

SECTION 1: INTRODUCTION

1.1 - Overview, Purpose, and Authority of the EIR

1.1.1 - Overview

This Draft Environmental Impact Report (Draft EIR) considers a project that includes a series of actions resulting in development of the 2,238-acre North Fork Village-1 (NFV-1) area of the Rio Mesa Area Plan (RMAP). Adopted by the Madera County Board of Supervisors in 1995, the RMAP provides for up to 35,000 dwelling units in an integrated and relatively self-contained community encompassing approximately 15,000 acres between State Route (SR) 41, SR-145, and the San Joaquin River. The RMAP is designed around a village layout in which three village cores provide the focus for higher density residential, commercial, and public uses. Lower density residential uses are generally situated along the river and northerly portions of the plan area.

Approval of the RMAP, together with a Program Environmental Impact Report, provided the framework for the orderly development of the plan area. Land use and circulation patterns, infrastructure systems, and public service provisions for this area were broadly defined, with refinement to occur through subsequent preparation of infrastructure plans and design guidelines for each village, or logical sub-area, as approved by the County. NFV-1 comprises a logical sub-area of the larger North Fork Village infrastructure master plan area of the RMAP. The NFV-1 Specific Plan incorporates the specific land use, infrastructure master planning and development design guidance required by the RMAP to enable development of this logical sub-area.

The NFV-1 Specific Plan site is situated in Madera County, approximately 1 mile northwest of the town of Friant, California. The property is bounded by the Sierra Nevada foothills to the north, Road 206 to the west and to the south, and Lake Millerton to the east. The specific plan includes the following land uses: 1,437 acres of residential (rural to high density), 172 acres of mixed-use and non-residential (commercial/office), and 629 acres in major open space, including open space-natural (589 acres), open space-preserve (28 acres) and open space-use (12 acres) areas. Based on the proposed densities, up to 2,966 dwelling units would be built.

Throughout this EIR document, summary acreage listings reference on either “Land Use” or “Zoning.” Planning summaries utilize “Land Use” values while engineering summaries utilize “Zoning.”

The NFV-1 Specific Plan Draft EIR is “tiered” from the previous RMAP Program EIR, as more fully described in 1.2.1, Relationship to Prior Program EIR, that follows.

1.1.2 - Purpose and Authority

This Draft EIR is prepared in order to evaluate the potential environmental impacts associated with the NFV-1 Project. The scope of this Draft EIR is discussed in Section 1.2, below. This document was prepared in conformance with the following:

- California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.);
- State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.); and
- County of Madera Local Guidelines for Implementing CEQA.

This Draft EIR is intended to serve as an informational document for applicable public agency decision-makers and the public regarding the objectives and components of the NFV-1 Project. The environmental impacts of the Project are analyzed to the degree of specificity appropriate to the proposed project, in accordance with § 15146 of the State CEQA Guidelines. This document will address the potentially significant adverse environmental impacts that may be associated with the short-term construction and long-term operation of the project, as well as identify appropriate and feasible mitigation measures and alternatives that may be necessary to significantly reduce or avoid these impacts.

1.1.3 - Lead Agency Determination

Section 15367 of the State CEQA Guidelines defines the Lead Agency as "... the public agency, which has the principal responsibility for carrying out or approving a project." Criteria considered in identifying the Lead Agency include whether the agency: 1) has the greatest responsibility for supervising or approving the project as a whole; 2) is an agency with the general governmental powers; and 3) will act first on the project in question (State CEQA Guidelines § 15051). As previously stated, the Lead Agency for this Draft EIR is the County of Madera. In this capacity, the County is responsible for review of the environmental documentation through certification of a Final EIR, and subsequent implementation of the proposed project.

In accordance with § 15091 of the State CEQA Guidelines, the Lead Agency would be required to make findings for each environmental impact of the project that cannot be mitigated below a level of significance, should the Lead Agency determine that the benefits of the proposed project outweigh unmitigated, significant environmental effects that would remain after project implementation. The County would be required to adopt a statement of overriding considerations, stating the reasons supporting this action, regardless of the project's significant environmental effects that would remain.

This Draft EIR reflects the independent judgment and analysis of the County as required by the State CEQA Guidelines. Lists of organizations and persons consulted and the report preparation personnel are provided in Sections 9 and 10 of this document, respectively.

Lead Agency contact information is as follows:

County of Madera
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637
Contact: Rayburn Beach, Planning Director
559.675.7821

1.1.4 - Project of Statewide, Regional, or Areawide Environmental Significance

Section 15206 of the State CEQA Guidelines lists the types of projects that are considered to be of Statewide, Regional, or Areawide Significance. When a project is so classified, the environmental documentation shall be distributed to applicable state agencies through the State Clearinghouse of the Governor's Office of Planning and Research, and should also be distributed to the metropolitan area council of governments that the project site is located in.

The NFV-1 Project meets the criteria of a project of Statewide, Regional, or Areawide Significance for the following reasons:

- Potential environmental effects could extend beyond the Madera County boundary;
- More than 500 dwelling units are proposed;
- More than 500,000 sq ft of mixed use/commercial space is proposed.

1.2 - Scope of the EIR

1.2.1 - Relationship to Prior Program EIR

The scope of this Draft EIR is derived in part on information contained in the RMAP Final EIR, issues identified by the County during the preparation of the NFV-1 Project Initial Study, written comments received from public agencies and the public in response to the Notice of Preparation (NOP), and a public scoping meeting. The NFV-1 Specific Plan Draft EIR has been "tiered" from the previous RMAP Program EIR, as more fully described below.

Tiering is defined by § 21068.5 of the Public Resources Code as follows:

Tiering means the coverage of general matters and environmental effects in an EIR prepared for a policy, plan, program or ordinance that are followed by narrower or site-specific EIRs. These narrower or site-specific EIRs incorporate by reference the discussion in any prior EIR and concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior EIR.

Section 1.0 of the RMAP Final EIR states that it was prepared as a program-level EIR with the intent that later environmental analysis of individual development projects within the RMAP would be tiered from this document. The RMAP Final EIR indicates that it was not intended to fully satisfy the environmental review requirements for development of individual logical sub-areas (or specific plans) within the RMAP. Infrastructure Master Plans or specific plans within logical sub-areas would

require subsequent, separate environmental documentation. Consistent with the purpose of a Program EIR, the RMAP Final EIR is intended be used to eliminate duplicative environmental review for issues that are found to be less than significant. Therefore, the conclusions and findings contained in the RMAP Final EIR will be used to provide a context for NFV-1 site-specific analysis. In addition, the broader, programmatic mitigation measures identified in the RMAP Final EIR which also apply to the Project, will be summarized in the mitigation measure sub-topic of each environmental issue in the EIR.

1.2.2 - Environmental Issues Evaluated in this EIR

The County of Madera previously determined that this EIR would fully evaluate the potential impacts of the proposed Specific Plan and NFV-1 Project, and would be comprehensive in nature, evaluating all subject issues from the CEQA Initial Study Checklist, as follows:

- Aesthetics
- 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 and Facilities
- Recreation
- Transportation and Traffic

The Draft EIR addresses the short- and long-term effects of the project on the environment. It also evaluates the potential for the project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the proposed project are evaluated that may reduce impacts that are determined to be significant in the EIR. Mitigation is proposed for those impacts that are determined to be significant after mitigation. A mitigation monitoring program will also be developed as required by § 15150 of the CEQA Guidelines.

1.3 - Organization of the EIR

The EIR is organized into the following main sections:

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| Section 1: Introduction | This section provides an overview and background information on the NFV-1 Project, identifies the Lead Agency, and describes the purpose and scope of the EIR. |
| Section 2: Executive Summary | This section includes a summary of the NFV-1 Project and summary of the alternatives to the proposed project addressed in the EIR. Also included are brief descriptions of the issues to be resolved, and |

to a table that summarizes the impacts, mitigation measures, and level of significance after mitigation.

- Section 3: Project Description** This section includes a detailed description of the proposed NFV-1 Project, including its location, technical, economic, and environmental characteristics. A discussion of the project objectives, Project Design Features, intended uses of the EIR, responsible agencies, and approvals that are anticipated under the NFV-1 Project is also provided.
- Section 4: General Description of Environmental Setting** This section includes an overview of the general setting of the environment in the vicinity of the project site and identifies the related projects used in the cumulative impact analysis.
- Section 5: Environmental Impact Analysis** The analysis of each environmental issue category, previously identified Section 1.2.2, Environmental Issues Evaluated in the EIR, is organized into the following sub-topics: Introduction, Existing Conditions, Thresholds of Significance, Project Impacts, Cumulative Impacts, Mitigation Measures, and Level of Significance after Mitigation. Each of these is briefly explained below.
- **Introduction** identifies the primary documents used in the preparation of the section and any other pertinent information.
 - **Existing Conditions** identifies and describes the physical environmental conditions that exist at the time of publication of the NOP, and which constitute the baseline physical conditions that assist in determining whether an impact is significant.
 - **Thresholds of Significance** identifies applicable thresholds from Appendix G of the State CEQA Guidelines or other published documentation that assists in a determination of whether an impact is significant. Unless specifically identified within each environmental issue section of this document, the thresholds of significance used are those contained in Appendix G of the State CEQA Guidelines.
 - **Project Impacts** describes environmental changes to the existing physical conditions that may occur if the proposed project is implemented, and evaluate these changes with respect to the thresholds of significance. In addition, various project design features in the specific plan that contribute to

reductions in significant environmental impacts are described in this sub-topic.

- **Cumulative Impacts** describes the potential changes in environmental conditions that result from the incremental impact of the proposed project added to other closely related past, present, and probable future projects. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over time.
- **Mitigation Measures** are those specific measures that may be required of the project by the Lead Agency in order to: 1) avoid an impact; 2) minimize an impact; 3) rectify an impact by restoration; 4) reduce or eliminate an impact over time by preservation and maintenance operations; or 5) compensate for the impact by replacing or providing substitute resources.
- **Level of Significance after Mitigation** describes the level of impact significance remaining after mitigation measures have been implemented.

Section 6: Significant Unavoidable Adverse Impacts

This section identifies any significant unavoidable adverse impacts that would remain after implementation of the proposed project.

Section 7: Other Long-Term Implications

This section identifies growth-inducing impacts, irreversible and irretrievable commitment to resources.

Section 8: Alternatives to the Proposed Project

This section compares the impacts of the proposed NFV-1 Project with several alternatives, including the mandated No Project Alternative. In addition, this section identifies alternatives that were eliminated from consideration by the County. Among these alternatives, an environmentally superior alternative is identified.

Section 9: Organizations and Persons Consulted

This section lists the various organizations and persons consulted during the preparation of the EIR.

Section 10: Report Preparation Personnel

This section lists the various individuals who contributed to the preparation of the EIR.

Section 11: References

This section lists the references cited in the body of the EIR.

1.4 - Documents Incorporated by Reference

The Draft EIR uses information from various documents (reports, technical studies, etc.) that were not prepared specifically for the NFV-1 Project, but that provide relevant information in describing environmental conditions and analyzing the potential environmental effects of the proposed project. As allowed by § 15150 of the State CEQA Guidelines, all or portions of another document may be incorporated by reference into an EIR without the requirement of reproducing the entire source document into an EIR. Information taken from these documents would be identified in the relevant environmental impact analysis sections of the EIR. These documents are also listed in Section 11, References, of this EIR. As required by § 15150(b) of the State CEQA Guidelines, the documents that are incorporated by reference are available for public inspection at the address of the Lead Agency identified in Section 1.6, Lead Agency, Sponsor, and Consultant Contact Persons. For purposes of clarification, documents identified as incorporated by reference are separate from the technical studies prepared specifically for the NFV-1 Project. The technical studies prepared specifically for the NFV-1 Project are identified in Section 1.5, Documents Prepared for the North Fork Village-1 Project, below.

The following County documents are hereby incorporated by reference and briefly summarized:

- **Final Rio Mesa Area Plan; County of Madera; prepared by The Keith Companies; March 21, 1995.** This plan gives overall definition and guidelines for development of the 15,000-acre plan area, while facilitating preparation of developer-initiated specific plans, subdivision maps, and other entitlement requests. The text and maps within the Area Plan augment those contained within the Madera County General Plan. The basic concept of the RMAP is a multi-nucleus or multiple village plan establishing focal points for activity and land use intensification. Village Cores or centers provide the focus for higher density residential, commercial, employment, and public land uses. Lower density residential uses are generally situated along the San Joaquin River and northerly portions of the plan. Open space and agricultural land uses occur in the northwesterly corner and in the riparian corridor along the river. The NFV-1 Specific Plan comprises a portion of the North Fork Village Core area identified in the RMAP.
- **Final Environmental Impact Report, Rio Mesa Area Plan; prepared by The Keith Companies; January 17, 1995.** Prepared as a Program EIR to support adoption of the RMAP, this document evaluated broad policy and land use alternatives, and program-wide mitigation measures for development of the 15,000-acre plan area. The EIR was intended to be used in a “tiered” manner to provide the framework for more detailed analysis of development of logical sub-areas with subsequent project-specific EIRs.
- **Madera County General Plan Update.** The Madera County General Plan was adopted on October 24, 1995 by Board of Supervisors Resolution No. 95-256, and recognizes the RMAP as a component of the General Plan. While the RMAP provides for detailed policy, standards

and guidance for entitlements within its planning boundaries, the County General Plan is the underlying policy document for approvals sought within the RMAP. The Madera County General Plan describes the Rio Mesa area as a “new growth area.” Development of new growth areas is guided by the required Area Plan.

1.5 - Documents Prepared for the North Fork Village-1 Project

Each of the following technical studies prepared specifically for the NFV-1 Project are contained in the Technical Appendices of the EIR:

- Biological Evaluation Report, NFV-1 Rio Mesa, Madera County, CA. Live Oak Associates, Inc. October 3, 2005. Appendix C.
- Delineated Waters of the U.S., NFV-1 Rio Mesa, Madera County, CA. Live Oak Associates, Inc. (2006). Appendix C.
- Cultural Survey for the Proposed Friant Development Project, Madera County, CA. Sierra Valley Cultural Planning. February 2, 2005. Appendix D.
- Preliminary Geotechnical Feasibility Investigation-Proposed North Fork Village, Madera, CA. Technicon Engineering Services, Inc. March 18, 2005. Appendix E.
- Revised Phase I Environmental Site Assessment-2,000 Acre Proposed Development, Millerton Lake, Madera County, CA; Krazan & Associates, Inc. September 2003. Appendix E.
- Hydrogeologic Analysis, North Fork Village-North Project. Melvin Simons Assoc. Revised May 2006. Appendix F.
- North Fork Village - North, Report of Waste Discharge. Boyle Engineering. 2005. Appendix F.
- Administrative Draft Traffic Impact Study Proposed NFV-1 Specific Plan, Madera County, CA, Peters Engineering Group. Revised November 2, 2006. Appendix I.
- Documentation of Rio Mesa Cumulative Land Use and Travel Forecasts. Korve Engineering and Ennis Consulting. October 6, 2006. Appendix I.

1.6 - Lead Agency, Sponsor, and Consultant Contact Persons

The County is the Lead Agency in the review and certification of the EIR. The project sponsor is Friant Development Corporation. Michael Brandman Associates is the environmental consultant under contract to the County for the preparation of this Draft EIR and the Final EIR.

Preparers of this Draft EIR are identified in Section 10 of this document. Key contact persons are:

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1.7 - Review of the Draft EIR

This Draft EIR has been distributed to public agencies, other jurisdictions, members of the public, and parties who have submitted a written request for a copy of the Draft EIR. The Notice of Completion (NOC) of the Draft EIR has also been distributed as required by the State CEQA Guidelines. During the 45-day public review period, the Draft EIR, which includes the technical appendices, is available for public review at the County Planning Department at the address shown below during regular business hours.

Written comments on the Draft EIR must be addressed to:

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