



Community and Economic Development Planning Division

Matthew Treber
Deputy Director

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PLANNING COMMISSION DATE: April 5, 2016

AGENDA ITEM: #2

CUP	#2016-003	A Conditional Use Permit to allow a boat fiberglass and gel coat repair facility.
APN	#049-233-003	Applicant: Bohner Boat & Marine, Inc.
CEQA	#2016-005	Mitigated Negative Declaration

REQUEST:

This request is for a conditional use permit to allow a boat repair facility including engine, fiberglass, and gel coat repair.

LOCATION:

The project site is located on the west-side of Highway 41, approximately 0.20 miles south of the intersection of Business Route 41 and Avenue 11, (10740 Highway 41) Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2016-005) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Approval of CUP #2016-003, MND #2016-005, and the attached Conditions of Approval and Mitigation Monitoring Reporting Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: CC (Community Commercial) Designation
SURROUNDING: CC (Community Commercial), VLDR (Very Low Density Residential), and OS (Open Space)

ZONING (Exhibit B):

SITE: CRM (Commercial Rural Median) District/MHA (Manufactured Housing Architectural Review Overlay)
SURROUNDING: CRM (Commercial Rural Median), MHA (Manufactured Housing Architectural Review Overlay), ARV-20 (Agricultural Rural Valley 20 Acre), RRM (Rural Residential Multiple Family), and RRS (Rural Residential Single Family) Districts

LAND USE:

SITE: Commercial
SURROUNDING: Commercial (boat sales & service, auto sales, real estate office, & etc), residential, open space (Highway 41), and agriculture.

SIZE OF PROPERTY: 0.76 acres

ACCESS: Access to the site has been approved along Business Route 41.

BACKGROUND AND PRIOR ACTIONS:

This parcel was recorded on February 28, 1979 as Lot 51 of the Rolling Hills Subdivision #2. Besides the existing commercial boat service building that was built in 2005 (BP#06381), there have been no previous actions or entitlements related to the parcel.

PROJECT DESCRIPTION:

The applicant is proposing a boat repair facility to include engine, fiberglass, and gel coat repair. The business will be open five days a week, from 8:00am to 5:00pm. Proposed operations would occur on-site and inside the building in order to reduce any potential aesthetic, noise, or odor issues. There are currently two employees but could expand to three employees in the future. The employee(s) would only work during the business' operational hours. The applicant expects an average of one or two customers per day. The operation includes boat engine, fiber glass, or gel coat repair and boat sales. Access to the site is taken from Business Route 41.

The request was amended to exclude a new sign cabinet (Exhibit I). The applicant will amend the existing signage to the new use into the same sign.

ORDINANCES/POLICIES:

Madera County Code 18.34 of the Madera County Zoning Ordinance outlines allowed uses within the CRM (Commercial, Rural, Median) zone district.

Madera County Code 18.92 of the Madera County Zoning Ordinance provides additional information on conditional uses permitted.

Madera County General Plan Policy Document (pg.10) outlines the allowable uses within the CC (Community Commercial) designation.

Madera County Code 18.102.040 of the Madera County Zoning Ordinance outlines vehicular parking space requirements given the type of use of the project.

ANALYSIS:

The general plan designation, Community Commercial (CC), allows for commercial uses which are intended to serve the surrounding area. This designation includes service uses that are consistent with the proposed boat repair facility. The current zone district, Commercial, Rural, Median (CRM), allows for general commercial uses, therefore the general plan and zoning are consistent. Boat sales are allowed by right in the CRM (Commercial Rural Median) district as defined under "Retail Sales". Boat repair is not specifically defined in the CRM (Commercial Rural Median) district; however, auto repair is allowed (Madera County Code 18.34.010). Although not specifically listed, a boat repair facility would be allowed under Madera County Code 18.34.010C27 where similar commercial uses and establishments is listed. Any engine or boat body repairs would require a Conditional Use Permit due to the potential environmental impacts of the proposed use.

The applicant is currently operating a boat sales facility on the adjacent parcel (APN 049-233-002), which is allowed within the Commercial, Rural, Median (CRM) zone district. The Conditional Use Permit request is to allow a boat repair facility including engine, fiberglass, and gel coat repair within an existing 8,000 square foot building on APN 049-233-003. This request for a Conditional Use Permit will only include the one parcel (APN 049-233-003, 10740 Highway 41).

The proposal is consistent with other uses located in the surrounding areas. The properties along Highway 41 are also zoned commercial. There are residentially zoned parcels to the west that are located behind the existing property. The applicant will be required to construct and maintain an eight foot masonry block wall on the western property line to provide an adequate noise and aesthetic buffer. All outdoor lights will be hooded and positioned away from surrounding properties. A noise limit of 65 DB will be enforced; all repair work will be done solely inside the building. In addition, no exterior paging, sound system, or audible alarms shall be allowed.

There is adequate paved parking (approximately 13 parking spaces) to accommodate customers and employees while only five spaces are required for the business. Two spaces are required for the boat retail sales area and three spaces are required for the highest number of employees working at any one time. In addition, there is one truck parking space required. The six required spaces would be for customers and employees, not for boat display. The extra parking spaces are reserved for customer boats. However, no boats or vehicles will be allowed to be parked within the circulation area. Parking will not be allowed on Business Route 41 for customers or boat display.

The drainage facility for the property is an existing gutter system that collects runoff generated by the business. There is an existing septic tank system onsite which will adequately support the estimated 10 gallons or less of wastewater produced by the business. No additional paving which would result in additional flows are being proposed as part of the conditional use permit. The project will use approximately 10 gallons of water a day. Water will be adequately supplied by County Service District 19.

The project was circulated to various external agencies, including the San Joaquin Air Pollution Control District (SJAPCD), for comments. No comments were received however, due to the sensitive nature of the proposed operation, dry exhaust filters will need to be installed and maintained. The applicant will also need to comply with any and all applicable air quality regulations.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,260.25 to cover the Notice of Determination (CEQA) filing at the Clerks' office. The amount covers the current \$2,210.25 Department of Fish and Wildlife fee and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

FINDINGS:

The following findings of fact must be made by the Planning Commission to grant approval of a conditional use permit application. Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

1. The proposed use will not violate the spirit or intent of the Madera County Zoning Ordinance. A boat repair and painting facility is allowed within the Commercial Rural Median (CRM) district with an approved Conditional Use Permit.
2. The proposed use will not be contrary to the public health, safety, or general welfare of the citizens of Madera County because it will be mitigated to a level less than significant. In addition to the use of dry exhaust filters, the project will be subject to any and all applicable air quality regulations by the San Joaquin Air Pollution Control District and the County Environmental Health Department.
3. The proposed use will not be hazardous, harmful, noxious, offensive, or a nuisance by reason of noise, dust, smoke, odor, glare, or other similar factors. The project will be mitigated to a level that is less than significant. The use of dry exhaust filters and the construction of an eight foot high masonry block wall will be required in order to alleviate air quality, odor, dust, and aesthetic concerns. An existing on-site septic system and gutter system will collect waste water and runoff generated by the property. In addition, the project will be subject to any and all San Joaquin Air Pollution Control District, County Environmental Health Department, County Public Works Department, and County Fire Marshall's Office regulations.
4. The proposed use will not for any other reason cause a substantial effect upon the property values and general desirability of the neighborhood or of the county. The commercial development where the project is proposed has already been constructed. The property is already zoned commercial and is not a significant change from previous operations which previously occupied the building. In addition, the surrounding parcels along Business Route 41 are also zoned for commercial and many of them are existing boat service businesses. Therefore, no adverse effect to values or desirability is imminent for neighboring properties.

GENERAL PLAN CONSISTENCY:

The proposal is consistent with retail and commercial services that are allowed within the Community Commercial designation as outlined in the Madera County General Plan. The commercial use of boat repair is allowed within a Commercial, Rural, Median (CRM) zone with an approved Conditional Use Permit (CUP). In addition, there is vertical consistency between the Zoning Ordinance and the General Plan.

RECOMMENDATION:

The analysis provided in this report supports approval of CUP #2016-003, MND #2016-005, and the attached Conditions of Approval and Mitigation Monitoring Reporting Program.

CONDITIONS

See attached.

ATTACHMENTS:

1. Conditions of Approval
2. Exhibit A, General Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D, Site Plan
6. Exhibit D-1, Elevations
7. Exhibit E, Aerial Map
8. Exhibit F, Topography Map
9. Exhibit G, Operational Statement
10. Exhibit H, Environmental Health Department Comments
11. Exhibit I, Fire Marshall Comments
12. Exhibit J, Applicant Email Rescinding Sign Proposal
13. Exhibit K, Initial Study
14. Exhibit L, Mitigated Negative Declaration
15. Mitigation Monitoring Report

CONDITIONS OF APPROVAL

PROJECT NAME:

Conditional Use Permit #2016-003 - Bohner Boat & Marine, Inc

PROJECT LOCATION:

West of Business Route 41, approximately 0.20 miles south of its intersection with Avenue 11 (10740 Highway 41), Madera.

PROJECT DESCRIPTION:

Request for a conditional use permit to allow a boat repair facility within an existing 8,000 square foot boating commercial retail building.

APPLICANT:

Dusty Lacefield (Bohner Boat & Marine, Inc) - (559) 431-0336

CONTACT PERSON/TELEPHONE NUMBER:

Joey Dinh - Madera County Planning (559) 675-7821

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health Department					
1	The operation must adhere to Madera County General Plan Noise Policy (1995).				
2	The construction and then ongoing operation 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					
Planning Department					
1	All signage shall be approved by the Planning Department prior to installation				
2	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.				
3	The applicant shall provide a minimum of 8 parking spaces.				
4	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.				
5	A solid masonry wall no less than eight feet in height shall be constructed along any property lines that neighbors residentially developed properties.				
6	All engine, mechanical repairs, and spraying shall be conducted inside the building located on the project site.				
7	Applicant will comply with the County's Noise Ordinance.				
8	The applicant shall submit a parking and circulation plan to the Planning Department for approval prior to issuance of the conditional use permit. This plan shall indicate parking spaces, driveway locations, and internal circulation patterns.				
9	The building may not use any outdoor paging system.				
10	All mitigation measures outline in the Mitigated Negative Declaration #2016-005 shall be implemented in development this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Public Works DEPARTMENT					
1	All storm water and waste water must be contained onsite.				

MITIGATION MONITORING REPORT

MND # 2016-005

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
Agricultural Resources								
Air Quality								
1	Dry exhaust filters will be installed, used, and maintained.	Construction	Madera County Planning Department	Madera County Planning Department				
2	Applicant must comply with all San Joaquin Valley Air Pollution regulatory requirements.	Duration of Project	Madera County Planning Department	Madera County Planning Department				
Biological Resources								
1	Any species listed in the Lanes Bridge Quadrangle as shown in the Biological Resources Table in the Initial Study that is identified must be quarantined and protected.	Pre-Construction, Construction, Duration of Project	Madera County Planning Department	Madera County Planning Department				
Cultural Resources								
Geology and Soils								
	The applicant must submit detailed grading and drainage plans when applying for permits with the Madera County Public Works Department. In addition, the applicant must comply with any applicable regulations from the Public Works Department.	Pre-Construction	Madera County Public Works Department	Madera County Public Works Department				
Hazards and Hazardous Materials								
1	A fire inspection shall be conducted prior to the release of the Conditional Use Permit to ensure compliance with applicable fire codes and regulations for storage and stacking of tires.	Pre-Construction	Madera County Fire Marshall's Office	Madera County Fire Marshall's Office				
2	The operator must complete and submit a Business Activities Declaration Form with the CUPA Program with the Environmental Health Department before the release of the Conditional Use Permit. The operator must obtain all necessary Environmental Health Department permits prior to any construction activities on site.	Pre-Construction	Madera County Environmental Health Department	Madera County Environmental Health Department				
3	If the facility handles/stores hazardous materials at quantities at or above (55 gallons, 500 lbs or 200 cu.ft compressed gas) or generates hazardous waste your facility will be regulated by this department under (Article I, Chapter 6.95, of the California Health & Safety Code Section 25503.5).	Duration of Project	Madera County Environmental Health Department	Madera County Environmental Health Department				

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
4	As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: www.cers.calepa.ca.gov	Pre-Construction	Madera County Environmental Health Department	Madera County Environmental Health Department				
Hydrology and Water Quality								
1	The applicant must submit detailed wastewater discharge and drainage plans to the Madera County Public Works Department. In addition, the applicant must comply with any applicable regulations from the Public Works Department.	Pre-Construction	Madera County Public Works Department	Madera County Public Works Department				
Land Use and Planning								
Mineral Resources								
Noise								
1	Construction activities are limited to the hours of seven a.m. and seven p.m. Monday through Friday and nine a.m. and five p.m. on Saturdays. Construction activities will be prohibited on Sundays.	Construction	Madera County Planning Department	Madera County Planning Department				
2	To mitigate potential noise impacts due to on-site activities, all boat repair work will be conducted indoors only and limited to the daily hours of operation of 8:00 a.m. and 5:00 p.m.	Duration of Project	Madera County Planning Department	Madera County Planning Department				
3	Construct and maintain an eight foot masonry block wall along any property lines that neighbor residentially developed properties.	Construction/Duration of Project	Madera County Planning Department	Madera County Planning Department				
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
Utilities and Service Systems								



GENERAL PLAN MAP



ZONING MAP

SEC. 9 T.12S. R.20E. M.D.B.&M.
ROLLING HILLS SUB. NO. 2
VOL. 8 PAGES 53 & 54

49-23

Tax Area Code
65-004

ORIGINAL
IN BLUE



5725-1-04
-2-05
-3-11 8/81
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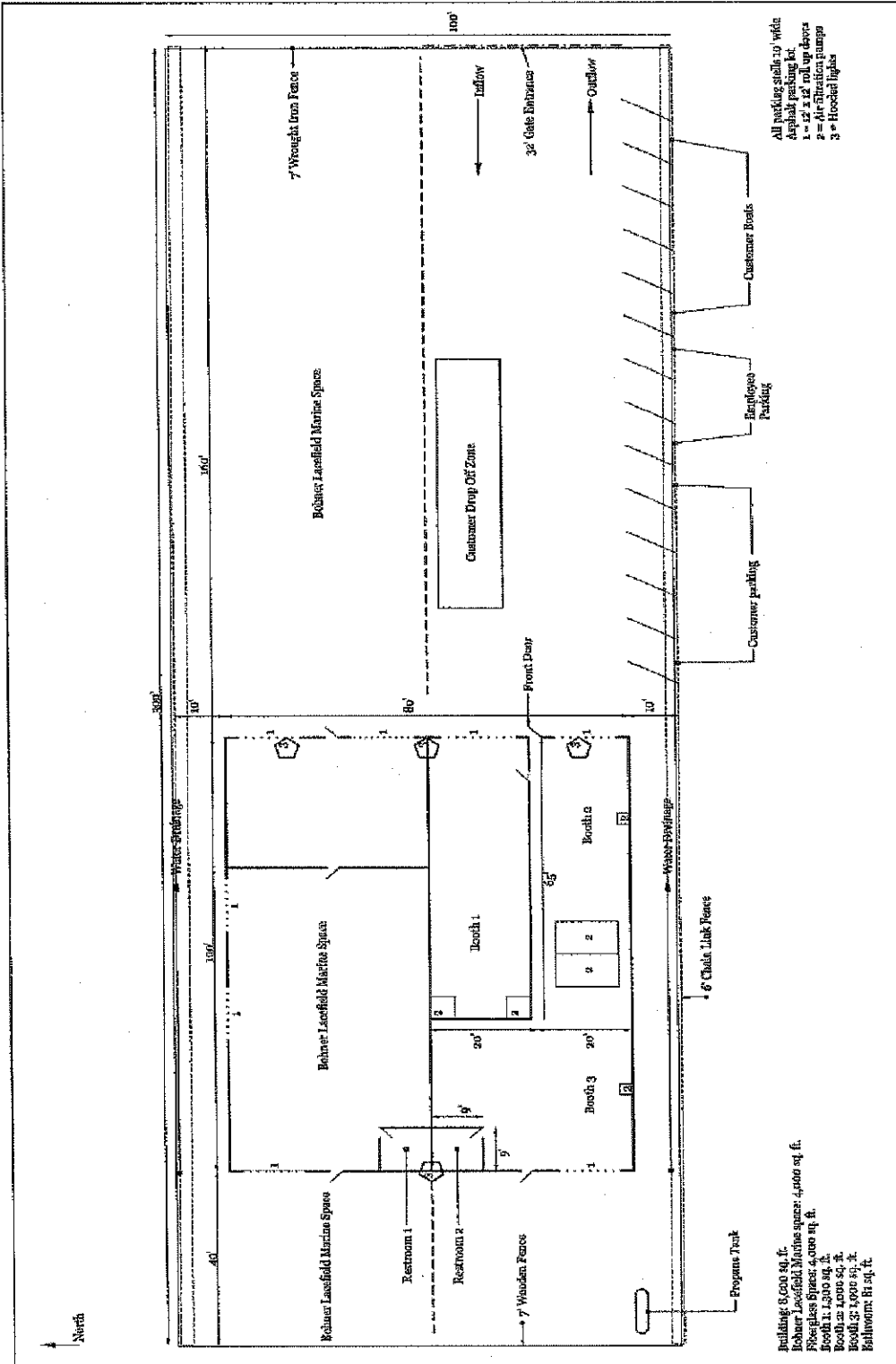
NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

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

Assessor's Map No. 49-23
Golden Valley Unified
County of Madera, Calif.
1961

EXHIBIT D

Business Route 41



Bohner Boat and Marine, Inc.

Site Plan

December 1, 2003

Commercial Lot

SITE PLAN



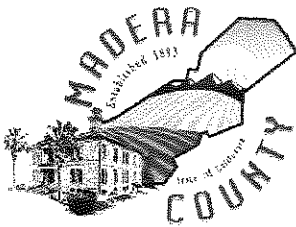
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



AERIAL MAP



TOPOGRAPHICAL MAP



Community and Economic Development
Planning Division

Norman L. Allinder, AICP
Director

Exhibit G
• 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: 049-233-003-000

Applicant's Name: Bohner Boat and Marine, Inc

Address: 10724 HWY 41, Madera, CA 93636

Phone Number: (559) 431-0336

2. Describe the nature of your proposal/operation.

Fiberglass and gel coat repair to boats. Repairs made inside an existing building on premises. Gel coat repairs made by HVLP spray gun inside gel coat booth equipped with certified equipment including dry exhaust filters.

3. What is the existing use of the property?

Boat and trailer servicing and repairs including engine maintenance by Bohner Boat and Marine, Inc DBA Bohner Lacefield Marine.

Storage

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?

Maintenance and repair work will be done on site. Product is repair and service based, not manufacturing.

5. What are the proposed operational time limits?

Months (if seasonal): year round

Days per week: Monday-Friday

Hours (from 8-5 to): Total Hours per day: 9

6. How many customers or visitors are expected?

Average number per day: 1-2

Maximum number per day: 5

What hours will customers/visitors be there? 8am to 5pm

7. How many employees will there be?

Current: 2

Future: 3

Hours they work: 8am to 5pm

Do any live onsite? If so, in what capacity (i.e. caretaker)? no

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

HVLP spray guns, dry exhaust filters, various mechanical tools including hand held grinders and drills. Gel coat (paint) will be applied to boats as repairs are needed.

9. Will there be any service and delivery vehicles? No

Number: _____

Type: _____

Frequency: _____

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

Paved parking, 8 parking stalls

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

Access to property from HWY 41 frontage road.

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

8-10 cars per day (customer and employee)

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

10' x 3' sign cabinet will be added to existing sign near the entrance to the property.

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.

Existing building will be used, no new buildings will be constructed.

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

Existing metal fence on property, no additional fencing or landscaping.

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

West - residential, North and South - commercial businesses (including our business to the North), East - highway

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

Operating equipment will generate less noise than existing equipment used at Bohner Laceyfield Marine including air compressors, pressure washers, boat engines running.

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).

At most 10 gallons per day. Water will be provided by city currently supplying water to the building.

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

Existing gutter system will be utilized for runoff water. Other than the existing bathroom use of water, business use will be 10 gallons of wastewater at most per day.

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?

Existing trash pickup once per week in 3.5 cubic feet trash can.

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

None

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

None

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

No bodies of water

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

None

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

No

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

No

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

Gel coat spray both dry exhaust filters will collect 98% of excess gel coat, which is filtered, then runs through a stack through the roof and into the air.

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

No schools, parks or any other special districts within the area.

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s):

Square feet of building area(s):

Total number of employees:

Building Heights:

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



Community and Economic Development
Environmental Health Division

Dexter Marr, Deputy Director

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

MEMORANDUM

TO: Joey Dinh
FROM: Dexter Marr, Environmental Health Division
DATE: February 24, 2016
RE: Bohner Boat and Marine, Inc. - Conditional Use Permit - Madera (049-233-003-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: February 16, 2016
RE: Conditional Use Permit (CUP) #2016-003, Bohner Boat and Marine Inc, Madera. APN 049233003

The Environmental Health Division Comments:

The operation must adhere to Madera County General Plan Noise Policy (1995).

Applicant must comply with all San Joaquin Valley Air Pollution regulatory requirements.

If the facility handles/stores hazardous materials at quantities at or above (55 gallons, 500 lbs or 200 cu.ft compressed gas) or generates hazardous waste your facility will be regulated by this Division under (Article I, Chapter 6.95, of the California Health & Safety Code Section 25503.5).

As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: www.cers.calepa.ca.gov

The construction and then ongoing operation 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.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this department prior to commencement of any work activities.

If there are any questions or comments regarding these conditions/requirements or for copies of any Environmental Health Permit Application forms please, feel free to 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: Joey Dinh
FROM: Deborah Keenan, Fire Marshal
DATE: February 24, 2016
RE: Bohner Boat and Marine, Inc. - Conditional Use Permit - Madera (049-233-003-000)

Conditions

At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)

From: [Dusty Lacefield](#)
To: [Joey Dinh](#)
Subject: RE: Comments Received
Date: Friday, March 04, 2016 11:40:53 AM

Joey,

We've decided to remodel our existing signage, incorporating our Fiberglass Unlimited logo into the same sign. This will be much more cost effective for us. Can you remove the proposed signage from our application?

Thanks

Dusty Lacefield

Sales Manager

Bohner Lacefield Marine

(559) 431-0336

www.blmboats.com

Environmental Checklist Form

Title of Proposal: CUP #2016-003 Bohner Boat & Marine, Inc.

Date Checklist Submitted: 02/25/2016

Agency Requiring Checklist: Madera County C&ED, Planning Division

Agency Contact: Joey Dinh, Planner I

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 request is to approve allow for boat fiberglass and gel coat (paint) repair in an existing commercial boat service building. The proposed use will be inside an existing 8,000 square feet building that already performs boat and trailer servicing. The request to allow boat fiberglass and gel coat repair will use HLVP spray guns, dry exhaust filters, various mechanical tools including hand-held grinders and drills. With the exception of setting up work stations for the fiberglass and gel coat repair, there will be no new construction to the building or the property.

Project Location:

The project is located in southeastern Madera County on the west side of Business Route 41, approximately 0.20 miles south of the intersection of Avenue 11 and Highway 41. The address is 10740 Highway 41, Madera, CA 93636.

Applicant Name and Address:

Bohner Boat & Marine, Inc.
10740 Highway 41,
Madera, CA 93636

General Plan Designation:

Community Commercial (CC) Designation

Zoning Designation:

Commercial, Rural, Median (CRM) District

Surrounding Land Uses and Setting:

Commercial (north), commercial (south), Highway 41 (east), and residential (west).

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.

Signature 

March 9, 2016
Date

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

Discussion:

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

Since there will be no external alterations to the existing building that the boat service business currently occupies, there will be no substantial degradation of existing visual character nor would any new source of light or glare be created as a result of the proposed use.

General Information:

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

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

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

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

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

Discussion:

(a - e) No Impact. The Farmland Mapping and Monitoring Program of the California Resources Agency designates this parcel as "Urban and Built Up Land". The parcel is zoned Commercial Rural Median (CRM) and is not subject to the Williamson Act. The property is not within forestry or timberland protection areas and therefore is not subject to PRC 12220(g). The project will not involve changes that will convert Farmland or forest land.

General Information

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

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

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

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

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

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

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

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

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

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

Discussion:

(a - e) Less Than Significant with Mitigation Incorporation. The project will not generate emissions from dust and traffic above existing levels. However, the contribution of emissions from business operations such as boat running, engine repair, fiber glass repair, or gel coat repair has the potential to impact air quality with pollutants and odors. In addition, the existing commercial building is located adjacent to an existing residentially zoned neighborhood. The proposed project is located within the San Joaquin Air Basin. The San Joaquin Valley Air Pollution Control District (SJVAPCD) is required, pursuant to the federal Clean Air Act, to reduce emissions of criteria pollutants for which the basin is on nonattainment (i.e., Particulate Matter 10 and Particulate Matter 2.5). As such, the proposed project would be subject to SJVAPCD’s rules and regulations. In addition, a dry exhaust filter will be installed and use to alleviate operational emissions.

General Information

Global Climate Change

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

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

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

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

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion:

(a) Less Than Significant Impact With Mitigation Incorporation. The area is part of the valley floor. This surrounding area has historically been in agriculture. These valley habitats have been modified by grazing, and degraded by rural residential development. The project site is currently fallowed land and is a boat repair facility. The building was constructed in 1984. The site has been used for commercial activities since that time. There are no known special status species habitats or migration corridors known to exist in the vicinity of this project. However, there is suitable habitat or marginally suitable habitat within the project site for plants, special-status invertebrates, birds, and mammals. Mitigation measures have been added for each group.

(b) Less Than Significant Impact With Mitigation Incorporation. The project site is currently fallow land. The project vicinity is utilized for agricultural activities as well, including a dairy to the north and vineyards to the east. No sensitive natural communities exist on the project site, given the extent of active agriculture use currently existing. However, there is suitable habitat or marginally suitable habitat within the project site for plants, special-status invertebrates, birds, and mammals. Mitigation measures have been added for each group.

(c) No Impact. There are no known federally protected wetlands on the site. There are no known marshes, or vernal pools, and as the County is geographically in the center of the State, there are no coastal issues.

(d) No Impact. There will be no impacts to migration. The project site is currently developed and has been used for commercial activity since 1984. The lack of natural communities on the project site and in the vicinity greatly diminishes the potential existence of any wildlife corridor onsite.

(e) No Impact. No tree removal is expected as a result of this project. No impacts anticipated as a result of this project.

(f) No Impact. No impacts are anticipated as a result of this project.

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	CA Dept. of Fish and Wildlife Listing	CNPS Listing
California Tiger Salamander	Threatened	Threatened	SSC	-
Western Spadefoot	None	None	SSC	-
Swainson's Hawk	None	Threatened	-	-
Osprey	None	None	WL	-
California Horned Lark	None	None	WL	-
Great Egret	None	None	-	-
Great Blue Heron	None	None	-	-
Western Yellow-Billed Cuckoo	Threatened	Endangered	-	-
Tricolored Blackbird	None	None	SSC	-
Yellow-Headed Blackbird	None	None	SSC	-
Burrowing Owl	None	None	SSC	-
Vernal Pool Fairy Shrimp	Threatened	None	-	-
Midvalley Fairy Shrimp	None	None	-	-
California Linderiella	None	None	-	-
Hardhead	None	None	SSC	-
Valley Elderberry Longhorn Beetle	Threatened	None	-	-
Molestan Blister Beetle	None	None	-	-
San Joaquin Pocket Mouse	None	None	-	-
American Badger	None	None	SSC	-
Great Valley Mixed Riparian Forest	None	None	-	-
Northern Claypan Vernal Pool	None	None	-	-
Northern Hardpan Vernal Pool	None	None	-	-
Spiny-Sepaled Button-Celery	None	None	-	1B.2
Succulent Owl's-Clover	Threatened	Endangered	-	1B.2
San Joaquin Valley Orcutt Grass	Threatened	Endangered	-	1B.1
Hairy Orcutt Grass	Endangered	Endangered	-	1B.1

Lanes Bridge Quadrangle

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

SSC Species of Special Concern

WL Watch List

FP Fully Protected

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

The Valley Elderberry Longhorn Beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitats. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

feature?

- d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion:

(a - d) No Impact. The County General Plan notes that no significant archaeological resources have been identified in this portion of the County. No paleontological resources or unique geological features are known to exist in the vicinity of the site. The project site will utilize existing structures. There are no known historic or culturally significant resources on the properties, or the surrounding community. The project will not involve activities which would disturb any subsurface resources.

General Information

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

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

VI. GEOLOGY AND SOILS -- Would the project:

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

Discussion:

(a – i) No Impact. Foothill and Sierra Nevada regions of the California are areas that are crossed by very few faults. There is an unnamed fault line that crosses through the southeastern portion of

the County and is part of the Hartley Springs Fault Zone. As such, the chances of rupture of faults in the vicinity are less than likely. Chances are better in feeling shock waves from fault lines that rupture, depending on their magnitude.

(a – ii) Less Than Significant Impact. Madera County is in the Central Valley, Foothill, and Sierra Nevada regions of California and in an area crossed by very few faults. One fault does cross through the southeastern portion of the County, is unnamed and is a part of the Hartley Springs Fault Zone.

(a – iii) Less Than Significant Impact. See above.

(a – iv) No Impact. The site for the proposed boat repair shop is flat and does not have the potential for landslides.

(b) No Impact. There will be no grading. The project will utilize existing buildings. The entire site is paved.

(c) No Impact. This area consists of San Joaquin sandy loams, 0 to 3 percent slopes. This complex includes fine sandy loam, sandy loam, and coarse sandy loam, so closely associated that separating them was impractical. Because of the hummocky micro relief, the hand pan is variable. Drainage is good; surface runoff is very slow to slow, and internal drainage is very slow. The erosion hazard is slight. There are no impacts identified.

(d) No Impact. There were no impacts identified.

(e) No Impact. There were no impacts identified.

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, ground shaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater ground shaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from ground shaking 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	Less Than Significant Impact	No Impact
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		Mitigation Incorporation		
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - b) Less Than Significant Impact With Mitigation Incorporation. The operation of the project is expected to emit some greenhouse gases. However, emissions from gel-coat repair would be intermittent and during proposed operational hours only. Vehicular trips generated by the project are minimal and would not generate a significant amount of greenhouse gases directly or cumulatively. However, due to the emissions from gel coat repairs, the project will have to comply with any and all applicable state and local regulations including those from the San Joaquin Valley Air Pollution Control Board and the County Environmental Health Department.

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

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

Discussion:

(a – c, & h) Less Than Significant Impact With Mitigation Incorporation. The project presents a limited risk of accidental upset or other health hazards due to the on-site presence of oils, solvents, gasoline, and boat emissions. The project requires the use or transport of limited quantities of hazardous or volatile chemicals. The County Environmental Health Department and the Fire Marshall’s Office will require that all hazardous materials be stored, handled, and disposed of in compliance with applicable state and local regulations regarding the handling of such materials. The operator/owner will also be required to keep a current Hazardous Materials Business Plan on record and provide a copy of this plan to the County Environmental Health Department and the Fire Marshall’s Office.

(d – g) No Impact. The subject property does not appear on a list of hazardous materials sites.

The proposed project is not located within an airport land use plan, airport, or private airstrip.

The project will not interfere with an adopted emergency response plan or emergency evacuation plan.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?
- j) Inundation by seiche, tsunami, or mudflow?

Discussion:

(a, e - f) Less than Significant Impact With Mitigation Incorporation. There have been no significant problems with water quality or waste discharge in the area however the project will provide and maintain its own drainage system and all on-site runoff will be managed through an existing gutter system. However, the project does reflect a commercial operation and the proposal will involve handling of potentially hazardous materials, therefore a detailed wastewater plan must be submitted to the Public Works Department.

(b) Less Than Significant Impact. Per the applicant-submitted Operational Statement, only 10 gallons of water will be used daily. The project will still need to comply with any and all state and local water regulations.

(c – d & g - j) No Impact. There will be no streams or rivers altered as a result of this project. There will be no slight changes in erosion patterns as a result of new structures and impervious surfaces being created as a result of this project. The project is not within the 100-year flood hazard area nor is it in the vicinity of a levee or dam. The project area is not typically subject to seiche, tsunami, or mudflow events due to the location not being near an ocean, a downward slope, or body of water.

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

Discussion:

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

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

Discussion:

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

XII. NOISE – Would the project result in:

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

Discussion:

(a - d) Less than Significant Impact with Mitigation Incorporation. The proposed project is expected to generate noise in excess to the standards established by the Madera County Noise Ordinance and may generate groundborne vibration and noise during the operational phase which would be intermittent and temporary during proposed business hours only.

The proposed use will generate some noise with the use of equipment such as air compressors, pressure washers, and boat engines running. All these uses will be contained within the structure; no work will be conducted outside. The uses being conducted indoors, during normal business hours, is consistent with the typical use allowed with the commercial district.

The project will not permanently increase ambient levels due to the fact that it has limited operating hours. Additionally, the business will conduct all work indoors so that neighboring properties may not notice an increase in noise levels. However, due to the potential noise, an eight feet masonry block wall must be constructed on the western property line that abuts existing residentially zoned properties to create an aesthetic and noise buffer. All work and repairs must be conducted indoors

during operational hours only. Additionally, generation of noise must be done in such a manner so as to not exceed allowable levels as determined by the County Environmental Health Department.

(e - f) No Impact. The proposed project is outside the flight path of the airport nor is it in the vicinity of a private airstrip and will not subject people to noise levels which could be considered excessive.

Policy 6.28.040 A: Agricultural activity, operation or facility, or appurtenances thereof includes, but is not limited to, the cultivation and tillage of the soil, dairying...the raising of livestock...or any practices performed...in conjunction with such...operations including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

Policy 6.28.050 A: No agricultural activity, operation or facility...shall be or become a nuisance, private or public, due to any changed condition in or about the locality...

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

enclosures.

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

**MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES***

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

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

AM = 7:00 AM to 10:00 PM
 PM = 10:00 PM to 7:00 AM
 L = Light
 H = Heavy

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

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

Vibrating objects in contact with the ground radiate energy through the ground. Vibrations from large and/or powerful objects are perceptible by humans and animals. Vibrations can be generated by construction equipment and activities. Vibrations attenuate depending on soil characteristics and distance. Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - c) No Impact. The proposed business would serve the existing the community but will not require additional construction of housing nor would it induce growth. The construction of and operation of the facility will not have an impact on housing or population needs for the County or the area specifically.

XIV. PUBLIC SERVICES

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

Discussion:

(a - i) Less Than Significant Impact. The boat repair facility would increase the need for fire protection. In the event of fire or hazardous material release, there is a fire station approximately ½ mile from the proposed facility to respond.

(a - ii) No Impact. The operation of the proposed project would not increase the need for police services. The project is planned to be a secure facility with a fence.

(a - iii) No Impact. The facility does not include a housing component and it would only increase employment slightly. Therefore, it would not directly or indirectly increase student enrollment levels.

(a - iv) No Impact. The proposed facility does not include a housing component. Therefore, additional demands on existing public parks would not occur as a result of construction or operation of the proposed boat repair facility.

(a - v) No Impact. The operation of the proposed boat repair facility would not result in any impacts to public facilities.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an “Amador Plan” contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from

their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

The Madera County Sherriff's Department provides crime and emergency response. There will not be an increased incidental need for law enforcement in the events of theft and vandalism on the project site.

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

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

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

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

XV. RECREATION

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

Discussion:

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

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

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

Discussion:

(a - b) Less Than Significant Impact. The project would not result in a conflict with an applicable plan, ordinance, or policy in relationship to the circulation and transportation system in the area. However, the project is expected to add around eight to ten additional vehicular trips and resulting traffic. In addition, traffic generated by the project could also be towing boats due to the nature of the business. The volume of traffic generated by the project should be equal to or less than traffic generated by other types of uses allowed in the CRM (Commercial Rural Median) zone district. The increase is minimal and will have a less than significant impact.

(c - f) No Impact. The project has no potential to conflict with any air traffic plans and will have no

impact upon alternative transportation. The parcel already obtains access of an existing roadway and will not affect emergency access or access to other properties. There is no infrastructure in place on Highway 41 that supports alternative transportation such as bikes or trains.

General Information

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

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

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

Discussion:

(a, d, e, & g) Less Than Significant Impact. The project will be using an existing gutter system to handle its wastewater and is expecting to contribute about 10 gallons of wastewater daily. The amount is less than significant, however, the applicant will be required to submit a wastewater plan to the County Public Works Department and also comply with any applicable regulations.

The site will receive water through maintenance district SA 19 water system. The expected demand is a minimal 10 gallons daily and should have less than a significant impact.

(b – c & f) No Impact. No impacts are expected because the project will not require or result in the new construction of a water, wastewater or storm water facility. The project will retain its own

wastewater and runoff through a basin and have an onsite septic system. The current water system in the place for the area is sufficient for the project.

General Discussion

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

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

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

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

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

XVIII MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

Discussion:

CEQA defines three types of impacts or effects:

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

(a) Less Than Significant Impacts. The project will not significantly degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory. All potentially significant impacts have been identified and shown to have less than significant impacts.

(b - c) Less Than Significant Impact With Mitigation Incorporation. The project has the potential to impact humans directly and cumulatively through air quality, hazardous materials associated with boat repair, and noise. Because of such potential, the project will be required to comply with all applicable federal, state, and local regulations as well as the mitigation measures set forth in this document and in the Mitigation Monitoring Reporting Program. With compliance, all potential impacts should be mitigated to a level that is less than significant.

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

Madera County General Plan

California Department of Finance

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

California Department of Transportation (CALTRANS)

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

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

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

Madera County Department of Engineering and General Services

Madera County Environmental Health Department

Madera County Fire Marshall's Department

Madera County Integrated Regional Water Management Plan

Madera County Public Works Department

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

MITIGATED NEGATIVE DECLARATION

MND 2016-002

RE: Bohner Boat & Marine – Conditional Use Permit #2016-003

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the west side of Business Route 41, approximately 0.20 of a mile south of its intersection with Avenue 11 (10740 Highway 41), Madera.

The project is a request for a Conditional Use Permit to allow a boat repair facility within an existing 8000 square feet boating commercial retail building.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

1. Please see attached Mitigation Monitoring Report.



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Community & Economic Development Department - Planning Division, 200 West 4th Street, Madera, California.

DATED:

FILED:

PROJECT APPROVED: