



Community and Economic Development Planning Division

Jamie Bax
Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 675-7821
- FAX (559) 675-6573
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PLANNING COMMISSION DATE: June 13, 2023

AGENDA ITEM: #2

PM	#4297	Request to appeal the Parcel Map Committee's decision on tentative parcel map #4297
APN	054-140-069	Applicant: L.M. Jensen Inc.
CEQA	ND#2023-04	Negative Declaration

REQUEST:

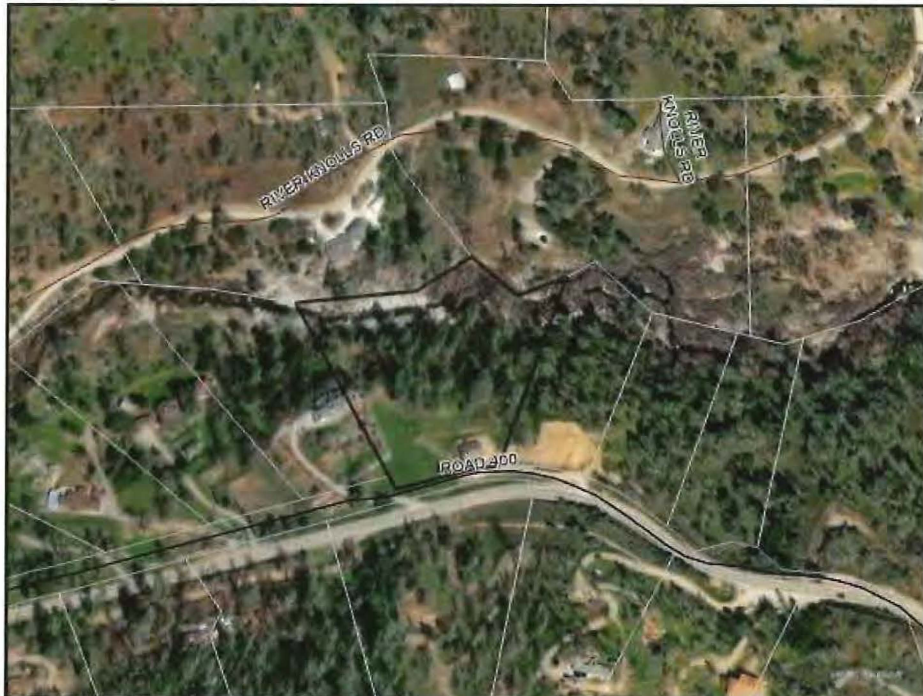
A request to appeal the Parcel Map Committee's decision to approve tentative Parcel Map (PM#4297) which would divide 5.42 acres of RRS-2 (Residential, Rural, Single-Family District-2 acre) zoned property into two parcels (Parcel 1 – 2.69-acres, Parcel 2 – 2.72-acres).

LOCATION:

The subject property is located on the north side of Road 400, approximately 0.29 miles northwest of its intersection with Sandy Beach Lane, (31638 Road 400), Coarsegold.

ENVIRONMENTAL ASSESSMENT:

A Negative Declaration (ND#2023-04) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Adoption of a resolution denying the appeal of the Parcel Map Committee's decision to approve tentative Parcel Map #4297 and Negative Declaration (ND#2023-04).

PM#4297

GENERAL PLAN DESIGNATION (EXHIBIT A):

SITE: RR (Rural Residential) Designation.

SURROUNDING: RR (Rural Residential) Designation.

ZONING (EXHIBIT B)

SITE: RRS-2 ½ (Residential, Rural, Single Family – 2 ½ Acre)

SURROUNDING: RRS-2 ½ (Residential, Rural, Single Family – 2 ½ Acre)
AR-5 (Agricultural, Rural – 5 Acre)
ARF (Agricultural, Rural, Foothill)

LAND USE:

SITE: Residential

SIZE OF PROPERTY: 5.42 Total Acres

ACCESS (EXHIBIT B): Access to the site is via Road 400.

WILLIAMSON ACT:

The applicant's property is not subject to a Williamson Act (Agricultural Preserve) contract.

BACKGROUND AND PRIOR ACTIONS:

No prior actions are associated with the project parcel.

PROJECT DESCRIPTION:

On February 22, 2023, the Parcel Map Committee approved tentative Parcel Map (PM#4297) which would divide 5.42 acres of RRS-2 (Residential, Rural, Single-Family District-2 acre) zoned property into two parcels (Parcel 1 – 2.69-acres, Parcel 2 – 2.72-acres). A request to appeal the Parcel Map Committee's decision was initiated by surrounding property owners within the 10-day appeal period.

ORDINANCES/POLICIES:

Madera County Code (Chapter 18.11.100) – Use Regulations of Residential Zones.

Madera County Code (Chapter 17.72.140) - Tentative Parcel Map

Madera County Code (Chapter 17.72.141) - Hearing Before Planning Commission.

Madera County General Plan Part 1, Land Use Designations

ANALYSIS:

On February 22, 2023, the Parcel Map Committee approved tentative Parcel Map (PM#4297) which would divide 5.42 acres of RRS-2 (Residential, Rural, Single-Family District-2 acre) zoned property into two parcels (Parcel 1 – 2.69-acres, Parcel 2 – 2.72-acres). A request to appeal the Parcel Map Committee's decision was initiated by surrounding property owners within the 10-day appeal period. A negative declaration (ND#2023-04) was prepared for the tentative parcel map. The proposed division is in conformance with the existing General Plan and zoning designations. The proposed division will facilitate future residential development for each parcel.

A request to appeal the Parcel Map Committee's decision was initiated by surrounding property owners within the 10-day appeal period. Per the Madera County ordinance (Sec.17.72.140 (h)), a decision made by the Parcel Map Committee may be appealed to the Planning Commission and/or Board of Supervisors. The hearing before the planning commission shall be noticed and conducted upon the following conditions (Sec.17.72.141):

- A. The commission shall consider the division of land and determine whether the division is in accordance with the rules and regulations established by state statute, and the ordinances of the county and whether any substantial injury would be caused to any real property right or interest of any person objecting to said parcel map.
- B. The commission may approve, disapprove or approve said division of land upon specific terms and conditions.
- C. The order of the planning commission shall be followed in the processing of said parcel map.
- D. The order of the commission may be appealed to the board of supervisors by any department, or any person appearing at said hearing and adversely affected by the decision thereof. Said appeal shall be made in writing within fifteen days from the date of the decision by the planning commission, upon the payment of an appeal fee.
- E. Failure to file the appeal within the time specified herein is jurisdictional.

The application was circulated to internal and external agencies for comments, including Native American tribes per Assembly Bill 52 requirements. Comments were received from Environmental Health, Public Works, Fire, and the Assessor's Office. Environmental Health standard comments stated the parcel map shall comply with County Local Agency Management Program (LAMP) and Madera County Code Title 13 as it relates to Water and Sewer. Public Works is requiring all driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise and that an encroachment permit is required prior to commencing any work in the public right of way. Fire has required the applicant to apply for a PRC 4290 setback reduction since the parcel is within the State Responsibility Area (SRA).

FINDINGS OF FACTS

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this tentative parcel map:

1. *The proposed map is consistent with applicable general and specific plans;* The General Plan and Area Plan designations for the property is RR (Rural Residential) which allows for single-family detached and attached homes, secondary residential units, limited agricultural uses, public and quasi-public, and other similar compatible uses. The property is zoned RRS-2 ½ (Residential, Rural, Single Family-2 ½ acre). The Zoning and General Plan/Area Plan designations are consistent with the proposed use and the resulting lots will comply with each zone district's minimum size parcel requirement.
2. *The design or improvements of the proposed subdivision is consistent with applicable general and specific plans;* The proposed subdivision does not contain any proposed development and therefore is not required to implement any improvements.

3. *The site is physically suitable for the type of development;* The proposed tentative parcel map will divide 5.42 acres into two parcels (Parcel 1 – 2.69 acres, Parcel 2 – 2.72 acres). There is an existing single-family dwelling on the parcel. No additional development has been associated with this project and shall remain physically suitable for the proposed division.
4. *The site is physically suitable for the proposed density or development;* The proposed tentative parcel map will divide 5.42 acres into two parcels (Parcel 1 – 2.69 acres, Parcel 2 – 2.72 acres). There is an existing single-family dwelling on the parcel. The subsequent lots created will still comply with the General Plan and Area Plan Designations density requirements of RR (Rural Residential), which limits the density to 0.5 units per acre.
5. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;* The proposed tentative subdivision is not projected to have any substantial damage to the environment. The proposed parcel map does not include development. Future residential construction would be a by-right use, contiguous to existing residential development in the immediate area.
6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems;* Conditions have been added to the tentative parcel map to regulate water/sewer standards, improve road access, and prevent wildfires within State Responsible Areas designated as Wildland Urban Interface.
7. *The design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;* The proposed tentative parcel map will not conflict with any easements due to the lack of proposed development with this project.
8. *The parcel map committee may approve the map if it finds that alternate easements, for access or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public;* The proposed tentative parcel map will gain access off an established (Road 400) and does not propose any new easements for access or use.

GENERAL PLAN CONSISTENCY:

The General Plan is listed as RR (Rural Residential) which provides for single-family detached homes, secondary residential units, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The property is zoned RRS-2 ½ (Residential, Rural, Single Family – 2 ½ Acre) which requires a minimum lot area of 2.25 acres and allows for single-family dwellings/mobile homes and accessory dwelling units.

RECOMMENDATION:

Staff recommends the Planning Commission deny the appeal of the Parcel Map Committee's decision to approve tentative Parcel Map #4297. If the commission denies the appeal, Parcel Map #4297 will be approved subject to conditions, Negative Declaration, and supported by the Findings of Fact.

CONDITIONS:

See attached conditions of approval.

ATTACHMENTS:

1. Exhibit A. General Plan Map
2. Exhibit A-1. Area Plan Map
3. Exhibit B. Zoning Map
4. Exhibit C. Assessor Map
5. Exhibit D. Tentative Parcel Map
6. Exhibit E. Aerial Map
7. Exhibit F. Topographical Map
8. Exhibit G. Environmental Health Division Comments
9. Exhibit H. Public Works Comments
10. Exhibit I. Fire Marshals Comments
11. Exhibit J. Assessor's Comments
12. Exhibit K. Initial Study
13. Exhibit L. Appeal Letter

CONDITIONS OF APPROVAL

PROJECT NAME:	Tentative Parce Map#4297
PROJECT LOCATION:	The subject property is located on the northwest corner of Avenue 21 1/2 and Elmwood Road (no situs), Madera.
PROJECT DESCRIPTION:	The applicant is requesting a tentative parcel map which would divide 5.42 acres of RRS-2 (Residential, Rural, Singe-Family District-2 acre) and ARF (Agricultural, Rural, Foothill) zoned property into two parcels (Parcel 1 – 2.69-acres, Parcel 2 – 2.72-acres).
APPLICANT:	L.M. Jensen Inc.
CONTACT PERSON/TELEPHONE NUMBER:	(559) 683-5656

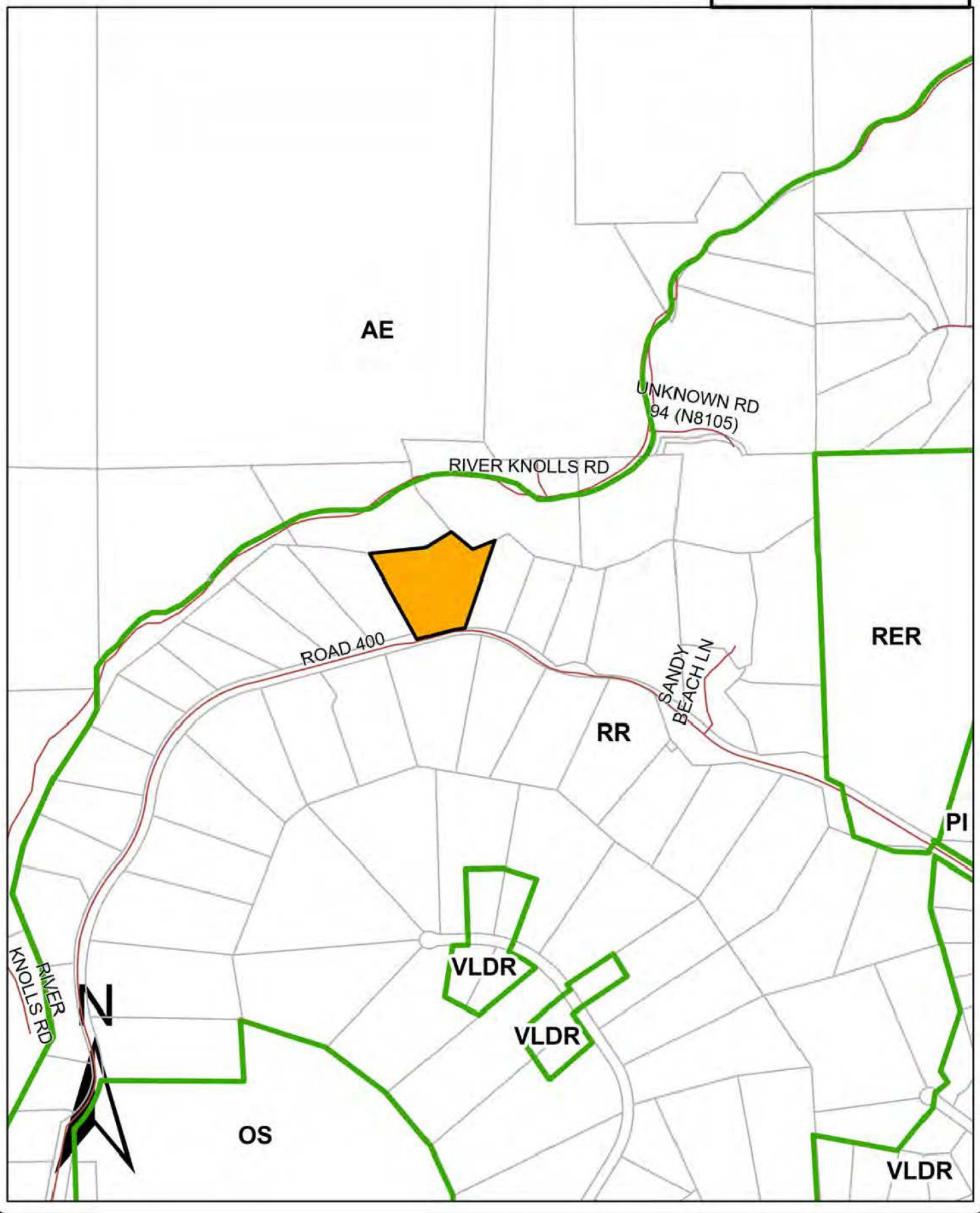
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	Parcel map must comply with County Local Agency Management Program (LAMP) and Madera County Code Title 13 as it relates to Water and Sewer.	EH			
2	The construction and then ongoing operation 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.	EH			
3	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 Division. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this Division prior to commencement of any work activities.	EH			
Public Works					
1	Prior to any construction where such construction takes place within an existing public right-of-way, the developer is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.	PW			
2	All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach layout will be inspected by the Public Works inspector.	PW			
3	Identify existing and proposed driveway approaches on the map for each parcel.	PW			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Planning					
1	The final map will require the notarized signature(s) of the property owner(s).	Planning			
2	The final map will require the completion of the applicant's certificate.	Planning			
3	Place an Applicant Notary Public's certificate on the final parcel map.	Planning			
4	The final map will require the completion and signature of the property owner's Notary Public.	Planning			
5	The final map will require the signature and seal of the project engineer/surveyor.	Planning			
6	The final map will require completion of the surveyor's certificate.	Planning			
7	Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72.	Planning			
8	Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication.	Planning			
9	Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.	Planning			
10	Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera.	Planning			
11	Identify this proposal as Parcel Map No. 4297.	Planning			
12	All parcels being created must maintain a minimum of 1 acre gross and net as specified by the General Plan/Zoning Ordinance.	Planning			
13	The final parcel map shall indicate gross and net acreages for all parcels being created.	Planning			
14	Place a north arrow on the final map.	Planning			
15	Place a vicinity map on the final map additional sheet.	Planning			
16	The final map shall utilize a written and graphic scale of 1 inch = 100 feet (or larger), unless written authorization is received from the Planning Department to deviate there from.	Planning			
17	The final map shall indicate on an additional sheet all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a note so stating.	Planning			
18	The final map shall indicate on the additional sheet the type of structures together with their dimensions.	Planning			

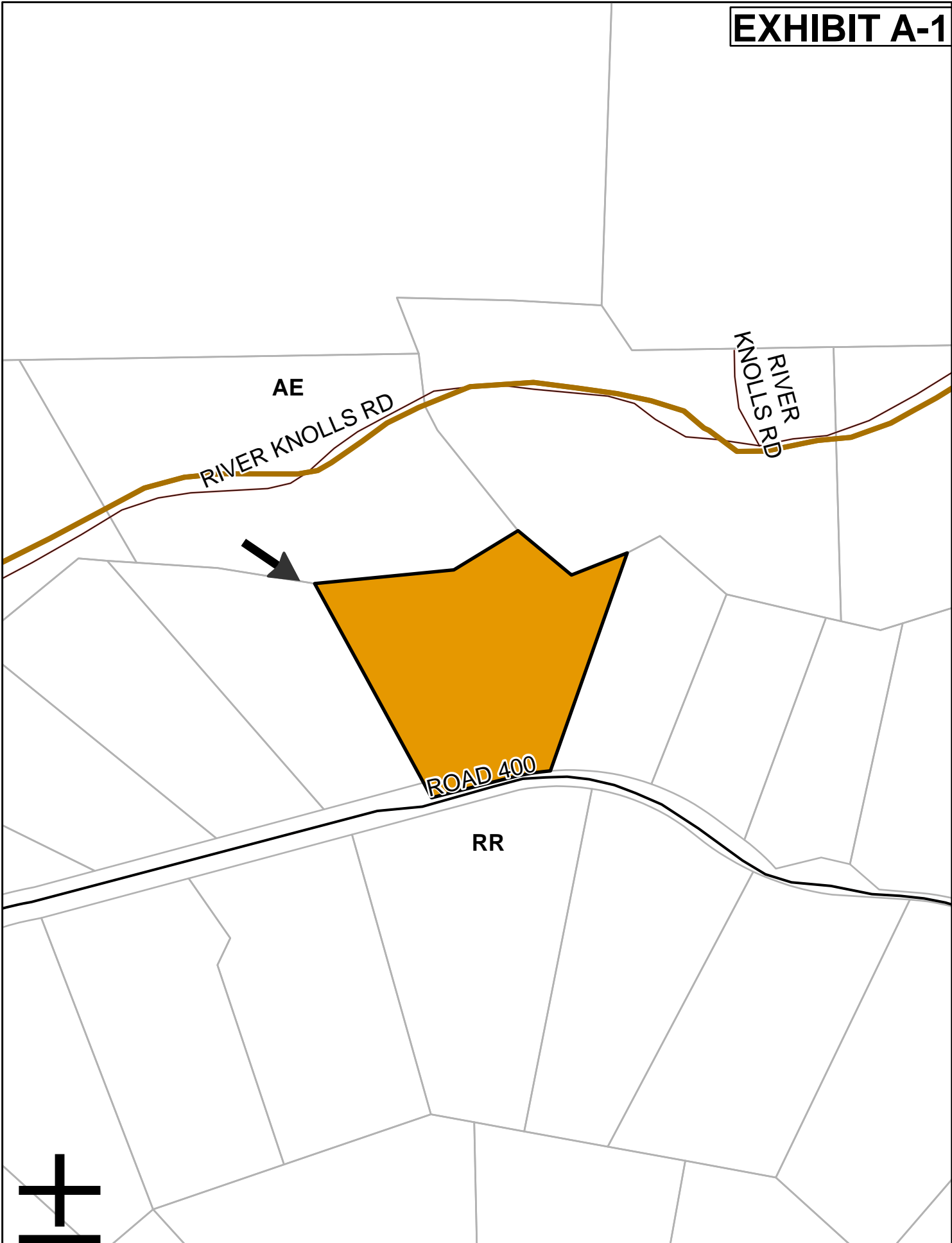
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
19	Under the provisions of County Code Section 17.72.187, prior to final map recordation the applicant or his authorized agent will provide the Planning Director with "Will Serve" letters from the appropriate water, wastewater, power, and telephone companies.	Planning			
20	The final map shall indicate the proposed division lines by means of short dashed lines.	Planning			
21	The final parcel map shall indicate on the additional sheet driveway location for each parcel being created. The driveway shall be a minimum of twelve (12) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval.	Planning			
22	If applicable, place the appropriate grant deed certificate(s) on that portion of road right-of-way which was grant deeded to the County of Madera prior to submission of this proposal. Said certificate shall read as follows, as appropriate: a. For grant deeds recorded prior to January 1, 1990: " ?'-wide road right-of-way previously grant deeded to the County of Madera in Book ? at page ? , Madera County Official Records." b. For grant deeds recorded on or after January 1, 1990: " ? '-wide road right-of-way previously grant deeded to the County of Madera as Instrument # ? - ? , Madera County Official Records."	Planning			
23	The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).	Planning			
24	The final map shall require the signature and seal of the County Engineer/Surveyor.	Planning			
25	The final map shall require letters of approval from the Fire, Assessor, Road, and Environmental Health Departments.	Planning			
26	Payment of all payable liens (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review by the County Counsel's Office.	Planning			
27	A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation.	Planning			
28	All parcels shall have a minimum of 60 feet of lot frontage along the access road serving the parcel.	Planning			
29	Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post.	Planning			
30	This proposal must complete processing within two (2) years of lead agency tentative approval; that is, on or before April 27, 2024.	Planning			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
31	The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.	Planning			
32	Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.	Planning			
33	All construction activities shall cease and the Madera County Sheriff's Department shall be notified should any human remains be discovered. All activities or actions that that could 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 shall cease until a archaeological survey has been completed.	Planning			
34	Any existing violations or un-finaled permits must be corrected prior to submittal of Final Map.	Planning			
Fire Marshal					
1	The project site is within the State Responsibility Area (SRA). As such is governed by Public Resource Code (PRC) 4290. The minimum required setback specified is 30 feet from property line. The proposed structure does not meet that requirement. Applicant shall apply for a PRC 4290 setback reduction. A fee of \$139.00 is required. Submit payment and application to Fire Marshal. Reductions are not guaranteed and require a site inspection to determine if site characteristics meet reduction specifications. Upon receipt of PRC 4290 application an inspection will be scheduled at the property prior to correction notice being lifted.	Fire			
Assessor's Office					
1	Provide a completed AO-93 form.	Assessors Office			

EXHIBIT A

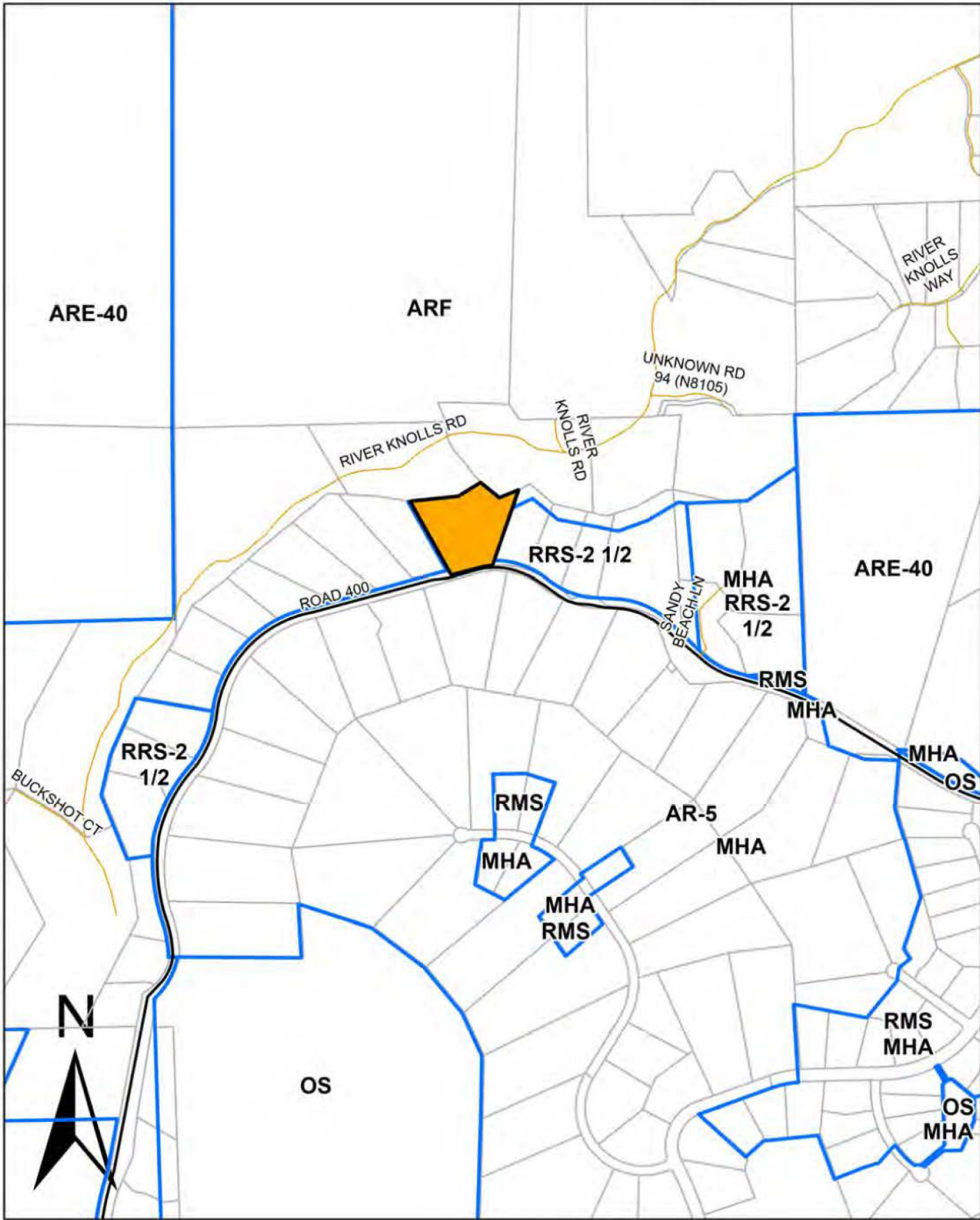


GENERAL PLAN MAP



AREA PLAN MAP

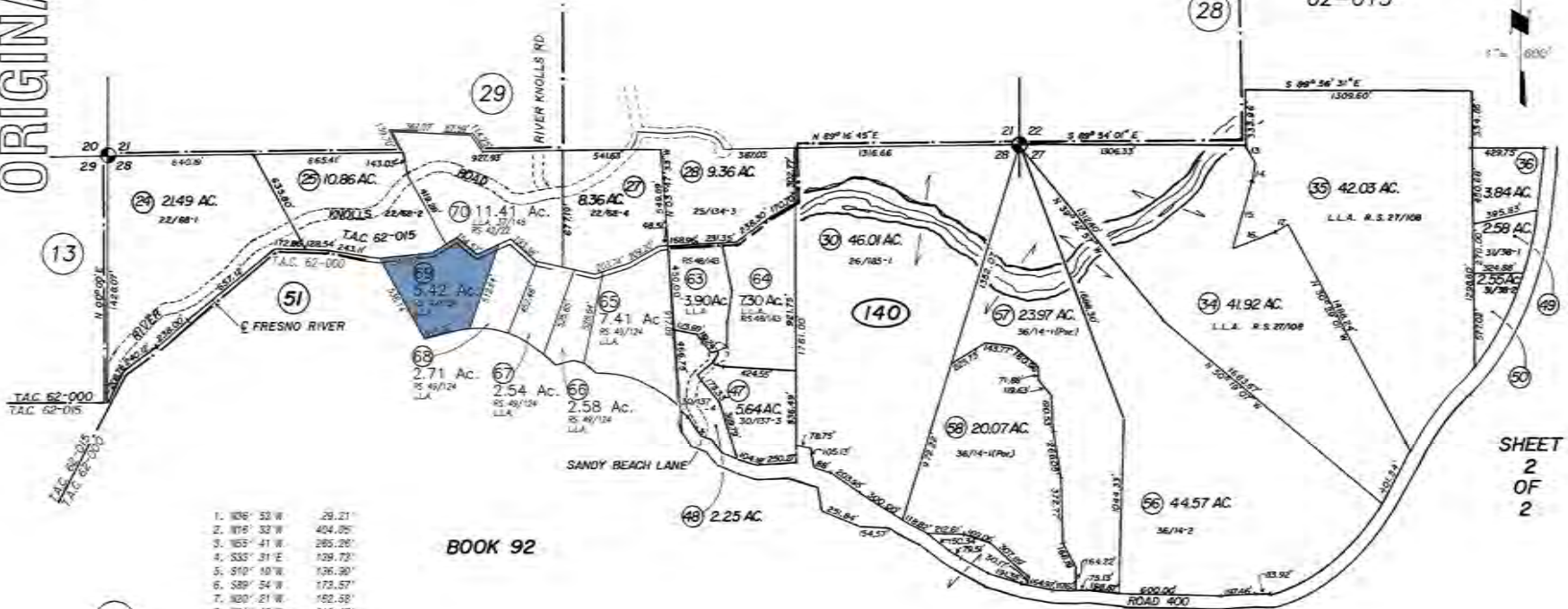
EXHIBIT B



ZONING MAP

ORIGINAL

Tax Area Code
62-000
62-015



ASSESSOR'S MAP

- 1. N09° 53' W 29.21'
- 2. N19° 32' W 404.25'
- 3. N53° 41' W 265.25'
- 4. S33° 31' E 129.72'
- 5. S10° 10' W 136.30'
- 6. S89° 54' W 172.57'
- 7. N00° 21' W 162.58'
- 8. N51° 45' W 310.47'
- 9. S72° 58' W 155.39'
- 10. S59° 01' W 257.98'
- 11. N85° 15' W 137.60'
- 12. N28° 13' W 592.83'
- 13. N50° 29' 01' W 105.22'
- 14. N06° 19' 52' E 111.80'
- 15. N16° 00' 00' E 400.00'
- 16. S68° 25' 47' E 260.20'
- 17. S59° 30' 58' W 100.00'

BOOK 92

BOOK 92

NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

Assessor's Map No. 54-14
Sheet 1 of 2
Coarsegold
County of Madera, Calif.
1959

EXHIBIT C

CLIENT: GARY H. PEARSON - TRUSTEE
 ADDRESS: 201-400
 CONCORD, CA 94520
 PHONE: 706-418-1277
 DATE: 01-11-2023

PARCEL MAP No. 1
 Shows a revision of a 5.25 A.C. Parcel located in the N41/4 Sec. 28
 Township 8 South, Range 20 East N. 41/4 S. 28

L.M. JENSEN INC.
 10000 S. 100th Ave.
 Suite 100
 Greenwood Village, CO 80120
 (303) 751-1000

APPLICANT'S CERTIFICATE:
 I, the undersigned, being duly qualified as a Licensed Professional Surveyor in the State of California, do hereby certify that the above described parcel is the subject of said parcel map and that the same is correct and true to the best of my knowledge and belief.

GARY H. PEARSON - TRUSTEE
 DATE: 01-11-2023

SURVEYOR'S STATEMENT:
 I, the undersigned, being duly qualified as a Licensed Professional Surveyor in the State of California, do hereby certify that the above described parcel is the subject of said parcel map and that the same is correct and true to the best of my knowledge and belief.

L.M. JENSEN INC.
 DATE: 01-11-2023

COUNTY SURVEYOR'S STATEMENT:
 I, the undersigned, being duly qualified as a Licensed Professional Surveyor in the State of California, do hereby certify that the above described parcel is the subject of said parcel map and that the same is correct and true to the best of my knowledge and belief.

DATE: 01-11-2023

PARCEL MAP COMMITTEE APPROVAL:
 APPROVED FOR THE PARCEL MAP COMMITTEE:

DATE: 01-11-2023

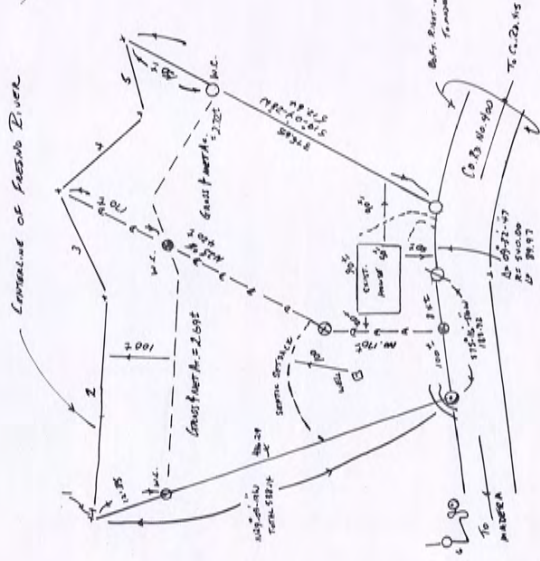
RECORDERS STATEMENT:
 I, the undersigned, being duly qualified as a Licensed Professional Surveyor in the State of California, do hereby certify that the above described parcel is the subject of said parcel map and that the same is correct and true to the best of my knowledge and belief.

DATE: 01-11-2023

NOTARY PUBLIC CERTIFICATE:
 I, the undersigned, being duly qualified as a Notary Public in the State of California, do hereby certify that the above described parcel is the subject of said parcel map and that the same is correct and true to the best of my knowledge and belief.

DATE: 01-11-2023

(Map for Gary for Gary Pearson)



CURVE No.	BEARING	DISTANCE	RADIUS
1	S 15° 20' 00" E	555	1000
2	S 75° 00' 00" E	1000	1000
3	S 75° 00' 00" E	1000	1000
4	S 75° 00' 00" E	1000	1000
5	S 75° 00' 00" E	1000	1000
6	S 75° 00' 00" E	1000	1000
7	S 75° 00' 00" E	1000	1000
8	S 75° 00' 00" E	1000	1000
9	S 75° 00' 00" E	1000	1000
10	S 75° 00' 00" E	1000	1000

NOTE: All bearings in adjacent parcels' records
 APR 05/10 - 049



LEGEND
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28

REFERENCES
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28
 (S) 1/4 Sec. 28, T. 8 S., R. 20 E., S. 28

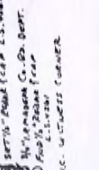
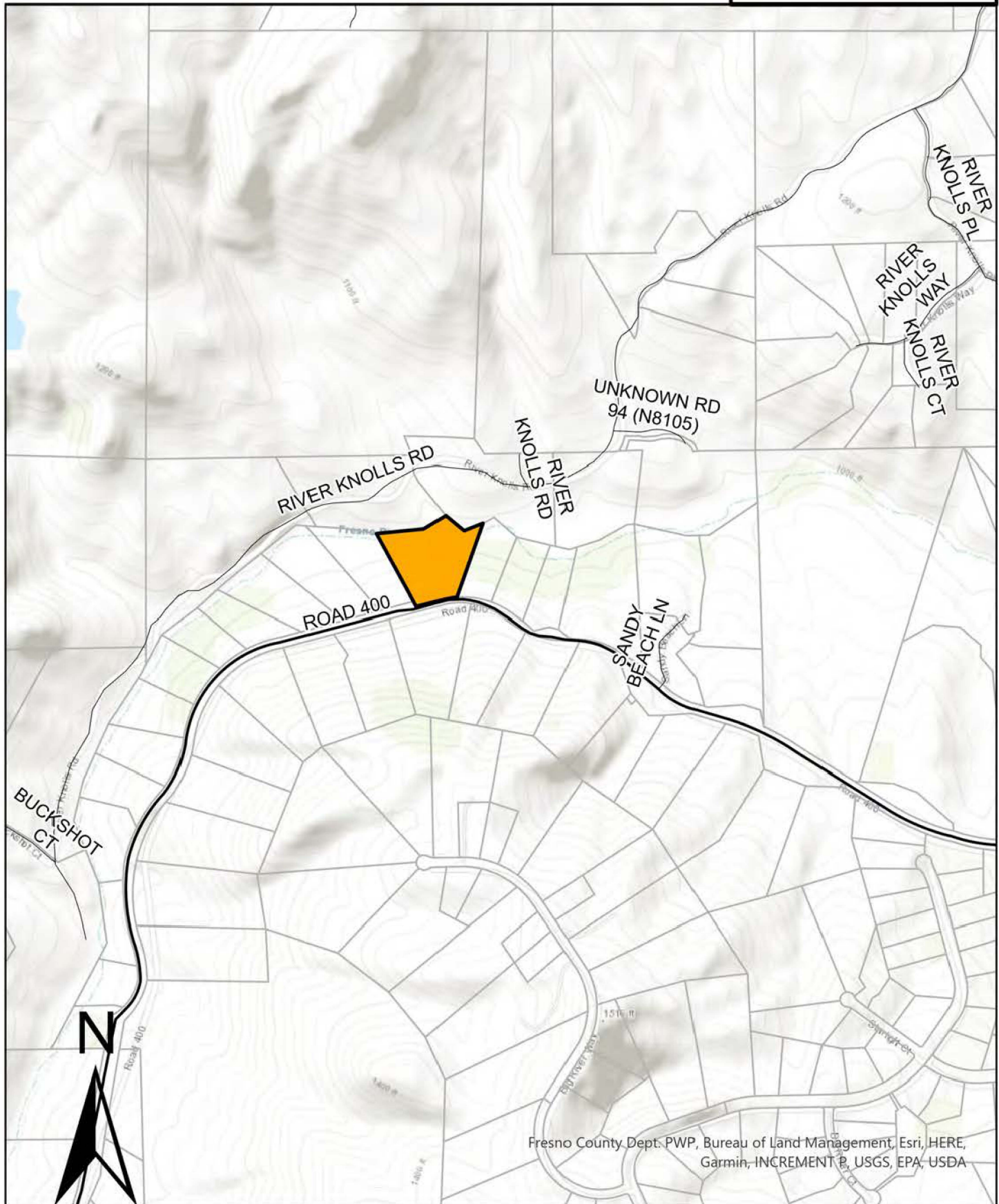


EXHIBIT E



AERIAL MAP

EXHIBIT F



Fresno County Dept. PWP, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

TOPOGRAPHICAL MAP



Community and Economic Development Environmental Health Division

Dexter Marr
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

MEMORANDUM

TO: Kamara Biawogi
 FROM: Dexter Marr, Environmental Health Division
 DATE: May 24, 2023
 RE: L.M. Jensen Inc. - Parcel Map - Coarsegold (054-140-069-000)

Comments

TO: Madera County Planning Division
 FROM: Environmental Health Division
 DATE: February 2, 2023
 REGARDING: PARCEL MAP #4297-Coarsegold, APN: (054-140-069)

The subject document has been reviewed and is recommended for:

(X) Approval with Conditions. (See Below)

Parcel map must comply with County Local Agency Management Program (LAMP) and Madera County Code Title 13 as it relates to Water and Sewer.

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 Division. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this Division prior to commencement of any work activities.

If there are any questions or comments, please contact this Division at (559) 675-7823.

**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS**

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

MEMORANDUM

DATE: February 1, 2023
TO: Kamara Biawogi
FROM: Phu Duong, Public Works
SUBJECT: L.M. Jensen Inc. - Parcel Map - Coarsegold (054-140-069-000)

Comments

Below are Public Works conditions of approval:

Prior to any construction where such construction takes place within an existing public right-of-way, the developer is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.

Identify existing and proposed driveway approaches on the map for each parcel.

All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach layout will be inspected by the Public Works inspector.



Community and Economic Development
Fire Prevention Division

Deborah Mahler, Fire Marshal
Deputy Director

□ 200 W. Fourth St.
□ Suite 3100
□ Madera, CA 93637
□ TEL (559) 661-5191
□ FAX (559) 675-6573
□ TDD (559) 675-8970

MEMORANDUM

TO: Kamara Biawogi
FROM: Deborah Mahler, Fire Marshal
DATE: January 24, 2023
RE: L.M. Jensen Inc. - Parcel Map - Coarsegold (054-140-069-000)

Condition

The project site is within the State Responsibility Area (SRA). As such is governed by Public Resource Code (PRC) 4290. The minimum required setback specified is 30 feet from property line. The proposed structure does not meet that requirement. Applicant shall apply for a PRC 4290 setback reduction. A fee of \$139.00 is required. Submit payment and application to Fire Marshal. Reductions are not guaranteed and require a site inspection to determine if site characteristics meet reduction specifications. Upon receipt of PRC 4290 application an inspection will be scheduled at the property prior to correction notice being lifted.

MEMORANDUM OF REVIEW AND COMMENT

Date: 1/23/23

FROM: DRAFTING DEPARTMENT
MADERA COUNTY ASSESSOR'S OFFICE
200 WEST FOURTH STREET
MADERA, CALIFORNIA 93637
PH. (559) 675-7710 ext. 2532

TO: MADERA COUNTY PLANNING DEPT
2037 WEST CLEVELAND AVENUE
MADERA, CALIFORNIA 93637

RE: (Please Check One)

- Lot Line Adjustment Review and Comment. (L.L.A. No.)
[X] Tentative Parcel Map Review and Comment. (P.M. No. 4297)
Subdivision Review and Comment.
(Subdivision Name:

Name of Applicant A.P.N. T.R.A. M.D./S.A.
Gary Pearson 054-140-069 062-000 None

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

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

If you have any questions or need our assistance regarding your proposal, please contact the Drafting Department at the above address or telephone number.

Sincerely, Bonnie Hendrickson

**County of Madera
California Environmental Quality Act (CEQA)
Initial Study**

- 1. Project title:** Tentative Parcel Map No. 4297
- 2. Lead agency name and address:** County of Madera
Community and Economic Development Department
200 West 4th Street, Suite 3100
Madera, California 93637
- 3. Contact person and phone number:** Kamara Biawogi
559-675-7821
Kamara.Biawogi@maderacounty.com
- 4. Project Location & APN:** 054-140-069
- 5. Project sponsor's name and address:** L.M. Jensen Inc, P.O. Box 577 Coarsegold, CA 93614
- 6. General Plan Designation:** RR (Agricultural Exclusive)
- 7. Zoning:** RRS 2 1/2 (Residential, Rural, Single Family- 2 ½-acre)

8. Description of project:

Subdivide a 5.42-acre parcel into 2 parcels (Parcel 1 – 2.69-acres, Parcel 2 – 2.72-acres). The project is located on the north side of Road 400, approximately 0.29 miles northwest of its intersection with Sandy Beach Lane, (31638 Road 400), Coarsegold.

9. Surrounding Land Uses and Setting:

Agricultural uses to the north, south, and west and residential uses to the east.

10. Other Public Agencies Whose Approval is Required:

None

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No tribal consultations have been requested. (See Section XVIII for additional discussion.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <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 | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION	
On the basis of this initial evaluation:	
<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. (ND-2023-04)
<input type="checkbox"/>	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 or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <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"/> |

Responses:

(a - d) No Impact. The project is consistent with surrounding land uses in the area. The parcels residential zone district is compatible with the surrounding Yosemite Lakes Park subdivision, south of the proposed division. There are no scenic vistas in the vicinity of this project site. The closest areas that are being considered as scenic highways by the California Department of Transportation (CALTRANS) are Highways 41 and 49 north of Oakhurst.

There are no scenic resources on this property that will be damaged as a result of this project.

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. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether agricultural 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
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- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (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 use? | <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"/> |

Responses:

(a - e) No Impact. The project parcels and its' surroundings are zoned for residential use and will remain as residential under the RRS-2 ½ (Residential, Rural, Single Family- 2 ½-acre.)

General Information

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

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

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

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

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

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

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

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with, or obstruct implementation of, the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

(a-e) No Impact. No impacts have been identified as a result of this project. The project will not impact implementation of any air quality plans.

Global Climate Change

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

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (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 a native wildlife nursery site?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact. The foothill yellow-legged frog and bald eagle are the only specially listed endangered species for this Quad.

(b) No Impact. No riparian habitat occurs onsite, therefore, there are no impacts.

(c) No Impact. There are no federally protected wetlands in the vicinity of this project, therefore, there are no impacts.

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

(d) No Impact. There are no migratory species that would be affected by the propose project, therefore, there are no impacts.

(e) Less than Significant Impact. The project construction would not impact oak woodlands within the area and will not be required to mitigate impacts.

(f) No Impacts. There is not any Habitat Conservation Plan or other plan that the proposed project would be in conflict with, therefore, there are no impacts. 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_Status	State_Status	Dept. of Fish and Wildlife	CNPS Listing
foothill yellow-legged frog - south Sierra DPS	Proposed Endangered	Endangered	-	-
western spadefoot	None	None	SSC	-
bald eagle	Delisted	Endangered	FP	-
great blue heron	None	None	-	-
American badger	None	None	SSC	-
pallid bat	None	None	SSC	-
western pond turtle	None	None	SSC	-
Hoover's cryptantha	None	None	-	1A
Madera leptosiphon	None	None	-	1B.2
Ewan's larkspur	None	None	-	4.2

Knowles 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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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

Responses:

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

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a-c) Less than Significant Impact. There are no identified historical resources on the project site or in the vicinity, so therefore there will be no impacts associated with this project site.

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.

TRIBAL CULTURAL RESOURCES

Would the project

- a) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074

SUBSTANTIATION: Check if the project is located in the traditional and cultural affiliated geographic area of a California Native American Tribe:

The project does not abut areas known to have been inhabited by native tribes. Consultation has been made with the Chowchilla Yokuts Tribe, the North Fork Mono Tribe and the Table Mountain Rancheria Tribe.

Discussion: The parcel map site will remain agricultural, however, after the division each parcel is permitted to establish two dwellings. The division may also require roads to be constructed for access to each parcel. The parcel map will be conditioned that prior to the issuance of any permits for excavation or building construction, the tribal member will be notified and permitted access to the site prior to and during construction.

a) Less Than Significant Impact. Less Than Significant with Mitigation Incorporation: Any impacts will be mitigated by the conditions of approval for the parcel map.

VI. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Responses:

(a-b) Less Than Significant Impact. This is a land division for sale of a future parcel, however, a solar facility can be considered for renewable energy. While obviously this will not impact fuel efficiency for vehicles, it will support efficiency efforts for the power grid, and thus make the area less dependent on non-renewable energy sources.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause 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 Zone Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geological 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

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

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

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

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

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

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

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

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

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

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

According to the Madera County General Plan Background Report, 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.

(a – iv) Less than Significant Impact. The parcel is in an area where it is topographically not conducive to landslides, so therefore there will be no impacts.

(b) Less than Significant Impact. The parcel itself is currently residentially zoned and vacant. Future projects might incorporate structures and parking. This will directly and indirectly either induce or contribute to existing erosion patterns. The amount of said erosion will be dependent on the amount of rain and the amount of impervious surfaces resulting from the project.

(c - d) Less than Significant Impact. The impacts that will occur as a direct or indirect result of this project will not be significant.

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

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

Responses:

The primary factors that determine air quality are the locations of air pollutant sources and the amounts of pollutants emitted. Meteorological and topographical conditions, however, also are important. Factors such as wind speed and direction, and air temperature gradients interact with physical landscape features to determine the movement and

dispersal of criteria air pollutants.

The area within Madera County lies within the San Joaquin Valley Air Basin (SJVAB), basically a flat area bordered on the east by the Sierra Nevada Mountains; on the west by the Coast Ranges; and to the south by the Tehachapi Mountains. Airflow in the SJVAB is primarily influenced by marine air that enters through the Carquinez Straits where the San Joaquin-Sacramento Delta empties into the San Francisco Bay. The region's topographic features restrict air movement through and out of the basin. As a result, the SJVAB is highly susceptible to pollutant accumulation over time. Frequent transport of pollutants into the SJVAB from upwind sources also contributes to poor air quality.

Wind speed and direction play an important role in dispersion and transport of air pollutants. During summer periods, winds usually originate from the north end of the San Joaquin Valley and flows in a south-southeasterly direction through the valley, through the Tehachapi pass and into the neighboring Southeast Desert Air Basin. During winter months, winds occasionally originate from the south end of the valley and flow in a north-northwesterly direction. Also, during winter months, the valley experiences light, variable winds, less than 10 miles per hour (mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high concentrations of certain air pollutants.

The SJVAB has an inland Mediterranean climate that is characterized by warm, dry summers and cooler winters. Summer high temperatures often exceed 100 degrees Fahrenheit, averaging from the low 90s in the northern part of the valley to the high 90s in the south. The daily summer temperature variation can be as high as 30 degrees Fahrenheit. Winters are for the most part mild and humid. Average high temperatures during the winter are in the 50s, while the average daily low temperature is in the 40s.

The vertical dispersion of air pollutants in the valley is limited by the presence of persistent temperature inversions. Air temperatures usually decrease with an increase in altitude. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Air above and below an inversion does not mix because differences in air density restrict air pollutant dispersal.

(a - b) No Impact. No new greenhouse gases are anticipated to be generated as a result of this land division.

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

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

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 or excessive noise for people residing or working in the project area?				
f) 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"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a - c) Less than Significant Impact. The impacts that will occur as a direct or indirect result of this project will not be significant.

(d-g) No Impact. No impacts identified as a result of this project. Future development will require compliance with Environment Health Division and Fire Marshal standards.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
(i) result in substantial erosion or siltation on or off site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) 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"/>
(iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a – c-i) Less than Significant Impact. The impacts that will occur as a direct or indirect result of this project will not be significant.

_(c-ii - e) No Impact. No impacts identified as a result of this land division.

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 (from the Japanese language, roughly translated as “harbor wave”) is an unusually large sea wave produced by seaquake or undersea volcanic eruption. According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. Additionally, there are no bodies of water (lakes, etc.) within proximity of the site. Madera County is geographically located in the center of the state, therefore not affected by tsunamis.

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 (from the Japanese language, roughly translated as “harbor wave”) is an unusually large sea wave produced by seaquake or undersea volcanic eruption. 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, flood proofed, 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.

XI. LAND USE AND PLANNING

Would the project:

	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) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a - b) No Impact. No impacts identified as a result of this proposed land division.

XII. MINERAL RESOURCES

Would the project:

	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"/>

Responses:

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

XIII. NOISE

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

The proposed project is located in an area of western Madera County, or more specifically, the area of the County considered most likely to accommodate future growth in agricultural facilities. The noise sources associated with these type of facilities are mainly indoor light industrial equipment, and vehicles operating on local roadways. Noise levels away from these noise sources can be quite low depending on the amount of nearby human activity.

(a-c). Less Than Significant Impact. There is no construction associated as a result of this land division. No airports or private airstrips are in the vicinity of the project. The closest airport is the Madera airport, at approximately 34 miles northeast of the project area.

Regarding ground-borne vibration levels, none are significantly expected. There might be some minor vibrations as vehicles enter and leave, but they are not expected to be significant.

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, and 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).

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

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

Source: Whiffen and Leonard 1971

XIV. POPULATION AND HOUSING

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Responses:

(a - b) No Impact. This project will directly or indirectly induce limited growth resulting in minor growth.

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

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact Less Than Significant With Mitigation Incorporation Less Than Significant Impact No Impact

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

Responses:

(a-i) No Impact. The proposed project will result in additional residential use in the area. It is not anticipated to result in significant impact than what is currently seen in the project vicinity for fire protection.

(a-ii) No Impact. No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

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

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

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

(a-iv) No Impact. No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION				
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"/>

Responses:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION				
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a) Less than Significant Impact. In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided. This project is required by Caltrans to provide public traffic improvements which will provide improvements to the site.

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

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

(b) Less than Significant Impact. While the project is a not a traffic inducing type of project, the overall amount of traffic expected to be generated from this facility is not expected to be significant in light of the whole.

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

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

(c) No Impact. As this project is not within an airport/airspace overlay district, or in proximity to any airport or airstrip within the County, no impacts to airspace or air flight will occur as a result.

(d) Less than Significant Impact. There is no design work related to the roadway system adjacent to the project site that would impede emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Responses:

Cultural resources can be defined as buildings, sites, structures, objects, or places of importance that may have historical, architectural, archaeological, cultural, or scientific importance (including those associated with Native Americans or Native American activities). Preservation of the County's unique cultural heritage should be considered when planning for future development of the area.

The western area of the County was originally inhabited by the Northern Valley Yokuts. Ethnographic information about this group is sparse due to the early dissemination of the aboriginal populations in the lower San Joaquin Valley.

The Northern Valley Yokuts territory is defined roughly by the crest of the Diablo Range on the west, and the foothills of the Sierra Nevada on the east. The southern boundary is approximately where the San Joaquin River bends northwards, and the northern boundary is roughly half way between the Calaveras and Mokelumne Rivers.

Principle settlements were located on the tops of low mounds, on or near the banks of larger watercourses. Settlements were composed of single family dwellings, sweathouses, and ceremonial assembly chambers. Dwellings were small and lightly constructed, semi-subterranean and oval. The public structures were large and earth covered.

With the development of Spanish Ranchos throughout California, cattle husbandry was prevalent, while dairy farms remained crude and sparse.

As a result of AB 52, which requires jurisdictions to notify Tribal Governments that request such outreach, the County alerted Tribal Entities that requested initial review packets. The only Tribe that responded back was the Table Mountain Rancheria, and they indicated they had no concerns with the project

(a) Less than Significant Impact. The project site is absent of any cultural resource of significance. However, the project will need to cease all grading and trenching activities in the event that human remains or artifacts are found and have a qualified professional verify if in fact they are of cultural significance.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

Water Quality Issues

Erosion and sedimentation/siltation are two potentially significant impacts related to development with the entire Oakhurst area. These impacts are generally proportional to the intensity of development which occurs in an area, including the amount of the clearing and grading which is necessary.

Rainfall is unable to percolate into the portions of each site that are paved over and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding and other adverse impacts. Pollutants associated with parking lots (oil & grease predominately) will be found in high quantities after the first rain of the season. These pollutants have the potential of contaminating ground and surface water sources.

Groundwater availability issues

Groundwater within the area is generally limited and unpredictable as a result of geologic formation which characterizes the mountain and foothill regions of Madera County. These areas are generally underlain by impervious bedrock, and "groundwater" is available only through water bearing fractures within these formations. Within these "fracture" systems

the ability to store and transmit water is solely dependent on the development of secondary openings such as faults, joints and exfoliation planes.

Due to these concerns regarding the uncertainty of groundwater, the Area Plan outlines the need to both understand groundwater availability for the area, and to examine opportunities to develop a source of surface water for the community. Several potential surface water sources for the greater eastern Madera County area have been evaluated over the years. Planning documents for the area beginning in the early 1960's identified the potential for a "Soquel" reservoir above Oakhurst within the Sierra National Forest. Later concepts included purchasing surface rights and delivering water from Bass Lake or the Fresno River. Most recently, the potential to purchase and deliver water from Redinger Lake has been studied. The development and implementation of a plan for surface water source been hindered by the presence of existing commitments for all surface water in the area. Additionally, environmental clearances, technical requirements, and the costs associated with developing a surface water source are significant. Despite these hurdles, the Area Plan notes that a surface water source must be viewed as the long-term solution and includes as a policy the initiation of a study to examine opportunities for a surface water source. The following Area Plan policies are proposed to address issues related to the provision of water.

Wastewater Issues

The reliance on septic systems has generated concerns regarding potential impacts to both surface and ground water quality, particularly where septic systems are concentrated on individual lots. This project will have an on-site treatment facility.

Solid Waste Issues

According to the Madera County General Plan Background report, all solid waste generated in the unincorporated area is currently disposed of at the Fairmead Landfill, which is owned by the County and operated by Madera Disposal Systems, Inc. The landfill facility is located on 48 acres at the southeast corner of Road 19 and Avenue 22. The landfill is expected to reach capacity in 2020. If additional waste can be diverted, the life of the expansion area could be increased. There is the potential for approximately 28 residential units' total that would be in need of disposing of residential related waste material to this landfill. Recycling measures are strongly encouraged. According to the California Integrated Waste Management Board, the generation rate per resident is 0.63 pounds per day of trash.

(a - e) No Impact. No impacts have been identified as a result of this land division.

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.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

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

(a-d) Less Than Significant Impact. The project is within the State Responsibility Area (SRA). Conditions will be placed for the applicant to apply for a PRC 4290 setback reduction. A fee of \$139.00 is required. Submit payment and application to Fire Marshal. Reductions are not guaranteed and require a site inspection to determine if site characteristics meet reduction specifications. Upon receipt of PRC 4290 application an inspection will be scheduled at the property prior to correction notice being lifted.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

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

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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

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 - c) Less than Significant Impact. While there have been some minimal impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant. With appropriate mitigations, those impacts can be reduced to less than significant or not significant.

Mitigation Measures

[Listing mitigation measures here is not part of the CEQA Guidelines checklist, but this is a good place to list them.]

Bibliography

Madera County General Plan

Madera County Agricultural Commission

San Joaquin Valley Unified Air Pollution Control District

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

California Department of Conservation

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

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Engineering

Madera County Roads Department

Chowchilla Yokuts Tribe

Table Mountain Rancheria Tribe

North Fork Mono Tribe

GAIL D. WIND
P.O. Box 1618
Coarsegold, California 93614
(559) 642-6939

March 10, 2023

PLANNING DEPARTMENT
COUNTY OF MADERA
200 W. 4th Street
Madera, California 93637
Attention: Kamara Biawogi

RECEIVED
MAR 13 2023
MADERA COUNTY
PLANNING/BUILDING DEPARTMENT

Re: PM #4287

TO WHOM IT MAY CONCERN:

I HEREBY OBJECT TO THE PROPOSED TENTATIVE PARCEL MAP REGARDING THE ABOVE-REFERENCED PARCEL FOR THE FOLLOWING REASONS:

- 1) The Parcel Map provided by the County is not accurate. The Map **excludes** the Fresno River. The following information is missing from the Map provided by your office:
 - a) Name and address of legal owner, subdivider and the person preparing the Map.
 - b) Date prepared, North arrow, scale, and contour interval.
 - c) Existing and proposed land use.
 - d) A vicinity map sufficient to show the relation to the local community.
 - e) Any improvements proposed by the owner shall be shown.
 - f) If the site is to be graded, proposed contours shall be shown or on an approved grading plan.
 - g) The proposed lot layout and lot areas.
 - h) Proposed easements or rights-of-way.
 - i) A preliminary report of title showing the current vested owner.
 - j) A soils and/or engineering geology report.
 - k) Type and circumference of all trees. Any trees proposed to be removed shall be so indicated.

PLANNING DEPARTMENT

Re: PM #4287

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- 2) Because the division would permit increased development on the property, it is hereby requested the County require the owners to prepare an assessment of the environmental impacts of the proposed subdivision, including, but limited to: Native plants, trees, wildlife and fish. The owners needed to supply a biological resources study to the County as well as the property owners in the surrounding area.
- 3) The subdivision and proposed improvements are likely to cause substantial environmental damage that would substantially and unavoidably injure fish and wildlife or their habitats. Special circumstances such as flood areas required additional review by other government entities.
- 4) The applicant has no respect for adjoining neighbors. Things that people do to live comfortably can affect the environment around them (e.g., land, air, water and other living things). In the case of the applicant, it's all about not paying "capital gains" under the IRS "2 Out of 5 Year Rule." Applicant has already built two houses in the last three years. Moving from one to the other after a two year period to avoid paying capital gains. When it is all said and done, these people will move from the area with all their money leaving behind their destruction.
- 5) California Native Plants are not only beautiful, they are also essential components of our ecosystems and natural process. The Native Protection Act (NPPA) prohibits the taking of endangered or rare native plants. California Department of Fish & Wildlife (CDFW) needs to be contacted before any vegetation is removed for roads and changes in land use. There are 74 species of butterflies and moths that use this vegetation as a caterpillar host plants. Not to mention all the fish and natural habitats along the Fresno River that will be affected by this project.
- 6) Conserving Native Fish is a part of a larger movement to conserve biodiversity on earth. Fish and wildlife play crucial roles across ecosystems. Preserving habitats is essential.
- 7) Septic systems impact local drinking water wells or surface water bodies. Surface waters can be contaminated with pathogens, such as E. Coli, chemicals and nutrients including nitrogen and phosphorus. Pathogens can cause illnesses for recreational swimming areas (e.g., Fresno River), even requiring beach closures and hazards to humans and pets. Freshwater rivers are more sensitive to phosphorus contamination from failing septic systems.
- 8) Ingress/egress safeguards should be put into place. Each entry and exit points should be evaluated by the County to determine the most effective methods. The ingress/egress from this property is dangerous to public safety. Traffic on Road 400 moves too fast. It is particularly dangerous because of the number of sharp turns, a blind curve and sudden changes in speed. As a result, drivers are subject to difficult negotiating by unexpected ingress and egress from the subject property.

PLANNING DEPARTMENT

Re: PM #4287

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- 9) It is hereby requested that Parcel Map #4287 be denied.
- 10) The purpose of the AR-5 zone is to accommodate all types of agricultural uses on a smaller scale. Minimum parcel size is four and one-half acres and traditionally allows for a single family dwelling and agricultural uses.
- 11) It is also hereby requested the County schedule a Public Hearing regarding this matter after June 1, 2023 so I can attend the hearing. I will be out of the country from April 11, 2023 - May 15, 2023 on personal business.

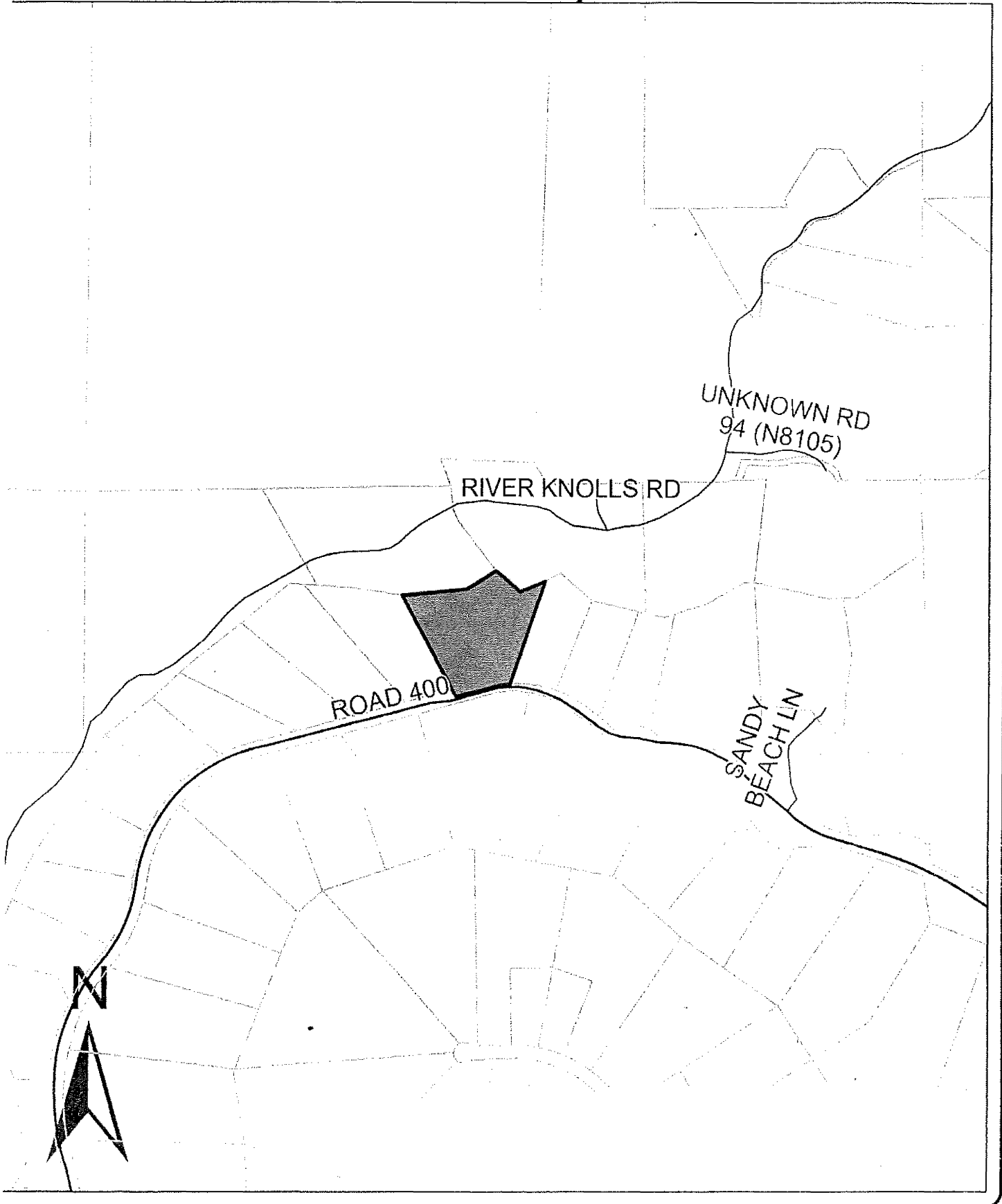
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed on this 10th day of March, 2023, at Coarsegold, California.



GAIL D. WIND
P.O. Box 1618
Coarsegold, California 93614
(559) 642-6939

NOTICE Area Map



PLEASE TURN THIS PAGE OVER FOR INFORMATION CONCERNING THIS REQUEST

BEFORE
THE PLANNING COMMISSION
OF THE COUNTY OF MADERA
STATE OF CALIFORNIA

In the Matter of) Resolution No.: PCR 2023-_____
)
LARRY JENSEN INC. TENTATIVE) RESOLUTION APPROVING THE
PARCEL MAP PM#4297) APPLICATION OF LARRY JENSEN FOR A
) TENTATIVE PARCEL MAP
)
_____)

WHEREAS, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, June 13, 2023, held a duly noticed public hearing to consider the application of Larry Jensen for a Tentative Parcel Map; and

WHEREAS, County staff has presented substantial factual information regarding the tentative subdivision map; and

WHEREAS, the hearing was to consider the application of Larry Jensen for a tentative parcel map (PM#4297) dividing a 5.42 parcel into 2 parcels (Parcel 1 – 2.69 acres, Parcel 2 – 2.72 acres).

WHEREAS, the property 054-140-069 (5.42 acres) is located on the north side of Road 400, approximately 0.29 miles northwest of its intersection with Sandy Beach Lane, (31638 Road 400), Coarsegold; and

WHEREAS, the property is zoned RRS-2 (Residential, Rural, Single-Family District-2 acre); and

WHEREAS, a draft Negative Declaration (ND #2023-04) was also considered; and

WHEREAS, the Planning Commission has considered all public testimony and information presented during the public hearing regarding this item.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds that:

1. *The proposed map is consistent with applicable general and specific plans; The General Plan and Area Plan designations for the property is RR (Rural Residential) which allows for single-family detached and attached homes, secondary residential units, limited agricultural uses, public and quasi-public, and other similar compatible uses. The property is zoned RRS-2 ½ (Residential, Rural, Single Family-2 ½ acre). The Zoning and General Plan/Area Plan designations are consistent with the proposed use and the resulting lots will comply with each zone district’s minimum size parcel requirement.*

2. *The design or improvements of the proposed subdivision is consistent with applicable general and specific plans;* The proposed subdivision does not contain any proposed development and therefore is not required to implement any improvements.
3. *The site is physically suitable for the type of development;* The proposed tentative parcel map will divide 5.42 acres into two parcels (Parcel 1 – 2.69 acres, Parcel 2 – 2.72 acres). There is an existing single-family dwelling on the parcel. No additional development has been associated with this project and shall remain physically suitable for the proposed division.
4. *The site is physically suitable for the proposed density or development;* The proposed tentative parcel map will divide 5.42 acres into two parcels (Parcel 1 – 2.69 acres, Parcel 2 – 2.72 acres). There is an existing single-family dwelling on the parcel. The subsequent lots created will still comply with the General Plan and Area Plan Designations density requirements of RR (Rural Residential), which limits the density to 0.5 units per acre.
5. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;* The proposed tentative subdivision is not projected to have any substantial damage to the environment. The proposed parcel map does not include development. Future residential construction would be a by-right use, contiguous to existing residential development in the immediate area.
6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems;* Conditions have been added to the tentative parcel map to regulate water/sewer standards, improve road access, and prevent wildfires within State Responsible Areas designated as Wildland Urban Interface.
7. *The design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;* The proposed tentative parcel map will not conflict with any easements due to the lack of proposed development with this project.
8. *The parcel map committee may approve the map if it finds that alternate easements, for access or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public;* The proposed tentative parcel map will gain access off an established (Road 400) and does not propose any new easements for access or use.
9. As a result of Findings 1 – 8, the Tentative Parcel Map is approved, subject to the attached conditions.

* * * * *

The foregoing resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held before the Madera County Planning Commission on this _____ day of _____ 2023 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: _____

COMMISSIONER DAL CERRO VOTED: _____

COMMISSIONER BURDETTE VOTED: _____

VACANT: _____

COMMISSIONER ESTRADA VOTED: _____

MADERA COUNTY PLANNING COMMISSION

ATTEST:

Secretary of the Planning Commission

Approved as to Legal Form:
COUNTY COUNSEL

By: _____