

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, AICP
Director *NLA*

PLANNING COMMISSION DATE: December 4, 2012

AGENDA ITEM: #6

CUP	#2012-017	Bulk Propane Storage
APN	#049-054-033	Applicant: Bob Shockley
CEQA	MND #2012-20	Owner: Roger Guthrie
		Mitigated Negative Declaration

REQUEST:

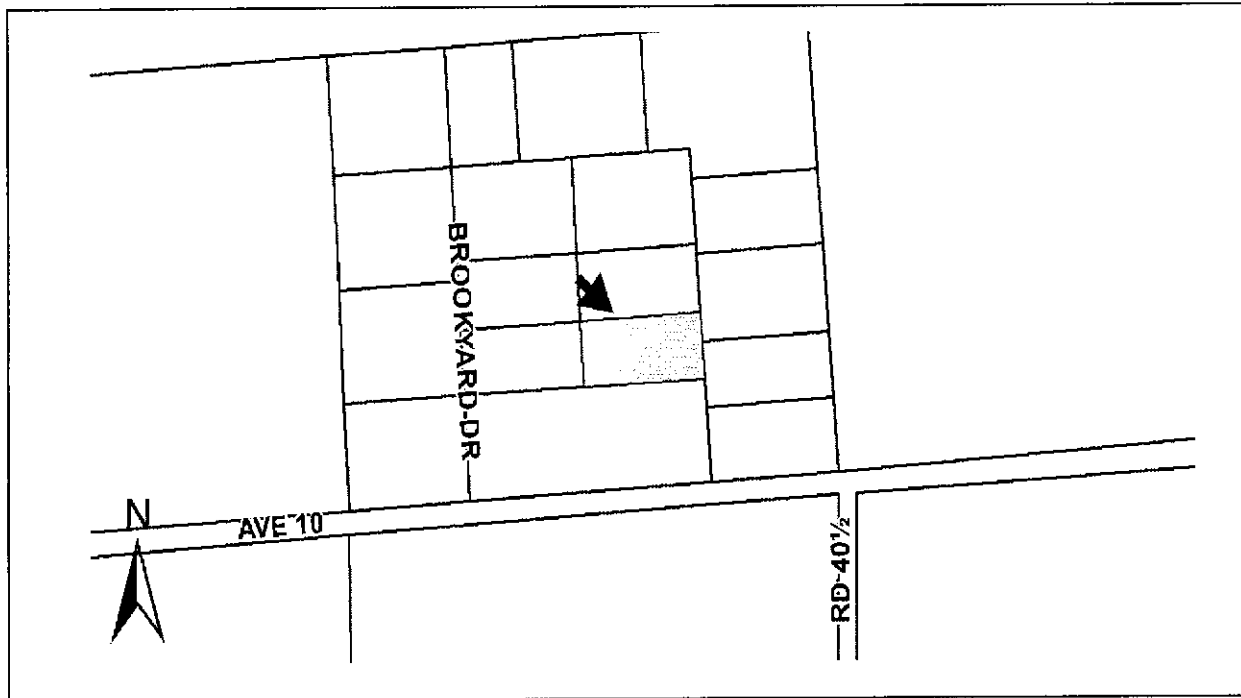
The applicant is requesting a Conditional Use Permit to allow for Bulk Propane Storage facility.

LOCATION:

The subject property is located on the west side of Brickyard Drive, approximately 300 feet north of its intersection with Avenue 10, (no situs) Madera

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2012-20) (Exhibit O) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Staff recommends approval of Conditional Use Permit #2012-017 and Mitigated Negative Declaration MND #2012-17 subject to conditions and Mitigation Monitoring Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: LI (Light Industrial) Designation

SURROUNDING: LI (Light Industrial) Designation

ZONING (Exhibit B):

SITE: IL (Industrial, Urban or Rural, Light) District

SURROUNDING: IL (Industrial, Urban or Rural, Light) District

LAND USE:

SITE: Vacant.

SURROUNDING: North: vacant and commercial structure; East: commercial; South: vacant; West: commercial structure

SIZE OF PROPERTY: 1.36 acres.

ACCESS (Exhibit A): Access to the site is via Brickyard Drive

BACKGROUND AND PRIOR ACTIONS:

In 2007, a Staff level determination regarding a car club was made that indicated that no Conditional Use Permit would be required, however at the time a Parking Development Review process would be required. No indications a Parking Development Review was conducted, or that the car club project proceeded forwarded are in County records.

PROJECT DESCRIPTION:

The applicant is requesting a Conditional Use Permit to allow for a bulk propane dispensing facility. This will allow the applicant to re-stock delivery vehicles that supplies residences in a more timely and efficient manner.

ORDINANCES/POLICIES:

Section 18.42 of the Madera County Zoning Ordinance outlines the uses and regulations of the I-L district and states that bulk fuel storage for distribution and resale requires a conditional use permit.

Section 18.78.010 of the Madera County Zoning Ordinance outlines the Airport/Airspace Overlaid District.

Section 18.92 of the Madera County Zoning Ordinance outlines the procedures for obtaining Conditional Use Permits.

Section 18.94 of the Madera County Zoning Ordinance outlines Conditional Uses Permitted.

Part I of the Madera County General Plan describes the Light Industrial designation.

ANALYSIS:

The applicant is proposing a bulk LPG dispensing facility to allow for distribution trucks to more efficiently fill up portable systems to deliver to the home users. The facility will include a bulk LPG tank with a capacity of 120,000 gallons of storage and a 20'x20' storage building. The applicant is proposing to fence in the site, and have landscaping along the front of the facility.

Traffic to and from the site will be minimal, as the operation is not intended to have customers come to the site. There will be a supply delivery truck on a regular basis to supply the larger bulk tank and a smaller individual delivery truck to transfer from the bulk tank and then deliver to customers. No staff will be at the site except at times when the bulk tank is being supplied, or the local delivery truck is getting a supply for local deliveries. No production will be occurring on the site.

Water usage during the winter months will be minimal. Usage during the spring and summer months will be for dust control as needed and irrigation. The project will not generate wastewater. No trash will be generated by the operations itself, and whatever litter blown on to the site from other locations will be collected and disposed of properly in order to keep the facility well maintained.

The 1995 General Plan and Coarsegold Area Plan designate the parcel "LI" (Light Industrial) which provides for industrial parks, research and development, warehouses, light manufacturing, general commercial uses, professional offices, airports and airstrips, outdoor theaters, public and quasi-public uses, and similar and compatible uses. The subject parcel is zoned "I-L" (Industrial, Urban or Rural, Light) district which allows light industrial uses, general commercial establishments, customer service establishments, and communication towers. In accordance with the I-L zone district, a conditional use permit is required of bulk fuel storage for distribution and resale. The Zoning and General Plan designations for this parcel are consistent with one another.

While the site is zoned IL (Industrial, Urban or Rural, Light), which does not specifically call out for bulk storage of fuels, under Section 18.94.010, the zoning administrator has the ability to make a determination if the use can be accepted for consideration under a conditional use permit process. Section 18.94.170 of the ordinance describes conditions required for the siting of bulk storage facilities.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to make a finding of approval of 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 pursuant to Section 18.42.010.C.10 of the Madera County Zoning Ordinance, the proposed use is allowed in the I-L Zone District subject to a conditional use permit. Section 18.94 of the Madera County Zoning Ordinance outlines bulk fuel storage as Conditional Uses Permitted.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the tanks will be constructed to meet all local and state codes. This project will adhere to all standards set forth by the National Fire Protection Association outline in the Liquefied Petroleum Gas Code (NFPA 58). This will be*

in addition to being OSHA and ANSI construction approved. Additionally, the mitigation measures and conditions outlined in this report will reduce or negate those concerns.

3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors, in that the project must adhere to local and state health codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigation measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.*
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The proposed project is compatible with the nature of adjacent uses. The project area is in a predominately industrially zoned area with no residential units or subdivisions nearby. The project is designed and intended to actually service residential units that use LPG for their appliances.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The general plan designates the site as LI (Light Industrial) which allows for similar uses as to that being proposed. The property is zoned LI (Light Industrial). The proposed project is consistent, and will remain consistent upon completion, with both the County's General Plan and Zoning Ordinance.

RECOMMENDATION:

The analysis provided in this report supports approval of CUP #2012-017, Mitigated Negative Declaration MND #2012-20 and the Mitigation Measures Monitoring Program as presented.

CONDITIONS:

Engineering Department (Exhibit H)

1. Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered Civil Engineer.
2. The applicant shall submit a grading, drainage, and erosion control plan to the Engineering Department. The plan shall identify onsite retention for any increase in storm water runoff generated by this project. The basis for all designs shall be the provision of capacity for the runoff from a 100 year, 10 day storm event. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer and shall meet all applicable standards and specifications of the latest California Code of Federal Regulations.
3. Prior to the start of any grading activities, without having first secured a Building Permit, the applicant shall apply for, and obtain a Grading Permit from the Engineering Department.

4. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Control Plan (SWPP) is required for all projects 1-acre or more of site disturbance.

Environmental Health Department (Exhibit I)

1. 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 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 those facilities 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.
2. The owners/operators of this facility must complete and submit a Business Activities Declaration Form with a CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials, like fuels onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.
3. The owner/operator must obtain all necessary Environmental Health Department permits prior to any construction activities on site.

Fire Department (Exhibit J)

1. At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2). Specifically, extinguisher placement, addressing, KNOX Box requirements.

Planning Department

1. Project to operate in accordance with submitted site plan and operational statement unless otherwise modified by the mitigation measures and conditions of approval noted in this project. A mitigation monitoring program is also to be complied with.
2. All lighting shall be hooded and directed downward so as not to impact surrounding parcels.
3. Parking and circulation areas are to be constructed and maintained in a dust free manner.
4. No gasoline pump, underground fuel tank or accessory equipment shall be closer than twenty-five feet to the property line.
5. All equipment and operations shall be enclosed by a minimum six-foot tall chain link fence designed to preclude trespassing, protect the site, and help screen the operation from adjacent properties.
6. All gates shall be secured in such a fashion to prevent unauthorized entrance. The gate shall have provisions for access for emergency responders in accordance with current life, fire, building and safety codes and approved by the Fire Marshal's Office.

7. The project is located within an Airport/Airspace Overlay (AAO) District due to proximity of a known airstrip in the vicinity. Pursuant to Section 18.78.010(A)(1)(a), no uses creating electrical or electronic interference with communication or guidance devices used by aircraft or ground control is permitted to be built or used. Pursuant to Section 18.78.010(A)(1)(b), no uses that would create glare, smoke, dust, or similar factors interfering with aircraft operations to and from runways and taxiways of the airport are permitted as a part of the facility operations.

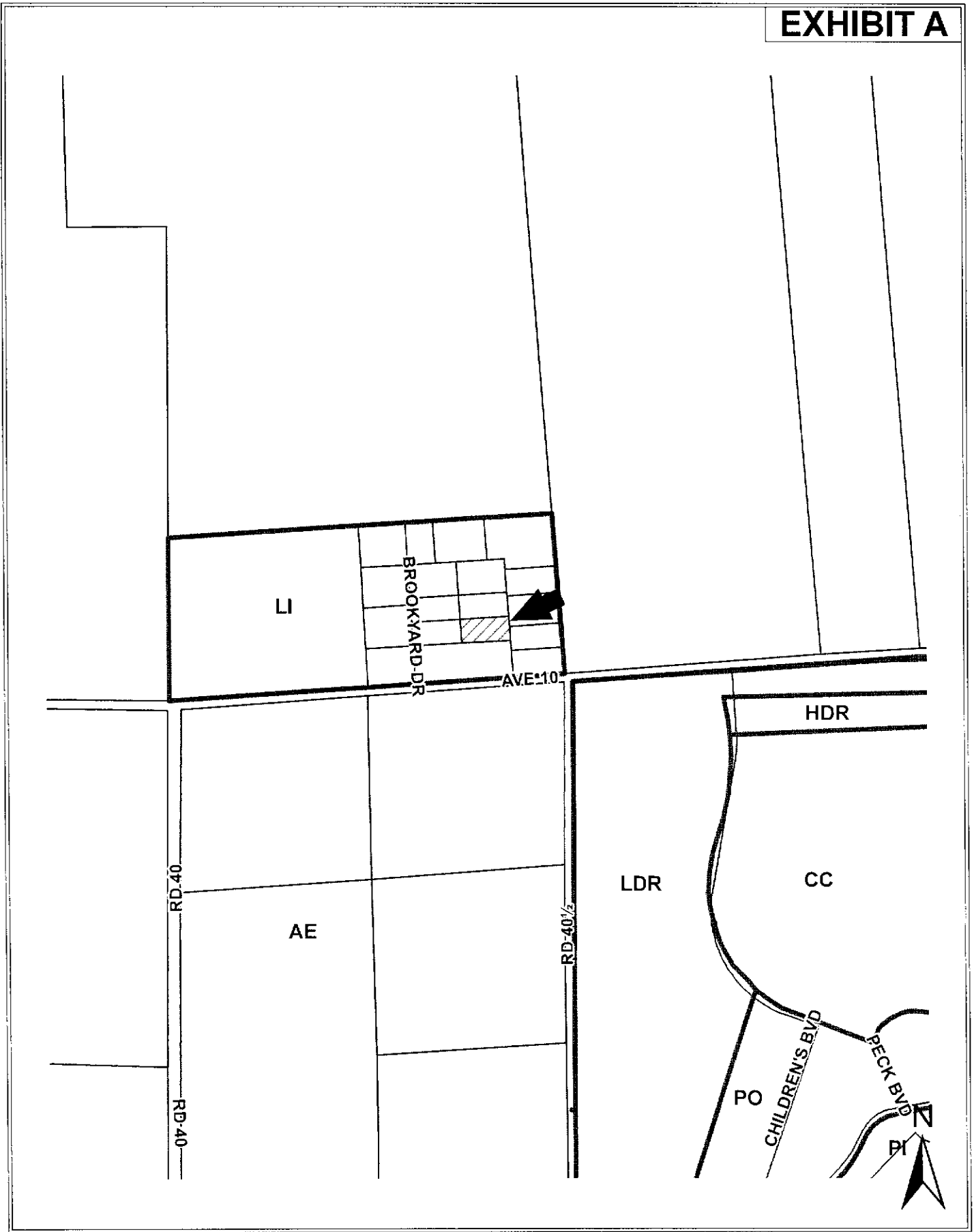
Road Department (Exhibit K)

1. The driveway approach shall be built to a Commercial County Standard.
2. Prior to any construction within the right-of-way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.

ATTACHMENTS:

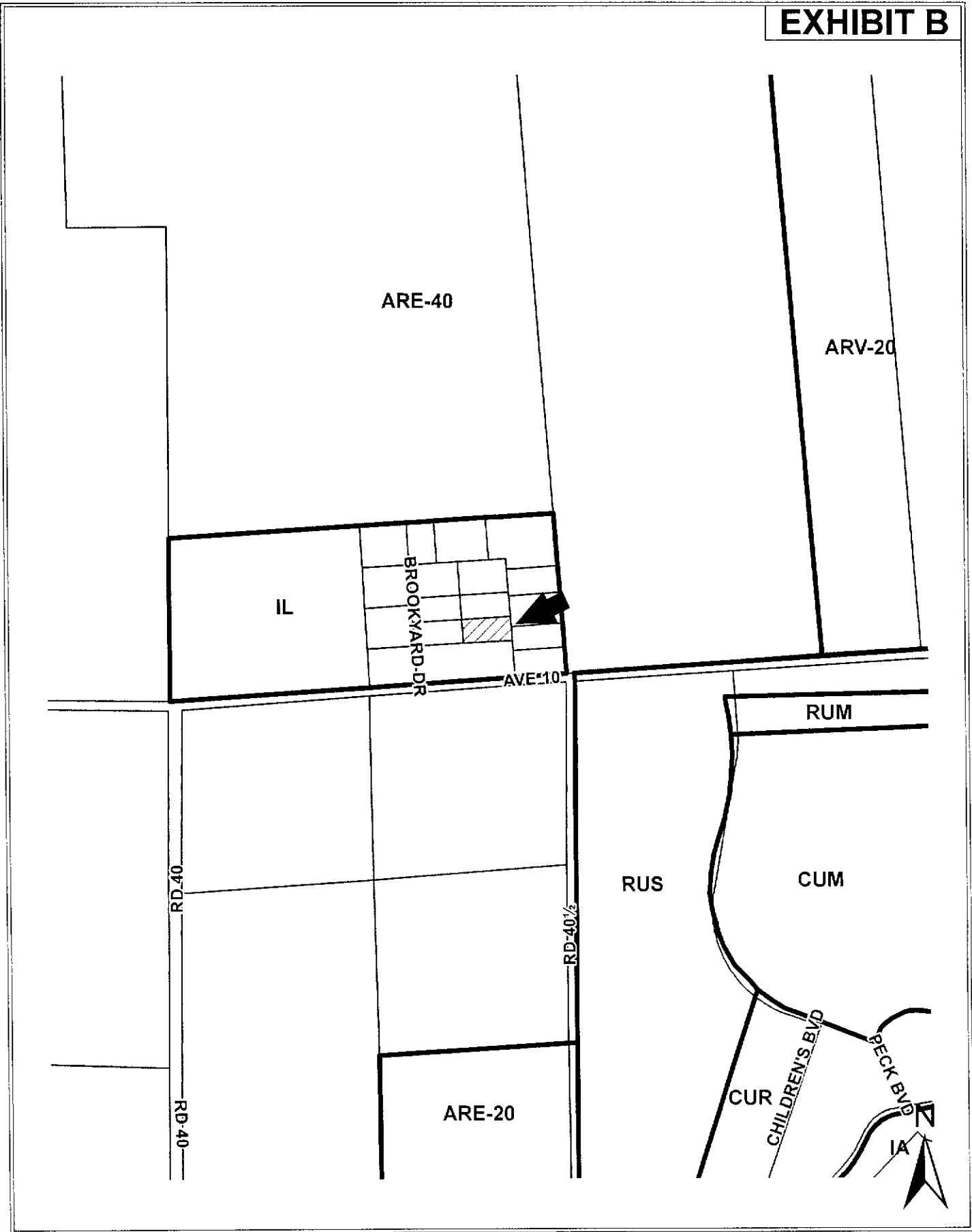
1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D Site Plan Map
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Engineering Comments
9. Exhibit I, Environmental Health Comments
10. Exhibit J, Fire Department Comments
11. Exhibit K, Roads Department Comments
12. Exhibit L, California Highway Patrol Comments
13. Exhibit M, Department of Fish and Game Comments
14. Exhibit N, CEQA Initial Study
15. Exhibit O, Mitigated Negative Declaration #2012-20
16. Exhibit P, Mitigations Monitoring Program

EXHIBIT A



GENERAL PLAN MAP

EXHIBIT B



ZONING MAP

EXHIBIT C

IN BLUE
ORIGINAL

SEC. 8 T.12 S. R.20E. M.D.B&M.
SEE SHEET 3 OF 3

49-05
SHEET 2 of 3

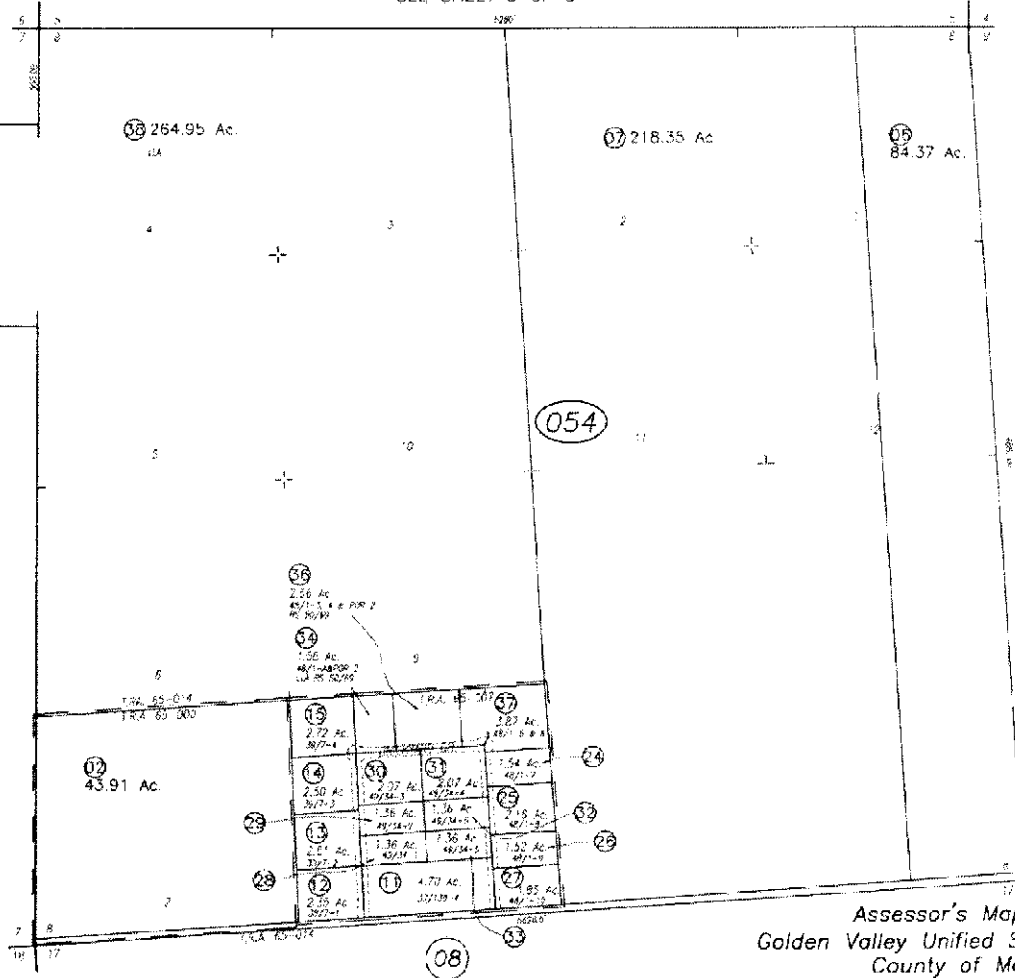
Tax Area Code
65-000
65-007
65-014

SEE SHEET
1 OF 3

SEE SHEET
3 OF 3

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.



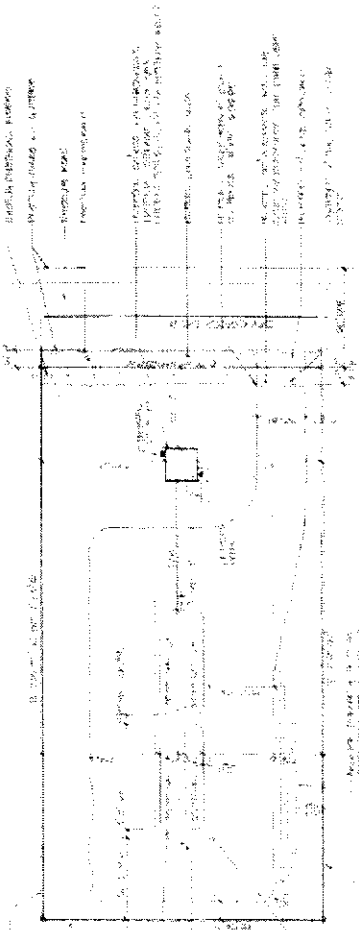
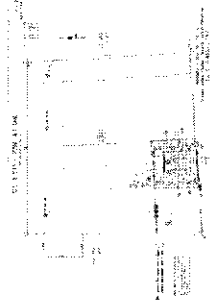
Assessor's Map No. 49-05
Golden Valley Unified School District/Webster
County of Madera, Calif.
1992

ASSESSOR'S MAP

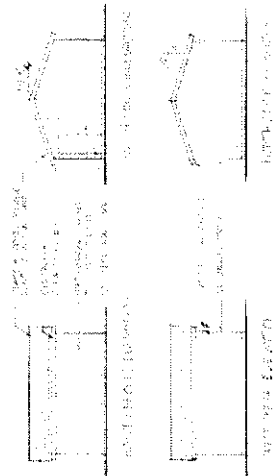
VALLEY PROPANE	
1000 W. 10th Street, Suite 100 Provo, UT 84601 (801) 225-1234 www.valleypropane.com	
PROJECT NO.: SHEET NO.:	1

Site Orientation

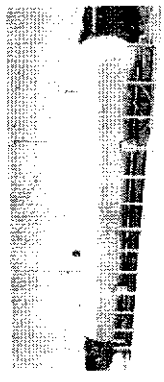
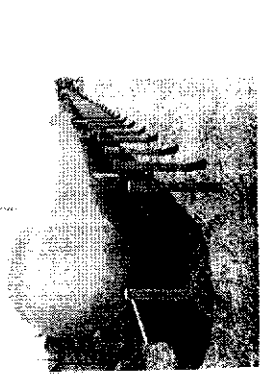
INDICATES THE DIRECTION OF THE PROPOSED PROANE DELIVERY TRUCKS TO THE STORAGE BUILDING FROM THE MAIN ROAD. THE TRUCKS WILL APPROXIMATELY TRAVEL FROM THE MAIN ROAD TO THE STORAGE BUILDING FROM THE NORTHWEST CORNER OF THE MAIN ROAD.



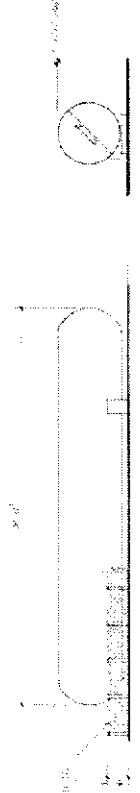
PROPOSED SITE PLAN

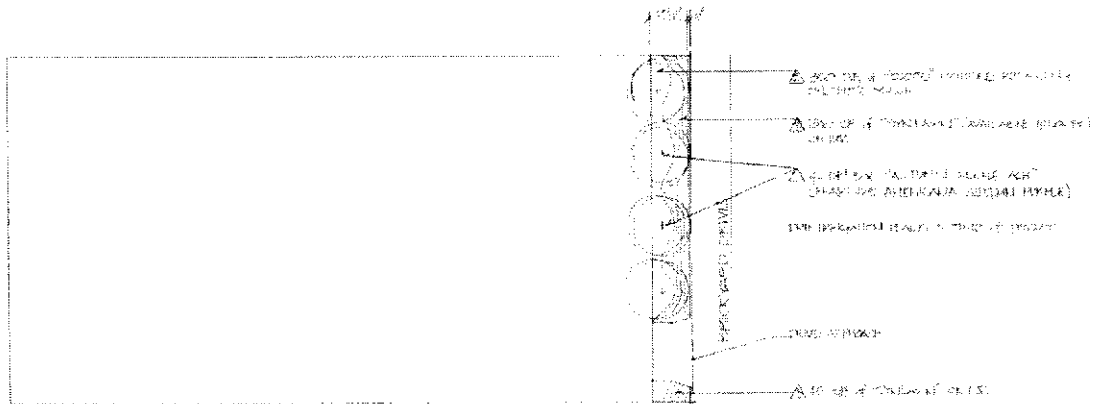


STORAGE BUILDING ELEVATIONS

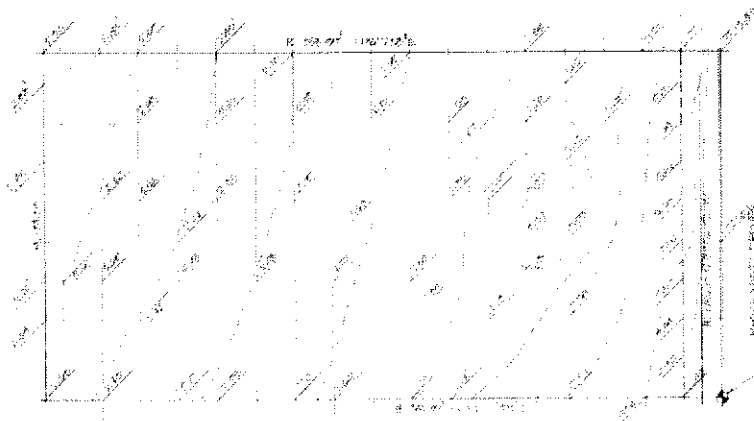


TYPICAL RECTANGULAR LINK ELEVATION





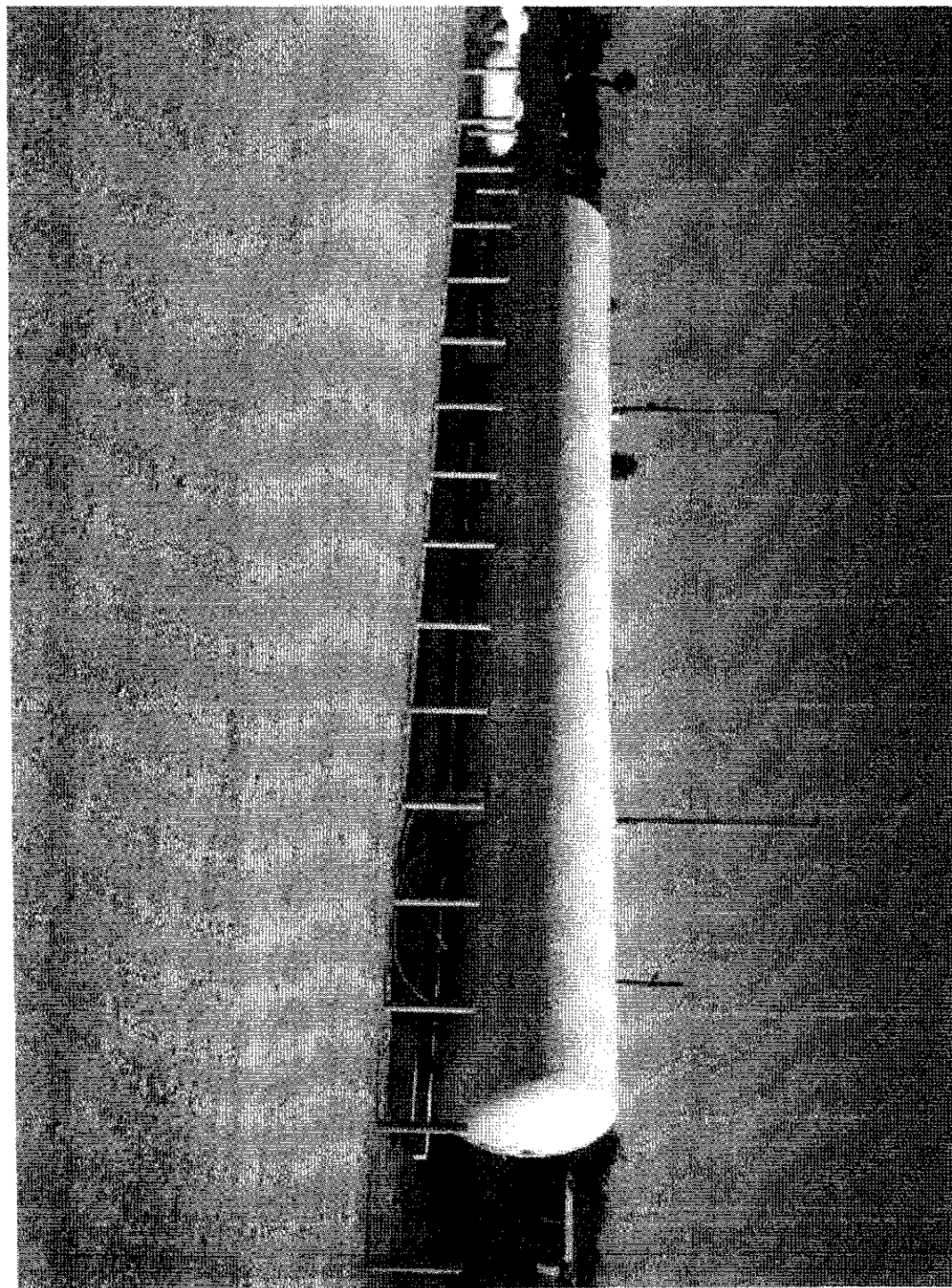
PROPOSED LANDSCAPE SCHEMATIC



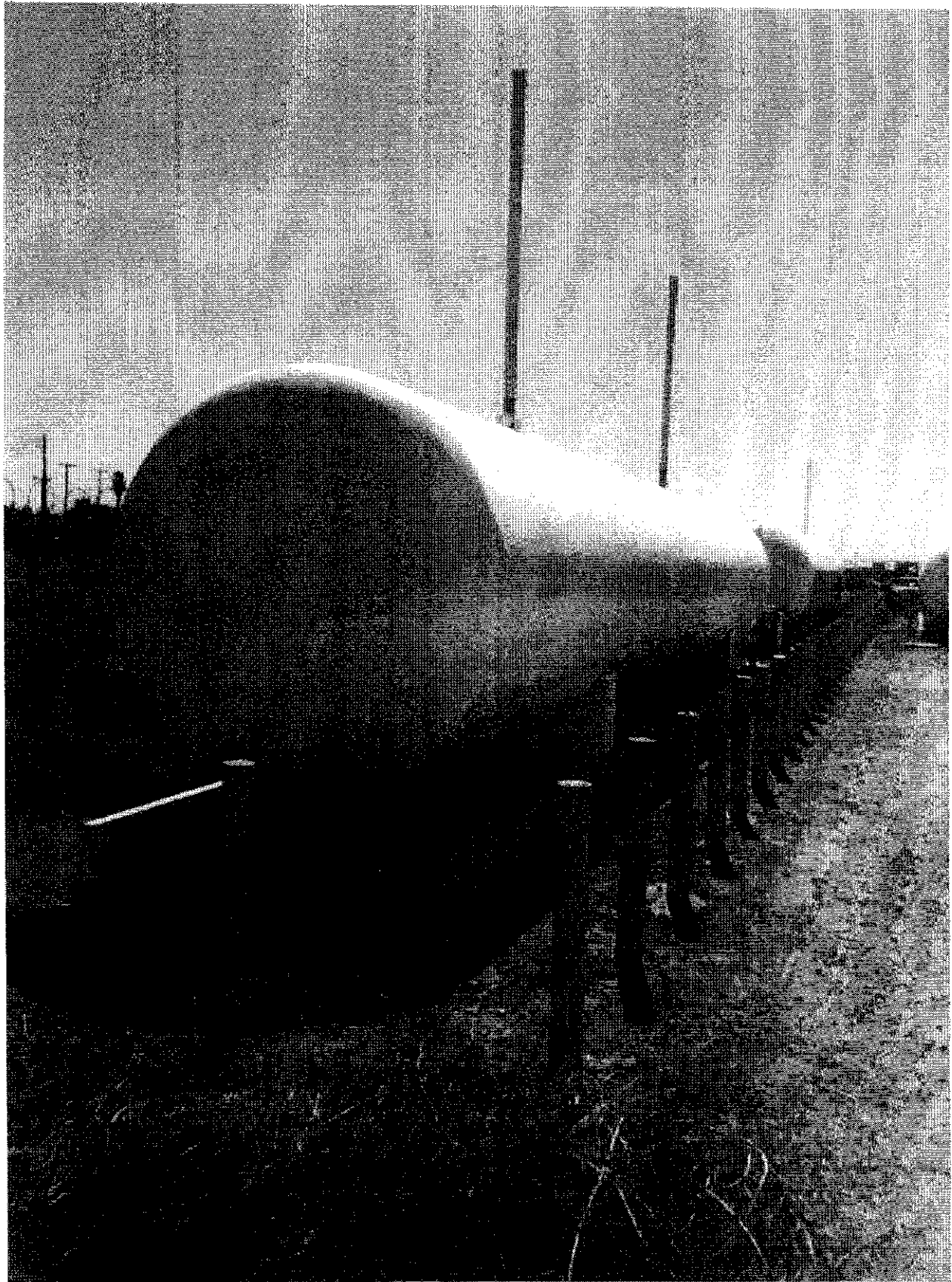
EXISTING CONTOUR MAP

NOTE: THIS MAP WAS PREPARED BY THE ENGINEER OF RECORD AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

VALLEY PROPANE PROPANE BULK STORAGE FACILITY 1000 S. 1000 E. ST. GEORGE, UT 84052 PHONE: 435-863-1111 FAX: 435-863-1112 WWW.VALLEYPROPANE.COM		DATE
		2
SCALE	DATE	



SITE PLAN

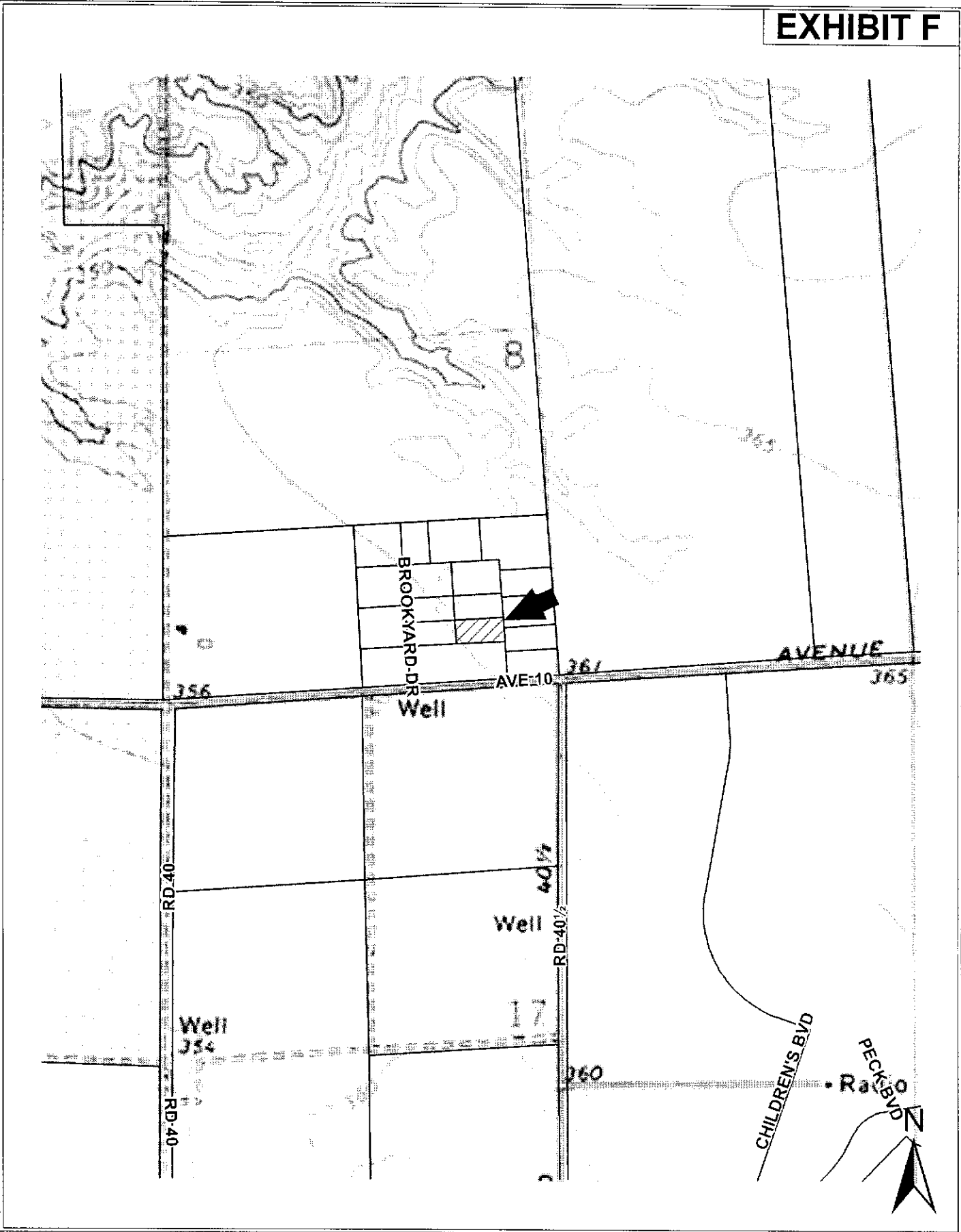


SITE PLAN



AERIAL MAP

EXHIBIT F



TOPOGRAPHICAL MAP

OPERATIONAL/ENVIRONMENTAL STATEMENT

1. Legal:

A.P.N. 049-054-033

Owners:

Roger and Joy Guthrie Family Trust

P.O. Box 36

Mendota, Ca. 93640

559.281.2752

r1203@hotmail.com

Applicant:

Bob Shockley

14819 Skyview Rd.

Madera, Ca. 93636

559.822.6246

bshockley@netptc.net

2. Description of proposal:

Currently, Valley Propane is located in Mendota California...approximately 96 miles round trip to this proposed site. The two delivery drivers and the owner make the round trip trek from Madera on a daily basis. Roughly calculated, if VP moves to the proposed site there is a savings of 768 vehicle miles per day...or, how about 199,688 combined miles a year.

That could take a nice bite out of the pollution in our air.

About 5 years ago, 3 of the family members bought homes in the ranchos and subsequently brought the business to the ranchos and opened the office on Avenue 12. The bulk of their business is in the ranchos and surrounding areas.

By adding the proposed bulk storage facility at the proposed location, the family hopes to substantially reduce their "carbon footprint" and bring better service to this area.

We propose to install a bulk LPG storage facility with up to 120,000 gallons of on site storage tanks.

Typical tanks will be 30,000 gallons and be OSHA and ANSI approved for their use. Also on site will be a 20'x20' storage building that will store plumbing fixtures and tools related to the industry (such as tubing, meters, valves, special wrenches and the like).

The entire 1.36 acre site will be fenced with 6 foot high chain link with grey vinyl slats.

The front 20 feet of the property will be landscaped with artificial turf and a minimum of 4 large calper trees.

Interior drives will be crushed road base as shown on sheet one of the plans.

Also proposed is a well or a water storage tank (at same location) to be used for irrigation and dust control. The main entrance will have a 30 foot rolling gate with a small 2 foot by 3 foot "Valley Propane" sign with a contact telephone number. In addition there will be a Knox-box as required by the fire marshal.

3. Existing property:

Currently the property is vacant. There is an existing fire hydrant on the north east corner near the curb line and it appears that all of the underground utilities have been installed as well.

4. Products sold on site:

The site is not open to the public.

Approximately 2 times a day, Valley Propane delivery trucks will pull in and fill up. Perhaps more in the colder months when demand is high and certainly less in the warmer months when demand is low.

On average, there may be one delivery truck per week to replenish the storage tanks...again more so in the winter and less so in the summer.

Weekly, a maintenance crew will stop by to clean up trash in front and to monitor the landscape.

Based upon the above, there will be no other visitors, to or from the site.

5. Operational Time Limits:

Almost all activities will occur during day light hours.

It takes about $\frac{1}{2}$ an hour to refill a bobtail delivery truck and the same to unload from the supplier.

Two trucks with 1 or 2 trips a day (seasonal)(may be some zero trip days as well)

The only exception may be for an emergency where someone ran out of LP while cooking a Thanksgiving turkey...(or something like that).

Also there is the once a week fill up from the supplier.

We feel that this is a low traffic volume site. Very low.

6. Special activities or events:

None.

7. Customers and Visitors:

No customers. As a note, we will not be filling any 5 gallon BBQ cylinders or RV tanks. This is strictly a loading facility for our vehicles.

Only visitors will be the delivery drivers and the boss.

8. Employees:

Currently, there are 2 employees who will be in and out maybe 2 times a day.

As with all American business owners, the hope would be that business will grow enough to pay back the money that will be spent developing this project and that volume will increase enough to have 2 more trucks and drivers. "But" that will be a while....maybe 4 or 5 years.

Drivers currently work anywhere from 6 to 12 hours depending on demand. It should be noted that several of the Guthrie's employees have been with them for over 10 years. Not much turn over.

No one stays on site.

9. Equipment, materials, and supplies stored on site:

We are proposing a little garage style storage building to keep items such as meters, valves and tools related to the business. There will also be an area where the owner will store 10 or so empty residential 250 and 499 gallon spare tanks.

10. Services and delivery vehicles:

No services.

2 delivery vehicles to service customers and the occasional supply depot delivery truck. See previous comments.

11. Parking and drive way surfaces:

No people, no parking.

Typical drive surfaces will be crushed road base as shown on the site plan. We feel strongly that there is no need for a sea of asphalt covering this lot. In addition, the crushed rock will help rain permeate the surface and cut down the demand on the offsite drainage pond.

12. Access to site:

The only access to the site will be via the 30 foot rolling gate at the south east corner. The main street is Brickyard Drive. See site plan.

13. Vehicular trips per day:

As explained above, 2 delivery trucks at 2 trips each and one supply truck per week (can we say 1/5 th trip?) and the owner will make his daily trek to the site. The only others will be the weekly maintenance crew. (Which may end up being one of the owner's sons if development goes over budget)

14. Advertizing:

Other than a 6 sq.ft. sign on the gate...no other advertizing.

15. Existing and Proposed buildings:

No existing buildings. There is a proposed 20'x20' storage building as explained previously.

16. Landscaping and fencing:

Landscaping shall consist of a 20 foot strip along the front. Artificial turf as noted on sheet 2 of the plans will be installed along with recycled mulch and 4 large caliper trees.

A 6 foot high chain link fence with grey vinyl lats will surround the entire property as shown on sheet 1 of the plans.

17. Surrounding land uses:

To the north, there is a vacant lot. North of that is a commercial building. To the east is a street (Brickyard Drive) with a commercial building on the other side. To the south are vacant lots all of the way down to Avenue 10. To the west is a commercial building.

18. Noise levels:

Other than the occasional delivery truck and subsequent pumping of LPG into or out of the storage tanks.....all will be quiet.

19. Water usage:

During the winter months there should be little if any water usage. During the summer/dryer months, water will be used for dust control as needed and for irrigation to the trees. Perhaps 100 gallons a day for a 4 month period.
 $100\text{gal} \times 4 \text{ months} \times 30 \text{ days} \text{ divided by } 365 \text{ days} = 33 \text{ gallons per day average.}$

20. Waste water:

This project will not generate any waste water.

21. Solid waste:

Other than trash blown in from other properties and/or generated by litter bugs, there will be no "trash". Litter from this project will be collected by maintenance crews (or boss's son) and taken to another location for disposal.

22. Grading and tree removal:

There are no trees to remove. There are a couple of big tumble weeds tat almost look like trees...and those will be removed.
Grading will occur to meet the criteria established by CBC and the engineering department. The existing grades look pretty nice "but" a civil engineer will be hired to determine the needs. See the site plans on sheets 1 and 2.

23. Archeological and historical significant areas on site:

None know of. All of the sites in this subdivision were graded 20 some years ago and if anything were to show up, it would have been then.

24. Bodies of water:

None in the vicinity.

25. Ravines and Gullies:

None. See existing contour map on sheet 2 of plans.

26. Hazardous waste:

LPG is by definition a hazardous material and this material will be stored as per all state, federal, and local requirements....."but", absolutely no hazardous waste what so ever will be generated on this site.

27. Public services and facilities:

No services will be needed or required.

28. Impacts on the surrounding area:

Once the fences are up and the landscaping installed, no one will even know that it is there .

29. Impacts on police, schools, fire department, parks and special districts:

We actually see a positive impact. Developing the property to other than barren land will generate revenue in the form of tax payments and financial contributions to the property owners association for maintenance and up keep of the business park in general.

As indicated in item 1 of this narrative, the other obvious positive impact will be the reduction in vehicle emissions for the operation of this business.

Allow us to add.....locally owned by people who are your neighbors and offering a product and service that just about everyone needs in the rural community.

30. Proposed uses:

Proposed use = Liquid Petroleum Gas Bulk Storage

Building area = 400sq.ft.

Total number of employees = 2 plus the boss

Building height = 12'-8" (tanks are 10'-0")

31. Land slopes:

No slopes over 10% proposed.

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: Robert Mansfield
FROM: Madera County
DATE: September 27, 2012
RE: Shockley, Bob - Conditional Use Permit - Madera (049-054-033-000)

Comments

CUP 2012-017

APN 049-054-033

- 1) The identified parcel is not within the 100 year flood plain.
- 2) The subject property is not located in a Service Area or Maintenance District.
3. Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.
4. The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by this project. The basis for all designs shall be the provision of capacity for the runoff from a 100 year, 10 day storm event. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer and shall meet all applicable standards and specifications of the latest California Code of Federal Regulations.
5. Prior to the start of any grading activities, without having first secured a Building Permit, the applicant shall apply for, and obtain a Grading Permit from the Engineering Department.
6. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

If you have any questions please contact Dario Dominguez 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: Robert Mansfield
FROM: Madera County
DATE: October 2, 2012
RE: Shockley, Bob - Conditional Use Permit - Madera (049-054-033-000)

Conditions

The Environmental Health Department has reviewed the Conditional Use Permit (CUP)# #2012-017 Shockley, Robert, located on APN: 049-054-033, within Madera County and have determined the following:

Currently, there are no future plans, now nor into the future to develop this property to include installations of a septic system and/or drinking water system. The submitted plans do not reflect installation of these basic service systems due to the fact that the owner does not have any future plans to staff the facility operation on site.

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 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 those facilities 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.

The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials, like fuels onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.

The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to 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, Phil Hudecek 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

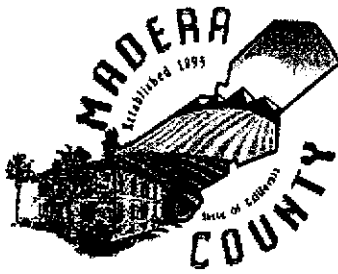
DEBORAH KEENAN
MADERA COUNTY FIRE MARCHAL

MEMORANDUM

TO: Robert Mansfield
FROM: Madera County
DATE: September 24, 2012
RE: Shockley, Bob - Conditional Use Permit - Madera (049-054-033-000)

Conditions

At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2) Specifically extinguisher placement, addressing, KNOX Box requirements.



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: Robert Mansfield
FROM: Road Department
DATE: September 24, 2012
RE: Shockley, Bob - Conditional Use Permit - Madera (049-054-033-000)

COMMENTS -

Our department does not anticipate any significant impacts to the circulation or roadway from this proposal and recommends approval with the conditions listed below. The project site is located along the west side of Brickyard Drive, being near to the Avenue 10 and Road 40½ intersection.

The driveway approach accessing the site shall be built to a Commercial County Standard.

Any construction within the County road right-of-way will require an Encroachment Permit from the Road Department.

THE ROAD DEPARTMENT RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:

- 1.P The driveway approach shall be built to a Commercial County Standard.
2. Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

California Highway Patrol

Madera

3051 Airport Drive

Madera, CA 93637

(559) 675-1025

(800) 735-2929 (TT/TDD)

(800) 735-2922 (Voice)



September 7, 2012

File No.: 450.exec.sch.cup 2012-017

Re: CUP #2012-017:

Madera County Planning Department

Attention: Robert Mansfield

2037 West Cleveland Avenue

Madera, CA 93637

Mrs. Mansfield:

Staff at the Madera office of the California Highway Patrol (CHP) has reviewed the project review request statement addressing the proposed conditional to allow bulk propane storage at Avenue 10 near Road 40 1/2, Madera County.

The CHP does not anticipate any significant impact as the result of this proposed use permit. The CHP does not believe there will be a significant increase of vehicular traffic associated with this business nor any significant impact upon the current conditions.

Should you have any questions, please contact me at (559) 675-1025.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Paris".

D. PARIS, Lieutenant
Commander

RECEIVED

SEP 13 2012

MADERA COUNTY
PLANNING DEPARTMENT

Robert Mansfield

From: Steven Hulbert [SHULBERT@dfg.ca.gov]
Sent: Wednesday, September 26, 2012 2:56 PM
To: Robert Mansfield
Subject: Re: Conditional Use Permit #2012-017 Shockley

Follow Up Flag: Follow up
Flag Status: Flagged

The Department will not be commenting on that Project at this time

Steve Hulbert
Environmental Scientist
Department of Fish and Game
Central Region 4
1234 East Shaw Avenue
Fresno, CA 93710

(559) 243-4014 ext. 289

Environmental Checklist Form

Title of Proposal: CUP #2012-017 Shockley – bulk LPG Tank

Date Checklist Submitted: October 19, 2012

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Robert Mansfield, AICP, Planner III

Phone: (559) 675-7821

Description of Project:

The applicant is proposing to locate a bulk LPG storage tank to allow for service vehicles to load up from and go service residential locations.

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 on the west side of Brickyard Drive, approximately 300 feet north of its intersection with Avenue 10, (no situs) Madera

Applicant Name and Address:

Shockley, Bob
14819 Skyview Rd.
Madera, CA 93636

General Plan Designation:

LI (Light Industrial)

Zoning Designation:

IL (Industrial, Urban or Rural, Light)

Surrounding Land Uses and Setting:

Industrial and agricultural

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 |

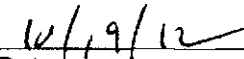
DETERMINATION: (To be completed by the Lead Agency)

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - c) Less than Significant Impact. The area is largely agricultural in nature, with only a few industrially related buildings in close proximity. There are no known scenic vistas in the area.

(d) Less than Significant Impact. New lighting will be included in this project. While the amount of lighting included in the project is in and of itself insignificant, the cumulative effect of the area needs to be taken into consideration.

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. **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:

	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 type="checkbox"/>	<input checked="" 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 - e) *No Impact.* No impacts have been identified as a result of this project. The immediate vicinity in which this project is located is industrially related, and has no agriculturally related activities on those parcels. While at a distance from the project site there are agriculturally related activities occurring, this project will not impact those activities.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - c) Less than Significant Impact. The on-site operations of this project will not create any air quality issues. However, vehicles accessing the site (either to refill the tank or to refill their own mobile distribution tanks) will have some minor impacts. The frequency and duration would be minimal, thus the less than significant impact.

(d - e) Less than Significant with Mitigation Incorporation. LPG in and of itself does not have an odor associated with it. What is called an odorant is added to give the gas its' distinctive smell. This is to allow for immediate detection of potential leaks. If a leak were to occur, objectionable odors will occur as a result. However, given the sparsely populated area, the objectionable odor will be localized.

Sensitive receptors are facilities that "house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors." (GAMAQI 2002).

A review of available sources, as well as a site visit, verifies that, with the exception of an animal care facility approximately 660 feet to the north-west of the facility, there are no sensitive receptors as defined. Granted there are industrial facilities in the immediate vicinity, these facilities are not defined as sensitive receptors.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - f) *No Impact.* Between the agricultural and industrially related land uses surrounding this project site, and given that the site is graded, the chances of any special status species being impacted as a result of this project is less than likely. No impacts have been identified as a result. No comments were received by the Department of Fish and Game.

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 the Fish and Game's database 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	SSC	None
Western Spadefoot	None	None	SSC	None
Burrowing Owl	None	None	SSC	None
California Horned Lark	None	None	WL	None
Hardhead	None	None	SSC	None
San Joaquin Pocket Mouse	None	None	None	None
Northern Hardpan Vernal Pool	None	None	None	None
Northern Claypan Vernal Pool	None	None	None	None
Great Valley Mixed Riparian Forest	None	None	None	None
Vernal Pool Fairy Shrimp	Threatened	None	None	None
California linderiella	None	None	None	None
Valley elderberry longhorn beetle	Threatened	None	None	None
Molestan Blister Beetle	None	None	None	None
Spiny-sepaled button-celery	None	None	None	1B.2
Succulent Owl's-Clover	Threatened	Endangered	None	1B.2
Hairy Orcutt Grass	Endangered	Endangered	None	1B.1
San Joaquin Valley Orcutt Grass	Threatened	Endangered	None	1B.1

Lanes Bridge Quadrangles (Dept. of Fish and Game CNDP Database)

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)

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

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 \$2,101.50, 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 \$2,151.50 (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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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).

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).

(a - d) *No Impact*. The area has been predominately utilized for agricultural and industrial purposes. The chances of finding any archaeological or paleontological evidence are less than likely.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 - iii) *Less than Significant 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.

(a – iv) *No Impact.* The area is topographically flat. The chance of landslide as a result of this project is less than likely.

(b) Less than Significant Impact. There will be some new paving/impervious surfaces creation due to the parking area and building pad for the facility. This could create new areas of rainfall runoff. These areas will have the potential of increased erosion potential. With appropriate mitigations this could be maintained at a less than significant impact.

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

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 - b) Less than Significant Impact. The anticipated number of vehicle trips/visitors to the project site during operations is minimal. During a site visit, it was noted that there does already exist a significant amount of vehicular traffic in the area. The overall impact as a result of this project is not significant as a result.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - b) Less than Significant Impact with Mitigation Incorporation. LPG is a material where under certain circumstances has the potential of exploding. While these conditions do not exist under "routine" conditions (routine transport and/or handling) the chances of explosion or fire are minimal, the chances are still likely. Proper handling will be required.

(c) Less than Significant Impact. No schools exist in the vicinity of this project. There is still the potential of accidental release of the gas.

(d) No impact. Per the California EPA Envirostar website, there is only one active site in Madera, and this site is nowhere near that site.

(e - f) Less than Significant Impact. This project site is less than two miles from a known airstrip, however is several miles from either of the County's established airports. It is located within an Airport/Airspace Overlay District, so construction and routine operations will need to be constructed in such a way as to not interfere with flight operations.

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

(h) *Less than Significant Impact.* While the area is not in a wildland area, the chances of fire still exist given the nature of the material, and the flammable vegetation in the area.

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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:

Groundwater availability issues

Groundwater within the area is generally limited and unpredictable as a result of geologic formation which characterizes the mountain and foothill regions of Madera County. These areas are generally underlain by impervious bedrock, and "groundwater" is available only through water bearing fractures within these formations. Within these "fracture" systems the ability to store and transmit water is solely dependent on the development of secondary openings such as faults, joints and exfoliation planes.

The area plans developed for the surrounding areas recognizes that the provision for water for both domestic use and fire protection is a determining factor in how the community grows and what uses can be established in the area. The area depends on wells for its water. No "water table" exists; the water is generally mined from fractures in the underlying rock which are frequently unconnected. The recharge rate is unknown and there is evidence from abandoned wells in the region that some may never recharge. Hardrock wells are generally characterized by both unpredictable and unreliable yields and the presence of intermittent water quality issues. Regular reports are received of well interference or lowering of the water level (draw down) as new wells are drilled in the area. While little quantified data has historically been available to help determine the sustainability of groundwater usage in this hardrock environment, concerns regarding quality and quantity have led to increased community focus of the cumulative impacts of new development and the need to identify and secure a source of surface water.

Due to these concerns regarding the uncertainty of groundwater, the area plan developed for Oakhurst (as well as neighboring Coarsegold) outlines the need to both understand groundwater availability for the area, and to examine opportunities to develop a source of surface water for the community. Several potential surface water sources for the greater eastern Madera County area have been evaluated over the years. Planning documents for the area beginning in the early 1960's identified the potential for a "Soquel" reservoir above Oakhurst within the Sierra National Forest. Later concepts included purchasing surface rights and delivering water from Bass Lake or the Fresno River. Most recently, the potential to purchase and deliver water from Redinger Lake has been studied. The development and implementation of a plan for surface water source been hindered by the presence of existing commitments for all surface water in the area. Additionally, environmental clearances, technical requirements, and the costs associated with developing a surface water source are significant. Despite these hurdles, the Area Plan notes that a surface water source must be viewed as the long-term solution and includes as a policy the initiation of a study to examine opportunities for a surface water source. The following Area Plan policies are proposed to address issues related to the provision of water.

The reliance on septic systems has generated concerns regarding potential impacts to both surface and ground water quality, particularly where septic systems are concentrated on individual lots. Recent water quality reports in the area have begun to document an increase in nitrates and other contaminants in area streams and to a lesser extent, area wells. Accordingly, only community sewer systems providing tertiary level of service should be permitted on any parcel less than five net acres in area.

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

The project will not substantially, if at all, alter any course in streams as none pass through or significantly near the project site for the home. There will be some alteration of site drainage patterns during rainfall patterns, especially if any impervious surfaces are introduced. This rainfall alteration has the potential of inducing erosion at locations not having been exposed to erosion before, but the chances are that it won't be substantial.

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

(c - e) Less than Significant. With impervious surfaces, there will be a slight increase in erosion damage as a result of rainfall drainage alteration. The impact will be minimal.

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

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

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.* No impacts are noted as a direct or indirect result of this project. The facility will be providing a service to the community, and will not be in conflict with land use plans or policies for the county.

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

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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) *Less than Significant Impact.* During construction, there will be a temporary increase in ambient noise levels. There will be an occasional temporary increase as well during fueling operations.

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

(d) *Less than Significant Impact.* There will be a periodic increase in ambient noise levels during fueling operations, but this will be temporary in nature. Given the agricultural surroundings, and limited industrial setting, the impact is less than significant.

(e - f) *No Impact.* No impacts have been identified.

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.* No impacts identified as a result of this project whether directly or indirectly.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-i and ii) *Less Than Significant Impact with Mitigation Incorporation.* The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sheriff'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 nature of the material make it so that the Fire Department would need to take special precautions during firefighting operations, should said events occur.

Also due to its' remoteness, chances of theft and vandalism are increased over more urban locations.

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

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 a 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:

According to the Institute of Traffic Engineers (7th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57. As this project is on an existing developed area, the minimal increase in vehicular traffic won't be much of an impact in and of itself. It has the potential of adding to the cumulative amount of vehicles on the road, but not to any significant level in and of itself.

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

exhibits congestion.

Local circulation improvement is needed to support state highways and county roads forming the majority of the existing network of through streets. Many local streets are dead-end drives (some of which do not conform to current County improvement standards). Emergency access is, therefore, an important issue for area residents.

Several natural barriers such as the Fresno River, numerous tributary creeks and rocky and steep mountain terrain have precluded or complicated a more complete network of regional or community circulation routes. Financial constraints in the past prevented the design and construction of transportation routes which serve the community as a whole rather than individual private development. New developments occurring within the county are required to provide adequate access in the form of local roads to serve development.

This area is served by Highway 41, a roadway that has approached, and in some cases exceeds, capacity. Designed as a two lane arterial with a peak capacity of 2100 trips per hour. The roadway currently exceeds 2200 trips per hour. There are several lots that currently remain undeveloped which could mean more vehicular travel once built out.

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

In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

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

(d) Less than Significant Impact with Mitigation Incorporation. The nature of the material (LPG Gas) makes it hazardous. Improper design of the holding tank, transfer hoses, and transport vehicles can potentially increase the risk of release and/or explosion.

(e) Less than Significant Impact. Site design requires security fencing. Said fence shall have access capabilities for emergency responders.

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

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

Water Quality Issues

Erosion and sedimentation/siltation are two potentially significant impacts related to development with the entire Oakhurst area. These impacts are generally proportional to the intensity of development which occurs in an area, including the amount of the clearing and grading which is necessary.

Rainfall is unable to percolate into the portions of each site that are paved over and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. Pollutants associated with parking lots (oil & grease predominately) will be found in high quantities after the first rain of the season. These pollutants have the potential of contaminating ground and surface water sources.

Groundwater availability issues

Groundwater within the area is generally limited and unpredictable as a result of geologic formation which characterizes the mountain and foothill regions of Madera County. These areas are generally underlain by impervious bedrock, and "groundwater" is available only through water bearing fractures within these formations. Within these "fracture" systems the ability to store and transmit water is solely dependent on the development of secondary openings such as faults, joints and exfoliation planes.

The Area Plans for Oakhurst and surrounding communities recognizes that the provision for water for both domestic use and fire protection is a determining factor in how the community grows and what uses can be established in the area. The area depends on wells for its water. No "water table" exists; the water is obtained from fractures in the underlying rock which are frequently unconnected. The recharge is unknown and there is evidence from abandoned wells in the region that some may never recharge. Hardrock wells are generally characterized by both unpredictable and unreliable yields and the presence of intermittent water quality issues. Regular reports are received of well interference or lowering of the water level (draw down) as new wells are drilled in the area. While little quantified data has historically been available to help determine the sustainability of groundwater usage in this hardrock environment, concerns regarding quality and quantity have led to increased community focus on the cumulative impacts of new development and the need to identify

and secure a source of surface water.

Due to these concerns regarding the uncertainty of groundwater, the Area Plan outlines the need to both understand groundwater availability for the area, and to examine opportunities to develop a source of surface water for the community. Several potential surface water sources for the greater eastern Madera County area have been evaluated over the years. Planning documents for the area beginning in the early 1960's identified the potential for a "Soquel" reservoir above Oakhurst within the Sierra National Forest. Later concepts included purchasing surface rights and delivering water from Bass Lake or the Fresno River. Most recently, the potential to purchase and deliver water from Redinger Lake has been studied. The development and implementation of a plan for surface water source been hindered by the presence of existing commitments for all surface water in the area. Additionally, environmental clearances, technical requirements, and the costs associated with developing a surface water source are significant. Despite these hurdles, the Area Plan notes that a surface water source must be viewed as the long-term solution and includes as a policy the initiation of a study to examine opportunities for a surface water source. The following Area Plan policies are proposed to address issues related to the provision of water.

Per the Operational Statement, it is anticipated that the residence would use approximately 100 gallons of water per day. The water is supplied by private well that also services the main ECCO facility.

Wastewater Issues

The reliance on septic systems has generated concerns regarding potential impacts to both surface and ground water quality, particularly where septic systems are concentrated on individual lots. This project will have a septic system with leach field.

The site also has a wastewater treatment facility near the proposed housing site.

Solid Waste Issues

According to the Madera County General Plan Background report, all solid waste generated in the unincorporated area is currently disposed of at the Fairmead Landfill, which is owned by the County and operated by Madera Disposal Systems, Inc. The facility is located on 48 acres at the southeast corner of Road 19 and Avenue 22. The landfill is expected to reach capacity in 2020. If additional waste can be diverted, the life of the expansion area could be increased. There is the potential for approximately 28 residential units' total that would be in need of disposing of residential related waste material to this landfill. Recycling measures are strongly encouraged. According to the California Integrated Waste Management Board, the generation rate per resident is 0.63 pounds per day of trash.

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

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

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

California Department of Finance

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

California Environmental Quality Act Guidelines

California Integrated Waste Management Board

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

Department of Fish and Game

Madera County Engineering Department

Madera County Environmental Health Department

Madera County Fire Marshall's Office

Madera County General Plan

Madera County Road's Department

United States Environmental Protection Agency

US Fish and Wildlife Service

MITIGATED NEGATIVE DECLARATION

MND

RE: Conditional Use Permit #2012-017 – Shockley Bulk Propane Storage

LOCATION AND DESCRIPTION OF PROJECT:

The applicant is proposing to locate a bulk LPG storage tank to allow for service vehicles to load up from and go service residential locations.

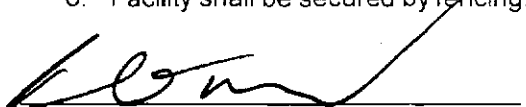
The project is located on the west side of Brickyard Drive, approximately 300 feet north of its intersection with Avenue 10, (no situs) Madera

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

1. Any proposed lighting shall be hooded and directed away from adjacent properties.
2. All connections to and from the bulk storage tanks and delivery vehicles shall be maintained in working condition so as to not leak or otherwise emit contents of tank,
3. Prior to any construction related activities, including ground disturbing activities, the applicant shall submit a grading, drainage and erosion control plan.
4. All material handlers shall be properly trained in the safe handling, transporting and response of LPG gas.
5. Facility shall have appropriate fire fighting equipment as approved by the Fire Marshal's Office.
6. Facility shall be secured by fencing, with a Knox Box approved by the Fire Marshal's office.


Madera County Environmental 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: October 19, 2012

FILED:

PROJECT APPROVED:

**MITIGATION MONITORING REPORT
ENVIRONMENTAL DOCUMENT**

EXHIBIT P

PROJECT NAME: CUP#2012-017 Shockley
PROJECT LOCATION: West side of Brickyard Drive
PROJECT DESCRIPTION: Installation of LPG Bulk Storage

LEAD AGENCY: Madera County
CONTACT PERSON/TELEPHONE NUMBER:

APPLICANT: Bob Shockley
CONTACT PERSON/TELEPHONE NUMBER: (559) 822-6246

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	Any proposed lighting shall be hooded and directed away from adjacent properties	Construction	Building	Planning	signed bldg permit			
Agricultural Resources								
	none							
Air Quality								
	All connections to and from the bulk storage tanks and delivery vehicles shall be maintained in working condition so as to not leak or otherwise emit contents of tank.	Construction	Building	Planning	signed bldg permit			
Biological Resources								
	none							
Cultural Resources								
	none							
Geology and Soils								
	Prior to any construction related activities, including ground disturbing activities, the applicant shall submit a grading, drainage and erosion control plan.	Construction	Engineering	Planning	grading permit			

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Hazards and Hazardous Materials								
	All connections to and from the bulk storage tanks and delivery vehicles shall be maintained in working condition so as to not leak or otherwise emit contents of tank.	Operation	Planning/Fire	Planning and Environmental Health	Operator logs			
	All material handlers shall be properly trained in the safe handling, transporting and response of LPG gas.	Operation	Environmental Health	Env. Hlth	training logs			
Hydrology and Water Quality								
	none							
Land Use and Planning								
	none							
Mineral Resources								
	none							
Noise								
	none							
Population and Housing								
	none							
Public Services								
	Facility shall have appropriate fire fighting equipment as approved by the Fire Marshal's Office.	Operation	Fire Dept.	Fire and Planning	Fire Dept. Approvals			
	Facility shall be secured by fencing, with a Knox Box approved by the Fire Marshal's office	Operation	Fire Dept.		Fire Dept. Approvals			
Recreation								
	none							
Transportation and Traffic								
	none							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Utilities and Service Systems								
	none							