



1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE EIR

Madera County is the Lead Agency under the California Environmental Quality Act (CEQA), and is responsible for preparing an Environmental Impact Report (EIR) for the Sierra Meadows Estates Subdivision (S2001-03) (State Clearinghouse No. 2002061001). This EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), California CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the rules, regulations, and procedures for implementation of CEQA, as adopted by Madera County. The principal CEQA Guidelines sections governing content of this document are Sections 15120 through 15132 (Content of an EIR), and Section 15161 (Project EIR).

The purpose of this Draft EIR is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to reduce potentially significant effects. The proposed Project takes into account the entire 487-acre property, as well as adjacent land to be utilized for water storage facilities. The Project consists of a 315 single-family residential lot subdivision with lots varying in size from approximately 7,000 square feet (sf.) to more than six (6) acres. The Project would include a water reservoir facility that would have a capacity of 210 acre-feet, which would supplement the existing 93 acre-feet of water storage in three existing ponds, in order to store a total of approximately 309 acre-feet of water. Additional project features include onsite water and wastewater treatment plants. Proposed entitlements include a General Plan Amendment, Rezoning and expansion of the existing Maintenance District No. 46 facilities (for more detailed information regarding the proposed Project, refer to Section 3.0, *Project Description*).

The EIR has been prepared as a Project EIR, addressing the environmental effects of the Project. In accordance with Section 15121 of CEQA, a primary purpose of this EIR is to provide decision makers and the public with specific information regarding the environmental effects associated with the proposed Project, identify ways to minimize the significant effects of the Project and describe reasonable alternatives to the Project. Mitigation measures are provided, which may be adopted as Conditions of Approval in order to reduce the significance of impacts resulting from the Project. In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the proposed Project.

Madera County, which has the principal responsibility of processing and approving the Project, and other public agencies (i.e., responsible and trustee agencies, refer to Section 1.5 of this EIR) that may use this EIR in the decision making or permit process will consider the information in this EIR, along with other information that may be presented during the CEQA process. Environmental impacts are not always mitigatable to a level considered less than significant; in those cases, impacts are considered unavoidable significant impacts. In accordance with Section 15093(b) of the State CEQA Guidelines, if a public agency approves a project that has significant impacts that are not avoided or substantially lessened (i.e., unavoidable significant impacts), the agency shall state in writing the specific reasons for approving the



project, based on the Final EIR and any other information in the public record for the project. This is termed, per Section 15093 of the State CEQA Guidelines, a “statement of overriding considerations.”

This document analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the State CEQA Guidelines. The analysis considers the activities associated with the Project to determine the short-term and long-term effects associated with their implementation. This EIR discusses both the direct and indirect impacts of this Project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects. CEQA requires the preparation of an objective, full disclosure document to inform agency decision makers and the general public of the direct and indirect environmental effects of the proposed action; provide mitigation measures to avoid or substantially lessen the significant effects; and identify and evaluate reasonable alternatives that could avoid or substantially lessen one or more of such effects.

1.2 COMPLIANCE WITH CEQA

The Draft EIR is subject to a 45-day review period by responsible and trustee agencies and interested parties. In accordance with the provisions of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, as amended, Madera County, serving as the Lead Agency, will: 1) publish a notice of availability of a Draft EIR in the Sierra Star, the paper of general circulation for the Oakhurst/Ahwahnee area; and, 2) prepare and transmit a Notice of Completion (NOC) to the State Clearinghouse. (Proof of publication is available at the offices of the Lead Agency.) A copy of the NOC is provided in Appendix 15.1.

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing to the lead agency at the address indicated on the document’s NOC prior to the end of the public review period. During the public review period, Madera County will hold a public hearing regarding the Draft EIR. The public will be afforded the opportunity to orally comment on the Draft EIR at the public hearing. Such comments are recorded and have the same standing and response requirements as written comments provided during the public review period. Upon the close of the public review period, the Lead Agency will then proceed to evaluate and prepare responses to all oral and written comments received from both citizens and public agencies during the public review period.

The Final EIR will consist of the Draft EIR, and revisions to the Draft EIR and responses to comments addressing concerns raised by responsible agencies or reviewing parties submitted during the public review period. After the Final EIR is completed and at least 10 days prior to its certification, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the respective agency.



1.3 EIR SCOPING PROCESS

In compliance with the State CEQA Guidelines, Madera County has taken steps to maximize opportunities to participate in the environmental process. During the preparation of the Draft EIR, efforts were made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments and to inform the public of the proposed Project. This included the distribution of a Notice of Preparation (NOP).

NOTICE OF PREPARATION

Pursuant to the provision of Section 15082 of the State CEQA Guidelines, as amended, Madera County circulated a NOP to public agencies, special districts, members of the public and others requesting such notice for a 30-day period commencing June 3, 2002 and ending July 2, 2002. The purpose of the NOP was to formally convey that the County is preparing a Draft EIR for the Sierra Meadows Estates Subdivision Project, and that the County, as Lead Agency, was soliciting input regarding the scope and content of the environmental information to be included in the EIR. The NOP and comments received in response to the NOP are provided in Appendix 15.1 and Appendix 15.2 of this EIR.

NOP COMMENTS

The following specific areas of environmental concerns were raised by responses to the NOP for the Project (the numerical reference in parenthesis is the EIR Section in which the analysis is provided). The NOP responses and comments provided by County departments with regard to the project application are contained in Appendix 15.2.

- Roadway Design Standards (refer to Section 5.3, *Traffic and Circulation*);
- Requirements and conditions to comply with Madera County Fire Department standards which include fire flow, hydrants, water storage, brush clearance and access (refer to Sections 5.10, *Public Services and Utilities*);
- Water quality, quantity and long-term sustainability (refer to Section 5.9, *Hydrology and Drainage*, and Section 5.10, *Public Services and Utilities*);
- Impacts to air quality, including air pollution from construction, increased traffic and implementation of Project (Refer to Section 5.4, *Air Quality*);
- Disposal of effluent and proposed sewer treatment system (refer to Section 5.10, *Public Services and Utilities*);
- Effects to biological habitat and species (refer to Section 5.6, *Biological Resources*);



- Potential traffic and circulation affects which require review in accordance with the Regional Transportation Model (refer to Section 5.3, *Traffic and Circulation*);
- Analysis for the possible extension of Miami Highlands Drive as part of a subdivision of the Miami Creek Estates (refer to Section 5.3, *Traffic and Circulation*);
- Effects to State Highway facilities (Refer to Section 5.3, *Traffic and Circulation*); and
- Analysis of potential design configurations for Opah Drive (refer to Section 5.3, *Traffic and Circulation*).

The EIR focuses primarily on changes in the environment that would result from the proposed Project. The EIR identifies potential impacts resulting from the construction and operation of the proposed Project and provides measures to mitigate potential significant impacts. Those impacts which cannot be mitigated to levels less than significant are also identified. This EIR addresses impacts in the following areas:

- Land Use and Relevant Planning;
- Aesthetics/Light and Glare;
- Traffic and Circulation;
- Air Quality;
- Noise;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Drainage; and
- Public Services and Utilities.

1.4 FORMAT OF THE EIR

The Draft EIR is organized into 15 sections. Section 1.0, *Introduction and Purpose*, provides CEQA compliance information. Section 2.0, *Executive Summary*, provides a brief project description and summary of the environmental impacts and mitigation measures. Section 3.0, *Project Description*, provides a detailed project description indicating Project location, background and history, and Project characteristics, phasing and objectives, as well as associated discretionary actions required. Section 4.0, *Basis for the Cumulative Analysis*, describes the approach and methodology for the cumulative analysis. Section 5.0, *Description of Environmental Setting, Impacts and Mitigation Measures*, contains a detailed environmental analysis of the existing conditions, Project impacts, recommended mitigation measures and unavoidable significant impacts. The analysis of each environmental category in this Section is organized as follows:



- “Existing Conditions” describes the physical conditions that exist at the time the notice of preparation was published and which may influence or affect the issue under investigation;
- “Significance Criteria” provides the thresholds which are the basis for conclusions of significance. The primary resource for the criteria is Appendix G of the State CEQA Guidelines (California Code of Regulations, Sections 15000-15387);
- “Project Impacts” describes potential environmental changes to the existing physical conditions which may occur if the proposed Project is implemented;
- “Cumulative Impacts” describes potential environmental changes to the existing physical conditions that may occur if the proposed Project is implemented together with all other past, present, and reasonably foreseeable probable future projects producing related or cumulative impacts;
- “Mitigation Measures” are those specific measures that may be required of the Project in order to avoid a significant impact; minimize a significant impact; rectify a significant impact by restoration; reduce or eliminate a significant impact over time by preservation and maintenance operations; or compensate for the impact by replacing or providing substitute resources or environment; and
- “Level of Significance After Mitigation” discusses whether the Project’s impacts and the Project’s contribution to cumulative impacts can be reduced to levels that are considered less than significant.

Section 6.0, *Long-Term Implications of the Proposed Project*, discusses significant environmental changes that would be involved in the proposed action, should it be implemented, and discusses growth inducing impacts of the proposed Project. Section 7.0, *Alternatives to the Proposed Project*, describes a reasonable range of alternatives to the Project or to the location of the Project that could avoid or substantially lessen the significant impacts of the Project and still feasibly attain the basic Project objectives. Section 8.0, *Inventory of Mitigation Measures*, lists mitigation measures proposed to avoid or substantially lessen the significant impacts. Section 9.0, *Inventory of Significance After Mitigation*, describes those impacts which remain significant following mitigation. Section 10.0, *Effects Found Not to Be Significant*, provides an explanation of potential impacts which have been determined not to be significant. Section 11.0, *Organizations and Persons Consulted*, identifies all Federal, State or local agencies, other organizations and individuals consulted. Section 12.0, *Bibliography*, identifies reference sources for the EIR. Section 13.0, *Mitigation Monitoring Program*, identifies responsibilities for monitoring mitigation. Section 14.0, *Comments and Responses*, will be included in the Final EIR and will provide comments and responses pertaining to the Draft EIR. Section 15.0, *Appendices*, contains technical documentation for the Project.



1.5 RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as *Responsible Agencies* and/or *Trustee Agencies*. Pursuant to Sections 15381 and 15386 of the State CEQA Guidelines, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

“Responsible Agency” means a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “Responsible Agency” includes all public agencies other than the Lead Agency which have discretionary approval power over the project.” (*Section 15381*)

“Trustee Agency” means a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies include....” (*Section 15386, part*)

Responsible and Trustee Agencies and other entities which may use this EIR in their decision-making process or for informational purposes include, but may not be limited to, the following:

- Bass Lake Joint Union Elementary School District
- California Air Resources Board
- California Department of Fish and Game
- California Department of Forestry and Fire Protection
- California Department of Parks and Recreation
- California Department of Transportation
- California Department of Water Resources, Division of Safety of Dams
- California Regional Water Quality Control Board
- Emadco Disposal Service
- Federal Emergency Management Agency
- Madera County Engineering Department: Maintenance District 46
- Madera County Fire Department
- Madera County Sheriff’s Department
- Madera County Resource Management Agency: Road Department
- Oakhurst Park Committee
- Pacific Gas and Electric Company
- San Joaquin Valley Air Pollution Control District
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- Yosemite Joint Union High School District



1.6 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with Section 15148 of the CEQA Guidelines, which encourages incorporation by reference as a means of reducing redundancy and length of environmental reports. The following documents, which are available for public review at Madera County, are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized in the preparation of this EIR. A brief synopsis of the scope and content of these documents is provided below:

- Ahwahnee/Nipinnawasee Area Plan (Adopted October 19, 1999). The Ahwahnee/Nipinnawasee area is located in the eastern unincorporated area of Madera County at the border with Mariposa County. The area transitions between rolling foothills and the high mountain ranges of the Sierra Nevada Mountains. State Routes 41/49 and County Road 600 provide the primary access to the area.

In 1969, The Board of Supervisors adopted the original area plans, as part of the County's General Plan, for the communities of Oakhurst, Ahwahnee, and Yosemite Forks. It consisted of an area map showing desired land use patterns for future development and a text explaining and defining land use designations on the map.

In 1995, the County General Plan went through a major revision and update. Since that time and due to the different nature of growth, character, and issues between Oakhurst and Ahwahnee, the Ahwahnee/Nipinnawasee community has diligently worked on development of a separate plan. Responding to this need, the Board of Supervisors directed the Planning Department, in March 1998, to work with the Ahwahnee Community Council to complete the process.

The Ahwahnee/Nipinnawasee Area Plan is intended to refine the goals and policies of the 1995 Madera County General Plan and provide more detailed guidance for future growth and development in the Ahwahnee/Nipinnawasee community of Eastern Madera County.

The Area Plan updates a 1980 study, which remained a part of the 1995 General Plan until superseded by the Area Plan. The Plan incorporates all state required General Plan elements by reference to county-wide documents and by specific sections of the Plan Summary regarding:

- Land Use and Housing;
- Circulation/Transportation and Noise;
- Public Facilities, Utilities, and Safety/Services;
- Open Space/Agriculture and Natural Resources; and
- Implementation Programs.

The Area Plan utilizes both the 1980 Oakhurst-Ahwahnee Growth Management Plan objectives and the 1995 Madera County General Plan



policies as a foundation or frame work on which to build more specific community development proposals for future growth in this area.

- Oakhurst-Ahwahnee Area Plan General Growth Management Plan (Adopted May 27, 1980). Similar to the Ahwahnee/Nipinnawasee Area Plan, this document resulted from recommendations for the revision of the original Small Area Plans for the communities of Oakhurst, Ahwahnee and Yosemite Forks; and for the surrounding areas which are considered to be linked to these communities through established and apparent trends of residential and commercial development. The basic purpose and intent of this document is, first, to determine the “willed character” of the communities, as was suggested in the original Small Area Plans. Second, this document assesses the rate and nature of the growth in this area; and evaluates its effect on the overall quality of life and services that are available there. Finally, this document recommends growth management plans and policies which could be followed by the local government, which would guide future community development in directions which are desirable to the area’s residents.
- Shadow Ridge Estates Environmental Impact Report (June 1980). The Shadow Ridge EIR was prepared to assess the possible environmental impacts for a proposed project located between the communities of Oakhurst and Ahwahnee in the northeastern portion of Madera County. The project area encompasses a portion of the proposed Sierra Meadows Project Estates Area. The Shadow Ridge Estates project area consists of approximately 1,660 acres and is to be developed with 693 residential lots. Development of the project includes paved access roads, a golf course and clubhouse, a community water system with water supplied from surface water of Miami Creek, and a commercial area for use by the residents. The EIR analyzed impacts to geology and soils, hydrology and water quality, biological resources, air quality, land use, population, public services, transportation and circulation, noise, aesthetics, cultural resources and energy. The Madera County Planning Commission certified the Shadow Ridge Estates Final EIR in October of 1980.
- Madera County General Plan. The General Plan consists of two documents: the *General Plan Background Report* and the *General Plan Policy Document*.

General Plan Background Report (Adopted October 24, 1995): The Background Report inventories and analyzes existing conditions and trends in Madera County. It also provides the formal supporting documentation for general plan policies and addresses the following eight subject areas:

- Land Use;
- Population and Employment;
- Transportation and Circulation;
- Public Facilities and Services;
- Recreational and Cultural Resources;
- Agricultural and Natural Resources;



- Safety; and
- Noise.

General Plan Policy Document (Adopted October 24, 1995): The Policy Document includes the goals, policies, standards, implementation programs, land use diagram, and circulation plan diagram that constitute Madera County's formal policies for land use, development and environmental quality. The Policy Document is divided into two parts. Part I describes the Land Use Diagram and the designations appearing on the diagram, as well as describing the Circulation Plan Diagram and the standards for the roadway classification system appearing on the diagram. Part II contains explicit statements of goals, policies, standards and implementation programs. The Policy Document is divided into the eight sections that roughly correspond to the organization of issues addressed in the *Background Report*.

- Madera County General Plan Environmental Impact Report (Adopted October 24, 1995). This EIR estimates the amount of development under the General Plan that could be expected by 2010 and reaches conclusions regarding the severity of impacts based on these estimates. In some cases, especially where natural resources will be converted, the possible effects of development beyond 2010 are also discussed, but no conclusions concerning the significance of these impacts are reached, as such conclusions are deemed too speculative for purposes of this EIR given the uncertainty about long-term growth trends (beyond 2010) and future technological advances. This EIR focuses primarily on the cumulative impacts of development under the General Plan through 2010. Therefore, the EIR is less detailed than an EIR on a specific development Project. Future development projects are required to conduct environmental analysis and analyze site-specific impacts independent of the General Plan EIR.

Buildout of the General Plan would result in the following issue areas having "significant impacts" after full implementation of General Plan policies and programs and mitigation measures:

- Land Use;
- Population;
- Streets and Highways;
- Schools;
- Vegetation and Wildlife Resources (Biological Resources); and
- Air Quality.

Buildout of the General Plan would result in the following issue areas having "potentially significant impacts" after full implementation of General Plan policies and programs and mitigation measures:

- Water Supply, Treatment and Delivery;
- Cultural Resources;
- Water Resources;
- Wildland and Urban Fire Potential; and
- Noise.



Buildout of the General Plan would result in the following issue areas having “less than significant impacts” after full implementation of General Plan polices and programs and mitigation measures:

- Housing;
 - Public Transportation;
 - Non-Motorized Transportation;
 - Air Transportation;
 - Wastewater Treatment and Disposal;
 - Drainage and Flood Control;
 - Solid Waste Management;
 - Law Enforcement;
 - Fire Protection;
 - Utilities;
 - Recreational Resources;
 - Forest Resources;
 - Seismic and Geologic Hazards;
 - Flooding and Dam Failure Inundation; and
 - Hazardous Materials.
- Madera County Zoning Ordinance. The Madera County Zoning Ordinance is a section of the Madera County Code that, along with the Zoning Maps, govern development appropriate in Madera County. The Madera County Zoning Maps are an integral part of determining the regulations that apply to each specific property.
 - Madera County Municipal Code. The Madera County Municipal Code is the codification of all ordinances (that amend the Code) adopted by the Madera County Council and/or the voters of Madera County.