



# RESOURCE MANAGEMENT AGENCY

Community and Economic Development  
Department of Planning and Building

Norman L. Allinder, AICP  
Director *NLA*

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**PLANNING COMMISSION DATE:** September 3, 2013

**AGENDA ITEM:** #2

<b>CUP</b>	<b>#2013-018</b>	<b>Conditional Use Permit to allow a Farm Stand</b>
		<b>Applicant: Justin Wylie</b>
<b>APN</b>	<b># 049-600-009</b>	<b>Owner: James S. Anderson ETAL</b>
<b>CEQA</b>	<b>ND #2013-21</b>	<b>Mitigated Negative Declaration</b>

**REQUEST:**

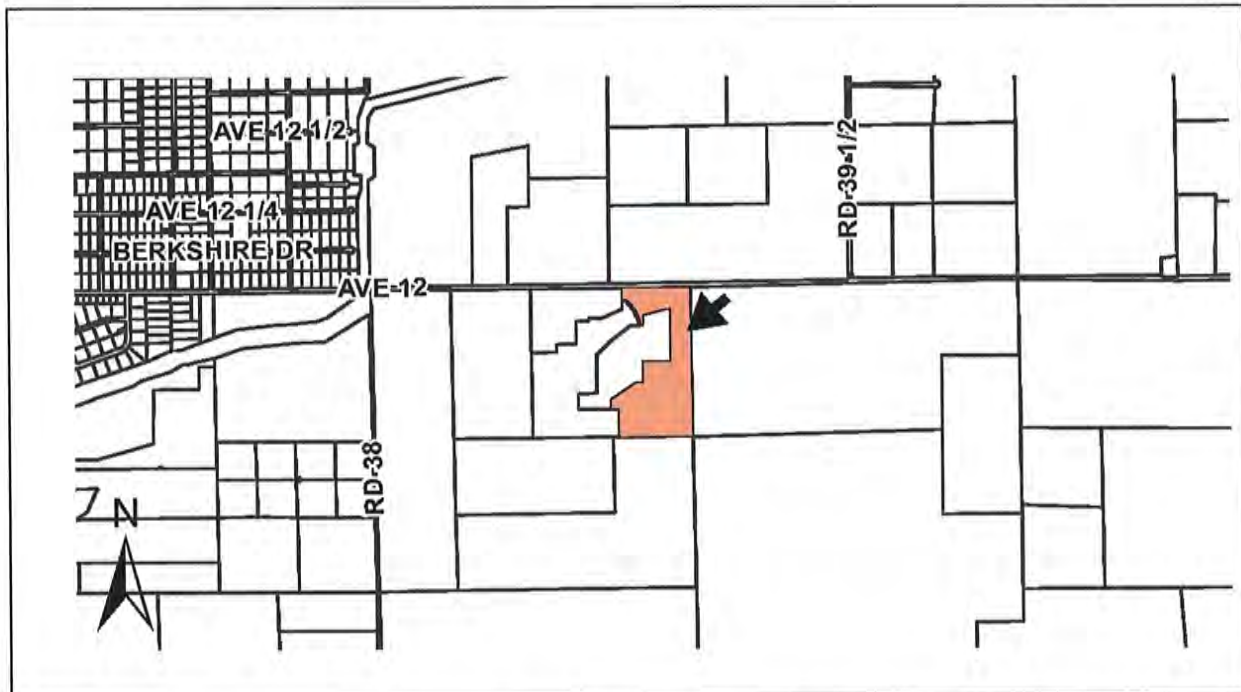
The applicant is requesting a conditional use permit to allow a Farm Stand which would fall under the category of an outdoor recreational facility.

**LOCATION:**

The property is located on the south side of Avenue 12 approximately 0.52 miles west of its intersection with Road 39 1/2 (38802 Avenue 12) Madera.

**ENVIRONMENTAL ASSESSMENT:**

A Mitigated Negative Declaration (ND #2013-21) and mitigation monitoring program has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:**

Approval of the conditional use permit (CUP 2013-018) and Mitigated Negative Declaration (ND 2013-21) subject to conditions and the mitigation monitoring program

**GENERAL PLAN DESIGNATION** (Exhibit A):

SITE: AE (Agricultural Exclusive) Designation

SURROUNDING: AE (Agricultural Exclusive) Designation

**ZONING** (Exhibit B):

SITE: ARV-20 (Agricultural, Rural, Valley – 20 Acre) District

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

**LAND USE:**

SITE: Pistachio orchard and open space

SURROUNDING: Ag production, grapes, navel and murcott oranges

**SIZE OF PROPERTY:** 42.85 Acres

**ACCESS** (Exhibit A): Access is via Avenue 12.

**BACKGROUND AND PRIOR ACTIONS:**

The parcel was created by Parcel Map No. 2658.

**PROJECT DESCRIPTION:**

The request is for a conditional use permit to allow a farm stand in an existing steel barn on Avenue 12, Madera. The plan is to landscape the area around the barn as well as transplant mature trees to provide shade and to provide a place to buy locally grown produce.

**ORDINANCES/POLICIES:**

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

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

**ANALYSIS:**

The project site is located in the northern portion of the parcel fronting on Avenue 12, between the Ranchos and the Highway 41. The area is flat with a few rolling hills primarily used for orchards.

The facility would operate year round, Tuesday through Sunday, from 9:00 a.m. to 7:00 p.m.; semiannual events would be held that would include food trucks. An average of 20 to 25 customers are expected per day. There will be two employees to start and possibly 4-5 in the future. A total of 25 parking spaces will be provided. The plan includes a free standing sign along the road approximately 10 ft. by 5 ft. as well as a free standing sign approximately 6 ft. tall by 4 ft. wide near the barn. Ordinance allows two hundred forty square feet in sign area, no taller than ten feet above ground level.

There is a domestic well that will be used for the irrigation estimated at 250 gallons per day. Portable toilets will be used and will include hand washing facilities.

Between 30 and 40 trips a day are anticipated. There are no trip generation rates specific for farm stands. The closest category the Institute of Traffic Engineers uses that

is similar to this establishment is a "Specialty Retail Center". The generation rate for that type of use is 2.71 per 1,000 square feet of facility for peak PM trips. The structure in which the farm stand will be located is approximately 1,800 square feet resulting in a generation rate of 4.88 peak PM trips.

The General Plan designates this parcel AE (Agricultural Exclusive). This designation provides for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally-oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi public uses, and similar and compatible uses. The minimum parcel size shall be 36 to 640 acres. This property is zoned ARV-20 (Agricultural, Rural, Valley - 20 Acre) zone district. With an approved conditional use permit, this zone district allows private clubs and outdoor recreational facilities. Therefore, the proposed project is consistent with both the Zoning Ordinance and the goals of the Plan. The sales of produce would be an allowable use in the ARV-20 (Agricultural Rural Valley - 20 Acres) zoning district. The outdoor display of produce, and other farm related items is most closely related to an outdoor recreational facility, thus requiring the approval of a conditional use permit.

The project operational statement proposes a facility to promote agricultural and the sale of locally grown produce throughout the year including fruit, vegetables, flowers and nuts in the barn, but carry other items that would create a farm type atmosphere while they shop. It would include nature art on the walls, paintings of barns, fields, mountains etc from a few local artists. Wine, honey, jams, dried fruits and different variations of the almonds and pistachios including chocolate and other flavored pistachios and almonds would also be offered. Wreaths around the holidays would be available around the holidays. One Saturday every month an event would be held offering tri tip BBQ sandwiches to promote the facility and local produce. In the future a café/deli would be added. However, this proposal does not include the café.

Due to the nature of the proposal, which involves the growing and harvesting of biodegradable materials, the impact to the site will be minimal. 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.

The project was circulated to outside agencies thought to be impacted or regulating the development of the proposed project. This included the California Department of Transportation, Department of Fish and Wildlife, Department of Water Resources, and the San Joaquin Air Pollution Control District. California Department of Transportation, Department of Fish and Wildlife had no comments. No comments were received from the Department of Water Resources, and the San Joaquin Air Pollution Control District.

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

#### **FINDINGS OF FACT:**

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance* in that the Zoning Administrator has determined that ARV-20 (Agricultural, Rural, Valley – 20 Acre) District allows outdoor recreational activities subject to an approved conditional use permit.
2. *The proposed project is not contrary to the public health, safety, or general welfare* in that the request is consistent with the agricultural area in which it is located. The project proposes the use of portable restrooms with hand washing facilities.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors* in that the applicant must operate according to the operational statement and plans. Gravel is recommended in the parking area if weather and irrigation might cause a safety hazard. The site is well-removed from surrounding residences and is easily accessible to individuals.
4. *The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability.* The project site is in a sparsely populated agricultural area. Twenty to 25 people are expected daily. This operation would promote agriculture in the County.

**WILLIAMSON ACT:**

The property is not subject to a Williamson Act contract.

**GENERAL PLAN CONSISTENCY:**

The General Plan designates this parcel AE (Agricultural Exclusive). This designation provides for agricultural uses, limited agricultural support service uses (e.g., barns, animal feed facilities, silos, stables, fruit stands, and feed stores), agriculturally-oriented services (e.g., wineries, cotton gins), timber production, mineral extraction, airstrips, public and commercial refuse disposal sites, recreational uses, public and quasi public uses, and similar and compatible uses. The minimum parcel size shall be 36 to 640 acres. This property is zoned ARV-20 (Agricultural, Rural, Valley - 20 Acre) zone district. This zone district is primarily for agricultural uses, very similar to the ARE-20 (Agricultural, Rural, Exclusive – 20) District. The proposed use is consistent with the plan.

**RECOMMENDATION:**

The analysis provided in this report supports approval of Mitigated Negative Declaration ND #2013-21 and Conditional Use Permit #2013-018 as presented subject to the following conditions and Mitigation Monitoring and Reporting Program.

**CONDITIONS:**

See attached conditions of approval.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D1-4, Site Plan Map
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Engineering and General Services Comments
9. Exhibit I, Environmental Health Department Comments
10. Exhibit J, Fire Department Comments
11. Exhibit K, Road Department Comments
12. Exhibit L, Caltran Comments
13. Exhibit M, Department of Fish and Wildlife Comments
14. Exhibit N, CEQA Initial Study
15. Exhibit O, Mitigated Negative Declaration ND #2013-21

## CONDITIONS OF APPROVAL

**PROJECT NAME:** Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

**PROJECT LOCATION:** south side of Avenue 12 approximately 0.52 miles west of the intersection of Avenue 12 and Road 39 1/2. (38802 Avenue 12) Madera

**PROJECT DESCRIPTION:** fruit stand

**APPLICANT:** Wylie, Justin

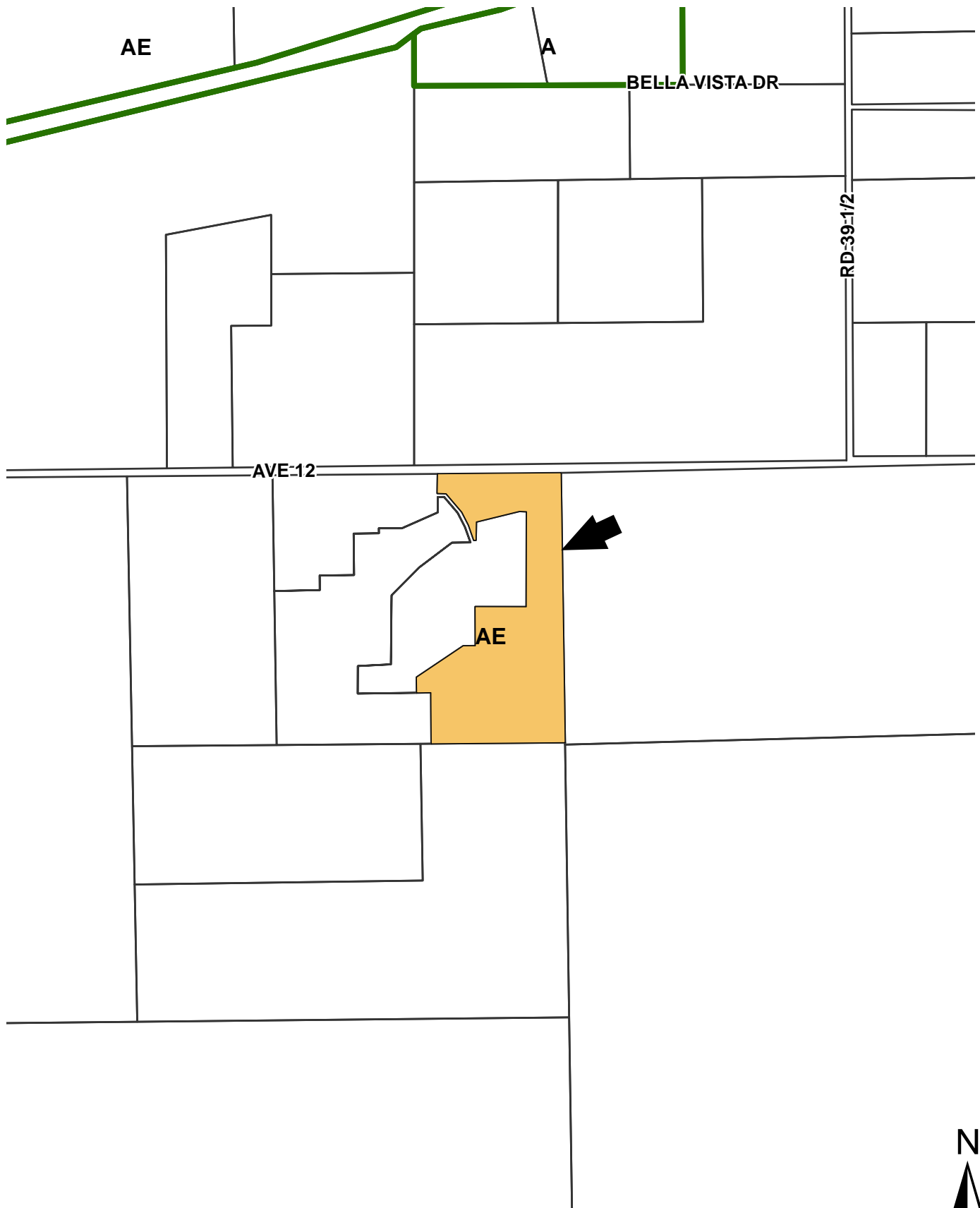
**CONTACT PERSON/TELEPHONE NUMBER:** (559) 577-9667

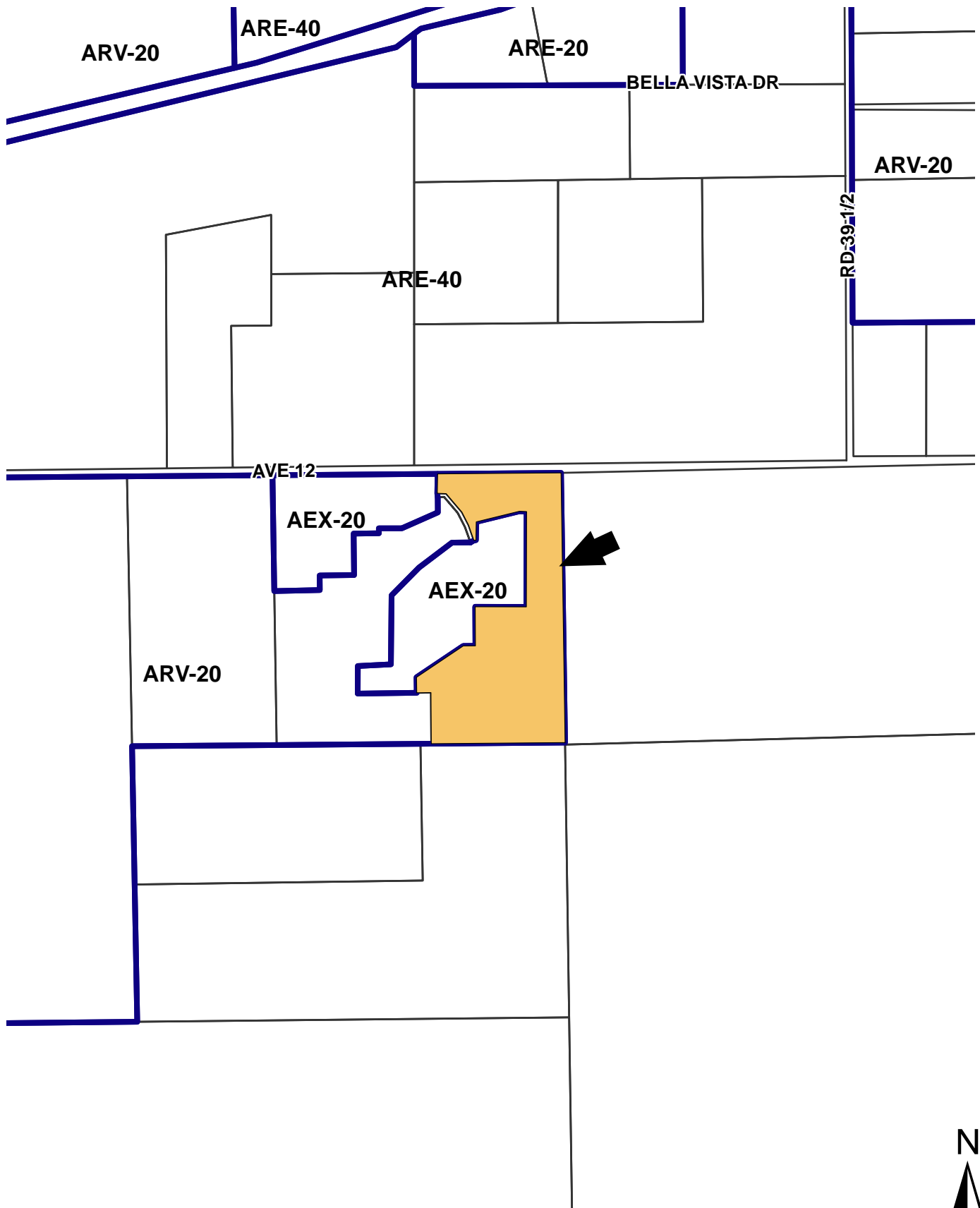
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Engineering</b>					
1	Prior to the start of any construction, the applicant shall secure a Building Permit from the Building Department. All construction shall meet the most current standards and all applicable codes. All plans must be prepared by a licensed architect or registered civil engineer.	Engineering			
2	The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by the project. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer.	Engineering			
3	All projects containing 1 acre or more of soil disturbance are required to submit a Storm Water Pollution Prevention Plan (SWPPP) and report.	Engineering			
<b>Environmental Health</b>					
1	If at any time within the future the owner/operators of this facility make changes to the proposed food sales operations and/or increases the area of "non-agricultural food products" for sale to more than the current allowable limits (50 Sq.ft.) then the facility will be required to upgrade the current water system to meet Public Water System requirements. All the water well(s) used to provide water to the facility will be required to meet all Public Water Well Standards.	Env. Health			
2	The sewer treatment system and onsite wastewater treatment for this development must comply with the Madera County Environmental Health Department and Regional Water Quality Control Board requirements. The septic disposal system for the proposed facility must be designated and installed for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.	Env. Health			
3	The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County appropriately licensed company. Routine maintenance of these portable toilets must be adjusted according to their usage as to prevent an unhealthy human environment and/or nuisance of any kind, at all times while onsite.	Env. Health			

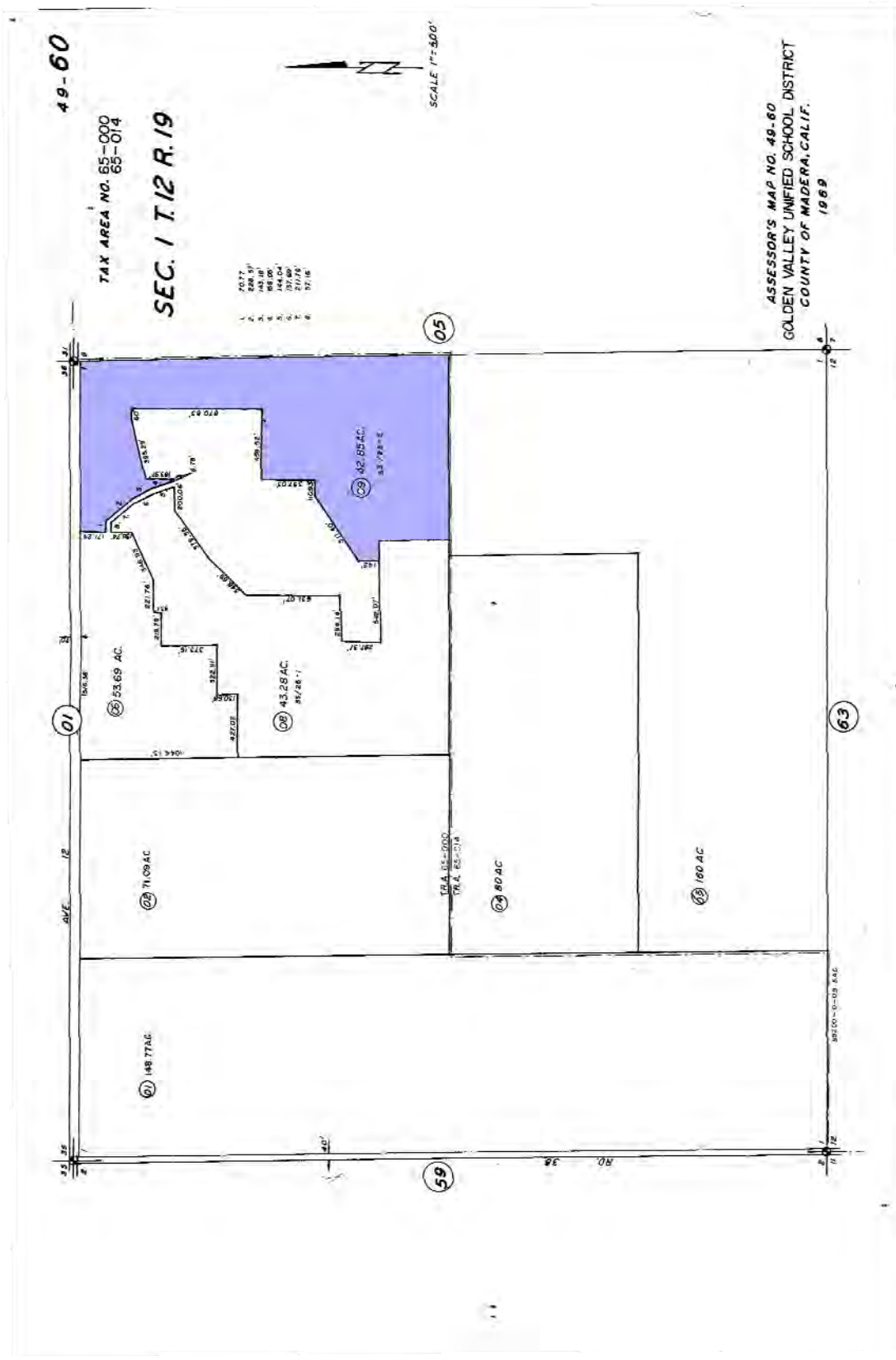
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
4	The owners/operators of this facility must complete and submit food facility construction plan(s) and a food facility application(s) for a Food Vending Permit(s) for all food operations within this departments Food Program before onset of any construction activities and before any operation of the food facility. Contact a Food Program specialist within this Dept. at (559) 675-7823 for any questions that you may have regarding this process or for copies of the Permit Application form.	Env. Health			
5	The construction and then ongoing operation of this facility 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), which is this Dept., the MCEHD and any other county or state regulatory agency having jurisdiction.	Env. Health			
6	The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.	Env. Health			
<b>FIRE DEPARTMENT</b>					
	SEE MND				
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning			
2	The applicant shall provide a minimum of 9 parking spaces. If the building is expanded, additional parking spaces will be required at a ratio of one parking space per 200 square foot of floor space. No on street parking for customers will be allowed.	Planning			
3	All internal parking and circulation areas within the project site shall be maintained in a dust-free condition.	Planning			
4	Comply with the Water Efficient Landscape Ordinance.	Planning			
5	All signs shall comply with the regulations of the Madera County Zoning Ordinance 18.190.130 and shall be approved by the Planning Department prior to placement.	Planning			
6	Sales shall be limited to local produce as per Ordinance 18.04.460	Planning			
7	Hours of operation shall be limited to 8:00 am to 8:00 pm.	Planning			
<b>ROAD DEPARTMENT</b>					
1	As a condition of approval, the applicant shall grant deed a 10 ft wide strip of land along Avenue 12, contiguous to APN 049-600-009 (project parcel site).	Road Dept.			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	As a condition of approval, prior to any work within the right of way, the applicant shall submit for an encroachment permit for review and approval. A commercial driveway complying with Madera County driveway standard will be required.				



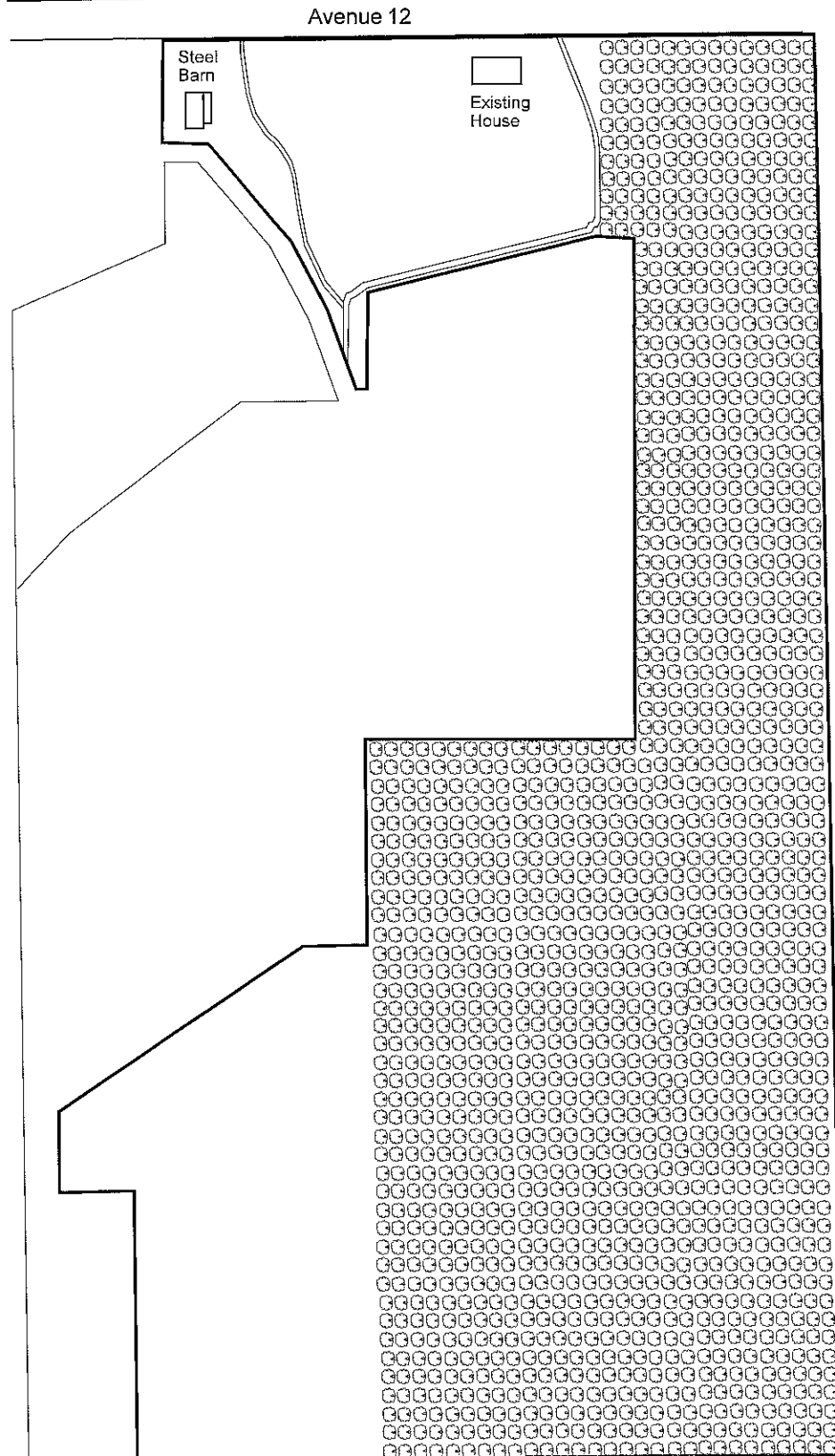






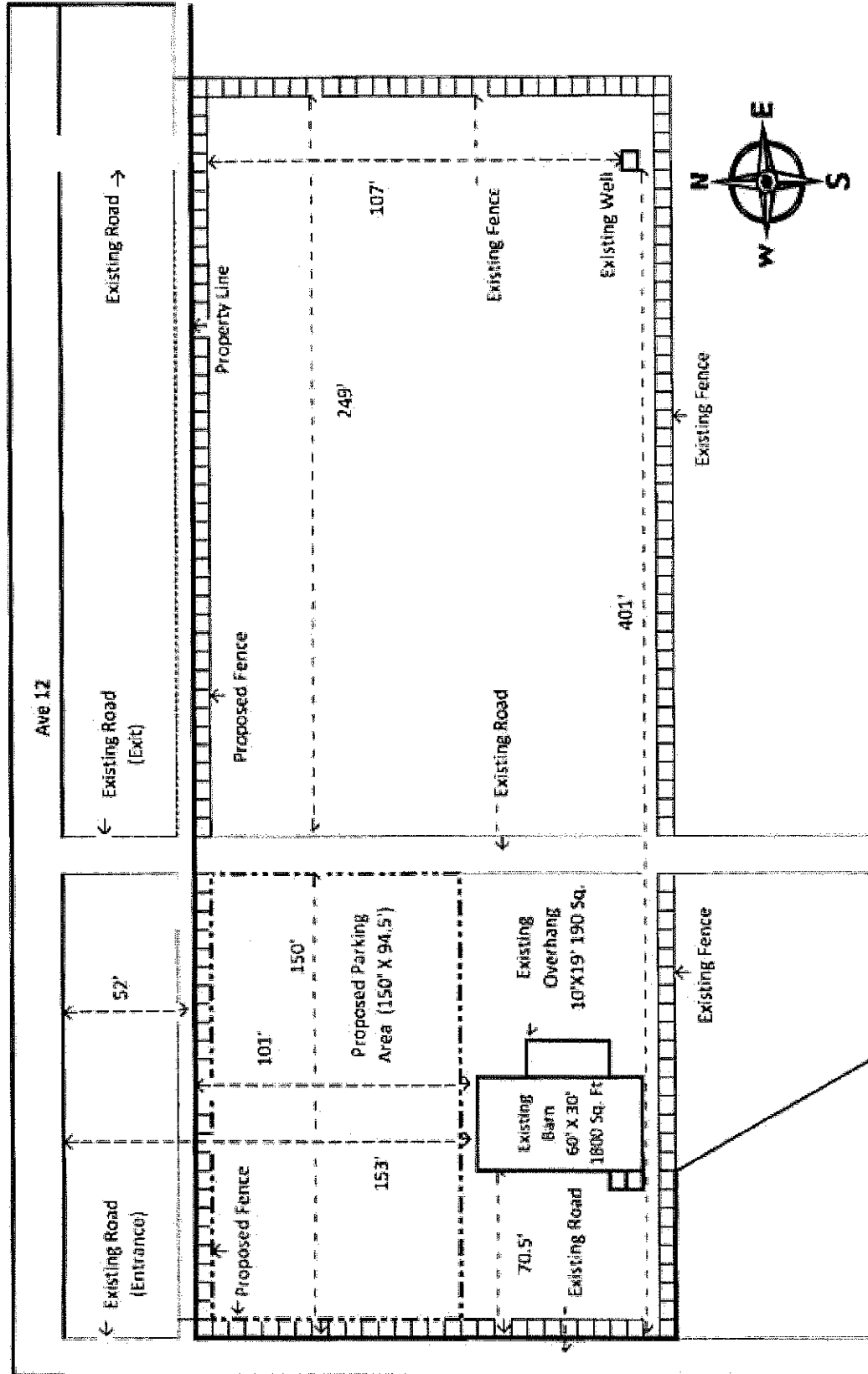
ASSESSOR'S MAP

# EXHIBIT D-1



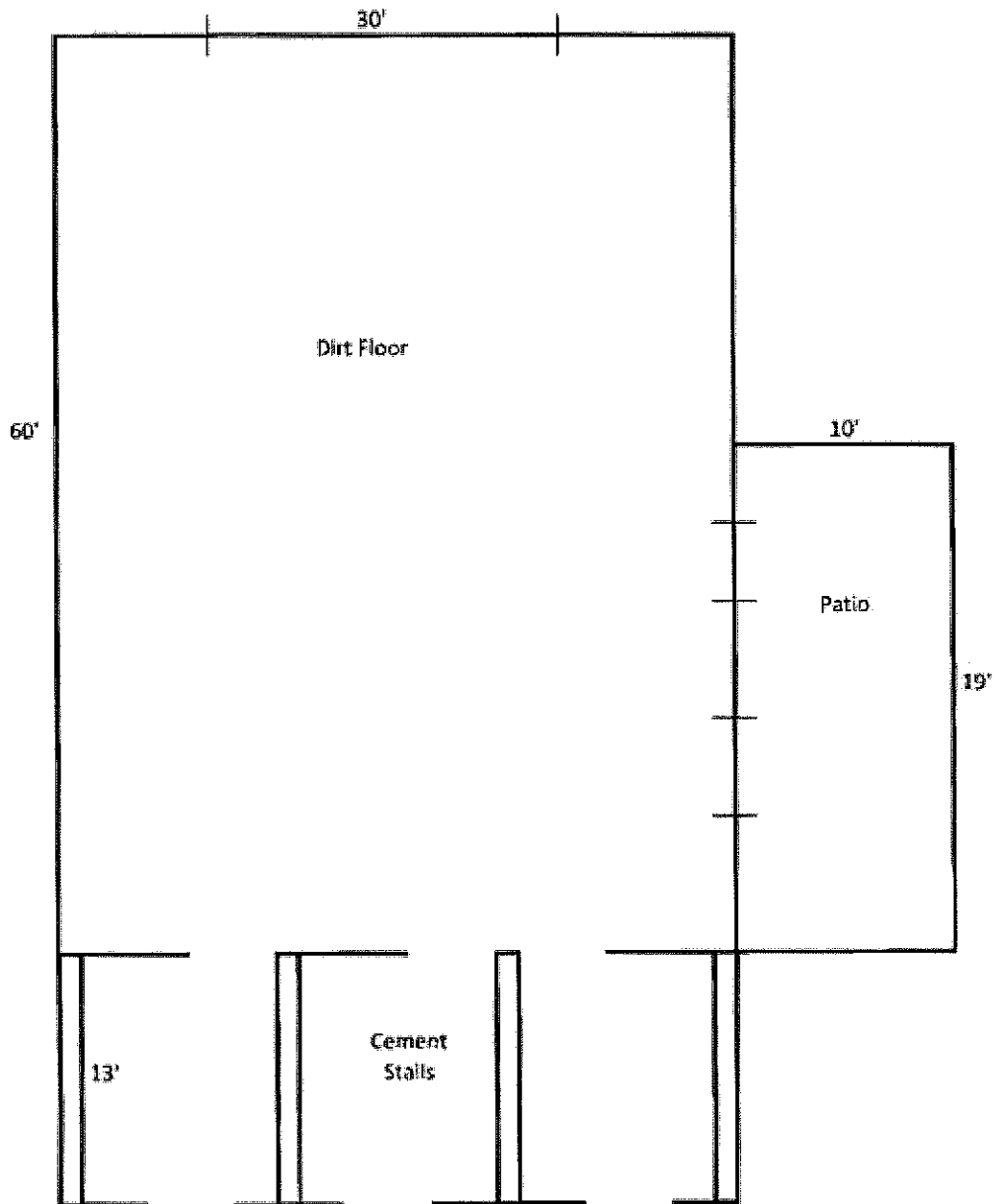
## SITE PLAN

Site Map



SITE PLAN

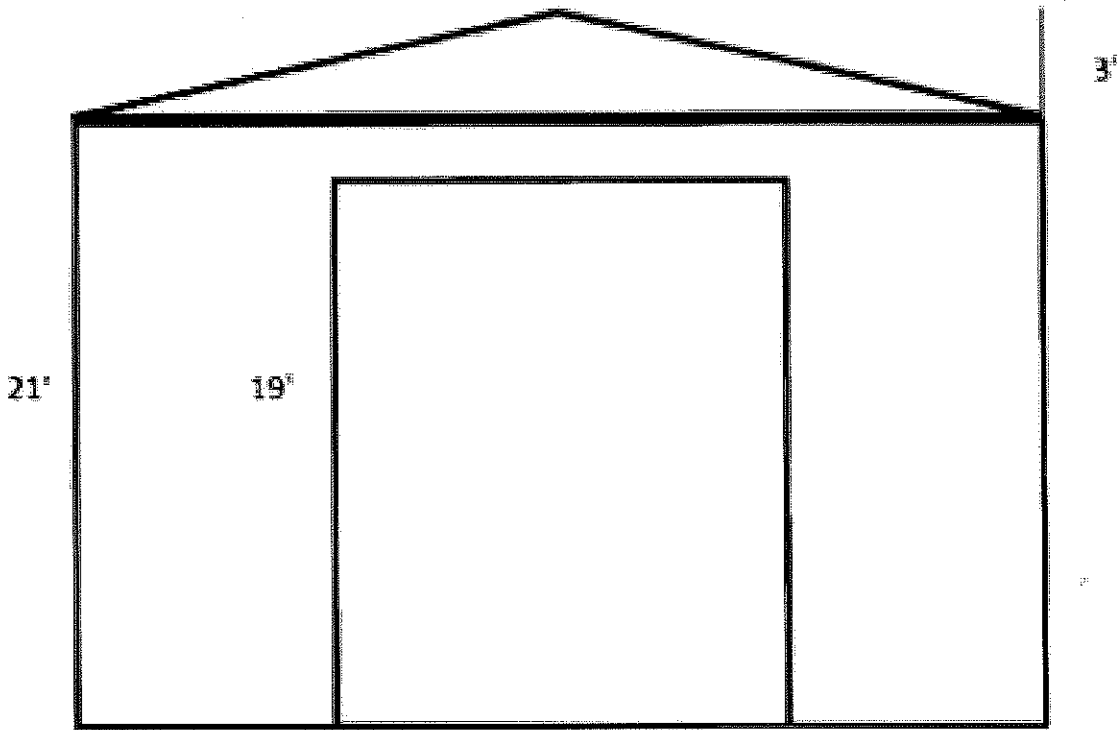
Floor Plan



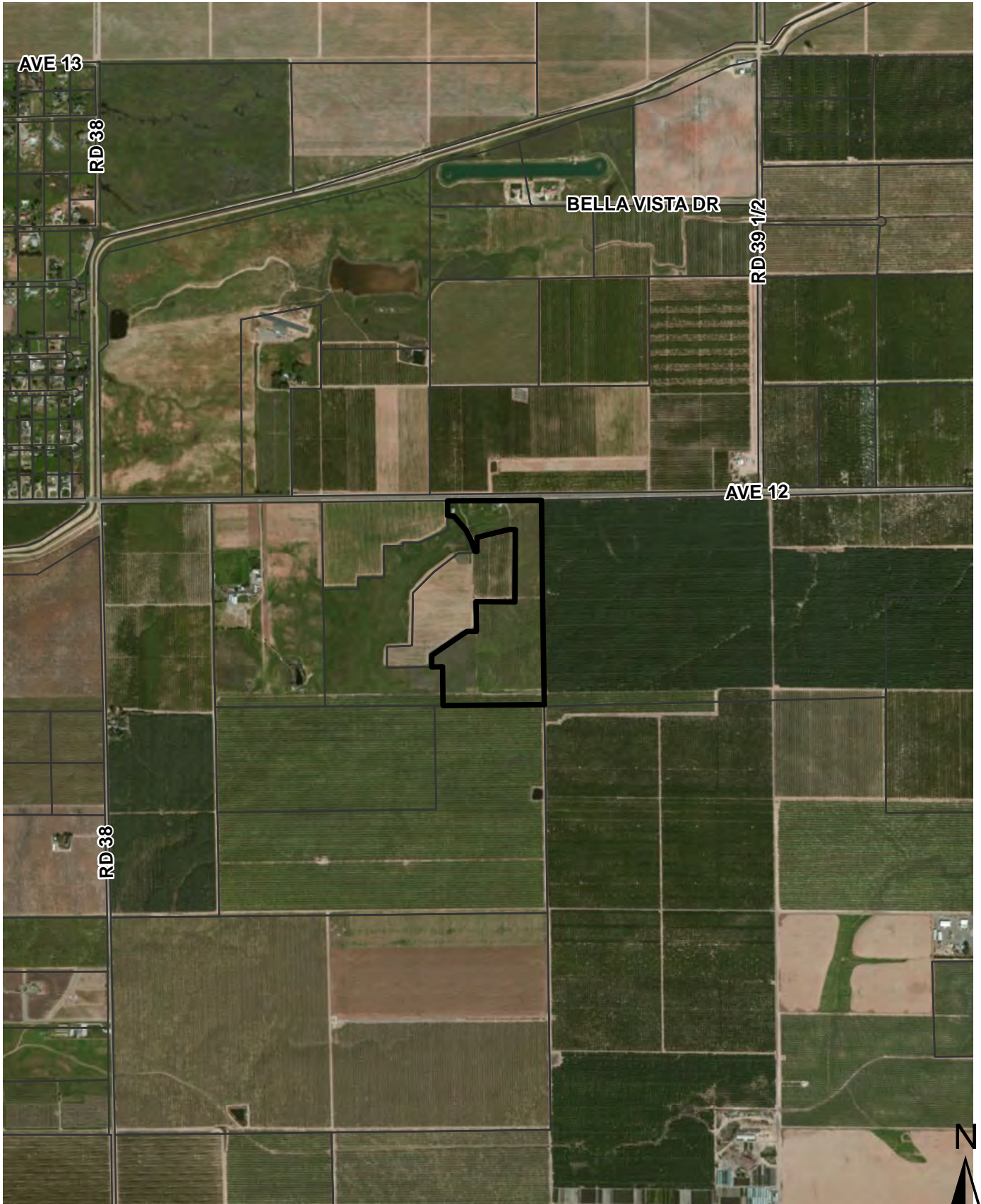
**FLOOR PLAN**

**Elevation Plan**

North Wall

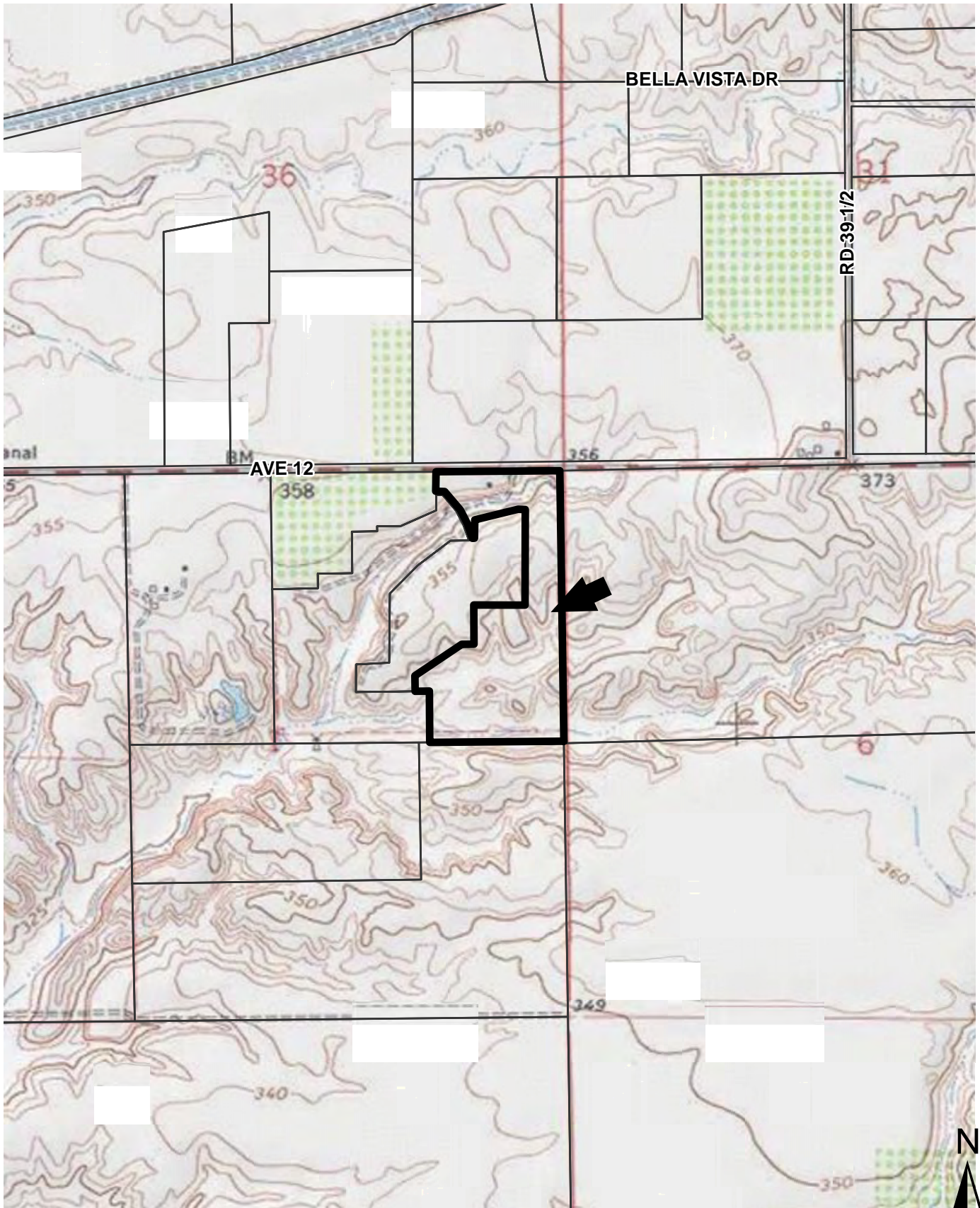


**SITE PLAN**



**AERIAL MAP**





**TOPOGRAPHICAL MAP**

To: Madera County Planning Department

Operational/Environmental Statement

1. Please provide the following information:

APN: 049-600-009  
Applicants Name: Justin Wylie  
Address: 1162 N Halifax Ave  
Clovis, CA 93611  
Phone Number: (559) 577-9667

2. Describe the nature of your proposal/operation.

We would like to open a farm stand in an existing steel barn on Ave 12. Our plan is to landscape the area around the barn as well as transplant mature trees to provide shade. Madera is a beautiful area and we think we can add to the local charm by providing an area to stop and buy produce and a bottled water and use the restrooms. Our plan is to provide a place to buy locally grown produce that doesn't look run down or abandoned. The stand will be well kept and clean but will maintain a country atmosphere for passersby and customers.

3. What is the existing use of the property?

Currently the property is a fully producing pistachio orchard with the acreage closest to Ave 12 remaining open. The open acreage has a rental house as well as this steel barn. The area around the barn is not being used at this time.

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

Out of the farm stand we would sell produce we grow near the site in Madera, as well as nuts that are grown locally and other "value added products" such as honey and jams that will be obtained through local Madera producers. Non agricultural products such as bottled water and chips will be limited to 50 square feet per county code requirement for farm stands.

5. What are the proposed operational time limits?

Months: Year Round  
Days Per Week: Tuesday-Sunday  
Hours (From 9:00 am – 7:00 pm)  
Total Hours Per day: 10 hours

6. Will there be any special activities or events?

Once we are up and running, we would like to apply for a special events permit to have several food trucks out in order to help promote the farm stand. This would probably be an annual or semiannual event depending on the success of the event and how difficult it is to schedule outside of other local Madera events.

7. How many customers or visitors are expected?

Average number per day: 20-25 customers

Maximum number per day: Unknown

What hours will customers/visitors be there? Between 7:30 am and 8:00 pm in order to set up prior to opening and close down after we close each night.

8. How many employees will there be?

Current: 2

Future: 4-5

Hours they work: 7:30 am – 8:00 pm

Do any live on-site? No, there is a house for rent near the location of the barn but he is not connected to the farm stand.

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

Anything sold in the store will be stored on site as well as supplies needed for customers such as paper grocery bags and trash bags.

10. Will there be any service and delivery vehicles?

The produce and nuts will be brought from the fields in our pickup trucks. We don't anticipate needing delivery vehicles.

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

We estimate the parking area will have enough room for 25 vehicles. We will treat the area with a salt we use on our other roads to keep the dust down.

12. How will access be provided to the property/project?

The barn is located right on Ave 12 and customers would access the parking lot directly from Ave 12.

13. Estimate the number and type of vehicular trips per day that will be generated by the proposed development.

30-40 trips is an accurate estimate including setting up, customers as well as operators of the store.

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

We would like to place a sign along the road that is approximately 10 feet by 5 feet that shows the name of the farm stand as well as a stand alone sign on the ground approximately 6 feet tall and 4 feet wide, that will show what is available that day.

15. Will existing buildings be used or will new buildings be constructed? Indicate which buildings or portions will be utilized and describe the type of constructions materials, height, color, etc. Provide Floor plan and elevations, if appropriate.

The existing steel barn on the property will be utilized. The rental house nearby will remain fenced off and separate.

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

We are proposing to fence off the entire area except for two entrances and exits. This would allow us to direct the flow of traffic as well as ensure a safe area for children of customers at the stand. We would use a split rail fence design to maintain the look of the farm stand.

Regarding landscaping, we are proposing to put in a small grassy area with a picnic bench in front of the farm stand. From the parking lot to the farm stand there will be a leveled off path that will remain dirt.

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

Surrounding the farm stand area, there are grapes and navels to the north on the other side of Ave 12, pistachios and murcotts to the south, pistachios and murcotts to the east and murcotts to the west.

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

No noise above normal farming operations already occurring in the area is anticipated.

19. On a daily or annual basis, estimate how much water will be used by the proposed development and how is the water to be supplied to the proposed development.

There is a domestic well on the property approximately 50 yards to the east of the building and 25 yards west of the rental house. There is already a water line from the domestic well to the building and that line will be used to supply any water needed for the farm stand for rinsing vegetables or irrigation of the grounds. The farm stand itself will not need much water on a daily basis outside of hand washing for employees which will come from portable toilets. The irrigation of the grounds for approximately 1,000 square feet of grass would use approximately 250 gallons of water per day during the hottest months of the year.

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

The waste water will come from hand washing and will be disposed of in the portable toilets and will be picked up once a week. There should be little if any run off from rinsing dust off of vegetables.

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?

The farm stand will open an account with Red Rock Environment and maintain a 4 cubic yard front loading collection bin to be picked up weekly.

22. Will there be any grading? Tree Removal?

Yes, the roads will be graded and treated as well as the grounds to make them safer for customers walking along the grounds. No trees will be removed.

23. Are there any archeological or historically significant sites located on this property?

No. Except for an older rental house and the steel barn we'll be using for the farm stand, the grounds are empty.

24. Locate and show all bodies of water on application plot plan or attached map.

N/A, please see attached map.

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

Will discuss in person.

26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

There will not be any hazardous materials produced.

27. Will your proposal require use of any public services or facilities?

There may be an additional risk of theft or vandalism on the property due to the storage of goods.

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

There may be added traffic on certain days, but the location is far enough outside the Madera Ranchos that the impact should not cause any traffic congestion in the area.

29. How do you see the development impacting schools parks, fire and police protection on special districts?

Because there is a house located on the property near the farm stand as well as lighting around the building at night, we do not foresee any significant issues requiring a police response. There should be no impact to local schools, parks or fire.

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

Proposed Use

Square Feet

Total Number of Employees

N/A

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

N/A

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



## Becky Beavers

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**From:** Justin Wylie [justinjwylie@gmail.com]  
**Sent:** Thursday, August 22, 2013 3:08 PM  
**To:** Becky Beavers  
**Subject:** 2013-018 - Farm Stand

Good afternoon,

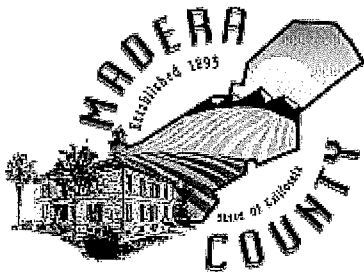
Regarding our conversation today about the farm stand. What we would like to do is sell our fruit, vegetables, flowers and nuts in the barn, but carry other items that would allow us to create a farm type atmosphere while they shop. We have approached a few local artists about carrying their nature art on the walls, paintings of barns, fields, mountains etc. We would also like to offer wine from grapes we grow, honey from Mark Toole a former school board member and local resident, jams made by one of the senior centers in Madera, dried fruits and different variations of the almonds and pistachios we grow in Madera. We would offer chocolate and other flavored pistachios and almonds. We are able to partner with local processing plants and have our nuts shipped there to be roasted, salted and or flavored. Lastly, we would like to partner with other growers we know to carry wreaths around the holidays. In order to promote the barn, we would also like to offer tri tip bbq sandwiches on one Saturday every month.

Eventually, our goal is to apply for a permit to build a separate small building farther along Ave 12 to the east of the barn that would house a café/deli. We think the idea of offering a nice looking shaded patio with beautiful farm scenery in the back ground as well as a picnic area with grass and shade trees between the deli and the barn would be appealing to locals as well as tourists passing through. Eventually on weekends, we would use the grounds for wine tasting events if approved.

Becky, thanks for all your work on this.

Best Regards,

Justin Wylie  
(559) 577-9667



# Engineering and General Services

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

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

engineering@madera-county.com

## MEMORANDUM

TO: Becky Beavers  
FROM: Engineering Department  
DATE: July 17, 2013  
RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

### Comments

TO  Planning Department

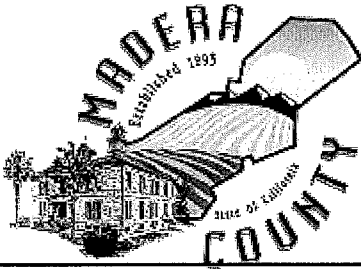
FROM  Dario Dominguez, Assistant Engineer - DEGS

SUBJECT  CUP 2013-018

- 1) The proposed project is not within the flood plain.
- 2) The subject property is not located in a County Service Area or Maintenance District.
3. Prior to the start of any construction, the applicant shall secure a Building Permit from the Building Department. All construction shall meet the most current standards and all applicable codes. All plans must be prepared by a licensed architect or registered civil engineer.
4. The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by the project. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer.
5. All projects containing 1 acre or more of soil disturbance are required to submit a Storm Water Pollution Prevention Plan (SWPPP) and report.

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: Environmental Health Department  
DATE: July 19, 2013  
RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

#### Conditions

The Environmental Health Department has reviewed the Conditional Use Permit (CUP) #2013-018 Justin Wylie, located on APN: 049-600-009, within the Madera area and has determined the following:

If at any time within the future the owner/operators of this facility make changes to the proposed food sales operations and/or increases the area of "non-agricultural food products" for sale to more than the current allowable limits (50 Sq.ft.) then the facility will be required to upgrade the current water system to meet Public Water System requirements. All the water well(s) used to provide water to the facility will be required to meet all Public Water Well Standards.

Note: It is recommended that any water well installed for this project have at least a 50ft. well seal installed during new well installations. This is to meet the most basic of all the Public Water Well installation standards for water well(s) required to be operated under an approved Public Water System.

The sewer treatment system and onsite wastewater treatment for this development must comply with the Madera County Environmental Health Department and Regional Water Quality Control Board requirements. The septic disposal system for the proposed facility must be designated and installed for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.

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

The owners/operators of this facility must complete and submit food facility construction plan(s) and a food facility application(s) for a Food Vending Permit(s) for all food operations within this departments Food Program before onset of any construction activities and before any operation of the food facility. Contact a Food Program specialist within this Dept. at (559) 675-7823 for any questions that you may have regarding this process or for copies of the Permit Application form.

The construction and then ongoing operation of this facility 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. 25

**MADERA COUNTY FIRE DEPARTMENT**

IN COOPERATION WITH  
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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

DEBORAH KEENAN  
MADERA COUNTY FIRE MARCHAL

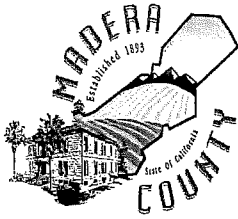
**MEMORANDUM**

TO: Becky Beavers  
FROM: Madera County  
DATE: July 16, 2013  
RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

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**Conditions**

Water storage for fire suppression purposes shall be required in conjunction with any building permit due to the proposed occupancy change. Currently, as proposed a fire suppression water storage tank of 5,000 gallons will be required. At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2)



**RESOURCE MANAGEMENT AGENCY**  
**Road Department**

Johannes J. Hoevertsz, Road Commissioner

• 2037 W. Cleveland Ave., MS#D  
 • Madera, CA 93637-8720  
 • (559) 675-7811  
 • FAX (559) 675-7631  
 • TDD (559) 675-8970

**MEMORANDUM**

TO: Becky Beavers, Planning Department, Madera County

FROM: H. Mitch Hemaidan, Development Services Engineer, Road Department

DATE: July 14, 2013

RE: **C.U.P. 2013-018, Wylie – Farm Stand**



*H. Mitch Hemaidan*

We have reviewed the above-noted project to allow for a farm stand to sell locally grown produce.

The proposed project has access onto Avenue 12. Avenue 12 is designated as a limited expressway requiring a minimum right of way width of 116 feet. Existing right of way, contiguous to the project site is 40ft (south of the section line), therefore, as a condition of approval of the CUP, a 18 ft strip of land will be required to be grant deeded to the County.

The Road Department has the following conditions of approval:

1. As a condition of approval, the applicant shall grant deed a 18 ft wide strip of land along Avenue 12, contiguous to APN 049-600-009 (project parcel site).
2. As a condition of approval, prior to any work within the right of way, the applicant shall submit for an encroachment permit for review and approval. A commercial driveway complying with Madera County driveway standard will be required.

## Becky Beavers

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**From:** Padilla, Dave@DOT [dave.padilla@dot.ca.gov]  
**Sent:** Tuesday, August 06, 2013 2:23 PM  
**To:** Becky Beavers  
**Cc:** Navarro, Michael@DOT; Bryan-Sanchez, Jennifer@DOT  
**Subject:** RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

Hello Becky,

After review of the operational statement, location, and site plan; it has been determined that we do not have any concerns.

Thank you for the opportunity to review the proposed project.

David Padilla  
Office: (559) 444-2493, Fax: (559) 445-5785



---

**From:** Navarro, Michael@DOT  
**Sent:** Tuesday, August 06, 2013 11:06 AM  
**To:** Padilla, Dave@DOT; Bryan-Sanchez, Jennifer@DOT  
**Subject:** FW: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

Can one you knock this out real quick. Thx

---

**From:** Becky Beavers [mailto:BBeavers@madera-county.com]  
**Sent:** Tuesday, August 06, 2013 10:57 AM  
**To:** Navarro, Michael@DOT  
**Subject:** RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

I am attaching the submittal information relating to this application. It is a request for a fruit stand on Avenue 12.

*Becky Beavers*  
Senior Planner  
Madera County Planning  
2037 W. Cleveland Avenue  
Madera, CA 93637  
(559) 675-7821 Ext. 3252

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**From:** Navarro, Michael@DOT [mailto:michael.navarro@dot.ca.gov]  
**Sent:** Tuesday, August 06, 2013 10:03 AM  
**To:** Becky Beavers  
**Subject:** RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

I'm sorry however we show no record of ever receiving this application.

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**From:** Becky Beavers [mailto:BBeavers@madera-county.com]  
**Sent:** Tuesday, August 06, 2013 9:18 AM  
**To:** Wildlife R4 Manager Secretary; Navarro, Michael@DOT; 'debbie.johnson@valleyair.org'; 'agcomission@co.madera.ca.gov'  
**Subject:** Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

Just a friendly reminder. On July 2, 2013, you were sent a request for comment. If you have any comments, please let me know.

*Becky Beavers*

Senior Planner

**Madera County Planning**

2037 W. Cleveland Avenue

Madera, CA 93637

(559) 675-7821 Ext. 3252

## Becky Beavers

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**From:** Vang, Jim@Wildlife [Jim.Vang@wildlife.ca.gov]  
**Sent:** Tuesday, August 06, 2013 10:19 AM  
**To:** Becky Beavers  
**Cc:** Hulbert, Steven@Wildlife; Ferranti, Annee@Wildlife  
**Subject:** RE: Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

Good morning,

We do not have any comments for the above project. Thanks.

Jim Vang  
Environmental Scientist  
CA Department of Fish and Wildlife  
Central Region  
1130 E. Shaw Avenue, Suite 206  
Fresno, CA 93710  
(559) 243-4014 x 254

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**From:** Becky Beavers [<mailto:BBeavers@madera-county.com>]  
**Sent:** Tuesday, August 06, 2013 9:18 AM  
**To:** Wildlife R4 Manager Secretary; 'michael.navarro@dot.ca.gov'; 'debbie.johnson@valleyair.org'; 'agcomission@co.madera.ca.gov'  
**Subject:** Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)

Just a friendly reminder. On July 2, 2013, you were sent a request for comment. If you have any comments, please let me know.

*Becky Beavers*  
Senior Planner  
Madera County Planning  
2037 W. Cleveland Avenue  
Madera, CA 93637  
(559) 675-7821 Ext. 3252

Vector(s), Dust, Odor(s), Noise(s), Lighting and/or Litter accumulation 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), which is this Dept., the MCEHD and any other county or state regulatory agency having jurisdiction

The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.

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

**Environmental Checklist Form****Title of Proposal:** Wylie, Justin - Conditional Use Permit - Madera (049-600-009-000)**Date Checklist Submitted:** 7/19/2013**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), 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:**

A request for a conditional use permit to allow an agriculturally oriented service.

**Project Location:**

The project is located on the south side of Avenue 12 approximately 0.52 miles west of the intersection of Avenue 12 and Road 39 1/2. (38802 Avenue 12) Madera

**Applicant Name and Address:**

Wylie, Justin  
1162 N Halifax Avenue  
Clovis, CA 93611

**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

Signature Becky Beaveris

Date July 24, 2013

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

The roadside stand will be open until 8:00 p.m. daily year round. A conditional had been added to mitigate any lighting.

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

**Discussion:**

**(a) No Impact**

Under the Farmland Mapping and Monitoring Program of the California Resources Agency, a small portion of the property is classified as grazing land and the remainder of the parcel is classified as unique farmland. No farmland will be converted therefore there is no impact.

**(b) No Impact**

The parcel is not subject to the Williamson Act. The roadside stand will consist of the sale of fruits and vegetables grown on the land 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**

See above.

**(e) No Impact**

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

**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) No Impact**

No impacts identified as a result of this project

**(e) No Impact**

No impacts identified as a result of this project

**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 feasi-

ble 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 site is in agricultural production at this time and is going to use an existing barn for the roadside stand. No new construction will occur. The project consists of selling fruits and vegetables grown onsite, therefore, there will be no impacts.

**(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

**(e) No Impact**

No impacts identified as a result of this project

**(f) No Impact**

No impacts identified as a result of this project

**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:

<b>Species</b>	<b>Federal Listing</b>	<b>State Listing</b>	<b>Dept. of Fish and Game Listing</b>	<b>CNPS Listing</b>
California tiger salamander	Threatened	Threatened	SSC	
Western Spadefoot	None	None	SSC	
Burrowing Owl	None	None	SSC	
California Horned Lark	None	None	WL	
Hardhead	None	None	SSC	
San Joaquin Pocket Mouse	None	None		
Northern Hardpan Vernal Pool	None	None		
Northern Claypan Vernal Pool	None	None		
Great Valley Mixed Riparian Forest	None	None		
Vernal Pool Fairy Shrimp	Threatened	None		
California Linderiella	None	None		
Valley Elderberry Longhorn Beetle	Threatened	None		
Molestan Blister Beetle	None	None		
Spiny-sepaled Button-celery	None	None		1B.2
Succulent Owl’s-clover	Threatened	Endangered		1B.2
Hairy Orcutt Grass	Endangered	Endangered		1B.1
San Joaquin Valley Orcutt Grass	Threatened	Endangered		1B.1

**Lane Bridge Quadrangle**

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

**Ranking**

- 0.1 – Seriously threatened in California (high degree/immediacy of threat)
- 0.2 – Fairly threatened in California (moderate degree/immediacy of threat)
- 0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

**DFGStatus**

- FP Fully Protected
- SSC Species of Special Concern
- WL Watch List

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](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 site is in agricultural production at this time and is going to use an existing barn for the roadside stand. No new construction will occur. The project consists of selling fruits and vegetables grown onsite, therefore, no impacts are expected.

**(b) No Impact**

The site is in agricultural production at this time and is going to use an existing barn for the roadside stand. No new construction will occur. The project consists of selling fruits and vegetables grown onsite, therefore, no impacts are expected.



**(c) No Impact**

The site is in agricultural production at this time and is going to use an existing barn for the roadside stand. No new construction will occur. The project consists of selling fruits and vegetables grown onsite, therefore, no impacts are expected.

**(d) No Impact**

The site is in agricultural production at this time and is going to use an existing barn for the roadside stand. No new construction will occur. The project consists of selling fruits and vegetables grown onsite, therefore, 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.

VI. GEOLOGY AND SOILS -- Would the project:

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

**Discussion:**

**(a-i) No Impact**

The County is not known for significant seismic activity. It still does happen, and the likelihood of a sizable earthquake occurring is minimal but still possible.

**(a-ii) No Impact**

See above.

**(a-iii) No Impact**

See above.

**(a-iv) No Impact**

The area is relatively flat, therefore landslides are not likely.

**(b) No Impact**

The project will not induce any new erosion that may be occurring in the area as the proposed project is to use an existing building. No impacts identified.

**(c) No Impact**

No impacts identified.

**(d) No Impact**

No impacts identified.

**(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 are 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a) No Impact**

No transportation, handling or disposal of hazardous waste will occur as a result of this project.

**(b) No Impact**

No hazards will occur as a result of this project.

**(c) No Impact**

No emissions of hazardous materials or handling of hazardous materials will occur as a result of this project.

**(d) No Impact**

The site is not located on a listed hazardous materials sites.

**(e) No Impact**

The project is south of the Madera Municipal Airport and is outside the Airport/Airspace Overlay designation. The operations of the fruit stand will not have any impact on the airport, and the proposed actions of this application will not affect airport operations.

**(f) No Impact**

The operations of the agriculturally oriented service (roadside stand) will not have any impact on the airport, and the proposed actions of this application will not affect airport operations.

**(g) No Impact**

No impacts identified as a result of this project.

**(h) No Impact**

No impacts identified as a result of this project.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a) No Impact**

No impacts identified as a result of this project.

**(b) No Impact**

The proposed project consists of a fruit stand to sell fruits and vegetables grown onsite, other than a restroom and hand washing facility, water usage should be at a minimum.

**(c) No Impact**

This project will not alter the course of a stream or river, as there are none on the project site.

**(d) No Impact**

As mentioned, no streams or rivers exist on the property. The property is surrounded by agricultural land.

**(e) No Impact**

The fruit stand will use an existing barn. No additional construction will occur. No impacts identified as a result of this project.

**(f) No Impact**

No impacts identified as a result of this project.

**(g) No Impact**

No impacts identified as a result of this project.

**(h) No Impact**

No impacts identified as a result of this project.

**(i) No Impact**

No impacts identified as a result of this project.

**(j) No Impact**

No impacts identified as a result of this project.

**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**

This project as designed will not divide any established communities within the County.

**(b) No Impact**

No known impact exist.

**(c) No Impact**

No known impact exist.

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**

No impacts as a result of this project.

**(b) No Impact**

No impacts as a result of this project.

XII. NOISE – Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a) No Impact**

There will be no new construction. Normal operations of the road side stand is not anticipated to increase noise levels significantly.

**(b) No Impact**

Normal operations of this project are not anticipated to generate groundborn vibrations.

**(c) Less than Significant Impact**

There is the potential of a slight increase in ambient noise levels with increased vehicular traffic as a result of this project. However, given the fact that only 20 to 25 visitors per day are expected, the increase in ambient levels is expected to be minimal if any at all.

**(d) Less than Significant Impact**

Since the majority of the fruits and vegetables will be available during summer and fall, there could be a periodic increase of ambient noise levels due to an increase in traffic as a result of this project. However, given the fact that only 20 to 25 visitors per day are expected, the increase in ambient levels is expected to be minimal if any at all.

**(e) No Impact**

No impacts anticipated as a result of this project.

**(f) No Impact**

No impacts anticipated as a result of this project.

**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**

No impacts anticipated as a result of this project.

**(b) No Impact**

No impacts anticipated as a result of this project.

**(c) No Impact**

No impacts anticipated 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

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

**Discussion:**

**(a-i) Less than Significant Impact with Mitigation Incorporated**

There is the potential of a slight increase in fire protection as a result of this project. As conditioned, the impact is less than significant. With the change of occupancy on the existing barn a water storage tank will be required.

**(a-ii) Less than Significant Impact**

There is the potential of increased incidental need for law enforcement due to vandalism, however, it is considered to be a minimal impact and therefore no mitigation is required.

**(a-iii) No Impact**

No impacts anticipated as a result of this project.

**(a-iv) No Impact**

No impacts anticipated as a result of this project.

**(a-v) No Impact**

No impacts anticipated 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**

No impacts anticipated as a result of this project.

**(b) No Impact**

No impacts anticipated as a result of this project.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a) Less than Significant Impact**

The majority of vehicles anticipated as a result of this operation occurs only during the harvest season. As a result, the impact is expected to be less than significant.

**(b) Less than Significant Impact**

This could have an impact on congestion patterns in the area but not significantly given typical farm stand, however, only 30 to 40 trips a day are expected which will be less than significant.

**(c) No Impact**

This project is not anticipated to be an impact to air traffic patterns.

**(d) No Impact**

No impacts anticipated as a result of this project.

**(e) No Impact**

No impacts anticipated as a result of this project.

**(f) No Impact**

No impacts anticipated as a result of this project.

**General Information**

According to the Institute of Traffic Engineers (7<sup>th</sup> 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 inter-

section 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 is a farm stand, other than restroom and hand washing facility, there should be little if any run off from rinsing dust off of vegetables. No impacts anticipated from this project.

**(b) No Impact**

No impacts anticipated from this project.

**(c) No Impact**

No impacts anticipated from this project.

**(d) No Impact**

No impacts anticipated from this project.

**(e) No Impact**

No impacts anticipated from this project.

**(f) No Impact**

No impacts anticipated from this project.

**(g) No Impact**

No impacts anticipated from this project.

General Discussion

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

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

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

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

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

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**

No impacts anticipated as a result of this project.

**(b) No Impact**

No impacts anticipated as a result of this project.

**(c) No Impact**

No impacts anticipated as a result of this project.

**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](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-2013-021

RE: Wylie, Justin - Conditional Use Permit - Madera

## LOCATION AND DESCRIPTION OF PROJECT:

The application for conditional use permit is to allow a farm stand. The proposal is located on the south side of Avenue 12 approximately 0.52 miles west of the intersection of Avenue 12 and Road 39 1/2. (38802 Avenue 12) Madera. The property is zoned ARV-20 (Agricultural, Rural, Valley – 20 Acre) District. Size: 42.85 Acre. APN: 049-600-009.

## 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: July 24, 2013

FILED:

PROJECT APPROVED:

# MITIGATION MONITORING REPORT

**MND # 2013-021**

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
<b>Aesthetics</b>								
	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.		Planning	Planning				
<b>Agricultural Resources</b>								
<b>Air Quality</b>								
<b>Biological Resources</b>								
<b>Cultural Resources</b>								
<b>Geology and Soils</b>								
<b>Hazards and Hazardous Materials</b>								
<b>Hydrology and Water Quality</b>								
<b>Land Use and Planning</b>								
<b>Mineral Resources</b>								
<b>Noise</b>								
<b>Population and Housing</b>								
<b>Public Services</b>								
	Water storage for fire suppression purposes shall be required in conjunction with any building permit due to the proposed occupancy change. Currently, as proposed a fire suppression water storage tank of 5,000 gallons will be required. At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2)		Fire Prevention	Fire Prevention				
<b>Recreation</b>								
<b>Transportation and Traffic</b>								
<b>Utilities and Service Systems</b>								