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

Discussion:

(a) Less than Significant Impact
A sewer system regulated by the Environmental Health Department will be used for any future development. The impact of the waste water treatment system to the environment will be less than significant.

(b) Less than Significant Impact with Mitigation Incorporated
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.

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

(d) Less than Significant Impact with Mitigation Incorporated
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.

(e) Less than Significant Impact with Mitigation Incorporated
See b.

(f) Less than Significant Impact
Madera County is served by the landfill in Fairmead which complies with federal, state, and local statutes.

(g) Less than Significant Impact
See f.

General Discussion

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water

systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

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

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

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

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

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

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

Through mitigation, impacts to fish and wildlife species will be reduced to a level of less than significant.

(b) Less than Significant Impact with Mitigation Incorporated

The traffic impact study analyzed cumulative traffic impacts including projects in the surrounding vicinity. Miti-

gation measures implemented will reduce the impact to less than significant.

(c) Less than Significant Impact

The project site is undeveloped; however it is located in an area surrounded by residential and commercial development. In addition, a heavily traveled state highway also abuts the project site. Impact to humans will be less than significant.

General Information

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).

- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).

- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

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

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

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

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

Madera County Integrated Regional Water Management Plan.

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

Click here to enter text.

EXHIBIT I

MITIGATED NEGATIVE DECLARATION MND

RE: Project BdS #2013-005, Jonathan

LOCATION AND DESCRIPTION OF PROJECT:

A General Plan Amendment and Rezone to allow a mini-mart, gas station, senior apartment building, retail sales, and professional offices.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

See Attached Mitigation Monitoring Report

Madera County Environmental Committee

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

DATED: 12/2/13

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2013-29

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
Agricultural Resources								
Air Quality								
Biological Resources								
1	Exclusion Fencing. Prior to the onset of any phase of project construction, the project sponsor shall install exclusion (silt) fencing around the footprint of that construction phase to ensure that no turtles occurring within the riparian zone and adjacent mixed oak woodland can enter any proposed construction zones during project construction. To ensure that turtles cannot pass under the fencing material, the bottom of the fencing material will be buried in the ground to a depth of 4 – 6 inches. This fencing will be constructed with exit portals at intervals of 100 feet that will permit juvenile and adult pond turtles to exit the project construction zone, but not permit reentry.							
2	**Pre-construction Surveys**. Three days prior to the onset of project construction, the project sponsor will have a qualified biologist inspect the project site (inside the exclusion fencing where construction is to occur) for western pond turtles and turtle nests with eggs. If no turtles or nests are observed, additional mitigation measures will not be required.							
3	**On-site Construction Monitoring.** A biologist will monitor the construction site weekly during project construction to ensure that the exclusion fencing is intact and function to prevent turtles from entering the construction site.							

EXHIBIT J

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
4	**Relocation of Turtles Found within Construction Fencing.** Any turtles found within the proposed construction zones shall be relocated to Coarsegold Creek such that they cannot re-enter the construction zones due to the presence of the exclusion fencing.							
5	**Establishment of Disturbance-free Buffers Around Active Turtle Nests.** The project sponsor shall establish a 50-foot buffer around active turtle nests, if any are discovered in proposed construction zones. A qualified biologist will monitor these nests to ensure that turtle hatchlings will be relocated outside of construction zones as soon as possible.							
6	**Dust Control During VELB Flight Season.** Should project construction proceed during the VELB flight season, the contractor shall spray work areas with waters as needed to minimize the generation of dust that could settle on the foliage and flowers of elderberry shrubs.							
7	**Construction Outside of the Nesting Season.** The project sponsor shall initiate project construction outside of the nesting season. This work will include the removal of all potential nest trees that must be removed for project construction between September 1st and January 31st (outside of the nesting season).							
8	**Pre-construction Surveys.** If tree removal, brushing, grading, or construction occurs between the months of February and August. A qualified biologist will conduct pre-construction surveys for active nests within 30 days of the onset of these activities or after a break of more than 30 days.							
9	**Avoidance and Minimization Measures.** Should any active nests be discovered in or near proposed construction zones, the biologist will consult with the CDFW to identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing, and will be maintained until the biologist has determined that the young have fledged.							
10	**Assess Oak Tree Losses Based on Final Site Plan.** Once the final site plan has been revised to avoid all elderberry shrubs and jurisdictional waters occurring on the project site, project impacts to mixed oak woodland will be recalculated. Presumably, those impacts will be somewhat less than the 5.7 acres calculated on the original site plan.							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
11	**Preservation of Existing Habitat or Creation of Compensatory Habitat.** If oak woodlands cannot be avoided or minimized to a less than significant level, then one or a combination of the following measures will be implemented:							
12	a. Conserve oak woodlands at a 1:1 ratio (i.e. one acre preserved for each acre of oak woodland habitat removed by the project), through the use of a conservation easement.							
13	b. Plant in kind trees at a 1:1 ratio for each native tree removed with a diameter at breast eight (DBH) of 5 inches or greater (i.e. one in kind tree planted for each native oak woodland tree removed with a DBH of 5 inches or greater) in an effort to enhance or restore oak woodland habitat. To ensure the success of the plantings a restoration plan will be prepared by a qualified biologist and the restoration effort will be maintained for a minimum of seven years, including replacement of dead or diseased plantings. The restoration plan will have a success goal of 70% survival by the end of seven years. Per the requirements of SB1334, replacement plantings cannot fulfill more than half of the required mitigation for the loss of oak woodlands.							
14	c. Contribute funds to the Oak Woodlands Conservation Fund, Sierra Foothill Conservancy, or other qualified conservancy, for the purpose of purchasing oak woodlands conservation easements at a 1:1 ratio (i.e. one acre preserved for each acre of oak woodland habitat removed by the project). A project applicant that contributes funds under this paragraph shall not receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for the project.							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
15	**Preparation and implementation of erosion control plan.** Prior to the onset of construction, an erosion control plan will be prepared by a qualified engineer consistent with the requirements of a Fresno County grading permit and a General Construction Permit (an NPDES permit issued by the Regional Water Quality Control Board for Projects in which one or more acres of land are graded). Typically, specified erosion control measures must be implemented prior to the onset of the rainy season. The Site must then be monitored periodically throughout the rainy season to ensure that the erosion control measures are successfully preventing on-Site erosion and the concomitant deposition of sediment off Site. Elements of this plan would address both the potential for soil erosion and non-point source pollution. At a minimum, elements of an erosion control plan typically include the following:							
16	a. Protection of exposed graded slopes from sheet, rill and gully erosion. Such protection could be in the form of erosion control fabric, hydromulch containing the seed of native soil-binding plants, straw mechanically imbedded in exposed soils, or some combination of the three.							
17	b. Protection of natural drainage channels from sedimentation. Hay bale check dams should be installed below graded areas so that any sediment carried by surface runoff is intercepted and retained behind the check dams before it can enter the creek.							
18	c. Use of best management practices (BMPs) to control soil erosion and non-point source pollution. BMPs may include measures in 1 and 2 above, but they may include any number of additional measures appropriate for this particular Site and this particular Project, including grease traps in parking lots, landscape management practices to reduce the use of pesticides and herbicides, the discharge of stormwater runoff from "hardscapes" into grassy swales, regular Site inspections for pollutants that could be carried by runoff into natural drainages, etc.							
19	**Time construction to occur during the dry season.** Where possible, Project construction should be confined to the dry season, when the chance for significant rainfall and stormwater runoff is very low. Construction during the spring, summer, and fall will not eliminate the need to implement erosion control measures, but will ensure that the threat of soil erosion has been minimized to the maximum extent feasible.							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
20	**Control of non-point source pollution of stormwater runoff.** Stormwater and irrigation runoff leaving roofs, streets, and landscaped areas will potentially be polluted with oil, grease, heavy metals, and pesticide and herbicide residues. All runoff will be routed through a system of grease traps, stormwater retention/detention basins, and bio-filtration swales to ensure that water quality of on-Site and off-Site wetlands, creeks and rivers is maintained at roughly pre-Project levels.							
21	**Maintain 50-foot Development-free Buffers Between the Project and the Top of Bank Per Provisions of the County General Plan.** County general plan policies call for a 50-foot development-free buffer between project development and the top-of-bank of natural drainages. The project sponsor shall comply with this provision of County General Plan policies.							
Cultural Resources								
1	Proposed ground-disturbing activities shall be located well outside the known areas of archaeological deposits. Ground disturbing activities within the project area shall be monitored by a qualified archaeologist. In the event that buried archaeological deposits are encountered during project development, all activity within the project area shall cease until the finds have been evaluated by a qualified archaeologist. Should human remains be encountered, the County Coroner must be contacted immediately; if the remains are determined to be Native American, then the Native American Heritage Commission must be contacted as well.							
Geology and Soils								
Hazards and Hazardous Materials								
1	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.							
Hydrology and Water Quality								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
1	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.							
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
1	Comply with all mitigation measures listed in attached Revised Traffic Impact Study and Caltrans comments.							
Utilities and Service Systems								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
1	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.							
2	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.							
3	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.							

EXHIBIT K

Engineering and General Services

2037 West Cleveland Avenue
Madera, CA 93637

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

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

engineering@madera-county.com

MEMORANDUM

TO: Jamie Bax

FROM: Engineering Department

DATE: December 19, 2013

RE: Jonathan, Dennis - Project - BdS - O'Neals (050-062-040-000)

Comments

TOJamie Bax, Planning Department

FROMDario Dominguez, Engineering Department

SUBJECTPRJ 2012-005 Jonathan (APN 050-062-040)

1) The identified parcel is shown on the Flood Insurance Rate Maps (FIRM) as being in Flood Zone "X", areas determined to be outside the flood plain. A parcel identified as not being located within a Special Flood Hazard area may be subject to localized drainage problems that are site specific and not included in this flood zone determination.

2) The subject property is not within a Maintenance District or Service Area administered by the Madera County Engineering Department.

3. Prior to the start of any 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.

4. 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.

5. 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.

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

EXHIBIT L

RESOURCE MANAGEMENT AGENCY

Environmental Health Department

Jill Yaeger, Director

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

MEMORANDUM

TO: Jamie Bax

FROM: Environmental Health Department

DATE: December 19, 2013

RE: Jonathan, Dennis - Project - BdS - O'Neals (050-062-040-000)

Comments

The Madera County Environmental Health Department (MCEHD) has reviewed the submitted information for this Project BDS, PRJ #2012-005 Dennis Jonathan, located on APN: 050-062-040, within the Coarsegold area and has determined the following:

The subject property is not within a Maintenance District or County Service Area maintained by the Department of Engineering and General Services. 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.

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.

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.

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.

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

All applicable Environmental Health. Department permits must be obtained prior to construction activities on site.

activities on site.
Madera County "Setback Requirements" must be maintained through-out development on this property.

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

MADERA COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

EXHIBIT M

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

DEBORAH KEENAN
MADERA COUNTY FIRE MARCHAL

MEMORANDUM

TO: Jamie Bax

FROM: Madera County

DATE: December 19, 2013

RE: Jonathan, Dennis - Project - BdS - O'Neals (050-062-040-000)

Conditions

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.

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.

At the time applications for building permits have been received, a more in-depth plan review shall be conducted.

EXHIBIT N

ROAD DEPARTMENT
COUNTY OF
MADERA

JOHANNES HOEVERTSZ
Road Commissioner

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

MEMORANDUM

TO: Jamie Bax

FROM: Road Department

DATE: December 19, 2013

RE: Jonathan, Dennis - Project - BdS - O'Neals (050-062-040-000)

1.As a condition of approval, the applicant shall have a traffic study prepared by a certified engineer. The Traffic Study shall be based on the Madera County Regional Transportation Model. Project traffic generation should be based upon those standards contained within the I.T.Es' Trip Generation, latest edition. The scope of the study shall be submitted for review and approval by the Road Department. Analysis will include proposed mitigation. In the event that intersection improvements are proposed, geometrics will be considered. If traffic control measures are proposed based on traffic volumes, the appropriate warrants will be included. In the event that this proposed project contribute to or exacerbates traffic impacts at off-site intersections and/or roadway segments, calculations of the project's pro-rata share contribution towards such improvements, must be included in study

2.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.

3.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.

4.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).

5.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).

EXHIBIT O

DEPARTMENT OF TRANSPORTATION
DISTRICT 6
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7307
FAX (559) 488-4088
TTY (559) 488-4066
www.dot.ca.gov

Flex your power!
Be energy efficient!

October 10, 2013

2134-IGR/CEQA
6-MAD-41-20.02
TIS REVISED
NOONKESTER-YOSEMITE PLAZA
MIXED USE

Ms. Jamie Bax
County of Madera
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

Dear Ms. Bax:

We have completed our review of the proposed Noonkester – Yosemite Plaza Project Revised TIS, which would include a mini mart/gas station (12 fueling stations), 30-unit senior adult apartment, 57,628 ft² specialty retail center, and 4,500 ft² fast-food restaurant on an approximately 21.31 acre site. The Project also proposes to rezone the site from agriculture to commercial rural highway and urban residential multiple family. The site is located on the southwest quadrant of State Route (SR) 41 and Yosemite Springs Parkway. Caltrans has the following comments:

The following are improvements in addition to the recommended improvements for the opening day mitigation, the Existing Plus Project traffic condition in the Mitigation section of Chapter 4, page 42:

SR 41/Road 207:

- The proposed southbound right-turn lane on SR 41 should be extended to Yosemite Springs Parkway. This right-turn lane will become the future southbound second through lane.
- The southbound acceleration lane on SR 41 from Road 207 should be added.
- The signal pole on the southwest corner of the intersection may need to be relocated and replaced.

Yosemite Springs Parkway at the Main Access Driveway:

- A back-to-back left-turn lane to the driveway and SR 41 on Yosemite Springs Parkway

should be designed for the future 2035 Project traffic condition. The distance between the proposed driveway and SR 41 on Yosemite Springs Parkway as shown on the Site Plan in Figure 1-3 does not have adequate storage to accommodate the future traffic conditions. The driveway should be relocated near the west end of the property line. A revised site plan should be provided.

SR 41/Yosemite Springs Parkway:

- There would be queuing at the intersection of SR 41 and Yosemite Springs Parkway for the Existing Plus Project traffic conditions per worksheets. As a result, the northbound left-turn and eastbound right-turn lanes should be extended to accommodate the Existing Plus Project traffic conditions. The existing northbound left-turn storage is 550 feet per Table 4-3 plus 120 feet bay taper, for a total of 670 feet. There would be 280 vph northbound left-turn traffic volumes per Figure 3-10. 760 feet of left-turn storage would be needed based on a maximum of 90 second cycle length and a deceleration length for 55 mph speed per HDM Chapter 400 ((280 vph/40)*25 feet*1.5+485 feet deceleration length). It is recommended that the existing northbound left-turn storage be extended by 90 feet. A minimum of 300 feet for right-turn storage would be needed to accommodate the Existing Plus Project traffic conditions. The existing eastbound right-turn lane is 125 feet plus bay taper per Table 4-3.
- The recommended left-turn and right-turn storages in Table 4-3 do not include the deceleration length. The deceleration lane should be accounted for when designing left-turn and right-turn storages on SR 41.

The following are the additional improvements in addition to the recommended improvements for the 2035 traffic condition in the Mitigation section of Chapter 4, pages 43 & 44:

SR 41/Yosemite Springs Parkway:

- There would be queuing at the intersection of SR 41 and Yosemite Springs Parkway for the 2035 traffic conditions per the Synchro worksheets. Dual eastbound right-turn lanes should be added. This is consistent with the conclusion of the queuing analysis on page 39.
- Two westbound receiving lanes for the northbonnd dual left-turn lanes on Yosemite Springs Parkway should be added. The receiving lanes should be extended beyond the driveway on Yosemite Springs Parkway. The mitigated 2035 with Project traffic Synchro worksheets showed one westbound through lane on Yosemite Springs Parkway approaching the driveway. The second westbound approach should be added in the Synchro worksheets.

SR 41/Road 200:

- Dual southbound left-turn lanes will be needed for the 2035 traffic condition. There would be 513 vph of southbound left-turn traffic per Figure 3-17 resulting in queuing

problems per Synchro worksheets. This is consistent with the conclusion of the queuing analysis on page 39. According to HDM Chapter 400, when left-turn traffic volumes are equal or are more than 300 vph, dual left-turn lanes are recommended.

SR 41/Road 416:

- The study recommended a traffic signal at this intersection. An extensive geometric improvement would be necessary in order to install a traffic signal at this location. There is currently no plan to install a traffic signal at this intersection.
- Two southbound through lanes and a southbound right-turn lane should be added for the 2035 traffic condition.

A dedication of right-of-way from the Project frontage along SR 41 and Yosemite Springs Parkway will be required to accommodate the 2035 Project traffic conditions. A symmetrical widening on Yosemite Springs Parkway may not be possible due to the existing building on the north side of the road. Yosemite Springs Parkway between the driveway and SR 41 would need to be widened to 5 lanes (2 westbound receiving lanes and dual eastbound right-turn lanes and a left-turn lane) in the future. The SR 41 between Yosemite Springs Parkway and Road 207 would need to be widened to dual northbound left-turn lanes, 2 northbound through lanes, 2 southbound through lanes, and a southbound right-turn lane to Road 207. The adopted cross-section agreement between Madera County and Caltrans showed 146 feet of right-of-way for the ultimate roadway widening.

The Site Plan in Figure 1-3 showed two access driveways on SR 41. The Project will have access from Road 207. There should not be additional driveways on SR 41. The Site Plan should be revised and re-submitted to Caltrans for review.

The segment analysis for Yosemite Springs Parkway should have been analyzed as a class II highway instead of a class 1 highway.

The mitigated segment for multi-lane highways on SR 41 for the Existing Plus Project traffic conditions was labeled from Road 416 to Yosemite Springs Parkway. This should be labeled from Yosemite Springs Parkway to Road 207 to be consistent with Table 4-2.

The Project trips at the driveway at Yosemite Springs Parkway are not shown in Figures 2-3 & 3-6.

The Synchro worksheets for the mitigated 2035 Project for the intersection of SR 41/Road 207 were not attached.

The proposed building at the northeast corner of the site would block the corner sight distance. It is recommended that the proposed building be relocated. A corner sight distance diagram should also be provided on the Site Plan.

It is stated that there is a Madera County Traffic Impact Fee Program for the proposed roadway improvements per conclusion in Chapter 4. Caltrans is not aware of such an impact fee program.

It is also stated on page 47, under Equitable Fair-Share Responsibility, that the Project will receive credit toward the County Road Impact Fee Program for the cost of the improvement. It is the understanding of this office that there should be opening day mitigation, 100% of it the Project's responsibility and the Project's fair share for the future ultimate improvement.

Provide a construction cost estimate to determine the Project fair share per Table 4-4. Submit the list of the proposed roadway improvements along with the proposed lane configurations prior to the construction cost estimate preparation. The Project opening day mitigation should also be listed and summarized and submitted to Caltrans as an agreement.

The County, the developer and the developer's engineering consultant should be advised of the newly signed Traffic Operations Policy Directive (TOPD) #13-02 (copy enclosed). It establishes a context and performance-based evaluation process to produce engineering recommendations on intersection traffic control strategies and geometric configurations for location specific needs and conditions. Step one of the Intersection Control Evaluation (ICE) process will constitute conceptual approval and it must be approved by the Caltrans Traffic Operations Office. The Project opening day mitigation at an intersection must be evaluated per the procedure stated in the TOPD #13-02.

If you have any questions, please contact me at (559) 488-7307.

Sincerely,

JENNIFER BRYAN-SANCHEZ
Office of Transportation Planning
District 06

Enclosure

State of California – Na[illegible]l Resources Agency
DEPARTMENT OF FISH AND GAME
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.dfg.ca.gov

EDM[illegible]D G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

EXHIBIT P

November 27, 2012

Jamie Bax, Planner III
Planning Department
Resource Management Agency, County of Madera
2037 West Cleveland Avenue
Madera, California 93637

Subject: Early Consultation/Project Review Request
proposed Noonkester Development (Project)
Highway 41 at Yosemite Springs Parkway
near Coarsegold in Madera County

Dear Ms. Bax:

The Department of Fish and Game (Department) has received a Project Review Request from your agency with regard to the above referenced Project. Your agency is requesting input from the Department regarding potential impacts to biological resources which could result from the Project-related activities. Based on the very brief Project description, the Department understands the Project would involve development of the 21.5-acre Site (APN 050-062-040) for mixed residential and commercial use. The currently vacant Site exists as oak woodland traversed by a tributary of Coarsegold Creek. Implementation of the Project would reportedly include the construction of an apartment building, a service station, several other commercial retail/professional business structures, and paved parking and access areas necessitating tree removal. No information was provided indicating the timing of the Project.

The Department has concerns regarding the potentially significant impacts to biological resources and waterways at the Site and near enough to the Site to be impacted by the Project-related activities. In order to adequately assess any potential impact to biological resources, focused biological surveys need to be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether or not any special status species are present at or near the Project area. This information is necessary to identify the mitigation, minimization, and avoidance measures needed to minimize the impacts to less than significant levels. Specifically, the Department is concerned with the potentially significant impacts to the State and federally threatened California tiger salamander (*Ambystoma californiense*), the California Rare Plant Rank 1B.2 listed orange lupine (*Lupinus citrinus var. citrinus*), the State Species of Special Concern American badger (*Taxidea taxus*) and western

of oak woodlands. A discussion of the Department's jurisdiction and Project recommendations follow.

Department Jurisdiction

Trustee Agency Authority: The Department is a Trustee Agency with responsibility under California Environmental Quality Act (CEQA) for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 [commencing with Section 21000] of the Public Resources Code).

Responsible Agency Authority: The Department has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), the Department may need to issue an Incidental Take Permit (ITP) for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001(c), 21083, Guidelines sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports a Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. The Project has the potential to reduce the number or restrict the range of endangered, rare, or threatened species (as defined in Section 15380 of CEQA).

Bird Protection: The Department has jurisdiction over actions which may result in the disturbance or destruction of active nest sites or the unauthorized "take" of birds. Fish and Game Code sections that protect birds, their eggs, and nests include sections 3503 (regarding unlawful "take," possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the "take," possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful "take" of any migratory nongame bird). Appropriate avoidance and minimization measures for raptors and other nesting birds in the Project area should be included in the CEQA document prepared for this Project.

Stream Alteration Agreement (SAA): The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code sections 1600 *et seq.* An unnamed tributary of Coarse Gold Creek traverses the Site. Prior to development activities which could affect the bed, bank, or channel of this watercourse, the Project proponent should submit a Stream Alteration Notification to the Department for the Project. The Department is required to comply with CEQA in the issuance or the renewal of an SAA. For additional information on notification requirements, please contact our staff in the Stream Alteration Program at (559) 243-4593.

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into the "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that development of the Site could result in pollution of a "Waters of the State", impacting fish and wildlife resources by causing increased sediment input into Coarse Gold Creek or the on-Site tributary. The Regional Water Quality Control Board also has jurisdiction regarding discharge and pollution to "Waters of the State" including storm water runoff into surface waters.

Project Recommendations

Oak Woodlands: The Site exists as mature blue oak woodland habitat and it appears that at least some mature oaks will need to be removed to accommodate the Project. CEQA was amended to include Public Resources Code (PRC) Section 21083.4, which states that a lead agency shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment, either individually or cumulatively. If there may be a significant effect to oak woodlands such as the road project, appropriate oak woodlands mitigation alternatives to reduce the potentially significant effect of the conversion of oak woodlands should be included in the CEQA document prepared for the Project. The mitigation plan should be developed in advance of Project approval and made part of the enforceable conditions of approval. Potential mitigation measures include acquisition and placement of an easement on an appropriate amount of acreage of comparable oak woodland habitat to be preserved in perpetuity, contribution of fees to the Oak Woodlands Conservation Fund as established under Section 1363 of the Fish and Game Code, and mitigation planting/restoration of oak woodlands. PRC Section 21083.4 does not allow that any more than 50 percent of the mitigation be in the form of mitigation plantings. If mitigation plantings are used as a part of the mitigation, the area where the plantings will be established should be protected in perpetuity via conservation easements or similar title restrictions.

Listed and Rare Plants: The California Rare Plant Rank 1B.2 listed orange lupine may occur at or in the vicinity of the Site. A focused survey should be conducted multiple times by a qualified botanist (during appropriate floristic periods and including reference sites of the surveyed species) in order to adequately assess the potential Project-related impacts to this special status plant species. The survey should follow the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* guidelines developed by the Department (CDFG, 2009), and include appropriate reference sites. In addition, the reference sites visited need to be documented and should be in the same vicinity of the Site and contain known populations of orange lupine. Measures to avoid or minimize the impacts to this plant at the Site should be outlined in the CEQA document for the Project.

Riparian Habitat and Wetlands: Riparian habitat is of extreme importance to a wide variety of plant and wildlife species. The Department considers projects that impact these resources as significant if they result in a net loss of acreage or habitat value. The Department has a no-net-loss policy regarding impacts to wetlands. Wetlands that have been inadvertently created by leaks, dams or other structures, or failures in man-made water systems are not exempt from this policy. The Department recommends delineating all surface waters and wetlands with a minimum 100-foot no-disturbance buffer. The riparian vegetation along waterways should also be protected with a 200-foot no-disturbance buffer delineated from the high water mark of each surface water body. Depending upon what Project-related activities are proposed near the on-Site tributary, larger buffers may be warranted to avoid impacts to it and the receiving Coarse Gold Creek.

California Tiger Salamander (CTS): CTS are known to occur in the vicinity of the Site. The Department requests potential Project-related impacts to CTS be evaluated prior to any ground-disturbing activities by a qualified biologist using the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (CDFG, 2003), which was issued by the Department and the United States Fish and Wildlife Service in 2003. The survey must be conducted at and within 100 feet of the Site in all areas of wetland and upland habitat which could support CTS. If CTS are identified through surveys to utilize the Site, "take" authorization may be warranted prior to initiating ground-disturbing activities and would occur through the issuance of an ITP, pursuant to Fish and Game Code Section 2081(b). In the absence of protocol surveys, the applicant can assume presence of CTS within the Project Area and obtain an ITP from the Department. Included in the ITP would be measures required to avoid and/or minimize direct "take" of CTS on the Project site, as well as measures to fully mitigate the impact of the "take." Mitigation measures for CTS should be fully addressed in the CEQA document prepared for the Project and made enforceable conditions of Project approval.

Nesting Birds: Trees, shrubs, and grasses at and in the vicinity of the Site may provide nesting habitat for songbirds and other raptors. If ground-disturbing activities would likely occur during the breeding season (February through mid-September), surveys for active nests should be conducted by a qualified biologist no more than 10 days prior to the start of the ground-disturbing activities. A minimum no-disturbance buffer of 250 feet should be delineated and observed around active nests for songbirds, 500 feet for raptors, and ½-mile for listed raptors until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. The presence of bird nest sites within the aforementioned buffers may warrant the use of a biological monitor during ground-disturbing activities there. Mitigation measures for nesting birds should be fully addressed in the CEQA document prepared for the Project and made enforceable conditions of Project approval.

All survey results should be submitted to the Department. Depending upon the results of the previously mentioned biological surveys, we may have additional comments and recommendations regarding avoidance, minimization, and mitigation of Project impacts to habitat and special status species. If you have any questions regarding these issues, please contact Steve Hulbert, Environmental Scientist, at the address provided on this letterhead, or by telephone, at (559) 243-4014, extension 289.

Sincerely,

Jeffrey R. Single, Ph.D.
Regional Manager

cc: Hershel Noonkester
27396 Road 207
Coarsegold, California 93614

United States Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

California Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, California 93706-2020

Literature Cited:

CDFG, 2003. *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander.* California Department of Fish and Game. 2003

CDFG, 2009. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.* California Deptartment of Fish and Game, November 2009.

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

EXHIBIT Q

December 3, 2012

Jamie Bax
Madera County
Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637

Project: The request is for a rezoning, general plan amendment, and general plan text change to allow a Commercial/Residential development on the southwest corner of the intersections of Yosemite Springs Park and Highway 41, Coarsegold. Future development is a Gas Station/Mini Market, Senior Adult Apartment Building and Business & Retail.

District CEQA Reference No: 20120737

Dear Jamie Bax:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project. The District offers the following comments:

District Comments

1) The District's initial review of the project concludes that emissions resulting from construction and/or operation of the project may exceed the following thresholds of significance: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10). The District recommends that a more detailed preliminary review of the project be conducted. The additional environmental review of the project's potential impact on air quality should consider the following:

   1a) Project Emissions should be identified and quantified.

      i) Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. Preparation of an Environmental Impact

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

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1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

Report (EIR) is recommend should emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).

ii) Pre- and post-project emissions should be identified.

1b) Nuisance Odors should be discussed as to whether the project would create objectionable odors affecting a substantial number of people.

Toxic Air Contaminants (TACs) –are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. If the project is located near residential/ sensitive receptors, the proposed project should be evaluated to determine the health impact of TACs to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. More information on TACs, prioritizations and HRAs can be obtained by:

- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at: http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

2) If preliminary review indicates that a Mitigated Negative Declaration should be prepared, in addition to the effects identified above, the document should include:

2a) Mitigation Measures – If preliminary review indicates that with mitigation, the project would have a less than significant adverse impact on air quality, the effectiveness of each mitigation measure incorporated into the project should be discussed.

2b) District's attainment status – The document should include a discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. Information on the District's attainment status can be found online by visiting the District's website at http://valleyair.org/aqinfo/attainment.htm.

3) If preliminary review indicates that an Environmental Impact Report (EIR) should be prepared, in addition to the effects identified above, the document should also include the following:

3a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality.

3b) A discussion of the components and phases of the project and the associated emission projections, (including ongoing emissions from each previous phase).

4) Based on information provided to the District, the proposed project would equal or exceed 2,000 square feet of commercial space and/or more than fifty (50) residential dwelling units. Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

5) The proposed project may require District permits. Prior to the start of construction the project proponent should contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.

6) The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

7) The District recommends that a copy of the District's comments be provided to the project proponent.

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Ms. Debbie Johnson at (559) 230-5817.

Sincerely,

David Warner
Director of Permit Services

for Debbie Johnson
Arnaud Marjollet
Permit Services Manager

DW: dj

Enclosure: ISR Frequently Asked Questions

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

Frequently Asked Questions Regarding Indirect Source Review

Q: What is the purpose of Indirect Source Review (ISR)?

A: As land development and population in the San Joaquin Valley continues to increase, so will indirect air emissions that negatively effect air quality. The emissions are called indirect because they don't come directly from a smokestack, like traditional industry emissions, but rather the emissions are indirectly caused by this growth in population. As a consequence, the San Joaquin Valley Air Pollution Control District (District) adopted Indirect Source Review (Rule 9510) to reduce the impacts of growth in emissions from all new land development in the San Joaquin Valley.

Q: When is a project subject to ISR?

A: A project is subject to ISR if all of the following are applicable:

- The project received its **final discretionary approval** from the land use agency on or after **March 1, 2006**.
- The project meets or exceeds the following District applicability thresholds:

2,000 square feet commercial	**25,000 square feet light industrial**	**100,000 square feet heavy industrial**
20,000 square feet medical office	**39,000 square feet general office**	**9,000 square feet educational**
10,000 square feet governmental	**20,000 square feet recreation space**	**50 residential units**
9,000 square feet of space not included in the list		

- The project's primary functions are not subject to District Rule 2201 (New and Modified Stationary Source Review Rule), or District Rule 2010 (Permits Required). For more information on the applicability of ISR regarding a specific project, please contact the District at (559) 230-6000 or visit the District's website at http://www.valleyair.org/ISR/ISRHome.htm.

Q: For the purposes of Rule 9510, what is final discretionary approval?

A: A decision by a public agency that requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular development project, as distinguished from situations where the public agency merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. Examples of discretionary approvals include Tentative Tract Maps, Site Plans, and Conditional Use Permits. A building permit would be an example of a ministerial approval.

Q: What pollutants does ISR target?

A: The ISR rule looks to reduce the growth in NO_x and PM_{10} emissions associated with the construction and operation of new development projects in the San Joaquin Valley. The rule requirement is to reduce construction NO_x and PM_{10} emissions by 20% and 45%, respectively, as well as reducing operational NO_x and PM_{10} emissions by 33.3% and 50%, respectively, when compared to unmitigated projects.

Q: What are NO_x and PM_{10}?

A: Nitrogen oxide (NO_x) is an ozone precursor, or principal component of ozone. Ozone is a colorless, odorless reactive gas comprised of three oxygen atoms. It is found naturally in the earth's stratosphere, where it absorbs the ultraviolet component of incoming solar radiation that can be harmful to life. Ozone is also found near the earth's surface, where pollutants emitted from society's activities react in the presence of sunlight to form ozone. Hot sunny weather with stagnant wind conditions favors ozone formation, so the period from May through September is when high ozone levels tend to occur in the San Joaquin Valley Air Basin.

Particulate matter (PM) is a generic term used to describe a complex group of air pollutants that vary in composition. PM_{10} particles have a diameter of 10 microns (micrometers) or less. The sources of PM can vary from wind blown dust particles to fine particles directly emitted from combustion processes, or may be formed from chemical reactions occurring in the atmosphere.

Q: What is CalEEMod?

A: CalEEMod (**Cal**ifornia **E**mission **E**stimator **Mod**el) is a computer modeling program that estimates construction, area source and operational emissions of NO_x and PM_{10} from potential land uses. This program uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors.

EXHIBIT R

Yosemite Plaza Mixed-Use Development

Yosemite Lakes

Traffic Impact Study Report

Prepared for:
Dennis Jonathan
PO Box 2207
Oakhurst, CA 93644

Prepared by:
VRPA Technologies, Inc.
4630 W. Jennifer, Suite 105
Fresno, CA 93722
Project Manager: Jason Ellard

August 2013

Yosemite Plaza Mixed-Use Development Traffic Impact Study Report

Study Team

- Georgiena Vivian, President, VRPA Technologies, Inc., gvivian@vrpatechnologies.com, (559) 259-9257
- Erik Ruehr, Dir. of Traffic Engineering, VRPA Technologies, Inc., eruehr@vrpatechnologies.com, (858) 566-1766
- Jason Ellard, Transportation Engineer, VRPA Technologies, Inc., jellard@vrpatechnologies.com, (559) 271-1200

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Executive Summary

This Traffic Impact Study (TIS) has been prepared for the purpose of analyzing traffic conditions related to the proposed Yosemite Plaza mixed-use development on an approximately 21.31 acre site. The project also proposes to rezone the site from agriculture to commercial rural highway and urban residential multiple family. The proposed Yosemite Plaza site is located on the southwest quadrant of State Route (SR) 41 and Yosemite Springs Parkway in Madera County.

The proposed Project lies within the central portion of the San Joaquin Valley. The proposed Project is located at an elevation of approximately 1270 feet above sea level.

The Project proposes to develop a mini mart/gas station, fast-food restaurant, senior adult apartment, and retail uses on an approximately 21.31 acre site.

There will be two (2) access points to the proposed Project. The major access point will be located along Yosemite Springs Parkway west of SR 41 and the minor access point will be located along SR 41 at Road 207.

This report includes analysis of the following intersections:

- SR 41 / Yosemite Springs Parkway
- SR 41 / Road 200
- SR 41 / Spinelli Road-Road 416
- SR 41 / Road 207
- Major Project Access / Yosemite Springs Parkway

This report includes analysis of the following roadway segments:

- SR-41 between:
  - Spinelli Road-Road 416 and Yosemite Springs Parkway
  - Yosemite Springs Parkway and Road 207
  - Road 207 and Road 200
- Yosemite Springs Parkway:
  - West of SR-41

The study time periods include the weekday AM and PM peak hours determined between 7:00 AM and 9:00 AM and between 4:00 PM and 6:00 PM. The peak hours were analyzed for the following conditions:

- Existing 2013 Conditions
- Existing 2013 Plus Project Conditions
- Near-Term (Year 2014) Opening Day Conditions
- Cumulative 2035 without Project Conditions
- Cumulative 2035 with Project Conditions

The traffic expected to be generated by other pending projects in the vicinity of the Project site are included in the analyses. The cumulative projects included in this TIS include the Green Acres Development located on the northeast quadrant of SR 41 and Road 200, the Madera Ranch Quarry located off of SR 41 and Road 209, the Granite Construction Company Quarry located at Road 208 and Road 209 in Madera County, and Vulcan's Austin Quarry located at SR 41 and SR 145. Trip generation and distribution information for the cumulative projects was based on information found in the corresponding TIS reports and or operational statement.

Generally-accepted traffic engineering principles and methods were employed to estimate the amount of traffic expected to be generated by the Project and to analyze the traffic conditions expected to exist in the future. The traffic impact analyses based on projections of cumulative and future traffic volumes through the year 2035 result in the conclusions and recommendations described below.

IMPACTS

Intersections

Results of the LOS intersection analysis along the street and highway system in the Project area from Existing through the Cumulative 2035 Plus Project scenario are reflected in Table E-1. Table E-1 shows the intersections that are expected to fall short of desirable operating conditions for various scenarios. Of the five (5) studied intersections, three (3) will experience significant traffic impacts in the Cumulative Year 2035 scenarios. However, these long-term impacts would occur due to regional cumulative growth, with or without the Project's contributions.

Segments

Results of the LOS segment analysis along the street and highway system in the Project area from Existing through the Cumulative 2035 With Project scenario are reflected in Table E-2.Table E-2 shows the roadway segments that are expected to fall short of desirable operating conditions for various scenarios.

TABLE E-1

Intersection Operations

INTERSECTION	CONTROL	PEAK HOUR	EXISTING 2013		EXISTING 2013 PLUS PROJECT		NEAR-TERM (YEAR 2014)		CUMULATIVE YEAR 2035 WITHOUT PROJECT CONDITIONS		CUMULATIVE YEAR 2035 WITH PROJECT CONDITIONS	
			DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
1. SR-41 / Spinelli Road-Road 416	One-Way Stop Sign	AM	15.4	C	16.9	C	**32.3**	**D***	**389.5**	**F***	**569.3**	**F***
		PM	17.2	C	18.4	C	24.4	C	**255.6**	**F***	**429.7**	**F***
2. SR-41 / Yosemite Springs Parkway	Signalized	AM	14.4	B	17.8	B	25.0	C	**133.0**	F	**137.1**	F
		PM	13.4	B	16.8	B	18.9	B	**53.9**	**D**	**65.1**	**E**
3. SR-41 / Road 207	One-Way Stop Sign	AM	20.1	C	23.7	C	**54.9**	**F***	**431.5**	**F***	**1131.0**	**F***
		PM	18.2	C	21.5	C	**36.0**	**E***	**133.6**	**F***	**377.2**	**F***
4. SR-41 / Road 200	Signalized	AM	14.2	B	14.8	B	27.6	C	31.4	C	33.7	C
		PM	8.4	A	9.7	A	13.2	B	19.7	B	24.9	C
5. Main Access Driveway / Yosemite Springs Parkway	Signalized	AM			13.2	B	13.9	B			23.0	C
		PM			13.9	B	14.6	B			25.3	D

DELAY is measured in seconds

LOS = Level of Service / BOLD denotes LOS standard has been exceeded

For signalized controlled intersections, delay results show the average for the entire intersection. For one-way stop controlled intersections, delay results show the delay for the worst movement.

* Meets Peak Hour Signal Warrants

TABLE E-2

Segment Operations

SEGMENT	DESCRIPTION	DIRECTION	PEAK HOUR	EXISTING 2013		EXISTING 2013 PLUS PROJECT		NEAR-TERM (YEAR 2014)		CUMULATIVE YEAR 2035 WITHOUT PROJECT CONDITIONS		CUMULATIVE YEAR 2035 WITH PROJECT CONDITIONS	
				VOLUME	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME	LOS
1. SR-41: Spinelli Road-Road 416 to Yosemite Springs Parkway	Two-lane Undivided to Three-Lane Undivided *	NB	AM	351	D	395	D	**565**	**E**	**957**	**E**	**1,081**	**E**
			PM	564	D	626	D	**819**	**E**	**1,316**	**E**	**1,378**	**E**
		SB	AM	513	D	556	D	**816**	**E**	**1,350**	**F**	**1,395**	**E**
			PM	**441**	D	498	D	**601**	E	**988**	**E**	**1,047**	E
2. SR-41: Yosemite Springs Parkway to Road 207	Two-lane Undivided	NB	AM	383	D	**413**	**E**	**593**	E	**1,027**	**F**	**1,057**	F
			PM	742	E	781	E	1,012	E	**1,681**	**F**	**1,730**	**F**
		SB	AM	727	E	756	E	1,053	E	**1,794**	**F**	**1,823**	**F**
			PM	441	D	482	D	**598**	**E**	**1,004**	**F**	**1,045**	**F**
3. SR-41: Road 207 to Road 200	Two-lane Undivided to Three-Lane Undivided *	NB	AM	380	D	455	D	**635**	**E**	**1,022**	**F**	**1,097**	**F**
			PM	742	E	840	E	1,071	E	**1,692**	**F**	**1,790**	**F**
		SB	AM	736	E	809	E	1,106	E	**1,812**	F	**1,885**	**F**
			PM	443	D	546	D	**662**	**E**	**1,008**	F	**1,111**	F
4. Yosemite Springs Parkway: West of SR-41	Two-Lane Undivided	EB	AM	306	D	395	D	436	D	620	D	709	E
			PM	148	C	266	D	281	D	295	D	413	D
		WB	AM	126	C	217	D	229	D	250	D	341	D
			PM	312	D	425	D	466	D	636	D	**744**	E

LOS = Level of Service / BOLD denotes LOS standard has been exceeded

* Segments were conservatively analyzed assuming two-lane undivided thresholds.

MITIGATION

This section describes potential improvements to mitigate the impacts of Project traffic and other traffic increases that are not associated with the Project. Described below are recommended improvements at the study area intersections and roadway segments for various scenarios. In order to mitigate the Project's impacts, it is recommended that the Project Applicant contribute traffic impact fees, as determined by the County of Madera in accordance with County policy. The existing road network can be mitigated to ease many of the impacts of the Project and projected future traffic through the year 2035.

Caltrans has already identified that the Project will need to construct a deceleration lane and an acceleration lane approaching and departing the intersection of SR-41 at Road 207, since Road 207 will provide access to the proposed Project site. In addition, Caltrans has also required that a northbound left-turn lane on SR-41 to Road 207 be constructed as part of the proposed Project. Further, Caltrans has determined that the proposed driveway on Yosemite Springs Parkway be located to the west end of the property line and that a back to back left turn lane or side by side left turn be provided.

EXISTING PLUS PROJECT CONDITIONS

For this scenario, the following improvements are recommended:

SR 41 at Road 207

- Widen the northbound approach to 1 left turn lane and 1 through lane (adding 1 left turn lane)
- Widen the southbound approach to 1 through lane and 1 right turn lane (adding 1 right turn lane)

Yosemite Springs Parkway at Main Access Driveway

- Widen the westbound approach to 1 left turn lane and 1 through lane (adding 1 left turn lane)

SR 41 between Yosemite Springs Parkway and Road 207

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

NEAR-TERM (YEAR 2014) CONDITIONS

For this scenario, the following improvements are recommended:

SR 41 at Spinelli Road-Road 416

- Install Traffic Signal

SR 41 at Road 207

- Widen the northbound approach to 1 left turn lane and 2 through lanes (adding 1 left turn lane and 1 through lane)

- Widen the southbound approach to 2 through lanes and 1 right turn lane (adding 1 through lane and 1 right turn lane)

Yosemite Springs Parkway at Main Access Driveway

- Widen the westbound approach to 1 left turn lane and 1 through lane (adding 1 left turn lane)

SR 41 between Road 416 and Yosemite Springs Parkway

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

SR 41 between Yosemite Springs Parkway and Road 207

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

SR 41 between Road 207 and Road 200

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

CUMULATIVE YEAR 2035 WITHOUT PROJECT CONDITIONS

For this scenario, the following improvements are recommended:

SR 41 at Spinelli Road-Road 416

- Install Traffic Signal

SR 41 at Yosemite Springs Parkway

- Widen the southbound approach to 2 through lanes and 1 right turn lane (adding 1 through lane)
- Widen the northbound approach to 2 left turn lanes and 2 through lanes (adding 1 left turn lane)

SR 41 at Road 207

- Widen the northbound approach to 1 left turn lane and 2 through lanes (adding 1 left turn lane and 1 through lane)
- Widen the southbound approach to 2 through lanes with a shared right turn lane (adding 1 through lane)

SR 41 at Road 200

- Widen the westbound approach to 2 left turn lanes and 1 right turn lane (adding 1 left turn lane)

SR 41 between Road 416 and Yosemite Springs Parkway

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

SR 41 between Yosemite Springs Parkway and Road 207

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

SR 41 between Road 207 and Road 200

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

CUMULATIVE YEAR 2035 WITH PROJECT CONDITIONS

For this scenario, the following improvements are recommended in addition to the improvements for the Cumulative 2035 Without Project Condition:

SR 41 at Road 207

- Widen the southbound approach to 2 through lanes and 1 right turn lane (adding 1 through lane and 1 right turn lane)

Yosemite Springs Parkway at Main Access Driveway

- Widen the westbound approach to 1 left turn lane and 1 through lane (adding 1 left turn lane)

Yosemite Springs Parkway west of SR 41

- Widen the segment from 2 travel lanes to 4 travel lanes (adding 2 travel lanes)

POST-MITIGATION LEVEL OF SIGNIFICANCE

The level of service resulting from the potential improvements identified above is shown in Table E-3 for study area intersections and Table E-4 for study segments. Results of the analysis show that improvements identified above will mitigate all LOS deficiencies to acceptable levels of service, with the exception of the intersection of SR 41 at 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. The resulting Cumulative Year 2035 lane geometry is shown in Figure E-1.

TABLE E-3

Intersection Operations With Mitigation

INTERSECTION	CONTROL	PEAK HOUR	EXISTING 2013 PLUS PROJECT		NEAR-TERM (YEAR 2014)		CUMULATIVE YEAR 2035 WITHOUT PROJECT CONDITIONS		CUMULATIVE YEAR 2035 WITH PROJECT CONDITIONS	
			DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
1. SR-41 / Spinelli Road-Road 416	Signalized	AM			8.4	A	16.9	B	19.7	B
		PM			7.5	A	8.5	A	8.8	A
2. SR-41 / Yosemite Springs Parkway	Signalized	AM					29.7	C	33.2	C
		PM					15.6	B	18.6	B
3. SR-41 / Road 207	One-Way Stop Sign	AM	23.6	C	**26.6**	**D***	**145.4**	**F***	**392.8**	**F***
		PM	21.5	C	18.5	C	**43.1**	**E***	**57.5**	**F***
4. SR-41 / Road 200	Signalized	AM					23.3	C	24.3	C
		PM					18.2	B	20.2	C
5. Main Access Driveway / Yosemite Springs Parkway	One-Way Stop Sign	AM	13.2	B	13.9	B			23.0	C
		PM	13.9	B	14.6	B			25.3	D

DELAY is measured in seconds

LOS = Level of Service / BOLD denotes LOS standard has been exceeded

For signalized controlled intersections, delay results show the average for the entire intersection. For one-way stop controlled intersections, delay results show the delay for the worst movement.

* Meets Peak Hour Signal Warrants

Shaded cells signify improvements are not necessary for study scenario

TABLE E-4

Segment Operations With Mitigation

SEGMENT	DESCRIPTION	DIRECTION	PEAK HOUR	EXISTING 2013 PLUS PROJECT		NEAR-TERM (YEAR 2014)		CUMULATIVE YEAR 2035 WITHOUT PROJECT CONDITIONS		CUMULATIVE YEAR 2035 WITH PROJECT CONDITIONS	
				VOLUME	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME	LOS
1. SR-41: Spinelli Road-Road 416 to Yosemite Springs Parkway	Four-lane Undivided	NB	AM			565	A	957	A	1,001	A
			PM			819	A	1,316	B	1,378	B
		SB	AM			816	A	1,350	B	1,395	B
			PM			601	A	988	A	1,047	B
2. SR-41: Yosemite Springs Parkway to Road 207	Four-lane Undivided	NB	AM	413	A	593	A	1,027	B	1,057	B
			PM	781	A	1,012	A	1,681	C	1,730	C
		SB	AM	756	A	1,053	B	1,794	C	1,823	C
			PM	482	A	598	A	1,004	A	1,045	B
3. SR-41: Road 207 to Road 200	Four-lane Undivided	NB	AM			635	A	1,022	B	1,097	B
			PM			1,071	B	1,682	C	1,790	C
		SB	AM			1,106	B	1,812	C	1,885	C
			PM			662	A	1,008	A	1,111	B
4. Yosemite Springs Parkway: West of SR-41	Four-lane Undivided	EB	AM							709	A
			PM							413	A
		WB	AM							341	A
			PM							744	A

LOS = Level of Service / BOLD denotes LOS standard has been exceeded

* Segments were conservatively analyzed assuming two-lane undivided thresholds.

Shaded cells signify improvements are not necessary for study scenario

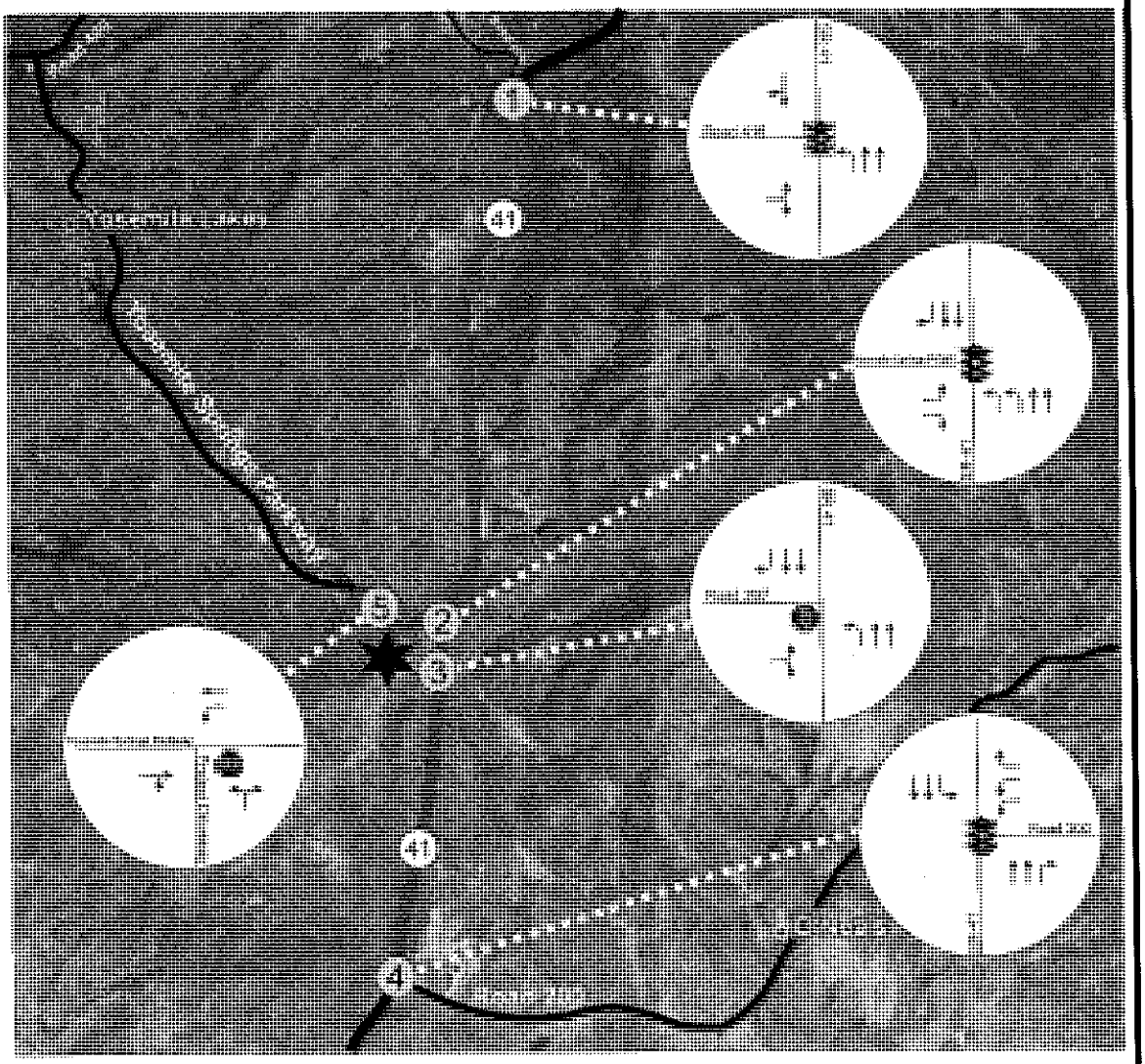

FIGURE E-1

Cumulative Year 2035 Mitigated Lane Geometry

LEGEND

Project Site
Study Intersections
Study Segments
Traffic Signal
Stop Sign
Mitigation

VRPA TECHNOLOGIES INC

This Traffic Impact Study (TIS) has been prepared for the purpose of analyzing traffic conditions related to the proposed Yosemite Plaza mixed-use development on an approximately 21.31 acre site. The project also proposes to rezone the site from agriculture to commercial rural highway and urban residential multiple family. The proposed Yosemite Plaza site is located on the southwest quadrant of State Route (SR) 41 and Yosemite Springs Parkway in Madera County.

1.0 Introduction

1.1 Description of the Region/Project

The proposed Project lies within the central portion of the San Joaquin Valley. The proposed Project is located at an elevation of approximately 1270 feet above sea level. Figures 1-1 and 1-2 show the regional location of the Project along with major roadways and highways and study intersections and segments. Figure 1-3 shows the proposed Project's site plan for the site located in Madera County. California Department of Transportation (Caltrans) staff has previously indicated that Project driveways will only be allowed along Yosemite Springs Parkway at the most westerly boundary and at SR-41 and Road 207.

The Project proposes to develop a mini mart/gas station, fast-food restaurant, senior adult apartment, and retail uses on an approximately 21.31 acre site.

1.1.1 *Project Access*

There will be two (2) access points to the proposed Project. The major access point will be located along Yosemite Springs Parkway west of SR 41 and the minor access point will be located along SR 41 at Road 207.

1.1.2 *Study Area*

The following intersections and roadway segments included in this TIS include:

Intersections

- SR 41 / Yosemite Springs Parkway
- SR 41 / Road 200
- SR 41 / Spinelli Road-Road 416
- SR 41 / Road 207
- Major Project Access / Yosemite Springs Parkway

Roadway Segments

- SR-41 between:
  - Spinelli Road-Road 416 and Yosemite Springs Parkway
  - Yosemite Springs Parkway and Road 207
  - Road 207 and Road 200
- Yosemite Springs Parkway:
  - West of SR-41

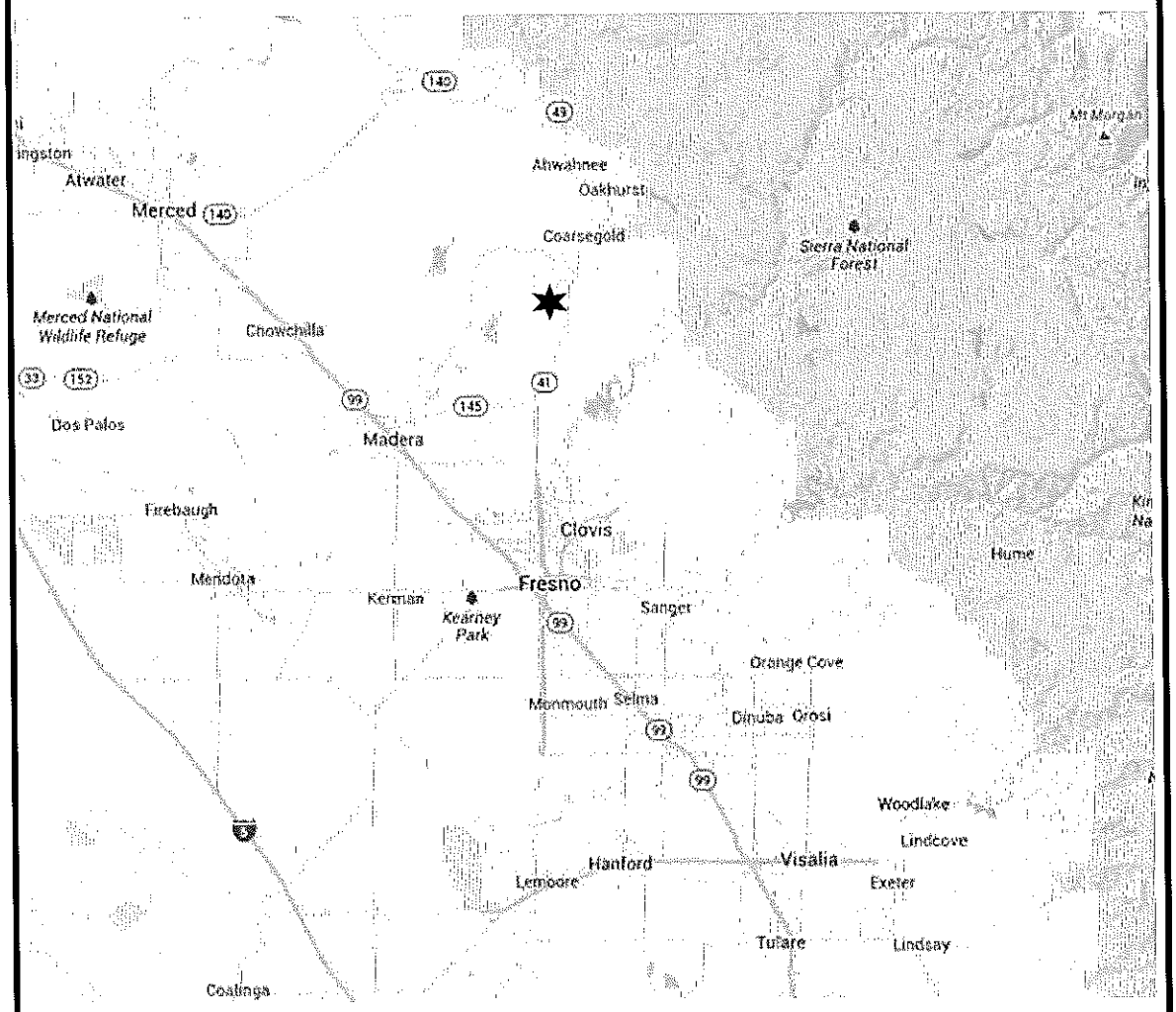

FIGURE 1-1

Regional Location

LEGEND

★ Project Site

VRPA TECHNOLOGIES INC.

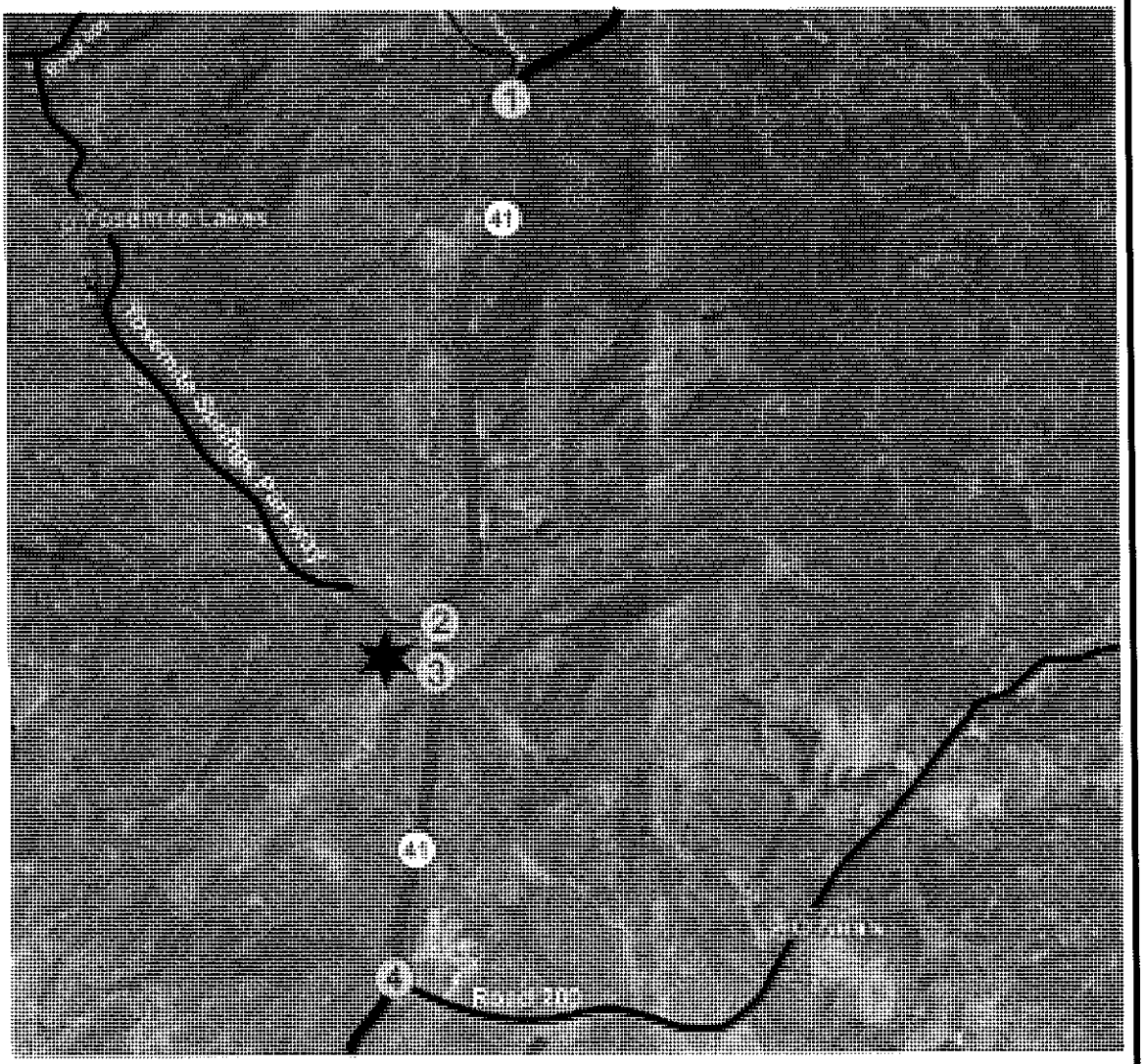

FIGURE 1-2

Project Location

LEGEND

★ Project Site (#) Study Intersections ▬ Study Segments

VRPA TECHNOLOGIES INC.

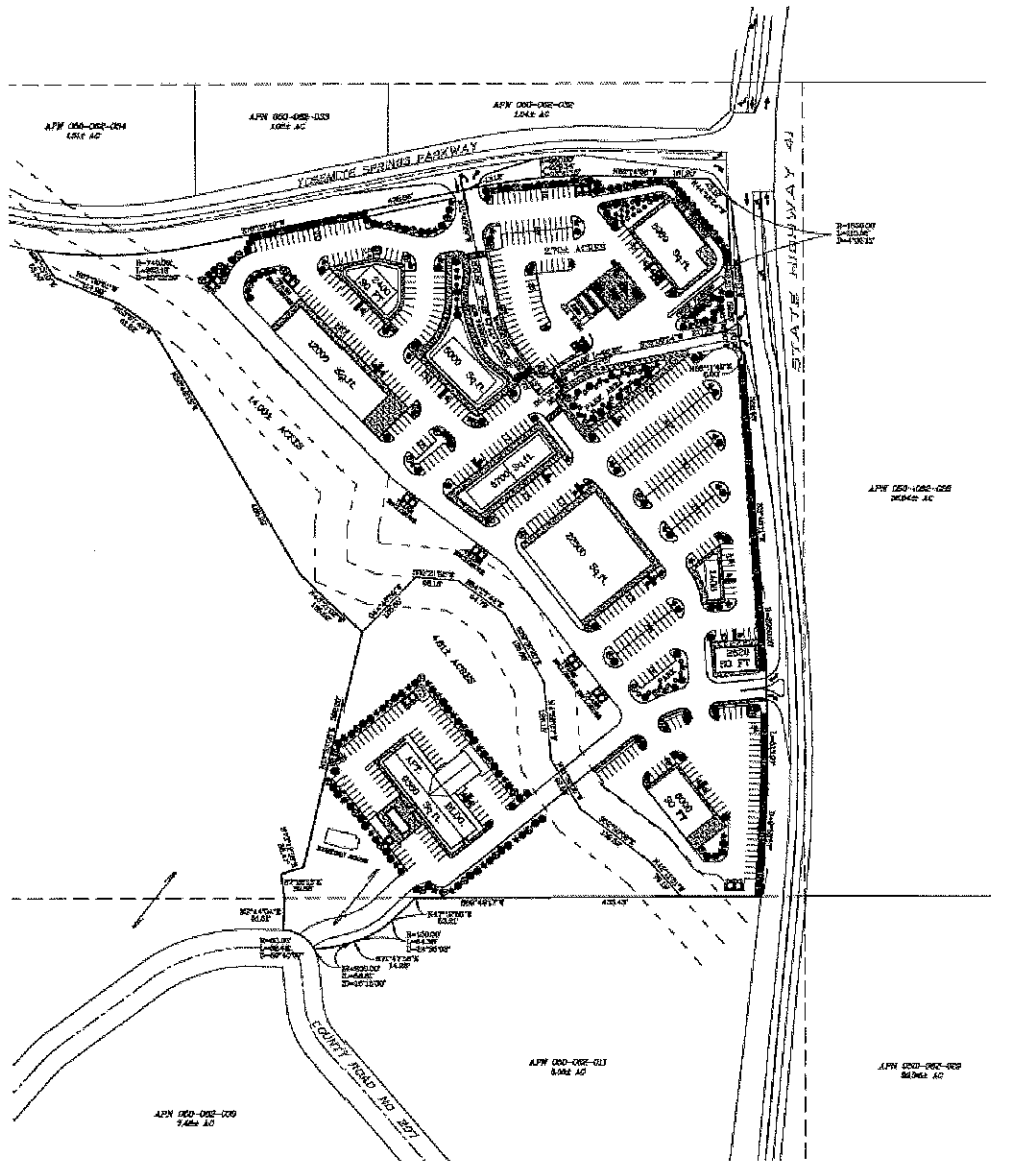

FIGURE 1-3

Project Site Plan

LEGEND

1.1.3 *Study Scenarios*

The TIS completed for the proposed Project includes level of service (LOS) analysis for the following traffic scenarios:

- Existing 2013 Conditions
- Existing 2013 Plus Project Conditions
- Near-Term (Year 2014) Opening Day Conditions
- Cumulative 2035 without Project Conditions
- Cumulative 2035 with Project Conditions

1.2 Methodology

When preparing a TIS, guidelines set by affected agencies are followed. In analyzing street and intersection capacities the Level of Service (LOS) methodologies are applied. LOS standards are applied by transportation agencies to quantitatively assess a street and highway system's performance. In addition, safety concerns are analyzed to determine the need for appropriate mitigation resulting from increased traffic near sensitive uses, the need for dedicated ingress and egress access lanes to the project, and other evaluations such as the need for signalized intersections or other improvements.

Intersection Level of Service

Intersection LOS analysis was conducted using the Synchro traffic signal timing program. Levels of Service can be determined for both signalized and unsignalized intersections. Two (2) of the existing study intersections are currently signalized, while two (2) are unsignalized and two (2) do not currently exist.

Tables 1-1 and 1-2 indicate the ranges in the amounts of average delay for a vehicle at signalized and unsignalized intersections for the various levels of service ranging from LOS "A" to "F".

The signalized LOS standards applied to calculate intersection LOS are in accordance with the current edition of the Highway Capacity Manual (HCM). Intersection turning movement counts and roadway geometrics used to develop LOS calculations were obtained from field review findings and count data provided from the traffic count sources identified in Section 2.1.

When an unsignalized intersection does not meet acceptable LOS standards, the investigation of the need for a traffic signal shall be evaluated. The California Manual on Uniform Traffic Control Devises for Streets and Highways dated January 13, 2012 (CMUTCD), introduces standards for determining the need for traffic signals. The CMUTCD indicates that the satisfaction of one or more traffic signal warrants does not in itself require the installation of a traffic signal. In addition to the warrant analysis, an engineering study of the current or expected traffic conditions should be conducted to determine whether the installation of a traffic signal is justified. The CMUTCD Peak Hour Warrant (Warrant 3) was used to determine if a traffic signal is warranted at unsignalized intersections that fall below current LOS standards.

Segment Level of Service

According to the HCM, LOS is categorized by two parameters of traffic: uninterrupted and interrupted flow. Uninterrupted flow facilities do not have fixed elements such as traffic signals that cause interruptions in

traffic flow. Interrupted flow facilities do have fixed elements that cause an interruption in the flow of traffic, such as stop signs and signalized intersections along arterial roads. A roadway segment is defined as a stretch of roadway generally located between signalized or controlled intersections.

Segment LOS is important in order to understand whether the capacity of a roadway can accommodate future traffic volumes. Table 1-3 provides a definition of segment LOS.

1.3 Policies to Maintain Level of Service

An important goal is to maintain acceptable levels of service along the highway, street, and road network. To accomplish this, Madera County and Caltrans adopt minimum levels of service in an attempt to control congestion that may result as new development occurs.

Madera County's General Plan identifies a minimum LOS standard of D on the County roadway system (both segments and intersections).

Caltrans identifies' a minimum LOS is C, except where the existing LOS is D or below, according to information specified in the Caltrans, "A Guide For Traffic Impact Studies".

1.4 Agency Responsibilities and Regional Transportation Planning

Transportation planning and transportation system operations and management in the Project area is the **responsibility** of two public agencies: Madera County and Caltrans. Each of the agencies has specific responsibilities and jurisdictional limits, which are defined below.

1.4.1 *Madera County*

The Transportation and Circulation Element of the Madera County General Plan guides the continued development and improvement of the circulation system to support existing and planned development. The Circulation Element addresses the circulation improvements needed to provide adequate capacity for future land uses. The Element establishes a hierarchy of transportation routes with typical development standards described for each roadway category. The County also includes additional standards, plans and programs that apply to the evaluation of transportation impacts of the Project. These standards cover the primary aspects of the transportation system.

1.4.2 *California Department of Transportation (Caltrans)*

The California Department of Transportation (Caltrans) is responsible for planning, designing, building, operating, and maintaining California's State highway system, including rail and mass transit. Within the Project study area, Caltrans is responsible for State Route 41. State Route 41 (freeway) provides the primary regional access linking the City of Fresno, Madera County, and several small cities along the State Route 41 corridor.

TABLE 1-1

Signalized Intersections
Level of Service Definitions
(Highway Capacity Manual)

LEVEL OF SERVICE	DEFINITION	AVERAGE TOTAL DELAY (sec/veh)
A	Describes operations with very low delay. This level of service occurs when there is no conflicting traffic for a minor street.	≤ 10.0
B	Describes operations with moderately low delay. This level generally occurs with a small amount of conflicting traffic causing higher levels of average delay.	≥ 10.0 and ≤ 20.0
C	Describes operations with average delays. These higher delays may result from a moderate amount of minor street traffic. Queues begin to get longer.	≥ 20.0 and ≤ 35.0
D	Describes a crowded operation, with below average delays. At level D, the influence of congestion becomes more noticeable. Longer delays may result from shorter gaps on the mainline and an increase of minor street traffic. The queues of vehicles are increasing.	≥ 35.0 and ≤ 55.0
E	Describes operations at or near capacity. This level is considered by many agencies to be the limit of acceptable delay. These high delay values generally indicate poor gaps for the minor street to cross and large queues.	≥ 55.0 and ≤ 80.0
F	Describes operations that are at the failure point. This level, considered to be unacceptable to most drivers, often occurs with over- saturation, that is, when arrival flow rates exceed the capacity of the intersection. Insufficient gaps of suitable size exist to allow minor traffic to cross the intersection safely.	≥ 80.0