



Community and Economic Development Planning Division

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PLANNING COMMISSION DATE: February 1, 2022

AGENDA ITEM: #1

CUP	2021-024	Conditional Use Permit to allow for an event venue and outdoor pavilion area
APN	#049-021-026	Applicant/Owner: Perez, Daniel & Lara
CEQA	MND #2021-26	Mitigated Negative Declaration

REQUEST:

The applicant is requesting a Conditional Use Permit to allow an event center that includes a 3,918 square foot multipurpose barn style building, an outdoor pavilion area with arch and 94 parking stalls.

LOCATION:

The subject property is located on the on the south side of Avenue 14 approximately 0.35 mile east of Road 39 1/2 (no situs) Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2021-26) (Exhibit M) has been prepared and is subject to approval by the Commission.



RECOMMENDATION: Approval of Conditional Use Permit #2021-024, Findings of Fact, Mitigated Negative Declaration #2021-26 and associated Mitigation Monitoring Program.

AREA PLAN DESIGNATION

SITE: None

SURROUNDING: None

ZONING (Exhibit B):

SITE: ARE-40 (Agriculture Rural Exclusive 40-Acre) District

SURROUNDING: ARE-40 (Agriculture Rural Exclusive 40-Acre) District

LAND USE:

SITE: Vacant

SURROUNDING: Agricultural

SIZE OF PROPERTY: 39.4 Acres

ACCESS: Access to the site is via Avenue 14

BACKGROUND AND PRIOR ACTIONS:

The project is located on vacant, fallow agricultural land.

PROJECT DESCRIPTION:

This is a request for a Conditional Use Permit to allow an event center that includes a 3,918 square foot multipurpose barn style building, an outdoor pavilion area with arch and 94 parking stalls.

The multi-purpose building and outdoor pavilion will be used for weddings and events. Events are defined as birthday parties, graduations parties, engagement parties, baby showers, corporate functions/retreats, and the like. Based on the operational statement, the weddings and events will be held mainly on Fridays, Saturdays, and Sundays with the hours of operation from 9:00am to 11:00pm, with hours varying depending on client needs and/or season. Weddings typically occur one hour before sunset. Events will conclude by 10:00pm and customers will be given till 11:00pm for cleanup. Events occurring on Fridays, Saturdays and Sundays will have a maximum of 210 attendees, this includes staff and vendors.

The facility will include 94 paved parking stalls with an overflow parking area. The project will include a sign placed near the entrance to the parcel. The site will include fencing around the project area perimeter.

Two to five employees will be onsite during events and on weekdays. The operational hours during the weekdays will be 9:00 am to 5:00 pm with weekend hours from 9:00am to 11:00pm with events concluding at 10:00pm and the last hour

of operation for cleanup. The project will have a designated area reserved for service and delivery vehicles.

The project site will include grading for the building area and parking, with minor grading for walkways. The project will include landscaping with drought tolerant trees and shrubs.

ORDINANCES/POLICIES:

Chapter 18.58 of the Madera County Zoning Ordinance outlines the permitted uses within the ARE-40 (Agricultural Rural Exclusive) District.

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

Chapter 18.102 of the Madera County Zoning Ordinance outlines the parking standards.

Part 1 of the Madera County General Plan outlines the AE (Agricultural Exclusive) designation.

ANALYSIS:

This is a request for a Conditional Use Permit to allow an event center that includes a 3,918 square foot multipurpose barn style building, and an outdoor pavilion area with arch and 94 parking stalls. The event center will host weddings, birthday parties, anniversary events, corporate functions, and similar type events. The project area will be located on approximately 4.5 acres of a 39.4-acre parcel. The applicant will be building their home on the parcel in the future and will live onsite.

Weddings and events will be held mainly on Fridays, Saturdays and Sundays with from 9:00am to 11:00pm with hours varying depending on customers' needs and/or season. Events will conclude by 10:00pm and customers will be given till 11:00pm for clean-up. Weddings will generally start one hour before sunset. All events will be limited to 210 guests, including staff and vendors. The operational hours during the weekdays are 9:00 am to 5:00 pm and will mainly be for tours and booking of the facilities.

The project site is vacant, fallow agriculture land with a flat topography. The project applicant is required to submit a grading, drainage, and erosion control plan to the Public Works department for review at the time of application for building permits.

The project site is not located within a designated Natural Resource Area and does not encompass any Key (rare) Vegetative Habitat, Key Wildlife Habitat, or Significant Wildlife Habitat. The project will include landscaping with drought tolerant trees and shrubs (Exhibit D-4).

With this Project, there will be nighttime lighting involved. Lighting will be

constructed in the parking areas and utilized during nighttime events. Mitigation will be associated to any new lighting on the site to hood and direct light away from adjacent properties to help with nighttime views and light.

The applicant has indicated that they will be placing a sign at the entrance to the site. The sign will include wood, metal, and brick materials. This sign will be regulated under the Madera County Sign Ordinance. A perimeter fence and a gate at the main entrance to the facility are planned. The surrounding parcels are all zoned for agricultural uses.

The proposed Project will include events and operate year-round. This has the potential to increase the ambient noise in the immediate area. The surrounding areas of the project site are agriculturally oriented with the average parcel size of 40 acres. Conditions have been placed for the applicant to adhere the stated time of operations of 9:00 am to 11:00pm with events concluding by 10:00 pm. Generally, events will occur on Friday, Saturdays, and Sundays. Weekday customers will mostly be for tour and booking of the facility. The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance.

A wedding is a single event that occurs at a pre-established time. For this project having a capacity of 210 people including staff and vendors. Most of the guests travel together as couples, families, or groups of friends, and arrive within a one-hour period before the ceremony. The project includes 94 paved parking spaces and an overflow onsite parking area. Conditions have been placed on the project that includes no offsite parking and any overflow parking must be located onsite in an area with a dust palliative if surface is not paved.

Access to the facility will be via Avenue 14. The driveway provides access to the main parking lot, office building, multi-function building, overflow parking area, and outdoor pavilion. The applicant is conditioned to convey by offer of dedication in fee, a 10-ft wide strip of real property along the entire frontage of the project site to satisfy the requirements for designated roadway right of way classification. Additionally, the applicant is conditioned to widen the northern westbound shoulder on Avenue 14 to allow main traffic to safely maneuver around vehicles waiting to turn onto the project site and to widen the eastbound shoulder to provide adequate storage for the event traffic to diverge off the main eastbound travel lane.

Approximately 400 gallons of water will be used per day at peak summer usage, and approximately 300 gallons of wastewater per day will be generated. Trash will be collected via dumpsters and will be serviced weekly. Water will be supplied via an on-site well.

The General Plan designation of AE (Agricultural Exclusive). This designation provides for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally

oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi-public uses, and similar and compatible uses. The ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) zone district requires a Conditional Use Permit (CUP) for private clubs and outdoor recreational facilities. The proposed project is consistent with the zone district and the general plan designation. An outdoor event center is considered a recreational use which is allowed by a conditional use permit in this zone district.

The project was circulated to County Departments and outside regulatory agencies for comments and conditions. This included the San Joaquin Valley Air Pollution Control District, Regional Water Quality Control, Department of Fish and Wildlife, State Regional Water Quality Control, the Chowchilla Yokuts Tribe, Picayune Rancheria of Chukchansi, Table Mountain Rancheria, the Duma Tribe, and Sheriff's Department. Internal comments were received from Fire, Public Works, and Environmental Health. No comments were received from outside agencies. Two letters of support were received from the public.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,598.00 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,548.00 Department of Fish and Wildlife fee that took effect January 1, 2022, 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 Board of Supervisors.

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 in light of the proposed conditions of approval.

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.* The ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) zone district requires a Conditional Use Permit (CUP) for private clubs and outdoor recreational facilities. The General Plan designation of AE (Agricultural Exclusive) allows for recreational uses, public and quasi-public uses, and similar and compatible uses. The proposed project is consistent with the zone district and the general plan designation. An outdoor event center is considered a recreational use which is allowed with an approved conditional use permit in this zone district.
2. *The proposed project is not contrary to the public health, safety, or general*

welfare. The overall design of the project will not impinge on the health, safety, or welfare of the public or its' users. Adherence to the conditions of approval will ensure the safety, health and welfare of the area residents as well as users of the facility.

3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors.* The project must adhere to the conditions of approval as well as mitigation measures. By its' nature, the project will not generate hazardous, harmful, noxious or offensive odors. While the type of operation may generate some noise, with mitigations it is anticipated to be less than significant of an impact.
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.* The project as designed will not have an adverse effect upon the property values and general desirability of the surrounding properties. The barn style structure is consistent with the surrounding land uses. The landscaping and general design of the project will blend with the area's aesthetics.

WILLIAMSON ACT:

The property is not subject to a Williamson Act Contract.

GENERAL PLAN CONSISTENCY:

The General Plan designation of the project is AE (Agricultural Exclusive). This designation provides for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi-public uses, and similar and compatible uses. The ARE-40 (Agricultural, Rural, Exclusive, 40-Acre) zone district requires an approved Conditional Use Permit (CUP) for private clubs and outdoor recreational facilities. An outdoor event center is considered a recreational use which is allowed by a conditional use permit in this zone district. The proposed project is consistent with the zone district and the general plan designation.

RECOMMENDATION:

The analysis provided in this report supports approval of the CUP #2021-024, Findings of Fact, Mitigated Negative Declaration (MND #2021-26) and Mitigation Monitoring Plan.

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 D-1, Floor Plan
6. Exhibit D-2, Elevation Plan
7. Exhibit D-3, Renderings
8. Exhibit D-4, Landscape Plan
9. Exhibit D-5, Pergola Plan
10. Exhibit E, Aerial Map
11. Exhibit F, Topographical Map
12. Exhibit G, Operational Statement
13. Exhibit H, Environmental Health Comments
14. Exhibit I, Fire Marshall's Comments
15. Exhibit J, Public Works Comments
16. Exhibit K, Public Comments
17. Exhibit L, Initial Study
18. Exhibit M, Mitigated Negative Declaration (MND #2021-26)

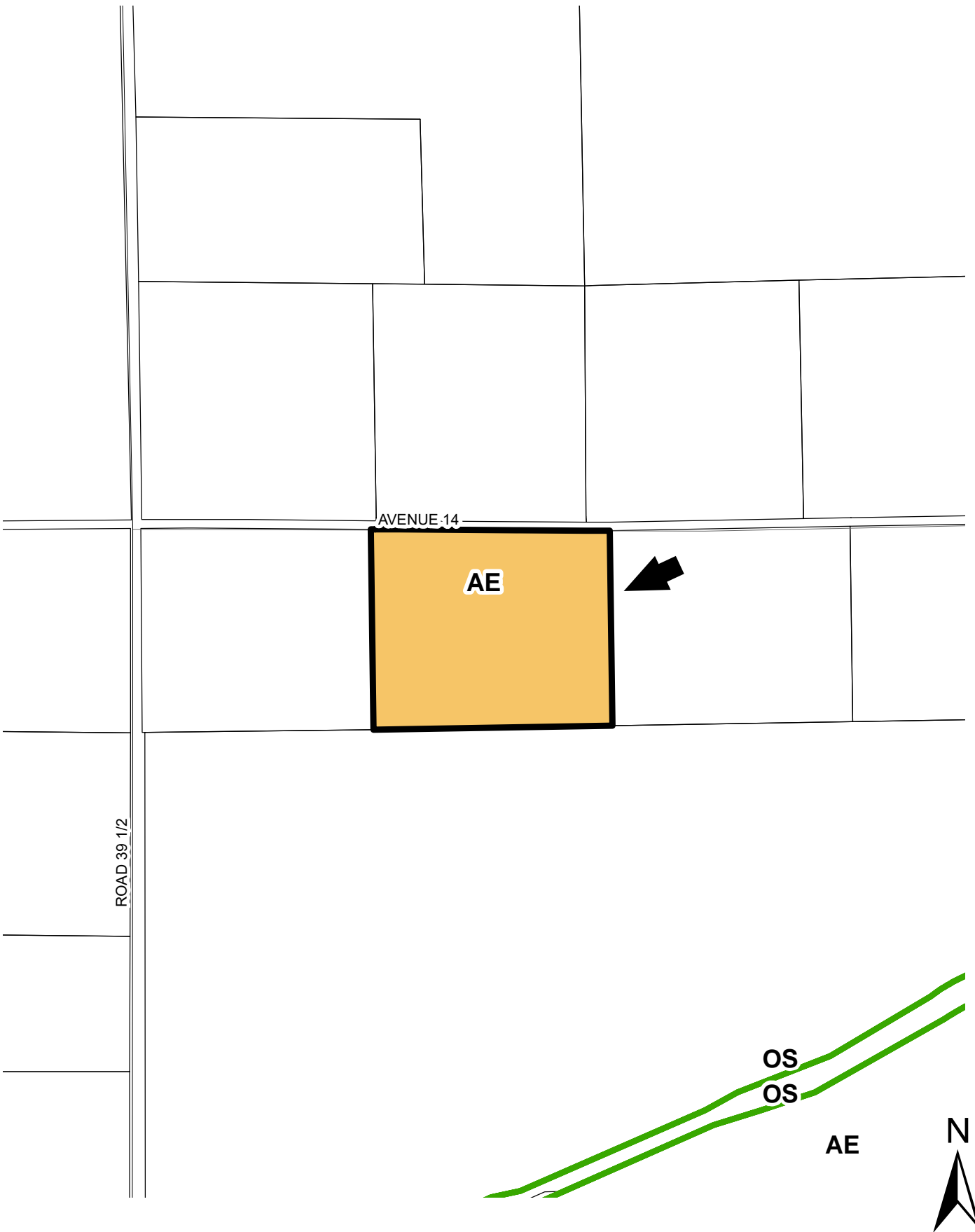
CONDITIONS OF APPROVAL

PROJECT NAME:	CUPJ 2021-024 Perez, Lara & Daniel		
PROJECT LOCATION:	on the south side of Avenue 14 approximately 0.35 mile east of Road 39 1/2 (no situs) Madera		
PROJECT DESCRIPTION:	Outdoor event venue		
APPLICANT:	Perez, Daniel & Lara		
CONTACT PERSON/TELEPHONE NUMBER:	Annette Kephart (559) 675-7821		

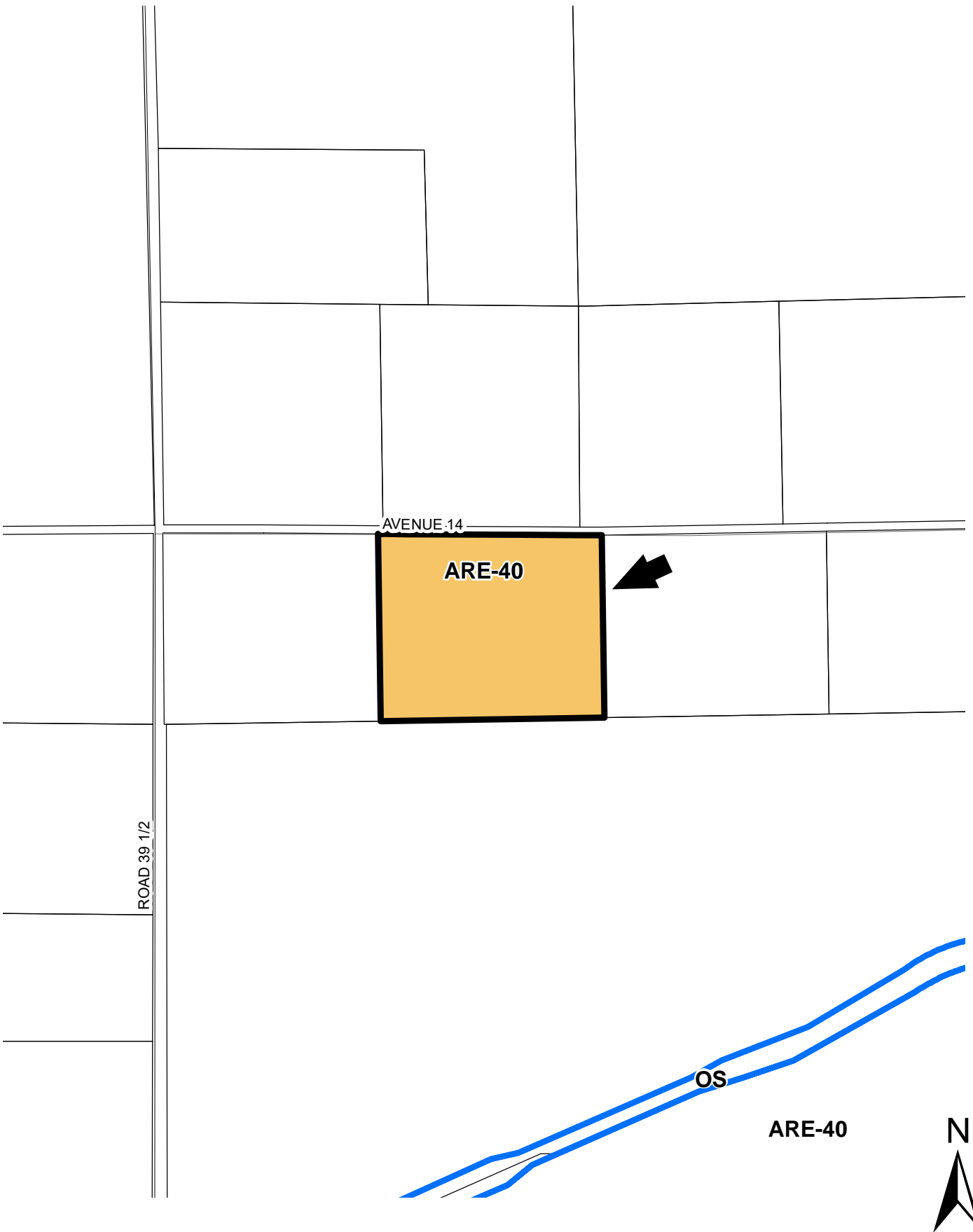
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	All parcels shall have adequate potable water that meets California Water Drinking Standards as required by Madera County Code Title 13. Proposed development may be classified as a Public Water System. Applicant will be required to complete a Population Determination application to determine if the project meets the definition of a Public Water System. Senate Bill 1263 is required for newly created public/community water system(s).	EH			
2	All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. Onsite Wastewater Treatment Systems must comply with Madera County Code (MCC) Title 13 and Madera County Local Agency Management Program (LAMP). Depending on population of guest(s) additional porta-potty's will be required if it exceeds the waste flow calculation of proposed permanent rest room facility.	EH			
3	Environmental Health Division food plan check will be required for review and approval for food establishment.				
4	Solid waste collection with sorting for green, recycle, and garbage is required	EH			
5	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department.	EH			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.	EH			
Fire					
1	The structures will be required to be served by a fire hydrant system or onsite water storage tank.				
2	The buildings will need to be protected by both fire alarms and fire sprinkler systems				
3	A more in-depth plan review will be conducted when building permits are applied for.				
Planning					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning			
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	Construction activities are limited to the hours of 7AM to 7PM Monday through Friday and 9AM to 5PM on Saturday. Construction activities will be prohibited on Sundays.	Planning			
4	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.	Planning			
5	All mitigation measures outlined in the Mitigated Negative Declaration shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.				
6	No offsite parking. All overflow parking must be located onsite in an area with a dust palliative if surface is not paved.				
Public Works					
1	If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.	Public Works (Engineering)			

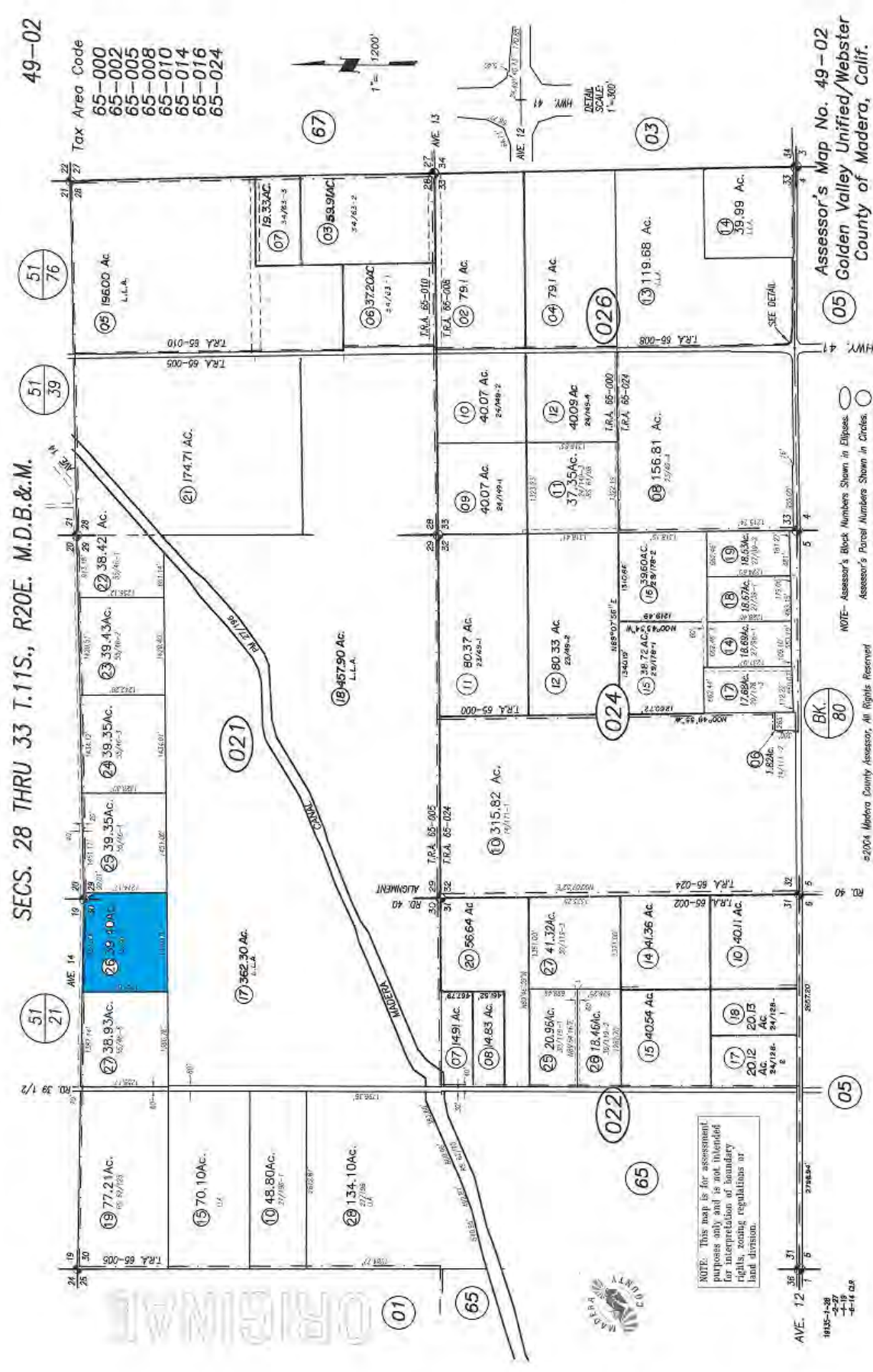
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.	Public Works (Engineering)			
3	At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.	Public Works (Engineering)			
4	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPs to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.	Public Works (Engineering)			
5	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600 Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications	Public Works (Engineering)			
6	Prior to any construction where such construction is proposed within an existing public right-of-way, the developer is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.	Public Works (Roads)			
7	Available records indicate there is an existing 20 feet of road R/W on the south side of Avenue 14, along the frontage of the project site. The developer is conditioned to convey by offer of dedication in fee, a 10-ft wide strip of real property along the entire frontage of the project site to satisfy the requirements for designated roadway right of way classification.	Public Works (Roads)			
8	The applicant is to widen up the northern westbound shoulder on Avenue 14 to allow main traffic to safely maneuver around those vehicles waiting to turn onto the project site on the event day. Also to widen up the eastbound shoulder and to provide adequate storage for the event traffic to diverge off the main eastbound travel lane.	Public Works (Roads)			
9	Except as approved and permitted by the County, all appurtenances such as fences along with private signs, shall be located outside of the public road right of way.	Public Works (Roads)			
10	A more detailed review and comments will be provided once additional information and improvement plans have been provided.	Public Works (Roads)			



GENERAL PLAN MAP



ZONING MAP



ASSESSOR'S MAP



L & D Ranch

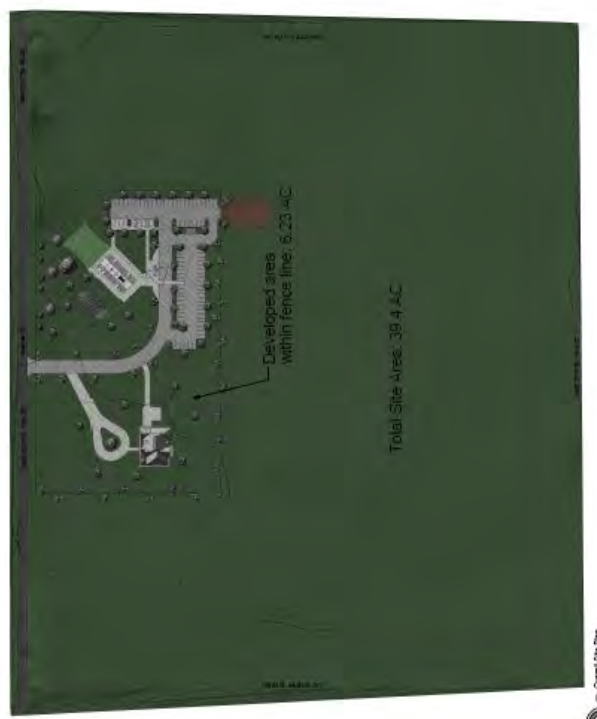
Client	ALL
Project Name	AGRICULTURE & PLANNING
Site Address	2014 Tibère St. #225, Fresno, CA 93721
Architect	AGRICULTURE & PLANNING
Scale	AS SHOWN
Orientation	AS SHOWN
Notes	SEE ARCHITECTURAL PLAN FOR DETAILS
Project No.	131319
Revision	1
Date	11/11/14
Drawn by	AGRICULTURE & PLANNING
Checked by	AGRICULTURE & PLANNING
Approved by	AGRICULTURE & PLANNING



MOBY/AGP



Outdoor wedding Pavilion

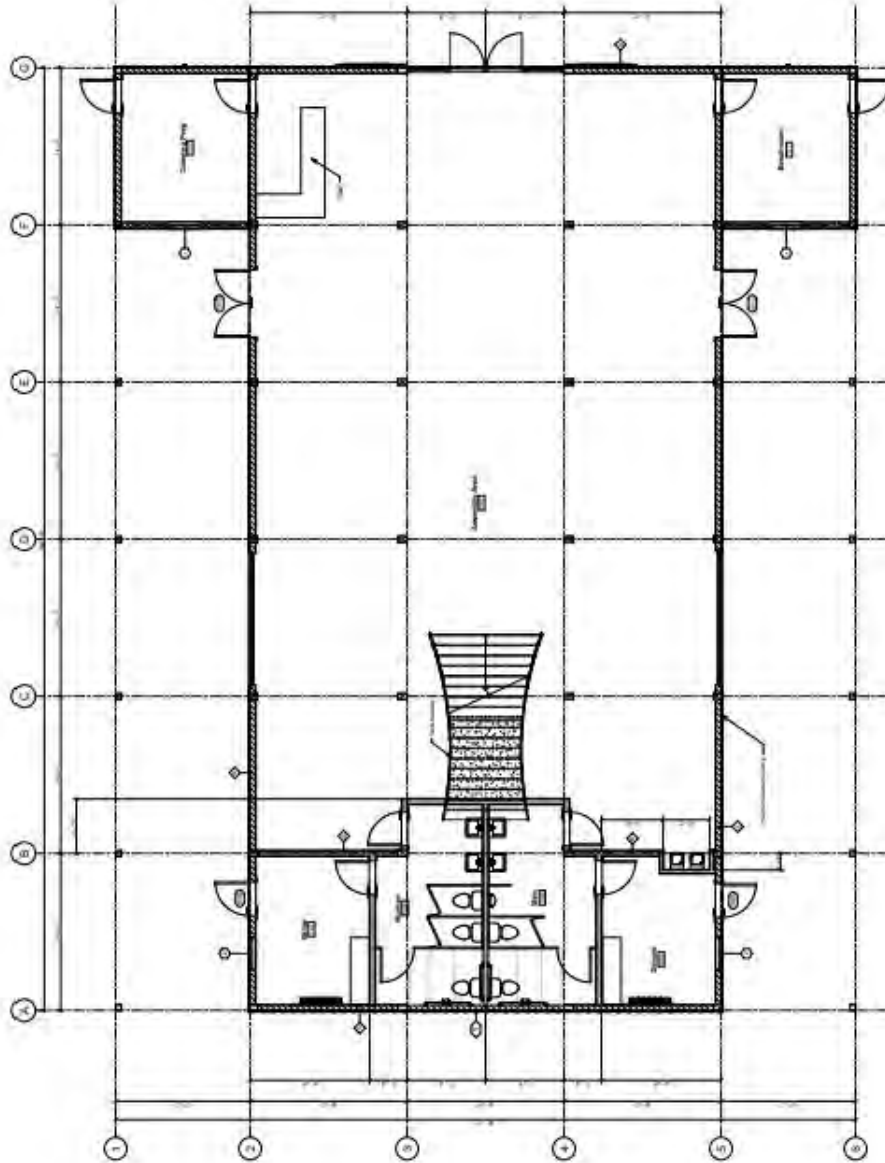
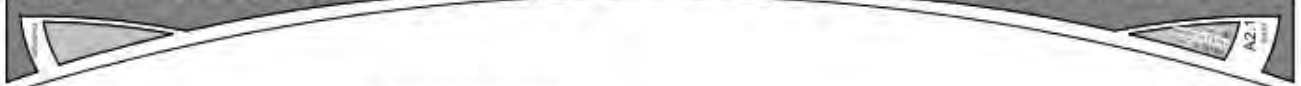


MOBY/AGP

Site Plan

Madera, CA

SITE PLAN



Door Schedule	
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City of San Jose	
Project Name	...
Project No.	...
City Engineer	...
City Seal	...

Building Code	
Code	...
Version	...
Adoption	...
Amendments	...

Building Code	
Code	...
Version	...
Adoption	...
Amendments	...

Building Code	
Code	...
Version	...
Adoption	...
Amendments	...

Exterior Notes:
 1. All exterior finishes shall be as shown on the exterior elevations.
 2. All exterior walls shall be constructed of concrete masonry units (CMU) with a minimum thickness of 8 inches.
 3. All exterior walls shall be finished with a minimum of 1/2 inch of stucco.
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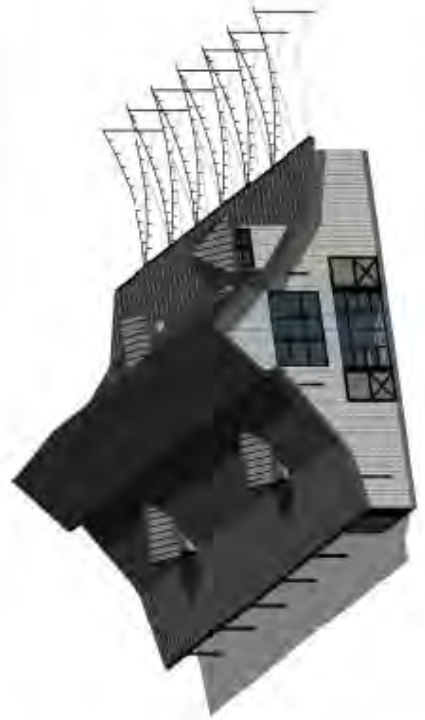
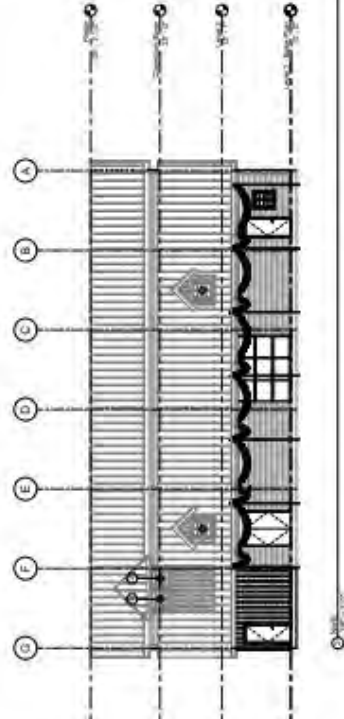
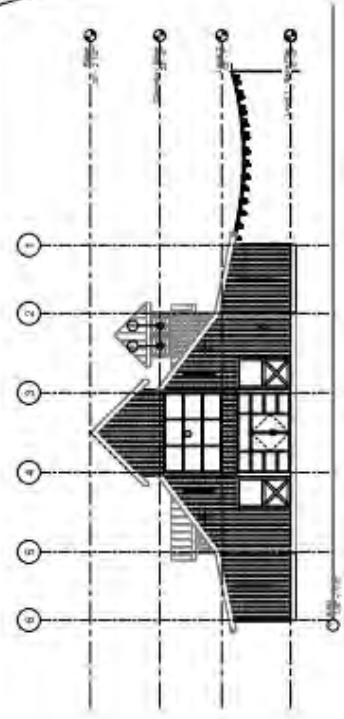


L. & D. Ranch - Madera, CA

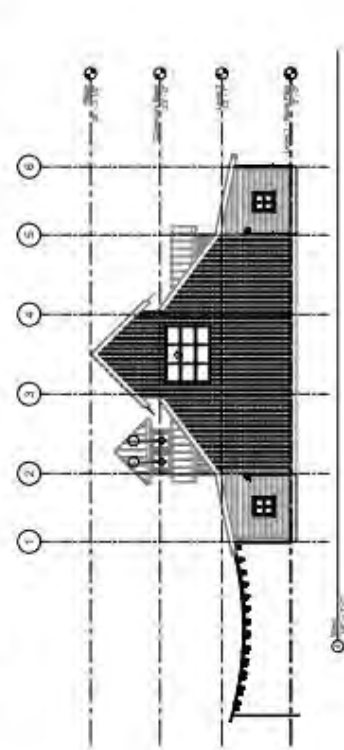
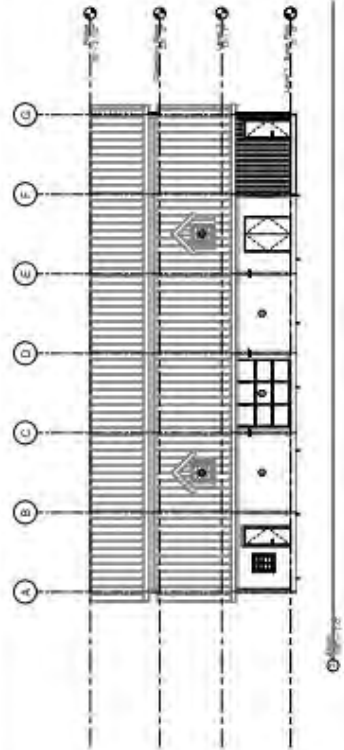
Floor Plan

Avenue 14 near Road 39 1/2

FLOOR PLAN



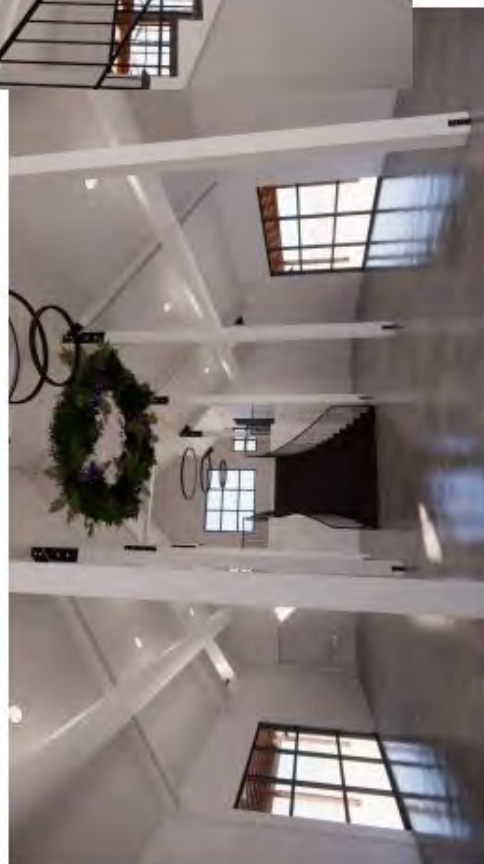
L. & D. Ranch - Madera, CA



Assembly/Wedding Building Elevations

Avenue 14 near Road 39 1/2

ELEVATION PLAN

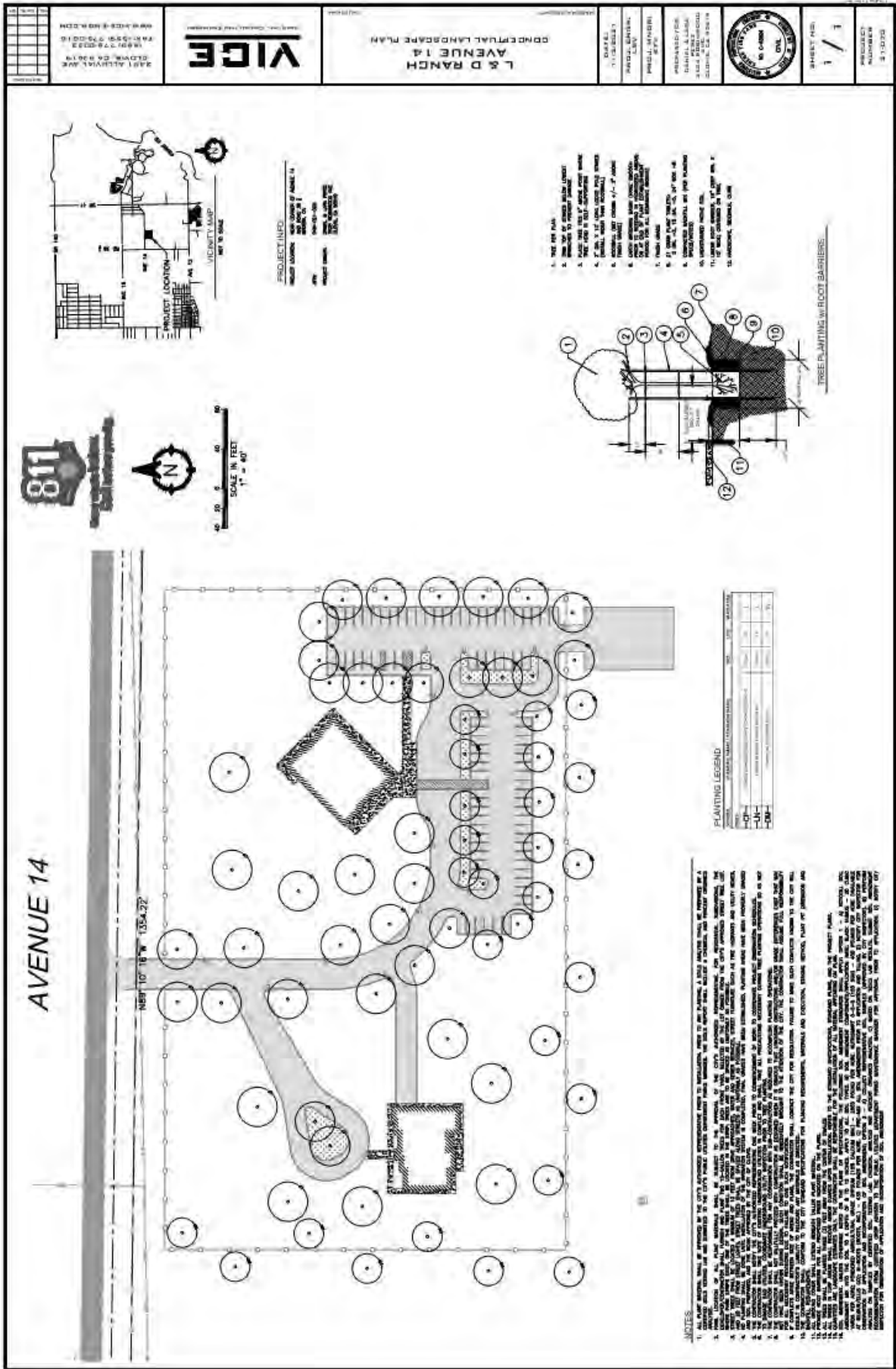


L & D Ranch - Madera, CA

Renderings

Avenue 14 near Road 39 1/2

RENDERINGS



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L & D RANCH
AVENUE 14
CONCEPTUAL LANDSCAPE PLAN

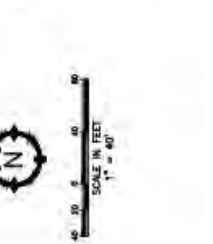
DATE: 11/15/2011
 PROJECT: L&D RANCH
 PROJECT NUMBER: 11-001
 PREPARED FOR: L&D RANCH
 3401 ALPINE AVE
 SUITE 100
 SAN ANTONIO, TX 78201

PROJECT NO: 11-001
 SHEET NO: 1
 TOTAL SHEETS: 1
 PREPARED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 11/15/2011



PROJECT INFO:
 PROJECT NUMBER: 11-001
 PROJECT NAME: L&D RANCH
 PROJECT ADDRESS: 3401 ALPINE AVE, SUITE 100, SAN ANTONIO, TX 78201

- NOTES:
1. SEE THE PLAN FOR TREE PLANTING SCHEDULE.
 2. ALL TREE PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO, TEXAS, TREE PLANTING SCHEDULE.
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NOTES:

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LANDSCAPE PLAN

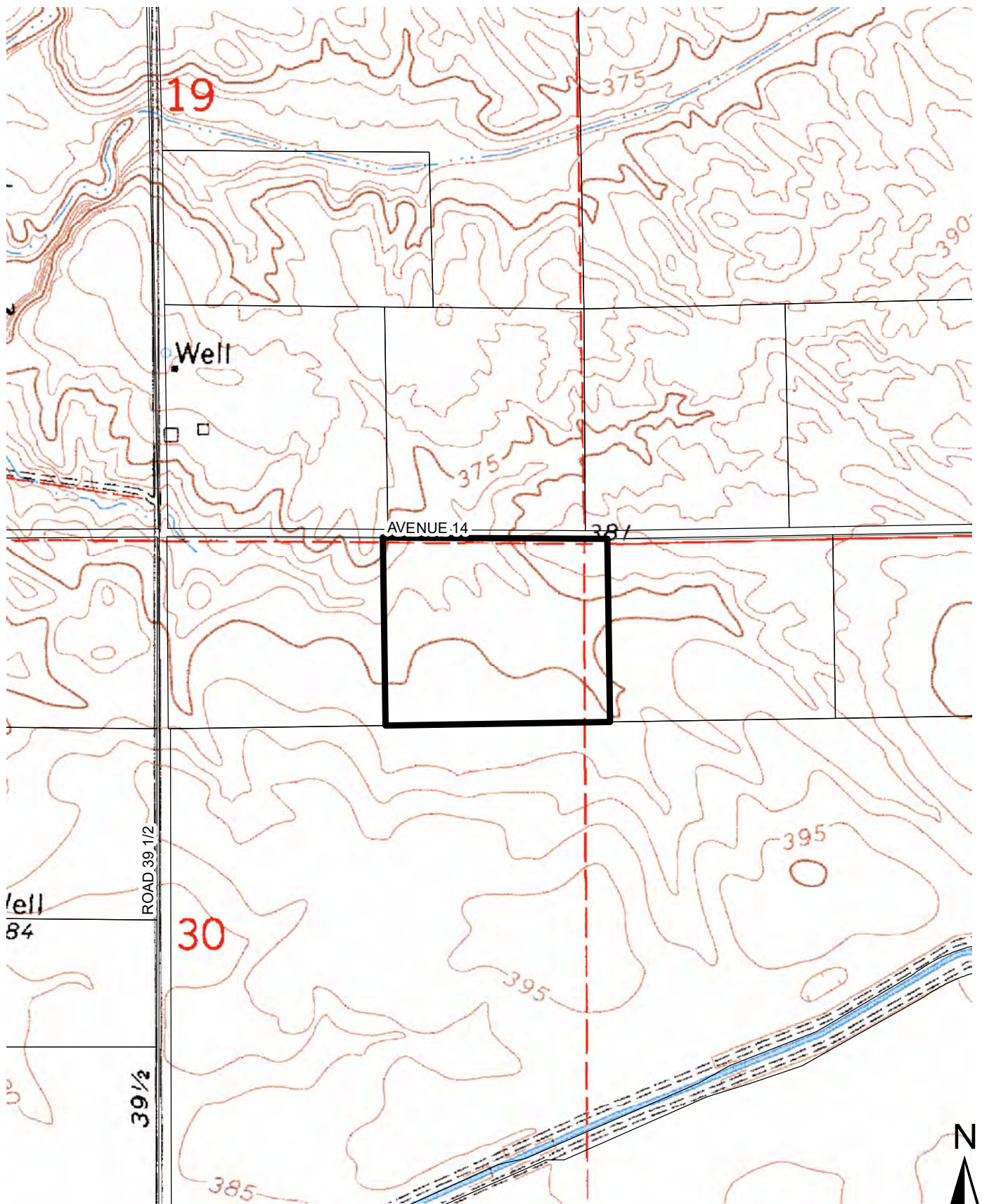


PERGOLA



Source: Esri, Maxar, 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**

- 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: APN 049 021 026
 Applicant's Name: DANIEL AND LARA PEREZ
 Address: PO BOX 1187 SANGER CALIFORNIA 93657
 Phone Number: 559 930 9723

2. Describe the nature of your proposal/operation.

WE ARE SEEKING TO USE A PORTION OF OUR LAND (ABOUT 4.5 ACRES) FOR USE AS A WEDDING/
EVENT VENUE. OUR PROPERTY IS 39.40 acres

3. What is the existing use of the property?

Currently, the land is vacant.
BUT THIS LAND WILL ALSO BE OUR HOME/PRIMARY RESIDENCE.

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?

PRODUCTS WILL NOT BE PRODUCED OR SOLD ONSITE

5. What are the proposed operational time limits?

Months (if seasonal): 12 MONTHS PER YEAR
 Days per week: MAINLY FRIDAYS, SATURDAYS AND SUNDAYS
 Hours (from 9AM to 11PM): Total Hours per day: 14 HOURS ON EVENT DAYS

6. How many customers or visitors are expected?

Average number per day: Will vary depending on client reservation/event
 Maximum number per day: Will vary depending on client reservation/event

What hours will customers/visitors be there?

THE VENUE WILL BE AVAILABLE FOR TOURS MONDAY THRU THURSDAY 10AM - 7PM. ON EVENT DAYS, THE VENUE WILL BE OPEN FROM 9AM THRU 11PM. (EVENTS WILL CONCLUDE BY 10PM AND CLIENTS WILL BE GIVEN 10PM - 11PM FOR CLEAN UP)

**NOTE* max
guest count for
all events will be
210 (This
includes staff and
vendors)**

7. How many employees will there be?

Current: 2 EMPLOYEES
 Future: 5 EMPLOYEES
 Hours they work: DURING EVENTS

Do any live onsite? If so, in what capacity (i.e. caretaker)? OUR HOME WILL BE ONSITE. WE WILL BE ABLE TO OVERSEE ALL EVENTS AND ACTIVITIES

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

. CHAIRS, TABLES AND DECOR WILL BE STORED IN THE BARN FACILITY

9. Will there be any service and delivery vehicles? YES - CATERING AND VENDORS

Number: 8

Type: CATERER, OFFICIANT, DJ/ENTERTAINMENT, PHOTOGRAPHER, VIDEOGRAPHER, SECURITY

Frequency: 3 DAYS PER WEEK (PLEASE KEEP IN MIND, THIS DOESN'T MEAN WE WILL BE BOOKED 3 DAYS PER WEEK)

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

94 parking stalls. We will also have overflow parking.

THERE WILL BE DESIGNATED SPACE FOR VENDORS AND CATERER

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

AVENUE 14

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

EVENT DAYS - ON AVERAGE, 80 to 101 cars

WILL VARY DEPENDING ON THE TYPE OF EVENT

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

PLEASE SEE EXHIBIT A TO SHOW AN EXAMPLE OF THE SIGN

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.

A NEW BARN WILL BE CONSTRUCTED. SEE SITE PLAN FOR DETAILS.

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

THERE WILL BE LANDSCAPING (drought tolerant)

THERE IS AN EXISTING FENCE ON THE PERIMETER OF THE WHOLE 39.40 ACRES

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

PLEASE SEE EXHIBIT B FOR AN AERIAL MAP

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

THERE WILL BE MUSIC ON EVENT DAYS. WE WILL COMPLY WITH COUNTY ORDINANCE

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).

WATER USAGE IS PRIMARILY FOR USE ON EVENT DAYS FOR THE RESTROOMS

WE HAVE A WELL ON THE PROPERTY

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

Liquid waste - residential sewage; 300 gallons/day on average; septic tank for storage

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?

Solid waste - paper products; one cubic yard per day; dumpster will be placed on site

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

None

Grading for building pad. No tree removal.

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.

None - there are no bodies of water on the property.

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

None

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 effect on schools and parks. Police protection will be typical use just like any other business.

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

Less than significant - the area is secluded and our property is close to 40 acres

We have 1 neighbor across the street. All other structures around us are atleast or more than .25 miles away.

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

No impact on schools and parks. Typical fire and police protection

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): _____

Square feet of building area(s): _____

Total number of employees: _____

Building Heights: _____

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

N/A



Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

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

MEMORANDUM

TO: Annette Kephart
FROM: Dexter Marr, Environmental Health Division
DATE: December 15, 2021
RE: Perez, Daniel & Lara - Conditional Use Permit - Madera (049-021-026-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: November 15, 2021
RE: Conditional Use Permit (CUP) #2021-024, Lara
Madera APN 049-021-026

The Environmental Health Division Comments:

All parcels shall have adequate potable water that meets California Water Drinking Standards as required by Madera County Code Title 13. Proposed development may be classified as a Public Water System. Applicant will be required to complete a Population Determination application to determine if the project meets the definition of a Public Water System. Senate Bill 1263 is required for newly created public/community water system(s).

All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. Onsite Wastewater Treatment Systems must comply with Madera County Code (MCC) Title 13 and Madera County Local Agency Management Program (LAMP). Depending on population of guest(s) additional porta-potty's will be required if it exceeds the waste flow calculation of proposed permanent rest room facility.

Solid waste collection for recyclables, and garbage is required.

Environmental Health Division food plan check will be required for review and approval for food establishment.

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

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.



MEMORANDUM

TO: Annette Kephart
FROM Alan Pehl, Building & Fire Safety Division
DATE: December 21, 2022
RE: Perez, Daniel & Lara - Conditional Use Permit - Madera (049-021-026-000)

The structures will be required to be served by a fire hydrant system.

The buildings will need to be protected by both fire alarms and fire sprinkler systems

A more in-depth plan review will be conducted when building permits are applied for.



COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS

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

MEMORANDUM

DATE: December 15, 2021
TO: Annette Kephart
FROM: Madera County Public Works
SUBJECT: Perez, Daniel & Lara - Conditional Use Permit - Madera (049-021-026-000)

Comments

At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.

If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.

All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.

Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600
Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.

COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS

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

MEMORANDUM

DATE: December 9, 2021
TO: Annette Kephart
FROM: Phu Duong, Public Works
SUBJECT: Perez, Daniel & Lara - Conditional Use Permit - Madera (049-021-026-000)

Comments

Prior to any construction where such construction is proposed within an existing public right-of-way, the developer is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.

Available records indicate there is an existing 20 feet of road R/W on the south side of Avenue 14, along the frontage of the project site. The developer is conditioned to convey by offer of dedication in fee, a 10-ft wide strip of real property along the entire frontage of the project site to satisfy the requirements for designated roadway right of way classification.

The applicant is to widen up the northern westbound shoulder on Avenue 14 to allow main traffic to safely maneuver around those vehicles waiting to turn onto the project site on the event day. Also to widen up the eastbound shoulder and to provide adequate storage for the event traffic to diverge off the main eastbound travel lane.

Except as approved and permitted by the County, all appurtenances such as fences along with private signs, shall be located outside of the public road right of way.

A more detailed review and comments will be provided once additional information and improvement plans have been provided.

Jan 7, 2022

Dear Miss Kephart and the Madera County Planning Division,

I want to show my support for Daniel & Lara Perez in their venture to provide the local community a much needed venue for events. I've known them for a few years and I continue to be inspired by their commitment to make their dreams a reality. They are kind hearted, honest people who will be great community contributors.

I sincerely hope that you are able to grant their wishes for a conditional use permit #2021-024 for an outdoor venue. We need more energetic local entrepreneurs!

Sincerely,

Nina Sensenbaugh

January 6th 2022

Dear Miss Kephart and the Madera County Planning Division,

It is our pleasure to include our names in this letter of support for Daniel and Lara Perez for Conditional Use Permit #2021-024 for an outdoor event venue.

The Perez Family are true locals in the Central Valley, and we would like to see more small business owners succeed in the community. Please consider this as a rally of support for this young family on their hard-earned venture.

We kindly ask you to consider their efforts with an open mind and open hearts as this has been years of work and sacrifices for them. Collectively, we have known Daniel and Lara as a couple and as individuals and we can attest to their integrity as people.

Please consider the heart and passion behind the efforts and sacrifices that they've made.

Thank you for the time and consideration.

Written with respect and sincerity,

Karen Hau
John Brekhus
Cindy Lucero
Eric Lucero
Rose Mendoza
Annette Pascual
Richard Pascual
Alexandra Gomez
Elaiza Mandujano
Maribeth Jensen
Dan Jensen
Janai Walker
Ashley Sunamoto
Matt Sunamoto
Alejandro Alvarez
Haley Tallon Hargis
Corey Hargis
Rosa Perez Grajeda
Meranda Macias
Neil Bascos
Zharina Bascos
David Han

Jacqueline Alvarez
Benjamin Alvarez
Aleson Turner
Devin Turner
Briana Rodriguez
Vianey Arias
Mariko Rushing
Brianna Musto
Valerie Philips
Jessica Gonzalez
Ruby Sultan
Jasmeet Grewal
Victoria Excinia
Melissa Espinoza
Marisa Chavez
Holli Elliot
Marissa Arroyo
Lisa Min
Ye Min
April Idsinga
William Idsinga

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

- 1. Project title:** CUP #2021-024 – Perez, Daniel & Lara

- 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 III
559-675-7821
Annette.Kephart@maderacounty.com

- 4. Project Location & APN:** The subject property is located on the south side of Avenue 14 approximately 0.35 mile east of Road 39 1/2 (no situs) Madera.

APN #: 049-021-026

- 5. Project sponsor’s name and address:** Daniel & Lara Perez
3525 Robinwood Avenue
Clovis, CA 93619

- 6. General Plan Designation:** AE (Agricultural Exclusive) Designation

- 7. Zoning:** ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District

- 8. Description of project:**
The applicant is requesting a Conditional Use Permit for an event center that includes a 3,918 square foot multipurpose barn style building, and an outdoor pavilion area with arch and 94 parking stalls.

- 9. Surrounding Land Uses and Setting:**
Agricultural

- 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 received.

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.

Signature _____

Date _____

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

I. AESTHETICS

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

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a - b) No Impact. There are no scenic vistas in the vicinity of this project site.

(c) Less than Significant Impact. The project is in an agricultural area with mostly undeveloped land surrounding the site. The barn style multipurpose building, pergola and landscaping are expected to have a less than significant impact.

(d) Less than Significant with Mitigation Incorporation. With this facility, there will be nighttime lighting involved. Mitigation will be associated to any existing or new lighting on the site to hood and direct light away from adjacent properties to help with nighttime views and light.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a, e) Less Than Significant Impact. Under the Farmland Mapping and Monitoring Program of the California Resources Agency, the parcel is designated as Unique Farmland. Unique Farmland is classified as lesser quality soils used to produce the state's leading agricultural crops.

The parcel is currently not being used for agriculture and has not been farmed for many years. The project will encompass approximately 4.5 acres of the 39.40 acre parcel. Due to the groundwater accessibility in the area the project is expected to have less than a significant impact.

(b - d) No Impact. No impacts associated with this project. The project parcel and its' surroundings are not zoned for timberland uses, so there will be no impacts. The parcel is not under a Williamson Act Contract. A private club/outdoor recreational facility is allowed in the zone district with an approved conditional use permit.

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
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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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. Less than significant impacts have been identified because of this project. The project was circulated to the (SJVAPCD) San Joaquin Valley Air Pollution Control District, no comments were received. There will be construction activity for a temporary period of time, causing a temporary increase in emission levels in the area during the construction phase. Once the project is completed it is anticipated to generate 80 to 101 vehicular trips per event day. The facility is proposed to be operational for events 3 days per week.

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 project is consistent with the Air Quality Element of the General Plan.

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:

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

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?

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?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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

Responses:

(a, d) Less Than Significant Impact. There are no habitats identified on this parcel, so no modifications are expected as a result. There are no projects or activities associated with this project off-site, therefore there will be no indirect impacts to habitats as a result. While there are candidate species identified in the quadrangle in which this project is located, given the agricultural development that has occurred in the area over the years the chances of any of the listed species being on the parcel are less than likely. The project site is zoned for agricultural uses and permitted uses include all types of agriculture. The zone district allows for outdoor theaters, private clubs and outdoor recreational facilities with an approved conditional use permit.

(b, c, e, f) No Impact. The project is not located in a riparian or wetland habitat. The surrounding area is utilized for agricultural uses. The operation of this project is not anticipated to interfere with any habitats off site, either directly or indirectly.

There are no federally protected wetlands on or in the vicinity of this project.

During the construction of the facilities on site there is the potential of minimally impacting the migration patterns of listed species. This is due to noise production during the process of construction, which animals will instinctively avoid. This will be a temporary occurrence for the duration of the construction. Any disruption will be minimal as a result and will return to baseline levels at conclusion of the project construction. Operations of the facilities will have negligible impacts.

While the list below shows several 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.

The project will not conflict with any local policies or ordinances protecting biological resources or provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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
California tiger salamander - central California DPS	Threatened	Threatened	WL	-
western spadefoot	None	None	SSC	-
Swainson's hawk	None	Threatened	-	-
California horned lark	None	None	WL	-
great egret	None	None	-	-
great blue heron	None	None	-	-
western yellow-billed cuckoo	Threatened	Endangered	-	-
yellow-headed blackbird	None	None	SSC	-
osprey	None	None	WL	-
burrowing owl	None	None	SSC	-
vernal pool fairy shrimp	Threatened	None	-	-
midvalley fairy shrimp	None	None	-	-
California linderiella	None	None	-	-
hardhead	None	None	SSC	-
valley elderberry longhorn beetle	Threatened	None	-	-
molestan blister beetle	None	None	-	-
San Joaquin kit fox	Endangered	Threatened	-	-
San Joaquin pocket mouse	None	None	-	-
American badger	None	None	SSC	-
blunt-nosed leopard lizard	Endangered	Endangered	FP	-
Great Valley Mixed Riparian Forest	None	None	-	-
Northern Claypan Vernal Pool	None	None	-	-

Northern Hardpan Vernal Pool	None	None	-	-
spiny-sepaled button-celery	None	None	-	1B.2
Hoover's calycadenia	None	None	-	1B.3
succulent owl's-clover	Threatened	Endangered	-	1B.2
San Joaquin Valley Orcutt grass	Threatened	Endangered	-	1B.1
hairy Orcutt grass	Endangered	Endangered	-	1B.1
pincushion navarretia	None	None	-	1B.1

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 - d) Less Than Significant Impact. While the County is known to potentially have historical and archaeological resources, due to the development of project site and surrounding properties as agricultural, the chances of finding any archaeological or paleontological resources are less than likely. Most of the paleontological finds in Madera County have been found in the proximity of the landfill, located near the community of Fairmead. Most of the historical finds in Madera County have been found in the mountain and foothill areas above the valley floor due to previous Native American presence in the area. However, any new findings are unlikely on this parcel because the surrounding parcels developed as agricultural. The likelihood of any finds in this area is minimal. There are no known fossil bearing sediments on the project site. No known unique geological features in the vicinity of the project site exist. However, there is still the potential for uncovering previously unknown human remains or cemeteries. Therefore, the project will cease all operations if any human remains, cemeteries, archaeological, paleontological, or historic resource is uncovered during the construction or operational phase of the project, until the County can determine whether or not the project can continue.

If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities should be halted and a professional archaeologist will be brought in to determine the culture of the deposits.

General Information

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

Archaeological importance is generally, although not exclusively, a measure of the archaeological

research value of a site which meets one or more of the following criteria:

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

(CEQA Guidelines §15064.5 for definitions)

Paleontology is a branch of geology that studies the life forms of the past, especially prehistoric life forms, through the study of plant and animal fossils. Paleontological resources represent limited, non-renewable and impact sensitive and educational resources. Most of the paleontological finds have been on the valley floor.

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

Responses:

(a - b) Less Than Significant Impact. The project is in an agricultural zone district and will be constructed in the same manner as other private clubs and outdoor event venues in the area. There is very little likelihood that there will be a significant impact to energy resources or that the project will conflict with any state or local energy resource plans.

During the operational period of the project, there will be ongoing trip generation. The length of these trips and the individual vehicle fuel efficiencies are not known; therefore the resulting energy consumption cannot be accurately calculated. Adopted federal vehicle fuel standards have continually improved since their original adoption in 1975 and assists in avoiding the inefficient, wasteful and unnecessary use of energy by vehicles.

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.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

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

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

Responses:

(a i – iv) Less Than Significant Impact. The parcel is not in an area where it is topographically conducive to landslides. The parcel is flat in elevation and has been used as farmland in the past. There are chances of mild erosion potential during rainfall events, however, do to the flat topography it would have a less than significant impact.

(b) Less than Significant Impact. With construction there will be some erosion pattern changes. These changes are considered minimal.

(c - f) 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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a) Less Than Significant Impact. What greenhouse gases generated will be from vehicular traffic by individuals attending onsite activities. These events will take place on Fridays, Saturdays and Sundays. The increase is less than significant. The facility will have approximately two staff members on non-event days. The project was circulated to the (SJVAPCD) San Joaquin Valley Air Pollution Control District and no comments were received.

(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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a – b) No Impact. The requested use will not bring significant hazardous impact to the surrounding area. The proposed project will include events such as weddings, birthday parties, graduations parties, engagement parties, baby showers, and corporate functions/retreats and will not result in hazardous waste production or transportation. There are no known hazardous materials handled, stored or produced on site. There may be products associated with housekeeping, but those are typically in low quantities.

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

(e - f) No Impact. The project is not located within the vicinity of a private airstrip. No impacts have been identified as a result of this project. The project parcel is not in an airport/airspace overlay zone. No component of the project site would constitute a threat or hazard to any existing or planned airport or airstrip. The project is located outside of the County’s Airport Land Use Compatibility Zone.

(g) Less Than Significant Impact. The topography of the project site is flat and the surrounding uses are agricultural. Any risks involving wildfire are expected less than significant.

General Information

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

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

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

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

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<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
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e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

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

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

(c- e) Less Than Significant Impact. While there are no rivers or streams in the immediate vicinity of the project, having an additional non-porous surface (the pad where the equipment will be) has the potential of redirecting rainfall.

Rainfall is unable to percolate into paving that is expected to be on each site (building pad, driveways, structures, etc.) and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. It is possible that the quality of storm water may be affected by pollution such as, but not limited to, oil, grease, and fuel, dissolved metals from batteries and glycols from automotive coolant or antifreeze. The applicant shall mitigate any impacts associated with storm water contamination caused by this project.

The project will not substantially, if at all, alter any course in streams even though Lewis Creek runs along the westerly edge of the project site. Mitigations to this project will include refraining from any construction activity within 100 feet of the high water mark of Lewis Creek. There will be some alteration of site drainage patterns during rainfall patterns, especially if any impervious surfaces are introduced. This rainfall alteration has the potential of inducing erosion at locations not having been exposed to erosion before, but the chances are that it won't be substantial.

There is the potential of localized flooding that could occur in the vicinity of the project. This is dependent on rain fall, site features and drainage.

While the project is not placing housing in the traditional sense on the site, there are permanent facilities included in the project. This includes cabins, yurts, manager's facility, clubhouses and the like.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami (from the Japanese language, roughly translated as "harbor wave") is an unusually large sea wave produced by seaquake or undersea volcanic eruption. According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. Additionally, there are no bodies of water (lakes, etc.) within proximity of the site. Madera County is geographically located in the center of the state, therefore not affected by tsunamis.

With conditions of approval and mitigations throughout the project, this impact will be maintained as less than significant.

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 applicant is following the ordinance by applying for a Conditional Use Permit which would allow the facility in this zone district. The proposal will not be in conflict with applicable land use (zoning) or with the General Plan.

The general plan designation of AE (Agricultural Exclusive) allows for public and quasi-public uses. Quasi-public uses are typically defined as essentially public (as in services rendered) under private ownership or control. Public uses include public utilities. The zoning designation of ARE-40 (Agricultural, Rural, Exclusive- 40 Acre) District allows for communication towers with a conditional use permit. Both the General Plan and Zoning designations allow for single family residences in addition to agricultural and similar uses.

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 type="checkbox"/>	<input checked="" 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) Less Than Significant Impact. There is the potential of a slight increase of noise generation for the duration of construction. This increase is expected to be minimal and temporary for the duration of the construction phase of the project. Operationally, it is not expected to generate noise to a significant level, if any at all. The electrical equipment that supports the tower may emit

a little noise, but it is not significant enough to be heard by local residents. The back-up generator will only run during routine testing and during power outages, so there is no significant impacts associated with it..

(b - c) No Impact. The proposed project is projected to have no real significant increase in ambient noise levels.

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

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

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

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

		Residential	Commercial	Industrial (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	Architectural damage and possibly minor structural damage

Source: Whiffen and Leonard 1971

XIV. POPULATION AND HOUSING

Would the project:

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

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)?

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 type="checkbox"/>	<input checked="" 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) No Impact. While the area may be prone to wildfires, the project itself is not seen as an impact as a result of construction. If anything, it is anticipated to be an asset during emergencies for communications to local residents as well as emergency responders utilizing cell phone related communication devices.

There are fire stations in Coarsegold and Oakhurst that would be able to respond in time of need to this location. The closest station is CalFire Station #13 in Coarsegold and is in close proximity of the project site.

(a.ii) Less Than Significant Impact. The proposed project in and of itself would not result in any additional demands for police protection with the exception of ancillary need for potential events of vandalism and theft. 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. The Madera County Sheriff has recommended video surveillance of the site to deter vandalism.

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

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

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

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

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

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

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

	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:				
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 – d) 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.

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.

During the period of any potential construction of the project, it is expected that there will be some construction related vehicles.

The project site is located directly off of State Highway 41 and would not result in impacts to emergency access.

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional.	> 35 – 55

	Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	
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.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responses:

(a.i) No Impact. There are no sites listed on the historical registry on this parcel.

(a.ii) Less than Significant with Mitigation Incorporation. The Picayune Rancheria has requested a cultural monitor to be on site during ground disturbance due to sensitive areas in the Oakhurst and foothill regions.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 - e) No Impact. No impacts identified as a result of this project. No water will be utilized and no wastewater generated as a result of this project as it is an unmanned cellular tower project.

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
XX. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 - 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 SR 41 and has adequate access. In addition it is located in close proximity from a Cal Fire Station. The access road must comply with current driveway standards and be a minimum of twelve feet with an approved all weather surfacing. Driveways in excess of 150 feet require a turnout at midpoint or every 400 feet if 800 feet long or greater. Turnouts shall be 10 feet wide for 30 feet of length with 25 foot tapers at each end. Driveway improvements shall be completed prior to final inspection. Driveways 300 foot long or greater require a 42 foot radius turnaround or hammer head within 50

feet of the proposed structure. A minimum of 15 feet or vertical clearance above the driveway is required.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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/>

Madera County Airport Land Use Compatibility Plan

Madera County Air Quality Element of the General Plan (2010)

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Public Works

Madera County Roads Department

Madera County Fire Marshall's Office

A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance. Federal Communications Commission. 2000

MND 2021-26

1

December 22, 2021

MITIGATED NEGATIVE DECLARATION**MND 2021-26****RE: Perez, Daniel & Lara – Conditional Use Permit #2021-024****LOCATION AND DESCRIPTION OF PROJECT:**

The subject property is on the south side of Avenue 14 approximately 0.35 mile east of Road 39 1/2 (no situs) Madera. The project is a request for an outdoor event venue.

ENVIRONMENTAL IMPACT:

No adverse environmental impact is anticipated from this project. The following mitigation measures are included to avoid any potential impacts.

BASIS FOR NEGATIVE DECLARATION:

1. Please see attached Mitigation Monitoring Report.

Annette Kephart

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: December 22, 2021

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND #

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	Any proposed lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Operations	Planning					
Agriculture/Forestry Resources								
Air Quality								
Biological Resources								
Cultural Resources								
Energy								
Geology and Soils								
Greenhouse Gas Emissions								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								
Transportation								
	Except as approved and permitted by the County, all appurtenances such as fences along with private signs, shall be located outside of the public road right of way							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
1	The applicant is to widen up the northern westbound shoulder on Avenue 14 to allow main traffic to safely maneuver around those vehicles waiting to turn onto the project site on the event day. Also to widen up the eastbound shoulder and to provide adequate storage for the event traffic to diverge off the main eastbound travel lane.							
Tribal Cultural Resources								
Utilities and Service Systems								
Wildfire								
Mandatory Findings of Significance								