

# 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: January 7, 2014

AGENDA ITEM: #1

CUP	#2013-022	Conditional Use Permit to allow a bulk propane storage and distribution facility
APN	#064-142-033	Applicant: Russ Shaw
CEQA	MND #2013-310	Mitigated Negative Declaration

### REQUEST:

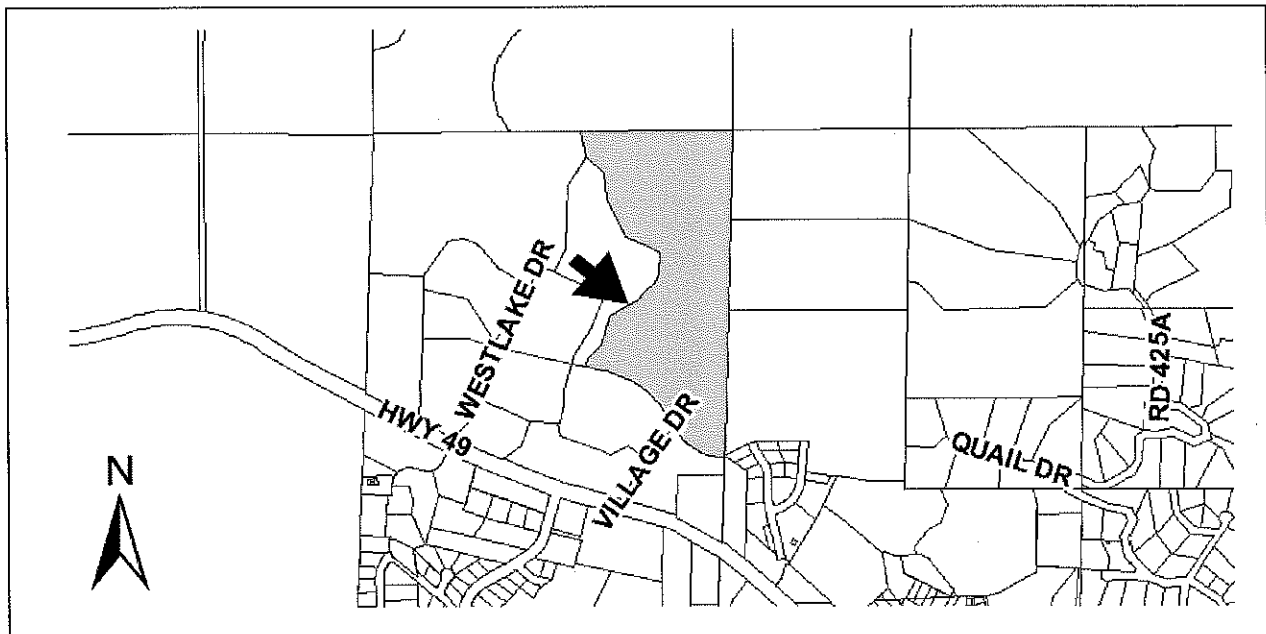
The application is for a Conditional Use Permit to allow a bulk propane storage and distribution facility.

### LOCATION:

The project is located on the north side of Liberty Drive approximately 0.2 mile east of the intersection of Westlake Drive and Highway 49 (no situs), Oakhurst.

### ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2013-31) has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:** Approval of Conditional Use Permit #2013-022 and Mitigated Negative Declaration #2013-31 and Mitigation Monitoring and Reporting Program subject to the Conditions Monitoring and Reporting Program.

**GENERAL PLAN DESIGNATIONS (Exhibit A-1):**

SITE: LI (Light Industrial) Designation

SURROUNDING: CC (Community Commercial), MDR (Medium Density Residential), OS (Open Space) Designations

**ZONING (EXHIBIT B)**

SITE: IL (Industrial Light) District

SURROUNDING: CUM (Commercial Urban Median), RUS (Residential Urban Single Family), RMS (Residential Mountain Single Family), OS (Open Space) District

**LAND USE:**

SITE: Vacant

SURROUNDING: Vacant, Sheriff's station

**SIZE OF PROPERTY (EXHIBIT C):**

34.47 Acres

**ACCESS (EXHIBIT C):**

Access is taken from Liberty Drive.

**WILLIAMSON ACT:**

The property involved in this proposal is not subject to a Williamson Act (Agricultural Preserve) contract.

**BACKGROUND AND PRIOR ACTIONS:**

The parcel is part of the Liberty Village tentative subdivision map, S#2007-008, which has yet to record any final maps for this portion of the property.

**PROJECT DESCRIPTION:**

The application is for a conditional use permit to allow a bulk propane storage and distribution facility. The operational statement indicates four (4) 30,000 gallon tanks will be on site in addition to a 3,200 square foot office building. It is anticipated that two (2) to six (6) customers will visit the site per business day of which hours of operation will be 8:00 am to 5:00 pm. Currently, there are 12 employees with 13-18 employees proposed for the future. Delivery trucks will be stored in an enclosed fenced yard area north of the business office.

**ORDINANCES/POLICIES:**

Madera County County Code 18.42 governs allowed uses within the IL (Industrial Light) district.

Madera County County Code 18.92 governs the requirements for processing and reviewing conditional use permits.

Madera County General Plan Policy Document (page 12) outlines the allowable uses within the LI (Light Industrial) designation.

**ANALYSIS:**

The site is vacant and graded and will be improved by Campora. No products will be produced at this site. The refineries for Campora are located in Bakersfield. The proposed operation will be open for business five (5) business days per week, some

Saturdays for delivery, and Sundays for emergency calls only. The office is proposed to be open to the public from 8:00 am to 5:00 pm; however, employees are expected to be on site from 7:00 am to 6:00 pm.

A 3,200 square foot office is proposed with 16 parking stalls. A primary 40'-0" tanker truck will fill the tanks approximately 25 times per month. Forty vehicular trips will be generated by the facility daily. The Institute of Traffic Engineers estimates for General Light Industrial uses are consistent with the proposed trips.

The applicant is proposing to utilize Hillview Water Company for water services. Water lines are already in place. On-site waste water treatment and disposal is allowed per a Development Agreement the applicant has with the County. If annexation to MD22A occurs, a sewer unit transfer can occur. No hazardous waste will be produced by this facility.

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

This application was circulated to agencies expected to be impacted by the proposal such as Caltrans, Department of Fish and Wildlife, San Joaquin Valley Air Pollution Control District. Comments were received from the Road, Fire, Engineering, and Environmental Health Departments as well as the San Joaquin Valley Air Pollution Control Districts. Caltrans indicated they had no comments for this proposal.

**GENERAL PLAN CONSISTENCY STATEMENT:**

The Conditional Use Permit to allow the bulk propane storage and distribution facility, if approved, would be consistent with the existing zone district of IL (Industrial Light). The zone district is consistent with the general plan designation of LI (Light Industrial) which allows for industrial parks, research and development, warehouses, light manufacturing, general commercial uses, professional offices, airports and airstrips, outdoor theaters, public and quasi-public uses, and similar and compatible uses. The IL zone district propane distribution facilities with approval of a conditional use permit. Therefore, the proposal is consistent with the general plan.

**FINDINGS**

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance.* The property is zoned IL (Industrial Light). Per Section 18.42.010 of the Madera County Code, this zone district allows bulk fuel storage for distribution and resale facilities with a Conditional Use Permit. These types of facilities have previously been approved in the IL zone district.

2. *The proposed project (request) is not contrary to the public health, safety or general welfare. The facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations.*
3. *The proposed project (request) is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors. The proposal must adhere to local and state health and building codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigations measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.*
4. *The proposed project (request) will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County. The proposal is consistent land use and zoning designation of the parcel. The proposed use is not considered a use that will significantly impact adjacent properties or generate large amount of trips that could affect other properties as there are in the surrounding vicinity.*

**RECOMMENDATION:**

Staff recommends approval of Conditional Use Permit #2013-022 and Mitigated Negative Declaration #2013-31 and Mitigation Monitoring and Reporting Program subject to the Conditions Monitoring and Reporting Program.

**CONDITIONS:**

See attached Conditions.

**ATTACHMENTS:**

1. Exhibit A-1, General Plan Map
2. Exhibit A-2, Oakhurst Area Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D-1, Parcel Site Plan
6. Exhibit D-2, Conceptual Site Plan
7. Exhibit D-3, Elevations/Floor Plan
8. Exhibit D-4, ADA Floor Plan Schematics
9. Exhibit D-5, Propane Tank Elevations
10. Exhibit E, Aerial Map
11. Exhibit F, Topographical Map
12. Exhibit G, Operational Statement
13. Exhibit H, Engineering Comments
14. Exhibit I, Environmental Health Comments
15. Exhibit J, Fire Comments
16. Exhibit K, Road Department Comments
17. Exhibit L, San Joaquin Air Pollution Control District
18. Exhibit M, Caltrans "No Comments" Comment Letter
19. Exhibit N, Initial Study
20. Exhibit O, Mitigated Negative Declaration
21. Exhibit P, Mitigation Monitoring and Reporting Program

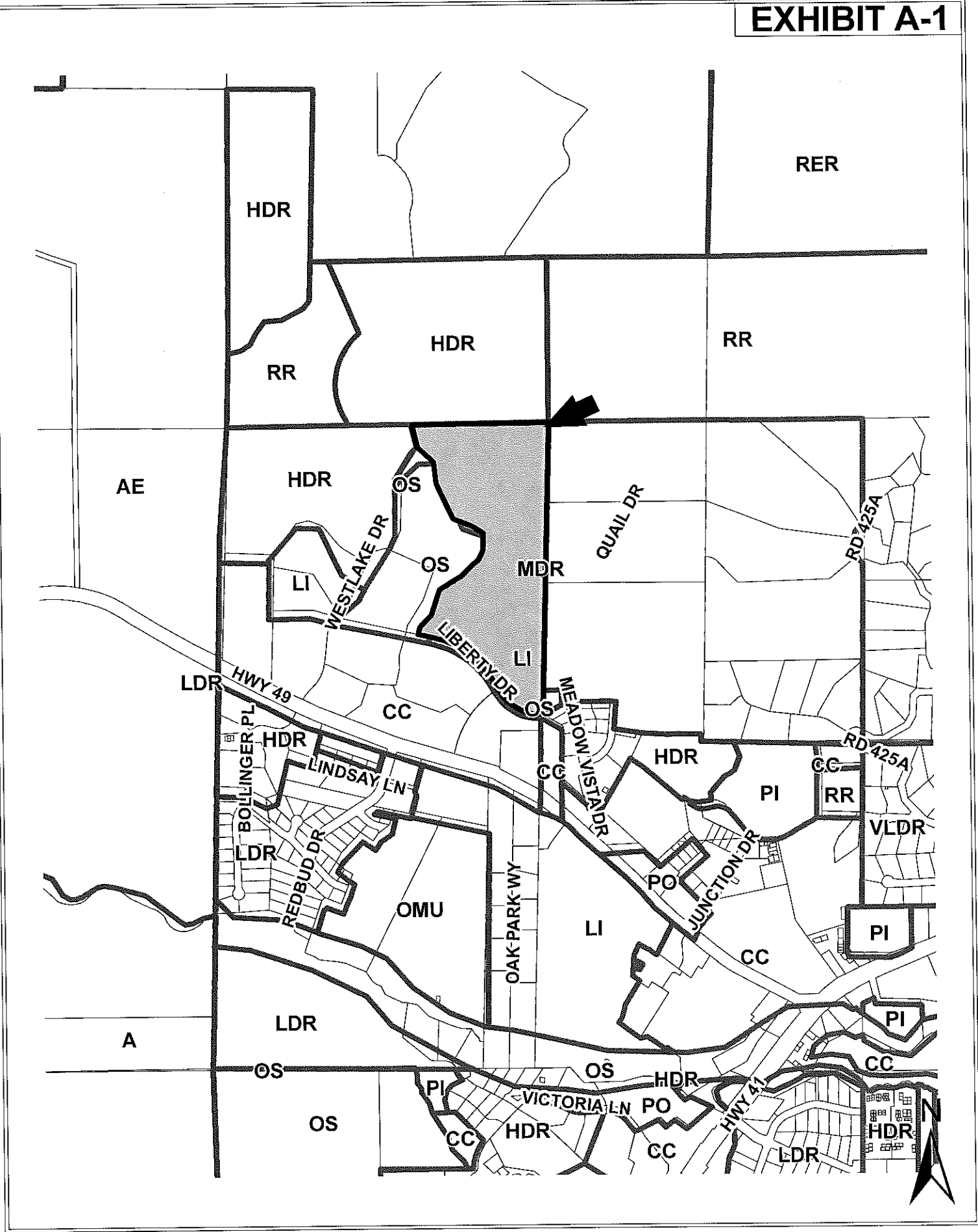
# CONDITIONS OF APPROVAL

**PROJECT NAME:** Conditional Use Permit #2013-022, Shaw  
**PROJECT LOCATION:** North side of Liberty Drive approximately 0.2 mile east of the intersection of Westlake Drive (no situs), Oakhurst  
**PROJECT DESCRIPTION:** A bulk propane storage and distribution facility.

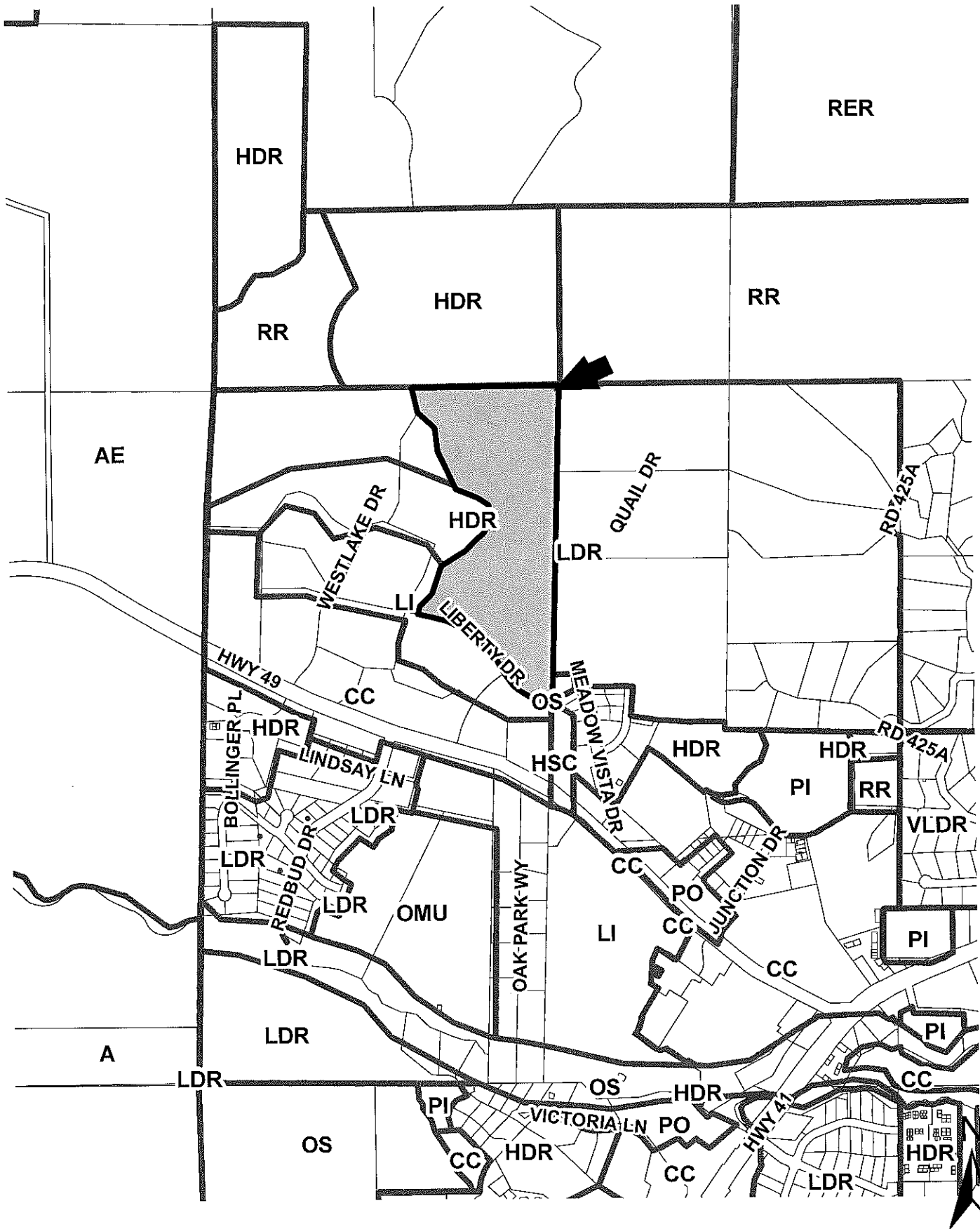
**APPLICANT:** Russ Shaw  
**CONTACT PERSON/TELEPHONE NUMBER:** (520) 906-4984

No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
<b>Engineering</b>				
1	Prior to the start of any construction, the applicant shall secure a Building Permit from the Building Department. All construction shall meet the most current standards and all applicable codes. All plans must be prepared by a licensed architect or registered civil engineer.			
2	The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by the project. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer.			
3	All projects containing 1 acre or more of soil disturbance are required to submit a Storm Water Pollution Prevention Plan (SWPPP) and report.			
<b>Environmental Health</b>				
1	The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.			
2	The plot plan must indicate the location and describe in specific detail the following: How water will be obtained for consumption and the proposed liquid waste disposal will take place at this location.			
3	The construction and then ongoing operation and living conditions must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): odor(s), noise(s), lighting and/or litter accumulation to surrounding uses. This must be accomplished under accepted and approved best management practices and as required by the County General Plan, County Ordinances and any other related State and/or Federal laws, rules, and/or as determined by the Local Enforcement Authority (LEA).			
4	All measures must be taken to ensure that any construction activity and/or site operations comply with all nuisance dust issues as identified in County Ordinances and any other related State or Federal requirements.			
5	The owners/operators of this facility and/or shop must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials (like petroleum fuels or lubricants) onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials (like petroleum fuels or lubricants) onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility construction.			





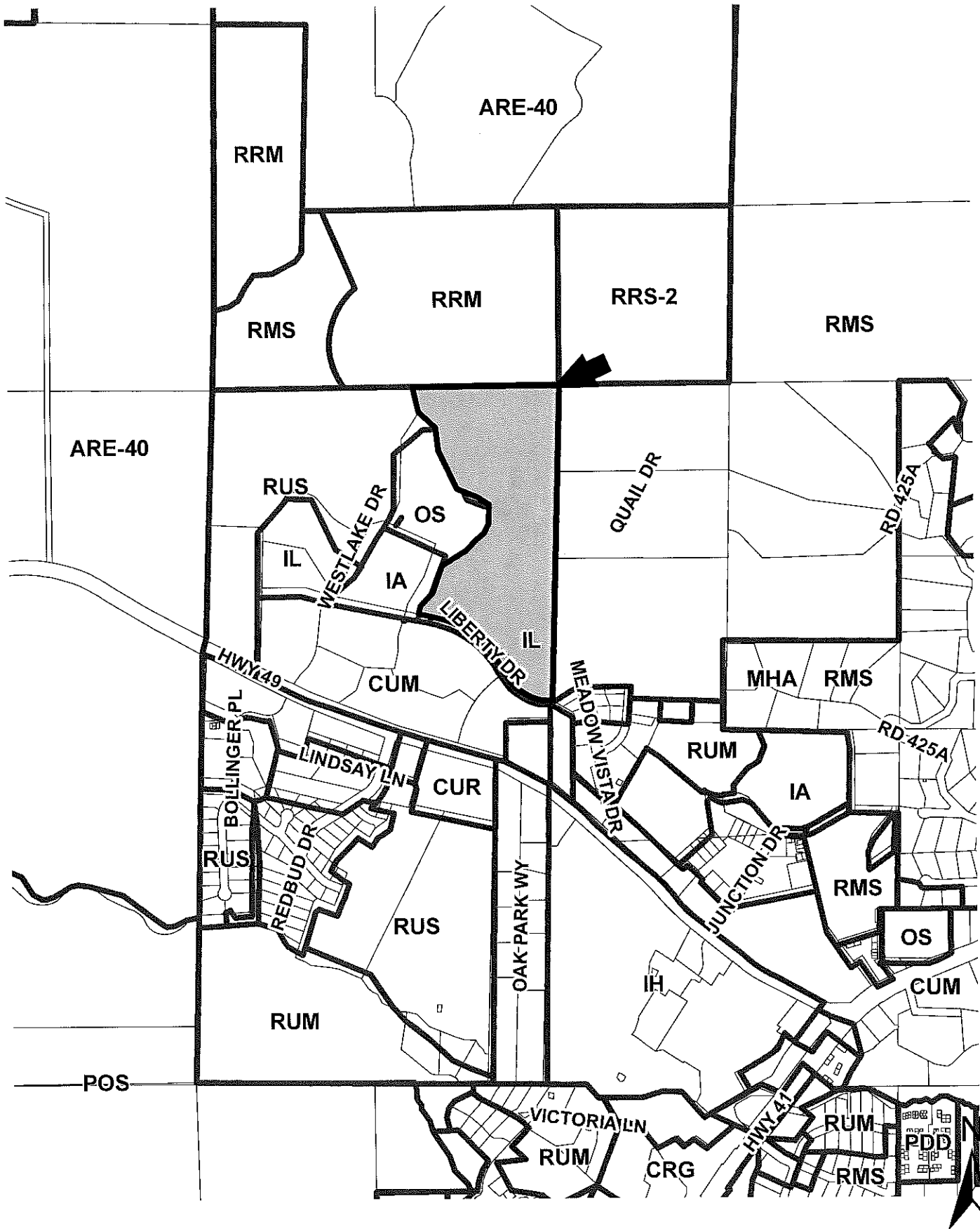
GENERAL PLAN MAP



COMMUNITY PLAN MAP



# EXHIBIT B



## ZONING MAP

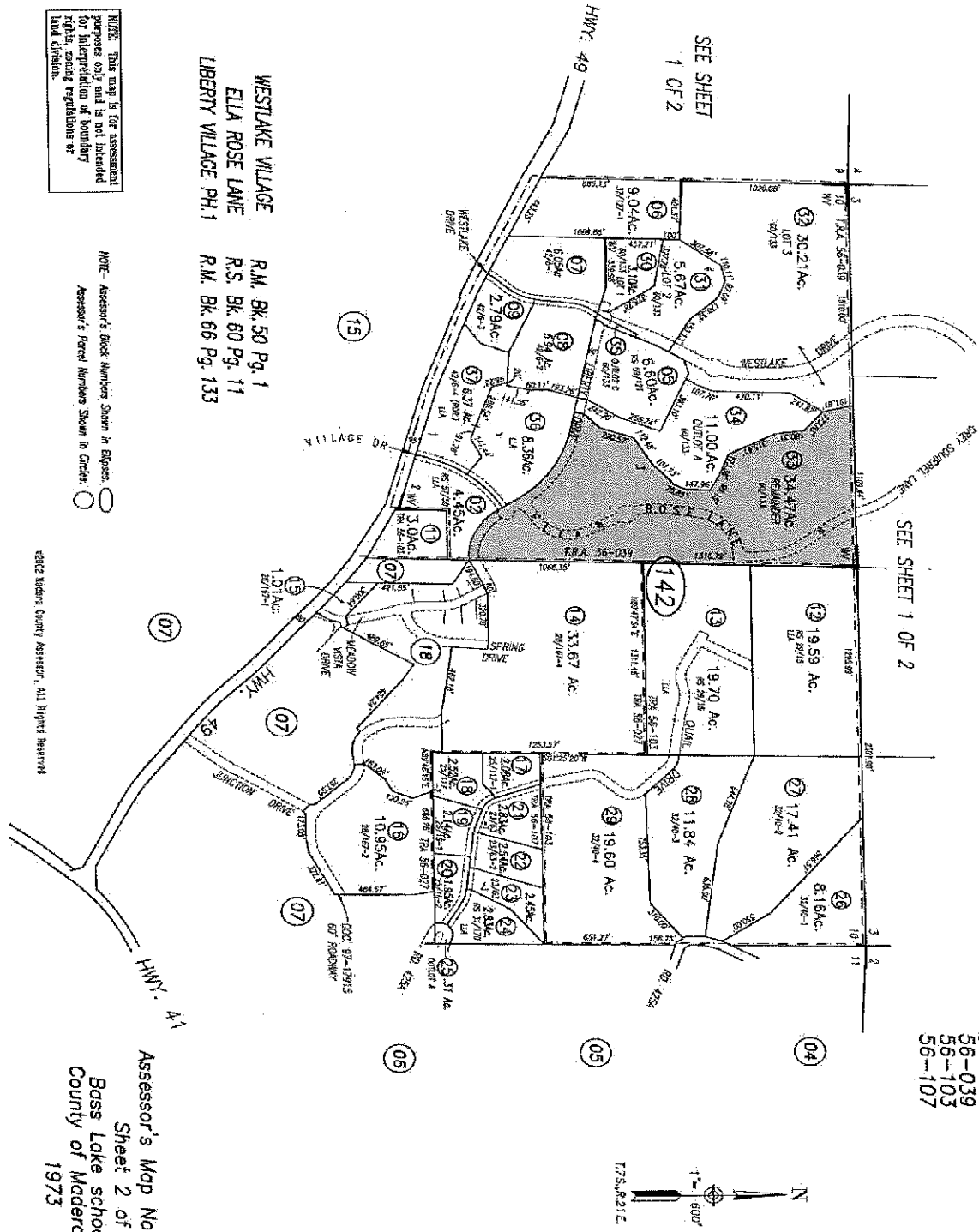
**ORIGINAL**

1507-2-31 08

**NOTE:** This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

**NOTE:** Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles.

©2002 Western County Assessor. All Rights Reserved



WESTLAKE VILLAGE  
 ELLA ROSE LANE  
 LIBERTY VILLAGE PH. 1

R.M. Bk. 50 Pg. 1  
 R.S. Bk. 60 Pg. 11  
 R.M. Bk. 66 Pg. 133

SEE SHEET  
 1 OF 2

SEE SHEET  
 1 OF 2

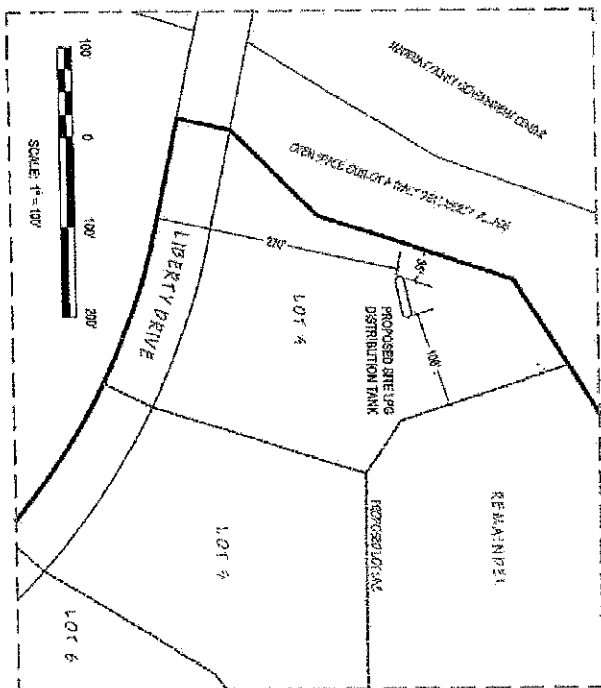
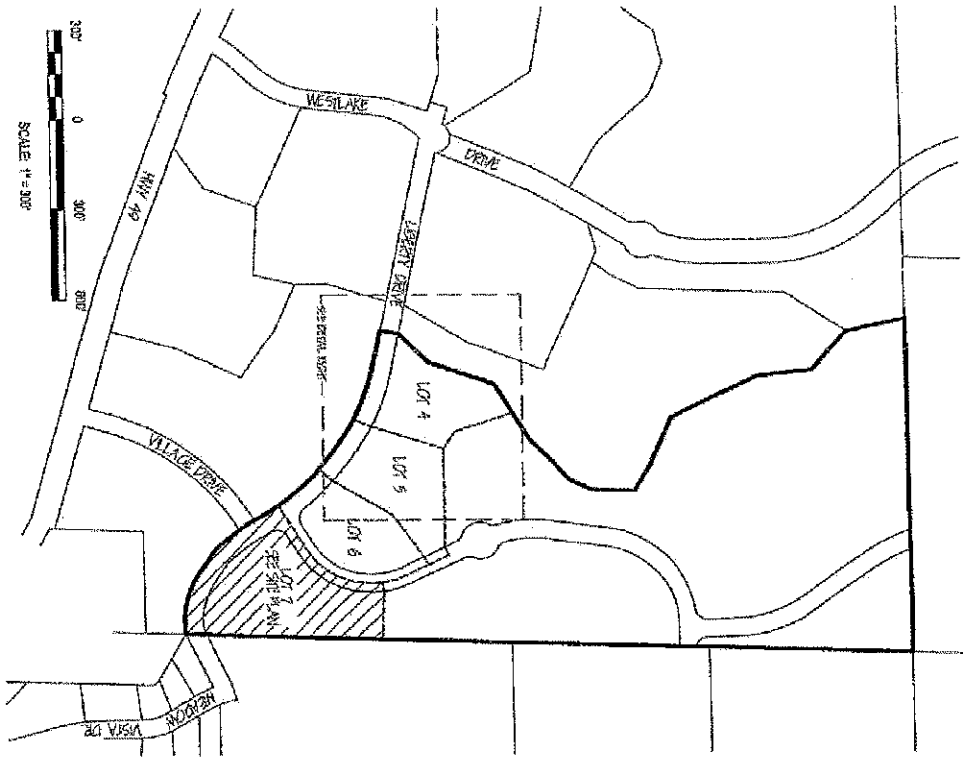
T.7S. R.21E. M.D.B.&M.

Tax Area Code  
 56-027  
 56-039  
 56-103  
 56-107

64-14  
 SHEET 2 of 2

Assessor's Map No. 64-14  
 Sheet 2 of 2  
 Bass Lake School Dist.  
 County of Madera, Calif.  
 1973

# EXHIBIT D1

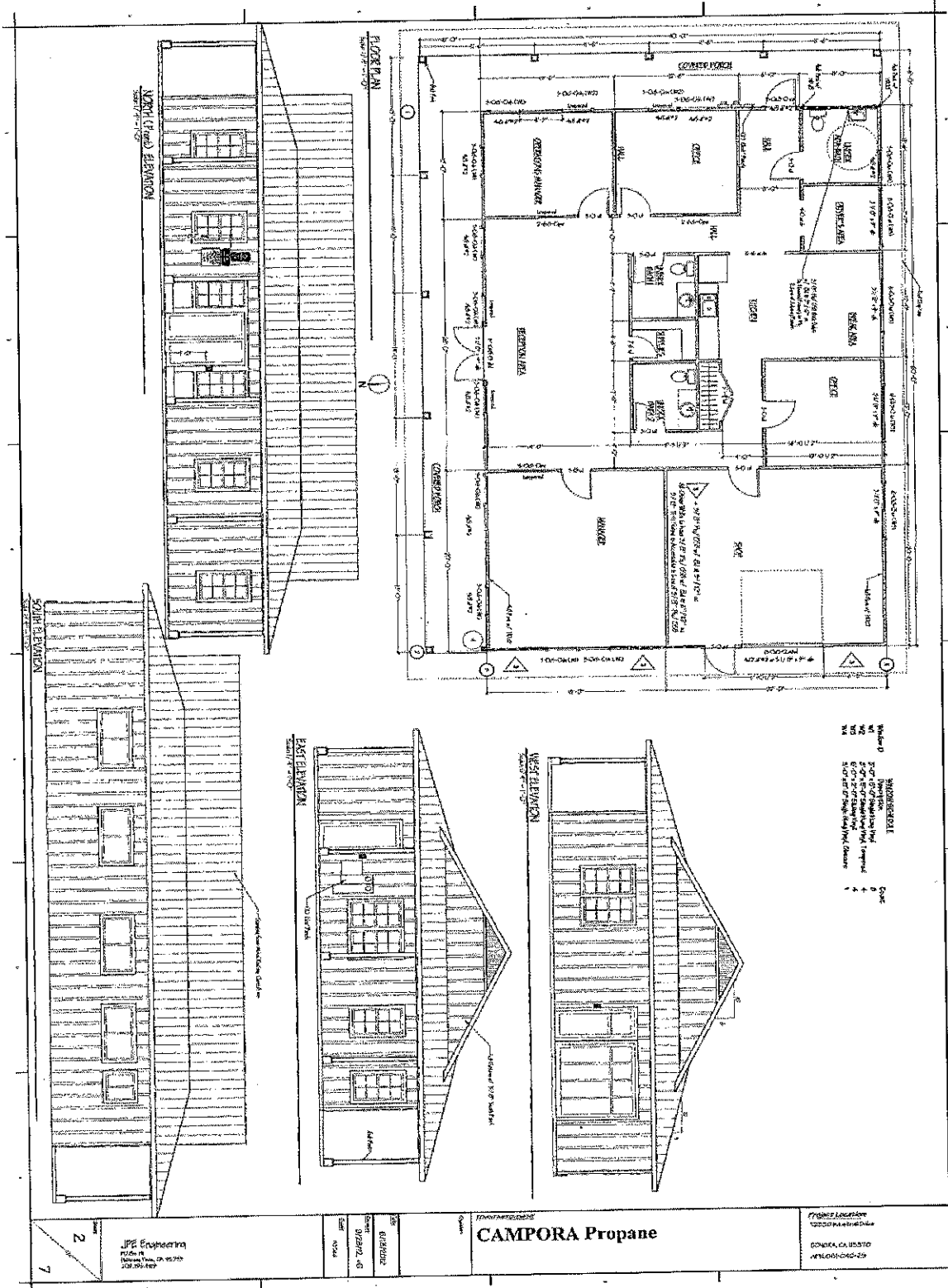


**PARCEL SITE PLAN**  
OF TENTATIVE LIBERTY VILLAGE  
FOR SITE LPG DISTRIBUTION TANK

# PARCEL SITE PLAN



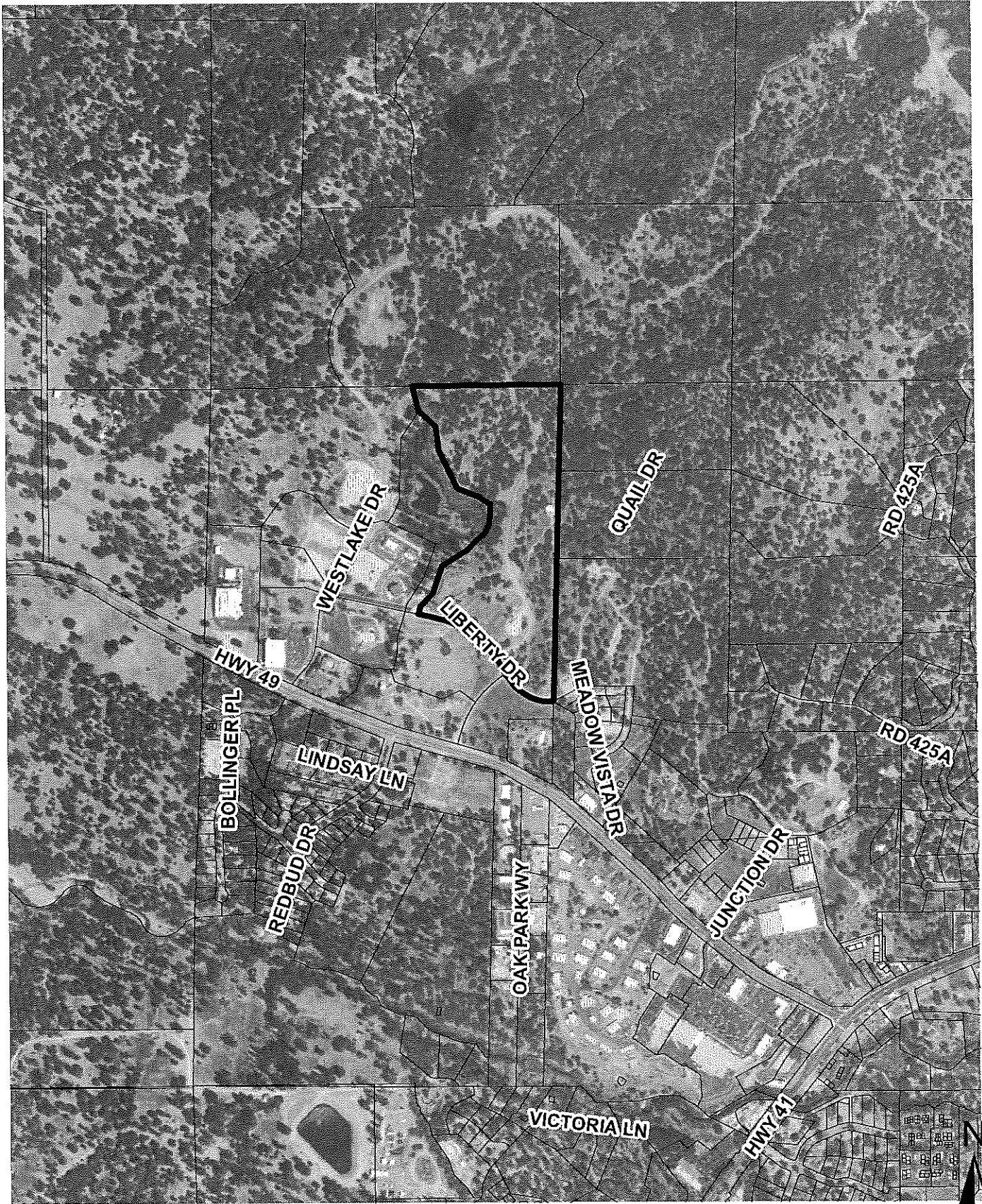
# EXHIBIT D3



# ELEVATIONS & FLOOR PLANS

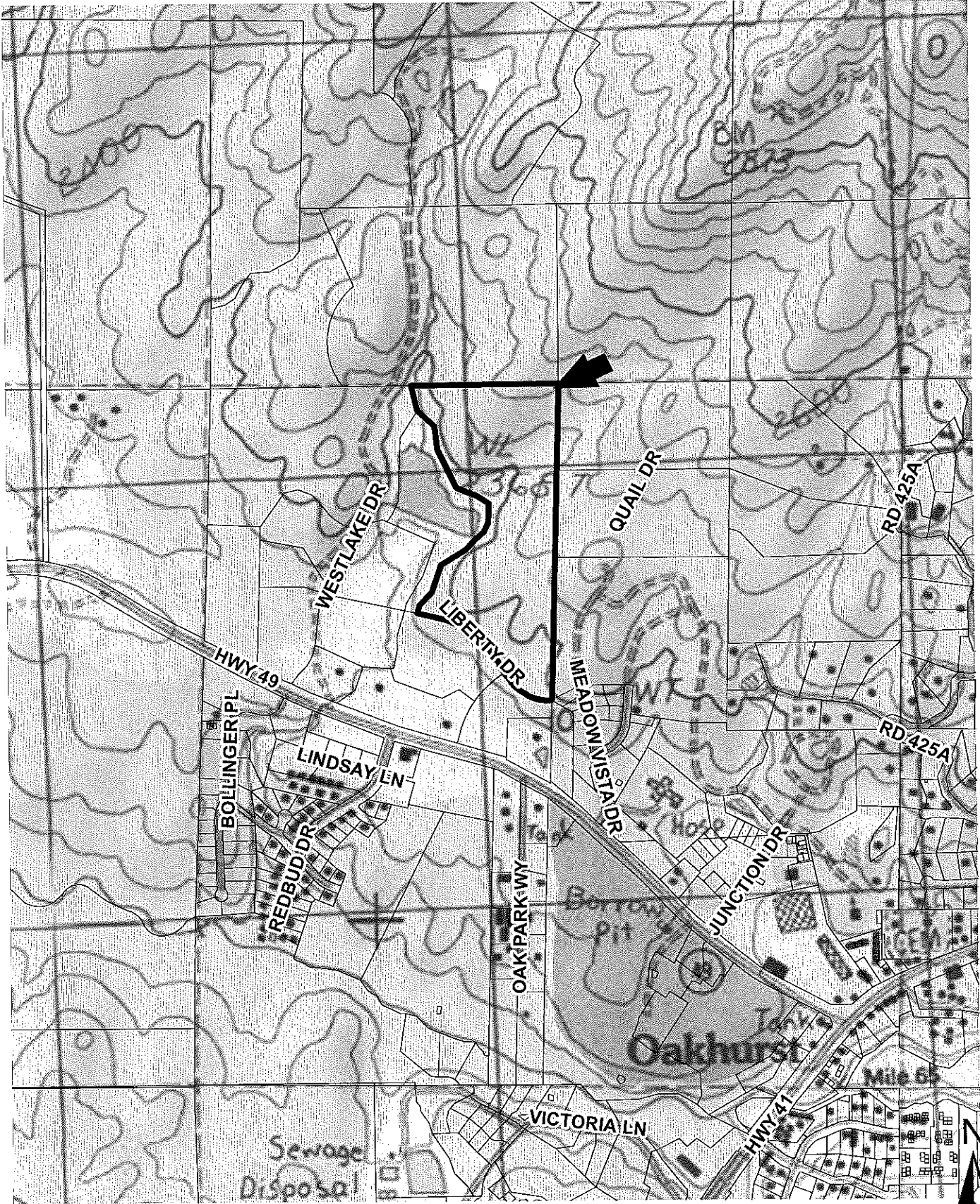






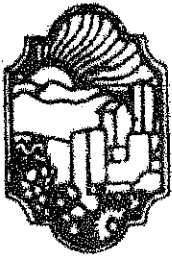
AERIAL MAP





**TOPOGRAPHICAL MAP**

## EXHIBIT G



### SHAW REAL ESTATE & DEVELOPMENT

P.O. Box 1569

Oakhurst, CA 93644

Phone (559) 683-6222

E-Mail [qrshaw2@yahoo.com](mailto:qrshaw2@yahoo.com)

### OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

1. Please provide the following information:  
Assessors Parcel Number: *Prtn. of APN 64-142-033 (Future Lot 7; - Liberty Village Project, (the "Project") Oakhurst, CA)*  
Applicants Name: *Russell Shaw for Campora Propane Company, Inc. as authorized agent.*  
Address: *c/o P.O. Box 1569, Oakhurst, CA 93644*  
Phone Number: *c/o (520) 906-4984*
  
2. Describe the nature of your proposal/operation (please be specific)  
*Improvement of a portion of the referenced subject property to allow Campora Propane Company, Inc. ("Campora"), to construct future office, yard area, and (4) - 30000 gallon (LPG) propane tanks for storage operations and distribution.*
  
3. What is the existing use of the property?  
*Vacant - Light Industrial zoned*
  
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 sole on-site? Explain.  
*No products will be produced at this location. The primary propane refineries for Campora are located in Bakersfield, CA and others are farther south if necessary.*
  
5. What are the proposed operational time limits?  
Months (if seasonal): *January - December*  
Days per week: *Basically 5 days (5 business days, and some Saturday delivery days). Not open on Sunday except for emergency call outs.*  
Hours (from 7am to 6 pm)  
Total hours per day: *11 hours per day*
  
6. Will there be any special activities or events?  
*No special activities anticipated or projected*  
Frequency: *N/A*

Hours: N/A

Are these activities indoors or outdoors? N/A

7. How many customers or visitors are expected?  
Average number per day: *2 customers on average*  
Maximum number per day: *6 customers on a busy day*  
What hours will customers/visitors be there? *8:00 am to 5:00 pm during Business Week*
  
8. How many employees will there be?  
Current: *Twelve (12) employees currently*  
Future: *Thirteen (13) to Eighteen (18) employees in the future*  
Hours they work: *7 am to 6 pm*  
Do any live on site? If so, in what capacity (i.e., caretaker)?  
*No employees will be living on-site.*
  
9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.  
*Smaller propane tanks, delivery trucks, and associated LPG supplies will be stored in the enclosed, fenced yard area north of the business office.*
  
10. Will there be any service and delivery vehicles?  
Number: *Yes, Primary Tanker Truck to fill on-site operational tanks and project tankage*  
Type: *40.00 foot transfer tanker, DOT approved*  
Frequency: *On as needed basis, approximately 25 times per month.*
  
11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.  
*There will be a total of sixteen (16) stripped parking stalls in the AC parking lot area— four (4) for incidental customer visits and twelve (12) for office employee purposes. Delivery personnel will have available parking in the fenced yard area.*
  
12. How will access be provided to the property/project? (Street name)  
*There are three (3) possible routes of access off of State Highway 49 (i) via Meadow Vista Drive, (ii) via Village Drive, or (iii) via Westlake Drive/Liberty Drive.*
  
13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development.  
*Estimate trip movements on average day = 40 ADT's (cars and trucks)*

14. Describe any proposed advertising including size, appearance, and placement.  
*The site will be uniquely identified by a 60.00 Sq. Ft. Monument Sign at the primary entrance to the site off Liberty Drive, which should provide guidance to its customers as to necessary trip movements.*
15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height color, etc. Provide floor plan and elevations, if appropriate.  
*The site is vacant and graded and will be improved by Campora with the conceptual improvements depicted on the included Conceptual Site Plan Building. Floor plans and a color pictorial of a similar building in Sonora, CA. are provided herein.*
16. Is there any landscaping or fencing proposed? Describe location.  
*Yes, there are some proposed landscaped areas near the office.  
The work and storage yard space will be fully fenced and gated.*
17. What are surrounding land uses to the north, south, east, and west boundaries of the property?  
*The property to the North and the East are vacant future residential uses;  
To the West, is a vacant Light Industrial lot within the Liberty Village Project and;  
To the South are future commercial uses within the Project which are currently vacant but nearly ready for commercial development*
18. Will this operation or equipment used generate noise above existing parcels in the area?  
*No – The noise generated at this facility will not be unusual or extraordinary. Existing surrounding properties are vacant and unimproved so there is no existing ambient background noise standard.*
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).  
*The Project is within the service area of Hillview Water Company with all storage and supply requirements having been met to serve the entire Liberty Village Project. All water mainlines have been installed and are operational to the boundary of the subject property. On a daily basis, approximately 300 gallons per business*

*day will be the consumptive water use, including an allowance for seasonal landscaping.*

20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?  
*Wastewater will be limited to domestic sanitary purposes within the built future office. Approximately 250 gallons per day of wastewater will be generated. The property is subject to a Development Agreement with the County to allow on-site treatment and disposal or possibly a sewer unit transfer to the property by Campora together with an annexation to MD22A.*
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?  
*One (1) 3 yard solid waste bin per week will be generated at the site. The Project is serviced by Emadco Disposal of Oakhurst, CA. with respect to solid waste.*
22. Will there be any grading? Tree removal? (please state the purpose, i.e. for roads, building pads, drainage, etc.)  
*The site has been previously graded as a part of an approved earthwork balance program prior to the improvement of roadways within the Project to the applicable Madera County Standards. Accordingly, there should be no new tree removals and only fine grading of the site is necessary to facilitate the future construction activities at the site.*
23. Are there any archeological or historically significant sites located on this Property? If so, describe and show location on site plan.  
*No archeological or historically significant sites were discovered during previous professional studies of the property, done in conjunction with previous zoning entitlement procedures.*
24. Locate and show all bodies of water on application plot plan or attached map.  
*No bodies of water are on the subject site.*
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.  
*One small drainage ravine was directed to a 24" ADS Culvert and Headwell under the existing buildable pad as part of the approved grading of the subject property and surrounding Project areas.*
26. Will hazardous materials or waste be produced as part of the project? If so, how will they be shipped or disposed of?

*No hazardous waste will be produced as a result of this project being improved and constructed.*

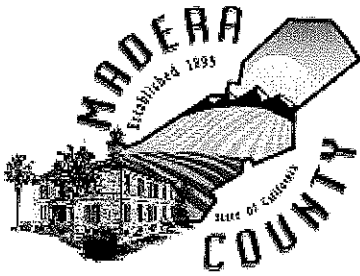
27. Will your proposal require use of any public services or facilities? (i.e., schools, parks, fire and police protection or special districts?)  
*Schools and parks will not be impacted or required by this Project. Fire, police, and special services usage will be minimal.*

28. How do you see this development impacting the surrounding area?  
*The development will integrate nicely into the surrounding area.*

29. How do you see this development impacting schools, parks, fire and police protection or special districts?  
*No, this is a current long standing Oakhurst Business and this is a relocation of its operations to this new location to accommodate future growth of Oakhurst.*

30. If your proposal is for commercial or industrial development, please complete the following:  
Proposed use(s) *Business office and propane equipment/storage Yard*  
Square Feet of Building Area(s) *3200 +/- square feet*  
Total Number of Employees – *12 employees (currently)*  
Building Height(s) – *Approximately 20.00 feet to ridge of building*

31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map  
*The site has been previously graded under separate approved grading permit. Cut and fill slopes over ten (10%) percent exist as a result of the approved grading activities.*



# Engineering and General Services

2037 West Cleveland Avenue  
Madera, CA 93637

(559) 661-6333  
(559) 675-7639  
FAX  
(559) 675-8970  
TDD

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

engineering@madera-county.com

---

## MEMORANDUM

TO: Jamie Bax  
FROM: Engineering Department  
DATE: November 20, 2013  
RE: Shaw, Garland Russell - Conditional Use Permit - Oakhurst (064-142-033-000)

---

### Comments

DATENovember 20, 2013

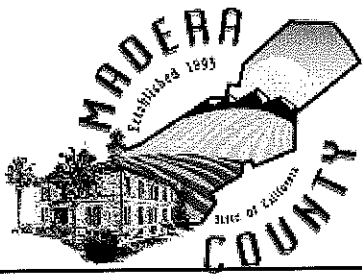
TOPlanning Department

FROMDario Dominguez, Assistant Engineer - DEGS

SUBJECTCUP 2013-022

- 1) The proposed project is not within the flood plain.
- 2) The subject project is located within Maintenance District 22A, (MD22A, Sewer).
3. Prior to the start of any construction, the applicant shall secure a Building Permit from the Building Department. All construction shall meet the most current standards and all applicable codes. All plans must be prepared by a licensed architect or registered civil engineer.
4. The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by the project. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer.
5. All projects containing 1 acre or more of soil disturbance are required to submit a Storm Water Pollution Prevention Plan (SWPPP) and report.

If you have any questions please contact Dario Dominguez at 559-675-7817 ext 3322.



# RESOURCE MANAGEMENT AGENCY

## Environmental Health Department

Jill Yaeger, Director

EXHIBIT I

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

---

### MEMORANDUM

TO: Jamie Bax  
FROM: Environmental Health Department  
DATE: November 20, 2013  
RE: Shaw, Garland Russell - Conditional Use Permit - Oakhurst (064-142-033-000)

---

#### Conditions

The Environmental Health Department has reviewed the Conditional Use Permit CUP #2013-022, Garland Russell Shaw, located on APN: 064-142-033, within the Oakhurst area and has determined the following:

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

- The plot plan must indicate the location and describe in specific detail the following: How water will be obtained for consumption and the proposed liquid waste disposal will take place at this location.
- The construction and then ongoing operation and living conditions must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): odor(s), noise(s), lighting and/or litter accumulation to surrounding uses. This must be accomplished under accepted and approved best management practices and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA).
- All measures must be taken to ensure that any construction activity and/or site operations comply with all nuisance dust issues as identified in County Ordinances and any other related State or Federal requirements.
- The owners/operators of this facility and/or shop must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials (like petroleum fuels or lubricants) onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials (like petroleum fuels or lubricants) onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.
- The owner/operator must obtain all the necessary MCEHD permits prior to any construction activities on site.

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

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



# **MADERA COUNTY FIRE DEPARTMENT**

IN COOPERATION WITH  
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

**EXHIBIT J**

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

DEBORAH KEENAN  
MADERA COUNTY FIRE MARCHAL

## **MEMORANDUM**

TO: Jamie Bax  
FROM: Madera County  
DATE: November 20, 2013  
RE: Shaw, Garland Russell - Conditional Use Permit - Oakhurst (064-142-033-000)

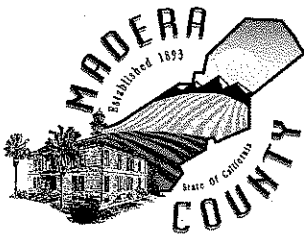
---

### **Conditions**

Fire hydrants capable of producing 1,500 gpm at 20psi shall be available within 400 feet of the proposed building and LPG tanks as measured by driveable access.

A Knox box emergency access device shall be installed in conjunction with all gates.

At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)




# RESOURCE MANAGEMENT AGENCY Road Department

Johannes J. Hoevertsz, Road Commissioner

## EXHIBIT K

2037 W. Cleveland Avenue  
Mail Stop 'D'  
Madera, CA 93637-8720  
(559) 675-7811  
FAX (559) 675-7631  
jhoevertsz2@madera-county.com

## MEMORANDUM

**TO:** Jamie Bax – Planning Department  
**FROM:** Jason Chandler – Road Department   
**DATE:** November 15, 2013  
**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2013-022 / SHAW**

The Road Department has reviewed the above-noted project to build and operate a propane distribution center. The Road Department recommends approval with the conditions listed below. The project site is located along the north side of Liberty Drive, being at Ella Rose Lane intersection. These roads are designated as local roads requiring a minimum road right-of-way of 60 ft. Both roads have an existing 60 ft offered for dedication right of way.

The unimproved portion of Ella Rose Lane and Liberty Dr. shall be constructed to county Class 4 Standard. As a minimum, improvements shall terminate beyond the proposed access driveways onto both roadways. All driveway approaches accessing the site shall be built to a Commercial County Standard.

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

### THE ROAD DEPARTMENT RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:

1. As a condition of approval, all new approaches proposed per the site plan shall be approved by the County Road Department, and shall be constructed per County of Madera commercial standard. An Encroachment Permit will be required prior to any construction within County right-of-way.
2. As a condition of approval of the CUP, unimproved segments of Ella Rose and Liberty Dr. shall be constructed to County class 4 paved standard. Pavement section shall terminate a minimum of 20 ft beyond the proposed driveway access points.



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT

**EXHIBIT L**



December 10, 2013

Jamie Bax  
County of Madera  
Resource Management Agency  
Planning Department  
2037 W. Cleveland Avenue  
Madera, CA 93637

**Project: Conditional Use Permit - CUP # 2013-022**

**District CEQA Reference No: 20130937**

Dear Ms. Bax:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a bulk liquid propane gas and distribution facility, located on Liberty Drive near Village Drive, in Oakhurst, CA. (APN 064-142-033) The District offers the following comment:

Based on further review, the proposed project would not equal or exceed 25,000 square feet of light industrial space. Therefore, the District concludes that the proposed project is not subject to District Rule 9510 (Indirect Source Review).

If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937.

Sincerely,

David Warner  
Director of Permit Services

For: Arnaud Marjollet  
Permit Services Manager

DW: gs

Seyed Sadredin  
Executive Director/Air Pollution Control Officer

Northern Region  
4800 Enterprise Way  
Modesto, CA 95358-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

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

Southern Region  
34948 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585

MAD-49-0.796 +1-



RESOURCE MANAGEMENT AGENCY

EXHIBIT M

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

PROJECT REVIEW REQUEST

DATE: November 01, 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 fo 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: \_\_\_\_\_

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

RECEIVED

NOV 07 2013

Department of Transportation  
District 6  
Attention: GM

RETURN TO:

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

REGARDING:

CUP #2013-022, Shaw, Garland Russell - Conditional Use Permit - Oakhurst (064-142-033-000)

The request consists of a conditional use permit to allow a bulk liquid propane gas & distribution site .

No Comment

*Jamie Bax*  
ATP 11/14/13

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: November 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 Nov 27, 2013.

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

CUP #2013-022

**Environmental Checklist Form**

**EXHIBIT N**

**Title of Proposal:** Conditional Use Permit #2013-022, Russell Shaw

**Date Checklist Submitted:** 12/2/2013

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

**Agency Contact:** Jamie Bax, Senior Planner

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

**Description of Initial Study/Requirement**

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

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

**Description of Project:**

The proposal is for a conditional use permit to allow a bulk liquid propane gas & distribution site

**Project Location:**

The project is located on the north side of Liberty Drive approximately 0.2 mile east of the intersection of Westlake Drive (No situs), Oakhurst.

**Applicant Name and Address:**

Campora Propane  
C/o Russell Shaw  
P.O. Box 1569  
Oakhurst, CA 93644

**General Plan Designation:**

LI (Light Industrial)

**Zoning Designation:**

IL (Industrial Light) District

**Surrounding Land Uses and Setting:**

The area is predominantly vacant with a Sheriff's substation located to the east.

**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 |

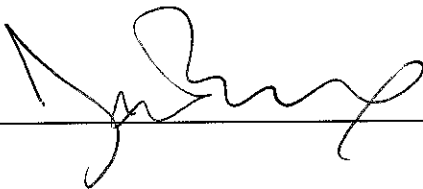
DETERMINATION: (To be completed by the Lead Agency)

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



Date

12/2/13

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

**Discussion:**

**(a) No Impact**

According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated scenic routes or eligible state scenic routes in the area. The only eligible routes designated at this time are Highway 49 out of Oakhurst, and Highway 41 beginning at the intersection with Highway 49 and proceeding north to the County line.

**(b) No Impact**

No scenic resources are located on the project site, no impacts have been identified as a result of this project.

**(c) Less than Significant Impact**

The site and its surroundings are zoned for industrial and commercial use; therefore, the proposed use will, as conditioned, not substantially degrade the existing visual character or quality of the site and its surroundings.

**(d) Less than Significant Impact with Mitigation Incorporated**

The proposed project will not create a substantial new amount of light as an individual project, but will contribute to the amount of light in the area as a whole. The impact of this new light source will be less than significant with the mitigation measure of shielding light and directing it away from neighboring properties. Lights uses during constructing will also be mitigated as to not cause a significant impact to surrounding properties and habitats.

**General Information:**

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

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

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

III.

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

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

**Discussion:**

**(a) No Impact**

The site is currently designated and zoned for light industrial use.

**(b) No Impact**

The site is not subject to a Williamson Act contract and is zoned for light industrial use.

**(c) No Impact**

The project site is not in an area impacted by forest land.

**(d) No Impact**

The project site is not in an area impacted by forest land.

**(e) No Impact**

The project site is zoned for light industrial use. No change to farmland or forest land will occur as a result of the project.

**General Information**

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

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



below:

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

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

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

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

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

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

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

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

No impacts have been identified.

**(b) No Impact**

See a.

**(c) Less than Significant Impact**

Project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the Air District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

**(d) Less than Significant Impact**

See c.

**(e) Less than Significant Impact**

Liquid propane gas in and of itself has no odors in its' gaseous form. An additive is added to it prior to shipment and/or usage that is distinctive so that leaks can be detected without need of specialized equipment. If properly contained and handled, there will be no objectionable odors in the vicinity of the project.

**General Information**

Global Climate Change

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

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

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion:**

**(a) Less than Significant Impact**

The area where this project is located has already been significantly developed by previous businesses and is surrounded by other significant amounts of construction. The likelihood of any special status species existing on or near the project site, or being impacted as a result of this project, is minimal at best.

**(b) Less than Significant Impact**

See a.

**(c) Less than Significant Impact**

See a.

**(d) Less than Significant Impact**

See a.

**(e) Less than Significant Impact**

See a.

**(f) Less than Significant Impact**

See a.

**General Information**

Special Status Species include:

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Sierra Nevada red fox	None	Threatened		
Western pond turtle	None	None	SSC	
Valley elderberry longhorn beetle	Threatened	None		
An andrenid bee	None	None		
Orange lupine	None	None		1B.2
Madera leptosiphon	None	None		1B.2
Mariposa pussy-paws	Threatened	None		1B.1
Slender-stalked monkeyflower	None	None		1B.2

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

**Ranking**

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

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

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

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk's Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to [http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](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 USFWWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

V. CULTURAL RESOURCES -- Would the project:

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

**Discussion:**

**(a) Less than Significant Impact**

A cultural resources survey was prepared for the site in 2006 for previous entitlements. No sites of archeological or historical significance are known to exist on or in the vicinity of the subject property.

**(b) Less than Significant Impact**

See a.

**(c) Less than Significant Impact**

No known unique geological features in the vicinity of the project site exist. There are no known fossil bearing sediments on the project site.

**(d) Less than Significant Impact**

No known human remains exist on the project site.

**General Information**

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

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

VI. GEOLOGY AND SOILS – Would the project:

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

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- |      |   |                          |                                     |                          |                                     |
|------|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| i)   | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| ii)  | Strong seismic ground shaking?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| iii) | Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| iv)  | Landslides?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b)   | Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| c)   | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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) Less than Significant Impact with Mitigation Incorporated**

The topography of the area is conducive to the potential of mudslides and landslides under the right conditions. Rainfall is unable to percolate into the portions of the site that are paved over and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. Areas of new construction have the potential of diverting rainfall flows to areas where erosion or runoff either have not occurred or occurred in limited amounts previously. It is not known how substantial soil erosion will be in this particular area, but as in any un-paved areas, there will be some during rainfall. Development of the project will result in loss of topsoil. Grading will result in the transport of different soils to and from the site. The applicant shall submit a detailed grading plan for review by the Engineering Department. When ground disturbance occurs on the project site there is the possibility for erosion of soil on and around building sites. With the creation of new roads and other construction activities, storm water may be directed into other areas and could potentially increase erosion. Hazardous materials such as oil and grease may enter into the soil as a result of using heavy machinery and creating new runoff. By complying with standards of the Madera County Engineering Department of submitting a detailed Drainage Study Plan, damage to the soil would be less than significant. The foothill and mountain areas of the County tend to suffer less damage from ground shaking than the valley floor. Though the site is located in a hilly area, mitigation measures of submitting a detailed grading plan and building to required standards will result in impacts of landslide or other catastrophic events being less than significant. The foothill and mountain areas of the County tend to suffer less damage from ground shaking than the valley floor. Though the site is located in a hilly area, mitigation measures of submitting a detailed grading plan and building to required standards will result in impacts of landslide or other catastrophic events being less than significant.

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

See a-i.

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

See a-i.

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

See a-i.

**(b) Less than Significant Impact with Mitigation Incorporated**

See a-i.

**(c) Less than Significant Impact with Mitigation Incorporated**

See a-i.

**(d) No Impact**

The project site is not located in area impacted by expansive soils.

**(e) No Impact**

The project site is serviced by Maintenance District 22A, for sewer services.

## **General Information**

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

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

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

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

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

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

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

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

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

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

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

the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

**Discussion:**

**(a) Less than Significant Impact**

There is a potential for a minimal increase in greenhouse related emissions from construction vehicles during the construction phase of this project, the actual operations are not conducive to production of said type of emissions. Strict code requirements for gas dispensing stations limit emissions of greenhouse gases.

**(b) Less than Significant Impact**

See a.

**General Information**

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

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

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



VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

**(a) Less than Significant Impact**

The proposed project will allow for large amounts of hazardous materials to be stored in above-ground tanks. Current building codes for construction of tanks and facilities will allow for avoidance of impacts to the public and the environment.

**(b) No Impact**

See a.

**(c) No Impact**

See a.

**(d) No Impact**

The property is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**(e) No Impact**

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

**(f) No Impact**

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

**(g) Less than Significant Impact**

The project site has been graded, fire hydrants have been installed, and roads have been constructed allowing for emergency access in the case of a wildland fire.

**(h) Less than Significant Impact**

The proposed project would put a new commercial development within an area which could be subject to wild fires. There have not been any in recent history; however, the landscape of the area lends itself to wildfires

under certain conditions. The development of the project to Fire Code standards should limit spreading of wild-fires in the area as well. The impact is less than significant because the project site has been developed, and is located along the main corridor of Yosemite Lakes Park.

**General Information**

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

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

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

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

IX. HYDROLOGY AND WATER QUALITY – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?
- j) Inundation by seiche, tsunami, or mudflow?

**Discussion:**

**(a) No Impact**

The project site is served by Maintenance District 22A for sanitary sewer services.

**(b) Less than Significant Impact**

No development is proposed as a part of this project. If new buildings are constructed the amount of water consumed will be increased for the area; however, the impact would be less than significant.

**(c) No Impact**

There will be some grading as a result of this project, and some new equipment being placed on the footprint of the parcel. As a result, there will be some diversion of rainfall runoff that will occur. This change in drainage patterns will be less than significant in the whole of the project.

**(d) No Impact**

See c.

**(e) Less than Significant Impact with Mitigation Incorporated**

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

**(f) Less than Significant Impact with Mitigation Incorporated**

See e.

**(g) No Impact**

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

**(h) No Impact**

See g.

**(i) No Impact**

The project site is not located in an area which would expose people to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The project will not be affected by seiche, tsunami, or mudflow.

**(j) No Impact**

See i.

**General Information**

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

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

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

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect

the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

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

**Discussion:**

**(a) No Impact**

The proposed project does not have the potential to divide an established community.

**(b) No Impact**

The project site is located in an area planned and zoned for light industrial use.

**(c) No Impact**

See b.

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

**Discussion:**

**(a) No Impact**

The proposed project is not located within an area with the potential for this project to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

**(b) No Impact**

See a.

XII. NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?
- 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?
- 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?

**Discussion:**

**(a) Less than Significant Impact**

Noise levels will be increased as development occurs; however, ongoing operations involve limited traffic trips. The amount of noise produced will be consistent with light industrial type uses.

**(b) Less than Significant Impact**

See a.

**(c) Less than Significant Impact**

See a.

**(d) Less than Significant Impact**

See a.

**(e) No Impact**

The project site is not located within an airport land use plan, within two miles of a public airport, or within the vicinity of a private airstrip.

**(f) No Impact**

See e.

**General Discussion**

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for agricultural uses. This impact is therefore considered less than significant.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

**Short Term Noise**

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

**Long Term Noise**

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually

housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the proposed operations could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

**MAXIMUM ALLOWABLE NOISE EXPOSURE FOR  
NON-TRANSPORTATION NOISE SOURCES\***

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

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

AM = 7:00 AM to 10:00 PM  
 PM = 10:00 PM to 7:00 AM  
 L = Light  
 H = Heavy

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

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

<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 vibration	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 checked="" type="checkbox"/>	<input 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) Less than Significant Impact**

Population will not be increased as a result of this project. The senior housing portion of the project will allow seniors in the area to move from home to the proposed facility.

**(b) No Impact**

No housing will be displaced as a result of the project. No people will be displaced as a result of the project.

**(c) No Impact**

See b.

**General Information**

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

XIV. PUBLIC SERVICES

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

**Discussion:**

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

New development will require additional levels of protection from emergency services; however this project is not intended to increase population, but to provide services for existing residents and businesses.

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

See a-i.

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

See a-i.

**(a-iv) No Impact**

No new park development will be required as a result of this project.

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

See a-i.

**General Information**

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

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

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

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

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

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

**XV. RECREATION**

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

**Discussion:**

**(a) No Impact**

The project does not include any new residential development which would cause a necessity for new recreational facilities or parks.



**(b) No Impact**

No recreational facilities are required as part of this project.

**General Information**

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a) No Impact**

The project site is located along the north side of Liberty Drive, being at Ella Rose Lane intersection. These roads are designated as local roads requiring a minimum road right-of-way of 60 ft. Both roads have an existing 60 ft offered for dedication right of way.

**(b) No Impact**

The proposed project will not affect levels of service for existing roadways.

**(c) No Impact**

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

**(d) No Impact**

See a.

**(e) No Impact**

There is adequate access to the project site.

**(f) No Impact**

There will be no impacts to alternative transportation systems in this rural area.

**General Information**

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

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157
2011	180	53	5.5	NA
2017	210	63	6.7	NA

2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

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

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

**XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:**

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

**Discussion:**

**(a) Less than Significant Impact**

The project site is part of Maintenance District 22A for sewer services.

**(b) Less than Significant Impact**

See a.

**(c) Less than Significant Impact with Mitigation Incorporated**

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

**(d) Less than Significant Impact**

This project is served by Hillview Water Company.

**(e) Less than Significant Impact**

See a.

**(f) Less than Significant Impact**

Madera County is served by the landfill in Fairmead which complies with federal, state, and local statutes.

**(g) Less than Significant Impact**

See f.

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

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion:**

**(a) Less than Significant Impact**

The project site is located in area previously affected by grading and road construction. Impacts to fish and wildlife species will be less than significant.

**(b) Less than Significant Impact**

The project is consistent with the current zoning and land use. Impacts to natural resources and utilities are less than significant.

**(c) Less than Significant Impact**

The project site is undeveloped; however it is located in an area surrounded by residential and commercial development. Impacts to humans will be less than significant.

**General Information**

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).
- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

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

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm) accessed October 31, 2008

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

Madera County Integrated Regional Water Management Plan.

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

## MITIGATED NEGATIVE DECLARATION

MND

RE: Conditional Use Permit #2013-031

LOCATION AND DESCRIPTION OF PROJECT:

The application for a conditional use permit to allow a bulk propane storage a distribution facility.

The proposal is located on the on the north side of Liberty Drive approximately 0.2 mile east of the intersection of Westlake Drive (No situs), Oakhurst.

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:

See attached mitigation monitoring program.



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:

12/2/13

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2013-31

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
<b>Aesthetics</b>								
1	All exterior lighting shall be shielded and directed away from neighboring properties.							
<b>Agricultural Resources</b>								
<b>Air Quality</b>								
<b>Biological Resources</b>								
<b>Cultural Resources</b>								
<b>Geology and Soils</b>								
1	The applicant shall submit a detailed Drainage Study Plan.							
<b>Hazards and Hazardous Materials</b>								
<b>Hydrology and Water Quality</b>								
1	A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.							
<b>Land Use and Planning</b>								
<b>Mineral Resources</b>								
<b>Noise</b>								
<b>Population and Housing</b>								
<b>Public Services</b>								
<b>Recreation</b>								
<b>Transportation and Traffic</b>								
<b>Utilities and Service Systems</b>								
1	A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.							

EXHIBIT P