



Community and Economic Development Planning Division

Jamie Bax
Deputy Director



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- (559) 675-7821
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PLANNING COMMISSION DATE: February 2, 2021

AGENDA ITEM: #1

CUP	#2019-028	To allow an indoor/outdoor event venue
APN	#051-364-011	Applicant: West Coast USA Properties Owner: West Coast USA Properties
CEQA	MND #2019-07	Mitigated Negative Declaration

REQUEST:

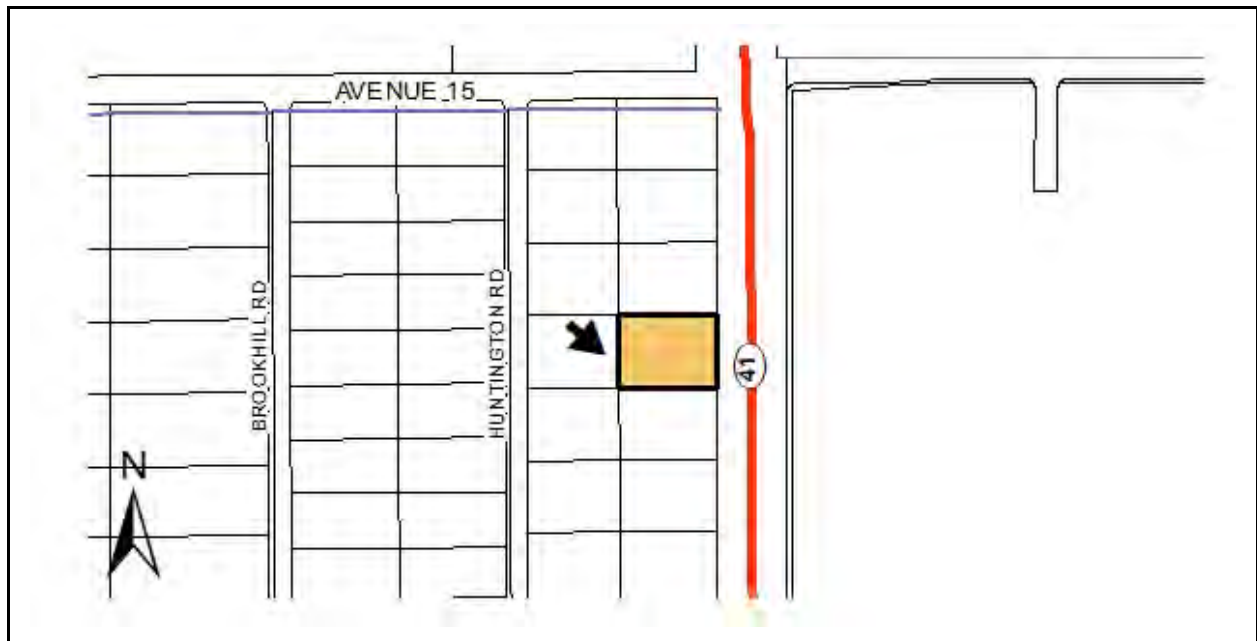
The applicant is requesting a Conditional Use Permit #2019-028 to allow an indoor/outdoor event venue.

LOCATION:

On the west side of Highway 41 approximately 680 feet south of its intersection with Avenue 15 (14860 Highway 41) Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2021-01) (Exhibit M) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of Conditional Use Permit #2019-028 subject to conditions, Findings of Fact, Mitigated Negative Declaration #2021-01 and associated Mitigation Monitoring Program.

GENERAL PLAN DESIGNATION (Exhibit A-1):

SITE: CC (Community Commercial) Designation

SURROUNDING: CC (Community Commercial) Designation; PO (Professional Office) Designation; AE (Agricultural Exclusive) Designation

AREA PLAN DESIGNATION:

SITE: None

SURROUNDING:

ZONING (Exhibit B):

SITE: CRM (Commercial Rural Median) District

SURROUNDING: CRM (Commercial Rural Median) District; TV-HSC (Tesoro Viejo Highway Service Commercial) District

LAND USE:

SITE: Commercial

SURROUNDING: Commercial; Residential

SIZE OF PROPERTY: 1.15 Acres

ACCESS (Exhibit A): The property is accessed by Highway 41.

BACKGROUND AND PRIOR ACTIONS:

The subject parcel is Parcel 4 of Bonadelle Ranchos #9, Tract #148 recorded on July 7, 1964.

At the June 7, 1984 meeting, the Planning Commission approved Conditional Use Permit 1984-38 to allow retail sales, customer service, professional auction service and charitable fund raisers.

PROJECT DESCRIPTION:

The request is for a Conditional Use Permit #2019-028 to allow an indoor and outdoor event venue. The event venue will include weddings, birthday parties, business meetings, corporate events, and church services.

The hours of operation for the venue will be seven days a week, with hours that will vary depending on reservations, twelve months a year. The facility plans to have one employee onsite during events. The parking regulations require one parking space for every 5 permanent seats. The estimated maximum number of

attendees at an event is 175. 35 spaces would be required and there are currently 61 spaces on site.

ORDINANCES/POLICIES:

Chapter 18.34.010 of the Madera County Zoning Ordinances outlines the allowable uses within the CRM (Commercial Rural Median) District.

Chapter 18.102.040(C) of the Madera County Zoning Ordinances outlines Vehicular Parking Requirements for Wedding chapels.

Chapter 18.102.120(H.3) of the Madera County Zoning Ordinances outlines Parking Facility Design and Screening.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the procession and approval of the conditional use permits.

Madera County General Plan Policy Document (page 10) outlines the allowable uses within the CC (Community Commercial) Designation.

ANALYSIS:

The project site has the General Plan Designation of CC (Community Commercial). The Community Commercial designation provides for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses. The property is zoned CRM (Commercial Rural Median) District. This zone district allows for Wedding Chapels and other commercial uses and establishments which by the interpretation of the zoning administrator are similar with a Conditional Use Permit (Section 18.11.100). The General Plan and Zoning designations are consistent with one another.

The project site includes an existing 60' x 100' square foot metal building. The metal building includes a prep kitchen, two restrooms, a dressing room and an open area for event set up. A 1,440 square foot outdoor trellis with shade cloth is the only new construction proposed for the project. The exterior design of the proposed trellis will include steel posts with wooden beams, lattice, and shade cloth. The proposed trellis will be 18' x 80' with a height of 15.3'. All Landscaping must comply with the County's Water Efficient Landscape Ordinance.

The project's estimated water use is 1,000 gallons per month which will be supplied by an existing onsite well. An estimated 800 gallons of wastewater will be generated which will be disposed of by an existing onsite septic tank. The project's solid waste collecting with sorting for green, recycle and garbage is incorporated as a condition of approval.

The project has been circulated to County Departments and outside regulatory agencies for comments. This includes the California Department of Transportation, Regional Water Quality Control Board, Department of Fish and Wildlife, San Joaquin Valley Unified Air Pollution Control District, the Chowchilla Yokuts Tribe, Picayune Rancheria of Chukchansi, and Table Mountain Rancheria. Comments were received from the Environmental Health Division and Fire Marshal's Office, Public Works and California Department of Transportation.

The California Department of Transportation comments specified that SR 41 within the project proximity is planned for a four-lane expressway. The widening project will be constructed in two phases per the approved project report. Phase 1 project would construct a 4-lane expressway on SR 41 between Avenue 11 and Avenue 14, and a 4-lane divided conventional highway on SR 41 between Avenues 14 and 15. The Phase 1 project would be constructed on the existing right of way. The applicant will need to verify with Caltrans regarding the right of way need for Phase 1 widening project. The applicant is aware of these conditions.

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.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance* in that pursuant to Section 18.34.010 of the Madera County Zoning Ordinance, the proposed use is allowed in the zone district subject to approval a conditional use permit.
2. *The proposed project is not contrary to the public health, safety, or general welfare* in that conditions of approval have been incorporated to mitigate any potential impacts. The project is anticipated to have a less than significant impact on public health, safety or general welfare. The design of the facilities is not anticipated to be contrary to public health, safety or general welfare.

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 has been required to comply with Best Management Practices to address any noise, dust, smoke, odor, glare, or similar factors generated from onsite activity.*
4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The Project is not anticipated to cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act Contract.

GENERAL PLAN CONSISTENCY:

The Conditional Use Permit to allow an indoor/outdoor event venue if approved would be consistent with the existing zone district CRM (Commercial Rural Median), and the General Plan land use designation CC (Community Commercial) which allows for public and quasi-public uses and similar and compatible uses. Based on Goal 1.G.1 – *to encourage the clustering of public and quasi-public facilities such as schools, parks, childcare facilities and community activity centers.* – the proposed event venue will provide additional services to the community.

RECOMMENDATION:

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2019-028), Findings of Fact and Mitigated Negative Declaration (MND #2021-01).

CONDITIONS

See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Site Plan with Elevations
6. Exhibit D-3, Side Elevations
7. Exhibit D-4, Front Elevations
8. Exhibit E, Aerial Map

9. Exhibit F, Topographical Map
10. Exhibit G, Operational Statement
11. Exhibit H, Environmental Health Division Comments
12. Exhibit I, Fire Marshal Comments
13. Exhibit J, Public Works Comments
14. Exhibit K, Department of Transportation Comments
15. Exhibit L, Initial Study
16. Exhibit M, Mitigated Negative Declaration MND #2021-01

CONDITIONS OF APPROVAL

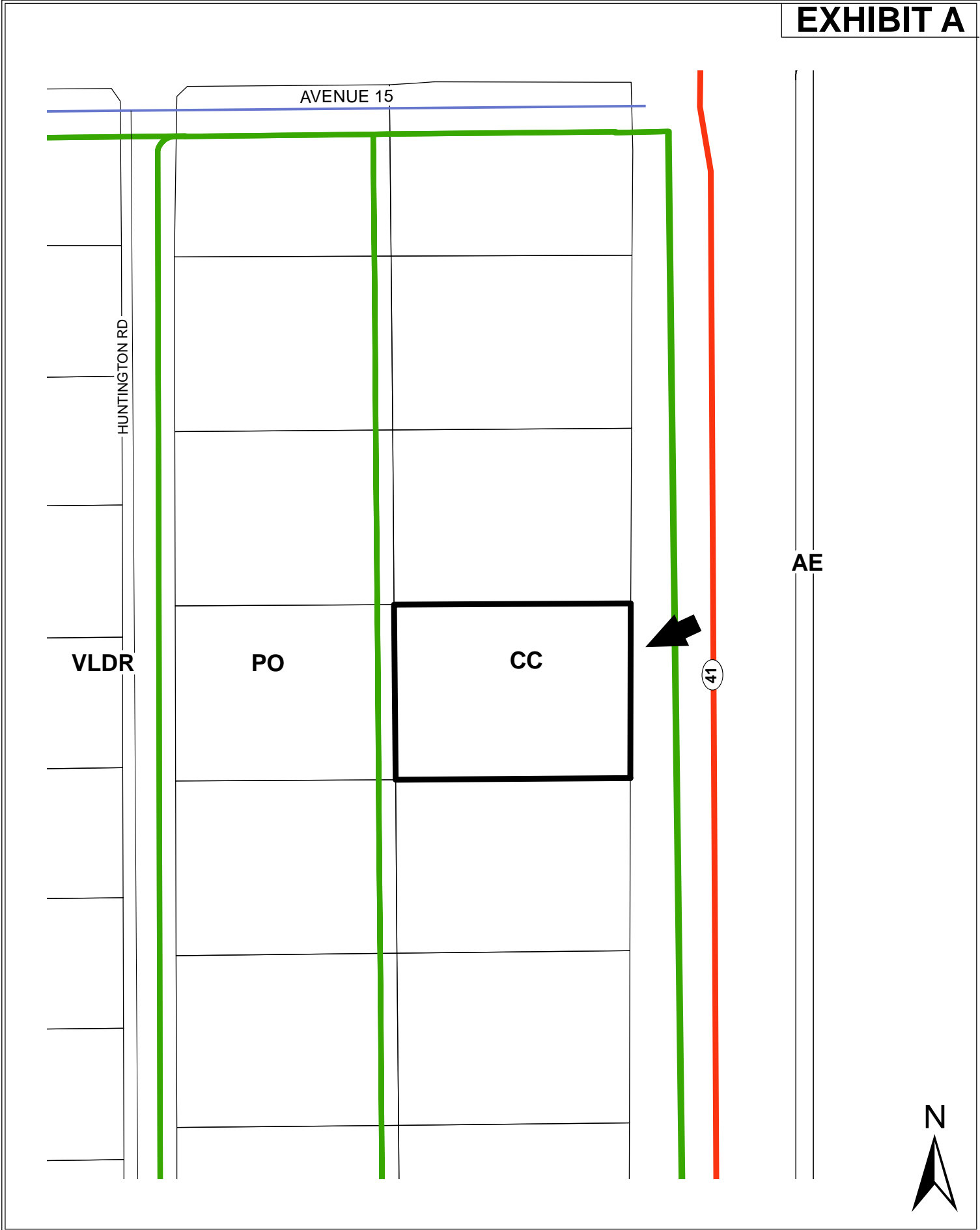
PROJECT NAME:	CUP #2019-028 West Coast USA Properties
PROJECT LOCATION:	On the west side of Highway 41 approximately 680 feet south of its intersection with Avenue 15 (14860 Highway 41) Madera
PROJECT DESCRIPTION:	Add outdoor event area to current venue
APPLICANT:	West Coast USA Properties
CONTACT PERSON/TELEPHONE NUMBER:	Annette Kephart (559) 675-7821

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. All Onsite Wastewater Treatment System(s) calculation shall be sized by anticipated average daily load. A septic certification may be required to determine if existing onsite wastewater treatment system will adequately serve the proposed development.	EH			
2	Permanent restroom facilities will be required for scheduled events. EH will temporarily allow up to one (1) year the use of mobile portable toilets (mpt) that is capable of providing cold/hot water. A service contract from a license septic hauler is required for maintaining the portable toilets for the one year or until a permanent restroom facility is built and approved. If permanent restroom facility are provided, temporary mpt use will be allowed to offset size of events, provided hand wash stations are in place.	EH			
3	The water well(s) used on site for this project, may be required to be permitted by this Division and will be subject to regulations as a "Public Water System". "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that regularly serves at least 25 individuals daily at least 60 days out of the year. The Water System must comply with the State Drinking Water Program (DWP) Standards. Applicant will be required to complete a population determination questionnaire to determine if the project would be subject to become a public water system. Creation of New Public Water systems are required to comply with Senate Bill (SB) 1263.				
4	Solid waste collection with sorting for green, recycle, and garbage is required	EH			

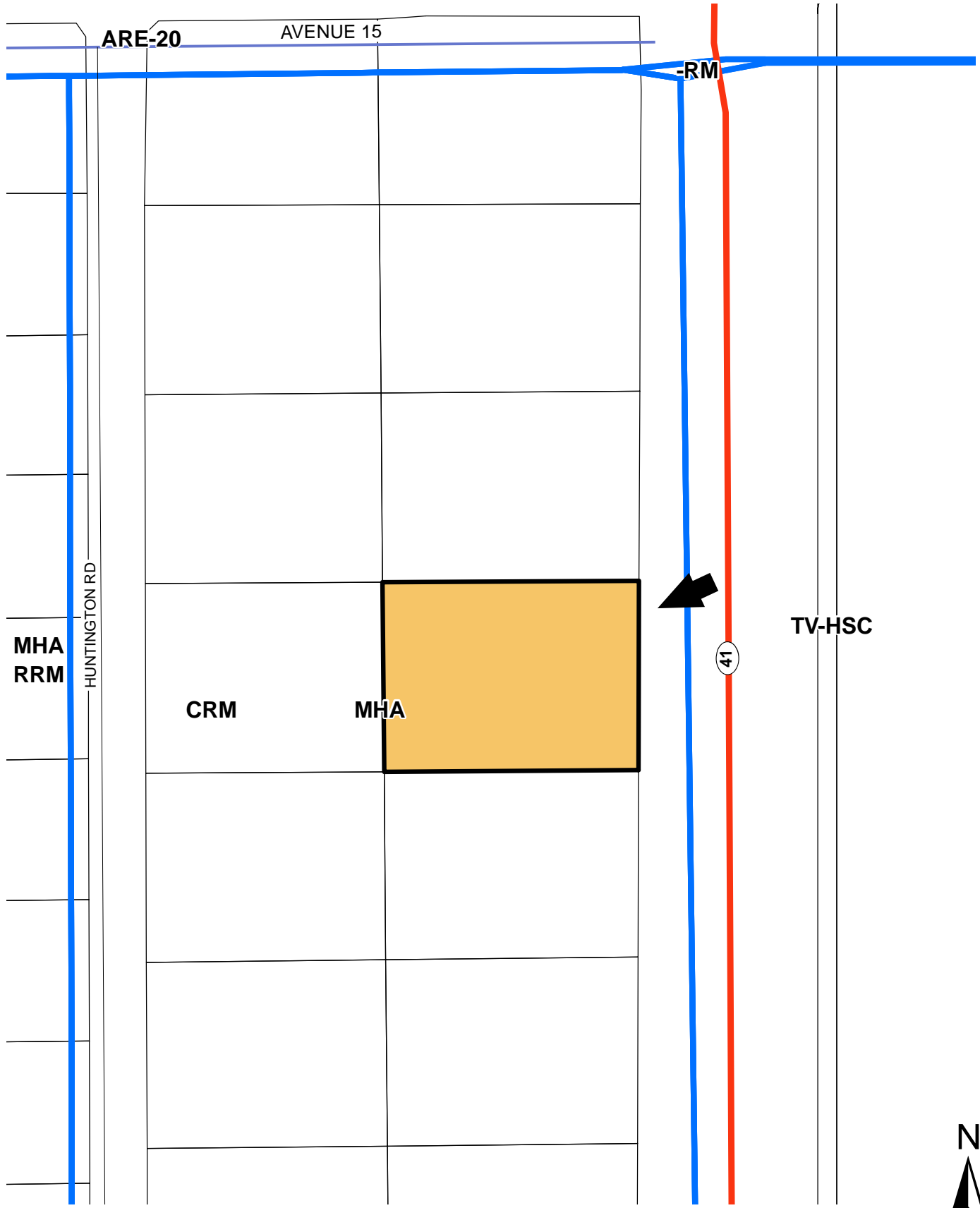
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	If food service is provided or food preparation is conducted as a public event an Environmental Health Division permit will be required. Food facility plan check will be required if facility plans to build/construct a commercial kitchen.				
6	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department.	EH			
7	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			
Fire					
1	The structure was originally designed as a mercantile occupancy. An events venue is considered an Assembly use and will require modifications as outlined within the California Building code. A Building permit will be required.	Building/Fire Safety			
Planning					
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			
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	All landscaping must comply with the County's Water Efficient Landscape Ordinance.	Planning			
4	Construction activities are limited to the hours of 7AM to 7PM Monday through Friday and 9AM to 5PM on Saturday. Construction activities will be prohibited on Sundays.	Planning			
5	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.	Planning			
Public Works					
1	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)			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
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	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)			
4	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)			
5	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)			
6	On-street parking may cause sight distance problems to other motorists and is not allowed.	Public Works (Engineering)			
7	Subject site locates within the State Route 41 road right of way. The applicant is to comply with all conditions of approval imposed by the State or Caltrans.	Public Works (Engineering)			
California Department of Transportation					
1	SR 41 within the Project proximity is planned for a four-lane expressway. A Caltrans project (EA 0R040) to construct SR 41 to a 4-lane facility is currently in Plans, Specifications, and Estimates (PS&E) phase. The widening project will be constructed in two phases per the approved project report. Phase 1 project would construct a 4-lane expressway on SR 41 between Avenue 11 and Avenue 14, and a 4-lane divided conventional highway on SR 41 between Avenues 14 and 15. The Phase 1 project would be constructed on the existing right of way. Figure 1-5 Alternative 4 Alignment is enclosed	California Department of Transportation			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	Verify with Caltrans Design (Getachew Eshete) regarding the right of way need for Phase 1 widening project. Phase 2 of the 4-lane widening project would construct a 4- lane expressway with wide median between Avenues 14 and 15. The freeway/expressway alignment at Phase 2 would be located west of the existing SR 41, parallel to the existing SR 41 alignment.	California Department of Transportation			
3	Comply with California Department of Transportation's requests as attached.	California Department of Transportation			



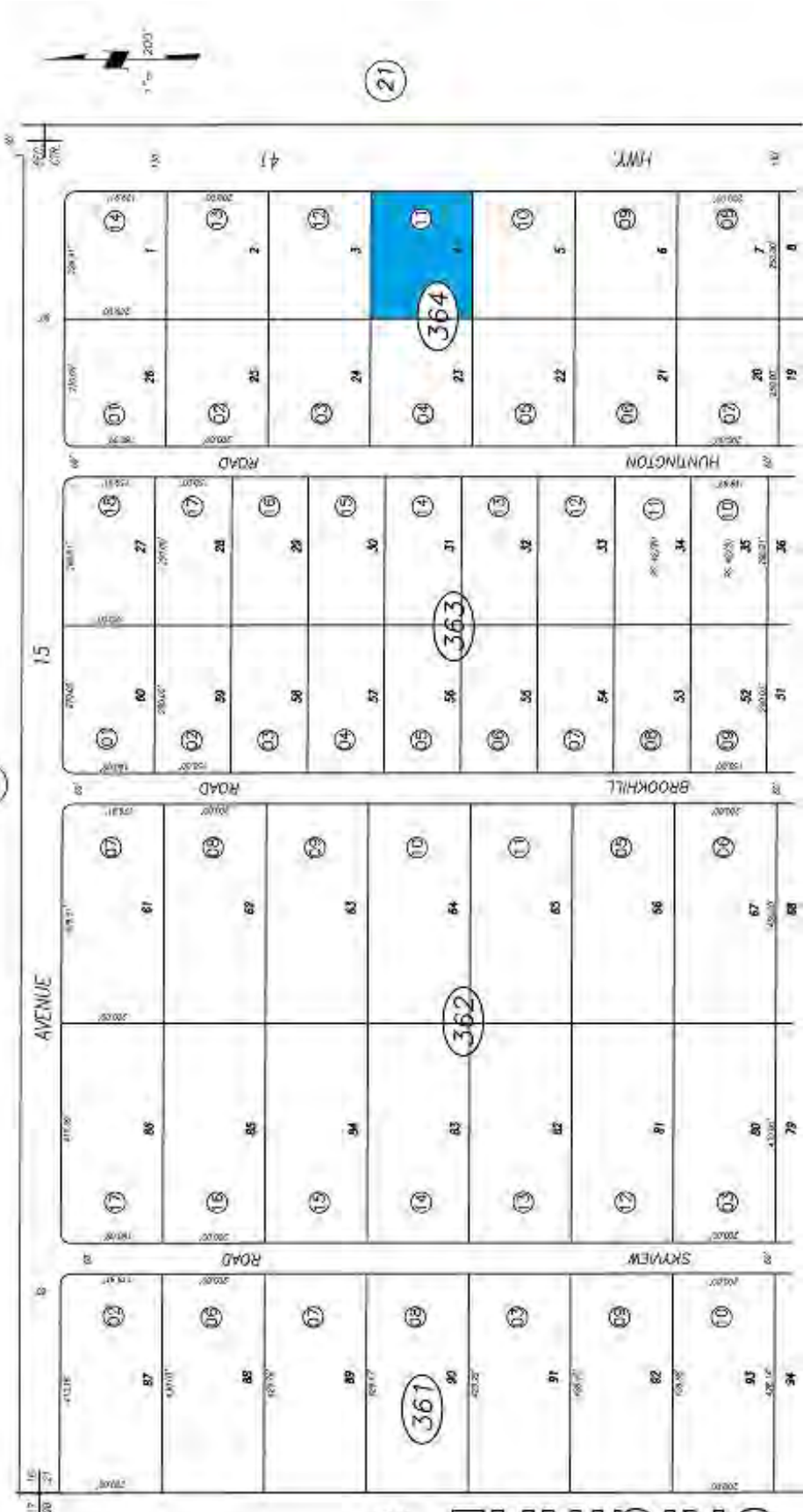
GENERAL PLAN MAP



SEC. 21 T.11S. R.20E. M.D.B.&M.
 BONADELLE RANCHOS NO. 9
SEE TO PARCELS 129-139

51-36

Tax Area Code
 65-021



Assessor's Map No. 51-36
 Golden Valley Unified
 County of Madera, Calif.
 1965

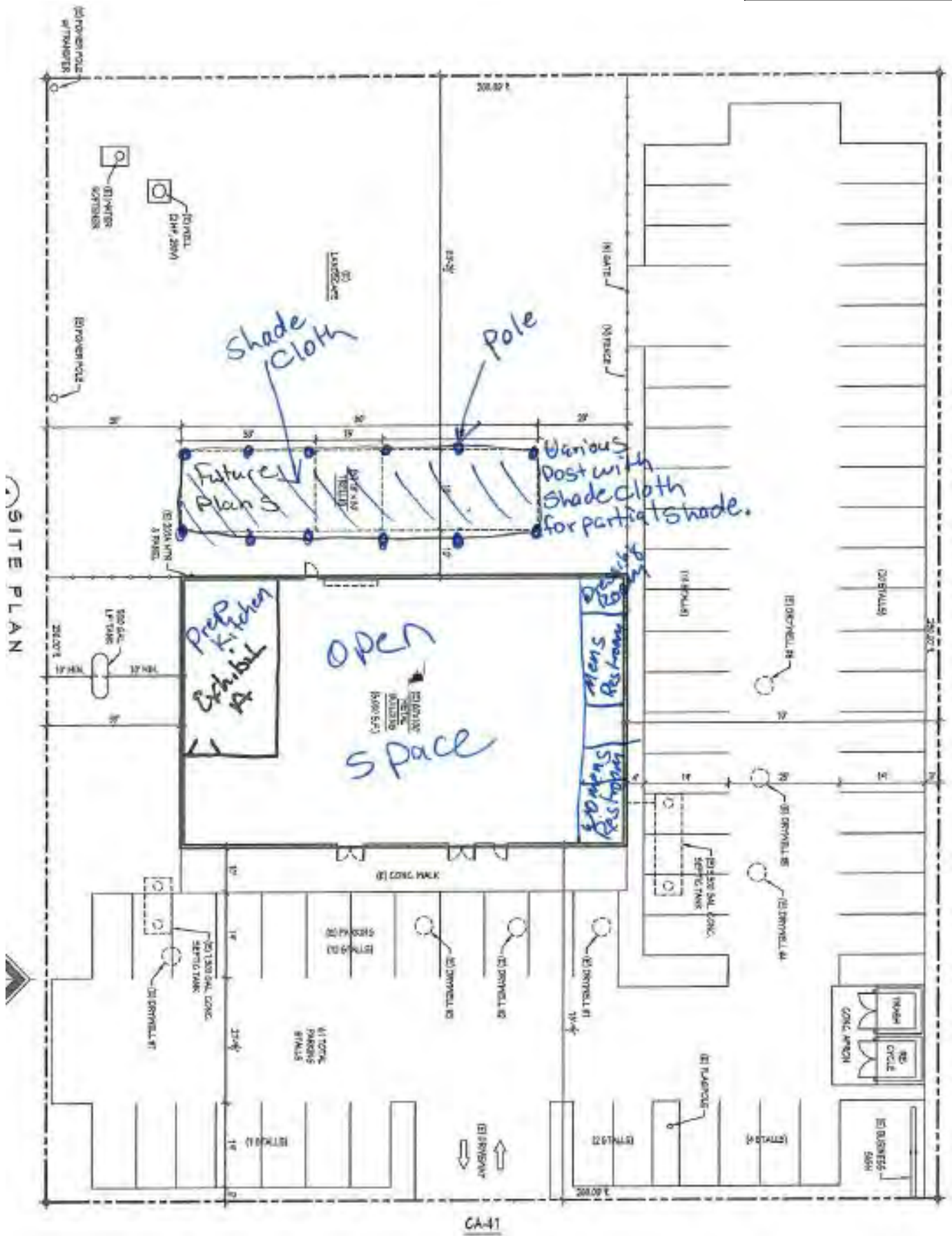
NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

NOTE- Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles.

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ORIGINAL IN BLUE

ASSESSOR'S MAP



SITE PLAN

A3

Project: **Metrolog South**
 14800 CA-01
 Modesto, CA 95205
 (530) 479-1100

APN: **051-344-012**

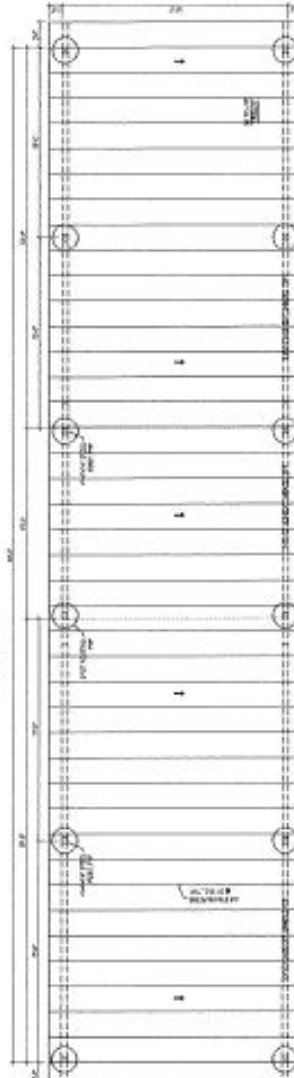
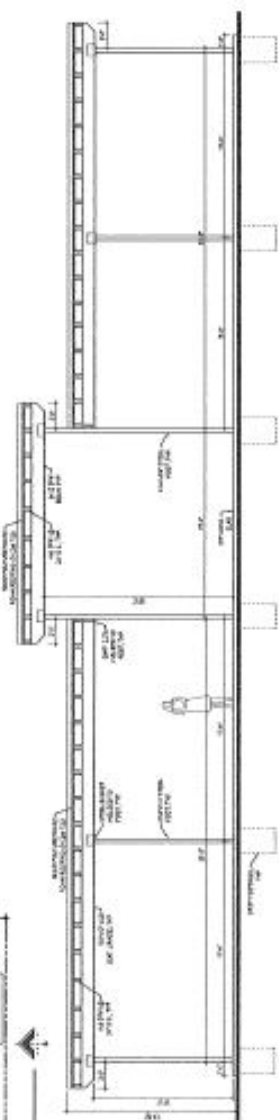
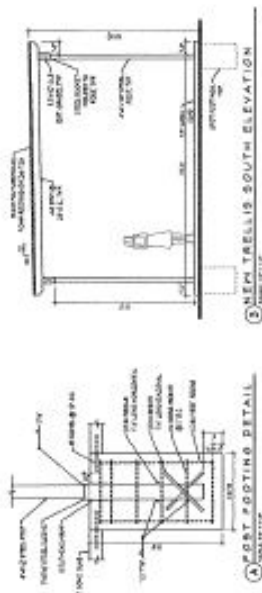
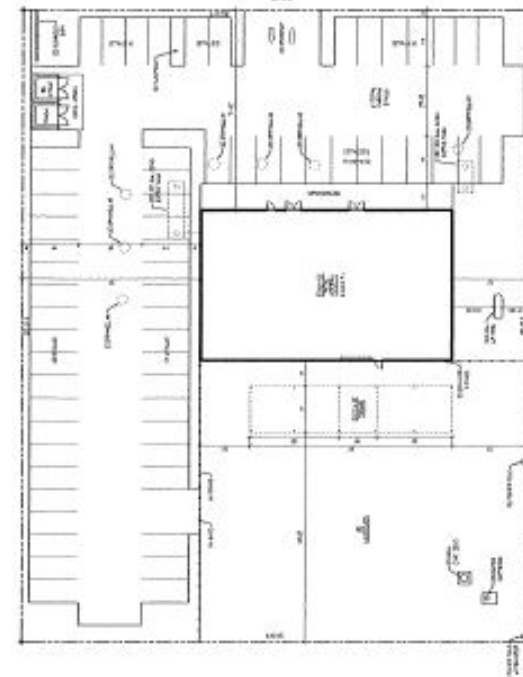
PRELIMINARY

GENERAL NOTES:

1. All items to be installed in accordance with the applicable code.
2. All items to be installed in accordance with the applicable code.
3. All items to be installed in accordance with the applicable code.
4. All items to be installed in accordance with the applicable code.
5. All items to be installed in accordance with the applicable code.
6. All items to be installed in accordance with the applicable code.
7. All items to be installed in accordance with the applicable code.
8. All items to be installed in accordance with the applicable code.
9. All items to be installed in accordance with the applicable code.
10. All items to be installed in accordance with the applicable code.

PREPARED BY:
P.O. ENTERPRISES
 P.O. BOX 9336
 FRESNO, CA 93747
 (530) 239-0122
 www.poeenterprises.com

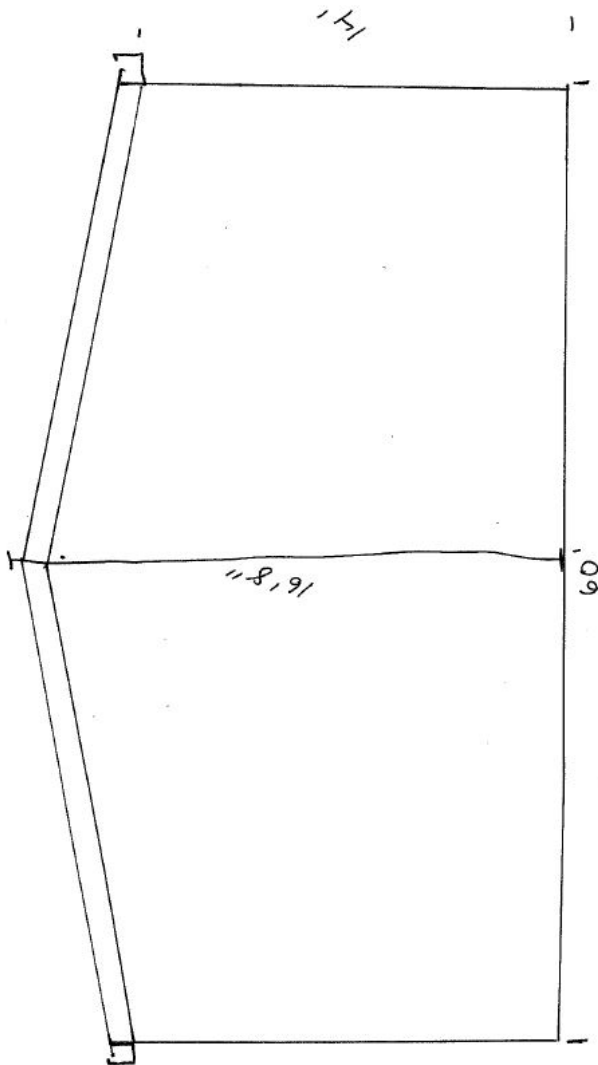
DATE:
 4-7-2015



SITE PLAN WITH ELEVATIONS

Madera County Plot Plan

BP # _____ Plan Check # _____



Scale _____

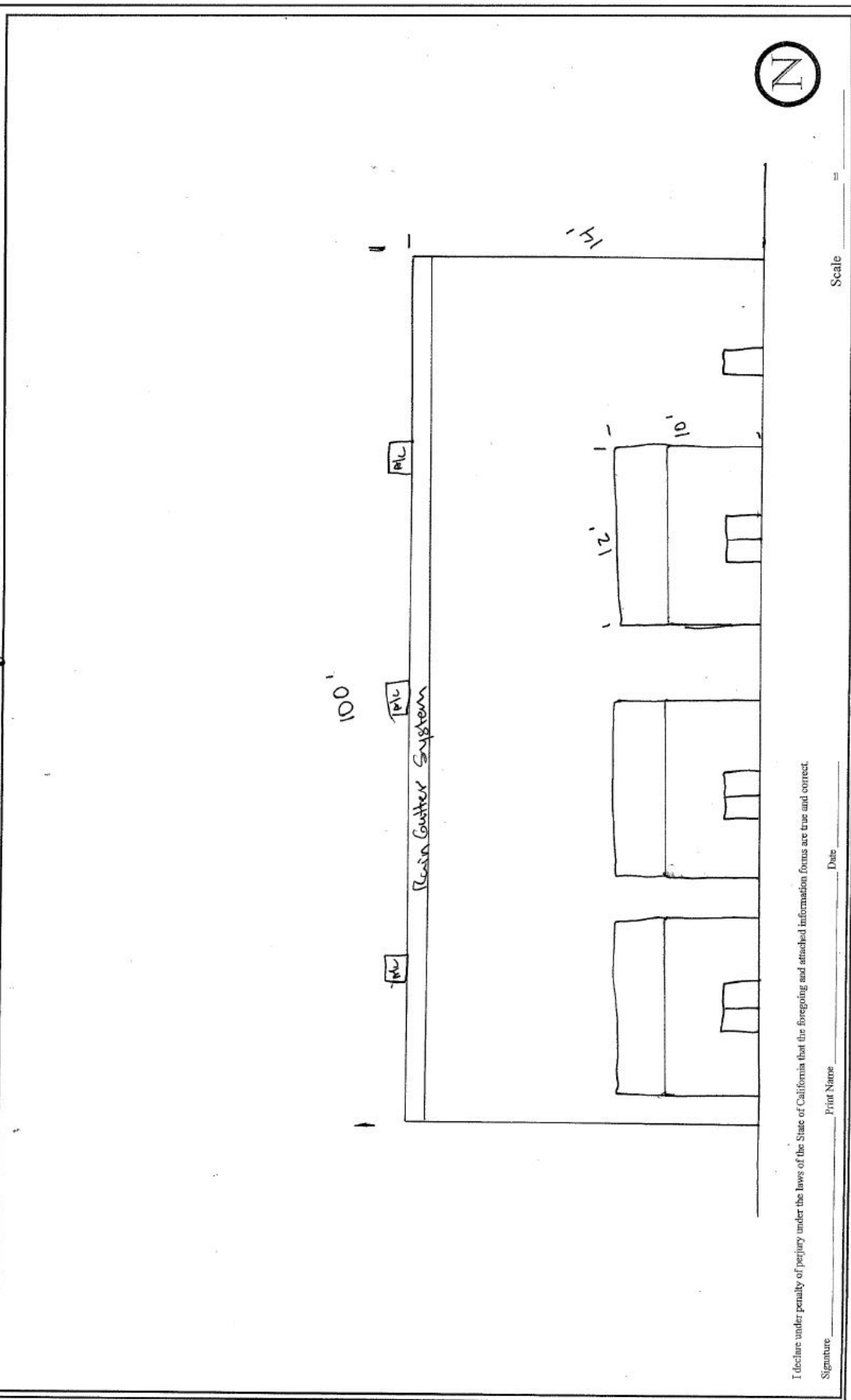
I declare under penalty of perjury under the laws of the State of California that the foregoing and attached information forms are true and correct.

Signature _____ Print Name _____ Date _____

SIDE ELEVATIONS

Madera County Plot Plan

APN: _____ BP # _____ Plan Check # _____



I declare under penalty of perjury under the laws of the State of California that the foregoing and attached information forms are true and correct.

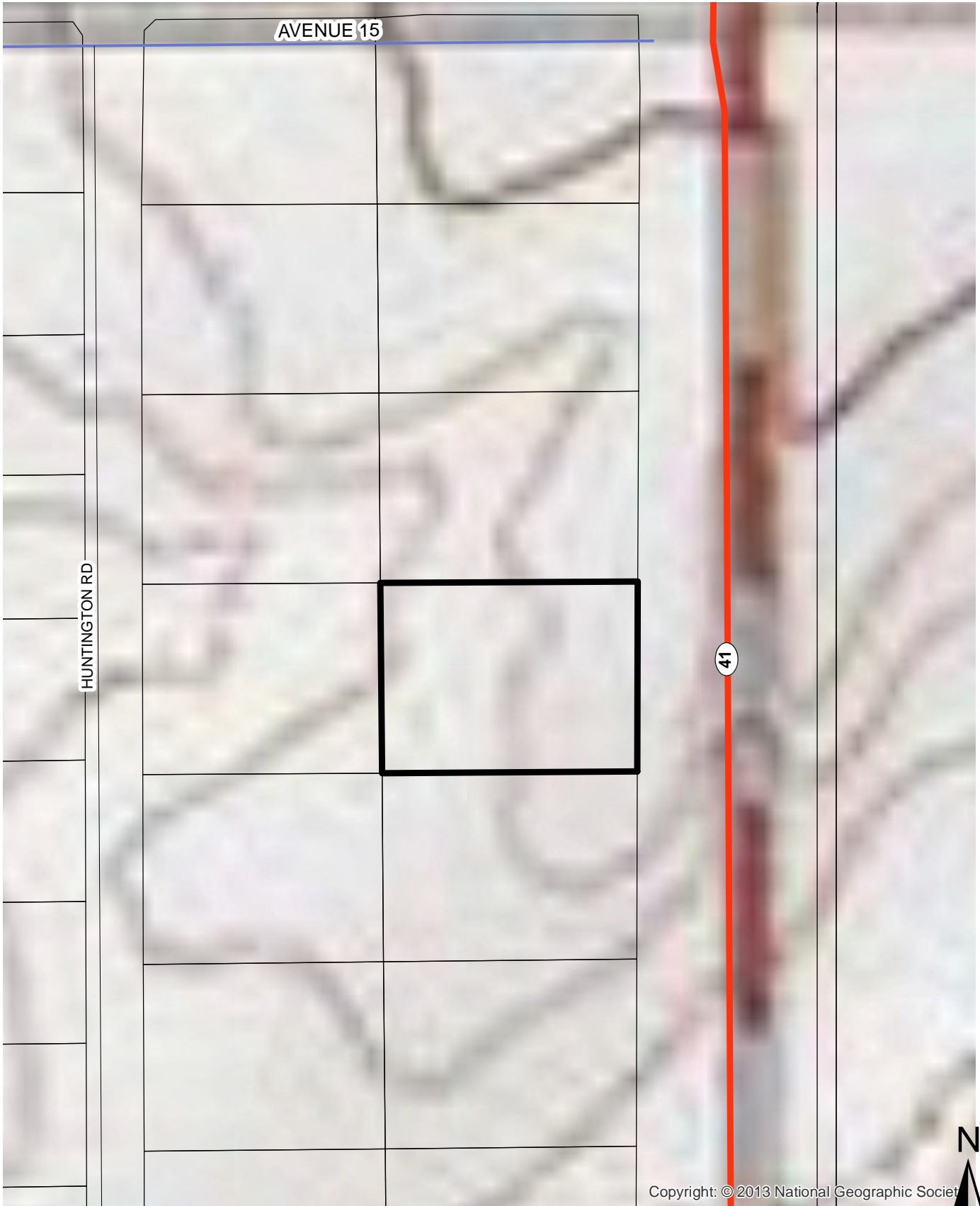
Signature _____ Date _____

Scale _____

FRONT ELEVATIONS



AERIAL MAP



AERIAL MAP



Community and Economic Development
Planning Division

Matthew Treber
Director

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

OPERATIONAL/ENVIRONMENTAL STATEMENT
CHECKLIST

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

1. Please provide the following information:

Assessor's Parcel Number: 051-364-011
 Applicant's Name: WEST COAST USA Properties, LLC
 Address: 17194 Karen Rd - Madera, CA 93636 14860/H/41
 Phone Number: (559) 645-4007

2. Describe the nature of your proposal/operation.

Venue for Wedding, Birthday Parties, Business meetings, corporate events, Church Services Indoor/Outdoor

3. What is the existing use of the property?

Fruit Stand

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): Year Round
 Days per week: Open 7 Days
 Hours (from ___ to ___): Total Hours per day: Hours will vary depending on Clients Reservation.

6. How many customers or visitors are expected?

Average number per day: Customer Reservations
 Maximum number per day: Will Vary Depending
 What hours will customers/visitors be there? on Event.

7. How many employees will there be?

Current: _____
 Future: One (1) Employee on Site During
 Hours they work: Event.
 Do any live onsite? If so, in what capacity (i.e. caretaker)? _____

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

Tables, chairs stored in storage container

9. Will there be any service and delivery vehicles? Caterer

Number: Vehicles

Type: _____

Frequency: Once per Event

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

Asphalt / Gravel Parking
Approx (60) Spaces

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

ENTER OFF OF HWY 41

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

Number of Vehicles Will Vary
Dependent on Event.

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

We Plan on using Existing Sign
It's Approx. 12' x 15'

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.

Existing Building Will be Used.

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

Minor flower beds in front
Landscaping the rear of property.

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

Vacant Lots North/South Side
Residence on West Side

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

Should not generate noise. T-F music is
played, it will be indoors. Microphone used outdoor
Indoor/outdoor

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).

Own well - possibly 1,000 GAL MONTH

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

800 Gallons per month
Own septic

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?

3 yard per week

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 sites located on this property? If so, describe and show location on site plan.

NO

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

No Bodies of water on property

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

Lot seems to drain towards the rear of property.

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

No Hazardous materials or waste.

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

No

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

We will be improving the Building which will have a positive impact to the surroundings

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

I don't see this proposal impacting schools, parks, fire or police.

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

Use(s): Venue-Event Center / Church Indoor/outdoor

Square feet of building area(s): 6000

Total number of employees: (1) During Events

Building Heights: 15' height

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

Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

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

MEMORANDUM

TO: Annette Kephart
FROM: Dexter Marr, Environmental Health Division
DATE: January 21, 2021
RE: West Coast USA Properties - Conditional Use Permit - Madera (051-364-011-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: December 30, 2020
RE: Conditional Use Permit (CUP) #2019-028, West Coast USA, Madera APN 051-364-011

The Environmental Health Division Comments:

All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. All Onsite Wastewater Treatment System(s) calculation shall be sized by anticipated average daily load. A septic certification may be required to determine if existing onsite wastewater treatment system will adequately serve the proposed development.

Permanent restroom facilities will be required for scheduled events. EH will temporarily allow up to one (1) year the use of mobile portable toilets (mpt) that is capable of providing cold/hot water. A service contract from a license septic hauler is required for maintaining the portable toilets for the one year or until a permanent restroom facility is built and approved. If permanent restroom facility are provided, temporary mpt use will be allowed to offset size of events, provided hand wash stations are in place.

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

If food service is provided or food preparation is conducted as a public event an Environmental Health Division permit will be required. Food facility plan check will be required if facility plans to build/construct a commercial kitchen.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department.

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.

Contact Environmental Health at (559) 675-7823.

**Community and Economic Development
Fire Prevention Division**

Deborah Mahler, Fire Marshal
Deputy Director

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

MEMORANDUM

TO: Annette Kephart
FROM: Deborah Mahler, Fire Marshal
DATE: January 21, 2021
RE: West Coast USA Properties - Conditional Use Permit - Madera (051-364-011-000)

Conditions

The structure was originally designed as a mercantile occupancy.
An events venue is considered an Assembly use and will require modifications as outlined within the California Building code. A Building permit will be required.

COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS

AHMAD M. ALKHAYYAT
DIRECTOR

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

MEMORANDUM

DATE: January 21, 2021
TO: Annette Kephart
FROM: Madera County Public Works
SUBJECT: West Coast USA Properties - Conditional Use Permit - Madera (051-364-011-000)

Comments

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 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.

On-street parking may cause sight distance problems to other motorists and is not allowed.

Subject site locates within the State Route 41 road right of way. The applicant is to comply with all conditions of approval imposed by the State or Caltrans.

**DEPARTMENT OF TRANSPORTATION
DISTRICT 6 OFFICE**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5421
FAX (559) 488-4088
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*Making Conservation
a California Way
of Life*

December 23, 2020

41-MAD-6.082
CUP #2019-028
West Coast USA Properties, Madera
(051-364-011-000)

Annette Kephart
Madera County Planning Department
200 W. 4th St. Suite 3100
Madera, CA 93637

Dear Annette Kephart:

Thank you for the opportunity to review the Conditional Use Permit for a proposed 6,000 square-foot event venue to replace the existing fruit market. The project site is located on the west side of State Route (SR) 41 approximately 680 feet south of Avenue 15 in Madera County. The project trip generation rate for the proposed Event venue is not available in the ITE Trip Generation Handbook. Therefore, the trips generated from the proposed Event venue cannot be determined. There are proposed 60 parking spaces as shown on the project site plan.

Caltrans provides the *following comments* consistent with the access management, design and traffic operations:

1. SR 41 within the Project proximity is planned for a four-lane expressway. A Caltrans project (EA 0R040) to construct SR 41 to a 4-lane facility is currently in Plans, Specifications, and Estimates (PS&E) phase. The widening project will be constructed in two phases per the approved project report. Phase 1 project would construct a 4-lane expressway on SR 41 between Avenue 11 and Avenue 14, and a 4-lane divided conventional highway on SR 41 between Avenues 14 and 15. The Phase 1 project would be constructed on the existing right of way. Figure 1-5 Alternative 4 Alignment is enclosed
2. Verify with Caltrans Design (Getachew Eshete) regarding the right of way need for Phase 1 widening project. Phase 2 of the 4-lane widening project would construct a 4-lane expressway with wide median between Avenues 14 and 15. The freeway/expressway alignment at Phase 2 would be located west of the existing SR 41, parallel to the existing SR 41 alignment.

3. The Phase 2 SR 41 alignment would require right of way acquisition on the existing businesses along the west side of Route 41 between Avenues 14 and 15, including the subject property of the proposed Event Venue. There would be full access control along SR 41 between Avenues 11 and 15 when Phase 2 of the 4-lane expressway is built, except at the intersections of SR 41/Avenue 12 and SR 41/Avenue 15. Consult with Caltrans Design regarding the future right of way need for Phase 2 of the SR 41 4-lane expressway widening. – A full right of way take of the property of the proposed Event Venue on the west side of SR 41 will be required when the Phase 2 of the SR 41 widening is constructed
4. There shall not be any new structures to be built within the future SR 41 freeway/expressway alignment footprint.
 - a. It is our opinion that the proposed Event Venue would induce the VMT. A VMT mitigation impact fee should be established to reduce the VMT on SR 41.
 - b. The Project may contribute their fair share to Madera County Impact Fee program for State SR 41 improvement and the future interchange on SR 41/Avenue 12.

If you have any further questions, contact Christopher Nicholas at (707) 980-2669 or Christopher.nicholas@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning - North

Enclosure:

Figure 1-5 Alternative 4 Alignment from the Final EIR

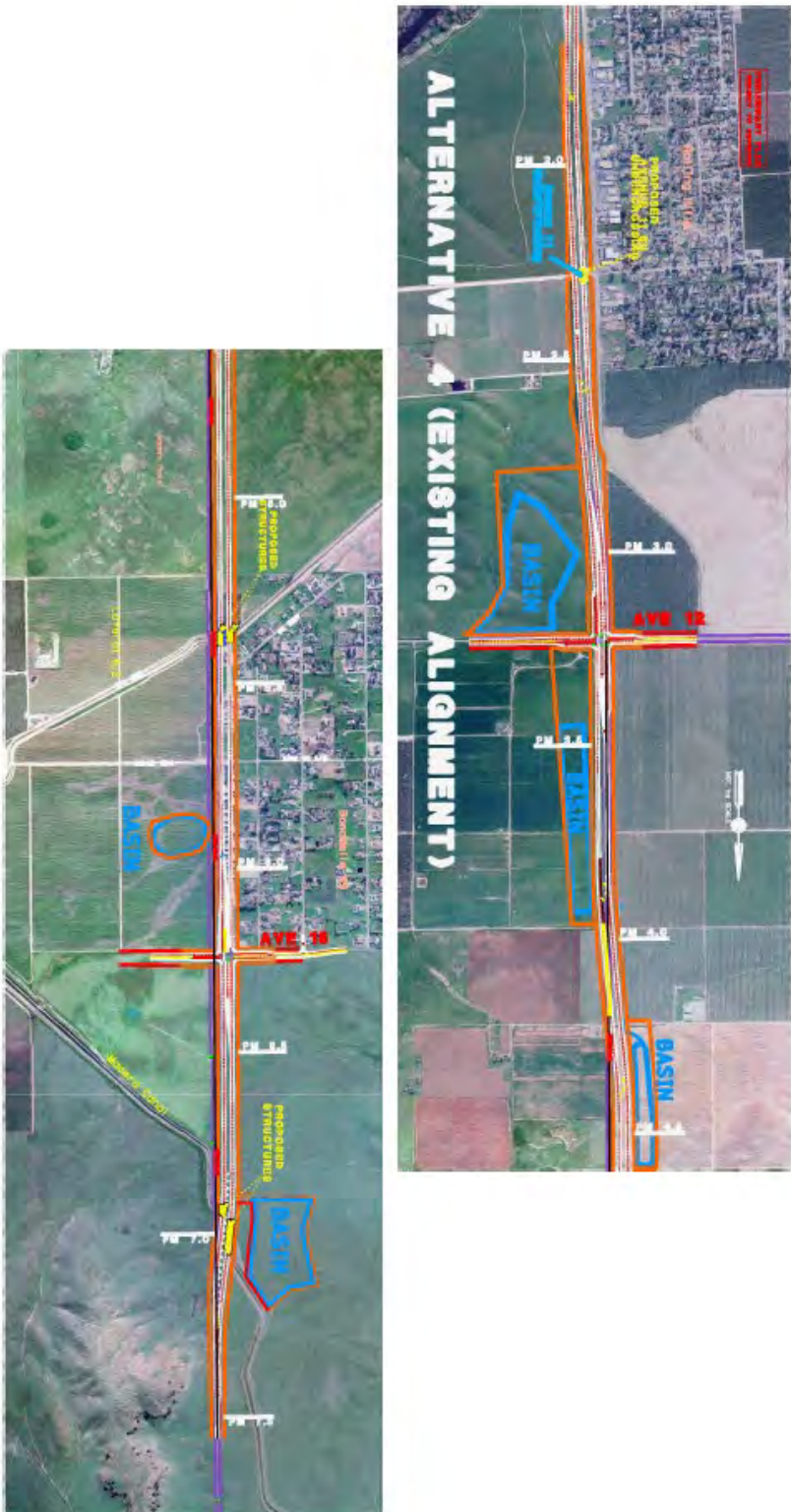


Figure 1-5 Alternative 4 Alignment

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

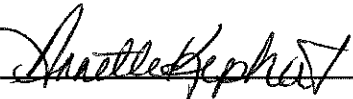
- 1. Project title:** CUP #2019-028 – West Coast USA Properties, LLC
- 2. Lead agency name and address:** County of Madera
Community and Economic Development Department
200 West 4th Street, Suite 3100
Madera, California 93637
- 3. Contact person and phone number:** Annette Kephart, Planner II
559-675-7821
Annette.Kephart@maderacounty.com
- 4. Project Location & APN:** On the west side of Highway 41 approximately 680 feet south of its intersection with Avenue 15 (14860 Highway 41) Madera
APN #: 051-364-011-000
- 5. Project sponsor's name and address:** County of Madera
200 West 4th Street, Suite 3100
Madera, California 93637
- 6. General Plan Designation:** CC (Community Commercial)
- 7. Zoning:** CRM (Commercial, Rural, Median)
- 8. Description of project:**
The applicant is requesting a conditional use permit to allow an indoor and outdoor event venue.
- 9. Surrounding Land Uses and Setting:**
Commercial
- 10. Other Public Agencies Whose Approval is Required:**
None
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

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

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 checked="" 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 checked="" 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 |

Signed:  Date: January 6, 2021

DETERMINATION (to be completed by Lead Agency)	
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.

Signed:  Date: January 6, 2021

	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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a & c) Less Than Significant Impact.

The project is in a commercial area and will not include additional buildings. There are no historic buildings on the parcel. Any adverse effects are expected to be less than significant.

(b). No Impact.

There will be no substantial damage to scenic resources. Due to the flat terrain on the parcel, no soil or tree removal will be required and only a minimal amount of grading would be needed.

(d) Less Than Significant Impact with Mitigation Incorporation.

New light sources will be generated from the project. Mitigation shall be placed to hood and direct lighting downward and away from adjoining parcels.

General Information

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Light pollution, as defined by the International dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into

the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

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

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

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

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Responses:

(a-e) No Impact. The project location is zoned commercial. No negative impacts are anticipated. The property is not within the Timberland Zone District.

General Information

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

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

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

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

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include no irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

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

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

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is

used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

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

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

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

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.

Implementation of the proposed project would not exceed the California Air Quality Standard. The project is not anticipated to conflict with any air quality plans. Although

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

The project site is in a commercial location and surrounded in close proximity to residential areas. There is some potential for sensitive receptors to be exposed to particulate matter during construction, but the impacts are expected to be less than significant.

The project was circulated to San Joaquin Valley Air Pollution Control District, no comments were received.

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).

Global Climate Change

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

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

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects

of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a - f) Less Than Significant Impact. The project site is currently developed as a commercial indoor rental hall and located on the west side of Highway 41 approximately 680 feet south of its intersection with Avenue 15 (14860 Highway 41) Madera. There are no federally protected wetlands on the project site. Due to the lack of quality biological habitat within and immediately surrounding the site, the proposed Project would not interfere with the movement of fish or wildlife or impact wildlife corridors. No sensitive biological resources are located on the Project site. The project is not anticipated to conflict the provisions of any adopted local state or regional habitat conservation plans.

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

General Information

Special Status Species include:

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

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

Species	Federal Status	State Status	Dept. of Fish and Game Listing	CNPS Listing
California tiger salamander	Threatened	Threatened	WL	-
western spadefoot	None	None	SSC	-
Swainson's hawk	None	Threatened	-	-
California horned lark	None	None	WL	-
great egret	None	None	-	-
great blue heron	None	None	-	-
western yellow-billed cuckoo	Threatened	Endangered	-	-
yellow-headed blackbird	None	None	SSC	-

osprey	None	None	WL	-
burrowing owl	None	None	SSC	-
vernal pool fairy shrimp	Threatened	None	-	-
midvalley fairy shrimp	None	None	-	-
California linderiella	None	None	-	-
hardhead	None	None	SSC	-
valley elderberry longhorn beetle	Threatened	None	-	-
molestan blister beetle	None	None	-	-
San Joaquin kit fox	Endangered	Threatened	-	-
San Joaquin pocket mouse	None	None	-	-
American badger	None	None	SSC	-
blunt-nosed leopard lizard	Endangered	Endangered	FP	-
Great Valley Mixed Riparian Forest	None	None	-	-
Northern Claypan Vernal Pool	None	None	-	-
Northern Hardpan Vernal Pool	None	None	-	-
spiny-sepaled button-celery	None	None	-	1B.2
Hoover's calycadenia	None	None	-	1B.3
succulent owl's-clover	Threatened	Endangered	-	1B.2
San Joaquin Valley Orcutt grass	Threatened	Endangered	-	1B.1
hairy Orcutt grass	Endangered	Endangered	-	1B.1
pincushion navarretia	None	None	-	1B.1

Herndon Quadrangle

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

SSC Species of Special Concern

WL Watch List

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

The area surrounding the parcel site has been developed for agricultural purposes, and there are some residential uses in the area, so the chances of habitats being present for nesting or migratory species are minimal.

General Information

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

c) Disturb any human remains, including those interred outside of formal cemeteries?

Responses:

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

Mitigation for the management of unanticipated discoveries are provided. Review mitigation monitoring report form for listed mitigations.

General Information

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. ENERGY

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a & b) Less Than Significant Impact. Minimal energy resources will be used during construction. The ongoing operation of the project is not anticipated to have a significant impact on energy resources due to the nature of the operation. The project is not anticipated to conflict with any state or local renewable energy plan or energy efficiency plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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"/> |
| | <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?

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?

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?

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Responses:

(a – f) Less Than Significant Impact. The parcel is in an area where it is topographically not conducive to landslides, so therefore there will be less than significant impacts. Topographical maps indicate a relatively flat area with minimal increases in elevation heading from west to east on the property. There are no known impacts that will occur as a direct or indirect result of this project.

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

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

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

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

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

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

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

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

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a - b) Less than Significant Impact. The proposed operation will have a less than significant impact relating to emitting greenhouse gases to the atmosphere. What little greenhouse gases generated will be from vehicular traffic related to the event attendees. Most of those vehicles will stay on site until construction is complete. Other vehicles will be hauling and delivering materials for the proposed project. The project is in a commercial zone district and is currently operating as an indoor event center. The addition of an outdoor area on the small parcel is not expected to have a significant impact on greenhouse gas emissions.

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

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

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375,

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

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

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

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

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

Responses:

(a – b) Less than Significant Impact. The project proposal will not bring significant hazardous impact to the surrounding area. There will be a slight increase in traffic due to the outdoor event area, but the proposal is small in nature.

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

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

General Information

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

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

- 1) A total of 55 gallons,

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

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

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

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Responses:

(a – c iv) Less Than Significant Impact. Short-term impacts related to water quality would occur during the grading and construction phase, when the potential for erosion and sedimentation would be the greatest. Construction for the proposed Project will have a small footprint as only an outdoor covered patio is proposed therefore construction activities associated with proposed project would have a less than significant impact on surface water quality.

The project would not substantially deplete groundwater supplies in the site vicinity, since estimated groundwater usage is similar to a signal family residence.

The proposed project would not substantially alter the existing drainage patterns of site nor the immediate vicinity. No natural drainage systems exist onsite. The proposal would not substantially alter the topography or drainage of the site. Two stormwater retention basins are indicated on the site to assist with drainage on the site.

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

The project is not anticipated to conflict or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.

General Information

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

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

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami (from the Japanese language, roughly translated as “harbor wave”) is an unusually large sea wave produced by seaquake or undersea volcanic eruption. According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. As this property

is not located near any bodies of water, no impacts are identified.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

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

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

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?

Responses:

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

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

Responses:

(a – b) Less than Significant Impact. There is no major construction anticipated because of this project. It is anticipated that there will be some tenant improvement of the existing structure to bring it up to code as well as occupancy standards and construction of a covered patio so there will be some construction related noise generated. However, due to the limited nature of tenant improvements and patio construction, noise generation will be minimal.

Operationally, there will be vehicles coming and going during the time periods of events on the property. Additionally, depending on the type of function occurring, bands or DJs would add to noise generation in the area. Due to the commercial zoning and location off a highly travelled highway the impact is expected to be less than significant. There are no indications that DJs or bands will be playing outside of the structure.

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

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

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

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

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

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

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

(a-I, a-ii) Less Than Significant Impact. Operationally, there is the chance that unanticipated occurrences of wildfire could happen. There is also the possibility of unanticipated structural fires from any number of causes that could occur as a direct or indirect result of this project. Crime and emergency response is provided by the Madera County Sherriff's Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site.

Madera County Fire Department provides fire protection services to all unincorporated areas of Madera County, which has an estimated 2000 population of 74,734 persons. MCFD provides fire protection services to unincorporated areas of the County. The Fire Department has 17 fire stations, a fleet of 56 apparatus and support vehicles; and 32 career fire suppression personnel and 175 paid call firefighters, and seven support personnel. The Fire Department responds to structure fires, vehicle accidents, medical aide, or any other emergencies. Sever of Madera County's fire stations are staffed 24 hours a day by a full-time career fire captain or fire apparatus engineer, and five of these stations are augmented by paid call firefighters. The remaining 10 fire stations are staffed exclusively by paid call firefighters.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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"/>
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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?

Responses:

(a - b) No Impact. No impacts 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?

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

c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) Result in inadequate emergency access?

Responses:

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

(b) Less Than Significant Impact. The project is currently operating as a church and adding an outdoor area to include events will encourage group bookings in warmer seasons, but it is not anticipated to be significantly more than the indoor events.

(c) Less than Significant Impact. The proposed Project does not involve any modification to the roadway system within the Project vicinity. Therefore, the proposed Project would not impact the current road design or introduce incompatible uses. Therefore, no impacts would occur with respect to road design. The proposed sign is not near an airstrip and is also under the 150'-00' height threshold for ALUC issues.

(d) No Impact. No impacts have been identified.

In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

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

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

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional	> 20 – 35

	queues on approach	
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological

conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responses:

Water Quality Issues

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

Rainfall is unable to percolate into the portions of each site that are paved over and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. Pollutants associated with parking lots (oil & grease predominately) will be found in high quantities after the first rain of the season. These pollutants have the potential of contaminating ground and surface water sources.

Groundwater availability issues

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

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

Wastewater Issues

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

Solid Waste Issues

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

California Integrated Waste Management Board, the generation rate per resident is 0.63 pounds per day of trash.

(a - d) Less Than Significant Impact. Wastewater and solid waste for the project will be like that in which the building is currently use for religious services. The proposed Project would result in the generation of solid waste and would be similar in nature to other commercial businesses in the area.

(e) Less Than Significant Impact with Mitigation Incorporation. Conditions have been put in place by the Environmental Health division requiring solid waste collection with sorting for recycle and garbage pickup.

General Discussion

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

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Responses:

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).

- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

(a - c) Less Than Significant Impact. While there have been some impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant.

Mitigation Measures

See attached.

Bibliography

California Department of Finance

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

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

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

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

Madera County Airport Land Use Compatibility Plan

Madera County Dairy Standards Environmental Impact Report

Madera County General Plan

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Fire Marshall’s Office

Madera County Department of Public Works

Madera County Roads Department

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

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

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

MND 2021-01

1

January 2, 2021

MITIGATED NEGATIVE DECLARATION

MND 2021-01

RE: West Coast USA Properties – Conditional Use Permit #2019-028

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the west side of Highway 41 approximately 680 feet south of its intersection with Avenue 15 (14860 Highway 41) Madera. The project is a request to allow an indoor/outdoor event venue.

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 4th Street, Ste. #3100, Madera, California.

DATED: January 6, 2021

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2021-01

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	Any proposed lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Operations	Planning					
Agriculture/Forestry Resources								
Air Quality								
Biological Resources								
Cultural Resources								
1	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.	Operations	Planning					
Energy								
Geology and Soils								
Greenhouse Gas Emissions								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								
Transportation								
Tribal Cultural Resources								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Utilities and Service Systems								
1	Solid waste collection with sorting for recycle, and garbage is required.	Operations	Environmental Health					
Wildfire								
Mandatory Findings of Significance								
