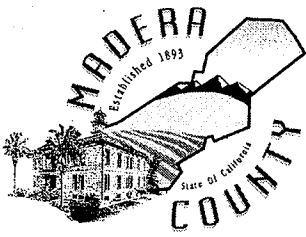


APPENDIX B-1
Notice of Preparation



RESOURCE MANAGEMENT AGENCY PLANNING DEPARTMENT

Jerald C. James, Director 762

- 2037 W. Cleveland Avenue
- Mail Stop G
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

NOTICE OF PREPARATION OF A DRAFT REVISED ENVIRONMENTAL IMPACT REPORT AND NOTICE OF SCOPING MEETING

Date: December 23, 2008

To: Responsible Agencies, Agencies with Jurisdiction by Law, Trustees
Agencies, Involved Federal Agencies and Agencies/People Requesting
Notice

Subject: Notice of Preparation (NOP) of a Draft Revised Environmental Impact
Report (EIR). Notice of Scoping Meeting for the Madera Ranch Quarry Project

Lead Agency

Madera County
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637
Phone - (559) 675-7821
Director
Contact: Matthew Treber,
Planner III

**Consulting Firm Preparing the Revised
Draft EIR**

Resource Design Technology, Inc.
4990 Hillsdale Circle, Suite 400
El Dorado Hills, CA 95762
Phone - (916) 983-9193
Contact: Bruce Steubing, Project

This NOP includes a Project Description and a list of environmental issues to be
examined in the revised Environmental Impact Report (EIR).

Due to the time limit mandated by State law, your response must be sent by the earliest possible date, but no later than 30 after the receipt of this Notice.

Please send your response to Mr. Matthew Treber, at the County of Madera
address provided above. Please include the name, phone number and address of
a contact person in your response. You may submit your response via FAX to
(559) 675-6573, or EMAIL to matthew.treber@madera-county.com.

Project Title: Madera Ranch Quarry Project

Project Applicant: Madera Quarry, Inc.

Project Location: The Project site is located in central Madera County, California, about two miles west of State Route (SR) 41, four miles north of SR 145, and 16 miles northeast of the City of Madera (Figure 1, Site Location). It lies in Section 4 of Township 10 South, Range 20 East of the Little Table Mountain, California 7.5 U.S. Geological Service (USGS) topographic map. The realignment and improvements to County Road 209 will also affect portions of Sections 9, 16, 21, 28, and 33 of the previously identified township and range. The Project site, including processing facilities, would be located entirely within the boundaries of the Madera Ranch (Assessor's Parcel Number [APN] 050-082-007), as shown in Figures 2, Site Aerial Photograph with Major Project Components, and Figure 3, Madera Ranch Conceptual Plant Area Layout. The owner of record for the Madera Ranch property is Madera Quarry, Inc., P.O. Box 994248, Redding, California 96099-4248.

Description: This proposed project includes:

- A new hardrock quarry;
- An aggregate processing facility;
- Hot mix asphalt plant;
- Administration complex;
- Parking areas;
- On-site access road;
- Various other stockpile and processing areas;
- A two-lane paved access road from the processing area west about a quarter of a mile out to County Road 209;
- Substantial upgrade and realignment of Road 209 to meet County and Caltrans standards; and
- Intersection improvements to County Road 209 and State Rte 41.
-

Environmental Issues To Be Evaluated In The Revised EIR

The environmental review of projects such as, the "Madera Quarry Project," is a three step process governed by the California Environmental Quality Act (CEQA). The first step is for Madera County (County) to determine whether a project is exempt from CEQA review. The County has determined that this Project is not exempt. The typical second step is the preparation of an Initial Study (IS) to determine potential impacts of the project on the environment. If the Initial Study determined that the project has the potential to cause one of more significant environmental impacts, the usual third step is to determine is an EIR should be prepared. CEQA Guidelines Section 15063 provide that if a Lead

Agency determines that an EIR will clearly be required for a project, an IS is not required.

In this case, the County of Madera (County) conducted a Public Scoping Meeting on October 27, 2003. The County then circulated a Draft EIR for public review from late June through early August 2005. The Final EIR was prepared in February 2006. After a series of Planning Commission and Board of Supervisor hearings, the County's Board approved the Project and certified the EIR as adequate.

Opponents to the Project filed a Petition for Writ of Mandate and Complaint for Injunctive Declaratory Relief regarding the adequacy of the EIR. The County prevailed at the trial court level. However, on October 24, 2008, the Court of Appeal for the Fifth Appellate District (Court of Appeal) reversed the judgment and remanded the matter to the trial court. The Court of Appeal concluded that there were deficiencies regarding specified EIR's hydrology mitigation measures, traffic mitigation measures cumulative noise impact evaluation, cumulative impact evaluation, and whether SB 610 was applicable to hydrology mitigation measures.

A summary of the Final EIR's impact evaluations and mitigation measures are provided in Table S-1, Summary of Impacts and Mitigation Measures Attachment A, hereto. However, based on the Court of Appeal's decision discussed above, the nature and extent of impacts and mitigation will be updated consistent with the decision, and therefore could be different than provided in Attachment A.

The revised EIR will address both the short- and long-term effects of the Project on the environment. Mitigation will be proposed for these impacts determined to be potentially significant and a mitigation program will be developed as required by CEQA Guidelines, Section 15150.

The environmental determination of the Notice of Preparation (NOP) is subject to a 30-day public review period per Public Resource Code 21080.4 and CEQA Guidelines Section 15082. Public agencies, interested organizations and individuals have the opportunity to comment on the proposed project. Any environmental issues identified that have the potential to be affected by the project shall be addressed further by Madera County.

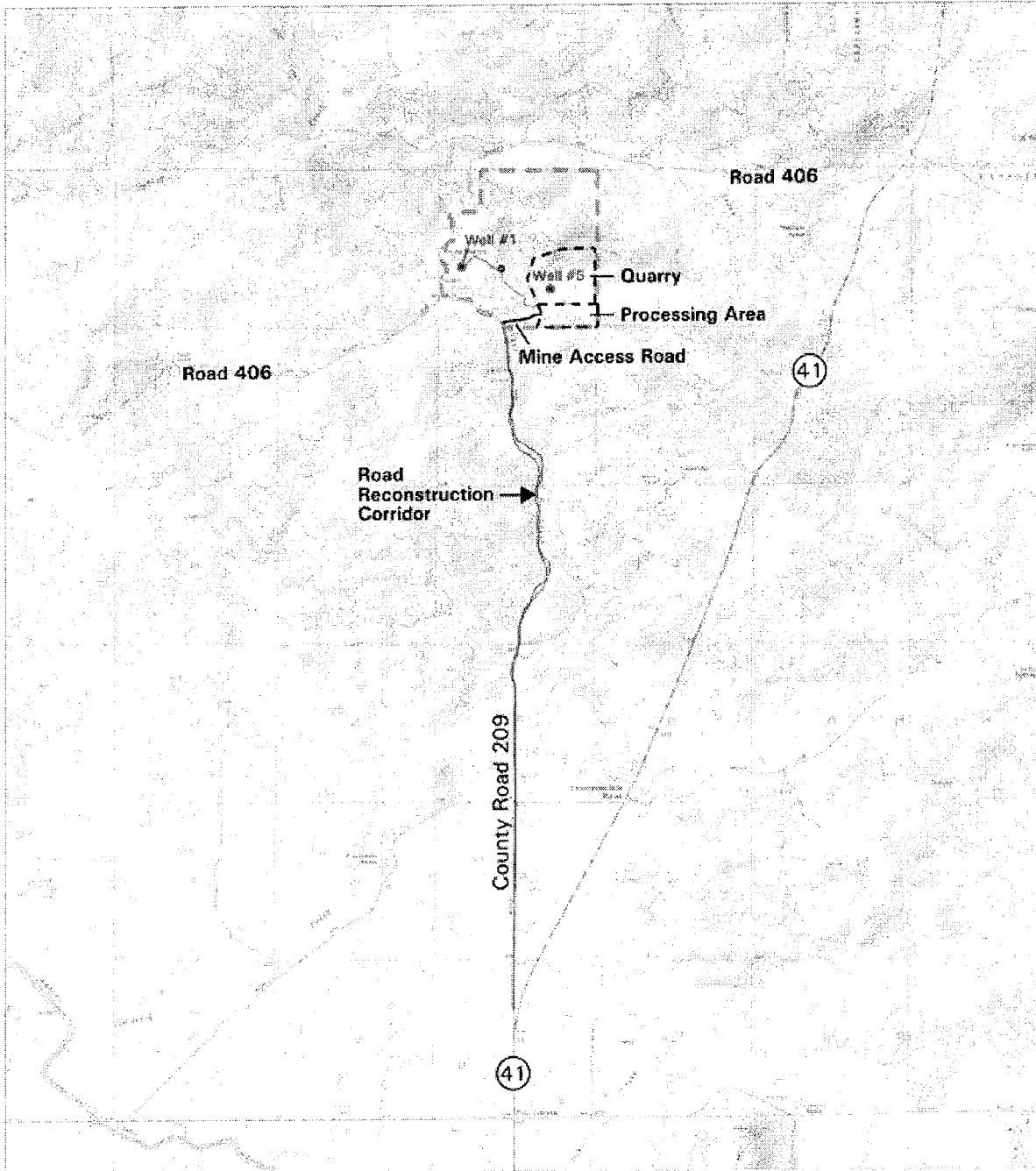
Scoping Meeting: The Lead Agency will hold a scoping meeting on January, 16 2009, at 2:00pm at the Madera County Planning Department, located at 2037 West Cleveland Avenue, Madera, California.

Date: 12/23/2008

JERALD C. JAMES, PLANNING DIRECTOR

Signature: J. C. James

Telephone: 559-675-7821



Source: TOPO USA
 T. 10 South, R. 20 East, Mt. Diablo B&M

LEGEND

- Madera Ranch Property Boundary
- - - Proposed Mining Operation and Processing Area
- ==== Water Pipeline

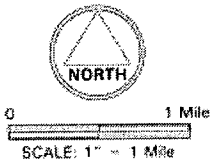
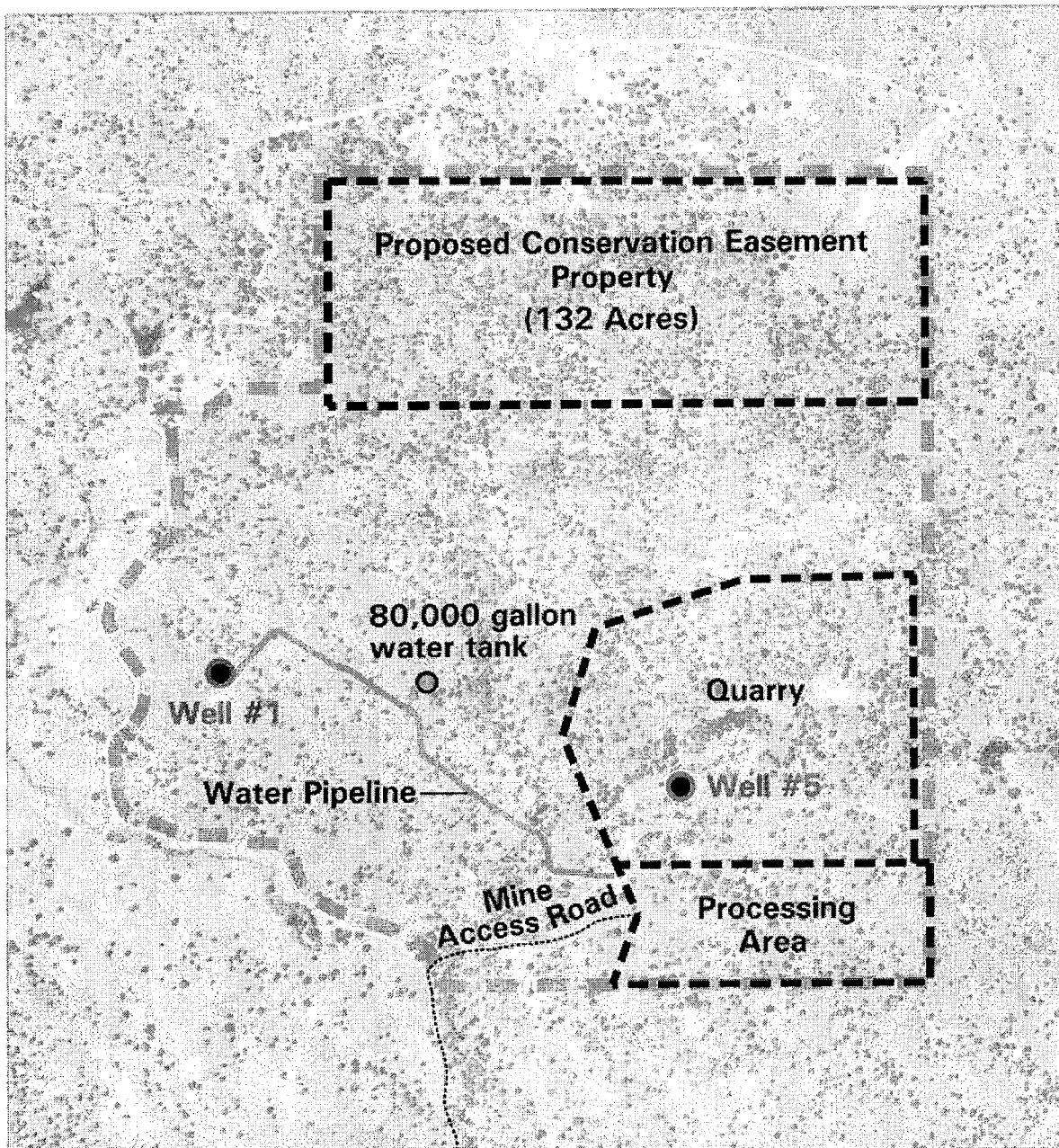


Figure 1
Site Location
MADERA RANCH QUARRY
MADERA COUNTY, CALIFORNIA

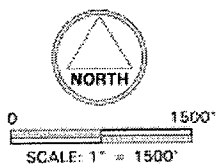


Photograph Source: I.R. Corbis, Date: December 2002

LEGEND

- Property Boundary
- - - Project Area

Figure 2
Site Aerial Photograph
with Major Project Components
MADERA RANCH QUARRY
MADERA COUNTY, CALIFORNIA



**TABLE S-1
MADERA RANCH QUARRY
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
AESTHETICS		
Impact 3.2-1: The Project Could Have an Adverse Effect on a Scenic Vista		
<p>Mitigation Measure 3.2-1 To minimize an engineered appearance, final slopes of the high wall at the north wall of the Quarry shall not be graded to a uniformly flat surface. A plan shall be submitted showing areas of planned aggregate material removal from the north wall of the Quarry slopes and showing the proposed mined surface and the rock material to remain in place. A plan shall be submitted to the Planning Director sixty (60) days before operations begin and material is removed from the North Wall. The Plan shall include a written description of areas planned for aggregate removal, operation and final slopes, areas to remain in place, and a graphical depiction of final slopes. Operations shall not begin on the North Wall until the Operator has received approval from the Planning Director.</p>	LS ¹	LS
Impact 3.2-2: Proposed Mining and Processing Operations Could Result in Both Temporary and Permanent Alteration of the Visual Quality or Character of the Site and its Surroundings		
<p>Mitigation Measures 3.2-2a All processing facilities and asphalt silos shall be painted to conform to the color of the existing environment. All colors and materials shall be subject to review and approval by the Planning Director. The processing plant and associated facilities shall maintain the designated color throughout the life of the mine.</p> <p>Mitigation Measures 3.2-2b To blend with the rural character of the site, the office and storage tanks shall be painted an earthtone color blending with the natural environment. All colors and materials shall be subject to review and approval by the Planning Director. The colors shall be submitted to the Planning director for approval 60 days before construction or placement of the silos, office, and storage tanks.</p> <p>Mitigation Measure 3.2-2c Upon inspection by the County, if it is determined the approved paint has deteriorated to a point where the underlying material or base paint is</p>	PS ²	LS

¹ LS (Less than Significant)

² PS (Potentially Significant)

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
visible, the Applicant shall repaint that portion of the structure or the entire structure depending on the severity of the deterioration with the approved paint color.		
Impact 3.2-3: The Project Could Result in Extended Lighting from Nighttime Loading and Hauling Operations		
Mitigation Measure 3.2-3 Exterior lighting shall be designed and maintained in a manner such that glare and reflections are contained within the boundaries of the parcel, and shall be hooded and directed downward and away from adjoining properties and public rights-of-way. The use of blinking, flashing or unusually high intensity or bright lights shall not be allowed. All lighting fixtures shall be appropriate to the use they are serving, in scale, intensity and height. Further, all exterior lighting will be designed, installed and operated as required by the Planning Director. Lighting plans and design shall be submitted to the Planning Director for approval 60 days prior to installation and use of exterior lighting fixtures on the Project site.	PS	LS
Impact 3.2-4: The Project, in Combination with other Cumulative Development, could Contribute to an Alteration of the Visual Character of the Project Site, and to Visual Incompatibility with Surrounding Land Uses in the Vicinity of the Project Site		
None required.	LS	LS
Impact 3.2-5: The Project, in Combination with other Cumulative Development, could have a Substantial Adverse Effect on a Scenic Vista		
See Mitigation Measure 3.2-1.	LS	LS
Impact 3.2-6: The Project, in Combination with other Cumulative Development, could Create Nighttime Light and Glare that may Adversely Affect Day or Nighttime Views in the Area		
None required.	LS	LS
AGRICULTURAL RESOURCES		
Impact 3.3-1: Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance		
None required.	LS	LS
Impact 3.3-2: The Project Could Be Inconsistent With Agricultural General Plan Policies and Agricultural Zoning		
None required.	LS	LS
Impact 3.3-3: The Project Would Contribute to the Premature Cancellation of Williamson Act Contract		
Mitigation Measure 3.3-3 The Applicant shall rescind Land Conservation Contract Number 2350-C-76 in accordance with Government Code §§ 51256, 512561 and 51282 and simultaneously place the conservation easement parcel under a conservation easement.	PS	LS
Impact 3.3-4: Changes in the Environment That Could Adversely Affect the Productivity of Agricultural Lands		
Dust Emissions See Mitigation Measure 3.4-5a through 3.4-5q	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>Stormwater Runoff See Mitigation Measures 3.9-5a and 3.9-5b</p> <p>Groundwater See Mitigation Measures 3.9-5a and 3.9-5b</p>		
Impact 3.3-5: The Project, In Combination with Other Cumulative Development, Could Result in the Conversion of Agricultural Lands		
See Mitigation Measures 3.3-3, 3.4-5a through 3.4-5q, 3.9-5a, and 3.9-5b	PS	LS
AIR QUALITY		
Impact 3.4-1: The Project Could Conflict with or Obstruct Implementation of the Applicable Air Quality Plans as Provided in the SJVUAPCD's Guide for Assessing and Mitigating Air Quality Impacts		
None required.	LS	LS
Impact 3.4-2: The Project Could Violate Air Quality Standards or Contribute Substantially to Existing or Projected Air Quality Violations for ROG, NOx Emissions		
<p>Mitigation Measure 3.4-2a The asphalt plant shall meet Best Available Control Technology (BACT), including incorporating a low NOx burner with flue gas recirculation, or meeting any more stringent requirement of the SJVUAPCD's Rules and Regulations, including achieving the lowest achievable emission rate for propane-fueled asphalt plants of a similar BTU rating. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the Project, and to ensure that the Project reduces combustion emissions to the extent feasible. The Applicant shall demonstrate compliance by submitting a copy of the Authority to Construct permit to the Planning Director within 30 days of receipt.</p> <p>Mitigation Measure 3.4-2b A fabric filter shall be installed to control PM10 emissions from the asphalt batch plant and meet the BACT requirements of the SJVUAPCD. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the Project, and to ensure that the Project reduces PM10 emissions to the extent feasible. The Applicant shall demonstrate compliance by submitting a copy of the Authority to Construct permit to the Planning Director within 30 days of receipt.</p> <p>Mitigation Measure 3.4-2c A pollution control system that controls fugitive emissions from the silos on the asphalt batch plant during silo filling operations shall be installed. The purpose of this mitigation measure is to ensure that assumptions used</p>	SU ³	SU

³ SU (Significant and Unavoidable)

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>to estimate Project emissions are incorporated into the Project, and to ensure that the Project reduces PM10 emissions to the extent feasible. The Applicant shall demonstrate compliance by submitting the Authority to Construct to the Planning Director within 30 days of receipt.</p> <p>Mitigation Measure 3.4-2d CARB diesel fuel shall be used for all vehicles. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the Project, and to ensure that the Project reduces combustion emissions to the extent feasible. The Applicant shall maintain records of all fuel purchases, and submit certification of compliance in writing to the Planning Director annually. Records shall be maintained for five years and provided to the Planning Director upon request.</p> <p>Mitigation Measure 3.4-2e The Operator shall obtain emission offsets for stationary source emissions over the applicable emissions offset thresholds for the SJVUAPCD. The Operator shall obtain emission offsets from a location near the project site or considered acceptable by the SJVUAPCD. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the Project. The Applicant shall demonstrate compliance by submitting the Authority to Construct to the Planning Director within 30 days of receipt.</p> <p>Mitigation Measure 3.4-2f The Operator shall only use heavy-duty off road equipment (such as bulldozers) that meet vehicle emissions standards in effect at the time of issuance of the certificate of occupancy by the Madera County Planning and Building Inspection Department. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the Project, and to ensure that the Project reduces combustion emissions to the extent feasible. The Operator shall submit a vehicle inventory and submit certification of compliance in writing to the Planning Director annually.</p> <p>Mitigation Measure 3.4-2g All vehicles shall be maintained in accordance with the manufacturers' recommendations, and all stationary equipment maintained in compliance with emissions limitations established by a permit issued by the SJVUAPCD. The purpose of this mitigation measure is to ensure that assumptions used to estimate Project emissions are incorporated into the</p>		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
Project, and to ensure that the Project reduces combustion emissions to the extent feasible. The Applicant shall maintain records of equipment maintenance activities, and submit certification of compliance in writing to the Planning Director annually. Records shall be maintained for five years and provided to the Planning Director upon request.		
Impact 3.4-3: The Project Could Increase CO Concentrations Above the Applicable Standard for CO Emissions		
None required.	LS	LS
Impact 3.4-4: The Project Could Have the Potential to Expose the Public to Toxic Air Contaminants		
None required.	LS	LS
Impact 3.4-5: The Project Could Generate Additional PM10 Emissions from Fugitive Dust Emissions and Expose Sensitive Receptors to Substantial Pollution Concentrations		
<p>Mitigation Measure 3.4-5a All disturbed areas, including storage piles, which are not being actively utilized for mining or processing purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.</p> <p>Mitigation Measure 3.4-5b All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.</p> <p>Mitigation Measure 3.4-5c All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.</p> <p>Mitigation Measure 3.4-5d When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.</p> <p>Mitigation Measure 3.4-5e All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</p> <p>Mitigation Measure 3.4-5f Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</p> <p>Mitigation Measure 3.4-5g Trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.</p> <p>Mitigation Measure 3.4-5h Limit traffic speeds on unpaved roads to 15 mph.</p> <p>Mitigation Measure 3.4-5i Install erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>Mitigation Measure 3.4-5j Suspend excavation activity when winds exceed 20 mph.</p> <p>Mitigation Measure 3.4-5k Regardless of windspeed, Applicant must comply with Regulation VIII's 20 percent opacity limitation.</p> <p>Mitigation Measure 3.4-5l Use of alternative fueled or catalyst equipped diesel construction equipment, as feasible.</p> <p>Mitigation Measure 3.4-5m Minimize idling time (i.e., 10 minute maximum).</p> <p>Mitigation Measure 3.4-5n To the extent practicable, limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use.</p> <p>Mitigation Measure 3.4-5o If feasible, replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set).</p> <p>Mitigation Measure 3.4-5p Curtail excavation activities during periods of high ambient pollutant concentrations; this may include ceasing of excavation activity during the peak-hour of vehicular traffic on adjacent roadways.</p> <p>Mitigation Measure 3.4-5q Implement activity management (e.g. rescheduling activities to reduce short-term impacts).</p>		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
Impact 3.4-6: The Project Could Create or Subject Sensitive Receptors to an Objectionable Odor		
Mitigation Measure 3.4-6 Prior to constructing the asphaltic batch plant, the Applicant shall obtain permits to construction and operate from the San Joaquin Valley Unified Air Pollution Control District and incorporate best available control technology (BACT) in accordance with SJVUAPCD regulations Toxic Air Contaminants. These BACT's may include the installation of blue smoke filters.	PS	LS
Impact 3.4-7: The Project-Related Traffic, in Conjunction with Other Cumulative Development, Could Increase CO Levels at Local Intersections		
None required.	LS	LS
Impact 3.4-8: Implementation of the Project, in Combination with Other Projects, Could Result in an Increased Toxic Air Contaminant Risk Level for Sensitive Receptors		
None required.	LS	LS
Impact 3.4-9: Project Emissions, in Combination with Other Development in the County, Could Contribute to the Degradation of Air Quality		
See Mitigation Measures 3.4-2a through 3.4-2g, 3.4-5a through 3.4-5q, and 3.4-6	SU	SU
BIOLOGICAL RESOURCES		
Impact 3.5-1: Implementation of the Project could Result in the Loss of Valley Elderberry Longhorn Beetle and their Habitat		
Mitigation Measure 3.5-1 Prior to any ground disturbing activities within the 100 foot buffer zone, the Applicant or their representative shall initiate consultation pursuant to the Federal Endangered Species Act with USFWS. Section 7 Consultation shall occur if the US Army Corps of Engineers (ACOE) is involved with this Project through a section 404 permit. Section 10 Consultation will be required if there is no ACOE involvement with this Project. Specific mitigation measures on the Valley Elderberry Longhorn Beetle will be developed during this process, but may include the following: <ul style="list-style-type: none"> • A qualified biologist shall survey all Elderberry shrubs with one or stems measuring one inch or greater in diameter at ground level for the presence of the Valley Elderberry Longhorn Beetle and beetle exit holes. • Elderberry shrubs with one or more stems measuring one inch in diameter must be transplanted if they cannot be avoided. • Each Elderberry stem measuring one inch in diameter or greater at ground level that is adversely affected (transplanted or destroyed) must be replaced, in the conservation area, with Elderberry seedlings or cuttings at a ration designated in the 1999 USFWS Conservation Guidelines for the Valley Elderberry Longhorn Beetle. • Elderberry plants with no stems measuring one inch or greater in 	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
diameter at ground level may be removed with mitigation.		
Impact 3.5-2: Implementation of the Project could Result in the Loss of the special status plant species Ewan's Larkspur		
<p>Mitigation Measure 3.5-2a The Operator shall implement an education program for all on-site personnel. Prior to commencement of operations on the site and thereafter on an annual basis, training shall include: a) how to identify sensitive biological resources likely to be found on the site and b) how to implement appropriate measures to protect said resources. The Operator shall maintain a record of compliance with this mitigation measure and submit annually a record of compliance to the Madera County Planning Department.</p> <p>Mitigation Measure 3.5-2b The Operator shall retain a qualified botanist to map and quantify populations of special status plant species located within areas that would be disturbed during the subsequent five-year period. Surveys have been conducted during the appropriate season and three known populations of Ewan's larkspur (two adjacent to County Road 209 and one located adjacent to the proposed mine access road) have been mapped. Cover and density data shall be collected prior to disturbance and these populations shall be transplanted to a similar habitat in the proposed Conservation Easement parcel in consultation with the California Native Plant Society and CDFG. The Operator shall monitor and document the success of transplantation for five years. These data shall be included in the annual and five-year monitoring reports, required in Mitigation Measures 3.5-34a and b, to be submitted to the Madera County Planning Department.</p>	PS	LS
Impact 3.5-3: Direct and Indirect Impacts to the Western Pond Turtle and other Listed Reptiles and Amphibians		
<p>Mitigation Measure 3.5-3a A preconstruction survey for western pond turtle shall be conducted three days prior to the onset on construction activities in Hildreth Creek and every subsequent day while activities occur in Hildreth Creek. The survey area shall encompass a 100-foot radius of the area to be affected. If juvenile or adult turtles are found within the survey area, the individuals should be moved at least 500 feet downstream in suitable habitat. If a turtle nest is found within the survey area, construction activities shall not take place within 30 meters (100 feet) of the nest until the turtles have hatched, or the eggs have been moved to an appropriate location. Furthermore, one-way barrier fencing shall be constructed within 100 feet of Hildreth Creek to prevent turtles from moving into the construction area to nest, hibernate, or aestivate, while allowing turtles already in the construction area to move back to water. Placement of the fencing shall occur during mid-summer in the year prior to construction activities being initiated if</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
schedule allows (i.e., some activities such as construction of the new arch culvert and lengthening of the culvert 1.5 miles south of the mine entrance may occur during year 2006, precluding placement of the fencing during the prior summer.		
Impact 3.5-4: Direct and Indirect Impacts to the Golden Eagle and its Habitat		
<p>Mitigation Measure 3.5-4a Prior to the commencement of construction or quarry activities within 0.25 mile of any cliffs or escarpments located on or adjacent to the Project site, the Applicant shall retain a qualified biologist to conduct a raptor survey of potential nesting sites. Surveys shall be conducted within the nesting season (January-August) and no more than 30 days prior to commencement of activities. If an active nest is found to be present, the Applicant shall confer with CDFG to establish an avoidance and monitoring program.</p> <p>Mitigation Measure 3.5-4b If any raptor nests are observed, the Applicant shall maintain a 0.25-mile buffer area around the nest. No construction, operation of heavy equipment, machinery, mining, or blasting shall take place within the 0.25-mile buffer until the biologist has determined that all young have fledged, are capable of foraging independently, or the nest has been abandoned.</p>	PS	LS
Impact 3.5-5: Direct and Indirect Impacts to the Red Tail Hawk and its Habitat		
None required.	LS	LS
Impact 3.5-6: Direct and Indirect Impacts to the Merlin		
None required.	LS	LS
Impact 3.5-7: Direct and Indirect Impacts to Protected Species of Nesting Birds		
<p>Mitigation Measure 3.5-7 Tree removal shall not occur during the nesting season (March through August). If tree removal is planned during the nesting season (March through August), the Applicant shall hire a qualified biologist to conduct preconstruction surveys for nesting and feeding areas raptors, migratory bird species, and other wildlife species no more than thirty (30) days prior to construction in or removal of areas containing Blue or Interior Live Oaks. The surveys shall be conducted during the nesting season (March through August). If any protected species are observed, the qualified biologist, shall recommend a buffer area around the nest. No construction, operation of heavy equipment, machinery, mining, or blasting shall take place within the buffer until the biologist has determined that all young have fledged and are capable of foraging independently. The buffer area shall be delineated with orange construction fencing.</p>	PS	LS
Impact 3.5-8: Direct and Indirect Impacts to Protected Species of Migratory Birds		
See Mitigation Measure 3.5-7	PS	LS
Impact 3.5-9: Direct or Indirect Impacts to Upland Habitat Areas Adjacent to Wetlands and Riparian Areas that are Critical to the Feeding and Nesting of Wildlife Species		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
See Mitigation Measure 3.5-7 and Mitigation 3.3-3	PS	LS
Impact 3.5-10: Direct or Indirect Impacts to Special-Status Plants not Observed Within the Project Site During the Biological Assessments		
None required.	LS	LS
Impact 3.5-11: Direct and Indirect Impacts to "Waters of the U.S." Located Within the Project Site		
<p>Mitigation Measure 3.5-11a The appropriate Clean Water Act section 404 permit shall be obtained from the ACOE prior to the discharge of any dredged or fill material within jurisdictional wetlands or waters of the U.S. The Project shall comply with any compensatory mitigation for loss of wetlands and waters of the U.S. required by the ACOE.</p> <p>Mitigation Measure 3.5-11b Clean Water Act Section 401 Water Quality Certification shall be obtained from the Regional Water Quality Control Board prior to Project construction.</p> <p>Mitigation Measure 3.5-11c Notification of Streambed Alteration shall be submitted to the California Department of Fish and Game and a Streambed Alteration Agreement shall be obtained prior to any modification of drainage channels.</p> <p>Mitigation Measure 3.5-11d Construction activities that will impact drainages and other waters of the U.S. shall be conducted during the dry season (typically May to November) to minimize erosion.</p> <p>Mitigation Measure 3.5-11e Appropriate sediment control measures shall be in place prior to the onset of Project construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).</p> <p>Stormwater runoff and erosion from overburden and aggregate stockpiles, quarrying areas, construction activities, and any other ground disturbing activities shall be controlled through the implementation of a program of erosion control Best Management Practices (BMPs) and engineered sediment control structures. Erosion control BMPs may include, but are not limited to, the application of straw mulch; seeding with fast growing</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>grasses; and the construction of berms, silt fences, hay bale dikes, stormwater detention basins, and other energy dissipaters.</p> <p>Mitigation Measure 3.5-11f The Applicant will create riparian protection zones, including the bed and bank of both low and high flow channels and associate riparian vegetation, surrounding Hildreth creek and drainages within the Project site. The buffers, as measured from the top of the bank of unvegetated channels, will be 100 feet in width and 50 feet in width as measured from the outer edge from canopy of riparian vegetation. Impacts to riparian habitat shall also be mitigated on a 3-to-1 basis consistent with Madera County General Plan Policy. (See Madera County General Plan policy 5.D.4.)</p> <p>Mitigation Measure 3.5-11g If Mitigation Measure 3.5-11f is not feasible (i.e., in areas where the Project encroaches within 100 feet of the creek bank), the Operator shall replace or restore any wetlands, streams or associated vegetation damaged as a result of Project activities. The Operator shall replace or restore disturbed wetlands and streams as near to the Project area as feasible on no less than a 1.2-to-1 basis. Future Corps permits or CDFG Streambed Alteration Agreements may require higher replacement ratios. Prior to disturbance of any wetlands or streambeds, the Operator shall submit a restoration plan. The Plan shall be consistent with any required Corps permits and CDFG Streambed Alteration Agreements. The compensatory wetlands/streambeds shall be constructed, per the requirements of the submitted Restoration Plan, as soon as possible, but no later than one year after the disturbance occurs, unless a qualified biologist determines that this will not be feasible and proposes an alternative timeframe acceptable to the Director of the Madera County Planning Department. Compensatory wetlands/streambeds shall be similar in scope and biological complexity to the original wetlands/streams. The design and construction of these wetlands shall be performed under the supervision of a qualified biologist or wetlands restoration specialist. Compensatory wetlands shall be monitored by a qualified biologist or wetlands restoration specialist for a period of up to five years or until it is determined by said biologist or restoration specialist that restoration is complete and self-sustaining. The Operator shall be responsible for all restoration and monitoring costs. (See Madera County General Plan policy 5.D.6.)</p>		
<p>Impact 3.5-12: Over The Projected 53-Year Life of the Project, it is Estimated 993 Trees will be Removed as a Result of Quarry and Construction Activities</p>		
<p>Mitigation Measure 3.5-12a Removal of oak trees shall be limited to the minimum number feasible, defined more specifically as those trees occurring within the direct impact</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>area of the Quarry, plant site, and roads associated with the mine construction and operation. Trees outside of the direct impact zone shall be protected.</p> <p>Mitigation Measure 3.5-12b To protect oak trees intended to remain undisturbed during vegetation clearing, a 4-foot-tall, brightly colored (usually orange or yellow), temporary fence shall be installed at a distance of 1.5 times the distance from the trunk to the outer extent of the canopy or drip line of the tree. No encroachment into the fenced areas shall be permitted and fencing shall remain in place until all vegetation-clearing activities have ceased.</p> <p>Mitigation Measure 3.5-12c Any tree roots to be severed should be the maximum distance from the trunk. Any roots over one inch in diameter that are damaged as a result of construction activities should be traced back and cleanly cut behind any split, cracked, or damaged area.</p> <p>Mitigation Measure 3.5-12d Oak trees to be removed shall be replaced according to an oak tree replacement program developed by a qualified International Society of Arboriculture Certified Arborist. An oak tree replacement assessment and plan for the Madera Ranch Project is included as Appendix D of this Final EIR, and recommendations developed therein shall be adhered to and shall include the establishment (i.e. planting, monitoring, maintenance) of native oak trees in the proposed 132 acre Conservation Easement parcel discussed in Section 3.3 of the Draft EIR at a ratio of 2.7 to 1 of planted and preserved trees to trees removed as a result of Project activities.</p>		
Impact 3.5-13: Quarry and Construction Activities will Disturb Cumulatively Approximately 130 Acres of Vegetation Over the 53-Year Life of the Project		
None required.	LS	LS
CULTURAL RESOURCES		
Impact 3.6-1: Disturbance of Subsurface Archaeological, Historic, or Cultural Resources		
<p>Mitigation Measure 3.6-1a The Applicant shall train field personnel in identification procedures, prior to implementing the quarry operation. The training materials shall be prepared by a professional archaeologist and shall provide a review of the natural and cultural history of the Project area, archaeological sensitivity, most likely locations of buried cultural materials, and specific instructions on how to address such discoveries and what immediate actions to take in the event that materials are, in fact, unearthed. Instructional materials or artifacts are to be kept on-site and under direction of identified specific individuals. Part of the annual report shall identify the responsible individuals.</p>	LS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>Mitigation Measure 3.6-1b If buried resources, such as chipped stone, historic debris, building foundations, or human bone are inadvertently discovered during ground-disturbing activities, work should stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with appropriate agencies.</p>		
Impact 3.6-2: The Project Could Disturb Human Remains		
<p>Mitigation Measure 3.6-2 If human remains are discovered during Project construction, work will stop at the discovery location and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Madera County coroner will be contacted to determine if the cause of death must be investigated.</p> <p>If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treating and disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant failed to make a recommendation.</p>	LS	LS
Impact 3.6-3: The Project, in Conjunction with the Expected Future Buildout in Madera County, could Significantly Impact Historic, Archaeological, Paleontological, Geologic or Human Resources		
None required.	LS	LS
GEOLOGY AND SOILS		
Impact 3.7-1: Ground Rupture of a Known Earthquake Fault or Liquefaction		
None required.	LS	LS
Impact 3.7-2: Ground Shaking		
None required.	LS	LS
Impact 3.7-3: Erosion and the Loss of Topsoil		
See Mitigation Measures 3.5-11a through 3.5-11g	PS	LS
Impact 3.7-4: Landslide and Slope Stability		
<p>Mitigation Measure 3.7-4 The purpose of this mitigation measure is to ensure that the Project will not create unstable slopes that could adversely affect neighboring properties, reclamation of the site, or endanger quarry employees. An engineering geologist, meeting Madera County qualification requirements, shall be</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
retained, at the Applicant's expense, to implement a slope stability monitoring and testing program. This program shall be implemented concurrent with the initiation of Phase 2 quarrying. Said geologist shall evaluate the stability of each quarry face, prior to the operator proceeding to the next face. Further quarrying below the existing bench shall not be allowed until evidence, meeting the satisfaction of the Planning Director, is submitted that demonstrates that the proposed final slopes of 1:1 will be globally stable. If the evidence is inconclusive, quarrying shall only proceed in a manner that allows final reclamation slopes of an overall slope angle not to exceed 2:1 (overall slope is the combined average slope of benches and faces). This mitigation measure shall remain in effect for the life of the Project or until the Planning Director, based upon substantial evidence, determines that additional monitoring is no longer warranted.		
Impact 3.7-5: Expansive Soil		
None required.	LS	LS
Impact 3.7-6: The Project, In Combination with Other Cumulative Projects, Could Result in Soil Erosion		
See Mitigation Measures 3.5-11a through 3.5-11g	PS	LS
HAZARDS AND HAZARDOUS MATERIALS		
Impact 3.8-1: The Project Could 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		
<p>Mitigation Measure 3.8-1a</p> <p>The Applicant will use above ground storage tanks that have been approved by the U.S. Environmental Protection agency when storing all petroleum products and other regulated substances. The above ground tanks shall be double walled and meet all ballistic and flame impingement requirements in CFC Article 79.. The containment structures shall not be equipped with any valves or drains.</p> <p>Mitigation Measure 3.8-1b</p> <p>Project site equipment and servicing materials shall be maintained in a neat and orderly manner to aid in accounting for and detecting potential sources of contamination. Non-functional equipment, scrap metal, construction debris (other than material intended for use in the recycling plant), used batteries and tires, and similar objects shall be removed from the site on a regular basis and disposed of at appropriately licensed facilities. Spare equipment such as heavy equipment parts, conveyor belts, tires and other replacement or extra equipment pieces, shall be stored indoors whenever possible to avoid surface water contamination. Spare parts containing petroleum products (i.e., lubricants, hydraulic oil, etc.) shall be stored using Best Management Practices (BMP's) to prevent contamination of soil or storm water runoff. Storage areas shall be inspected by the Operator monthly. Any petroleum leaks shall be</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>documented and cleaned up. Leaking equipment shall be repaired. Inspection and monitoring documentation shall be retained for a minimum of five years and be available to County staff during site inspections.</p> <p>Mitigation Measure 3.8-1c An impervious concrete washout area shall be used to collect washout from haul trucks. The silts and mud from the washout shall be recycled. Only the designated washout area shall be used for this purpose. The washout area shall be constructed in such a manner that storm water, beyond the immediate washout area, shall not flow into or out of this facility. It shall be of adequate size to contain all washout material plus the maximum amount of rain expected to fall in a three-day period. Trucks shall not track washout material beyond the impervious containment area.</p> <p>Mitigation Measure 3.8-1d All delivery, maintenance, and repair trucks containing petroleum products will be required to comply with the Department of Transportations regulations for transport of hazardous materials. All trucks carrying petroleum products will be equipped with quick connect couplings and automatic shut-off valves to prevent spills, and will carry appropriate absorbent materials to contain and recover spillage.</p> <p>Mitigation Measure 3.8-1e A Hazardous Materials Business Plan (Business Plan) will be developed for the Project site to address the potential hazards to the public and environment associated with the transport, use or storage of these hazardous materials. The Business Plan will be submitted to the Madera County Environmental Health Division and Madera County Fire Department for approval.</p> <ul style="list-style-type: none"> • Business identification form that provides information of the Applicant, type of business, and contact persons for the Project site; • A Chemical Inventory that lists the names, uses, forms, quantities, storage locations, and physical and health categories of the chemicals stored on-site; and • Emergency Response Plan and Procedures, including: <ul style="list-style-type: none"> - Notification procedures in the event of a release of hazardous material that causes a present or potential hazard to public health or the environment; - Procedures for mitigation the release or potential release of hazardous materials to minimize the harm or damage to persons, property, or environment; - Creation, training and implementation of evacuation plans and 		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>procedures; and</p> <ul style="list-style-type: none"> - Detailed facility map. <p>Mitigation Measure 3.8-1f Spare equipment such as heavy equipment parts, conveyor belts, tires, and other replacement or extra equipment pieces will be kept within the plant area. Parts containing or coated with petroleum products will be stored using Best Management Practices to prevent soil or storm water contamination. All used oil and similar petroleum products or spent solvents will be collected and transported in accordance with the applicable Madera County Department of Environmental Health Services, Department of Toxic Substances Control, Regional Water Quality Control Board and Integrated Waste Management Board regulations.</p> <p>Mitigation Measure 3.8-1g Upon completion of the Project, all hazardous materials and above ground storage tanks will be removed and the site will be cleaned of hazardous material as part of the Reclamation Plan.</p>		
Impact 3.8-2: The Project Create a Significant Hazard to the Public or the Environment Through the Routine Transport, Use, or Disposal of Hazardous Materials		
See Mitigation Measures 3.8-1(a-e)	PS	LS
Impact 3.8-3: The Project Could Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste Within One-Quarter Mile of an Existing or Proposed School		
None required.	LS	LS
Impact 3.8-4: The Project Could Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan		
<p>Mitigation Measure 3.8-4 Prior to the initiation of mining or operational activities, the Applicant shall contact the local Madera County Fire Department regarding an adopted Emergency Response or Emergency Evacuation plan. The Applicant shall develop a site specific Emergency Response and Emergency Evacuation Plan that will be submitted to the Fire Department for review and approval.</p>	PS	LS
Impact 3.8-5: The Project Could Expose People or Structures to a Significant Risk of Loss, Injury or Death Involving Wildland Fires, Including Where Wildlands are Adjacent to Urbanized Areas or Where Residences Are Intermixed With Wildlands		
<p>Mitigation Measure 3.8-5a Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 100 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>rapidly transmitting fire from the native growth to any building or structure.</p> <p>Mitigation Measure 3.8-5b Maintain around and adjacent to any such building or structure additional fire protection or firebreak made by removing all brush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such building or structure or to the property line, whichever is nearer, as may be required by the director if he finds that, because of extra hazardous conditions, a firebreak of only 100 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.</p> <p>Mitigation Measure 3.8-5c Remove that portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe.</p> <p>Mitigation Measure 3.8-5d Maintain any tree adjacent to or overhanging any building free of dead or dying wood.</p> <p>Mitigation Measure 3.8-5e Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.</p> <p>Mitigation Measure 3.8-5f Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size.</p> <p>Mitigation Measure 3.8-5g Except as provided in Section 18930 of the Health and Safety Code, the director may adopt regulations exempting structures with exteriors constructed entirely of nonflammable materials, or conditioned upon the contents and composition of same, he may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding said structures. No such exemption or variance shall apply unless and until the occupant thereof, or if there be no occupant, then the owner thereof, files with the department, in such form as the director shall prescribe, a written consent</p>		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
to the inspection of the interior and contents of such structure to ascertain whether the provisions hereof and the regulations adopted hereunder are complied with at all times.		
Impact 3.8-6: The Project Could Have a Cumulative Impact on Public Health and Safety, Hazardous Materials, and Hazardous Waste Management		
None required.	LS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
HYDROLOGY AND WATER QUALITY		
Impact 3.9-1: The Project Could Cause the Water Levels and Pumping Rates in Adjacent Private Wells to Decline During the Operational Life of the Quarry		
<p>Mitigation Measure 3.9-1a</p> <p>Monitoring of water levels will be conducted by the Applicant on a semiannual basis for two three-year periods during the operational life of the Quarry. The first three-year period will occur at the beginning of the Project. The second three-year period will occur when the rate of Quarry dewatering exceeds the rate of water production from the wells. Based on the aquifer test data previously measured at the site (Cleath & Associates, 2001), a three-year period should be sufficient to identify any potential effects on the water levels in surrounding wells from Quarry operations. Semiannual monitoring of water levels will occur in each of the Madera Ranch wells and in private wells adjacent to the Project boundary for which the owners agree to participate in the mitigation monitoring program. An impact will be considered to have occurred if the water level data in any private declines to a level where insufficient water can be produced for the normal, pre-impact uses of the property owner. To demonstrate an impact, the water-level decline must be shown to be related to quarry operations (i.e. groundwater pumping or pit dewatering) and not related to other outside influences (e.g. drought, increased pumping by a neighbor, or a subsequent project in the area that also potentially affects groundwater resources) by a qualified registered professional. If an impact occurs and is demonstrated to be related to the Project, then Madera Ranch, Inc. will provide the affected well owner or well owners with replacement water equivalent to the loss of production in the private well or wells.</p> <p>The owner or operator at the time the impact occurs may implement one or more of the following, as appropriate and at its discretion, to provide the replacement supply:</p> <ol style="list-style-type: none"> 1. Rehabilitate or deepen the private well, and/or install a new pump, to restore the prior pumping rate; or 2. Provide an incremental replacement of water equivalent to the amount of the reduced rate of pumping by the affected party, by providing a connection to the water system for the Project; or 3. Provide a full replacement water supply to the affected party by providing a connection to the water system for the Project. <p>Based on the previously-collected aquifer test data (Cleath & Associates, 2001), pumping rates in the Madera Ranch wells may decline some over time. However, adequate volumes of water will be available from the existing Madera Ranch wells and/or from future Quarry dewatering to</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>replace any lost production from adjacent private wells. Due to water-quality issues, however, the replacement water can only be used for non-consumptive uses, such as landscape irrigation, clothes and car washing, bathing for adults and similar uses. Water for consumptive uses must come from the remaining production of the private well or, if inadequate, through Mitigation Measure 3.9-1b, described below.</p> <p>Mitigation Measure 3.9-1b If Mitigation Measure 3.9-1a is implemented, and any remaining production from an affected private well is insufficient for consumptive uses, then Madera Ranch, Inc. shall provide the affected party, or parties, with bottled water or potable water from some other source that is verified to meet state and federal drinking water standards to supply the consumptive use. Consumptive uses are considered drinking, food preparation and cooking, and bathing of infants and young children that may ingest water while bathing.</p>		
<p>Impact 3.9-2: The Project Could Cause the Water Levels and Pumping Rates in Adjacent Private Wells to Decline After the Operational Life of the Quarry</p>		
<p>Mitigation Measure 3.9-2a After the completion of the Quarry operations, the Applicant or then-current Operator will conduct monitoring of water levels on a semiannual basis for a period of three years. Based on the aquifer test data previously measured at the site (Cleath & Associates, 2001), a three-year period should be sufficient to identify any potential effects on the water levels in surrounding wells after Quarry operations have ceased. The semiannual monitoring of water levels will occur in any remaining Madera Ranch wells and in adjacent private wells for which the owners agree to participate in the mitigation monitoring program. In addition, the Applicant or subsequent owner will provide a mechanism to provide a replacement supply of water to a private well owner if an impact is demonstrated to occur to any private well. An impact will be considered to have occurred if the water level data in any private declines to a level where insufficient water can be produced for the normal, pre-impact uses of the property owner. To demonstrate an impact, the water-level decline must be shown to be exclusively or primarily related to evaporation from the reclaimed Quarry lake and not related to other outside influences (e.g. drought, increased pumping by a neighbor, or a subsequent project in the area that also potentially affects groundwater resources) by a qualified registered professional. If an impact occurs and is demonstrated to be related to evaporation from the reclaimed Quarry lake, then Madera Ranch, Inc. or any subsequent property owner will provide the affected well owner or well owners with replacement water equivalent to the loss of production in the private well or wells, or will establish a fund accessible to the County to provide replacement water, using one of the</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>following measures, at the Owner's or Counties discretion:</p> <ol style="list-style-type: none"> 1. Rehabilitate or deepen the private well, and/or install a new pump, to restore the prior pumping rate; or 2. Provide an incremental replacement of water equivalent to the amount of the reduced rate of pumping by the affected party, by providing a connection to the water system for the Project; or 3. Provide a full replacement water supply to the affected party by providing a connection to the water system for the Project. <p>Adequate volumes of water are anticipated to be available from any remaining Madera Ranch wells or from the future reclaimed Quarry lake to replace any lost production from adjacent private wells. Due to water-quality issues, however, the replacement water can only be used for non-consumptive uses, such as landscape irrigation, clothes and car washing, bathing for adults and similar uses. Water for consumptive uses must come from the remaining production of the private well or, if inadequate, through Mitigation Measure 3.9-2b, described below.</p> <p>Mitigation Measure 3.9-2b The Applicant shall provide a mechanism such that, if Mitigation Measure 3.9-2a is implemented, and any remaining production from an affected private well is insufficient for consumptive uses, then the affected well owner, or owners, will be provided with bottled water or potable water from some other source that is verified to meet state and federal drinking water standards to supply the consumptive use. Consumptive uses are considered drinking, food preparation and cooking, and bathing of infants and young children that may ingest water while bathing.</p>		
Impact 3.9-3: The Project Could Cause an Increase in Surface-Water Runoff That Could Cause an Increased Potential for Flooding in Areas Downstream of the Quarry		
None required.	LS	LS
Impact 3.9-4: The Project Could Cause a Decrease in Surface-Water Runoff That Could Affect Areas Downstream of the Quarry		
None required.	LS	LS
Impact 3.9-5: The Project Could Cause Degradation of Groundwater and/or Surface-Water Quality		
<p>Mitigation Measure 3.9-5a As part of the Project approvals and permitting, the Applicant shall be required by the Central Valley Regional Water Quality Control Board to prepare a Stormwater Pollution Prevention Plan to comply with Basin Plan limits for water quality and discharge of sediment and suspended solids. Compliance with the requirements in the Stormwater Pollution Prevention Plan, along with Mitigation Measure 3.9-5b, will prevent any future degradation of surface-water quality related to the Project. To verify</p>	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>compliance with this mitigation measure, the operator will be required to conduct monitoring and sampling as required in the Stormwater Pollution Prevention Plan. The monitoring results must be reported to the Regional Water Quality Control Board and the County.</p> <p>Mitigation Measure 3.9-5b All fuel and chemical storage areas and all equipment maintenance areas should be placed on bermed concrete surfaces. If the bermed concrete surfaces drain to a sump, the sump should be cleaned and the waste fluids handled and disposed of in compliance with all applicable laws and regulations. If the bermed concrete surfaces do not drain to a sump, routine cleaning should be conducted to prevent the surface from becoming slippery. The cleaning solutions and wash water should be handled in the same manner as the sump fluids. Verification of compliance with this mitigation measure will occur through routine inspections by the County.</p>		
LAND USE AND PLANNING		
Impact 3.10-1: The Project will not Physically Divide an Established Community		
None required.	LS	LS
Impact 3.10-2: The Project may be Inconsistent with the Land Use Element of the Madera County General Plan		
See Mitigation Measures 3.3-3, 3.4-2 and 3.4-9 of Air Quality and 3.11-3 of Noise and Vibration.	PS	LS
Impact 3.10-3: The Project may be Inconsistent with the Transportation and Circulation Element of the Madera County General Plan		
See Mitigation Measures 3.12-1 and 3.12-2 of the Traffic section of this Draft EIR.	PS	LS
Impact 3.10-4: The Project may be Inconsistent with the Public Facilities and Services Element of the Madera County General Plan		
None required.	LS	LS
Impact 3.10-5: The Project may be Inconsistent with the Cultural and Recreational Resources Element of the Madera County General Plan		
See Mitigation Measure 3.6-1 of the Cultural Resources section of this Draft EIR.	PS	LS
Impact 3.10-6: The Project may be Inconsistent with the Agricultural and Natural Resources Element of the Madera County General Plan		
See Mitigation Measures 3.4-2 through 3.4-6 of the Air Quality section of the Draft, Mitigation Measures 3.5-11, 3.5-12, 3.5-13 of Biological Resources section of this Draft EIR and Mitigation Measure 3.11-3 of the Noise and Vibration section of this Draft EIR.	PS	LS
Impact 3.10-7: The Project may be Inconsistent with the Health and Safety Element of the Madera County General Plan		
See Mitigation Measure 3.7-4 of Geology and Soils section of this Draft EIR.	PS	LS
Impact 3.10-8: The Project may be Inconsistent with the Noise Element of the Madera County General Plan		

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
Mitigation Measure 3.11-3	SU	SU
Impact 3.10-9: The Project may be Inconsistent with O'Neal Area Plan Goals and Policies		
Mitigation Measure 3.3-3 of the Agricultural Resources section of this Draft EIR.	PS	LS
Impact 3.10-10: The Project may be Inconsistent with Certain Zoning Ordinance Regulations		
None required.	LS	LS
Impact 3.10-11: The Project Could Result in Cumulative Growth Impacts		
None required.	LS	LS
NOISE AND VIBRATION		
Impact 3.11-1: The Project Could Result in Excessive Noise from On-Site Activities (Mining, Processing, Asphalt, and Load Out)		
None required.	LS	LS
Impact 3.11-2: The Project Could Result in Excessive Blasting Noise and Vibration		
Mitigation Measure 3.11-2 The Operator shall hire a blasting consultant to develop a blasting program that provides for minimum off-site noise and vibration levels, in addition to conducting blasting during a recurring mid-day period.	LS	LS
Impact 3.11-3: The Project Could Result in an Increase in Existing Off-Site Traffic Noise		
Mitigation Measure 3.11-3 Prior to off-site sales of material, to the extent feasible, the Applicant shall implement adequate noise reduction measures, including but not limited to setbacks, barriers, vegetation, sound absorbing materials, and/or rubberized asphalt, to reduce potential noise impacts to the one residence identified adjacent to Road 209 between Highway 41 and the Project site to below the level of significance.	SU	SU
Impact 3.11-4: Cumulative Increase in Existing Off-Site Traffic Noise		
See Mitigation Measure 3.11-3	SU	SU
TRAFFIC		
Impact 3.12-1: The Project Could Result in Increased Vehicle Trips or Traffic Congestion, Including Substandard LOS		
Mitigation Measure 3.12-1a Intersection improvements shall be constructed by the Applicant with oversight by Caltrans or by Caltrans at the Applicant's expense prior to opening day at the intersection of State Route 41 and Road 209. The required improvements shall include: a. Separate eastbound left-turn and right-turn lanes; b. A northbound left-turn lane with a minimum of 280 feet of storage plus deceleration distance; c. A northbound receiving/acceleration lane for eastbound left turns, the length of which shall be determined based on design-level studies; and d. A southbound receiving/acceleration lane for eastbound right	PS	LS

Impacts and Mitigation Measures	Level of Significance	
	Before Mitigation	After Mitigation
<p>turns. All improvements shall be designed in accordance with Caltrans standards and will require a Caltrans encroachment permit.</p> <p>Mitigation Measure 3.12-1b</p> <ul style="list-style-type: none"> a. Readable signs shall be installed for trucks leaving the site stating the truck route that is required to be utilized upon exiting the project site. b. If the County requires, the Applicant has agreed to pay for signs located on public roads specifying the designated haul route. 		
<p>Impact 3.12-2: The Project Could Result in Increased Vehicle Trips or Traffic Congestion During Reconstruction of Road 209</p>		
<p>Mitigation Measure 3.12-2</p> <p>Traffic control shall be implemented by the Applicant with oversight by the County of Madera at the Applicant's expense during construction.</p> <ul style="list-style-type: none"> a. Traffic control plans conforming to the most recent County of Madera and Caltrans standards shall be implemented during construction; b. Access for local traffic (residents) shall be maintained at all times. At least one lane of travel shall be maintained in each direction, or traffic control shall provide for one lane of travel controlled by flagmen or pilot car; c. Signs should be installed prior to construction informing drivers of the pending construction and possible closure dates; and d. Access for regional traffic (non-local/non-resident) shall be provided via alternate routes, including Roads 208, 400, and 406. 	PS	LS
<p>Impact 3.12-3: The Project Contributes Traffic to Intersections and Road Segments That Will Require Upgrades With or Without the Project</p>		
<p>Mitigation Measure 3.12-3</p> <p>The Applicant shall contribute an equitable share of the cost of construction of future improvements if requested by Caltrans or Madera County. Equitable share percentages shall be calculated using the equation presented above and the traffic volumes presented in the Figures included in this report. Cost estimates for improvements shall be provided by Caltrans or Madera County.</p>	PS	LS