

RESOURCE MANAGEMENT AGENCY

Community and Economic Development
Department of Planning and Building

Norman L. Allinder, AICP
Director *NLA*

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PLANNING COMMISSION DATE: March 4, 2014

AGENDA ITEM: #2

PM	#4181	Parcel Map, rezone and conditional use permit to recognize an existing dwelling
CZ	#2013-012	
CUP	#2013-025	Applicant: Bruce Debevoise
APN	#059-070-041	
CEQA	ND #2014-04	Mitigated Negative Declaration

REQUEST:

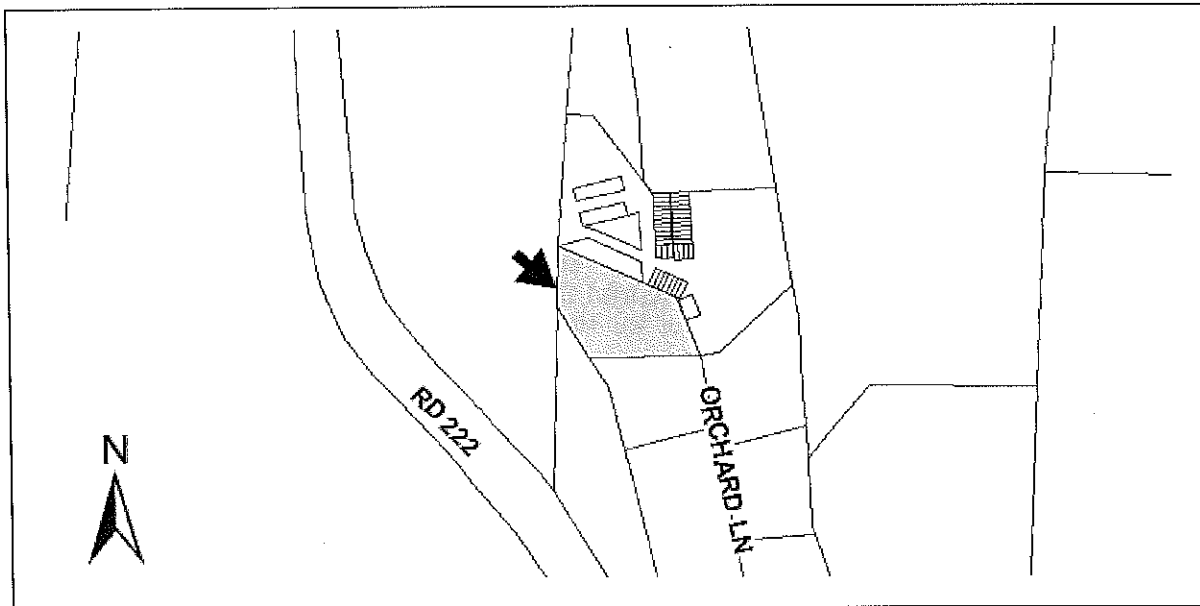
The application is for a division of 1.72 acres into 2 parcels, a rezone to CUG (Commercial Urban General) to allow for the parcel sizes and a conditional use permit to allow an existing dwelling.

LOCATION:

The project is located on the east side of Cowboys Trail approximately 0.25 mile north of the intersection of Road 222 (40953 Cowboys Trail), Bass Lake.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2014-04) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: To recommend approval of Parcel Map #4171, Rezone #2013-012, Conditional Use Permit #2012-025, Mitigated Negative Declaration #2014-04, and Mitigation Monitoring and Reporting Program, subject to Conditions.

STAFF REPORT

March 4, 2014

PM #4181, CZ #2013-012, CUP #2013-025

GENERAL PLAN DESIGNATIONS (Exhibit A):

SITE: HC (Heavy Commercial) Designation

SURROUNDING: HC (Heavy Commercial), LI (Light Industrial), LDR (Low Density Residential), and OS (Open Space) Designations

ZONING (EXHIBIT B)

SITE: CRM (Commercial Rural Median) District

PROPOSED: CUG (Commercial Urban General) District

SURROUNDING: CRM (Commercial Rural Median), PDD (Planned Development District), and POS (Public Open Space) Districts

LAND USE:

SITE: Residential/Commercial

SURROUNDING: Light Industrial, Commercial, Open Space

SIZE OF PROPERTY (EXHIBIT C): 1.72 Acres

ACCESS (EXHIBIT C):

The property is accessed from Orchard Lane and Cowboys Trail.

WILLIAMSON ACT:

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

BACKGROUND AND PRIOR ACTIONS:

A Zoning Permit (ZP #2006-031) was approved allowing the existing dwelling in a commercial zone district.

PROJECT DESCRIPTION:

The application is for a division of 1.72 acres into 2 parcels, a rezone to CUG (Commercial Urban General) District to allow for the smaller parcel sizes, and a conditional use permit to allow for the existing dwelling to remain in this zone district.

ORDINANCES/POLICIES:

Madera County County Code 18.28 governs allowed uses within the CUG (Commercial Urban General) district.

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

Madera County General Plan Policy Document outlines the allowable uses within the HC (Heavy Commercial) designation.

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PM #4181, CZ #2013-012, CUP #2013-025

ANALYSIS:

The application is for a division of 1.72 acres into two parcels (0.99 acre and 0.73 acre). There is also a proposed rezone from CRM (Commercial Rural Median) District to CUG (Commercial Urban General) District to allow for the smaller parcel sizes and a conditional use permit to allow for the existing dwelling to remain in this zone district. The proposed zone district allows for heavier commercial uses than the existing commercial zone district and, therefore, requires a conditional use permit for multiple family dwellings.

The parcel is generally flat, in a valley like setting at the north side of Bass Lake. To the north of the project site are industrial condominiums, to the south and east are occupied commercial parcels, and to the west is national forest land. A septic tank and individual well are in use on the property. A sewage feasibility report was prepared for the project which determined the proposed lot with the single family dwelling has plenty of area to expand the existing mounded leach field; also, there is adequate area for sewage disposal on the lot with the storage building. Both lots will share an existing well located on the lot with the dwelling.

According to the Institute of Traffic Engineers, the generation rate for the proposed zone change to allow general commercial, retail sales, and customer service uses is approximately 40 trips per 1000 square feet of commercial space (based on an average). The average for multiple family dwellings is approximately 6 trips per unit per day.

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

Comments were received from the Road, Environmental Health Departments, as well as the Assessor's Office.

GENERAL PLAN CONSISTENCY STATEMENT:

The Parcel Map, Rezone, and Conditional Use Permit are consistent with the general plan designation of HC (Heavy Commercial) which allows for land extensive retail (e.g., nurseries, tire stores, automobile sales, auto body and repair shops, lumber yards), warehouses, wholesale commercial uses, offices, public and quasi-public uses, and similar and compatible uses. The proposed zone district of CUG (Commercial Urban General) allows for general commercial

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establishments, restricted retail sales establishments customer service establishments, and retail sales establishments as by-right uses making it consistent with the General Plan. The CUG zone district requires a conditional use permit for multiple family dwellings which will make the existing dwelling consistent with this requirement.

FINDINGS

The Madera County Parcel Map Ordinance requires that the following findings of fact must be made by the Planning Commission to recommend approval of this entitlement:

1. *The proposed map is consistent with applicable general and specific plans.* This proposal includes a rezone to CUG (Commercial Urban General) to allow for consistency with the General Plan designation of HC (Heavy Commercial). The proposed parcel sizes meet the minimum parcel size of the proposed zone district.
2. *The design or improvements of the proposed subdivision is consistent with applicable general and specific plans.* The current General Plan designation for this area was analyzed in the General Plan Environmental Impact Report for issues such as noise, traffic, and potential release of hazardous materials.
3. *The site is physically suitable for the type of development.* No development is proposed as part of this project. The proposed parcel sizes meet the required minimum parcel size of one acre.
4. *The site is physically suitable for proposed density or development.* The proposed parcel sizes meet the required minimum parcel size.
5. *The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.* No improvements are required of this project.
6. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.* The proposal is a minor division of land. No species of concern exist on the project site. The surrounding area is predominantly agriculture.
7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless subject to section 66414.01 of the Government Code which indicates that a tentative map, or a parcel map for which a tentative map was not required, if an environmental impact report was prepared with respect to the project and a finding was made pursuant to paragraph (3) of the subdivision (a) of*

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PM #4181, CZ #2013-012, CUP #2013-025

section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report. There are no easements on the property in which the public at large has access through.

8. *The parcel map committee may approve the map if it finds that alternate easements, for access or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. An existing easement (Cowboys Trail) will remain as secondary access and an additional easement is required traversing both parcels allowing access to Orchard Lane.*
9. *The proposed use will not violate the spirit or intent of the Madera County Zoning Ordinance. The proposed zone district requires a conditional use permit for multiple family dwellings. The intent of the applicant is to use the existing dwelling as a multiple family dwelling.*
10. *The proposed use will not be contrary to the public health, safety, or general welfare of the citizens of Madera County. Conditions and mitigation measures have been put in place including providing easements, covered lighting, and future payment of park fees for the protection of the general public.*
11. *The proposed use will not be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, glare, or other similar factors. The commercial use of the project site is not proposed to be changed. The dwelling is proposed to remain and any future uses must be consistent with the allowed use in the proposed zone district.*
12. *The proposed use will not for any other reason cause a substantial effect upon the property values and general desirability of the neighborhood or of the county. The proposed lot sizes and use are generally consistent with the surrounding area. An industrial condominium complex is located to the north and other commercial uses are located to the south.*

RECOMMENDATION:

Staff recommends approval of Parcel Map #4181, Rezone #2013-012, Conditional Use Permit #2013-025, Mitigated Negative Declaration #2014-04, and Mitigation Monitoring and Reporting Program, subject to conditions as shown in the Conditions of Approval.

CONDITIONS:

See attached Conditions Monitoring Program.

ATTACHMENTS:

STAFF REPORT

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PM #4181, CZ #2013-012, CUP #2013-025

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Site Plan (Tentative Parcel Map)
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Sewage Feasibility Investigation
9. Exhibit I, Assessor's Office Comments
10. Exhibit J, Environmental Health Department Comments
11. Exhibit K, Road Department Comments
12. Exhibit L, Initial Study
13. Exhibit M, Mitigated Negative Declaration

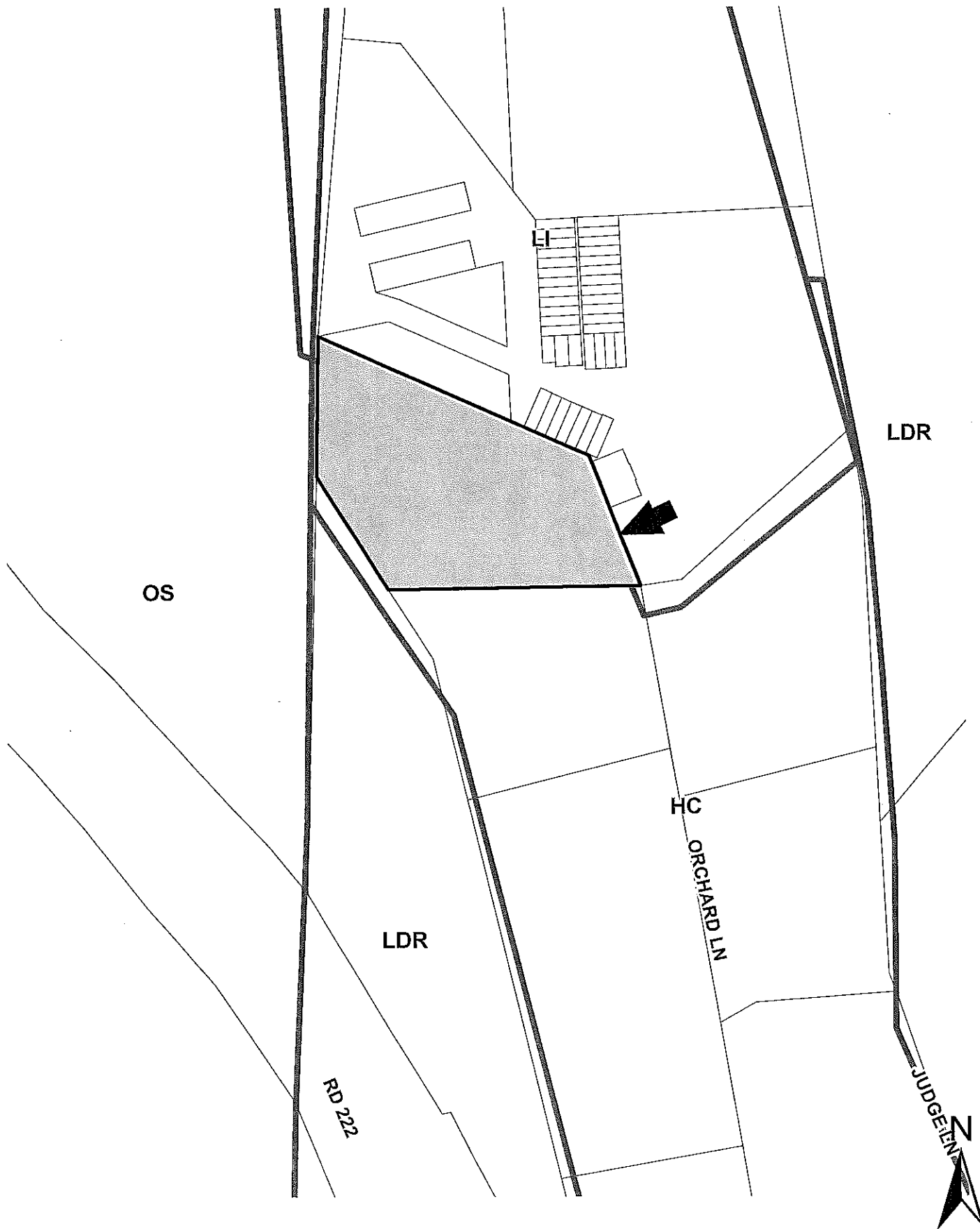
CONDITIONS OF APPROVAL

PROJECT NAME: Parcel Map #4181, Rezons #2013-012, Conditional Use Permit #2013-025
 PROJECT LOCATION: East side of Cowboys Trail approximately 0.25 mile north of the intersection of Road 222 (40953 Cowboys Trail), Bass Lake.
 PROJECT DESCRIPTION: Division of 1.72 acres into two parcels (0.99 acre and 0.73 acre), a rezone to allow the parcel sizes, and a conditional use permit allowing a multiple family dwelling.

APPLICANT: Bruce Debevoise
 CONTACT PERSON/TELEPHONE NUMBER: (805) 967-1331

No.	Condition	Department/Agency	Initials	Date	Verification of Compliance	Remarks
ENGINEERING DEPARTMENT						
ENVIRONMENTAL HEALTH DEPARTMENT						
1	All Madera County setback requirements must be maintained and all permits must be obtained prior to any construction activities on site of this project.					
2	When the owner/operator submits the application(s) for any required county permits, the MCEHD will conduct a more detailed review of this proposed projects compliance with all current local, state & federal requirements. The owner/operator of this property/facility must submit an application for all required MCEHD permits prior to starting any construction activities.					
FIRE DEPARTMENT						
PLANNING DEPARTMENT						
1	The final map will require the notarized signature(s) of the property owner(s).					
2	The final map will require the completion of the applicant's certificate.					
3	Place an Applicant Notary Public's certificate on the final parcel map.					
4	The final map will require the completion and signature of the property owner's Notary Public.					
5	The final map will require the signature and seal of the project engineer/surveyor.					
6	The final map will require completion of the surveyor's certificate.					
7	Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72.					
8	Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication.					
9	Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.					
10	Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera.					
11	Identify this proposal as Parcel Map #4181.					
12	All parcels proposed by this division must be identified as a parcel with a numerical value (i.e., parcel #1, parcel #2, etc.).					
13	The final parcel map shall indicate gross and net acreages for all parcels being created.					
14	Place a north arrow on the final map.					
15	Place a vicinity map on the final map.					
16	The final map shall utilize a written and graphic scale of 1 inch = 100 feet (or larger), unless written authorization is received from the Planning Department to deviate therefrom.					
17	The final map shall indicate all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a note so stating.					
18	The final map shall indicate type of structures together with their dimensions.					
19	Under the provisions of County Code Section 17.72.167, prior to final map recording the applicant or his authorized agent will provide the Planning Director with "Writ Serve" letters from the appropriate water, wastewater, power, and telephone companies.					
20	The final map shall indicate the proposed division lines by means of short dashed lines. The following note is to be placed on the final map: "NOTE: Under the provisions of County Code Chapter 15.03, if the owner of a parcel created by this parcel map seeks a building permit for a dwelling within four years of the recording of the map, the owner shall pay the fee in lieu of dedication of land for parks and recreational facilities."					
21						
22	The final parcel map shall indicate a driveway location for each parcel being created. The driveway shall be a minimum of ten (10) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval.					

ID	Condition	Department/Agency	Initials	Date	Verification of Compliance Remarks
23	<p>Place the appropriate offer of dedication certificate(s) on that portion of road right-of-way which was offered for dedication to the County of Madera prior to submission of this proposal. The certificate shall read as follows, as appropriate:</p> <p>a. For offers of dedication recorded prior to January 1, 1990: " 60'-wide road right-of-way previously offered for dedication to the County of Madera in Book ? at page ?, Madera County Official Records."</p> <p>1. and/or</p> <p>b. For offers of dedication recorded on or after January 1990: " 60'-wide road right-of-way previously offered for dedication to the County of Madera as Instrument # ? - ? , Madera County Official Records."</p>				
24	The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).				
25	The final map shall require letters of approval from the Assessor, Road, and Environmental Health Departments.				
26	Payment of all payable items (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review by the County Counsel's Office.				
27	A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation.				
28	A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate \$17.00 recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice.				
29	Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post.				
30	This proposal must complete processing within two (2) years of lead agency tentative approval.				
31	The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.				
32	Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.				
ROAD DEPARTMENT					
1	As a condition of the Parcel Map and prior to recordation, the applicant shall record a cross access easement for vehicle travel on a viable alignment between proposed Parcel 1 and Parcel 2. This private easement shall commence at Orchard Lane right of way and shall terminate at the newly proposed parcel split line.				
2	Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.				
3	Prior to recordation, all driveway locations shall be indicated on the Map for review and approval (MCC-617.72.166).				
ASSESSOR'S OFFICE					
1	The applicant shows all improvements on applicants land.				
2	The applicant files 1 Completed Assessor's Form AQ-98 regarding the Subdivision Parcel Map improvements.				



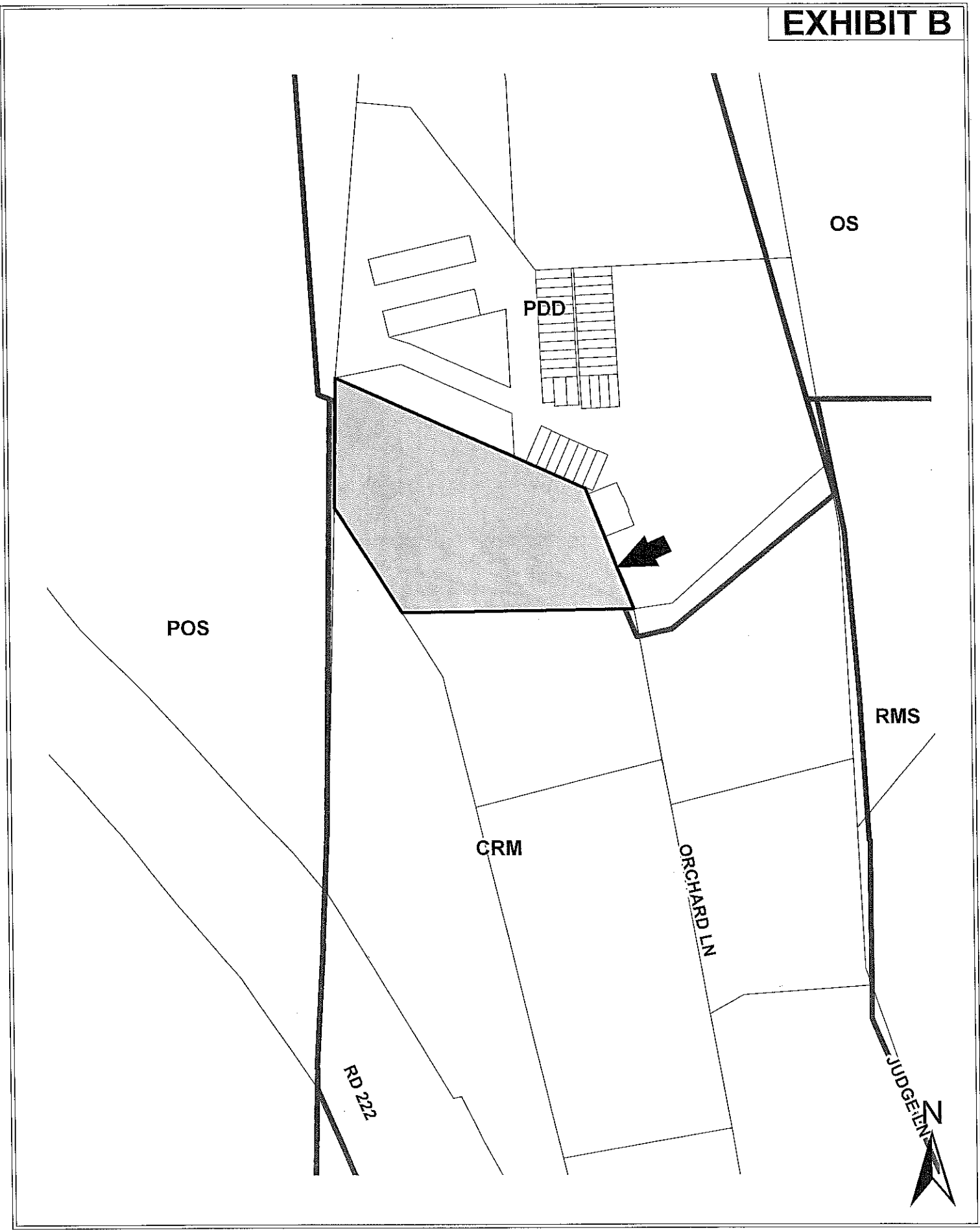


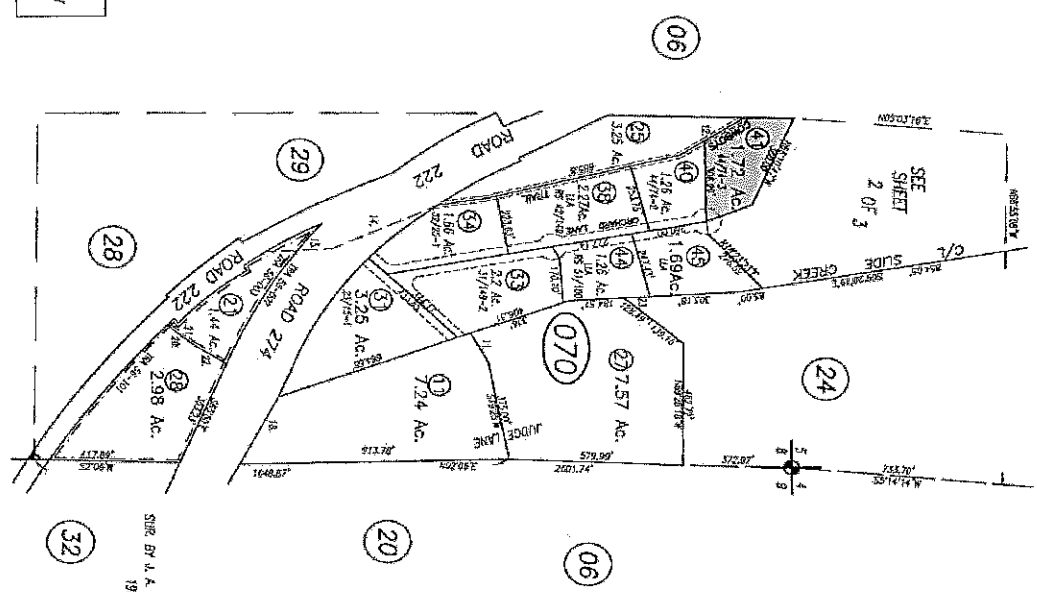
EXHIBIT C

ORIGINAL

POR. OF SEC. 5 & 8 T.7S. R.22.E. M.D.B.&M.

Tax Area Code
 56-002
 56-003
 56-101

59-07
 SHEET 1 of 3



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

ROAD-2-14
 2-20 02E

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NOTE- Assessor's Block Numbers Shown in Ellipse
 Assessor's Parcel Numbers Shown in Circle

SUB. BY J. A. ROSS & ASSOCIATES
 1980

Assessor's Map No. 59-07
 Sheet 1 of 3
 Bass Lake
 County of Modero, Calif.
 1965

- 11. SLOPE 18.50'
- 12. SLOPE 26.00'
- 13. SLOPE 26.00'
- 14. SLOPE 26.00'
- 15. SLOPE 26.00'
- 16. SLOPE 26.00'
- 17. SLOPE 18.50'
- 18. SLOPE 18.50'
- 19. SLOPE 18.50'
- 20. SLOPE 18.50'
- 21. SLOPE 18.50'
- 22. SLOPE 18.50'



ASSESSOR'S MAP

EXHIBIT D

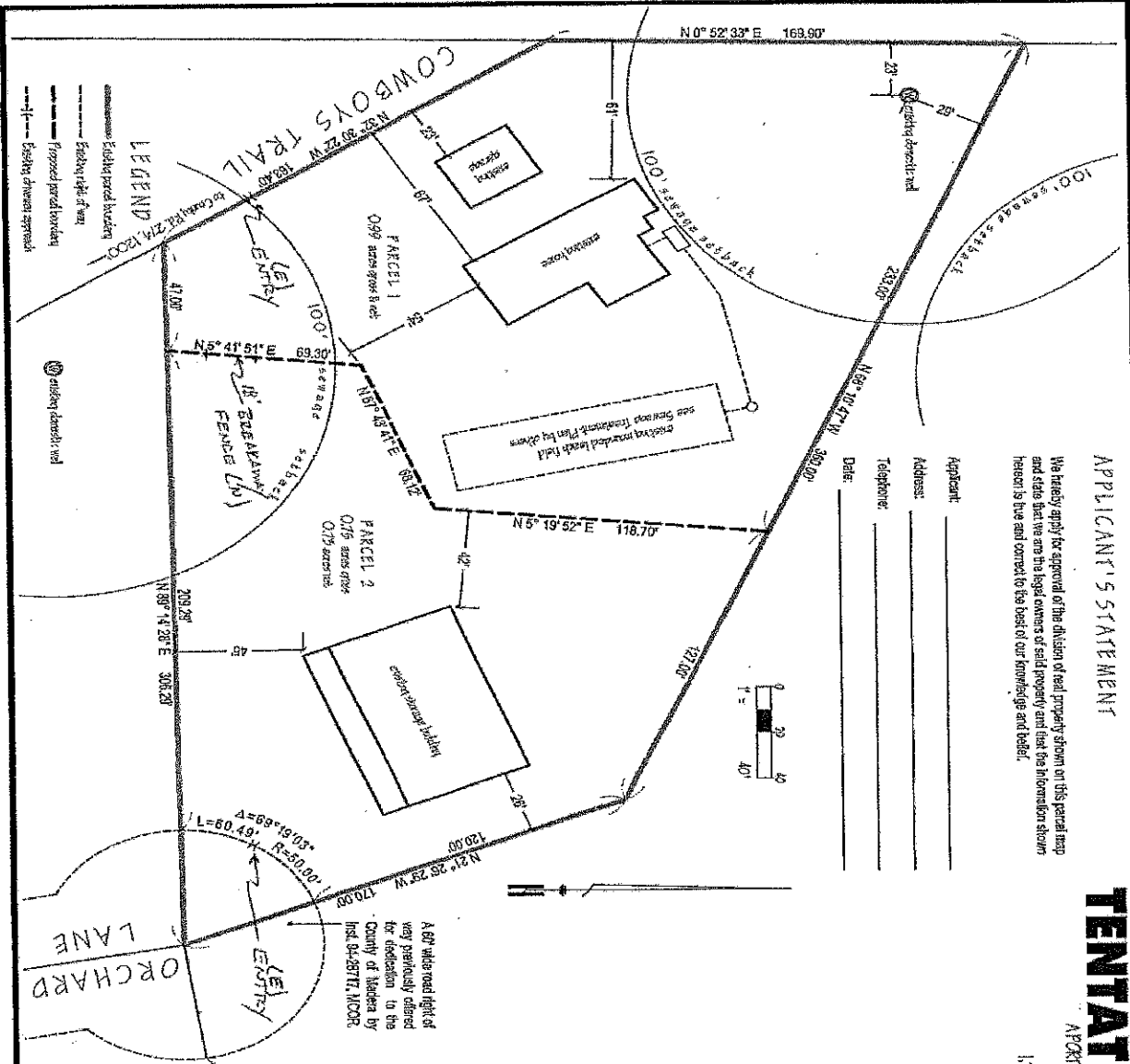
APPLICANT'S STATEMENT

We hereby apply for approval of the division of real property shown on this parcel map and state that we are the legal owners of said property and that the information shown hereon is true and correct to the best of our knowledge and belief.

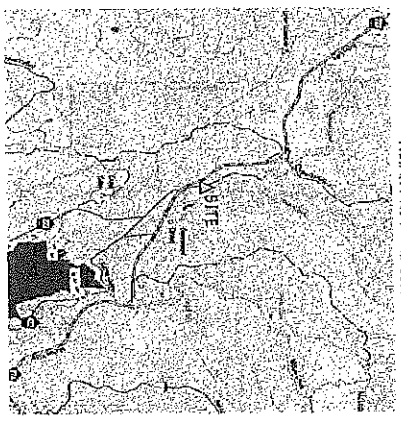
Applicant: _____
 Address: _____
 Telephone: _____
 Date: _____

TENTATIVE PARCEL MAP

APORTION OF SECTION 8, T17S, R22E, M2B, & M
 PARCEL 5 PARCEL MAP 54420
 1.75 ACRES GROSS AKA 099-070-041



All other road right of way parcels shown hereon are very previously offered for dedication to the County of Maricopa by Resolution No. 94-0871, MCDR.



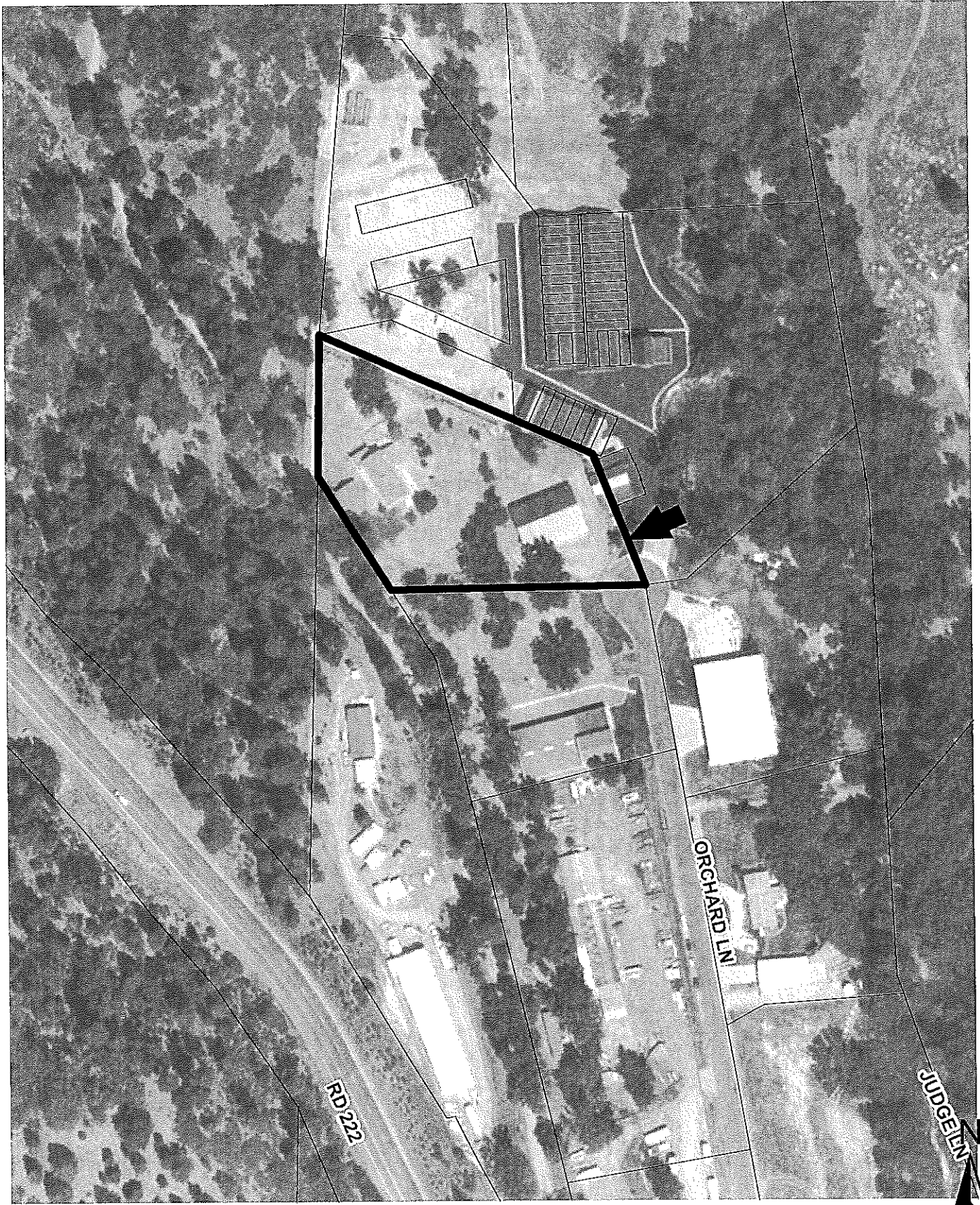
NOTES:
 1. Water to be supplied by individual wells.
 2. Sewer disposal by individual septic system.
 3. Structures made on these parcels shall be shown.
 4. Dimensions to be shown within ±10', 10'.
 5. Vertical Elevations ± 0.5' maximum error.

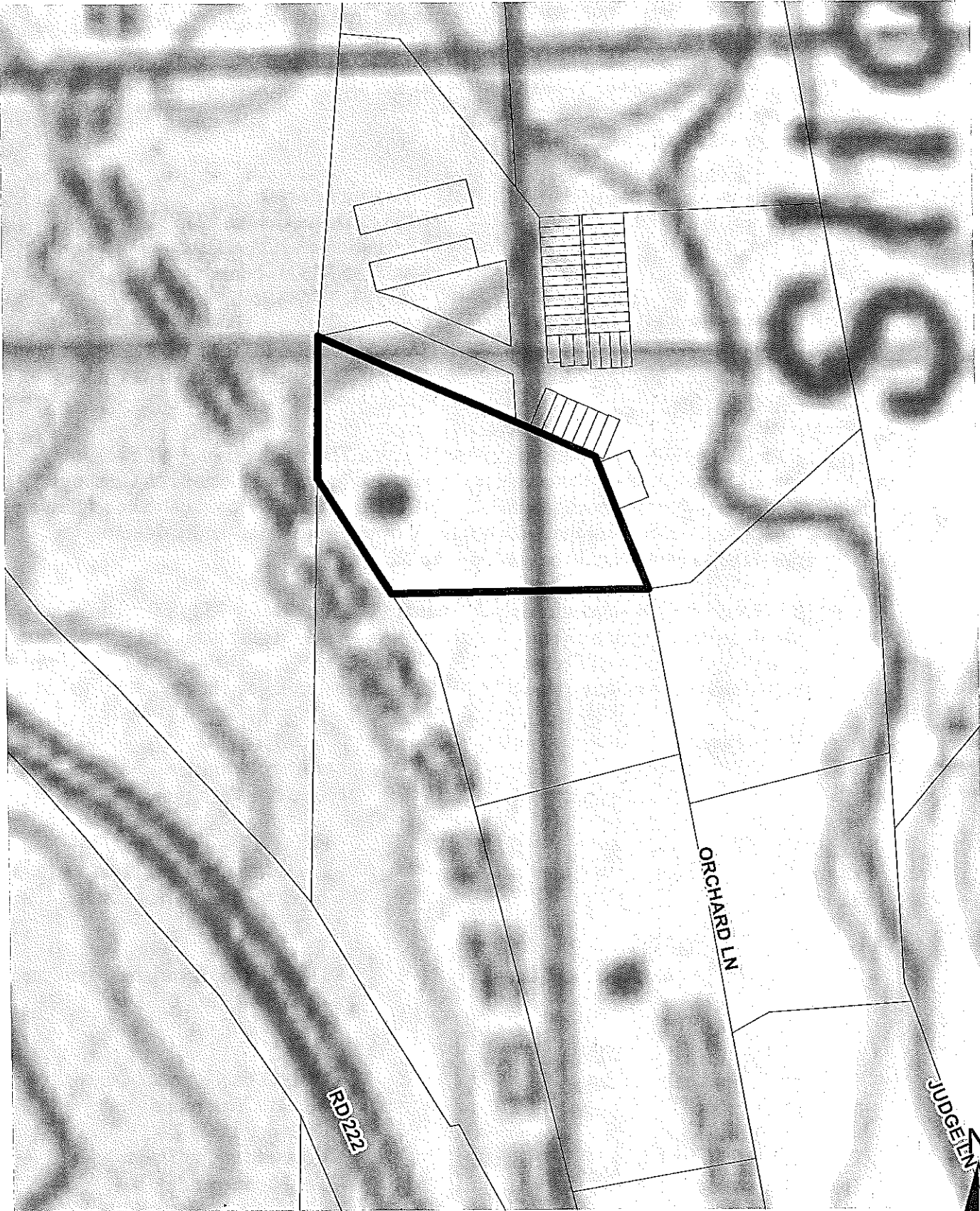
The applicant and/or successors in interest shall be responsible for correct maintenance of all fee-simple features as required and administered by the California Department of Forestry and Fire Protection under the provisions of Title 45, California Code Section 4930.

DAVIS SURVEYS
 PO BOX 3346
 OROVISTA, AZ 85453
 TEL 520.633.2371
 TRAVIS@DAVISURVEYS.COM
 davislv.com

DATE: 05/20/23
 SHEET: 1

SITE PLAN





OPERATIONAL/ENVIRONMENTAL STATEMENT

Question:

1. DEBEVOISE PARCEL

Bass Lake, CA
A.P.N.; 059-070-041 / 1.75 Acres (gross)

Parcel Location:

40953 Cowboys Trail
Bass Lake, CA 93604

Mailing Address:

133 E. De La Guerra, #275
Santa Barbara, CA 93101
(805) 967-1331 -home
(805) 729-3684 -cell

2. NATURE OF PROPOSAL/OPERATION

Our desire is to **first**; change the zoning of the 1.75 acre parcel from C.R.M. to C.U.G. and **then** split the lot into 2 parcels only. (With special "conditions", if Madera County wishes, not to allow any further splits.)

Parcel I – Parcel would be approximately .99 acres gross. The existing 1700± s.f. Residence would remain. One would enter this parcel using the existing driveway located on Cowboys Trail. The address of Parcel I would remain 40953 Cowboys Trail. We would also be requesting a Conditional Use Permit so that the residence could be used as a multi-family dwelling.

* Operation- The residence would be used as a rental.

Parcel II – Parcel would be approximately .75 acres gross. The existing 3500 s.f. Metal storage building would remain. One would enter this parcel through the existing gates on Orchard Lane. A new Orchard Lane address will be needed for this parcel.

* Operation- The storage building would be used for personal storage of boats, golf carts, etc.

Parcel I

Existing Residence

Parcel II

Existing Storage Building

Question:

3. EXISTING USE:

- The residence is currently being used as a vacation home.

- The storage building is currently being used for personal storage.

4. PRODUCTS PRODUCED:

- There will be no products produced or sold on site.

- There will be no products produced or sold on site.

5. OPERATIONAL TIME LIMITS

- Tenants & friends only
- Months: Year round
- Days per week: 7
- Hours: 8 a.m. to 8 p.m.
- Total hours per day: 12

- Owners only – not a business.
- Months: Year round
- Days per week: 7
- Hours: 8 a.m. to 5 p.m.
- Total hours per day: 9

6. SPECIAL ACTIVITIES/EVENTS:

- None

- None

Parcel I
Existing Residence

Parcel II
Existing Storage Building

7. NUMBER OF CUSTOMERS/VISITORS

- Tenants and friends
- Average: 3 round trips per day
 - Maximum: 5 round trips per day
 - Hours: 8 a.m. - 8 p.m.

- Owners only – personal storage
- Average: 1 round trip per day
 - Maximum: 2 round trips per day
 - Hours: 8 a.m. - 5 p.m.

8. EMPLOYEES:

- None

- None

9. EQUIPMENT/MATERIALS/SUPPLIES

- None

- Boats, golf carts, yard tools, light construction tools.

10. ANY SERVICE/DELIVERY VEHICLES

- None

- None

11. PARKING SPACES FOR EMPLOYEES, CUSTOMERS, SERVICE/DELIVERY VEHICLES

- For residents, 2 covered (garage)
5 uncovered
- Asphalt

- For owner
(no employees or customers)
- Gravel surface, 40,000 lb. all weather drive

12. ACCESS TO PROPERTY

- Through the existing driveway on Cowboys Trail, whose existing legal address is: 40953 Cowboys Trail, Bass Lake, CA 93604

- Through the existing gates on Orchard Lane. (A new address would need to be assigned.)

13. THE NUMBER AND TYPE OF VEHICULAR TRIPS PER DAY

- 3-5 round trips per day by tenants and friends.
- Cars and personal pick ups.

- 1-2 round trips per day by owner.
- Cars and personal pick ups.

14. ADVERTISING SIGNS

- None

- None

15. EXISTING BUILDINGS OR NEW BUILDINGS

- Existing 1700 s.f. Single family dwelling
- Slab floor, wood framing
- Existing “barn red” color
- Existing 22-24' peak height

- Existing 3500 s.f. storage building
- 3-rail fence will be installed to divide the properties.
- “stone” color walls, “forest green” roof.
- 22' peak height

16. LANDSCAPING OR FENCING

- Landscaping to remain
- 3-rail fence will be installed to divide the properties

- Landscaping to remain
- 3-rail fence will be installed to divide the properties
- Decorative 3-rail fencing will be installed at Orchard Lane entrance to create curb appeal.

Parcel I
Existing Residence

Parcel II
Existing Storage Building

17. LAND USES:

- NORTH - Personal storage condominiums, housing & a large ranch.
- SOUTH -Down Orchard Ln. we have personal storage, Bass Lake Mini Storage and 2 residences.
- EAST -Personal storage condominiums & Slide Creek.
- WEST -We have Cowboys Trail, personal storage and one residence to the south west, and U.S. Forest Service Land.

- NORTH- Personal storage condominiums, housing & a large ranch.
- SOUTH- Down Orchard Ln. we have personal storage, Bass Lake Mini Storage and 2 residences.
- EAST- Personal condominiums & Slide Creek.
- WEST- We have Cowboys Trail, personal storage and one residence to the south west, and U.S. Forest Service Land.

18. OPERATION OR EQUIPMENT NOISE ABOVE EXISTING PARCELS IN THE AREA:

- No

- No

19. WATER USAGE:

- Existing well will be shared. The well was installed in 2007, produces 75 GPM and is cased to 61'-2".
- Usage: (3-4 people)
 - 4+ shower/day = 100 gal.
 - 8+ toilet flushes = 13 gal.
 - Dishes = 10 gal.
 - Landscaping = 10 gal.

- Existing well will be shared. The well was installed in 2007, produces 75 GPM and is cased to 61'-2".
- Usage:
 - 1+ shower/day = 50 gal./day
 - 4+ flushes/day = 7 gal./day
 - Landscaping = 10 gal./day

67 gal./day max

20. WASTEWATER:

- There is an existing 1500 gal. Tank and large, Elevated leach field installed in 1995.
- O.S.T. system designs verbally estimated approx. 150 gal. of wastewater being generated daily.

- There is an existing 1000 gal. septic tank with a newly designed leach field (not yet installed). See O.S.T. System Designs packet included with this application.
- O.S.T. estimates there would be 105 gallons of wastewater generated per day (max.)

21. SOLID WASTE (GARBAGE):

- 2 bags/week. Local trash service. (Emadco)

- 2 bags/month. Local landfill.

22. GRADING OR TREE REMOVAL:

- None

- None

Parcel I
Existing Residence

Parcel II
Existing Storage Building

23. ARCHEOLOGICAL/HISTORICAL SIGNIFICANT SITES:

- No, see Chuckchansi Indians Inspection form included with this application.

- No, see Chuckchansi Indians inspection form included with this application.

24. BODIES OF WATER:

- There are no bodies of water on this parcel.
- Bass Lake is approximately 1.0 miles away.

- There are no bodies of water on this parcel.
- Bass Lake is approximately 1.0 miles away.

25. NATURAL DRAINAGE COURSE:

- None

- There is a "seasonal drainage" gully on this parcel. See this on the O.S.T. System Designs parcel map.

26. HAZARDOUS MATERIALS OR WASTE:

- None

- None

27. PUBLIC SERVICES OR FACILITIES:

- Fire and Police protection may be needed.
- Schools may be utilized if tenants have school age children.

28. IMPACT ON SURROUNDING AREA:

- We do not see any significant impact over its current use. The residence on Parcel I currently houses 2 individuals and the storage building on Parcel II is used for personal items (not business).

29. IMPACT ON SCHOOLS, PARKS, FIRE & POLICE:

- Again, we foresee minimal or no impact compared to its current use.

30. N/A

31. There are no slopes over 10%. See Tentative Parcel Map by Davis Surveys included with this submittal.

On-Site Sewage Treatment System Design Site Plan for a Land Division

For:

Bruce DeBevoise
40953 Cowboys Trail Rd.
Bass Lake CA 93604

By:

O.S.T. System Designs, Inc.
Armando G. Flores, REHS
PO Box 274
Biola CA 93606
559.288.8494

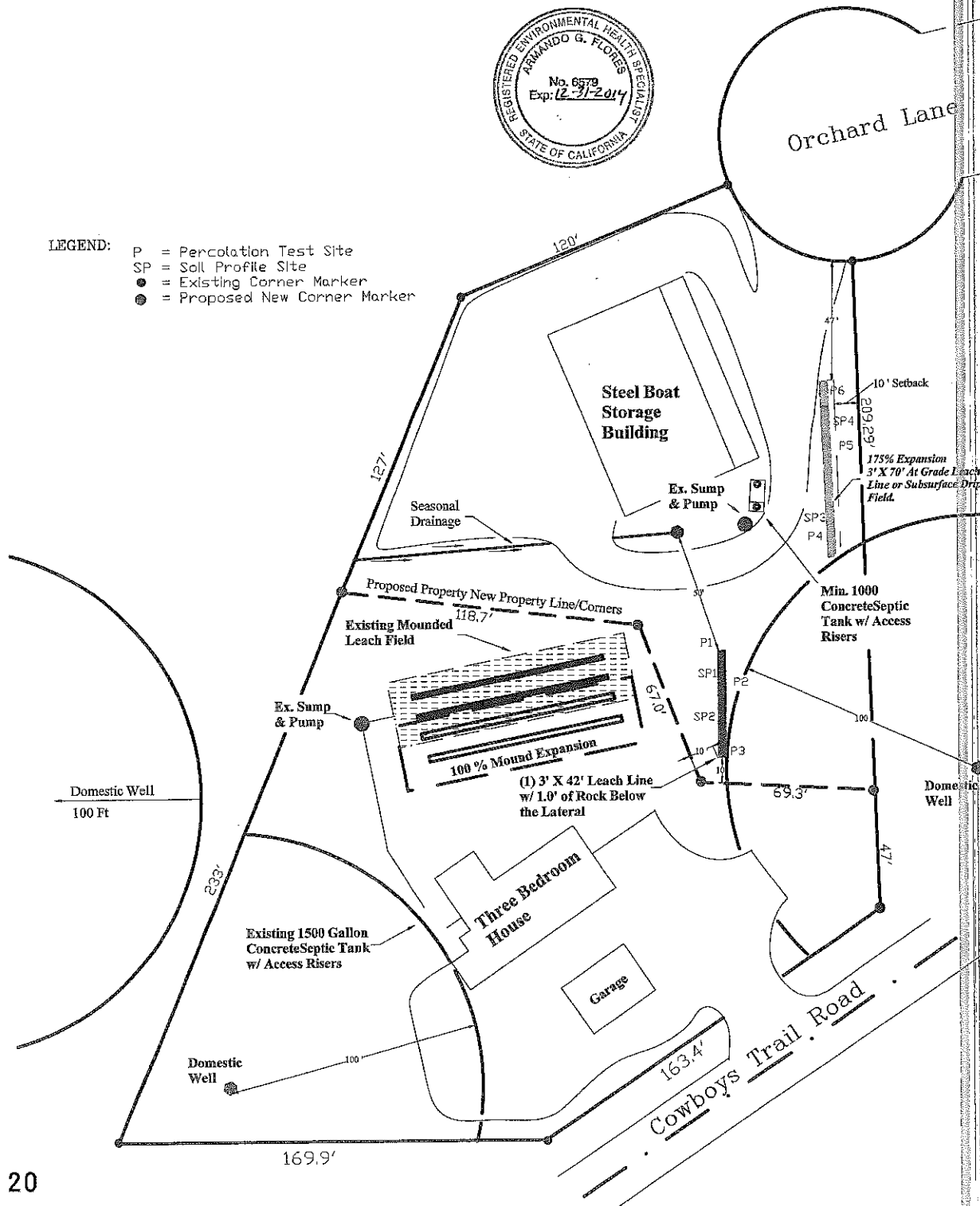


SCALE: 1" = 40'



LEGEND:

- P = Percolation Test Site
- SP = Soil Profile Site
- = Existing Corner Marker
- = Proposed New Corner Marker



O.S.T. System Designs, Inc.

Armando G. Flores, REHS
PO BOX 274 BIOLA, CA 93606
(559) 288-8494 FAX (559) 843-2120
Email: ostdesign@aol.com

April 20, 2013

Madera County Environmental
Health Department
Dexter Marr
2037 Cleveland Ave
Madera CA 93637

RE: A Sewage Feasibility Investigation and On-Site Sewage Treatment System Design for a Steel Boat Storage Building and a proposed Land Division located at 40953 Cowboys Trail, Bass Lake CA.
APN#: 059-070-041
Property Owner: Bruce DeBevoise
Building Permit #:
County Site Review By: Dexter Marr (April 11, 2013)

Introduction

The subject property is comprised of a three-bedroom house and a metal boat storage building located on a 1.72 Acre Lot between Cowboys Trail and Orchard Lane in Bass Lake. The proposal is to divide the lot with one lot having the three-bedroom house and the other lot having the steel boat storage building. Each of the two lots will have an individual On-Site Sewage Treatment System (OSTS) and both will share the existing domestic well located on the proposed lot with the house.

The Lot with the Steel Storage Building will be used for personal Boat Storage and a Private Office with a restroom and shower. The building will not be used as a residence, as you may have noticed during your visit on April 11, 2013. Drainage Fixture Units are limited to a lavatory, a water closet and a personal shower. Although the building will be used for personal use, the closest Estimated Flow Rate based on "Type of Occupancy" was determined using the 2010 edition Uniform Plumbing Code, Table K-a, Estimated Flow Rates, # 7, Factories with shower, 35 gpd/employee. There will be a maximum of 3 family members working on their boats or projects for a day. Three (3) family members X 35 gpd (if they all shower) would equal 105 gpd. Mr. DeBevoise and I have determined that a maximum of 105 gpd would be a very conservative figure.

Purpose and Scope

A Sewage Feasibility Investigation was conducted in order to determine if there would be adequate sewage dispersal area on each of the two proposed Lots, after the Land Division. As indicated during our joint site evaluation on April 11, 2013, the lot with the house has plenty of area to expand the existing mounded leach field. The soils analysis conducted for the boat storage building OSTs indicates that there is adequate area for sewage dispersal on this lot as well.

Site Description

The 1.72 ± Acre Lot is mostly semi-flat with very shallow slopes ranging from flat to 5 percent throughout. An ephemeral drainage traverses through the center of the lot in a east to west direction.

Field Investigation and Soils Analysis

The Field Investigation and Soils Analysis consisted of evaluating the site in terms of its environmental conditions; climate, geology, slopes, soils/landscape position, ground water and surface water aspects, and determining the area to be analyzed for sewage dispersal. The Soils Analysis consisted of conducting six (6) percolation tests and four soil profiles.

Soil Profiles

The four Soil Profiles indicate that the top 18” of top soil is comprised of a moist dark brown/black med. grained sandy silt loam/top soil followed by an underlying layer of very moist to saturated dark brown medium grained to coarse gravelly sandy loam and Decomposed Granite to 7.0 Ft with mottles beginning at 6.0 Ft in all four soil profiles. Evidence of seasonal ground water was obvious due to soil mottles and saturation from 6.0 Ft to 7.0 Ft.

The proposed single leach line will require a mounded leach field. See attached mound details.

Percolation Tests

Six (6) Percolation Tests were conducted within the area selected for sewage dispersal. Percolation holes were augured using a 6” augur on a Bobcat-Toolcat 5600. The percolation holes were presoaked for a period of 24 hours and tested at 30 minute intervals for a period of 3 hours. **Table A** below summarizes the Percolation Test Data collected.

TABLE A
Percolation Test Data Summary

Percolation Test #	Percolation Test Depth (Ft)	Percolation Rate (MPI)	Average Percolation Rate (MPI)
1	1.5	48	47.67
2	2.0	60	
3	3.0	60	
4	1.5	40	
5	3.0	48	
6	2.0	30	

Septic Tank Sizing Using Drainage Fixture Units (2010 Edition UPC, Ch. 7, Sanitary Drainage, Pg. 157 Table 7-3)

Unisex Restroom:

(1) Water Closets	@ 6.0 Units each	6.0 Units
(1) Lavatory	@ 1.0 Units each	1.0 Units
(1) Shower	@ 2.0 Units each	2.0 Units

Total Drainage Fixture Units: 9.0 Units

Septic Tank Sizing based on Drainage Fixture Units (2010 Edition UPC, Appendix K, Pg. 464, Table K-2, Capacity of Septic Tanks)

Minimum Septic Tank Size@ 9.0 Fixture Units: 750 Gallons

Septic Tank Sizing Using Estimated Flow Rates, (2010 Edition UPC, Appendix K, Pg. 464-465, Table K-3, (A), Recommended Design Criteria

Waste/Sewage Flow, up to 1,500 gpd:

Flow X 1.5 = Septic Tank Size

105 gpd X 1.5 = 158 ~~Gallon~~ Septic Tank

OSTS SPECIFICATIONS

- **Estimated design flow:** 105 GPD Maximum
- **Existing septic tank size:** 1000 Gal.
- **Pump:** Use a Zoeller Mighty Mate 53 or Equal
- **Average percolation rate:** 47.67 MPI = T
- **Maximum application rate:** = $5 \div \sqrt{T} = .732 \text{ Gal/Ft}^2/\text{Day}$
- **Minimum adsorption area required equals:** 105 gpd \div .732 Gal/Ft²/Day = 143 Ft²
- **Minimum Adsorption area this design will provide:** 650 Ft²

RECOMMENDED LEACH LINE CONFIGURATION

Trench width	36"
Depth of Rock Below Pipe	2.0 Ft
Max. trench depth below native ground:	1.5 Ft
Leach area/linear Ft of trench	5.0 Ft²
Number of leach lines	1
Leach Line Length	42 Ft
Tons of rock	16 Tons

OSTS Setback Requirements and Site Restrictions

As per the Plot Plan maintain:

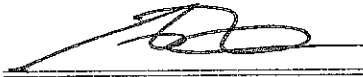
- 100 Ft between OSTs and the Existing and all domestic wells.
- 25 Ft between the OSTs and the Road Easement/property line.
- 10 Ft between the proposed new property lines and the OSTs.
- 50 Ft between the OSTs and the ephemeral drainage.
- Maintain All Other County Setback Requirements.

Construction Notes

1. The Contractor/Installer shall not begin construction unless they have obtained a copy of the final approved design and a valid permit.
2. The Contractor/Installer is responsible for ensuring that he/she meets/follows all County Requirements pertaining to the construction of Special Designed On-Site Sewage Treatment Systems.
3. **All materials and workmanship shall comply with all applicable codes, ordinances, County Policy, and the best standards of workmanship. Where the plans or specifications are not clear, the contractor or property owner should contact the Designer for clarification. NO CHANGES OR MODIFICATIONS ARE TO BE MADE TO THE DESIGN AS SHOWN ON THIS DESIGN UNLESS FIRST APPROVED BY O.S.T. SYSTEM DESIGNS, INC. AND AN APPROVED ADDENDUM HAS BEEN APPROVED BY THE COUNTY, IF NECESSARY.**
4. O.S.T. System Designs, Inc. shall, at the completion of the construction, make a final inspection to verify that all construction elements are in general conformance with the approved plans/design and specifications. A Final Letter from the Designer to the County Environmental Health Department/Permitting Agency will state that all construction has been completed, approved, meets all design criteria and is in conformance with the specifications of the final County approved design. **THE DESIGNER IS TO BE NOTIFIED A MINIMUM 48 HOURS IN ADVANCE TO ARRANGE FOR INSPECTIONS.**
5. **The Property owner should have both compartments of the septic tank pumped by a reputable licensed tank pumping and disposal service at least once every three to five years, depending on variations in system occupancy, usage and loading.**
6. **Do not add Septic Tank Additives to your On-Site Sewage Treatment System.** These products are not necessary and some may be harmful to your system.

7. **Limitations:** Recommended Design Criteria is based on field data collected and does not reflect variations, which may occur between weather seasons and areas tested. The extent of variation may not become evident until the house and leach lines are located and/or constructed. If variations or undesirable conditions are encountered during construction O.S.T. System Design,s Inc. shall be notified so that changes and/or more testing can be made and an addendum, if needed, can be made and submitted to the permitting agency. The client should recognize that exposure of unexpected adverse conditions would require additional costs at the rate of \$100.00 per hour, portal-to-portal. Services performed by O.S.T. System Designs, Inc. have been conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty, expressed or implied, is made.

Respectfully Submitted,



Armando Flores
Registered Environmental
Health Specialist # 6579



Attached:

- a. Percolation Test Data Sheet
- b. Soil Profile Data
- c. Zoeller Mighty Mate 53, Effluent Pump
- d. Mound Details
- e. Leach Line Details
- f. OSTs/Land Division Site Plan

O.S.T. SYSTEM DESIGNS

PERCOLATION TEST DATA SHEET

Property Owner Name: Bruce DeBavolse
 Location: 40953 Cowboys Trail, Bass Lake CA

APN # 059-070-041
 Diameter of Holes: 6"

Start Time	Start Depth	Refilled Yes / No	Time Elapsed	Water Level Difference	Drop in Inches	Drop In MPI	Comments: (Depth After Refill etc.)
PERC # 1 (Ref Point)							Depth of Perc - Ft
1:00pm	80"	y	30	80 3/4"	3/4"	40	Pre-soak date: 4/17/12 - 12:00 pm Test date: 4/18/13 - 1:00 pm 48.0 mpi Finish - 4:00 pm
1:30	80"	y	}	80 3/4"	3/4"	40	
2:00	80"	y		80 3/4"	3/4"	40	
2:30	80"	y		80 1/2"	5/8"	43	
3:00	80"	y		80 1/2"	5/8"	43	
3:30	80"	y		80 1/2"	5/8"	43	
PERC # 2							Depth of Perc - Ft
	27 1/4"	y	30	27 5/8"	5/8"	43	60 mpi
	27"	y	}	27 3/4"	3/4"	40	
	27"	y		27 1/2"	1/2"	60	
	27"	y		27 1/2"	1/2"	60	
	27"	y		27 1/2"	1/2"	60	
	27"	y		27 1/2"	1/2"	60	
PERC # 3							Depth of Perc - Ft
	120"	y	30	120 3/8"	7/8"	34.25	60 mpi
	120"	y	}	120 3/4"	3/4"	40	
	120"	y		120 1/2"	1/2"	60	
	120"	y		120 1/2"	1/2"	60	
	120"	y		120 1/2"	1/2"	60	
	120"	y		120 1/2"	1/2"	60	
PERC # 4							Depth of Perc - Ft
	60"	y	30	61 1/8"	1 1/8"	26.67	40.0 mpi
	60"	y	}	61"	1"	30	
	60"	y		60 3/4"	3/4"	40	
	60"	y		60 3/4"	3/4"	40	
	60"	y		60 3/4"	3/4"	40	
	60"	y		60 3/4"	3/4"	40	
PERC # 5							Depth of Perc - Ft
	70"	y	30	70 3/4"	3/4"	40	48.0 mpi
	70"	y	}	70 3/4"	3/4"	40	
	70"	y		70 3/4"	3/4"	40	
	70"	y		70 5/8"	5/8"	43	
	70"	y		70 5/8"	5/8"	43	
	70"	y		70 5/8"	5/8"	43	
PERC # 6							Depth of Perc - Ft
	50"	y	30	50 1/4"	1 1/4"	24	30.0 mpi
	50"	y	}	51 1/2"	1 1/2"	24	
	50"	y		50"	1"	30	
	50"	y		50"	1"	30	
	50"	y		51"	1"	30	
	50"	y		51"	1"	30	

Avg = 47.67 mpi

O.S.T. SYSTEM DESIGNS INC.SOIL PROFILE LOG

PROPERTY OWNER(S): Bruce DeBevoise

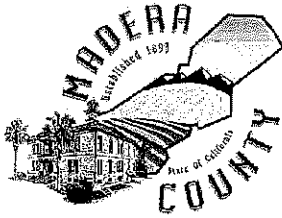
LOCATION: 40953 Cowboys Trail, Bass Lake CA

APN #: 059-070-041

DATE: April 17, 2013

EQUIPMENT USED: Bobcat w/ 6" Auger, OK w/ Dexter

SOIL PROFILE/DESCRIPTION	
DEPTH	SOIL PROFILE # 1 - 4
0	Moist dark brown/black med. grained sandy silt loam/Top Soil (SM)
2	Moist dark brown med. - coarse grained gravelly sandy loam/DG (GM)
4	Same, Very Moist
6	Mottles noted from 6.0 - 7.0 Ft. Very Saturated.
8	Obvious indication of seasonal ground water!
10	
12	
14	
16	
DEPTH	SOIL PROFILE #
0	
2	
4	
6	
8	
10	
12	
14	
16	



Madera County Assessor's Office

200 West Fourth Street
Madera, California 93637
Phone (559) 675-7710
Fax (559) 675-7654

THOMAS P. KIDWELL
ASSESSOR

EXHIBIT I

January 15, 2014

THIS INFORMATION IS REQUESTED PURSUANT TO R & T CODE SECTION 441 (D), WHICH STATES IN PART: "AT ANY TIME, AS REQUIRED BY THE ASSESSOR FOR ASSESSMENT PURPOSES, EVERY PERSON SHALL MAKE AVAILABLE FOR EXAMINATION INFORMATION OR RECORDS REGARDING HIS OR HER OWN PROPERTY OR OTHER PERSONAL PROPERTY LOCATED ON PREMISES HE OR SHE OWNS OR CONTROLS...INCLUDING DETAILS OF PROPERTY ACQUISITION COSTS, CONSTRUCTION COSTS, AND OTHER DATA RELEVANT TO THE DETERMINATION OF AN ESTIMATE OF VALUE." R & T CODE SECTION 451 STATES: "ALL INFORMATION REQUESTED BY THE ASSESSOR SHALL BE HELD SECRET." R & T CODE SECTION 501 STATES: "IF ANY PERSON FAILS TO COMPLY WITH A WRITTEN REQUEST FOR INFORMATION UNDER SECTION 441, THE ASSESSOR SHALL ESTIMATE THE VALUE OF AND PROMPTLY ASSESS THE PROPERTY."

Dear Madera County Property Owner/Land Developer:

Please complete the following information we request for the timely processing of our estimate of property taxes due. These require payment under the provisions of Government Code Sections 66492 and 66493. Incomplete information may result in delays in the processing of your parcel change request.

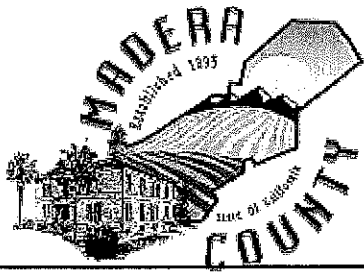
ASSESSOR'S OFFICE USE ONLY	
DATE RCVD _____	INIT _____
DATE TO DRAFTG _____	INIT _____
DATE TO APPR _____	INIT _____
FILE DATE _____	INIT _____

- Parcel Map Number 4181 _____, or Lot Line Adjustment Number _____, or
Subdivision Name and Number _____
- Date of Completion of this Form _____
- Name of the Current Owner _____
- Address _____ City _____
- State _____ Zip Code _____ Day Phone _____

Current Assessor's Parcel Numbers: 059-070-041-0 _____

- Date of Purchase _____ Purchase Price \$ _____
- Financing:
 - Down Payment \$ _____
 - 1 st Loan \$ _____ @ _____ % for _____ years. Seller carry? Y N
 - 2 nd Loan \$ _____ @ _____ % for _____ years. Seller carry? Y N
 - Other Loan \$ _____ @ _____ % for _____ years. Seller carry? Y N

>>>> PLEASE COMPLETE THE REVERSE SIDE ALSO <<<<



RESOURCE MANAGEMENT AGENCY
Environmental Health Department

EXHIBIT J

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

Jill Yaeger, Director

MEMORANDUM

TO: Jamie Bax
FROM: Environmental Health Department
DATE: February 14, 2014
RE: DeBevoise, Bruce - Parcel Map - Bass Lake (059-070-041-000)

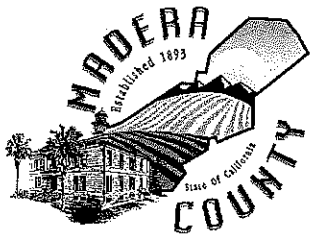
Comments

The MCEHD has reviewed PM #4181, Bruce Debevoise project and submits the following comments for this approved project:

Note:

- All Madera County setback requirements must be maintained and all permits must be obtained prior to any construction activities on site of this project.
- When the owner/operator submits the application(s) for any required county permits, the MCEHD will conduct a more detailed review of this proposed projects compliance with all current local, state & federal requirements. The owner/operator of this property/facility must submit an application for all required MCEHD permits prior to starting any construction activities.

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



RESOURCE MANAGEMENT AGENCY Road Department


Johannes J. Hovertsz, Road Commissioner

EXHIBIT K

2037 W. Cleveland Avenue
Mail Stop D
Madera, CA 93637-8720
(559) 675-7811
FAX (559) 675-7631
Jhovertsz2@madera-county.com

MEMORANDUM

TO: Jamie Bax – Planning Department

FROM: Jason Chandler – Road Department 

DATE: January 7, 2014

SUBJECT: PARCEL MAP NO. 4181 / DEBEVOISE / TENTATIVE MAP

The Road Department has reviewed Tentative Parcel Map #4181 which lies on the eastside of Cowboys Trail, (private easement) and north of Road 274 and if mitigated by the conditions listed below; this project will not have a significant impact upon traffic:

The property is located along the easterly side of Cowboys Trail and westerly of Orchard Lane approximately 1/4 mile north of its intersection with Road 274. The proposed project proposes to divide 1.72± acres of land (APN 059-070-041) into 2 (two) parcels being variable in size. The property is zoned as CRM (Commercial, Rural, Median) and is proposed to change to CUG (Commercial, Urban, General) to allow multiple family dwelling.

Cowboys Trail is a 20 foot wide private easement accessing several parcels. Orchard Lane is a 60 foot offered road that is paved and located in Maintenance District 02.

Proposed Parcel 1 (one) appears to have existing access onto Cowboys Trail, however, to insure proper and legal access, the County will condition the project to record a cross access private easement that runs with the land, between the 2 proposed parcels. The private easement shall take access from Orchard Lane. Parcel 2 (two) will access Orchard Lane and the driveway will be designed and constructed to a Commercial Standard driveway approach. Construction in the road right-of-way will require the applicant to apply for and obtain an Encroachment Permit through the Road Department.

All centerline and recorded information for the road right-of-way and private easements must be shown on the map. All driveway accesses are to be indicated on the Map. Prior to any construction within the proposed road right-of-way, the applicant shall apply for and obtain an Encroachment Permit with the County.

THE ROAD DEPARTMENT HAS THE FOLLOWING RECOMMENDATIONS OF APPROVAL:

1. As a condition of the Parcel Map and prior to recordation, the applicant shall record a cross access easement for vehicle travel on a viable alignment between proposed Parcel 1 and Parcel 2. This private easement shall commence at Orchard Lane right of way and shall

terminate at the newly proposed parcel split line.

2. Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.
3. Prior to recordation, all driveway locations shall be indicated on the Map for review and approval (*MCC §17.72.185*).

Environmental Checklist Form

EXHIBIT L

Title of Proposal: Parcel Map #4181, Rezone #2013-012, Conditional Use Permit #2013-025, Debevoise

Date Checklist Submitted: 2/3/2014

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Jamie Bax, Senior Planner

Phone: (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

Division of 1.72 acres into two parcels (0.99 acre and 0.73 acre), a rezone to allow the parcel sizes, and a conditional use permit to allow an existing dwelling.

Project Location:

The project is located on the east side of Cowboys Trail approximately 0.25 mile north of the intersection of Road 222 (40953 Cowboys Trail), Bass Lake.

Applicant Name and Address:

Bruce Debevoise
133 East De La Guerra, #275
Santa Barbara, CA 93101

General Plan Designation:

HC – Heavy Commercial

Zoning Designation:

CRM – Commercial Rural Median

Surrounding Land Uses and Setting:

Commercial, Light Industrial, and Public Open Space

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

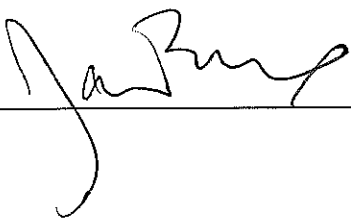
- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prior EIR or ND/MND Number

Signature 

Date 2/3/14

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

Discussion:

(a) No Impact

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

(b) No Impact

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

(c) Less than Significant Impact

Community commercial type development exists to the north and south of the project site. The proposed use is consistent with the surrounding uses and will, therefore, have a less than significant impact on the visual character or quality of the site and its surroundings.

(d) Less than Significant Impact with Mitigation Incorporated

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

General Information:

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

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

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

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

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

Discussion:

(a) No Impact

The subject property is zoned for commercial use. Farmland will not be impacted by this project.

(b) No Impact

The property is not subject to a Williamson Act Contract.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

General Information

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

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

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

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

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

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

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

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

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

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

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| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land with no proposed development at this time. If approved, the project will potentially allow an additional commercial square footage to be built. However, the amount of square footage which will have a less than significant impact on air quality as it relates to construction and additional traffic as the majority of the proposed parcels have limited remaining area to be built on.

(b) Less than Significant Impact

See a.

(c) Less than Significant Impact

See a.

(d) Less than Significant Impact

See a.

(e) Less than Significant Impact

See a.

General Information

Global Climate Change

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

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

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

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land with no proposed change to the land use. The potential to construct additional square footage will have a less than significant impact on biological habitats as it relates to new construction.

(b) Less than Significant Impact

The project site is currently developed with a house and a storage building. No riparian habitats exist on the parcel and the likelihood of a sensitive natural community existing on the site is less than significant.

(c) No Impact

No impact. There are no federally protected wetlands as defined by Section 404 of the Clean Water Act on the project site.

(d) Less than Significant Impact

See a.

(e) Less than Significant Impact

See a.

(f) Less than Significant Impact

See a.

General Information

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California

Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Foothill yellow-legged frog	None	None	SSC	
Western pond turtle	None	None	SSC	
Flaming Trumpet	None	None		1B

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

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

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

V. CULTURAL RESOURCES -- Would the project:

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

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| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a) No Impact

No historical resources exist on the project site.

(b) Less than Significant Impact

No sites of archeological or historical significant are known to exist on or in the vicinity of the subject property. Though the majority of the project site has been disturbed by previous residential activities, grading and excavating of the areas in question could result in disturbance of unknown cultural resources.

(c) Less than Significant Impact

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

(d) Less than Significant Impact

No known human remains exist on the project site. If human remains are discovered as a result of the construction of additional dwellings, the Coroner's office shall be contacted immediately.

General Information

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

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

VI. GEOLOGY AND SOILS – Would the project:

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

Discussion:

(a-i) No Impact

The proposed project is a minor division of land. No development is proposed and no improvements are required as a part of this project. The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

(a-ii) No Impact

See a-i.

(a-iii) No Impact

See a-i.

(a-iv) No Impact

See a-i.

(b) Less than Significant Impact

If approved, the proposed project will potentially allow additional commercial structures to be constructed. The impact to the topsoil will be less than significant. One dwelling and a storage building already exist on the site. The use of the land is not proposed to be changed as a part of this project.

(c) No Impact

See a-i.

(d) No Impact

See a-i.

(e) No Impact

There is currently one septic tank on the property. The soil is capable of supporting additional septic tanks. A sewage feasibility investigation was completed for the project site indicating the soils are capable of supporting additional septic tanks.

General Information

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

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

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

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

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

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

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

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

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

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the

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

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

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land. No development is proposed as a part of this project. The project, if approved, will potentially allow additional commercial structures to be constructed. The commercial use of the property is not proposed to be changed as a part of this project. The potential impacts of the project to generate greenhouse gas emissions are less than significant.

(b) Less than Significant Impact

See a.

General Information

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

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25%

overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

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

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) No Impact

The proposed project is a minor division of land. No hazardous materials are proposed to be used as a part of this project.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

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

(e) No Impact

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

(f) No Impact

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

(g) No Impact

The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site has adequate access to a through road.

(h) Less than Significant Impact

The project site is located within an area which may be affected by wildland fires, however the area is built up and there is adequate access to existing through roads.

General Information

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

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

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

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

IX: HYDROLOGY AND WATER QUALITY – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion:

(a) No Impact

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

(b) Less than Significant Impact

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

(c) No Impact

No development is proposed as a part of this project which would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site.

(d) No Impact

See c.

(e) Less than Significant Impact

The property is already developed. Any new structures shall comply with all codes and requirements of the Engineering Department upon request of a building or grading permit.

(f) Less than Significant Impact

See e.

(g) No Impact

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

(h) No Impact

See g.

(i) No Impact

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

(j) No Impact

See i.

General Information

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

consumption has been demonstrated to be present in most of the area at specific depths.

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

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

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

X. LAND USE AND PLANNING – Would the project result in:

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

Discussion:

(a) No Impact

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

(b) No Impact

The project does not propose a change to the use of the land.

(c) Less than Significant Impact

If approved, the project will potentially allow additional commercial structures to be built; however, there is minimal area left on each parcel to construct as buildings already exist. The construction of these dwellings will have a less than significant impact to any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES – Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion:

(a) No Impact

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

(b) No Impact

See a.

XII. NOISE – Would the project result in:

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

Discussion:

(a) No Impact

The proposed project is a minor division of land. There is no potential for exposure of persons to or generation of noise levels in excess of standards established in the general plan.

(b) Less than Significant Impact

If approved, the project will potentially allow additional commercial structures to be constructed. Temporary groundborne vibrations from normal construction activities may occur.

(c) Less than Significant Impact

Additional structures may raise the amount of noise generated in the area; however, the impact will be less than significant.

(d) Less than Significant Impact

See c.

(e) No Impact

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

(f) No Impact

See e.

General Discussion

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created

by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for agricultural uses. This impact is therefore considered less than significant.

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

Short Term Noise

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

Long Term Noise

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

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

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR NON-TRANSPORTATION NOISE SOURCES*

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

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

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

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

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

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations vibration	Architectural damage and possibly minor structural damage
Source: Whiffen and Leonard 1971		

XIII. POPULATION AND HOUSING – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land resulting in one additional parcel. The impact to population growth will be less than significant.

(b) No Impact

The proposed project is not designed to induce population growth, and will not result in substantial direct or indirect growth inducement. No housing will be displaced as a result of the project. No people will be displaced as a result of the project.

(c) No Impact

See b.

General Information

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

XIV. PUBLIC SERVICES

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

Discussion:

(a-i) Less than Significant Impact

The proposed project is a minor division of land. One additional parcel is proposed which will have a less than significant impact on public services.

(a-ii) Less than Significant Impact

See a-i.

(a-iii) Less than Significant Impact

See a-i.

(a-iv) Less than Significant Impact

See a-i.

(a-v) Less than Significant Impact

See a-i.

General Information

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

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

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

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

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

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

XV. RECREATION

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

Discussion:

(a) No Impact

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

(b) No Impact

Under the provisions of County Code Chapter 15.03, the owner of a parcel created by this parcel map seeks a building permit for a dwelling within four years of the recording of the map, the owner shall pay the fee in lieu of dedication of land for parks and recreational facilities (this statement must also be placed of the final map).

General Information

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

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

Discussion:

(a) No Impact

The proposed project is a minor division of land resulting in one additional parcel. It will not conflict with any plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system. No improvements to roadways are required for this project. The level of service for the road system will not change as a result of this project.

(b) No Impact

See a.

(c) No Impact

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

(d) No Impact

No road improvements are required of this project.

(e) No Impact

There is adequate access to the project site.

(f) No Impact

The proposed project, if approved, will result in one additional parcel. There will be no impacts to alternative transportation systems.

General Information

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

Madera County currently uses Level Of Service "D" as the threshold of significance level for roadway

and intersection operations. The following charts show the significance of those levels.

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

Discussion:

(a) No Impact

The proposed project is a minor division of land resulting in one additional parcel. There is no potential for the project to exceed wastewater treatment requirements. Individual septic systems are used for the existing dwelling.

(b) No Impact

The proposed project does not require the construction of new water or wastewater facilities. Individual septic systems are used for the existing dwelling.

(c) No Impact

The proposed project does not require the construction of new storm water drainage facilities.

(d) Less than Significant Impact

Water is supplied by an on-site individual well. The amount of water used for additional structures will have a less than significant impact on groundwater levels as only structures already exist on the project site.

(e) No Impact

Individual on-site septic systems are in use and will be utilized for any potential structures.

(f) Less than Significant Impact

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

(g) Less than Significant Impact

See f.

General Discussion

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

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

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

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land. No development is proposed as a part of this project. The project does not have a high potential to degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory. The impacts to these resources will be less than significant.

(b) Less than Significant Impact

If approved, the proposed project will potentially allow a minor amount of additional commercial square footage as the proposed parcels have existing structures. The amount of water used and an added light source to the area will add to the cumulative amount, but will be individually limited.

(c) No Impact

The proposed project is a minor division of land with no change in the land use. No development is proposed as a part of this project. The project will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

MITIGATED NEGATIVE DECLARATION

MND 2014-04

RE: Parcel Map 4181, Rezone #2013-012, Conditional Use Permit #2013-025, Debevoise

LOCATION AND DESCRIPTION OF PROJECT:

Bruce Debevoise is proposing to divide a 1.72 acre lot into 2 parcels, a Rezone from CRM (Commercial Rural Median) District to CUG (Commercial Urban General) District to allow the smaller parcel sizes, and a Conditional Use Permit to allow a multiple family dwelling.


The project site is located on the east side of Cowboys Trail approximately 0.25 mile north of the intersection of Road 222 (40953 Cowboys Trail), Bass Lake.

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 measures



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: February 3, 2014

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT


MND # 2014-04

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	Exterior lighting shall be shielded and directed away from adjacent properties.							
Agricultural Resources								
Air Quality								
Biological Resources								
Cultural Resources								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								

