

RESOURCE MANAGEMENT AGENCY PLANNING DEPARTMENT

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

Norman L. Allinder, AIGP
Director *NLA*

PLANNING COMMISSION DATE: December 4, 2012

AGENDA ITEM: #3

| | | |
|-------------|----------------------|--|
| CUP | #2012-013 | Conditional Use Permit to allow an Outdoor Recreational Classroom |
| APN | # 053-320-045 | Applicant: David Ferranti |
| CEQA | ND #2012-21 | Owner: Linda Steiner, Linda S Revoc. Trust |
| | | Mitigated Negative Declaration |

REQUEST:

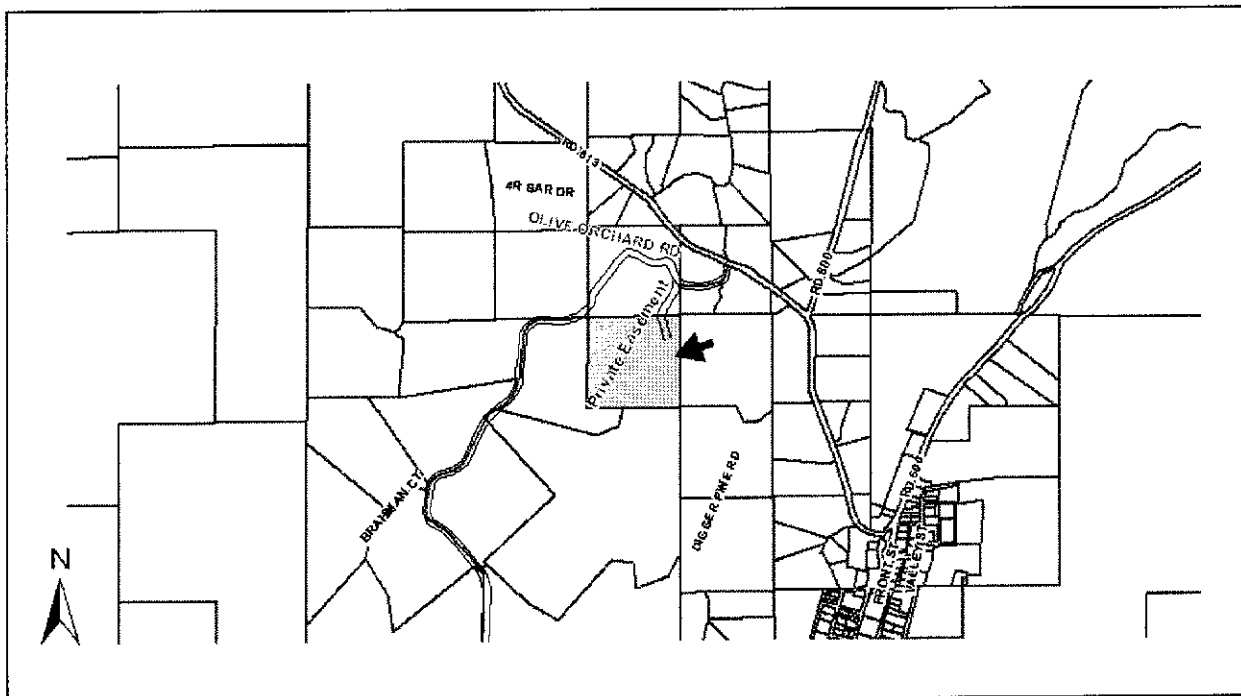
The applicant is requesting a conditional use permit to allow an Outdoor Recreational Classroom. The plans are to use a 40 acre parcel located in Raymond for a place to invite a group of 20 to 25 people to walk, pray, write, sing and have meals together.

LOCATION:

The property is located at the end of a private easement, approximately 570 feet northwest of its intersection with Olive Orchard Road (no situs is available), Raymond.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (ND #2012-21) (Exhibit O) and mitigation monitoring program has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of the conditional use permit (CUP 2012-013) and Mitigated Negative Declaration (ND 2012-21) subject to conditions and the mitigation monitoring program

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: AE (Agricultural Exclusive) Designation

SURROUNDING: AE (Agricultural Exclusive) and RR (Rural, Residential) Designations

ZONING (Exhibit B):

SITE: ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) District

SURROUNDING: ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) and ARF (Agricultural, Rural, Foothill) Districts

LAND USE:

SITE: Grazing

SURROUNDING: Rural residential and grazing

SIZE OF PROPERTY: 40 Acres

ACCESS (Exhibit A): Private easement off Olive Orchard Road

BACKGROUND AND PRIOR ACTIONS:

None

PROJECT DESCRIPTION:

The proposal is to use a 40 acre parcel located in Raymond for a retreat for religious educational purposes, nature walks and mentoring. The applicant resides out of state. Four times per year, a group of 12 to 24 people will come together for 7 to 10 days. The participants will be picked up and delivered to the airport in Fresno in two vans. They will be staying in hotels or camping at Eastman or Hensley Lake. Currently, there are four to five volunteers and four to five Board members that will be participating.

The property is currently vacant and being used for grazing. There is a 900 foot domestic well along with storage tanks that are run on a generator that was installed in 2004 in anticipation of building a house. If the project is successful, the applicant would like to build a house, restrooms, a bunk house and a series of walking trails in the future. Until then, portable restrooms with sanitation hand wash stations and bottled water will be provided.

ORDINANCES/POLICIES:

Section 18.58.010 of the Madera County Zoning Ordinance outlines the permitted uses within the ARE-40 (Agricultural, Rural, Exclusive-40 Acre) zone.

Section 18.92 of the Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

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

Government Code §51220-51223 outlines the removal of agricultural land from the Williamson Act.

Government Code §51238.1.(a) discusses Williamson Act and land use compatibility.

Government Code §51244.5 discusses the non-renewal of the Williamson Act.

Government Code §51246 provides that the Williamson Act Contract for specified parcels under non-renewal will remain in effect until the balance of the term expires.

ANALYSIS:

The project site is located in the northwestern portion of Madera County, near the area known as Knowles Junction where Road 600 and Road 606 intersect by the Town of Raymond. The 40 acre site is currently being used for grazing. The area is characterized by rolling hills and sparse vegetation. Elevation ranges from 790 feet to 920 feet. The project site is located in a rural, agricultural area.

The General Plan designates this parcel 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 minimum parcel size shall be 36 to 640 acres. This property is zoned ARE-40 (Agricultural, Rural, Exclusive - 40 Acre) zone district. This zone district allows for private clubs and outdoor recreational facilities and churches, synagogues and other buildings for religious assembly with an approved conditional use permit.

Farmland in the majority of the Raymond Planning Area is classified as "grazing land". The dominant soils of the area that support grazing land includes Daulton-Whiterock and Ahwahnee-Vista soils. These are soils that cannot support intensive agriculture due to shallow depth and the large amounts of granite bedrock at or near the surface. A limited area of "farmland of local importance" is located on the far western edge of the planning area, along the Madera Canal. The majority of the planning area is under Williamson Act contracts, with 78% of the total land area under contract.

The subject property is currently in a Williamson Act contract. Government Code Section 51281(a) states:

Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing or shipping.

The proposal is to use a 40 acre parcel located in Raymond for a retreat for religious educational purposes, nature walks and mentoring, so it is not a compatible use. Staff recommends that prior to issuance of building permits, the subject parcel is removed from the Williamson Act contract.

The project was circulated to outside agencies thought to be impacted or regulating the development of the proposed project. This included the Department of Fish and Game, Department of Water Resources, Regional Water Quality Control Board, the San

Joaquin Air Pollution Control District. Comments were received from the Department of Fish and Game expressing concern of the potential for the project to impact oak woodlands, nesting birds, and special status species. Comments were also received from the San Joaquin Air Pollution Control District.

General comments were received from the Engineering Department, Road Department, Environmental Health Department and Fire Department.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to approve this conditional use permit application. 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 in that the ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) District allows for private clubs and outdoor recreational facilities and churches, synagogues and other buildings for religious assembly subject to an approved conditional use permit.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the request is consistent with the agricultural area in which it is located. The project proposes the use of portable restrooms with handwashing facilities until such time as permanent restrooms are constructed. Conditions have been proposed assuring that the portable restrooms will be properly maintained. Bottled water will be used until building occurs.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors in that the applicant must operate according to the operational statement and plans. No fires or cooking is proposed at this time.*
4. *The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability. The project site is in a sparsely populated remote agricultural area. Twenty to 30 people will meet for religious educational purposes, nature walks and mentoring approximately four times per year. In the future, the site may be developed to include one house, a bunk house and restrooms. This project should increase property values.*

WILLIAMSON ACT:

The property is subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The 1995 General Plan designates this parcel 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 minimum parcel size shall be 36 to 640 acres. Allowable residential development in areas designated Agriculture Exclusive designation includes one to two single family homes per parcel, secondary residential units, caretaker/employee housing, and farmworker housing. This property is zoned ARE-40 (Agricultural, Rural, Exclusive - 40 Acre) zone district. This zone district

allows for private clubs and outdoor recreational facilities and churches, synagogues and other buildings for religious assembly. The proposed project is consistent with the plan.

RECOMMENDATION:

The analysis provided in this report supports approval of Mitigated Negative Declaration ND #2012-21 and Conditional Use Permit #2012-013 as presented subject to the following conditions and Mitigation Monitoring and Reporting Program.:

CONDITIONS:

Engineering Department (Exhibit H)

None

Environmental Health Department (Exhibit I)

1. If there is going to be overnight stays on site then approved onsite wastewater treatment will be required for the project. If there is going to be only day use on-site and no overnight stay. Then there is no required onsite wastewater treatment system requirement for this site and temporary portable toilets must be utilized until this changes or the proposed structures are planned to be built.
2. The septic disposal system for the proposed "Ranch house and other dwelling for seasonal employees/volunteers" must be designated for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.
3. If the site is going to serve more than 25 people for 60 days per year then a public water system is required.
4. If the water system for this "Ranch house and other dwelling for seasonal employees/volunteers" and/or other development will serve more than 25 employees at any one time or has the potential to serve more than 25 employees anytime within the future, any water well used to serve this project will have to be compliant with Public Well Standards and the existing water well as noted on site as: "drilled 900 ft. well with storage tanks on the property which is ran by generator." would need to have a 50 ft. well seal on it, as required to meet the minimal Public Well Standards. Note: This well onsite is not identified anywhere else other than the operational statement and is not noted within the any other submitted documentation so the location is not known.
5. The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County appropriately licensed company. Routine maintenance of these portable toilets must be adjusted according to their usage as to prevent an unhealthy human environment and/or nuisance of any kind, at all times while onsite.
6. This 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): Vector(s), Dust, Odor(s), Noise(s), Lighting, and/or Litter accumulation. Adjacent occupied home owners are the most adversely affected by any nuisances caused by even the most routine business operations within this type of development and its particular location to populated areas. Refuse accumulation is required to be removed routinely to prevent

nuisances as well. 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 requisite and/or as determined by the Local Enforcement Authority (LEA), which is this Department, the MCEHD and any other county or state regulatory agency having jurisdiction

7. The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to conducting any of these practices and/or conducting any construction activities on site.

Fire Department (Exhibit J)

1. The application for a CUP requires the parcel to meet 4290 requirements due to the location within SRA. CCR Title 14 Section 1270.04 (a) (PRC 4290). As such the project may exceed cul-de-sac length limitation as set forth by the 5 acre parcel on Olive Orchard Road. (Note: the private easement and possibly a portion of Olive Orchard Road will need to be widened to 20 feet.)

Planning Department

1. Comply with mitigation measures in Negative Declaration, ND #2012-21.
2. The project shall 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.
3. All signs must comply with the Madera County Zoning Ordinance and be approved by the Planning Department.
4. Any lighting associated with this project shall be hooded and directed downwards.
5. Prior to release of the Conditional Use Permit, and prior to issuance of building permits, the applicant shall remove the subject parcel from the Williamson Act.
6. All current, and any proposed new, roadways and parking areas shall be maintained and/or constructed in a dust free manner.
7. 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 2 archaeological study.

Road Department (Exhibit K)

None

Department of Fish and Game (Exhibit L)

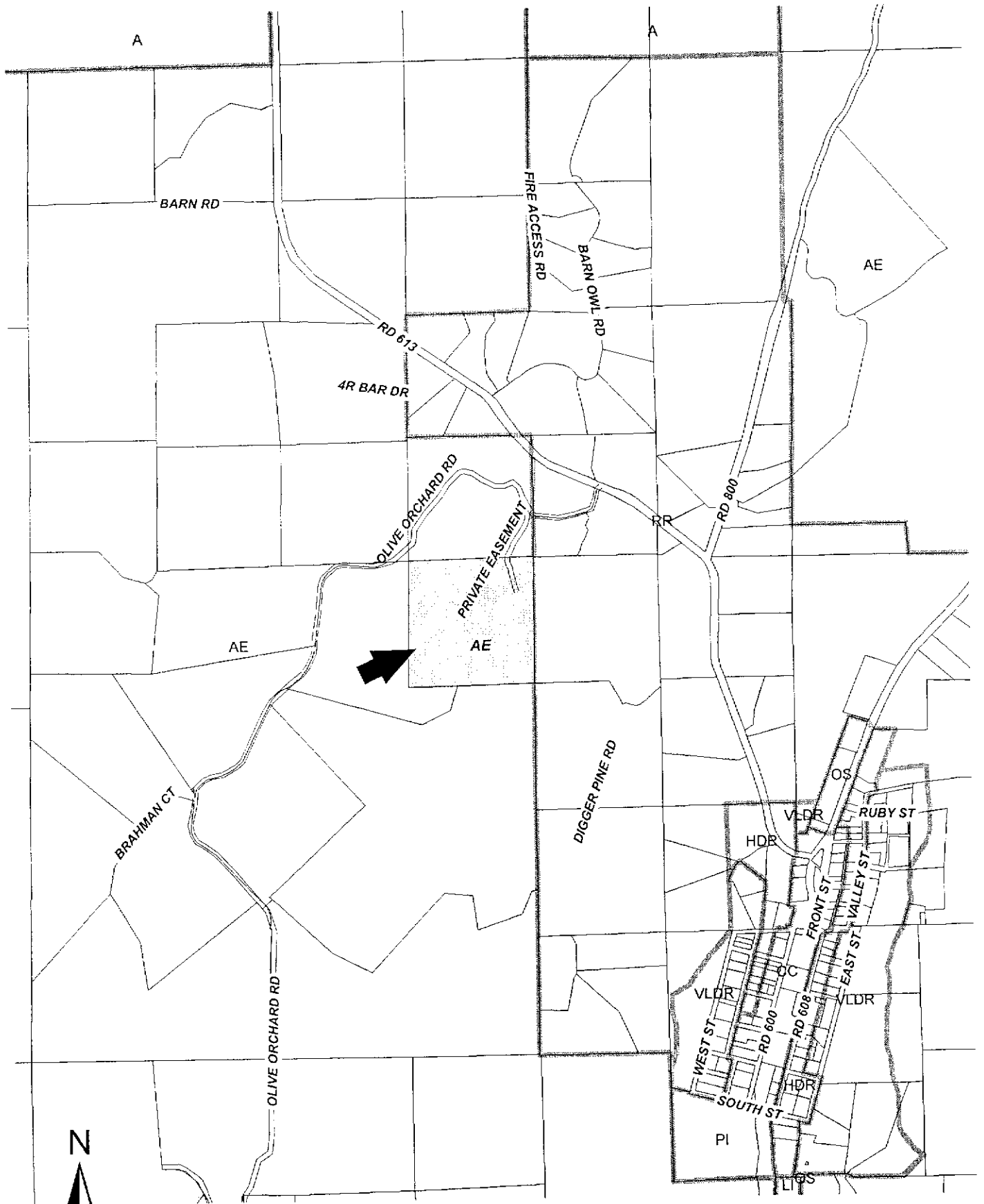
1. Comply with Department of Fish and Game conditions.

San Joaquin Valley Air Pollution Control District (Exhibit M)

1. Comply with San Joaquin Valley Air Pollution Control District conditions and regulations.

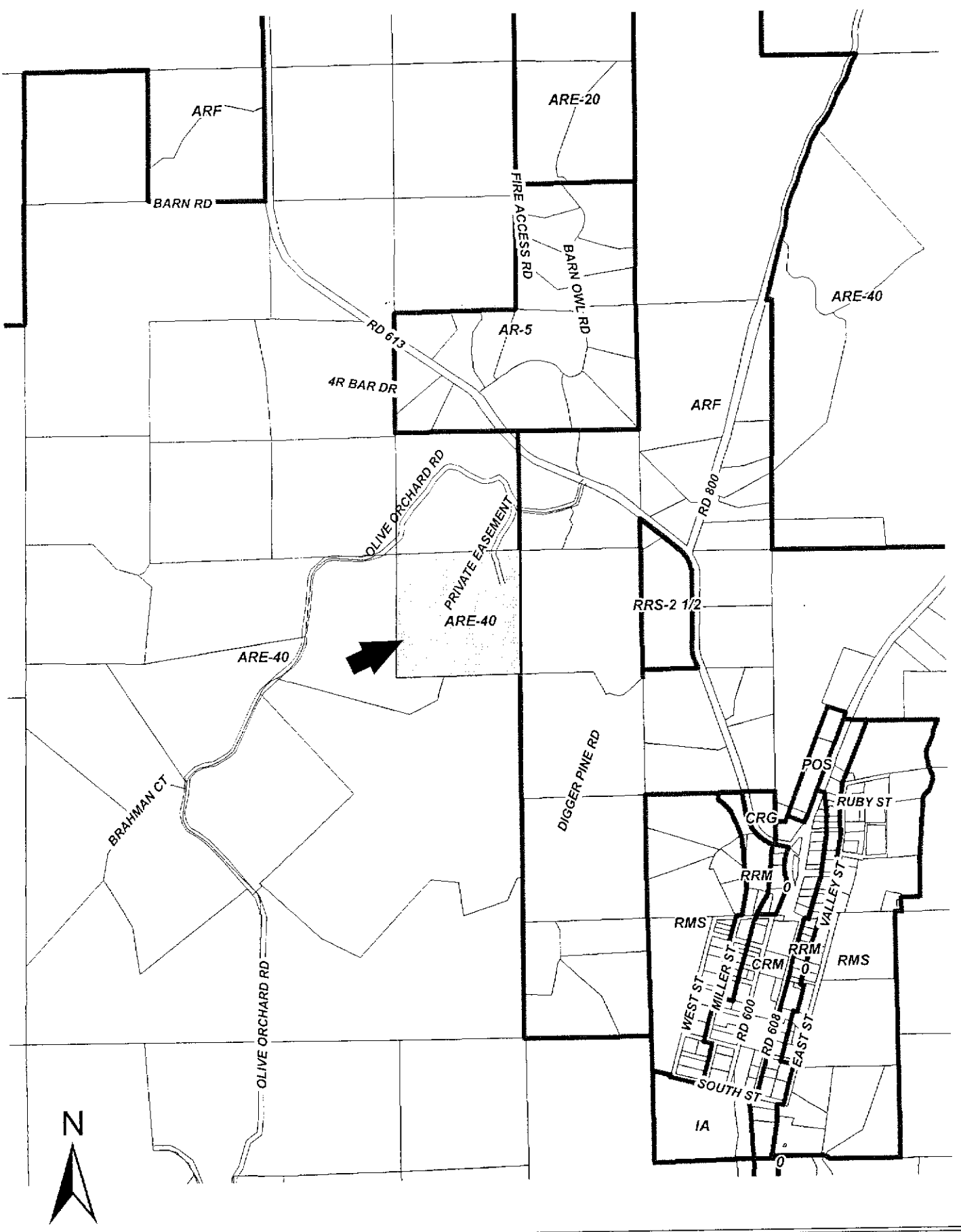
ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D Site Plan Map
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Engineering and General Services Comments
9. Exhibit I, Environmental Health Department Comments
10. Exhibit J, Fire Department Comments
11. Exhibit K, Road Department Comments
12. Exhibit L, Department of Fish and Game Comments
13. Exhibit M, San Joaquin Valley Air Pollution Control District Comments
14. Exhibit N, CEQA Initial Study
15. Exhibit O, Mitigated Negative Declaration ND #2012-21



GENERAL PLAN MAP

EXHIBIT B



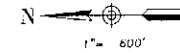
ZONING MAP

EXHIBIT C

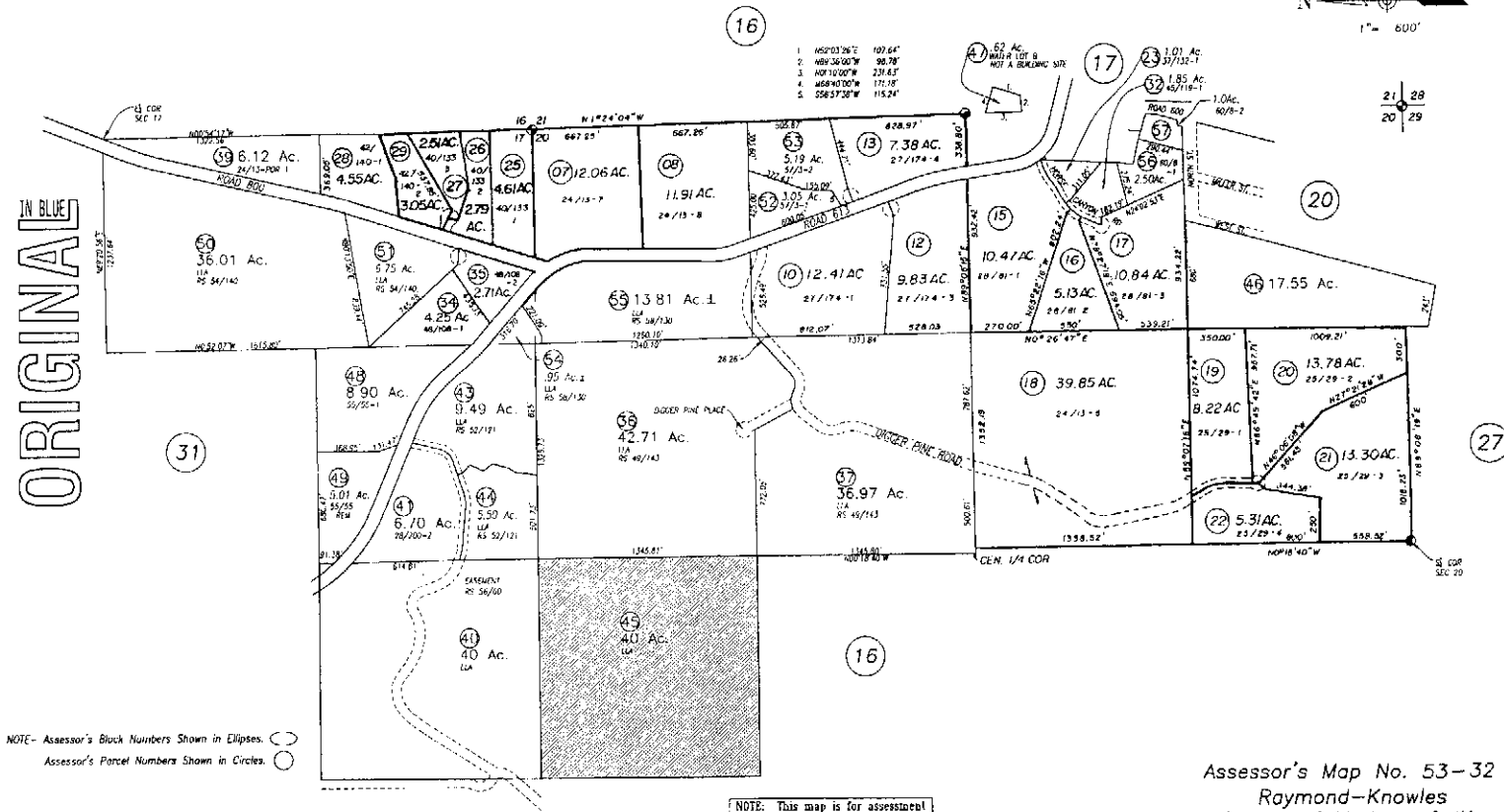
POR. SECS. 17 & 20 T.8S. R.19E. M.D.B.&M.



53-32

Tax Area Code
86-001



ORIGINAL
IN BLUE

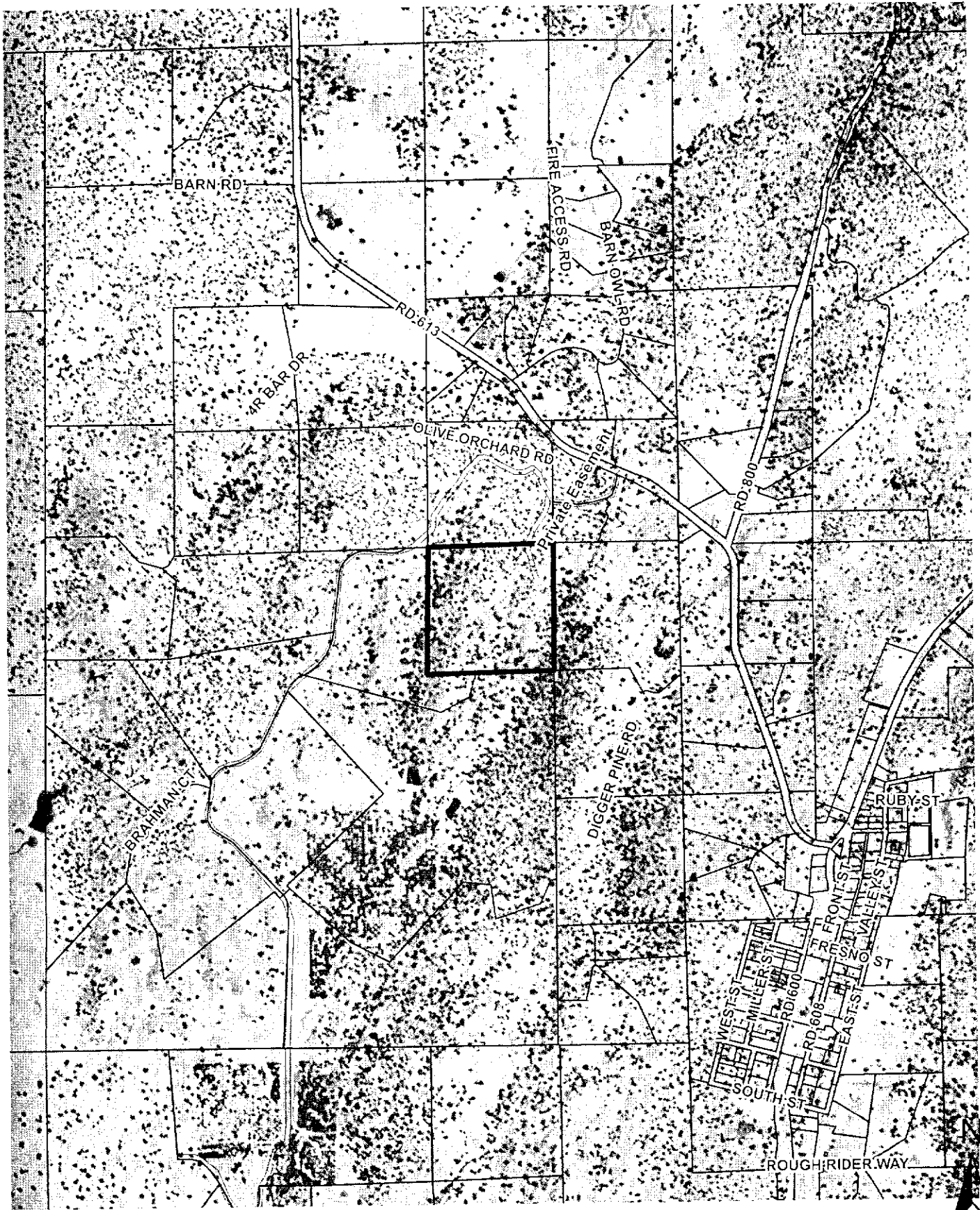


NOTE- Assessor's Block Numbers Shown in Ellipses. 
Assessor's Parcel Numbers Shown in Circles. 

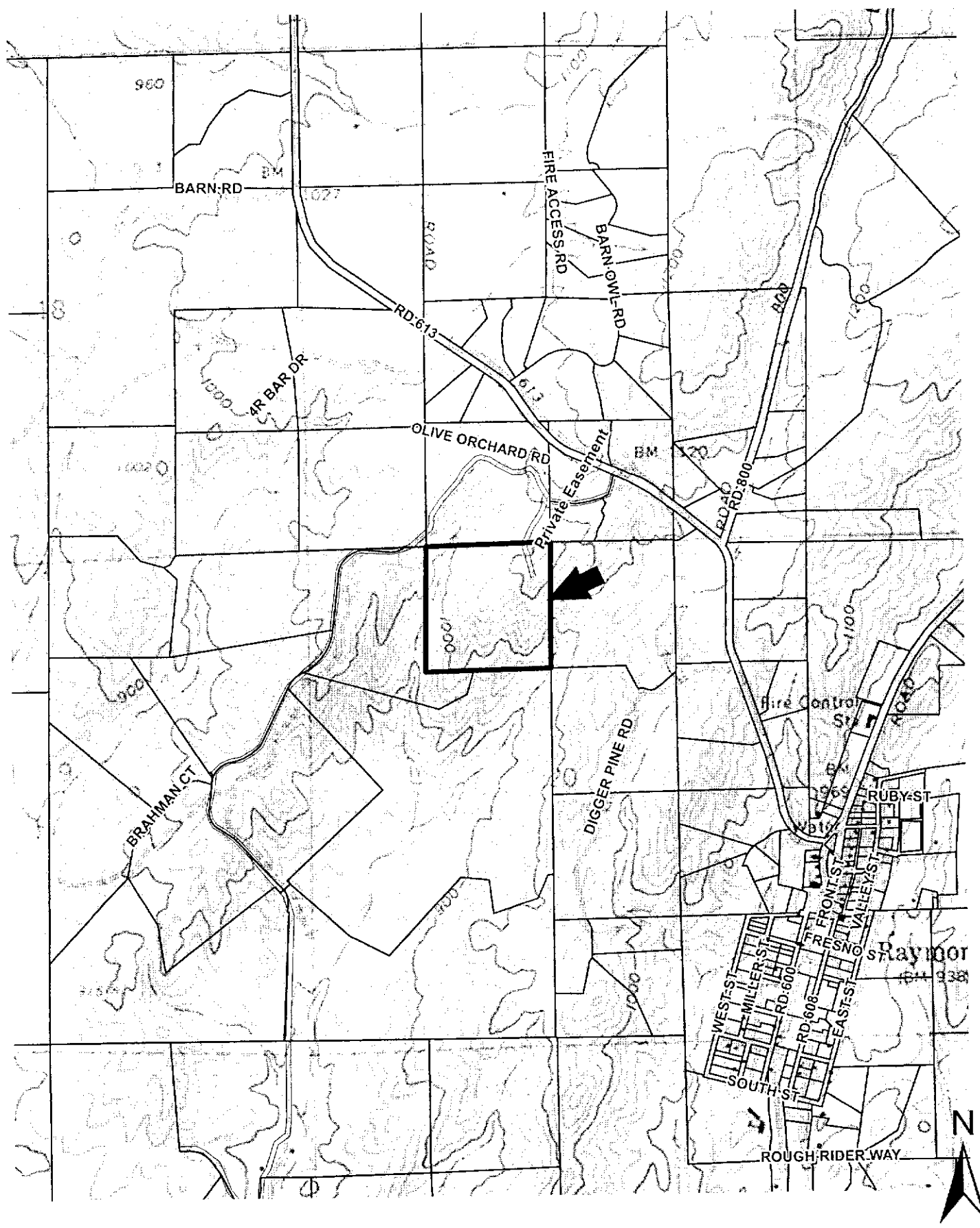
NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

Assessor's Map No. 53-32
Raymond-Knowles
County of Madera, Calif.
1992

ASSESSOR'S MAP



AERIAL MAP



TOPOGRAPHICAL MAP

EXHIBIT G

Madera County Planning Department
2037 W. Cleveland Avenue MS-G, Madera CA 93637

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: 053-162070
Applicant's Name: Leaders For Christ INC.
Address: 2535 E. Wilder Rd. Bay City, MI 48706
Phone Number: (989) 239-0947

2. Describe the nature of your proposal/operation.

A retreat-like setting for religious educational purposes and mentoring. Cattle will remain able to graze on the property.

3. What is the existing use of the property?

Grazing crattle.

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?

No products will be sold on site. This will be more of a nature walk an religious education.

5. What are the proposed operational time limits?

Months (if seasonal): Four times per year.
Days per week: 7 to 10 days per month.
Hours (from ___ to ___): 9 am to 12 pm & 6 pm to 9 pm
Total Hours per day: 3 to 6 hours per day.

7. How many customers or visitors are expected?

Average number per day: 12 to 24 per visit
Maximum number per day: 24
What hours will customers/visitors be there? 9 am to 12 pm & 6 pm to 9 pm

8. How many employees will there be?

Current: 4 to 5 volunteers and 4 to 5 board members
Future: Ranch house for seasonal employees/volunteers
Hours they work: 8 - 10 hours per day. (Additional hours covered by leaders)
Do any live onsite? If so, in what capacity (i.e. caretaker)?

At this time there is no caretakers to live onsite at this time.

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

Currently no storage will be on the property. All equipment, materials, and supplies will be stored offsite at another location.

10. Will there be any service and delivery vehicles?

Number: 1

Type: 15 Passenger Van

Frequency: Twice daily during operational hours.

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

We plan on using one vehicle and parking on the grass.

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

On Olive Orchard there is an easement for access. "Together with an easement for vehicular access and the installation of utility service lines, together with right to improve said easement as reasonably necessary to provide all weather access to the appurtenant parcel, as granted in that certain "Deed of Easement" recorded June 26, 1987 in Book 1981, Page 43,

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

1 15 Passenger Van twice a day.

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

We would like to put a "Leaders for Christ Ranch" sign over the driveway. 3ft. by 8ft. Sign hanging 12-14ft high.

15. 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.

There are no existing buildings and no new buildings are slated for construction at this time.

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

There is current fencing on the property which we will be using as is.

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

Vacant property used for cattle grazing. There are private homes to the west and north west of the property in section 32 and 65.

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

No.

- 19. 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).**
Currently there is a profession drilled 900 ft. well with storage tanks on the property which is ran by generator. Most of our water will be brought in for drinking purposes only (ie. Bottled water)
- 20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?**
Big Yak Portable Restrooms will be provided on site during times of use with sanitation hand wash stations (559) 683-7707.
- 21. 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?**
All garbage generated will be taken off site mainting the natural beauty and integrity of the property.
- 22. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)**
There does need to be some tree trimming and removal, but we do not plan on any roads, drainage. or building pads. We will be maintaining our entrance.
- 23. Are there any archeological or historically significant sits located on this property? If so, describe and show location on site plan.**
None that we are aware of.
- 24. Locate and show all bodies of water on application plot plan or attached map.**
There are no bodies of water on our 40-acre parcel.
- 25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.**
There are rolling hills that will not be disturbed.
- 26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?**
No.
- 27. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)**
We will use Yosemite National Park and police and fire protection (if needed) while there.
- 28. How do you see this development impacting the surrounding area?**
Our desire is to blend with the current surrounding area and not to draw any special attention to our purposes.
- 29. How do you see this development impacting schools, parks, fire and police protection or special districts?**
At this point we are going to enhance the community without using these services.
- 30. If your proposal is for commercial or industrial development, please complete the following;**

Proposed Use(s): N/A

Square feet of building area(s): N/A

Total number of employees: N/A

Building Heights: N/A

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

We are not changing the scope of the land's texture or slopes at all.

End

Engineering and General Services

2037 West Cleveland
Avenue
Madera, CA 93637
(559) 661-6333
(559) 675-7639
FAX
(559) 675-8970
TDD

Bass Lake Office
40601 Road 274
Bass Lake, CA
93604
(559) 642-3203
(559) 658-6959
FAX

engineering@madera-county.com

MEMORANDUM

TO: Becky Beavers
FROM: Madera County
DATE: October 16, 2012
RE: Ferranti, David - Conditional Use Permit - Raymond (053-320-045-000)

Comments

RE: CUP 2012-013

APN 053-162-070

Property is not in a Maintenance District or Service Area administered by our Special Districts Division.

Property is not in a Flood Zone.

Only trimming and no major grading will take place per Operational Statement.

If you have any questions please contact Engineering at 559-675-7817 ext 3322.

RESOURCE MANAGEMENT AGENCY**Environmental Health Department**

Jill Yaeger, Director

• 2037 West Cleveland Avenue
• Madera, CA 93637
• (559) 675-7823

MEMORANDUM

TO: Becky Beavers
FROM: Madera County
DATE: October 17, 2012
RE: Ferranti, David - Conditional Use Permit - Raymond (053-320-045-000)

Conditions

The Environmental Health Department has reviewed the Conditional Use Permit (CUP)# #2012-0-013, Farranti, David, located on APN: 053-320-045, within the Raymond area and has determined the following:

If there is going to be overnight stay on site then approved onsite wastewater treatment will be required for the project. If there is going to be only day use on-site and no overnight stay. Then there is no required onsite wastewater treatment system requirement for this site and temporary portable toilets must be utilized until this changes or the proposed structures are planned to be built.

The septic disposal system for the proposed "Ranch house and other dwelling for seasonal employees/volunteers" must be designated for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.

If the site is going to serve more than 25 people for 60 days per year then a public water system is required.

If the water system for this "Ranch house and other dwelling for seasonal employees/volunteers" and/or other development will serve more than 25 employees at any one time or has the potential to serve more than 25 employees anytime within the future, any water well used to serve this project will have to be compliant with Public Well Standards and the existing water well as noted on site as: "drilled 900 ft. well with storage tanks on the property which is ran by generator." would need to have a 50 ft. well seal on it, as required to meet the minimal Public Well Standards. Note: This well onsite is not identified anywhere else other than the operational statement and is not noted within the any other submitted documentation so the location is not known.

The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County appropriately licensed company. Routine maintenance of these portable toilets must be adjusted according to their usage as to prevent an unhealthy human environment and/or nuisance of any kind, at all times while onsite.

This 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): Vector(s), Dust, Odor(s), Noise(s), Lighting, and/or Litter accumulation. Adjacent occupied home owners are the most adversely affected by any

nuisances caused by even the most routine business operations within this type of development and its particular location to populated areas. Refuse accumulation is required to be removed routinely to prevent nuisances as well. 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 requisite and/or as determined by the Local Enforcement Authority (LEA), which is this Dept., the MCEHD and any other county or state regulatory agency having jurisdiction

The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to conducting any of these practices and/or conducting any construction activities on site.

If there are any questions or comments regarding these conditions/requirements or for copies of any Environmental Health Permit Application forms and/or other required Environmental Health form please, feel free to contact the appropriate program specialist as indicated in the above comments or contact me within this department at (559) 675-7823, M-F, 8:00 AM to 5:00 PM.

MADERA COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

2037 W. CLEVELAND
MADERA, CALIFORNIA 93637
(559) 661-6333
(559) 675-6973 FAX

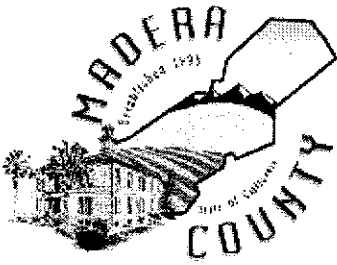
DEBORAH KEENAN
MADERA COUNTY FIRE MARCHAL

MEMORANDUM

TO: Becky Beavers
FROM: Madera County
DATE: October 15, 2012
RE: Ferranti, David - Conditional Use Permit - Raymond (053-320-045-000)

Conditions

The application for a CUP requires the parcel to meet 4290 requirements due to the location within SRA. CCR Title 14 Section 1270.04 (a) (PRC 4290). As such the project may exceed cul-de-sac length limitation as set forth by the 5 acre parcel on Olive Orchard Road.



ROAD DEPARTMENT
COUNTY OF
MADERA

2037 WEST CLEVELAND AVENUE/MADERA, CALIFORNIA 93637
(559) 675-7811 / FAX (559)675-7631

JOHANNES HOEVERTSZ
Road Commissioner

MEMORANDUM

TO: Becky Beavers
FROM: Road Department
DATE: October 15, 2012
RE: Ferranti, David - Conditional Use Permit - Raymond (053-320-045-000)

COMMENTS -

Our department does not anticipate any significant impacts to the circulation or roadway from this proposal and recommends approval without any recommended conditions. The access to the parcel is from a private easement heading southwesterly off of Olive Orchard Road. If any proposed construction is within the Olive Orchard Road right-of-way, such as a possible driveway approach, an Encroachment Permit shall be required. All private signs shall be outside of the County road right-of-way, except for the possible naming of the private easement.



EXHIBIT L

September 28, 2012

Becky Beavers
County of Madera, Resource Management Agency
Planning Department
2037 West Cleveland Avenue
Madera, California 93637

**Subject: Early Consultation/Project Review Request
CUP #2012-013 to allow Religious Retreat/Outdoor Classroom (Project)
Vacant parcel (APN 053-320-45) near Olive Orchard Road (Site)
near Raymond, Madera County**

The Department of Fish and Game (Department) has received a Project Review Request from your agency with regard to the above referenced Project. Your agency is requesting input from the Department regarding potential impacts to biological resources which could result from the Project-related activities. As the Department understands the Project, approval would allow for the development of the Site into a religious retreat/outdoor classroom with the eventual construction of a bunkhouse, a residence, and gravel paved parking and access areas. The Site and surrounding properties exist as mostly undisturbed oak woodland with some rural residential development, northwest of the community of Raymond in Madera County. In the Operational/Environmental Statement Checklist submitted in support of the permit application, the Project proponent reported that trees will be removed in association with the Project, but that there are no "water bodies" on-Site. The Project proponent did not indicate what time of the year the construction activities would occur.

The Department has concerns regarding the potential for the Project to impact oak woodlands, nesting birds, and special status species known to occur in the Project area including, but not limited to, the State and federally threatened California tiger salamander (*Ambystoma californiense*). In order to adequately assess any potential impact to biological resources, focused biological surveys need to be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether or not any special status species are present at or near the Site. This information is necessary to identify the mitigation, minimization, and avoidance measures needed to minimize the impacts from the planned ground-disturbing activities to less than significant levels. Our specific comments pertaining to compliance with the California Environmental Quality Act (CEQA), the California Endangered Species Act

(CESA) and Section 1600 (Streambed Alteration) of the Fish and Game Code follow below.

Department Jurisdiction

Trustee Agency Authority: The Department is a Trustee Agency with the responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities, as those terms are used under CEQA. It is also important to note that Project approval by the County does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. In other words, compliance with CESA does not automatically occur based on local agency project approvals or CEQA completion; consultation with the Department is warranted to ensure that Project implementation does not result in unauthorized "take" of a State-listed species.

Responsible Agency Authority: The Department has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under CESA, the Department may need to issue an Incidental Take Permit (ITP) for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001{c}, 21083, Guidelines sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080.

Bird Protection: The Department has jurisdiction over actions which may result in the disturbance or destruction of active nest sites or the unauthorized "take" of birds. Sections of the Fish and Game Code that protect birds, their eggs and nests include sections 3503 (regarding unlawful "take," possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the "take," possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful "take" of any migratory nongame bird).

Project Recommendations

Oak Woodlands: The Site is comprised of mature oak woodland habitat and the Project proponent plans to remove at least some trees in advance of development. CEQA was amended to include Public Resources Code (PRC) Section 21083.4, which states that a lead agency shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment, either individually or cumulatively. The Department believes the removal of any large mature oak trees in the construction and development of the Site would have a potentially significant effect to oak woodlands. Therefore, alternatives to mitigate the significant effect of the conversion of oak woodlands should be included in the CEQA document prepared for the Project. The mitigation plan should be developed in advance of Project approval and made part of the enforceable conditions of approval. Potential mitigation measures include acquisition and easement on an appropriate acreage of comparable oak woodland habitat to be preserved in perpetuity, contribution of fees to the Oak Woodlands Conservation Fund as established under Section 1363 of the Fish and Game Code, and mitigation planting/restoration of oak woodlands. PRC Section 21083.4 does not allow that any more than 50 percent of the mitigation be in the form of mitigation plantings. If mitigation plantings are used as a part of the mitigation, the area where the plantings will be established should be protected in perpetuity via conservation easements or similar title restrictions.

California Tiger Salamander (CTS): The Project proponent reported that no "water bodies" exist on-Site. However, the Site may provide suitable upland refugia habitat for CTS if seasonal wetlands exist within one and one-quarter mile. The Department requests potential Project-related impacts to CTS be evaluated prior to any ground-disturbing activities by a qualified biologist using the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (CDFG, 2003) which was issued by the Department and the USFWS in 2003. The survey must be conducted at and within 100 feet of the Site in all areas of wetland and upland habitat which could support CTS. If CTS are found within the Project Area, "take" authorization may be warranted prior to initiating ground-disturbing activities and would occur through the issuance of an ITP, pursuant to Fish and Game Code Section 2081(b). In the absence of protocol surveys, the applicant can assume presence of CTS within the Project Area and obtain an ITP from the Department. Mitigation measures for CTS should be fully addressed in the CEQA document prepared for the Project.

Nesting Birds: Trees, shrubs, and grasses at and in the vicinity of the Site may provide nesting habitat for songbirds and raptors. If ground-disturbing activities are to occur during the breeding season (February through mid-September), surveys for active

Becky Beavers
September 28, 2012
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nests should be conducted by a qualified biologist no more than 10 days prior to the start of the ground disturbance activities. A minimum no-disturbance buffer of 250 feet should be delineated and observed around active nests for songbirds, 500 feet for raptors, and ½-mile for listed raptors until the nesting season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Mitigation measures for nesting birds should be fully addressed in the CEQA document prepared for the Project.

All survey results should be submitted to the Department. Depending upon the results of the previously mentioned biological surveys, we may have additional comments and recommendations regarding avoidance, minimization, and mitigation of Project impacts to habitat and special status species. If you have any questions regarding these issues, please contact Steve Hulbert, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 289.

Sincerely,



Jeffrey R. Single, Ph.D.
Regional Manager

cc: United States Fish and Wildlife Service
2800 Cottage Way, W-2605
Sacramento, California 95825-1846

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Literature Cited

CDFG, 2003. *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander*. California Department of Fish and Game. 2003



October 2, 2012

OCT 04 2012

Becky Beavers
County of Madera
Resource Management Agency – Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

Project: Conditional Use Permit #2012-013 – Raymond (053-320-045-000)

District CEQA Reference No: 20120597

Dear Mrs. Beavers:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of an outdoor recreational area with a retreat-like setting for religious educational purposes and mentoring located in an unincorporated area of Madera County, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project is not subject to District Rule 9510 (Indirect Source Review).
3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

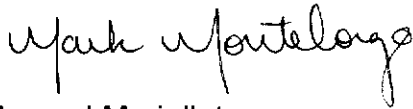
Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Mark Montelongo at (559) 230-5905.

Sincerely,

David Warner
Director of Permit Services



for: Arnaud Marjollet
Permit Services Manager

DW: mm

Cc: File

Environmental Checklist Form

Title of Proposal: *CUP 2012-013, David Ferranti*

Date Checklist Submitted: October 15, 2012

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: *Becky Beavers, Senior Planner*

Phone: (559) 675-7821

Description of Project:

The request is for a Conditional Use Permit to allow an Outdoor Recreational Classroom. The plans are to use a 40 acre parcel located in Raymond for a place to invite a group of 20 to 25 people to walk, pray, write, sing and have meals together.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have significant effects on the environment. In the case of the proposed project, the Madera County Planning Department, acting as lead agency, will use the initial study to determine whether the project has a significant effect on the environment. In accordance with CEQA, Guidelines (Section 15063[a]), an environmental impact report (EIR) must be prepared if there is substantial evidence (such as results of the Initial Study) that a project may have significant effect on the environment. This is true regardless of whether the overall effect of the project would be adverse or beneficial. A negative declaration (ND) or mitigated negative declaration (MND) may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions to the project, or measures agreed to by the applicant, mitigate the potentially significant impacts to a less-than-significant level.

The initial study considers and evaluates all aspects of the project which are necessary to support the proposal. The complete project description includes the site plan, operational statement, and other supporting materials which are available in the project file at the office of the Madera County Planning Department.

Project Location:

The project is located at the end of a private easement, approximately 570 feet northwest of its intersection with Olive Orchard Road, Raymond

Applicant Name and Address:

David Ferranti
2763 Cedar Lane
Bay City, MI 48706

General Plan Designation:

AE (Agricultural Exclusive) Designation

Zoning Designation:

ARE-40 (Agricultural Rural Exclusive-40 Acres) District

Surrounding Land Uses and Setting:

Grazing Land, Rural Residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

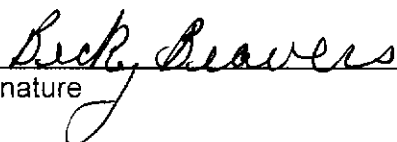
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

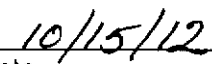
- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <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/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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 by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- 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.
- 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

I. AESTHETICS -- Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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) Substantially degrade the existing visual character or quality of the site and its surroundings? | <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) No Impact - There are no official state- designated scenic routes or eligible state scenic highways in the area. The proposed facility is approximately ½ mile off of Road 613 and thus not visible from Road 613.

(b) No Impact - There is not a designated scenic highway within the immediate vicinity of the project. The nearest scenic highway or potential scenic highway would be Highway 41 which is more than ten miles from the project site.

(c) Less than Significant - The project would allow for future construction ranch house and bunk house where open range land previously existed. However, this is consistent with surrounding properties in the area and consistent with the Raymond Area Plan. Raymond Area Plan Design Guidelines also apply to the project which will also limit the degradation of visual character of the area.

(d) No Impact - Any lighting for the projects will be directed away from adjacent properties as to not create any sort of impact. The size of the improvement compared to the size of the parcel should also provide enough of a buffer to limit lighting or glare to neighboring areas or parcels.

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.

| | | | | | |
|------|--|--------------------------------------|---|-------------------------------------|-------------------------------------|
| III. | <p>AGRICULTURE AND FOREST RESOURCES: In determining whether 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:</p> | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
| | a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (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 land? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a) No Impact. As shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, there are no indications that this area has been mapped as described. The property is currently being used for grazing and will continue being used for grazing.

b) Less than Significant with Mitigation Incorporation. The project parcel is currently in the Williamson Act.

The Williamson Act was originally created to set forth a framework based on traditional contractual law whereby landowners within locally designated agricultural preserves may voluntarily place restrictions on agricultural lands in exchange for tax reductions and other incentives. The Williamson Act is estimated to save between 20 and 75 percent in property tax liability each year.

As the operation is in conflict with the standards of the Williamson Act, the applicant will need to cancel out of the Williamson Act. The parcels to the north and south are also in the Williamson Act. Except as noted for this project, there will be no additional development as a result of non-renewal of the Williamson Act; there is no residential development as a result of this project.

There is no contradiction in the zoning as it relates to this project. The ARE-40 (Agricultural Rural Exclusive -40 acre) District allows for private clubs and recreational facilities and churches, as this project can be classified as, with a Conditional Use Permit.

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

| III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a - e) Less than Significant Impact - The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. The project is below the requirements for District Rule 9510 for Indirect Source Emissions. However, individual development and construction of each parcel will be subject to various district rules such as Regulation VIII, 4102, 4601 and 4641. The operations of this project indicate that there will be approximately 2 average daily trips, with 1 vehicle arriving up twice daily as participant arrivals. The applicant has indicated that they pick up the participants at the airport and delivery to the site.

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.

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.

California Assembly Bill (AB) 1493 (Pavley) enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHG emitted by passenger vehicles and light duty trucks. Regulations adopted by CARB will apply to 2009 and later model year vehicles. CARB estimates that the regulation will reduce climate change emissions from light duty passenger vehicle fleet by an estimated 18 percent by 2020 and by 27 percent in 2030 (CARB 2004a).

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S3-05, the following GHG emission targets: by 2010 reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions by 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels.

| IV. BIOLOGICAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) Less than Significant Impact. While the table below shows a listing of potential special status species, no special status plant or animal species, or unique habitat, is known to exist on the project site or surrounding area, and no impacts to biological resources would occur as a result of this project. No locally designated resources exist in this portion of the county and resources such as wetland habitat or migration corridors are not

present. The project would not conflict with any local policies or ordinances protecting biological resources, and the project would not conflict with the provision of any conservation plans.

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 Listing | State Listing | Dept. of Fish and Game Listing | CNPS Listing |
|-----------------------------|-----------------|---------------|--------------------------------|--------------|
| California tiger salamander | Threatened | Threatened | Species of Special Concern | None |
| Western Spadefoot | None | None | Species of Special Concern | None |
| Bald Eagle | Delisted | Endangered | Fully Protected | None |

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)

(b - d, f) No Impact. The project does not contain any natural riparian habitat or designated wetlands. In addition, it is not redirecting, obstructing or change a wildlife corridor for native resident species. The project may impact any onsite oak trees however. Existing oak trees should be noted and accommodated through construction activities and location of structures. Replacement of oak trees is not required through local ordinance or policies, but is encouraged in order to preserve the natural landscape of the project site. The project does not reside within an existing habitat conservation plan.

(e) Less than Significant with Mitigation. The Raymond Area Plan calls out for preservation of oak woodlands with development. Any future development should incorporate or preserve oak woodlands as part of the project. If an oak tree is to be removed, it shall be replaced at a rate of 2 to 1.

General Information

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 Department of Fish and Game. The same Senate Bill also increases the associated fees for

the Fish and Game; the current fees associated with a Mitigated Negative Declaration are \$2044.00, and the County Clerk filing fee is \$50.

In short, the applicant must either contact the California Department of Fish and Game and get them to issue a de minimis finding and fee exemption waiver, submit that with the County \$50 filing fee, **OR** submit a total of \$2,094.00 (on top of associated County Fees) to the County.

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 as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

(a - d) *Less than Significant with Mitigation Incorporation.*

Policy 4.D.3 of the Madera County General Plan provides for that "(T]he County shall require that discretionary development projects identify and protect from damage, destruction and abuse, important historical, archaeological, paleontological and cultural sites and their contributing environment" Impacts on previously undiscovered cultural resources are potentially significant, but can be mitigated to a level that is less than significant through incorporation of the mitigation measure(s) stipulated in the Negative Declaration.

No known unique geological features in the vicinity of the project site exist. There are no known fossil bearing sediments on the project site. No impact has been identified.

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

VI. GEOLOGY AND SOILS -- Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Expose people or structures to 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 Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a i-iv) No Impact - 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.

(b) Less than Significant. The project is located in an area with uneven landscape with some sloping areas. The requirement for grading permits will allow for the property to be developed in a manner that will minimize and mitigate any potential landslides by adhering to proper rules and regulations.

(c - e) No Impact - The soils of the area do lend themselves to development in a manner which would not pose a potential hazard. Other properties have been developed in a manner similar to the proposal. The development process will allow for plans to be reviewed by staff to make sure that they adhere to the proper codes and allow for any additional reports to be conducted in order to determine proper development areas. However, it is not anticipated that the development of the property would be affected by the type of soil present.

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) Less than Significant Impact - The Operational Statement for this project indicates that there will be minimal daily travel to and from the project site (delivery vehicles for the most part); participants in the programs offered will be residing on site for the duration of their programs and walking on site is the preferred method of getting around. One travel trip on and one off per group, will minimize the potential greenhouse gas emission impact of this project.

VIII. 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"/> |
| 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 for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the | | | | |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) 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"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - h) No Impact - There are no hazardous materials, as is typically defined, which have been identified as being utilized for this project as a normal part of their operations. There will be some normal household cleaning materials at the site, which by nature may be considered hazardous, but if handled appropriately according to product instructions, are not considered significantly hazardous.

- | IX. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) No Impact - Any installation of facilities such as septic tanks would require permits and need to be properly setback from wells to prevent contamination. However, the development of this project should not substantially contribute to ground water contamination.

(b) Less than Significant with Mitigation – In the future, a ranch house and bunk house will be constructed. The project would be taking from local groundwater supplies in the area. The availability of water varies due to the geologic landscape of the area being scattered with decomposed granite which makes it increasingly difficult to project the availability of water. In addition, various environmental conditions such a drought, recharge and other development in the area could also affect the availability of water.

(c - e) No Impact - Drainage for the project is required to mitigated to the satisfaction of the Engineering Department. For the most part, natural drainage patterns run through the middle of the project. The applicant is also proposing small retention areas in order to offset runoff through development which exceeds current levels.

(f) No Impact - It is not anticipated that the proposed project would create any need to mitigate for additional degradation of water quality. The nature of the project does not typically have any sort of storage of materials which could cause water quality issues like an industrial or heavy commercial project would.

(g - j) No Impact - The project is not located within a flood zone or within the vicinity of a coastline or dam which would cause a need for mitigation of flooding.

X. LAND USE AND PLANNING – Would the project result in:

| | 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) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - c) No Impact - The project location is outside what is considered the downtown core of the Town of Raymond and the development of the site would not create any divisions through the area.

The proposed project is in the recently adopted Raymond Area Plan, and therefore, as proposed, would be consistent with the plan as well as the Madera County General Plan.

There is not an adopted habitat conservation plan or natural community conservation plan for the proposed project location.

| XI. MINERAL RESOURCES – Would the project result in: | 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"/> |

Discussion:

(a - c) No Impact - The project site does not have any known mineral resources and has not been identified a locally important recovery site by any plan.

| XII. NOISE – Would the project result in: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 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"/> |
| f) For a project within the vicinity of a private airstrip, 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"/> |

Discussion:

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, 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, associated with the proposed operations 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.

(a - d) Less than Significant Impact - The proposed project will have some noise impacts as far as future construction and grading are concerned. Those activities are subject to the Madera County Code in terms of defining times and levels of noise acceptable. That ordinance is enforced by the Environmental Health Department. Ambient noise levels would be raised above the current level because there currently is not anything present on the property. Appliances, electricity, cars are among the various sources which will now be present in the area to raise ambient levels. However, that level is not deemed to be significant.

(e - f) No Impact - The project is not within the vicinity of a private air strip.

XIII. POPULATION AND HOUSING -- Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - c) No Impact. - The project as mitigated would not result in substantial population growth, and would not displace existing housing or people.

The proposed project is not designed to induce population growth, and will not result in substantial direct or indirect growth inducement. No housing will be displaced as a result of the project. No people will be displaced as a result of the project.

According to the California Department of Finance, in October 2006, there were 59,400 jobs in Madera County. Of those, 23,800 jobs were in the cities of Madera and Chowchilla, and 23,800 were in the unincorporated areas. This leads to a jobs/housing ratio of 1.27:1 for the County and 1.19:1 for the unincorporated areas.

XIV. PUBLIC SERVICES

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| 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: | | | | |
| 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 type="checkbox"/> | <input checked="" 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"/> |

Discussion:

(a-i and ii) *Less than Significant* - The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sherriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks.

Madera County Fire Department provides fire protection services to all unincorporated areas of Madera County, which has an estimated 2000 population of 74,734 persons. MCFD is a full service fire department and is comprised of 15 fire stations, a fleet of approximately 50 fire apparatus and support vehicles, 19 full-time career fire suppression personnel and 185 paid on-call firefighters, and 11 support personnel. The career fire suppression personnel and department administration are provided through a contract with the California Department of Forestry and Fire Protection (CDF). Fire prevention, clerical, and automotive support personnel are County employees. Based on the estimated 2006 population the unincorporated portion of Madera County has a current fire protection personnel ratio of 2.52:1000 to the populations (2.52 full-time career and paid on-call personnel to 1000 residents).

The Federal Bureau of Investigations suggests a law enforcement officer to population ratio of 1.7 – 2.2 per thousand in rural counties.

(a-iii-v) *No Impact*- No impacts have been identified as a result of this project.

County services such as fire and law enforcement continue to remain inadequate and seriously under-funded. While not normally an environmental concern, new development in the foothills represents a heightened potential for fire risks, risks that the County does not have the resources to counter.

There is no indication that this project will substantially increase the need for additional school facilities or park structures.

XV. RECREATION

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| 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"/> |

Discussion:

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a 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"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - b) *Less than Significant with Mitigation* - The project site is located on a private easement, approximately 570 feet its intersection with Olive Orchard Road. The project may exceed cul-de-sac length limitations and require a second point of access.

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.

(c - f) No Impact - The project is not large enough to significantly affect air traffic patterns of the area. In addition, there are not an alternative transportation plans or policies in the area which would be affected. Emergency access will be enhanced by the project through the development of standards required by the Madera County Road Department.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has 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"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a-b) No Impact - Facilities are not being built that would require any permitting through the Regional Water Quality Control Board. Septic tanks are proposed to be used for the project and would be review for applicable standards by the Environmental Health Department.

(c) Less than Significant - In regards to stormwater runoff the site will not increase any significant amounts of runoff as a result of this project. The site footprint will not be increased as a result; therefore no new drainage issues will occur. There is the potential that runoff patterns will be slightly altered but in light of the whole, this diversion is not expected to be significant.

(d) No Impact - The proposed project will utilize bottled water and bring in portable restrooms. In the future, a farm house and bunk house will be constructed using well and septic tank.

(e - g) No Impact - There is not a wastewater treatment provider in the area which will be impacted by the proposed project. The Fairmead Landfill was recently expanded to allow for a higher capacity of solid waste and could

therefore serve this project. Waste disposal would be required for all new single family dwellings.

XVIII. 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 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, 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 type="checkbox"/> | <input checked="" 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 considerable 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"/> |

Discussion:

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) No Impact. The project does not have the potential to substantially degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory.

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

The project will not generate significant environmental impacts. The incremental effect of the current project, when viewed in light of both existing development and reasonably foreseeable future projects, does not yield impacts which are cumulatively considerable.

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

**Documents/Organizations/Individuals Consulted
In Preparation of this
Initial Study**

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Madera County Environmental Health

Madera County Roads Department

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/>

Raymond Area Plan

MITIGATED NEGATIVE DECLARATION

ND-2012-021

RE: David Ferranti - Conditional Use Permit - Madera

LOCATION AND DESCRIPTION OF PROJECT:

The project consists of a request for a conditional use permit to allow a retreat for religious educational purposes, nature walks and mentoring. The property is owned by Linda Steiner, Linda S Revoc. Trust and is located at the end of a private easement, approximately 570 feet northwest of its intersection with Olive Orchard Road, Raymond. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, Forty Acre) District. Size: 40 Acres. APN: 053-320-045.

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:

The following conditions and mitigation measures are specifically included as a part of the negative declaration:

1. Any lighting associated with this project shall be hooded and directed downwards.
2. Prior to release of the Conditional Use Permit, and prior to issuance of building permits, the applicant shall remove the subject parcel from the Williamson Act.
3. All current, and any proposed new, roadways and parking areas shall be maintained and/or constructed in a dust free manner.
4. The applicant shall comply with any and all conditions required by the Air District.
5. The applicant shall comply with any and all conditions required by the Department of Fish and Game.
6. 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 2 archaeological study.
7. If the site is going to serve more than 25 people for 60 days per year then a public water system is required.
8. If the water system for this "Ranch house and other dwelling for seasonal employees/volunteers" and/or other development will serve more than 25 employees at any one time or has the potential to serve more than 25 employees anytime within the future, any water well used to serve this project will have to be compliant with Public Well Standards and the existing water well as noted on site as: "drilled 900 ft. well with storage tanks on the property which is ran by generator." would need to have a 50 ft. well seal on it, as required to meet the minimal Public Well Standards.

9. The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County appropriately licensed company. Routine maintenance of these portable toilets must be adjusted according to their usage as to prevent an unhealthy human environment and/or nuisance of any kind, at all times while onsite.

On the basis that no significant amounts of traffic, noise, dust, light, or glare will result from this development, that no biological or cultural resources will be degraded, and that no significant increase in the demand for public services or utilities will be generated by this proposal, the Madera County Development Review Committee has directed that this mitigated negative declaration be prepared.



Madera County Development Review Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 2037 West Cleveland Avenue, Madera, California.

DATED: November 8, 2012

FILED:

PROJECT APPROVED:

CONDITIONS OF APPROVAL

PROJECT NAME:

Conditional Use Permit - David Ferranti - 053-320-045

PROJECT LOCATION:

At the end of a private easement, approximately 570 feet northwest of its intersection with Olive Orchard Road, Raymond

PROJECT DESCRIPTION:

The request is for a Conditional Use Permit to allow an Outdoor Recreational Classroom. The plans are to use a 40 acre parcel located in Raymond for a place to invite a group of 20 to 25 people to walk, pray, write, sing and have meals together.

APPLICANT:

Ferranti, David

CONTACT PERSON/TELEPHONE NUMBER:

(989) 239-0947, (989) 686-0900

| No. | Condition | Department/Agency | Verification of Compliance | | |
|-----------------------------|--|-------------------|----------------------------|------|---------|
| | | | Initials | Date | Remarks |
| Engineering | | | | | |
| | | | | | |
| Environmental Health | | | | | |
| 1 | If there is going to be overnight stay on site then approved onsite wastewater treatment will be required for the project. If there is going to be only day use on-site and no overnight stay. Then there is no required onsite wastewater treatment system requirement for this site and temporary portable toilets must be utilized until this changes or the proposed structures are planned to be built. | | | | |
| 2 | The septic disposal system for the proposed "Ranch house and other dwelling for seasonal employees/volunteers" must be designated for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department. | | | | |
| 3 | The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to conducting any of these practices and/or conducting any construction activities on site. | | | | |
| Fire | | | | | |
| | | | | | |
| Planning | | | | | |
| | The business shall operate in accordance with the submitted Operational Statement except where amended by the Conditional Use Permit or associated Mitigated Negative Declaration | Planning | | | |
| | All signs must comply with the Madera County Zoning Ordinance and be approved by the Planning Department. | | | | |

MITIGATION MONITORING REPORT

MND # 2012-021

| No. | Mitigation Measure | Monitoring Phase | Enforcement Agency | Monitoring Agency | Action Indicating Compliance | Verification of Compliance | | |
|--|---|------------------|--------------------|-------------------|------------------------------|----------------------------|------|---------|
| | | | | | | Initials | Date | Remarks |
| Aesthetics | | | | | | | | |
| | Any lighting associated with this project shall be hooded and directed downwards. | | Planning | Planning | | | | |
| Agricultural Resources | | | | | | | | |
| | Prior to release of the Conditional Use Permit, and prior to issuance of building permits, the applicant shall remove the subject parcel from the Williamson Act. | | Planning | Planning | | | | |
| Air Quality | | | | | | | | |
| | All current, and any proposed new, roadways and parking areas shall be maintained and/or constructed in a dust free manner. The applicant shall comply with any and all conditions required by the Air District. | | Planning SJVAD | Planning | | | | |
| Biological Resources | | | | | | | | |
| | The applicant shall comply with any and all conditions required by the Department of Fish and Game. | | Fish & Game | Fish & Game | | | | |
| Cultural Resources | | | | | | | | |
| | 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 2 archaeological study. | | Planning | Planning | | | | |
| Geology and Soils | | | | | | | | |
| Hazards and Hazardous Materials | | | | | | | | |
| Hydrology and Water Quality | | | | | | | | |
| | If the site is going to serve more than 25 people for 60 days per year then a public water system is required. | | Env. Health | | | | | |

| No. | Mitigation Measure | Monitoring Phase | Enforcement Agency | Monitoring Agency | Action Indicating Compliance | Verification of Compliance | | |
|------------------------------|--|------------------|--------------------|-------------------|------------------------------|----------------------------|------|---------|
| | | | | | | Initials | Date | Remarks |
| | If the water system for this "Ranch house and other dwelling for seasonal employees/volunteers" and/or other development will serve more than 25 employees at any one time or has the potential to serve more than 25 employees anytime within the future, any water well used to serve this project will have to be compliant with Public Well Standards and the existing water well as noted on site as: "drilled 900 ft. well with storage tanks on the property which is ran by generator." would need to have a 50 ft. well seal on it, as required to meet the minimal Public Well Standards. | | Env. Health | | | | | |
| | The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County appropriately licensed company. Routine maintenance of these portable toilets must be adjusted according to their usage as to prevent an unhealthy human environment and/or nuisance of any kind, at all times while onsite. | | Env. Health | | | | | |
| Land Use and Planning | | | | | | | | |
| Mineral Resources | | | | | | | | |
| Noise | | | | | | | | |

| No. | Mitigation Measure | Monitoring Phase | Enforcement Agency | Monitoring Agency | Action Indicating Compliance | Verification of Compliance | | |
|--------------------------------------|---|------------------|--------------------|-------------------|------------------------------|----------------------------|------|---------|
| | | | | | | Initials | Date | Remarks |
| | This 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): Vector(s), Dust, Odor(s), Noise(s), Lighting, and/or Litter accumulation. Adjacent occupied home owners are the most adversely affected by any nuisances caused by even the most routine business operations within this type of development and its particular location to populated areas. Refuse accumulation is required to be removed routinely to prevent nuisances as well. 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 requisite and/or as determined by the Local Enforcement Authority (LEA), which is this Dept., the MCEHD and any other county or state regulatory agency having jurisdiction | | Env. Health | | | | | |
| Population and Housing | | | | | | | | |
| Public Services | | | | | | | | |
| Recreation | | | | | | | | |
| Transportation and Traffic | | | | | | | | |
| | The application for a CUP requires the parcel to meet 4290 requirements due to the location within SRA. CCR Title 14 Section 1270.04 (a) (PRC 4290). As such the project may exceed cul-de-sac length limitation as set forth by the 5 acre parcel on Olive Orchard Road. | | Fire & Road | Fire & Road | | | | |
| Utilities and Service Systems | | | | | | | | |