

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 *NCA*

PLANNING COMMISSION DATE: January 8, 2013

AGENDA ITEM: #7

PRJ	#2012-003	General Plan Amendment and Conditional Use Permit to allow the expansion of outdoor storage and sales of agricultural equipment
APN	#029-190-009, 016, 019, 020	Applicant: Jim Kopshever Owner: Charlie Fall
CEQA	MND #2012-032	Mitigated Negative Declaration

REQUEST:

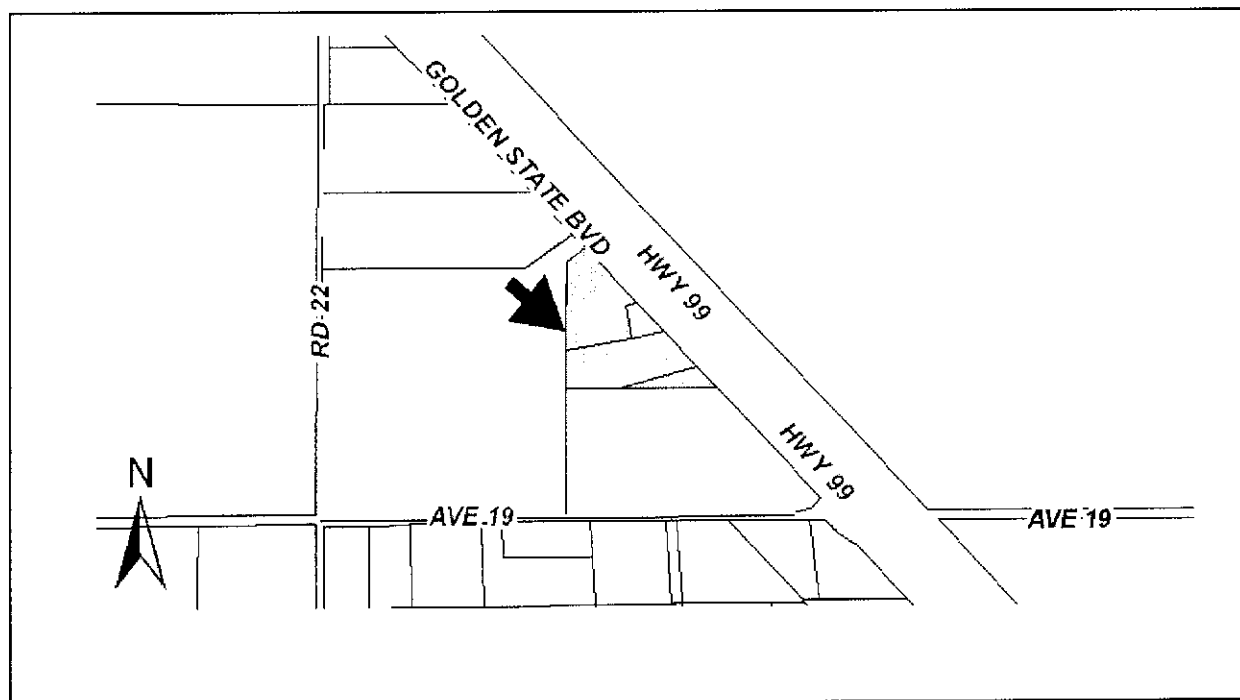
This is a request for a general plan amendment and conditional use permit to expand the existing outdoor storage and sales of agricultural irrigation equipment on the properties.

LOCATION:

The project is located on the west side of Golden State Boulevard approximately 936 feet north of the intersection of Avenue 19 and Golden State Boulevard (19170 Highway 99) Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2012-032) and mitigation monitoring program has been prepared and is subject to approval.



RECOMMENDATION: Approval of Project 2012-004, and Mitigated Negative Declaration (MND 2012-032) subject to conditions and the mitigation monitoring program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: HSC (Highway Service Commercial)
SURROUNDING: HI (Heavy Industrial), LI (Light Industrial), HSC (Highway Service Commercial), AR (Agricultural Rural), AE (Agricultural Exclusive), Designations
PROPOSED: HC (Heavy Commercial) Designation

ZONING (EXHIBIT B):

SITE CRG (Commercial Rural General) District
SURROUNDING: IH (Heavy Industrial), IL (Industrial Light), CRG (Commercial Rural General), ARE-40 (Agricultural Rural Exclusive 40-Acre), RRS-10 (Rural Residential Single Family 10-Acre), RRS-2 (Rural Residential Single Family 2-Acre) Districts.

LAND USE:

SITE: Outdoor sales and storage of agricultural irrigation equipment and vacant property.
SURROUNDING: Industrial and commercial businesses, agriculture, and single family homes.

SIZE OF PROPERTY (EXHIBIT C): 7.82 acres

ACCESS (EXHIBIT C):

Access to the parcels is currently gained from Golden State Boulevard.

BACKGROUND AND PRIOR ACTIONS:

The subject properties have had two separate commercial sign permits issued to them in 1961 and 1971. There was a mobile home permit issued on the property in 1972.

PROJECT DESCRIPTION:

This is a request for a general plan amendment and conditional use permit to expand the existing outdoor storage and sales of agricultural irrigation equipment on the subject properties.

ORDINANCES/POLICIES:

General Plan Policy Document – Part I – Land Use Designations provides the guidelines and development standards for the HC (Heavy Commercial) Designation.

Madera County Code – Chapter 18.30 defines the requirements, standards, and rules for the CRG zone district.

ANALYSIS:

The subject property consisting of four contiguous parcels is 7.82 acres, and is located on the west side of Golden State Boulevard approximately 936 feet north of the intersection of Avenue 19 and Golden State Boulevard (19170 Highway 99) Madera. The adjacent properties range from 0.62 acres to 459.34 acres in size. The surrounding properties are primarily developed agricultural and commercial businesses, with rural residential development to the south of the subject properties. The property is not subject to a Williamson Act Contract.

The proposed General Plan amendment would amend these parcels to an HC (Heavy Commercial) designation. This designation provides for extensive retail (e.g., nurseries, tire stores, automobile sales, auto body and repair shops, lumber yards), warehouses, wholesale commercial uses, offices, public and quasi-public uses, and similar and compatible uses. This project is proposing an expansion of an existing outdoor storage and sales of agricultural irrigation equipment on the subject properties.

This project consists of expanding the existing commercial use of the property to include the construction of a 1,920 square foot modular building and a 6,000 square foot pole barn. This additional construction will allow the existing business more flexibility to serve the agricultural community of Madera County. It is not anticipated that this expansion will utilize any additional water than what is currently utilized on site. The primary use of water onsite is for the eight employees, and estimated 50 customers who visit the site daily. The project is not anticipated to create a substantial increase in wastewater than the existing business.

The project is not anticipated to have a significant impact on traffic beyond what is currently experienced in the vicinity. The applicant is required to offer for dedication an additional four feet of property along Golden State Boulevard to allow for an ultimate right-of-way width of 60 feet. This project is located adjacent to the most traveled roadway in Madera County, Highway 99. The applicant is required to submit for a detailed landscape and irrigation plan to provide for a dense vegetative screening of the business from adjacent parcels.

This project was circulated to departments and outside agencies for review. This included Caltrans, Regional Water Quality Control, California Highway Patrol, San Joaquin Valley Air Pollution Control Board, Department of Fish and Game, Southern San Joaquin Valley Information Center, Local Native American Tribes, and local School Districts. The only correspondences received from outside agencies are from the San Joaquin Valley Air Pollution Control District (SJVAPCD) (Exhibit M), California Highway Patrol (Exhibit N), and the Picayune Rancheria (Exhibit O). Staff has met with a representative of the Picayune Rancheria in compliance with Senate Bill 18, which requires a lead agency on all General Plan Amendments to notify local Native American Tribes and consult with them if requested. The applicant has agreed to a notification and monitoring plan if any culturally significant artifacts are discovered onsite during any grading and construction project, as shown in the proposed mitigated negative declaration for this project. The SJVAPCD concludes that the project would not exceed the Districts significance thresholds and would have no significant adverse impact on air quality, however since more than 2,000 square feet of commercial construction is proposed with this project it must comply with District Rule 9510.

This project is located adjacent to Highway 99. An expansion of the existing outdoor sales and storage of agricultural equipment would be consistent with the existing land uses and planned land uses surrounding the subject property.

FINDINGS:

Conditional Use Permit

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this conditional use permit.

1. *The proposed project does not violate the spirit or intent of the zoning ordinance. The property is zoned CRG (Commercial Rural General). The proposed use is allowed in this zone district with an approved conditional use permit.*
2. *The proposed project (request) is not contrary to the public health, safety or general welfare. Because conditions of approval are being incorporated there will be no potential significant impacts with regards to the public health, safety, or general welfare.*
3. *The proposed project (request) is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors. There is no material manufacturing occurring on site, and mitigation measures are in place to reduce noise during the construction phase of the project.*
4. *The proposed project (request) will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County. The project will increase the property values and desirability of the neighborhood because of new commercial development serving the area.*

GENERAL PLAN CONSISTENCY STATEMENT:

The subject properties are currently designated HSC (Highway Service Commercial) in the General Plan. The proposed General Plan amendment to HC (Heavy Commercial) will be consistent with the current zoning of the property which is CRG (Commercial Rural General).

The conditional use permit is to allow the expansion of outdoor sales and storage of agricultural irrigation equipment which would be consistent with the HC (Heavy Commercial) General Plan designation because that designation permits for land extensive retail such as nurseries, lumber yards, and wholesale commercial uses. The proposed project is similar to those uses listed within the HC (Heavy Commercial) Designation.

RECOMMENDATION:

Staff recommends approval of Project (PRJ) #2012-003, and Mitigated Negative Declaration (MND) #2012-032 subject to conditions and the mitigation monitoring program.

CONDITIONS:

Engineering Department (Exhibit I)

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

Environmental Health Department (Exhibit J)

1. The septic disposal system for the proposed facility must be designed for maximum occupancy/use by a registered Environmental Health Specialist, Civil Engineer, or Geologist acceptable to this department. The septic disposal system for this development must comply with the Madera County Environmental Health Department requirements.
2. The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.

Road Department (Exhibit K)

1. Prior to issuance, the applicant is required to Grant Deed an additional 4'-0" strip of land abutting Golden State Blvd into fee title ownership to meet the right-of-way requirement of a Local roadway.
2. All driveway approaches shall be built to a Commercial County Standard.
3. 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.

Fire Department (Exhibit L)

1. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all weather driving capabilities.
2. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet.
3. A County Standard Dry Barrel Hydrant shall be installed within 400 feet of the furthest portion of the proposed buildings measured by way of drivable access. The hydrant location shall be approved by the Madera County Fire Marshal prior to installation of any portion of the system.
4. A fire suppression water storage tank will be required to be installed in conjunction with the required hydrants. Capacity of water storage tank shall be determined by the cubic footage of the largest building on-site as determined by NFPA 1142 or currently adopted code at time of building permit application. Size will also factor in domestic usage and sprinkler demand if applicable.

Planning Department

1. Comply with mitigation measures in Negative Declaration, ND #2012-32.
2. The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.
3. Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.
4. All construction activity related to the project shall occur between the hours of 7:00am-7:00pm Monday-Friday.

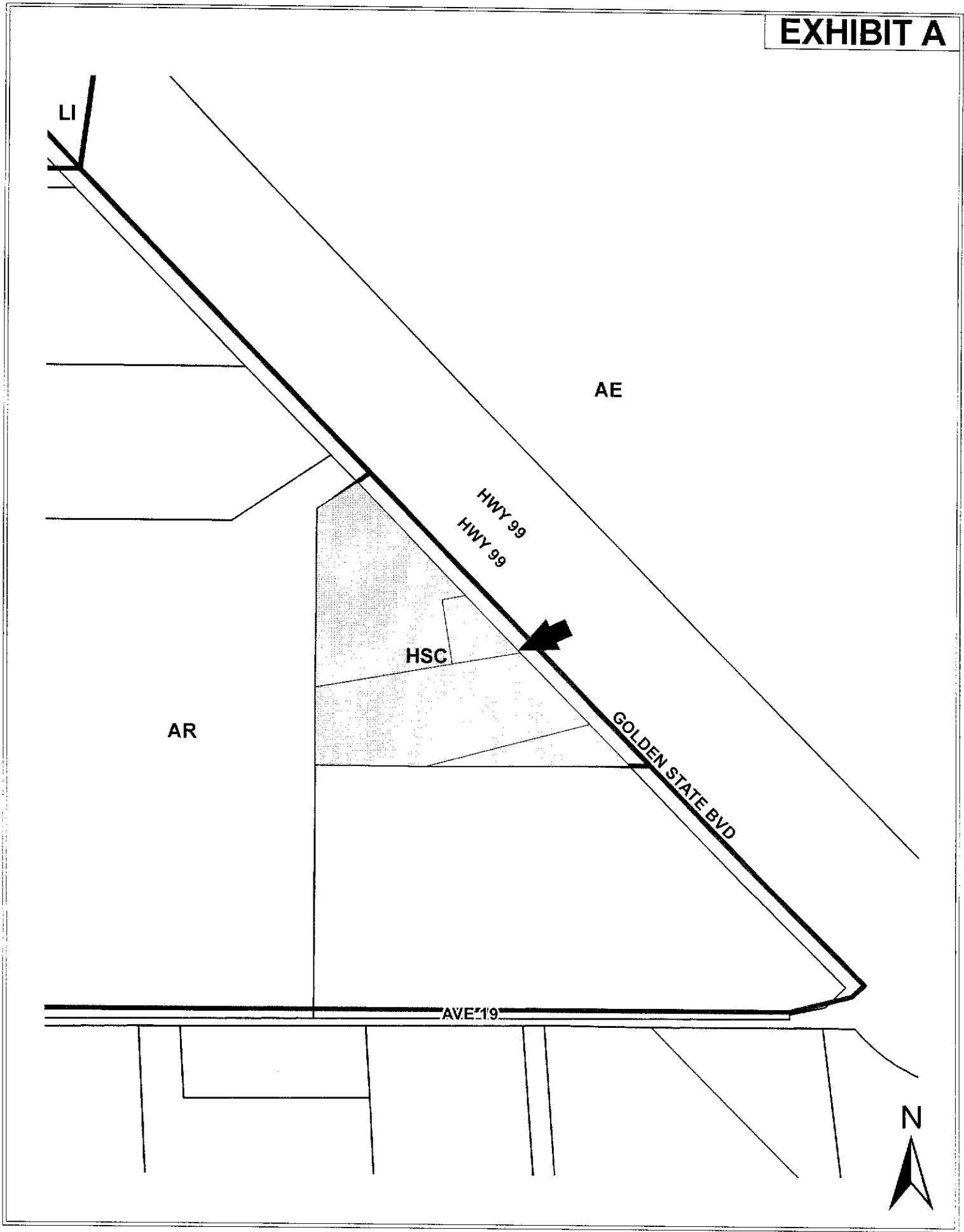
5. Prior to issuance a detailed landscape and irrigation plan providing for a dense vegetative screening along the property line.
6. The applicant must meet and work with Planning Department staff to provide an aesthetically appealing façade to the proposed building prior to building permit application.

San Joaquin Air Pollution Control District (Exhibit K)

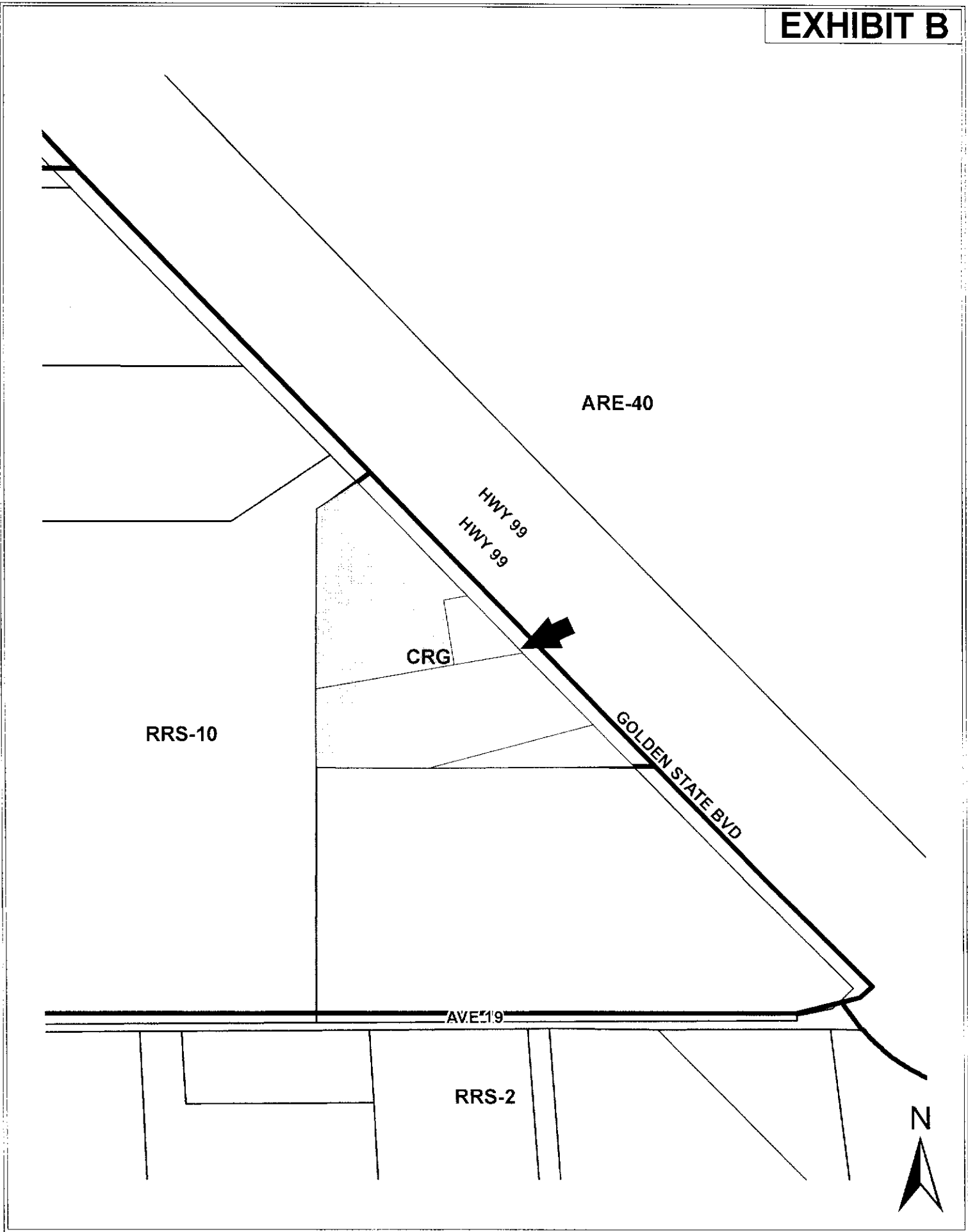
1. Comply with the San Joaquin Air Pollution Control District conditions.

ATTACHMENTS:

1. EXHIBIT A, General Plan Map
2. EXHIBIT B, Zoning Map
3. EXHIBIT C, Assessor's Map
4. EXHIBIT D, Operational Statement
5. EXHIBIT E, Aerial Map
6. EXHIBIT F, Topographical Map
7. EXHIBIT G, Site Plan
8. EXHIBIT H, Elevations
9. EXHIBIT I, Engineering Department Conditions
10. EXHIBIT J, Environmental Health Department Conditions
11. EXHIBIT K, Road Department Conditions
12. EXHIBIT L, Fire Department Conditions
13. EXHIBIT M, San Joaquin Air Pollution Control District
14. EXHIBIT N, California Highway Patrol
15. EXHIBIT O, Picayune Rancheria of Chukchansi Indians
16. EXHIBIT P, Initial Study
17. EXHIBIT Q, Mitigated Negative Declaration #2012-032



GENERAL PLAN MAP



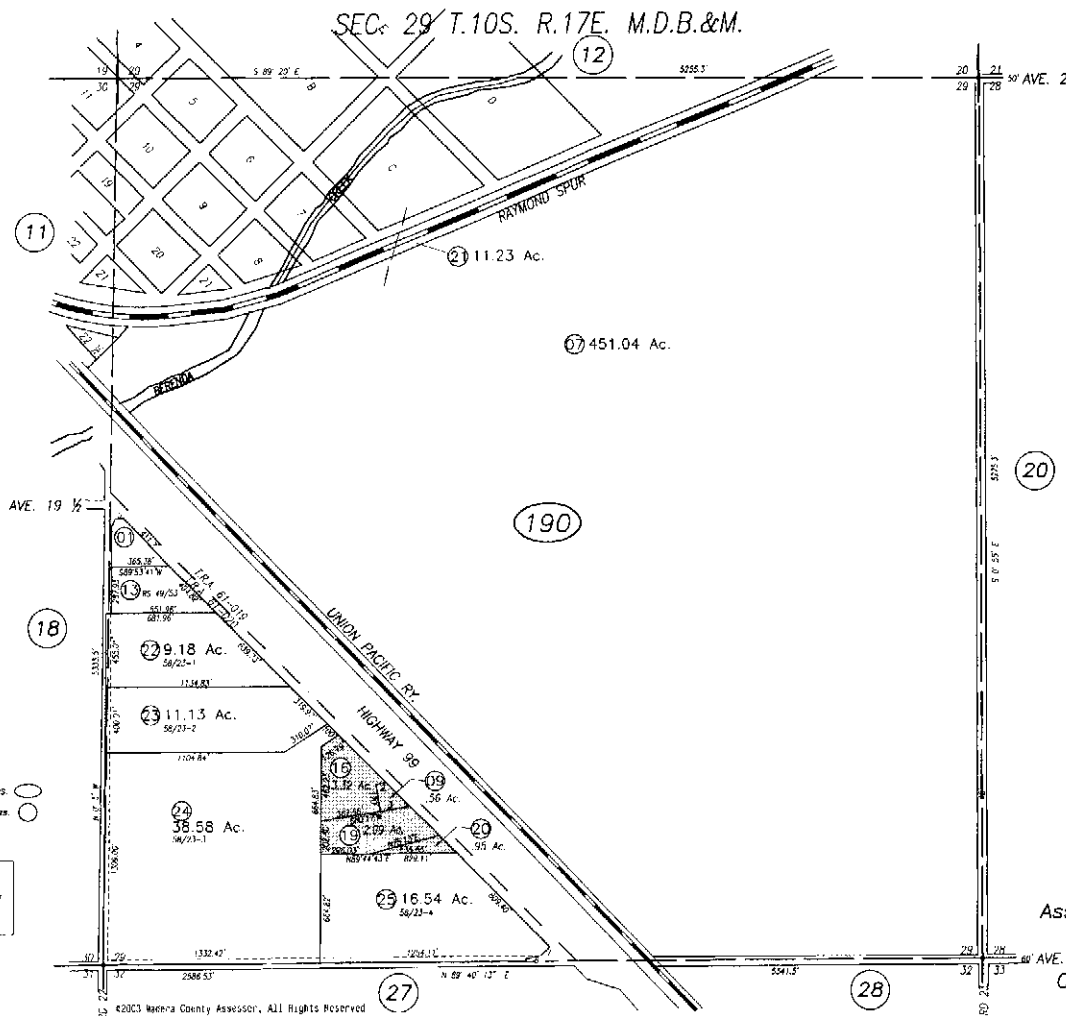
ZONING MAP

ORIGINAL

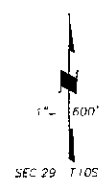
NOTE- Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

08241 0 25 0L4



Tax Area Code
61-019
61-020



- 1. N 44° 33' W 206.55'
- 2. S 89° 00' E 82.24'
- 3. N 80° 00' E 178.85'
- 4. W 71° 44' E 43.85'
- 5. N 89° 58' E 44.67'
- 6. S 45° 34' 54" W 73.90'
- 7. S 77° 47' 27" E 84.89'

Assessor's Map No. 29-19
Madera Unified
Berenda
County of Madera, Calif.
1955

EXHIBIT C

OPERATIONAL/ENVIROMENTAL STATEMENT

Question 1.

APN: 029-190-009,016,019,020

Applicant: Jim Kopshever

109 Autumn Way

Chowchilla, CA 93610

559 260-6318

Question 2

Nature of proposal: The property owner wishes to move his irrigation hardware store from APN 029-190-019 to APN 029-190-016. He wishes to rezone the property thru a General Plan Amendment from CRG-Commercial, Rural, General District to HC-Heavy Commercial. He also wishes to get a CUP for the new location of the store. He owns all the parcels.

Question 3

Existing Use: The current use is the existing Irrigation Hardware Store.

Question 4

Products produced: All products are purchased from the manufacture, stored on site until sold.

Question 5

What are the proposed operational time limits: The store is open Monday thru Friday 7:00am to 5:00pm, Saturday 8:00am to 4:00pm

Question 6

Will there be any special activities or events: No

Question 7

How many customers or visitors are expected: Approximately 50 customers per day.

Question 8

How many employees will there be: There are currently 8 employees. That number will not change

Question 9

What equipment, materials, or supplies will be used: Company sells irrigation parts and pipe. Small parts will be stored inside and larger items like pipe will be store outside.

Question 10

Will there be any service and delivery vehicles: Delivery trucks deliver parts about three times per week.

Question 11

Number of parking spaces for employees, customers and service/ delivery vehicle. Type of surfacing on parking area: A parking plan will be submitted with the site plan. The surface will be all weather.

Question 12

How will access be provided to the property: Golden State Blvd

Question 13

Estimate the number and type of vehicular trips per day that will be generated by the proposed development: Approximately 50 customers, 8 employees, and 1 delivery truck per day. This is the same amount as the current business generates.

Question 14

Describe the proposed advertising including size, appearance, and placement: To be submitted with Site Plan.

Question 15

Will existing buildings be used or will new buildings be constructed: A 48' x 40' modular building, as well as a 60' x 100' pole barn will be constructed on 026-190-016

Question 16

Is there any landscaping or fencing proposed: A landscaping plan will be included in the Site Plan

Question 17

What are the surrounding land uses: Almond Orchards

Question 18

Will this operation generate noise: No

Question 19

On a daily or annual basis, estimate how much water will be used: Domestic water only

Question 20

On a daily or annual basis, estimate how much wastewater will be generated: Domestic only

Question 21

On a daily or annual basis, how much solid waste will be generated: Domestic, plus the company has a recycling program for cardboard.

Question 22

Will there be any Grading: A grading plan will submitted with the Site Plan

Question 23

Are there any archeological or historically significant site located on the site: No

Question 24

Locate all bodies of water on the plot plan: None

Question 25

Show any ravines, gullies, and natural drainage: See Site Plan

Question 26

Will hazardous material or waste be produced as part of this project: No

Question 27

Will the proposal require the use of any public services or facilities: No

Question 28

How does this development impact the surrounding Area: No different impact than current use.

Question 29

How do you see the development impacting schools, parks, fire, and police: No effect other than current use

Question 30

If your proposal is for commercial or industrial development, complete the following:

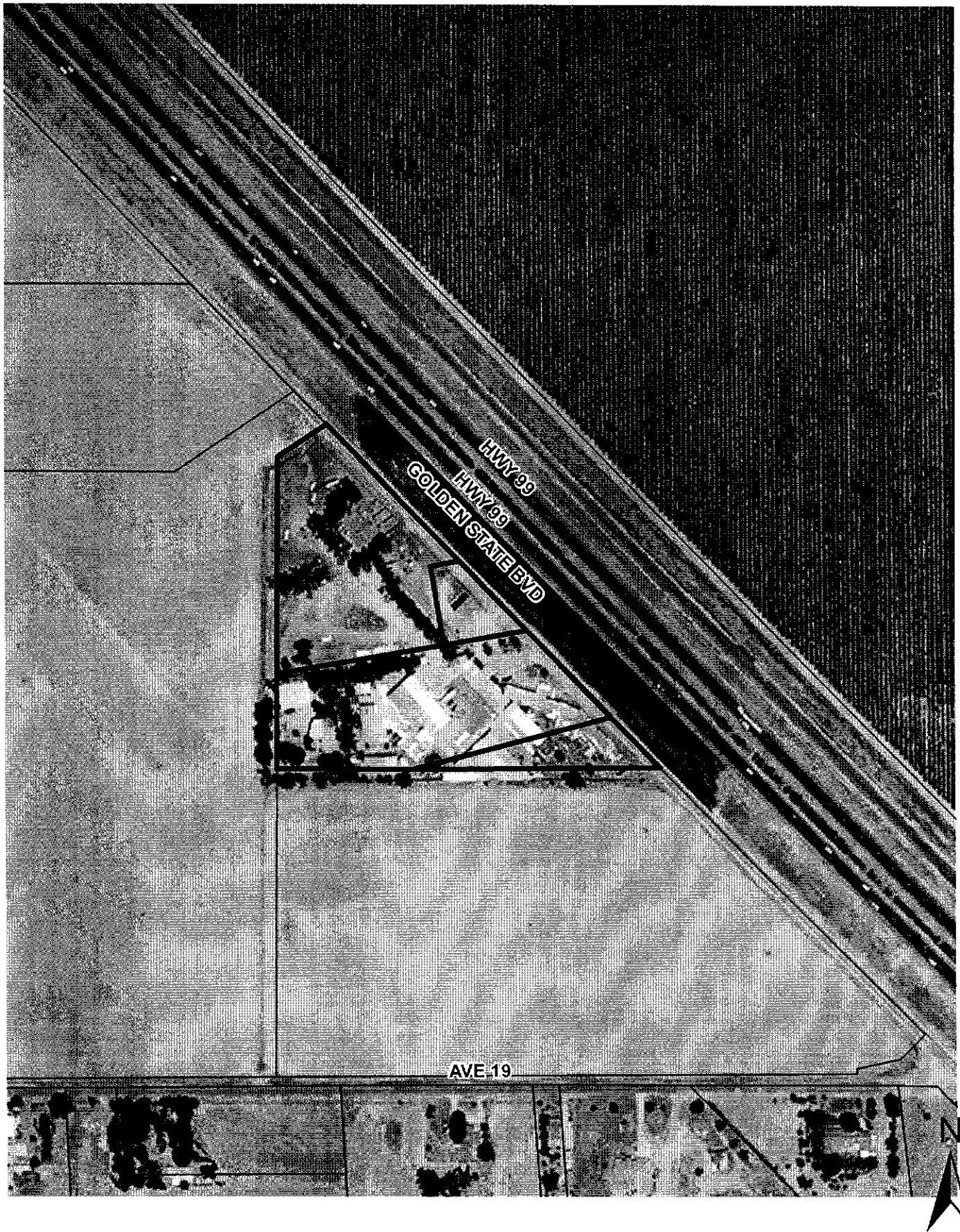
Proposed Use - Irrigation Hardware Sales

Square Feet of Building - Building 1920 Sq Ft, Pole Barn 6000 Sq Ft

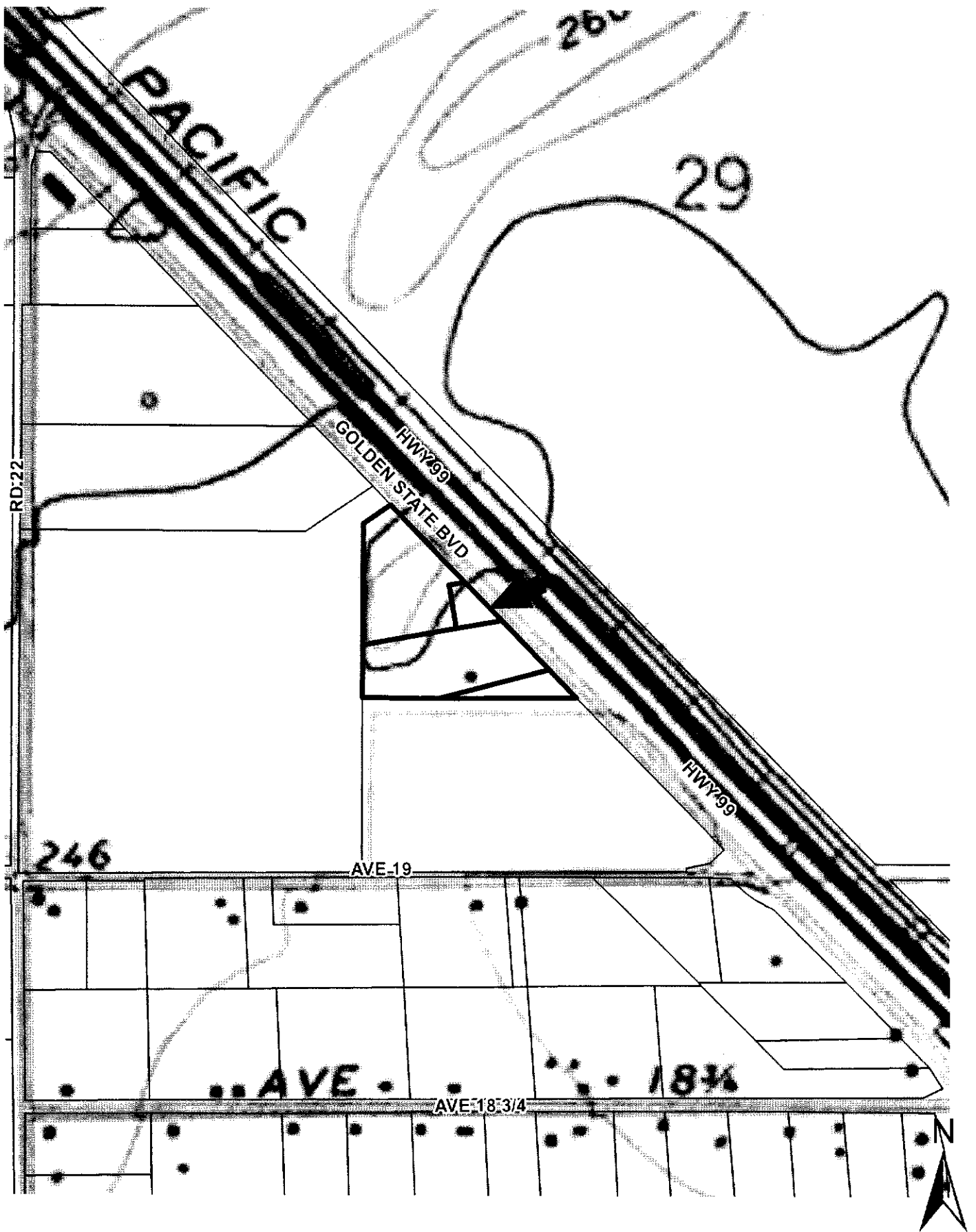
Building height: 20 ft

Question 31

If your proposal is for land division, show slopes over 10%: None



AERIAL MAP

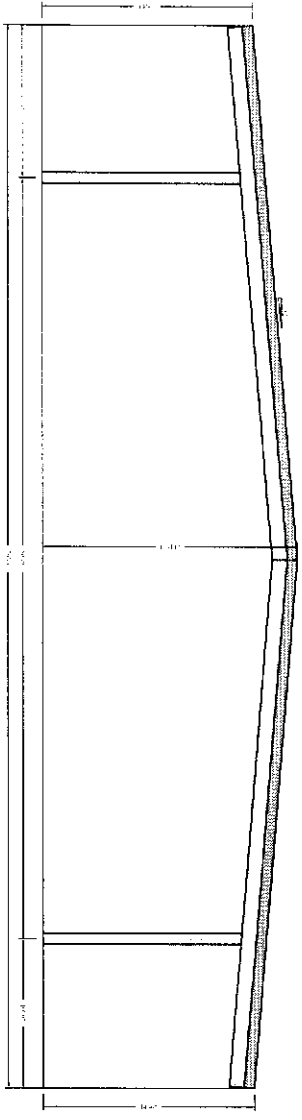


TOPOGRAPHICAL MAP

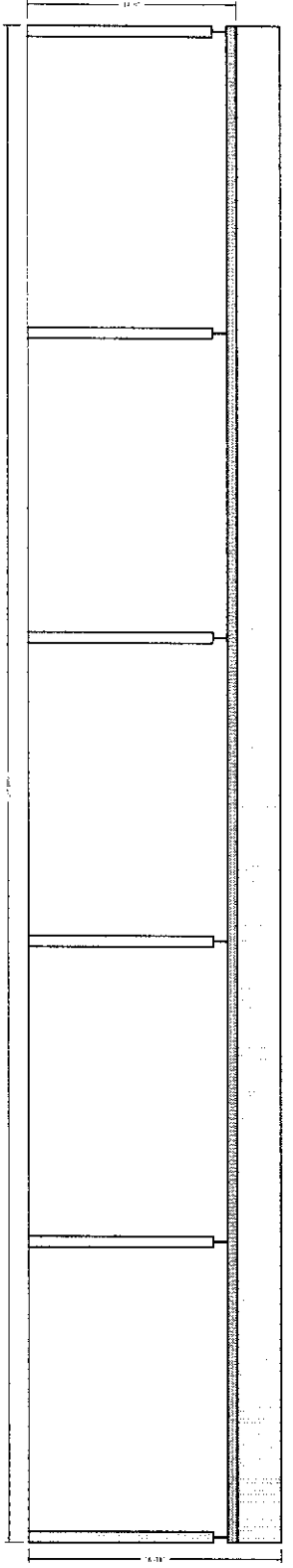
APN: _____ BP # _____

Madera County Plot Plan

Plan Check # _____



LANDS DIVISION OF CALIFORNIA



LANDS DIVISION OF CALIFORNIA

I declare under penalty of perjury under the laws of the State of California that the foregoing and attached information forms are true and correct.

Signature: _____ Print Name: _____ Date: _____

Scale: 1/8" = 1'-0"

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: Matt Treber
FROM: Madera County
DATE: December 11, 2012
RE: Kopshever, Jim - Project - BdS - Madera (029-190-009-000)

Comments

TO Matt Treber, Planning Department

FROM Dario Dominguez, Assistant Engineer - DEGS

SUBJECT PRJ 2012-003 Kopshever (APN 029-190-009)

- 1) Portion of the identified parcel is shown on the Flood Insurance Rate Maps (FIRM) as being in Flood Zone "AO", areas determined to be inside the flood plain.
- 2) The subject property is not within a Maintenance District or Service Area administered by the Madera County Engineering Department.
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. Prior to the start of any grading activities, the applicant shall apply for, and obtain a Grading, Drainage and Erosion Control Permit from the Engineering Department.
5. All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

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: Matt Treber
FROM: Madera County
DATE: December 11, 2012
RE: Kopshever, Jim - Project - BdS - Madera (029-190-009-000)

Conditions

The Environmental Health Department has reviewed the Project BdS, (PRJ) #2012-003, Jim Kopshever, located on APN: 029-190-009, -016, -019, -020, within the Madera area and has determined the following:

The septic disposal system for the proposed facility must be designed for maximum occupancy/use by a registered Environmental Health Specialist, Civil Engineer, or Geologist acceptable to this department. The septic disposal system for this development must comply with the Madera County Environmental Health Department requirements.

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 within this department at (559) 675-7823, M-F, 8:00 AM to 5:00 PM.

Dec 11, 2012

Note Type:

Page 1 of 1

Madera County Road Department**CONDITIONS -**

Our department anticipates that this project should not have a significant impact on traffic or circulation... and recommends approval with the following conditions:

The site is along the westerly side of Golden State Blvd, just north of Avenue 19 that involves four separate parcels: APN 029-190-009, 016, 019 and 020, totaling approximately 23.8 acres.

The road right-of-way (Golden State Blvd) requires an additional four (4) foot strip, which currently has a total of only 56-feet. The requirement for a Local roadway is 60 feet... Golden State Boulevard runs adjacent to the southwesterly r/w line of State Highway 99.

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

The Road Department recommends the following conditions for approval:

- 1.1 Prior to approval, the applicant is required to Grant Deed an additional 4'-0" strip of land abutting Golden State Blvd into fee title ownership to meet the right-of-way requirement of a Local roadway;
- 2.1 All driveway approaches shall be built to a Commercial County Standard;
- 3.1 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.

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 MARSHAL

MEMORANDUM

TO: Matt Treber
FROM: Madera County
DATE: December 11, 2012
RE: Kopshever, Jim - Project - BdS - Madera (029-190-009-000)

Conditions

Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all weather driving capabilities. (CFC Section 503.2.3)

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. (CFC Section 503)

A County Standard Dry Barrel Hydrant shall be installed within 400 feet of the furthest portion of the proposed buildings measured by way of drivable access. The hydrant location shall be approved by the Madera County Fire Marshal prior to installation of any portion of the system. (CFC, Section 508.5.1)

A fire suppression water storage tank will be required to be installed in conjunction with the required hydrants. Capacity of water storage tank shall be determined by the cubic footage of the largest building on-site as determined by NFPA 1142 or currently adopted code at time of building permit application. Size will also factor in domestic usage and sprinkler demand if applicable.

A more in-depth plan review will be conducted upon application for any building permits.

December 3, 2012

Matthew Treber
Madera County
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

Project: General Plan Amendment, to Amend 23.8 acres from Highway Service Commercial (HSC) to Heavy Commercial (HC) Designation. CUP to Allow Outdoor Storage of Agricultural Irrigation Equipment for Sale.

District CEQA Reference No: 20120739

Dear Mr. Treber:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project. The District offers the following comments:

District Comments

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project would exceed 2,000 square feet of commercial space. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

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

applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

- 3) The proposed project may require District permits. Prior to the start of construction the project proponent should contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.
- 4) The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
- 5) The District recommends that a copy of the District's comments be provided to the project proponent.

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Ms. Debbie Johnson at (559) 230-5817.

Sincerely,

David Warner
Director of Permit Services

for 
Arnaud Marjollet
Permit Services Manager

DW:dj

Enclosure: ISR Frequently Asked Questions

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Madera Area
3051 Airport Drive
Madera, CA 93637-8709
(559) 675-1025
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



November 13, 2012
File No.: 450.11396.13669

Matt Treber
Madera County
Resource Management Agency
2037 W. Cleveland Avenue
Madera, CA 93637

RE: Jim Kopshever – General Plan Amendment – Madera County APN's 029-190-009, 016, 019, & 020

Mr. Matt Treber

Staff at the Madera office of the California Highway Patrol (CHP) has reviewed the Project Review Request regarding the proposed General Plan Amendment Jim Kopshever – APN's 029-190-009, 016, 019, & 20 – Madera County.

The CHP, Madera Area, is the primary agency providing traffic law enforcement, traffic safety, and traffic management of the unincorporated areas, within the northern and central portions of Madera County. After a thorough review of this document, we offer the following comments:

The proposed new project area is located within the jurisdictional responsibility of the CHP Madera Area office. According to the information received, the CHP believes there will be a minimal increase in vehicular traffic as a result of this project. Mostly, there will be a small increase of traffic patterns near and around the development. No changes in CHP duties are anticipated since there will only be a small increase in vehicular traffic.

Should there be questions regarding these comments, please contact me at (559) 675-1025.

Sincerely,

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

D. PARIS, Lieutenant
Commander
Madera Area

cc: Special Projects Section – CHP





Picayune Rancheria
of the
CHUKCHANSI INDIANS

46575 Rd. 417 – Coarsegold, CA – (559) 683-6633 – FAX (559) 683-0599

THPO/CULTURAL RESOURCES DEPARTMENT

Form: Picayune Rancheria of Chukchansi Indians
Mary Motola, THPO/Cultural Resources Director
46575 Rd. 417, Bldg. A
Coarsegold, Ca. 92614
559-683-6633

To: Matt Treber, Senior Planner
2037 W. Cleveland Avenue
Madera, California 93637

Re: Proposal to amend the area now shown as HSC (Highway Service Commercial) to HC (Heavy Commercial) Designation.

Dear Mr. Treber:

The Picayune Rancheria of Chukchansi Indians has received your letter dated November 6, 2012, that contained a proposal to amend the General Plan pursuant to Section 65358 of the government Code.

Jim Kopshever, is proposing to amend the area now shown as HSC (Highway service Commercial) to HC (Heavy Commercial) designation. A conditional use permit will be considered to allow outdoor storage of agricultural irrigation equipment for sale located at Avenue 19 and Golden State Boulevard (19170 Highway 99) in Madera County, California.

Our concern is for any Cultural Resources that may be in the area of the proposed project. Since this project concerns a change to the General Plan, SB 18 comes into play. We request that an information search/ survey be conducted regarding prehistoric, historic, or ethnographic use of the land and of any contemporary Native American values associated with the project area.

The Tribe would like to be consulted when this process is completed. We would also like to be notified of any inadvertent discoveries during this undertaking.

Thank you,

Mary Motola
THPO / Cultural Resources Director

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MADERA COUNTY
PLANNING DEPARTMENT

Environmental Checklist Form

Title of Proposal: PRJ #2012-004

Date Checklist Submitted: December 3, 2012

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Matt Treber, Senior Planner

Phone: (559) 675-7821

Description of Project:

The request is for a General Plan Amendment from HSC (Highway Service Commercial) to HC (Heavy Commercial) designation, and a Conditional Use Permit to allow outdoor storage of agricultural irrigation equipment for sale on the subject properties.

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 Golden State Boulevard approximately 936 feet north of the intersection of Avenue 19 and Golden State Boulevard (19170 Highway 99) Madera.

Applicant Name and Address:

Jim Kopshever
109 Autumn Way
Chowchilla CA 93610

General Plan Designation:

HSC – Highway Service Commercial

Zoning Designation:

CRG – Commercial Rural General

Surrounding Land Uses and Setting:

Commercial, Agricultural, and Residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date 12/20/12

I. AESTHETICS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-b) No Impact – There are no officially recognized scenic vistas or scenic highways within the area. The site is located adjacent to Highway 99 in a heavily traversed corridor. The properties in question are flat with no scenic resource including rock outcroppings, or historic buildings.

(c-d) Less than Significant with Mitigation Incorporation – The project will result in additional outdoor storage and sales which would create a new light source; however, the impact would be less than significant with the adopted mitigation measures to provide fully hooded light fixtures.

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

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

model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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-b) No Impact – The property is located adjacent to the commercial corridor of Highway 99 with no significant agricultural land being impacted by the project. The project site has already been developed with a commercial business, this proposal seeks to expand the already approved commercial business. The zoning of the properties permit a commercial business.

(c) No Impact – The project site is not designated as forest land or timberland.

(d) No Impact – The proposed project will not result in loss of forest land. The current use of the land is commercial.

(e) No Impact – The proposed project will not result in conversion of farmland to non-agricultural use, or any conversion of forest land to non-forest use. It is an existing commercial development that is expanding to an adjacent parcel already zoned for commercial development.

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 - e) *Less than Significant with Mitigation* - The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District. The proposed project would exceed 2,000 square feet of commercial space therefore it is subject to District Rule 9510. The project is subject to District Rule 9510. Individual development and construction will be subject to various district rules such as Regulation VIII, 4102, 4601 and 4641.

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is “very high confidence” (by IPCC definition a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

CEQA requires an agency to engage in forecasting “to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal” (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in Laurel Heights Improvement Association v. Regents of the University of California [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

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

percent in 2030 (CARB 2004a).

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

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input 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) Less than Significant Impact. The proposed project is a general plan amendment and conditional use permit to allow the expansion of an outdoor storage and sales of agricultural irrigation material. The project will have a less than significant impact on biological habitats. The project would not conflict with any local policies or ordinances protecting biological resources, and the project would not conflict with the provision of any conservation plans. The use of impenetrable fencing on the proposed project parcels should be strongly discouraged to not unduly restrict wildlife movement across the area.

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);

- Animals listed as "fully protected" in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County's and Department of Fish and Game's databases for special status species have identified the following species:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Vernal Pool Fairy Shrimp	Threatened	None		
Heartscale	None	None		1B
Lesser Saltscale	None	None		1B
Succulent Owl's Clover	Threatened	Endangered		1B

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3: Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

Ranking

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

(b) No Impact. The project site has been developed, and previously graded. There are no potential riparian habitats within the vicinity of the project site which could be impacted.

(c) No Impact. The project site is not an area where federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) are located.

(d) No Impact. The project site is located along Highway 99 through Madera County. The project site has been developed, and previously graded.

(e) No Impact. The proposed project is a general plan amendment and conditional use permit to allow the expansion of existing outdoor sales and storage of agricultural irrigation equipment. The project will not conflict with any local policies or ordinances protecting biological resources.

(f) No Impact. The project site is not located in an area where a adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan is enforced.

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 \$2156.25, 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

\$2,206.25 (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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

(a & d) Less than Significant. 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). The project site has been developed into a commercial retail business, and orchard. The site has been significantly impacted. In the event that unanticipated buried archaeological deposits are encountered during project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a qualified archaeologist. Should human remains be encountered within the project area, the County Coroner must be contacted immediately; if the remains are determined to be Native American, then the Native American Heritage

Commission must be contacted as well.

(b-c) Less than Significant with Mitigation. This project consists of a general plan amendment, therefore we informed all known Native American Tribes on the Native American Heritage Commission's list of the project in accordance with Senate Bill 18. The Chukchansi Picayune Rancheria requested to consult with the County and applicant, mitigation measures were agreed to by all parties related to the potential impact upon archeological resources.

VI. GEOLOGY AND SOILS -- Would the project:

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

Discussion:

(a i-iv, b-e) No Impact - Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams which carry runoff from the Sierra Nevada's.

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The

Central valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep.

However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

San Andreas Fault: The San Andreas Fault lies approximately 45 miles west of the county line. The fault has a long history of activity and is thus a concern in determining activity in the area.

Owens Valley Fault Group: The Owens Valley Fault Group is a complex system containing both active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

According to the Madera County General Plan Background Report, groundshaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. According to the Madera County General Plan Background Report, although there are areas of Madera County where the water table is at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content; the soil types mitigate against the potential for liquefaction.

The project site has been graded flat and is located on the valley floor. There are no substantial slopes that could cause erosion.

VII. GREENHOUSE GAS EMISSIONS - Would the project:	Significant Impact	Significant with Mitigation Incorporation	Significant Impact	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 proposed project is a general plan amendment and conditional use permit to allow the expansion of the existing outdoor storage and sales of agricultural irrigation equipment. The potential impacts of the project to generate greenhouse gas emissions are less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - b) Less than Significant. The project site is currently developed with a commercial retail business, and small orchard. The general plan amendment and conditional use permit is being requested to comply with the surrounding parcels, and to allow the expansion of the existing outdoor storage and sales of agricultural equipment. There may be hazards due to temporary construction; however, the impacts will be less than significant.

(c) No Impact - The project site is not located within one-quarter mile of an existing or proposed school.

(d - g) No Impact - The project is not located on a site listed by the State Department of Toxic Substance Control as potentially hazardous sites. In addition, it is not located within the proximity of a private airstrip. The project site fronts onto Golden State Boulevard. There is no potential for the project to impair or physically interfere with an emergency response plan or evacuation plan.

(h) No Impact - The proposed project would not put single family dwellings within an area which could be subject to wild fires.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion:

(a-b) No Impact - The development of this project has no potential to violate any waste water discharge requirement, or deplete the groundwater basin.

(c) No Impact. No development as a part of this project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, which could result in substantial erosion or siltation.

(d) No Impact. No development as a part of this project which would 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.

(e & f) Less than significant. The potential for the project to create additional runoff will have a less than significant impact.

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

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

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) No Impact. The proposed project does not have the potential to divide an established community.

(b) No Impact. The project as proposed will be consistent with all applicable land use plans and ordinances.

(c) No Impact. The project is not involved in any habitat conservation plan or natural community conservation plan therefore no impact is expected.

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 - There is no potential for this project to 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

XII. NOISE – Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 – c & e) Less than Significant Impact - The proposed project will have some noise impacts as far as construction and grading are concerned. Those activities are subject to the Madera County Code in terms of defining times and levels of noise acceptable. That ordinance is enforced by the Environmental Health Department. Ambient noise levels would not be raised above the current level, since the project site is adjacent to Highway 99.

(d) Less than Significant with Mitigation – The proposed project has the potential to create a substantial temporary increase in noise levels, however mitigation measure are included making the impact less than significant.

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

XIII. POPULATION AND HOUSING -- Would the project:

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

Discussion:

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

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

displaced as a result of the project.

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

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-i and ii) *Less than Significant* - The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sherriff's Department.

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

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

(a-iii) *Less than Significant* - The development of a commercial business would be subject to School District Impact Fees in order to offset potential impacts of the development.

(a-iv) *No Impact* –There is no potential for an impact of the project on parks.

(a – v) *No Impact* - Potential impacts to other agencies would be minimal due to the relatively small development nature of the 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. This project is a general plan amendment and conditional use permit to allow the expansion of the existing outdoor storage and sales of agricultural equipment. There is no potential of the project to increase the use of parks or recreational facilities.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - b) Less than Significant - This project is located adjacent to Highway 99 along Golden State Boulevard. This project was routed to the California Department of Transportation, they did not submit comments. This project will not conflict with any applicable plan, ordinance or policy related to the existing or planned circulation system of the area.

(c & e-f) No Impact - The project is not large enough to significantly affect air traffic patterns of the area. In addition, there are no alternative transportation plans or policies in the area which would be affected. The project is located adjacent to Highway 99. This project will not result in inadequate emergency access.

(d) Less than Significant with Mitigation – The project result in the construction and expansion of new facilities associated with the existing outdoor storage and sales of agricultural irrigation supplies. The project will increase traffic in the area, however with appropriate mitigation measure the impact will be less than significant.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a, b) *No Impact* - Facilities are not being built that would require any permitting through the Regional Water Quality Control Board.

(c) *No Impact* - The proposed project is not required to construct new storm water drainage facilities or the expansion of existing facilities.

(d) *Less Than Significant Impact*. The project site will be served by a private well. The water consumption of the expansion is minimal and will result in a less than significant impact upon the water basin.

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

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 - b) Less than Significant - The project, as proposed, does not have impacts which will need to be mitigated in order to limit the effect on humans, historical and cultural resources, habitat and resources.

(c) Less than Significant with Mitigation – The project will result in new construction and outdoor storage and sales. With appropriate mitigation measure in plan the project will not cause substantial effects on human beings, either directly or indirectly.

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

- Madera County General Plan
- California Department of Finance
- California Integrated Waste Management Board
- California Environmental Quality Act Guidelines
- United States Environmental Protection Agency
- Madera County Environmental Health
- Madera County Roads Department

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm accessed October 31, 2008

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

MITIGATED NEGATIVE DECLARATION

MND

RE: PRJ 2012-004 – Jim Kopshever

LOCATION AND DESCRIPTION OF PROJECT:

The request is for a General Plan Amendment from HSC (Highway Service Commercial) to HC (Heavy Commercial) designation, and a Conditional Use Permit to allow outdoor storage of agricultural irrigation equipment for sale on the subject properties. The property is owned by Charlie Fall and is located on the west side of Golden State Boulevard approximately 936 feet north of the intersection of Avenue 19 and Golden State Boulevard (19170 Highway 99) 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:

Aesthetics

1. Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.
2. Prior to issuance a detailed landscape and irrigation plan providing for a dense vegetative screening along the property line.

Air Quality

1. The construction phase of the project may be subject to District Regulations, administered by the San Joaquin Unified Air Pollution Control District, and may be subject to permitting requirements of the Air District. The applicant shall consult with the Air District to determine how these regulations will be implemented for this project.
2. Curtail or consider suspending construction related heavy equipment usage during San Joaquin Valley Air Pollution Control District declared "Spare the Air" days.

Cultural Resources

1. In the event that unanticipated buried archeological deposits are encountered during project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a qualified archeologist. Should human remains be encountered within the project area, the County Coroner must be contacted immediately; if the remains are determined to be Native American, then the Native American Heritage Commission must be contacted as well.

Hydrology and Water Quality

1. All National Pollution Discharge Elimination System (NPDES) stormwater regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants, such as, but not limited to, oil, grease, and fuel, dissolved metals from batteries and glycols from automotive coolant or antifreeze.

Noise

1. All construction activity related to the project shall occur between the hours of 7:00am-7:00pm Monday-Friday.

Traffic

1. Prior to issuance, the applicant is required to Grant Deed an additional 4'-0" strip of land abutting Golden State Blvd into fee title ownership to meet the right-of-way requirement of a Local roadway.

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

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: December 12, 2012

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2012-32

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	Any proposed lighting shall be hooded and directed away from adjacent properties	Construction	Building	Planning	signed bldg permit			
2	Prior to issuance a detailed landscape and irrigation plan providing for a dense vegetative screening along the property line.	Construction	Building	Planning	signed bldg permit			
Agricultural Resources								
Air Quality								
1	The construction phase of the project may be subject to District Regulations, administered by the San Joaquin Unified Air Pollution Control District, and may be subject to permitting requirements of the Air District. The applicant shall consult with the Air District to determine how these regulations will be implemented for this project.	Construction	Building	Planning	signed bldg permit			
2	Curtail or consider suspending construction related heavy equipment usage during San Joaquin Valley Air Pollution Control District declared "Spare the Air" days.	Construction	Building	Planning	signed bldg permit			
Biological Resources								
Cultural Resources								
1	In the event that unanticipated buried archeological deposits are encountered during project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a qualified archeologist. Should human remains be encountered within the project area, the County Coroner must be contacted immediately; if the remains are determined to be Native American, then the Native American Heritage Commission must be contacted as well.	Construction	Building	Planning	Construction			
Geology and Soils								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Hazards and Hazardous Materials								
Hydrology and Water Quality								
	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.	Construction	Engineering	Planning	grading permit			
Land Use and Planning								
Mineral Resources								
Noise								
	All construction activity related to the project shall occur between the hours of 7:00am-7:00pm Monday-Friday.	Operation	Planning	Planning				
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
	Prior to issuance, the applicant is required to Grant Deed an additional 4'-0" strip of land abutting Golden State Blvd into fee title ownership to meet the right-of-way requirement of a Local roadway.	Permit Issuance	Road Department	Planning	Offer for Dedication			

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Utilities and Service Systems							