

# RESOURCE MANAGEMENT AGENCY

Community and Economic Development  
Department of Planning and Building

Norman L. Allinder, AICP  
Director

- 2037 W. Cleveland Avenue
- Mail Stop G
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@madera-county.com

PLANNING COMMISSION DATE:

December 3, 2013

AGENDA ITEM: #1

CZ	#2013-004	Rezoning to allow for equipment storage
APN	#029-100-018	Applicant/Owner: Landmark Irrigation/Gene Blocher
CEQA	MND #2013-26	Mitigated Negative Declaration

### REQUEST:

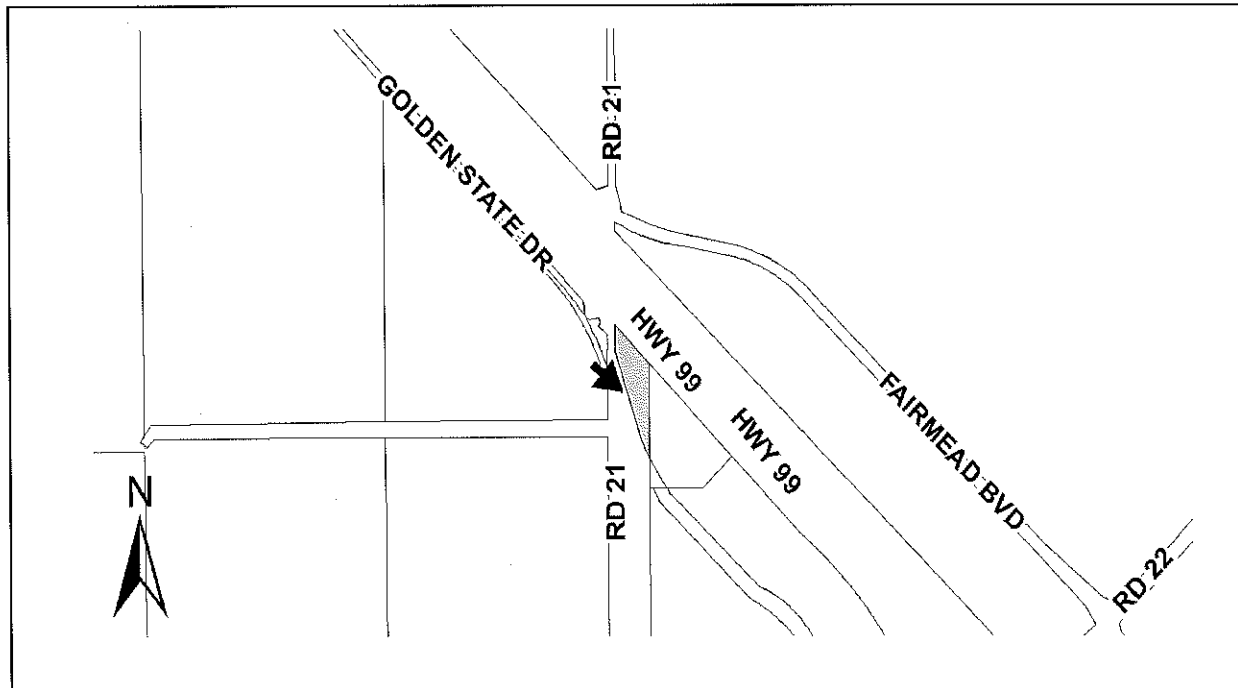
The applicant is requesting a rezone to allow for the expansion of an existing business on an adjacent parcel.

### LOCATION:

The subject property is located on the northeast corner of the intersections of Golden State Boulevard and Road 21 (no situs), Madera

### ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2013-26) (Exhibit N) has been prepared and is subject to approval by the Planning Commission.



### RECOMMENDATION:

Staff recommends approval of Rezoning #2013-004, subject to conditions and Mitigated Negative Declaration MND #2013-26 and Mitigation Monitoring Program.

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

**SITE:** HSC (Highway Service Commercial) Designation

**SURROUNDING:** AE (Agricultural Exclusive), HSC (Highway Service Commercial), A (Agricultural) Designations

**ZONING (Exhibit B):**

**SITE:** OS (Open Space) District

**SURROUNDING:** AR-5 (Agricultural Rural 5-Acre), ARE-40 (Agricultural Rural Exclusive – 40 Acre), ARE-20 (Agricultural Rural Exclusive – 20 Acre), CRG (Commercial Rural General) District

**PROPOSED:** CRG (Commercial Rural General) District

**LAND USE:**

**SITE:** Vacant

**SURROUNDING:** North: Farming; East: Highway 99; South: Landmark Irrigation; West: Farming.

**SIZE OF PROPERTY:** 1.6 acres

**ACCESS (Exhibit A):** Access to the site is via Golden State Blvd.

**BACKGROUND AND PRIOR ACTIONS:**

None

**PROJECT DESCRIPTION:**

The request is rezone the parcel from OS (Open Space) to CRG (Commercial Rural General) to allow for the expansion of an existing business from an adjacent parcel.

**ORDINANCES/POLICIES:**

Section 18.30.010 of the Madera County Zoning Ordinance the permitted uses on a CRG (Commercial Rural General) District.

**ANALYSIS:**

The request is to rezone the parcel from OS (Open Space) to CRG (Commercial Rural General) to allow for the expansion of an existing irrigation company, which is on an adjacent parcel. The expansion will allow for the storage of equipment including tractors, backhoes, forklifts, trailers and materials related to the irrigation business.

The General Plan designates the site as HSC (Highway Service Commercial) which allows for restaurants, service stations, truck stops, hotels and motels, and retail and amusement uses that are oriented principally to highway and through traffic, public and quasi-public uses, and similar and compatible uses. The property is currently zoned OS (Open Space) District, which does not allow for this type of operation. The proposed zoning CRG (Commercial, Rural, General), is being requested to allow storage of equipment related to the business. The CRG zoning does allow for retail establishments that include outdoor storage of equipment and supplies. The applicant is proposing the storage of equipment and materials which is essentially expanding the existing operations on the adjacent parcel. The proposed expansion is storage of heavy equipment as well as potentially any materials associated with the operation.

The rezoning allows for the business to expand its operations from the adjacent parcel which is currently zoned as CRG. The General Plan designations for both parcels are commercial in nature, therefore this parcels' rezoning will bring it into consistency not only with the General Plan but also with the adjacent use.

In the Madera County Transportation Commission 2013 Traffic Count report, there were no traffic counts done in the immediate vicinity of the project site. The closest counts of relevance is on the east side of Highway 99, north and south of the intersection of Road 22 and Avenue 20 ½, which is approximately 0.72 of a mile east of the project site. The north and southbound trips at this intersection in 2011 were approximately 1,400 each way, up approximately 1,000 trips each way from 2008. This can be explained by the existence of the Correctional Facility located north of this intersection. While this project site is on the west side of Highway 99 and does not support the Correctional Facility, and is in a sparsely populated area, it can be assumed that the traffic counts will be less. The other factor of consideration for less traffic generation is that the site is being used for storage of equipment related to the irrigation business. It is not anticipated that all the equipment will be utilized all at once, and is being utilized by one business.

While there will be water brought to the property from an adjacent well for landscaping purposes, there will be no water drawn directly from the property, and no wastewater generated as a result of this project as there will be no structures related to the business on this parcel. Similarly, there will be no garbage generated from this parcel.

The project was circulated to County Departments and outside regulatory agencies for comments and conditions. This included the San Joaquin Valley Air Pollution Control District, Regional Water Quality Control Board and the Department of Fish and Wildlife (formally the Department of Fish and Game). The

**CZ #2013-004**  
**STAFF REPORT**

December 3, 2013

Department of Fish and Wildlife, San Joaquin Valley Air Pollution Control Board and Caltrans responded.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,206.25 to cover the Notice of Determination (CEQA) filing at the Clerks' office. The amount covers the current \$2,156.25 Department of Fish and Wildlife fee and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

**FINDINGS OF FACT:**

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance in that pursuant to Section 18.30.010 of the Madera County Zoning Ordinance, the proposed use is allowed in the CRG (Commercial Rural General) Zone District.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors, in that the project must adhere to local and state health and building codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigation measures as outlined by the mitigated negative declaration and conditions of approval for the rezoning.*
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The proposed project is compatible with the nature of adjacent uses. The surrounding properties are largely vacant or in agriculturally based uses. The surrounding area is sparsely populated.*

**WILLIAMSON ACT:**

The property is not subject to a Williamson Act contract.

**GENERAL PLAN CONSISTENCY:**

The General Plan designates the site as HSC (Highway Service Commercial) which allows for similar uses as to that being proposed. The property is currently zoned OS (Open Space) District. The rezoning to CRG (Commercial Rural General) will bring the General Plan and Zoning Designation into consistency with each other as well as allow for consistent use between the two parcels.

**RECOMMENDATION:**

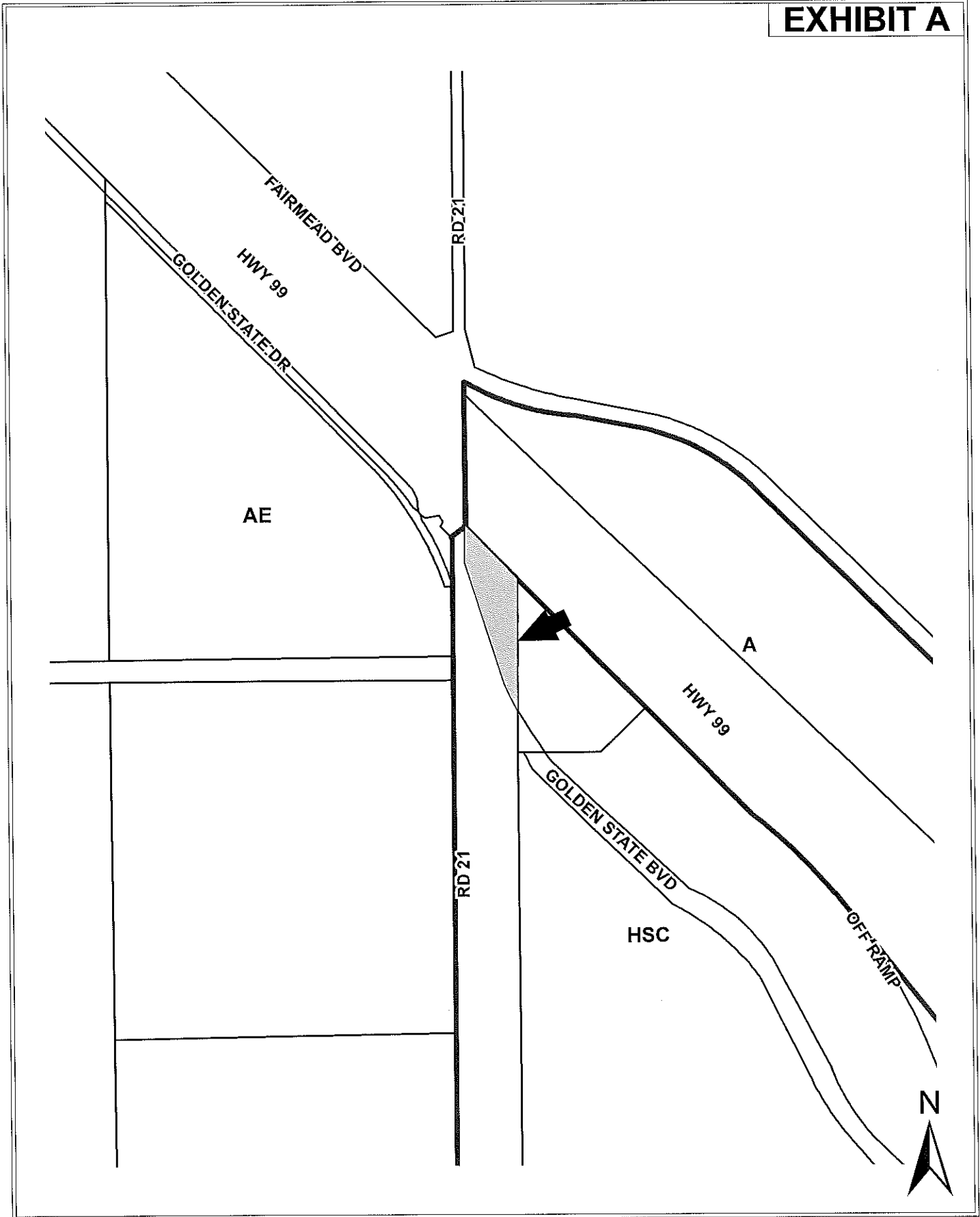
The analysis provided in this report supports approval of Rezoning (CZ #2013-004), Mitigated Negative Declaration (MND #2013-26) and the Mitigation Measure Monitoring Program as presented.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Engineering Department Comments
9. Exhibit I, Environmental Health Department Comments
10. Exhibit J, Planning Department Comments
11. Exhibit K, Caltrans Comments
12. Exhibit L, City of Chowchilla comments
13. Exhibit M, Initial Study
14. Exhibit N, Mitigated Negative Declaration

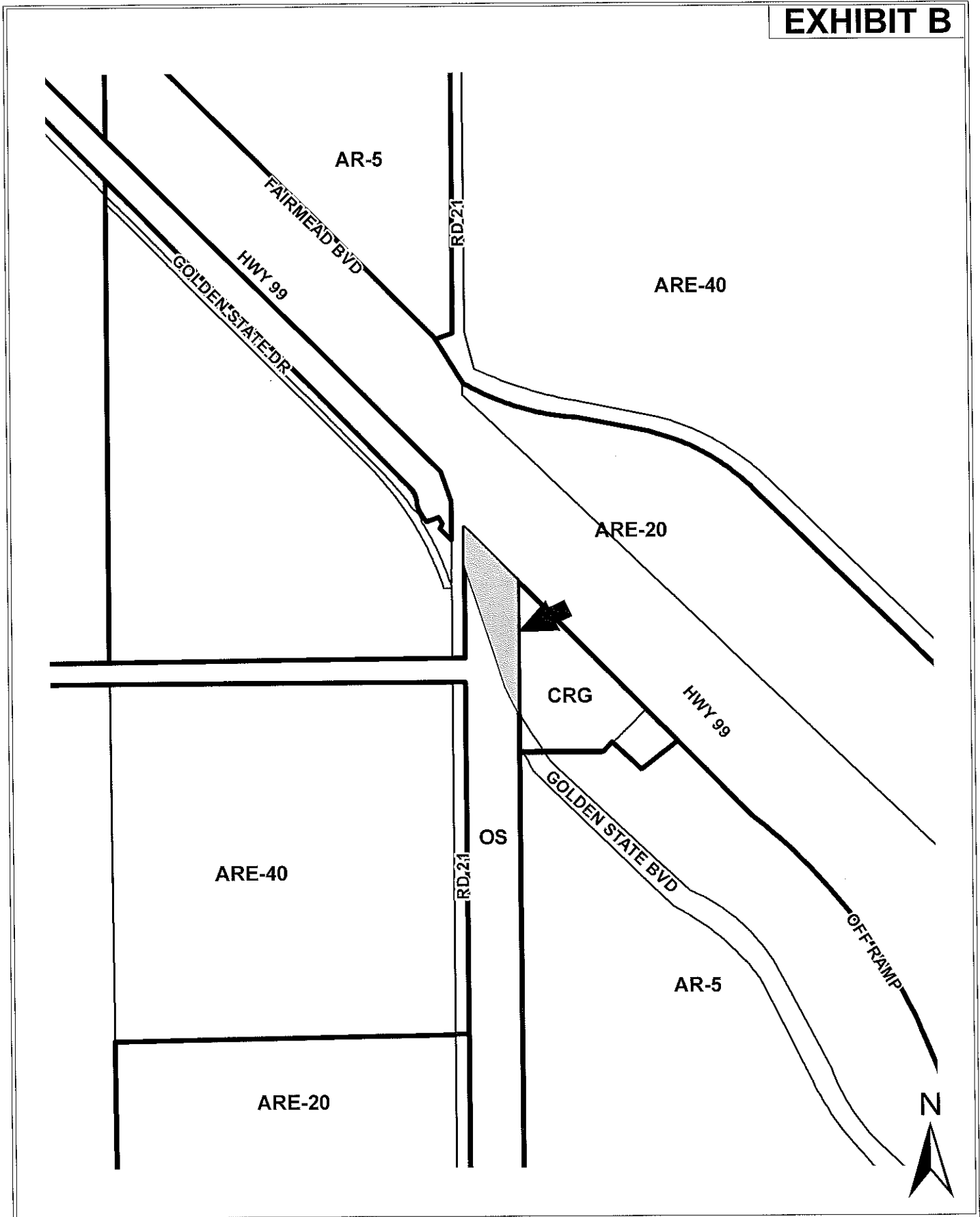


**EXHIBIT A**



**GENERAL PLAN MAP**

**EXHIBIT B**



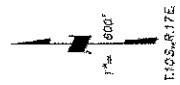
**ZONING MAP**



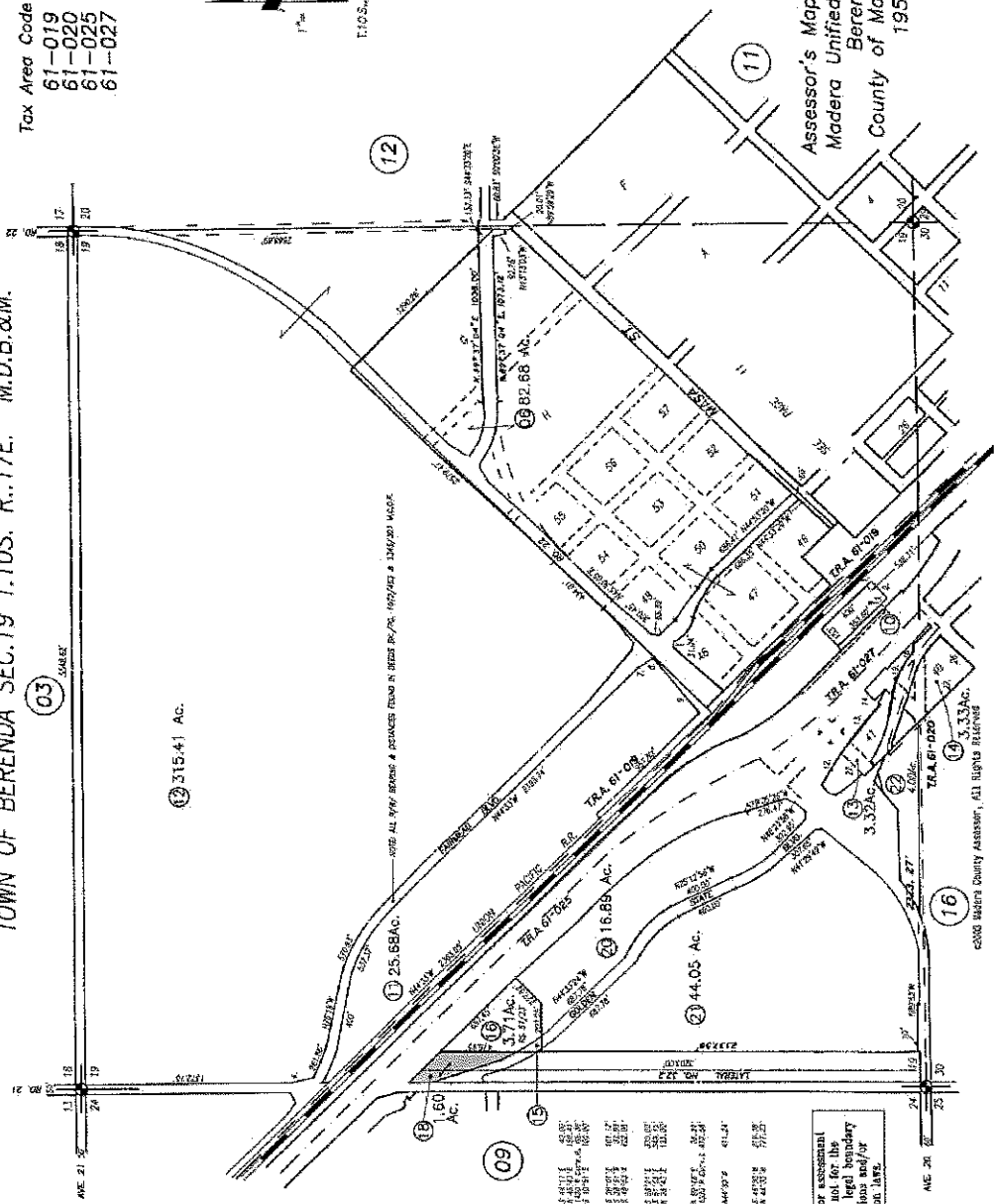
# EXHIBIT C

29-10

Tax Area Code  
 61-019  
 61-020  
 61-025  
 61-027



TOWN OF BERENDA SEC. 19 T. 10S. R. 17E. M.D.B. & M.



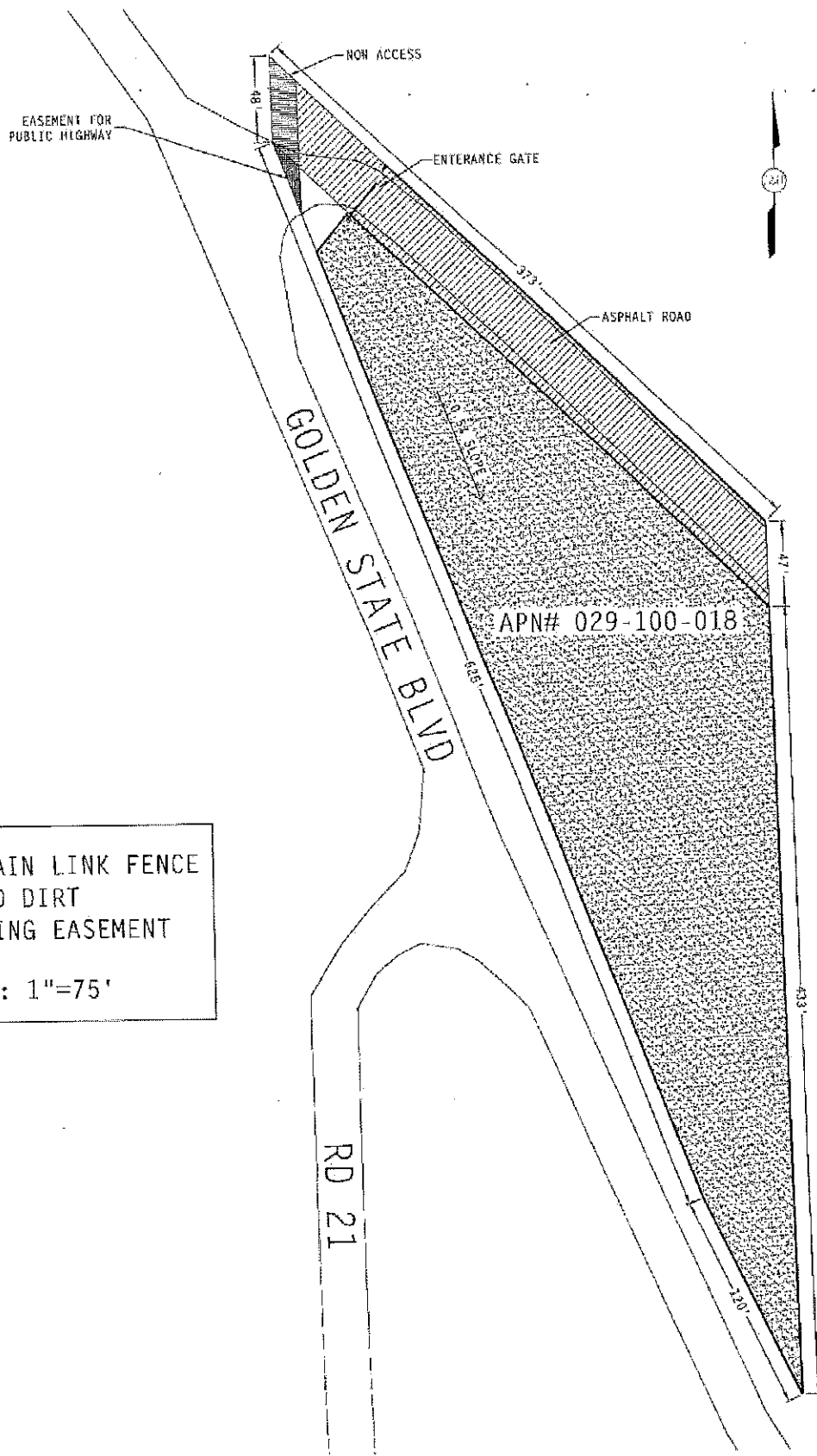
Assessor's Map No. 29-10  
 Madera Unified School Dist.  
 Berenda  
 County of Madera, Calif.  
 1955

ORIGINAL

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

# ASSESSOR'S MAP

# EXHIBIT D-1



— 6' CHAIN LINK FENCE  
▨ GRADED DIRT  
▨ EXISTING EASEMENT

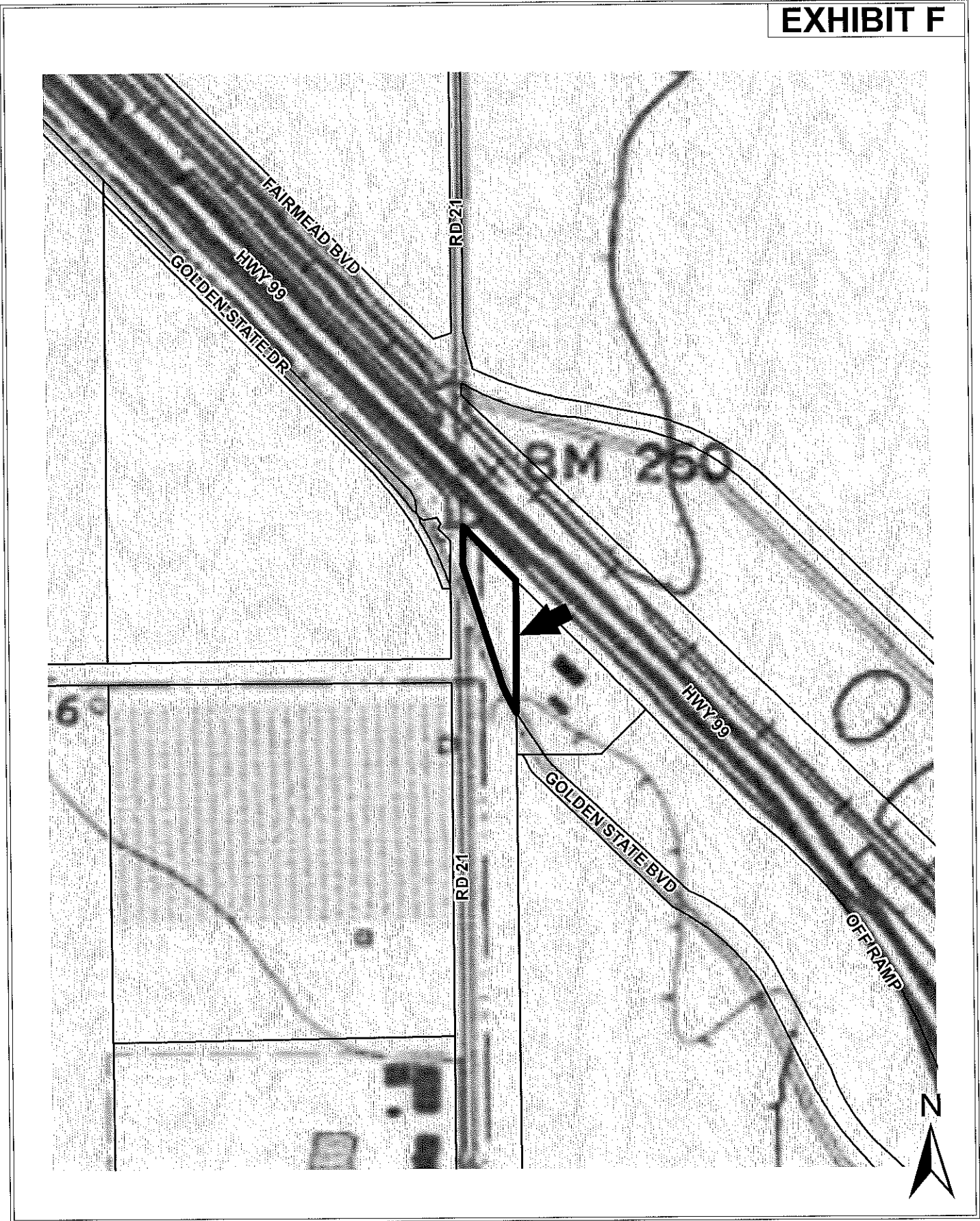
SCALE: 1"=75'

## SITE PLAN

**EXHIBIT E**



**AERIAL MAP**



TOPOGRAPHICAL MAP

## EXHIBIT G

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

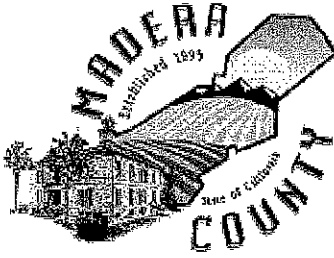
### OPERATIONAL/ENVIRONMENTAL STATEMENT

1. Please provide the following information:  
Assessors Parcel Number: 029-100-018  
Applicants Name: Gene Blocher  
Address: 20550 Golden State Blvd  
Phone Number: 559-479-2646
2. Describe the nature of your proposal/operation (please be specific)  
The nature of my proposal/operation is to store equipment and trailers.
3. What is the existing use of the property?  
The property was open.
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  
No products will be produced by the operation.
5. What are the proposed operational time limits?  
None
6. Will there be any special activities or events.  
There will be no special activities or events.
7. How many customers or visitors are expected?  
There will be no customers or visitors expected.
8. How many employees will there be?  
There will be no employees.
9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.  
Tractors, backhoe, forklift, trailers and miscellaneous equipment will be stored.
10. Will there be any service and deliver vehicles?  
There will be no service and delivery vehicles.
11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area?  
There will be no parking spaces.
12. How will access be provided to the property/project? (Street name)  
Golden State Blvd.

13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development.  
No vehicular trips will be generated per day by this proposed development.
14. Describe any proposed advertising including size, appearance, and placement.  
There will be no proposed advertising.
15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portions(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate.  
None
16. Is there any landscaping or fencing proposed? Describe type and location.  
There will be chain-link fencing, no landscaping.
17. What are the surrounding land uses to the north, south, east, and west boundaries of the property?  
The land to the north is farming, south is Landmark Irrigation, east is HWY 99, west is farming.
18. Will this operation or equipment used generate noise above existing parcels in the area?  
No noise will be generated.
19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific)  
No water will be used.
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?  
No wastewater will be generated by the proposed project.
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?  
No solid waste (garbage) will be generated.
22. Will there be any grading? Tree removal? (please state the purpose, i.e., for roads, building pads, drainage, etc.)  
There will be no grading.
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.  
There are no archeological or historically significant sites located on this property.
24. Locate and show all bodies of water on application plot plan or attached map.  
There are no bodies of water.

25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.  
There are no ravines, gullies or natural drainage courses on the property.
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 be no hazardous materials or waste produced.
27. Will your proposal require use of any public services or facilities? (i.e., schools, parks, fire and police protection or special districts?)  
This proposal does not require use of any public services or facilities.
28. How do you see this development impacting the surrounding area?  
This development will not impact the surrounding area.
29. How do you see this development impacting schools, parks, fire and police protection or special districts?  
This development will not impact schools, parks, fire and police protection or special districts.
30. If your proposal is for commercial or industrial development, please complete the following:  
Proposed Use (s)  
Square Feet of Building Area(s)  
Total Number of Employees  
Building Heights(s)
31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

## EXHIBIT H



# 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](mailto:engineering@madera-county.com)

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## MEMORANDUM

TO: Robert Mansfield  
FROM: Engineering Department  
DATE: October 16, 2013  
RE: Landmark Irrigation - Rezoning - Madera (029-100-018-000)

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### Comments

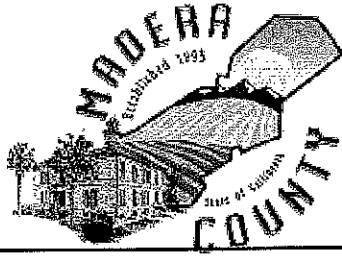
CZ #2013-004

The Engineering Department has reviewed the applicant's request for a Rezoning Permit. This department does not object to the proposed action, recommends approval and submits the following comments and conditions:

1. The property is not located in a Special Flood Hazard Area.
2. The subject property is not within a Maintenance District or Service Area administered by the Madera County Engineering Department.
3. Prior to the start of any new construction, the applicant shall secure a Building Permit from the Engineering Department. All plans must be prepared by a registered civil engineer or licensed architect.
4. Prior to the start of any grading activities, without having first obtained a Building Permit, the applicant shall apply for and obtain a Grading Permit from the Engineering Department.

Dario Dominguez  
Engineering Department  
559-675-7817 ext 3322





# RESOURCE MANAGEMENT AGENCY

## Environmental Health Department

Jill Yaeger, Director

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

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### MEMORANDUM

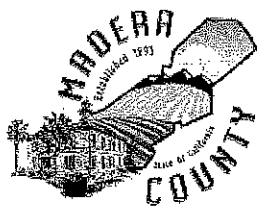
TO: Robert Mansfield  
FROM: Environmental Health Department  
DATE: October 16, 2013  
RE: Landmark Irrigation - Rezoning - Madera (029-100-018-000)

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#### Comments

When the owner/operator submits the application(s) for any required county permits, the Environmental Health dept. will conduct a more detailed review of the proposed project's compliance at that time with all current local, state & federal requirements. The owner/operator of this property must submit an application for all required applicable Environmental Health dept. permits prior to starting any construction activities at this location.

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



## RESOURCE MANAGEMENT AGENCY

Community and Economic Development  
Department of Planning and Building

Norman L. Alinder, AICP  
Director

## EXHIBIT J

2037 W. Cleveland Avenue  
Mail Stop G  
Madera, CA 93637  
(559) 675-7821  
FAX (559) 675-6573  
TDD (559) 675-8970  
mc\_planning@madera-county.com

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DATE: October 18, 2013  
TO: Development Review Committee  
FROM: Robert Mansfield, Planning Department  
RE: Landmark Irrigation - Rezoning - Madera (029-100-018-000) (CZ #2013-004)

The rezoning will not take effect until all mitigation measures have been adhered to.



*Flex your power!  
Be energy efficient!*

**DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 488-7307  
FAX (559) 488-4088  
TTY (559) 488-4066  
www.dot.ca.gov

October 16, 2013

2131-IGR/CEQA  
6-MAD-99-R18.704  
CZ #2013-004  
LANDMARK IRRIGATION

Mr. Robert Mansfield  
Planning Department  
County of Madera  
2037 W. Cleveland Avenue  
Madera, CA 93637

Dear Mr. Mansfield:

We have completed our review of the request to rezone a parcel from Open Space (OS) to Commercial, Rural, General (CRG) to allow an outdoor equipment and trailer storage area. The site is located on the corner of Road 21 and Golden State Boulevard, adjacent to State Route (SR) 99. Caltrans has the following comments:

There does not appear to be any significant traffic impacts from the development. The existing right-of-way for this segment of SR 99 varies from 160 ft to 210 ft along SR 99. According to the 2003 Caltrans State Route 99 Transportation Concept Report (TCR), SR 99 has an ultimate configuration of an 8-lane freeway requiring 218 ft of right-of-way. Therefore an irrevocable offer of dedication of right-of-way would be needed for the future configuration of SR 99. Required dedications of right-of-way need to be shown on a revised site plan and forwarded for our review (prior to approval by the Lead Agency). A summary of the requirements for right-of-way dedications is enclosed.

If you have any further questions or concerns, please feel free to contact me at (559) 488-7307 or via email [jennifer.bryan-sanchez@dot.ca.gov](mailto:jennifer.bryan-sanchez@dot.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Bryan-Sanchez".

JENNIFER BRYAN-SANCHEZ  
Office of Transportation Planning  
District 06

Enclosure

**DEPARTMENT OF TRANSPORTATION**  
**CENTRAL REGION SOUTHEAST SURVEYS**  
855 "M" STREET  
SUITE 200  
FRESNO, CA. 93721  
ATTN: Kuldeep Brar  
PHONE (559) 445-6573  
FAX (559) 445-6560  
E-mail: kuldeep\_brar@dot.ca.gov



*Flex your power!  
Be energy efficient!*

## **CALTRANS DISTRICT 6** **CENTRAL REGION SURVEYS OFFICE**

### **REQUIRED INFORMATION FOR R/W DEDICATIONS**

- 1) A Copy of the vesting deed(s) for the subject property.
- 2) Either a copy of a Title Report, or Guarantee of the subject property, **DATED WITHIN 30 DAYS OF SUBMITTAL** of the Dedication Package.
- 3) Copy of the Assessor's Map.
- 4) Assessor's Parcel Number (APN) of the property, if not stated in the Title Report.
- 5) State whether the property is within city limits or in an unincorporated area, if not stated in the Title Report.
- 6) If the property is a lot of a Tract or a parcel of a Parcel Map, provide the lot or parcel number and a copy of the recorded map(s).
- 7) Provide copies of any record map or deed cited in the documents provided.
- 8) If unsubdivided land, note the Section, Township, and Range where the property is located.
- 9) A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 8 1/2" X 11" paper. Letter EXHIBIT "A" at the top of the legal description (see attached sample legal).
- 10) A Plat showing pertinent survey data, such as bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 8 1/2" X 11" paper. If the parcel is located in unsubdivided land, show ties to the nearest two section corners and/or quarter-section corners. Letter EXHIBIT "B" at the top of the Plat (see attached sample plat).
- 11) A Copy of the traverse calculations, if a metes and bounds description, for the dedication parcel to include error of closure and area.

- 12) A Copy of the **CALTRANS REQUIREMENTS** describing the location and amount of right-of-way to be dedicated. This can be acquired from the Caltrans Planning Department, Caltrans Permits Department, or local Government agency requiring the dedication.

**NOTE:**

**If any of the above listed items are not submitted, it will either cause a delay or halt in the Dedication process.**

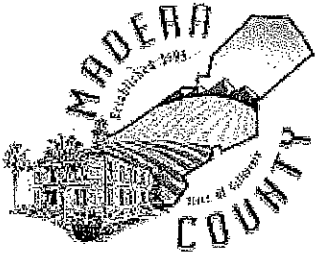
If there are any questions, please contact Kuldeep K. Brar, PLS, Caltrans Surveys Department, at 559-445-6573.

Mail packet of information to:

DEPARTMENT OF TRANSPORTATION  
CENTRAL REGION SOUTHEAST SURVEYS  
855 "M" STREET  
SUITE 200  
FRESNO, CA. 93721

ATTN: Kuldeep K. Brar, PLS





RESOURCE MANAGEMENT AGENCY

Planning Department

Norman L. Allinder, Planning Director

2037 W. Cleveland Avenue
Madera, CA 93637
(559) 675-7821
FAX (559) 675-6373
TDD (559) 675-8970

PROJECT REVIEW REQUEST

DATE: September 26, 2013

RECEIVED

OCT 09 2013

Community Advisory Councils

- Ahwahnee Community Council
Coarsegold Area Plan Committee

- North Fork Community Development Council
Oakhurst Community Advisory Council

Review Agencies

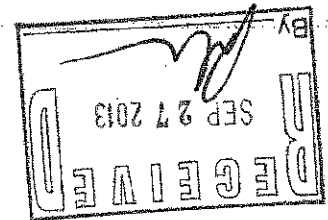
- Madera County Agricultural Commissioner
Madera County Sheriff's Office
City of Chowchilla Planning Department
City of Madera Planning Department
California Department of Fish and Game
California Department of Housing
California Department of Transportation (CALTRANS)
California Department of Water Resources
California Regional Water Quality Control Board
California Department of Conservation
California Division of Mines and Geology
California Division of Oil and Gas
San Joaquin Valley Unified Air Pollution Control District
Archaeological Information Center - Bakersfield
Other: CHP, BOS

Homeowners Associations

- Bass Lake Homeowners Assn
Bonadelle Ranchos #5
Bonadelle Ranchos Neighborhood Committee
Cascadel Homeowners Assn
Goldside Estates
Hidden Lake Estates Homeowners Assn
Indian Lakes Estates Property Owner Assn
Lake Shore Park Subdivision
Madera Ranchos Neighborhood Committee
Pierce Lake Estates
Pines Civic Council
Rolling Hills Citizens Assn
Sumner Hill Homeowners Assn
Yosemite Lakes Park Owner Assn

RETURN TO:

ROBERT MANSFIELD, Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637
Phone: (559) 675-7821



REGARDING:

CZ #2013-004, Landmark Irrigation - Rezoning - Madera (029-100-018-000)

This request is to rezone the parcel from OS (Open Space) District. The proposed zone is CRG (Commercial, Rural, General) District to allow outdoor equipment storage.

The attached application is being forwarded to you for your agency's review and comment. Please complete the attached Development Review form and return it to us prior to: October 15, 2013. If we do not receive comments from your Agency prior to this date, we will assume that your Agency has no comments to offer. This application will be reviewed by the Madera County Development Review Committee Oct 23, 2013.

PLEASE ATTACH A COPY OF THIS COVER SHEET TO THE FRONT OF YOUR COMMENTS

NOTE: PLEASE WRITE LEGIBLY OR TYPE:


Application(s): CZ #2013-004

Return to: Robert Mansfield, Planning Department

Landmark Irrigation

Responding Agency: CITY OF CHEWCHILLA

Date: 10/3/13

Respondent's Signature: 

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project?

Approve

Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

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2. If the project is approved, what conditions of approval are recommended?

LANDSCAPING OR OTHER ATTRACTIVE SCREENING  
ALONG THE SR99

CONSIDER SOME TREES.

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3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

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4. General Comments - Please attach on additional sheet.



NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CZ #2013-004

Return to: Robert Mansfield, Planning Department

Landmark Irrigation

Responding Agency: CITY OF CHANDLER

Contact Person.: R. KHACHADOURIAN

Signature: [Handwritten Signature]

Telephone No.: 559 665 8615 x 400

Date: 10/3/13

ENVIRONMENTAL REVIEW:

1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

Yes

No, the following information is needed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

AESTHETICS -  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an EIR?

Yes

No

# EXHIBIT M

## Environmental Checklist Form

**Title of Proposal:** CZ #2013-004 – Landmark Irrigation

**Date Checklist Submitted:** November 4, 2013

**Agency Requiring Checklist:** Madera County Planning Department

**Agency Contact:** Robert Mansfield, AICP, Planner III

**Phone:** (559) 675-7821

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### Description of Initial Study/Requirement

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

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

### Description of Project:

To rezone the property from OS (Open Space) to CRG (Commercial, Rural, General) to allow for the storage of equipment and trailers for an existing irrigation company on a separate parcel. The equipment will include tractors, backhoes, forklifts, trailers and miscellaneous equipment. No new buildings are proposed for this project or this site.

### Project Location:

The parcel is located on the northeast corner of the intersection of Golden State Boulevard and Road 21 (no situs), Madera

### Applicant Name and Address:

Landmark Irrigation  
20550 Golden State Blvd  
Madera, CA 93637

### General Plan Designation:

HSC (Highway Service Commercial)

### Zoning Designation:

Current: OS (Open Space)  
Proposed: CRG (Commercial Rural General)

**Surrounding Land Uses and Setting:**

North: Farming; East: Highway 99; South: Landmark Irrigation; West: Farming.

**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.

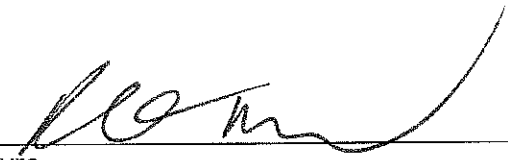
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <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

November 4, 2013  
\_\_\_\_\_  
Date

I. AESTHETICS -- Would the project:

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

**Discussion:**

**(a) No Impact.** There are no scenic vistas in the vicinity of this project site. The closest areas that are being considered as scenic highways by the California Department of Transportation (CALTRANS) are Highways 41 and 49 north of Oakhurst.

**(b) No Impact.** There are no scenic resources on this property that will be damaged as a result of this project.

**(c) Less than Significant Impact.** There will be equipment stored on this property as it relates to the irrigation company. As it is adjacent to the highway, which is lined with commercially and agriculturally zoned parcels throughout the area, it would be common to see similar equipment on the surrounding properties. Additionally, the applicant has indicated that there will be some landscaping on the property, thus the visual impact would be even further lessened as a result.

**(d) No Impact.** No new lighting is proposed as a result of this project, therefore no impacts are anticipated as a result of this project.

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

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

homes.

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

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

(a - e) **No Impact.** While the project site is currently zoned as Open Space, there is no farmland or

timberland conversion taking place as a result of this project.

The project site is not subject to the Williamson Act, therefore no impact will occur as a result of this project. The current zoning of the project site is Open Space. There is no timberland zoning areas in the vicinity of this project site. There is no forest land associated with this parcel. No loss of farmland or timberland will result from the rezoning for 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

**(a - c) Less than Significant Impact.** There are no indications that there will be any potential violations of the San Joaquin Valley Air District regulations. As there is no production related emissions occurring, and only brief periods of time when engines will be idling, the overall effect will be minimal at best.

**(d - e) Less than Significant Impact.** There will only be “heavy” equipment (backhoes, tractors, etc.) parked here, and no production of materials will be conducted as a result of this project. It is due to the heavy equipment that utilize diesel engines that there will be a slight increase potential of pollutant concentrations and odor generation (smell of diesel exhaust). The site is not in the vicinity of any sensitive receptors, and given the sparse population of the area and close proximity to State Route 99, the dissipation of odors will decrease the impact.

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

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured



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

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

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

IV.	BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species				

- or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 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?

**Discussion:**

**(a) No Impact.** There are no habitats identified on this parcel, so no modifications are expected as a result. While the table below indicates potential species of concern in the quadrangle where this project is located, given agricultural and commercial development in the surrounding area, the potential of any of these species being in the area is less than likely. The nature of the business will not have any indirect impacts as a result of this project.

Special Status Species include:

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Swainson's hawk	None	Threatened	None	None
Vernal pool fairy shrimp	Threatened	None	None	None
Heartscale	None	None	None	1B.2
Lesser saltscale	None	None	None	1B.1

Succulent owl's clover	Threatened	Endangered	None	1B.2
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**Berenda 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)

**(b - d) No Impact.** No riparian habitats exist on this property. No impacts identified as a result. No federally designated wetlands are in the vicinity of this project site, no impacts identified as a result. No migratory corridors have been identified in the vicinity of this project. No impacts have been identified as a result of this project.

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

**General Information**

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

**(a) No Impact.** There are no historical resources on the project site, so therefore there will be no impacts associated with this project site.

**(b) Less than Significant Impact.** While there is no construction associated with this project specifically, there will be the potential of construction. While there are no indications of archaeological resources, that does not mean there are none. Any potential impact can be mitigated by including doing an archaeological assessment prior to any construction or construction related activity (such as grading).

**(c) Less than Significant with Mitigation Incorporation.** While there are no known paleontological resources in the area, there is still the potential of buried unknown sources. While no construction is proposed as a result of this project, there is the potential of future construction related to this activity. As such, there is the potential of discovering previously unknown paleontological resources.

**(d) Less than Significant Impact with Mitigation Incorporation.** While there are no known human remains located in the vicinity of this project, and no construction is proposed as a result of this project, there is still the potential of finding previously unknown resources when any new construction occurs.

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).

**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.

VI. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 - iii) Less than Significant Impact.** Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

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

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

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

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

San Andreas Fault: The San Andreas Fault lies approximately 45 miles west of the county line. The

fault has a long history of activity and is thus a concern in determining activity in the area.

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

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

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

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

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

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

**(a – iv) No Impact.** The parcel is in an area where it is topographically not conducive to landslides, so therefore there will be no impacts.

**(b - e) No impact.** There are no known impacts that will occur as a direct or indirect result of this project.

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

**Discussion:**

**(a) Less than Significant Impact.** While there will be equipment stored on this parcel, the use and type of such equipment, in light of the whole, will not produce greenhouse gases in significant amounts to be an impact. Equipment will come and go from the property regularly, but since there are no structures or manufacturing processes occurring, no significant amounts of emissions that would contribute to greenhouse gas production will occur.

**(b) No Impact.** No impact identified as a result of this project.

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

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

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the



creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) Less than Significant Impact.** The only materials that can be classified as potentially hazardous are the oils, greases, antifreeze and diesel fuel from the equipment on site. With proper maintenance of the vehicles, any potential release can be minimized if not completely eliminated. The company that is proposing this rezoning is not in the business of transporting or disposing of hazardous wastes or materials as a part of their business.

**(b - h) No Impact.** No hazardous materials will be stored at this location. The applicant is storing equipment and trailers at this location that is associated with an existing landscape irrigation business. The project site is not located in the vicinity of an airstrip or airport and is not in an airport/airspace overlay district.

The site is not located on or near any hazardous waste storage facilities, or on or near any brownfields sites as indicated by the Environmental Protection Agency.

The site is not located in the vicinity of an airstrip or airport, nor will access be an issue as a result of this project.

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

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)?

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:**

**(a) No Impact.** No impacts identified as a result of this project. No water is being utilized as a result of this project. There will be no water or wastewater discharge as a result of this project due to no structures being built on the project at this point. A re-evaluation will occur at any time in which construction does occur.

**(b) Less than Significant Impact.** There are no plans to directly use water from this parcel, and there are no wells on this parcel. The applicant has indicated that there will be landscaping surrounding this parcel, and water for irrigation to that landscaping will be coming from wells on the adjacent parcel where the main business is coming from. Use of drought tolerant plants can minimize the use of water in this instance.

There is no construction related to this project, therefore no uses involving employee water usage is expected on this parcel.

**(c - f) Less than Significant Impact.** There is no construction proposed with this project, however there is planned grading in preparation for storage of the equipment associated with the landscaping business. As such, there is the minimal potential of alteration of rainfall patterns that could change how runoff will leave the property, therefore cause differences in erosion patterns. As with any grading permit issued, a drainage and erosion control plan will need to be submitted at time of grading permit application.

**(g - i) No Impact.** No new structures are planned as a result of this project, and there are no residential structures within the vicinity of this project site. The Madera County Engineering Department has determined that this project is not within a Special Flood Zone. No housing will directly or indirectly result of this project.

**(j) No Impact.** 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. Additionally, there are no bodies of water (lakes, etc.) within proximity of the site. Madera County is geographically located in the center of the state, therefore not affected by tsunamis.

#### 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 - c) No Impact.** This project will not physically divide an existing community. The surrounding area is mostly vacant or in agricultural use. The parcel will not be split or joined with other parcels. With the proposed zoning, the use will be consistent with allowed land uses under the zoning ordinance and general plan policies. The project will not conflict with any habitat conservation plans.

XI. MINERAL RESOURCES – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a - b) No Impact.** The applicant has indicated that there will be some minimal grading done in preparation of use of the property. There are no indications of any mineral resources on the project site.

XII. NOISE – Would the project result in:

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

**Discussion:**

**(a - d) Less than Significant Impact.** There may be a slight increase in noise and groundborne vibrations during the period in time when minimal grading will be occurring. Additionally, there will be a minimal increase in ambient noise increases as it relates to operational activities. However, given the nature of the operation and the sparsely populated area where this project is occurring, the impact overall will be minimal.

**(e - f) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There will be impacts as a result.

**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	AM	60	65	65	70	65

(H)	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.

<b>Reaction of People and Damage to Buildings from Continuous Vibration Levels</b>		
<b>Velocity Level, PPV (in/sec)</b>	<b>Human Reaction</b>	<b>Effect on Buildings</b>
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 - c) No Impact.** The proposed project is not designed to induce population growth, and will not result in substantial direct or indirect growth inducement. No housing will be displaced as a result of the project. No people will be displaced as a result of the project.

The project is to zone the parcel so as to allow for equipment storage on an otherwise vacant parcel of land.

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

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

**Discussion:**

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

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.

The project will not increase the overall impacts of either fire or police services in the area. There will be a slight incidental increase in need for law enforcement in regards to vandalism and theft issues on the property. As there is no structural component proposed for this project at this time, the overall impact to potential fires is minimal. There is the potential of structures being built in the future, at which point the structure(s) will need to be constructed pursuant to applicable building and fire codes in place at that time.

**(a-iii) No Impact.** No impacts are anticipated as a result of this project as it does not relate to any educational programs, or increase the surrounding 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

**(a-iv) No Impact.** No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

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

**XV. RECREATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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

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

**Discussion:**

**(a) No Impact.** No impact identified with this project.

**(b) Less than Significant Impact.** There is no apparent significant traffic impacts associated with this project. The existing right-of-way for this segment of State Route 99 varies from 160 feet to 210 feet. According to the 2003 Caltrans State Route 99 Transportation Concept Report (TCR), State Route 99 has an ultimate configuration of an 8-lane freeway requiring 218 feet of right-of way.

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

**(c) No Impact.** As this project is not within an airport/airspace overlay district, or in proximity to any airport or airstrip within the County, no impacts to airspace or air flight will occur as a result.

**(d) No Impact.** There is no design work as a part of this project. The applicant is wishing to utilize the parcel for storage of equipment, which does not impact the area as noted for this section.

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

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

capacity to accommodate the project's solid waste disposal needs?

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

**Discussion:**

**(a - g) No Impact.** While there are no structures proposed for this project, there will be landscaping planted. As a result, there will be some water usage, with the supply coming from a well on an adjacent parcel. The usage is expected to be minimal compared to usage of inhabited structures. It is anticipated that there will be sufficient water to supply both parcels.

No wastewater will be generated from this site, as no structures or other facilities that typically generate wastewater will be constructed or used on this parcel.

No impervious surfaces are proposed, so stormwater generation is not expected to be increased or altered (as in regards to new areas of erosion, etc.).

**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 - c) No Impact.** While there will be minimal impacts overall, these impacts will not significantly impact the environment. Mitigations and mitigation monitoring are a part of this project to ensure no significant impact will occur.

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 Department of Transportation (CALTRANS)

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.

Madera County Department of Environmental Health

Madera County Department of Engineering

Madera County Roads Department

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

MND

RE: Rezone CZ #2013-004 – Landmark Irrigation

LOCATION AND DESCRIPTION OF PROJECT:

The parcel is located on the northeast corner of the intersections of Golden State Boulevard and Road 21 (no situs), Madera

To rezone the property from OS (Open Space) to CRG (Commercial, Rural, General) to allow for the storage of equipment and trailers for an existing irrigation company on a separate parcel. The equipment will include tractors, backhoes, forklifts, trailers and miscellaneous equipment. No new buildings are proposed for this project or this site.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

1. Applicant shall provide for a dedicated right-of-way to Caltrans of 218 feet along State Route (SR) 99.
2. Prior to any grading, the applicant must submit a Grading and Drainage Plan.
3. Prior to any grading, the applicant must apply for the appropriate Grading Permits with the County.
4. Applicant is subject to San Joaquin Valley Air Pollution Control Board Rules. Applicant shall contact the Air Board for applicable permits.
5. No idling of vehicles for more than 10 minutes.
6. If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities shall be halted and a professional archaeologist brought in to determine the culture of the deposits. In addition, if human remains are unearthed, the Madera County Coroner, by law, must be notified immediately.
7. All hazardous materials utilized on site as a part of normal operations shall be handled, stored, transported, and disposed of in according to all Federal, State and Local regulations.

8. Noise levels shall not exceed Madera County Noise Ordinance established guidelines at any point in time.

  
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Madera County Environmental Committee

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

DATED: 11/4/13

FILED:

PROJECT APPROVED:



