to proximity of surrounding developing communities, local lakes, and lack of storage facilities in the region. The project site is currently zoned CRG (Commercial, Rural, General) district and is located within the Rio Mesa Area Plan designated OS (Open Space). Since the project will be located in proximity to large master planned communities, such as Tesoro Viejo, Riverstone, Northshore at Millerton, and Gunner Ranch West, the project will aide those communities and any other person seeking secure RV, trailer, and boat storage. Furthermore, the Covenants, Conditions and Restrictions of certain subdivisions, storing those previously mentioned vehicles may cause a public nuisance issue that may arise from on-street storage or storage within setbacks. As an example, the Tesoro Viejo Specific Plan does not allow storage of recreational vehicles and boats within any driveways or other locations visible from the street.

The application was circulated to internal and external agencies for comments, including Native American tribes per Assembly Bill 52 requirements. Comments were received from Public Works, Environmental Health, and Fire Marshal. California Department of

Transportation and the State Water Resources Control Board responded with no concerns about the project. The Public Works Department has required a 10' dedication along the frontage of Road 206 and Road 145.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,530.25 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,480.25 Department of Fish and Wildlife fee that took effect January 1, 2021 and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Board of Supervisors.

## **FINDINGS**

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

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the applicant's request to establish an unmanned RV and boat storage facility requires a Conditional Use Permit on a CRG (Commercial, Rural, General) zoned parcel per Madera County Code. This is an appropriate request for establishment of a storage like facility.*
2. *The proposed project is not contrary to the public health, safety, or general welfare. No activities from the proposed project will have a significant impact with the public's health, safety, or general welfare. Conditions have been placed that will prohibit storage of fuel or other hazardous materials within the storage facility.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors, in that the project must adhere to the conditions of approval as well as mitigation measures. The proposal will not involve hazardous materials being stored onsite. This unmanned storage is not projected to significantly increase noise levels in the area. No emission of any kind will result. Minimal odors will be produced from operation.*
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. Approval of a proposed storage facility will enhance the land value. The proposed storage facility will be located on a small undeveloped commercial parcel.*

## **GENERAL PLAN CONSISTENCY:**

The Area Plan is listed as OS (Open Space) and the General Plan designation is OS (Open Space) Designation which provides for a variety of uses including electrical and communication transmission lines, refuse disposal sites, airports and airstrips, mining and public and quasi-public uses, and similar and compatible uses. The property is zoned CRG (Commercial, Rural, General) District which allows for a mini storage facility, with a Conditional Use Permit. The Zoning, Area Plan, and General Plan are all consistent with the proposed use.

**RECOMMENDATION:**

Staff recommends approval of CUP #2020-014, Mitigated Negative Declaration #2020-20 and associated Mitigation Monitoring Program.

**CONDITIONS:**

See attached conditions of approval.

**ATTACHMENTS:**

1. Exhibit A. General Plan Map
2. Exhibit A-1 Area Plan Map
3. Exhibit B. Zoning Map
4. Exhibit C. Assessor Map
5. Exhibit D. Site Plan
6. Exhibit D-1 Existing Lighting
7. Exhibit D-2 Site Photo from Access Road
8. Exhibit D-3 Entrance Gate
9. Exhibit D-4 Aerial Site View
10. Exhibit E. Aerial Map
11. Exhibit F. Topographical Map
12. Exhibit G. Operational Statement
13. Exhibit H. Public Works Comments (Engineering)
14. Exhibit I. Public Works Comments (Road)
15. Exhibit J. Environmental Health Division Comments
16. Exhibit K. Fire Marshal Comments
17. Exhibit L. State Water Resources Control Board Comments
18. Exhibit M. Cal Trans Comments
19. Exhibit N. Initial Study
20. Exhibit O. Mitigated Negative Declaration

## CONDITIONS OF APPROVAL

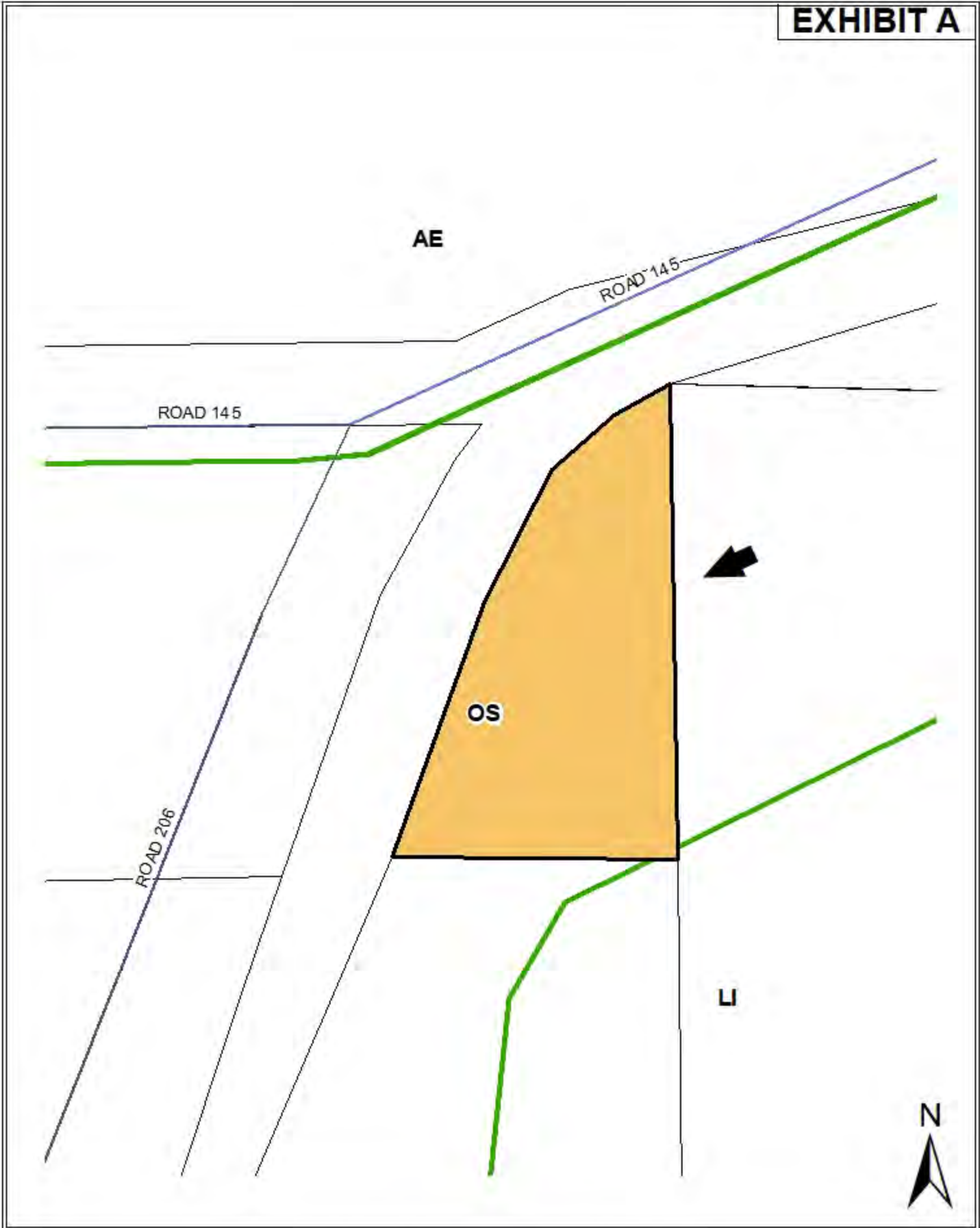
<b>PROJECT NAME:</b>	CUP#2019-014 Smiley, Wesley
<b>PROJECT LOCATION:</b>	On the southeast corner of the intersection of Road 206 and Road 145 (44704 Road 145), Friant
<b>PROJECT DESCRIPTION:</b>	An unmanned RV and boat storage facility
<b>APPLICANT:</b>	Wesley Smiley
<b>CONTACT PERSON/TELEPHONE NUMBER:</b>	Smiley LLC, 7538 N Fancher, Clovic, CA 93619 (559) 269-5786

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
1	No maintenance and or repair allowed on boats or trailers, unless approved by Planning Division and Environmental Health.	EH			
2	No hazardous material storage allowed, unless approved by Planning Division and Environmental Health.				
3	Solid waste collection with sorting for green, recycle, and garbage is required	EH			
4	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			
<b>Fire</b>					
1	Gates on access points shall be 2 feet wider than the travelled way.	Fire Department			
2	A KNOX Box entry device shall be installed in conjunction with all gated access routes.	Fire Department			
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning			

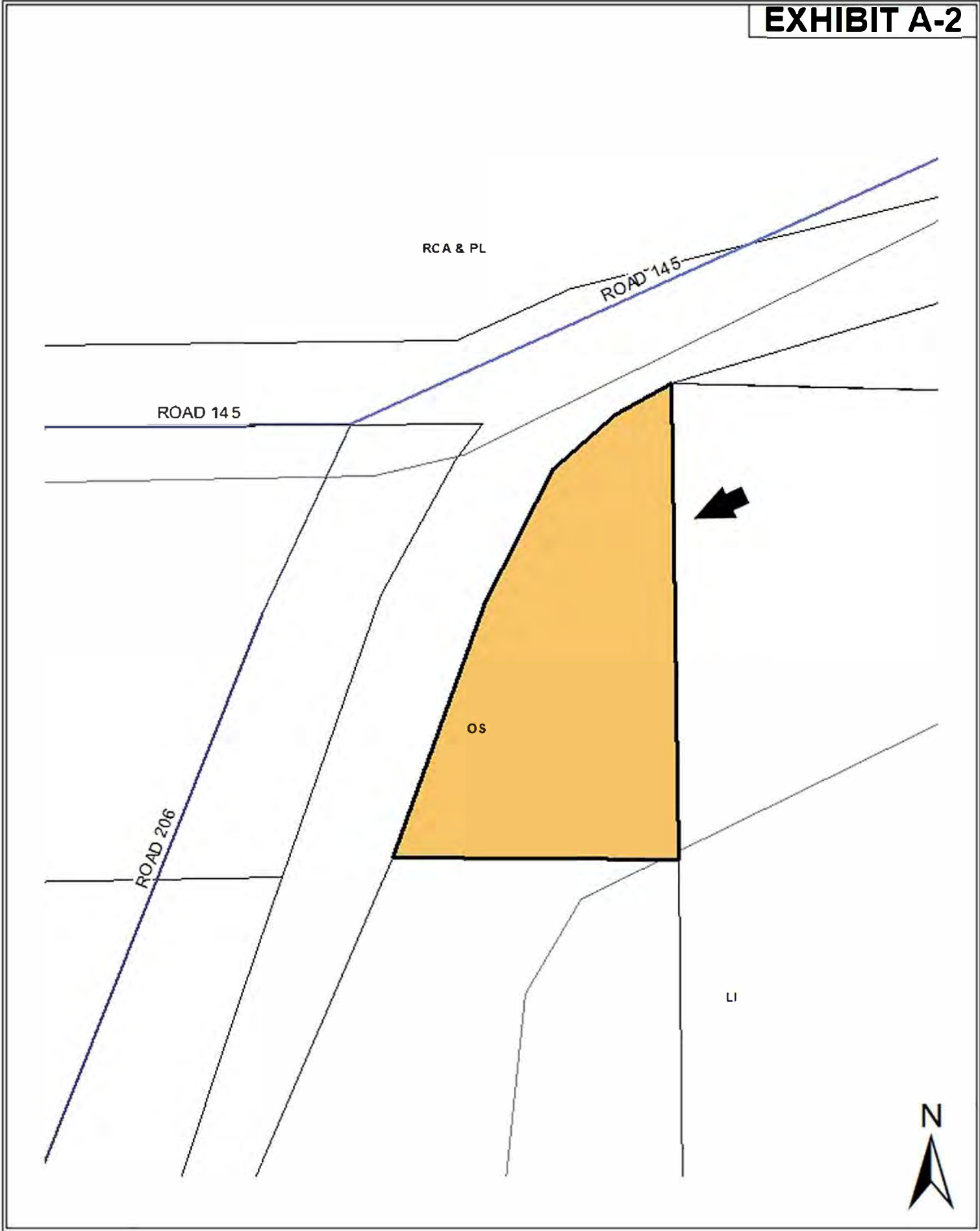
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	The proposed facility shall be surrounded by a minimum ten-foot screening wall or fence and constructed during preliminary stages of development.	Planning			
4	On site parking shall be provided at a ratio of one stall per twenty-five number of storage spaces.	Planning			
5	Prior to ground disturbance, landscape plans are required showing landscape buffering developments stated on site plan submittal along with appropriate irrigation methods. Minimum landscape buffering standards for a mini storage facility can be located within Madera County's Municipal Code (18.94.075).	Planning			
6	Any graffiti tagged on or within the proposed storage facility must be removed within 72 hours of notice.	Planning			
7	Signs located on the exterior of the site shall include an emergency and twenty-four-hour contact number for the general public. The sign shall be located at the main entrance to the site and shall be a maximum of ten square feet with minimum four-inch high lettering.	Planning			
8	Storage of hazardous materials is prohibited in mini storage facilities.	Planning			
<b>Public Works</b>					
1	At any time during the operations of the proposed or existing development, at the County's discretion and depending on the condition of the roadways at the time, the County reserves the rights to require the applicant to repair and provide any necessary improvements to the existing roadways if there are damages to the existing pavement caused by the operations from the proposed the development.	Public Works (Engineering)			
2	Prior to any construction where such construction is proposed within an existing County right-of-way, the applicant is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.	Public Works (Engineering)			
3	If any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.	Public Works (Engineering)			
4	If access approaches or road improvements are to be added to the proposed development, the applicant is required to provide such improvement plans to the Public Works Department for review.	Public Works (Engineering)			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.	Public Works (Engineering)			
6	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.	Public Works (Engineering)			
7	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPs to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.	Public Works (Engineering)			
8	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600 Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.	Public Works (Engineering)			
9	Both Roads 145 and 206 are designated as arterial with 80' wide road right of way (R/W) or 40' wide on each side of the road centerline. Currently there is an existing 30' wide of road R/W on each road adjacent to the project site. The applicant is required to dedicate a 10' wide strip along the frontage of the site on both roads for public road uses.	Public Works (Roads)			
10	No parking is allowed within the road right of way on either road.	Public Works (Roads)			

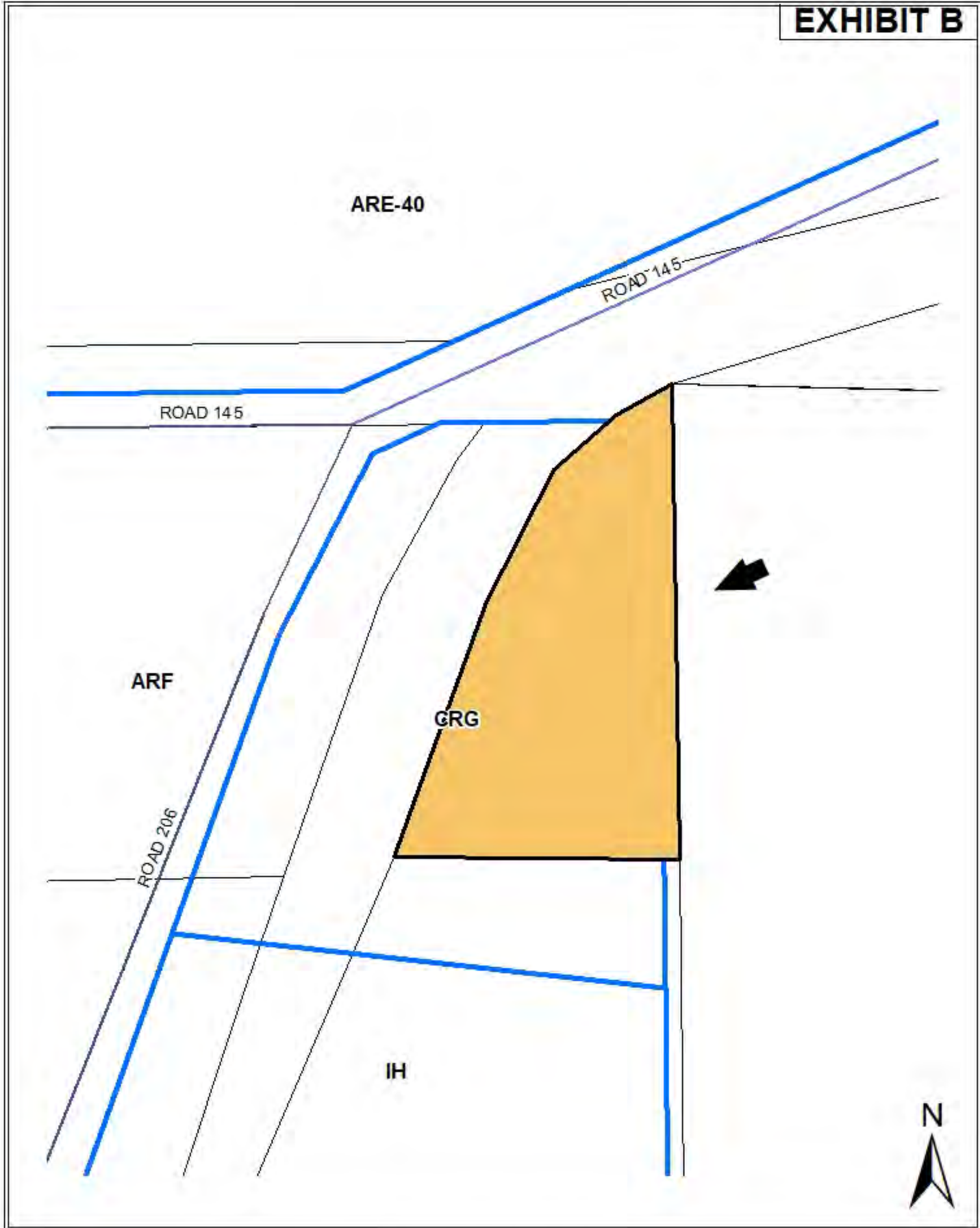




GENERAL PLAN MAP



**RIO MESA AREA PLAN**



**ZONING MAP**

T.11S., R.20E. M.D.B.&M.

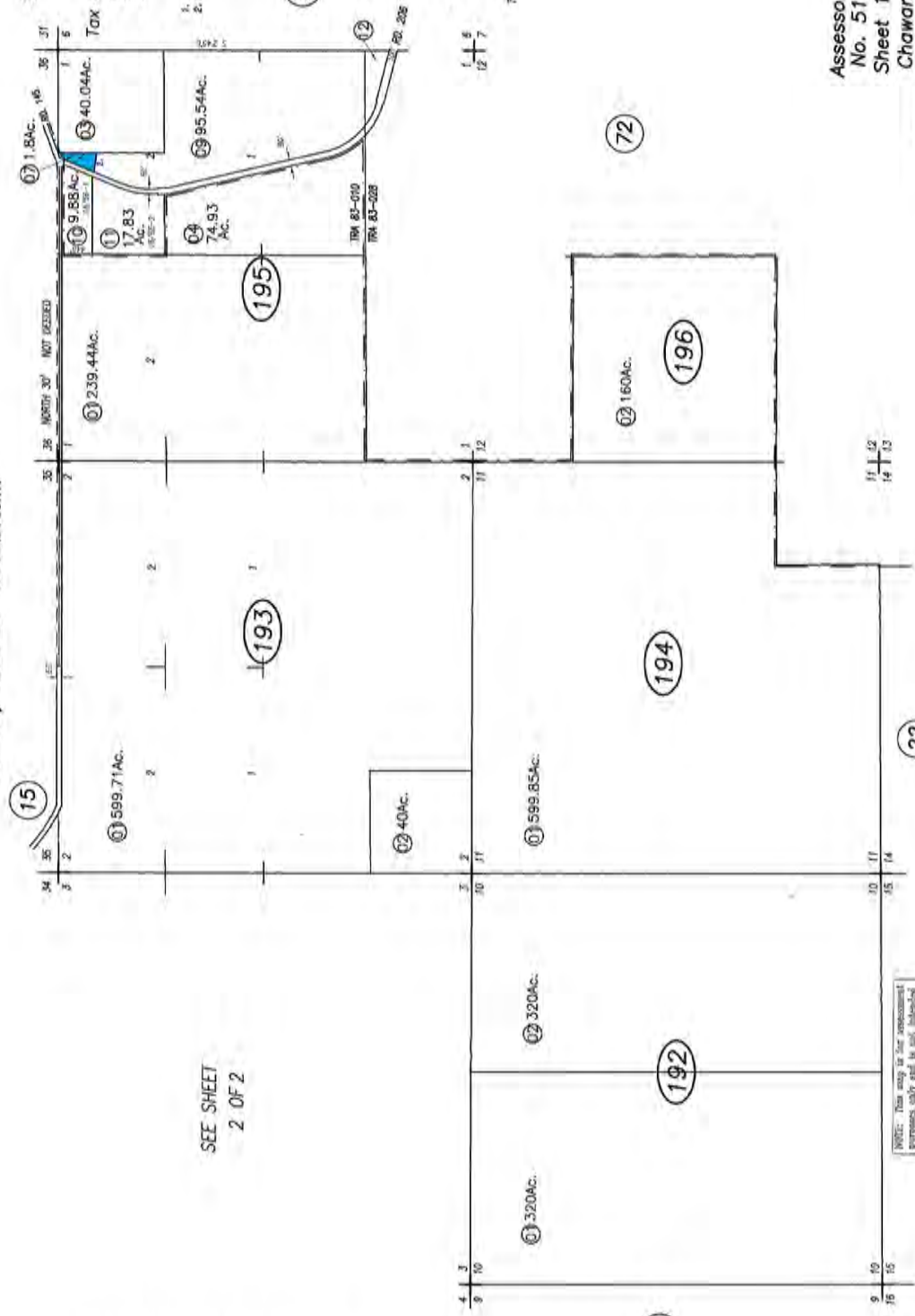
51-19  
SHEET 1 of 2

ORIGINAL

SEE SHEET  
2 OF 2

Tax Area Code  
83-010  
83-028

1. S 48°  
2. ASS 30' W



Assessor's Map  
No. 51-19  
Sheet 1 of 2  
Chawannee  
County of Madera, Calif.  
1960

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

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- FENCE ( 8 ft Tall Privacy Slating Fence)
- ASPHALT PARKING
- HOODED LIGHTS  
(LIGHT ANGLE: 150 x 85 Degree. Type III)
- SHED 8' x 10' 80 Sq Ft 8' Tall

- Screen: Trees 15 Gallon  
( Prunus caroliniana 'Compacta' )
- Landscape Irrigation Method:  
Automated Timered Drip Line

SCALE 1" = 60'

NOTE: FENCE IS 24' FROM EDGE OF ROAD AND 35' FROM CENTER OF ROAD

**SITE PLAN**





**EXISTING LIGHT POLE**



**VIEW FROM ACCESS ROAD 206**





**ENTRANCE GATE**





**AERIAL SITE VIEW**



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

**AERIAL MAP**





TOPOGRAPHICAL MAP



**Community and Economic Development  
Planning Division**

**Matthew Treber  
Director**

• 200 W 4<sup>th</sup> Street  
• Suite 3100  
• Madera, CA 93637  
• (559) 675-7821  
• FAX (559) 675-6573  
• TDD (559) 675-8970  
• mc\_planning@madera-county.com

**OPERATIONAL/ENVIRONMENTAL STATEMENT  
CHECKLIST**

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

1. Please provide the following information:

Assessor's Parcel

Number: 051-195-007 (ZONING-CRG) 1.8 AC Applicant's

Name: WES & JUSTIN SMCLEY

Address: 44704 ROAD 145

Phone Number: 559-269-5786

2. Describe the nature of your proposal/operation.

BOAT/RV STORAGE - NO COVERED SPACE

3. What is the existing use of the property?

NOTHING / VACANT LOT

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

N/A

5. What are the proposed operational time limits?

Months \_\_\_\_\_ (if

seasonal): 8-10 5 DAILY Days per

week: \_\_\_\_\_ Hours

(from\_to \_): Total Hours per day: \_\_\_\_\_

6. How many customers or visitors are expected?

Average number per

day: \_\_\_\_\_ Maximum number

per day: 2-5 MAYBE

What hours will customers/visitors be there?

8-5

7. How many employees will there be?

NONE



Current: \_\_\_\_\_

-

Future: \_\_\_\_\_

-

Hours they work: \_\_\_\_\_

Do any live onsite? If so, in what capacity (i.e. caretaker)? NONE

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

\_\_\_\_\_

9. Will there be any service and delivery vehicles? NO

Number: NO

Type: NO

Frequency: \_\_\_\_\_

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

NONE

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

GATE WITH COMBO LOCK

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

2 to 5

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

NONE

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

NONE

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

EXISTING FENCING

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

SOUTH - ABANDONED FARM  
EAST - SAND GRAVEL COMP.  
WEST - OPEN AG LAND  
NORTH - OPEN AG LANDS

17. Will this operation or equipment used, generate noise above other existing parcels in the area?  
NO
18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).  
NONE
19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?  
NONE
20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?  
NONE
21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)  
NO
22. Are there any archeological or historically significant sits located on this property? If so, describe and show location on site plan.  
NO
23. Locate and show all bodies of water on application plot plan or attached map.  
N/A
24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.  
N/A
25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?  
N/A
26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)  
N/A
27. How do you see this development impacting the surrounding area?  
NO IMPACT ON LOCAL AREA

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

*NO IMPACT*

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

Proposed

Use(s):

*N/A*

-

Square feet of building

area(s):

*N/A*

Total number of

employees:

Building

Heights:

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

*N/A*

**COUNTY OF MADERA**  
**DEPARTMENT OF PUBLIC WORKS**

**AHMAD M. ALKHAYYAT**  
DIRECTOR

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

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**MEMORANDUM**

**DATE:** November 12, 2020  
**TO:** Annette Kephart  
**FROM:** Madera County Public Works  
**SUBJECT:** Smiley, Wesley - Conditional Use Permit - (051-195-007-000)

**Comments**

The Department has the following conditions of approval:

At any time during the operations of the proposed or existing development, at the County's discretion and depending on the condition of the roadways at the time, the County reserves the rights to require the applicant to repair and provide any necessary improvements to the existing roadways if there are damages to the existing pavement caused by the operations from the proposed the development.

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

At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.

If access approaches or road improvements are to be added to the proposed development, the applicant is required to provide such improvement plans to the Public Works Department for review.

If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.

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

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

Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600  
Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.



## COUNTY OF MADERA DEPARTMENT OF PUBLIC WORKS

**AHMAD M. ALKHAYYAT**  
DIRECTOR

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

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### MEMORANDUM

**DATE:** November 12, 2020  
**TO:** Annette Kephart  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Smiley, Wesley - Conditional Use Permit - (051-195-007-000)

#### Comments

Both Roads 145 and 206 are designated as arterial with 80' wide road right of way (R/W) or 40' wide on each side of the road centerline. Currently there is an existing 30' wide of road R/W on each road adjacent to the project site. The applicant is required to dedicate a 10' wide strip along the frontage of the site on both roads for public road uses.

No parking is allowed within the road right of way on either road.



## Community and Economic Development Environmental Health Division

Dexter Marr  
Deputy Director

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

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### MEMORANDUM

TO: Annette Kephart  
FROM: Dexter Marr, Environmental Health Division  
DATE: November 12, 2020  
RE: Smiley, Wesley - Conditional Use Permit - (051-195-007-000)

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#### Comments

TO: Planning Division  
FROM: Environmental Health Division  
DATE: September 29, 2020  
RE: Conditional Use Permit (CUP) #2020-14, Wesley Smiley – Madera, APN: 051-195-007

#### Environmental Health Division Comments:

No maintenance and or repair allowed on boats, trailers and rv's, unless approved by Planning Division and Environmental Health.

No hazardous material storage allowed, unless approved by Planning Division and Environmental Health.

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

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

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



RE: CUP 2020-014 – Smiley, Wesley

From: Deborah Mahler – Deputy Director, Building and Fire Safety Division

Comments:

Gated access to project must be a minimum of 30 feet from closest edge of pavement. Show changes on revised plot plan.



## Annette Kephart

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**From:** Juarez, Caitlin@Waterboards <Caitlin.Juarez@Waterboards.ca.gov>  
**Sent:** Wednesday, October 7, 2020 8:35 AM  
**To:** Annette Kephart  
**Cc:** Forbes, Adam@Waterboards  
**Subject:** CUP #2020-014 - Conditional Use Permit (051-195-007-000)  
**Attachments:** do-not-reply@waterboards.ca.gov\_20201001\_084817.pdf

Hi Annette,

CUP #2020-014 is to allow an outdoor boat and RV storage facility located at 44704 Road 145. The operational statement shows that there will not be any domestic water/wastewater onsite except for drip irrigation. The proposed project does not meet the definition of a public water system and will not require a permit from the Division of Drinking Water. The Division has no comment on the project.

*Caitlin Juarez*

**Water Resource Control Engineer**  
State Water Resources Control Board  
Division of Drinking Water-SAFER  
Phone: (559) 447-3395

**Annette Kephart**

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**From:** Hernandez, Edgar@DOT <Edgar.Hernandez@dot.ca.gov>  
**Sent:** Monday, September 28, 2020 3:03 PM  
**To:** Annette Kephart  
**Cc:** Padilla, Dave@DOT  
**Subject:** CUP #2020-014, Smiley, Wesley - Conditional Use Permit

Good afternoon Annette,

After further review, Caltrans has a No Comment for this project proposal.

Thank you,

**Edgar Hernandez**  
Transportation Planner  
Caltrans District 6  
(559) 488-4168  
Cell: (559) 802-6877

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

**EXHIBIT N**

- 1. Project title:** Conditional Use Permit #2020-014, Wesley Smiley
- 2. Lead agency name and address:** County of Madera  
Community and Economic Development Department  
200 West 4<sup>th</sup> Street, Suite 3100  
Madera, California 93637
- 3. Contact person and phone number:** Annette Kephart, Planner II  
559-675-7821  
Annette.kephart@maderacounty.com
- 4. Project Location & APN:** The project is located on the southeast corner of the intersection of Road 206 and Road 145 (44704 Road 145), Friant  
APN: 051-195-007-000
- 5. Project sponsor's name and address:** Wesley Smiley  
7538 N. Francher  
Clovis, CA 93619
- 6. General Plan Designation:** OS (Open Space) Designation
- 7. Zoning:** CRG (Commercial Rural General) District
- 8. Description of project:** To allow an outdoor boat and recreational vehicle storage facility
- 9. Surrounding Land Uses and Setting:** Heavy Industrial, Agricultural and Residential

**10. Other Public Agencies Whose Approval is Required:** None

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Local Tribes were contacted per AB 52. No comments have been received. (See Section XVIII for additional discussion.)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

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

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

  
 \_\_\_\_\_  
 Signature

  
 \_\_\_\_\_  
 Date



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**I. AESTHETICS**

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

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

**Responses:**

**(a - b) Less Than Significant Impact.** The project will not include the construction of any new structures or buildings. The project site is currently a fenced vacant lot with proposed outdoor boat, trailer and recreational vehicle (RV) storage. The project is not anticipated to have a significant impact on scenic vistas. The project is not anticipated to substantially damage scenic resources including but not limited to trees, rock outcroppings and historic buildings within a state scenic highway. According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated scenic routes or eligible state scenic highways in the area. The only eligible routes designated at this time are Highway 49 out of Oakhurst, and Highway 41 beginning at the intersection with Highway 49 and proceeding north to the County line. No scenic vistas exist within the vicinity of this project.

**(c) Less Than Significant Impact with Mitigation Incorporation.** The project is located at the intersection of Road 206 and Road 145. The facility will be visible from the road and is surrounded by a chain link fence. The applicant intends to enhance the visual character of the site with the addition of privacy slats along the existing fence and adding landscape trees along the exterior of the fence along Road 206 and Road 145.

**(d) Less Than Significant Impact with Mitigation incorporation.** The project site currently has three hooded lights. Additional lighting is not proposed in the project. If new lighting is added on the project it must be hooded and directed away from neighboring properties.

**General Information:**



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

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

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

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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**II. AGRICULTURAL AND FORESTRY RESOURCES**

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

Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a - e) No Impact.** The project parcel and the surroundings are not zoned for timberland uses, so there no impacts are anticipated. The project will not further encroach on timber or agricultural land, nor will the project rezone existing farm or forest land.

The parcel is not under a Williamson Act Contract nor is any type of agricultural production.

**General Information**

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

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

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

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

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

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

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

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

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

**CONFINED ANIMAL AGRICULTURE:** Poultry facilities, feedlots, and dairy facilities – this use may be a component of Farmland of Local Importance in some counties.

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**III. AIR QUALITY**

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with, or obstruct implementation of, the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a - d) Less Than Significant Impact.** The project is not anticipated to conflict with or obstruct implementation of an applicable air quality plan. The project is not anticipated to violate any air quality standards or contribute substantially to an existing or projected air quality violation. The

project is not anticipated to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. The project will slightly increase traffic to the site. The existing project site is currently dirt but will be converted to pavement. The vehicular traffic on the pavement is not anticipated to generate a significant level of pollutants.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002). The addition of outdoor boat and RV storage is not anticipated to generate a significant amount of particulate matter. The project is not anticipated to create objectionable odors affecting a substantial number of people.

Global Climate Change

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

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

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

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**IV. BIOLOGICAL RESOURCES**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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

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

**Responses:**

**(a, b, d) Less Than Significant Impact.** There are no known habitats identified on this parcel. While there are candidate species identified in the Millerton Lake West quadrangle in which this project is located, there has been no documentation of any of the species being located on or in the immediate vicinity of the project site. There is still the potential that some species may migrate through the vicinity. The site has been utilized for residential use in the past. The area is characterized by foothill, oak woodland habitats together with interior oak and mixed chaparral biotic habitat characteristic of the Sierra Nevada foothills. These foothill habitat areas have been modified by grazing, and rural residential development. However, they remain viable for native wildlife for breeding and foraging, especially as wintering refuge for deer and various predators.

**(c) Less Than Significant Impact.** The project site is approximately 1.25 mile from Millerton Lake and the San Joaquin River so any impacts to wetlands is expected to be less than significant. The project site footprint will not expand so no additional impacts on the local water systems are expected. The applicant will be expected to abide by all applicable hazardous waste standards to ensure minimal impact on the local water systems.

Valley oaks and blue oak woodland areas are encompassed by blue-oak-digger pine mix. The pine mix has a shrub understory of manzanita, buckbrush, scotch broom, bush lupine, miscellaneous herbaceous plants, and patchy grasslands.

Within the Millerton Lake area, the most obvious wildlife are the large hawks, migrating turkey vultures and occasional eagles that patrol the skies. Dozens of other avian species, including barn owls, prowl the lower airways. Small animals typical of the foothills include rabbits, squirrels, raccoons, skunks, and possums. Mule deer, coyotes, bobcats, and an occasional mountain lion roam the area. The insect population includes scorpions, wasps and bees. Area snakes are

mostly harmless, and the large tarantulas are considered a native treasure.

While the list below shows a number of species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through.

**(e - f) No Impact.** The project will not conflict with any local, state or federal policies or ordinances protecting biological resources.

**General Information**

Special Status Species include:

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

A review of both the County’s and Department of Fish and Game’s databases for special status species have identified the following species:

<b>Species</b>	<b>Federal Listings</b>	<b>State Listings</b>	<b>Dept. Of Fish and Game Listings</b>	<b>CNPS Listings</b>
California tiger salamander	Threatened	Threatened	WL	-
foothill yellow-legged frog	None	Endangered	SSC	-
California red-legged frog	Threatened	None	SSC	-
western spadefoot	None	None	SSC	-
Table Mountain harvestman	None	None	-	-
bald eagle	Delisted	Endangered	FP	-
great egret	None	None	-	-
great blue heron	None	None	-	-
vernal pool fairy shrimp	Threatened	None	-	-
Sacramento hitch	None	None	SSC	-

Crotch bumble bee	None	Candidate Endangered	-	-
North American porcupine	None	None	-	-
San Joaquin pocket mouse	None	None	-	-
Tulare grasshopper mouse	None	None	SSC	-
San Joaquin long-tailed weasel	None	None	-	-
American badger	None	None	SSC	-
pallid bat	None	None	SSC	-
spotted bat	None	None	SSC	-
western red bat	None	None	SSC	-
hoary bat	None	None	-	-
Yuma myotis	None	None	-	-
western ridged mussel	None	None	-	-
western pond turtle	None	None	SSC	-
giant gartersnake	Threatened	Threatened	-	-
flat-tailed horned lizard	None	None	SSC	-
brassy bryum	None	None	-	4.3
spiny-sepaled button-celery	None	None	-	1B.2
Hartweg's golden sunburst	Endangered	Endangered	-	1B.1
Hoover's cryptantha	None	None	-	1A
succulent owl's-clover	Threatened	Endangered	-	1B.2
Kings River monkeyflower	None	None	-	3
Madera leptosiphon	None	None	-	1B.2
Ewan's larkspur	None	None	-	4.2
foothill yellow-legged frog	None	Candidate Threatened	SSC	-
bald eagle	Delisted	Endangered	FP	-
osprey	None	None	WL	-
California Spotted Owl	None	None	SSC	-
Leech's skyline diving beetle	None	None	-	-
Sierra Nevada red fox	Candidate	Threatened	-	-
North American porcupine	None	None	-	-
western pond turtle	None	None	SSC	-
Abrams' onion	None	None	-	1B.2



Yosemite tarplant	None	None	-	3.2
Yosemite evening-primrose	None	None	-	4.3
short-bracted bird's-beak	None	None	-	4.3
Kings River monkeyflower	None	None	-	3
Gray's monkeyflower	None	None	-	4.3
cut-leaved monkeyflower	None	None	-	4.3
Rawson's flaming trumpet	None	None	-	1B.2

### **Daulton Quadrangle**

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

### **Ranking**

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

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

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

SSC Species of Special Concern

WL Watch List

FP Fully Protected

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

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



Wetlands are defined under Title 33 §328.3 of the California Code of Regulations as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

**V. CULTURAL RESOURCES**

Would the project:

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

**Responses:**

**(a - c) Less Than Significant Impact.** No known resources exist in the vicinity of this project. The project site has been used for residential use in the past and no new buildings or increase in project area is proposed. The graveled portion of the site will be converted to pavement.

Native Americans, particularly the Chukchansi Yokut tribe, have lived in the area for a historically long period of time. Also living in the area was a separate linguistic tribe called the Monache. The Northfork Mono lived in Madera County in what is now the North Fork/O’Neals area along the North Fork of the San Joaquin River and its tributaries, primarily between 3,000 and 7,000 feet in elevation. Western settlement began with the discovery of gold in 1849.

The diminishing returns in the placer mines by 1866 were not disastrous for the community due to trade with visitors on their way to Yosemite National Park. In 1876, a wagon road that passed through the area was extended to Yosemite National Park. The completion, in 1880, of a more direct route through Raymond and Ahwahnee spelled the temporary end of the tourist business. With the completion of Highway 41 to Yosemite National Park, through Oakhurst, tourist business again became important to the area.

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

Public Resource Code 5021.1(b) defines a historic resource as “any object building, structure, site, area

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

**VI. ENERGY**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Responses:**

**(a - b) No Impact.** The proposed project does not add any buildings or additional infrastructure to the site. There is very little likelihood that there will be any impact to energy resources or that the project will conflict with any state or local energy resource plans.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VII. GEOLOGY AND SOILS**

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

**Responses:**

**(ai - iv) No Impact.** The proposed change in use, outdoor boat and RV storage, will not exposed people or structures to potential substantial adverse effects including loss, injury, or death involving landslides, liquification, or siemsic activity.

**(b) Less Than Significant Impact.** The parcel is subject to potential erosion due to rain events and the downslope of the property. The project does not propose the construction of additional buildings. However, the parcel will be receive slightly more vehicular activity. The additional vehicular activity may result in a less than significant loss in topsoil and increase in soil erosion.

**(c - e) No Impact.** There are no known impacts that will occur as a direct or indirect result of this project.

### **General Information**

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

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

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

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep. However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

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

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

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

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno

County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

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

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

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**VIII. GREENHOUSE GAS EMISSIONS**

Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

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

**Responses:**

**(a) Less Than Significant Impact.** A small amount of vehicular traffic could slightly increase the greenhouse gas emissions for the project site, but the increase is expected to be less than significant. Per the operational statement the applicant has indicated that two to five vehicular trips per day are expected at the project site.

**(b) No Impact.** There is no anticipated impact as a result of this project.

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate

is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

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

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a & b) Less Than Significant Impact with Mitigation Incorporation.** There are no hazardous materials or hazardous waste as is typically defined being utilized for this type of operation. However, boats and RV's do contain diesel, gas, oil, antifreeze, and other vehicular related materials that could potentially be a hazard. No hazardous material storage will be allowed and maintenance and or repair of boats and/or RV's will not be allowed on site.

**(c – g) No Impact.** No impacts have been identified as a result of this project.

The site is not located on or near any hazardous waste storage facilities, or on or near any brownfields sites as indicated by the Environmental Protection Agency.

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

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

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

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



Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**X. HYDROLOGY AND WATER QUALITY**

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a, d, e) No Impact.** No impacts identified as a result of this project. The project is not anticipated to generate any type of wastewater. The project is not altering any known drainage systems or waterways. The project site is not within a flood zone.

**(b, c) Less Than Significant Impact.** The only use of groundwater for the project will be 0-100 gallons per day provided for the existing well on site for landscape irrigation. All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards are required to be met. It is possible that the quality of storm water may be affected by pollutants and the project will be required to mitigate any impacts associated with storm water contamination caused by this

project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.

**General Information**

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

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

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

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

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**XI. LAND USE AND PLANNING**

Would the project:

a) Physically divide an established community?

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

b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

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

**Responses:**

**(a - b) No Impact.** This project will not physically divide an existing community and is not in conflict with any applicable land use plan, policy or regulation.

The project site is currently vacant land that consisted of residential usage in the past. No additional structures or expansions are proposed.

The general plan designation of OS (Open Space) allows for low-intensity agricultural uses, grazing, forestry, golf courses, recreational and equestrian uses, major electrical and trunk communication transmission lines, habitat protection, irrigation canals, reservoirs, refuse disposal sites, airports and airstrips, watershed management, public and quasi-public uses, mining, and areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally-sensitive features.. The zoning designation of CRG (Commercial, Rural, General) District allows for mini storage facilities with a conditional use permit. The proposal will not be in conflict with applicable land use (zoning) or with the General Plan (once approved).

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**XII. MINERAL RESOURCES**

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Responses:**

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

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**XIII. NOISE**

Would the project result in:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a-b) Less Than Significant Impact.** There is the potential of a slight increase of noise generation with the addition of outdoor boat and RV storage. The noise generated by normal business operations is anticipated to be less than significant. The project will include some landscaping around the exterior of the fence along Road 145 and Road 206 with privacy slats added along the existing fence on both road ways. These construction activities are anticipated to exist for a limited duration and are not anticipated to be long sources of noise or vibrations. The project is anticipated to generate some noise, however this noise is anticipated to be less than significant and to not constitute a substantial permanent, periodic or temporary increase in ambient noise levels.

**(c) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There are no impacts identified as a result of this project.

**General Discussion**

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

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

**Short Term Noise**

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, and fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-

related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

### Long Term Noise

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

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

#### MAXIMUM ALLOWABLE NOISE EXPOSURE FOR NON-TRANSPORTATION NOISE SOURCES\*

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

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

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

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

Sensitive Noise Receptors include residential areas, hospitals, schools, performance spaces, businesses, and religious congregations.

Vibrating objects in contact with the ground radiate energy through the ground. Vibrations from large and/or powerful objects are perceptible by humans and animals. Vibrations can be generated by construction equipment and activities. Vibrations attenuate depending on soil characteristics and distance. Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

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

Source: Whiffen and Leonard 1971

**XIV. POPULATION AND HOUSING**

Would the project:

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

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

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

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

**Responses:**

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

**XV. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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i) Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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ii) Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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iii) Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iv) Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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v) Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Responses:**

**(a-i and a-ii) Less Than Significant Impact.** While the area may be prone to wildfires, the project itself is not seen as an impact. In normal daily operations, the project is anticipated to require minimal services for fire and police protection. If an incident were to occur, the parcel does have easy access to Road 145 and Road 206 and emergency vehicles would be able to respond to an incident quickly. Both Roads 145 and 206 are designated as arterial with 80' wide road right of way (R/W) or 40' wide on each side of the road centerline. Currently there is an existing 30' wide of road R/W on each road adjacent to the project site. The applicant is required to dedicate a 10' wide strip along the frontage of the site on both roads for public road uses.

The Madera County Fire Department exists through a contract between Madera County and CalFire (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an "Amador Plan" contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that



operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

The California Department of Forestry and Fire Protection (CDF) provides for protection services to most of Madera County. There are CDF fire stations located within the vicinity of Oakhurst, staffed mostly by a volunteer personnel on a paid per call basis. Other stations in the area include facilities in Coarsegold, O'Neals, and Ahwahnee. Madera County Fire Station # 14 is located approximately ½ mile south east of the project site.

A project that adds homes and commercial buildings to a community typically increases the need for various municipal services, such as fire and police protection. As the Court of Appeal recently confirmed in *City of Hayward v. Board of Trustees*, that need, though, is not itself an “environmental impact” of the project that the California Environmental Quality Act (“CEQA”) requires the project proponent to mitigate.

In *City of Hayward*, a state university prepared an environmental impact report (“EIR”) evaluating the environmental effects of its proposed master plan for the expansion of its campus, including two specific building projects, one for student housing and one for a parking structure. It concluded that building out the master plan would result in significant effects on aesthetics, air quality, cultural resources, and traffic, notwithstanding implementation of all feasible mitigation. All other effects, including effects on public services, were found to be insignificant or fully mitigated. The EIR concluded that the increase in campus population would not result in a significant environmental effect regarding fire and emergency medical services provided by the city fire department. It explained that the increased population would call for the addition of 11 firefighters, roughly the equivalent of one fire company, in order to maintain an adequate service ratio of one staff person for 1,000 people and that the facilities to house the added staff would be achieved by adding a bay to an existing fire station or constructing a new fire station. Noting that construction of such facilities would be subject to review under CEQA, the EIR concluded that since construction of such facilities would affect only a small area (an acre or less) in an urban location, it would not cause significant environmental effects. Based on this analysis, the EIR concluded that no mitigation regarding fire protection services was required.

The City of Hayward, in which the campus is located, sued alleging that the university had failed to comply with CEQA. The city contended that the university first should have concluded that the project would have a significant effect on emergency response times and thus the health and safety of the community, owing to the nonexistence of the additional firefighters and facilities needed to serve the increased population, and then should have assessed possible measures to mitigate that effect, such as hiring additional firefighters and building facilities to house them. The trial court agreed, explaining that it is not the increased demand for fire protection services that must per se be evaluated as an environmental impact, but rather that the lack of adequate fire protection services resulting from the project would have adverse effects on people and property. The university appealed.

The Court of Appeal reversed. With respect to the contention that the campus population increase would delay emergency response times and that would have real effects on the spread of fire and the safety of people and property, the Court responded: “While this may be true, the obligation to provide adequate fire and emergency medical services is the responsibility of the city [under the California Constitution.] The need for additional fire protection services is not an *environmental* impact that CEQA requires a project proponent to mitigate.” The Court noted that the EIR analyzes response times and their impact on public safety, “concludes that the project will cause response times to fall to an inadequate level and finds that 11 additional fire fighters will be required to maintain adequate service levels,” and “sets forth measures needed to provide adequate emergency services and concludes . . . that those measures will not have a significant

effect on the environment.” In the Court’s view, that sufficed. It explained: “Although there is undoubtedly a cost involved in the provision of additional emergency services, there is no authority upholding the city’s view that CEQA shifts financial responsibility for the provision of adequate fire and emergency response services to the project sponsor. The city has a constitutional obligation to provide adequate fire protection services. Assuming the city continues to perform its obligations, there is no basis to conclude that the project will cause a substantial adverse effect on human beings.”

The Court found the EIR adequate as well in all other respects, except one, its discussion of the project’s effects on two neighboring parks, and ordered a writ of mandate to issue accordingly.

The Court’s opinion may serve to help stem the practice of some agencies to use CEQA as a mechanism to help fund municipal services by treating projects’ needs for such services as environmental impacts and calling on project proponents to mitigate those impacts by paying for municipal services and facilities.

Crime and emergency response is provided by the Madera County Sherriff’s Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site. A secured electronic gate requiring an access code will help to deter crime on the site.

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

Currently, the Madera County’s Sherriff’s Department provides law enforcement and patrols in the planning area, operating from substations in Oakhurst on Road 425B.

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

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

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

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

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

Ambulance and paramedic service within the community is provided by Pistoiresi Ambulance. Emergency medical care services are privately provided from commercial facilities in Madera, and 24 hour emergency treatment is available at Madera Community Hospital and Valley Children’s Hospital.

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XVI. RECREATION**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XVII. TRANSPORTATION**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Responses:**

**(a - c) No Impact.** In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the

County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

**(d) Less than Significant Impact.** The project site is located along Road 145 and Road 206 and would not result in impacts to emergency access.

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

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

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

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

Unsignalized intersections.

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

	critical approach(es)	
F	Total breakdown, significant queuing	> 80

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special

purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

**Responses:**

**(a.i-a.ii) No Impact.** There are no sites listed on the historical registry on this parcel. There will not be any new construction or ground disturbance associated with the proposed project.

**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a, c, e) No Impact.** No impacts identified as a result of this project. Wastewater is not anticipated to be generated by the proposed project.

**(b) Less Than Significant Impact.** 0-100 gallons of water per day are proposed for landscape irrigation only. This will be provided by on onsite existing well.

**(d) Less Than Significant Impact.** Solid waste collection with sorting for recyclables and garbage is required. The area is served by Red Rock Disposal for solid waste pick-up.

**General Discussion**

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

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

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

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

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

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b>				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a, b, d) Less than Significant Impact.** The potential for the project to result in wildland fires is not anticipated to be significant. The project site is located directly at the intersection of Road 145 and Road 206 and has adequate access.

**(c) Less than Significant with Mitigation Incorporation.** A 20' drivable access around all storage areas is required to allow for emergency access.

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**XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

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

**Responses:**

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).
- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

**(a) Less than Significant Impact.** While there are some species of note in the quadrangle, there is no direct evidence that these species are exactly on the footprint of where this is going.

**(b - c) No Impact.** While there have been some minimal impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be

considered significant. With appropriate mitigations, those impacts can be reduced to less than significant or not significant.

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## **Bibliography**

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United States Environmental Protection Agency

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Madera County Roads Department

Madera County Sheriff's Department

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MND 2020-20

1

November 18, 2020

## MITIGATED NEGATIVE DECLARATION

MND 2020-20

RE: Smiley, Wesley – Conditional Use Permit #2020-014

### LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the southeast corner of the intersection of Road 206 and Road 145 (44704 Road 145), Friant. The project is a request to allow an outdoor boat and recreational vehicle storage facility.

### ENVIRONMENTAL IMPACT:

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

### BASIS FOR NEGATIVE DECLARATION:

1. Please see attached Mitigation Monitoring Report.

  
Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Community & Economic Development Department - Planning Division, 200 West 4<sup>th</sup> Street, Ste. #3100, Madera, California.

DATED: November 18, 2020

FILED:

PROJECT APPROVED:



# MITIGATION MONITORING REPORT

MND # 2020-20

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
<b>Aesthetics</b>								
1	Any proposed lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Operations	Planning					
2	A landscaping buffer shall be planted around the project adjacent to Road 145 and Road 206.							
<b>Agriculture/Forestry Resources</b>								
<b>Air Quality</b>								
<b>Biological Resources</b>								
<b>Cultural Resources</b>								
<b>Energy</b>								
<b>Geology and Soils</b>								
1	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.	Operations	Public Works					
2	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. The project shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.	Operations	Public Works					
<b>Greenhouse Gas Emissions</b>								
<b>Hazards and Hazardous Materials</b>								
1	No maintenance and or repair allowed on boats, trailers and rv's, unless approved by Planning Division and Environmental Health.  No hazardous material storage allowed, unless approved by Planning Division and Environmental Health.	Operations	Environmental Health					
<b>Hydrology and Water Quality</b>								



No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
						Initials	Date
<b>Land Use and Planning</b>							
<b>Mineral Resources</b>							
<b>Noise</b>							
<b>Population and Housing</b>							
<b>Public Services</b>							
<b>Recreation</b>							
<b>Transportation</b>							
<b>Tribal Cultural Resources</b>							
1	<p>6.2 Likelihood for Subsurface Cultural Resources</p> <p>If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <p><input type="checkbox"/> If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.</p> <p><input type="checkbox"/> If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead CEQA agency, Madera County, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead</p>	Construction Phase					
<b>Utilities and Service Systems</b>							
<b>Wildfire</b>							
<b>Mandatory Findings of Significance</b>							