




## Community and Economic Development Planning Division

Jamie Bax  
Director 

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**PLANNING COMMISSION DATE:** January 16, 2024

**AGENDA ITEM:** #2

|      |              |  |
|------|--------------|--|
| GP   | #2023-002    | General Plan Amendment from A to VLDR  |
| PM   | #4300        | Parcel Map to divide a 12.52-acre parcel into four parcels (3.66 acres, 3.86 acres, 2.05 acres & 2.05 acres) |
| APN  | #047-140-018 | Applicant: Precision Civil Engineering, Shin Tu<br>Owner: Edgar Mena   |
| CEQA | ND #2023-19  | Negative Declaration   |

### REQUEST:

Parcel Map (PM #4300) to divide a 12.52-acre parcel into four parcels (3.66 acres, 3.86 acres, 2.05 acres & 2.05 acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to meet the minimum lot size requirement.

### LOCATION:

Located on the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera.

### ENVIRONMENTAL ASSESSMENT:

A Negative Declaration (ND #2023-28) (Exhibit L) has been prepared and is subject to consideration by the Planning Commission.



**RECOMMENDATION:** Adoption of a resolution recommending approval of General Plan Amendment #2023-002 and Parcel Map #4300 subject to conditions, Findings of Fact, Negative Declaration #2023-19.

**GENERAL PLAN DESIGNATION (Exhibit A):**

**SITE:** A (Agriculture) Designation

**SURROUNDING:** VLDR (Very Low Density Residential) Designation; A (Agriculture) Designation

**PROPOSED:** VLDR (Very Low Density Residential) Designation

**ZONING (Exhibit B):**

**SITE:** RRS-2 (Rural, Residential, Single Family 2 Acre) District

**SURROUNDING:** CRG (Commercial, Rural, General) District; RRS (Residential, Rural, Single Family) District; RRS-2 (Rural, Residential, Single Family 2 Acre) District; ARE-20 (Agricultural, Rural, Exclusive 20 Acre) District; ARE-40 (Agricultural, Rural, Exclusive 40 Acre) District

**LAND USE:**

**SITE:** Residential

**SURROUNDING:** Residential; Commercial; Agriculture

**SIZE OF PROPERTY:** 12.52 Acres

**ACCESS (Exhibit D):** Access to the site is via Avenue 11 ¼ and a proposed right-of-way easement.

**BACKGROUND AND PRIOR ACTIONS:**

62-208: Relocate single family dwelling; 76-241: Manufactured Housing

**PROJECT DESCRIPTION:**

The applicant is proposing a tentative parcel map dividing a 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to allow for future residential developments. The General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) is a necessary component of the project that will enable a parcel split

by minimizing the parcel size requirement from 18 acres to 2 acres. The parcel has two existing single-family dwellings and various accessory structures on the parcel. Access to the parcels will be from Avenue 11 ¼ and a proposed right-of-way easement.

**ORDINANCES/POLICIES:**

Part 1 of the Madera County General Plan outlines the VLDR (Very Low Density Residential) designation.

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.

**ANALYSIS:**

This is a request to amend the General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential). Land Use designation VLDR (Very Low Density Residential) allows for single family detached and attached home, secondary residential unit, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar compatible uses. The residential density shall be in the range of 1.0 to 7.5 units per gross acre. The project site is currently zoned RRS-2 which allows compatible and consistent uses with the proposed General Plan designation VLDR. Surrounding parcels land use designation is VLDR and are developed for residential uses. Existing on site currently is one single family dwelling and accessory structures.

On June 21, 2023, the Parcel Map Committee recommended approval of tentative Parcel Map (PM#4300) which would divide 12.52 acres of RRS-2 (Residential, Rural, Single-Family District-2 acre) zoned property into four parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, and Parcel 4 – 2.05-acres). A negative declaration (ND#2023-19) was prepared for the tentative parcel map. The proposed division is in conformance with the proposed General Plan and zoning designations. The proposed division will facilitate future residential development for each parcel. Each parcel will be access by a common access road that will be 40 ft. in width. The road is to be designed in accordance with Madera County Standards Class 3 ST-5. If the road is to be a public right-of-way, the width shall be increased to a minimum of 60 ft. All driveway approaches must be designed per County standard ST-24A for residential uses.

The project was circulated to County Departments and outside regulatory agencies for comments and conditions. This included the San Joaquin Valley Air Pollution Control District, Regional Water Quality Control, Caltrans, and Sheriff's Department. Comments were received by Madera County Environmental Health, Madera County Public Works, and Madera County Assessor's Office. Madera County Environmental Health Division has recommended that a shared water well agreement is established with all parcels within the parcel map. Also, the parcel map must comply with Local Agency Management Program (LAMP) and Madera County code title 13 as it pertains to water and sewer.

Pursuant to Public Resource Code (PRC) §21080.3.1(d), the project was also circulated to requesting tribes, including Table Mountain Rancheria, Dumna Wo Wah, Picayune Rancheria of Chuckchansi Tribe and the Chowchilla Yokuts Tribe. This circulation allows for local native tribes the opportunity to indicate if they wish to be further consulted on the project, request various different levels of archaeological studies on site prior to continuing with the processing of the project or starting of constructing, or decline further consultation. In addition, pursuant to CA Govt Code § 65351 the amendment of the Genal Plan was circulated to the appropriate California Native American Tribes through NAHC for the opportunity of consultation. No comments were received in return.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,966.75 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,916.75 Department of Fish and Wildlife fee that took effect January 1, 2024, and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Planning Commission.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approval the project, Staff recommends that the Planning Commission concur with the following:

1. *The proposed map is consistent with applicable general and specific plans;* The proposed General Plan designations is VLDR (Very Low Density Residential) which allows for single family detached and attached home, secondary residential unit, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar compatible uses. The residential density shall be in the range of 1.0 to 7.5 units per gross acre. The property is zoned RRS-2 (Residential, Rural, Single Family-2 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 tentative parcel map will include a private easement that will provide access to all parcels. The road will be 40 ft. in width and designed to Madera County Standard Class 3 ST-5.
3. *The site is physically suitable for the type of development;* The proposed tentative parcel map will divide 12.52 acres into four parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, and Parcel 4 – 2.05-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 12.52 acres into four parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, and Parcel 4 – 2.05-acres). There is an existing single-family dwelling on the parcel. The subsequent lots created will still comply with the proposed General Plan and density requirements which limits the density to 1.0-7.5 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 parcel map 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 and improve road access.

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 to the site via Avenue 11 ¼ and a proposed right-of-way easement.*

**WILLIAMSON ACT:**

The property is not subject to a Williamson Act Contract.

**GENERAL PLAN CONSISTENCY:**

The proposed General Plan designation for the parcel is VLDR (Very Low Density Residential) allows for single family detached and attached home, secondary residential unit, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar compatible uses. The zone district is RRS-2 (Residential, Rural, Single Family-2 acre) which allows the division of the parcel at a minimum of 2 acres. The General Plan and Zoning designations are consistent and compatible with each other.

**RECOMMENDATION:**

Staff recommends adoption of a resolution recommending approval of General Plan Amendment #2023-002 and Parcel Map #4300 subject to conditions, Findings of Fact, and Negative Declaration #2023-19.

**CONDITIONS**

See attached.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit E, Aerial Map
6. Exhibit F, Topographical Map
7. Exhibit G, Operational Statement
8. Exhibit H, Environmental Health Comments
9. Exhibit I, Public Works Comments
10. Exhibit J, Assessor's Comments
11. Exhibit K, Initial Study
12. Exhibit L, Negative Declaration
13. Exhibit M, Resolution

**CONDITIONS OF APPROVAL**

|   |   |
|---|---|
| <b>PROJECT NAME:</b>                    | GP #2023-002, PM #4300  |
| <b>PROJECT LOCATION:</b>                | On the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera.   |
| <b>PROJECT DESCRIPTION:</b>             | Parcel Map (PM #4300) to divide a 12.52-acre parcel into four parcels (3.66 acres, 3.86 acres, 2.05 acres & 2.05 acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to meet the minimum lot size requirement. |
| <b>APPLICANT:</b>                       | Precision Civil Engineering - Shin Tu   |
| <b>CONTACT PERSON/TELEPHONE NUMBER:</b> | (559) 449-4500  |

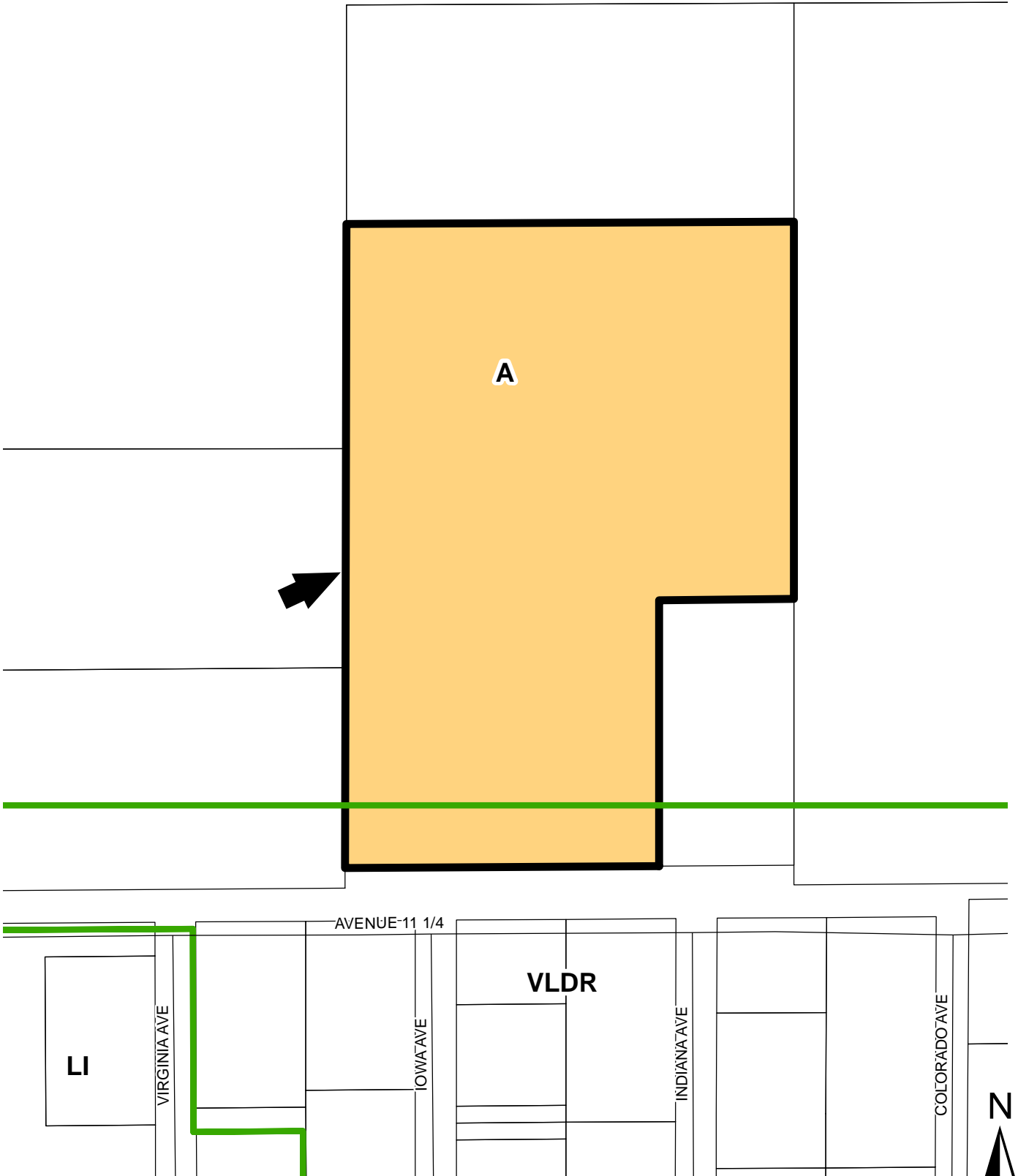
| No.                         | Condition  | Department/Agency | Verification of Compliance |      |         |
|-----------------------------|--|-------------------|----------------------------|------|---------|
|                             |  |                   | Initials                   | Date | Remarks |
| <b>Environmental Health</b> |  |                   |                            |      |         |
| 1                           | The onsite wastewater treatment system of each new building and new work installed in any existing building shall be separate and independent of that in any other building. Every building shall have an independent connection with a public or private sewer on dedicated parcel.   | EH                |                            |      |         |
| 2                           | 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                |                            |      |         |
| 3                           | 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                |                            |      |         |
| 4                           | 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                |                            |      |         |
| <b>Fire Marshal</b>         |  |                   |                            |      |         |
| <b>Planning</b>             |  |                   |                            |      |         |



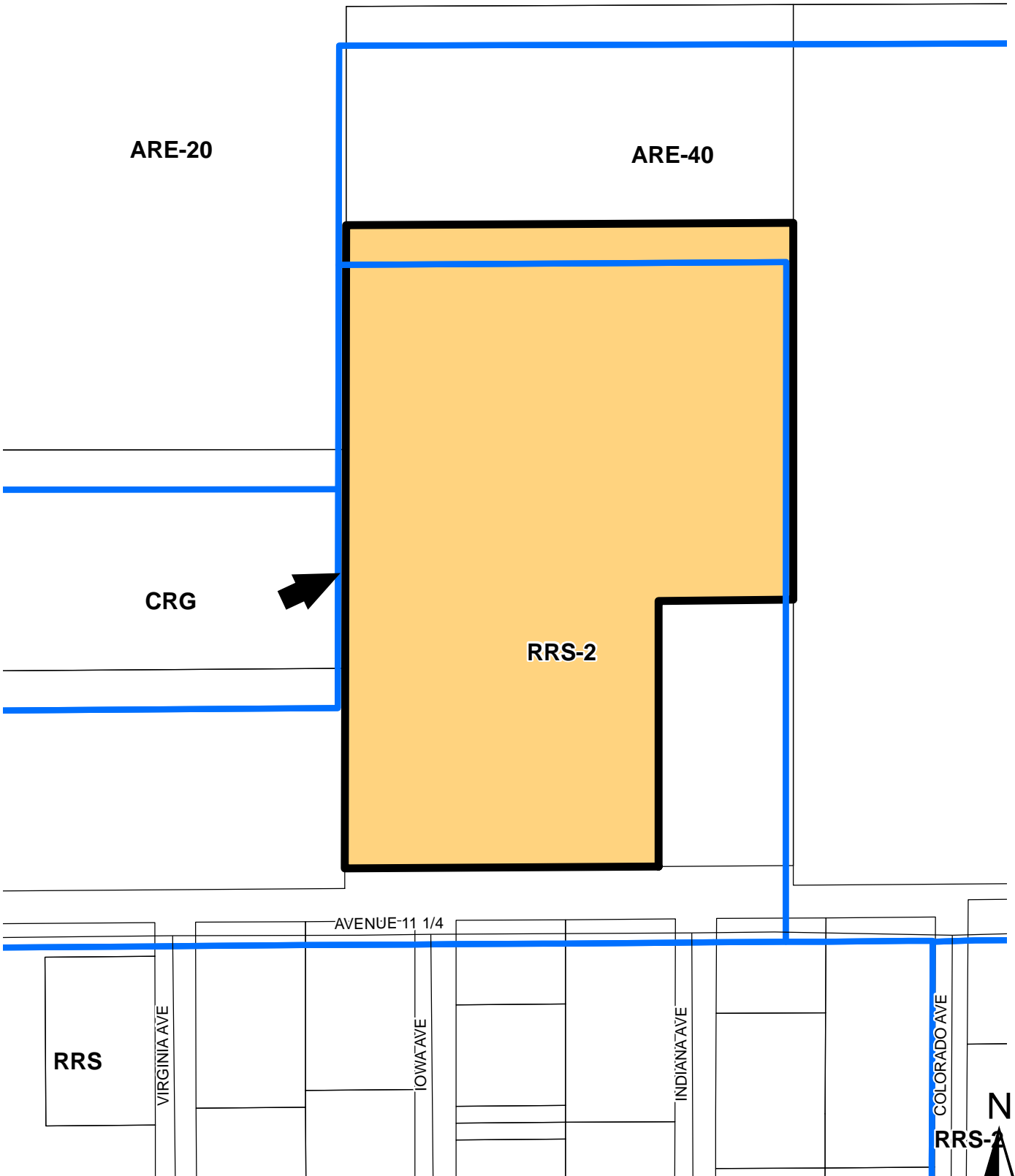
| No. | Condition   | Department/Agency | Verification of Compliance |      |         |
|-----|---|-------------------|----------------------------|------|---------|
|     |   |                   | Initials                   | Date | Remarks |
| 1   | Pursuant to the California Government Code (Subdivision 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          |                            |      |         |
| 2   | 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          |                            |      |         |
| 3   | 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          |                            |      |         |
| 4   | Identify this proposal as Parcel Map #4300  | Planning          |                            |      |         |
| 5   | All parcels proposed by this division must be identified as a parcel with a numerical value (i.e., parcel #1, parcel #2, etc.).   | Planning          |                            |      |         |
| 6   | Under the provisions of County Code Section 17.72.187, prior to final 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          |                            |      |         |
| 7   | 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          |                            |      |         |
| 8   | 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          |                            |      |         |
| 9   | 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 recordation.  | Planning          |                            |      |         |

| No.                 | Condition   | Department/Agency | Verification of Compliance |      |         |
|---------------------|---|-------------------|----------------------------|------|---------|
|                     |   |                   | Initials                   | Date | Remarks |
| 10                  | A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice.                                 | Planning          |                            |      |         |
| 11                  | 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          |                            |      |         |
| 12                  | This proposal must complete processing within two (2) years of lead agency tentative approval.  | Planning          |                            |      |         |
| 13                  | 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          |                            |      |         |
| 14                  | Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.  | Planning          |                            |      |         |
| <b>Public Works</b> |   |                   |                            |      |         |
| 1                   | All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach framework and final layout will be inspected by the Public Works inspector. An encroachment permit will be required to obtain from Public Works prior to commencing any work within the road right of way. | PW                |                            |      |         |
| 2                   | Driveway approach location for each parcel must be shown on the final map prior to its recordation.   | PW                |                            |      |         |
| 3                   | The proposed common access road must be constructed to a minimum Class 3 road as demonstrated per County Standard ST-5 prior to the final map recordation.  | PW                |                            |      |         |
| 4                   | The proposed right-of-way access easement as identified on the map must be called out as either a private or public access road. This access easement must grant access rights to ALL parcels. If it's designated as public access, its minimum road right-of-way width is 60'.   | PW                |                            |      |         |

| No. | Condition  | Department/Agency | Verification of Compliance |      |         |
|-----|--|-------------------|----------------------------|------|---------|
|     |  |                   | Initials                   | Date | Remarks |
| 5   | All required road improvements shall be constructed in accordance with the approved plans and specifications, subject to review, approval, inspection, and acceptance by the Public Works Department and be inspected by the Public Works Inspector. | PW                |                            |      |         |
|     |  |                   |                            |      |         |



GENERAL PLAN MAP



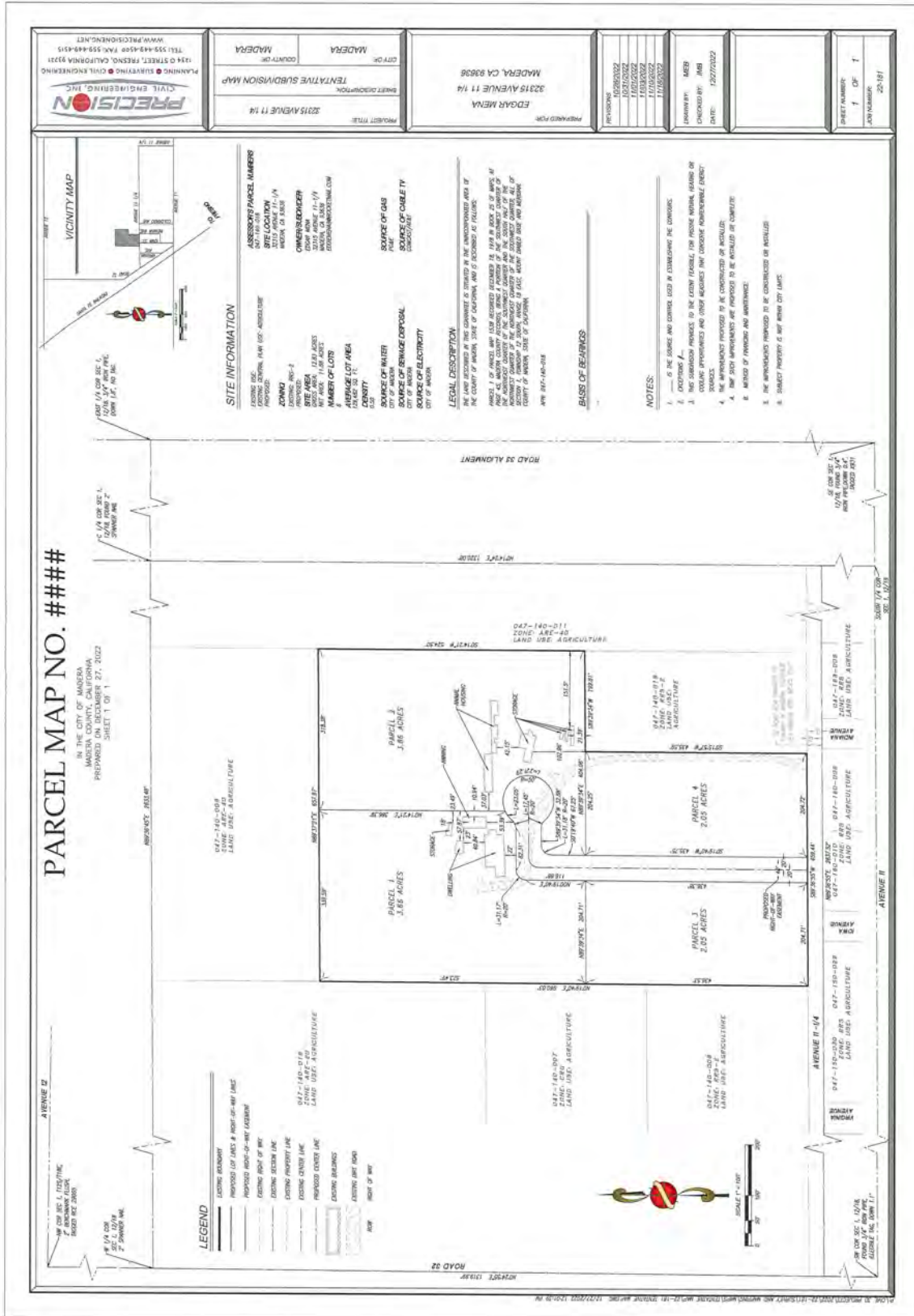
**ZONING MAP**

SEC. 1. T.12S. R.18E. M.D.B.&M.

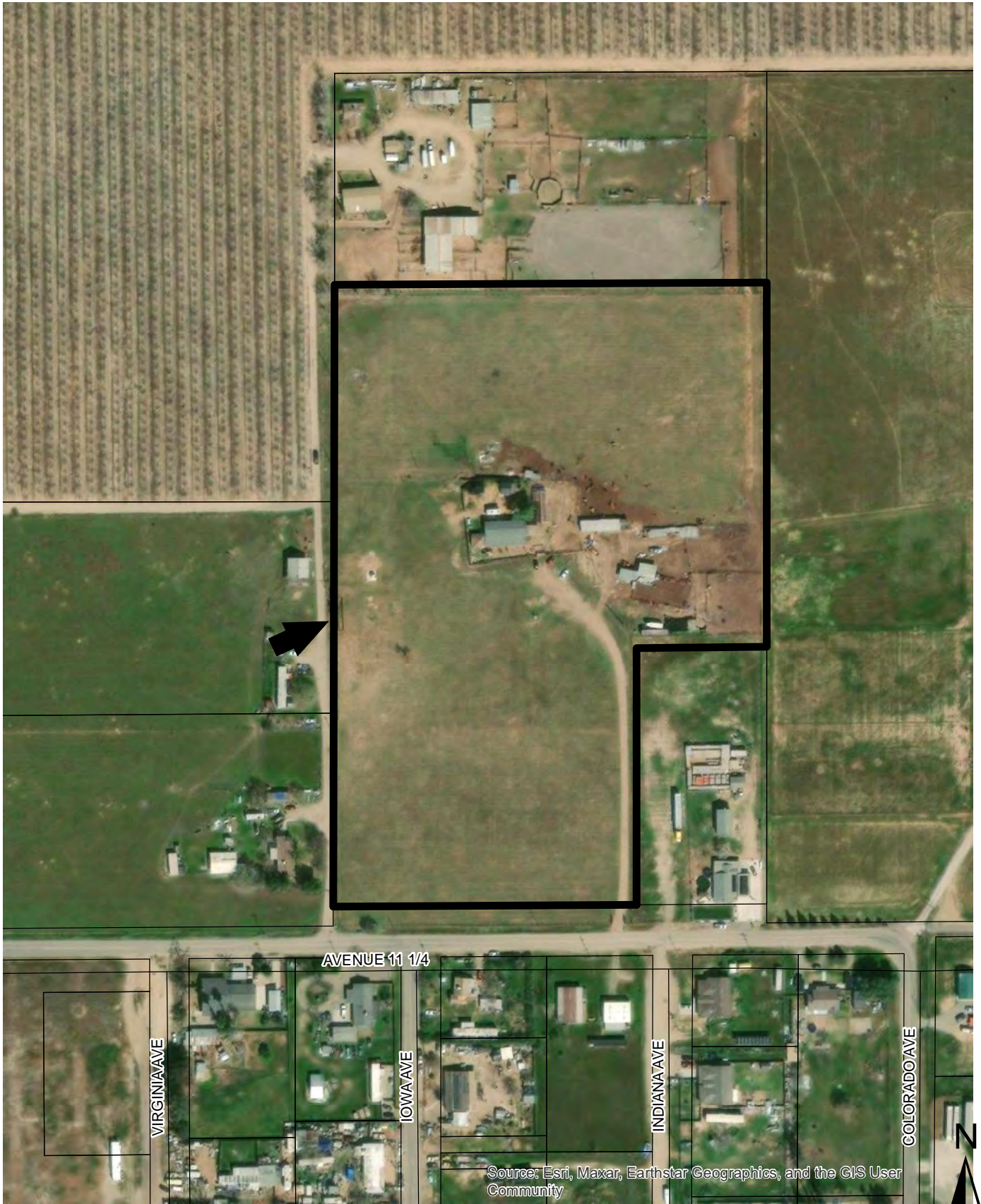
Tax Area Code  
65-000  
47-14



ORIGINAL



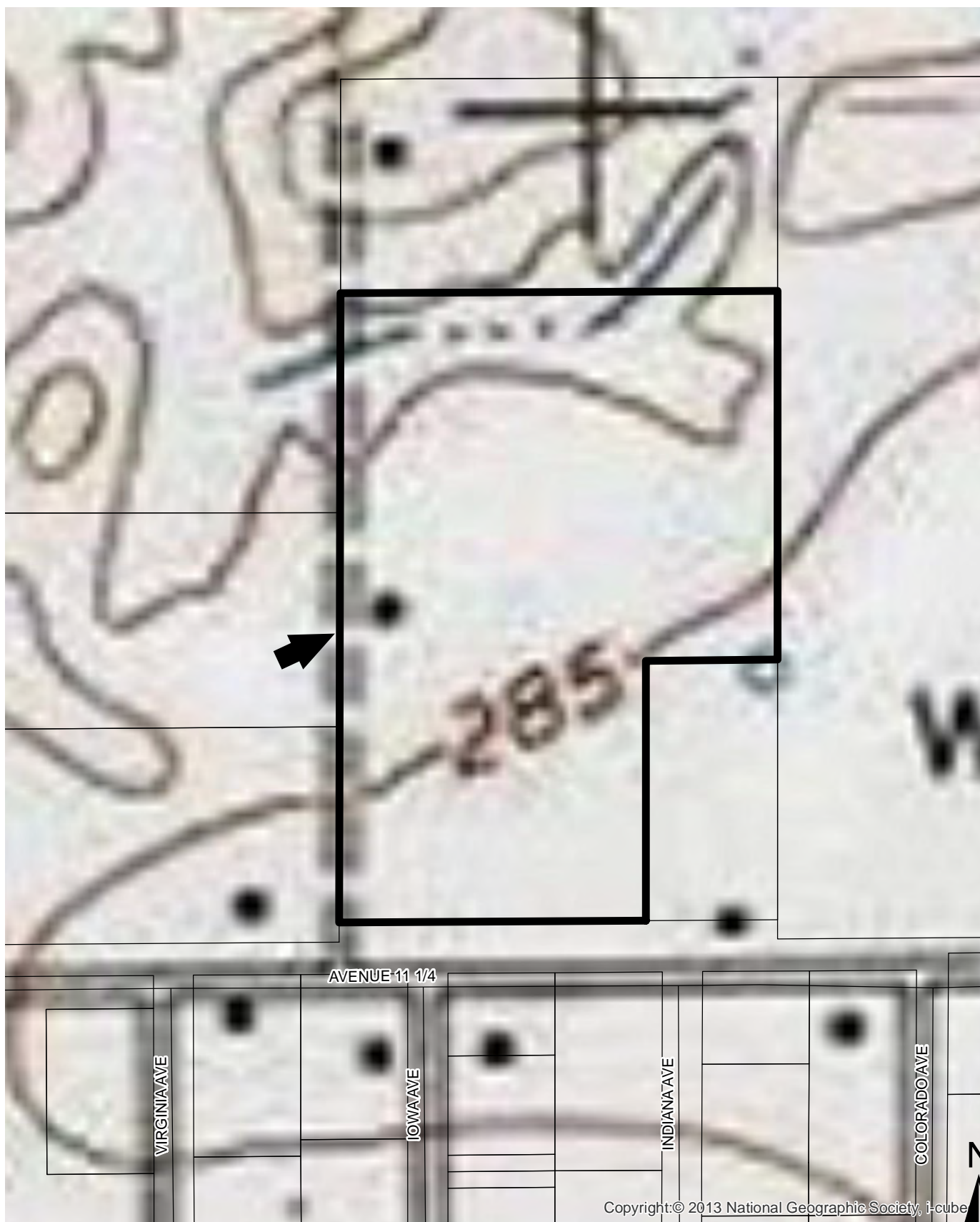
TENTATIVE PARCEL MAP



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

AERIAL MAP





TOPOGRAPHICAL MAP



Community and Economic Development  
Planning Division

• 200 W 4<sup>th</sup> Street  
• Suite 3100  
• Madera, CA 93637  
• (559) 675-7821  
• FAX (559) 675-6573  
• TDD (559) 675-8970  
• mc\_planning@madera-county.com

**OPERATIONAL/ENVIRONMENTAL STATEMENT  
CHECKLIST**

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

1. Please provide the following information:

Assessor's Parcel Number: 047-140-018-000  
Applicant's Name: Shin Tu, Precision Civil Engineering  
Address: 1234 O Street, Fresno, CA 93721  
Phone Number: 559-449-4500

2. Describe the nature of your proposal/operation.

The Applicant proposes a General Plan Amendment to change the current Agricultural land use designation to Very Low Density Residential to be consistent with the existing zoning and accommodate residential uses. A subdivision map is also proposed to allow for residential development.

3. What is the existing use of the property?

Single-Family Residence

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

N/A - residential development is anticipated.

5. What are the proposed operational time limits?

Months (if seasonal): N/A  
Days per week: N/A  
Hours (from \_\_\_ to \_\_\_): Total Hours per day: N/A

6. How many customers or visitors are expected?

Average number per day: N/A  
Maximum number per day: N/A  
What hours will customers/visitors be there? N/A

7. How many employees will there be?

Current: N/A  
Future: N/A  
Hours they work: N/A  
Do any live onsite? If so, in what capacity (i.e. caretaker)? N/A

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

N/A

9. Will there be any service and delivery vehicles? No - residential development is anticipated

Number: N/A

Type: N/A

Frequency: N/A

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

N/A

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

Avenue 11 1/4 and Road 32. Private roads are proposed within the subdivision.

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

N/A - no development is proposed at this time.

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

N/A

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

Existing building will continued be used. No new buildings are proposed to be constructed at this time.

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

No

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

Residential to the North, South, and West. Vacant land to the East.

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

No.

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

N/A - No development proposed at this time.

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

N/A - No development proposed at this time.

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

N/A - No development proposed at this time.

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

N/A - No development proposed at this time.

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

None that is known to the applicant.

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

See subdivision map.

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

See subdivision map.

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

N/A - No development proposed at this time.

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

N/A - No development proposed at this time.

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

N/A - No development proposed at this time. However, future residential development on the subdivision would increase the density of the area.

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

N/A - No development proposed at this time. However, demand for these services could increase as future development is proposed.

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29. If your proposal is for commercial or industrial development, please complete the following; Proposed

Use(s): N/A

Square feet of building area(s): N/A

Total number of employees: N/A

Building Heights: N/A

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

See attached map.

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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

**M**EMORANDUM

TO: Kamara Biawogi  
FROM: Dexter Marr, Environmental Health Division  
DATE: April 17, 2023  
RE: Precision Civil Engineering - Parcel Map - Madera (047-140-018-000)

**Comments**

TO: Madera County Planning Division  
FROM: Environmental Health Division  
DATE: February 16, 2023  
REGARDING: PARCEL MAP #4300 -Madera, APN: (047-140-018)  
(X) Approval with Conditions. (See Below)

The onsite wastewater treatment system of each new building and new work installed in any existing building shall be separate and independent of that in any other building. Every building shall have an independent connection with a public or private sewer on dedicated parcel.

A shared water well agreement among all parcels within this parcel map is recommended.

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

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**MEMORANDUM**

**DATE:** June 6, 2023  
**TO:** Kamara Biawogi  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Precision Civil Engineering - Parcel Map - Madera (047-140-018-000)

**Comments**

Below are Public Works conditions of approval:

All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach framework and final layout will be inspected by the Public Works inspector. An encroachment permit will be required to obtain from Public Works prior to commencing any work within the road right of way.

Driveway approach location for each parcel must be shown on the final map prior to its recordation.

The proposed common access road must be constructed to a minimum Class 3 road as demonstrated per County Standard ST-5 at the time of applying for building permits for the dwelling units.

The proposed right-of-way access easement as identified on the map must be called out as either a private or public access road. This access easement must grant access rights to ALL parcels. if it's designated as public access, its minimum road right-of-way width is 60'.

Does the proposed easement only provide common access to the parcels or also does it also allow utilities to be installed within the designated right-of-way width? It needs to state it on the map.

All required road improvements shall be constructed in accordance with the approved plans and specifications, subject to review, approval, inspection, and acceptance by the Public Works Department and be inspected by the Public Works Inspector.

Date: 6/6/23

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. )
- Tentative Parcel Map Review and Comment. (P.M. No. 4300 )
- Subdivision Review and Comment.
- (Subdivision Name: )

|                   |                    |                |             |
|-------------------|--------------------|----------------|-------------|
| Name of Applicant | A.P.N.             | T.R.A.         | M.D./S.A.   |
| <b>Edgar Mena</b> | <b>047-140-018</b> | <b>065-000</b> | <b>None</b> |

(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.
- 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.
  - 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: **The distances on the south line do not add up. Also, the map indicates 6 lots, even if the road is an outlot, not an easement through the other parcels I only count 5. Also, if the road is a separate lot, we will need acreage.**

3. This proposal is in the Ag. Preserve.

|             |                    |                        |
|-------------|--------------------|------------------------|
| <u>APNs</u> | <u>Prime Acres</u> | <u>Non-Prime Acres</u> |
|-------------|--------------------|------------------------|

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:** PM#4300 – Precision Civil Engineering  
GP#2023-002
- 2. Lead agency name and address:** County of Madera  
Community and Economic Development Department  
200 West 4<sup>th</sup> Street, Suite 3100  
Madera, California 93637
- 3. Contact person and phone number:** Jacob Aragon, Planner II  
559-675-7821  
  
[Jacob.Aragon@maderacounty.com](mailto:Jacob.Aragon@maderacounty.com)
- 4. Project Location & APN:** The subject property is located on the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera.  
  
APN #: 047-140-018
- 5. Project sponsor's name and address:** MENA EDGAR ISRAEL  
3405 W OSWEGA AVE  
FRESNO CA 93711
- 6. General Plan Designation:** An (Agricultural)
- 7. Zoning:** RRS-2 (Residential, Rural, Single Family – 2 acre)

**8. Description of project:**

The applicant is proposing a tentative parcel map dividing a 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to allow for future residential developments. The General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) is a necessary component of the project that will enable a parcel split by minimizing the parcel size requirement from 18 acres to 2 acres. The parcel has two existing single-family dwellings and various accessory structures on the parcel. Access to the parcels will be from Avenue 11 ¼ and a proposed right-of-way easement.

**9. Surrounding Land Uses and Setting:**

The parcels located north, east, and west of the project site have land use designations of A (Agricultural) and are developed with residential and commercial structures. Parcels located south of the parcel have a VLDR (Very Low-Density Residential) designation and are developed with residential structures.

**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.?**

In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area of Madera County. Tribal representatives were advised of the project and invited to request formal consultation with the County regarding the project within 30 days of receiving the notification letters. Eight notification letters were sent to representatives of the following tribes on February 27 2023:

- Table Mountain Rancheria
- Picayune Rancheria of the Chukchansi Indians
- Dumna Wo Wah Tribal Government
- Chowchilla Yokuts Tribe

As of the preparation of this Initial Study, more than 30 days following the County’s transmittal of notification letters, no requests for consultation have been received. Section XVIII of this Initial Study provides additional discussion of tribal cultural resources and outreach.

**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 |

|   |  |
|---|--|
| <b>DETERMINATION</b> (to be completed by Lead Agency) |  |
| 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.  |
| <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.                                   |

Signed:           *Jacob Aragon*           Date: 12/15/2023

|  |                                      |   |                                    |              |
|--|--------------------------------------|---|------------------------------------|--------------|
|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|---|------------------------------------|--------------|

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

**Responses:**

**(a) No Impact.** The project site and components would not be visible from any designated areas or have substantial characteristics of a scenic vista.

**(b) No Impact.** The project site does not contain scenic resources and is not visible from a state scenic highway.

**(c) Less Than Significant Impact.** The project site is zoned RRS-2 (Residential, Rural, Single Family – 2 acre) and is surrounded by other residential structures. The project site has two existing dwellings and does not represent a unique or otherwise important visual resource. The visual character will be consistent with the existing structures in the area. The project would not substantially alter the site’s character and would not result in visually dominant or adverse qualities affecting a substantial number of viewers. Therefore, the project’s change in the visual character of the site is considered less than significant.

**(d) Less than Significant Impact.** The project is located within a developed residential area. There is potential for additional lighting from future developments; however, the additional lighting would be minimal. Lighting will be required to be hooded and directed down and away from neighboring parcels to maintain the visual character and mitigate light disbursement during the evenings.

|                                      |  |                                    |              |
|--------------------------------------|--|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|--|------------------------------------|--------------|

## 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:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) No Impact.** The project site will not convert Prime Farmland or Farmland of Statewide Importance.

**(b) No Impact.** The project site is not subject to a Williamson Act contract and is not zoned for agricultural use. The subject property is zoned RRS-2 (Residential, Rural, Single Family – 2 acre). The project use would not convert existing agricultural uses and would not conflict with agricultural uses on adjacent properties.

**(c - d) No Impact.** The project site does not contain forest land or forest resources and is not zoned for such uses.

**(e) No Impact.** The project would not involve changes to convert agricultural land or forest land to non-agricultural or non-forest land.

### **General Information**

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

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

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

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

**UNIQUE FARMLAND (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include 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.

**CONFINED ANIMAL AGRICULTURE:** Poultry facilities, feedlots, and dairy facilities – this use may be a component of Farmland of Local Importance in some counties.

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

**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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

**Responses:**

**(a - b) Less Than Significant Impact.** The project was circulated to the (SJVAPCD) San Joaquin Valley Air Pollution Control District, no comments were received. The project is consistent with the Air Quality Element of the General Plan. The proposed project will split 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to allow for future residential developments.

**(c) Less Than Significant Impact.** Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. As previously stated construction and operational emissions associated with the project are not expected to exceed any of the following District significance thresholds as no development is proposed with the project.



**(d) Less Than Significant Impact.** The proposed project does not entail any development. However, odors would be temporary and limited during the construction period of future single-family developments. This impact would be less than significant.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002).

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:

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?

|   | 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"/> |
|   | <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                           |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| 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? |                                |   |                                     |                                     |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?   | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Responses:**

**(a, b, d) Less Than Significant Impact.** There are no habitats identified on this parcel, so no habitat modifications are expected as a result. There are no projects or activities associated with this project off-site, therefore there will be no indirect impacts to habitats as a result. While there are candidate species identified in the quadrangle in which this project is located, given the residential development that has occurred in the area over the years the chances of any of the listed species being on the parcel are less than likely.

The project is not located in a riparian or wetland habitat. Any impacts are anticipated to be less than significant.

The project site is zoned for residential uses and the surrounding properties are zoned for commercial, agricultural, and residential uses. The movement of any native wildlife species is expected less than significant.

**(c, e, f) No Impact.** The surrounding area is utilized for residential. The operation of this project is not anticipated to interfere with any habitats off-site, either directly or indirectly.

During the construction of the facilities on site there is the potential of minimally impacting the migration patterns of listed species. This is due to noise production during the process of construction, which animals will instinctively avoid. This will be a temporary occurrence for the duration of the construction. Any disruption will be minimal as a result and will return to baseline

levels at conclusion of the project construction. Operations of the facilities will have negligible impacts.

While the list below shows several species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through.

The project will not conflict with any local policies or ordinances protecting biological resources or provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**General Information**

Special Status Species include:

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

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

| Species  | Federal Listing | State Listings | Dept. of Fish and Wildlife Listings | CNPS |
|--|-----------------|----------------|-------------------------------------|------|
| California tiger salamander - central California DPS | Threatened      | Threatened     | WL                                  | -    |
| western spadefoot                                    | None            | None           | SSC                                 | -    |
| Swainsons hawk                                       | None            | Threatened     | -                                   | -    |
| burrowing owl  | None            | None           | SSC                                 | -    |
| vernal pool fairy shrimp                             | Threatened      | None           | -                                   | -    |
| midvalley fairy shrimp                               | None            | None           | -                                   | -    |
| California linderiella                               | None            | None           | -                                   | -    |
| American badger                                      | None            | None           | SSC                                 | -    |
| Northern Hardpan Vernal Pool                         | None            | None           | -                                   | -    |

|                       |            |            |   |      |
|-----------------------|------------|------------|---|------|
| Munzs tidy-tips       | None       | None       | - | 1B.2 |
| succulent owls-clover | Threatened | Endangered | - | 1B.2 |
| hairy Orcutt grass    | Endangered | Endangered | - | 1B.1 |

### **Gregg Quadrangle**

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

### **Ranking**

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

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

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

SSC Species of Special Concern

WL Watch List

FP Fully Protected

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](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.

Wetlands are defined under Title 33 §328.3 of the California Code of Regulations as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

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

**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 - d) Less Than Significant Impact.** While the County is known to potentially have historical and archaeological resources, due to the development of project site and surrounding properties as agricultural, the chances of finding any archaeological or paleontological resources are less than likely. Most of the paleontological finds in Madera County have been found in the proximity of the landfill, located near the community of Fairmead. Most of the historical finds in Madera County have been found in the mountain and foothill areas above the valley floor due to previous Native American presence in the area. However, any new findings are unlikely on this parcel because the project is located in the unincorporated area of Madera and within a developed residential area. The likelihood of any finds in this area is minimal.

There are no known fossil-bearing sediments on the project site. No known unique geological features in the vicinity of the project site exist. However, there is still the potential for uncovering previously unknown human remains or cemeteries. Therefore, the project will cease all operations if any human remains, cemeteries, archaeological, paleontological, or historic resource is uncovered during the construction or operational phase of the project, until the County can determine whether or not the project can continue.

If project construction-related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project-related activities should be halted, and a professional archaeologist will be brought in to determine the culture of the deposits.

**General Information**

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

property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study.”

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

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

(CEQA Guidelines §15064.5 for definitions)

Paleontology is a branch of geology that studies the life forms of the past, especially prehistoric life forms, through the study of plant and animal fossils. Paleontological resources represent limited, non-renewable and impact sensitive and educational resources. Most of the paleontological finds have been on the valley floor.

\_\_\_\_\_

**VI. ENERGY**

Would the project:

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Responses:**

**(a - b) Less Than Significant Impact.** California has implemented numerous energy efficiency and conservation programs that have resulted in substantial energy savings. The State has adopted comprehensive energy efficiency standards as part of its Building Standards Code, California Codes of Regulations, Title 24. In 2009, the California Building Standards Commission adopted a voluntary Green Building Standards Code, also known as CALGreen, which

became mandatory in 2011. CALGreen sets forth mandatory measures applicable to new residential and non-residential structures and additions and alterations on water efficiency and conservation, building material conservation, interior environmental quality, and energy efficiency.

Additionally, California has adopted a Renewables Portfolio Standard, which requires electricity retailers in the state to generate 33 percent of the electricity they sell from renewable energy sources (i.e., solar, wind, geothermal, hydroelectric from small generators, etc.) by the end of 2020. In 2018, SB 100 was signed into law, which increases the electricity generation requirement from renewable sources to 60% by 2030 and requires all the state's electricity to come from carbon-free resources by 2045. The main sources of energy consumption would be construction activities and ongoing project operations. Project construction would involve fuel consumption and use of other nonrenewable resources. Construction equipment used for such improvements typically runs on diesel fuel or gasoline. The same fuels are typically used for vehicles transporting equipment and workers to and from a construction site. However, construction-related fuel consumption would be finite, short-term and consistent with construction activities of a similar character. This energy use would not be considered wasteful, inefficient or unnecessary. Equipment overtime would be more energy-efficient in order to assist with meeting State emissions reduction goals. Additionally, under California's Renewable Portfolio Standard, a greater share of electricity would be provided from renewable energy sources over time, so less fossil fuel consumption to generate electricity would occur. The Project would be required to comply with the building energy efficiency standards of California Code of Regulations Title 24, Part 6, also known as the California Energy Code. Compliance with these standards would reduce energy consumption associated with project operations, although reductions from compliance cannot be readily quantified at this time. Overall, project construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary; the project would also not conflict or obstruct any state or local plans for renewable energy efficiency. project impacts related to energy consumption are considered less than significant.

|                                      |  |                                    |              |
|--------------------------------------|--|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|--|------------------------------------|--------------|

**VII. GEOLOGY AND SOILS**

Would the project:

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.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| 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 - iv) Less than Significant Impact.** According to the California Earthquake Hazards Zone Application (EQ Zapp) located on the Department of Conservation, the project is not within an Earthquake Fault Zone (Department of Conservation , 2021).

The Earthquake Shaking Potential for California Map located on the Department of Conservations website displays the Level of hazards regarding ground shaking for each county. According to the map, Madera is located in a region distant from known active faults and will experience lower levels of shaking less frequently. In most earthquakes, only weaker, masonry buildings would be damaged. However, very infrequent earthquakes could still cause strong shaking. The project area is topographically flat, with no potential for landslides (Department of Conservation , 2016).

**(b) Less Than Significant Impact.** The parcel is subject to potential erosion due to rain events; however, with the implementation of HYDRO MM-1, construction project proponents will be required to submit a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Quality Board to obtain a National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The SWPPP will include Best Management Practices (BMPs) to control erosion and siltation on the site in order to prevent water quality degradation. Such measures may include, but are not limited to, covering the graded area with straw or straw matting and using water for dust control. Due to the flat nature of the project site, future development within the project site would result in a less than significant soil erosion impact.

**(c) Less Than Significant Impact.** The project site is not located in an earthquake fault zone and is in an area with a low probability of seismic activity. Lateral spreading, subsidence, and collapse are uncommon in Madera County. Since the project site is not located on a geologic unit or soil that is unstable or would become unstable due to project activities, there is little to no potential for result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Impacts from these criteria are considered less than significant.



**(d) Less Than Significant Impact.** Soils associated with a high risk for expansion are generally characterized as dense materials with less air-filled voids and therefore have a greater potential to undergo volume change. The volume of change is influenced by the quantity of moisture, the kind and amount of clay in the soil, and the original porosity of the soil. According to the U.S. Department of Agriculture, Natural Resources Conservation Services Web Soil Survey, identified soil on the project site consists of Whitney and Rocklin sandy loams, 3 to 8 percent slopes (WrB) and San Joaquin sandy loam, 0 to 3 percent slopes, MLRA 17 (SaA). The soil characteristics of the project site can be seen in Figure 3. These soils have are well-drained when subjected to fluctuations in moisture and have a low potential for liquefaction or ground failure. Based on the known conditions of the soils documented on the project site, risks to life or property as a result of expansive soils are not substantial, and the impact of expansive soil on the future project site development will be less than significant.

**(e-f) No Impact.** The proposed project does not have any proposed development and therefore would not disrupt the efficiency of septic tanks or alternative wastewater disposal systems or directly or indirectly destroy a unique paleontological resource.

### **General Information**

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

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

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

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep. However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

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

**Owens Valley Fault Group:** The Owens Valley Fault Group is a complex system containing both

active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

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

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

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

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

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

|  |                                |   |                              |           |
|--|--------------------------------|---|------------------------------|-----------|
|  | 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:**

**(a) No Impact.** The project in and of itself will not generate greenhouse gases that will impact the environment. No development is associated with the proposed tentative parcel map and General Plan Amendment. The subsequent zone parcels will have by-right residential uses. This aligns with the existing and surrounding zone districts currently.

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

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

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

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to “smart growth” land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local

Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?  | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| 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) No Impact.** The proposed consist of a tentative parcel map that will divide 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density

Residential). No development is associated with this project and therefore would not contribute to any hazardous materials that could be detrimental to the public or environment.

By definition, a hazardous material is any material that has components that make it hazardous but has not been used for its' intended purpose. A hazardous waste is a hazardous material but has been utilized for its' intended purpose and is typically no longer useable. The current business use does not include storage or disposal of any type of hazardous waste. Therefore less than significant impacts from the project are expected.

There are no schools within one-quarter mile of the proposed business. Their project is adjacent to other commercially zoned properties.

**(d – e) No Impact.** The subject property does not appear on a list of hazardous materials sites. The proposed project is not located within an airport land use plan, airport, or private airstrip.

**(f - g) No Impact.** The project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan.

**General Information**

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

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

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

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

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| <b>X. HYDROLOGY AND WATER QUALITY</b>   |                                |   |                              |                                     |
| 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 type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such                                  | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| that the project may impede sustainable groundwater management of the basin?   |                                |   |                                     |                                     |
| 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"/>            |
| (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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (iv) Impede or redirect flood flows?   | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input checked="" type="checkbox"/> | <input 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 - b) No Impact.** No impacts have been identified as a result of this project. Minimal usage of water is expected, as well as minimal wastewater generation is expected. The proposed tentative parcel map and general plan amendment is not expected to have additional impacts to the current, existing by-right usage. The existing dwelling is served by individual well and septic.

**(ci - iv) Less than Significant Impact.** The operations of the proposed project will have a less than significant impact due to the conditions that our Public Works Department has placed which requires the applicant to submit a driveway approach and apply for an encroachment permit prior to any construction taking place.

**(d - e) No Impact.** No impacts have been identified as a result of this project.

**General Information**

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

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

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

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

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| <b>XI. LAND USE AND PLANNING</b>  |                                |   |                              |                                     |
| Would the project:  |                                |   |                              |                                     |
| 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) No Impact.** The project would not divide an established community.

**(b) No Impact.** The project would not conflict with the County General Plan or other land use plan policies or regulations adopted to avoid or mitigate an environmental effect.

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

**XII. MINERAL RESOURCES**

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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.** The project site is not within an area identified as having a known mineral resource of value to the state or region. The site is not in an area delineated in the Madera County General Plan or other land use plan as a locally important mineral resource recovery site.

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

**XIII. NOISE**

Would the project result in:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a-b) No Impact** The proposed consist of a tentative parcel map that will divide 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential). No development has been established with this project and therefore would not generate a substaintale increase in noise.



**c) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There will be no impacts as a result.

### **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<br>(L) | Industrial<br>(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<br>(L) | AM | 55          | 60         | 60                | 65                | 60           |
|                   | PM | 50          | 55         | 55                | 60                | 55           |
| Industrial<br>(H) | AM | 60          | 65         | 65                | 70                | 65           |
|                   | PM | 55          | 60         | 60                | 65                | 60           |
| Agricultural      | AM | 60          | 60         | 60                | 65                | 60           |
|                   | PM | 55          | 55         | 55                | 60                | 55           |

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

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

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

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

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

| <b>Reaction of People and Damage to Buildings from Continuous Vibration Levels</b> |  |                             |
|--|--|-----------------------------|
| <b>Velocity Level, PPV<br/>(in/sec)</b>  | <b>Human Reaction</b>                                | <b>Effect on Buildings</b>  |
| 0.006 to 0.019   | Threshold of perception;<br>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<br>vibration | Architectural damage and possibly minor structural damage                                     |
| Source: Whiffen and Leonard 1971 |   |   |

**XIV. POPULATION AND HOUSING**

Would the project:

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

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)?                       

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

**Responses:**

**(a) Less Than Significant Impact.** The project consists of a tentative parcel map that would divide 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential).). This could create an opportunity for additional dwellings to be constructed. This would not be considered a substantial population growth in the already developed region.

**(b) No Impact.** The project is located on a vacant site and would not displace housing or people.

|  |                                      |   |                                    |              |
|--|--------------------------------------|---|------------------------------------|--------------|
|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|---|------------------------------------|--------------|

**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:

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

**Responses:**

**(a – i-ii) Less Than Significant Impact.** The project could increase the risk of emergency services being provided to the project site; however, the increase would be minimal and would not require new or physically altered governmental facilities. Therefore, the project would have a less than significant impact.

There are fire stations in Madera would respond to this location. The closest station is Madera County Fire Department Station #1, northwest of the proposed project.

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

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

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1. 7 law enforcement officials per 1,000 population.

**(a – iii through v) No Impact.** The project would not result in new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services. Conditions have been placed by the

**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?

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

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?

**Responses:**

**(a – b) No Impact.** The project would not result in the need for new or physically altered governmental or recreational facilities. The project consists of a tentative parcel map and a general plan amendment and would not result in an increase in population or the need for parks or recreational facilities and, as a result, would have 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?

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

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) Result in inadequate emergency access?

**Responses:**

**(a) No Impact.** In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

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

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

**(b) Less Than Significant Impact.** Madera County has not yet adopted its own VMT analysis guidelines and standards of significance. In lieu of that guidance, the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA provides recommended thresholds for determining the significance of VMT impacts associated with land use development projects. The directive addresses several VMT impact analysis aspects and provides a VMT Screening Evaluation (VMTSE). The VMTSE assists in determining if a project would result in an impact.

The VMT impact of the project's storage building uses can be presumed to be less than significant based on OPR screening criteria.

**(c) Less Than Significant Impact.** The project will continue to utilize the current access off Avenue 11 ¼ and right of way access easement. During the period of any potential construction of the project, it is expected that there will be some construction-related vehicles. 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. Due to the development being located within Caltrans facilities, the applicant will need to comply with any conditions imposed by Caltrans.

**(d) No Impact.** The project will not result in inadequate emergency response and therefore have no impact.

|                                      |  |                                    |              |
|--------------------------------------|--|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|--|------------------------------------|--------------|

**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:

- |     |   |                          |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a – i, ii) No Impact.** In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area of Madera County. Tribal representatives were advised of the Project and invited to request formal consultation with the County regarding the Project within 30 days of receiving the notification letters. Notification letters were sent to:

- Table Mountain Rancheria
- Picayune Rancheria of the Chukchansi Indians
- Dumna Wo Wah Tribal Government
- Chowchilla Yokuts Tribe

As of the preparation of this Initial Study, more than 30 days following the County’s transmittal of notification letters, no tribal representatives requested consultation. No tribal cultural resources have been identified associated with the site.

\_\_\_\_\_

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

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

**Responses:**

**(a–c) Less Than Significant Impact.** The applicant is proposing a tentative parcel map dividing a 12.52 parcel into 4 parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, Parcel 4 – 2.05-acres) and a General Plan Amendment from A (Agricultural) to VLDR (Very Low Density Residential) to allow for future residential developments. The parcel has two existing single-family dwellings. Future residential development may increase the need for utility services. Regardless, all parcels shall comply with Madera County Code Title 13 as it relates to water and sewage disposal.

**(d - e) Less Than Significant Impact.** Solid waste generated by the project would not be expected to exceed the existing capacity of local infrastructure and would not conflict with any federal, state, or local management and reduction statutes or regulations. Conditions from Madera County Environmental Health Division state that onsite wastewater treatment system of each new building and new work installed in any existing building shall be separate and independent of that in any other building. Every building shall have an



independent connection with a public or private sewer on dedicated parcel. If this proposed project is within 500 feet of an existing public water system or service area it shall connect unless the service area approves of a private public water system [MCC 13.52.020]. Also, a shared water well agreement among all parcels within this parcel map is recommended.

### **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.

\_\_\_\_\_

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

**XX. WILDFIRE**

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a) No Impact.** The types of activities occurring on the project site typically do not contribute to or exacerbate wildfire risks. The project does not propose any habitable structures and would therefore have no occupants.

**(b - d) No Impact** Madera County developed an Operational Area Emergency Operations Plan which, was updated in January of 2010 and a Multi-Hazard Functional Plan which, is responsible for establishing emergency management organization required to mitigate any emergency or disaster affecting Madera County. Both documents Identify policies, responsibilities and procedures required to protect the health and safety of Madera County communities, public and private property and the environmental effects of natural and technological emergencies and disasters. And establish the operational concepts and procedures associated with Initial Response Operations (field response) to emergencies, the Extended Response Operations County Emergency Operations Center (EOC) activities and the recovery process. Madera County also developed a Local Hazard Mitigation Plan (LHMP) which is responsible for evacuation procedures. The LHMP states the Sheriff’s Department uses a system known as “MCALERT”. There is nothing in both documents That indicate the project would impact a response plan or emergency evacuation plan. The project does not propose any actions or structures that expose people or structures to significant risks. Furthermore, the project would not generate runoff, post-fire slope instability, or negatively impact drainage.

\_\_\_\_\_

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

|                                      |   |                                    |              |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|---|------------------------------------|--------------|

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>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.)</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Responses:**

**(a) Less Than Significant Impact.** The analysis conducted in this Initial Study/Negative Declaration results in a determination that the project, with the incorporation of conditions, would have a less than significant impact on the environment. As a result, the project would not have the potential to substantially degrade the quality of the environment and, therefore will have a less than significant impact.

**(b) Less Than Significant Impact.** Implementation of the project would not result in significant cumulative impacts and all potential impacts would be reduced to less than significant.

**(c) Less Than Significant Impact.** For the reasons discussed in the sections above, the Project would not have the potential to result in environmental effects that would cause substantial adverse direct or indirect effects on human beings.

\_\_\_\_\_

## **Bibliography**

Madera County General Plan

California Department of Finance

California Department of Transportation (CALTRANS)

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

United States Department of Agriculture Natural Resources Conservation Services

<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Caltrans website [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm) accessed October 31, 2008

California Department of Fish and Game "California Natural Diversity Database"

<http://www.dfg.ca.gov/biogeodata/cnddb/>

Madera County Air Quality Element of the General Plan (2010)

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Public Works

Madera County Roads Department

NEGATIVE DECLARATION

ND#2023-19

RE: GP#2023-002 & PM #4300 – Precision Civil Engineering

LOCATION AND DESCRIPTION OF PROJECT:

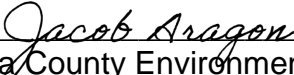
The property is located on the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera.

ENVIRONMENTAL IMPACT:

An Initial Study has been conducted and findings have been made that the proposed project will have no significant effect on the environment.

BASIS FOR NEGATIVE DECLARATION:

1. Initial Study.

  
\_\_\_\_\_  
Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 200 West Fourth Street, Ste. #3100, Madera, California.

DATED: June 21, 2023

FILED:

PROJECT APPROVED:

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

|                             |   |                                  |
|-----------------------------|---|----------------------------------|
| In the Matter of            | ) | Resolution No.: <u>PCR 2023-</u> |
|                             | ) |                                  |
| PRECISION CIVIL ENGINEERING | ) | RESOLUTION APPROVING THE         |
| GP #2023-002 & PM #4300     | ) | APPLICATION OF PRECISION CIVIL   |
|                             | ) | ENGINEERING FOR A GENERAL PLAN   |
| _____                       | ) | AMENDMENT, TENTATIVE PARCEL MAP, |
|                             | ) | AND NEGATIVE DECLARATION         |

**WHEREAS**, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, January 16, 2024, held a duly noticed public hearing to consider the application of Precision Civil Engineering for a General Plan Amendment and Tentative Parcel Map; and

**WHEREAS**, County staff has presented substantial factual information regarding the General Plan Amendment and Tentative Parcel Map; and

**WHEREAS**, the hearing was to consider the application of Precision Civil Engineering for a General Plan Amendment (GP #2023-002) pursuant to Section 65358 of the Government Code to amend the area now shown as A (Agriculture) to VLDR (Very Low Density Residential) Designation and Tentative Parcel Map (PM#4300) dividing a 12.52-acre parcel into four parcels (Parcel 1 - 3.66 acres, Parcel 2 - 3.86 acres, Parcel 3 - 2.05 acres & Parcel 4 - 2.05 acres).

**WHEREAS**, the property 054-140-069 (12.52 acres) is located on the north side of Avenue 11 1/4, approximately 0.19 miles east of its intersection with Road 32, (32315 Avenue 11 1/4) Madera; and

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

**WHEREAS**, a draft Negative Declaration (ND #2023-19) 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 proposed General Plan designations is VLDR (Very Low Density Residential) which allows for single family detached and attached home, secondary residential unit, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar compatible uses.*

The residential density shall be in the range of 1.0 to 7.5 units per gross acre. The property is zoned RRS-2 (Residential, Rural, Single Family-2 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 tentative parcel map 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 12.52 acres into four parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, and Parcel 4 – 2.05-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 12.52 acres into four parcels (Parcel 1 – 3.66-acres, Parcel 2 – 3.86-acres, Parcel 3 – 2.05-acres, and Parcel 4 – 2.05-acres). There is an existing single-family dwelling on the parcel. The subsequent lots created will still comply with the proposed General Plan and density requirements which limits the density to 1.0-7.5 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 parcel map 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 and improve road access.
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 to the site via Avenue 11 ¼ and a proposed right-of-way easement.

9. As a result of Findings 1 – 8, the Tentative Parcel Map is approved, subject to the attached conditions.

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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: \_\_\_\_\_

COMMISSIONER PALMER VOTED: \_\_\_\_\_

COMMISSIONER ESTRADA VOTED: \_\_\_\_\_

MADERA COUNTY PLANNING COMMISSION

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary of the Planning Commission

Approved as to Legal Form:  
COUNTY COUNSEL

By: \_\_\_\_\_