

Community and Economic Development Planning Division

Matthew Treber
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PLANNING COMMISSION DATE: February 2, 2015

AGENDA ITEM: #1

PM	#4219	Appeal of Tentative Parcel Map Approval
APN	#059-210-005	Applicant: Ron Lucchesi
		Property Owner: Robert Boyajian
		Appellant: Steve Bricker
CEQA	ND #2015-24	Negative Declaration

REQUEST:

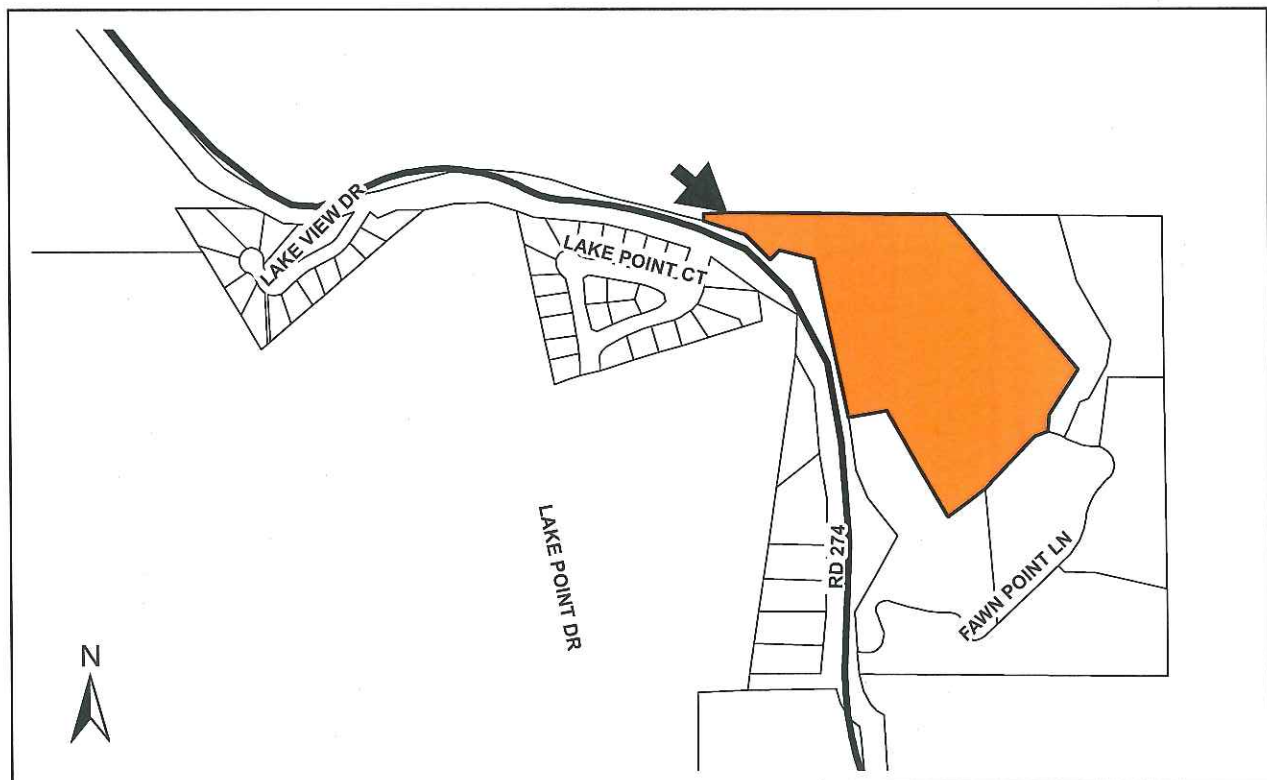
Steve Bricker is appealing the Parcel Map Committee's decision to approve Tentative Parcel Map No. 4216 as per Title 17 that would divide a 10.11 acre parcel into three parcels (5.50 acres, 2.06 acres, and 2.55 acres).

LOCATION:

The project site is located on the east side of Road 274, approximately 0.45 mile north of its intersection with Fawn Point Lane (38906 Fawn Point Lane), Bass Lake.

ENVIRONMENTAL ASSESSMENT:

A Negative Declaration (ND) #2015-24 has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Deny Appeal and uphold the Parcel Map Committee's decision to approve Parcel Map No. 4216 and Negative Declaration #2015-24.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: RR (Residential Rural) Designation
SURROUNDING: RR (Residential Rural) Designation; LDR (Low Density, Residential) Designation; OS (Open Space) Designation

ZONING (Exhibit B):

SITE: RMS (Residential, Mountain, Single Family) District
SURROUNDING: RMS (Residential, Mountain, Single Family) District; RUS (Residential, Urban, Single Family); POS (Public Open Space) District

LAND USE:

SITE: 3,300 square foot single-family dwelling
SURROUNDING: Residential, Bass Lake, and Open Space

SIZE OF PROPERTY: 10.11 acres

ACCESS: The property is accessed by Road 274

BACKGROUND AND PRIOR ACTIONS:

The subject parcel was originally Parcel 1 of Parcel Map 2056 which was recorded in April 30, 1982.

An application for a height and setback variance (VA#2006-010) was denied by the Planning Commission on December 5, 2006.

PROJECT DESCRIPTION:

Steve Bricker (appellant) is appealing the approval of Tentative Parcel Map #4216. The application is for a division of 10.11 acres into 3 parcels (2.06 acres, 2.55 acres, 5.50 acres).

ORDINANCES/POLICIES:

Madera County Code 18.22 outlines allowed uses within the RMS (Residential, Mountain, Single Family) zone district. Lot dimension regulations allow for a minimum lot area of one acre.

Madera County General Plan Policy Document (pg.10) outlines the allowable uses within the RR (Rural Residential) designation.

Section 17.72 of the Madera County Zoning Ordinance governs the requirements for processing and reviewing parcel maps.

ANALYSIS:

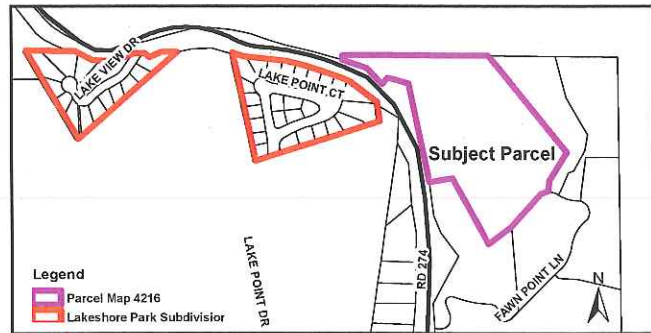
Steve Bricker (appellant) is appealing the approval of tentative Parcel Map #4216. The appeal was received on Wednesday, December 16, 2015 and was amended by the appellant on Thursday, December 17, 2015. The appeal is being processed per the guidelines of Chapter 17.72.140 of the Madera County Code (Title 17) and Section 66452.5(d) of the Subdivision Map Act. The application is for a division of 10.11 acres

**PM#4216
STAFF REPORT**

February 2, 2015

into 3 parcels (2.06, 2.55, and 5.50 acres net). The subject parcel is located on the east side of Road 274, approximately, 0.45 mile north of its intersection with Fawn Point Lane (38906 Fawn Point Lane), Bass Lake.

The appellant filed the appeal against the division of land due to safety, water, and design standard concerns. Additional comments were received from surrounding property owners regarding similar concerns, water rights and covenants, conditions, and restrictions (CC&R's). Additionally, a letter (Exhibit T) referencing an agreement that the County of Madera would not further subdivide property in Lakeshore Park Subdivision or Bass Lake Estates was provided during the appeal period. In 1964, a Tentative Map for Lake Shore Park Tract # 135 by Fred Rabe included the subject parcel. A Tentative Map was approved for Lake Shore Subdivision showing 108 lots. However, the Final Recorded Map only included lots 1-40 and the previously approved tentative map is no longer valid. Therefore, the subject parcel is not part of the Lake Shore Subdivision or any contract or agreement associated with it.



In August of 1964, Madera County received an application for Lot Split #200 by Bass Lake Properties. The subject property was Parcel 1 of the proposed Lot Split but the application was later dropped in 1970. In 1972, the subject property was involved in a proposal for Subdivision S72-4 by John Gale but the application expired.

In May of 1980, County of Madera received Parcel Map Application #1983 to divide a 28.16 acre parcel of property into 4 parcels (6.40 acres, 5.00 acres, 6.88 acres, and 9.87 acres). At that time, the property owner was Western Sierra Properties, Incorporated. Although, the proposed parcels were included in Hilltop Estates Home Owners Association, the County does not enforce Covenants, Conditions, and Restrictions per Civil Code Section 5975. On May 14, 1980, the Madera County Environmental Committee reviewed PM #1983 and determined that the land division would not have an adverse environmental impact on the area under Negative Declaration ND 9-73. However, PM #1983 was dropped in December of 1980 because the property changed ownership from Western Sierra Properties, Inc. to Paul. B. Schmitz.

In December of 1980, Parcel Map Application #2056 was resubmitted to replace PM #1983. PM #2056 created 4 parcels (10.11 acres, 5.37 acres, 6.05 acres, and 6.86 acres). On December 31, 1980, the Madera County Environmental Committee reviewed PM #2056 and determined that Negative Declaration ND 9-73 was still applicable. On January 6, 1981, the applicant entered into an agreement (Madera County Contract No. 3383-C-82) to provide the following improvements that included PM #2056 as well as PM #1909:

1. Construction of a privately-owned and maintained road to those standards set forth by the Road Department, which road provides access to the proposed parcels of Parcel Map 2056

**PM#4216
STAFF REPORT**

February 2, 2015

2. Certain improvements and additions to the Lake Shore sewer plant, a sewage spray field, a sewage holding pond, and sewage distribution lines all to be dedicated to Maintenance District No. 6
3. A water shortage tank, well pump and distribution lines all to be dedicated to Maintenance District No. 6

However, on August 11, 1981, a Variance from Minute Order 81-55 was approved allowing modification to the previously agreed upon conditions:

1. The existing sewage treatment facility will be modified by the developers to accept a design flow of a minimum of 25,000 gallons per day.
2. The developers shall replace the existing effluent pump with a minimum of three new direct drive pumps each rated at 60 gallons per minute at a head pressure of 277 pounds per square inch.

On April 28, 1983, the developers of PM #2056 submitted a request to extend their Improvement Agreement to December 31, 1983. Therefore, on May 10, 1983, the Improvement Agreement was extended to December 31, 1983 and on April 30, 1982 PM #2056 was recorded. The subject property is a Parcel No. 1 of PM #2056.

The proposed project is a minor division of land with no developments being proposed. However, as a result of this project, two additional dwellings could be built on each new parcel. The additional single-family dwellings would be constructed to comply with current local and state building codes and maintain County setbacks. All driveway approaches will have to abide by conditions set forth by the Fire Department and the Public Works Department. Access to proposed Parcel #1 will be taken from County Road 274.

If the project is approved, single-family dwellings may be constructed and will be required to connect to the Maintenance District that currently serves the property. The water supply for Maintenance District 6 (MD-6) is provided by 2 hard rock wells and produces an average of 52 gallons per minute (GPM). Currently MD-6 is in the process of consolidating in order to provide a higher quality water supply.

Tentative Parcel Map #4216 was circulated to outside agencies thought to be impacted or regulating the development of the proposed land division which included: California Department of Fish and Wildlife, California Department of Transportation (Caltrans), California Department of Water Resources, California Regional Water Quality Control Board, San Joaquin Valley Unified Air Pollution Control District, and Bass Lake Elementary School. Standard departmental comments were received from Environmental Health, Fire, Planning, Public Works, Special Districts, as well as the Assessor's Office.

FINDINGS OF FACT:

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

1. *The proposed map is consistent with applicable general and specific plans.* The Parcel Map is consistent with the general plan designation of RR (Rural Residential) which allows for single family detached homes, secondary residential units, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The zone district of RMS (Residential, Mountain, Single Family) allows for agricultural uses and single family dwellings, the

minimum parcel size is one acre. Therefore, the proposed land division is consistent with the General Plan.

2. *The design or improvements of the proposed subdivision is consistent with applicable general and specific plans.* Driveway improvements set forth by the Fire and Public Works Departments are consistent with the current General Plan.
3. *The site is physically suitable for the type of development.* No development is proposed as part of this project. The subject parcel is zoned RMS and the proposed parcel sizes meet the required minimum parcel size of 1 acre, adequate for residential uses.
4. *The site is physically suitable for proposed density or development.* If approved, two single-family dwellings could be built on the additional parcels and the site currently has existing level building pads that have been graded.
5. *The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.* No additional improvements are required of this project that would indirectly or directly cause serious public health problems.
6. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.* While species have been identified as being potentially in the quadrangle of this project, no impacts have been identified as a result of this project, directly or indirectly. The proposed project is a minor division of land with no proposed change to the land use.
7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless subject to section 66414.01 of the Government Code which indicates that a tentative map, or a parcel map for which a tentative map was not required, if an environmental impact report was prepared with respect to the project and a finding was made pursuant to paragraph (3) of the subdivision (a) of section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.* Although there is a 20' wide waterline easement that runs through the property for Maintenance District 6, the proposed project will not have an effect on the easement.
8. *The parcel map committee may approve the map if it finds that alternate easements, for access or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.* No easements will be affected or created as a result of this project.

WILLIAMSON ACT:

The parcel is not subject to a Williamson Act (Agricultural Preserve) contract.

GENERAL PLAN CONSISTENCY:

The Parcel Map is consistent with the general plan designation of RR (Rural Residential) which allows for single family detached homes, secondary residential units, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The zone district of RMS (Residential, Mountain, Single Family) allows for agricultural uses,

PM#4216
STAFF REPORT

February 2, 2015

one single family dwelling, second single family dwelling, small residential care home. Therefore, the proposed land division is consistent with both the Zoning Ordinance and the goals of the General Plan.

RECOMMENDATION:

The analysis provided in this report supports approval of Parcel Map #4216 and Negative Declaration #2015-24.

CONDITIONS:

See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Aerial Map
5. Exhibit E, Topographical Map
6. Exhibit F, Tentative Parcel Map 4216
7. Exhibit F-1, Parcel Map 2056
8. Exhibit G, Operational Statement
9. Exhibit H, Environmental Health Department Comments
10. Exhibit I, Fire Department Comments
11. Exhibit J, Planning Division Comments
12. Exhibit K, Public Works Department Comments
13. Exhibit L, Special Districts Comments
14. Exhibit M, Assessor's Office Comments
15. Exhibit N, Caltrans No Comment Letter
16. Exhibit O, CEQA Initial Study
17. Exhibit P, Negative Declaration ND #2015-24
18. Exhibit Q, Appeal letter
19. Exhibit R, Amended Appeal Email
20. Exhibit S, Surrounding Property Owner Comments
21. Exhibit T, Judge Frank W. Troost Letter

CONDITIONS OF APPROVAL

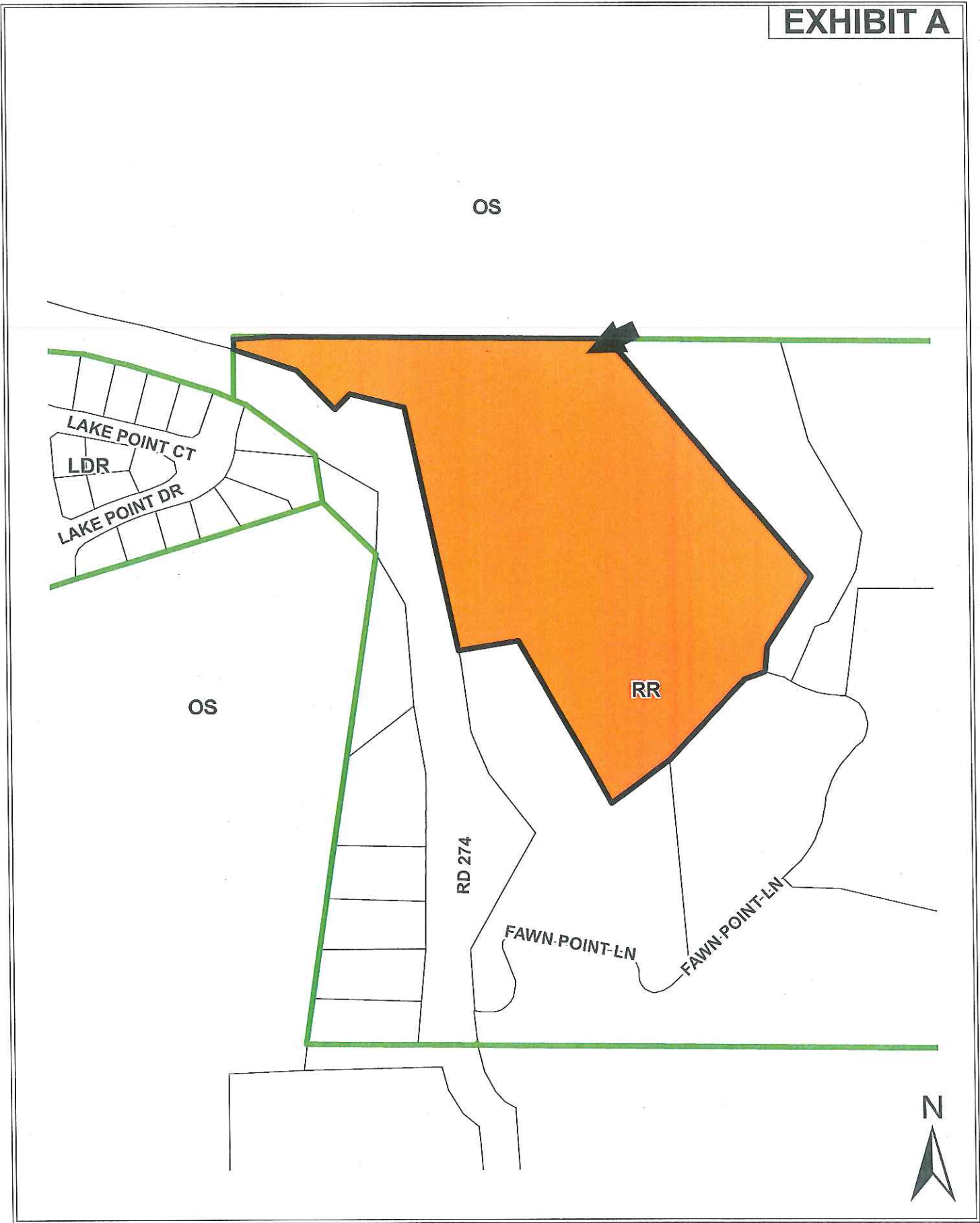
PROJECT NAME: Parcel Map #4216
PROJECT DESCRIPTION: Division of 10.11 acre property into 3 parcels (2.06 acres, 2.55 acres, and 5.50 acres).
APPLICANT: Ron Lucchesi
CONTACT PERSON/TELEPHONE NUMBER: Judy Gutierrez (559) 675-7821

No.	Condition	Department/Agency	Initials	Verification of Compliance	
				Date	Remarks
ASSESSORS OFFICE					
1	The applicant files 1 completed Assessor's Form AO 93 regarding the Subdivision/Parcel Map improvements.				
ENVIRONMENTAL HEALTH DEPARTMENT					
1	Each individual parcel(s) must have its own sewage disposal system and *water well, while maintaining County required setbacks [MCC 14.20] unless the parcel(s) are served by a community water and sewer system. *If parcels are on a Shared Water Well Agreement a copy of the agreement must be submitted to our division prior to Final Map.				
2	The owner/operator must obtain all the necessary Environmental Health Division permits prior to any construction activities on site and must comply with Madera County Code(s) Title 13 and 14 throughout the property development as it pertains to the Sewage Disposal System(s) and Water System(s).				
3	Any construction performed on-site and ongoing operations 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); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
FIRE DEPARTMENT					
1	A comprehensive Fuel Reduction Plan shall be completed in conjunction with the Fire Marshal's Office and approved by the Madera County Fire Marshal. Fuel reduction plans shall be required for all developments within State Responsible Areas designated as Wild Land Urban Interface. Due to the extreme vegetation in the area major fuel reduction shall be completed based upon site inspection conducted by the Fire Marshal. The Fuel Reduction Plan shall be submitted, approved, implemented and completed as required by the County Fire Marshal prior to acceptance of the Final Map.				
2	Parcels shall be designed in such manner as to be able to meet the following conditions: Driveway shall be a minimum of 10 feet wide. Driveways cannot exceed 16% slope. Driveways in excess of 150 ft require a turnout every 400 feet. Turnout shall be 10 feet wide for 30 feet of length with 25 foot tapers at each end. A 42 foot radius turnaround or approved hammerhead is required within 50 feet of the proposed building. Proposed Driveway locations shall be shown on the final map.				
3	The subject property is within State Responsibility Area (SRA); as such a Registered Licensed Professional Forester must determine whether the project site requires a timberland conversion. Contact shall be made with either a Registered Licensed Professional Forester or the CAL-Fire Forestry division in Mariposa (209) 966-3622 extension 207 to determine if any state forest issues will need to be addressed. Documentation of the forester's determination will be required prior to approval of the final map.				
PUBLIC WORKS DEPARTMENT					
1	Prior to issuing the building permits, all driveway approaches accessing the site shall be built to County residential design standards and requirements. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.				

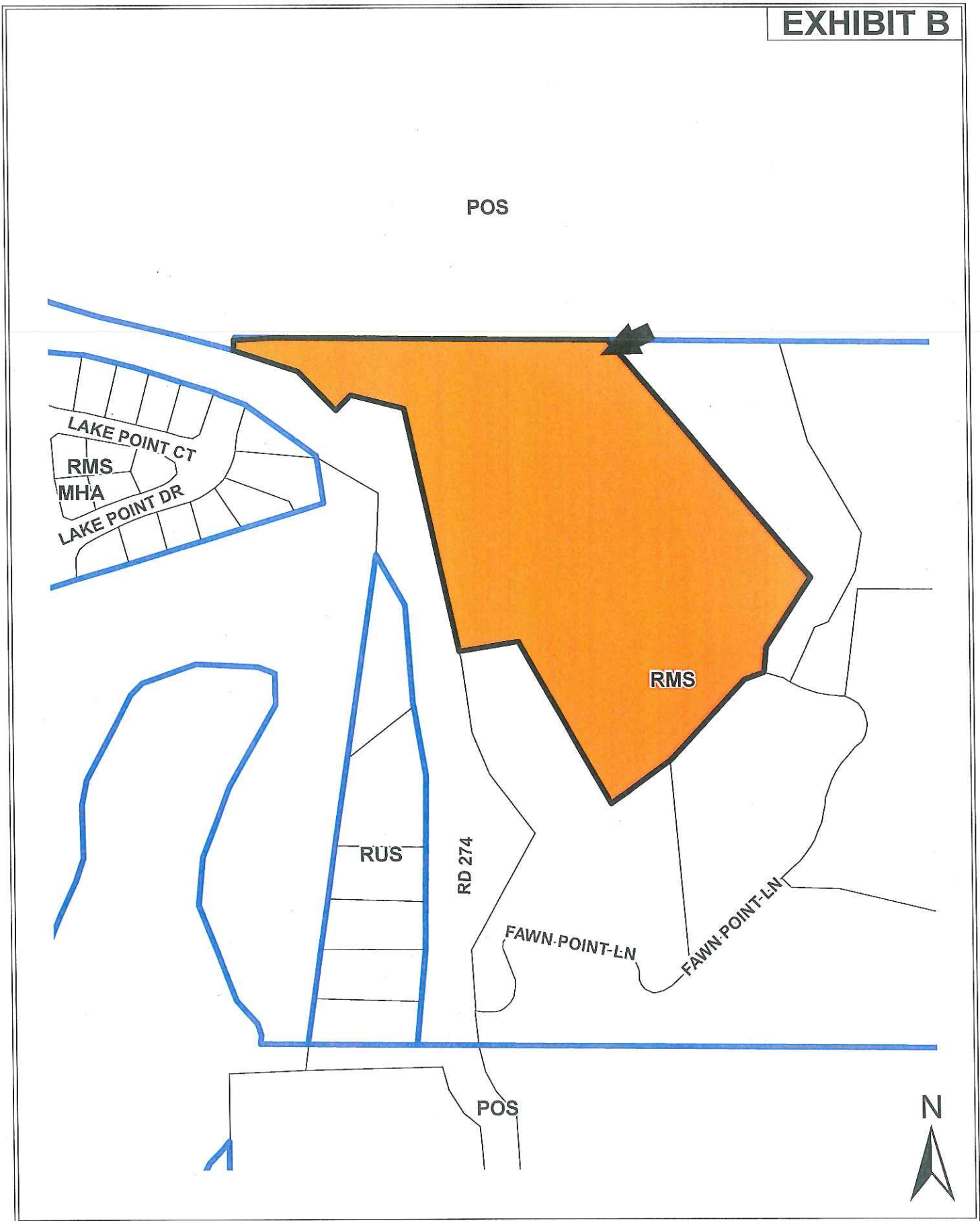
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	
Remarks					
2	Prior to issuing the building permits, the applicant is to provide a grading/drainage and erosion control plans to Department of Public Works for review prior to breaking ground and developing the site.				
3	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. If applicable, the applicant shall mitigate any impacts associated with storm water contamination caused by this project. If applicable, a Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.				
SPECIAL DISTRICTS					
1	Parcel is within a County Maintenance District (MD) and any proposed structures will be required to connect to the MD water service. Owner/developer will be responsible to pay water unit cost prior to receiving any approved Building Permits. Owner/developer will be responsible to pay all connection cost for a new water connection to proposed parcel.				
PLANNING DEPARTMENT					
1	The final map will require the notarized signature(s) of the property owner(s)				
2	The final map will require the completion of the applicant's certificate				
3	Place an Applicant Notary Public's certificate on the final parcel map				
4	The final map will require the completion and signature of the property owner's Notary Public				
5	The final map will require the signature and seal of the project engineer/surveyor				
6	The final map will require completion of the surveyor's certificate				
7	Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72				
8	Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication				
9	Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval				
10	Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera				
11	Identify this proposal as Parcel Map #4216				
12	All parcels being created must maintain a minimum size of 1 acre gross and net as specified by the General Plan/Zoning Ordinance 525				
13	All parcels proposed by this division must be identified as a parcel with a numerical value (i.e., parcel #1, parcel #2, etc.).				
14	The final parcel map shall indicate gross and net acreages for all parcels being created				
15	Place a north arrow on the final map				
16	Place a vicinity map on the final map				
17	The final map shall utilize a written and graphic scale of 1 inch = 100 feet (or larger), unless written authorization is received from the Planning Department to deviate there from				
18	The final map shall indicate all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a note so stating				
19	The final map shall indicate type of structures together with their dimensions				
20	Under the provisions of County Code Section 17.72.187, prior to final map recordation the applicant or his authorized agent will provide the Planning Director with "Will Serve" letters from the appropriate water, wastewater, power, and telephone companies				
21	The final map shall indicate the proposed division lines by means of short dashed lines				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	
Remarks					
22	Per Chapter 15.03 of the Madera County Code, fees are to be paid in the amount of \$1,385.38 for Park and Recreational Facility Acquisition and Maintenance.				
23	The final parcel map shall indicate a driveway location for each parcel being created. The driveway shall be a minimum of ten (10) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval				
24	Place the appropriate grant deed certificate(s) on that portion of road right-of-way which was grant deeded to the County of Madera prior to submission of this proposal. Said certificate shall read as follows, as appropriate: a. For grant deeds recorded prior to January 1, 1990: " ? '-wide road right-of-way previously grant deeded to the County of Madera in Book ? at page ? , Madera County Official Records." 1. and/or b. For grant deeds recorded on or after January 1, 1990: " ? '-wide road right-of-way previously grant deeded to the County of Madera as Instrument # ? - ? , Madera County Official Records."				
25	Place the appropriate offer of dedication certificate(s) on that portion of road right-of-way which was offered for dedication to the County of Madera prior to submission of this proposal. The certificate shall read as follows, as appropriate: a. For offers of dedication recorded prior to January 1, 1990: " 60 '-wide road right-of-way previously offered for dedication to the County of Madera in Book ? at page ? , Madera County Official Records." 1. and/or b. For offers of dedication recorded on or after January 1990: " 60 '-wide road right-of-way previously offered for dedication to the County of Madera as Instrument # ? - ? , Madera County Official Records."				
26	The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).				
27	The final map shall require the signature and seal of the County Engineer/Surveyor				
28	The final map shall require letters of approval from the Fire, Assessor, Road, and Environmental Health Departments				
29	Payment of all payable liens (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review				
30	A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation				
31	A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate \$_____ recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice				
32	Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post				
33	All appeals and/or variances must be filed, with fees, within 15 days of the date of this letter				
34	This proposal must complete processing within two (2) years of lead agency tentative approval; that is, on or before February 02, 2017				
35	The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
36	Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions				



GENERAL PLAN MAP



ZONING MAP

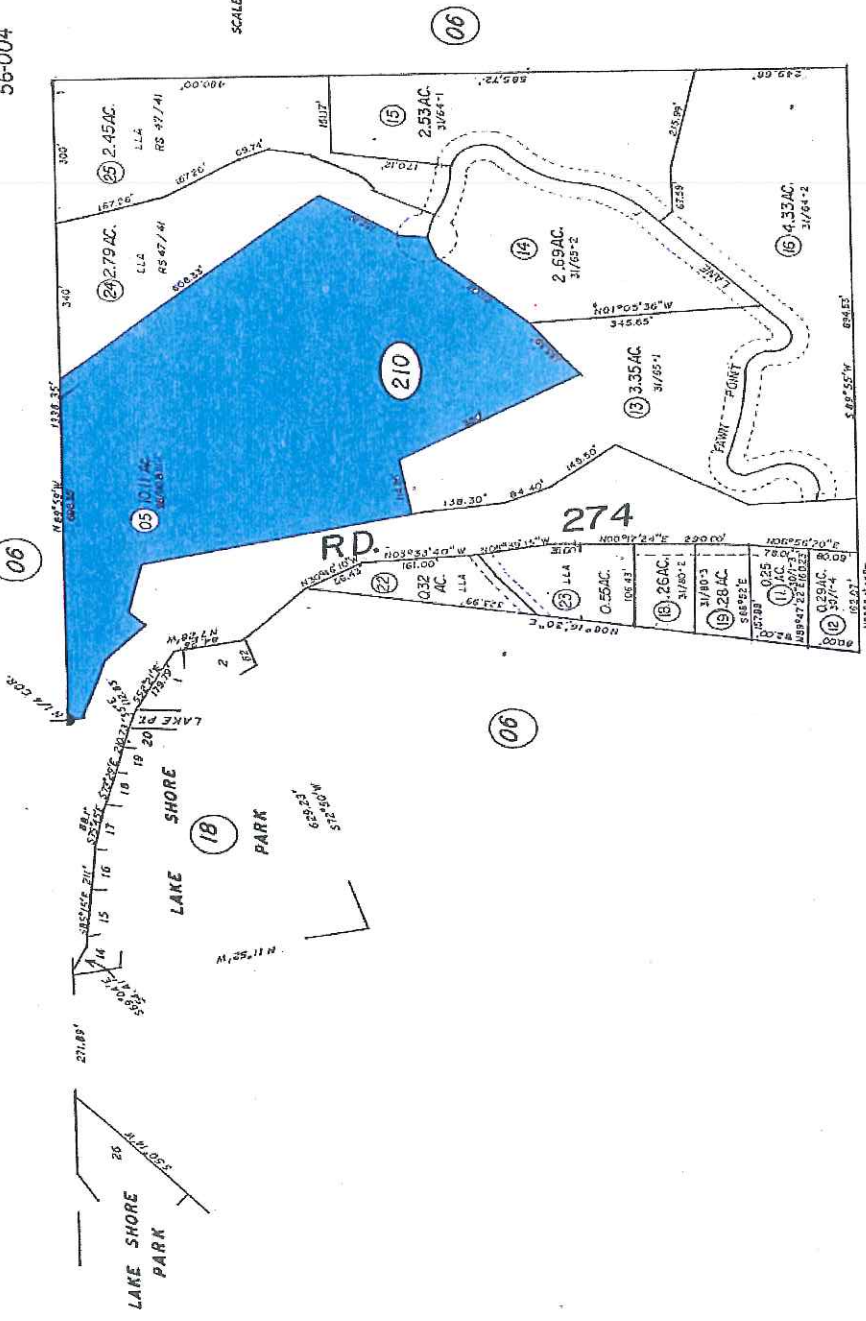
EXHIBIT C

59-21

Tax Area No.
56-004

SCALE 1" = 200'

SEC. 23 T. 7 S. R. 22 E.



Assessor's Map No. 59-21
Bass Lake
County of Madera, Calif.
1994

99/09 * 05 NLC

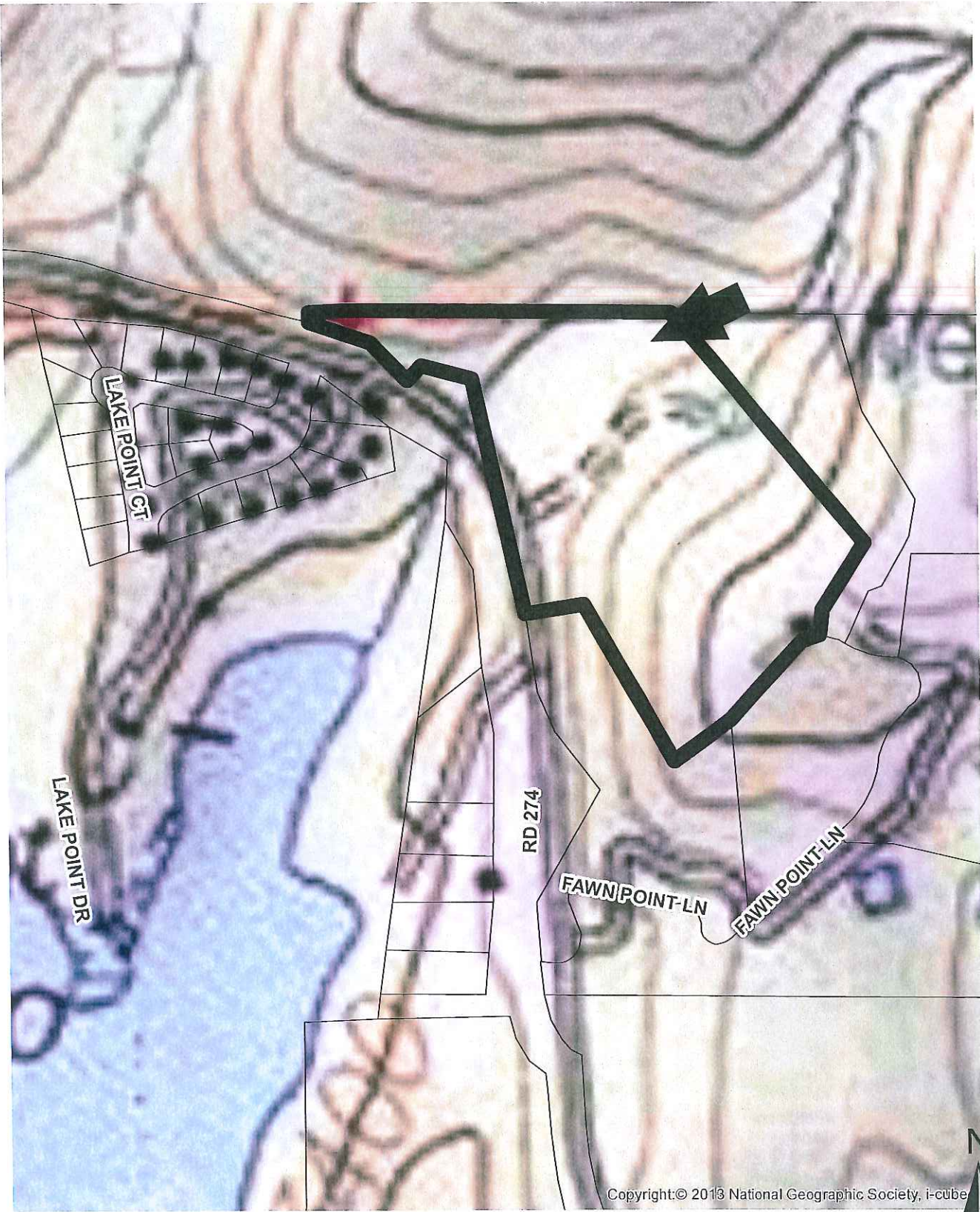
ASSESSOR'S MAP



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



AERIAL MAP

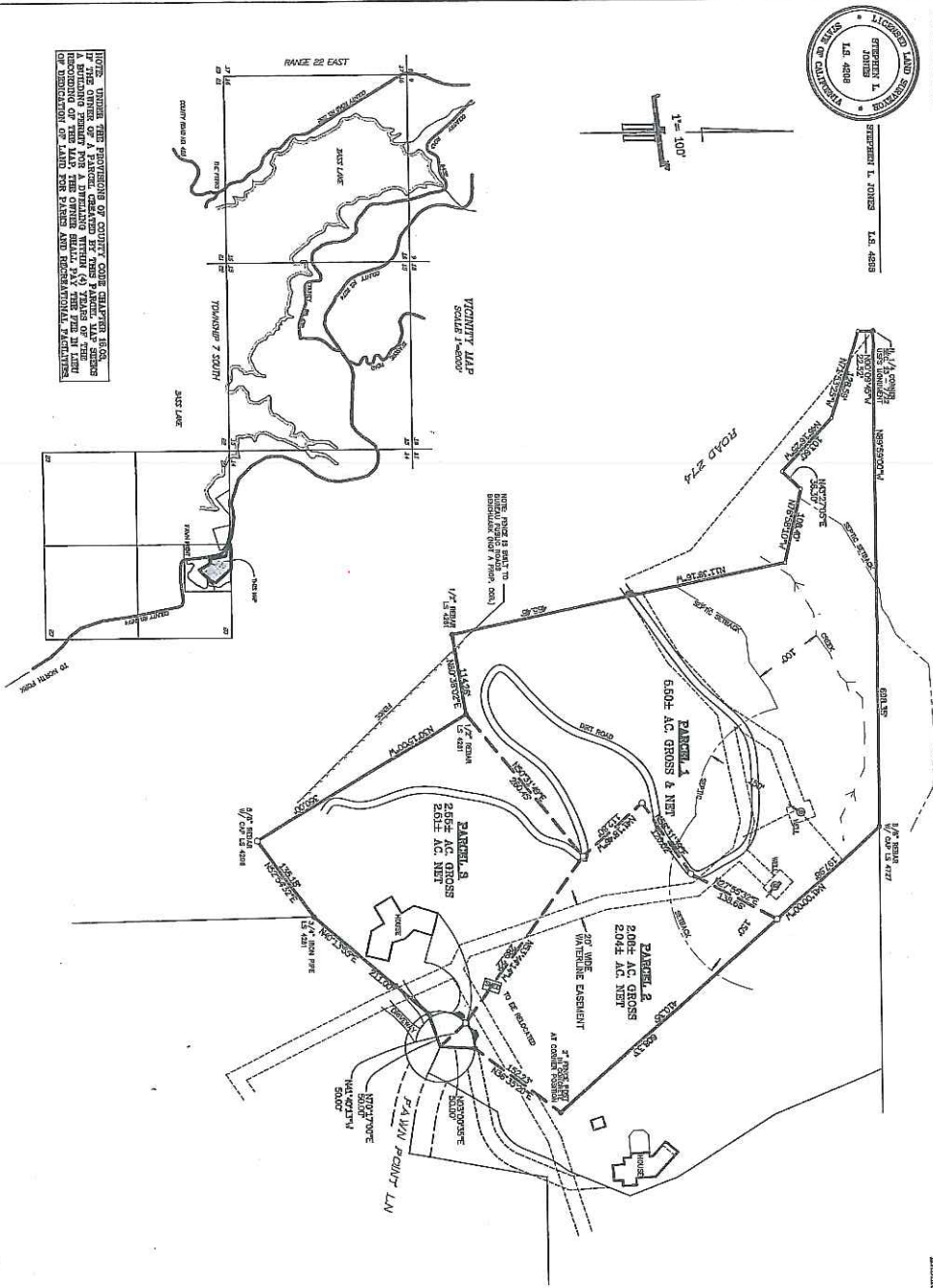
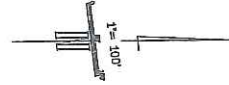


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TOPOGRAPHICAL MAP

EXHIBIT F

SURVEYOR'S STATEMENT
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN COMPLIANCE WITH REQUIREMENTS OF THE SURVEYORS MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF _____, 2018. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY COMPLETES THE APPROVED OR CONVENTIONALLY APPROVED SURVEY MAY BE ANY AND THE SURVEYORS USE OF THE FIELD DATA INSTRUMENTS AND EQUIPMENT TO OBTAIN THE SURVEY TO BE HEREINAFTER.



NOTE: UNDER THE PROVISIONS OF COUNTY CODE CHAPTER 16.05, IF THE OWNER OF A PARCEL CREATED BY THIS PARCEL MAP SEEMS TO BE UNREASONABLY HINDERED BY THE SURVEYOR'S RECORDING OF THIS MAP, THE OWNER SHALL FILE WITH THE CLERK OF SUPERIOR COURT A PETITION FOR A WRIT OF HABEAS CORPUS TO OBTAIN THE RECORDING OF THIS MAP AND OPERATIONAL FACILITIES.

TENTATIVE PARCEL MAP

FOR
ROBERT BOYAJIAN

PARCEL 1 DIVISION OF PARCEL NO. 1 OF PARCEL MAP NO. 2008
 RECORDED IN BOOK 24 PAGE 310-311, COUNTY OF SAN JUAN, MADERA
 COUNTY, CALIFORNIA, PARCEL 1 & PARCEL 2 OF PARCEL MAP
 NO. 2008, COUNTY OF CALIFORNIA
A.P.N. 059-210-005

APPLICANT'S CERTIFICATE

I HEREBY AFFIRM FOR APPROVAL OF THIS DIVISION OF PARCEL MAP THAT I AM THE APPLICANT AND THAT I AM THE OWNER OF SAID PARCEL MAP AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEGAL OWNER: VOL. 2008 PARCEL MAP NO. 2008
ADDRESS: VOL. 2008 PARCEL MAP NO. 2008
TELEPHONE: 415-258-2580
DATE: _____

NOTARY CERTIFICATES

NOTARY PUBLIC
 STATE OF CALIFORNIA
 COUNTY OF MADERA
 I, _____, a Notary Public
 personally appeared _____, whose name is subscribed to the foregoing map, and acknowledged to me that he executed the same for the purposes and content therein.
 My commission expires _____.

LEGEND

- LOWEST PRIORITY AND ACCEPTED AS SHOWN, MAPPED
- LOWEST PRIORITY, NOT MAPPED
- () RECORD DATA AS PER
- EASEMENT
- BOUNDARY OF ORIGINAL PARCEL
- NEW DIVISION LINE

NOTE: ALL INFORMATION SHOWN HAS BEEN OBTAINED FROM THE RECORDS OF THE COUNTY OF MADERA, CALIFORNIA, COUNTY RECORDS 642 AND ENC 4280

NOTE: THE APPLICANT AND OR SUCCESSORS IN INTEREST SHALL BE RESPONSIBLE FOR ANY AND ALL LIABILITY OF THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE, SECTION 46000.

JONES AND SNYDER SURVEYING
 OAKHURST, CA 94524
 (925) 958-7681 1.5.4288 1.5.4727
 REG. NO. 15-00000209
SHEET 1 OF 1 JOB NO. 20-040 DATE: OCT. 20, 2018



Community and Economic Development
Planning Division

Norman L. Allinder, AICP
Director

• 200 W 4th Street
• Suite 3100
• Madera, CA 93637
• (559) 675-7821
• FAX (559) 675-6573
• TDD (559) 675-8970
• mc_planning@madera-county.com

OPERATIONAL/ENVIRONMENTAL STATEMENT
CHECKLIST

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

1. Please provide the following information:

Assessor's Parcel Number: 059-210-005
Applicant's Name: RON LUCCHESI on behalf of ROBERT BOYADIAN - owner
Address: 1587 E NILES AVE.; FRESNO, CA. 93720
Phone Number: (559) 908-6401

2. Describe the nature of your proposal/operation.

SPLIT A 10.11 ACRE PARCEL TO BE SPLIT INTO 3 PARCELS OF 2.06, 2.55 AND 5.50 ACRE PARCELS ALL TO BE MAINTAINED FOR SINGLE FAMILY RESIDENCES ONLY

3. What is the existing use of the property?

ONE SINGLE FAMILY RESIDENCE CURRENTLY OCCUPIES THE 10.11 ACRE PARCEL.

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?

NONE - NOT APPLICABLE - NO BUSINESS USE PROPOSED

5. What are the proposed operational time limits?

Months (if seasonal): YEAR ROUND
Days per week: ALL WEEK
Hours (from ___ to ___): Total Hours per day: ALL DAY } AS SINGLE FAMILY RESIDENCE ONLY

6. How many customers or visitors are expected?

Average number per day: N/A NO BUSINESS USE PROPOSED
Maximum number per day: _____
What hours will customers/visitors be there? _____

7. How many employees will there be?

Current: N/A NO BUSINESS USE PROPOSED
Future: _____
Hours they work: _____
Do any live onsite? If so, in what capacity (i.e. caretaker)? _____

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

N/A - NO BUSINESS USE PROPOSED

9. Will there be any service and delivery vehicles? N/A - NO BUSINESS USE

Number: _____

PROPOSED

Type: _____

Frequency: _____

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

N/A - NO BUSINESS USE PROPOSED

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

ACCESS TO PROPOSED PARCELS 2 & 3 WILL BE FROM FAWN PT. LN. ACCESS TO PROPOSED PARCEL 1 IS FROM ROAD 274

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

PERSONAL VEHICLES ONLY FOR RESIDENTIAL USE - NO PROPOSED BUSINESS USE

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

N/A - NO BUSINESS USE PROPOSED

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

CURRENTLY THERE IS A 3300 SQ RESIDENCE LOCATED ON THE EXT'G. 10.11 ACRE PARCEL WHICH WILL BECOME 2.55 ACRE PARCEL #3. SINGLE FAMILY RESIDENCES MAY BE BUILT IN THE FUTURE ON PROPOSED PARCELS 1 AND 2.

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

NO NEW LANDSCAPING OR FENCING IS PROPOSED - NATURAL NATIVE LANDSCAPE IS EXT'G. THRU-OUT THE SITE

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

SINGLE FAMILY RESIDENTIAL USE C ADJACENT PARCELS ON ALL SIDES. ADJACENT PARCELS ARE 2 1/2 TO 4 1/2 ACRES IN SIZE.

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

NO COMMERCIAL EQUIPMENT WILL BE OPERATED ON-SITE. TYPICAL RESIDENTIAL USES ARE PROPOSED ON ALL 3 SITES

18. 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).

EXT'G. RESIDENCE & 2 POTENTIAL RESIDENCES USE APPROXIMATELY 20,000 GALS. PER MINUTE. THE WATER IS SUPPLIED BY 3 EXT'G. WELLS ON-SITE ON THE OVERALL EXT'G. PARCEL.

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?
TYPICAL RESIDENTIAL USE TO INDIVIDUAL SEPTIC SYSTEMS @ EACH PARCEL
20. 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?
TYPICAL RESIDENTIAL USE @ EACH PARCEL WITH WEEKLY TRASH PICK-UP BY LOCAL SERVICE
21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)
NO PROPOSED GRADING OR TREE REMOVAL @ THIS TIME WITH THE PROPOSED LOT SPLIT
22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.
NO KNOWN SITES LOCATED ON THE OVERALL PARCEL
23. Locate and show all bodies of water on application plot plan or attached map.
EXISTING CREEK IS SHOWN ON THE NORTHSIDE OF THE OVERALL PARCEL
24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.
EXISTING CREEK IS WITHIN A RAVINE AND IS THE ONLY NATURAL DRAINAGE COURSE ON-SITE.
25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?
NONE - RESIDENTIAL USE ONLY
26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)
THESE SERVICES WILL BE POTENTIALLY USED BY TWO ADDITIONAL FAMILIES.
27. How do you see this development impacting the surrounding area?
NO SIGNIFICANT IMPACT TO SERVICES IN PLACE. TWO ADDITIONAL PARCELS ARE SIMILAR IN SIZE TO EXISTING PARCELS AND ONLY 2 FAMILIES WILL BE ADDED TO SERVICE DEMANDS.
28. How do you see this development impacting schools, parks, fire and police protection or special districts?
POTENTIALLY 2 ADDITIONAL FAMILIES / RESIDENCES WILL IMPACT THESE SERVICES.
29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): N/A - RESIDENTIAL USE ONLY
Square feet of building area(s): _____
Total number of employees: _____
Building Heights: _____

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

~~PORTIONS OF THE OVERALL PARCEL MAY EXCEED A 10%
SLOPE. THESE AREAS WOULD OCCUR ONLY IN UNDEVELOPED
AREAS WHERE NO CONSTRUCTION WOULD BE PROPOSED.~~



EXHIBIT H

Community and Economic Development Environmental Health Division

Jill Yaeger, Director

200 West 4th Street
Madera, CA 93637
(559) 675-7823

MEMORANDUM

TO: Jamie Bax
FROM: Madera County
DATE: November 2, 2015
RE: Lucchesi, Ron - Parcel Map - Bass Lake (059-210-005-000)

Comments

TO: Madera County Planning Division

FROM: Environmental Health Division

DATE: November 2, 2015

REGARDING:

(X) PARCEL MAP #4216 – Lucchesi – Bass Lake, APN:
059-210-005

(X) Approval with Conditions. (See Below)

The MCEHD has reviewed the Parcel Map, PM#4216 - within the Bass Lake Area and is approving with conditions:

Each individual parcel(s) must have its own sewage disposal system and *water well, while maintaining County required setbacks [MCC 14.20] unless the parcel(s) are severed by a community water and sewer system. *If parcels are on a Shared Water Well Agreement a copy of the agreement must be submitted to our division prior to Final Map.

The owner/operator must obtain all the necessary Environmental Health Division permits prior to any construction activities on site and must comply with Madera County Code(s) Title 13 and 14 throughout the property development as it pertains to the Sewage Disposal System(s) and Water System(s).

Any construction performed on-site and ongoing operations 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); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding this information or for copies of any Environmental Health Permit Applications please contact our department at (559) 675-7823.



Community and Economic Development

Fire Protection Division

DEBORAH KEENAN
MADERA COUNTY FIRE MARSHAL

200 W. 4th Street
MADERA, CALIFORNIA 93637
(559) 661-6333
(559) 675-6973 FAX

MEMORANDUM

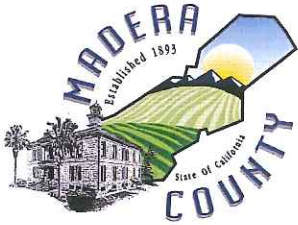
TO: Jamie Bax
FROM: Deborah Keenan, Fire Marshal
DATE: November 17, 2015
RE: Lucchesi, Ron - Parcel Map - Bass Lake (059-210-005-000)

Conditions

A comprehensive Fuel Reduction Plan shall be completed in conjunction with the Fire Marshal's Office and approved by the Madera County Fire Marshal. Fuel reduction plans shall be required for all developments within State Responsible Areas designated as Wildland Urban Interface. Due to the extreme vegetation in the area major fuel reduction shall be completed based upon site inspection conducted by the Fire Marshal. The Fuel Reduction Plan shall be submitted, approved, implemented and completed as required by the County Fire Marshal prior to acceptance of the Final Map.

Parcels shall be designed in such manner as to be able to meet the following conditions: Driveway shall be a minimum of 10 feet wide. Driveways cannot exceed 16% slope. Driveways in excess of 150 ft require a turnout every 400 feet. Turnout shall be 10 feet wide for 30 feet of length with 25 foot tapers at each end. A 42 foot radius turnaround or approved hammerhead is required within 50 feet of the proposed building. Proposed Driveway locations shall be shown on the final map.

The subject property is within State Responsibility Area (SRA); as such a Registered Licensed Professional Forester must determine whether the project site requires a timberland conversion. Contact shall be made with either a Registered Licensed Professional Forester or the CAL-Fire Forestry division in Mariposa (209) 966-3622 extension 207 to determine if any state forest issues will need to be addressed. Documentation of the forester's determination will be required prior to approval of the final map.



Community and Economic Development Planning Division

Matthew Treber
Deputy Director

EXHIBIT J

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

January 26, 2016

Robert Boyajian
c/o Ron Lucchesi
1587 E. Niles Ave.
Fresno, CA 93720

RE: Parcel Map #4216

Dear Sir/Madam,

I am writing to inform you that the Planning Department has reviewed your proposed land division/amended parcel map and requires that you and/or your surveyor comply with the following conditions:

1. The final map will require the notarized signature(s) of the property owner(s).
2. The final map will require the completion of the applicant's certificate.
3. Place an Applicant Notary Public's certificate on the final parcel map.
4. The final map will require the completion and signature of the property owner's Notary Public.
5. The final map will require the signature and seal of the project engineer/surveyor.
6. The final map will require completion of the surveyor's certificate.
7. Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72.
8. Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication.
9. Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.
10. Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera.

11. Identify this proposal as Parcel Map #4216.
12. All parcels being created must maintain a minimum size of 1 acre gross and net as specified by the General Plan/Zoning Ordinance 525.
13. All parcels proposed by this division must be identified as a parcel with a numerical value (i.e., parcel #1, parcel #2, etc.).
14. The final parcel map shall indicate gross and net acreages for all parcels being created.
15. Place a north arrow on the final map.
16. Place a vicinity map on the final map.
17. The final map shall utilize a written and graphic scale of 1 inch = 100 feet (or larger), unless written authorization is received from the Planning Department to deviate therefrom.
18. The final map shall indicate all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a note so stating.
19. The final map shall indicate type of structures together with their dimensions.
20. Under the provisions of County Code Section 17.72.187, prior to final map recordation the applicant or his authorized agent will provide the Planning Director with "Will Serve" letters from the appropriate water, wastewater, power, and telephone companies.
21. The final map shall indicate the proposed division lines by means of short dashed lines.
22. Per Chapter 15.03 of the Madera County Code, fees are to be paid in the amount of \$1,385.38 for Park and Recreational Facility Acquisition and Maintenance.
23. The final parcel map shall indicate a driveway location for each parcel being created. The driveway shall be a minimum of ten (10) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval.
24. Place the appropriate grant deed certificate(s) on that portion of road right-of-way which was grant deeded to the County of Madera prior to submission of this proposal. Said certificate shall read as follows, as appropriate:
 - a. For grant deeds recorded prior to January 1, 1990: "?'-wide road right-of-way previously grant deeded to the County of Madera in Book ? at page ?, Madera County Official Records."
 1. and/or
 - b. For grant deeds recorded on or after January 1, 1990: "?'-wide road right-of-way previously grant deeded to the County of Madera as Instrument # ? - ?, Madera County Official Records."
25. Place the appropriate offer of dedication certificate(s) on that portion of road right-of-way which was offered for dedication to the County of Madera prior to submission of this proposal. The certificate shall read as follows, as appropriate:
 - a. For offers of dedication recorded prior to January 1, 1990: "60'-wide road right-of-way previously offered for dedication to the County of Madera in Book ? at page ?,

Madera County Official Records."

1. and/or

- b. For offers of dedication recorded on or after January 1990: "60'-wide road right-of-way previously offered for dedication to the County of Madera as Instrument # ? - ?, Madera County Official Records."
26. The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).
27. The final map shall require the signature and seal of the County Engineer/Surveyor.
28. The final map shall require letters of approval from the Fire, Assessor, Road, and Environmental Health Departments.
29. Payment of all payable liens (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review by the County Counsel's Office.
30. A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation.
31. A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate \$_____ recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice.
32. Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post.
33. All appeals and/or variances must be filed, with fees, within 15 days of the date of this letter.
34. This proposal must complete processing within two (2) years of lead agency tentative approval; that is, on or before **February 02, 2018**
35. The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.
36. Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.
37. Comply with the Engineering Department's requirement as follows: Prepare and file a Parcel Map, following the requirements of the Subdivision Map Act and "Parcel Map Ordinance" of Madera County.
38. Enclosed are copies of the (√) Environmental Health Department's
(√) Fire Department's
(√) Engineering/Public Works Department's
(√) Special Districts

correspondence concerning your proposed land division/amended parcel map. Before this

proposal will be acceptable, it must meet the condition(s) which are outlined in the enclosed correspondence. If you have any questions regarding these requirements, please contact the appropriate agency or department which specified the condition in question.

Your cooperation and attention to this matter are appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Judy Gutierrez".

JUDY GUTIERREZ
Planner

Cc: File

Attachments

**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS****AHMAD M. ALKHAYYAT
INTERIM DIRECTOR**200 West 4th Street
Madera, CA 93637-8720
Main Line - (559) 675-7811
Special districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310**MEMORANDUM**

DATE: 11/16/2015
TO: Jamie Bax
FROM: Phu Duong, Public Works
SUBJECT: Lucchesi, Ron - Parcel Map - Bass Lake (059-210-005-000)

Comments

The Public Works Department has reviewed the PM #4216 proposal. The Department's review comments and conditions are described as followed:

The proposed development appear to be located within flood "D" zone area.

Prior to issuing the building permits, all driveway approaches accessing the site shall be built to County residential design standards and requirements. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.

Prior to recordation, all driveway locations shall be indicated on the Map for review and approval.

Prior to issuing the building permits, the applicant is to provide a grading/drainage and erosion control plans to Department of Public Works for review prior to breaking ground and developing the site.

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



**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS**

**AHMAD M. ALKHAYYAT
INTERIM DIRECTOR**

200 West 4th Street
Madera, CA 93637-8720
Main Line - (559) 675-7811
Special districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310

MEMORANDUM

TO: Jamie Bax
FROM: Leopoldo Espino, Public Works
DATE: November 09, 2015
RE: Lucchesi, Ron - Parcel Map - Bass Lake (059-210-005-000)

Comments

RE: PM#4216
November 09, 2015

Parcel is within a County Maintenance District (MD) and any proposed structures will be required to connect to the MD water service. Owner/developer will be responsible to pay water unit cost prior to receiving any approved Building Permits. Owner/developer will be responsible to pay all connection cost for a new water connection to proposed parcel.

Please contact us with any questions.

Leopoldo Espino EIT
Engineer I

Madera County Public Works Department
Capital Improvement Projects Division
200 W. 4th Street, 3rd Floor
Madera, CA 93637
P 559.675.7811 ext 3106
F 559.675.7631
leopoldo.espino@co.madera.ca.gov

MEMORANDUM OF REVIEW AND COMMENT

EXHIBIT M

Date: 11/2/15

FROM: Drafting Department
Madera County Assessor's Office
200 West 4th Street
Madera, California 93637
PH. (559) 675-7710 ext. 2532

TO: Madera County Community and Economic
Development, Planning Division
200 West 4th Street, Suite 3100,
Madera, California 93637

RE: (Please Check One)

- Lot Line Adjustment Review and Comment. (L.L.A. No.)
[X] Tentative Parcel Map Review and Comment. (P.M. No. 4216)
Tentative Subdivision Review and Comment.
(Subdivision Name: Tract #)

Name of Applicant A.P.N. T.R.A. M.D./S.A.
BOYAJIAN ROBERT 059-210-005-0 56-004 MD 06 & CSA 02 (BASS LAKE)

(Please Check One of the Below and Attach Comments, If Necessary.)

- 1. The Assessor's Office has no objections to the proposals as submitted.
a. The proposed legal descriptions are OK.
b. The proposed deeds showing title/ownership are correct.
c. We have received the AO 93
d. We have received tax rate area change from State Board of Equalization.
[X] 2. The Assessor's Office has no objections to the proposal provided that:
a. The correct proposed legal descriptions are provided prior to completion.
b. The correct proposed deeds of exchange and title report are provided to check the title/ownership prior to completion
c. The new acreages (gross and net) of all parcel/lots are provided for review prior to completion.
d. The Tax Rate Areas can be adjusted. NOTE: Mapping and assignment of APNs cannot be completed until the State Board of Equalization has changed the Tax Rate Area.
e. The applicant shows all improvements on applicant's land.
[X] f. The applicant files 1 completed Assessor's Form AO 93 regarding the Subdivision/Parcel Map improvements
g. The Ag. Preserve Contract must be rescinded and applicant must enter into a new Ag. Preserve Contract.
h. We are still waiting for completed Assessor's Form AO 93 Forms.
i. Please note:

3. This proposal is in the Ag. Preserve.
APNs Prime Acres Non-Prime Acres

4. The Assessor's Office cannot complete the proposal as submitted for the reasons stated on the attached memorandum.

If you have any questions or need our assistance regarding your proposal, please contact the Drafting Department at the above address, telephone number or email: crandles@co.madera.ca.gov

Sincerely, Curtis Randles

EXHIBIT N

From: Padilla, Dave@DOT
To: [Judy Gutierrez](#)
Subject: PM #4217
Date: Tuesday, December 22, 2015 2:14:48 PM

Hello Judy,

I know we are late in responding however we have no concerns with the project.

Thank you and Happy Holidays.

David Padilla
Associate Transportation Planner
Office of Planning & Local Assistance
1352 W. Olive Avenue
Fresno, CA 93778-2616
Office: (559) 444-2493, Fax: (559) 445-5875
 District 6

Environmental Checklist Form**Title of Proposal:** Parcel Map #4216, Ron Lucchesi**Date Checklist Submitted:** 11/25/2015**Agency Requiring Checklist:** Community & Economic Development Department – Planning Division**Agency Contact:** Judy Gutierrez, Planner**Phone:** (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

The proposed project is a division of 10.11 acres into 3 parcels (2.06, 2.55, and 5.50 acres).

Currently, there is a 3,300 square foot single-family dwelling on the 10.11 acre parcel, which is proposed to become the 2.55 acre parcel (Parcel 3). Single-family dwellings may be built in the future on proposed Parcel 1 and Parcel 2.

Project Location:

The project is located on the east side of Road 274, approximately, 0.45 mile north of its intersection with Fawn Point Lane (38906 Fawn Point Lane), Bass Lake.

Applicant Name and Address:

Ron Lucchesi
1587 East Niles Avenue
Fresno, CA 93720

General Plan Designation:

RR (Residential Rural) Designation

Zoning Designation:

RMS (Residential, Mountain, Single Family) District

Surrounding Land Uses and Setting:

The surrounding land uses consists of the following: North: Residential; East: Residential; South: Resi-

dential; West: Residential and Bass Lake

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

Judy Gutierrez
Signature

11/25/2015
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) No Impact

According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated scenic routes or eligible state scenic routes in the area.

(b) No Impact

The project site is not located within a state scenic highway.

(c) Less than Significant Impact

The proposal is a minor division of land. No developed is proposed as a part of this project. As a result of the project, two additional dwellings could potentially be built which would have a less that significant impact on the existing visual character of quality of the site and its surrounding.

(d) Less than Significant Impact

The project may result in two additional dwellings which would create a new light source; however, the impact would be less than significant.

General Information:

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

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

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

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

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

Discussion:

(a) No Impact

The project parcel is not recognized under the Farmland Mapping and Monitoring Program of the California Resources Agency as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

(b) No Impact

The project site is not subject to a Williamson Act contract. The surrounding parcels are zoned Residential or Open Space.

(c) No Impact

The project parcel is not zoned for farmland use or for timberland uses.

(d) No Impact

The project parcel will not result in the loss of forest land or convert forest land to non-forest land.

(e) No Impact

The proposed project is a minor division of land with no proposed development. No changes to the environment will occur from the project which could result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses.

General Information

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

space uses as opposed to full market value.

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

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

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

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

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

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

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

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

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 Mitiga- tion Incorpo- ration	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

(a-d) Less than Significant Impact

The proposed project is a minor division of land with no proposed development. If approved, the project will potentially allow an additional two dwellings to be built which will have a less than significant impact on air quality.

(e) No Impact

No development is proposed as a part of the proposed land division. No objectionable odors will be created as a part of the project.

General Information

Global Climate Change

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

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

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

Potentially Significant Impact	Less Than Significant with Mitiga- tion Incorpor- ation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

While species have been identified as being potentially in the quadrangle of this project, no impacts have been identified as a result of this project, directly or indirectly. The proposed project is a minor division of land with no proposed change to the land use. The potential to construct two additional dwellings will have a less than significant impact on biological habitats.

(b) Less than Significant Impact

See a.

(c) No Impact

On proposed parcel 1, a creek runs east and west. However, there are no known federally protected wetlands in the immediate vicinity or surrounding the project site.

(d) Less than Significant Impact

See a.

(e) Less than Significant Impact

See a.

(f) Less than Significant Impact

See a.

General Information

Special Status Species include:

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

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

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Foothill Yellow-Legged Frog	None	None	SSC	None
Northern Goshawk	None	None	SSC	None
Sharp-Shinned Hawk	None	None	WL	None
Golden Eagle	None	None	FP, WL	None
Bald Eagle	Delisted	Endangered	FP	None
Osprey	None	None	WL	None
California Spotted Owl	None	None	SSC	None
Leech’s Skyline Diving Beetle	None	None	None	None
Sierra Nevada Red Fox	None	Threatened	None	None
Fisher – West Coast DPS	Proposed Threatened	Candidate Threatened	SSC	None
Western Pond Turtle	None	None	SSC	None
Abrams’ Onion	None	None	None	1B.2
Yosemite Evening-Primrose	None	None	None	4.3
Short-Bracted Bird’s-Beak	None	None	None	4.3
Rawson’s Flaming Trumpet	None	None	None	1B.2

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk’s Office.

The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

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

V. CULTURAL RESOURCES -- Would the project:

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

Discussion:

(a) No Impact

No historical resources are known to exist on the project site.

(b) Less than Significant Impact

No sites of archaeological significance are known to exist on or in the vicinity of the subject property. Future grading and excavating of the areas in question could result in disturbance of unknown cultural resources. Policy 4.D.3 of the Madera County General Plan provides for that "[T]he County shall require that discretionary development projects identify and protect from damage, destruction and abuse, important historical, archaeological, paleontological and cultural sites and their contributing environment."

(c) Less than Significant Impact

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

(d) Less than Significant Impact

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

General Information

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

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

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.

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

Reference CEQA Guidelines §15064.5 for definitions.

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

VI. GEOLOGY AND SOILS -- Would the project:

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

Discussion:

(a-i-iv) No Impact

The project presents no specific threat or hazard from seismic ground shaking, and any future construction that may occur 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.

(b) Less than Significant Impact

If approved, the proposed project may develop two additional dwellings in the future. The impact to the topsoil will be less than significant. A 3,300 square foot single-family dwelling exists on the site and the use of the land is not proposed to change as a part of this project.

(c) No Impact

See a-i.

(d) No Impact

See a-i.

(e) No Impact

There is currently an existing septic system on the property to support a 3,300 square foot single-family dwelling. If additional dwellings were to be constructed, the appropriate grading and building plans will be submitted for departmental approval.

General Information

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

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

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

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

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

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

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

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley

Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

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

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

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

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land. No development is proposed as a part of this project. The project, if approved, will potentially allow two additional dwellings to be constructed. The potential impacts of the project to generate greenhouse gas emission are less than significant.

(b) Less than Significant Impact

See a.

General Information

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global cli-

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

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

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

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a-b) No Impact

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

(c) No Impact

Bass Lake Elementary School is located approximately, 4.4 miles away from the proposed project site. However, the proposed project is a minor division of land and will not emit hazardous emissions or handle hazardous or acutely hazardous materials.

(d) No Impact

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

(e) No Impact

The project site is located outside of the County's Airport Land Use Compatibility Zone.

(f) No Impact

The project site is not located within the vicinity of a private airstrip. Surrounding properties are single-family dwellings.

(g) No Impact

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

(h) Less than Significant Impact

Currently, there is one existing single-family dwelling on the project site. Any future dwellings that may be proposed must meet building setbacks as required per the Fire Marshal's office.

General Information

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

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

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

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

IX. HYDROLOGY AND WATER QUALITY – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

A septic tank is already in use on the project site. Any new septic tanks are regulated by the County Environmental Health Department.

(b) Less than Significant Impact

Currently, the project site has three existing wells. If single-family dwellings were to be constructed in the future, the amount of water consumed will not result in substantially depleting groundwater supplies.

(c-d) No Impact

Proposed Parcel 1 includes a creek that runs east to west. However, the proposed project will not alter 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.

(e) Less than Significant Impact

Any new structures shall comply with all codes and requirements of the Engineering Department upon request of a building or grading permit. If any future single-family dwellings were to be constructed, the potential to create additional runoff will have a less than significant impact as this project is a minor division of land.

(f) Less than Significant Impact

See e.

(g-h) No Impact

The project site is located within a 0.2 percent annual chance flood hazard area.

(i) No Impact

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

(j) No Impact

The project will not be affected by seiche, tsunami, or mudflow.

General Information

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

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

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

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

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

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

Discussion:

(a) No Impact

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

(b) No Impact

The proposed project does not conflict with any applicable land use plans, policies or regulations. The proposed project does not propose a change to the use of the land.

(c) Less than Significant Impact

If approved, the project will potentially allow additional dwellings to be built. The construction of these dwellings will have a less than significant impact to any applicable habitat conservation plan or natural community conservation plan.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XI.	MINERAL RESOURCES – Would the project result in:				
	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

The proposed project is a minor division of land. There is not potential for this project to result in the loss of availability of a known resource that would be of value to the region and the residents of the state.

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

Discussion:

(a) No Impact

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

(b) Less than Significant Impact

If approved, the project will potentially allow additional dwellings to be constructed. Temporary ground borne vibrations from normal construction activities.

(c-d) Less than Significant Impact

If approved, the project will potentially allow additional dwellings. However, no excessive noise will be generated and noise producing activities will be largely located inside the dwellings.

(e) No Impact

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

(f) No Impact

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

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

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

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES*

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

	PM	55	55	55	60	55
<p>*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.</p> <p>AM = 7:00 AM to 10:00 PM PM = 10:00 PM to 7:00 AM L = Light H = Heavy</p> <p>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).</p>						

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

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

XIII. POPULATION AND HOUSING -- Would the project:

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

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land resulting in two additional parcels. If the project is approved, two additional single-family dwellings may be built. However, the impact to population growth will be less than significant.

(b-c) No Impact

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

General Information

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

XIV. PUBLIC SERVICES

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?
- ii) Police protection?
- iii) Schools?
- iv) Parks?
- v) Other public facilities?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i-v) Less than Significant Impact

The proposed project is a minor division of land. Two additional parcels are proposed which will have a less than significant impact on public services. The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sheriff's Department. The proposed project will have a less than significant impact on local schools, parks and will not create a demand for additional public facilities.

General Information

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

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

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

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

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

XV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Less than Significant Impact

The proposed project is a minor division of land resulting in two additional parcels. The impact to the use of neighborhood and regional parks will be less than significant.

(b) No Impact

The proposed project is a minor division of land and does not include recreational facilities or require the construction or expansion of recreational facilities.

General Information

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion:

(a-b) No Impact

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

(c) No Impact

The proposed project is a minor division of land which will not result in changes to air traffic. No road improvements are required as part of this project.

(d) No Impact

No road improvements are required of this project.

(e) No Impact

The proposed project does not include any hazardous design features or the use of incompatible uses. However, the proposed project is a minor division of land. Access to two of the proposed parcels will be from Fawn Point Lane and access to the last parcel will be from Road 274.

(f) No Impact

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

General Information

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

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

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

The above table displays the predicted increase in population and travel. The increase in the lane

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

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

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

The proposed project is a minor division of land resulting in two parcels. There is no potential for the project to exceed wastewater treatment requirements. Individual septic systems regulated by the Environmental Health Department will be used for any future dwellings.

(b) No Impact

The proposed project does not require the construction of new water or wastewater facilities. Individual septic systems will be used for any future dwellings.

(c) No Impact

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

(d) No Impact

Currently, water is supplied by an onsite well and the project property also has two additional wells on the property.

(e) No Impact

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

(f-g) No Impact

Solid waste generated by the proposal should be at volume compatible with the existing county landfill, located in Fairmead, and would comply with federal, state, and local regulations related to solid waste.

General Discussion

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

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

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

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

(a) Less than Significant Impact

The proposed project is a minor division of land which will result in two additional parcels. Although species have been identified as being potentially in the quadrangle of this project, the project does not have a high potential to degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory. The impacts to these resources will be less than significant.

(b) Less than Significant Impact

If approved, the proposed project will potentially allow two additional single-family dwellings to be constructed. The project is a minor division of land with less than significant cumulatively considerable impacts.

(c) No Impact

The proposed project is a minor division of land with no change to land use. The project will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

General Information

CEQA defines three types of impacts or effects:

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

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

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

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

Madera County Integrated Regional Water Management Plan

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

United States Fish & Wildlife Service <http://www.fws.gov/wetlands/Data/Mapper.html>

FEMA <http://fema.maps.arcgis.com/home/webmap/viewer.html?webmap=cbe088e7c8704464aa0fc34eb99e7f30>

ND 2015-24

1

November 25, 2015

NEGATIVE DECLARATION

ND

RE: Parcel Map #4216, Ron Lucchesi

LOCATION AND DESCRIPTION OF PROJECT:

The proposed project is a division of 10.11 acres into 3 parcels (2.06, 2.55, and 5.50 acres).

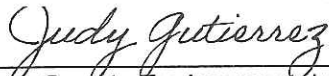
The project is located on the east side of Road 274, approximately, 00.45 mile north of its intersection with Fawn Point Lane (38906 Fawn Point Lane), Bass Lake.

ENVIRONMENTAL IMPACT:

No adverse environmental impact is anticipated from this project.

BASIS FOR NEGATIVE DECLARATION:

1. Please see attached Initial Study.



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 200 West Fourth Street, Madera, California.

DATED: 11/25/2015

FILED: 11/25/2015

PROJECT APPROVED:

EXHIBIT Q

December 16,2015

Re; Appeal of Parcel map 4216

Ms. Jamie Bax
Madera County Planning Department

Dear Jamie,

As per our phone conversation of this morning I am appealing the tentative Parcel Map of Robert Boyajian PM 4216 for the following reasons,

"This property is located in the Crane Valley Homeowners Association. The CC&R's specifically forbid the further division of the property without a 66 2/3 percent vote of the membership (sections 9.17 g,h,i and section 12, 12.1 and 12.12.1)."

Thank you for your help.

Very truly yours



Steve Bricker
41428 Avenue 10 ½
Madera Ca. 93636
559-440-0606 x21

EXHIBIT R

On Dec 17, 2015, at 4:13 PM

I would formally like to amend my appeal of Tentative PM4216 on Fawn Point in Bass Lake (Boyajian).

Please confirm, if you will accept, this email or if I need to bring a letter into your office.

These are some of my concerns requiring me to amend the appeal;

1. Safety issue on Road 274. The access to the lower lot is on a sweeping blind turn when traveling south. It will require a vehicle to stop (if oncoming traffic is heading north) then cross the north bound lane for access. A vehicle traveling south will have a limited time to break when this occurs. The same can be said of leaving the property and traveling south where you will be entering traffic that you may not be able to see in time. This will cause a potentially hazardous and deadly situation.
2. Water shortage. There isn't any additional water to justify this project.
 - a. There are currently water cutbacks imposed by Madera County and the State of California.
 - b. The trees and plants are drying from lack of water.
 - c. The water quality doesn't meet State guidelines.
 - d. Any new residential units allowed (that are currently not a lot of record) will have a catastrophic environmental impact on an already fragile environment which can't be mitigated.
3. The front property line does not meet current subdivision standards for road frontage, allowing a split.

<p>December 15, 2015</p> <p>I am the landowner at 38880 Road 274 and am directly due west of this proposed parcel split. I have several concerns that I feel need to be addressed BEFORE any consideration of this parcel split were to occur. 1 Where is the water going to come from to serve these parcels and what sort of impact will it have on the water source of myself and our subdivision? 2 Depending on where these houses may eventually be built they may have a direct view on my parcel and an invasion of my privacy, what sort of setbacks are contemplated for these parcels? 3 This is very steep property and uphill from me, what sort of conditions are there to prevent erosion down on to my property, since most of the native vegetation would be disturbed during the building process?</p>
<p>December 16, 2015</p> <p>I live full time at 38877 Fawn Point Lane in Bass Lake. My lot is very close to Mr. Boyajian's and my driveway is located at the top of the cul-de-sac. I would like to have my e-mail recorded as being in opposition to the proposed parcel division. When I purchased in our unique neighborhood, I understood the CC&Rs to read that no additional parcels could be created. Any new parcel created has an effect on our water and sewer systems, neighborhood roads, common areas, and docks.</p>
<p>December 23, 2015</p> <p>It has come to the attention of Lake Shore Homeowners at Bass lake, Ca. (Aka LSBC) that Fawn point property is planned to be subdivided and sold for new use. On said property, LSBC owns and has maintained a water pump system and 2 large water storage containers and associated pipes with all support appurtenances. We are hereby giving notice to said property owner and the County that LSBC will continue to own , maintain and operate our water system and containers to support our homeowner water needs.</p>
<p>December 23, 2015</p> <p>None of the owners within 300 feet of the parcel map 4216 we given notice of the parcel map meeting. Why was that? Section 17.72 #2. Can I get a copy of the parcel map 4216 comments from the various departments; fire, roads, planning, environmental health, etc.</p>
<p>December 23, 2015</p> <p>I write to express concern over the proposed Subdivision of the lots owned by Mr. Robert Boyajian in Crane Valley/Fawn Point, Bass Lake CA. I have served as committee chairman to clean up our drinking water at Lakeshore Park for the last 10 years. Lakeshore Park and Fawn Point share a common water system that is designated as WMD 6. The pumps, wells, and other components are installed on the property described in your notice. Water rights and control of the system is playing a vital role in our efforts to maintain safety for our health, our families, and homes, There is also a critical need to control tree mortality (brought on by drought and the massive invasion of bark beetles). We take our water resources seriously and we have achieved national status as a Firewise USA community. We use our water wisely to save big trees and the beauty of our mountain homes. We are aware there are appropriate easements and rights associated with successful care and operation of our water system. We have been involved for over 30 years in a campaign to install a system to remove unhealthy levels of arsenic and uranium from our drinking water.</p>

All of the above are reasons why our homeowners need to be given a VOICE, and FULL KNOWLEDGE of how the proposed subdivision will affect us, New homes/developments should not be allowed until the water quality is addressed. The announcement sent to my home gives no clue as to how the proposed subdivision(s) will impact the above rights and services. We are aware of Mr. Bricker's letter about the necessity for a 2/3 majority for approval in order to subdivide the property in question. We fully support the concept of due process of the law as it applies to this subdivision—as well as to how our water resources will be protected in the future. Many of our homeowners are not close by and are not able to attend local meetings...we have people living in Texas, Washington, Nevada, and all over CA. They are entitled to an equal voice as well. In December of 2012 we requested (in writing) to be noticed for every meeting re: MD-6 water. We requested MD-6 to be able to send a representative...these requests have been ignored again and again. Relative to due process, there are two related issues that need attention. Apparently the Board of Supervisors took a vote on October 28, 2014 to consolidate and privatize MD-6 and MD-7 water districts with the private Bass Lake Water Co. without our knowledge. The vote was based on a statement MD-6 residents were in favor of this concept, This statement was false and incorrect. There were no Lakeshore residents present. In a written letter to the Clerk of the County Supervisors (October 6, 2015) we requested this vote be rescinded (via a cure or correct demand). A second request letter was sent Dec. 2, 2015. There has been no response. To prove the residents of MD-6 are opposed to consolidation and privatization, we circulated a petition and submitted the written results to Alvina Prakash at the Municipal Services Dept. of Madera County. Over 90% of MD-6 residents were in agreement with the petition. There has been no response or recognition of the wishes of the residents who signed. We do not wish to be part of constructing a privatized \$25 million dollar water plant when our water problem can be corrected by next Summer by adding filters for \$300,000. There is a real need for a meeting where MD-6 members can speak openly (without interruption) about our concerns, and to work toward a mutually acceptable and fair solution. It is my hope this whole situation emphasizes how important transparency in government truly is...In closing we definitely do not support any subdivision that will adversely affect our water system, or water rights.

December 23, 2015

I am writing regarding the letter we received requesting input on subdividing the hillside parcel at Fawn Point into three lots. As a home owner at Lake Shore Park I am against the proposal based on these items:

*Fawn Point residents have told us it is against their CC & R's (which should at least be taken into consideration)*We have a water shortage and should not encourage more homes being built when supposedly there is not enough water for those existing homes.* We heard that Madera County actually proposed the subdivision to the owner, and that they hope to buy one of these parcels in order to use it in relation to the water issues that MD 6 is having with Madera County. Lake Shore Park is not in favor of joining forces with Bass Lake or Marina View and giving up our water rights. We are awaiting a vote on this and hope that the subdividing issue at Fawn Point is not related. I am objecting at this time to the proposed subdividing.

Judge Frank W. Troost (Ret.)

3650 Fairland Boulevard

Los Angeles, California 90043

(213) 291-9212

Mr. Leonard Garoupa
Members of the Planning Department
135 West Yosemite Avenue
Madera ,California 93637-3593

May 19, 1987

RE:APPLICATION OF BASS LAKE ESTATES
FOR REZONING OF THEIR PROPERTY

TO: MR.GAROUPA AND THE PLANNING COMMISSON,

This is to inform you that I have owned property in Lakeshore Park for twenty years but I have never recieved a notice from you as to Zoning or Development Matters affecting my property at Lakeshore Park.

Forty years ago a friend let me use his cabin at Bass Lake instead of my going to Yosemite.My family and I fell in love with it. For twenty years we rented,and when Lakeshore Park came on the market twenty years ago,we bought a lot and built what Madge Williams says was the nicest of Bass Lake.

However after we owned it five years the water became inadequate and the sewer likewise,on busy week ends.However with everyone in the area cooperating we managed.

About two years ago Bass Lake Estates arrived.After long and protracted negotiations an agreement was reached between the County Representatives,Lakeshore Park & Bass Lake Estates by which they were allowed to develop a certain number of lots on the condition they attach their water well to ours and they enlarge the sewage System . Even now with only two or three of their places hooked up we still have occasional problems.

At the time we agreed to the above ,the County assured us that they would not be allowed to subdivide their lots.As a Lawyer for twenty five years and a Judge for twenty years I never went back on any deal or promise.Therefor I do not believe Bass Lake Estates and especially the County of Madera should go back on their words.

agreement not allow subdivision

Sincerely,

Frank W. Troost