

RESOURCE MANAGEMENT AGENCY

Community and Economic Development
Department of Planning and Building

Norman L. Allinder, AICP
Director *NLA*

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PLANNING COMMISSION DATE: January 7, 2013

AGENDA ITEM: #2

PRJ	#2012-005	General Plan Amendment and Rezone for Commercial and Senior Housing Development
GP	#2012-005	
CZ	#2012-012	
APN	# 050-062-040	Applicant: Dennis Jonathan Owner: Marshal Nonketter
CEQA	MND #2013-29	Mitigated Negative Declaration

REQUEST:

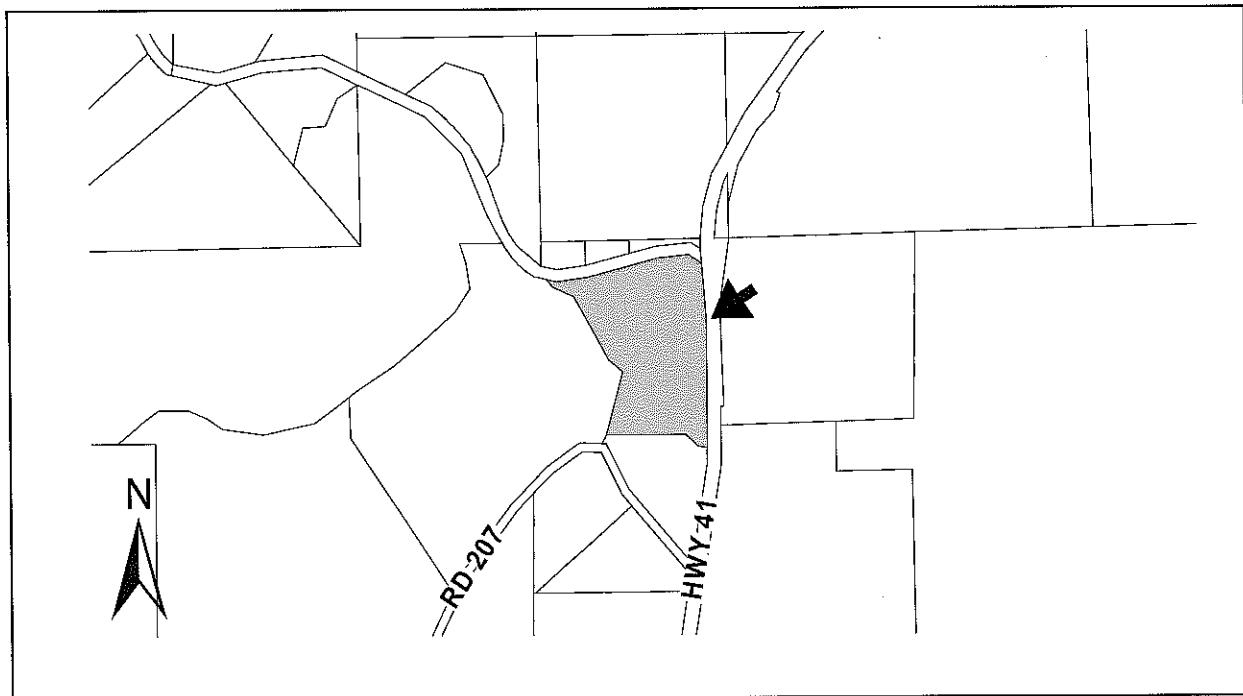
The applicant is requesting a General Plan Amendment and Rezone to allow a mini-mart, gas station, senior adult apartments, and retail/professional business park.

LOCATION:

The property is located on the southwest corner of the intersections of Highway 41 and Yosemite Springs Parkway (27800 Road 207), Coarsegold.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (ND #2013-29) and mitigation monitoring program has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Approval of the project (PRJ 2013-002), Mitigated Negative Declaration (ND 2013-22), and the mitigation monitoring program (Exhibit J).

STAFF REPORT
PRJ #2012-005
GP #2012-005
CZ #2012-005

January 7, 2013

GENERAL PLAN DESIGNATION (Exhibit A-1):

SITE: AR (Agricultural Rural) Designation

SURROUNDING: AE (Agricultural Exclusive), and AR (Agricultural Rural) Designations

PROPOSED: HSC (Highway Service Commercial), CC (Community Commercial), and HDR (High Density Residential) Designations

AREA PLAN DESIGNATION (Exhibit A-2)

SITE: RCS & PL (Resource Conservation Area and Public Lands)

PROPOSED: HSC (Highway Service Commercial), CC (Community Commercial), and HDR (High Density Residential) Designations

ZONING (Exhibit B):

SITE: ARE-40 (Agricultural Rural Exclusive 40-Acre) District

SURROUNDING: ARE-40 (Agricultural Rural Exclusive 40-Acre), ARF (Agricultural Rural Foothills), and CRM (Commercial Rural Median)

PROPOSED: CRH (Commercial Rural Highway), CUM (Commercial Urban Median), RUM (Residential Urban Median)

LAND USE:

SITE: Vacant

SURROUNDING: Commercial, grazing land, and single family residences.

SIZE OF PROPERTY: 20.48 Acres

ACCESS (Exhibit A): Access is via Yosemite Springs Parkway

BACKGROUND AND PRIOR ACTIONS:

The subject property currently has no background or prior actions associated with it.

PROJECT DESCRIPTION:

The request is for a General Plan Amendment and Rezone to allow a mini-mart, gas station, senior adult apartments, and retail/professional business park.

ORDINANCES/POLICIES:

California Government Code Section 65358(a) establishes authority for amending the General Plan by the Board of Supervisors.

Madera County General Plan – Part 1, Land Use

Madera County Code Chapter 18.24 – Uses allowed in the RUM (Residential Urban Multiple Family) District

Madera County Code Chapter 18.32 – Uses allowed in the CUM (Commercial Urban Median) District

Madera County Code Chapter 18.40 – Uses allowed in the CRH (Commercial Rural Highway) District

ANALYSIS:

This application was originally submitted in September, 2012. The applicant was advised that no new commercial development was permitted as per the 1980 O'Neals Area Plan, and Staff could therefore not support the project. The applicant then pursued an amendment to the O'Neals Area Plan. On February 11, 2013, the Board of Supervisors approved a General Plan Text Change to the O'Neals Area Plan allowing for rural commercial development to be limited to locations adjacent to major activity nodes and major transportation corridors.

The historically vacant parcel is proposed to be developed with such uses as a mini-mart and gas station, a senior housing apartment complex, and retail/professional office uses. At the time of original application, Staff advised the applicant that due to unknown and possible impacts to the environment, a Traffic Impact Study, Biological Evaluation, and an updated Archeological Survey must be prepared to determine impacts and appropriate mitigation measures.

The Traffic Impact Study was prepared and required revision as per comments from the California Department of Transportation (Caltrans). Results of the study determined that improvements identified will mitigate all LOS deficiencies to acceptable levels of service, with the exception of SR 41 and Road 207. Caltrans comments (Exhibit O) indicate that the signal pole on the southwest corner of the intersection may need to be relocated and replaced. Trip rates for the proposed uses at the affected intersections are included in the study. The Traffic Impact Study in its entirety (including traffic counts and calculations) is located in the project file and available upon request.

The site was surveyed for special status plant species in late March of 2013, and no populations of such species were present. The site was also examined for special status animal species, or habitat suitable for them. It was determined that the site may harbor populations of the valley elderberry longhorn beetle due to the presence of multiple elderberry shrubs. Western pond turtles inhabit Coarsegold Creek and stock ponds in the immediate project vicinity, and thus western pond turtles may inhabit the seasonal drainage passing through the project site. The seasonal drainage passing through the site and a small reach of a tributary are likely waters of the United States and state of California. The project will result in potentially significant adverse environmental impact on western pond turtles, valley elderberry longhorn beetles, nesting birds, mixed oak woodland, water quality in the seasonal drainage on site and Coarsegold Creek to which it is tributary, and the habitat values of the on-site drainage. All impacts can be mitigated to a less than significant level.

The Archeological Survey indicates that the site was previously surveyed in 1998. Two Native American Archeological sites were identified and recorded. Also, a surface inspection was completed on April 30, 2013. Both sites were relocated and included numerous bedrock milling features, obsidian flaking debris, and anthropogenic soils (midden). Numerous ground stone artifacts, fragments of burned bone, and quartz crystal core fragments were also observed. A very large Native American site is located in the immediate vicinity of the project area. Other than the previously identified cultural resources, no other cultural resources were identified. Mitigation measures include site monitoring during construction.

A public water and sewer system will have to be constructed for the site in accordance with the Regional Water Quality Control Board and the California Department of Public Health (in addition to all requirements per the Environmental Health Department).

The County General Plan designates the subject properties as AR (Agricultural Rural) designation, the proposal before the Commission would amend the General Plan Land Use to HSC (Highway Service Commercial), CC (Community Commercial), and HDR (High Density Residential) designation. These designations state the following within the 1995 General Plan:

***“Highway Service Commercial (HSC):** This designation provides for restaurants, service stations, truck stops, hotels and motels, and retail and amusement uses that are oriented principally to highway and through traffic, public and quasi-public uses, and similar and compatible uses.”*

***“Community Commercial (CC):** This designation provides for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels, public and quasi-public uses, and similar and compatible uses.”*

***“High Density Residential (HDR):** This designation provides for multiple-family residential units, group quarters, mobile home parks, bed-and-breakfast establishments, professional offices, public and quasi-public uses, and similar and compatible uses. Offices may be allowed with discretionary approval.”*

The applicant has indicated that the local population is in need of local commercial services and jobs associated with such commercial entities. Also, the project will allow for much needed senior housing for local residents.

The project was circulated to outside agencies thought to be impacted or regulating the development of the proposed project. This includes but not limited to the California Department of Transportation, Department of Fish and Wildlife, Department of Water Resources, and the San Joaquin Air Pollution Control District. Comments were received from Caltrans, the California Department of Fish and Wildlife, the Picayune Rancheria of the Chukchansi Indians, and the San Joaquin Valley Air Pollution Control District.

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.

WILLIAMSON ACT:

The property is not currently enrolled within the Williamson Act.

GENERAL PLAN CONSISTENCY:

The project proposes a General Plan Amendment to HSC (Highway Service Commercial), CC (Community Commercial), and HDR (High Density Residential) and a

Rezone to CRH (Commercial Rural Highway), CUM (Commercial Urban Median) and RUM (Residential Urban Multiple Family).

Uses allowed in the CRH zone district include restaurants, motels, and service stations. Uses allowed in the CUM zone district include retail sales establishments, customer service establishments, restricted retail sales establishments, and professional offices. Uses allowed in the RUM zone district include multiple family dwellings in permanent structures, one single family dwelling, and a second single family dwelling. These uses are consistent with the allowed uses in the corresponding General Plan designations.

RECOMMENDATION:

The analysis provided in this report supports approval of Mitigated Negative Declaration ND #2013-29 and Project #2012-005, General Plan Amendment #2012-005, and Rezone #2012-012 as presented subject to the following conditions and Mitigation Monitoring and Reporting Program.

CONDITIONS:

See attached conditions of approval.

ATTACHMENTS:

1. Exhibit A-1, General Plan Map
2. Exhibit A-2, Area Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D, Site Plan Map
6. Exhibit E, Aerial Map
7. Exhibit F, Topographical Map
8. Exhibit G, Operational Statement
9. Exhibit H, CEQA Initial Study
10. Exhibit I, Mitigated Negative Declaration ND #2013-29
11. Exhibit J, Mitigation Monitoring Reporting Program
12. Exhibit K, Engineering Department comments
13. Exhibit L, Environmental Health Department comments
14. Exhibit M, Fire Department comments
15. Exhibit N, Road Department comments
16. Exhibit O, Caltrans comments
17. Exhibit P, Department of Fish and Wildlife comments
18. Exhibit Q, San Joaquin Valley Air Pollution Control District comments
19. Exhibit R, Revised Traffic Impact Study (Entire Document available upon request)
20. Exhibit S, Biological Survey
21. Exhibit T, Archeological Survey (not attached for confidentiality purposes)
22. Exhibit U, Comment letter from Volney Willet
23. Exhibit V, Comments from Mary Matola
24. Exhibit W, Comments from Gary and Heather Garrison

CONDITIONS OF APPROVAL

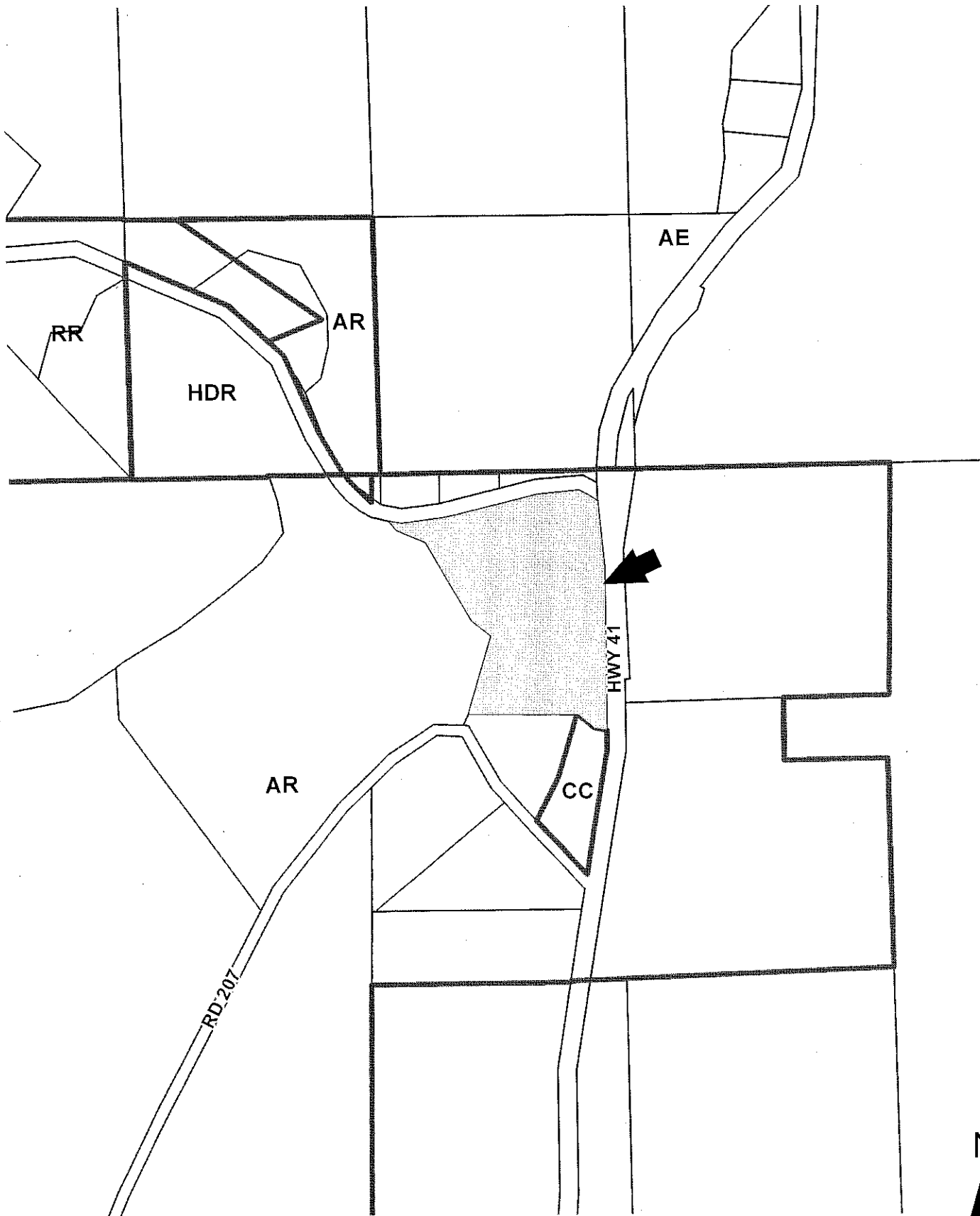
PROJECT NAME: Project #2012-005, Jonathan
PROJECT LOCATION: Southwest corner of the intersections of Highway 41 and Yosemite Springs Parkway (27800 Road 207), Coarsegold
PROJECT DESCRIPTION: General Plan Amendment and Rezone to allow a mini-mart, gas station, senior housing apartments, retail sales, and professional offices

APPLICANT: Dennis Jonathan
CONTACT PERSON/TELEPHONE NUMBER: (559) 760-5755

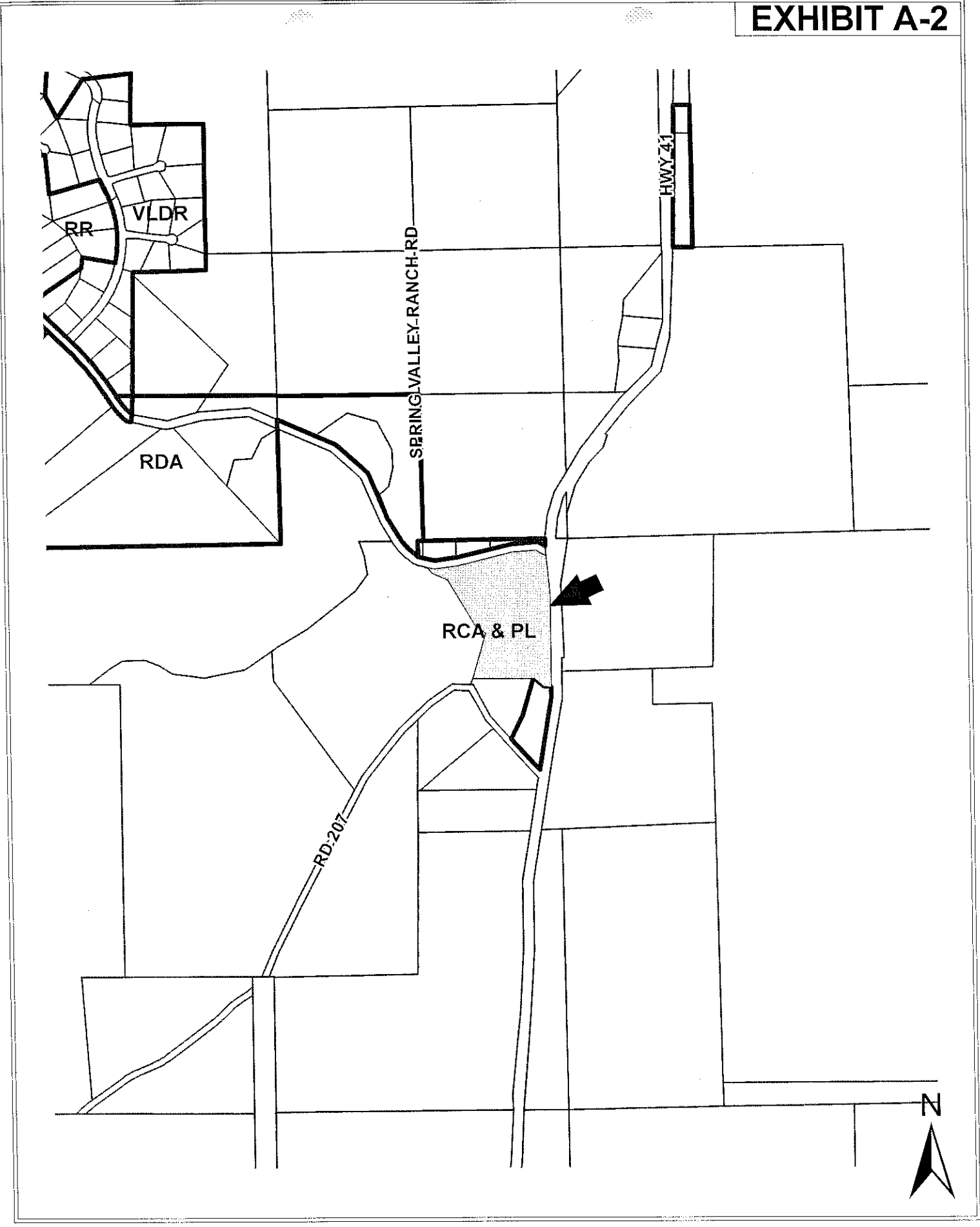
No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
Remarks				
Engineering				
1	Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.			
2	Prior to the start of any grading activities, the applicant shall apply for, and obtain a Grading, Drainage and Erosion Control Permit from the Engineering Department.			
3	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.			
Environmental Health				
1	Water and sewer service for all occupied structures will need to be provided by the applicant. Prior to construction activities within this development, the owner(s) are required to ensure drinking water supply quality and quantity.			
2	The required waste water treatment and disposal system for this development must comply with all Regional Water Quality Control Board (RWQCB) waste water standards. The applicant must submit an application to the RWQCB for the creation of a community sewage treatment system and ensure that all specifications and construction complies with all applicable standards.			
3	This project will require the creation of a public water system, including the application to the State Department of Health Services Drinking Water Program and preparation of a TMF (Technical, Managerial and Financial) report. In addition, the construction/specifications of the well must comply with Public Well Standards and the creation of a Public Water System is required. Contact a Water Program Specialist within this Department at (559)675-7823 for further details.			
4	The owners/operators of this proposed food facility within this project must complete and submit a food facility construction plan(s) and application(s) for Food Vending Permit(s) for each food operation with this department Food Program before onset of any construction activities and or before operation. Contact a Food Program specialist within this Dept. at (559) 675-7823 for any questions that you may have regarding this process or for copies of the Permit Application.			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	The owners/operators of this facility and/or shop must complete and submit a Business Activities Declaration Form and submit any proposed underground storage tank plans to 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				
6	All applicable Environmental Health. Department permits must be obtained prior to construction activities on site. Madera County "Setback Requirements" must be maintained through-out development on this property.				
FIRE DEPARTMENT					
7	Due to the projects proposed uses and density an improved and all weather surfaced access shall be provided from the southern property boundary to Road 207. This access may be emergency access only.				
8	Due to the commercial nature of the property and the proposed density and uses associated a hydrant system capable of producing 1,500 gpm will be required. The total fire storage water required will be determined upon the cubic footage of the largest building on site, domestic demands and sprinkler calculations per NFPA 1142 or currently adopted code at time of construction. Hydrant system shall be a pressurized system. A draft system will not be acceptable.				
9	At the time applications for building permits have been received, a more in-depth plan review shall be conducted.				
Planning					
1	The applicant shall comply with all mitigation measures listed in MND #2013-29 prior to construction or grading unless changed by the Planning Commission or Board of Supervisors.				
ROAD DEPARTMENT					
1	A roadway evaluation, as mentioned above shall be prepared and submitted to the Road Department. Analysis shall include mitigation measure. In the event that structural improvements are deemed necessary, the project proponent shall improve roadway to the satisfaction of the Road Department.				
2	As a condition of approval, the developer must either construct or post security to construct at a later date all road related improvements. The proposed roads shall meet or be improved to a minimum Class IV standard or better. Yosemite Springs Parkway shall be improved to accommodate a left turn pocket as well as a deceleration/acceleration lane. A single access will be granted onto YSP. This access point shall be located as far west and away from SR 41 as feasible. Road 207 shall be constructed from its intersection of SR 41 to the property access point. Where road construction is proposed within an existing public right-of-way, the developer will apply for Encroachment and Construction Permits at the Road Department. Prior to any construction, the plans, profiles and specifications of all road improvements shall be submitted to the Road Department for review and approval.				
3	The design and construction of all roads and road appurtenances will be the responsibility of the developer, who will employ a California registered civil engineer and /or a California registered land surveyor to do all survey work and, a California registered civil engineer to perform all road and road appurtenance design, Construction supervision and inspection (17.32.050).				

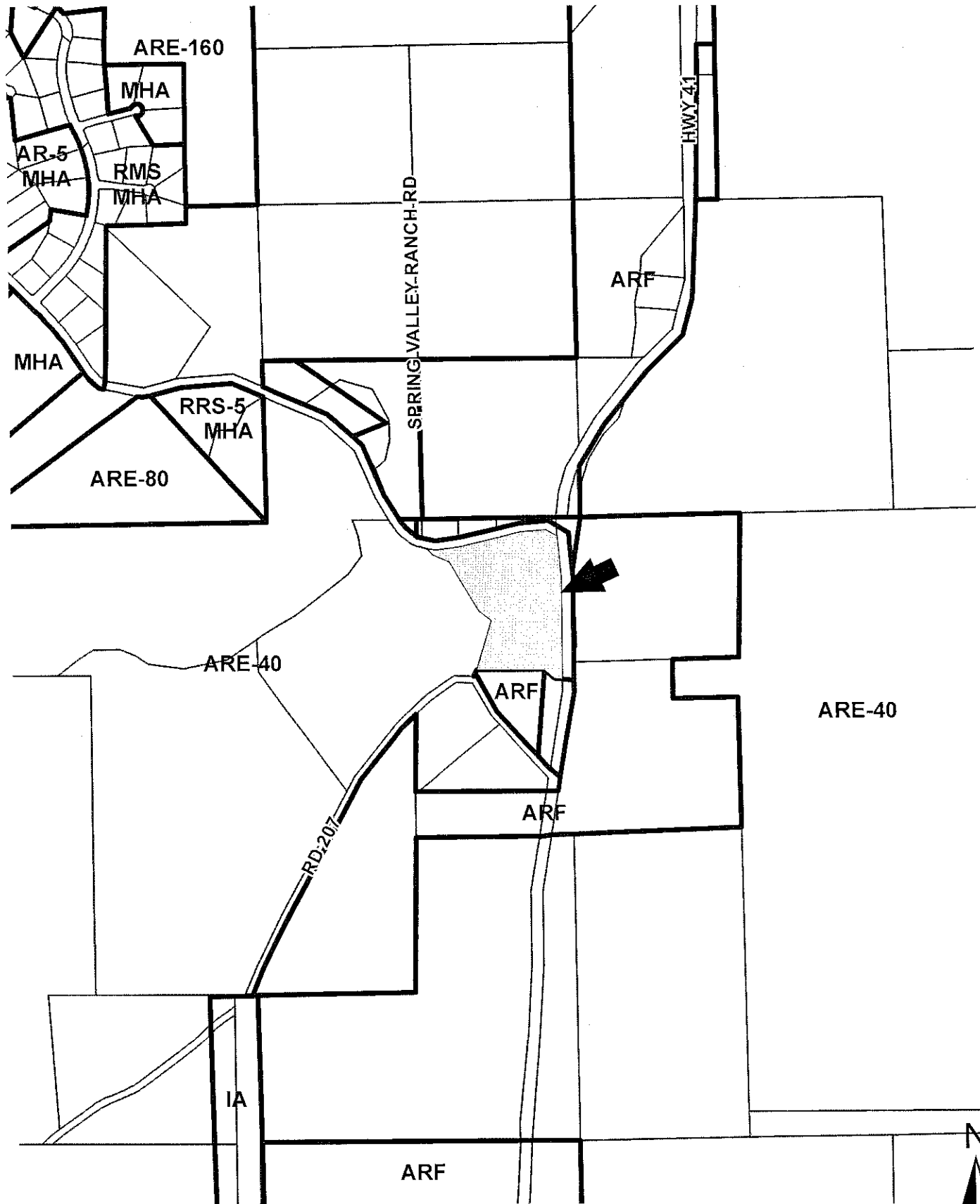
No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
Remarks				
4	Upon completion of all construction, documentation of all road and road appurtenance construction will include: a written statement, signed and stamped by a California registered Civil Engineer, attesting to the fact that the road and all road appurtenances were designed and constructed in accordance with county code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the California registered Civil Engineer (MCC 17.32.060).			



GENERAL PLAN MAP



O'NEALS AREA PLAN



ZONING MAP

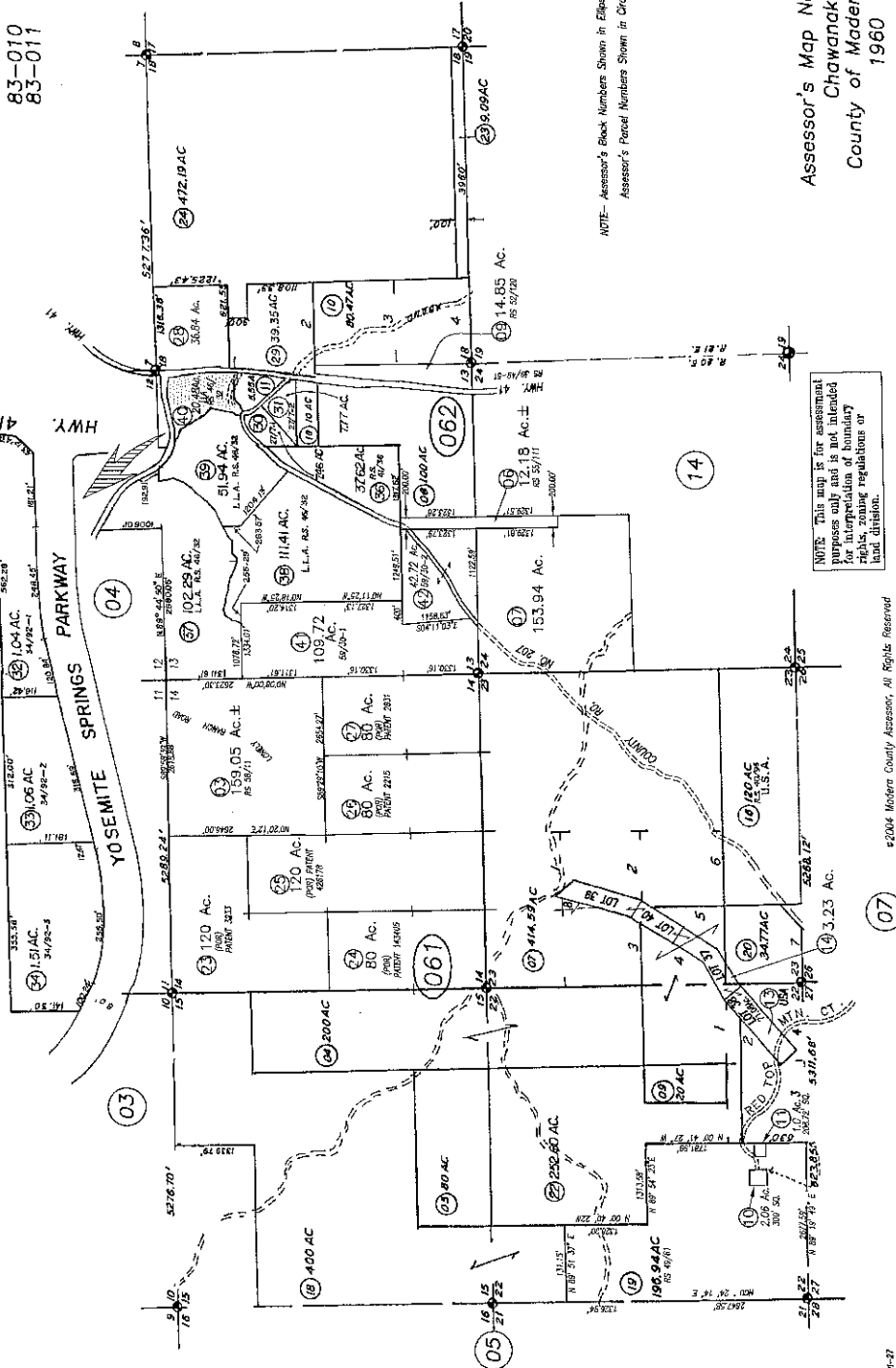
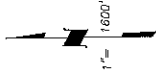
EXHIBIT C

50-06

T.9S. R.21E. M.D.B.&M.

T.9S. R.20E. M.D.B.&M.

Tax Area Code
83-010
83-011



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

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

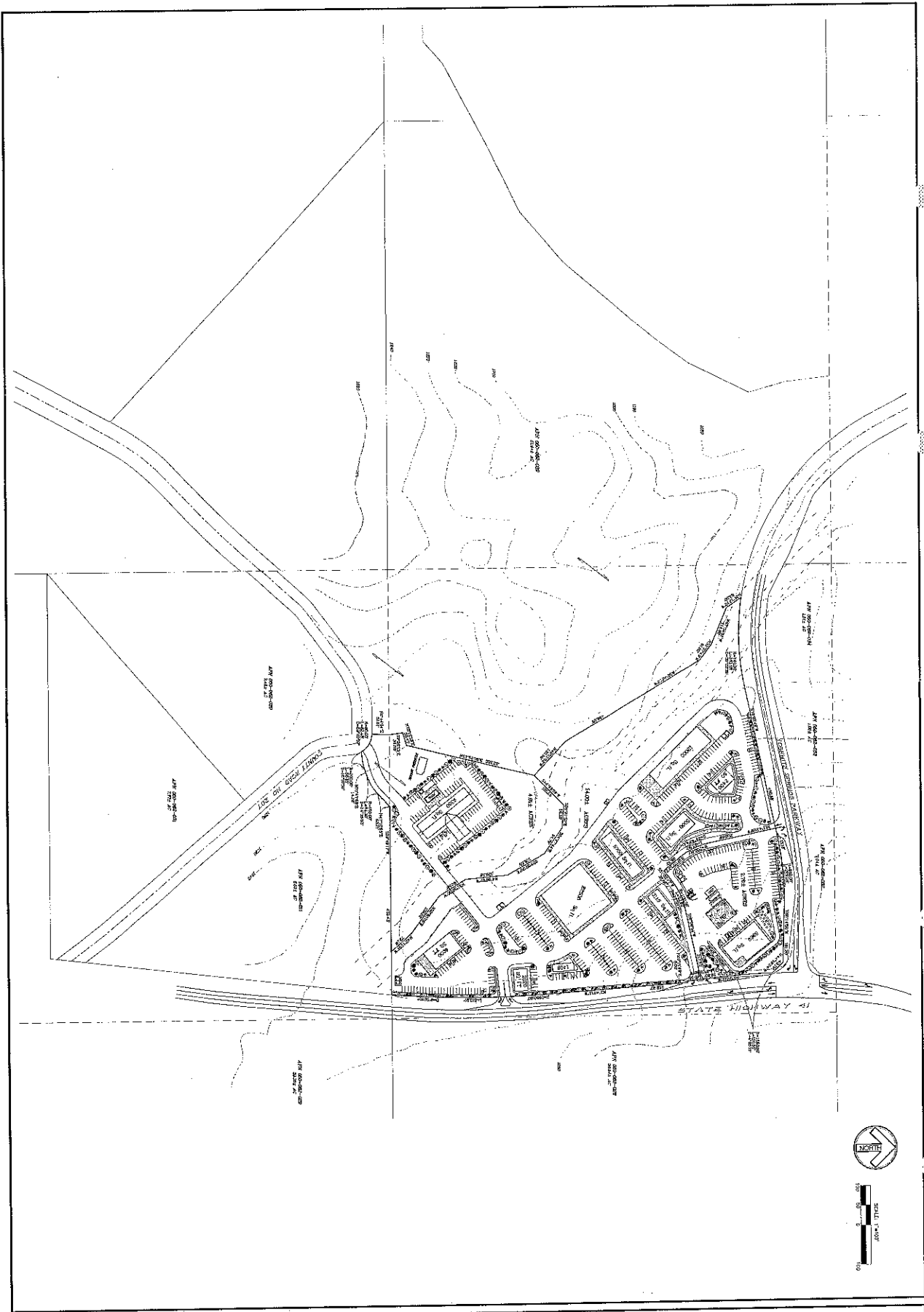
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1300-01-20
10-16-04 EJA

Assessor's Map No. 50-06
Chawanakee
County of Madera, Calif.
1960

ORIGINAL

ASSESSOR'S MAP



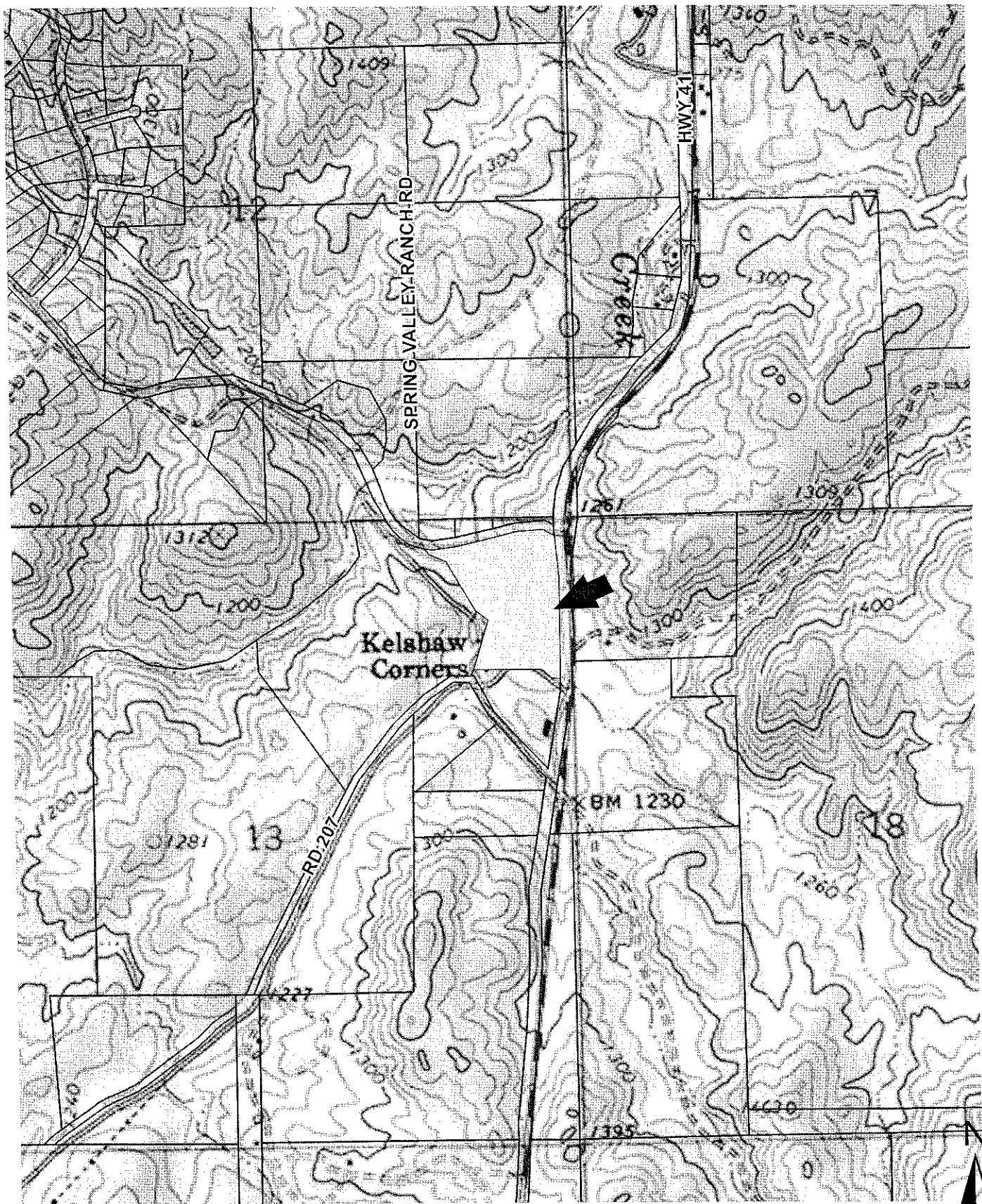
SITE PLAN
FOR
NOONKESTER

APN 050-062-040
A PORTION OF THE NORTHEAST 1/4 OF SECTION 13
TOWNSHIP 9 SOUTH, RANGE 20 EAST, M.D.B.M.
AS SHOWN ON RECORD OF SURVEY
ON FILE IN BOOK 49, PAGE 32, M.C.R.

NO.	DATE	BY	DESCRIPTION
1	05/11/2006	J. M. [unclear]	PRELIMINARY SITE PLAN
2	05/11/2006	J. M. [unclear]	FINAL SITE PLAN



AERIAL MAP



TOPOGRAPHICAL MAP

EXHIBIT G

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

OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information

Assessor's Parcel Number: 050-062-040
Applicant's Name: Hershel Noonkester
Address: 27396 Road 207, Comsego, CA 93614
Phone Number: (559) 868-2885
CELL (415) 999-2364

2. Describe the nature of your proposal/operation. 3 defined projects

- 1) mini mart Gas Station
- 2) SENIOR ADULT APT. BLDG
- 3) RETAIL / PROFESSIONAL BUS. PARK

3. What is the existing use of the property?
VACANT LAND

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

N/A

5. What are the proposed operational time limits?

Months (if seasonal):

Days per week: SUNDAY → SATURDAY

Hours (from ___ to ___):

Total Hours per day:

24 hrs / DAY SUNDAY → SATURDAY

7. How many customers or visitors are expected?

Average number per day: 100-150

Maximum number per day: 200

What hours will customers/visitors be there? 24 hrs / DAY

8. How many employees will there be?

Current: 0

Future: 20

Hours they work: 24 hrs / DAY

Do any live onsite? If so, in what capacity (i.e. caretaker)?

NO

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

N/A

10. Will there be any service and delivery vehicles?

Number: 4-5/day

Type: Supplies for Retail, Gas,

Frequency: Monday → Friday

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

We will comply to parking ord.

12. How will access be provided to the property/project? (street name)

Hwy 41, Yosemite Springs Pkwy & Rd 207

13. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development. 100-150 cars, 4-5 delivery trucks

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

Signs along road, complying with sign ord.

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 applicable.

New buildings to be constructed. Site map attached. Floor plans & elevations to be submitted.

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

Natural landscaping retained, shrubs, trees, etc to be added

- 17.

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

North - Commercial East - rural
South - Commercial West - Residential

- 18.

Will this operation or equipment used, generate noise above other existing parcels in the area?

minimal effect

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). APPROX. 8000 GAL/DAY. EXISTING AND NEW WELLS, STORAGE ON SITE.
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of? 5000 GAL/DAY APPROX., SEPTIC SYSTEM
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? LOCAL GARBAGE COMPANY
22. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.) PAD FOR MINI MARKET/ Gas Station, PAD FOR APPTS BLDG., PADS FOR RETAIL, MINIMAL TREE REMOVAL,
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan. ~~0~~
24. Locate and show all bodies of water on application plot plan or attached map.
SEE SITE MAP
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.
SEE SITE MAP
26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of? ~~0~~
27. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?) CDF FOR FIRE, MADRERA SHERIFF
28. How do you see this development impacting the surrounding area?
PROVIDING MUCH NEEDED SR HOUSING, PROVIDING LOCAL SERVICES (RETAIL), PROVIDING SOLID JOB BASE
29. How do you see this development impacting schools, parks, fire and police protection or special districts? MINIMAL EFFECT
30. If your proposal is for commercial or industrial development, please complete the following;

Proposed Use(s): Commercial, Retail, Multi Family Housing

Square feet of building area(s): Approx

Total number of employees: 20

Building Heights: 2 story or less

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

End

Environmental Checklist Form

EXHIBIT H

Title of Proposal: Project-BdS #2012-005, Dennis Jonathan

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 applicant has requested to amend the General Plan from AR (Agricultural Rural) to HSC (Highway Service Commercial), CC (Community Commercial) and HDR (High Density Residential) and Rezone from ARE-40 (Agricultural Rural Exclusive-40 Acre) District to CRH (Commercial Rural Highway), CUM (Commercial Urban Median) and RUM (Residential Urban Multiple Family) Districts to allow for a mini-mart, gas station, senior adult apartments, and retail/professional business park.

Project Location:

The project is located on the southwest corner of the intersections of Highway 41 and Yosemite Springs Parkway (27800 Road 207), Coarsegold.

Applicant Name and Address:

Dennis Jonathan
P O Box 2207
Oakhurst, CA 93644

General Plan Designation:

AR (Agricultural Rural)

Zoning Designation:

ARE-40 (Agricultural Rural Exclusive-40 Acre) District

Surrounding Land Uses and Setting:

The project site is currently vacant with community commercial located to the west and north and SR 41 to the east. Blackhawk Lodge is located to the south.

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 |

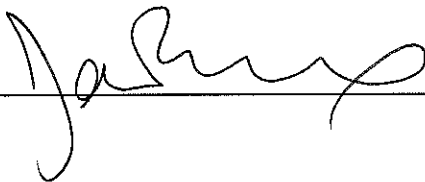
DETERMINATION: (To be completed by the Lead Agency)

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

Community commercial type development exists to the north and south of the project site. The proposed use is consistent with the surrounding uses and will, therefore, have a less than significant impact on the 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 subset 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The site is currently designated as grazing land according to the Farmland Mapping and Monitoring Program. The use and zone district are proposed to be changed to allow for commercial and multiple family development

(b) Less than Significant Impact

The site is not subject to a Williamson Act contract; however the use of agriculture is proposed to be changed to commercial and multiple family residential. The site is not currently used for agricultural production.

(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) Less than Significant Impact

The proposed project will change the land use from agricultural to commercial/residential uses. No impacts to Farmland will occur as a result of this project. Agriculture for the parcel has been rendered unusable for grazing land due to commercial development on neighboring parcels.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

Construction activities associated with the project will temporarily contribute dust to an air mass in the San Joaquin Valley that currently exceeds the state and federal health standards for PM-10. Initially, during the construction phase of the project, additional traffic beyond that occurring at the project site as normally expected during operations would be generated which would add to an increase in vehicle emissions in the area. Compliance with existing regulations (SJVUAPCD Regulation VIII - Fugitive PM-10 Prohibitions) would constitute reasonable efforts and reduce the impact of the project to less than significant levels with regards to air quality. The proposal would not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people.

(b) Less than Significant Impact with Mitigation Incorporated

See a.

(c) Less than Significant Impact with Mitigation Incorporated

See a.

(d) Less than Significant Impact with Mitigation Incorporated

See a.

(e) Less than Significant Impact with Mitigation Incorporated

See a.

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.

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IV.	BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitiga- tion Incorpo- ration	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 with Mitigation Incorporated

Project construction occurring within 100 feet of seasonal channels of the project may result in mortality to western pond turtles moving through or overwintering on the site. Project construction anywhere on the site may result in the deconstruction of turtle eggs in a nest. The project is being designed to avoid all elderberry shrubs, the host plant in which the VELB occurs. The project sponsor shall provide a disturbance-free buffer of at least 20 feet around each shrub. Direct mortality from the removal of individual shrubs will not occur. However, construction during the flight season (March through June) could generate substantial amounts of dust that could settle on the foliage and blossoms elderberry shrubs, the primary food of the VELB, thus affecting reproductive success. This represents a potentially significant adverse environmental impact of the proposed project on VELB populations potentially occupying elderberry shrubs of the project site. Based on properly timed surveys of the project site, it has been determined that none of the 12 special-status plant species occurring within the project vicinity would occur on the project site. Thus, the project would have no impact on special status plant species. Twenty-nine special-status animal species occur or have the potential to occur within the project vicinity (see Table 2). Of these, sixteen species would be absent or unlikely to occur on the project site. Others would only rarely occur on site as transients or migrants. The proposed project will have no effect on the breeding success of any of these transient or migrant species, and would only result (at most) in a small reduction of foraging and/or roosting habitat that is regionally abundant. The remaining thirteen special-status animal species from Table 2 potentially occur more frequently as regular foragers or whose habitat may include the project site. Twelve of these species (with the exception of the valley elderberry longhorn beetle) are likely to pass through or over habitats of the project site and adjoining lands including, golden eagles, long-eared owls, black swifts, Vaux's swifts, olive-sided flycatchers, yellow warblers, spotted bats, tricolored blackbirds, Western mastiff bats, Townsend's big-eared bats, and pallid bats. The project site does not provide these species unique intrinsic habitat values, and its development as proposed will not affect the ability of these species to pass through and over the site. Therefore, the proposed project will result in a less than significant effect on these species.

(b) Less than Significant Impact with Mitigation Incorporated

Extensive grading often leaves the soils of construction zones barren of vegetation and, therefore, vulnerable to erosion. Eroded soil can be carried as sediment in seasonal creeks to be deposited in creek beds and adjacent wetlands. The topography of the project site is generally sloping toward the seasonal drainage channel passing through the site. The soils consist of decomposed granite that is highly erodible. All graded areas will be vulnerable to erosion during the winter rainy season. Furthermore, site drainage after project completion will potentially result in the discharge of pollutants from parking areas and landscaping of the project in stormwater runoff entering the on-site seasonal drainage. The possible deposition of silt in and polluted runoff to the onsite drainage and Coarsegold Creek to which it is tributary constitutes a potentially significant adverse environmental effect of the project. The applicant is designing the site plan to avoid the seasonal drainage and its tributary

passing through the site. Thus, the project will have no direct effect on the seasonal drainage and its tributary. The proximity of development to this drainage and scattered riparian trees and shrubs along it could, however, result in a potentially significant adverse effect on wildlife use of the drainage and its associated vegetation.

(c) No Impact

The seasonal drainage passing through the project site, and its tributary are jurisdictional waters subject to the permit authority of the USACE, SWRCB, and CDFW. The project sponsor is modifying the original site plan to avoid all impacts to 0.69 acres of jurisdictional waters subject to the permit authority of the USACE and SWRCB, and 2.11 acres of jurisdictional waters regulated by the CDFW. Thus, the project will have no direct effect on such waters.

(d) Less than Significant Impact with Mitigation Incorporated

Mixed oak woodland is composed of a number of trees that may be used by a number of migratory bird species, including raptors (i.e., hawks, falcons, eagles, owls, etc.) for nesting from approximately February 1st to August 31st. Construction activities during the nesting period may destroy nests or result in nest abandonment by adult birds and consequential mortality of nestlings. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a violation of the federal Migratory Bird Treaty Act and would constitute a potentially significant adverse environmental effect of the project.

The proposed project will modify the home range and dispersal movements of terrestrial vertebrates using the site. The site does not play a significant role in the migratory movements of most species. Given the small size of the site and the avoidance of the seasonal drainage passing through it, the proposed project will have a less than significant effect on the movements of regional wildlife populations.

(e) Less than Significant Impact with Mitigation Incorporated

Based on review of the existing site plan, the proposed project would result in the conversion of up to 5.7 acres of mixed oak woodland to retail and residential development. Impending modifications to the site plan in order to eliminate impacts to blue elderberry shrubs may reduce the magnitude of this impact somewhat, but expected impacts to oak woodland from the removal of oak trees is expected to be substantial. Oak woodlands throughout the state of California are being eliminated from clear cutting (for firewood) or highly modified (from development). Substantial areas of oak woodland in Madera County have been highly modified from commercial and residential development. Implementation of mitigation measures will mitigate potential project impacts to mixed oak woodland habitat to a less than significant level.

(f) Less than Significant Impact

The Natural Resources element of the Madera County General Plan provides the County direction in project planning and approval with respect to sensitive biotic resources. This element includes a number of goals that are relevant to the proposed project; for example, 1) to protect wetland communities and related riparian areas throughout Madera County as valuable resources, 2) to protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels, and 3) to preserve and protect the valuable vegetation resources of Madera County. Implementation of goals in the Madera County General Plan is accomplished via a set of policies specific to each goal.

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
California tiger salamander	Threatened	Threatened	SSC	
Western spadefoot	None	None	SSC	
Foothill yellow-legged frog	None	None	SSC	
American badger	None	None	SSC	
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

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

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

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the 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.

Click here to enter text.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a) No Impact

No historical resources exist on the project site.

(b) Less than Significant Impact with Mitigation Incorporated

The project area is within an area of high archaeological sensitivity, and is well known to local Native Americans. The results of a records search completed in March 2013 with the Southern San Joaquin Valley Information Center of the California Historical Resources Information System, indicated that the project area had been previously surveyed. Two additional studies have been completed immediately adjacent to the project area. Native American archaeological sites were identified and recorded within the current project area; recorded resources are located near the project area.

A surface inspection of the project area was completed on 30 April 2013. Sites include numerous bedrock milling features, obsidian flaking debris, and anthropogenic soils (midden). Numerous ground stone artifacts, fragments of burned bone, and quartz crystal core fragments were also observed. Dense grasses obscured surface soils in the majority of the project area, although rodent backdirt piles afforded a view of mineral soils in the northern half of the parcel. A section of the old Yosemite Road is present. A very large Native American site is located near the project site.

(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 with Mitigation Incorporated

No known human remains exist on the project site; however, remains have been located previously in the vicinity of the 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).

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VI. GEOLOGY AND SOILS -- Would the project:

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

There is currently one septic tank on the property. The soil is capable of supporting additional septic tanks.

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.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed zone and land use change will potentially allow for a service station in- which large amounts of hazardous materials will be stored underground. 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 with Mitigation Incorporated

Due to the projects proposed uses and density an improved and all weather surfaced access shall be provided from the southern property boundary to Road 207. This access may be emergency access only.

(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>

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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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) No Impact

Septic tanks are used on the parcel and in the vicinity. Any new septic tanks will be regulated by the Environmental Health Department.

(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

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.

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

Discussion:

(a) No Impact

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

(b) No Impact

This proposal includes a general plan amendment from an agricultural use to commercial and residential use. The area plan was recently updated to allow for changes in land use along major transportation corridors, in which this project is.

(c) Less than Significant Impact

A biological study was prepared for the project with the intent to avoid sensitive biological areas/species.

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?

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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

Noise levels will be increased as development occurs; however with approval of the land use change, the uses allowed will result in normal commercial/residential noise levels making the impact less than significant.

(b) Less than Significant Impact

If approved, the project will allow by-right commercial and residential uses. Temporary groundborne vibrations from normal construction activities may occur, however these impacts are less than significant as the proposed zone districts are consistent with the general plan EIR.

(c) Less than Significant Impact

Commercial and residential uses may raise the amount of noise generated in the area; however, the impact will be less than significant. Commercial and residential land uses exist within the immediate vicinity of the project site. Noise impacts were analyzed for the current land use designation in the general plan EIR.

(d) Less than Significant Impact

See c.

(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.

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

Source: Whiffen and Leonard 1971

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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 may be increased; however the intent for the residential use is senior housing for existing residents of the area.

(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 checked="" type="checkbox"/>	<input 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 the traveling public.

(a-ii) Less than Significant Impact

See a-i.

(a-iii) Less than Significant Impact

See a-i.

(a-iv) Less than Significant Impact

See a-i.

(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 Sheriff'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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

transit?

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

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

Results of the analysis shown in the Traffic Impact Study show that improvements identified will mitigate all LOS deficiencies to acceptable levels of service, with the exception of the intersection of SR 41 and Road 207. Caltrans has determined that a traffic signal will not be allowed at this intersection due to the close distance to the Yosemite Springs Parkway traffic signal.

(b) Less than Significant Impact with Mitigation Incorporated

See a.

(c) No Impact

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

(d) Less than Significant Impact with Mitigation Incorporated

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 (7th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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