



RESOURCE MANAGEMENT AGENCY

Community and Economic Development
Department of Planning and Building

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PLANNING COMMISSION DATE: May 6, 2014

AGENDA ITEM: #1

CUP	#2014-002	Conditional Use Permit to allow farm level sorting, storing and planting of crops, and fruit stand
APN	#047-320-004	Applicant: San Joaquin Figs, Inc. Owner: Keith Jura
CEQA	MND #2014-09	Mitigated Negative Declaration

REQUEST:

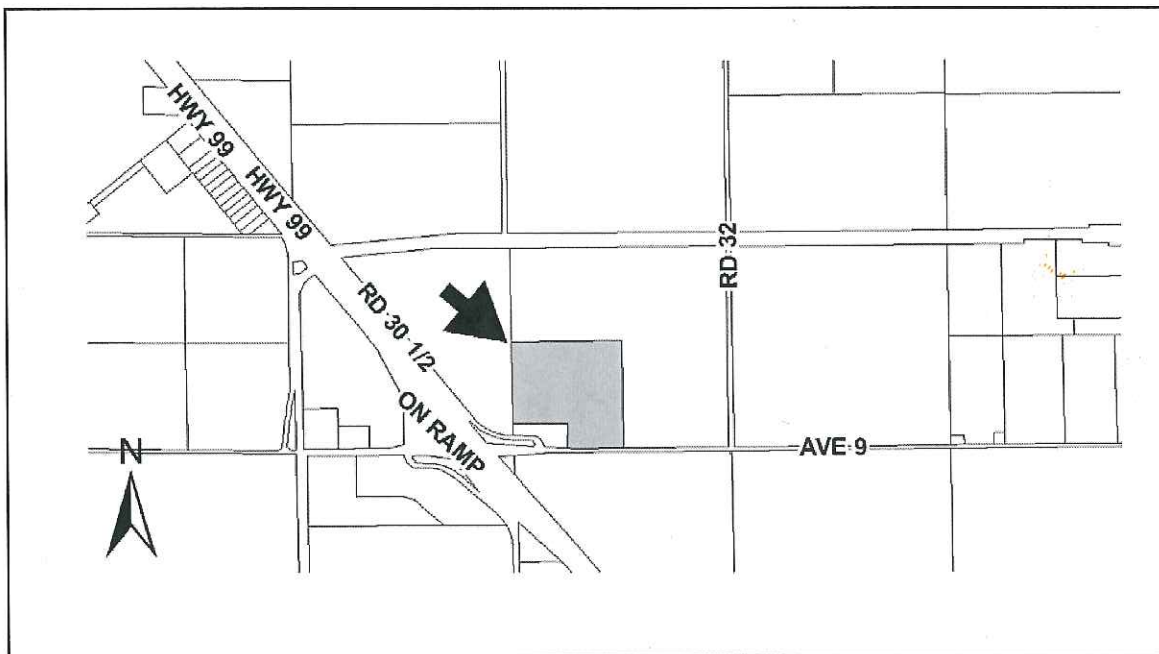
The applicant is requesting a Conditional Use Permit to allow for farm level sorting, drying and storage of figs, planting of crops, and a fruit stand/café.

LOCATION:

The subject property is located on the north side of Avenue 9 approximately 0.18 of a mile east of its intersection with Highway 99 (31613 Avenue 9) Madera

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2014-09) (Exhibit) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Staff recommends approval of CUP #2014-002 subject to conditions and Mitigated Negative Declaration MND #2014-09 and Mitigation Monitoring Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: HSC (Highway Service Commercial) and A (Agricultural) Designation

SURROUNDING: HC (Heavy Commercial) Designation; A (Agriculture) Designation; HSC (Highway Service Commercial) Designation

ZONING (Exhibit B):

SITE: ARE-20 (Agricultural Rural Exclusive – 20 Acre) District

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

LAND USE:

SITE: Vacant

SURROUNDING: North, East: Agricultural land; South: E & J Gallo Winery facility (doing business as “Grapeco Winery”); West: Agriculture and Highway 99.

SIZE OF PROPERTY: 35.4 acres

ACCESS (Exhibit A): Access to the site is via Avenue 9

BACKGROUND AND PRIOR ACTIONS:

Conditional Use Permit #79-55 was approved for a wholesale nursery.

Zoning Permit #90-120 to allow for a mobile home on permanent structure was approved.

PROJECT DESCRIPTION:

The project is to allow for farm level sorting, drying and storing of figs. Additional activities include farming and harvesting of 15-26 acres of almond trees and establishment of a fruit stand with interest in establishment of a café/country shop facility on site.

There are ten structures proposed for the operation. This includes three open air pole sheds of 8,100 square feet each, 1 open air dry sorting shed of 20,000 square feet, a fumigation structure of 2,000 square feet, a general warehouse of 2,500 square feet, a cold storage facility of 10,000 square feet, a hydrator building of 960 square feet, a caretaker residence of 1,800 square feet and the fruit stand

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at 450 square feet. The applicant is proposing turning the fruit stand into a country shop/café in the future.

There will be 22 seasonal employees during the harvest season, and 3 employees during the off season. The hours of the employees will be 6:00am to 2:30pm July through October, and 7:00am to 3:30 pm October through November.

ORDINANCES/POLICIES:

Section 9.58 of the Madera County Code outlines the County's noise regulations.

Section 18.04.025 of the Madera County Code defines Agriculturally Oriented Services.

Section 18.04.460 of the Madera County Code defines a Roadside Stand.

Section 18.56 of the Madera County Zoning Ordinance outlines the uses and regulations of the ARE-20 (Agricultural Rural Exclusive – 20 Acre) District.

Section 18.90 of the Madera County Zoning Ordinance outlines the regulations pertaining to signs.

Section 18.92 of the Madera County Zoning Ordinance outlines the procedures for obtaining Conditional Use Permits.

Section 18.102 of the Madera County Zoning Ordinance outlines the parking requirements.

Section 5A of the Madera County General Plan outlines the Agricultural goals of the County.

Section 7 of the Madera County General Plan outlines the Noise Ordinance of the County.

ANALYSIS:

The applicant is applying for a Conditional Use Permit to allow for farm level sorting, drying and storing of figs; to allow for 15 to 26 acres of almond trees to be farmed and harvested; and to allow for a fruit stand with interest to convert/upgrade to a country shop/café in the future.

Almonds will be grown and sold onsite, but not processed or packed. Dried figs are sorted in a sort shed and then processed at other facilities off-site. The figs will be stored in stacks under fumigation or cold storage at this facility. Fruit sorting and drying operations will be conducted between mid-August and mid-October, Monday through Friday with an occasional Saturday, depending on

amount and length of harvest. There will be approximately 22 seasonal employees during this time, dropping down to approximately 3 after November. At present, no one will live onsite, however there is the potential of an onsite caretaker who will live on the premises.

For the use, the Parking Ordinance requires one parking stall per scheduled employee based on the highest number of employees scheduled to work on any given day, and one delivery truck stall to be provided. The minimum required for the site is 22 employee parking stalls and one truck stall. The applicant has indicated that there are approximately 24 stalls provided. There are also separate provisions made for semi-trucks making deliveries and pick-ups in the form black-top paved road and turn-around area to facilitate ease of entry and exit so as to not block other traffic.

According to the Madera County Transportation Commission (MCTC), the traffic counts for the area range from 2,687 east bound and 3,290 west bound vehicles along Avenue 9 at Highway 99 as of 2011. During the period between September and December (considered the light season), this business will generate an average of 8 service/delivery type vehicle trips, consisting of 3-4 semi trucks and a similar number of passenger vehicles or light to medium duty trucks. During the heavy season when crops are picked (July to November) that number will increase to 21 cars and 5 semi-trailers and 2 light to medium duty trucks. These semi-trailers and light to medium duty trucks will be delivering materials from the orchards and/or delivering the material to a plant in Fresno. The Roads Department has conditioned this project for only one entrance to the facility, and an acceleration and deceleration lane leading to and from that access point. The applicant's designs submitted for this project indicate only the one entrance.

Water will be supplied by two existing agricultural wells. Approximately 40,173 gallons per day will be utilized for the almond and fig trees, and 250 gallons a day for the seasonal wash down part of the fruit sorting and grading process. A small ponding basin will be required for seasonal wash-down. Washed-off residue would consist of dirt, rocks, sticks, grass sugar from the figs and other naturally occurring field material. No products will be washed at the field level. Wastewater generation is expected to be approximately 300 gallons a day. No off-season wash-downs will occur.

The zoning is ARE-20 (Agricultural Rural Exclusive – 20 Acre) District and the general plan designation is split between HSC (Highway Service Commercial) and A (Agricultural) Designations. The two designations are consistent and the zone designation is appropriate to implement the proposed land use. The HSC designation allows for restaurants and retail services. The ARE-20 designation allows for agricultural uses by right, such as the proposed growing of almonds. The same designation allows for agriculturally oriented services with the approval of a Conditional Use Permit. An agriculturally oriented service is defined as the

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provision of buying, selling, processing, storing, packaging, shipping and otherwise directly serving functions associated with the production of local agricultural products. The zoning designation also allows for roadside stands, which is consistent with the fruit stand that the applicant is proposing.

The project will not violate the intent of the zoning ordinance in that the proposal is consistent with the requirements of the zone. It is proposing an agricultural use (a by-right activity), a fruit stand and agriculturally oriented service (the packaging of agricultural products) – both of which are required to have an approved Conditional Use Permit in place prior to operations. The fruit stand is defined also as a roadside stand in that it is to be used or intended to be used solely by the owner for the purpose of selling items raised on the farm.

The applicant has indicated that they have an interest in eventually converting the roadside stand into a country store or café in the future. The country store/café operation would be in a position to promote agricultural uses and the sale of locally grown produce throughout the year, and carry other items that would create a farm type atmosphere while they shop. Limited food and miscellaneous sales, although not generally consistent with agricultural zoning and land use, would be acceptable under the provisions of an outdoor recreational facility just like a club house would be acceptable on a golf course on an agricultural parcel.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,231.25 to cover the Notice of Determination (CEQA) filing at the Clerks' office. The amount covers the current \$2,181.25 Department of Fish and Wildlife fee and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

FINDINGS OF FACT:

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance* in that pursuant to Section 18.56.010 of the Madera County Zoning Ordinance, the proposed use is allowed in the ARE-20 (Agricultural Rural Exclusive – 20 acre) Zone District subject to a conditional use permit for an agriculturally oriented service operation. The proposed agriculturally oriented service is within guidelines for the zoning designation. The

planting and harvesting of almonds as proposed is consistent with allowed agricultural uses in the zone district. The proposed fruit stand is consistent with the definition of a roadside stand and is allowed under the zoning ordinance with the approval of a Conditional Use Permit.

2. *The proposed project is not contrary to the public health, safety, or general welfare* in that the facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations. The surrounding land uses in the area are similar in nature and use and is sparsely populated. The operations of the facility are designed and will be operated in accordance to federal, state and local laws.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors,* in that the project must adhere to local and state health and building codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigation measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.* The proposed project is compatible with the nature of adjacent uses. The proposed project would, in fact, bring value to the parcel as it is currently vacant and unused. The area is sparsely populated and is agriculturally oriented.

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The General Plan designates the site is split between HSC (Highway Service Commercial) and A (Agricultural) which allows for similar uses as to that being proposed. The property is zoned ARE-20 (Agricultural Rural Exclusive – 20 Acre) District. The proposed project is consistent with the designations.

RECOMMENDATION:

The analysis provided in this report supports approval of the Conditional Use Permit (CUP #2014-002) and Mitigated Negative Declaration (MND #2014-09) and the Mitigation Measure Monitoring Program as presented.

**CUP #2014-002
STAFF REPORT
CONDITIONS**

May 6, 2014

See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Site Plan Map
5. Exhibit D-1, Site Plan A
6. Exhibit D-2, Site Plan B
7. Exhibit D-3, Site Plan C
8. Exhibit D-4, Floor plans and elevations of structures
9. Exhibit E, Aerial Map
10. Exhibit F, Topographical Map
11. Exhibit G, Operational Statement
12. Exhibit H, Engineering Department Comments
13. Exhibit I, Environmental Health Department Comments
14. Exhibit J, Fire Department Comments
15. Exhibit K, Planning Department Comments
16. Exhibit L, Roads Department Comments
17. Exhibit M. CHP Comments
18. Exhibit N, San Joaquin Valley Air Pollution Control District Comments
19. Exhibit O, Initial Study
20. Exhibit P, Mitigated Negative Declaration

CONDITIONS OF APPROVAL

PROJECT NAME:
PROJECT LOCATION:

CUP #2014-002
north side of Avenue 9. approximately 1000' from its intersection
with Highway 99

PROJECT DESCRIPTION:

To allow for agricultural oriented uses, and fruit stand

APPLICANT:
CONTACT PERSON/TELEPHONE NUMBER:

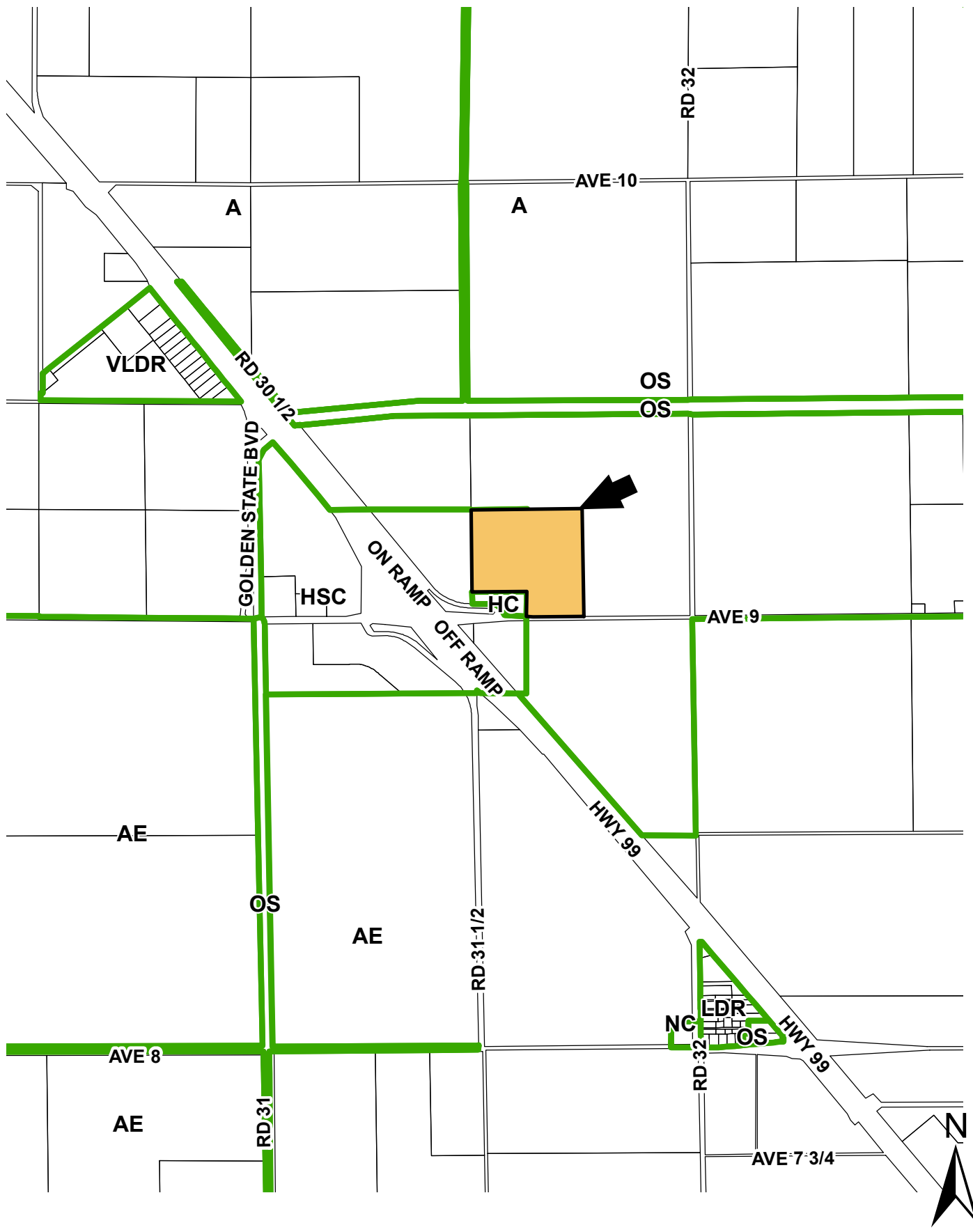
Mortenson, Daniel
559-224-4964

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Engineering					
1	Prior to the start of any construction, the applicant shall secure a Building Permit from the Building Department. All construction shall meet the most current standards and all applicable codes. All plans must be prepared by a licensed architect or registered civil engineer.	Engineering			
2	The applicant shall submit a grading, drainage and erosion control plan to the Engineering Department. This plan shall identify onsite retention for any increase in storm water runoff generated by the project. The grading, drainage and erosion control plan shall be prepared by a registered civil engineer.	Engineering			
3	All projects containing 1 acre or more of soil disturbance are required to submit a Storm Water Pollution Control Plan (SWPPP) and report.	Engineering			
Environmental Health					
1	Applicant may be required to apply to become a Small Water System depending on use, connections, and how many persons will be served. All the water well(s) used to provide water to the facility will be required to meet all Public Water Well Standards.	Env. Hlth.			
2	The sewer treatment system and onsite wastewater treatment for this development must comply with the Madera County Environmental Health Department and Regional Water Quality Control Board requirements. The septic disposal system for the proposed facility must be designated and installed for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.	Env. Hlth.			

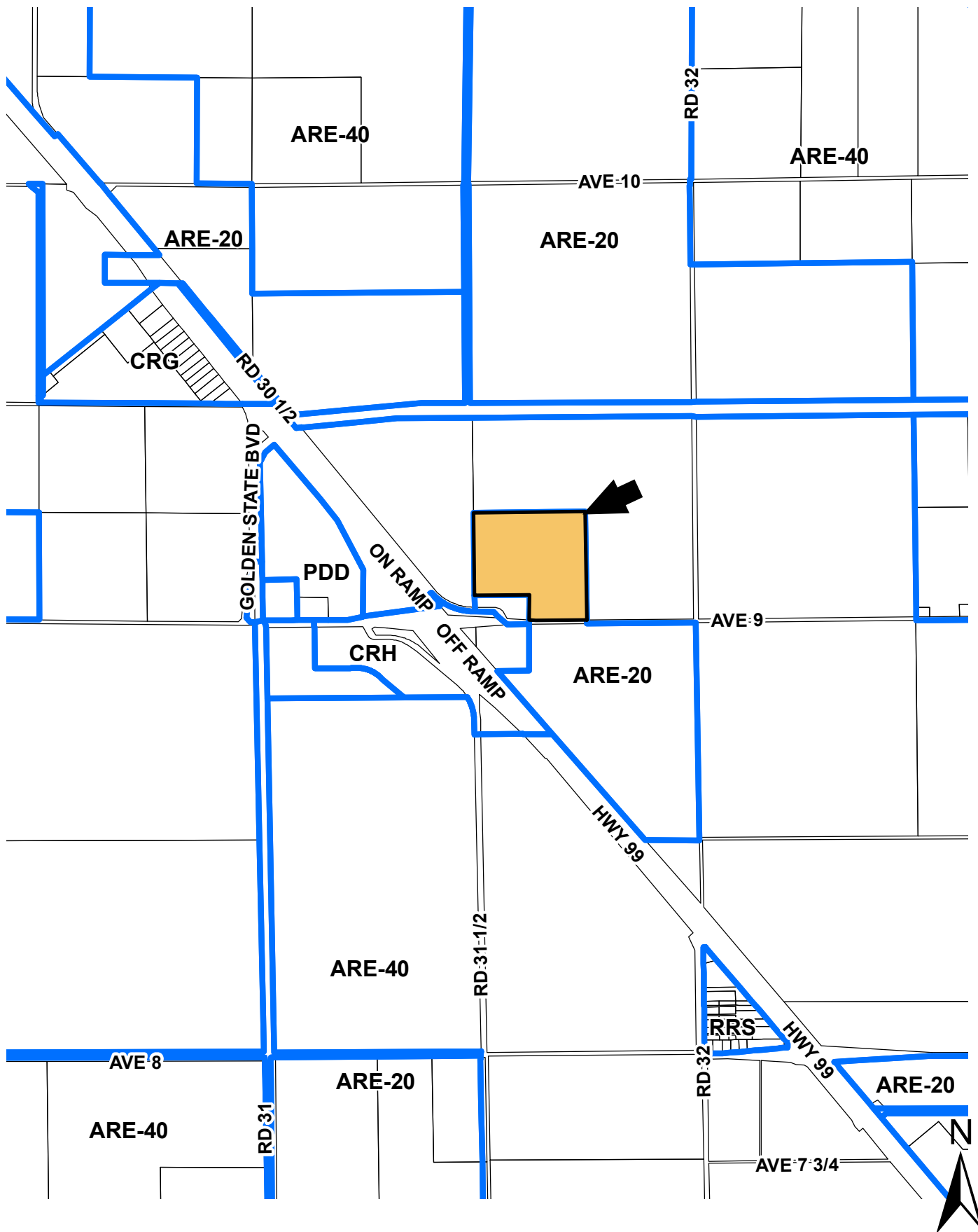
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
3	The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County permitted licensed contractor.	Env. Hlth.			
4	If your facility (business) generates or stores hazardous material and /or waste you will be required to be regulated under Madera County Environmental Health Department. As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at www.cers.calepa.ca.gov .	Env. Hlth.			
5	The owners/operators of this facility must complete and submit food facility construction plan(s) and a food facility application(s) for a Food Vending Permit(s) for all food operations within this departments Food Program before onset of any construction activities and before any operation of the food facility. Contact a Food Program specialist within this Dept. at (559) 675-7823 for any questions that you may have regarding this process or for copies of the Permit Application.	Env. Hlth.			
6	The construction and then ongoing operation of this facility must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): Vector(s), Dust, Odor(s), Noise(s), Lighting and/or Litter accumulation to surrounding area uses.	Env. Hlth.			
7	The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.	Env. Hlth.			
Fire					
Planning					
1	The project shall operate in accordance with the operational statement and plans submitted for the project except as modified by the conditions of approval of this conditional use permit, and by the mitigation measures in the mitigated negative declaration.	Planning			
2	All lighting associated with this project shall be hooded and directed away from adjoining properties.	Planning			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
3	All driveways, circulation areas and parking areas are to be constructed and maintained in a dust free manner.	Planning			
4	All signs shall comply with the regulations of the Madera County Zoning Ordinance and shall be approved by the Planning Department prior to placement.	Planning			
5	Any hulls, shells, or related byproducts of the onsite process left on site after processing shall be covered in such a manner so as not to be blown off site during wind events.	Planning			
6	Provide landscaping around perimeter of site	Planning			
7	Provide one parking space per two employees based on the highest expected number of employees.	Planning			
8	Noise levels from the plant are to be maintained per County ordinance.	Planning			
Road					
1	As a condition of approval of the CUP, the applicant shall grant deed a strip of land 30 feet wide contiguous to Avenue 0	Roads			
2	As a condition of approval of the CUP, the applicant will be granted one (1) access point onto Avenue 9. The single driveway access shall be constructed to current commercial standards	Roads			
3	As a condition of approval of the CUP, the applicant shall construct a Deceleration/Acceleration lane onto Avenue 9 to provide for a safe and efficient access in and out of the proposed project. Commercial Access design and construction shall meet minimum Caltrans/County standard	Roads			
4	As a condition of approval. Access shall be located as far west on property frontage as feasible possible.	Roads			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	As a condition of approval, prior to any road improvement work within County right of way, the applicant must apply for and obtain an Encroachment Permit at the Road Department. Design and construction of all roads and road related improvements will be the responsibility of the developer, who will employ a California registered civil engineer and/or a California registered land surveyor to prepare all survey work and a California registered civil engineer to prepare all road design, construction supervision and inspection. Upon completion of all construction, documentation of all road construction will include: a written statement signed and stamped by a California registered Civil Engineer, attesting to the fact that all road improvements were designed and constructed in accordance with county code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the California registered Civil Engineer.	Roads			
6	As a condition of approval, all appurtenances such as signs and fences shall be located outside of County road right of way.	Roads			
San Joaquin Valley Air Pollution Control					
1	Applicant to adhere to conditions of approval of the San Joaquin Valley Air Pollution Control District	SJVAPCD			



GENERAL PLAN MAP



ZONING MAP

SEC. 14 T.12S. R.18E. M.D.B.&M.

47-32

Tax Area Code
61-006
61-015



SEC 14 T12S R18E



1. CUR. 860°30' R190' L137.27'
2. S29°40'E 96.43'
3. S54°40'E 230.43'
4. N0°03'E 76.23'
5. N86°18'W 294.61'
6. N39°45'W 346.58'
7. R.830' L.354.27'
8. N89°50'E 269.42'
9. S37°10'E 87.05'
10. S66°50'W 35.58'
11. N86°18'W 268.91'

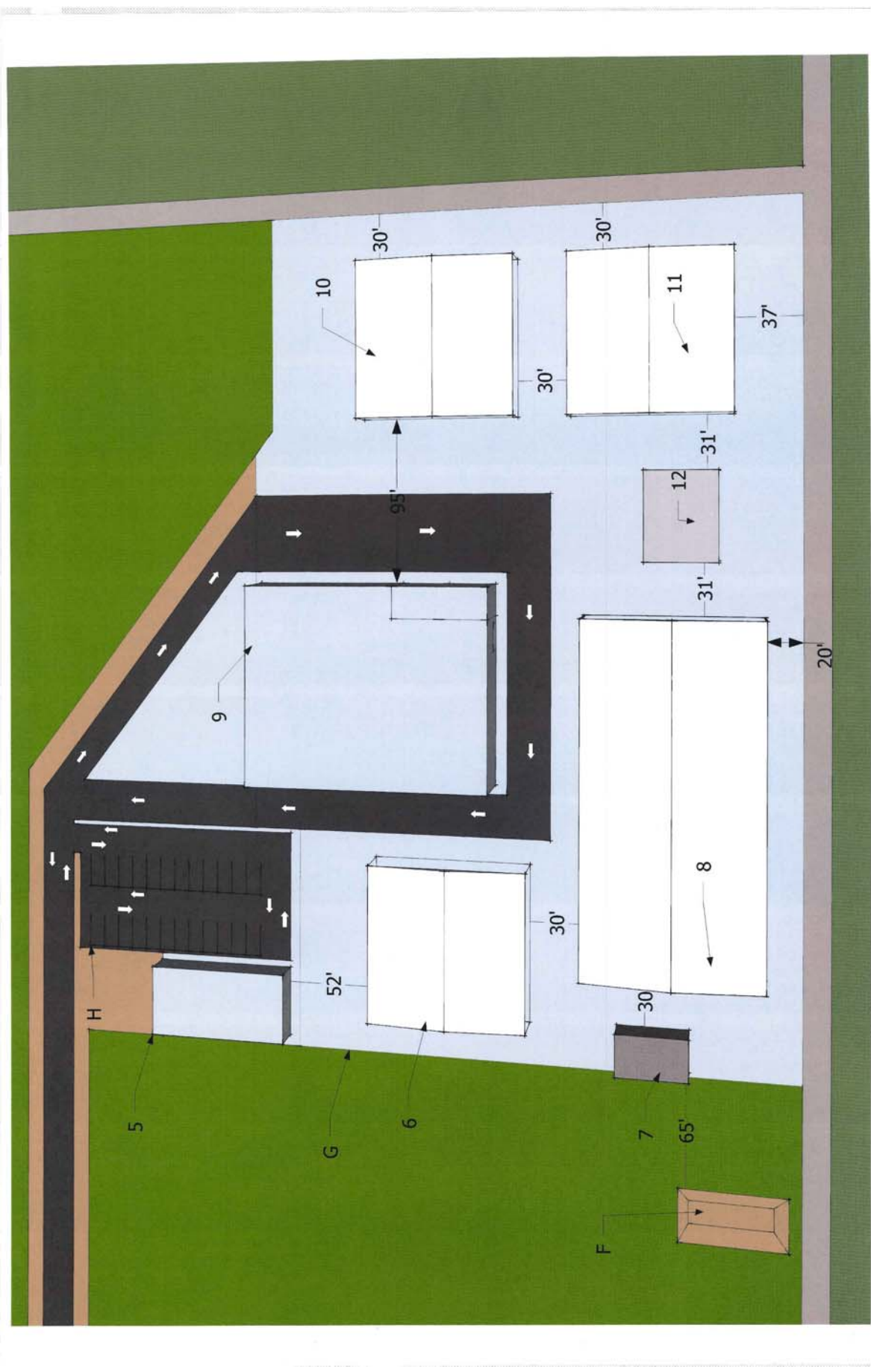
Assessor's Map No. 47-32
Madera Unified
County of Madera, Calif.
1955

ORIGINAL

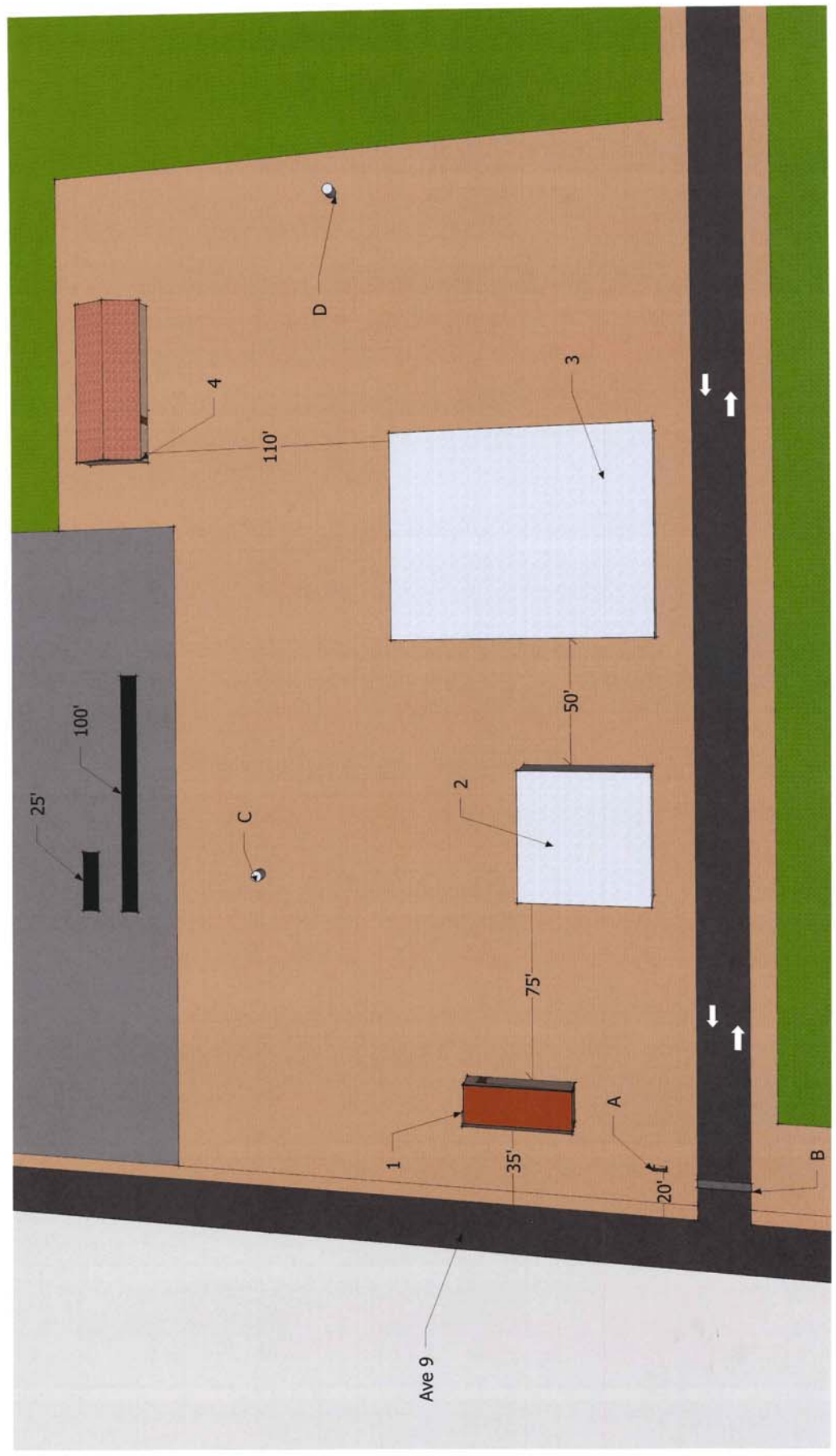
NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.



SITE PLAN A

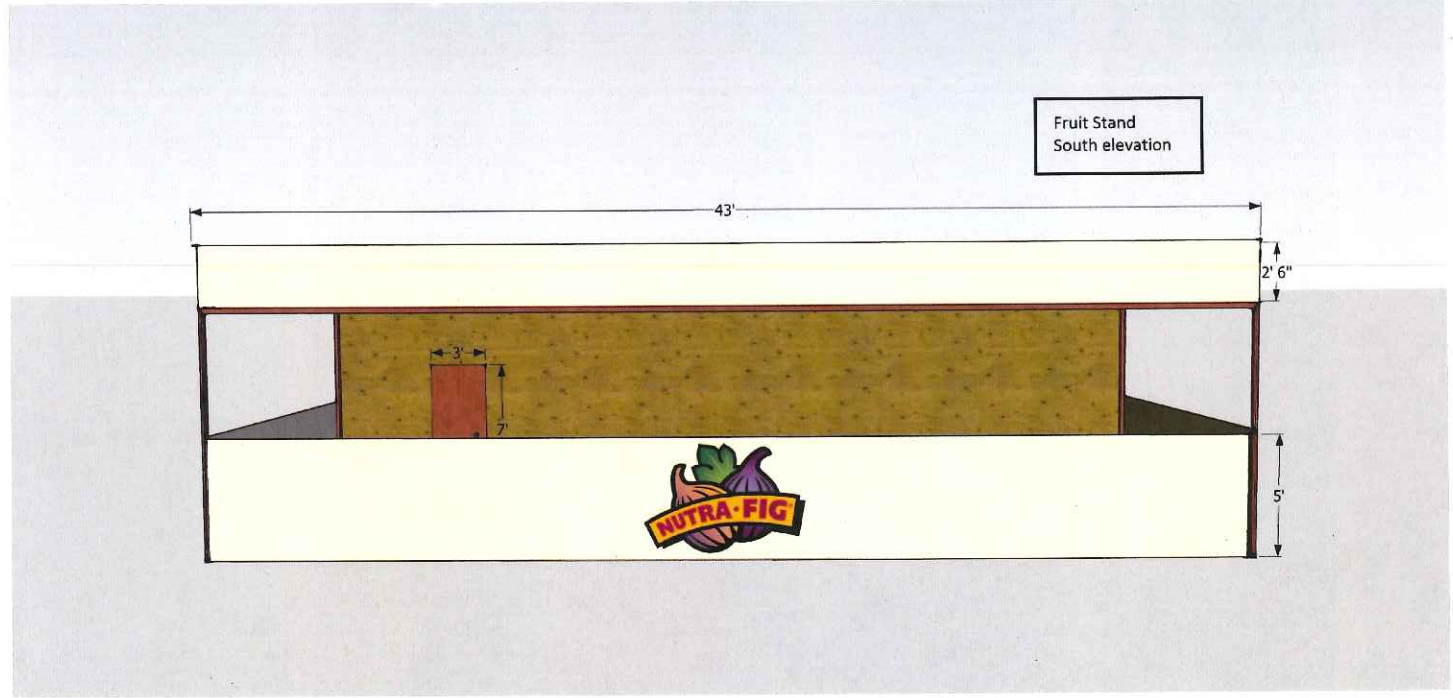
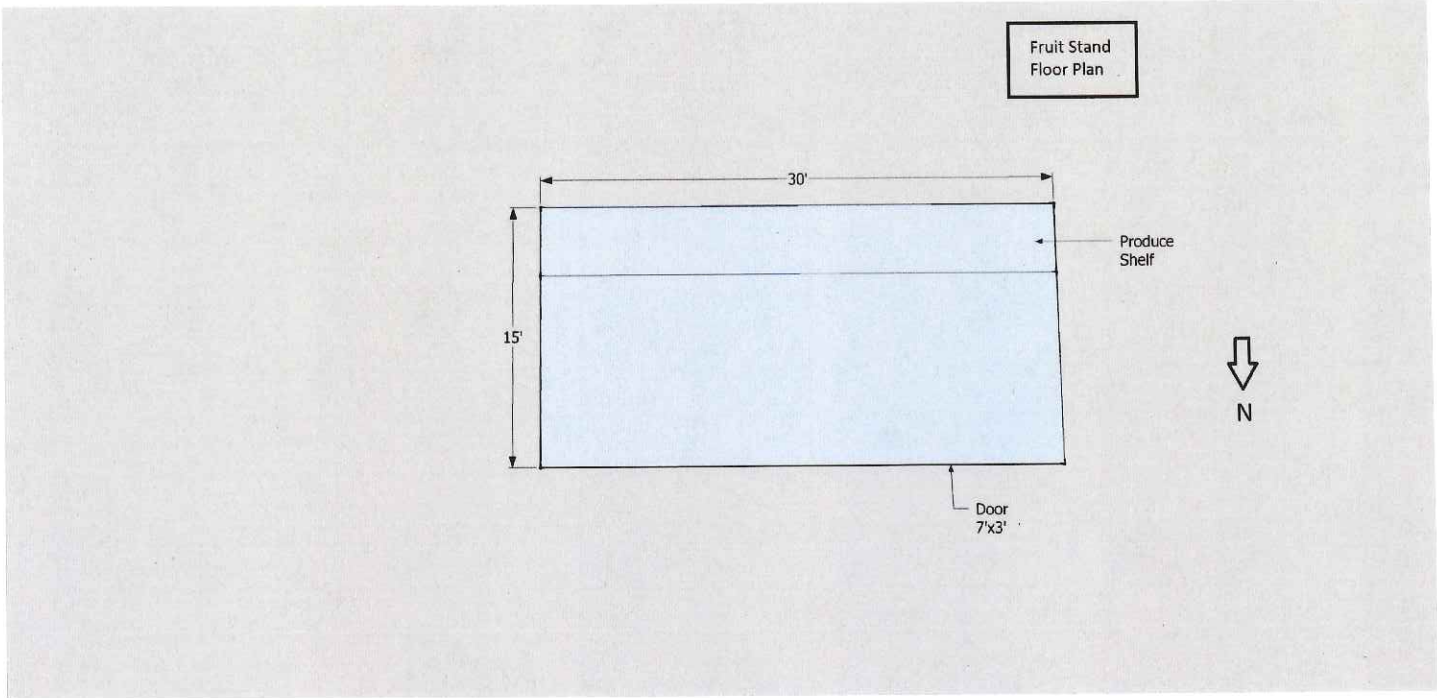


SITE PLAN B

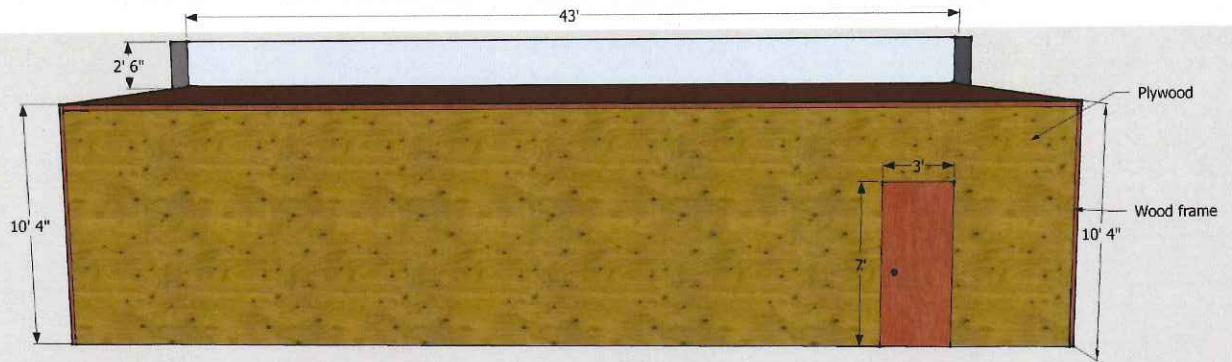


SITE PLAN C

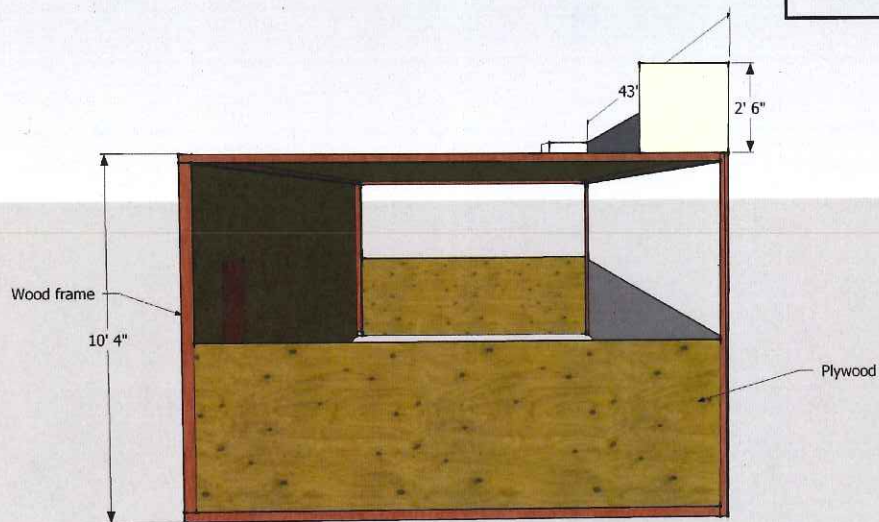
FRUIT STAND



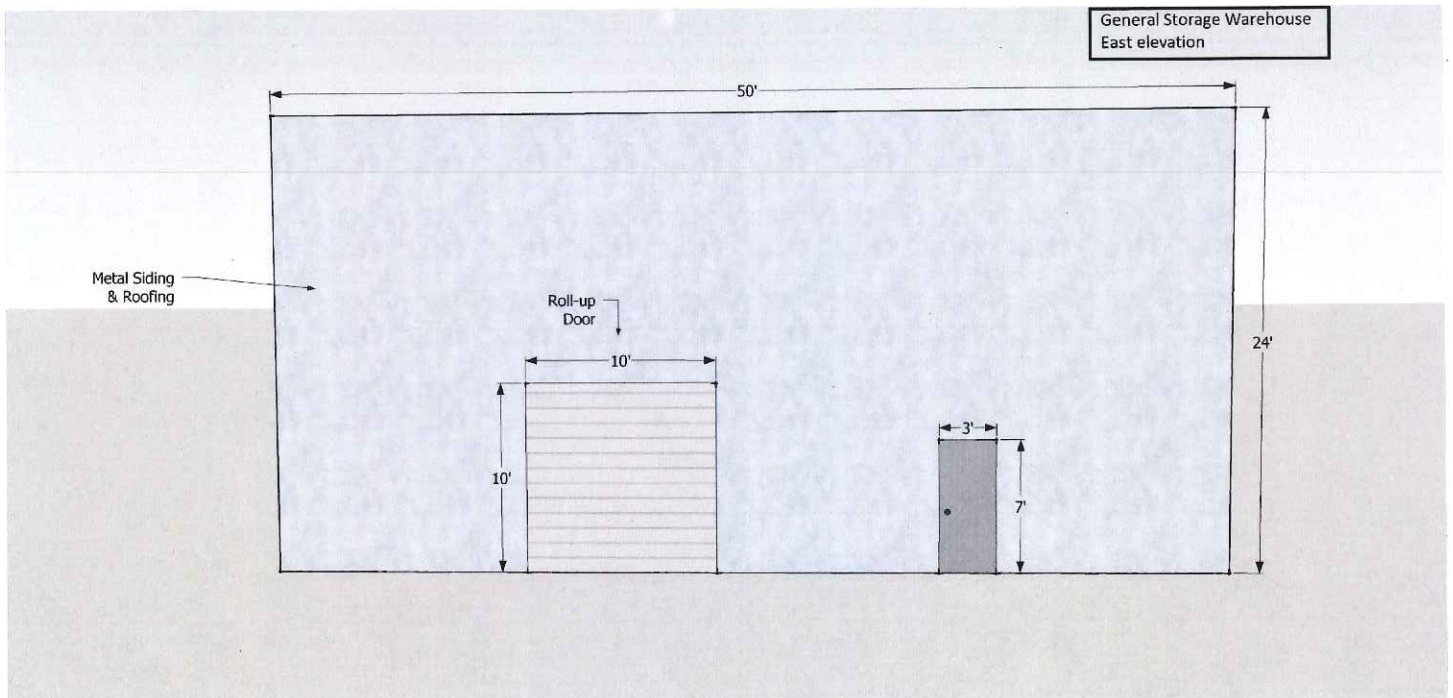
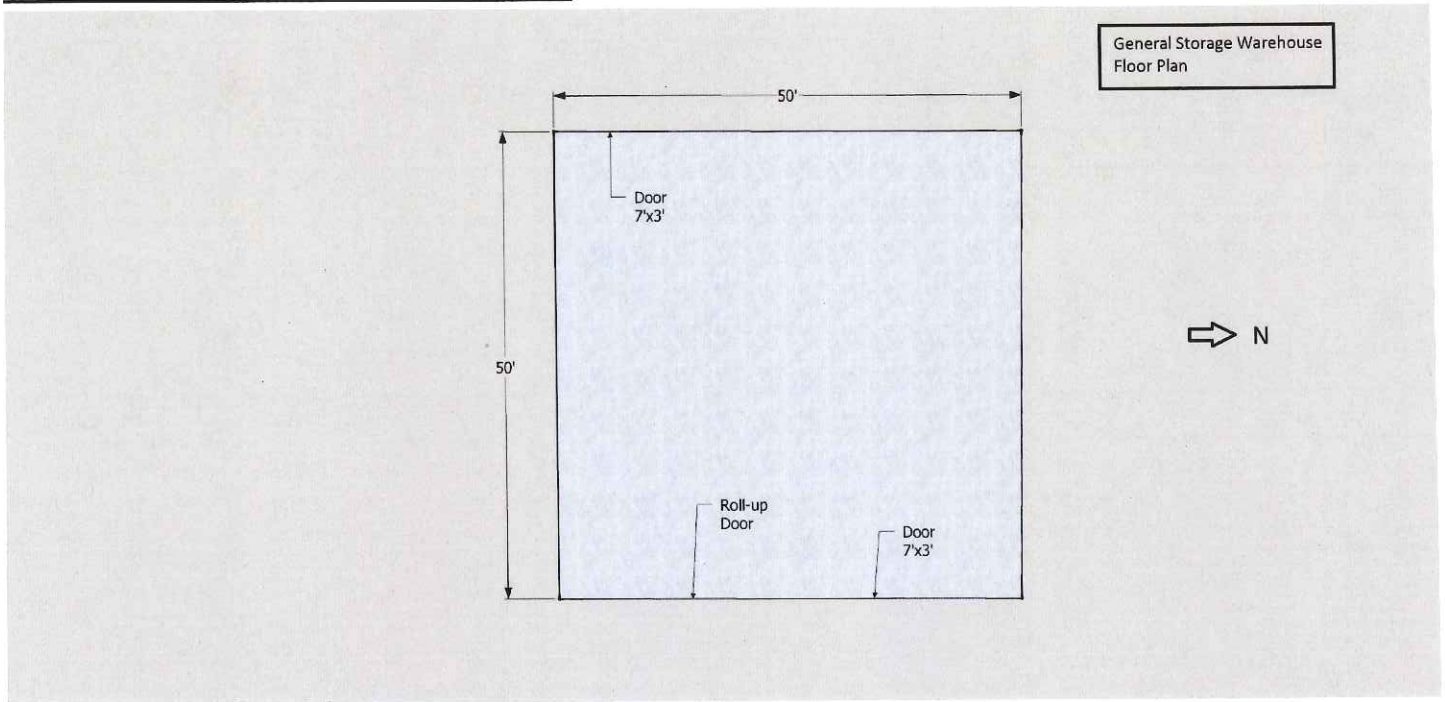
Fruit Stand
North elevation



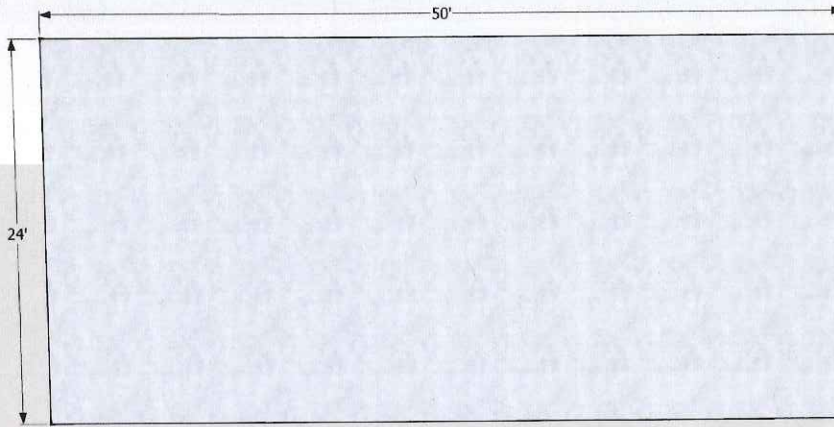
Fruit Stand
East/West elevation



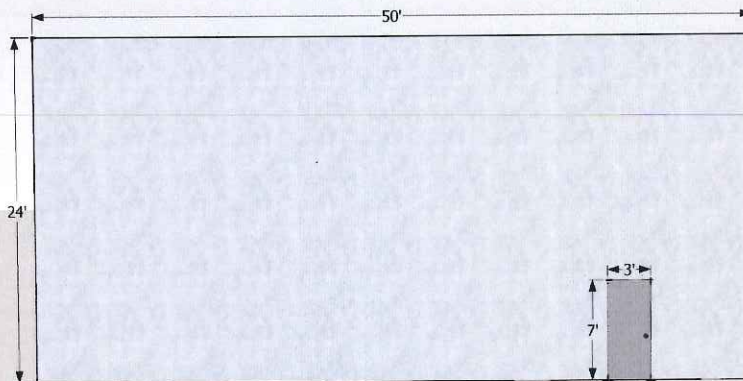
GENERAL STORAGE WAREHOUSE



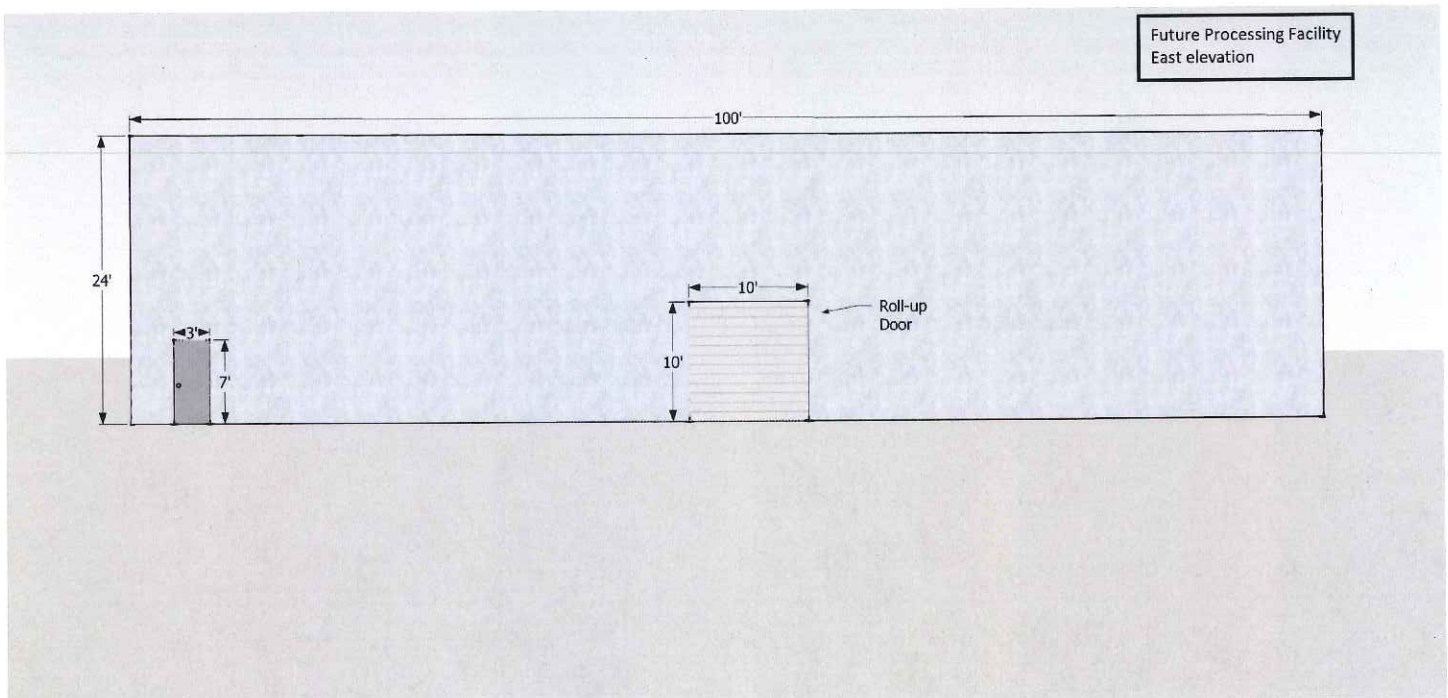
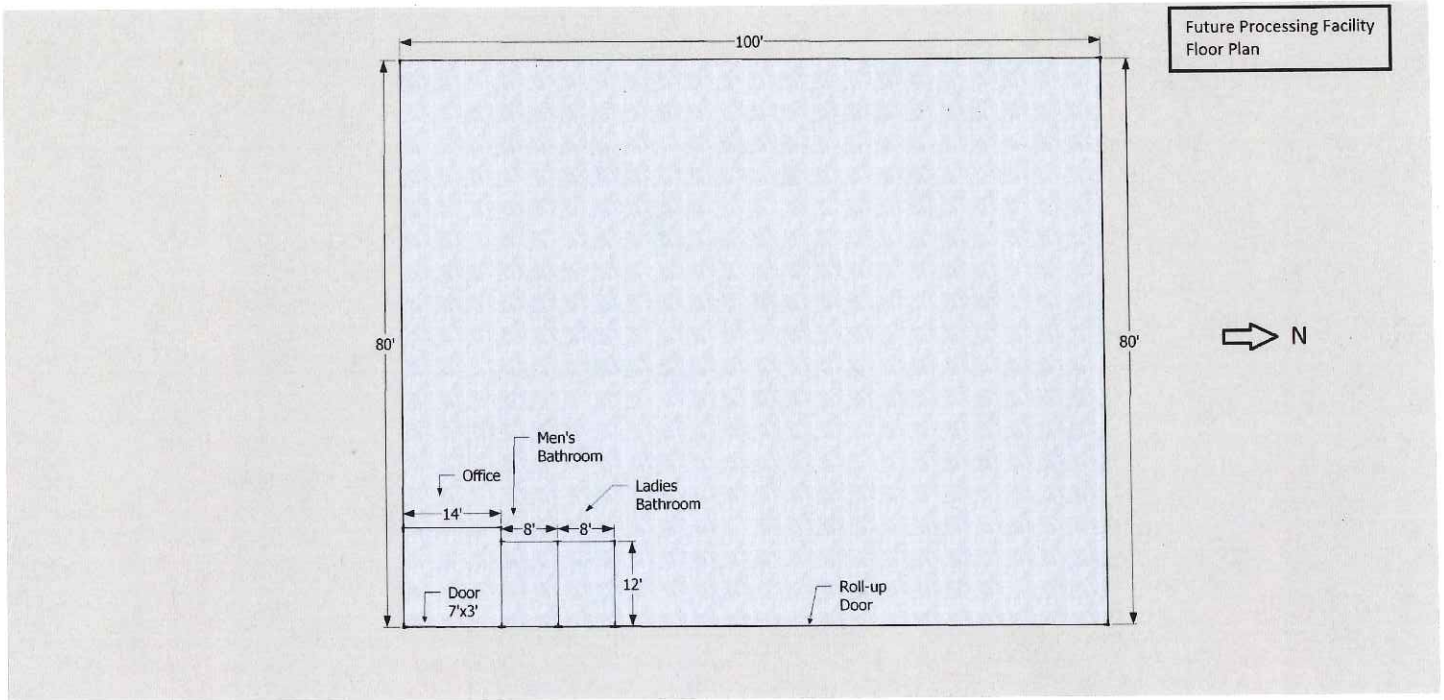
General Storage Warehouse
North/South elevation



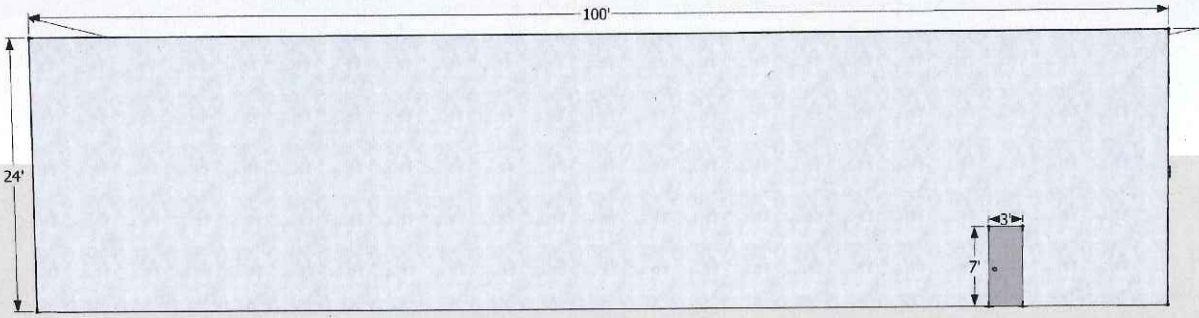
General Storage Warehouse
West elevation



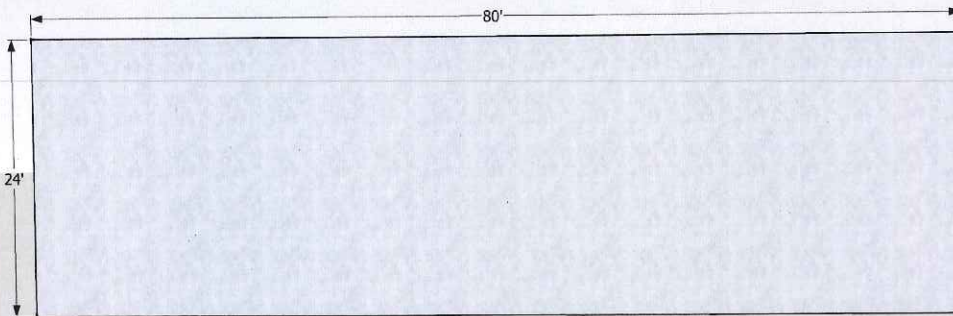
FUTURE PROCESSING FACILITY



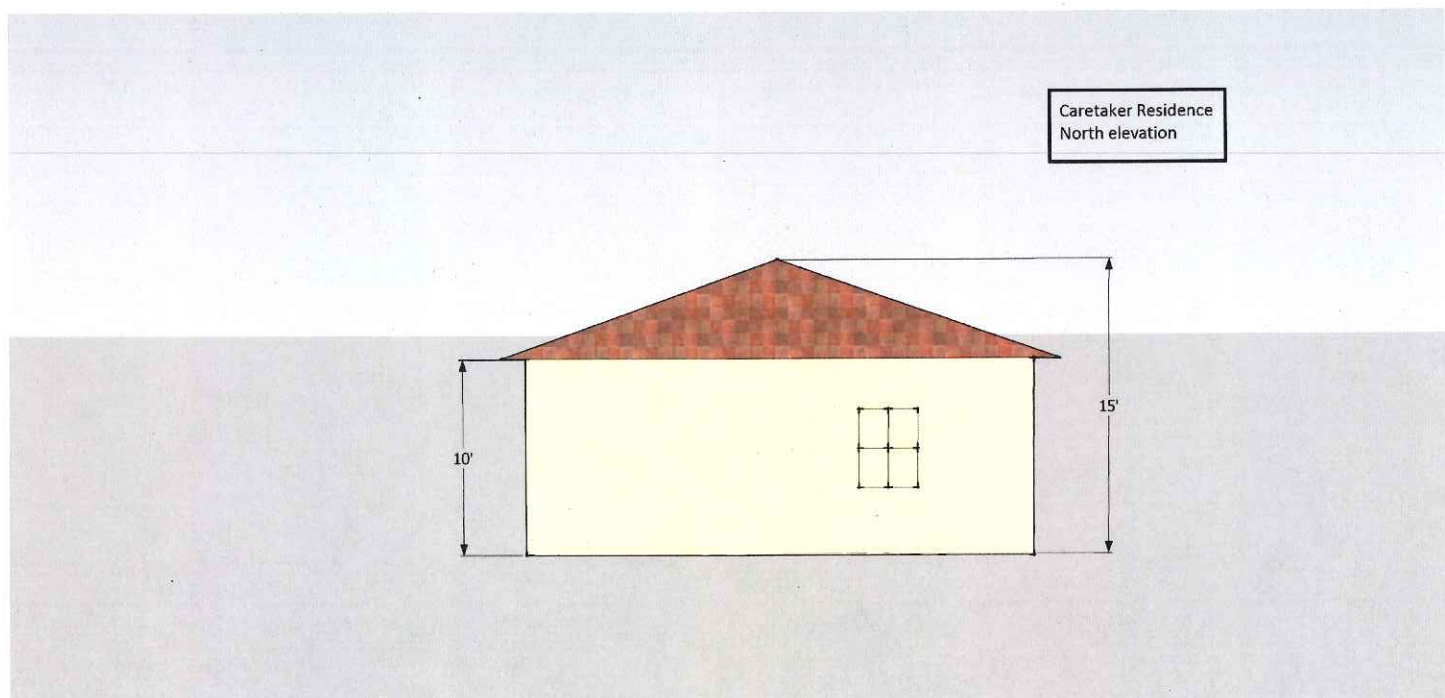
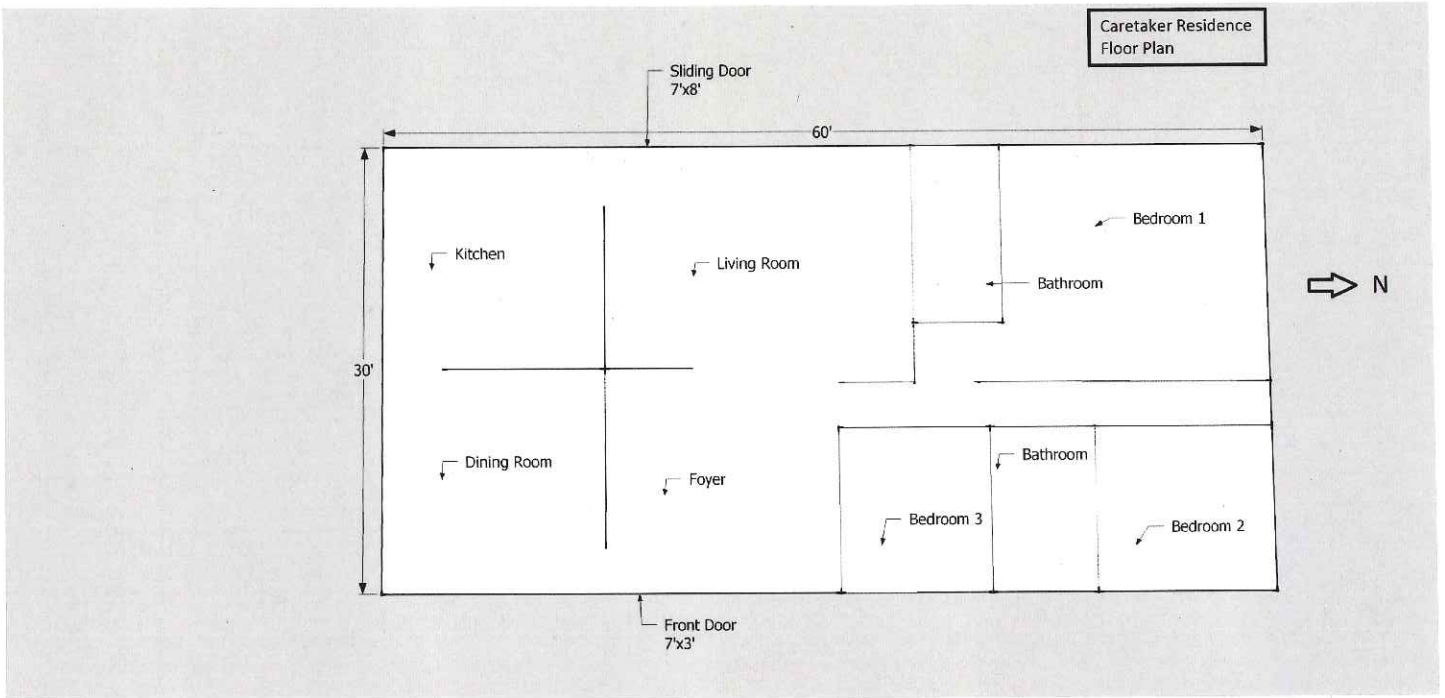
Future Processing Facility
West elevation



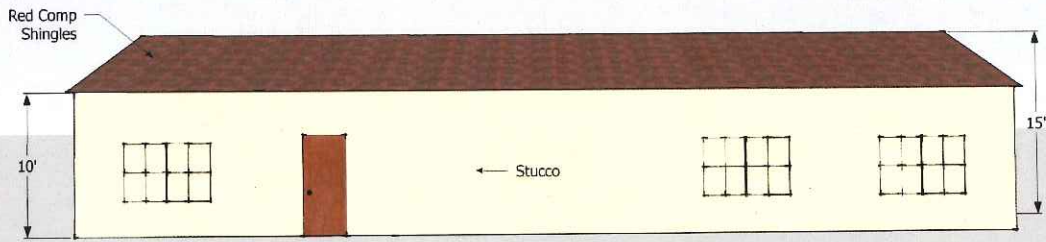
Future Processing Facility
North/South elevation



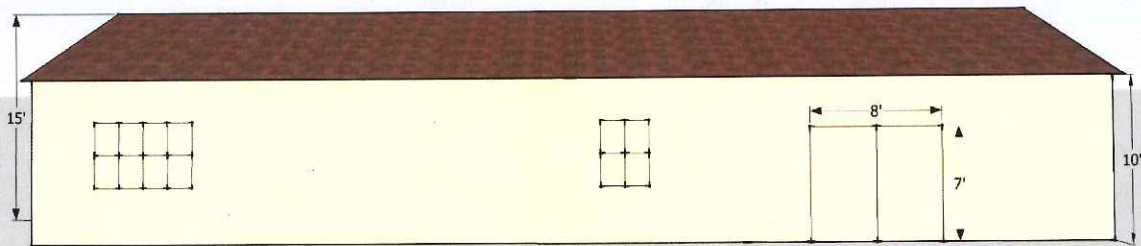
CARETAKER RESIDENCE



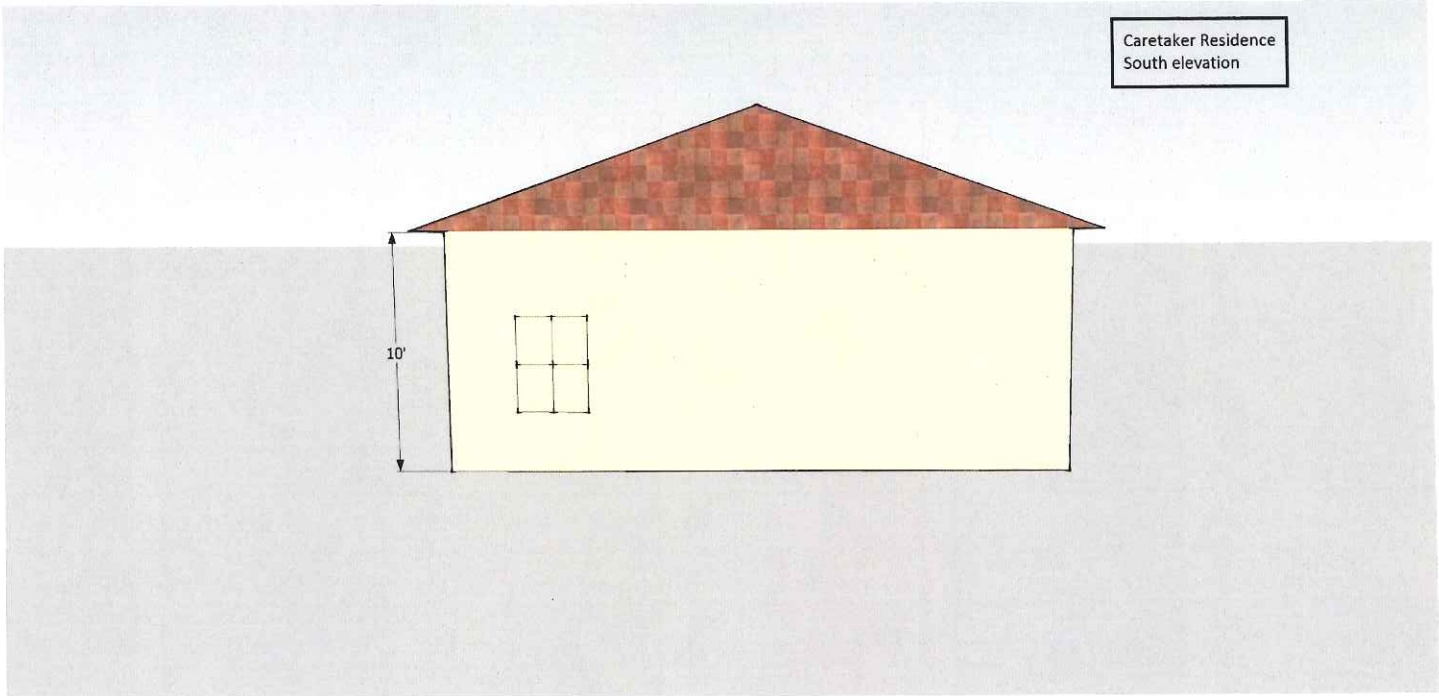
Caretaker Residence
East elevation



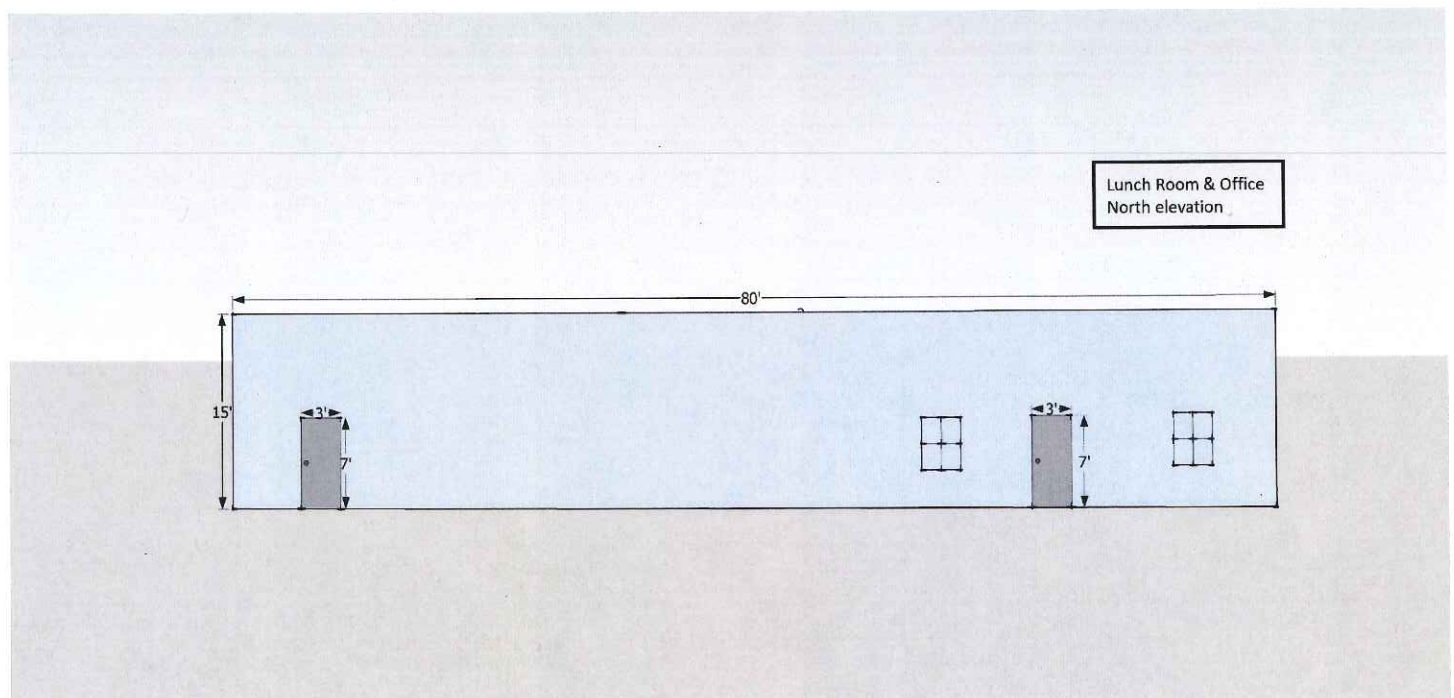
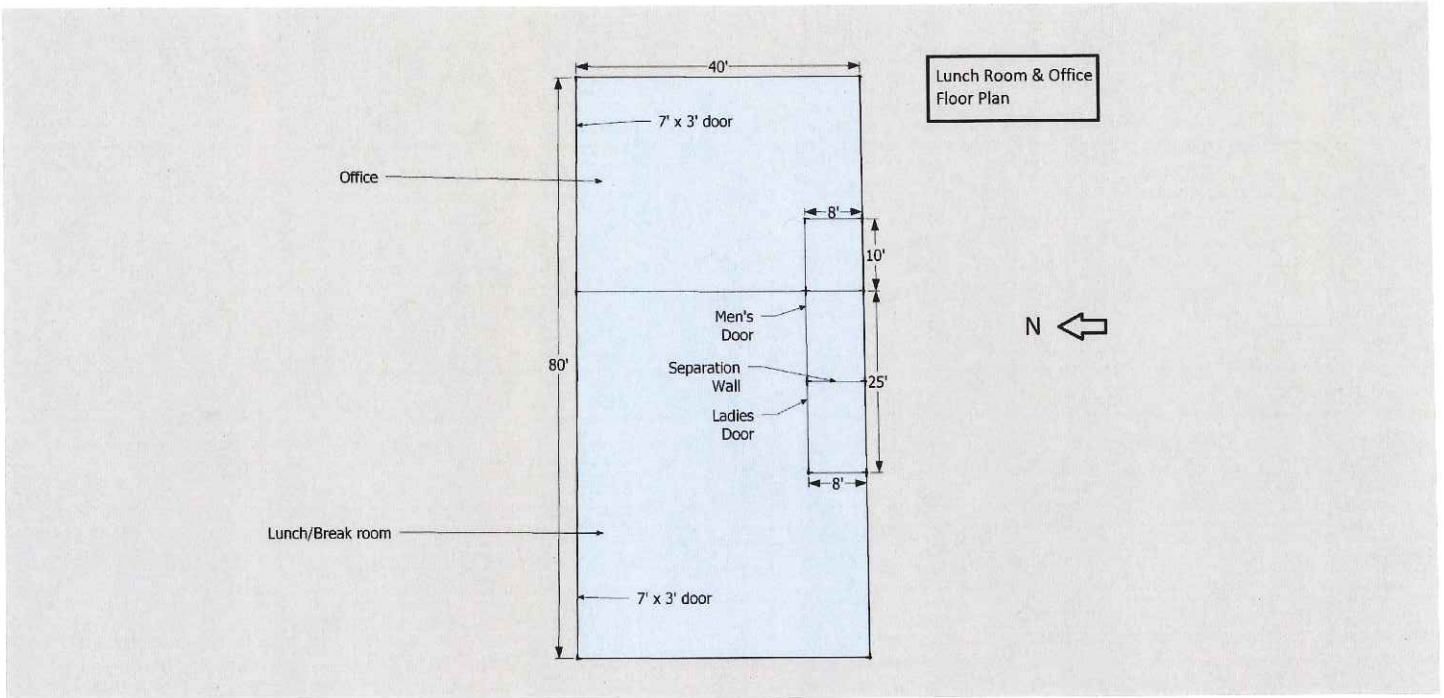
Caretaker Residence
West elevation



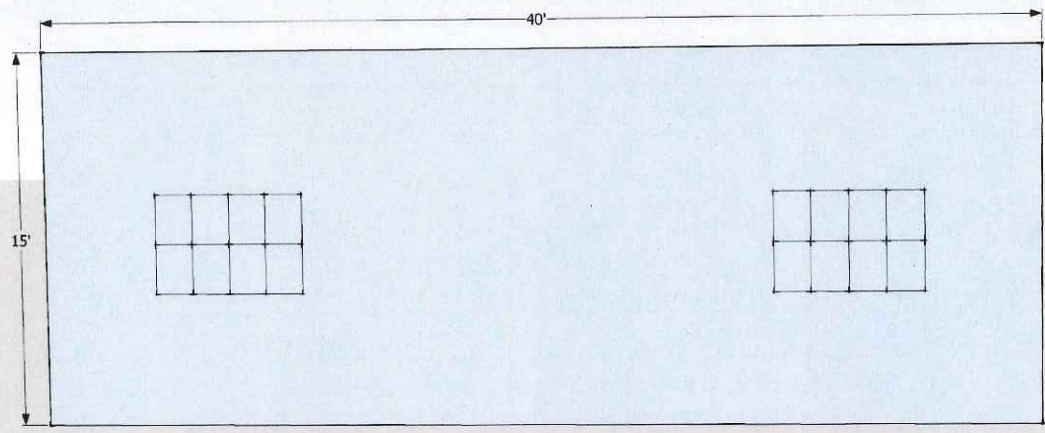
Caretaker Residence
South elevation



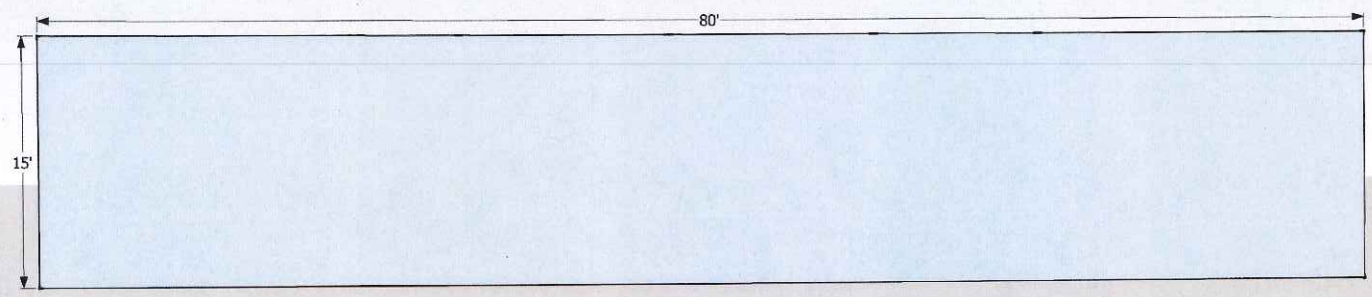
LUNCH ROOM & OFFICE



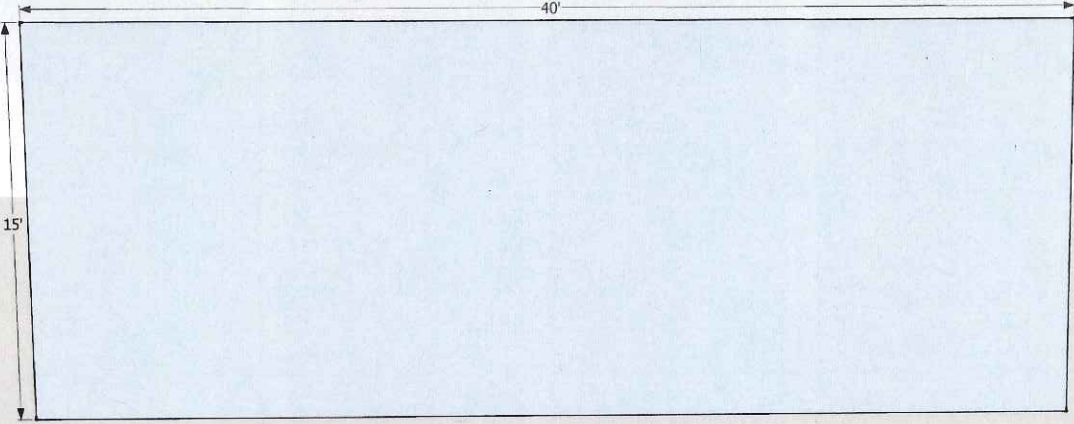
Lunch Room & Office
East elevation



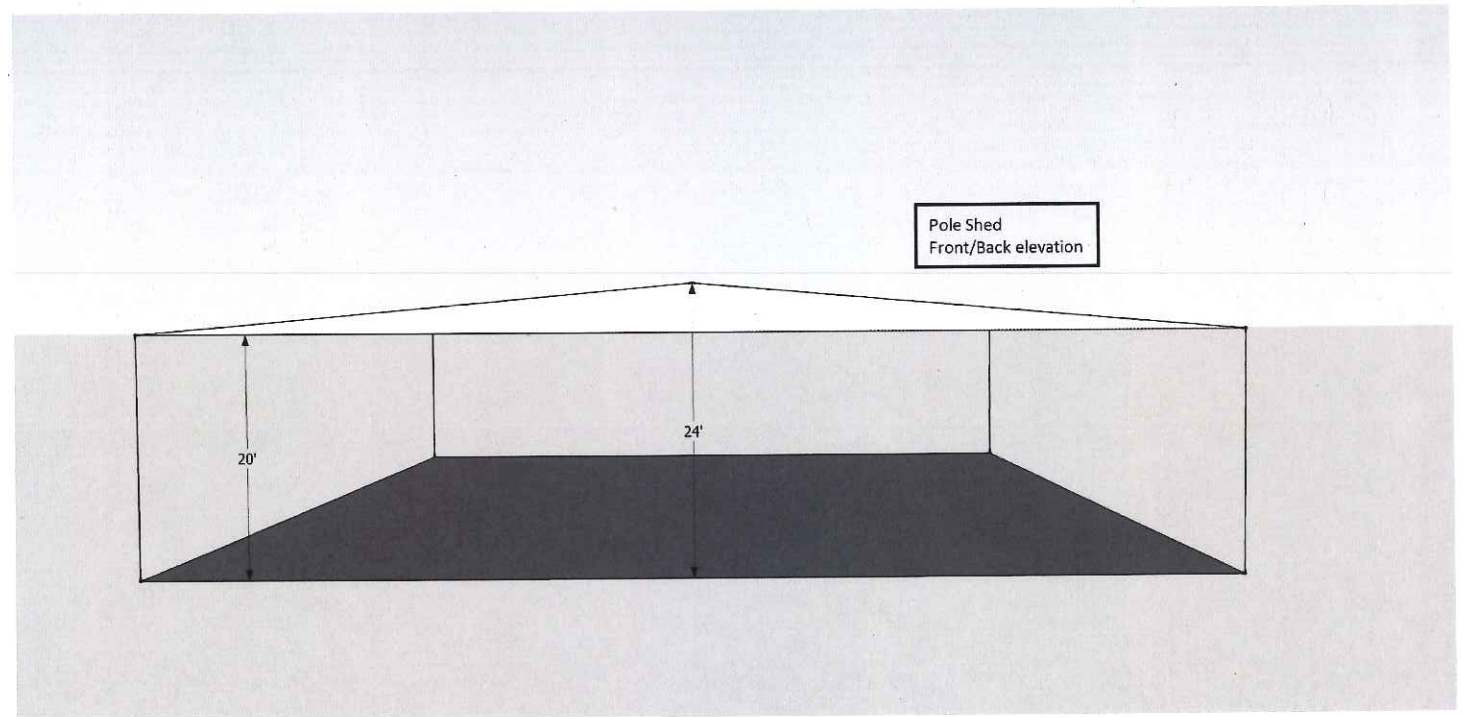
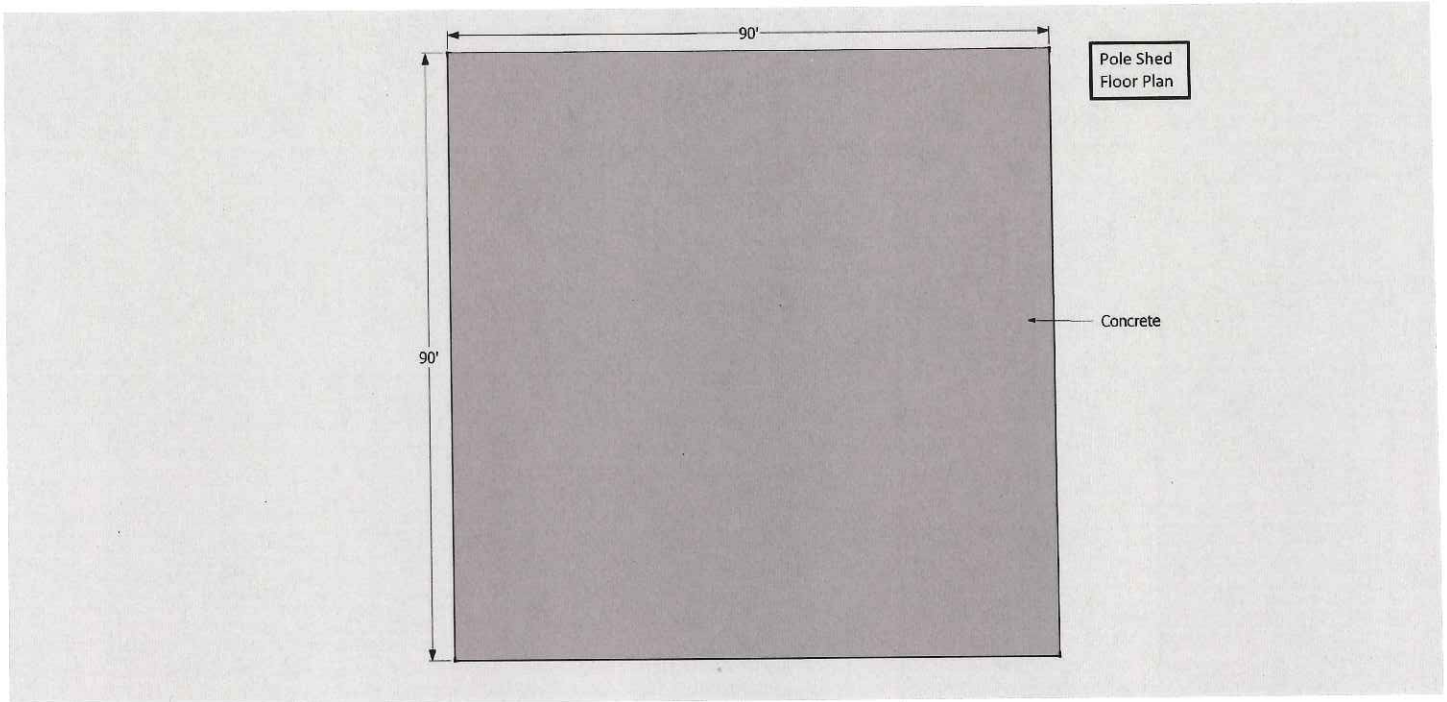
Lunch Room & Office
South elevation

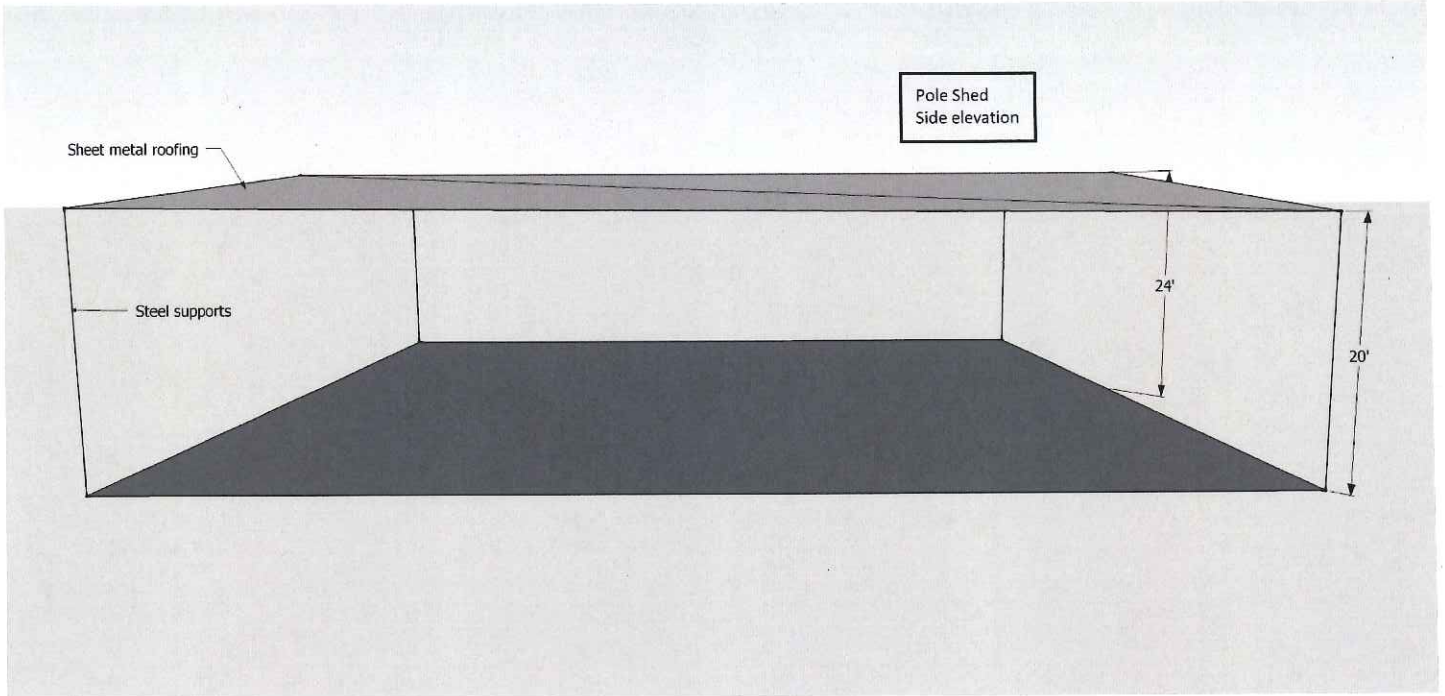


Lunch Room & Office
West elevation

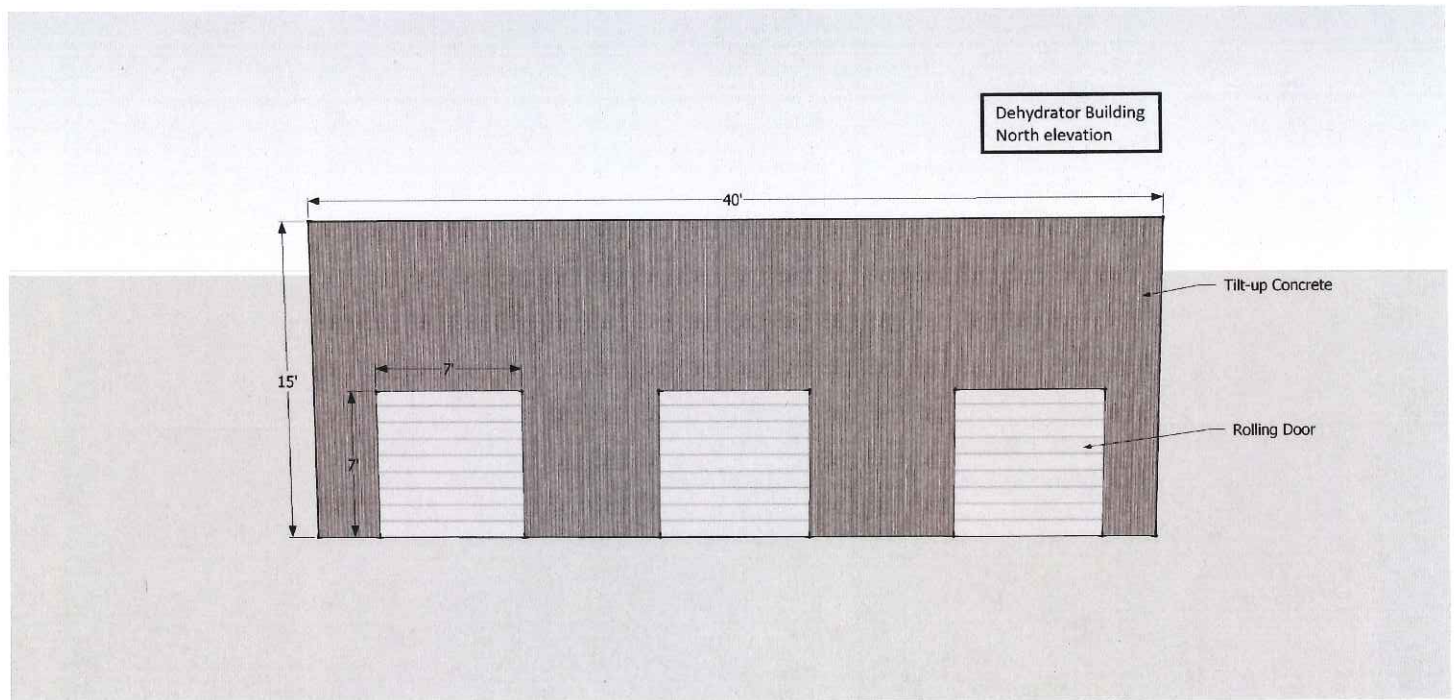
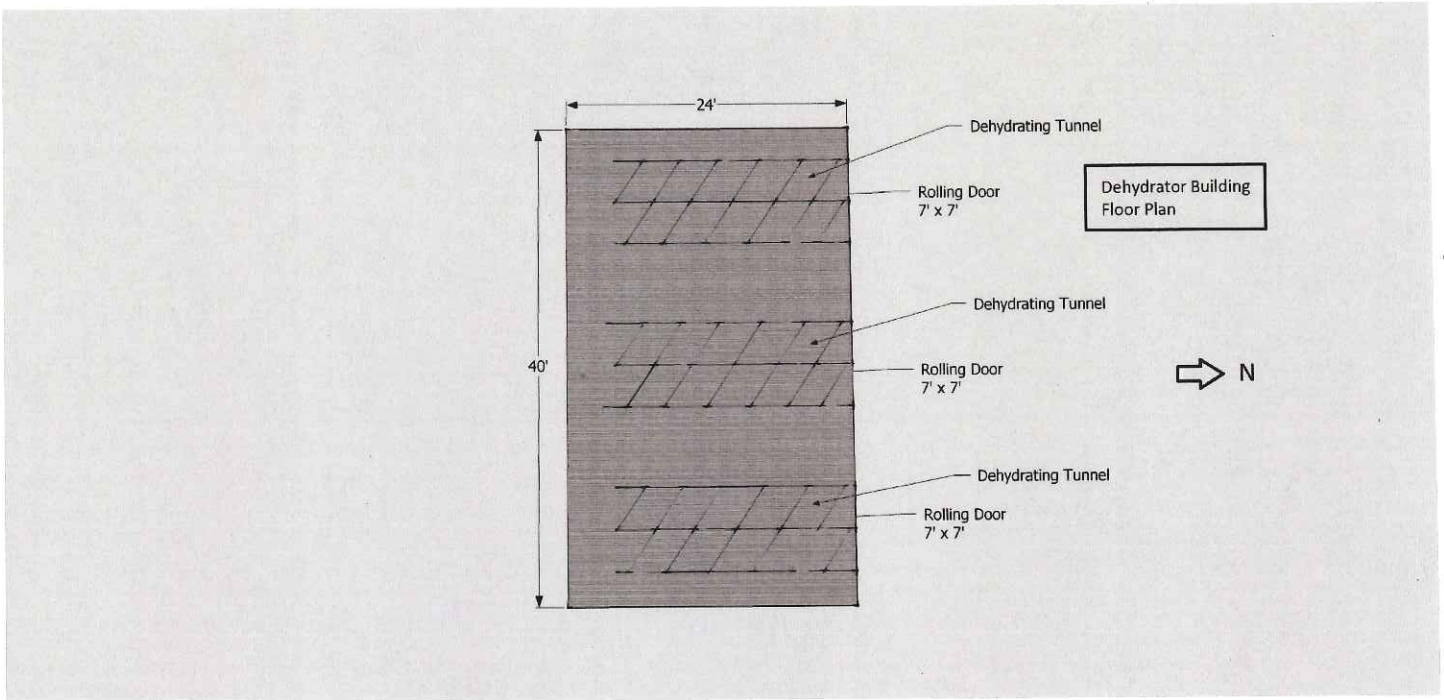


POLE SHED (same dimensions for all three Pole Sheds)

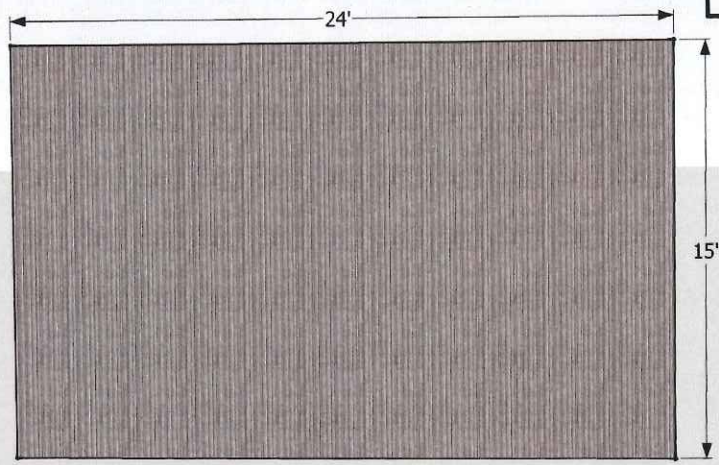




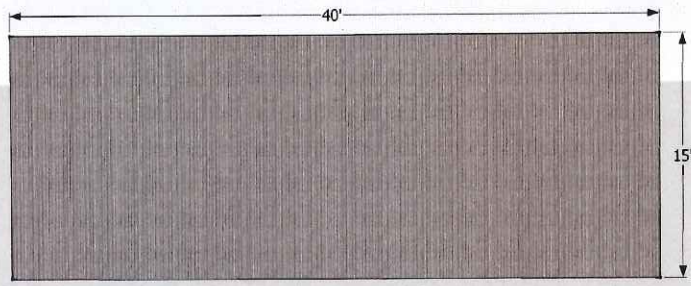
DEHYDRATOR BUILDING



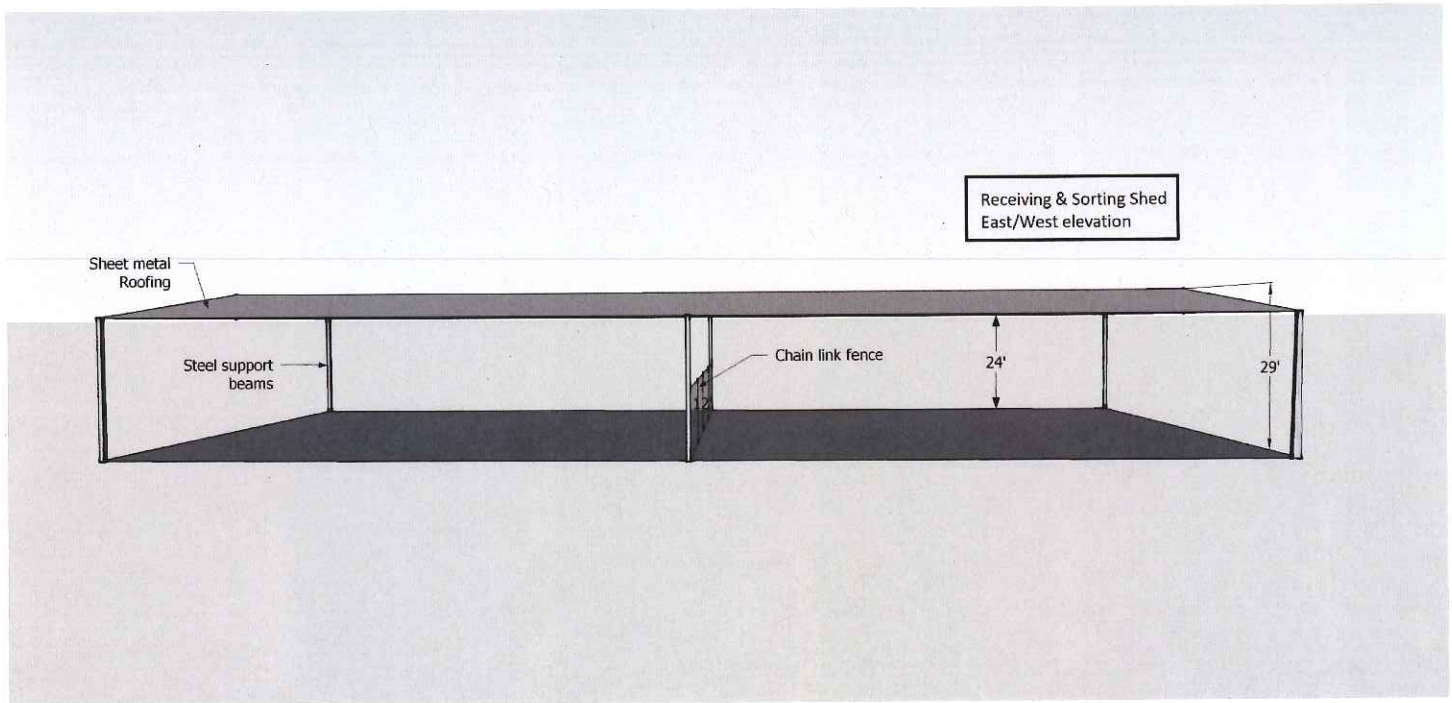
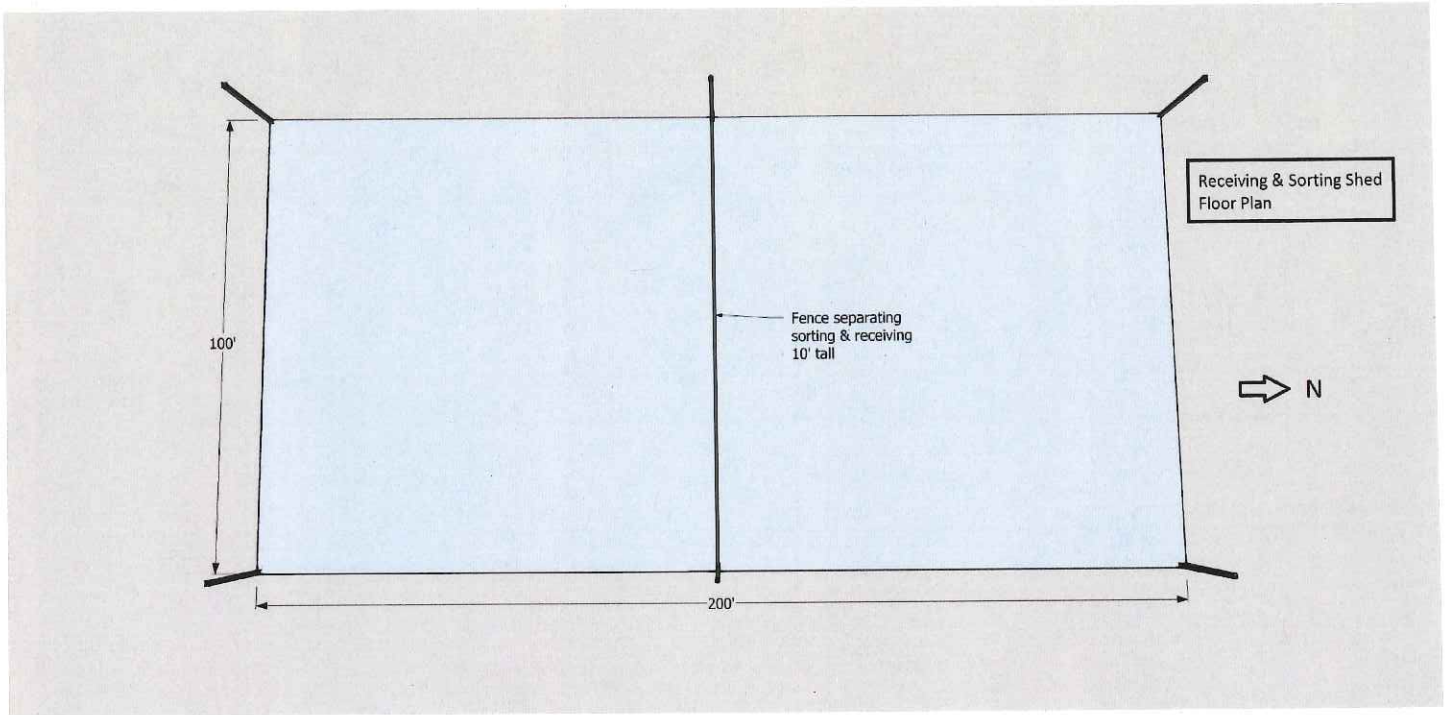
Dehydrator Building
East/West elevation



Dehydrator Building
South elevation



OPEN AIR SORTING SHED



Receiving & Sorting Shed
North/South elevation

Steel support beams

Sheet metal roofing

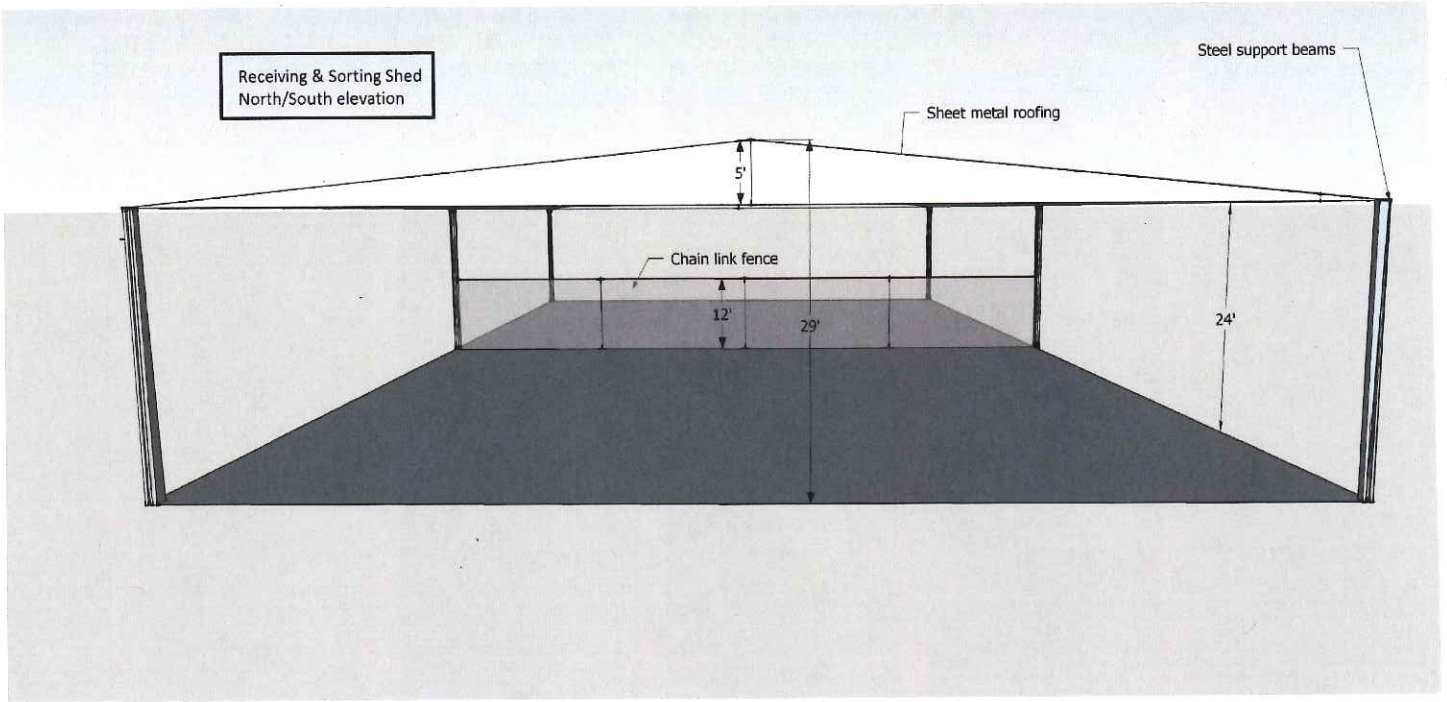
5'

Chain link fence

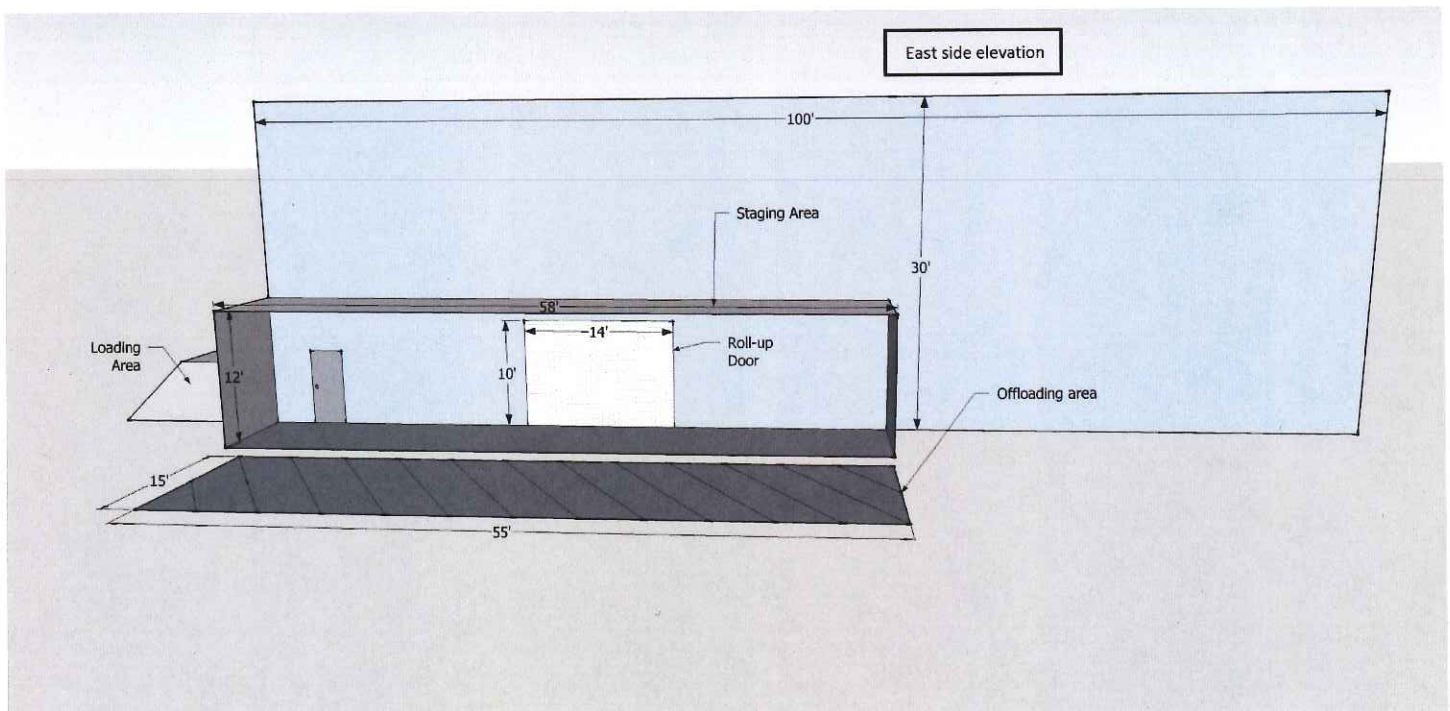
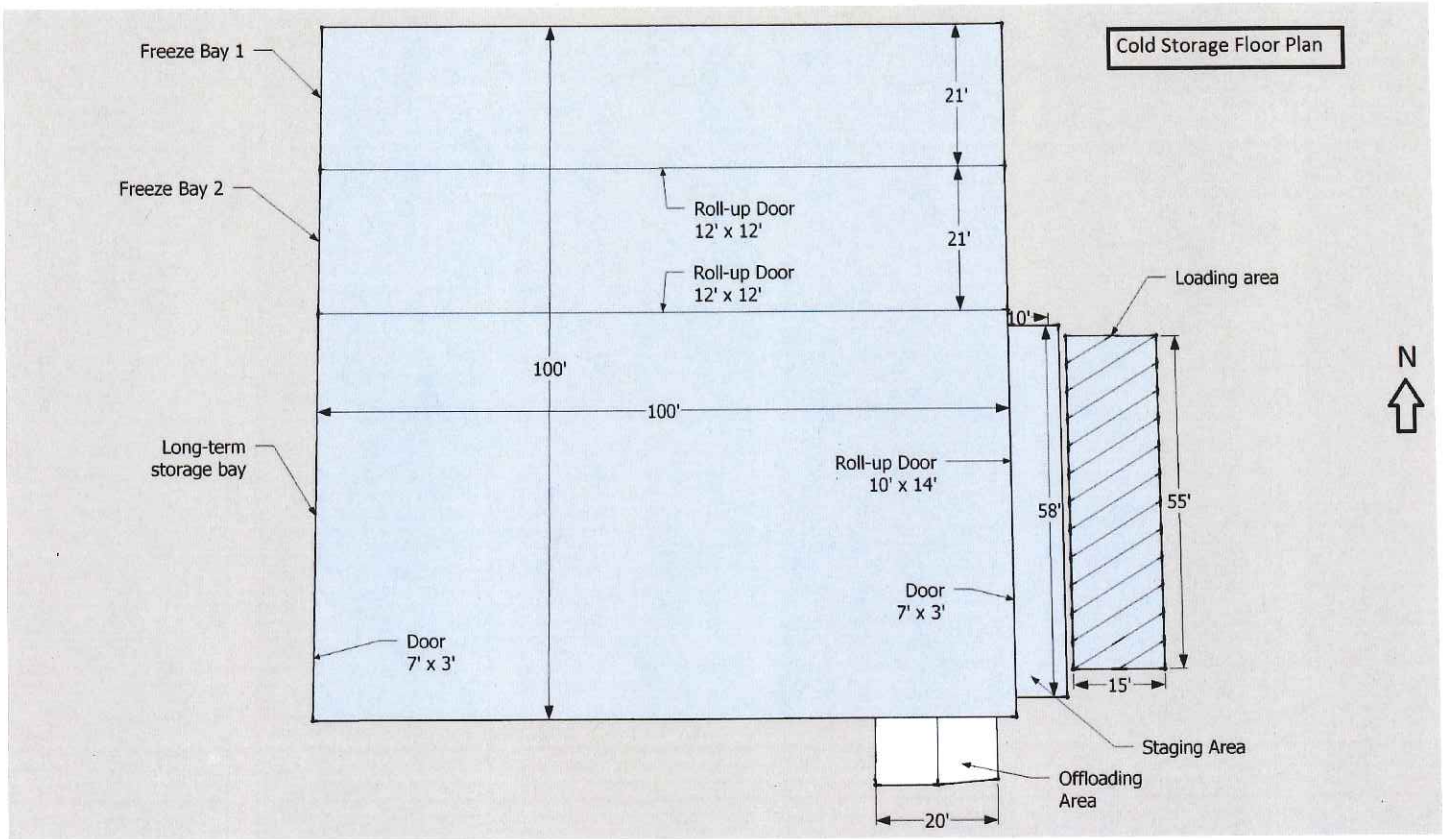
12'

29'

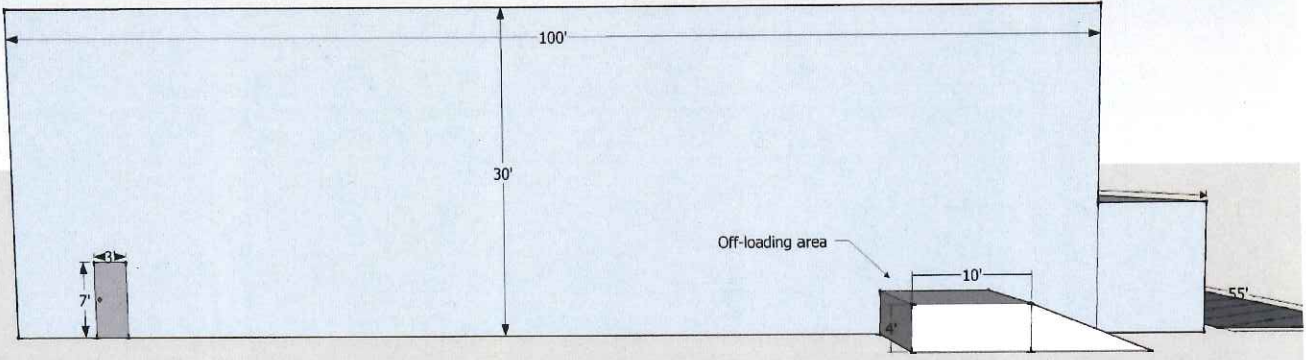
24'



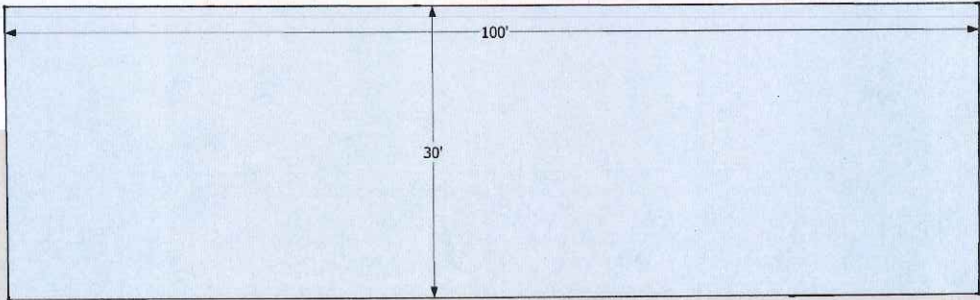
COLD STORAGE FACILITY



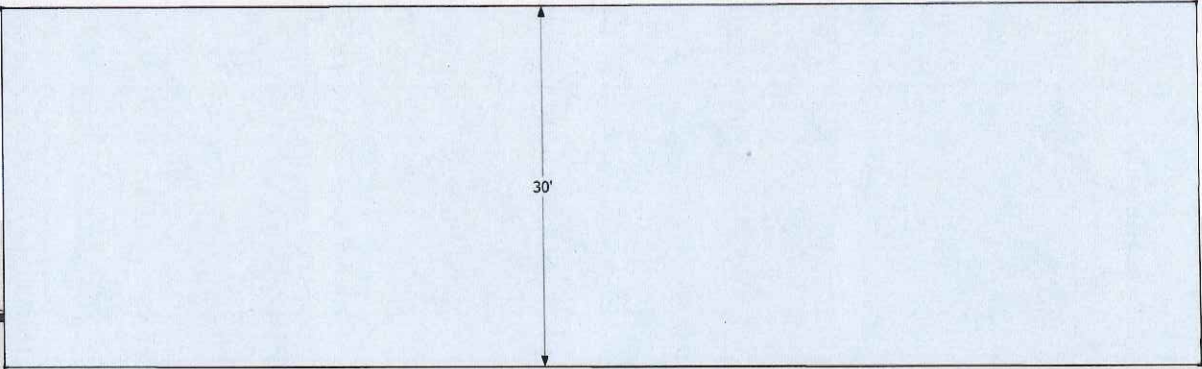
Cold Storage
South elevation



Cold Storage
West elevation



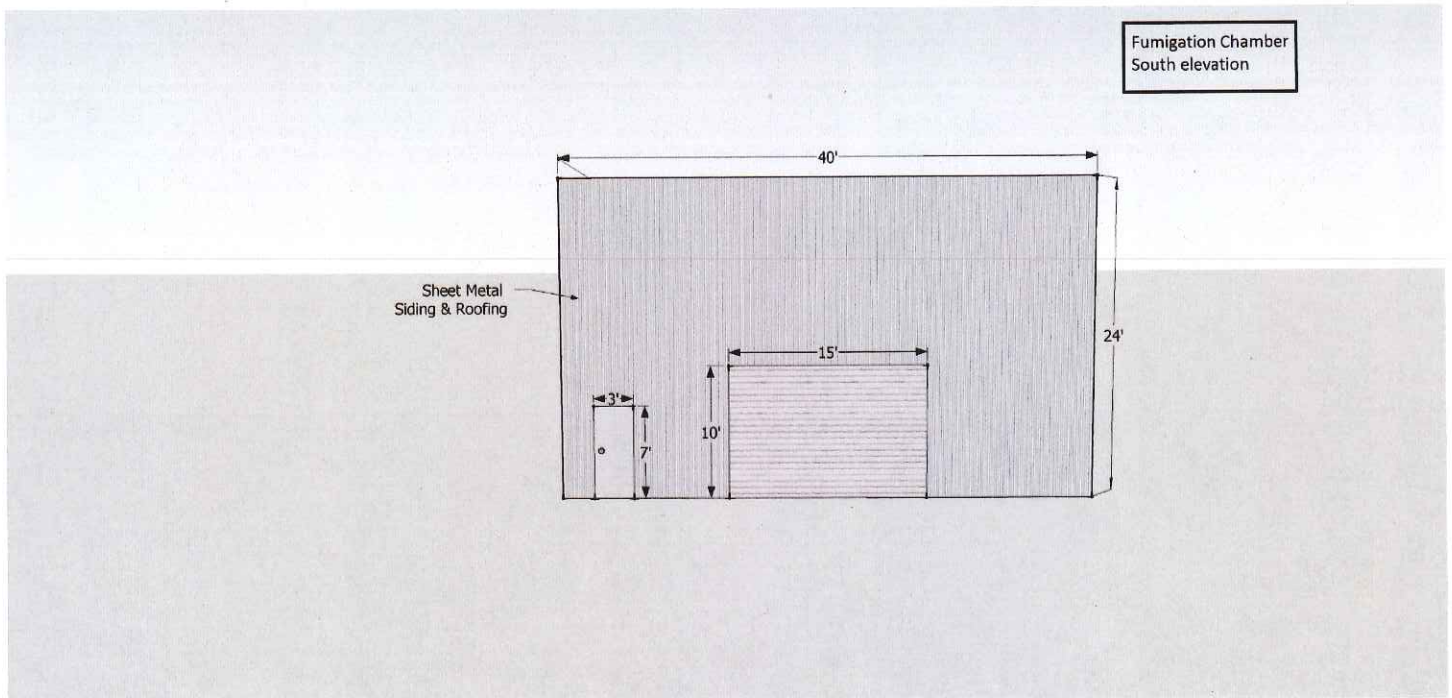
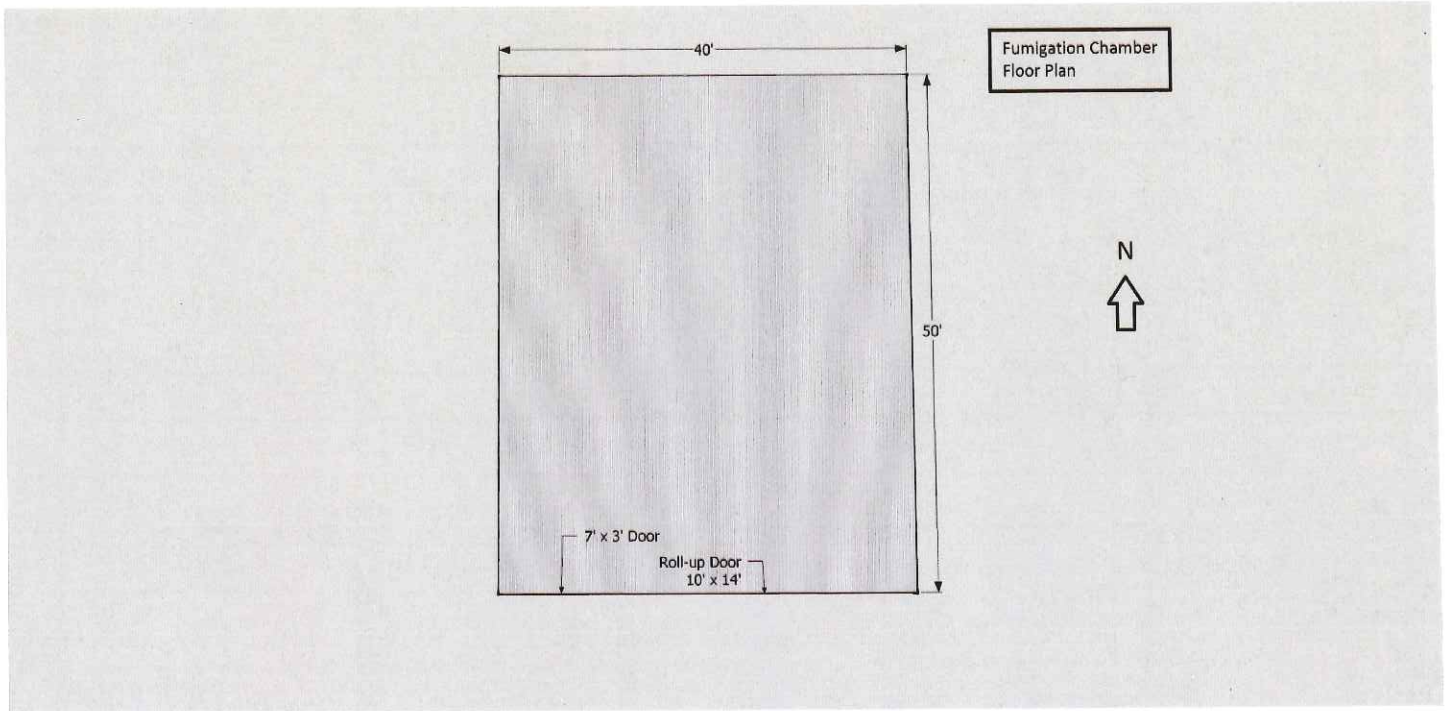
Cold Storage
North Elevation



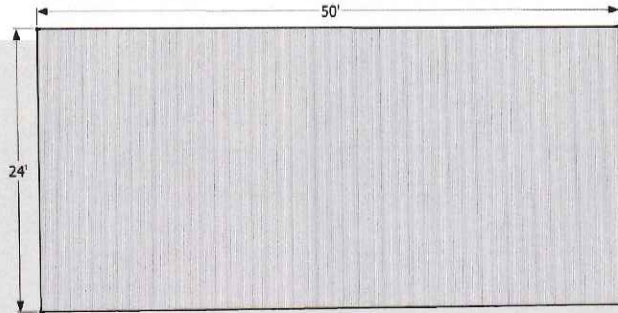
Loading area

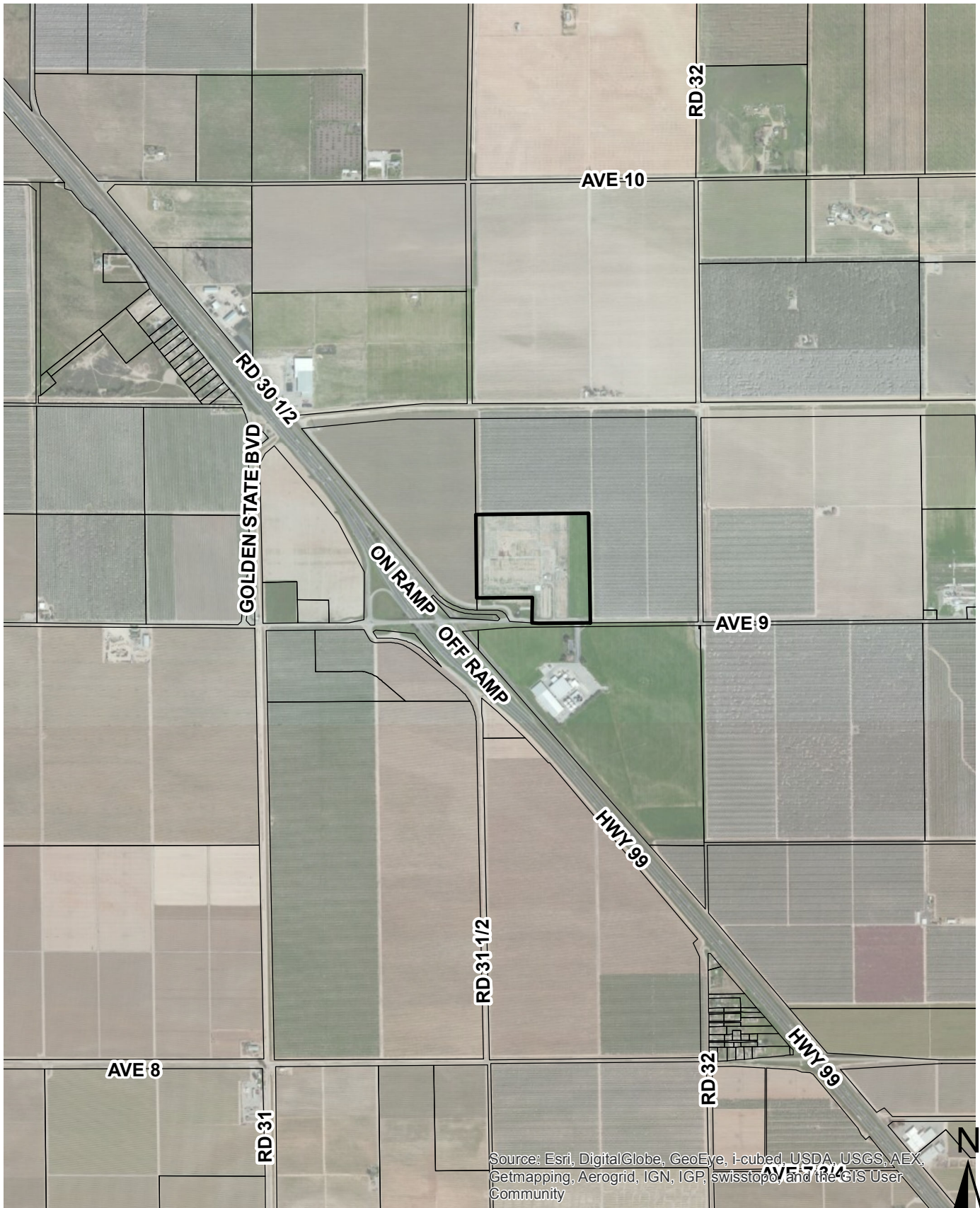
30'

FUMIGATION BUILDING



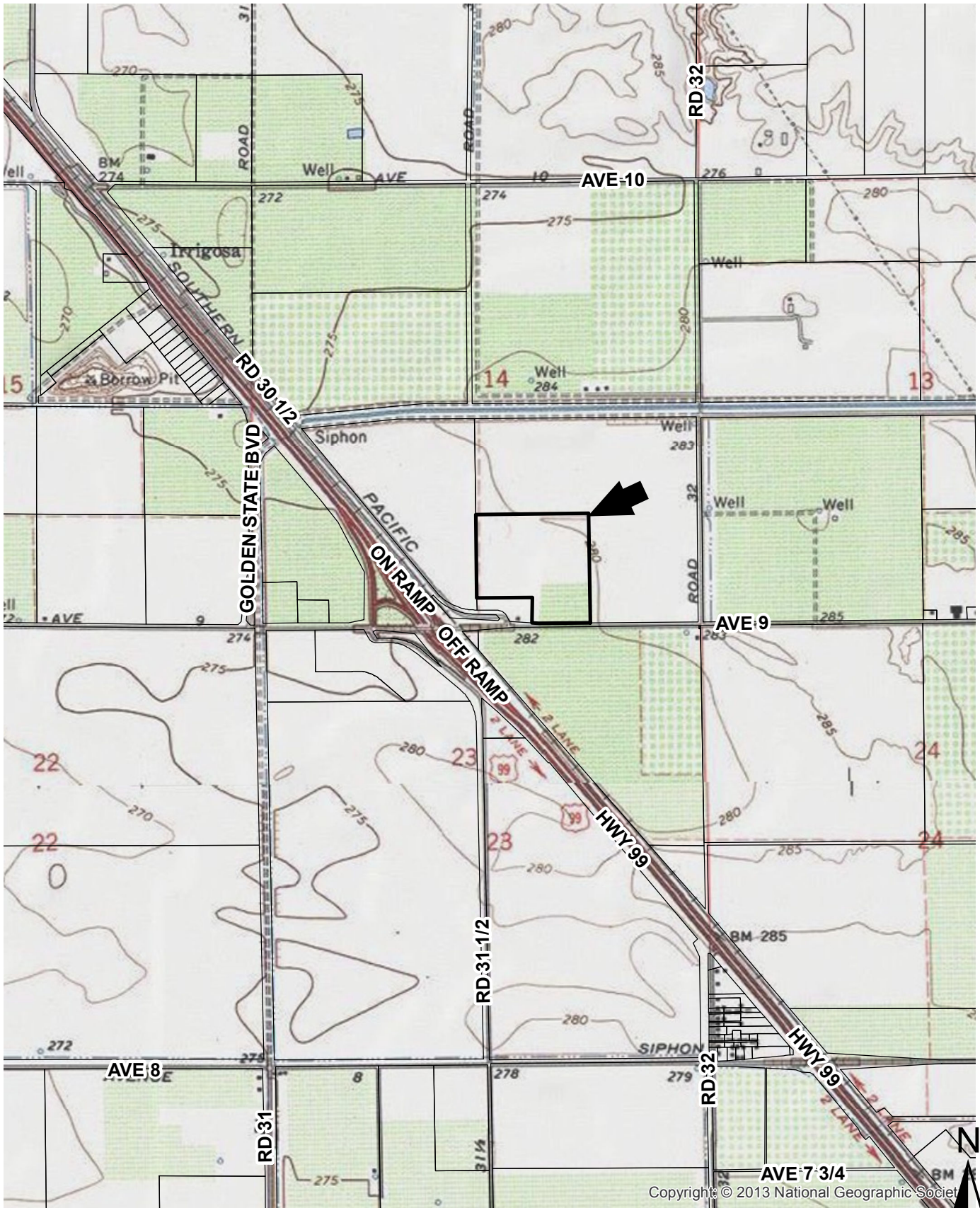
Fumigation Chamber
West/North/East Side elevation





Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

AERIAL MAP



TOPOGRAPHICAL MAP

Environmental & Operational Statement Checklist
San Joaquin Figs, Inc.

1. Please provide the following information

Assessor's Parcel Number: 047-320-004
Applicant's Name: San Joaquin Figs, Inc.
Address: 3564 N. Hazel Ave; Fresno, CA 93722
Phone Number: (559) 224-4965

2. Describe the nature of your proposal/operation (please be specific).

Farm level sorting, drying and storage of figs.
15-26 Acres of almond trees farmed and harvested.
Fruit stand with interest to convert/upgrade to country shop/café in future.

3. What is the existing use of the property?

N/A. Not currently in use.

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

Almonds will be grown onsite but not processed or packed.
Almonds grown onsite will be sold onsite.
Dried Figs are sorted in the sort shed. They are produced at other locations, sorted and stored in stacks under fumigation or in the cold storage at this location. They will be processed at a different location and sold to the final consumer from there.

5. What are the proposed operational time limits?

Months (if seasonal):

Fruit sorting/drying: mid-August to mid-December, give or take about two weeks depending on the harvest

Days per week: Monday – Friday with occasional Saturdays

Hours: from 6am to 2:30pm July to Oct to avoid more of the hot hours of the day, 7am to 3:30pm Nov to Dec

For office staff, 8am to 5pm, with one hour lunch

Total Hours per day: 8 hours with 30 minutes (or one hour for office staff) lunch

6. Will there be any special activities or events?

No.

7. How many customers or visitors are expected?

Average number per day: 2-3 (service vendors, customers, auditors and delivery of goods)

Maximum number per day: 7.

What hours will customers/visitors be there? During regular business hours, from 8:00am to 5:00pm

8. How many employees will there be?

Current: 0

Future: 22 seasonal employees will be part of the farm-level receiving, sorting and drying from mid-August through November. After November, most of the Seasonal employees are released and 3 remain.

Hours they work: 6:00am – 2:30pm July to October and 7:00am – 3:30pm October through November

Do any live on-site? If so, in what capacity (i.e., caretaker)? Current – 0; Future – 1, as caretaker

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

Mechanical dry fruit sorting lines, shake-tables, grading-line underneath open-air pole shed. Forklifts for transporting bins of dry fruit from sorting lines to storage.

EXHIBIT G

Fumigant for protecting product from insect infestation, to be used inside permanent fumigation building or in tarped and sealed stacks.

The fumigants currently used on SJF's Fresno sites are methyl bromide and aluminum phosphide.

Fumigants will be stored in an approved storage space as currently practiced by San Joaquin Figs.

Dried figs stored for use in our Fresno processing plant.

10. Will there be any service and delivery vehicles?

Number: 8. From September through mid-December, there will be on average 8 service and/or delivery vehicles visiting the site each day.

Type: 3-4 semi-trucks; 2-3 normal passenger vehicles or light to medium duty trucks. These visits will consist of fruit deliveries from our orchards in Madera County (off of avenue 26) by Semi trailer truck, as well as delivery to our plant in Fresno. There will also be occasional visits from service providers, auditors and customers. The rest of the year, visits per day will average 2 – 3, primarily Semi trailers arriving for drop-off or pickup of product.

Frequency: On average, 7 per day from September to mid-December and 2 – 3 per day the rest of the year.

11. Number of parking spaces for employees, customers, and service/delivery vehicles? Type of surface on parking area?

There will be approximately 24 parking spaces available for employees, customers and service vehicles, paved with blacktop.

Semi-trailers arriving for pickup of product will have a separate blacktop-paved road and turn-around area to facilitate ease of entry and exit without blocking other traffic.

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

Avenue 9, entry in same location as current fence provides, and shown on the proposed site plan.

13. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development:

- During the busy season (July – Nov) there will be approximately 21 cars and approximately 5 Semi trailer trucks and 2 light to medium duty trucks visiting per day.

- After November, most of the seasonal workers are released and fruit delivery ends so 2-5 cars and 1-2 Semi trailer trucks will visit per day.

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

- 15' x 30' sign with a top height of 30' for the purpose of being distinguishable from the highway. Will display text for advertising cold storage space available and contact phone number.

- 3' x 6' sign affixed to posts in front of the entrance to the site. This sign will display the company logo and name, a functional description of the sight (dry sorting yard), and the address.

15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable:

- Existing buildings and concrete foundations will not be used.

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

- No landscaping is being proposed. Existing chain-link fence will remain in place and undergo repairs or be replaced. Sorting and Receiving area (Northeast corner) will be fenced.

- 15-26 acres are being set aside for planned almond orchards and 1 acre for fig trees

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

- North: almond orchards

- East: almond orchards

- South: Avenue 9 and across Avenue 9 is a Gallo Winery facility

EXHIBIT G

- West: vineyard, and beyond the vineyard lies Road 30&1/2 and Highway 99

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

- No. Noise levels generated will be average for agricultural-zoned parcels with farm equipment operating, which is what the property is surrounded by.

19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

- Water will be pumped from the two existing agricultural wells. 40,173 gallons will be pumped per day for the Almond and fig trees and 250 per day gallons for the seasonal wash-down part of the fruit sorting and grading process.

20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

A small ponding basin will be required for seasonal wash-down. Washed-off residue would consist of dirt, rocks, sticks, grass, sugar from the figs and other naturally occurring field material. The product itself is not wetted, washed or rinsed at the field level. Wastewater produced seasonally would average < 300 gallons per day. During the off-season, no regular wash-down would occur.

21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

Approximately 50 gallons of solid waste will be produced per week and it will be disposed of by contracting a waste disposal service.

Approximately 2000 gallons of field debris (sticks, brush, leaves) will be generated by the sorting and receiving process. This field debris will be put through a chipper and ground into sawdust, which will be used as a soil additive or as mulch.

22. Will there be any grading? Tree removal? (Please state the purpose, i.e. for building pads, roads, drainage, etc.)

There will be no tree removal.

There will be grading for buildings pads, a parking lot and roads and drainage.

23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan:

No

24. Locate and show all bodies of water on application plot plan or attached map.

N/A, no bodies of water present. See attached map and site plan

25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

N/A.

26. Will hazardous materials or waste by products as part of this project? If so, how will they be shipped or disposed of?

No hazardous materials are produced by the project. Pesticide containers which are generated by our planned usage are removed by a certified vendor.

27. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special district)

No.

28. How do you see this development impacting the surrounding area?

The impact to the surrounding area would be minimal. Very slight increase in traffic on Avenue 9. The fruit stand would provide commuters an opportunity to buy fresh fruit and other produce.

29. How do you see this development impacting schools, parks, fire and police protection or special districts?

The fruit stand (and later country store or café) could become a draw for commuters and would provide a nearby option for fresh produce and other goods.

30. If your proposal is for commercial or industrial development, please complete the following:

Proposed Use(s)

Square feet of building area(s)

Total number of employees

Building heights

Dry sorting operation:

3 Open-Air Pole Sheds

Proposed uses: covered storage of fruit bins, and area to stack bins and seal them under tarps for fumigation

Composition: Concrete foundation; wooden supports and trusses; sheet metal roofing

Dimensions: 90' x 90' x 24' (LxWxH)

Square feet of building area(s): 8,100 square feet

Total number of employees: 3 coming to and from throughout the workday, shared with other buildings

Building height: 24 feet

1 Open-Air Dry sorting shed

Proposed uses: covered area to run lines and belts for fruit sorting lines

Composition: Concrete foundation; steel supports and trusses; sheet metal roofing

Dimensions: 100' x 200' x 24' (LxWxH)

Square feet of building area(s): 20,000 square feet

Total number of employees: 15 seasonally. Not operated off-season.

Building height: 24 feet

1 Fumigation Structure

Proposed uses: product fumigation

Composition: Concrete foundation; steel supports and sheet metal roofing/siding

Dimensions: 50' x 40' x 24' (LxWxH)

Square feet of building area(s): 2,000 square feet

Total number of employees: 2 coming to and from throughout the day, shared with other buildings

Building height: 24 feet

1 General Warehouse

Proposed uses: general storage of equipment and supplies

Composition: Steel supports; sheet metal roofing and siding

Dimensions: 50' x 50' x 24'

Square feet of building area: 2,500 square feet

Total number of employees: 2 coming to and from throughout the day, shared with other buildings

Building height: 24 feet

1 Cold Storage facility

Proposed uses: Long-term storage of product and flash-freezing for organic product pest protection

Composition: Concrete foundation; Ammonia refrigerant cooling system (distributed air blast freezers);

Polyurethane insulation; steel framework

Dimensions: 100' x 100' x 24' (LxWxH)

Square feet of building area(s): 10,000 square feet

Total number of employees: 3 coming to and from throughout the day, shared with other buildings

Building height: 30 feet

1 Dehydrator building:

Proposed uses: Dehydrate fruit to reduce moisture content

Composition: Brick or tilt concrete

Dimensions: 24' x 40' x 24'

Square feet of building area(s): 960 square feet

Total number of employees: 2 coming to and from throughout the day, shared with other buildings

Building height: 24 feet

1 Caretaker Residence:

Proposed uses: caretaker employee residing onsite

Composition: concrete foundation, stucco, wood, sheet rock, comp shingle roof

Dimensions: 60' x 30' x 15'

Square feet of building area: 1800 square feet

Commercial

Fruit stand – sell almonds and figs grown on site, as well as other produce

Proposed uses:

Construction materials: wood

Possible dimensions: 30' x 15' x 10' 4" (LxWxH)

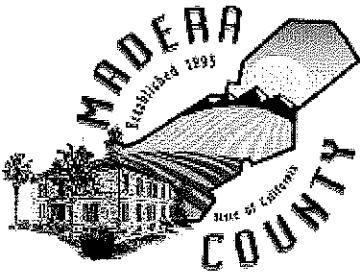
Square feet of building area(s): 450 square feet

Total number of employees: 1

Building height: 12 feet

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

No slopes over 10% planned.



Engineering and General Services

2037 West Cleveland Avenue
Madera, CA 93637

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

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

engineering@madera-county.com

MEMORANDUM

TO: Robert Mansfield
FROM: Engineering Department
DATE: March 14, 2014
RE: Mortenson, Daniel - Conditional Use Permit - Madera (047-320-004-000)

Comments

DATE March 14, 2014

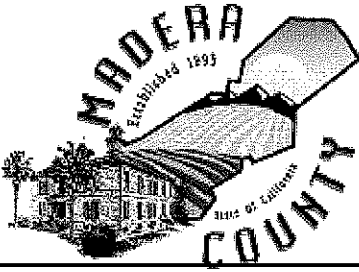
TO Planning Department

FROM Dario Dominguez, Assistant Engineer - DEGS

SUBJECT CUP 2014-002

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

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



RESOURCE MANAGEMENT AGENCY

Environmental Health Department

Jill Yaeger, Director

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

MEMORANDUM

TO: Robert Mansfield
FROM: Environmental Health Department
DATE: March 10, 2014
RE: Mortenson, Daniel - Conditional Use Permit - Madera (047-320-004-000)

Statutes

Water:

California Drinking Water standards Title 22 and 17 of the California Code of regulations.

Sewage Disposal:

California Plumbing Code Appendix K and Madera County Code 14.20.

Food:

California Retail Food Code (CalCode)

Conditions

DATE: March 10, 2014

TO: Planning

FROM: EHD

The Environmental Health Department has reviewed the Conditional Use Permit (CUP) #2014-002, located on APN:047-320-004 , within the Madera area and has determined the following:

Applicant may be required to apply to become a Small Water System depending on use, connections, and how many persons will be served. All the water well(s) used to provide water to the facility will be required to meet all Public Water Well Standards.

The sewer treatment system and onsite wastewater treatment for this development must comply with the Madera County Environmental Health Department and Regional Water Quality Control Board requirements. The septic disposal system for the proposed facility must be designated and installed for maximum occupancy by a Registered: Environmental Health Specialist, Geologist, or Civil Engineer and is acceptable to this Department.

The owner(s)/developer(s) of onsite operations, onsite facilities/equipment are required to ensure that all on-site persons are provided access to drinking water and/or onsite restrooms/toilets/urinals facilities that are acceptable to all State and Madera County requirements. If temporary portable toilets must be utilized on site, by any persons, at any time during any onsite activity then they must be properly maintained by a Madera County permitted licensed contractor.

If your facility (business) generates or stores hazardous material and /or waste you will be required to be regulated under Madera County Environmental Health Department. As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at www.cers.calepa.ca.gov.

The owners/operators of this facility must complete and submit food facility construction plan(s) and a food facility application(s) for a Food Vending Permit(s) for all food operations within this departments Food Program before onset of any construction activities and before any operation of the food facility. Contact a Food Program specialist within this Dept. at (559) 675-7823 for any questions that you may have regarding this process or for copies of the Permit Application.

The construction and then ongoing operation of this facility must be done in a manner that shall not allow any type of public nuisance(s) to occur including, but not limited to the following nuisance(s): Vector(s), Dust, Odor(s), Noise(s), Lighting and/or Litter accumulation to surrounding area uses.

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

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

MADERA COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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

DEBORAH KEENAN
MADERA COUNTY FIRE MARCHAL

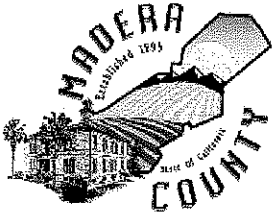
MEMORANDUM

TO: Robert Mansfield
FROM: Madera County
DATE: March 18, 2014
RE: Mortenson, Daniel - Conditional Use Permit - Madera (047-320-004-000)

Conditions

Currently no fire suppression infrastructure exists on the project site meeting the requirements of the California Fire Code. Upon application for any building permit a review of proposed structures use, location and construction type will be completed to determine the project's compliance with current adopted codes, including but not limited to: fire flow, water storage, sprinkler and alarm systems.

Final on-site access configurations will be approved in conjunction with applied building permits.



RESOURCE MANAGEMENT AGENCY

EXHIBIT K

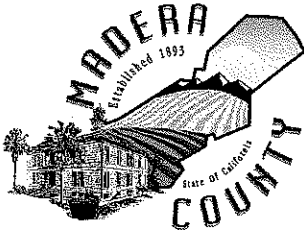
Community and Economic Development
Department of Planning and Building

Norman L. Allinder, AICP
Director

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

DATE: March 17, 2014
TO: Development Review Committee
FROM: Robert Mansfield, Planning Department
RE: Mortenson, Daniel - Conditional Use Permit - Madera (CUP #2014-002)
(047-320-004-000)

1. The project shall operate in accordance with the operational statement and plans submitted for the project except as modified by the conditions of approval of this conditional use permit, and by the mitigation measures in the mitigated negative declaration.
2. All lighting associated with this project shall be hooded and directed away from adjoining properties.
3. All driveways, circulation areas and parking areas are to be constructed and maintained in a dust free manner.
4. All signs shall comply with the regulations of the Madera County Zoning Ordinance and shall be approved by the Planning Department prior to placement.
5. Any hulls, shells, or related byproducts of the onsite process left on site after processing shall be covered in such a manner so as not to be blown off site during wind events.
6. Provide landscaping around perimeter of site.
7. Provide one parking space per two employees based on the highest expected number of employees.
8. Noise levels from the plant are to be maintained per County ordinance.
9. Proposed fruit stand to sell only what is grown on the property pursuant to County Ordinance 18.04.460 (Roadside Stand).



RESOURCE MANAGEMENT AGENCY


Road Department

Johannes J. Hoevertsz, Road Commissioner

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

MEMORANDUM

TO: Brenton Gibbons – Planning Department

FROM: Jason Chandler – Road Department 

DATE: March 13, 2014

RE: **C.U.P. 2014-002: Mortenson**

We have reviewed the above-noted project to develop and operate a fruit processing facility and sale of fruit on site. If mitigated by the conditions of approval listed below, this proposed project will not have a significant impact upon traffic.

The proposed project has frontage on Avenue 9. Additional road right-of-way will be required to facilitate future expansion of Avenue 9 as a major arterial / limited expressway with regional significance. The County General Plan designates Avenue 9 as a Major Arterial roadway requiring a total right-of-way width of 100 feet. The existing road right-of-way at the project location has an 20 foot minimum width. The parcel has only a 20 foot right-of-way width along their frontage and requires an additional 30 feet to meet the amount stated in Madera County Code. This road is within the County Maintained Mileage System. There are no special districts within this vicinity providing road maintenance.

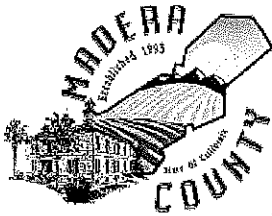
According to the General Plan Policy Document, access onto Arterial roadways shall be minimized. Only one (1) access point shall be allowed for this proposal. The driveway approach as well as a deceleration/acceleration lane shall be built to a Commercial County/Caltrans Standard.

The Road Department has the following conditions of approval:

1. As a condition of approval of the CUP, the applicant shall grant deed a strip of land 30 ft wide contiguous to Avenue 9.
2. As a condition of approval of the CUP, the applicant will be granted one (1) access point onto Avenue 9. The single driveway access shall be constructed to current commercial standard.
3. As a condition of approval of the CUP, the applicant shall construct a Deceleration / Acceleration lane onto Avenue 9 to provide for a safe and efficient access in and out

of the proposed project site. Commercial Access design and construction shall meet minimum Caltrans/County standard.

4. As a condition of approval, access shall be located as far west on property frontage as feasible possible.
5. As a condition of approval; prior to any road improvement work within County road right of way, the applicant must apply for and obtain an Encroachment Permit at the Road Department. Design and construction of all roads and road related improvements will be the responsibility of the developer, who will employ a California registered civil engineer and /or a California registered land surveyor to prepare all survey work and, a California registered civil engineer to prepare all road design, Construction supervision and inspection. Upon completion of all construction, documentation of all road construction will include: a written statement, signed and stamped by a California registered Civil Engineer, attesting to the fact that all road improvements were designed and constructed in accordance with county code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the California registered Civil Engineer
6. As a condition of approval, all appurtenances such as signs and fences shall be located outside of County road right of way.



FEB 26 2014

RESOURCE MANAGEMENT AGENCY

Community and Economic Development
 Department of Planning and Building
 Norman L. Allinder, AICP
 Director

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

PROJECT REVIEW REQUEST

DATE: February 21, 2014

Community Advisory Councils

- Ahwahnee Community Council
 Coarsegold Area Plan Committee

- North Fork Community Development Council
 Oakhurst Community Advisory Council

Review Agencies

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

Homeowners Associations

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

RETURN TO:

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

REGARDING:

CUP #2014-002, Mortenson, Daniel - Conditional Use Permit - Madera (047-320-004-000)

The request consists of a conditional use permit to allow Farm level sorting, drying, and storage of figs. Plant 15-26 acres of almond trees, fruit stand..

The attached application is being forwarded to you for your agency's review and comment. Please complete the attached Development Review form and return it to us prior to: March 7, 2014. If we do not receive comments from your Agency prior to this date, we will assume that your Agency has no comments to offer. This application will be reviewed by the Madera County Development Review Committee Mar 26, 2014.

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

CUP #2014-002

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2014-002

Return to: Robert Mansfield, Planning Department

Mortenson, Daniel

Responding Agency: CUP (Mortenson) Date: 3/12/14

Respondent's Signature: [Signature]

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

Approve Deny

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

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

NONE!

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

4. General Comments - Please attach on additional sheet.

EXHIBIT M

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2014-002

Return to: Robert Mansfield, Planning Department

Mortenson, Daniel

Responding Agency: CUP (MADER)

Contact Person.: Craig Kinzler

Signature: [Signature]

Telephone No.: 559-875-1025

Date: 3/12/14

ENVIRONMENTAL REVIEW:

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

 Yes

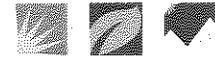
 No, the following information is needed: _____

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

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

 Yes

 X No



March 6, 2014

Robert Mansfield
Madera County
Planning Department
2037 W. Cleveland Avenue
Madera, CA 936337

**Project: CUP #2014-002, Mortenson, Daniel – Conditional Use Permit – Madera
(047-320-004-000)**

District CEQA Reference No: 20140101

Dear Mr. Mansfield:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a request to allow farm level operation consisting of sorting, drying, and storage of figs. The project also includes 15-26 acres of almond trees (planted and harvested) and a fruit stand, located at Avenue 9 and Road 31½ (APN# 047-320-004), in Madera, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. The project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.
3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Seyed Sacredin
Executive Director/Air Pollution Control Officer

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

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

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

In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

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

If you have any questions or require further information, please call Sharla Yang, at (559) 230-5934.

Sincerely,

David Warner
Director of Permit Services



you Arnaud Marjollet
Permit Services Manager

DW: sy

Cc: File

Environmental Checklist Form

Title of Proposal: CUP #2014-002 Mortenson

Date Checklist Submitted: March 31, 2014

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Robert Mansfield, AICP

Phone: (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

The applicant is applying for a Conditional Use Permit to allow for farm level sorting, drying and storing of figs; to allow for 15 to 26 acres of almond trees to be farmed and harvested; and to allow for a fruit stand with interest to convert/upgrade to a country shop/café in the future.

Almonds will be grown and sold onsite, but not processed or packed. Dried figs are sorted in a sort shed and then processed at other facilities off-site. The figs will be stored in stacks under fumigation or cold storage at this facility.

Fruit sorting and drying operations will be conducted between mid-August and mid-October, Monday through Friday with an occasional Saturday, depending on amount and length of harvest. There will be approximately 22 seasonal employees during this time, dropping down to approximately 3 after November. At present, no one will live onsite; however there is the potential of an onsite caretaker will live on the premises.

There are ten structures proposed for the operation. This includes three open air pole sheds of 8,100 square feet each, 1 open air dry sorting shed of 20,000 square feet, a fumigation structure of 2,000 square feet, a general warehouse of 2,500 square feet, a cold storage facility of 10,000 square feet, a hydrator building of 960 square feet, a caretaker residence of 1,800 square feet and the fruit stand at 450 square feet. There are plans in changing the fruit stand to a country store/café in the future.

Project Location:

The subject property is located on the north side of Avenue 9 approximately 0.19 of a mile from its intersection with Highway 99 (31613 Avenue 9) Madera.

Applicant Name and Address:

Mortenson, Daniel
3564 N. Hazel Ave
Fresno, CA 93722

General Plan Designation:

HSC (Highway Service Commercial)
A (Agriculture)

Zoning Designation:

ARE-20 (Agricultural, Rural, Exclusive – 20 Acre) District

Surrounding Land Uses and Setting:

North and East: Agriculture; South and East: Agriculture, Commercial and Highway 99

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

March 31, 2014
Date

I. AESTHETICS -- Would the project:

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

Discussion:

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

There are no scenic resources in the vicinity of this project.

(c) No Impact. The area surrounding this property is agriculturally and commercially oriented. Highway 99 runs just to the West of the project site. The character of the area is predominately agricultural with some commercial to the south. Highway 99 runs just to the west of the site. The E & J Gallo Winery (dba Grapeco Winery) is on the south side of Avenue 9.

(d) Less than Significant Impact. There will be new lights as a result of this project, thus increasing, even slightly, the "light pollution" of the area. It will not be significant in light of the whole, however with mitigations and conditions of approval associated with this project, the impact can be lessened and/or maintained to less than significant.

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.

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

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

Discussion:

(a - e) No Impact. The area surrounding this parcel is agricultural and commercially zoned. The applicant is not intending to convert any agriculturally based property as a result of this project and has plans to plant some almond trees on the property. No farmland or Williamson Act land will be affected directly or indirectly as a result of this project. The parcel itself is not Williamson Act enrolled. There is no forest land, or zoning indicating forest land, in the vicinity of the project site.

The property is considered Unique Farmland under the Farmland Mapping and Monitoring Program of the California Resources Agency. The definition for this type of land is that it is farmland of lesser quality soils used for the production of the state's leading agricultural crops. The land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. The land must have been cropped at some time during the four years prior to the mapping date.

The project will not violate the intent of the zoning ordinance in that the proposal is consistent with the requirements of the zone. It is proposing an agricultural use (a by-right activity), a fruit stand and agriculturally oriented service (the packaging of agricultural products) – both of which are required to have an approved Conditional Use Permit in place prior to operations.

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

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

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

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

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

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

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

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

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

Discussion:

(a) No Impact. No impacts have been identified as a result of this project.

(b - c) Less Than Significant Impact with Mitigation Incorporation. During the grading and construction phase of the project, it is anticipated that there will be air quality issues generated. These issues include dust particulates generated during grading and vehicular traffic on and off site and vehicular emissions from construction equipment and vehicles. These emissions are expected to be temporary in nature as they relate to the construction phase of the project.

Per the operational statement for the project, there can be anywhere from 20 to 30 vehicles minimum visiting the site during the peak of operations, which is seasonally. These vehicles range from employees to vendors to delivery trucks. This will be occurring throughout the life of the project, thus will have a long-term effect on air quality.

(d – e) Less than Significant Impact. During the construction phase of the project, there is the potential for diesel exhaust generation from construction vehicles. This is expected to be temporary for the duration of construction.

There are no sensitive receptors such as hospitals, schools or residences in the vicinity of this project. There is a winery operation across Avenue 9, but this facility does not constitute a “sensitive receptor” in the strict definition.

Objectionable odors are likely to be localized and given the limited population in the area and the distances accorded thereto, any odor generation impacts are expected to be minimal and temporary in nature.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002). Rolling Hills Subdivision is immediately to the west of the facility, and at least one house abuts the property line shared with this facility. The closest hospital is Children’s Hospital Central California which is just under a mile away. There are no schools in the vicinity of this project.

Global Climate Change

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

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

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

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

Discussion:

(a - c) No Impact. While species have been identified as being potentially in the quadrangle of this project, no impacts identified as a result of this project, directly or indirectly. There are no vernal pools or habitats identified on the project site, nor any that would be impacted directly or indirectly as a result of this project.

(d) Less Than Significant Impact. As there are no streams or rivers in the vicinity of this project, no fish migration will be impacted. While the project itself may not interfere with the migration of wildlife species, the construction of it will have a temporary effect on the migratory habits of species. This is due to the fact that most animals tend to shy away from areas that they perceive to be dangerous or hazardous. With loud noise and heavy equipment involved, this type of situation will

be in effect during construction of the project. This will be temporary in nature for the duration of the construction. Operationally, it is not anticipated to be an issue.

(e - f) No Impact. While there are species indicated as threatened or endangered in the quadrangle this project is located in, due to the fact that in large part the surrounding parcels are developed agriculturally, and this specific parcel has already had some development done, the chances of impacting the species are minimal.

There are no wetlands, federally listed or otherwise, on the parcels involved with this project. There are no riparian areas on the parcel. There are no streams or bodies of water of which migratory fish or other species that would use bodies of water would be impacted by this project.

There are no habitats identified on this parcel, so no modifications are expected as a result. While there are candidate species identified in the quadrangle in which this project is located, given the development that has occurred in the area over the years, the chances of any of the listed species being on the parcel are less than likely.

While the list below shows a significant number of species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through. As mentioned, given the development in the immediate area, the chances of disturbing any species are considerably minimal.

Special Status Species include:

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
California Tiger Salamander	Threatened	Threatened	SSC	None
Western Spadefoot	None	None	SSC	None
Northern	None	None	None	None

Hardpan Vernal Pool				
Vernal Pool Fairy Shrimp	Threatened	None	None	None
California Linderiella	None	None	None	None
Succulent Owl's Clover	Threatened	Endangered	None	1B.2
Hairy Orcutt Grass	Endangered	Endangered	None	1B.1

Gregg Quadrangle

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

SSC Species of Special Concern

WL Watch List

FP Fully Protected

A brief description of the threatened and endangered species:

California Tiger Salamander: Frequents grassland, oak savanna, and edges of mixed woodland and lower elevation coniferous forest.

The historic range of this species is not well known because it has been fragmented, but they were probably distributed throughout most of the Central Valley where there was suitable vernal pool and grassland habitat, from Tulare County north to at least Yolo County, and in the south coast ranges from San Luis Obispo County north to Monterey Bay and north, east of the Bay Area. Isolated populations now occur in the Sacramento Valley at Gray Lodge National Wildlife Refuge and near Dunnigan. Two other populations have been isolated from the rest of the range long enough that they may constitute two unique species - one in Sonoma County near Santa Rosa, and another in Santa Barbara County.

Currently, most populations in the Central Valley have been eliminated, and the remainders are found in the surrounding foothills.

Northern Hardpan Vernal Pool: This type of vernal pool occurs on old alluvial fans along the eastern margins of California's Central Valley, where acidic, iron-silica cemented soils form a hardpan where water pools seasonally. Evaporation, and not runoff, empties the pools in the spring. When rising

spring temperatures evaporate the seasonal pools, concentric bands of colorful vegetation and blooms circle the pools, sometimes called 'rim blooms'. Conditions lending themselves to this type of habitat often occur over continuous areas, rather than in isolated spots, so vernal pools in the Central Valley tend to occur in clusters called "complexes". Within these complexes, pools may be fed or connected by low drainage pathways called "swales".

General Information

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

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

V. CULTURAL RESOURCES -- Would the project:

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

Discussion:

(a - d) Less Than Significant Impact. While the County is known to potentially have historical and archaeological resources, due to the development of the site and the uses of surrounding properties,

the chances of finding any archaeological or paleontological resources are less than likely.

While there is no development currently on the project, there are signs that at one point in time there was. The likelihood of finding any culturally relevant resources is remote. There is, however, still chances that previously unknown resources may be found.

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.

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 - iii) Less than Significant Impact. Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

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

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

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

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

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

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

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

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

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

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

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

(a – iv) No Impact. The parcel involved with this project is topographically flat and not conducive to landslides. There may be erosion issues, but erosion is not considered landslides by strict definition.

(b) Less than Significant Impact. The parcel in which this project is being introduced has been previously developed agriculturally. While there are some impervious surfaces proposed as a result, the overall erosion capability is minimal given the topographically flat nature of the parcel.

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) Less Than Significant Impact. Emission rates from project construction are expected. Daily emissions would vary throughout the construction period depending on the equipment being utilized and duration of use.

Operationally, the amount of potential greenhouse gases being generated by this project is minimal. Vehicular traffic will be the primary source (exhaust emissions), and based on the operational time frames, the impact will be minimal.

(b) No Impact. There is no anticipated impact as a result of this project.

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential

to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

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

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

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) Less Than Significant Impact with Mitigation Incorporation. The use of hazardous materials during project construction is not expected directly with the facility. Hazardous materials associated with construction may include gasoline, diesel fuel, hydraulic oils, equipment coolants, and generated wastes that may include these materials and are associated with the construction equipment being used. These materials are considered hazardous because they are flammable and/or contain toxic compounds, such as volatile organic compounds and heavy metals. Fueling and routine maintenance of equipment and vehicles would be performed off-site to the greatest extent feasible.

Operationally, given the nature of the business, pesticides and fumigants are expected as a normal part of the process.

(b) Less Than Significant Impact with Mitigation Incorporation. Reasonably foreseeable upset and accident conditions that could involve the release of hazardous materials would include the spill of petroleum hydrocarbons or other hazardous fluids associated with vehicle and equipment operation during construction, and spills pesticides and fumigants are potential as a part of operations.

(c) Less than Significant Impact. There are no schools or residences within the vicinity of this project. This is a certified organic farm, thus use of chemicals is limited if not all together not used.

(d) No Impact. According to the Department of Toxic Substance Control (DTSC), there are no sites on or near this project site that is or are hazardous waste sites.

(e – f) No Impact. The project is not located within the vicinity of known airstrips and is not within the airport/airspace overlay districts of the county. No impacts have been identified.

(g - h) No Impact. No impacts identified as a result of this project.

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

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

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

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

IX. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

(a) Less than Significant Impact. No water quality standards will be impacted. As this is to be a certified organic facility, there is little chance of significant impact.

(b) Less than Significant Impact with Mitigation Incorporation. This is an agriculturally oriented business which by nature uses considerable amounts of water for irrigation. It is anticipated that approximately 40,173 gallons of water per day will be utilized for agricultural irrigation and approximately 250 gallons per day in wash down procedures during any processing operations.

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.

(c – d) Less than Significant Impact. There will be no streams or rivers altered as a result of this project. There may be slight changes in erosion patterns as a result of new structures and impervious surfaces being created as a result of this project.

(e) Less than Significant Impact.

(f) Less than Significant Impact. With agricultural applications and operations, there is the chance of water quality degradation to some scale.

(g - i) No Impact. This project is not in a known flood area. There is only one caretaker facility proposed as a result of this project. While there may be localized flooding, it would have to be a severe rain type event to cause significant amounts of flooding.

(j) No Impact. There are no impacts associated with this project anticipated as a result of the installation of facility. 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.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a & c) No Impact. This project will not physically divide an existing community or be an impact on habitat conservation plans.

(b) Less Than Significant. The General Plan for the parcel on which this facility is being placed is commercial in nature and the Zoning Designation is agriculturally based. The operation itself is consistent with those designations.

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

Discussion:

(a - b) No Impact. There are no known minerals in the vicinity of the project site.

XII. NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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) Less than Significant Impact with Mitigation Incorporation. There will be a minor, temporary increase in overall noise generation during the period of construction of facilities. This will last for the duration of construction.

Operationally, there may be a slight increase in background noise with truck traffic.

Noise from localized point sources (sources that can be identified and are at a fixed location) typically decreases by approximately 6 dBA (decibels attenuated) with each doubling of distance from the source.

(b) Less than Significant Impact. With the exception of construction related activities, there is no

known instance of groundborne vibrations related to this project.

(c - d) Less Than Significant Impact with Mitigation Incorporation. There will be a temporary increase to ambient noise levels as a result of construction operations for both the “tenant improvement” of the existing facility to get it ready for the veterinary services and for when the kennels are constructed in phase two.

Operationally, there will be a permanent increase in ambient noise levels when the kennels come online for use. As the facility is constructed, it can be construed that the use is geared predominately towards larger animals such as dogs. This raises the concern of confined animals experiencing stress of one form or another, and thus increasing the potential of constant barking.

The kennels are designed to be 20’ (twenty feet) from the rear (west side) property line. The County Ordinance requires a 50’ (fifty foot) setback to any property line that abuts a residentially zoned parcel. The westerly parcel is not only zoned residential, but also has a single family residence existing on it.

(e – f) No Impact. The project is not within proximity to a known airport or airstrip. However, the project is in an Airport/Airspace Overlay district in which the project will need to operate in such a fashion as to not interfere with flight operations in the area.

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, 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).

Sensitive Noise Receptors include residential areas, hospitals, schools, performance spaces, businesses, and religious congregations.

Vibrating objects in contact with the ground radiate energy through the ground. Vibrations from large and/or powerful objects are perceptible by humans and animals. Vibrations can be generated by construction equipment and activities. Vibrations attenuate depending on soil characteristics and

distance. 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	Architectural damage and possibly minor structural damage

Source: Whiffen and Leonard 1971

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

Discussion:

(a - c) No Impact. The construction of the expansion and operation of the facility will not have an impact on housing or population needs for the County or the area specifically.

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

Discussion:

(a – i) Less than Significant with Mitigation Incorporation. 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.

The facility is not near any fire station. It will need to be constructed pursuant to most current building and life safety codes at time of construction.

(a - ii) Less than Significant Impact. The operations will need to comply with existing fire and life

safety code requirements for the type of occupancy.

The proposed project in and of itself would not result in any additional demands for police protection with the exception of ancillary need for potential events of vandalism and theft.

Crime and emergency response is provided by the Madera County Sherriff's Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site.

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.

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

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

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

No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

No impacts identified as a result of this project.

XV. RECREATION

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

Discussion:

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

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<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 checked="" type="checkbox"/>	<input 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 - b) Less than Significant Impact. In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Local circulation is largely deficient with these same State Highways and County Roads composing the only existing network of through streets. Most local streets are dead-end drives, many not conforming to current County improvement standards. Existing traffic, particularly during peak hour and key intersections, already exhibits congestion.

During the period of construction of the project, it is expected that there will be some construction related vehicles.

During operations of the facility, there will be an increase in traffic and only during facility hours as outlined in the Operational Statement.

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

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

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

(c) No Impact. As this project is not within the vicinity of known airports or airstrips, no impacts have been identified.

(d) No Impact. No impacts have been identified.

(e) Less Than Significant Impact. During the period of construction, there may be increased traffic into and out of the project site. This however is anticipated to be minimal and not expected to cause any detours or road closures. Normal operations would not impact emergency access to the site.

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

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - b) Less Than Significant Impact. During construction of the expansion, minimal amounts of wastewater would be generated.

Most of the water usage anticipated is designated for the agricultural base of the operations, at 40,173 gallons per day. Additionally, 250 gallons per day will be utilized for the seasonal washdown part of the fruit sorting and grading process. The water is being drawn from two agricultural wells on the property.

The applicant is anticipating approximately 300 gallons per day as "wastewater," consisting of mainly debris from the harvesting process. The applicant has indicated that there is a storm basin that will be used to collect this debris laden water.

(c) No Impact. As this project is being located on an existing developed parcel, stormwater drainage will utilize existing facilities related to the hulling business. The site does have a pre-existing drainage basin as a result of previous construction.

(d) Less than Significant Impact with Mitigation Incorporation. As indicated above, the site is anticipating the use of over 40,000 gallons per day for agricultural irrigation as well as product preparation. This supply is coming from two on-site agricultural wells.

(e) Less Than Significant Impact with Mitigation Incorporation. During construction, wastewater generation is not expected to be significant if any produced at all. During operations, wastewater will be generated and served by a ponding basin on-site. At the writing of this document, it is uncertain if the existing facility will be able to handle the flow from the new operations.

(f) Less Than Significant. There may be scrap construction materials generated as a result of this project. No new trash is expected to be generated as a result of this project.

(g) No Impact. No impacts have been identified as a result of this project.

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

examples of the major periods of California history or prehistory?

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

Discussion:

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.

(a) Less Than Significant Impact. Construction of the project would not substantially degrade the quality of the environment or reduce the habitat of fish or wildlife species. There are no wetlands identified, so impacts would not occur. The proposed project would not cause population numbers of any special status species to drop below self-sustaining levels or threaten to eliminate a plant or animal community. The construction will not reduce the number or restrict the range of a rare plant or animal.

(b) Less Than Significant. Overall construction of this project will be minimal in light of the whole. Construction of the hulling facility is continuing at this time, so there may be occasional occurrence of impacts being cumulative. However, again, the construction phase for this substation will not be considerable in time, so the impacts will not continue for any length of time.

(c) No Impact. The project would not adversely affect human beings either directly or indirectly. Environmental parameters with potential to impact human health would include impacts from changes in air quality and existing hazards and hazardous materials use. Potential impacts from hazards and hazardous materials or air quality, and other environmental resources that could affect human beings, would be reduced to a less than significant level with the implementation of mitigation measures identified in this document.

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

Madera County General Plan

California Department of Finance

California Department of Toxic Substance Control (DTSC) <http://dtsc.ca.gov/database/index.cfm>

California Department of Transportation (CALTRANS)

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

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

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

Madera County Department of Engineering and General Services

Madera County Environmental Health Department

Madera County Fire Marshall's Department

Madera County Integrated Regional Water Management Plan

Madera County Roads Department

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

MND 2014-09

1

March 31, 2014

MITIGATED NEGATIVE DECLARATION

MND

RE: CUP #2014-002 MortensonLOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the north side of Avenue 9 approximately 0.19 of a mile from its intersection with Highway 99 (31613 Avenue 9) Madera.

The applicant is applying for a Conditional Use Permit to allow for farm level sorting, drying and storing of figs; to allow for 15 to 26 acres of almond trees to be farmed and harvested; and to allow for a fruit stand with interest to convert/upgrade to a country shop/café in the future.

Almonds will be grown and sold onsite, but not processed or packed. Dried figs are sorted in a sort shed and then processed at other facilities off-site. The figs will be stored in stacks under fumigation or cold storage at this facility.

Fruit sorting and drying operations will be conducted between mid-August and mid-October, Monday through Friday with an occasional Saturday, depending on amount and length of harvest. There will be approximately 22 seasonal employees during this time, dropping down to approximately 3 after November. At present, no one will live onsite, however there is the potential of an onsite caretaker will live on the premises.

There are ten structures proposed for the operation. This includes three open air pole sheds of 8,100 square feet each, 1 open air dry sorting shed of 20,000 square feet, a fumigation structure of 2,000 square feet, a general warehouse of 2,500 square feet, a cold storage facility of 10,000 square feet, a hydrator building of 960 square feet, a caretaker residence of 1,800 square feet and the fruit stand at 450 square feet. There are plans in changing the fruit stand to a country store/café in the future.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

1. If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities shall be halted and a professional archaeologist brought in to determine the culture of the deposits. In addition, if human remains are unearthed, the Madera County Coroner must be notified immediately.
2. No idling of vehicles related to construction or operations of facility for longer than 10 minutes.

3. Handle all hazardous materials and hazardous wastes in accordance with EPA and DTSC standards.
4. Implement water efficiency programs to reduce amount of water utilized in processes at the site.
5. Noise levels shall not exceed County standards.
6. Construction of facilities shall incorporate current building and life safety codes.



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: March 31, 2014
FILED:
PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2014-09

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
Agricultural Resources								
Air Quality								
	No idling of vehicles related to construction or operations of facility for longer than 10 minutes.	Construction	Contractor	Planning				
Biological Resources								
Cultural Resources								
	If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities shall be halted and a professional archaeologist brought in to determine the culture of the deposits. In addition, if human remains are unearthed, the Madera County Coroner must be notified immediately.	Construction	Contractor	Planning				
Geology and Soils								
Hazards and Hazardous Materials								
	Handle all hazardous materials and hazardous wastes in accordance with EPA and DTSC standards.	Construction and Operation	Environmental Health	Environmental Health				
Hydrology and Water Quality								
	Implement water efficiency programs to reduce amount of water utilized in processes at the site.	Operations	Special Districts	Planning				
Land Use and Planning								
Mineral Resources								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Noise								
	Noise levels shall not exceed County standards.	Operations	Planning	Planning				
Population and Housing								
Public Services								
	Construction of facilities shall incorporate current building and life safety codes.	Construction	Building Dept.	Building Dept.				
Recreation								
Transportation and Traffic								
Utilities and Service Systems								