



Community and Economic Development Planning Division

Jamie Bax *JB*
Director

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PLANNING COMMISSION DATE: February 13, 2024

AGENDA ITEM: #1

CUP	#2023-018	Conditional Use Permit (CUP #2023-018) to allow the development of two luxury glamping tents.
APN	#070-111-022	Applicant: Garland Russell Shaw
CEQA	MND #2023-31	Owner: Bass Lake LLC
		Mitigated Negative Declaration

REQUEST:

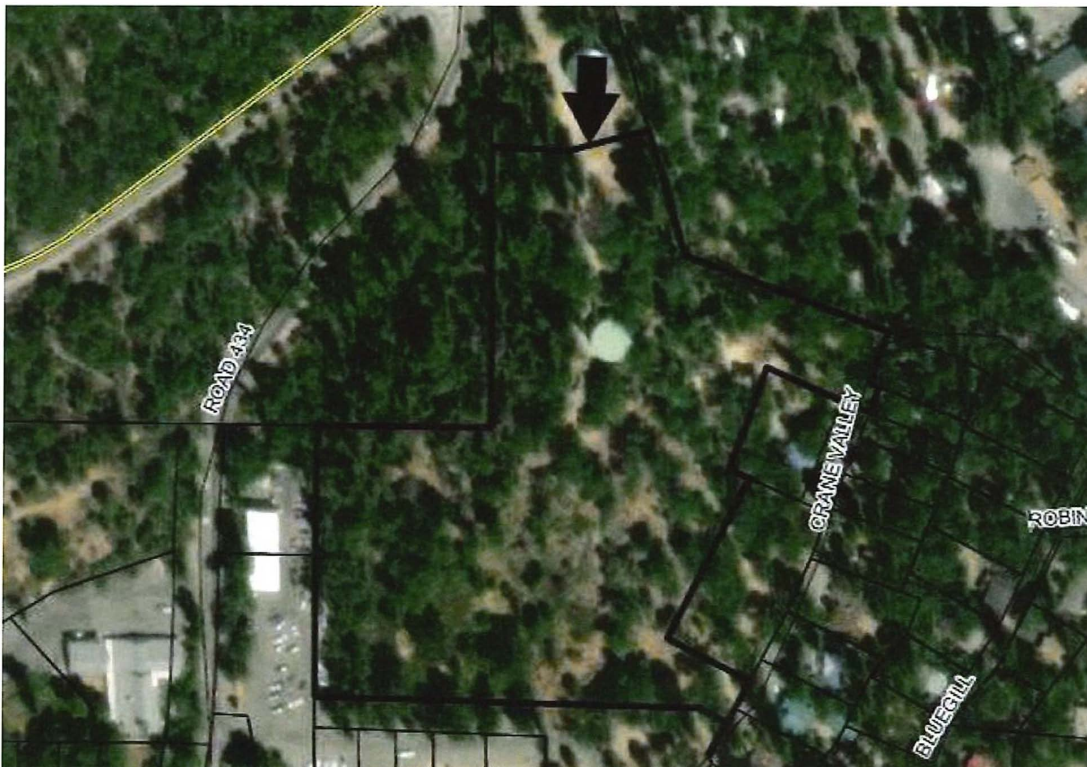
The applicant is requesting a Conditional Use Permit (CUP #2023-018) to allow the development of two luxury glamping tents for short-term rental.

LOCATION:

On the south side of Road 274 approximately 150' east of Road 434 (no situs) Bass Lake.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2023-31) (Exhibit O) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Adopt a resolution approving Conditional Use Permit #2023-018 subject to conditions, Findings of Fact and Mitigated Negative Declaration #2023-31.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: LDR (Low-Density Residential) Designation

SURROUNDING: CC (Community Commercial), HDR (High-Density Residential), OS (Open Space) Designations

ZONING (Exhibit B):

SITE: PDD (Planned Development District)

SURROUNDING: PDD (Planned Development District), CUM (Commercial Urban Median), RMS (Residential, Mountain, Single Family) District

LAND USE:

SITE: Previous site of Bass Lake Water District water tank

SURROUNDING: Commercial to the south, southeast, and northeast. Residential to the southeast and Public Open Space to the north.

SIZE OF PROPERTY: 7.55 Acres

ACCESS (Exhibit D-1): Ingress and egress to the property is by private easement from Road 274.

BACKGROUND AND PRIOR ACTIONS:

The parcel was split from parcel 070-111-002. Conditional Use Permit 2021-006 was approved to allow a 109' communication tower within a 25'x25' lease area.

PROJECT DESCRIPTION:

This is a request for a Conditional Use Permit to allow construction of two luxury glamping tents for year-round short-term rental. The tents will be approximately 1,600 and 1,200 square feet in size and include the following amenities: a full bathroom, electric fireplace heat, ceiling and floor fans, king-size bed, kitchenette, desk, leather couch bed, walnut flooring, sliding glass doors, a locking main entry door, hi-speed Wi-fi, and a patio/deck with a BBQ, sitting area, propane fire pit and soaking tub. The project would entail the construction of two luxury glamping tents, a septic system, and a parking facility.

The project will be located on the northerly ~1.75 acres of the 7.68-acre parcel. The Project site is designated by the Madera County General Plan designation as LDR (Low Density Residential) and zoned as PDD (Planned Development District). The site is situated within the bounds of Madera County CS-2A concerning wastewater and the bounds of the Bass Lake Water Company district.

This 1.75-acre portion of the property is the historic location for an existing 400,000-gallon water tank for the Bass Lake Water Co. system that has been moved northerly to the Bass Lake Water Co. owned parcel.

ORDINANCES/POLICIES:

Chapter 18.67 of the Madera County Zoning Ordinance outlines the permitted uses within the Planned Development District.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

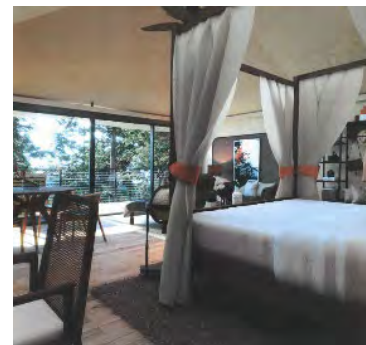
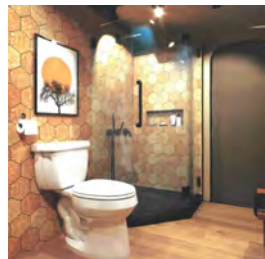
General Plan Policy 1.E.3 of the Madera County General Plan supports the economic development of the County.

General Plan Goal 4.A of the supports the designation of land for and promotion of the development and expansion of public and private recreational facilities to serve the needs of residents and visitors.

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

ANALYSIS:

The project intends to provide a luxury camping experience in Bass Lake. The tents will capitalize on views and focus on connections to the outdoors. The built structures will incorporate a considerable amount of mesh windows and doors to maximize transparency in the outdoor environment. The site is near Bass Lake and Yosemite National Park and will provide a unique outdoor experience for visitors to Madera County.



The project is located on the south side of Road 274 approximately 150' east of Road 434. The site will be accessed via a private easement off Road 274. The tent occupancy is limited to two (2) people per cabin /stay. Two parking stalls per tent are proposed located in the front of each tent. Parking and approach will be surfaced with a compacted base rock. It is presumed that most will arrive in a singular passenger vehicle and may stay in place at the tent site or may leave and return once, maybe even twice, during their occupancy. Accordingly, if each party

left and returned twice each day, the maximum trip ends for an average day would be 12 trips, with each cabin generating a maximum of 6 trip ends per day.

There will be housekeeping on-site upon check-in/check-out, and this will be part of the larger hotel operation known as The Pines Resort. Additionally, there is no proposed signage since it is part of the larger hotel operation. Garbage will be collected on-site by housekeeping staff.

With a maximum of four visitors at a time on site when both tents are occupied it is not anticipated that noise or light pollution will be a concern. All lighting associated with the project must be down-facing and hooded utilizing low glare lighting.

The applicant anticipated using approximately 80 gallons of water per day per tent. The water will be supplied by the Bass Lake Water Company. The site is situated within the bounds of Madera County CS-2A with respect to wastewater.

The tents are proposed year-round and will be constructed to California Building Code standards. There will be little visibility of the tents from any roadways as the area is secluded with natural vegetation and native trees. No tree removal is proposed with this project. The site for the ADA-accessible tent was previously the site of the 400,000-gallon Bass Lake Water Company tank. The site had been previously leveled and graded. The additional tent will be located just south of the graded pad within approximately 50'.

Canvas tents are made of tightly weaved heavier fabric which is Canvas Cotton. The heat from the inside can't escape the material easily, which makes canvas tents a preferable option for cold and snowy weather conditions. The benefits of the Eco-Structure canvas tents are that they:

- Are ideally suited to the outdoors
- Have good durability and longevity
- Are sturdy
- Breathe better than synthetic fabrics
- Retain their shape and color
- Foster a classic look and color

The Rhino Tuff Fire retardant 12oz canvas is supplied under license by a ISO9001 accredited factory in India, which supplies 30-50% of all canvas that goes to the USA, and 30% to 40% of all canvas that goes to Australia. The Eco Anchor system is a patented technology unique to Eco Structures that offers an innovative concrete-free foundation system. This saves time and money by allowing Eco Tents to be installed with ease in remote, sloping, and undulating environments. The anchoring system consists of four drive rods that are driven into the ground using a pneumatic hammer, forming a structurally stable and level foundation system in a fraction of the time and a third of the cost of conventional concrete foundations. The Earth Anchor connects to the adjustable base plates of the Eco Tent steel floor frame, allowing for 4 inches of adjustment for ease of

obtaining final level on site. If the ground is undulating, three (3) ft. long sleeve extensions are utilized that simply slip onto the Eco Anchor steel stumps and columns during the installation, and if needed, are cut to the required length on site. With minimal impact to the ground surface beneath the structure combined with an extremely small footprint, the Eco Anchor is an environmentally friendly alternative to conventional foundation systems. The anchoring system, when properly constructed, complies with regional weather and seismic loading standards.

The project site sits approximately 40 ft. in elevation to 150 ft. in elevation above the lower general parking grade of the adjoining improved commercial district at the Pines Village south of the project site, and more specifically, this portion of the property is situated 125 ft above the upper parking lot of the Pines Resorts commercial center to the south. There is no specific landscape plan or buffering proposed under these conditions, particularly with due consideration of the existing forested condition, the large elevation differentials, and the new luxury tents' use being out of the public's eyes. Accordingly, the project site will naturally integrate into the existing resort environment.

A biological evaluation was completed for the project in which it was determined that due to previous development on the parcel, the project will have less than significant impacts. A cultural resource evaluation showed the site as negative for any potential resources.

It is believed that this project proposal aligns with the intent of the Madera County Zoning Code and the Goals and Objectives of the Madera County General Plan by fostering a healthy economic environment, developing increased recreational facilities, and the retention of jobs in Bass Lake while strengthening the revenue base of the community with a light, quiet, compatible, non-polluting hospitality opportunity.

This project was circulated to internal departments and outside agencies for review. This included the California Department of Transportation, Regional Water Quality Control, California Highway Patrol, San Joaquin Valley Air Pollution Control Board, and the Department of Fish and Wildlife. Comments were received from the Environmental Health Division, Building/Fire Safety Division, Public Works Department, and the San Joaquin Valley Air Pollution Control District.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, for \$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's \$50.00 filing fee. In place 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, and Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

FINDINGS OF FACT:

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

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.* The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the applicant is following the ordinance by applying for a Conditional Use Permit which would allow the facility in the zone district. The proposed project will not be in conflict with applicable zoning uses or with the General Plan. The General Plan designation of LDR (Low Density Residential) provides for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The use has been deemed as similar and compatible per the Planning Director. The PDD is designed to allow diversity in the relationship between buildings and open spaces so as to create unique, interesting physical environments that maximize usable open space, while at the same time to preserve the public health, safety, and welfare. All development in the PDD shall be consistent with the County General Plan.
2. *The proposed project is not contrary to the public health, safety, or general welfare.* No activities from the proposed project will have a significant impact on the public's health, safety, or general welfare. Conditions have been placed that will minimize any harm to the surrounding environment.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.* The project must adhere to the conditions of approval as well as mitigation measures. The proposal will not involve harmful factors to the surrounding environment. The project is not expected to have any impacts that would not be allowed in the General Plan designation of LDR (Low-Density Residential).
4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.* The proposed project is located next to an RV park and a resort and will have a similar use.

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The General Plan designation of LDR (Low-Density Residential) allows for public and quasi-public uses. This designation provides for single-family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The use has been deemed as similar and compatible per the Planning Director. Residential densities shall be in the range of 1.0 to 7.5 units per gross acre. The FAR for nonresidential uses shall not exceed 0.30. This designation assumes an average of 3.2 persons per dwelling unit. The PDD district is designed to allow diversity in the relationship between buildings and open spaces to create unique, interesting physical environments that maximize usable open space, while at the same time preserving public health, safety, and welfare. All development in the PDD district shall be consistent with the county General Plan. Conditional Use Permit approval is necessary to satisfy the criteria as set forth for the PDD (Planned Development) zones in the County requiring the processing, review and a decision made therefor by the Madera County Planning Commission for all proposed uses. The development of the vacant property brings forward a use that is most appropriate and beneficial to the County and the community of Bass Lake as a well-established hospitality destination, and further, it will foster additional commercial trickle-down opportunities thereby adding sales taxes, transient occupancy taxes and property taxes into the County revenue streams. Both the General Plan and Zoning designations allow for public and quasi-public uses.

RECOMMENDATION:

The analysis provided in this report supports approval of Conditional Use Permit #2023-018 subject to conditions, Findings of Fact, Mitigated Negative Declaration #2023-31, and associated Resolution.

CONDITIONS

See attached.

ATTACHMENTS:

1. Conditions of Approval
2. Resolution
3. Exhibit A, General Plan Map
4. Exhibit B, Zoning Map
5. Exhibit C, Assessor's Map
6. Exhibit D-1, Overall Site Plan
7. Exhibit D-2, Site Plan
8. Exhibit D-3, Tent View
9. Exhibit D-4, Tent Interior
10. Exhibit D-5, Tent Bathroom
11. Exhibit D-6, Tent Aerial
12. Exhibit D-7, Eco Tent Specifications
13. Exhibit E, Aerial Map
14. Exhibit F, Topographical Map
15. Exhibit G, Operational Statement

16. Exhibit H, Environmental Health Comments
17. Exhibit I, Fire Marshal Comments
18. Exhibit J, Public Works Comments
19. Exhibit K, SJVAPCD Comments
20. Exhibit L, Biological Evaluation
21. Exhibit M, Cultural Resource Evaluation
22. Exhibit N, Initial Study
23. Exhibit O, Mitigated Negative Declaration MND #2023-31
24. MMRP

CONDITIONS OF APPROVAL

PROJECT NAME:	CUP #2023-018 Russ Shaw
PROJECT LOCATION:	On the south side of Road 274 approximately 150' east of road 434 (no situs) Bass Lake
PROJECT DESCRIPTION:	Development of two Luxury Glamping tents for short term rental
APPLICANT:	Russ Shaw
CONTACT PERSON/TELEPHONE NUMBER:	559-676-8283

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	Provide a Will Serve letter from Bass Lake Water Company.				
2	Provide Will Serve letter from CS-2A.				
3	Madera County Local Agency Management Program (LAMP) minimum septic tank size is 1,500 gallons for any dwelling up to four (4) bedrooms.				
4	Solid waste collection with sorting for recyclables and garbage is required.				
5	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.				
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
Fire					
1	The project must meet all California Residential Code R-3 occupancy requirements.				
Planning					
1	Facility to operate per submitted Operational Statement except where modified by conditions of approval and/or mitigation measures associated with this project.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	1. Project must use low-glare lighting to minimize nighttime glare effects on neighboring parcels.				
3	All lighting associated with this project is to be hooded and directed down and away from neighboring parcels.				
4	All areas of circulation related to this project are to be constructed and maintained in a dust free manner.				
5	Any signage associated with this project shall be approved by the Planning Department prior to placement on the project site.				
6	Any noise generated by this project as a part of normal operations shall conform to County Ordinance.				
Public Works					
1	Except as approved and permitted by the County, all appurtenances, such as fences along with private signs, shall be located outside of the public road right-of-way. (Streets & Highways Code Section 1460).				
2	Access to the proposed parcels is to be by individual driveways onto the internal roadway. All proposed driveway approaches must be designed and installed in accordance with county standard ST-25/26 for commercial use unless approved otherwise. The approach layout and installation will be inspected by the Public Works inspector for acceptance.				
3	An encroachment permit will need to be obtained before commencing any works within the County road right-of-way.				
4	Applicant will be required to pay Road Impact Fees for any additional and/or modified use pursuant to Chapter 14.70 of Madera County Code.				
5	The County does not maintain water to serve this location. Applicant will be responsible for provision of water facilities as applicable.				
6	Applicant will be responsible for arranging for waste disposal services pursuant to Madera County Code, Chapter 7.24.				
San Joaquin Valley Air Pollution Control District (SJAPCD)					
1	This Project may be subject to SJVAPCD (San Joaquin Valley Air Pollution Control's District) Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the SJVAPCD an application.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	The project may be subject to SJVAPCD Rule 9510. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.				
3	The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.				
4	Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the SJVAPCD at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to SJVAPCD Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the SJVAPCD a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities).				

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

In the Matter of	)	Resolution No.: <u>PCR 2024-</u> _____
)	
GARLAND RUSSELL SHAW	)	RESOLUTION APPROVING THE
CONDITIONAL USE PERMIT #2023-	)	APPLICATION OF GARLAND RUSSELL
018	)	SHAW FOR A CONDITIONAL USE
	)	PERMIT AND APPROVING A RELATED
_____	)	MITIGATED NEGATIVE DECLARATION

WHEREAS, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, February 13, 2024, held a duly noticed public hearing to consider the application of Garland Russell Shaw for a Conditional Use Permit; and

WHEREAS, County staff has presented substantial factual information regarding the Conditional Use Permit; and

WHEREAS, the hearing was to consider the application of Garland Russell Shaw for a Conditional Use Permit (CUP #2023-018) to develop two Luxury Glamping tents for short term rental; and

WHEREAS, the property 070-111-022 is located on the south side of Road 274 approximately 150' east of Road 434 (no situs) Bass Lake; and

WHEREAS, the property is zoned Planned Development District (PDD); and

WHEREAS, a draft Mitigated Negative Declaration (MND #2023-31) 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 as follows:

1. A Mitigated Negative Declaration (MND #2023-31) is approved.
2. The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the applicant is flowing the ordinance by applying for a Conditional Use Permit which would allow the facility in the zone district. The proposed project will not be in conflict with applicable zoning uses or with the General Plan. The General Plan designation of Low Density Residential (LDR) provides for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The use has been deemed as similar and compatible per the Planning Director. The PDD district is designed to allow diversity in the relationship between buildings and open spaces so as to create unique, interesting physical environments that maximize usable open space, while at the same time to preserve the public health, safety, and welfare. All development in the PDD district shall be consistent with the County General Plan.
3. The proposed project is not contrary to the public health, safety, or general welfare. No activities from the proposed project will have a significant impact on the public's health, safety, or general welfare. Conditions have been placed that will minimize any harm to the surrounding environment.
4. The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors, in that the project must adhere to the conditions of approval as well as mitigation measures. The proposal will not involve harmful factors to the surrounding environment. The project is not

expected have any impacts that would not be allowed in the General Plan designation of LDR (Low Density Residential).

5. The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The proposed project is located next to an RV park and a resort and will have a similar use.

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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 _____ 2024 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: _____

COMMISSIONER DAL CERRO VOTED: _____

COMMISSIONER BURDETTE VOTED: _____

COMMISSIONER PALMER VOTED _____

COMMISSIONER ESTRADA VOTED: _____

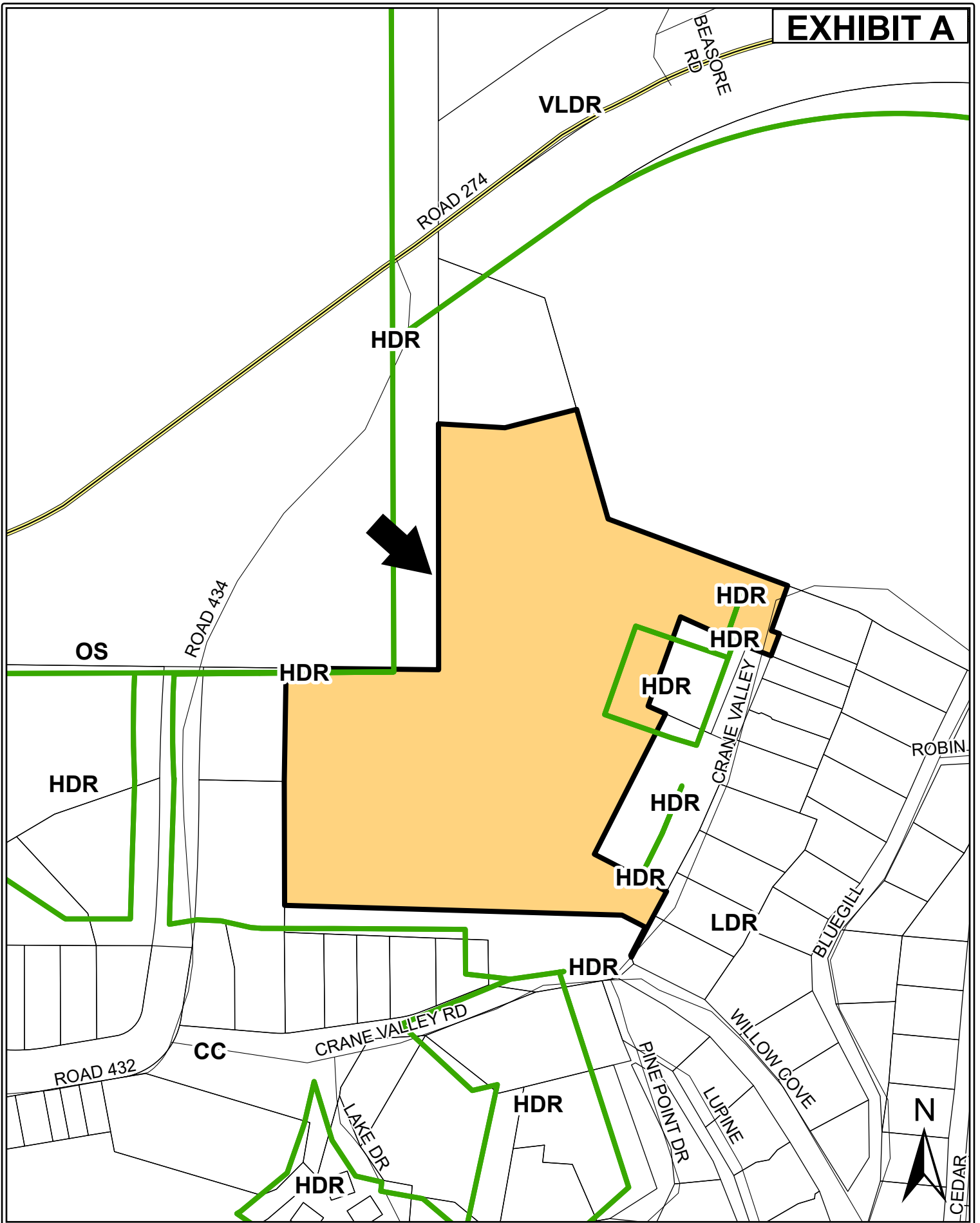
Tom Burdette, Chairperson

ATTEST:

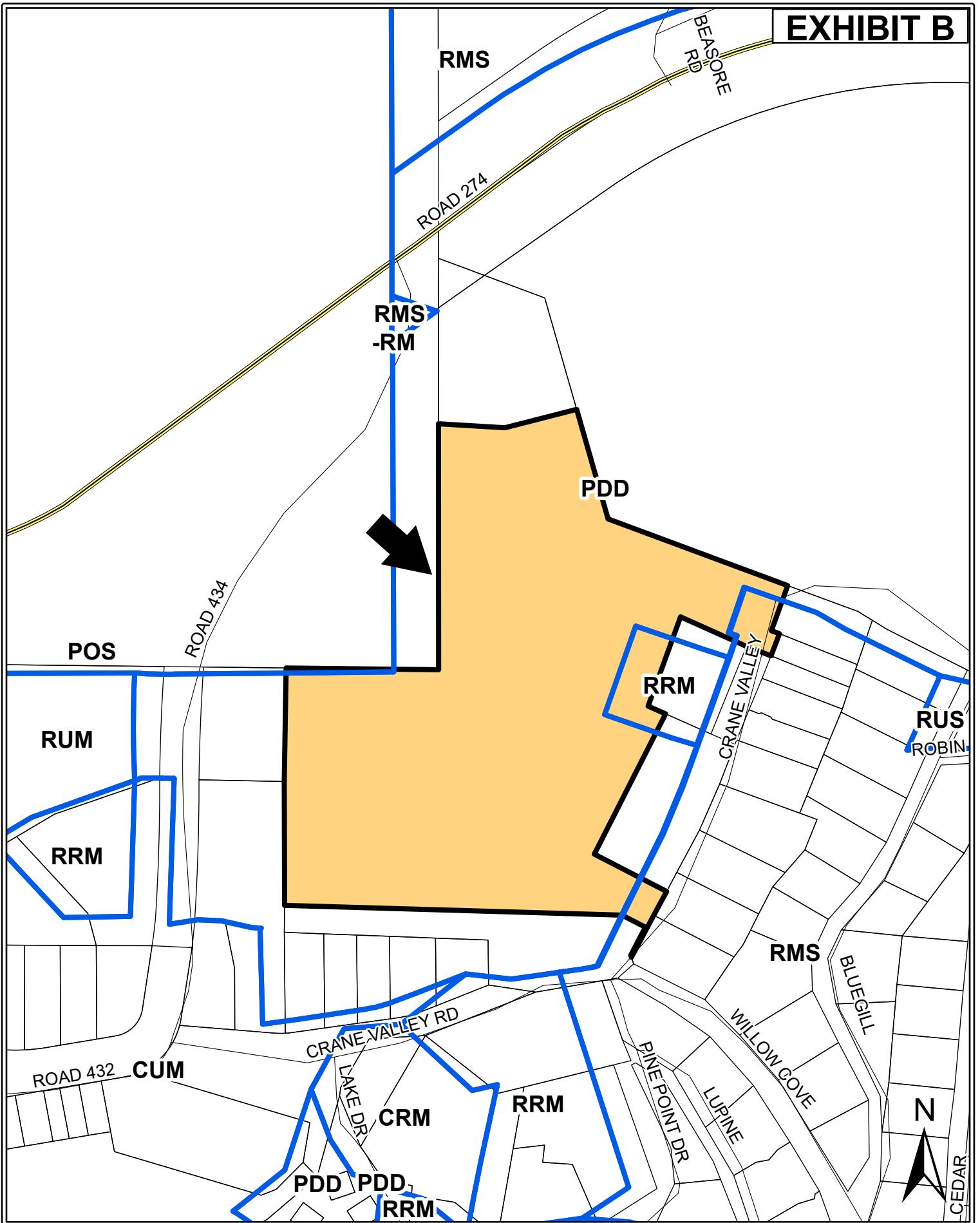
Secretary of the Planning Commission

Approved as to Legal Form:
COUNTY COUNSEL

By: _____



GENERAL PLAN MAP



Section 15, Township 7 South, Range 22 East, M.D.B.&M.

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

7/0/11
Sheet 1 of 2



1" = 200'

Tax Area Code
56-003
56-095

BLK #	PCL	Acres
110	095	0.47
111	097	0.16
112	098	0.19
113	099	0.22
114	100	0.22
115	101	0.24
116	102	0.2
117	103	0.21
118	104	0.15
119	105	0.72
120	106	0.2
121	107	0.01
122	108	0.89
123	109	0.01
124	110	0.01
125	111	0.01

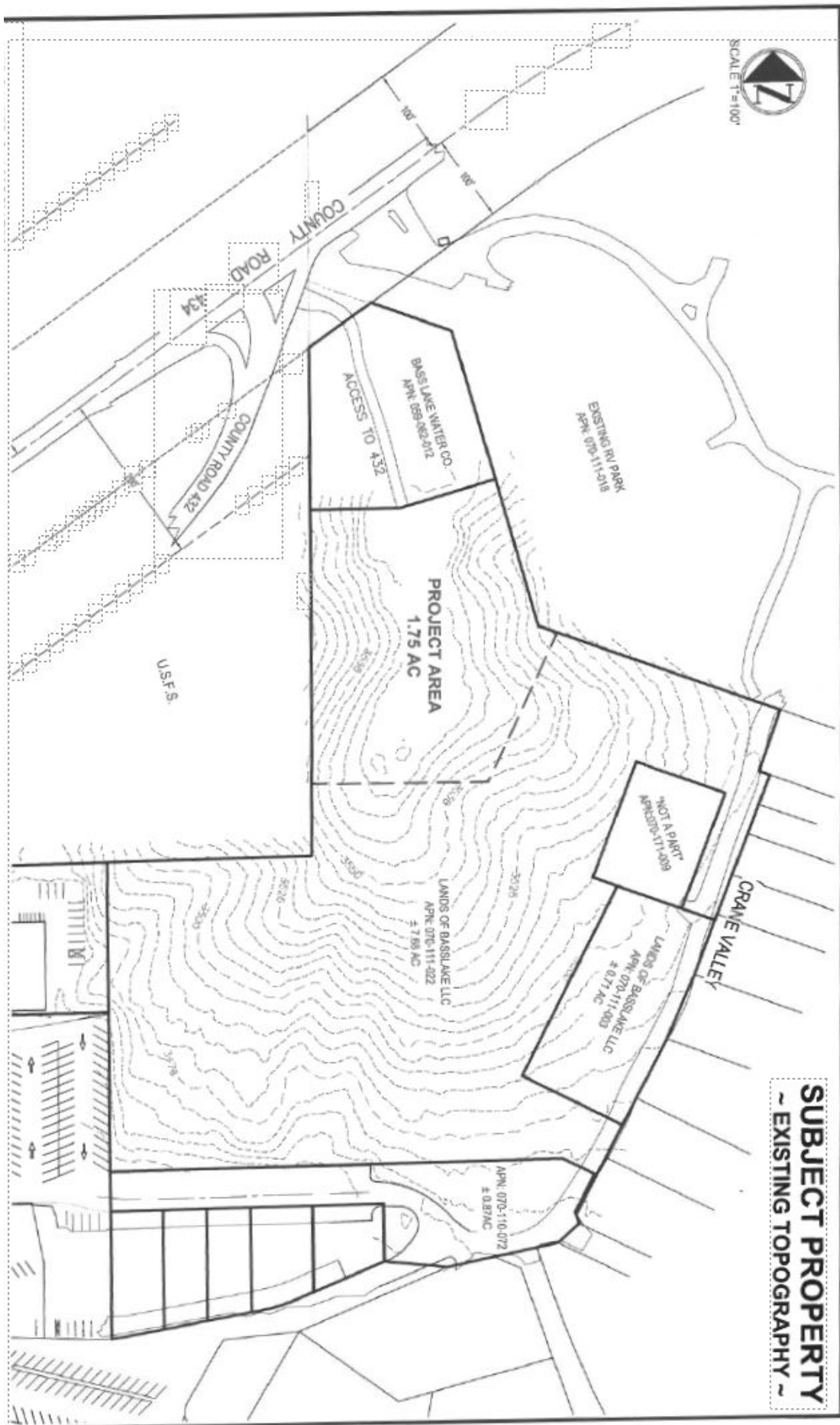


Assessor's Map of Bk. 70, Pg. 11
County of Madera, California
Sheet 1 of 2

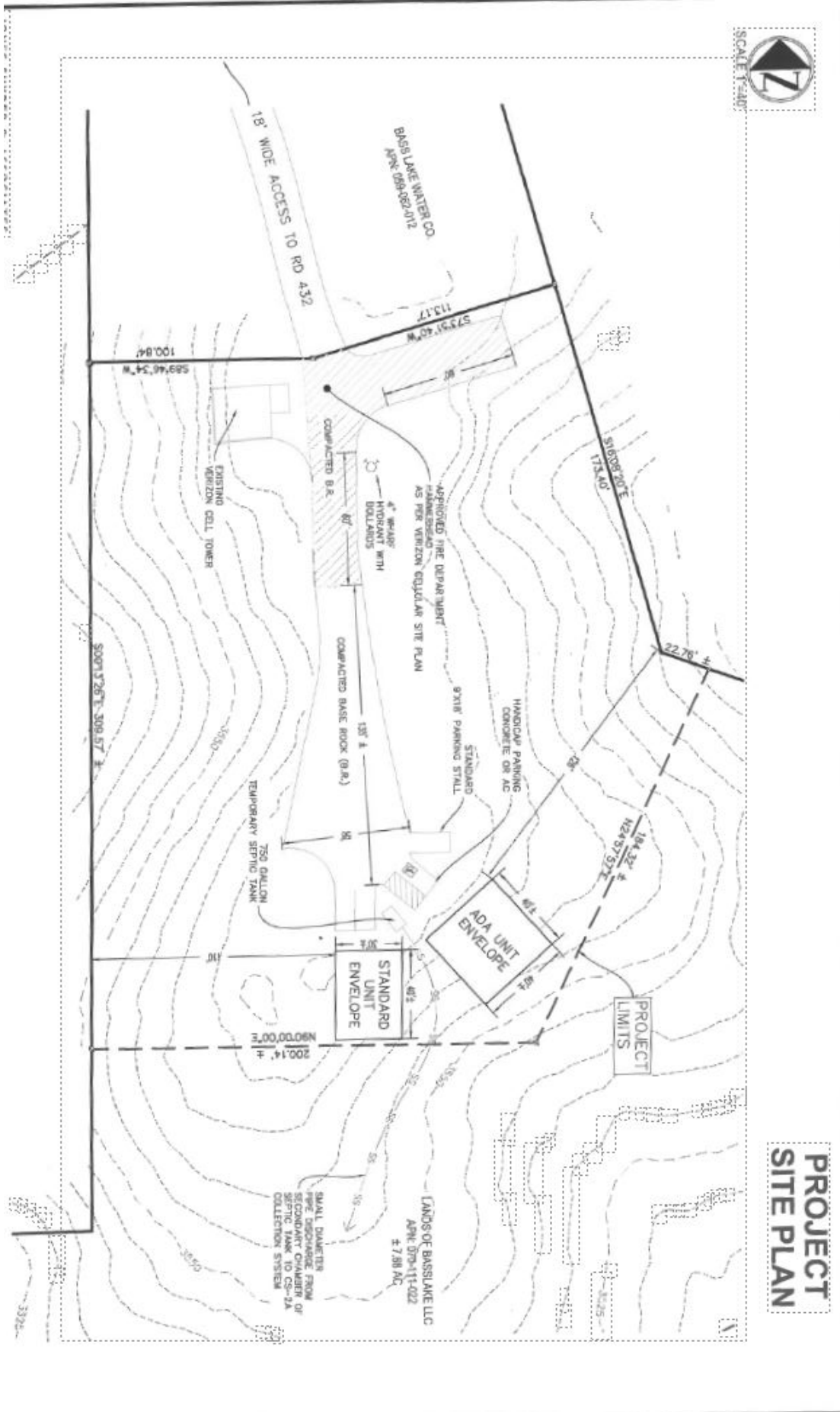
Note - Assessor's Block Shown in Ellipses
Assessor's Parcel Number Shown in Circles
Subdivision Blocks Labeled BLK #

Volume 65
Page(s) 1-3

Assessor's Cadastral Map	Subdivision(s) Pines Village Homes
Revised Date 05/10/2023	Revised By: Pro-West



OVERALL SITE PLAN



**PROJECT
SITE PLAN**

SITE PLAN



TENT VIEW



TENT INTERIOR



TENT BATHROOM



TENT AERIAL

The Eco Tent

All kits come with full assembly instructions and all parts are numbered and referenced to the installation drawings.

Range of Roof Fly options available based on climate and desired look.

Option to add sliding glass front doors.

Balustrade kits available if required.

Wood Plastic Composite Decking.

Extension and brace kits for sloping and undulating ground.

Patented Eco Anchors are installed without the need for concrete or mechanical equipment

Hot dipped structural steel frames and purlins are easily assembled using semi-skilled manual labour.

Canvas or high tensile PVC Roof fly options.

Tent body RT 12oz Canvas (Main roof and walls), with insulated canvas available.

Canvas or Canvas wrapped solid walls (Patented PIR Structural Wall Panel)

Add-on rooms for more space. These can be used as bunk rooms, storage, ensuite unit or kitchenette

Mesh Fabric (Windows and Doors)

Floor finish options. Including WPC decking & Vinyl flooring





FLAME RETARDANT

Fabric Registration

LICENSE NUMBER: F-101028

**ECOTUFF CANVAS (INTERIOR
USE)**

Product Marketed by:

Eco Structures

24 Marine Terrace
Fremantle, WA 6160 Australia

Issue Date : 05/04/2023

Expiration Date : 06/30/2024

This product meets the minimum requirements of flame resistance established by the California State Fire Marshal for products identified in Section 13115, California Health and Safety Code.

The scope of the approved use of this product is provided in the current edition of the CALIFORNIA APPROVED LIST OF FLAME RETARDANT CHEMICALS AND FABRICS, GENERAL AND LIMITED APPLICATIONS CONCERNS published by the California State Fire Marshal.

CWalker

Issued By Cortney Walker
Fire Engineering License Manager
Fire Engineering & Investigations Division

Patricia J. Setter

Reviewed and Approved By Patricia Setter
Deputy State Fire Marshal III
Fire Engineering & Investigations Division

OFFICE OF THE STATE FIRE MARSHAL

Please visit calfire.govmotus.org for more information on Licensing and Permitting with CAL FIRE



Test Report

No. AJFS2201000495FF

Date: JAN.28, 2022

Page 1 of 3

JIAXING JUMING TRADING CO., LTD
NO 5, YUFENG ROAD, YUXIN TOWN ZHEJIANG CHINA

Sample Description: PVC COATED TARPAULIN

Color: WHITE

Thickness: 0.70mm

Style/Item No.: XADVFRDAL18126

Country of Destination: USA

The above sample(s) was / were submitted and identified on behalf of the client. SGS is not responsible for the authenticity, integrity and results of the data and information and / or the validity of the conclusion arising therefrom. Results apply to the sample as received.

Test Requested:

NFPA 701:2019 Standard Methods of Fire Tests for Flame Propagation of Textiles and Films, test method 2 (folded test).

Test Results: -- See attached sheet --

Conclusion:

The tested sample "As Received" meets the requirements of NFPA 701:2019, test method 2 (folded test).

Test Period:

Sample Receiving Date : JAN.20, 2022

Test Performing Date : JAN.20, 2022 TO JAN.27, 2022

Signed for and on behalf of
SGS-CSTC Standards Technical Services Co., Ltd. Anji Branch

Allen Zou
Approved Signatory

scan to see the report



AJFS2201000495FF



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Member of the SGS Group (SGS SA)



Test Report

No. AJFS2201000495FF

Date: JAN.28, 2022

Page 2 of 3

I. Test Conducted

This test was conducted in accordance with NFPA 701:2019 Standard Methods of Fire Tests for Flame Propagation of Textiles and Films, test method 2 (folded test).

II. Details of tested sample

Sample description / Color	PVC / White
Area density	915 g/m ²
Products configuration	Single layer
Size of sample *	1200 mm x 610 mm

* With the length parallel to the lengthwise direction of the material

III. Cleaning and Conditioning

Cleaning procedure: none

Prior to testing, the sample was: [] Dried in oven at 105°C±3°C for 2 hours.

[] Conditioned at 20°C±5°C for 24 hours.

IV. Test results

Specimen No.	Char length (mm)	After flame time (s)	Burning time of residues or drops (s)
1	221	0	0
2	215	0	0
3	229	0	0
4	234	0	0

Criteria for test method 2 (folded test) (Chapter 15):

- When any specimen continues flaming for more than 2 seconds after the test flame is removed from contact with the specimen, the material shall be recorded as having failed the test.
- When the length of char of any individual folded specimen exceeds 1050 mm, the material shall be recorded as having failed the test.
- When at any time during or after the application of the test flame any portions of residues of the material being tested break or drip from the specimen and fall to the floor of the test apparatus and continue burning for more than 2 seconds after reaching the floor of the test apparatus, the material shall be recorded as having failed the test.
- In the event that only one of the four folded specimens does not meet the criteria of above, two new specimens cut in the same direction as the one that failed shall be tested, if both of the new specimens meet all of the criteria, the material shall be recorded as having passed this test.

To be continued....



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Date: JAN.28, 2022

Page 3 of 3

Statement: This declaration of conformity is only based on the result of this laboratory activity, the impact of the uncertainty of the results was not included.

Photo Appendix:



SGS authenticate the photo on original report only

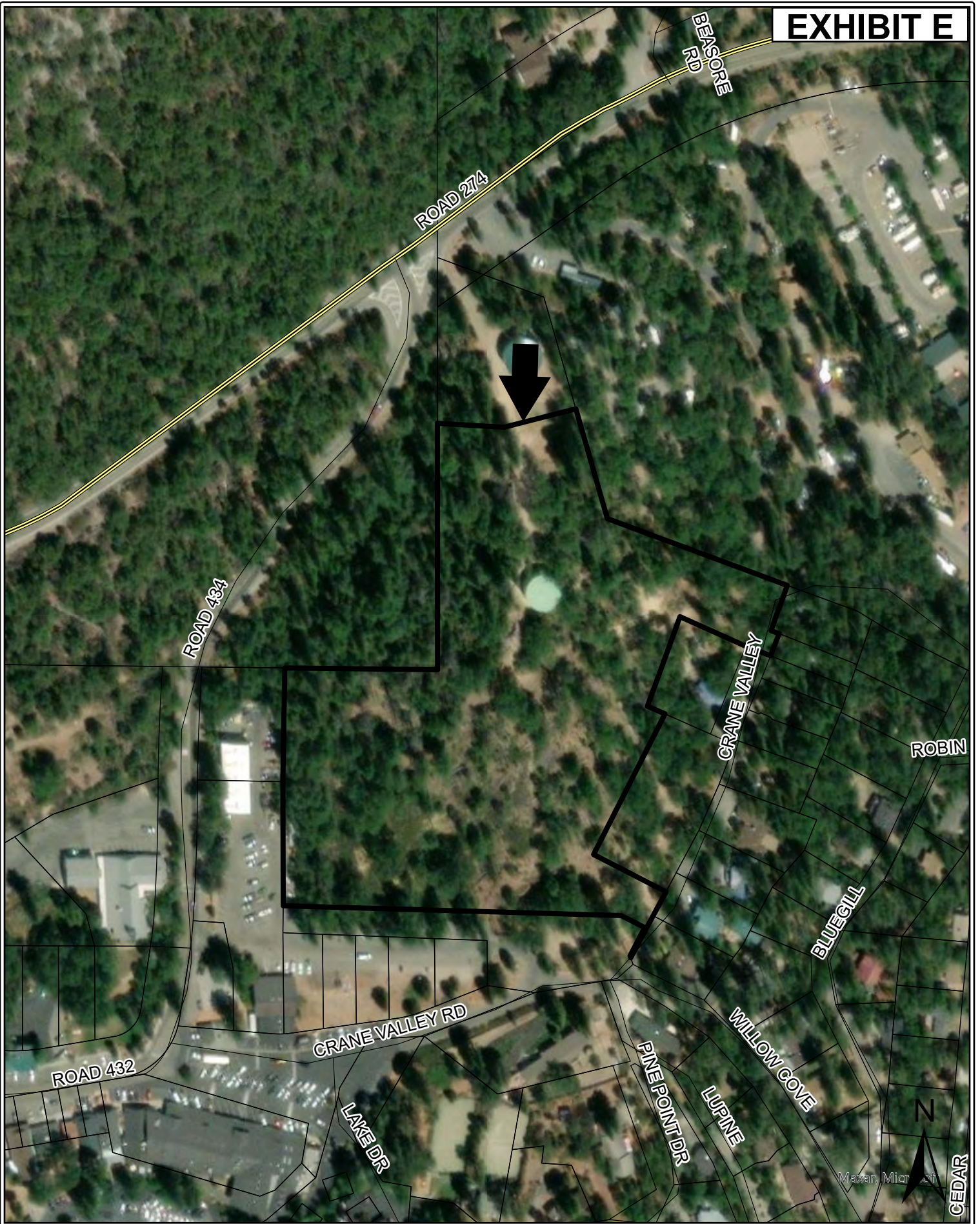
End of Report



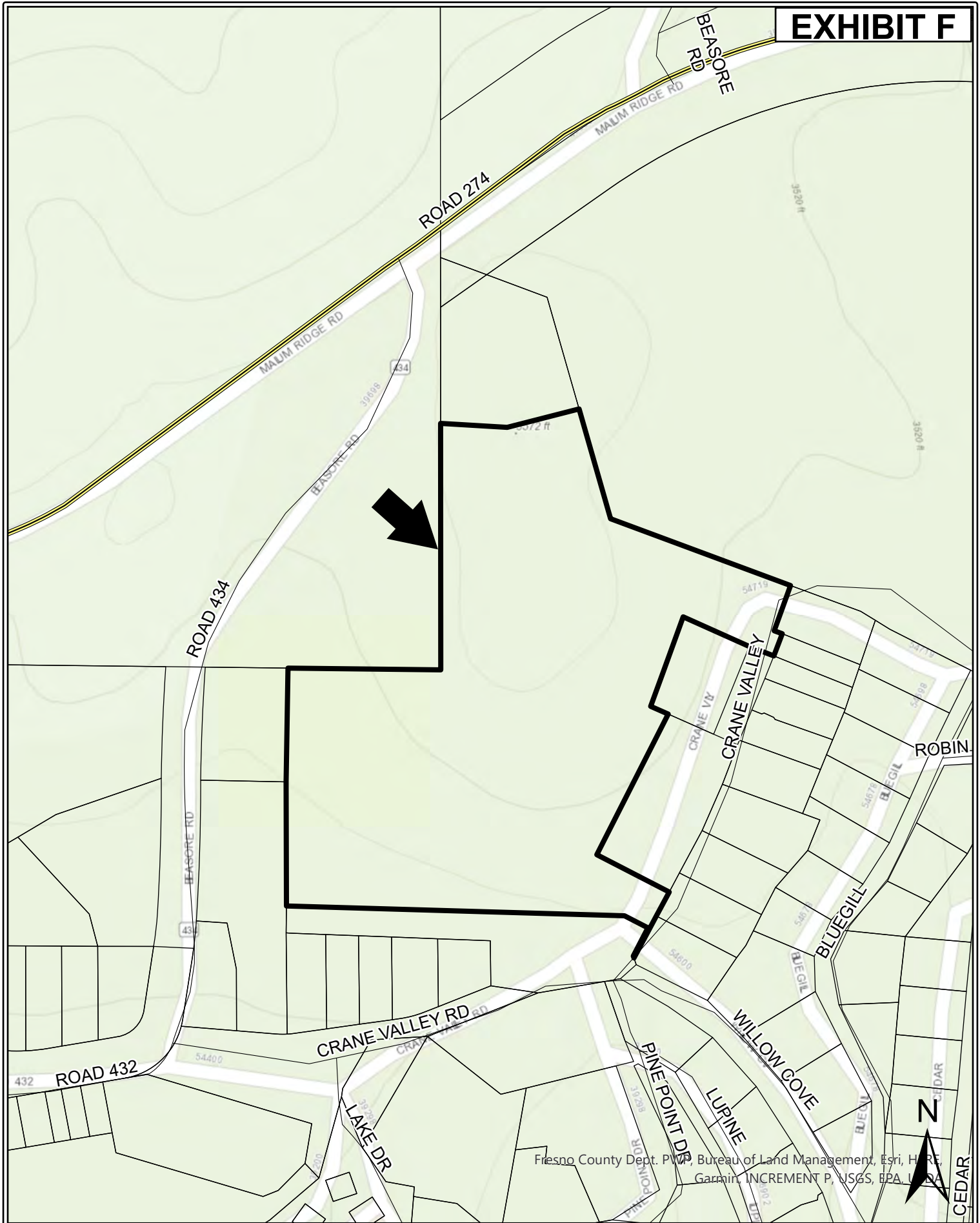
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No. 321 Suiyuan Road, 23/F, Banting Highway Zone A, Chengde, Zhejiang Province, China 311300 | Tel: 86-571 85825 | Fax: 86-571 85825 | www.sgs.com
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Member of the SGS Group (SGS SA)



AERIAL MAP



Fresno County Dept. PWS, Bureau of Land Management, Esri, HERE, DeLorme, Garmin, INCREMENT P, USGS, EPA, U.S. Geological Survey

CONDITIONS OF APPROVAL

PROJECT NAME:	CUP #2023-018 Russ Shaw
PROJECT LOCATION:	On the south side of Road 274 approximately 150' east of road 434 (no situs) Bass Lake
PROJECT DESCRIPTION:	Development of two Luxury Glamping tents for short term rental
APPLICANT:	Russ Shaw
CONTACT PERSON/TELEPHONE NUMBER:	559-676-8283

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health					
1	Provide a Will Serve letter from Bass Lake Water Company.				
2	Provide Will Serve letter from CS-2A.				
3	Madera County Local Agency Management Program (LAMP) minimum septic tank size is 1,500 gallons for any dwelling up to four (4) bedrooms.				
4	Solid waste collection with sorting for recyclables and garbage is required.				
5	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.				
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
Fire					
1	The project must meet all California Residential Code R-3 occupancy requirements.				
Planning					
1	Facility to operate per submitted Operational Statement except where modified by conditions of approval and/or mitigation measures associated with this project.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	1. Project must use low-glare lighting to minimize nighttime glare effects on neighboring parcels.				
3	All lighting associated with this project is to be hooded and directed down and away from neighboring parcels.				
4	All areas of circulation related to this project are to be constructed and maintained in a dust free manner.				
5	Any signage associated with this project shall be approved by the Planning Department prior to placement on the project site.				
6	Any noise generated by this project as a part of normal operations shall conform to County Ordinance.				
Public Works					
1	Except as approved and permitted by the County, all appurtenances, such as fences along with private signs, shall be located outside of the public road right-of-way. (Streets & Highways Code Section 1460).				
2	Access to the proposed parcels is to be by individual driveways onto the internal roadway. All proposed driveway approaches must be designed and installed in accordance with county standard ST-25/26 for commercial use unless approved otherwise. The approach layout and installation will be inspected by the Public Works inspector for acceptance.				
3	An encroachment permit will need to be obtained before commencing any works within the County road right-of-way.				
4	Applicant will be required to pay Road Impact Fees for any additional and/or modified use pursuant to Chapter 14.70 of Madera County Code.				
5	The County does not maintain water to serve this location. Applicant will be responsible for provision of water facilities as applicable.				
6	Applicant will be responsible for arranging for waste disposal services pursuant to Madera County Code, Chapter 7.24.				
San Joaquin Valley Air Pollution Control District (SJAPCD)					
1	This Project may be subject to SJVAPCD (San Joaquin Valley Air Pollution Control's District) Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the SJVAPCD an application.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	The project may be subject to SJVAPCD Rule 9510. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.				
3	The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.				
4	Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the SJVAPCD at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to SJVAPCD Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the SJVAPCD a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities).				

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

In the Matter of	)	Resolution No.: <u>PCR 2024-</u> _____
)	
GARLAND RUSSELL SHAW	)	RESOLUTION APPROVING THE
CONDITIONAL USE PERMIT #2023-	)	APPLICATION OF GARLAND RUSSELL
018	)	SHAW FOR A CONDITIONAL USE
	)	PERMIT AND APPROVING A RELATED
_____	)	MITIGATED NEGATIVE DECLARATION

WHEREAS, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, February 13, 2024, held a duly noticed public hearing to consider the application of Garland Russell Shaw for a Conditional Use Permit; and

WHEREAS, County staff has presented substantial factual information regarding the Conditional Use Permit; and

WHEREAS, the hearing was to consider the application of Garland Russell Shaw for a Conditional Use Permit (CUP #2023-018) to develop two Luxury Glamping tents for short term rental; and

WHEREAS, the property 070-111-022 is located on the south side of Road 274 approximately 150' east of Road 434 (no situs) Bass Lake; and

WHEREAS, the property is zoned Planned Development District (PDD); and

WHEREAS, a draft Mitigated Negative Declaration (MND #2023-31) 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 as follows:

1. A Mitigated Negative Declaration (MND #2023-31) is approved.
2. The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the applicant is flowing the ordinance by applying for a Conditional Use Permit which would allow the facility in the zone district. The proposed project will not be in conflict with applicable zoning uses or with the General Plan. The General Plan designation of Low Density Residential (LDR) provides for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The use has been deemed as similar and compatible per the Planning Director. The PDD district is designed to allow diversity in the relationship between buildings and open spaces so as to create unique, interesting physical environments that maximize usable open space, while at the same time to preserve the public health, safety, and welfare. All development in the PDD district shall be consistent with the County General Plan.
3. The proposed project is not contrary to the public health, safety, or general welfare. No activities from the proposed project will have a significant impact on the public's health, safety, or general welfare. Conditions have been placed that will minimize any harm to the surrounding environment.
4. The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors, in that the project must adhere to the conditions of approval as well as mitigation measures. The proposal will not involve harmful factors to the surrounding environment. The project is not

expected have any impacts that would not be allowed in the General Plan designation of LDR (Low Density Residential).

5. The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The proposed project is located next to an RV park and a resort and will have a similar use.

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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 _____ 2024 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: _____

COMMISSIONER DAL CERRO VOTED: _____

COMMISSIONER BURDETTE VOTED: _____

COMMISSIONER PALMER VOTED _____

COMMISSIONER ESTRADA VOTED: _____

Tom Burdette, Chairperson

ATTEST:

Secretary of the Planning Commission

Approved as to Legal Form:
COUNTY COUNSEL

By: _____



Community and Economic Development
Planning Division

Matthew Treber
Director

EXHIBIT G

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

OPERATIONAL/ENVIRONMENTAL STATEMENT
CHECKLIST

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

1. Please provide the following information:

Assessor's Parcel Number: 070-111-022
Applicant's Name: RUSSELL SHAW for BASSLAKE LLC
Address: P.O. BOX 1569 - OAKHURST, CA. 93644
Phone Number: (559) 676-8283

2. Describe the nature of your proposal/operation.

DEVELOPMENT OF TWO (2) LUXURY TENTS

3. What is the existing use of the property?

VACANT - UNIMPROVED

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?

NO PRODUCTS PRODUCED BY THIS PROPOSED OPERATION

5. What are the proposed operational time limits?

Months (if seasonal): YEAR ROUND
Days per week: 7 DAYS / WEEK
Hours (from ___ to ___): Total Hours per day: N/A

6. How many customers or visitors are expected?

Average number per day: 4 PER DAY
Maximum number per day: 4 PER DAY
What hours will customers/visitors be there? HOSPITALITY LODGING

7. How many employees will there be?

Current: N/A
Future: 1-2 EMPLOYEES - HOUSEKEEPING
Hours they work: 10 AM to 2 P.M. (CHECK OUT - CHECK IN)
Do any live onsite? If so, in what capacity (i.e. caretaker)? NO

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.
NO EQUIPMENT OR SUPPLIES WILL BE STORED AT THIS SITE - HOUSEKEEPING WORKS OUT OF HOTEL FACILITY
9. Will there be any service and delivery vehicles? NO
 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.
FOUR (4) PARKING SPACES PER GUESTS ONLY - NO EMPLOYEES ON-SITE
11. How will access be provided to the property/project? (street name)
OFF OF COUNTY ROAD NO 432
12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.
WITH HOUSEKEEPING INCLUDED 6-10 TRIPS PER DAY
13. Describe any proposed advertising, including size, appearance, and placement.
NO ADVERTISING PROPOSED OR NEEDED. THIS IS PART OF A LARGER HOTEL OPERATION
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.
NO PERMANENT BUILDING PROPOSED. IMPROVEMENTS ARE LIMITED TO TWO (2) LUXURY TENTS AND ACCESS/PARKING FACILITIES
15. Is there any landscaping or fencing proposed? Describe type and location.
NONE PROPOSED - NATURALLY VEGETATED, MINOR SHRUBS AND ENHANCEMENTS AT TENT SITES.
16. What are the surrounding land uses to the north, south, east and west property boundaries?

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).
APPROXIMATELY 80 GALLONS PER DAY PER TENT FROM BASS LAKE WATER COMPANY

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?
APPROXIMATELY 80 GALLONS PER DAY PER TENT
PRE-TREATED VIA 750 GALLON TANK BEFORE
DELIVERY TO MAD. CO. CS-2A.
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?
2 GALLONS PER TENT PER DAY - MAXIMUM
ESTIMATED. MOST LIKELY LESS.
21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)
SUBJECT AREA IS ALREADY GRADED AND
FLAT. MINOR FINE GRADING FOR DRAINAGE
AND PLACEMENT OF COMPACTED BASE ROCK
22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.
NO - SEE CULTURAL REPORT
23. Locate and show all bodies of water on application plot plan or attached map.
NONE
24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.
NO NATURAL DRAINAGE COURSES
ON THE SITE
25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?
NO - N/A
26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)
LITTLE to NO IMPACT
27. How do you see this development impacting the surrounding area?
LITTLE to NO IMPACT
28. How do you see this development impacting schools, parks, fire and police protection or special districts?
LITTLE to NO IMPACT
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): 3
 Total number of employees: SEE PROJECT DESCRIPTION
 Building Heights: LOW PROFILE

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

N/A



Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

EXHIBIT H

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

MEMORANDUM

TO: Annette Kephart
FROM: Dexter Marr, Environmental Health Division
DATE: December 20, 2023
RE: GARLAND RUSSELL SHAW II - Conditional Use Permit - Bass Lake (070-110-022-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: November 29, 2023
RE: Conditional Use Permit (CUP) #2023-018, Russ Shaw,
Oakhurst APN 070-110-022

The Environmental Health Division Comments:

Provide a Will Serve letter from Bass Lake Water Company.

Provide Will Serve letter from CS-2A.

Madera County Local Agency Management Program (LAMP) minimum septic tank size is 1,500 gallons for any dwelling up to four (4) bedrooms.

Solid waste collection with sorting for recyclables and garbage is required.

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 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.

If there are any questions or comments regarding these conditions/requirements contact our Division at (559) 675-7823.



Community and Economic Development
Fire Prevention Division

Deborah Mahler, Fire Marshal
Deputy Director

EXHIBIT I

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

MEMORANDUM

TO: Annette Kephart
FROM: Deborah Mahler, Fire Marshal
DATE: December 20, 2023
RE: GARLAND RUSSELL SHAW II - Conditional Use Permit - Bass Lake (070-110-022-000)

Condition

project will have to meet all California Residential Code R-3 occupancy requirements.

**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS**

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

MEMORANDUM

DATE: December 20, 2023
TO: Annette Kephart
FROM: Phu Duong, Public Works
SUBJECT: GARLAND RUSSELL SHAW II - Conditional Use Permit - Bass Lake (070-110-022-0)

Comments

Below are conditions of approval from Public Works:

Public Works - Transportation

Except as approved and permitted by the County, all appurtenances, such as fences along with private signs, shall be located outside of the public road right-of-way. (Streets & Highways Code Section 1460).

Access to the proposed parcels is to be by individual driveways onto the internal roadway. All proposed driveway approaches must be designed and installed in accordance with county standard ST-25/26 for commercial use unless approved otherwise. The approach layout and installation will be inspected by the Public Works inspector for acceptance.

An encroachment permit will need to be obtained prior to commencing any works within the County road right-of-way.

Applicant will be required to pay Road Impact Fees for any additional and/or modified use pursuant to Chapter 14.70 of Madera County Code.

Public Works - Water/Sewer Utilities

The County does not maintain water or sewer utilities to serve this location. Applicant will be responsible for provision of water and sewer facilities as applicable.

Public Works – Solid Waste

Applicant will be responsible for arranging for waste disposal services pursuant to Madera County Code, Chapter 7.24.

December 6, 2023

Annette Kephart
Madera County
Community and Economic Development
200 W. 4th Street, suite 3100
Madera, CA 93637

Project: Conditional Use Permit No. 2023-018

District CEQA Reference No: 20231159

Dear Ms. Kephart,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Conditional Use Permit No. 2023-018 (CUP) from Madera County (County). Per the CUP, the project consists of the development of two (2) luxury glamping tents for short term rental totaling 2,800 square feet (Project). The Project is located on the north side of Road 432 approximately 350 feet east of Beaver Road, Bass Lake.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):
<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

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

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

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

2) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

2a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

2b) District Rule 9510 - Indirect Source Review (ISR)

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

The district has reviewed the information provided and determined that the project may be subject to District Rule 9510. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance with determining if the Project OR future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

2c) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the

District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

2d) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

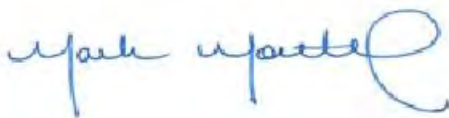
3) District Comment Letter

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

If you have any questions or require further information, please contact Ryan Grossman by e-mail at Ryan.grossman@valleyair.org or by phone at (559) 230-6569.

Sincerely,

Brian Clements
Director of Permit Services



Mark Montelongo
Program Manager



November 6, 2023

Bass Lake LLC
c/o Mark Choe
P.O. Box 90
Bass Lake, CA 93604

RE: Biological Evaluation Letter, Pines Village RV and Glamping Pilot Project, Madera County, California

Dear Mark:

This letter constitutes an assessment by Live Oak Associates Inc. (LOA) of potential impacts to biological resources from the implementation of the Pines Village RV and Glamping Pilot Project (project). The project is located on approximately 1.75 acres east of the Pines Village Resort at Bass Lake in Madera County.

The project would entail the removal of an existing water tank, and the construction of two luxury tent cabins, a septic system, and parking facility. Project improvements would be situated on previously developed land associated with the water tank. Vegetation disturbance would be minimal, and no mature trees would be removed. Because project improvements would be limited to previously disturbed lands, project impacts to protected or sensitive biological resources are considered less than significant.

Please don't hesitate to contact me if I can answer any questions about this biological evaluation. You can reach me at jgurule@loainc.com or (559) 760-6842.

Sincerely,

Jeff Gurule
Senior Project Manager

OAKHURST	SAN JOSE	SOUTH LAKE TAHOE
P.O. Box 2697 | 39930 Sierra Way #B Oakhurst, CA 93644	6840 Via Del Oro, Suite 220 San Jose, CA 95119	P.O. Box 7314 South Lake Tahoe, CA 96158
P: (559) 642-4880 | F: (559) 642-4883	(408) 224-8300	(408) 281-5886



EXHIBIT M

6182 Carter Road
Mariposa Ca. 95338
(209) 966-3327
Cell (209) 769-1095
Fax (209) 966-6435
mck@sierratel.com

November 2, 2023

Russell Shaw, AICP , PLS
Real Estate Consultant
PO Box 1569
Oakhurst, CA 93644
559-676-8283 (Cell)
559-683-3764 (Office-land line)
Email: grshaw2@yahoo.com

RE: Culture Resource Survey and Archaeological Survey Report for the revised 1.75 acre Pines Resort Project.

Dear Mr. Shaw

In partial fulfillment of California Environmental Quality Act (CEQA), Culturescape has concluded cultural survey for historic resources of approximately 1.75 acres located on APN-070-111-022,003 plotted in the SW ¼ of the NE ¼ of Section 15 T5 S, R 22E Bass Lake 7.5 Quadrangle 1990.

The results of this survey were **Negative** for any historic or prehistoric cultural materials; There is always the possibility that buried deposits may be located as a result of subsurface construction. If buried materials are encountered during construction, then work must stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.

Thank you for choosing Culturescape.

Mark Kile, M.A.

Environmental Checklist Form

Title of Proposal: CUP #2023-018 – Garland Russell Shaw II

Date Checklist Submitted:

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Annette Kephart

Phone: (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

This is a request for a Conditional Use Permit to allow construction of two luxury glamping tents for year-round short-term rental. The tents will be approximately 530 square feet in size and include the following amenities: a full (private) bathroom, electric fireplace heat, ceiling and floor fans, king size bed, kitchenette, desk, leather couch bed, walnut flooring, sliding glass doors, a locking main entry door, hi speed Wi-fi, and a patio/deck with a BBQ, sitting area, propane fire pit and soaking tub. The project would entail the removal of an existing water tank, and the construction of two luxury tent cabins, a septic system, and parking facility.

The intent of the project is to provide a luxury camping experience in Bass Lake. The tents will capitalize on views and focusing on connections to the outdoors, the built structures incorporate a considerable amount of mesh windows and doors to maximize transparency to the outdoor environment. There is an existing water tank that will be removed. The site is in close proximity to Bass Lake and Yosemite National Park and will provide a unique outdoor experience for visitors to Madera County.

The tent occupancy is limited to two (2) people per cabin /stay. It is presumed that most will arrive in a singular passenger vehicle and may stay in place at the tent site or may leave and return once, maybe even twice, during their occupancy. Accordingly, if each party left and returned twice each day, the maximum trip ends for an average day would be 12 trips, with each cabin generating a maximum of 6 trip ends per day, but it seems reasonable for it to be more likely eight (8) trips for all practical purposes.

The project will be located on the northerly ~1.75 acres of the 7.68-acre parcel. The Project site is designated by the Madera County General Plan designation as LDR (Low Density Residential) and zoned as PDD (Planned Development District). The site is situated within the bounds of Madera County CS-2A with respect to wastewater and the bounds of the Bass Lake Water Company district.

This 1.75-acre portion of the property is the historic location for an existing 400,000-gallon water tank for the Bass Lake Water Co. system that will be moved northerly unto the Bass Lake Water Co. owned parcel in the next few months.

It is believed that this project proposal aligns with the intent of the Madera County Zoning Code and the Goals and Objectives of the Madera County General Plan by fostering a healthy economic environment, the development of increased recreational facilities and the retention of the jobs in Bass Lake while strengthening the revenue base of the community with a light, quiet, compatible, non-polluting hospitality opportunity.

Project Location:

The subject property is located on the south side of Road 274 approximately 150' east of road 434 Bass Lake.

Applicant Name and Address:

Bass Lake LLC
PO Box 90
Bass, Lake CA 93604

Garland Russell Shaw II
PO Box 1569
Oakhurst, CA 93644
(Consultant)

General Plan Designation:

LDR (Low Density Residential)

Zoning Designation:

PDD (Planned Development District)

Surrounding Land Uses and Setting:

Planned Development and Residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
|
 | | |
| <input type="checkbox"/> Tribal Cultural Resources | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prior EIR or ND/MND Number

Annette Kephart

Signature

December 28, 2023

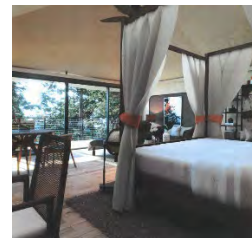
Date

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - c) Less Than Significant Impact. There are no scenic vistas by the true definition (a scene, view, or panorama of a particular area) in the vicinity of the project site. The topographic nature of the surroundings may be considered scenic, but there are no points to pull off Road 432 in the area that would be considered a vista point.

The closest areas that are being considered as scenic highways by the California Department of Transportation (CALTRANS) are Highways 41 and 49 north of Oakhurst. The parcel involved with this project is approximately five miles east of Highway 41 along Road 432 in Bass Lake. The applicant does not anticipate any tree removal. The addition of structures related to the operations will also have a minimal impact to the area. By nature of the proposal, there will be two permanent luxury camping tents and parking.



(d) Less Than Significant with Mitigation Incorporation. The project does include lighting. Mitigation measures have been placed on the project to make this a less than significant impact.

1. Project must use low-glare lighting to minimize nighttime glare effects on neighboring parcels.
2. Lighting must be hooded directed away from neighboring parcels.

Tent camps of two or more are included under the term “special occupancy parks” in the State Health and Safety Code. As a special occupancy park the proposal is subject to the requirements of the State Department of Housing and Community Development. Since Madera County code requires a Conditional Use Permit (CUP) for tent camps and RV (recreational vehicle) parks in the subject planned development district, any tent camp or RV park proposal must first have an approved CUP (Conditional Use Permit) prior to applying for permits with the State. In considering the CUP, State law requires the County to condition the following items in the proposal:

- Whether the use is appropriate on the proposed site

- Signage
- Access
- Vehicular parking (other than RVs)
- Utilities under the County control
- Most Fire Department requirements

The site is currently vacant with an existing 400,000-gallon water tank for the Bass Lake Water Co. system that will be moved northerly unto the Bass Lake Water Co. owned parcel.

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

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

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

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

- 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?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest land? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - e) No Impact. No impacts associated with this project. The project parcel is not zoned for timberland uses, so there will be no impacts. The parcel is zoned PDD (Planned Development) District, and the General Plan Designation is Low Density Residential which allows for communication towers with a Conditional Use Permit.

The parcel is not under a Williamson Act Contract nor is any type of agricultural production.

General Information

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

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

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

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

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include no 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.

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

Discussion:

(a - b) No impact. No impacts have been identified as a result of this project. The project will not impact implementation of any air quality plans. There will be construction activity for a temporary period of time, causing a temporary increase in emission levels in the area. While this facility will have vehicles such as passenger cars coming and going as a normal part of operations, it is not anticipated to obstruct the implementation of any air quality plans for the area or the county. The applicant anticipates approximately between 6 and 10 vehicle trips per day.

(c – e) Less Than Significant with Mitigation Incorporation. The proposed project includes the construction of the luxury tents in addition to the parking being made available. With the exception of the on-site manager, no permanent residential units are being included in the process.

During the construction phase of the project, there will be trucks in and out of the area, producing exhaust emissions. While it is acknowledged that this is a minimal output in light of the entire area, there will be a temporary (for the duration of the construction) impact to the air quality. Operationally, there will be exhaust generated by those visitors arriving with approximately 6 – 10 vehicular trips daily. With Mitigation Measures these impacts will be less than significant.

1. To reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.
2. This Project may be subject to SJVAPCD (San Joaquin Valley Air Pollution Control's District) Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the SJVAPCD an application.
3. The project may be subject to SJVAPCD Rule 9510. In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.
4. The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.
5. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the SJVAPCD at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to SJVAPCD Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the SJVAPCD a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities).
6. The Project may also be subject to the following SJVAPCD rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

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.

The California Environmental Quality Act (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.

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

Discussion:

(a, b, d, e, f) Less Than Significant Impact. A biological Evaluation was done on the proposed site. The evaluation found that project would entail the removal of an existing water tank, and the construction of two luxury tent cabins, a septic system, and parking facility. Project improvements would be situated on previously developed land associated with the water tank. Vegetation disturbance would be minimal, and no mature trees would be removed. Because project improvements would be limited to previously disturbed lands, project impacts to protected or sensitive biological resources are considered less than significant.

(c) **No Impact.** No federally protected wetlands occur in the vicinity or on the subject parcels.

Special Status Species is a general term that refers to all taxa tracked by the California Department of Fish and Wildlife’s (CDFW) California Natural Diversity Database (CNDDDB), the USFWS IPac, and the CNPS (Resource Agencies), regardless of their legal or protection status. 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 the Department of Fish and Wildlife’s databases for special status species has identified the following species:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
foothill yellow-legged frog	None	Endangered	SSC	-
bald eagle	Delisted	Endangered	FP	-
osprey	None	None	WL	-
California Spotted Owl	None	None	SSC	-
Leech's skyline diving beetle	None	None	-	-
Sierra Nevada red fox	Proposed Endangered	Threatened	-	-
North American porcupine	None	None	-	-
western pond turtle	None	None	SSC	-
Abrams' onion	None	None	-	1B.2
Yosemite tarplant	None	None	-	3.2
Jepson's dodder	None	None	-	1B.2
Yosemite evening-primrose	None	None	-	4.3

short-bracted bird's-beak	None	None	-	4.3
Kings' River monkeyflower	None	None	-	3
Gray's monkeyflower	None	None	-	4.3
cut-leaved monkeyflower	None	None	-	4.3
Rawson's flaming trumpet	None	None	-	1B.2
foothill yellow-legged frog	None	Endangered	SSC	-

Daulton 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

General Information

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

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

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

Discussion:

(a - d) Less Than Significant Impact with Mitigation. While the County is known to potentially have historical and archaeological resources, due to the development of surrounding properties as residential and commercial, 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, a cultural resources survey was completed for the project and the results of the survey were negative for any historic or prehistoric cultural materials. The following mitigation measure shall be added to ensure that any impacts are less than significant.

1. The project will cease all operations in the event that 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.
2. If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities are to 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.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<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. The project is located in a residential zone district that allows a primary, accessory, and junior accessory dwelling unit. The two luxury tents are expected to have a similar usage of energy as the allowed residential use. There is very little likelihood that there will be a significant impact to energy resources or that the project will conflict with any state or local energy resource plans.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative 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. The parcel is in an area where it is topographically conducive to landslides. The parcel in question for this project does slope down slightly towards Crane Valley Road and does have some elevation changes within the property lines. There are chances of mild erosion potential during rainfall events, however the footprint of the project similar to the allowed residential uses. The project is conditioned to be constructed per the latest edition of the California Stormwater Quality Association details and to comply with all NPDES regulations and the Clean Water Act.

(b) Less than Significant Impact. With construction there will be some erosion pattern changes. These changes are considered minimal as the footprint size of the project is minimal. There is already current road access the project.

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

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 principal sources of potential seismic activity within Madera County.

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

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

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

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

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

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

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

(a) Less Than Significant Impact with Mitigation Incorporation. Greenhouse gases generated will be from vehicular traffic related to the glamping tents. Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the SJVAPCD Guidance for Assessing and Mitigating Air Quality Impacts. To reduce impacts from construction related diesel exhaust emissions the following mitigation measure has been added.

1. Project should utilize the cleanest available off-road construction equipment.

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

Responses:

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. The California Code of Regulations (CCR) defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR Title 22 Division 4.5 Chapter 10 Article 2

§66260.10).

Hazardous wastes are defined in the same manner. Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated or are being stored prior to proper disposal. Hazardous materials and hazardous wastes are classified according to four properties: toxicity, ignitability, corrosively, and reactivity.

In and of itself, the site will not create or use hazardous materials in the strict definition of the term.

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

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

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

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

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

The site is not located on or near any hazardous waste storage facilities, or on or near any brownfields sites as indicated by the Environmental Protection Agency.

(e) No Impact. The project is not located near the Chowchilla or Madera airports. The project is located outside of the County's Airport Land Use Compatibility Zone.

Per the Airport Land Use Compatibility Plan, any cell tower structure within the airport compatibility zones that are 150 feet in height from ground level to peak of tower or higher would be under the Airport Land Use Commission (ALUC) purview for review of compatibility (ALUC Policy 3.5.1). This height measurement is independent of the elevation at ground level. As this faux water tower style tower is 132 feet in height at peak, and is outside the compatibility zones for both airports, an ALUC review is not necessary.

The intent of an airspace overlay zone is to reduce the potential for airport or airstrip hazards because it is found that:

- An airport/airstrip hazard endangers the lives and property of users of landing fields and property or occupants in the vicinity of landing fields.
- An airport hazard of the obstructive type in effect reduces the size of the area available for landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of an airport and the public investment therein.
- The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the airport affected.

- It is necessary to prevent the creation or establishment of airport hazards in order to protect the public health, safety and general welfare, and to promote the most appropriate use of land.
- The elimination removal, alteration, mitigation and lighting of existing airport hazards are public purposes for which political subdivisions may need to raise and expend public funds.

In short, any construction of structures, even cellular structures, in areas proximate to an airstrip or airport must not pose a flight hazard either by design or electronic interference.

(f) No impact. Per the Airport Land Use Compatibility Plan, any cell tower structure within the airport compatibility zones that are 150 feet in height from ground level to peak of tower or higher would be under the Airport Land Use Commission (ALUC) purview for review of compatibility (ALUC Policy 3.5.1). This height measurement is independent of the elevation at ground level. As this monopole style tower is 109' - W (one hundred nine feet) in height at peak, and is outside the compatibility zones for both airports, an ALUC review is not necessary.

(g) Less Than Significant Impact. While the project in and of itself would be conducive to starting wildfires, the area around the project is residentially and commercially developed. There are trees and shrubbery around the project site. The proposed project will not expose residents in the area to higher risks of fire danger.

The California Department of Forestry and Fire Protection (Cal-Fire) provides for protection services to most of Madera County. The stations within the vicinity include the facility located in Oakhurst (Station #12), Bass Lake (Station #14), and facilities in Coarsegold, and Ahwahnee.

Access to the project must meet current driveway standards prior to issuance of a building permit for the project.

With associated conditions of approval, this impact will be maintained as less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site.	<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
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.	<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a - e) Less Than Significant Impact. There is a lake located 0.35 mile south of the project, but there are numerous commercial and residential developments which would prevent drainage from the project into a waterway. Grading is not proposed since the tent sites will set where the underground water tank is being removed. All stormwaters will be maintained on site.

Rainfall is unable to percolate into paving that is expected to be on each site (building pad, driveways, structures, etc.) and is converted almost entirely into storm run-off, often exceeding the capacity of existing drainage system, causing intermittent flooding, increased flooding, and other adverse impacts. It is possible that the quality of storm water may be affected by pollution such as, but not limited to, oil, grease, and fuel, dissolved metals from batteries and glycols from automotive coolant or antifreeze. The applicant shall mitigate any impacts associated with storm water contamination caused by this project.

The project will not substantially, if at all, alter any course in streams. The project does not have watershed drainage through the parcel. The parcels to the south, east and west have been developed for commercial and residential use. There will be some alteration of site drainage patterns during rainfall patterns, especially if any impervious surfaces are introduced. This rainfall alteration has the potential of inducing erosion at locations not having been exposed to erosion before, but the chances are that it won't be substantial.

There is the potential of localized flooding that could occur in the vicinity of the project. This is dependent on rain fall, site features and drainage.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes, or changes in barometric pressure. A tsunami (from the Japanese language, roughly translated as "harbor wave") is an unusually large sea wave produced by seaquake or undersea volcanic eruption. According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. Additionally, there are no bodies of water (lakes, etc.) within proximity of the site. Madera County is geographically located in the center of the state, therefore not affected by tsunamis.

With conditions of approval throughout the project, this impact will be maintained as less than significant.

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.

XI. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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"/>
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Responses:

(a - b) No Impact. This project will not physically divide an existing community and is not in conflict with any applicable land use plan, policy, or regulation.

The applicant is following the ordinance by applying for a Conditional Use Permit which would allow the facility in this zone district. The proposal will not be in conflict with applicable land use (zoning) or with the General Plan.

The general plan designation of LDR (Low Density Residential) allows for public and quasi-public uses. designation provides for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses. The use has been deemed as similar and compatible per the Planning Director. Residential densities shall be in the range of 1.0 to 7.5 units per gross acre. The FAR for nonresidential uses shall not exceed 0.30. This designation assumes an average of 3.2 persons per dwelling unit. The PDD district is designed to allow diversity in the relationship between buildings and open spaces so as to create unique, interesting physical environments that maximize usable open space, while at the same time to preserve the public health, safety, and welfare. All development in the PDD district shall be consistent with the county general plan. Conditional Use Permit approval is necessary to satisfy the criteria as set forth for the PDD (Planned Development) zones in the County requiring the processing, review and a decision made therefor by the Madera County Planning Commission for all proposed uses. The development of the vacant property brings forward a use that is most appropriate and beneficial to the County and the community of Bass Lake as a well-established hospitality destination, and further, it will foster additional commercial trickle-down opportunities thereby adding Sales Taxes, Transient Occupancy Taxes and Property Taxes into the County revenue streams. Both the General Plan and Zoning designations allow for resale, wholesale, services restaurant, and compatible uses.

	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. There are no known minerals in the vicinity of the project 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<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
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people that reside or work in the project area to excessive noise levels?

Responses:

(a - b) Less Than Significant Impact. There is the potential of a slight increase of noise generation for the duration of construction. This increase is expected to be minimal and temporary for the duration of the construction phase of the project.

Operationally, it is expected to generate noise but not to a significant level. Operational noise is expected to include vehicular traffic as well as voices from those staying at the facility as well as from recreational activities occurring on-site. Vocalization is not expected to be of any significance as a whole, but the vehicular traffic will have some impacts. With mitigations this impact can be lessened too less than significant.

Groundborne vibrations is expected to be minimal if at all detectable during the period of construction of the facilities. Operationally, no noticeable vibration is expected.

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

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

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

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

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

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

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

Source: Whiffen and Leonard 1971

XIV. POPULATION AND HOUSING

Would the project:

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

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

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

Responses:

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

XV. PUBLIC SERVICES

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

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

Responses:

(a.i) Less Than Significant Impact. While the area may be prone to wildfires, the project itself is not seen as an impact as a result of construction. There are fire stations in Oakhurst and Bass Lake that would be able to respond in time of need to this location. The closest station is Madera County Fire Station #14 in Bass Lake and is in close proximity of the project site. The Madera County Fire Department did not respond with comments.

(a.ii) Less Than Significant Impact. The proposed project in and of itself would not result in any additional demands for police protection. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site. The Madera County Sheriff had no concerns with the project.

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) No Impact. No impacts are anticipated as a result of this project. The project is for short term rental only and will not affect surrounding schools.

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

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

(a.iv) Less Than Significant Impact. The short-term rental uses of the project may increase the use of local parks, however the small number of visitors expected is considered a less than significant impact.

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

(a.v) Less Than Significant Impact. With the increase of visitors to the area other public facilities may see an increase in visitors. The small number of visitors that can occupy the tents at one time are considered less than significant.

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

Responses:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION				
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a – d) 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.

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

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

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

The project site is located off Road 434 in Bass Lake and would not result in impacts to emergency access.

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

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

Unsignalized intersections.

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

	critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	
F	Total breakdown, significant queuing	> 80

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

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.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

(a.i) No Impact. There are no sites listed on the historical registry on this parcel.

(a.ii) Less than Significant Impact. No known tribal cultural resources exist on the project site, however there is still the potential for uncovering previously unknown tribal cultural resources. Therefore, the project will cease all operations in the event that 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. The local tribes were invited to comment on the project, no responses were received.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

(a, c-e) No Impact. No impacts identified as a result of this project. No water will be utilized, and no wastewater generated as a result of this project as it is an unmanned cellular tower project.

(b) Less than Significant Impact. The project effluent outflow will be quite low, at a maximum estimated flow of 80 gallons per day per tent cabin per day with a maximum project regulated occupancy of two (2) people per day and clearly of normal residential strength. Domestic water and fire flow delivery will be made by an authorized tap into the Bass Lake Water company mainline that traverses through the property requiring a small electric booster station to provide adequate pressure for indoor services. A will serve letter for fire and potable water services was provided from the Bass Lake Water Company.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

(a - d) Less than Significant Impact. The potential for the project to result in wildland fires is not anticipated to be significant. The project site is located on a site that has adequate access. In addition, it is located in close proximity to a Cal Fire Station. The access road must comply with current driveway standards prior to issuance of the building permit for the project.

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

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

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.)

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

Responses:

CEQA defines three types of impacts or effects:

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

(a, c) Less than Significant Impact with Mitigation Measures. While there are some species of note in the quadrangle, there is no direct evidence that these species are exactly on the footprint of where this is going. Mitigation measures have been added to the project to reduce impacts to less than significant.

(b) Less than Significant Impact. While there have been some minimal impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant.

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Appendix

Appendix A

Culture Resource Survey and Archaeological Survey Report

Appendix B

Biological Evaluation Letter



November 2, 2023

Russell Shaw, AICP, PLS
Real Estate Consultant
PO Box 1569
Oakhurst, CA 93644
559-676-8283 (Cell)
559-683-3764 (Office-land line)
Email: grshaw2@yahoo.com

RE: Culture Resource Survey and Archaeological Survey Report for the revised 1.75 acre Pines Resort Project.

Dear Mr. Shaw

In partial fulfillment of California Environmental Quality Act (CEQA), Culturescape has concluded cultural survey for historic resources of approximately 1.75 acres located on APN-070-111-022,003 plotted in the SW ¼ of the NE ¼ of Section 15 T5 S, R 22E Bass Lake 7.5 Quadrangle 1990.

The results of this survey were **Negative** for any historic or prehistoric cultural materials; There is always the possibility that buried deposits may be located as a result of subsurface construction. If buried materials are encountered during construction, then work must stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.

Thank you for choosing Culturescape.

Mark Kile, M.A.



LIVE OAK

ASSOCIATES, INC.

November 6, 2023

Bass Lake LLC
c/o Mark Choe
P.O. Box 90
Bass Lake, CA 93604

RE: Biological Evaluation Letter, Pines Village RV and Glamping Pilot Project, Madera County, California

Dear Mark:

This letter constitutes an assessment by Live Oak Associates Inc. (LOA) of potential impacts to biological resources from the implementation of the Pines Village RV and Glamping Pilot Project (project). The project is located on approximately 1.75 acres east of the Pines Village Resort at Bass Lake in Madera County.

The project would entail the removal of an existing water tank, and the construction of two luxury tent cabins, a septic system, and parking facility. Project improvements would be situated on previously developed land associated with the water tank. Vegetation disturbance would be minimal, and no mature trees would be removed. Because project improvements would be limited to previously disturbed lands, project impacts to protected or sensitive biological resources are considered less than significant.

Please don't hesitate to contact me if I can answer any questions about this biological evaluation. You can reach me at jgurule@loainc.com or (559) 760-6842.

Sincerely,

Jeff Gurule
Senior Project Manager

OAKHURST

P.O. Box 2697 | 39930 Sierra Way #B
Oakhurst, CA 93644
P: (559) 642-4880 | F: (559) 642-4883

SAN JOSE

6840 Via Del Oro, Suite 220
San Jose, CA 95119
(408) 224-8300

SOUTH LAKE TAHOE

P.O. Box 7314
South Lake Tahoe, CA 96158
(408) 281-5886

MND 2023-31

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December 27, 2023

MITIGATED NEGATIVE DECLARATION

MND 2023-31

RE: Garland Russel Shaw– Conditional Use Permit #2023-018

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the south side of Road 274 approximately 150' east of road 434 (39762 Road 274) Bass Lake. The project is a request for a Conditional Use Permit (CUP #2023-018) to allow construction of two luxury glamping tents for year-round short-term rental. The tents will be approximately 530 square feet in size and include the following amenities: a full (private) bathroom, electric fireplace heat, ceiling and floor fans, king size bed, kitchenette, desk, leather couch bed, walnut flooring, sliding glass doors, a locking main entry door, hi speed Wi-fi, and a patio/deck with a BBQ, sitting area, propane fire pit and soaking tub. The project would entail the removal of an existing 400,000water tank, and the construction of two luxury tent cabins, a septic system, and parking facility.

ENVIRONMENTAL IMPACT:

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

BASIS FOR MITIGATED NEGATIVE DECLARATION:

1. Please see attached Mitigation Monitoring Report.


Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Community & Economic Development Department - Planning Division, 200 West 4th Street, Ste. #3100, Madera, California.

DATED: December 27, 2023

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2023-031

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	Project must use low-glare lighting to minimize nighttime glare effects on neighboring parcels.							
2	Lighting must be hooded directed away from neighboring parcels.							
Agricultural Resources								
Air Quality								
1	To reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.							
Biological Resources								
Cultural Resources								
1	The project will cease all operations in the event that 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.							
2	If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities are to be halted and a professional archaeologist will be brought in to determine the culture of the deposits.							
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Population and Housing							
	Public Services							
	Recreation							
	Transportation and Traffic							
	Utilities and Service Systems							