



Community and Economic Development Planning Division

Jamie Bax *JB*
Deputy Director

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PLANNING COMMISSION DATE:

May 4, 2021

AGENDA ITEM: #1

PRJ	#2020-001	Amendment to Conditional Use Permit 1985-32 to
CUP	#2019-026	allow outdoor boat and RV storage and a
VA	#2020-001	variance exempting fencing requirements.
APN	#059-070-031	Applicant: Bass Lake Mini Storage, LLC.
		Owner: Bass Lake Mini Storage, LLC.
CEQA	MND #2019-27	Mitigated Negative Declaration

REQUEST:

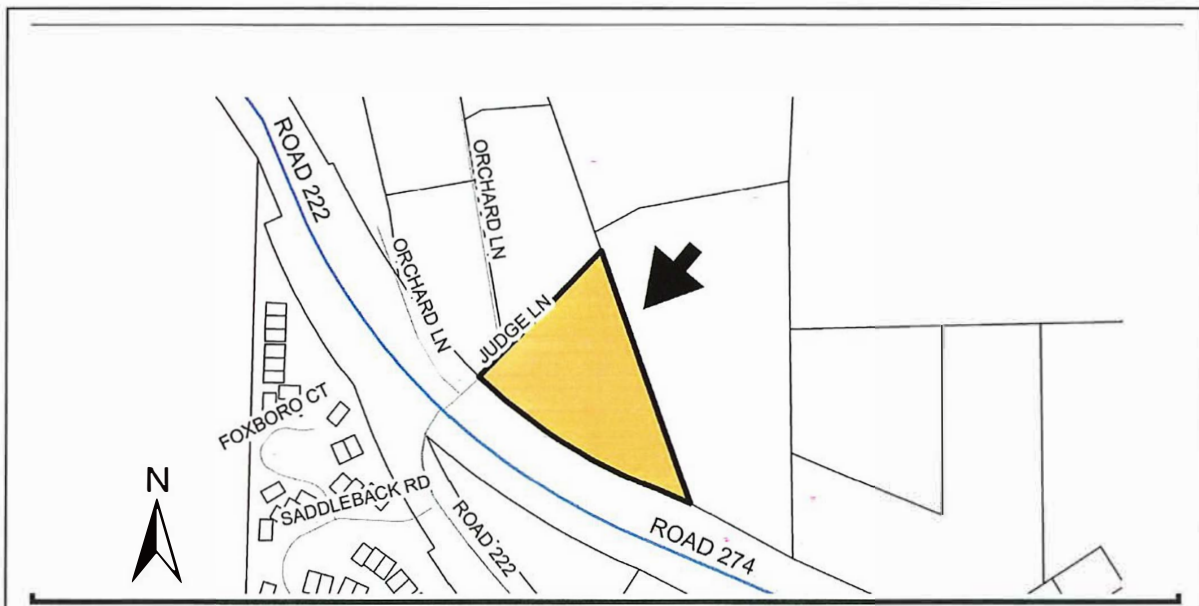
The applicant is requesting to amend Conditional Use Permit 1985-32 to include outdoor boat and recreational vehicle storage on an existing mini storage lot and a variance to allow a 6' fence where 8' is required by ordinance and to allow unenclosed outdoor storage where separately enclosed is required by ordinance.

LOCATION:

On the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2019-27) (Exhibit M) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of Conditional Use Permit #2019-026, Variance #2020-001 subject to conditions, Findings of Fact, Mitigated Negative Declaration #2019-27 and associated Mitigation Monitoring Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: HC (Heavy Commercial) Designation

SURROUNDING: CC (Community Commercial) Designation; LDR (Low Density Residential) Designation

ZONING (Exhibit B):

SITE: CRM (Commercial Rural Median) District

SURROUNDING: CUM (Commercial Urban Median) District; IA (Institution Area) District, RMS (Residential Mountain Single Family) District

LAND USE:

SITE: Commercial.

SURROUNDING: Commercial, Residential, Institutional.

SIZE OF PROPERTY: 3.25 Acres

ACCESS (Exhibit A): The property is accessed by Road 274.

BACKGROUND AND PRIOR ACTIONS:

Conditional Use Permit (CUP 1985-32) was approved June 4, 1985 to allow an enclosed mini-storage facility.

PROJECT DESCRIPTION:

The request is to include outdoor storage on an existing mini-storage site. Conditional Use Permit (CUP 1985-32) was approved June 4, 1985 to allow the existing enclosed mini storage facility. The project will not include the construction of any new structures or buildings but is to recognize the existing use and improve the aesthetics of the existing property by adding landscaping. The surrounding property uses are commercial, residential, and institutional. An amended Conditional Use Permit is required to include outdoor storage. Additionally, a Variance has been requested to allow a 6' fence where 8' is required by ordinance and to allow unenclosed outdoor storage where separately enclosed is required by ordinance.

The project is located along Road 274 and is accessed from Orchard Lane in Bass Lake. The facility will operate year-round and will be operational seven days per week from 9:00am to 5:00pm. Approximately one to three customers per day are expected. The business currently has 1 employee and does not plan to hire

additional employees. It is estimated there will be one to three vehicles trips to the site per day. One parking space per every 25 storage units will be provided.

The applicant intends to enhance the visual character of the site with the addition of privacy slats along 685 feet of the existing fence and adding landscape trees along the exterior of the fence on corner intersection of Judge Lane and Road 274 and along Road 274.

ORDINANCES/POLICIES:

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

Chapter 18.94.075 of the Madera County Zoning Ordinances outlines the requirements for mini storage facilities.

Chapter 18.106 of the Madera County Zoning Ordinance outlines the procedures for the procession and approval of Variances.

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 HC (Heavy Commercial) Designation.

ANALYSIS:

The applicant is requesting to include outdoor storage on an existing mini-storage site and a Variance to allow a 6' fence where 8' is required by ordinance and to allow unenclosed outdoor storage where separately enclosed is required by ordinance (MCC 18.94.075 D, E). The existing mini-storage facility was approved by Conditional Use Permit (CUP #85-32) which did not include outdoor boat and RV storage, so an amended Conditional Use Permit is required. Access to the existing facility is from Judge Lane approximately 400 feet east of its intersection with Road 274.

The applicant's variance from an 8' fence and separately enclosed outdoor storage result from the existing facility, proposed landscaping buffer and mountainous landscape. The existing facility was established in 1985, prior to the zoning ordinance screening and landscape buffer requirements. The applicant has proposed a landscape buffer of redwood trees or similar species that are fast growing and will blend with the surrounding mountain scenery along the corner intersection of Judge Lane and Road 274 and along Road 274 where existing native oak and pine trees are absent. This landscape feature will act as a barrier from public view. Details listed in the application also show 530 feet of privacy slating to be added to the existing fence along Road 274 and 155 feet of privacy slating to be added to the existing fence along Judge Lane.

The first phase of the existing mini-storage facility was established in 1986 while the second phase was constructed in 1991. Both construction phases at the time were permitted through building permits. The facility is located on a legal parcel (APN: 059-070-031) containing 222 units within the seven existing buildings on site with 12 customer parking spaces. The project is requesting to allow 52 outdoor spaces for boat, recreation vehicle and boat trailer storage. The project is currently utilizing the areas as outdoor storage and is not proposing to add anything additional. The amended CUP is to validate the existing use and improve the aesthetics of the existing property by adding landscaping.

The storage facility employs one full time employee and the facility is open 9am to 5pm, 7 days a week year-round. An office building and restroom facilities are located on the existing storage site. The project is expected to use up to 100 gallons of water per day for proposed landscape irrigation which is provided by an existing private well. Storage of fuel or other flammable liquids will be prohibited on site. Per Madera County Code parking requirements, a mini storage facility shall provide a ratio of one stall per twenty-five storage spaces. With the existing self-storage units and proposed outdoor spaces, the 12 existing onsite parking spaces is sufficient to meet code requirement. On a daily average, the applicant has estimated a total of one to three vehicle trips per day and believes the current parking amount will be more than sufficient for the facilities use. According to the Institute of Traffic Engineers-Trip Generation Rates, traffic generated by self-storage facilities is exceedingly low as most customers park by the rented unit for short periods to manage their storage.

The application was circulated to internal and external agencies for comments, including Native American tribes per Assembly Bill 52 requirements. Comments were received from Environmental Health, Fire Marshal, and the Sheriff's Office. Standard comments from Environmental Health prohibits maintenance and repair on recreational vehicles and storage of hazardous materials on site. Fire Marshal's comment requested a KNOX Box entry device to be installed in conjunction with all gated access points to the project. Sheriff's comment suggested use of lighting and on-site cameras for crime deterrence.

There are concerns regarding the project in regards to ground pollution possibly leaching into slide creek. With the condition from the Environmental Health Division that lists hazardous materials cannot be stored on site and that repairs on boats, RV's or other vehicles are not allowed this risk is expected to be less than significant. Another concern was lighting on the property. The Planning Division condition that lights are to be hooded and down facing will mitigate this concern. The site plan provided by the applicant shows privacy slating and trees along the fence where native species are not present to be added which will mitigate the aesthetic concerns.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,456.75 to cover the Notice of Determination

(CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,480.25 Department of Fish and Wildlife fee that took effect January 1, 2021 and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Planning Commission.

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 18.94.170 of the Madera County Zoning Ordinance, the proposed use is allowed in the CRM (Commercial Rural Median) 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. Conditions have been placed that will prohibit storage of fuel or other hazardous materials within the storage facility.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors*, in that the project had been required to comply with Best Management Practices to address any noise, dust, smoke, odor, glare, or similar factors generated from onsite activity and must operate according to the operational statement and plans. The proposal will not involve hazardous materials being stored onsite. The project is currently in operation as a mini storage facility and adding outdoor boat/RV storage is not projected to significantly increase noise levels in the area.
4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties* in that, due to the existing nature of the storage facility, and the landscaping conditions applied to the project it is not anticipated to cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County.

VARIANCE FINDINGS

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

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same zoning district.* The subject property is lower in elevation than County Road 274, therefore installing an 8' fence does not provide any additional screening for the facility. The proposed landscape trees shall be fast growing redwood or similar species which can grow 3 feet per year and provide much more complete and aesthetically pleasing screening for the subject property. This is an existing storage facility that has operated successfully for over 30 years. Adding additional internal fencing to the site would create operational issues and potentially restrict internal traffic flow.
2. *The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.* Granting of this variance preserves the existing rights of the property owner and preserves the existing business operation. This is an existing Mini Storage Facility that has been successfully operating since 1985.
3. *The granting of such application will not, under the circumstances of this particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, in the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood.* The existing fence has provided sufficient security protection for the facility thus far. Allowing this fence to remain will not adversely affect the neighborhood in any way. This fence has no relationship to health or safety of persons residing in the neighborhood.
4. *The granting of the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.* The variance will not constitute a grant of any special privileges as the applicant's variance request is necessary due to the pre-existing developed area. Surrounding properties currently have similar storage uses with similar fencing materials and heights. Allowing this fence to remain will with the addition of screening slats will be consistent with adjoining fencing heights used by neighboring

properties. Other adjoining properties have outdoor storage without any additional internal fencing.

5. *Because of special circumstances, applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.* The special circumstance that promotes approval for the proposal is the existing project location. The subject property is in a mountain area. The use of landscape trees provides a much more aesthetically appealing alternative that is consistent with the mountain scenery and provides much better screening. Additionally, strict adherence to code section 18.94.075 – E requiring separate internal fencing cannot be fulfilled due to the small size of the property and the existing facilities.

WILLIAMSON ACT:

The property is not subject to a Williamson Act Contract.

GENERAL PLAN CONSISTENCY:

The General Plan designates this property as HC (Heavy Commercial) and it is zoned CRM (Commercial Rural Median) District. The 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 which allows for a mini storage facility with a Conditional Use Permit. The Zoning and General Plan are all consistent with the proposed use

RECOMMENDATION:

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2019-026), Variance (VA #2020-001) and Mitigated Negative Declaration (MND #2019-27).

CONDITIONS

See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Site Plan
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement

8. Exhibit H, Environmental Health Division Comments
9. Exhibit I, Building/Fire Safety Division Comments
10. Exhibit J, Sheriff Department Comments
11. Exhibit K, Public Comments
12. Exhibit L, Initial Study
13. Exhibit M, Mitigated Negative Declaration MND #2019-27

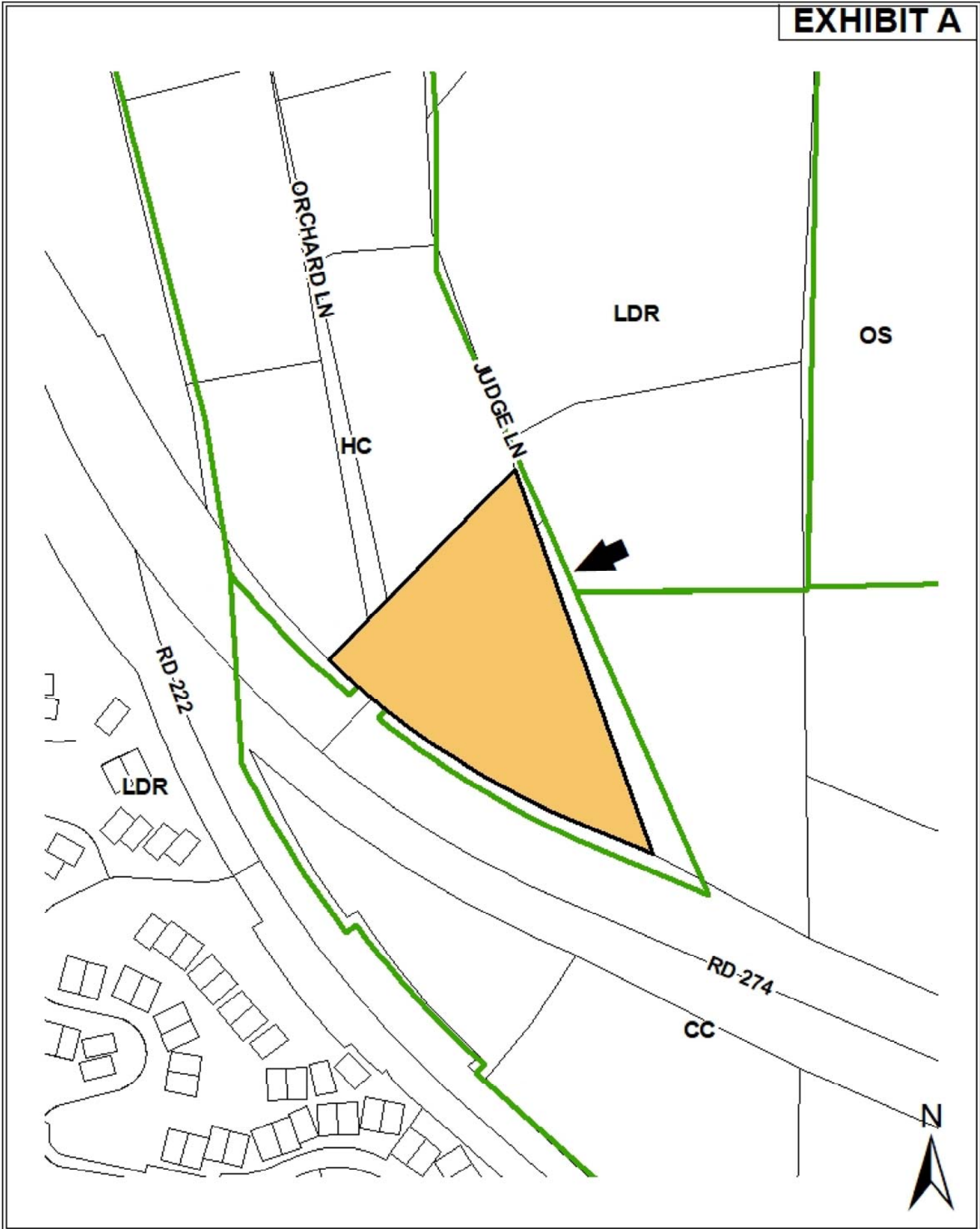
CONDITIONS OF APPROVAL

PROJECT NAME:	Conditional Use Permit #2019-026, Bass Lake Mini Storage, LLC
PROJECT LOCATION:	On the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake.
PROJECT DESCRIPTION:	Request for an amendment to Conditional Use Permit 1985-32 to include outdoor storage on an existing mini storage lot.

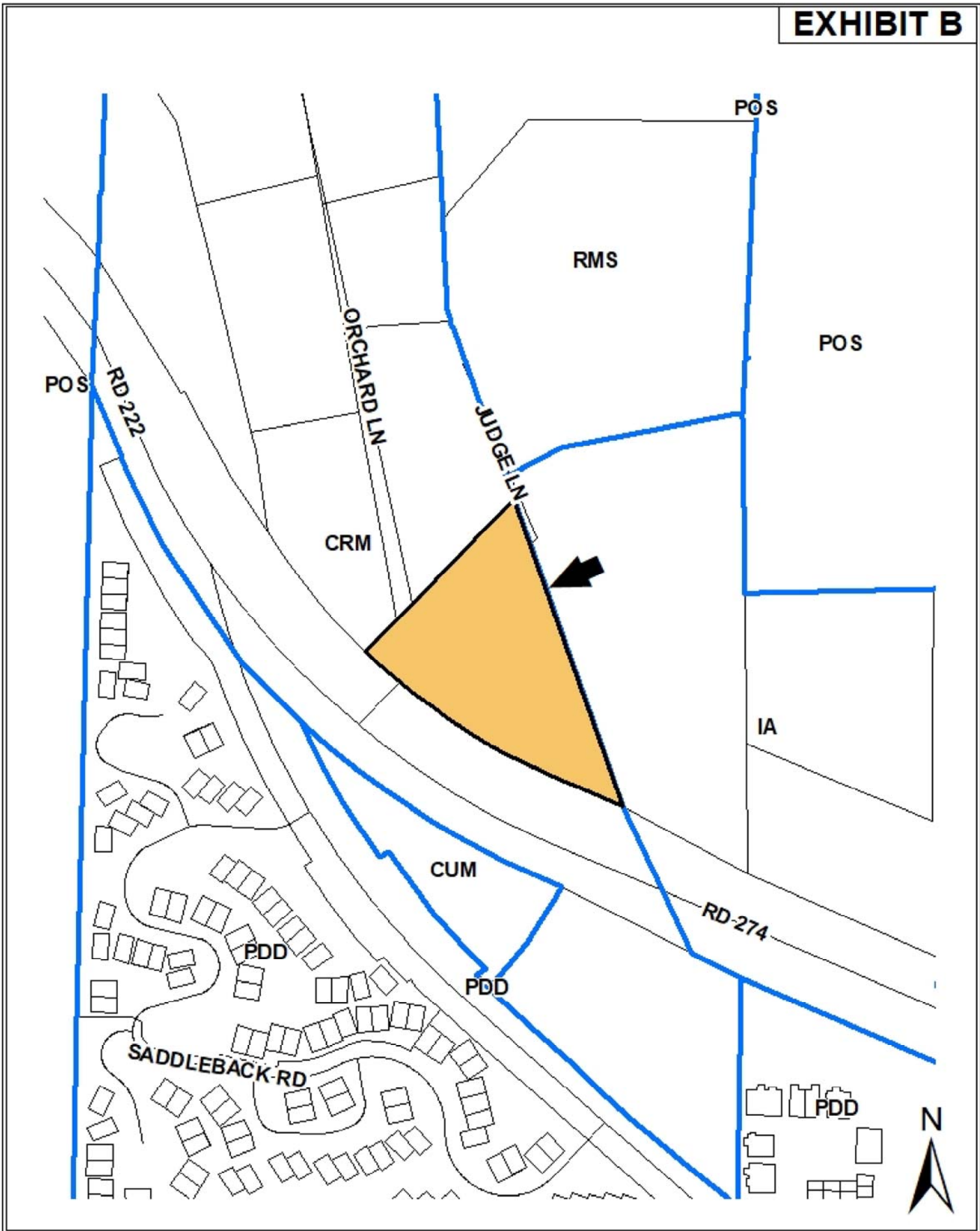
APPLICANT:	Bass Lake Mini Storage LLC, (559) 642-3200
CONTACT PERSON/TELEPHONE NUMBER:	Annette Kephart - Madera County Planning (559) 675-7821

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health Division					
1	No maintenance and or repair allowed on boats or trailers, unless approved by Planning Division and Environmental Health.				
2	No hazardous material storage allowed, unless approved by Planning Division and Environmental Health.				
3	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
Fire Marshall Division					
1	KNOX Box entry device to be installed in conjunction with all gated access points to the project.				
Planning Division					
1	Facility to operate in accordance with submitted Operational Statement and plans unless otherwise modified by conditions of approval and CEQA mitigation measures.				
3	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.				
4	Privacy slats along 530 linear foot of fence along Road 274 and 115 linear foot of fence along Judge Lane.				
5	Landscaping trees along exterior of fence around project site at corner intersection with Road 274 and along project site fence that faces Road 274 where native trees are not already established.				
Public Works DEPARTMENT					

No.	Condition	Department/A gency	Verification of Compliance		
			Initials	Date	Remarks



GENERAL PLAN MAP

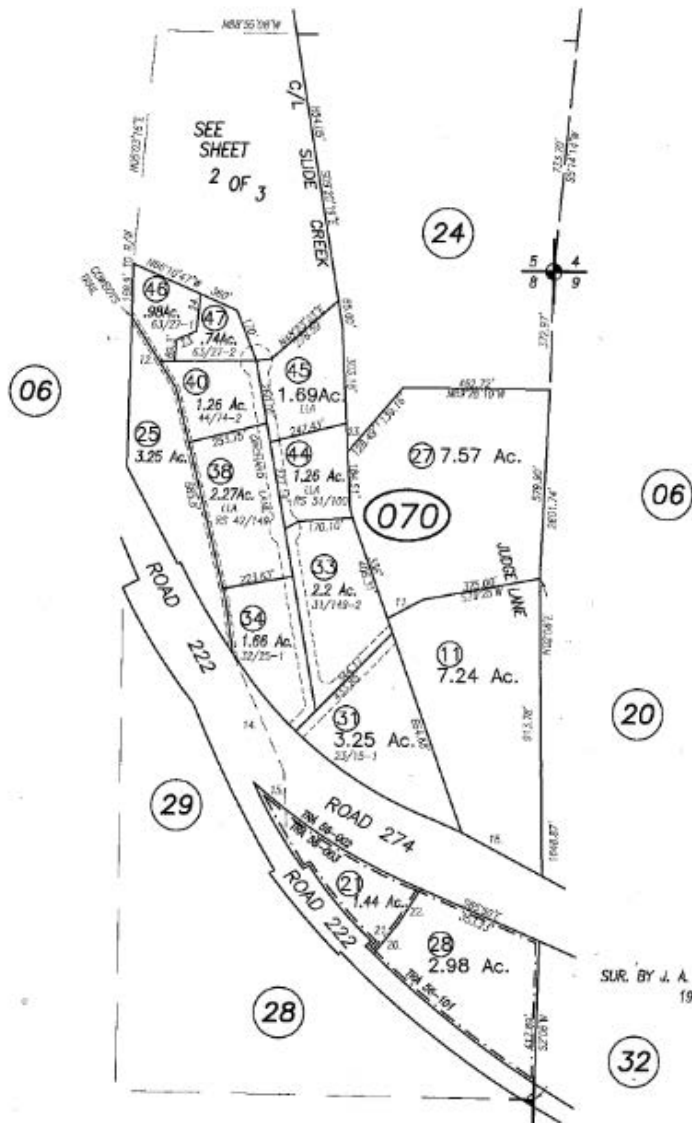


ZONING MAP

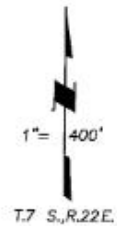
POR. OF SEC. 5 & 8 T.7S. R.22.E. M.D.B.&M.

Tax Area Code
 56-002
 56-003
 56-101

59-07
 SHEET 1 of 3



71. S81°25'W	126.00'
72. S33°27'W	293.40'
73.	
74. S24°54'E	285.00'
75. S02°07'E	
76.	
77.	
78. N49°36'W	185.83'
79.	
80. N45°27'W	89.05'
81. N41°32'E	200.00'
82. N34°03'E	177.68'
83. N57°43'41"E	98.12'
84. N05°15'02"E	110.20'



SUR. BY J. A. ROSS & ASSOCIATES
 1960

Assessor's Map No. 59-07
 Sheet 1 of 3
 Bass Lake
 County of Madera, Calif.
 1965

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

SITE PLAN

FOR
BASS LAKE MINI STORAGE
 40879 ROAD 274, BASS LAKE, CA 93804

PARCEL 1 OF PARCEL MAP 887
 ON FILE IN BOOK 23 OF MAPS AT PAGE 16, M.C.R.
 LOCATED IN SECTION 8, T5R22E
 APN 059-070-031



EXISTING VIEW FROM ROAD 274

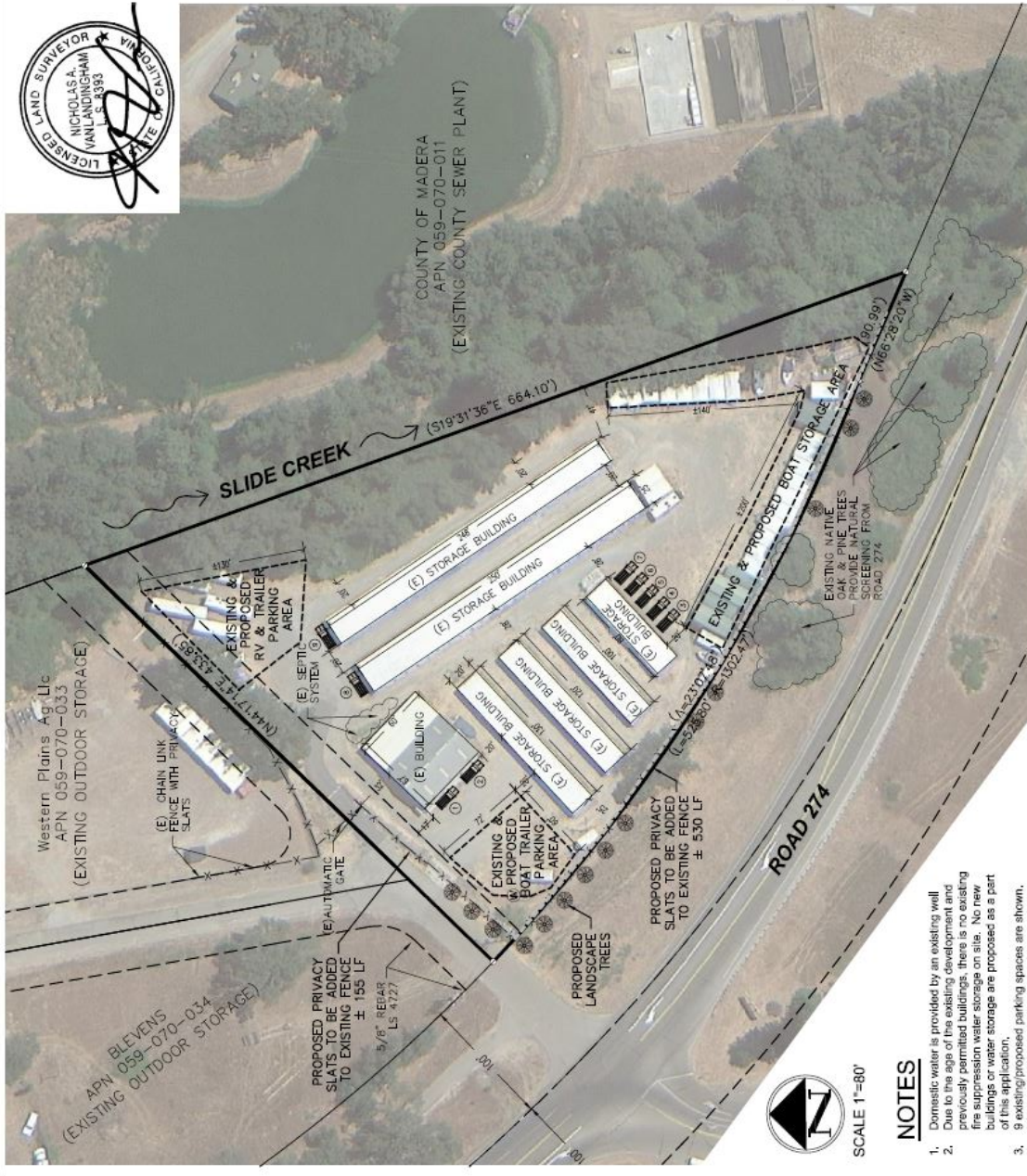


PROPOSED VIEW FROM ROAD 274



LEGEND

- ⊠ DIMENSION POINT (NOTHING FOUND OR SET)
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY
- RIGHT-OF-WAY CENTERLINE
- X—X— EXISTING CHAIN LINK FENCE
- PROPOSED PRIVACY SLATS
- (E) EXISTING
- ⊗ DOMESTIC WELL
- ① EXISTING/PROPOSED JONES SNYDER & ASSOCIATES PARKING SPACE (SEE NOTE 3)



SCALE 1"=80'

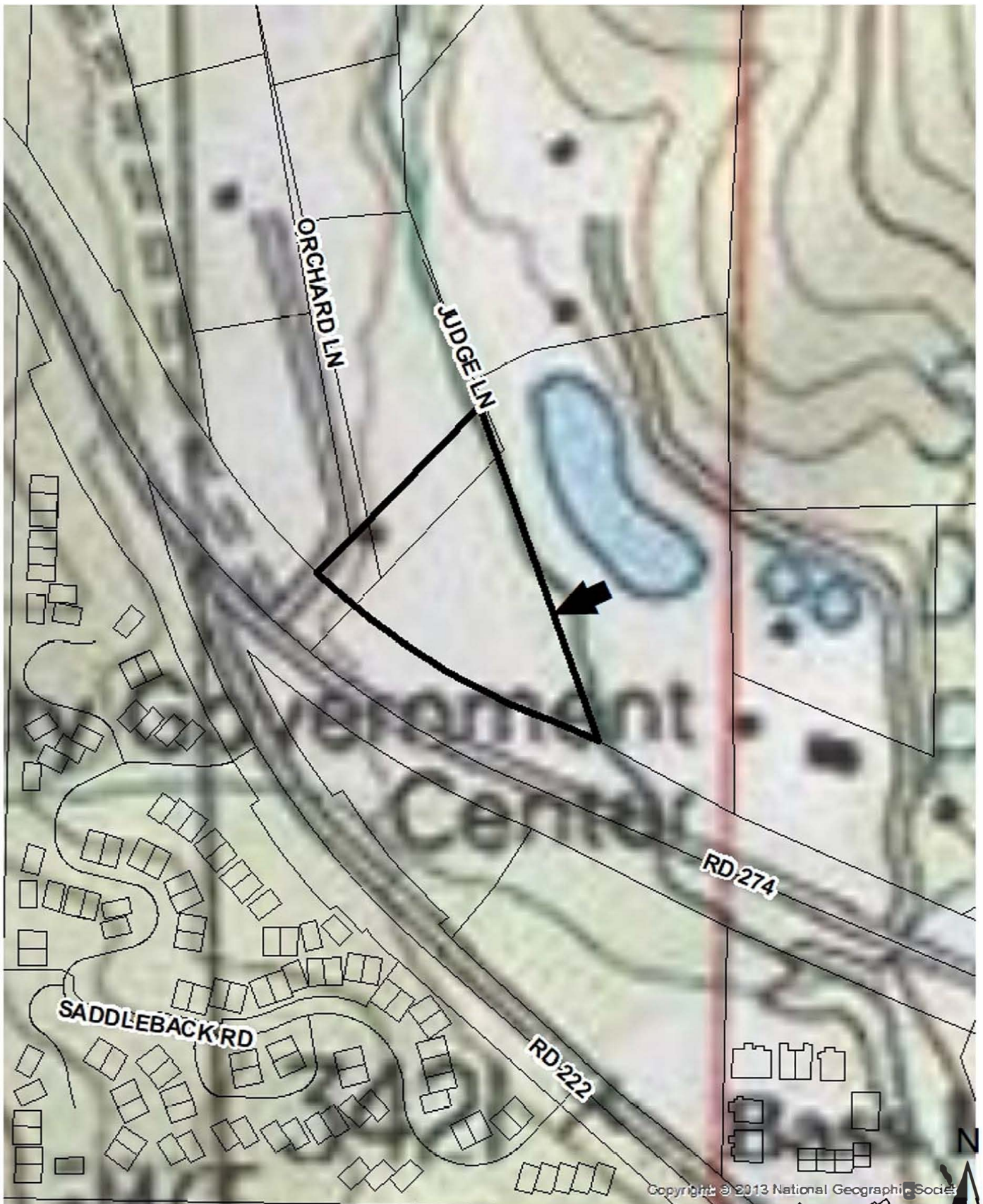
NOTES

1. Domestic water is provided by an existing well.
2. Due to the age of the existing development and previously permitted buildings, there is no existing fire suppression water storage on site. No new buildings or water storage are proposed as a part of this application.
3. 9 existing/proposed parking spaces are shown. This represents a ratio of 1 space per 25 units.



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

AERIAL MAP



TOPOGRAPHICAL MAP



Community and Economic Development Planning Division

Matthew Treber
Director

EXHIBIT G
• 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: _____

059-070-031

Applicant's Name: _____

TOM TUSO / BASS LAKE MINI STORAGE, LLC

Address: _____

PO BOX 222 BASS LAKE, CA 93604

Phone Number: _____

2. Describe the nature of your proposal/operation.

outdoor storage

3. What is the existing use of the property?

mini storage

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?

NONE

5. What are the proposed operational time limits?

Months (if seasonal): _____

12

Days per week: _____

7

Hours (from _____ to _____): Total Hours per day: _____

8

6. How many customers or visitors are expected?

Average number per day: _____

1

Maximum number per day: _____

3

What hours will customers/visitors be there? _____

9-5

7. How many employees will there be?

Current: _____

1

Future: _____

1

Hours they work: _____

40

Do any live onsite? If so, in what capacity (i.e. caretaker)? _____

NO

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

Storage of trailers, RVs, Campers

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

Number: _____

Type: _____

Frequency: _____

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area. 4

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

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development. 1-3

13. Describe any proposed advertising, including size, appearance, and placement. NONE

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

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

existing fencing surrounds the property

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

North - MADERA COUNTY SEWER PLANT, South - VACANT commercial lot, east - MADERA COUNTY Fire dept, West - outdoor storage.

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

NO

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

0-100 GALLONS PER DAY BY EXISTING WELL FOR PROPOSED LANDSCAPE IRRIGATION.

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

0 gallons

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?

0

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.

See MAP

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

See MAP

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

NO

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?

it won't

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

it won't

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

Use(s): outdoor storage

Square feet of building area(s): existing - NO NEW DEVELOPMENT

Total number of employees: 1

Building Heights: existing - NO NEW DEVELOPMENT

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

31. How many acres of land are being proposed for subdivision? _____

32. How many lots are being proposed? _____

33. How many acres of land are being proposed for residential use? _____

34. How many acres of land are being proposed for commercial use? _____

35. How many acres of land are being proposed for industrial use? _____

36. How many acres of land are being proposed for agricultural use? _____

37. How many acres of land are being proposed for other use? _____

38. How many acres of land are being proposed for open space? _____

39. How many acres of land are being proposed for other use? _____

40. How many acres of land are being proposed for other use? _____

41. How many acres of land are being proposed for other use? _____

42. How many acres of land are being proposed for other use? _____

43. How many acres of land are being proposed for other use? _____

44. How many acres of land are being proposed for other use? _____

45. How many acres of land are being proposed for other use? _____

46. How many acres of land are being proposed for other use? _____

47. How many acres of land are being proposed for other use? _____

48. How many acres of land are being proposed for other use? _____

49. How many acres of land are being proposed for other use? _____

50. How many acres of land are being proposed for other use? _____

**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: October 29, 2020
RE: Bass Lake Mini Storage, LLC - Conditional Use Permit - Bass Lake (059-070-031-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: November 4, 2019
RE: Conditional Use Permit (CUP) #2019-026, Bass Lake Mini Storage – Bass Lake, APN: 059-070-031

Environmental Health Division Comments:

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

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

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

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

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

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: October 29, 2020
RE: Bass Lake Mini Storage, LLC - Conditional Use Permit - Bass Lake (059-070-031-000)

Conditions

KNOX Box entry device to be installed in conjunction with all gated access points to the project.

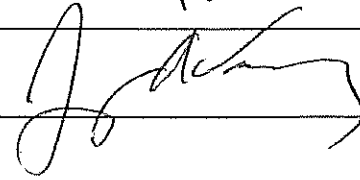
NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2019-026

Return to: Annette Kephart, Planning Department

Bass Lake Mini Storage, LLC

Responding Agency: Madera County Sheriff's Office Date: 11-7-2019

Respondent's Signature: 

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

Approve Deny

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

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

If the project is secured with an electronic
gate with gate code, that code will need access
to that code.

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

We suggest, but do not require some level of site
lighting and security camera(s) for crime deterrence.

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2019-026

Return to: Annette Kephart, Planning Department

Bass Lake Mini Storage, LLC

Responding Agency: Madera County Sheriff's Office

Contact Person: Jay Varney Signature: [Signature]

Telephone No.: 675-7777 Date: 11-7-2019

ENVIRONMENTAL REVIEW:

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

/ Yes

No, the following information is needed: _____

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

None

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

_____ Yes _____ / No

Annette Kephart

From: Patricia Prime <psprime@hotmail.com>
Sent: Thursday, January 23, 2020 11:27 AM
To: Annette Kephart; Jamie Bax; Robert Curran; Jarrett Sagouspe; davis715@juno.com
Subject: Bass Lake Mini Storage LLC

Good Morning Annette & Jamie,
Could you please forward this email and pictures to the Planning Commission. I tried but it reports that their email addresses are invalid. Thank you

This letter is to the Madera County Planning Commission and the Zoning Enforcement Department, regarding the property in Bass Lake, known as "Bass Lake Mini-Storage LLC (CUP #1985-32. Located at the intersection of Roads 274 and 222.

Code Enforcement has reported they have cited the property owner at least three times in the last couple of years. The property owner, knowingly continues to violate his "conditional use permit", and has done so for several years.

Since Madera County does not have enough budget to have inspectors in the field, we, as residents are only left with the option to self inspect and report our findings via complaints, to the Code Enforcement Department. As per the Madera County Grand Jury report of 2018, each Code Enforcement Inspector has approximately one hundred open cases at any given time.

In violation of said "conditional use permit", the property owner, in May of 2019, had over 65 openly stored RVs, trailers, boats, and jet skis. With estimated income from space rental totaling approximately \$54,000 annually. Also, in violation of the permit, the owner has nine storage structures. The permit allows for two structure.

As of January of 2020, the owner is openly storing approximately, 53 RVs, boats, trailers, and jet skis. And, has added 26 aluminum canopies.

The property is not paved, it is bare dirt. Running adjacent to the property is an active creek that feeds directly into Bass Lake, which has the potential to ground pollute the water.

Another note, the owner is allowing somebody to live on the property.

Other complaints from nearby residents, the owner allows (and advertises) 24 hour access, there are numerous floodlights around the structures causing unwanted illumination and hazardous driving conditions. Please enforce the "Conditional Use Permit" that was issued in 1985.

If, the Commission decides to change the existing "Permit", we as neighboring residents would appreciate the following restrictions be included;

The ground pollution issue be addressed

Lighting to be adjusted

Block walls/fencing and/or trees be installed to visually hide the contents

Buildings to be painted in an environmentally friendly color.

Follow shrub abatement and fire clearance.

Note: This facility is located at the "Gateway" to Bass Lake And is Quite the eyesore.

The first 4 pictures are from May 2019; the follow pictures are from January 21, 2020.

Note: If you would like to see the 9 complaints submitted to the Enforcement Department in May 2019 and additional pictures, please let me know.

Sincerely,

Patricia Prime

psprime@hotmail.com

661-993-6150



Water Sports





Base Lake



Water Sports











DUMCAT

Walden Trailers

Dancer by BEAR





DUMCAT

Walden Trailers

Dancer by BEAR





Dennis Meisner Jr.
30166 Ave 11
Madera, CA. 93636
dmj47@att.net

November 6th, 2020

County of Madera-Planning Commission
Planning Division
200 W. 4th Street
Madera, CA. 93637

re: Bass Lake mini Storage
CUP #2019-26
CUP #1985-32
VA #2020-001

Commissioners and Staff

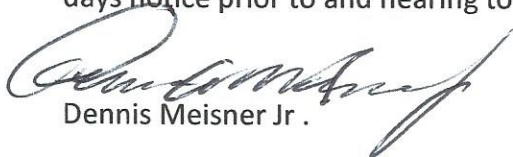
I am the property owner at 40495 Road 222 Bass Lake, CA. 93604, I hereby object to the County considering any requests, extensions, renewals or approvals related to the Bass Lake Mini Storage.

Several complaints were issued in the first part of 2019 with regard to the parking of watercraft and trailer(s) thereof in the mini storage which is not a permitted activity under the current CUP. I have included my own email thread of communication with code enforcement. I was told by code enforcement that there were several others prior to my complaint.

It has been well over a year and no corrective measures have occurred even after I have followed up with code enforcement numerous times. Yes, I am aware of the Covid impacts, but there is no excuse for the lack of attention to correcting this matter.

I have included attached hereto documentation of the applicants prior request for boat storage that was denied along with recent photos showing the continued unpermitted violations.

Lastly, I strongly believe Madera County is not complying with notification requirements as this notice of hearing on November 10, 2020 was not even sent out until October 29, 2020 as evidenced by the postmark on envelope. I would ask that the County provide a minimum of 30 days notice prior to and hearing to allow the public reasonable time to comment.


Dennis Meisner Jr.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Madera, State of California, will hold a **PUBLIC HEARING** to consider the following:

Bass Lake Mini Storage, LLC is requesting a Conditional Use Permit (CUP #2019-026) to amend Conditional Use Permit #1985-32 to include outdoor storage on an existing mini storage lot and Variance (VA #2020-001) to allow for a 6' fence where an 8' is required by ordinance and for outdoor storage area to not be separated as required by ordinance. The property is owned by Bass Lake Mini Storage, LLC and is located on the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake. The property is zoned CRM (Commercial, Rural, Median) District. Size: 3.25 acres. APN: 059-070-031. This meeting will be open to the public and available by virtual meeting. For more information regarding this project and virtual meeting instruction please contact Annette Kephart at (559) 675-7821.

This **PUBLIC HEARING** will be held at the meeting of the Planning Commission on **Tuesday, November 10, 2020, at 6:00 p.m.** at the **Madera County Government Center**, 200 West 4th Street, Madera, California.

*** SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19***

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, Madera County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise.

For noticed public hearings, all public comments must be received by the start of the public hearing period. Comments may be mailed to: Planning Division 200 W 4th Street, Madera CA 93637 or mc_planning@maderacounty.com. All written comments received by the start of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions but will be included in the record of proceedings. If a comment on a public hearing item is received after the start of the public hearing, such comment will be treated like a general public comment and made part of the record of proceeding, provided that such comment is received prior to the end of the meeting. **This meeting will be open to the public and will be accessible by virtual meeting at link below:**

<https://global.gotomeeting.com/join/798158389>

You can also dial in using your phone.

United States: [+1 \(646\) 749-3122](tel:+16467493122)

Access Code: 798-158-389



MATTHEW TREBER, Planning Director
Madera County, California

MADERA COUNTY COMMUNITY & ECONOMIC DEVELOPMENT
PLANNING DIVISION
200 W 4TH ST STE 3100
MADERA CA 93637

RETURN SERVICE REQUESTED

Dennis Meisner
30166 Avenue 11
Madera, CA 93636

POSTAGE
10/23/2009
\$000.50
7700
011120007

5555555555 5555555555

5555555555 5555555555

RE: Bass Lake watercraft and trailer storage

From: Jose Trujillo (jose.trujillo@maderacounty.com)
To: dmj47@att.net
Date: Wednesday, July 31, 2019, 2:36 PM PDT

Good Afternoon Mr. Meisner, we do have an ongoing investigation regarding the properties in question. We will be meeting with the property owner next week to review the case and to discuss possible options that he may have. He has indicated that in any case he will comply. There is an existing CUP but it does not allow for outdoor storage. I will have a copy of the document mailed to you as it is quite lengthy.



Jose Trujillo | Supervising Code Enforcement Officer
COMMUNITY AND ECONOMIC DEVELOPMENT, PLANNING
200 W. 4th Street, Suite 3100, Madera, CA 93637
Office: (559) 675-7821 Ext. 3211



From: Dennis Meisner [mailto:dmj47@att.net]
Sent: Thursday, July 25, 2019 6:08 PM
To: Jose Trujillo
Subject: Bass Lake watercraft and trailer storage

Jose

I am writing to you to request copies of the CUP and any legal documentation that allows for storage of watercraft and or associated trailers on APN 059070-031 AKA 53351 Road 432 Bass Lake, CA 93604 as well as the additional property located adjacent to Slide Creek Estates at 40501 Road 222 Bass Lake, CA. 93604

Please see pictures attached from earlier this month showing storage of watercraft and trailers on both parcels visible to the Roads 274 & 222. Please also note the parcel next to Slide Creek Estates has what appears to be a concrete vault possible a septic tank which is an eye soar and potential environment hazard.

The anticipated courtesy of a written explanation along with documented appropriate enforcement action is greatly appreciated.

Sincerely,

Dennis Meisner Jr.

Slide Creek Estates HOA -President

PO BOX 1057

Madera, CA. 93639

(559)871-2290 cell

APPLICATION & PERMIT

MADERA COUNTY
PLANNING COMMISSION
135 West Yosemite Avenue
Madera, California 93637
675-7821

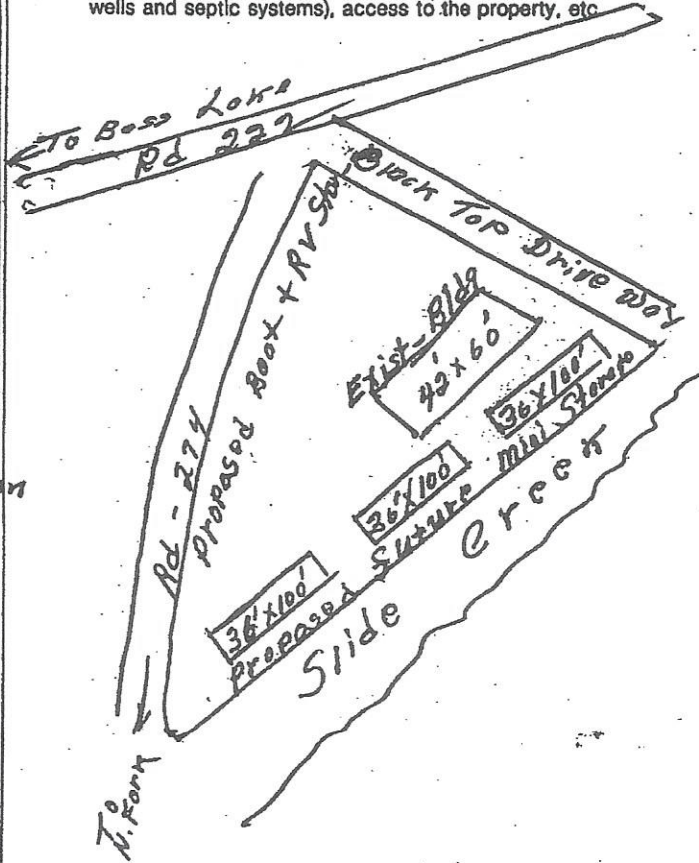
- GENERAL PLAN AMENDMENT
- REZONING
- CONDITIONAL USE PERMIT
- ZONING PERMIT
- VARIANCE
- ENVIRONMENTAL REVIEW
- SITE PLAN REVIEW

Number CZ 85-10
Date 2/19/85
Fee 85.00 Penalty _____
Receipt No. 057000
Date of Action _____
Staff _____ P/C X B/S _____
Approved _____ Denied _____
M. O. No. _____
Date of Appeal _____
Approved _____ Denied _____

PLEASE PRINT

Applicant Garnet E. Brannon
Address 53351 Rd 432
City Bass Lake State Ca Zip 93604
Phone (809) 642 3509
Property Owner Same as above
Address _____
City _____ State _____ Zip _____
Phone () _____

SITE PLAN: Show property boundaries, all structures (including wells and septic systems), access to the property, etc



THIS APPLICATION IS FOR THE FOLLOWING

Sec. 8 Twp. 7 S. Rng. 22 E.
Tax Parcel No. 059-07-0-081-0
Subdivision Name Robert & Patricia Markarian
Lot No. 1 Parcel Map NO 887
Address or locality Rd 222 + Rd 274

Intended Use Boat & RV Storage Yard

The foregoing information is true and correct to the best of my knowledge and belief. The applicant and property owner hereby acknowledge the requirements as set forth in the Madera County Zoning Ordinance and agree to comply with all County and State Laws. (BOTH MUST SIGN).

SIGNATURE OF APPLICANT X G.E. Brannon SIGNATURE OF PROPERTY OWNER X G.E. Brannon

DO NOT WRITE BELOW BELOW THIS LINE

CONDITIONS: _____

TIME LIMIT: Valid until _____, 19____.

Permits become void if not used within one year of the date of approval.

AUTHORIZED SIGNATURE _____

Date: _____ 19____

Distribution after finalization: White: File; Green: Applicant; Blue: Assessor; Pink: Health; Yellow: Building.

P/A	<u>4</u>
AREA	<u>3.25</u> acres
ZONE	<u>CRM</u>
ZONE REQUESTED	<u>CRG</u>
GP	<u>CG</u>
GP REQUESTED	_____
BUILDING PERMIT #	_____
DATE	_____

CZ 85-10

BY: DA
DATE: 2/20/85

APPLICATION NUMBER: CZ85-10
 No Negative Declaration Required.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE Planning Commission
 Zoning Administrator of the County of
Madera, State of California, will hold a PUBLIC HEARING to consider the application
of Garnet E. Brannon

for a Zoning Permit
 Rezoning
 Conditional Use Permit to allow an outdoor boat
 Variance
+ RV Storage yard and RV storage.

The property is owned by same
(omit if owner and applicant are the same)

The property is located on the ~~south~~ ^{north} side of Hwy 274
(Indicate Subdivision and Lot Number, if applicable)
approximately 200' northeast of its intersection
with Rd 222.

Bass Lake
(Town)
The present zone
The zone is CRM - Commercial, Rural, Medium
District

and,
the proposed zone is CRG - Commercial, Rural, General
District.

A draft Negative Declaration on the environmental impact of this proposal will
also be considered.
Acreage: 3.25, APN: 59-070-031

This PUBLIC HEARING will be held in the _____
on _____ at _____

This PUBLIC HEARING will be held at the regular meeting of the Planning
Commission on _____ at _____
in the _____

DATED:
Auditorium, Madera County Government Center, 209 W. Yosemite Ave., Madera
Madera County Mountain Government Center
40601 Road 274, Bass Lake, California
LEONARD GAROUPA, Planning Director
Madera County, California

October 2020





DECEMBER 2020

October 2000



Attention: Madera County Planning Commission

Regarding: Bass Lake Mini Storage LLC (CUP #2019-026)
Amend CUP #1985-32

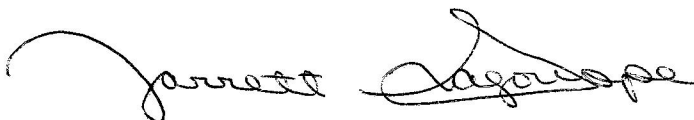
Madera Planning Commissioners,

My name is Jarrett Sagouspe with Sagouspe Management, Inc. I am the Association Manager of multiple Homeowners Associations within Bass Lake, California. I represent all 150 homeowners. The community is located near these developments. Bass Lake Mini Storage sits within a mile from these communities.

Although all the homeowners were aware of the self-storage facility when they purchased their homes, the business and the scope of the business has grown along with additional buildings and numerous outdoor storage. None of which have zoning approval. It wasn't until multiple of the homeowners, filed written complaints to Code Enforcement which the property owner cited. It is my understanding that the owner has had previously been cited on a few occasions. The owner continues to violate his conditional use permit that was issued in 1985. He has moved some of the outdoor storage to the back of the property up against the stream that leads to Bass Lake. This is a concern due ground pollution. We ask that the conditional use permit CUP # 1985-32 not be amended and be enforced.

If the Commission is in favor of amending the original use permit, we ask that the outdoor storage be limited to twenty RV's and or boats. I suggest the ground being used for outdoor storage be concrete to avoid ground pollution, and an 8-foot solid wall be erected with 24-inch box trees to be installed along 274 so that it fits within the landscape of the area.

Thank you for your time in this matter,

A handwritten signature in black ink that reads "Jarrett Sagouspe". The signature is written in a cursive style with a large, sweeping initial "J".

Jarrett Sagouspe

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

- 1. Project title:** Conditional Use Permit #2019-026, Bass Lake Mini Storage, 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 I
559-675-7821
Annette.kephart@maderacounty.com
- 4. Project Location & APN:** The project is located on the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake
APN: 059-070-031-000
- 5. Project sponsor's name and address:** Bass Lake Mini Storage, LLC
PO Box 222
Bass Lake, CA 93604
- 6. General Plan Designation:** HC (Heavy Commercial) Designation
- 7. Zoning:** CRM (Commercial Rural Median) District
- 8. Description of project:** Amendment to Conditional Use Permit 1985-32 to include outdoor boat and recreational vehicle storage on an existing mini storage lot.
- 9. Surrounding Land Uses and Setting:** Commercial, Residential and Institutional Area
- 10. Other Public Agencies Whose Approval is Required:** None
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
Local Tribes were contacted per AB 52. No comments have been received. (See Section XVIII for additional discussion.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION	
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.

Shawnte Kephart
Signature

11/25/19
Date

I. AESTHETICS

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responses:

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

(c) Less Than Significant Impact with Mitigation Incorporation. The project is located along Road 274. The existing mini storage facility is visible from the road and is surrounded by a chain link fence. The applicant intends to enhance the visual character of the site with the addition of privacy slats along 300 feet of the existing fence and adding landscape trees along the exterior of the fence on the corner of the project site that is visible from Road 274.

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

General Information:

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

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

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

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

Would the project:

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

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

Responses:

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

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

General Information

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

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

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

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

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

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

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

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

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

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

III. AIR QUALITY

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

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

Responses:

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

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

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

Global Climate Change

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

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

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

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

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

Responses:

(a, b, d) Less Than Significant Impact. There are no known habitats identified on this parcel. While there are candidate species identified in the Bass Lake quadrangle in which this project is located, there has been no documentation of any of the species being located on or in the immediate vicinity of the project site. There is still the potential that some species may migrate through the vicinity. Given that the site has been utilized as an existing mini storage since 1985 it is unlikely that species have established habitats on the parcel. The area is characterized by foothill, oak and pine woodland habitats together with interior oak, pine and mixed chaparral biotic habitat characteristic of the Sierra Nevada foothills. These foothill habitat areas have been modified by grazing, and rural residential development. However, they remain viable for native wildlife for breeding and foraging, especially as wintering refuge for deer and various predators.

(c) Less Than Significant Impact. The area to the east of the project know as Slide Creek is a Freshwater Emergent Wetland, however the project site has been in use as a mini storage since 1985 and no new buildings or uses other than outdoor storage is proposed. The project site footprint will not expand so no additional impacts on the local water systems are expected. The applicant will be expected to abide by all applicable hazardous waste standards to ensure minimal impact on the local water systems.

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

Within the Bass Lake area, the most obvious wildlife are the large hawks, migrating turkey vultures and occasional eagles that patrol the skies. Dozens of other avian species, including barn owls, prowl the lower airways. Small animals typical of the foothills include rabbits, squirrels,

raccoons, skunks, and possums. Mule deer, coyotes, bobcats, and an occasional mountain lion roam the area. The insect population includes scorpions, wasps and bees. Area snakes are mostly harmless, and the large tarantulas are considered a native treasure.

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

(e - f) No Impact. The project will not conflict with any local, state or federal policies or ordinances protecting biological resources. The project site has been in use since 1985.

General Information

Special Status Species include:

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

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

Species	Federal Listings	State Listings	Dept. Of Fish and Game Listings	CNPS Listings
foothill yellow-legged frog	None	Candidate Threatened	SSC	-
bald eagle	Delisted	Endangered	FP	-
osprey	None	None	WL	-
California Spotted Owl	None	None	SSC	-
Leech's skyline diving beetle	None	None	-	-
Sierra Nevada red fox	Candidate	Threatened	-	-
North American porcupine	None	None	-	-
western pond turtle	None	None	SSC	-

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

Daulton Quadrangle

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

SSC Species of Special Concern

WL Watch List

FP Fully Protected

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

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

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

V. CULTURAL RESOURCES

Would the project:

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

Responses:

(a - c) Less Than Significant Impact. No known resources exist in the vicinity of this project. The project site has been used as a mini storage since 1985 and no new buildings or increase in project area is proposed. No ground disturbance is proposed as part of the project.

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

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

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

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

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

VI. ENERGY

Would the project:

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

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

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

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

Would the project:

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

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

Responses:

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

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

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

General Information

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

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

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

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

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

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

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

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

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

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

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

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

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

Responses:

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

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

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

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

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

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

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

Responses:

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

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

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

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

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

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

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

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

Would the project:

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

Responses:

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

(b) Less Than Significant Impact. The only use of groundwater for the project will be 0-100 gallons per day provided for the existing well on site for landscape irrigation.

General Information

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

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

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

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

XI. LAND USE AND PLANNING

Would the project:

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

Responses:

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

The project site is currently operating as a mini storage that was approved by Conditional Use

Permit in 1985. No additional structures or expansions are proposed. The amendment requested is to allow outdoor boat and RV storage on the property.

The general plan designation of HC (Heavy Commercial) allows for land extensive retail (e.g., nurseries, tire stores, automobile sales, auto body and repair shops, lumber yards), warehouses, wholesale commercial uses, offices, public and quasi-public uses and similar and compatible uses. The zoning designation of CRM (Commercial, Rural, Median) District allows for mini storage facilities with a conditional use permit. The proposal will not be in conflict with applicable land use (zoning) or with the General Plan (once approved).

XII. MINERAL RESOURCES

Would the project:

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

Responses:

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

XIII. NOISE

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	<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 the potential of a slight increase of noise generation with the addition of outdoor boat and RV storage. The noise generated by normal

business operations is anticipated to be less than significant. The project will include some landscaping around the exterior of the fence along Road 274 and privacy slats added along 300 foot of the existing fence. These construction activities are anticipated to exist for a limited duration and are not anticipated to be long sources of noise or vibrations. The project is anticipated to generate some noise, however this noise is anticipated to be less than significant and to not constitute a substantial permanent, periodic or temporary increase in ambient noise levels.

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

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

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

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

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

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

AM = 7:00 AM to 10:00 PM
 PM = 10:00 PM to 7:00 AM
 L = Light
 H = Heavy

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

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

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

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
Source: Whiffen and Leonard 1971		

XIV. POPULATION AND HOUSING

Would the project:

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

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

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

Responses:

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

XV. PUBLIC SERVICES

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a-i and a-ii) Less Than Significant Impact. While the area may be prone to wildfires, the project itself is not seen as an impact. In normal daily operations, the project is anticipated to require minimal services for fire and police protection. If an incident were to occur, the parcel does have easy access to Road 274 and emergency vehicles would be able to respond to an incident quickly.

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

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

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

In *City of Hayward*, a state university prepared an environmental impact report (“EIR”) evaluating the environmental effects of its proposed master plan for the expansion of its campus, including two specific building projects, one for student housing and one for a parking structure. It concluded that building out the master plan would result in significant effects on aesthetics, air quality, cultural resources, and traffic, notwithstanding implementation of all feasible mitigation. All other effects, including effects on public services, were found to be insignificant or fully mitigated. The EIR concluded that the increase in campus population would not result in a significant environmental effect regarding fire and emergency medical services provided by the city fire department. It explained that the increased population would call for the addition of 11 firefighters, roughly the equivalent of one fire company, in order to maintain an adequate service ratio of one staff person for 1,000 people and that the facilities to house the added staff would be achieved by adding a bay to an existing fire station or constructing a new fire station. Noting that

construction of such facilities would be subject to review under CEQA, the EIR concluded that since construction of such facilities would affect only a small area (an acre or less) in an urban location, it would not cause significant environmental effects. Based on this analysis, the EIR concluded that no mitigation regarding fire protection services was required.

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

The Court of Appeal reversed. With respect to the contention that the campus population increase would delay emergency response times and that would have real effects on the spread of fire and the safety of people and property, the Court responded: “While this may be true, the obligation to provide adequate fire and emergency medical services is the responsibility of the city [under the California Constitution.] The need for additional fire protection services is not an *environmental* impact that CEQA requires a project proponent to mitigate.” The Court noted that the EIR analyzes response times and their impact on public safety, “concludes that the project will cause response times to fall to an inadequate level and finds that 11 additional fire fighters will be required to maintain adequate service levels,” and “sets forth measures needed to provide adequate emergency services and concludes . . . that those measures will not have a significant effect on the environment.” In the Court’s view, that sufficed. It explained: “Although there is undoubtedly a cost involved in the provision of additional emergency services, there is no authority upholding the city’s view that CEQA shifts financial responsibility for the provision of adequate fire and emergency response services to the project sponsor. The city has a constitutional obligation to provide adequate fire protection services. Assuming the city continues to perform its obligations, there is no basis to conclude that the project will cause a substantial adverse effect on human beings.”

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

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

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

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

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

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law

enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1.7 law enforcement officials per 1,000 population.

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

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

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

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

Ambulance and paramedic service within the community is provided by Sierra Ambulance. Emergency medical care services are privately provided from commercial facilities in Oakhurst, and 12 hour emergency treatment is available at the medical clinic (an extension of Community Hospital in Fresno) at Highway 41 and Victoria Lane in Oakhurst.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION				
Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a - c) No Impact. In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

(d) Less than Significant Impact. The project site is located along Road 274 and would not result in impacts to emergency access. There is a 20 foot drivable access between existing buildings to allow for emergency access.

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

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

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

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

As 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.

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

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as

defined in Public Resources Code Section 5020.1(k), or

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

Responses:

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Responses:

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

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

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

General Discussion

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

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

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

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

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

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:

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

Responses:

(a, b, d) Less than Significant Impact. The potential for the project to result in wildland fires is not anticipated to be significant. The project site is located directly adjacent to Road 274 and has adequate access.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.)				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

CEQA defines three types of impacts or effects:

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

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

(b - c) No Impact. While there have been some minimal impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant. With appropriate mitigations, those impacts can be reduced to less than significant or not significant.

Bibliography

Madera County General Plan
 California Department of Finance
 California Department of Transportation (CALTRANS)
 California Integrated Waste Management Board
 California Environmental Quality Act Guidelines
 United States Environmental Protection Agency

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm accessed October 31, 2008

California Department of Fish and Game “California Natural Diversity Database”
<http://www.dfg.ca.gov/biogeodata/cnddb/>

Hamilton, Michael. June 19, 2018. RRM Design Group. Flood Analysis Memo.

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

Madera County Sheriff’s Department

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012

MND 2019-027

1

November 27, 2019

MITIGATED NEGATIVE DECLARATION

MND 2019-27

RE: Bass Lake Mini Storage, LLC – Conditional Use Permit #2019-026

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake. The project is a request for an amendment to Conditional Use Permit 1985-32 to include outdoor storage on an existing mini storage lot.

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: November 27, 2019

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2019-22

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	All exterior lighting shall be hooded and downwards, away from adjacent properties.		Madera County Planning Division	Madera County Planning Division				
	Use low-glare lighting to minimize nighttime glare effects on neighboring parcels.		Madera County Planning Division	Madera County Planning Division				
	Privacy slats along 530 linear foot of fence along Road 274 and 115 linear foot of fence along Judge Lane		Madera County Planning Division	Madera County Planning Division				
	Landscaping trees along exterior of fence around project site at corner intersection with Road 274 and along project site fence that faces Road 274 where native trees are not already established.		Madera County Planning Division	Madera County Planning Division				
Agricultural Resources								
Air Quality								
Biological Resources								
Cultural Resources								
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Recreation								
Transportation and Traffic								
Utilities and Service Systems								
Wildfire								
	A 20' drivable access around all structures and storage areas is required to allow for emergency access.							