

RESOURCE MANAGEMENT AGENCY

Community and Economic Development
Department of Planning and Building

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PLANNING COMMISSION DATE: June 4, 2013

AGENDA ITEM: #1

CUP	#2013-009	Conditional Use Permit to Allow a Winery and an Outdoor Recreational Facility
APN	# 049-072-006	Applicant/Owner: Walt Whelan
CEQA	MND #2013-009	Mitigated Negative Declaration

REQUEST:

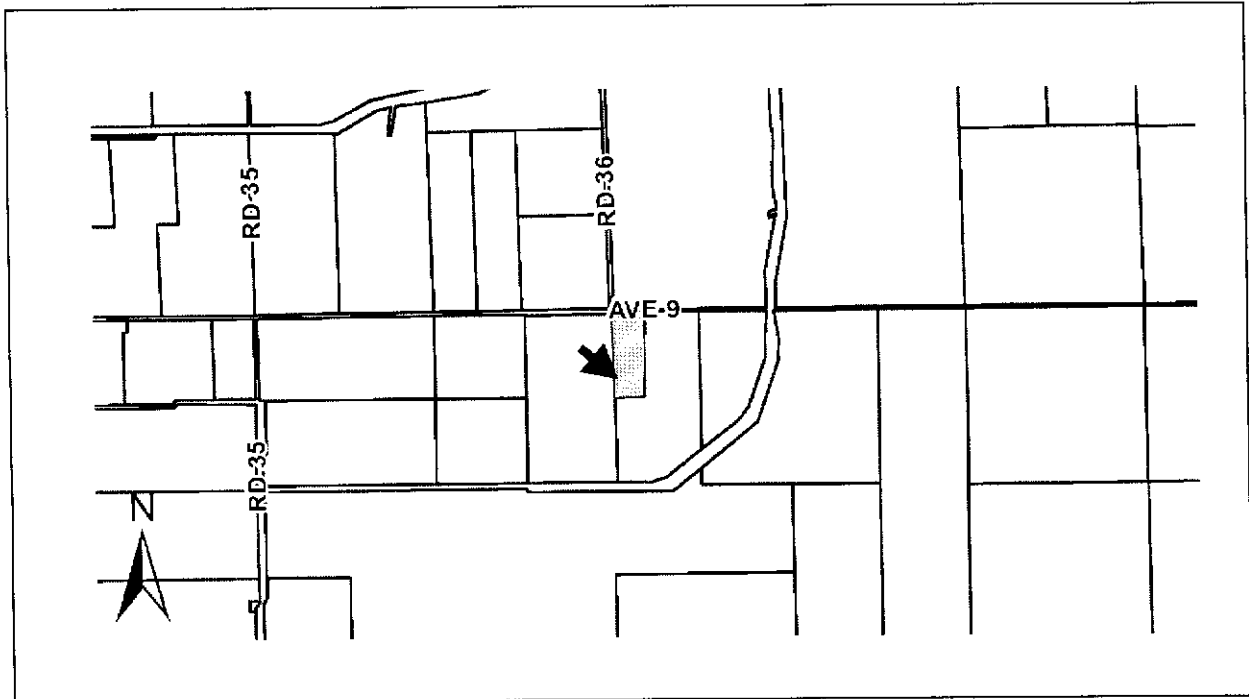
This proposal represents a request for a conditional use permit to allow a winery and an outdoor recreational facility involving wine tasting and special events.

LOCATION:

The property is located on the south side of Avenue 9, at the southeast corner of its intersection with Road 36 (36146 Avenue 9), Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2013-011) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of the conditional use permit (CUP 2013-009) and Mitigated Negative Declaration (ND 2013-011) subject to conditions and the mitigation monitoring program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: AE (Agricultural Exclusive) Designation
SURROUNDING: AE (Agricultural Exclusive)

ZONING (Exhibit B):

SITE: ARV-20 (Agricultural, Rural, Valley – 20 Acre) District
SURROUNDING: ARE-40 (Agricultural, Rural, Exclusive – 40 Acre) and ARV-20 (Agricultural, Rural, Valley – 20 Acre) Districts

LAND USE:

SITE: Residential and grape vines
SURROUNDING: Vacant land to the east, orchards and vines to the north, south, and west

SIZE OF PROPERTY: 14.0 acres.

ACCESS (Exhibit A): Existing access to the parcel is provided via Avenue 9

BACKGROUND AND PRIOR ACTIONS:

The land division that created this parcel dates back to 1965 to an unrecorded lease that predated the effective date of the current land division ordinance.

PROJECT DESCRIPTION:

The application is for a Conditional Use Permit to allow a small private label winery and tasting room. The proposal is to construct a 7,000 square foot building (70 ft. x 100 ft. x 26 ft.) for winery operations. The equipment will include a fermentor, de-stemmer, barrels, bottling equipment, winepress, and all other wine making equipment. The building will be a tan metal building with a burgundy roof. It will have panelized wood doors with chrome side lite panels with a dark wood stain. Ivy will be planted to eventually cover the metal building. The existing home will be used by the winery foreman and the existing ag buildings for storage and ag operations. The forklift will be stored in the ag buildings. The property is planted with grape vines. The project description submitted by the applicant requests the following:

*Five Year Plan for Avenue 9 Vineyard
and Winery (Avenue 9 Vineyard, LLC)*

First Year

Will use fresh grapes purchased locally or from the Central Coast to produce up to 30 barrels/750 cases of white and red wine. Concentrates will not be used. Will use stainless steel tanks for first stage fermentation and oak barrels for second stage fermentation. Wines will be aged up to eighteen months in the barrels before bottling on site into standard 750 ml glass bottles.

Second Year

Same as First Year, except that the grapes used will be those grown on the 10 acres of white and red wine grapes planted next to the

winery. Most of the grapes were planted in the Spring of 2012, with many vines having just been replanted in 2013. As needed, fresh grapes will be purchased locally or from the Central Coast. No concentrates. Production Goal: 60 barrels/1500 cases.

Third Year

Same as Second Year, except that Production Goal will be 120 barrels/3,000 cases.

Fourth Year

Same as Third Year.

Fifth Year

Same as Fourth Year, except that Production Goal will be 200 barrels/5,000 cases.

Marketing Plan

Wines will be marketed through onsite sales at wine tastings and through local vendors. In addition, wine will be marketed domestically and internationally through broker sales.

Wine will be produced and bottled onsite, sold onsite and through direct marketing, wine tasting, wine club and future sales in major retail outlets. Onsite sales will take place two days per week from 12:00 p.m. to 6:00 p.m. The hours of operation for the winery will be six days per week from 9:00 a.m. to 5:00 p.m. There will be four special activities or events per year, both indoor and outdoor. Approximately 350 guests are expected to attend. An average of 10 customers per weekday are anticipated with 50 customers on weekends. For Wine Trail Events, 200 guests are expected, with 300 at large occasional wine tasting gatherings.

Currently there are no employees. However, in the future there will be two permanent and eight seasonal employees. The farm/winery foreman will live onsite. One delivery vehicle is proposed to visit the site approximately one time per month.

ORDINANCES/POLICIES:

Section 18.62.010 the Madera County Zoning Ordinance outlines the permitted uses within the ARV-20 (Agricultural, Rural, Valley – 20 Acre) zone.

Section 18.54.010(c)(10) the Madera County Zoning Ordinance allows for agriculturally oriented services within an ARV-20 (Agricultural, Rural, Valley – 20 Acre) zone with a Conditional Use Permit.

Section 18.54.010(c)(6) the Madera County Zoning Ordinance allows for private clubs and outdoor recreational facilities within an ARV-20 (Agricultural, Rural, Valley – 20 Acre) zone with a Conditional Use Permit.

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

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

Policy 1.E.3 of the Madera County General Plan supports the economic development of the County.

Policy 5.A.1 of the Madera County General Plan supports the maintenance of agricultural designated land as agriculturally designated land.

Policy 5.A.16 of the Madera County General Plan supports economic development of agriculturally related activities within the county.

ANALYSIS:

This proposal represents a request for a conditional use permit to allow a winery and an outdoor recreational facility involving wine tasting and special events. The subject property is designated AE (Agricultural Exclusive) by the General Plan. The AE designation is a 40 acre district. The property is zoned ARV-20 (Agricultural, Rural, Valley - 20 Acre) district. The properties surrounding the subject parcel are zoned ARV-20 (Agricultural, Rural, Valley - 20 Acre) or ARE-40 (Agricultural, Rural, Exclusive - 40 Acre) district. The AE designation provides for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally-oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi public uses, and similar and compatible uses. The minimum parcel size shall be 36 to 640 acres. However, all parcels within a 5 mile radius are designated AE (Agricultural Exclusive). To redesignate this one parcel would create an island contrary to the General Plan. Prior to the approval of the 1995 General Plan, this parcel was designated ARV-20 (Agricultural, Rural, Valley - 20 Acre) district. When the 1995 General Plan was adopted, all parcels designated ARV-20 between 10 and 36 acres were supposed to be redesignated A (Agriculture) which is a 20 acre minimum.

Policy 5.A.11 states that the County shall facilitate agricultural production by allowing agricultural service uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area. The County shall use the following guidelines to analyze the suitability of a proposed agricultural service use:

- A. The use will not adversely affect agricultural production in the area;
- B. The use supports local agricultural production; and
- C. It is compatible with existing agricultural activities and residential uses in the area.

California Government Code §65455 states that zoning, subdivision, and public works projects must be consistent with the general plan and specific plan. The California Attorney General has opined that, "the term 'consistent with' means 'agreement with.' The courts have held that the phrase 'consistent with' means 'agreement with; harmonious with.' The term 'conformity' means in harmony therewith or agreeable to" (see 58 Ops. Cal. Atty. Gen. 21, 23 (1975)).

Government Code #65860(2) outlines zoning consistency with the general Plan.

"The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan."

The Madera County Zoning Ordinance states that with an approved conditional use permit, the ARV-20 zone district allows an agriculturally oriented service as defined:

"Agriculturally oriented services" means those uses of land devoted to the provision of buying, selling, processing, storing, packaging, shipping and otherwise directly serving functions associated with the production of local agricultural products. Urban retail stores are not included in this definition. Urban residences are not included in this definition. Manufacturing other than the primary cleaning, sorting, packaging or conversion of local agricultural products is not included in this definition."

Between 10 and 350 visitors a day are anticipated for wine tasting and special events. There are no trip generation rates specific for wineries. The closest category the Institute of Traffic Engineers uses that is similar to this establishment is a "Drinking Place". The generation rate for that type of use is 11.34 per 1,000 square feet of facility for peak PM trips. The structure in which the wine tasting will actually occur is approximately 2,000 square feet resulting in a generation rate of 22.68 peak PM trips.

There is an existing agricultural well to supply approximately 1,000 gal per day for the winery operation and grounds. There is a domestic well that will be used for the winery operations, capacity 720 gal./hour. Seasonal waste water will be 300 gal. per day spread through green cover crop between vines and in landscape pond. Approximately 112 cubic yards per week will be hauled off by disposal service and ¼ cubic yard for ag waste will be recycled onsite.

Wine will be produced and bottled on-site, sold on-site and through direct marketing, wine tasting, wine club and future sales in major retail outlets. Onsite sales will take place two days per week from 12:00 p.m. to 6:00 p.m. The hours of operation for the winery will be six days per week from 9:00 a.m. to 5:00 p.m. There will be four special activities or events per year, both indoor and outdoor. Approximately 350 guests are expected to attend. An average of 10 customers per weekday are anticipated with 50 customers on weekends. For Wine Trail Events, 200 guests are expected, with 300 at large occasional wine tasting gatherings.

The ARV-20 (Agricultural, Rural, Valley – 20 Acre) zone district allows private clubs and outdoor recreational facilities with an approved conditional use permit. The special events, wine tasting and Wine Trail Events would fall under this category. Limited food and miscellaneous sales, although not generally consistent with agricultural zoning and land use, would be acceptable under the provisions of an outdoor recreational facility just as a club house would be acceptable for a golf course on an agriculturally zoned parcel.

Noise levels may be increased during special events (i.e., weddings, parties, etc.); however, the applicant shall comply with all noise regulation standards as per Section 9.58 of the Madera County Code.

The operational statement states that a 7,000 square foot building will be constructed and used for the wine operation and wine tasting. The applicant has indicated that he will need to phase the operation starting with the 5,000 square foot building for the winery with wine making facilities in Phase 1, the remaining 2,000 sq. ft. of offices, kitchen area and wine tasting room in Phase 2 and 2,000 sq. ft. Veranda in Phase 3. This operation may be phased not to exceed a total of 7,000 square feet in new construction plus the veranda. There are eight paved parking spaces proposed for employees and 120 parking spaces on compact surface for the public. The employee parking will be adequate. The Zoning Ordinance does not specifically refer to a winery or tasting room. However, for a public gathering (i.e., wedding) one parking space is required for every five seats. Using this analysis, the maximum number of customers expected at one time is 350, therefore 70 parking spaces, on a dust free surface, will be required for the public. The public parking will be required at the time the tasting room is built.

The proposal is a significant distance from surrounding residential subdivisions. The risks to public health and safety are limited so long as the project is operated within the provisions of the submitted operational statement and any conditions generated by the reviewing County departments. The property to the east is vacant and the parcels to the north, south, and west are in vines and orchards. On April 3, 2013, the Planning Commission approved a winery to be located on Root Creek Road and Avenue 36 and on May 7, 2013, a winery was approved to be located on Avenue 9 and Road 36. Both of these facilities will be located within close proximity to the proposed facility. Therefore, the proposal represents a compatible activity with existing surrounding uses.

Since a Mitigated Negative Declaration has been authorized for this project under the provisions of Section 711.4(c) of the Fish and Game Code, an "Environmental Document Application/Filing Fee" is required in conjunction with the processing of this project and the filing of the required Notice of Determination. In addition, a fifty dollar (\$50.00) "County Administrative Fee" must be included. A single check made payable to the County of Madera is required. (The fee is to be submitted to the Planning Department.) State law (Section 21089(b) of the Public Resources Code) provides that project approval is not operative or final until these Fish and Game fees are paid.

Comments were received from the Road, Fire, Engineering, and Environmental Health Departments as well as the Central Valley Regional Water Quality Control Board and the San Joaquin Valley Air Pollution Control Board. There was a discussion regarding access onto Avenue 9. The Road Department is requiring access to be limited to one point. However, the Fire Department is requiring a second emergency access. Therefore, it was decided that the second existing point of access will be limited to employees and emergency only.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to approve this conditional use permit application. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

1. *The proposed project does not violate the spirit or intent of the zoning ordinance.* The property is zoned ARV-20 (Agricultural, Rural, Valley-20 Acre). Per Section 18.62.010 of the Madera County Code, this zone district allows wineries (agriculturally oriented services) and Outdoor Recreational Facilities with an approved Conditional Use Permit.

2. *The proposed project (request) is not contrary to the public health, safety or general welfare. The facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations.*
3. *The proposed project (request) is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors. The proposal must adhere to local and state health and building codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigations measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.*
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 proposal is consistent with the agricultural uses of the surrounding area. The proposed use is not considered a use that will significantly impact adjacent properties or generate large amount of trips that could affect other properties as there are surrounding properties also operating as wineries.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The Conditional Use Permit to allow the winery and an outdoor recreational facility, if approved, would be consistent with the existing zone district of ARV-20 (Agricultural Rural Valley-20 Acre). The zone district is consistent with the general plan designation of AE which allows for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally-oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi public uses, and similar and compatible uses. The ARV-20 zone district allows wineries and private clubs and outdoor recreational facilities with approval of a conditional use permit. Therefore, the proposal is consistent with the general plan.

RECOMMENDATION:

The analysis provided in this report supports approval of Mitigated Negative Declaration ND #2013-011 and Conditional Use Permit #2013-009 as presented subject to the following conditions and Mitigation Monitoring and Reporting Program.:

CONDITIONS: *(See attached Conditions of Approval/Mitigation Monitoring Program)*

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Site Plan Map
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Location of Wineries in Madera County
8. Exhibit H, Operational Statement
9. Exhibit I, Additional Information
10. Exhibit J, Additional Site Plan
11. Exhibit K, Engineering Department Comments
12. Exhibit L, Environmental Health Department Comments
13. Exhibit M, Fire Department Comments
14. Exhibit N, Road Department Comments
15. Exhibit O, Central Valley Regional Water Quality Control Board Comments
16. Exhibit P, San Joaquin Valley Air Pollution Control District
17. Exhibit Q, CEQA Initial Study
18. Exhibit R, Mitigated Negative Declaration #2013-011
19. Exhibit S, Email from Applicant's representative

CONDITIONS OF APPROVAL

PROJECT NAME:
PROJECT LOCATION:
PROJECT DESCRIPTION:

Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)
 south side of Avenue 9, at the southeast corner of its intersection with Road 36 (a winery

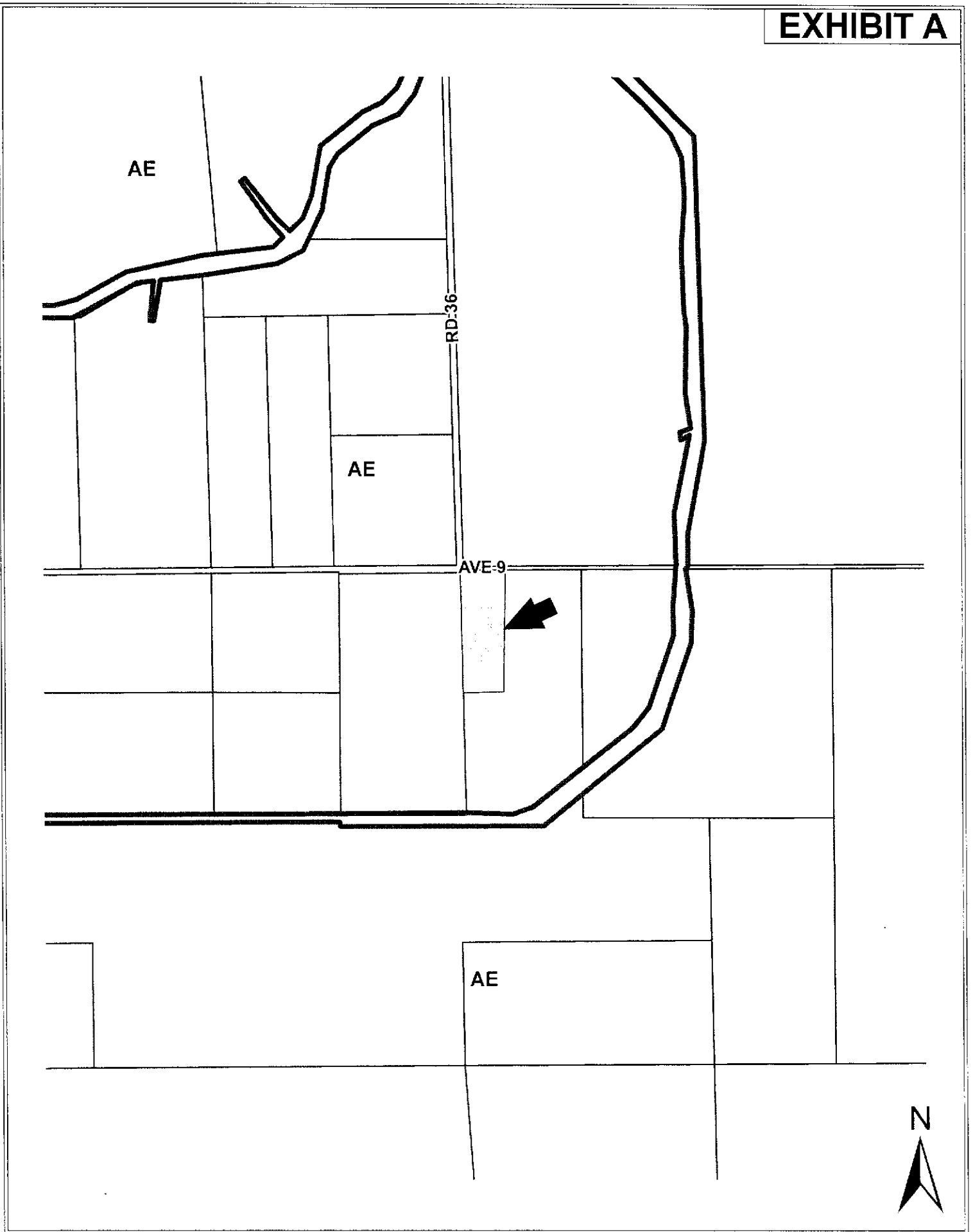
APPLICANT:
CONTACT PERSON/TELEPHONE NUMBER:

Whelan, Walt
 7447 N. First Street, Suite 201 Fresno, CA 93720
 (559) 437-1079

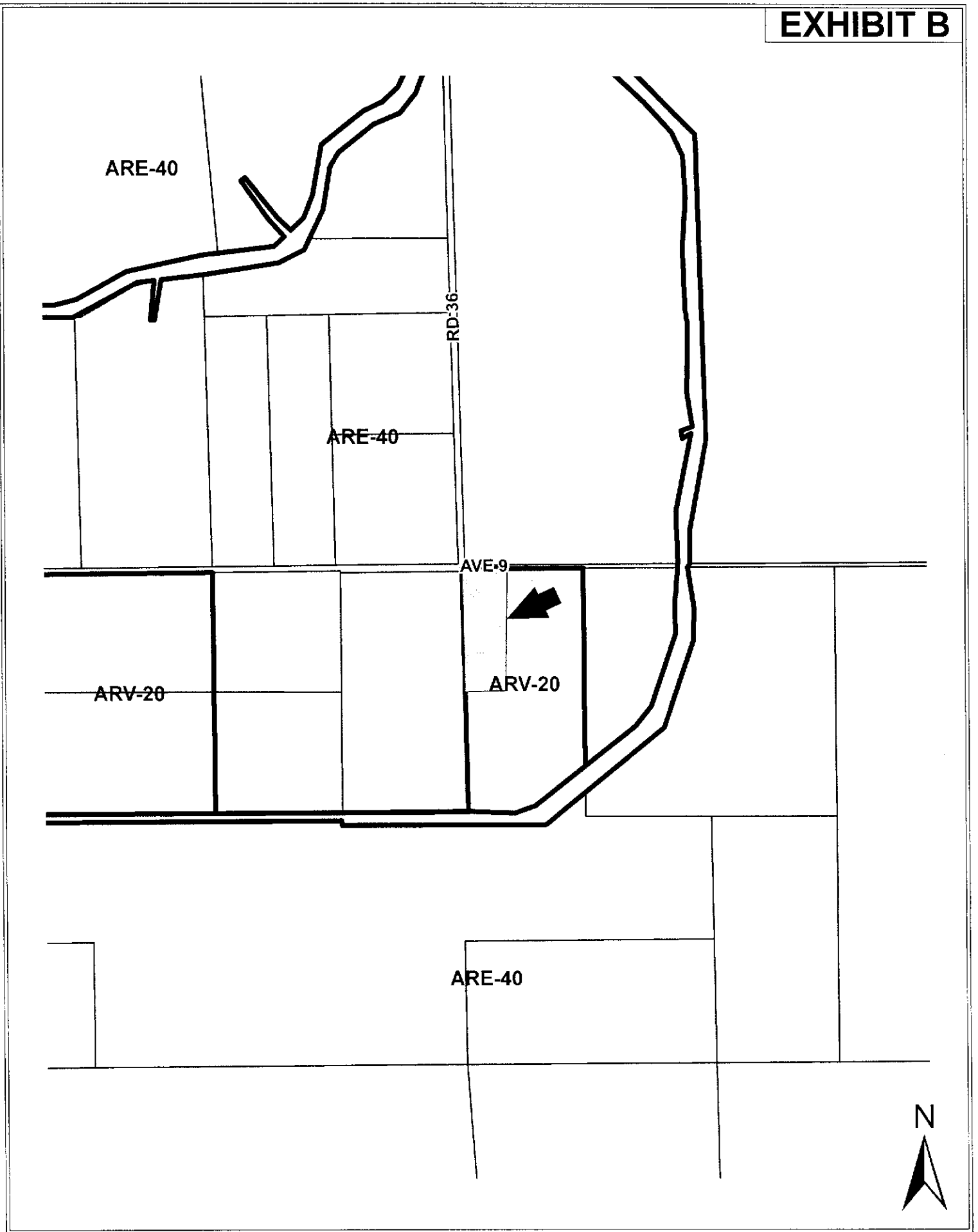
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Engineering					
	Prior to the start of any construction, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.				
Environmental Health					
	The on-site sewage treatment system requires special design considerations due to the operations and use on site. The septic system used primarily for the building that includes the facilities kitchen and restrooms must be designed for the maximum occupancy/use sewage discharge by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer that is acceptable to this MCEHD.				
	The wastewater disposal system for this project must comply with all Regional Water Quality Control Board (RWQCB) and MCEHD requirements. During the planning stages of this project a Report of Waste Water Discharge (ROWD) must be submitted to the RWQCB that incorporates the entire facilities waste water discharge disposal plan. Prior to this facilities commencement of operations, a Waste Water Discharge Report (WDR) must be obtained from the RWQCB.				
	If food is to be distributed from the identified kitchen to the public then the owners/operators of this proposed facility must complete and submit prior to construction the following: 1. Food facility construction plan(s) for review/approval. 2. Application for a Food Vending Permit. Contact a Food Program specialist within this MCEHD at (559) 675-7823 for any questions that regarding this process and/or for copies of the required Food Vending Permit Application.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
	<p>The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this MCEHD before onset of construction activities. This is to report the storage of hazardous materials (like solvents or lubricants) onsite at this location and/or for the storage of any amount of hazardous waste onsite at any time prior to facility operation. Please contact a CUPA program specialist within this MCEHD at (559) 675-7823 for any questions that you may have regarding this process or for a copy of the Business Activities Declaration Form.</p> <p>The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): Vector(s), Dust, Odor(s), Noise(s), Lighting and/or Litter accumulation to surrounding area uses. Adjacent occupied home owners are the most adversely affected by any nuisances caused by even the most routine business operations within this type of development and its particular location to populated areas. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA) this MCEHD and any other county or state regulatory agency having jurisdiction.</p> <p>The owner/operator of this property/facility must obtain all the necessary permits for all required MCEHD permits prior to starting any construction activities on site.</p>				
Fire	<p>An additional point of access shall be provided for the proposed parking lot from Avenue 9.</p> <p>Fire apparatus access roads shall be provided, constructed and maintained as follows: The roads shall be provided within 150 feet of all portions of the exterior walls of the proposed building as measured by an approved route around the exterior of the building. The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. The 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. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by the Madera County Fire Marshal. The number and location of the signs shall be as approved by the Madera County Fire Marshal. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by the Madera County Fire Marshal. Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles.</p> <p>For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by the Madera County Fire Marshal. (CFC, Section 902.2.2.4, 503.2.5)</p>				
Planning					

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
	<p>The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.</p> <p>Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.</p> <p>A sign plan shall be prepared and submitted to the Planning Department for review and approval. The plan shall indicate size, color, and location of the sign.</p> <p>This project shall comply with the Water Efficient Landscape Ordinance. A landscaping and irrigation plan shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit.</p> <p>All mitigation measures outlined in the Mitigated Negative Declaration #2013-11 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified.</p> <p>Any changes or alteration will require an amendment to the Conditional Use Permit.</p> <p>Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission.</p> <p>The color of paint used for the proposed buildings shall blend in with the surrounding natural environment.</p> <p>All agricultural products used for this operation must be grown on-site or supplemented from nearby parcels within Madera County.</p>				
Road	<p>As a condition of approval of the CUP, the applicant shall grant deed a strip of land 30 feet wide contiguous to Avenue 9.</p> <p>As a condition of approval; prior to any road improvement work within County road right of way, the applicant must apply for and obtain an Encroachment Permit at the Road Department. Design and construction of all roads and road related improvements will be the responsibility of the developer, who will employ a CA Registered Civil Engineer and /or a CA Licensed Land Surveyor to prepare all survey work and, a CA Registered Civil Engineer to prepare all road design, Construction supervision and inspection. Upon completion of all construction, documentation of all road construction will include: a written statement, signed and stamped by a CA Registered Civil Engineer, attesting to the fact that all road improvements were designed and constructed in accordance with county code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the CA Registered Civil Engineer.</p> <p>As a condition of approval, all appurtenances such as signs and fences shall be located outside of County road right of way.</p>				

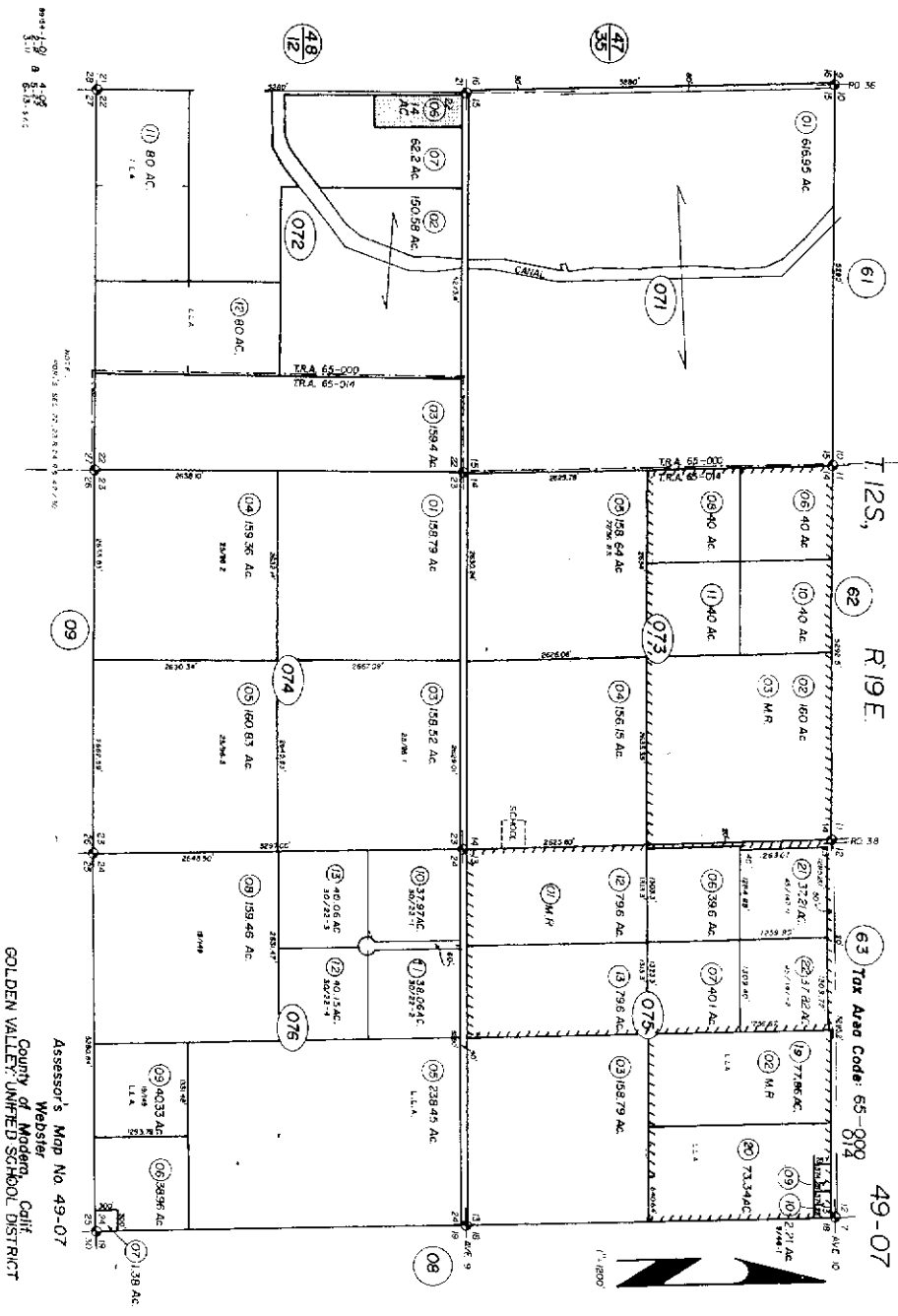


GENERAL PLAN MAP

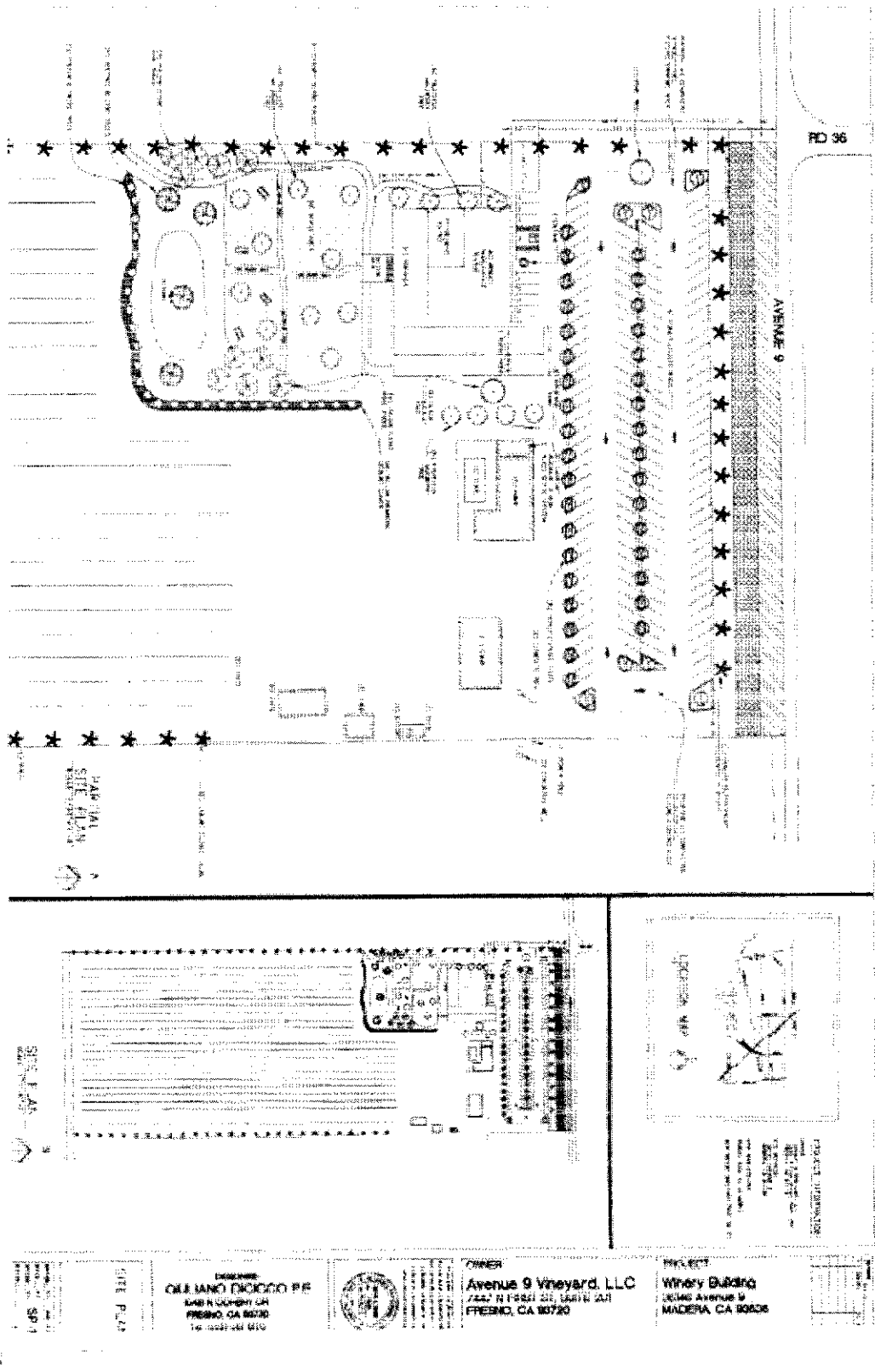


ZONING MAP

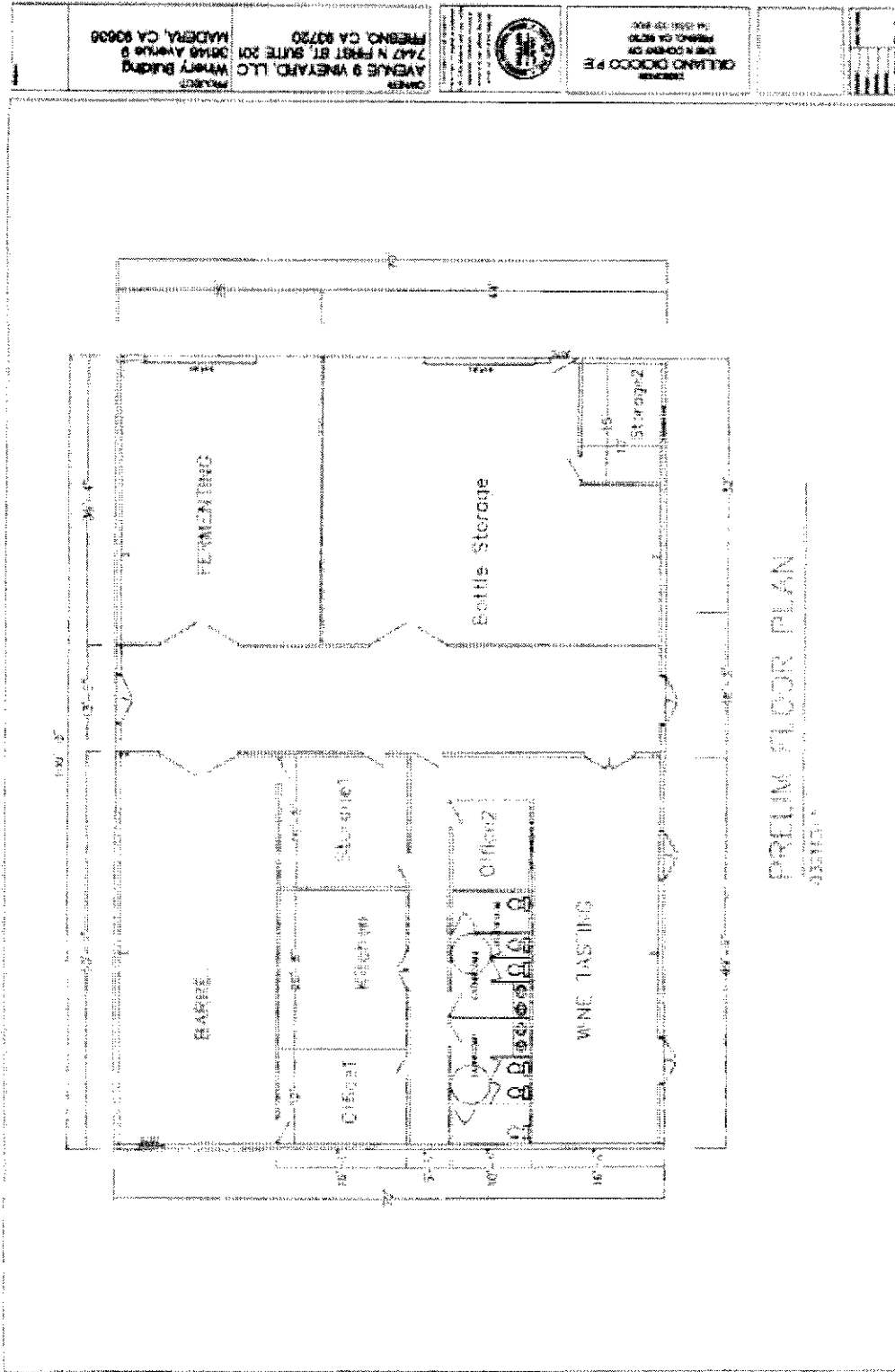
EXHIBIT C



ASSESSOR'S MAP



SITE PLAN



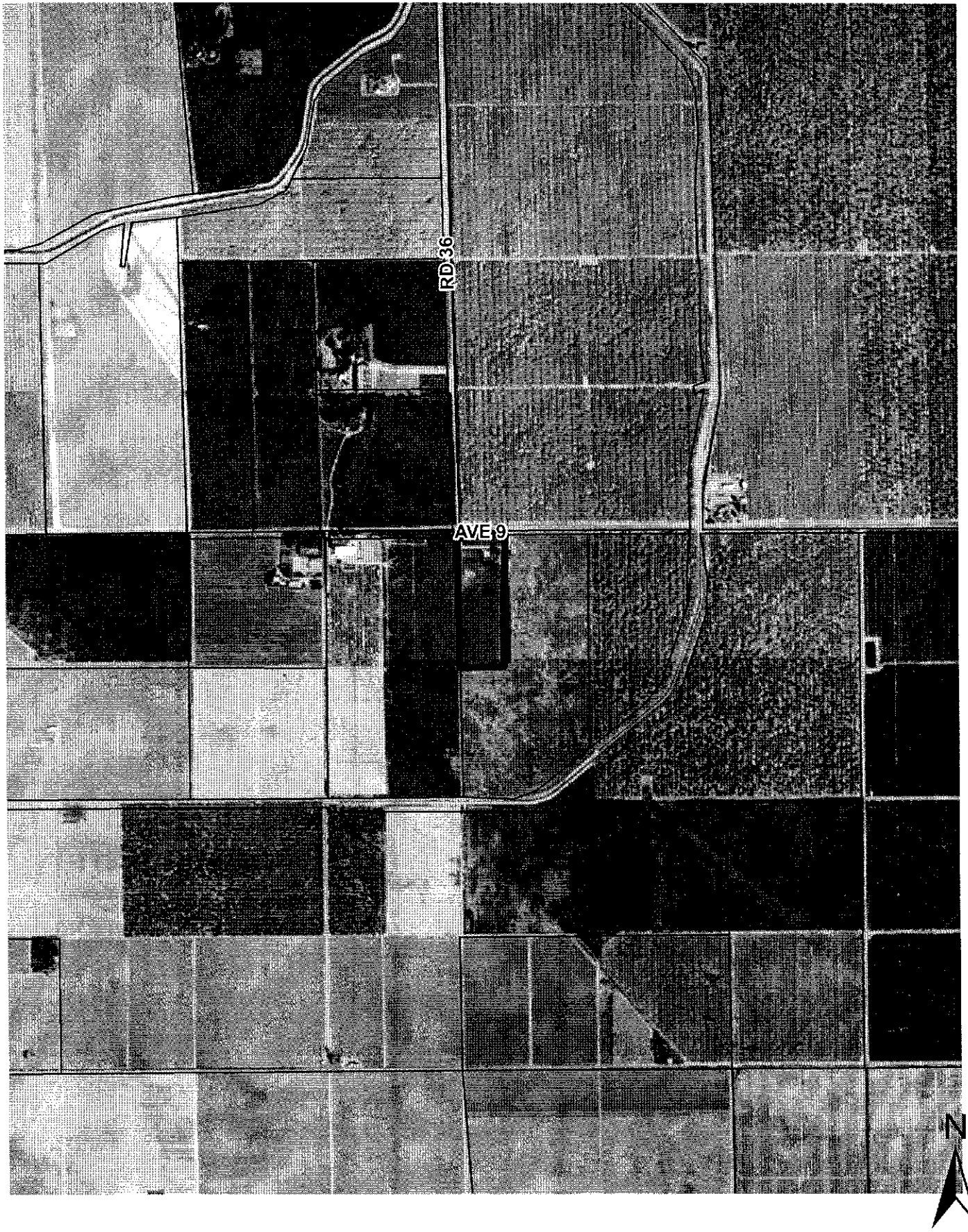
OWNER
 AVENUE 9 VINEYARD, LLC
 Winery Building
 2010
 7447 N FIRST ST, SUITE 201
 PLEASANTON, CA 94566
 MADRERA, CA 95038



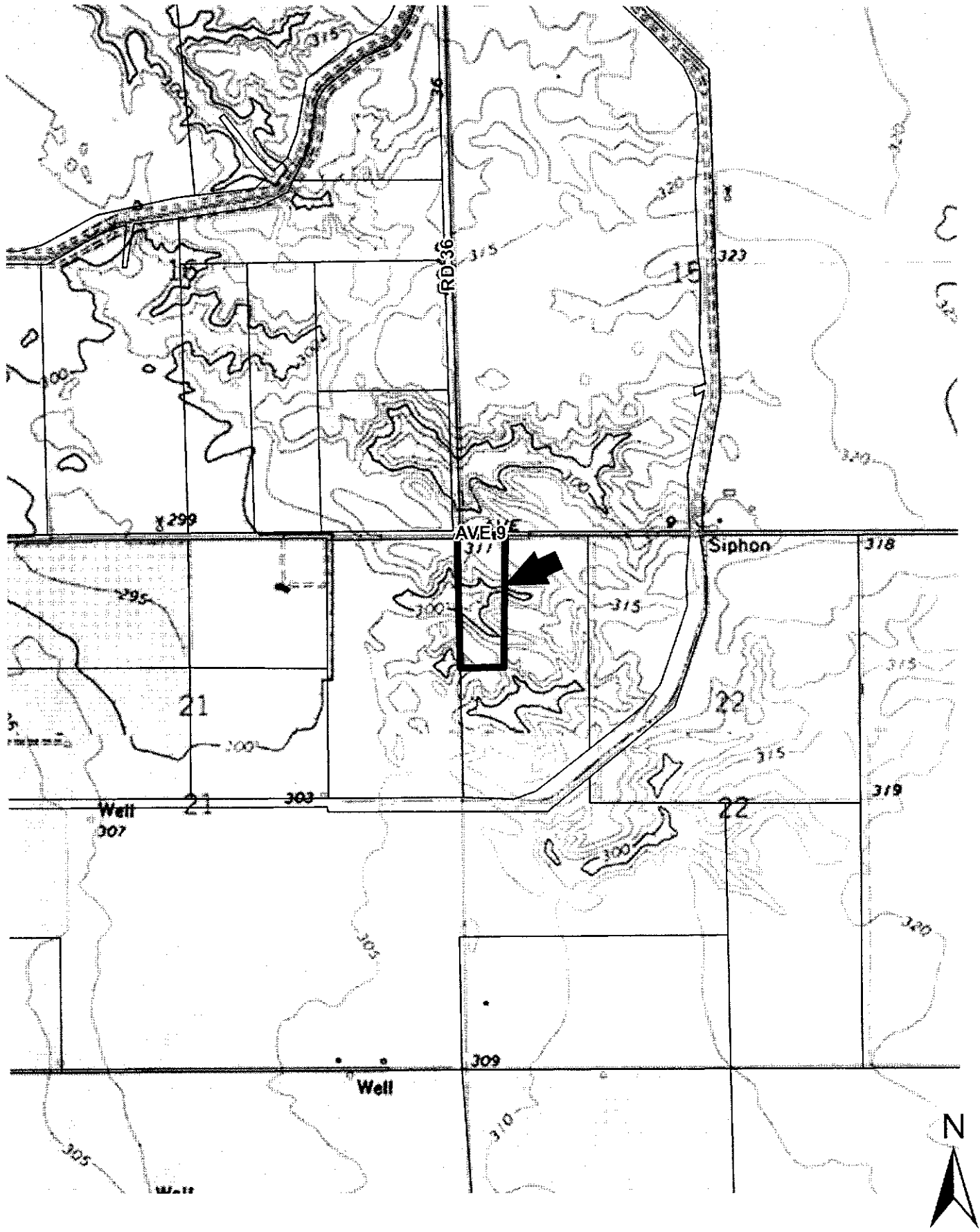
ARCHITECT
 DELIANO DODDICO PE
 100 N GARDEN ST
 PLEASANTON, CA 94566
 TEL: (925) 399-8888

DATE	DESCRIPTION

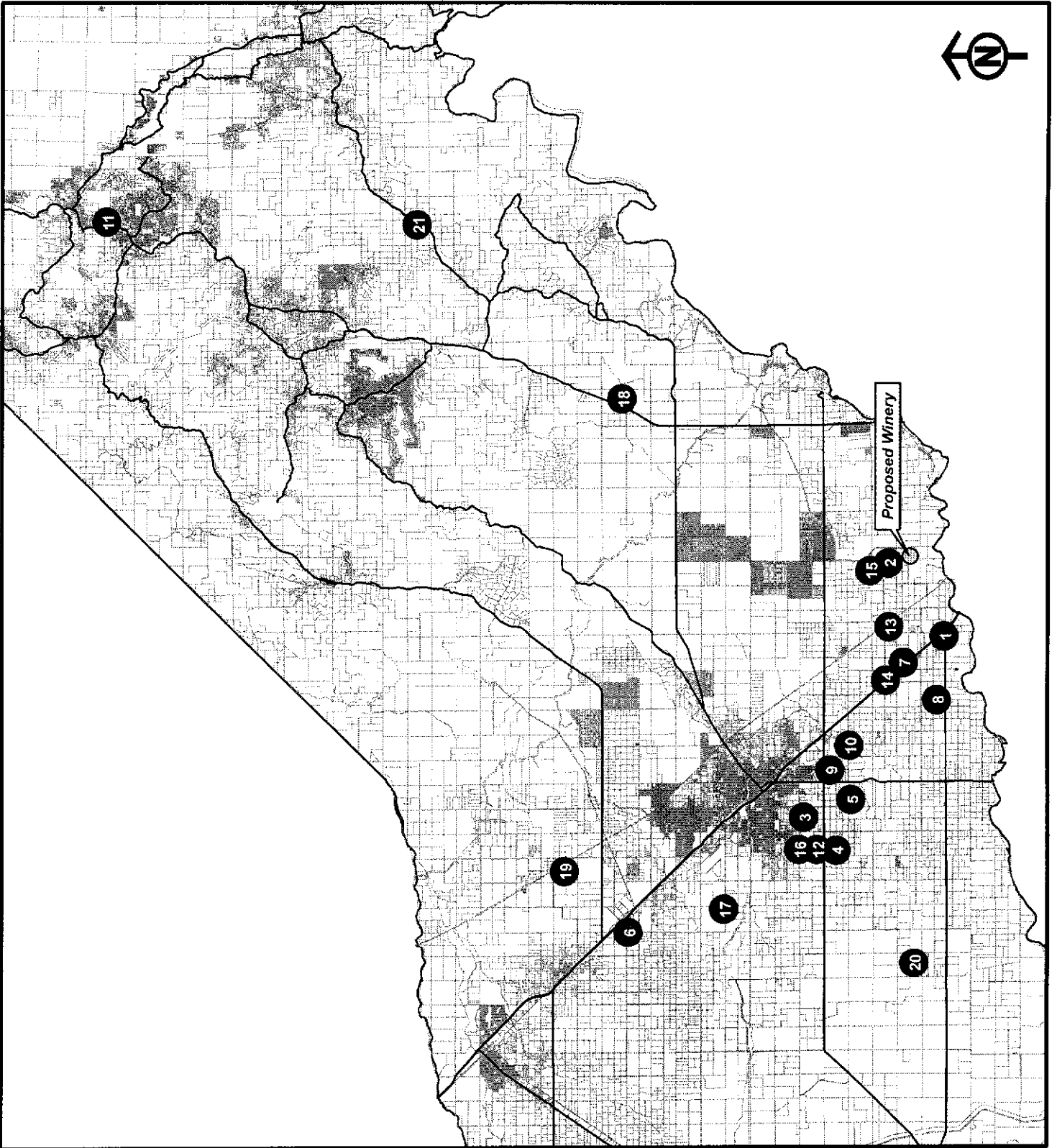
FLOOR PLAN



AERIAL MAP

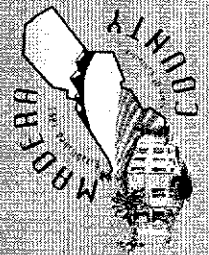


TOPOGRAPHICAL MAP



Madera County Wineries

- 1 Appellation California
- 2 Bickstone Winery
- 3 Bisaglia Bros Winery
- 4 CRU Vines Company/ Mariposa Winery
- 5 Canandaigua Wine Co
- 6 Chateau Legacy
- 7 E & J Gallo Winery/ Grapeso Winery
- 8 Ficklin Vineyards
- 9 Golden Valley Grape Juice and Wine
- 10 Gonzalez Trustee
- 11 Idle Hour Winery
- 12 Mission Bell
- 13 Pacific Crest Winery
- 14 Papagni Wines
- 15 Patterson
- 16 Gaudy Winery
- 17 San Joaquin Wine Company/ Vista Cellars
- 18 Tasi-Estare Winery
- 19 The Wine Group/ Almaden Cellars Winery
- 20 West Coast Acquisition Co
- 21 Westbrook Wine Farm



MADERA COUNTY PLANNING DEPARTMENT
2037 W. CLEVELAND AVENUE MS-G, MADERA, CA 93637

OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

1. Please provide the following information:
 Assessor's Parcel Number: *049-072-006*
 Applicant's Name: *Walter W. Whelan*
 Address: *7447 N. First Street, Suite 201, Fresno, CA 93720*
 Phone Number: *559-437-1079*

2. Describe the nature of your proposal/operation (please be specific):
Small private label winery and tasting room

3. What is the existing use of the property?
Farming of grapes for wine production

4. What products will be produced by the operation? Will they be produced on-site or at some other location? Are these products to be sold on-site? Explain.
Wine will be produced and bottled on-site, sold on-site and through direct marketing, wine tasting, wine club and future sales in major retail outlets

5. What are the proposed operational time limits?

<p><u>For On-Site Sales:</u> Months (if seasonal): <i>N/A</i> Days Per Week: <i>2</i> Hours: <i>12:00 p.m. - 6:00 p.m.</i> Total Hours Per Day: <i>6</i></p>	<p><u>For Winery Operation:</u> Months: <i>Year-round (more active in the Fall)</i> Days Per Week: <i>6</i> Hours: <i>9:00 a.m. - 5:00 p.m.</i> Total Hours Per Day: <i>8</i></p>
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6. Will there be any special activities or events?
 Frequency: *Four per year*
 Hours: *Six*
 Are these activities indoors or outdoors? *Both indoors and outdoors*

7. How many customers or visitors are expected?
 Wine Operation:
 Average number per day: *10 Weekdays / 50 Weekends*
 Maximum number per day: *200 Wine Trail Events*
 300 Large Occasional Wine Tasting Gatherings
 Special Events (4 per year): *Max: 350/day*
 What hours will customers/visitors be there? *12:00 p.m. - 6:00 p.m.-Wine Tasting*
 12:00 p.m -10:00p.m .- Special Events

8. How many employees will there be?
Current: *Zero*
Future: *Ten employees - - two permanent / eight seasonal*
Hours they work: *9:00 a.m. - 5:00 p.m.*
Do any live on-site? If so, in what capacity (i.e., caretaker):
Yes. Farm/winery foreman.
9. What equipment, materials or supplies will be used and how will they be stored?
If appropriate, provide pictures or brochures.
Wine making equipment, including fermentor, de-stemmer, barrels, bottling equipment, forklift, winepress, all wine making equipment will be stored in wine-making building. Forklift to be stored in existing ag-storage shed.
10. Will there be any service and delivery vehicles?
Number: *One*
Type: *One-ton truck*
Frequency: *Once a month*
11. Number of parking spaces for employees, customers, and service/delivery vehicles.
Type of surfacing on parking area.
Eight stalls paved for employees and ADA, with 120 stalls on compact surface at north end of site
12. How will access be provided to the property/project? (Street name)
Access driveways from Avenue 9
13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development.
Five/day for cars and light trucks
14. Describe any proposed advertising including size, appearance, and placement.
Monument sign at north end of property, approximately 4' x 8' in size
15. Will existing buildings be used or will new buildings be constructed: Indicate which building(s) or portion(s) will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate.
Existing home will be used by winery foreman. Existing ag buildings for storage and ag operations. New 7,000 sq. ft. metal building for winery operations; 70' x 100' x 26'(h); tan color
16. Is there any landscaping or fencing proposed? Describe type and location.
Existing canary island palms around perimeter of property, existing pine and mulberry shade trees around house. Will plant cypress, Italian pines, weeping willows, sycamores, and honey locust trees around grounds and near pond (to be constructed).

17. What are the surrounding land uses to the north, south, east and west boundaries of the property?
The west side is bare land. North, east and south sides are tree nut orchards
18. Will this operation or equipment use generate noise above existing parcels in the area?
No
19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).
Ag well water supplied by existing well (current use); capacity of existing domestic well to be used for proposed winery operations: 720 gal./hr.; estimated water use for winery operations and grounds: 1,000 gal./day
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?
Seasonal waste water up to 300 gal./per day, spread though green cover crop between vines and in landscape pond
21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?
1/2 cubic yard per week for off-haul by contract disposal service and 1/4 cubic yard per week for ag waste to be recycled onsite.
22. Will there be any grading? Tree removal? (please state the purpose, i.e., for roads, building pads, drainage, etc.)
Grading for building pad and parking area. No tree removal.
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.
No
24. Locate and show all bodies of water on application plot plan or attached map.
Landscape pond - - see site plan
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.
See site and grading plans
26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?
No
27. Will your proposal require use of any public services or facilities? (i.e., schools, parks, fire and police protection or special districts)
No

28. How do you see this development impacting the surrounding areas?
Conforms to other winery and ag operations in the area
29. How do you see this development impacting schools, parks, fire and police protection or special districts?
Minimal or no impact
30. If your proposal is for commercial or industrial development, please complete the following:
Proposed Use(s): *Small winery/tasting room*
Square feet of building areas: *7,000 sq. ft.*
Total number of employees: *Two permanent; eight seasonal*
Building height: *26'*
31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.
N/A

Five Year Plan for Avenue 9 Vineyard and Winery (Avenue 9 Vineyard, LLC)**First Year**

Will use fresh grapes purchased locally or from the Central Coast to produce up to 30 barrels/750 cases of white and red wine. Concentrates will not be used. Will use stainless steel tanks for first stage fermentation and oak barrels for second stage fermentation. Wines will be aged up to eighteen months in the barrels before bottling on site into standard 750 ml glass bottles.

Second Year

Same as First Year, except that the grapes used will be those grown on the 10 acres of white and red wine grapes planted next to the winery. Most of the grapes were planted in the Spring of 2012, with many vines having just been replanted in 2013. As needed, fresh grapes will be purchased locally or from the Central Coast. No concentrates. Production Goal: 60 barrels/1500 cases.

Third Year

Same as Second Year, except that Production Goal will be 120 barrels/3,000 cases.

Fourth Year

Same as Third Year.

Fifth Year

Same as Fourth Year, except that Production Goal will be 200 barrels/5,000 cases.

Marketing Plan

Wines will be marketed through on site sales at wine tastings and through local vendors. In addition, wine will be marketed domestically and internationally through broker sales.

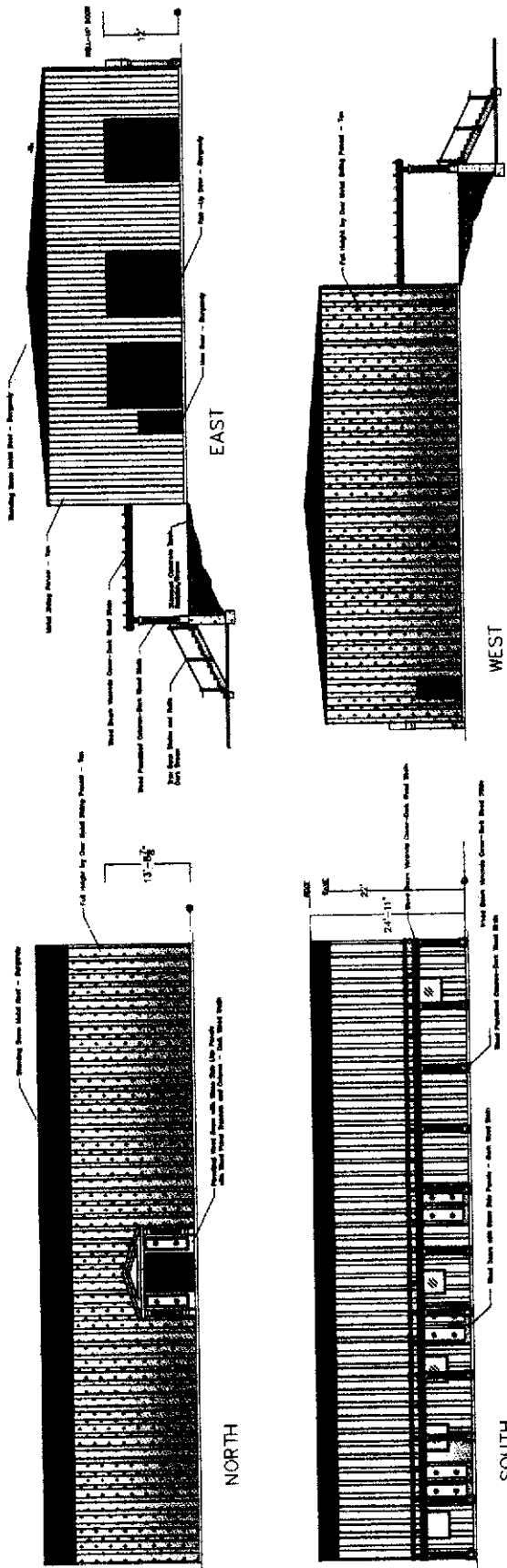


This drawing is the property of Giuliano Di Cicco, P.E. and shall not be reproduced, copied, or used in any way without the written consent of Giuliano Di Cicco, P.E.

OWNER
AVENUE 9 VINEYARD, LLC
7447 N FIRST ST, SUITE 201
FRESNO, CA 93720

PROJECT
Winery Building
36146 Avenue 9
MADERA, CA 93636

EXHIBIT J

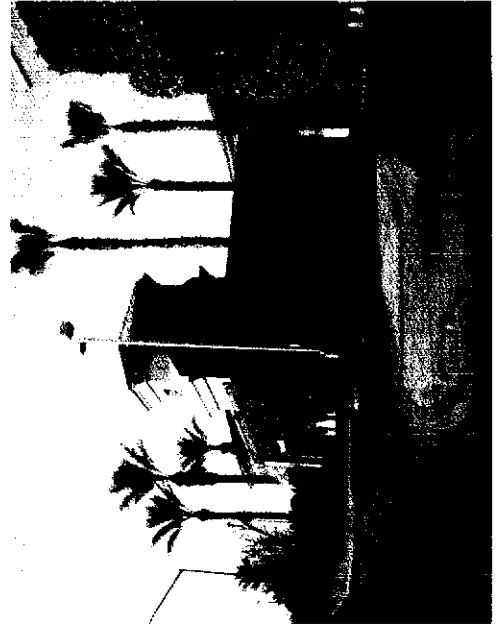
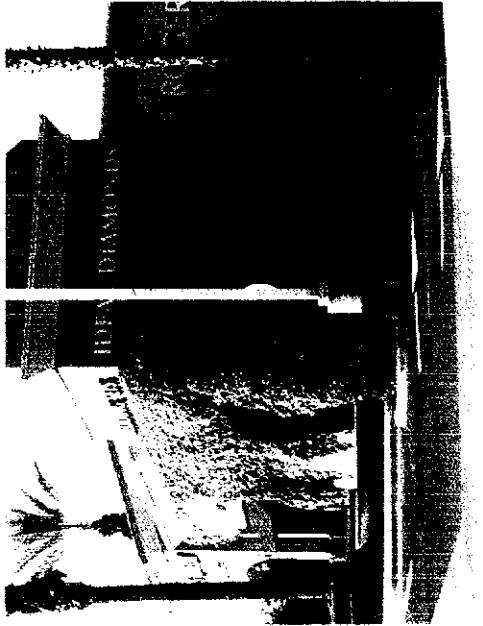
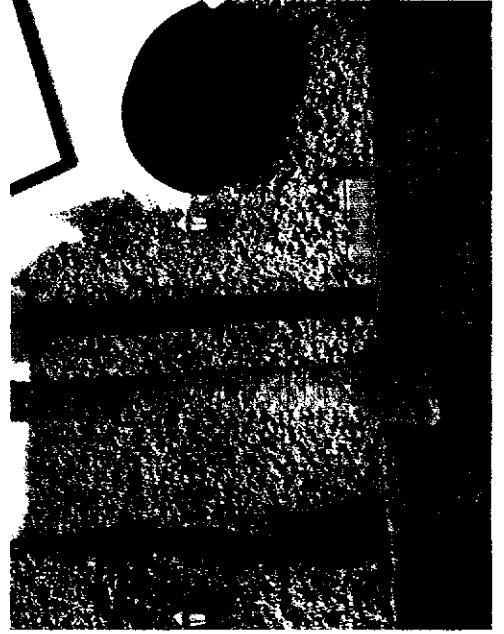


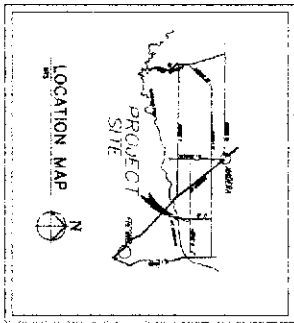
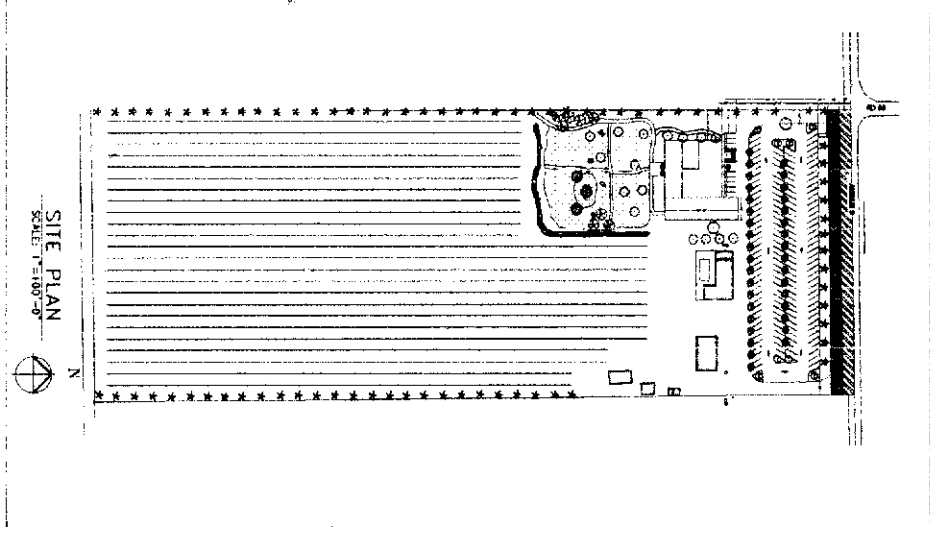
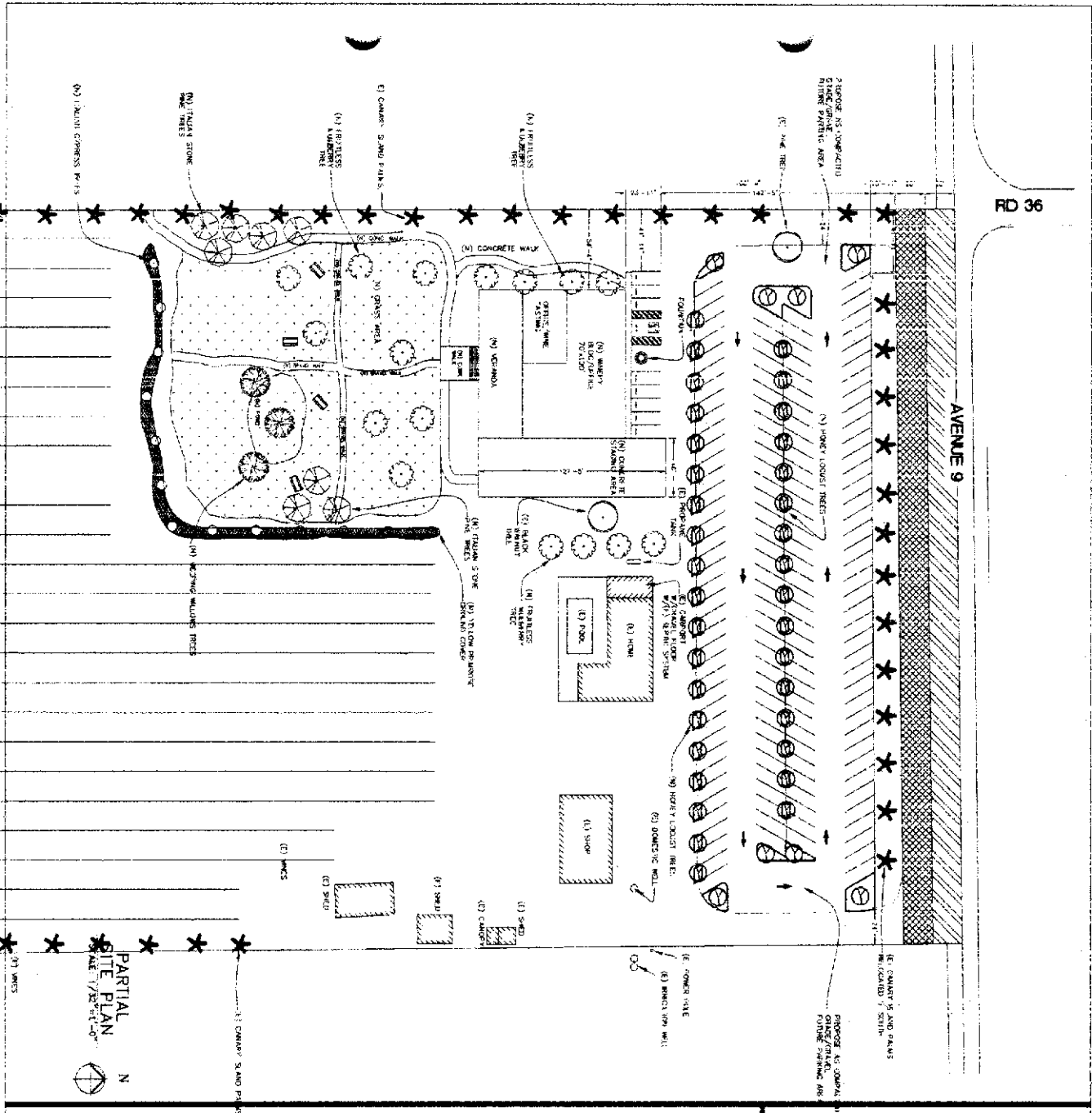
EAST

WEST

NORTH

SOUTH





PROJECT INFORMATION
 OWNER: Avenue 9 Vineyard, LLC
 7447 N FIRST ST, SUITE 201
 FRESNO, CA 93720
 PROJECT: Winery Building
 36146 Avenue 9
 MADERA, CA 93636

SITE PLAN
 SCALE: 1"=100'-0"

DESIGNER:
GIULIANO DICICCO P.E.
 10481 N DOHERTY DR
 FRESNO, CA 93730
 Tel: (558) 351-8100



OWNER:
 Avenue 9 Vineyard, LLC
 7447 N FIRST ST, SUITE 201
 FRESNO, CA 93720

PROJECT:
 Winery Building
 36146 Avenue 9
 MADERA, CA 93636

NO.	REVISION	DATE

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
92604
(559) 642-3203
(559) 658-6959
FAX

engineering@madera-county.com

MEMORANDUM

TO: Becky Beavers
FROM: Madera County
DATE: May 2, 2013
RE: Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)

Comments

- 1) The proposed project is not located within the 100 year flood plain.
- 2) The subject property is not located within our Maintenance Districts or Serviced Areas.
3. Prior to the start of any construction, 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.

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: Becky Beavers
FROM: Madera County
DATE: April 17, 2013
RE: Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)

Conditions

The Madera County Environmental Health Department (MCEHD) has reviewed the CUP #2013-009 Walt Whelan, located on APN: 049-072-006, within the Madera area and has determined the following:

This project will require the creation of a public water system, including the application to the State Department of Health Services Drinking Water Program and preparation of a TMF (Technical, Managerial and Financial) report. All water well(s) to be used on site for operations on this property need to comply with all Public Well Standards and any existing water wells proposed to be used for any operations on site would require a 50 ft. well seal installed to meet basic Public Well Standards. The construction/specifications of the water well must comply with the Public Well Standards. In addition, a Public Water System is required including the application to the MCEHD Drinking Water Program which includes the preparation of a TMF (Technical, Managerial & Financial) report. Contact a Water Program Specialist within this MCEHD at (559) 675-7823 for further questions or details.

The on-site sewage treatment system requires special design considerations due to the operations and use on site. The septic system used primarily for the building that includes the facilities kitchen and restrooms must be designed for the maximum occupancy/use sewage discharge by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer that is acceptable to this MCEHD.

The wastewater disposal system for this project must comply with all Regional Water Quality Control Board (RWQCB) and MCEHD requirements. During the planning stages of this project a Report of Waste Water Discharge (ROWD) must be submitted to the RWQCB that incorporates the entire facilities waste water discharge disposal plan. Prior to this facilities commencement of operations, a Waste Water Discharge Report (WDR) must be obtained from the RWQCB.

If food is to be distributed from the identified kitchen to the public then the owners/operators of this proposed facility must complete and submit prior to construction the following:

1. Food facility construction plan(s) for review/approval.
2. Application for a Food Vending Permit.

Contact a Food Program specialist within this MCEHD at (559) 675-7823 for any questions that regarding this process and/or for copies of the required Food Vending Permit Application.

The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this MCEHD before onset of construction activities. This is to report the storage of hazardous materials (like solvents or lubricants) onsite at this location and/or for the storage of any amount of hazardous waste onsite at any time prior to facility operation. Please contact a CUPA program specialist within this MCEHD at (559) 675-7823 for any questions that you may have

regarding this process or for a copy of the Business Activities Declaration Form.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): Vector(s), Dust, Odor(s), Noise(s), Lighting and/or Litter accumulation to surrounding area uses. Adjacent occupied home owners are the most adversely affected by any nuisances caused by even the most routine business operations within this type of development and its particular location to populated areas. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA) this MCEHD and any other county or state regulatory agency having jurisdiction.

When the owner/operator submits the application(s) for any required county permits, the MCEHD will conduct a more detailed review of this proposed project's compliance with all current local, state & federal requirements. The owner/operator of this property/facility must obtain all the necessary permits for all required MCEHD permits prior to starting 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 requirements please, feel free to contact the appropriate program specialist as indicated in the above comments or contact me within this department at (559) 675-7823, M-F, 8:00 AM to 5:00 PM.

MADERA COUNTY FIRE DEPARTMENT **EXHIBIT M**

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: Becky Beavers
FROM: Madera County
DATE: April 18, 2013
RE: Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)

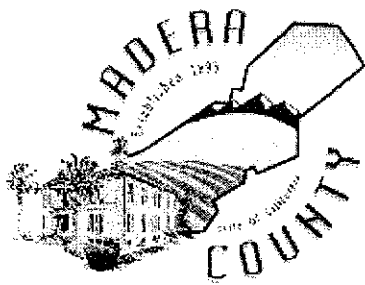
Conditions

An additional point of access shall be provided for the proposed parking lot from Avenue 9.

Fire apparatus access roads shall be provided, constructed and maintained as follows: The roads shall be provided within 150 feet of all portions of the exterior walls of the proposed building as measured by an approved route around the exterior of the building. The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. The 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. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by the Madera County Fire Marshal. The number and location of the signs shall be as approved by the Madera County Fire Marshal. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by the Madera County Fire Marshal. Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles. (CFC, Sections 503; and CVC Section 22500.1) □ □

For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by the Madera County Fire Marshal. (CFC, Section 902.2.2.4, 503.2.5)

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



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

EXHIBIT N
JOHANNES HOEVERTSZ
Road Commissioner

MEMORANDUM

TO: Becky Beavers
FROM: Road Department
DATE: April 17, 2013
RE: Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)

CONDITIONS -

We have reviewed the above-noted project to develop and operate a new winery facility and tasting room. If mitigated by the conditions of approval listed below, this proposed project will not have a significant impact upon traffic.

The proposed project has frontage and access via Avenue 9. Additional road right-of-way will be required to facilitate future expansion of Avenue 9 as a major arterial with regional significance. The County General Plan designates Avenue 9 as a Major Arterial roadway requiring a total right-of-way width of 100 feet. The existing road right-of-way along the project side has only 20 feet. An additional 30-foot strip of right-of-way will be required as a condition of approval. The road right-of-way will be used to expand / widen the road to accommodate vehicle trips generated by the proposed project as well as future growth within the region.

According to the General Plan Policy Document, access onto Arterial roadways shall be minimized. Only one (1) access point shall be allowed for this proposal, which shall be at the easterly side of the parcel. The driveway approach shall be built to a Commercial County Standard, along with obtaining an Encroachment Permit for any work to be done within the public road right-of-way.

THE DEPARTMENT RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:

1. As a condition of approval of the CUP, the applicant shall grant deed a strip of land 30 feet wide contiguous to Avenue 9.
2. As a condition of approval of the CUP, the applicant shall construct a Deceleration / Acceleration lane onto Avenue 9 to provide for a safe and efficient access onto and out of the proposed project. Access design and construction shall meet minimum Caltrans or AASHTO standard.
3. As a condition of approval; prior to any road improvement work within County road right of way, the applicant must apply for and obtain an Encroachment Permit at the Road Department. Design and construction of all roads and road related improvements will be the responsibility of the developer, who will employ a CA Registered Civil Engineer and /or a CA Licensed Land Surveyor to prepare all survey work and, a CA Registered Civil Engineer to prepare all road design, Construction supervision and inspection. Upon completion of all construction, documentation of all road construction will include: a written statement, signed and stamped by a CA Registered Civil Engineer, attesting to the fact that all road improvements were designed and constructed in accordance with county code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the CA Registered Civil Engineer.

4. The driveway approach at the easterly side of the proposed project shall be the only access point allowed, which shall be built to a Commercial County Standard.

5. As a condition of approval, all appurtenances such as signs and fences shall be located outside of County road right of way.

Central Valley Regional Water Quality Control Board

9 April 2013

Becky Beavers, Project Planner
Madera County Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

**CONDITIONAL USE PERMIT (CUP 2013-009), PROPOSED WINERY AND TASTING ROOM,
MADERA COUNTY**

On 27 March 2013, the Central Valley Water Board received a Conditional Use Permit (CUP) application (CUP 2013-009) for construction and operation of a winery and tasting room on the southeast corner of Avenue 9 and Road 36 in Madera County (Assessor's Parcel Number 049-72-006). According to the operational statement, the Facility will produce and bottle wine for tasting and sale. The plans include construction of a 7,000 square foot building for winery operations and tasting room.

The operational statement indicates that the winery will utilize approximately 1,000 gallons of water per day and generate a seasonal discharge of up to 300 gallons per day of wastewater. Wastewater generated from winery operations will be spread through the green cover crop between the on-site grape vines and in the landscaped pond to be constructed on the site. The operation statement estimates that approximately ¼ cubic yard per week of agricultural waste from winery and landscape operations will be generated and recycled on-site.

Pursuant to California Water Code, Section 13260, all persons proposing to discharge waste that may affect the quality of waters of the State must submit a Report of Waste Discharge (RWD) to the Regional Water Board, following which the Regional Water Board will either prescribe waste discharge requirements or issue a waiver.

The County should require that the applicant provide additional information regarding waste handling and disposal practices and to submit a complete RWD to this office at least 140 days prior to initiating operations that will result in a waste discharge to land.

If the winery will generate less than 100,000 gallons of wastewater annually or crushes less than 80 tons of grapes, the discharge will likely fit under the Central Valley Water Board's *Conditional Waiver of Waste Discharge Requirements for Small food Processors and Small Wineries*, Order R5-2009-0097 (Waiver).

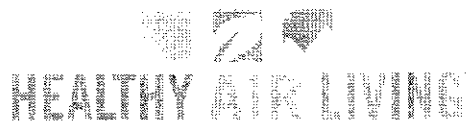
The RWD for coverage under the Waiver consists of a Form 200 (*Application/Report of Waste Discharge*), Form 200-R5-FP (*Report of Waste Discharge Technical Information*), and a filing fee based on a threat and complexity of "3C". The waiver and associated documents are available online at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2009-0097_tech_info.pdf

If construction, associated with the Project will disturb one acre or more, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities is required. This General Permit requires all dischargers to electronically file all Permit Registration Documents, Notices of Termination (NOT), changes of information, annual reporting, and other compliance documents required by this General Permit through the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website. The General Permit requires development of a Storm Water Pollution Prevention Plan to control all pollutants and their sources associated with construction, construction site erosion and all other activities associated with construction activity. Additionally, the General Permit contains post-construction standards that should be addressed within the project planning process.

Thank you for the opportunity to comment on this project. If you have any questions regarding this matter, please contact Katie Carpenter at (559) 445-5551 or by e-mail at kcarpenter@waterboards.ca.gov.


W. DALE HARVEY
Senior Engineer
RCE No. 55628



April 18, 2013

Becky Beavers
County of Madera
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

Project: CUP No. 2013-009 – Whelan, Walt
District CEQA Reference No: 20130294

Dear Ms. Beavers:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of allowing the production and sale of wine onsite, located at 36146 Avenue 9, in Madera, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project would equal or 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 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>.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95358-3719
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1890 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9723
Tel: 661-382-5500 FAX: 661-382-5585

www.valleyair.org

www.healthyliving.com

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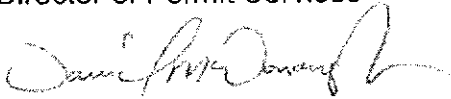


3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call David McDonough, at (559) 230-5920.

Sincerely,

David Warner
Director of Permit Services



for, Arnaud Marjollet
Permit Services Manager

DW: dm

Cc: File

Environmental Checklist Form

Title of Proposal: Whelan, Walt - Conditional Use Permit - Madera (049-072-006-000)

Date Checklist Submitted: 4/24/2013

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Becky Beavers

Phone: (559) 675-7821

Description of Initial Study/Requirement

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.

Description of Project:

The proposed project is a winery with a tasting room.

Project Location:

The project is located south side of Avenue 9, at the southeast corner of its intersection with Road 36 (36146 Avenue 9), Madera

Applicant Name and Address:

Whelan, Walt
7447 N. First Street, Suite 201
Fresno, CA 93720

General Plan Designation:

AE (Agricultural Exclusive)

Zoning Designation:

ARV-20 (Agricultural Rural Valley – 20 Acre)

Surrounding Land Uses and Setting:

Agriculture and rural residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Prior EIR or ND/MND Number

Becky Beavers
Signature

May 14, 2013
Date

I. AESTHETICS -- Would the project:

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

Discussion:

(a) No Impact

No scenic vistas are known to exist in the vicinity of this project, therefore no known impacts will occur.

(b) No Impact

No impacts identified as a result of this project.

(c) No Impact

No impacts identified as a result of this project.

(d) No Impact

No impacts identified as a result of this project.

General Information:

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by "light pollution." Light pollution, as defined by the International dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

Light pollution is a problem most typically associated with urban areas. Lighting is necessary for nighttime viewing and for security purposes. However, excessive lighting or inappropriately designed lighting fixtures can disturb nearby sensitive land uses through indirect illumination. Land uses which are considered "sensitive" to this unwanted light include residences, hospitals, and care homes.

Daytime sources of glare include reflections off of light-colored surfaces, windows, and metal details on cars traveling on nearby roadways. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times.

III. **AGRICULTURE AND FOREST RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public 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) Less than Significant Impact with Mitigation Incorporated

Under the Farmland Mapping and Monitoring Program of the California Resources Agency, the property is classed as grazing land. This project is for a winery. But as a condition of approval, the applicant will be required to grow at least a portion of the grapes onsite. Therefore, the proposed project will increase agricultural productivity.

(b) No Impact

The parcel is not subject to the Williamson Act. The winery is an agriculturally related service and is allowed in this zone district with a Conditional Use Permit.

(c) No Impact

The area is not considered forest land, or zoned as forest land, or timberland, therefore no known impacts will occur.

(d) No Impact

The area is not considered forest land, or zoned as forest land, or timberland, therefore no known impacts will occur.

(e) No Impact

No impact as a result of the project.

General Information

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to

agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversees the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program's definition of land is below:

PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

III.	<p>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:</p> <p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> <p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> <p>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)?</p> <p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p>e) Create objectionable odors affecting a substantial number of people?</p>	<p>Potentially Significant Impact</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Less Than Significant with Mitigation Incorporation</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Less Than Significant Impact</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>No Impact</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
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Discussion:

(a) No Impact

No impacts identified as a result of this project

(b) No Impact

No impacts identified as a result of this project

(c) No Impact

No impacts identified as a result of this project

(d) Less than Significant Impact

There is the potential some pollutants or odors emitted from this project as a result of normal operations. These odors could include those from waste water.

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

The area is not near any of that above facilities.

(e) Less than Significant Impact

As a course of normal operations, there is the potential of some odors being generated as a result of this project. The size of the operation may not generate significant amounts of odors, but there will be some. The surrounding area is agricultural in nature, so the overall impact is less than significant.

General Information

Global Climate Change

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

CEQA requires an agency to engage in forecasting "to the extent that an activity could reasonably be expected

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

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

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

Discussion:

(a) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations. There is a house and accessory buildings onsite. The remaining parcel is in grape vines. The proposed location of the winery is on the northwest corner of the property.

(b) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations.

(c) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations.

(d) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations.

(e) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations.

(f) No Impact

The project site is currently in production and not in an area that would be biologically affected by operations.

General Information

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as "fully protected" in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
San Joaquin pocket mouse	None	None	None	None
San Joaquin kit fox	Endangers	Threatened	None	None
American badger	None	None	SSC	None
valley elderberry longhorn beetle	Threatened	None	None	None
hairy Orcutt grass	Endangered	Endangered	None	1B.1

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)

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk's Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

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

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project site is currently in production. No impacts are expected.

(b) No Impact

The project site is currently in production. No impacts are expected.

(c) No Impact

The project site is currently in production. No impacts are expected.

(d) No Impact

The project site is currently in production. No impacts are expected.

General Information

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

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

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

- Involves important research questions that historic research has shown can be answered only with archaeological methods.

Reference CEQA Guidelines §15064.5 for definitions.

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

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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 checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) No Impact

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.

(a-ii) Less than Significant Impact

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).

(a-iii) Less than Significant Impact

Madera County is not located directly on a known fault. Seismic activity in nearby jurisdictions can be felt in Madera County.

(a-iv) No Impact

The project site is not located in an area of the County impacted by landslides.

(b) No Impact

The operation will not induce soil erosion or the loss of topsoil. There is an existing single family dwelling. The winery will be build adjacent to the winery. And rest of the parcel is in grape vines. No impact was identified.

(c) No Impact

Geologic hazards, such as landslide, lateral spreading, subsidence, and liquefaction have not been known to occur within the vicinity of the project site.

(d) No Impact

The project is not located on expansive soil.

(e) No Impact

No impacts identified.

General Information

Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

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

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

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

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

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

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

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

the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

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

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

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

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) Less than Significant Impact

There is a slight potential increase in greenhouse gas emissions due to the slight increase in vehicular traffic to the facility. The increase is not significant.

(b) No Impact

No impacts were identified.

General Information

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

change impacts.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

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) Less than Significant Impact

The project will utilize small amounts of chemicals related to wine making. The use of these materials will present no immediate danger to the public, and the small quantities required to support the facility.

(b) Less than Significant Impact

The small quantities of hazardous materials required to support the facility would limit the impacts of an accidental explosion at the site.

(c) No Impact

The project site is not located within one-quarter mile of an existing or proposed school.

(d) No Impact

The project site is not located on any list of hazardous or contaminated sites.

(e) No Impact

The project site is not located within two miles of a public airport or public use airport.

(f) No Impact

The project site is not located within the vicinity of a private airstrip.

(g) No Impact

The project site has adequate access to a maintained County road.

(h) No Impact

The subject property is not located in an area where there are significant levels of flammable materials, and the project would not result in an increased fire hazard.

General Information

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

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

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

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

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) Less than Significant Impact

No impacts identified as a result of this project. The applicant will need to provide additional information regarding waste handling and disposal practices and to submit a complete RWD to the Center Valley Regional Water Quality Control Board.

(b) Less than Significant Impact

The project will utilize groundwater as its water source. The project estimates 300 gal/per day, spread though green cover crop between vines and in landscape pond. The amount of water necessary to accommodate the project is not significant and will not affect existing users or public water supplies.

(c) No Impact

The parcel is fairly flat, ranging in elevation from 300 to 315 feet above sea level. The proposed location of the winery would be at the northern portion of the property at about 311 feet. Impacts to drainage will be less than significant. No streams or rivers traverse the property.

(d) No Impact

No streams or rivers traverse the property. Impacts to drainage will be less than significant.

(e) No Impact

The proposed buildings shall comply with the building code, making impacts to increased runoff water less than significant.

(f) Less than Significant Impact

No impacts identified as a result of this project. The applicant will need to provide additional information regarding waste handling and disposal practices and to submit a complete RWD to the Center Valley Regional Water Quality Control Board.

(g) No Impact

The project site is not located within a 100-year flood hazard area.

(h) No Impact

The project site is not located within a 100-year flood hazard area.

(i) No Impact

The project site is not located within a 100-year flood hazard area and there is no levee or dam within the vicinity of the project site.

(j) No Impact

The project site is not located within an area affected by seiche, tsunami, or mudflow.

General Information

Groundwater quality contaminants of concern in the Valley Floor include high salinity (total dissolved solids), nitrate, uranium, arsenic, methane gas, iron, manganese, slime production, and dibromochloropropane with the maximum contaminant level exceeded in some areas. Despite the water quality issues noted above, most of the groundwater in the Valley Floor is of suitable quality for irrigation. Groundwater of suitable quality for public consumption has been demonstrated to be present in most of the area at specific depths.

Groundwater quality contaminants of concern in the Foothills and Mountains include manganese, iron, high salinity, hydrogen sulfide gas, uranium, nitrate, arsenic, and methylbutylethylene (MTBE) with the maximum concentration level being exceeded in some areas. Despite these problems, there are substantial amounts of good-quality groundwater in each of the areas evaluated in the Foothills and Mountains. Iron and manganese are commonly removed by treatment. Uranium treatment is being conducted on a well by the Bass Lake Water Company.

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

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

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 project site is located in a rural agricultural area of the County. No communities will be divided as a result of this project.

(b) No Impact

The project site is zoned ARV-20 and the General Plan is AE. The proposed project is consistent with the zone district and the general plan designation a winery is considered an agriculturally oriented service, allowed by a conditional use permit in this zone district.

(c) No Impact

The project was distributed to all agencies which are believed to have an interest in the project. These agencies have provided comments, where appropriate. No significant conflicts have been noted.

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) No Impact

The project will not result in the loss of any known mineral resources. No such resources are known to exist in significant quantities on the project site.

(b) No Impact

The project will not result in the loss of any known mineral resources. No such resources are known to exist in significant quantities on the project site.

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 ground-borne 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 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"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The project will increase ambient noise as a result of the increased activity on site. However, the project is located within a rural agricultural area with a sparse population and minimal noise intensive activities would be included in the winery operation.

(b) Less than Significant Impact

Minor groundborne vibrations will occur during temporary construction of the facility, however the impact of the vibrations will be less than significant.

(c) Less than Significant Impact

Four special events are proposed to take place on site, ambient noise levels will increase, however the area surrounding the site is a rural agricultural area with sparse population.

(d) Less than Significant Impact

Four special events are proposed to take place on site, ambient noise levels will increase, however the area surrounding the site is a rural agricultural area with sparse population.

(e) No Impact

The site is not located within an airport land use plan.

(f) No Impact

The site is not located within the vicinity of a private airstrip.

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.

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES*

		Residential	Commercial	Industrial (L)	Industrial (H)	Agricultural
Residential	AM	50	60	55	60	60
	PM	45	55	50	55	55
Commercial	AM	60	60	60	65	60
	PM	55	55	55	60	55
Industrial (L)	AM	55	60	60	65	60
	PM	50	55	55	60	55
Industrial (H)	AM	60	65	65	70	65
	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55

*As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers at the property line.

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

Note: Each of the noise levels specified above shall be lowered by 5 dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).

Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations	Architectural damage and possibly minor structural damage

Source: Whiffen and Leonard 1971

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) No Impact

The proposed project will not result in population growth. There is one existing dwelling on site and no new dwellings are proposed.

(b) No Impact

There is one existing residence on the property. The house will not be removed. The project is located in a rural agricultural area, no housing will be displaced as a result of this project.

(c) No Impact

There is one existing residence on the property. The house will not be removed. The project is located in a rural agricultural area, no housing will be displaced as a result of this project.

General Information

According to the California Department of Finance, in January of 2012, the County wide population was 152,074 with a total of 49,334 housing units. This works out to an average of 3.33 persons per housing unit. The vacancy rate was 11.84%.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i) Fire protection?
- ii) Police protection?
- iii) Schools?
- iv) Parks?
- v) Other public facilities?

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

Discussion:

(a-i) Less than Significant Impact

Additional fire protection may be needed; however, the building itself will be constructed according to the building code with fire protection measures

(a-ii) Less than Significant Impact

Additional Sheriff protection may be needed during special events, however the proposed number of guests is minor and protection already in place will be adequate.

(a-iii) No Impact

No schools will be required to be constructed as a result of this project.

(a-iv) No Impact

No parks will be required to be constructed as a result of this project.

(a-v) No Impact

No other public facilities will be required to be constructed as a result of this project.

General Information

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sherriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an "Amador Plan" contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

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

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

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

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

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) No Impact

The project will have no impacts to existing parks, or require the provision of new or additional facilities.

(b) No Impact

The project will have no impacts to existing parks, or require the provision of new or additional facilities.

General Information

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

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

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input 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) Less than Significant Impact

Currently there are two access points off of Avenue 9 for the home, however access will be restricted to one access point for this project.

(b) Less than Significant Impact with Mitigation Incorporated

The project will be required to construct a Deceleration/Acceleration lane onto Avenue 9 to provide for a safe and efficient access onto and out of the proposed project.

(c) No Impact

The project will not result in changes to air traffic patterns.

(d) Less than Significant Impact with Mitigation Incorporated

The project will be required to construct a Deceleration/Acceleration lane onto Avenue 9 to provide for a safe and efficient access onto and out of the proposed project.

(e) No Impact

Access will be taken from Avenue 9, which is a County maintained road

(f) No Impact

The project is located in a rural agricultural area where alternative transportation will not be impacted.

General Information

According to the Institute of Traffic Engineers (7th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20

C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

Level of service	Freeways	Two-lane rural highway	Multi-lane rural highway	Expressway	Arterial	Collector
A	700	120	470	720	450	300
B	1,100	240	945	840	525	350
C	1,550	395	1,285	960	600	400
D	1,850	675	1,585	1,080	675	450
E	2,000	1,145	1,800	1,200	750	500

Capacity per hour per lane for various highway facilities

Madera County is predicted to experience significant population growth in the coming years (62.27 percent between 2008 and 2030). Accommodating this amount of growth presents a challenge for attaining and maintain air quality standards and for reducing greenhouse gas emissions. The increase in population is expected to be accompanied by a similar increase in vehicle miles traveled (VMT) (61.36 percent between 2008 and 2030).

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157
2011	180	53	5.5	NA
2017	210	63	6.7	NA
2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

The above table displays the predicted increase in population and travel. The increase in the lane miles of roads that will serve the increase in VMT is estimated at 120 miles or 0.94 percent by 2030. This indicates that roadways in Madera County can be expected to become much more crowded than is currently experienced.

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

Discussion:

(a) No Impact

The project will utilize approximately 1000 gallons of water per day and generate a seasonal discharge of up to 300 gallons per day of wastewater. The wastewater generated from the winery operations will be spread through the green cover crop between the on-site grape vines and the landscaped pond to be constructed on the site. This does not exceed Regional Water Quality Control Board requirements.

(b) No Impact

The project will utilize approximately 1000 gallons of water per day and generate a seasonal discharge of up to 300 gallons per day of wastewater. The wastewater generated from the winery operations will be spread through the green cover crop between the on-site grape vines and the landscaped pond to be constructed on the site. This does not exceed Regional Water Quality Control Board requirements.

(c) No Impact

The proposed facility will not impact any existing storm water drainage facilities

(d) No Impact

The project will utilize groundwater; permitting for the well will be handled by the Environmental Health Department.

(e) No Impact

There is no wastewater treatment provided for this area.

(f) No Impact

The project is served by the Fairmead landfill. The amounts of waste generated by the project will be minor.

(g) No Impact

The project is served by the Fairmead landfill. The amounts of waste generated by the project will be minor.

General Discussion

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

Groundwater provides almost the entire urban and rural water use and about 75 percent of the agricultural water use in the Valley Floor. The remaining water demand is met with surface water. Almost all of the water use in the Foothills and Mountains is from groundwater with only three small water treatment plants relying on surface water from the San Joaquin River and its tributaries.

In areas of higher precipitation (Oakhurst, North Fork, and the topographically higher part of the Coarsegold Area), groundwater recharge is adequate for existing uses. However, some problems have been encountered in parts of these areas due to well interference and groundwater quality issues. In areas of lower precipitation (Raymond-Hensley Lake and the lower part of the Coarsegold area), groundwater recharge is more limited, possibly requiring additional water supply from other sources to support future development.

Madera County is served by a solid waste facility (landfill) in Fairmead. There is a transfer station in North Fork. The Fairmead facility also provides for Household Hazardous Materials collections on Saturdays. The unincorporated portion of the County is served by Red Rock Environmental Group. Above the 1000 foot elevation, residents are served by EMADCO services for solid waste pick-up.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:**(a) No Impact**

The project does not have the potential to degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory to any significant levels based on project operations and development. The project is compatible with the surrounding area and no unique impacts would occur to affect on-site or adjacent environmental resources

(b) No Impact

The project is an agriculturally oriented service in an agriculturally oriented area. There is little opportunity for incremental impacts to occur from past or future projects in addition to the current project. The project does not have impacts which would be considered cumulatively significant.

(c) No Impact

No adverse impacts to human beings would be created by the project, either directly or indirectly. The project is an agriculturally oriented service in an agricultural area

General Information

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.

**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

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

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

Madera County Integrated Regional Water Management Plan.

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012

MITIGATED NEGATIVE DECLARATION

ND-2013-009

RE: Whelan, Walt - Conditional Use Permit - Madera

LOCATION AND DESCRIPTION OF PROJECT:

The application for conditional use permit is to allow a winery with a tasting room. The proposal is located south side of Avenue 9, at the southeast corner of its intersection with Road 36 (36146 Avenue 9), Madera. The property is zoned ARV-20 (Agricultural, Rural, Valley – 20 Acre) District. Size: 14.0 Acre. APN: 049-072-006.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

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

SEE ATTACHED MITIGATION MONITORING PROGRAM

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



Madera County Development Review Committee

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

DATED: April 24, 2013

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2013-011

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Aesthetics							
	Agricultural Resources							
	Air Quality							
	Comply with San Joaquin Valley Air Pollution Control District conditions.							
	Biological Resources							
	Cultural Resources							
	Geology and Soils							
	Hazards and Hazardous Materials							
	Hydrology and Water Quality							
	Comply with Central Valley Regional Water Quality Control Board conditions							
	This project will require the creation of a public water system, including the application to the State Department of Health Services Drinking Water Program and preparation of a TMF (Technical, Managerial and Financial) report. All water well(s) to be used on site for operations on this property need to comply with all Public Well Standards and any existing water wells proposed to be used for any operations on site would require a 50 ft. well seal installed to meet basic Public Well Standards. The construction/specifications of the water well must comply with the Public Well Standards. In addition, a Public Water System is required including the application to the MCEHD Drinking Water Program which includes the preparation of a TMF (Technical, Managerial & Financial) report. Contact a Water Program Specialist within this MCEHD at (559) 675-7823 for further questions or details.							
	Land Use and Planning							
	Mineral Resources							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Noise							
	Population and Housing							
	Public Services							
	Recreation							
	Transportation and Traffic							
	As a condition of approval of the CUP, the applicant shall construct a Deceleration / Acceleration lane onto Avenue 9 to provide for a safe and efficient access onto and out of the proposed project. Access design and construction shall meet minimum Caltrans or AASHTO standard.							
	The driveway approach at the easterly side of the proposed project shall be the only access point allowed, which shall be built to a Commercial County Standard.							
	Utilities and Service Systems							

Becky Beavers

From: Giuliano DiCicco [gdicicco1@gmail.com]
Sent: Friday, May 10, 2013 9:44 AM
To: Becky Beavers
Cc: Walt Whelan
Subject: Whelan - Ave 9 Winery - CUP Application

Becky,

Thank you for the arranging a staff meeting yesterday. It helped to clarify many things. We would also like to inform you that we are planning to make adjustments to the phasing of our project. We are intending to initially build approximately 5,000 sf of the winery building with wine making facilities in Phase 1, the remaining 2,000 sf of offices, kitchen area and wine tasting room in Phase 2 and 2,000 sf Veranda in Phase 3.

Feel free to contact me with any questions.

Regards,
Giuliano DiCicco PE
(559) 351-8100