



Madera County Zoning Ordinance Change

Initial Study – Negative Declaration

prepared by

County of Madera

200 West 4th Street

Madera, California 93637

Contact: Jamie Bax, Director of Community & Economic Development

prepared with the assistance of

Rincon Consultants, Inc.

7080 North Whitney Ave, Suite #101

Fresno, California 93720

August 2023



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

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Initial Study

1. Project Title

Madera County Zoning Ordinance Change

2. Lead Agency Name and Address

County of Madera Planning Department
200 West 4th Street Suite 3100
Madera, California 93637

3. Contact Person and Phone Number

Jamie Bax, Director of Community & Economic Development
(559) 675-7821 Ext. 3221

4. Project Sponsor's Name and Address

County of Madera Planning Department
200 West 4th Street Suite 3100
Madera, California 93637

5. Project Location

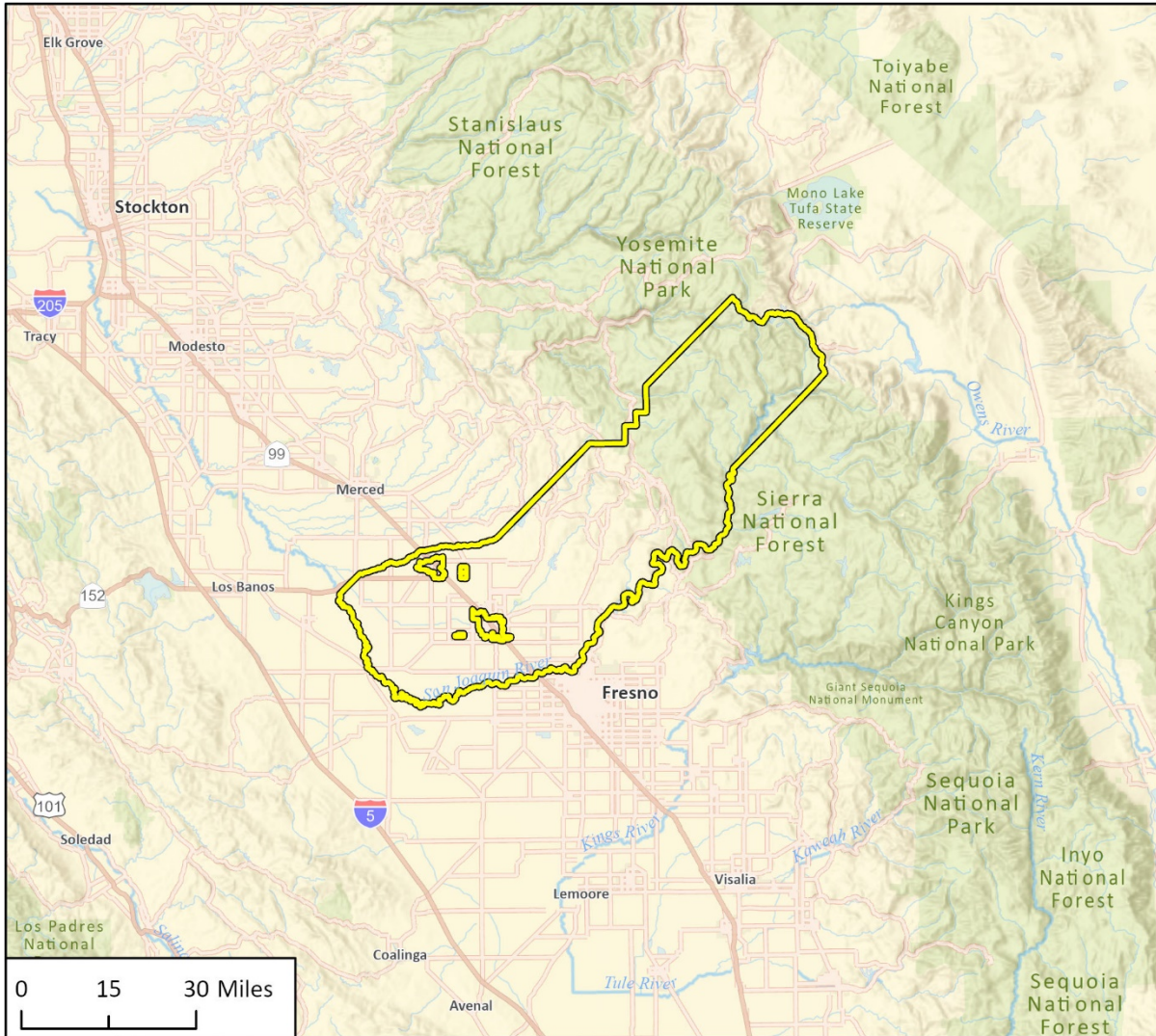
The area affected by the Zoning Ordinance revisions includes unincorporated Madera County. The project's regional location is shown in Figure 1. The Zoning Ordinance change area is bounded by Merced, Mariposa, Mono, and Fresno counties. The project location and surrounding jurisdictional boundaries are shown in Figure 2.

6. Description of Project

This Madera County Zoning Ordinance (MCZO) Change (herein referred to as "revised MCZO") applies to all uses of land and structures, regardless of ownership, within unincorporated Madera County. Zoning regulations are the key tool used to implement General Plan goals and policies related to the use of land, structures, location and form of structures, parking, and similar physical development. The project would amend the County's Title 18, Zoning Ordinance and would implement the goals and policies of the General Plan by regulating the use of land and structures within the County. These changes do not alter the densities or housing allowed under the County General Plan.

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Figure 1 Madera County Regional Location



Imagery provided by Esri and its licensors © 2023.

22-13955 EPS
Fig 1. Regional Location

 Project Location

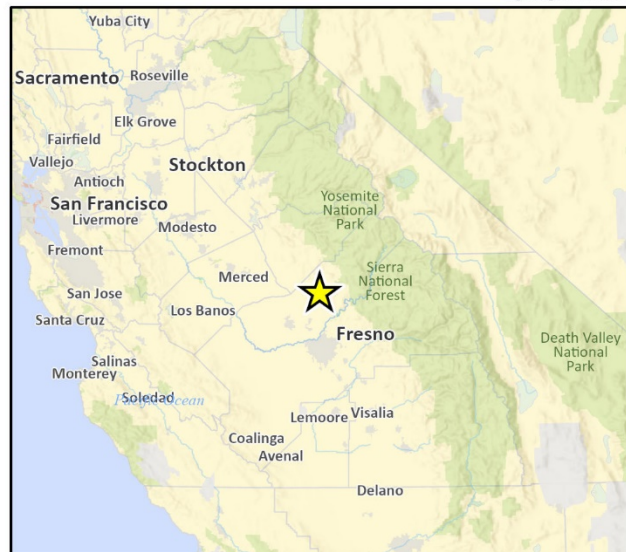
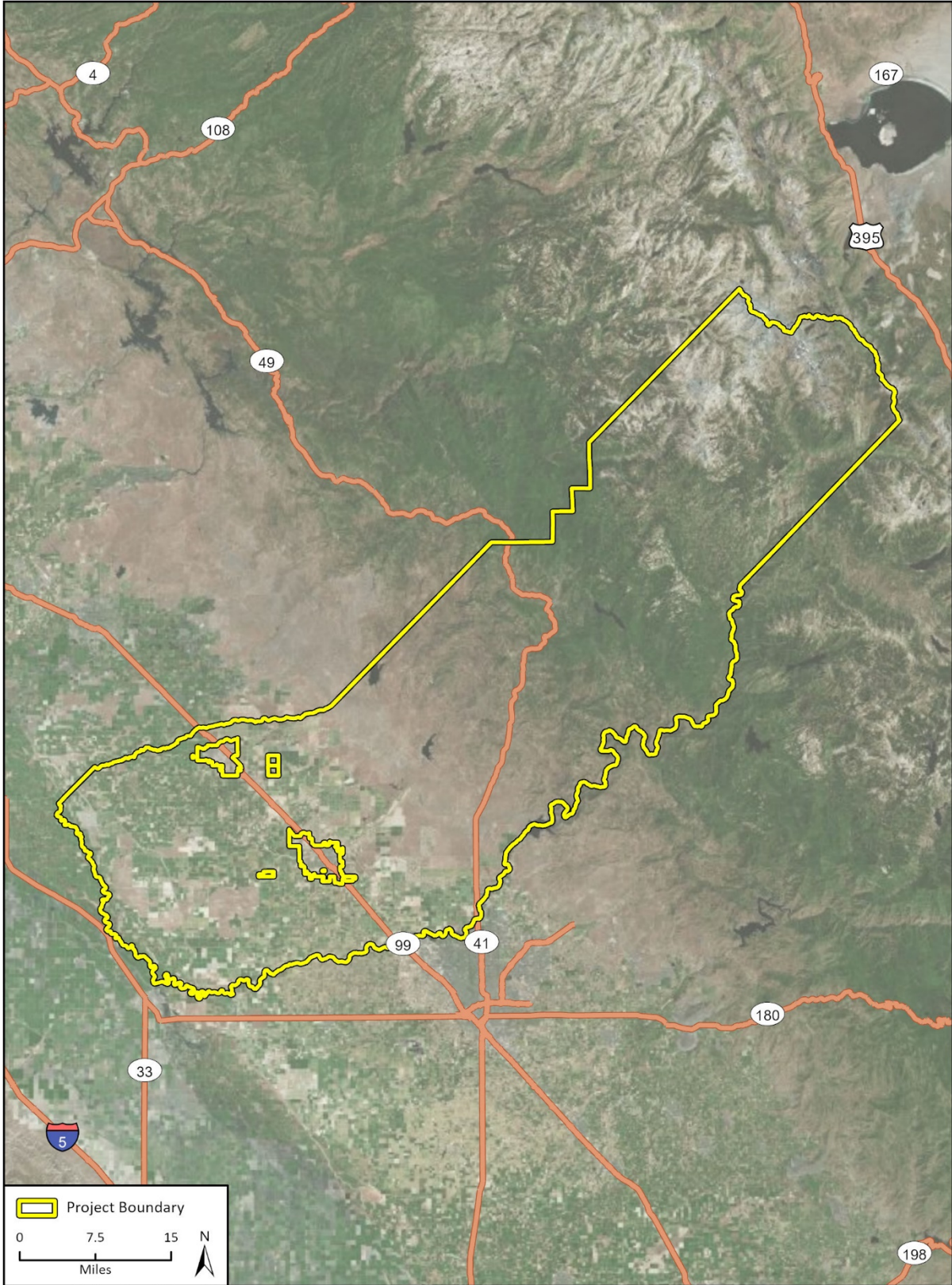


Figure 2 Unincorporated Madera County



Proposed Zoning Changes

The MCZO is organized into eight articles that are further divided into chapters. Each article contains chapters covering specific topics. Some specifics of changes to the Ordinance are identified below. Updates to Articles 1, 5, 6, 7, and 8 do not include updates that could result in physical changes to the environment. Therefore, the analysis herein focuses on changes and revisions to Articles 2, 3 and 4.

Article 1 – Enactment and Applicability. This Article identifies the purpose and applicability of the Zoning Regulations, and rules and procedures of interpretation. The proposed changes would include clarification on the MCZO’s relationship to other statutes, regulations, and policies, including the Madera County General Plan, State Constitution, and Planning and Zoning Law. The update also includes refinement of Zoning Ordinance conflict procedures, new provisions and procedures related to the relationship between the County’s adopted Specific Plans and the overall Zoning Ordinance, and updated tables illustrating the zoning districts that implement General Plan Land Use Designations. These changes provide clarification to the MCZO’s enactment and applicability and would not alter development potential or result in other physical changes to the environment.

Article 2 – Zones, Allowable Uses, and Development and Design Standards. The purpose of this Article is to identify and describe the character and intent of each of the County’s different zones, describe allowed land uses and permit requirements for each, establish, development standards, and identify any supplemental land use regulations applicable to zones. This Article includes use regulations by zone, including the purpose and application of each zone, and zone-specific development standards including density, lot size and dimensions, setbacks, height, and impervious area.

Updates to Article 2 includes revised allowable land uses and associated permit requirements for all land uses. This includes new provisions to comply with State law (e.g., daycare homes, community care facility, wireless telecommunication towers), condensing land uses for simplicity (e.g., retail sales, general commercial, bookstores), and elimination of antiquated land uses.

The revised MCZO would create new objective design standards for commercial zones. Standards include, but are not limited to, objective design standards such as equipment screening, structure orientation, location of structure entrances, and 360-Architectiure. The revised MCZO would also create new equipment screening and loading and service area design standards for the Industrial, Urban or Rural, Light District (I-L) and Industrial, Urban or Rural, Heavy District (I-H) zoning districts. The revised MCZO would also eliminate the following zoning and overlay districts from the MCZO:

- The Mixed-Use Industrial Neighborhood District (MIN) zoning district would be eliminated because no parcels are currently designated MIN.
- The Dairy Operations Standards Overlay District (DOS) and Scenic Highway Overlay District (SHO) and all associated standards and procedures would also be eliminated.
- The Second Unit Overlay District (SUO) and all associated standards and procedures would be eliminated and replaced with Accessory Dwelling Unit (ADU) provisions consistent with State law.
- The Village Core Overlay District (VCO) would be eliminated and replaced with Mixed Use Commercial Multiple Family District (MCM) and Mixed-Use Commercial neighborhood District (MCN).

Article 3 – Regulations and Standards Applicable to All Zones. This Article identifies site development and general development standards for certain uses in all zones, such as (but not limited to) permitted projections into required setbacks, intersection sight distance, height measurement and exceptions, accessory structures, , provisions for fences, walls and hedges, night sky preservation, performance standards related to air quality, energy conservation, water quality, and noise.

Proposed updates to Article 3 would include refined vision setback area standards for clarity; new fences, wall, and hedge standards which regulate height and limitation on fencing materials (i.e., razor wire, barbed wire); revised parking space requirements to match revised land uses in Article 2; new performance standards for air emissions, hazardous materials, noise, odor, outdoor lighting, and vibration; revised sign regulations to remove content driven; and new standards requiring solid waste and recycling enclosures. The updated solid waste and recycling enclosures standards establish required screening, allowed locations, required number and type, and design standards.

Article 4 – Regulations for Specific Land Uses and Activities. The purpose of Article 4 is to establish standards for the location, site planning, development, and operations of certain land uses that are allowed by within individual or multiple zones, and for activities that require special standards to mitigate their potential adverse impacts. This Article includes regulations, performance standards, and restrictions for specific land uses and activities, including ADUs and guest quarters, adult entertainment businesses, alcoholic beverage sales, dog boarding and kennels, bed and breakfast establishments, commercial recreation, convenience stores, electronic game amusement centers, family day care, food trucks, general markets and retail, group housing, high occupancy residential use, home occupations, homeless shelters, homestay rentals, manufacturing, offices uses, outdoor sales, parking as a principal use, pools and pool equipment, recreational vehicles, recycling facilities, safe parking, satellite dish antennas, schools, service and fueling stations, temporary and intermittent uses, utilities, vending machines, and wireless telecommunications facilities.

Article 4 includes revisions and updates to ADU standards to be consistent with State law, new operational and design standards for outdoor dining, new performance and operational standards, new objective design standards for multi-unit dwelling projects, and new wireless telecommunication facility standards. Article 4 also includes new Special Event Facility provisions. Standard regulations for Special Event Facility use include design, operational considerations, performance standards and required studies such as a traffic management plan and subsequent acoustical analysis. Operational standards include, but are not limited to, amplified sound provisions, lighting, public notice, site access, and minimum parcel size.

Article 5 – Nonconformities. This Article addresses nonconforming structures, uses, and lots, including limits on reconstruction, provisions for exceptions, and associated regulations. The revised MCZO does not include changes to Article 5.

Article 6 – Permit Processing Procedures. This Article establishes the overall structure for the application, review, and action on City-required permit applications, and identifies and describes those discretionary permits and other approvals required by the Zoning Ordinance in Table 6-1 (Review Authority). Updates to Article 6 include a new Zoning Clearance procedure, created new Reasonable Accommodations requirements and new Modification standards for applicants. The revised MCZO's changes to Article 6 are procedural and would therefore not alter development potential or result in other physical changes to the environment.

Article 7 – Zoning Ordinance Administration. Article 7 describes the authority and responsibilities of the Board of Supervisors, Planning Commission, Zoning Administrator, and Planning Director in the administration of the Zoning Ordinance. The project does not include changes to Article 7.

Article 8 –This Article provides definitions of the technical and other terms and phrases used in Title 18 (Zoning Ordinance) as a means of providing consistency in its interpretation. The project includes several updated definitions to be consistent. The revised MCZO changes to Article 8 would not alter development potential or result in other physical changes to the environment.

7. Other Public Agencies Whose Approval is Required

The County of Madera is the lead agency for this project and would approve the revised MCZO. No other public agency’s approval is required for the revised MCZO.

8. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

On March 13, 2023, local Native American tribal groups were formally noticed that an Initial Study was being completed for the revised MCZO and invited to provide consultation to the revised MCZO. No tribal representatives requested a formal consultation (refer to Section 18, *Tribal Cultural Resources*).

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Less than Significant with Mitigation Incorporated” 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"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

Based on 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 to 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 “less than significant with mitigation incorporated” 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.

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- I find that although the proposed project could have a significant effect on the environment, because all potential 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.

Jamie Bax

8/30/23

Signature

Date

Jamie Bax

CED Director

Printed Name

Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. *Would the project have a substantial adverse effect on a scenic vista?*

The Land Use Element (LUE) of the General Plan contains the following policies related to visual and scenic resources within the County:

Policy 1.H.1: The County shall require that new development in scenic rural areas is planned and designed to avoid locating structures along ridgelines, on steep slopes, or in other highly-visible locations, except under the following conditions:

- a. Such a location is necessary to avoid hazards; or
- b. The proposed construction will incorporate design and screening measures to minimize the visibility of structures and graded areas

Policy IH.3: The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:

- a. Preserve and enhance the hillsides;

- b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
- c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
- d. Minimize risk to life and property from slope failure, landslides, and flooding; and
- e. Maintain the character and visual quality of the hillside

The revised MCZO would include updates to fences, wall, and hedge performance standards which regulate height and limitation on fencing materials within Article 4. As described in Chapter 18.34.010 of the revised MCZO, the regulations for fence, walls, and hedges are designed to ensure that these elements do not unnecessarily block visibility and sunlight and are designed to provide aesthetic enhancement of the County.

The revised MCZO include updates that would further protect scenic resources within the County. For example, Section 18.58.040 in Article 4 requires all telecommunication facilities to be designed to minimize opportunities for vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances and that the permittee shall be responsible for maintaining the site and facilities free from graffiti.

In addition, the existing MCZO required ADUs to comply with the development and design standards, including height, of the primary dwelling. The revised MCZO contains new ADU height requirements in Section 18.50.020 pertaining to ADU height. Single story attached and detached ADUS shall not exceed 16 feet in height above grade while two story ADUs shall not exceed the maximum allowable height for the zone in which it is located. The County will be able to approve or deny ADU design and height based on Section 18.50.020.6. through the issuance of Building Permits.

The revised MCZO also includes revisions to agricultural accessory structure heights. Agricultural accessory structures in zone AR-5 are permitted a maximum height of 40 feet under the project as compared to 15 feet under existing conditions and accessory structures in ARE zones and zone ARF are permitted a maximum height of 60 feet under the project as compared to 15 feet under existing conditions. The General Plan does not outline designated scenic vistas within the County. Therefore, the height increase to agricultural accessory structure height would not result in an impact to scenic vistas. n

The revised MCZO does not allow development on new sites beyond what is identified in the General Plan but instead alters the development standards of identified sites. Future development consistent with LUE and revised MCZO would be required to comply with local, State, and federal laws and policies, and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts to scenic resources. Implementation of existing LUE policies and oversight by the County through the issuance of building permits would reduce impacts to scenic vistas to less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

There are no officially designated scenic highways in the region (California Department of Transportation [Caltrans] 2018). Therefore, the revised MCZO would not substantially damage scenic resources within a state scenic highway. The revised MCZO would not result in an impact to state scenic highways.

NO IMPACT

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

The revised MCZO area, including communities of Ahwahnee, Bass Lake, Coarsegold, and Oakhurst, is classified as a non-urbanized area. The revised MCZO does not include any updates or amendments that would be inconsistent with existing General Plan policies and architectural guidelines in place to protect visual character. Examples of General Plan policies that pertain to the visual character of the County include the following:

- Policy 1.H.1:** The County shall require that new development in scenic rural areas is planned and designed to avoid locating structures along ridgelines, on steep slopes, or in other highly-visible locations, except under the following conditions:
- a. Such a location is necessary to avoid hazards; or
 - b. The proposed construction will incorporate design and screening measures to minimize the visibility of structures and graded areas.
- Policy 1.H.3:** The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:
- a. Preserve and enhance the hillsides;
 - b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
 - c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
 - d. Minimize risk to life and property from slope failure, landslides, and flooding; and
 - e. Maintain the character and visual quality of the hillside.

Chapter 18.58 of Article 4 includes zoning regulations for the design, placement, and operation of wireless telecommunication facilities within the County to reduce impacts to visual and aesthetic resources. Proposed revisions to Chapter 18.58 are intended to protect visual resources consistent with the goals, objectives, and polices in the General Plan. Specifically, the revisions would strongly encourage wireless telecommunications providers to configure all facilities in a way that minimizes displeasing aesthetics through careful design, siting, landscaping, screening, and innovative stealth techniques.

Telecommunication facilities would require a zoning permit for stealth facilities in commercial, industrial, and agricultural zones, a conditional use permit for new facilities in residential/mixed used zones, commercial zones, industrial zones, public, quasi-public, and open space zones, and agricultural zones, and a conditional use permit for stealth facilities in residential/mixed used zones, public, quasi-public, and open space zones, and agricultural zones. Co-located facilities would be allowed by right in all zones and small cell/microcell facilities in a right of way would require an encroachment permit. For telecommunication facilities that are co-located and therefore allowed by right, the revised MCZO requires that the facility that the telecommunication is co located with complies with all zoning regulations, was previously subject to discretionary review, and has an adopted CEQA document, and the co-location facility incorporates all required mitigation measures specified therein. With implementation of permits subject to the County Review and compliance with co-location facility requirements, the revised MCZO would not degrade the County's existing visual character.

In addition, the revised MCZO includes new ADU regulations that require ADUs to be designed and constructed to match the existing dwelling(s) architecturally and aesthetically in terms of exterior materials and colors, building elements, structure mass, and roof pitch. The revised MCZO ADU regulations would create visually consistent existing dwellings with new ADUs within the County. The revised MCZO does not include changes that would conflict with General Plan policies. The revised MCZO, by itself, does not propose or authorize any development, and would continue to provide for the protection of the County's scenic resources. Therefore, the revised MCZO would not have a substantial adverse effect on visual character. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

The revised MCZO would include new performance lighting standards for land uses in compliance with Chapter 18.40.080, which outlines general lighting performance standards. These lighting performance standards are included in the current MCZO, but the revised MCZO provides clarification for new land use's performance lighting standards. Chapter 18.40.080 requires the use of blinking, flashing, or unusually high-intensity or bright lights would be prohibited, and all lighting fixtures must be appropriate to the use they are serving, in terms scale, intensity, and height. The revised MCZO includes new development and operational standards for Special Event Facilities. Chapter 18.50.180 under the revised MCZO requires all exterior/outdoor lighting for Special Event Facilities to be located adequately shielded, and directed so that no direct light falls outside the parcel line, or onto the public roadway, in compliance with Chapter 18.40.080.

The revised MCZO includes Chapter 18.50.130, Outdoor Dining, which provides new location and operational standards for outdoor dining areas to ensure compatibility with surrounding use. The Chapter requires that the proximity of outdoor dining and seating areas to places of worship, hospitals, public schools, and residential uses shall be considered by the Review Authority before approval. Proper mitigation measures shall be applied to eliminate potential impacts related to glare and light.

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not involve development of projects with light sources. Therefore, the revised MCZO itself would not involve other changes that could result in create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

LESS THAN SIGNIFICANT IMPACT

2 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The County of Madera is located in the San Joaquin Valley Air Basin (SJVAB). SJVAB is approximately 250 miles long and averages 35 miles wide and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation) (County of Madera 2010). The valley is basically flat with a slight downward gradient to the northwest. The valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The San Joaquin Valley, thus, could be considered a “bowl” open only to the north.

SJVAB has an “Inland Mediterranean” climate averaging over 260 sunny days per year. The valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95 degrees Fahrenheit (County of Madera 2010). Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45 degrees Fahrenheit (County of Madera 2010).

Average precipitation is approximately 12 inches per year with the majority of rainfall recorded during the winter and spring months (County of Madera 2010). The summer and fall do not usually experience any precipitation which contributes to overall decline of air quality for the region. Lack of precipitation allows for ambient particles to continue existing within the air basin further exacerbating the air quality of the region.

Overview of Air Pollution

The federal and State Clean Air Acts mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards for “criteria pollutants” and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),¹ nitrogen oxides (NO_x), particulate matter with diameters of ten microns or less (PM₁₀) and 2.5 microns or less (PM_{2.5}), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_x. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles or when wildfires release fine particulate matter.

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories:

- Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.
- Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two major subcategories:

- On-road sources that may be legally operated on roadways and highways
- Off-road sources include aircraft, ships, trains, and self-propelled construction equipment

Air Quality Standards and Attainment

Federal and State standards have been established for six criteria pollutants, including ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulates less than 10 and 2.5 PM₁₀ and PM_{2.5}, and lead (Pb).

As mentioned above, Madera County is located in the SJVAB, which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). SJVAPCD is required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the local air basin is classified as being in “attainment” or “non-attainment.” The Basin is currently in non-attainment for the federal and State 8-hour ozone standards, the State 1-hour ozone standard (severe non-attainment), State and federal PM_{2.5} standards, and the State PM₁₀ standard. The Basin is in attainment or unclassified for all other standards. SJVAPCD has prepared and adopted a number of Air Quality Management Plans (AQMPs) for ozone (e.g., 2022 Plan for the 2015 8-Hour Standard) and particulate matter (e.g., 2018 PM_{2.5} Plan for the San Joaquin Valley) (SJVAPCD 2022;

¹ CARB defines VOC and ROG similarly as, “any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate,” with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this IS-MND.

2018). The health effects associated with criteria pollutants for which the Basin is in non-attainment are described in Table 1.

Table 1 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Inhalable particulate matter (PM ₁₀)	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma). ^a
Fine Inhalable particulate matter (PM _{2.5})	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma. ^a

^a More detailed discussions on the health effects associated with exposure to suspended particulate matter can be found in the following documents: EPA, Air Quality Criteria for Particulate Matter, October 2004.
Source: USEPA 2018

State Regulations

The California Green Building Standards Code (CALGreen Code) (California Code of Regulations, Title 24, Part 11) was adopted by the California Building Standards Commission in 2013 and became effective in January 2014. The Code applies to all new constructed residential, nonresidential, commercial, mixed-use, and State-owned facilities, including schools and hospitals. CALGreen Code is comprised of Mandatory Residential and Nonresidential Measures and more stringent Voluntary Measures (TIERs I and II).

Mandatory Measures are required to be implemented on all new construction projects and consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. CALGreen Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over that required in Part 6. Voluntary Measures are optional, more stringent measures that may be used by jurisdictions to enhance their commitment towards green and sustainable design and achievement of Assembly Bill (AB) 32 goals. Under TIERs I and II, all new construction projects are required to reduce energy consumption by 15 percent and 30 percent, respectively, below the baseline required under the California Energy Commission, as well as implement more stringent green measures than those required by mandatory code.

Local Regulations and Policies

SJVAPCD is responsible for formulating and implementing the AQMPs for the Basin. The SJVAPCD Air Quality Guidelines for General Plan documents was most recently revised in June 2005. SJVAPCD published its technical guidance document, Guidance for Assessing and Mitigating Air Quality Impacts, for reviewing air quality impacts in the Basin under CEQA in March 2015. In addition,

SJVACPD has established a number of regulations to reduce air pollutant emissions from construction of land use projects under Regulation VIII (Fugitive PM₁₀ Prohibitions). The purpose of Regulation VIII is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII identifies general requirements under Rule 8011, as well as those for construction, demolition excavation, extraction, and other earthmoving activities (Rule 8021), bulk materials (Rule 8031), carryout and trackout (Rule 8041), open areas (Rule 8051), paved and unpaved roads (Rule 8061), unpaved vehicle/equipment traffic areas (Rule 8071), and agricultural sources (Rule 8081).

Air Quality Thresholds

SJVAPCD provides guidance for analyzing the significance of a project's air quality impacts in its publication *Guidance for Assessing and Mitigating Air Quality Impacts* (SJVAPCD 2015). The document includes two separate quantitative thresholds; one to analyze criteria pollutant emissions and the other to analyze ambient air quality impacts. Table 2 summarizes these two thresholds. Projects that emit pollutants at levels below SJVAPCD criteria pollutant significance thresholds and the ambient air quality screening threshold would not violate or contribute to a violation of an ambient air quality standard and are considered to have a less than significant individual impact to air quality. In addition, projects with emissions below significance thresholds for criteria pollutants would be determined to "not conflict or obstruct implementation of the District's air quality plan," as stated in section 7.12 of SJVAPCD's guidance document.

SJVAPCD also provides guidance on assessing a project's cumulative impacts on air quality. A project would have a considerable contribution to a significant cumulative impact if it exceeds significance thresholds for criteria pollutant emissions. A project would not have a considerable contribution to cumulative impacts if all three of the following conditions are met:

- Project emissions are below significance thresholds for criteria pollutant emissions, and
- Project emissions are below ambient air quality standards, and
- The sum of emissions from the project and other planned and pending projects in the project area do not exceed ambient air quality standards

Table 2 SJVAPCD Thresholds of Significance – Criteria Pollutant Emissions

Pollutant/Precursor	Construction Emissions (tons/year)	Operational Emissions (tons/year)
CO	100	100
Nitrogen Oxides (NO _x)	10	10
Reactive Organic Gases (ROG)	10	10
Sulfur Oxides (SO _x)	27	27
PM ₁₀	15	15
PM _{2.5}	15	15
Ambient Air Quality--Screening Threshold		
Maximum emission of any criteria pollutant	100 pounds/day	
Source: SJVAPCD 2015		

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

SJVAPCD adopted the 2018 PM_{2.5} Plan for the San Joaquin Valley in November 2018. The PM_{2.5} Plan includes a strategy to attain the federal health-based 1997, 2006, and 2012 NAAQS for fine particulate matter (PM_{2.5}) as expeditiously as practicable (SJVAPCD 2018). In addition, the District adopted the 2022 Ozone Plan for the San Joaquin Valley in December 2022. This plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 70 parts per billion 8-hour ozone standard (SJVAPCD 2022). The 2018 PM_{2.5} Plan and 2022 Ozone Plan are comprehensive planning documents intended to provide guidance to SJVAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{2.5}. The documents present a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

The Air Quality Element of the County’s General Plan includes the following goals and policies which would be implemented through the Zoning Regulations Update, including the following:

Goal A1: Achieve effective communication, cooperation, coordination, and education in developing and implementing countywide and regional programs to improve air quality and reduce potential climate change impacts.

Policy A1.1.1: As recommended in ARB’s Climate Change Adopted Scoping Plan (December 2008), the County establishes an initial goal of reducing greenhouse gas emissions from its internal governmental operations and land use activities within its authority to be consistent with ARB’s adopted reduction targets for the year 2020. The County will also work with MCTC to ensure that it achieves its proportionate fair share reduction in greenhouse gas emissions as may be identified under the provisions of SB 375 (2008 Chapter 728) for any projects or activities requiring approval from MCTC.

Policy A1.1.2: Consult with the SJVAPCD and MCTC during CEQA review of discretionary projects having the potential for causing adverse air quality, transportation, and climate change impacts. Participate in the SJVAPCD Climate Change Action Plan implementation.

Goal B1: Improve Air Quality, Land Use and Transportation Planning integration and reduce impacts through appropriate project location, design and application of best available technologies.

Policy B1.1.1: Minimize air quality and potential climate change impacts through project review, evaluation, and conditions of approval when planning the location and design of land uses and transportation systems needed to accommodate expected County population growth. Integrate decisions on land use and development locations with the SJV Blueprint.

Policy B1.1.2: Submit transportation improvement projects to be included in regional transportation plans (RTP, RTIP, CMP, etc.) that are found to be consistent with the air quality and climate change goals and policies of the General Plan.

Policy B1.1.3: Consult with MCTC and transit providers during the planning stages of land use and transportation projects to assess project impacts on long range transit plans and ensure that potential impacts are avoided.

Policy B1.1.4: During project review, approval, and implementation, work with Caltrans, ARB, SJVAPCD, and MCTC to minimize the air quality, mobility, and social impacts of large scale transportation projects on existing communities and planned sensitive land uses.

Goal C1: Use Air Quality Assessment and Mitigation programs and resources of the SJVAPCD and other agencies to minimize air pollution, related public health effects, and potential climate change impacts within the County.

Policy C1.1.1: Assess and mitigate project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD and require that projects do not exceed established SJVAPCD thresholds.

Policy C1.1.2: Assess and mitigate project greenhouse gas/climate change impacts using analysis methods and significance thresholds as defined or recommended by the SJVAPCD, MCTC or California Air Resources Board (ARB) depending on the type of project involved.

Policy C1.1.3: Ensure that air quality and climate change impacts identified during CEQA review are minimized and consistently and fairly mitigated at a minimum, to levels as required by CEQA.

Policy C1.1.4: Identify and maintain an on-going inventory of the cumulative transportation, air quality, and climate change impacts of all general plan amendments approved during each year.

Policy C1.1.6: Encourage and support the development of innovative and effective mitigation measures and programs to reduce air quality and climate change impacts through proactive coordination with the SJVAPCD, project applicants, and other knowledgeable and interested parties.

Policy C1.1.3: Ensure that air quality and climate change impacts identified during CEQA review are minimized and consistently and fairly mitigated at a minimum, to levels as required by CEQA.

The revised MCZO includes several proposed modifications to reduce potential air quality impacts to further the implementation of the General Plan goals and policies. Specifically, proposed revisions to Article 3 include clarifications regarding air emissions through Section 18.40.040 which states that uses, activities, and processes within the county shall not operate in a manner that emit excessive dust, fumes, smoke, or particulate matter, unless authorized under federal, State, or local law.

The revised MCZO, by itself, does not propose or authorize any development. Future development proposed in Madera County would be required to conform with Municipal Code which includes all applicable regulations and SJVACPD policies and programs that relate to air quality and consistency with both the 2018 PM_{2.5} Plan and the 2022 Ozone Plan. Therefore, the revised MCZO would not conflict with or obstruct implementation of an air quality plan. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. *Would the project 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?*

c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

The Air Quality Element of the County's General Plan includes the following goal and policies which would be implemented through the revised MCZO, including the following:

Goal F1: Minimize exposure of the public to hazardous air pollutant emissions, particulates and noxious odors from freeways, major arterial roadways, industrial, manufacturing, and processing facilities.

Policy F1.1.1: Locate residential development projects and projects categorized as sensitive receptors an adequate distance from existing and potential sources of hazardous emissions such as major transportation corridors, industrial sites, and hazardous material locations in accordance with the provisions of ARB's Air Quality and Land Use Handbook.

Policy F1.1.2: Locate new air pollution point sources such as, but not limited to industrial, manufacturing, and processing facilities an adequate distance from residential areas and other sensitive receptors in accordance with the provisions of ARB's Air Quality Land Use Handbook.

Policy F2.1.1: Coordinate with the SJVAPCD to ensure that construction, grading, excavation and demolition activities within County's jurisdiction are regulated and controlled to reduce particulate emissions to the maximum extent feasible.

Policy F2.1.2: Require all access roads, driveways, and parking areas serving new commercial and industrial development are constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of use.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would result in a cumulatively considerable net increase of any criteria pollutant of expose sensitive receptors to a substantial pollutant concentration. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Table 6 of SJVAPCD's 2015 Guidance for Assessing and Mitigating Air Quality Impacts lists land uses associated with odor complaints (SJVAPCD 2015). The uses in the table include wastewater treatment facilities, sanitary landfills, transfer stations, manufacturing plants, food processing facilities, and dairy operations, as well as other industrial uses. During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust and during idling. However, these odors would be temporary and would cease upon completion.

The revised MCZO includes Chapter 18.40.070, Odor, within Article 3, which states that no use shall emit any offensive odor off-site based on typical human reaction except normal odor associated with certain uses that are allowed in agricultural areas (i.e., animal confinement facilities). The Environmental Health Division shall determine whether the off-site odor is offensive or causes a nuisance. This standard does not apply to existing agricultural and right-to-farm land uses. Therefore, the revised MCZO would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

3 Agriculture and Forestry Resources

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

a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Farmland is present within the County (Department of Conservation [DOC] 2023). The LUE includes several policies specific to open space and agricultural protection, including but not limited to the following:

Policy 5.A.1: The County shall maintain agriculturally designated areas for agricultural uses and direct urban uses to designated new growth areas, existing communities, and/or cities.

Policy 5.A.3: The County shall seek to ensure that new development and public works projects do not encourage further expansion of urban uses into designated agricultural areas.

Policy 5.A.9: The County shall encourage infill development in urban areas as an alternative to expanding urban boundaries into agriculturally designated areas.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would convert Farmland, nor would it facilitate development that could convert Farmland to non-agricultural use. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

The revised MCZO does not include changes to the MCZO that would conflict with existing agricultural zoning or a Williamson Act contract. Proposed revisions to Article 4 include clarifications to winery land uses development and operational standards and states that winery land uses under Williamson Act contract shall comply with all applicable State regulations. In addition, the revised MCZO includes a new Special Facility Event Land Use, which is expressly prohibited on parcels subject to a Land Conservation or Williamson Act contract. The revised MCZO, by itself, does not propose or authorize any development, and would continue to provide for the protection of the County's Williamson Act contract parcels. No impact would occur.

NO IMPACT

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

The General Plan includes several policies specific to forest resources, including but not limited to the following:

Policy 1.H.4: The County shall work with federal and state agencies to conserve forest wilderness and recreation areas.

Policy 5.B.1: The County shall encourage the sustained productive use of forest land as a means of providing open space and conserving other natural resources.

Policy 5.B.2.: The County shall discourage development that conflicts with timberland management.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan. The revised MCZO does not involve the rezoning of any land zoned as forest land, timberland, or Timberland production. The revised MCZO, by itself, does not propose or authorize any development and would not permit development on forest land resulting in the conversion of forest land to non-forest use. No impact would occur.

NO IMPACT

- e. *Would the project 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?*

The revised MCZO would be consistent with the programs and policies outlined within the General Plan as described above in Threshold *a*, and would not authorize new areas for development beyond what has been identified by the General Plan or lead to other land being converted to non-agricultural use. The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not involve rezoning of Farmland or forest land. As future development is proposed, the County will be required to ensure consistency with the General Plan. None of the updates included in the revised MCZO would convert land classified as Farmland to non-agricultural use or forest land to a non-forest use. Therefore, the revised MCZO itself would not involve other changes that could result in conversion of additional Farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.

NO IMPACT

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4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project 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 Wildlife or U.S. Fish and Wildlife Service?*

The Agricultural and Natural Resources Element includes policies and programs related to special status species. These policies include:

- Policy 5.E.4:** The County shall support preservation of the habitats of rare, threatened, endangered, and/or other special status species. The County shall consider developing a formal habitat conservation plan in consultation with federal and state agencies, as well as other resource conservation organizations. Such a plan would provide a mechanism for the acquisition and management of lands supported by threatened and endangered species.
- Policy 5.E.8:** The County shall ensure close monitoring of pesticide use in areas adjacent to habitats of special status plants and animals.
- Policy 5.E.9:** The County shall promote effective methods of ground squirrel control on croplands bordering sensitive habitat that do not place kit foxes and other special-status species at risk.
- Policy 5.E.10:** Prior to approval of discretionary development permits involving parcels within a significant ecological resource area, the County shall require, as part of the environmental review process, a biotic resources evaluation of the sites by a qualified biologist. The evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of rare, threatened, or endangered species of plants or animals. Such evaluation will consider the potential for significant impact on these resources and will either identify feasible measures to mitigate such impacts or indicate why mitigation is not feasible.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes that would 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 Wildlife or U.S. Fish and Wildlife Service. No impact would occur.

NO IMPACT

- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

The Agricultural and Natural Resources Element includes policies and programs related to riparian habitat. These policies include:

- Policy 5.C.2:** The County shall minimize sedimentation and erosion through control of grading, cutting of trees, removal of vegetation, placement of roads and bridges, and use of off-road vehicles. The County shall discourage grading activities during the

rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.

Policy 5.D.4: The County shall require riparian protection zones around natural watercourses. Riparian protection zones shall include the bed and bank of both low and high flow channels and associated riparian vegetation, the band of riparian vegetation outside the high flow channel, and buffers of 100 feet in width as measured from the top of bank of unvegetated channels and 50 feet in width as measured from the outer edge for the canopy of riparian vegetation. Exceptions may be made in existing developed areas where existing development and lots are located within the setback areas.

Policy 5.D.6: The County shall require new private or public developments to preserve and enhance existing native riparian habitat unless public safety concerns require removal of habitat for flood control or other public purposes. In cases where new private or public development results in modification or destruction of riparian habitat for purposes of flood control, the developers shall be responsible for creating new riparian habitats within or near the project area at a ratio of 3:1 acres of new habitat for every acre destroyed.

Policy 5.E.10: Prior to approval of discretionary development permits involving parcels within a significant ecological resource area, the County shall require, as part of the environmental review process, a biotic resources evaluation of the sites by a qualified biologist. The evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of rare, threatened, or endangered species of plants or animals. Such evaluation will consider the potential for significant impact on these resources and will either identify feasible measures to mitigate such impacts or indicate why mitigation is not feasible.

Policy 5.F.3: The County shall support the preservation of outstanding areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools.

Policy 5.H.1: The County shall support the preservation and enhancement of natural land forms, natural vegetation, and natural resources as open space. To the extent feasible, the County shall permanently protect as open space areas of natural resource value, including wetlands preserves, riparian corridors, woodlands, and floodplains.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would result in an impact to riparian, wetland, and other sensitive communities and habitats. Therefore, the revised MCZO would not result in any significant impacts to riparian and other sensitive communities and habitats. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Agricultural and Natural Resources Element includes policies and programs related to wetlands. These policies include:

- Policy 5.D.1:** The County shall comply with the wetlands policies of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.
- Policy 5.D.2:** The County shall require new development to mitigate wetland loss in both regulated and non-regulated wetlands through any combination of avoidance, minimization, or compensation. The County shall support mitigation banking programs that can provide the opportunity to mitigate impacts to rare, threatened, and endangered species and/or the habitat which supports these species in wetland and riparian areas.
- Policy 5.D.3:** The County shall require development to be designed in such a manner that pollutants and siltation will not significantly adversely affect the value or function of wetlands.
- Policy 5.D.7:** The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, nutrient catchment, and wildlife habitats. Such communities shall be restored, where possible

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would result in an impact to riparian, wetland, and other sensitive communities and habitats. Therefore, the revised MCZO would not result in any significant impacts to wetlands. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project 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?*

The Agricultural and Natural Resources Element includes policies and programs related to migratory fish and wildlife species. These policies include:

- Policy 5.E.1:** The County shall identify and protect critical nesting and foraging areas, important spawning grounds, migratory routes, waterfowl resting areas, oak woodlands, wildlife movement corridors, and other unique wildlife habitats critical to protecting and sustaining wildlife populations.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would result in an impact to wildlife movement. Therefore, the revised MCZO would not result in any significant impacts to wetlands. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The Agricultural and Natural Resources Element includes policies and programs related to tree preservation and protection. These policies include:

Policy 5.F.4: The County shall ensure that landmark trees are preserved and protected.

Development within the County is subject to existing policies and programs identified in the General Plan, including the Natural Resources Element. The County does not currently have an adopted tree preservation policy or ordinance. The revised MCZO would not modify or conflict with these existing policies pertaining to tree preservation.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would conflict with any local policies or ordinances protecting biological resources. Therefore, the revised MCZO would not result in any significant impacts to wetlands. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Madera County, and therefore the revised MCZO area, is not located within the boundaries of any habitat conservation plans or natural community conservation plan area (California Department of Fish and Wildlife [CDFW] 2019). No impact would occur.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

A historical resource is defined in Section 15064.5(a) of the CEQA Guidelines as a resource listed in or eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. Historic resources in the County are subject to the policies and regulations contained in the General Plan, Recreational and Cultural Resources Element. These policies and regulations also identify the review process for actions proposed within potentially historic areas (see County General Plan EIR Chapter 6, Cultural Resources, Table 6-2 Potential Sites of Local Historic Significance) (County of Madera 1995c).

The Recreational and Cultural Resources Element includes goals and policies and programs related to historical resources. While these goals and policies aim to protect historic resources, they do not on their own protect historic resources. Nonetheless, these policies include:

Goal 4.D: To identify, protect, and enhance Madera County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.

Policy 4.D.2: The County shall coordinate with the cities and advisory councils in the county to promote the preservation and maintenance of Madera County's paleontological, archaeological, and historical resources.

Policy 4.D.6: The County shall encourage the preservation of the original architectural character of significant historic structures and districts. To this end, the County shall use the State Historic Building Code.

Policy 4.D.8: The County shall support the registration of cultural resources in appropriate landmark designations (i.e., National Register of Historic Places, California Historical Landmarks, Points of Historical Interest, or Local Landmark). The County shall assist private citizens seeking these designations for their property.

As described in Policy 4.D.6, the County utilizes the State Historic Building Code. The State Historic Building code requires is intended to save California’s architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings (Office of Historic Preservation 2023). The revised MCZO would not adopt regulations that would interfere with the implementation of the State Historic Building Code and would include regulations that would further protect historic resources in the County.

Chapter 18.56 of Article 4 of the revised MCZO implements Government Code Section 65915, which requires the County to provide incentives for affordable housing, senior housing, and childcare facilities. Chapter 18.56.050 would further protect historic resources within the County. As described in Chapter 18.56.050 of the revised MCZO, the County shall grant the incentive or concession requested by the applicant unless there is a finding that the incentive or concession would have an adverse impact on any property that is listed in the CRHR and for which there is no feasible method to satisfactorily mitigate or avoid the impact without rendering the development unaffordable to low-income and moderate-income households. Therefore, the revised MCZO would not result in properties listed in the CRHR. In addition, Chapter 18.50.020 of Article 4 of the revised MCZO describes regulations for ADUs within the County. Chapter 18.50.020.G.5e states that additional parking for ADUs is not required if the ADU is located within a historic district. Therefore, the revised MCZO would not facilitate additional development within historic districts that may affect historical resources.

The revised MCZO, itself, does not authorize development. The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would conflict with any local policies or ordinances protecting cultural resources. Therefore, the revised MCZO would not result in any significant impacts to historical resources. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The Recreational and Cultural Resources Element includes goals and policies and programs related to archaeological resources. These policies include:

Goal 4.D: To identify, protect, and enhance Madera County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.

Policy 4.D.2: The County shall coordinate with the cities and advisory councils in the county to promote the preservation and maintenance of Madera County's paleontological, archaeological, and historical resources.

Policy 4.D.3: The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment.

Policy 4.D.4: The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts. If significant archaeological and cultural resources are open to the public, the County shall control public access to prevent damage or vandalism.

Policy 4.D.7: The County will use existing legislation and propose local legislation for the identification and protection of cultural resources and their contributing environment.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan. The revised MCZO, by itself, does not propose or authorize any development, and would continue to provide for the protection of the County's archaeological resources. The revised MCZO would not make any changes to the Recreational and Cultural Resources Element and would not allow new development in areas where such development is prohibited under the General Plan. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

The revised MCZO would not conflict with Health and Safety Code Section 7050.5. Health and Safety Code Section 7050.5 declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives. Adherence to existing federal, State and County policies and programs will address these impacts by requiring the study of site-specific resources, identification of significant resources present within a given project site, requirements to avoid significant resources and requirements to mitigate any impacts to these resources through project design, monitoring and Native American consultation.

The revised MCZO, by itself, does not propose or authorize any development, and would continue to provide for the protection of the County's human remains. The revised MCZO would not make any changes to the Recreational and Cultural Resources Element and would not allow new development in areas where such development is prohibited under the General Plan. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a 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"/>

Environmental Setting

California is one of the lowest per capita energy users in the United States, ranked 48th in among states, due to its energy efficiency programs and mild climate. In 2020, California consumed 524 million barrels of petroleum, 2,075 billion cubic feet of natural gas, and one million short tons of coal in 2020 (United States Energy Information Administration [EIA] 2022). The single largest end-use sector for energy consumption in California is transportation (34 percent), followed by industrial (24.6 percent), residential (21.8 percent), and commercial (19.6 percent) (EIA 2022).

Most of California’s electricity is generated in state with approximately 30 percent imported from the Northwest and Southwest in 2020; however, the state relies on out-of-state natural gas imports for nearly 90 percent of its supply (California Energy Commission [CEC] 2022 and EIA 2022). In addition, approximately 33 percent of California’s electricity supply comes from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (CEC 2022). In 2018, Senate Bill 100 accelerated the state’s Renewable Portfolio Standards Program, codified in the Public Utilities Act, by requiring electricity providers to increase procurement from eligible renewable energy and zero-carbon resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires all motorists to use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.3 billion gallons sold in 2019 and is used by light-duty cars, pickup trucks, sport utility vehicles, and aviation. Diesel is the second most used fuel in California with 3.1 billion gallons sold in 2019 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (California Department of Tax and Fee Administration 2020).

Energy consumption is directly related to environmental quality in that the consumption of nonrenewable energy resources releases criteria air pollutant and greenhouse gas (GHG) emissions into the atmosphere. The environmental impacts of air pollutant and GHG emissions associated with

the project's energy consumption are discussed in detail in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, respectively.

Future land use projects would be required to undergo project-specific evaluation to quantify specific impacts to energy consumption, which would occur during the permitting process for that project. As the criteria needed to assess these impacts are only available to the County upon submittal of a specific project proposal, any quantitative analysis would be speculative at this time. All projects would be required to conform to local, State, and federal regulations governing energy consumption reduction.

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The Air Quality Element of the County's General Plan includes the following goal and policies which would be implemented through the Zoning Regulations Update, including the following:

Goal E1: Minimize air emissions and potential climate change impacts related to energy consumption in the County.

Policy E1.1.1: Initiate and sustain ongoing efforts with local water and energy utilities and developers to establish and implement voluntary incentive based programs to encourage the use of energy efficient designs and equipment in new and existing development projects within the County.

AQ Policy E1.1.2: Initiate and sustain ongoing efforts with agriculture, the building industry, water and energy utilities and the SJVAPCD to promote enhanced energy conservation and sustainable building standards for new construction.

AQ Policy E1.1.3: Work with local water and energy utilities and the building industry to develop or revise County design standards relating to solar orientation of building occupancies, water use, landscaping, reduction in impervious surfaces, parking lot shading and such other measures oriented towards reducing energy demand.

Policy E1.1.4: Actively promote the more efficient location of industries within the County which are labor intensive, utilize cogeneration or renewable sources of energy, support and enhance agricultural activities, and are consistent with other policies of the General Plan.

Policy E1.1.5: County staff will proactively work with the Cooperative Agricultural Extension office, California Energy Commission, local water and energy utilities, the agricultural industry, and other potential partners to seek funding sources and implement programs which reduce water and energy use, reduce air emissions and reduce the creation of greenhouse gases.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO itself would not result in development and would therefore not result in energy consumption. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Currently, the County does not have a local plan for renewable energy or energy efficiency. However, future land uses would be required to comply with State energy efficiency regulations and standards, including CALGreen building code requirements, and compliance with these requirements would be assessed during the project permitting and review process. As such, the revised MCZO would not conflict with or obstruct a plan for renewable energy or energy efficiency and would not conflict with a plan for renewable energy and energy efficiency. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. 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 geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
- a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

The General Plan EIR concluded that with implementation of the policies and programs of the General Plan, there would be no significant adverse seismic and geologic impacts to (County of Madera 1995c). There is no known seismic fault rupture in Madera County. Regional faults that could result in strong ground shaking include the San Andreas Fault approximately 45 miles west of the County line.

The California Building Code (CBC) includes seismic policies in Chapter 16, Structural Design. Chapter 16 of the CBC is intended to establish minimum design requirements so that the structural components of buildings are proportioned to resist the loads that are likely to be encountered in an earthquake in order to protect life and property. Specifically, Section 1613a discusses earthquake loads and seismic design categories. The revised MCZO would not include updates that would be inconsistent with the CBC.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and the CBC. The revised MCZO would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault or strong seismic ground shaking. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

The General Plan EIR concluded that Madera County is not at risk of liquefaction (County of Madera 1995c). The revised MCZO would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic related ground failure, including liquefaction. No impact would occur.

NO IMPACT

- a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

The General Plan EIR indicates that the mountainous part of the County contains several areas which have been classified as having moderate risk of landsliding, generally located on the west side of State Route 49 west of Oakhurst and around Coarsegold, and east of Millerton Lake and around O'Neals (County of Madera 1995c). The General Plan EIR concluded that with full implementation of the policies and programs of the General Plan, there would be no significant adverse seismic and geologic impacts, including landslides.

General Plan includes policies related to landslides include:

- Policy 1.H.3:** The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:
- a. Preserve and enhance the hillsides;
 - b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
 - c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
 - d. Minimize risk to life and property from slope failure, landslides, and flooding; and
 - e. Maintain the character and visual quality of the hillside
- Policy 6.A.1:** The County shall require the preparation of a soils engineering and geologic-seismic analysis prior to permitting development in areas prone to geological or seismic hazards (i.e., groundshaking, landslides, liquefaction, critically expansive soils).
- Policy 6.A.2:** In landslide hazard areas, the County shall prohibit avoidable alteration of land in a manner that could increase the hazard, including concentration of water through drainage, irrigation, or septic systems; removal of vegetative cover; and steepening of slopes and undercutting the bases of slopes. Areas of known landslides should be designated for open space uses.
- Policy 6.A.3:** The County shall limit development in areas of steep or unstable slopes to minimize hazards from landslides. Development will be prohibited in areas with slopes of 30 percent or more unless it can be demonstrated by a registered engineer or registered engineering geologist that such development will not present a public safety hazard.

The revised MCZO would be consistent with the General Plan policies discussed above intended to prevent adverse effects of landslides. Specifically, in accordance with Policy 6.A.2, areas of known landslides would be designated for Open Space. The revised MCZO is consistent with Policy 6.A.2 and would not rezone Open Space areas. Additionally, the revised MCZO would be consistent with Policy 6.A.3, which prohibits development in areas with slopes of 30 percent or more unless it is demonstrated that this development would not be a public safety hazard. The revised MCZO would not involve changes that would permit development on slopes of 30 percent or more.

The revised MCZO would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

b. Would the project result in substantial soil erosion or the loss of topsoil?

The County requires submittal of grading and erosion control permits, and the completion of detailed soils reports and ensures that the project design follows the recommendation in the report

and plan. The General Plan EIR concluded there were several General Plan policies and goals that would address loss of topsoil and erosion:

- Policy 1.H.2:** The County shall require that new development incorporates sound soil conservation practices and minimizes land alterations. Land alterations should comply with the following guidelines:
- a. Limit cuts and fills;
 - b. Limit grading to the smallest practical area of land;
 - c. Limit land exposure to the shortest practical amount of time;
 - d. Replant graded areas to ensure establishment of plant cover before the next rainy season;
 - e. Create grading contours that blend with the natural contours on site or look like contours that would naturally occur; and
 - f. Prohibit overgrazing.

- Policy 1.H.3:** The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:
- a. Preserve and enhance the hillsides;
 - b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
 - c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
 - d. Minimize risk to life and property from slope failure, landslides, and flooding; and
 - e. Maintain the character and visual quality of the hillside.

- Policy 5.H.2:** The County shall require that new development be designed and constructed to preserve the following types of areas and features as open space to the maximum extent feasible:
- a. High erosion hazard areas
 - b. Scenic and trail corridors;
 - c. Streams and streamside vegetation;
 - d. Wetlands;
 - e. Other significant stands of vegetation;
 - f. Wildlife corridors; and
 - g. Any areas of special ecological significance

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO would not conflict with General Plan policies or the CBC. The revised MCZO would not involve changes in zoning that would result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*
- d. *Would the project 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?*

As described in the General Plan EIR, the risk of subsidence in the County is considered to be very low due to the county's geologic conditions (County of Madera 1995c). However, there are General Plan policies that address the risk of geological or seismic hazards such as landslides, lateral spreading, subsidence, liquefaction, or collapse such as:

Policy 1.H.2: The County shall require that new development incorporates sound soil conservation practices and minimizes land alterations. Land alterations should comply with the following guidelines:

- a. Limit cuts and fills;
- b. Limit grading to the smallest practical area of land;
- c. Limit land exposure to the shortest practical amount of time;
- d. Replant graded areas to ensure establishment of plant cover before the next rainy season;
- e. Create grading contours that blend with the natural contours on site or look like contours that would naturally occur; and
- f. Prohibit overgrazing.

Policy 1.H.3: The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:

- a. Preserve and enhance the hillsides;
- b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
- c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
- d. Minimize risk to life and property from slope failure, landslides, and flooding; and
- e. Maintain the character and visual quality of the hillside.

Policy 6.A.1: The County shall require the preparation of a soils engineering and geologic-seismic analysis prior to permitting development in areas prone to geological or seismic hazards (i.e., groundshaking, landslides, liquefaction, critically expansive soils).

Policy 6.A.2: In landslide hazard areas, the County shall prohibit avoidable alteration of land in a manner that could increase the hazard, including concentration of water through drainage, irrigation, or septic systems; removal of vegetative cover; and steepening of slopes and undercutting the bases of slopes. Areas of known landslides should be designated for open space uses.

Policy 6.A.3: The County shall limit development in areas of steep or unstable slopes to minimize hazards from landslides. Development will be prohibited in areas with slopes of 30 percent or more unless it can be demonstrated by a registered engineer or registered engineering geologist that such development will not present a public safety hazard

Additionally, CBC Chapter 18 provides requirements for soil investigation and site preparation for receiving a foundation for new development. The revised MCZO does not conflict with these General Plan policies or the CBC. In addition, the revised MCZO includes CBC provisions for Specific Land Uses in Article 4. For example, Chapter 18.50.180.5.G of the revised MCZO requires all structures and facilities for Special Event Facility land uses to comply with the CBC.

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not conflict with General Plan policies or the CBC. The revised MCZO would not involve changes in zoning that would result in a project being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse or result in a project be located on expansive soil that would create substantial direct or indirect risks to life or property. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

e. Would the project 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?

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not conflict with General Plan policies pertaining to septic tanks or the Local Agency Management Program for Onsite Wastewater Treatment Systems (OWTS). The OWTS program is designed to protect groundwater sources and surface water bodies from contamination through the proper design, placement, installation, maintenance, and assessment of individual OWTS. This plan develops minimum standards for the treatment and ultimate disposal of sewage through the use of OWTS in Madera County to protect water quality and public health. The revised MCZO would be consistent with this program and would not include incompatible zone changes. As discussed above, CBC Chapter 18 requires a soil investigation to ensure soils on site can support septic tanks or alternative wastewater disposal systems. The revised MCZO would not conflict with the CBC.

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not conflict with General Plan policies or the CBC. The revised MCZO would not involve changes in zoning that would result in a project located on 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. No impact would occur.

NO IMPACT

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The General Plan contains policies that protect paleontological resources such as:

Policy 4.D.2: The County shall coordinate with the cities and advisory councils in the County to promote the preservation and maintenance of Madera County's paleontological, archaeological, and historical resources.

Policy 4.D.3: The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment.

The revised MCZO would be consistent with these General Plan policies. It is possible that there are undiscovered paleontological resources within the Madera County; however, the revised MCZO does not propose or authorize any development and would not impact paleontological resources or unique geologic features. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHG). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons and perfluorocarbons, and sulfur hexafluoride. Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. GHGs are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, and CH₄ results from off-gassing associated with agricultural practices and landfills. Different types of GHGs have varying global warming potentials (GWP), which are the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the GHG emissions, referred to as carbon dioxide equivalent (CO₂e), and is the amount of a GHG emitted multiplied by its GWP. CO₂ has a 100-year GWP of one. By contrast, CH₄ has a GWP of 28, meaning its global warming effect is 28 times greater than that of CO₂ on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2014a).²

The accumulation of GHGs in the atmosphere regulates Earth's temperature. Without the natural heat-trapping effect of GHGs, the Earth's surface would be about 33 degrees Celsius (°C) cooler. However, emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of GHGs in the atmosphere beyond the level of naturally occurring concentrations.

² The IPCC's (2014a) *Fifth Assessment Report* determined that methane has a GWP of 28. However, modeling of GHG emissions was completed using the California Emissions Estimator Model version 2016.3.2, which uses a GWP of 25 for methane, consistent with the IPCC's (2007) *Fourth Assessment Report*.

Regulatory Framework

In response to climate change, California implemented Assembly Bill (AB) 32, the “California Global Warming Solutions Act of 2006.” AB 32 required the reduction of statewide GHG emissions to 1990 emissions levels (essentially a 15 percent reduction below 2005 emission levels) by 2020 and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions. On September 8, 2016, the Governor signed Senate Bill 32 into law, extending AB 32 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program and the Low Carbon Fuel Standard, and implementation of recently adopted policies and legislation, such as SB 1383 (aimed at reducing short-lived climate pollutants including methane, hydrofluorocarbon gases, and anthropogenic black carbon) and SB 100. The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends local governments adopt policies and locally appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) of CO₂e by 2030 and two MT of CO₂e by 2050 (CARB 2017).

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The revised MCZO is one of the principal tools for implementing the General Plan and will advance GHG reduction goals as mandated by the State through AB 32 and SB 375. The revised MCZO includes increased design standards, new design guidelines, and the imposition of general site regulations that would support the State GHG reduction goals. The Air Quality Element of the County’s General Plan includes the following goal and policies which would be implemented through the revised MCZO, including the following:

Goal G1: Reduce Madera County’s proportionate contribution of greenhouse gas emissions and the potential impact that may result on climate change from internal governmental operations and land use activities within its authority.

Policy G1.1.1: As recommended in ARB’s Climate Change Adopted Scoping Plan (December 2008), the County establishes an initial goal of reducing greenhouse gas emissions from its internal governmental operations and land use activities within its authority to be consistent with ARB’s adopted reduction targets for the year 2020. The County will also work with MCTC to ensure that it achieves its proportionate fair share reduction in greenhouse gas emissions as may be identified under the provisions of SB 375 (2008 Chapter 728) for any projects or activities requiring approval from MCTC.

Policy G1.1.2: Progress in meeting the goals specified in AQ Policy G1.1.1 will be monitored and reported to the Board of Supervisors in the Annual Progress Report required by Government Code Section 65400(a)(2). Should the Board determine that sufficient progress is not being made to achieve the identified goals, or that proposed measures are ineffective or insufficient in meeting the goals, additional measures will be adopted as necessary.

It should be noted that the County does not have a qualified Climate Action Plan (CAP) but has adopted measures within the Municipal Code to reduce the County's carbon footprint, such as Municipal Code Section 13.56.040(B) which requires extensive tree canopy in parking lots to reduce heat island effects and improve carbon sequestration. The State is also moving forward with climate change initiatives, such as requiring solar installations on new development which began in 2020, which will be applied to new developments. New strategies in the revised MCZO include items such as alternative parking area designs which achieve green building objectives like those under the LEED Green Building Rating System, and parking reductions based on shared parking facilities.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan, and would not authorize new areas for development beyond what has been identified by the General Plan. As noted above, the General Plan facilitates GHG reductions through policies and plan review. The revised MCZO would be consistent with the County General Plan and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a v located in 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"/>

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project 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?*

The Health and Safety Element includes policies and programs for development near known hazardous material users, or construction in areas with existing hazardous materials, that could expose individuals to health risks (County of Madera 1995b). These policies include:

Policy 6.G.1: The County shall ensure that the use and disposal of hazardous materials in the county complies with local, state, and federal safety standards

Policy 6.G.2: The County shall encourage source reduction, recycling, and on-site treatment of hazardous wastes to reduce hazardous waste generation and disposal.

Policy 6.G.3: The County shall discourage the development of residences or schools near known hazardous waste disposal or handling facilities.

In addition to existing plans, policies, and programs summarized above, the revised MCZO includes several proposed modifications to further reduce potential impacts, consistent with the LUE. Article 4 of the revised MCZO includes clarifications regarding hazards and hazardous materials, which would provide further protections for the public. This includes updates to performance standards for hazardous materials. The revised MCZO requires that hazardous materials only be allowed in zones which allow restricted storage facilities and is prohibited in personal storage facilities. The revised MCZO would not facilitate development which would 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. The revised MCZO would not conflict with existing General Plan policies nor State and federal regulations applicable to public safety and exposure to hazards and hazardous materials. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The Health and Safety Element of the General Plan includes the following policy related to hazards in the vicinity of a school site (County of Madera 1995b):

Policy 6.G.3: The County shall discourage the development of residences or schools near known hazardous waste disposal or handling facilities.

The General Plan EIR determined that implementation of the General Plan, along with the County Hazardous Waste Management Plan, would increase the County's commitment to monitoring and control of hazardous materials and would reduce impacts to a less than significant level (County of Madera 1995a).

The revised MCZO, by itself, does not propose or authorize any development. The proposed changes do not conflict with existing General Plan policies nor state and federal regulations applicable to public safety and exposure to hazards and hazardous materials. The revised MCZO would be consistent with applicable General Plan policies and state and federal regulations address hazardous and hazardous materials. The revised MCZO would not facilitate development that would emit

hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project be located on a site that is included on a list of hazardous material 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?*

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not involve changes to the MCZO that would permit projects and land uses to be located on hazardous material sites. Therefore, no impact would occur.

LESS THAN SIGNIFICANT IMPACT

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The General Plan EIR determined that the General Plan is consistent with the Madera County Airport Land Use Compatibility Plan, and the Sierra National Forest Land and Resource Management Plan, and the San Joaquin River Parkway Plan. Noise impacts related to airports or aircraft on noise-sensitive land uses were determined to be a less than significant (Madera County 1995a).

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not involve changes in zoning that would convert result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.

NO IMPACT

- f. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The revised MCZO would be consistent with and required to comply with the County of Madera Emergency Operations Plan (EOP) which outlines how the County will respond to an emergency such as wildfire or flooding. The revised MCZO includes new emergency access requirements. Section 18.50.180.G.2 requires that any special event facility be connected to a public road and to comply with State Fire Safe Regulations, including maximum allowed dead-end road length, turnarounds, and turnouts.

The revised MCZO would be consistent with General Plan programs and policies related to emergency response and evacuation and would not authorize new areas for development beyond what has been identified by the General Plan, nor facilitate development that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The revised MCZO, by itself, does not propose or authorize any development. Therefore, the revised MCZO would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

NO IMPACT

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

The Health and Safety Element of the General Plan includes the following policies related to hazards associated with wildland fires, including but not limited to the following (County of Madera 1995b):

Policy 6.C.1: The County shall ensure that development in high-fire-hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable state and county fire standards. In areas with high or extreme wildfire hazards, the County shall limit parcel sizes to 22 acres or larger or encourage clustered or planned residential development with on-site fire suppression measures.

Policy 6.C.2: The County shall require that discretionary permits for new development in fire hazard areas be conditioned to include requirements for fire-resistant vegetation, cleared fire breaks, or a long-term comprehensive fuel management program. Fire hazard reduction measures shall be incorporated into the design of development projects in fire hazard areas.

The revised MCZO, by itself, does not propose or authorize any development. The proposed changes to the MCZO do not conflict with existing General Plan policies nor state and federal regulations applicable to fire risk. The revised MCZO would not conflict with General Plan policies, and applicable regulations, standards and design standards of the General Plan, Municipal Code, Universal Fire Code, and CBC regulations that address fire safety. The revised MCZO would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The General Plan includes policies and programs for point and non-point sources of contamination that has the potential to affect water quality, including:

Policy 5.C.1: The County shall protect preserve areas with groundwater recharge capabilities and minimize placement of potential sources of pollution in such areas.

Policy 5.C.3: The County shall require new development of facilities near rivers, creeks, reservoirs, or substantial groundwater recharge areas to mitigate any potential impacts of release of pollutants in flood waters, flowing river, stream, creek, or reservoir waters.

Policy 5.C.8: The County shall protect groundwater resources from contamination and further overdraft by encouraging water conservation efforts and supporting the use of surface water for urban and agricultural uses wherever feasible.

The revised MCZO would be consistent with the policies outlined in the General Plan. The revised MCZO would not facilitate new areas for development beyond what has been identified by the General Plan. The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not involve changes to the MCZO that would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The General Plan includes policies to address impacts related to groundwater percolation and recharge and the altering of existing drainage patterns, including the following:

Policy 5.C.1: The County shall protect preserve areas with groundwater recharge capabilities and minimize placement of potential sources of pollution in such areas.

Policy 5.C.7: The County shall protect groundwater resources from contamination and further overdraft by encouraging water conservation efforts and supporting the use of surface water for urban and agricultural uses wherever feasible.

Future development in Madera County would be required to comply with the Madera County Groundwater Sustainability Plan (GSP) which controls the sustainable management of the area's groundwater and sets sustainability goals for the management of the Madera Subbasin.

The revised MCZO, by itself, does not propose or authorize any development. Future development proposed in Madera County would be required to conform to all applicable regulations that address drainage, storm water runoff, and groundwater management including the aforementioned general plan policies and the Madera County Groundwater Sustainability Plan. The revised MCZO would be consistent with these policies and plans. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c.(i) *Would the project 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 result in substantial erosion or siltation on- or off-site?*
- c.(ii) *Would the project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- c.(iii) *Would the project 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 that would 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?*
- c.(iv) *Would the project 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 impede or redirect flood flows?*

The County of Madera General Plan includes the following policies related to hydrology and water quality:

- Policy 3.E.1:** The County shall provide for expansion and development of storm drainage systems to meet the needs of existing and planned development.
- Policy 3.E.2:** The County shall require new development to pay its fair share of the costs of Madera County storm drainage and flood control improvements.
- Policy 3.E.3:** The County shall encourage project designs that minimize drainage concentrations and impervious coverage and maintain, to the extent feasible, natural site drainage conditions.
- Policy 3.E.4:** The County shall preserve creeks and rivers, as feasible, to maintain existing floodplain capacity. The County shall continue to require a drainage permit for any project that would potentially alter a watercourse.
- Policy 3.E.5:** Future drainage system discharges shall comply with applicable State and Federal pollutant discharge requirements.
- Policy 3.E.6:** The County shall encourage the use of natural stormwater drainage systems to preserve and enhance natural features.
- Policy 5.C.3:** The County shall require new development of facilities near rivers, creeks, reservoirs, or substantial groundwater recharge areas to mitigate any potential impacts of release of pollutants in flood waters, flowing river, stream, creek, or reservoir waters.

The revised MCZO, by itself, does not propose or authorize any development. Future development proposed in Madera County would be required to conform to all applicable regulations that address drainage, storm water runoff, erosion, flooding, and pollution including the County Standard Plans and Specifications such as:

- Engineering Standard E5A: Site Drainage

- Engineering Standard E5B and E5C Alternate Lot Drainage
- Engineering Standard E6: Drain Well Detail

These standards would ensure that future development in the County does not alter existing drainage patterns such that erosion, flooding, or additional pollution would occur. The revised MCZO would be consistent with the programs and policies outlined within the General Plan and the CBC. The revised MCZO would not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO would not involve changes in zoning that would 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 result in substantial erosion or siltation on- or off-site, in flooding on- or off-site, existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, impede or redirect flood flows. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

The LUE includes several policies related to flooding and flood management, including:

- Policy 3.E.2:** The County shall require that new development provide protection from the 100-year flood at a minimum.
- Policy 3.E.3:** The County shall continue to implement floodplain zoning and undertake other actions required to comply with state floodplain requirements and maintain County eligibility under the Federal Flood Insurance Program.
- Policy 6.B.4:** The County shall require that all development within areas subject to 100-year floods be designed and constructed in a manner so as not to divert floodwater onto adjacent property or to increase flood hazards to other areas.

As described in the Background Report for the General Plan, seiches, a seismically induced wave in a reservoir, lake, or harbor, are not considered to be a safety concern in Madera County, based on historic experience (County of Madera 1995a) Madera County is not located within a tsunami zone, so the risk of tsunamis are not a threat and would not risk release of pollutants due to project inundation (DOC 2022).

The revised MCZO, by itself, does not propose or authorize any development and is not in conflict with implementation of the GSP or General Plan policies related to flooding and flood management. Future development proposed in Madera County would be required to conform to General Plan policies and the Madera County Code of Ordinances. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The County of Madera overlies the Madera Groundwater Subbasin. The Madera Subbasin is managed by the Madera Subbasin Groundwater Sustainability Plan (GSP). This plan sets sustainability and groundwater quality goals for the subbasin and includes projects and plans which implement these goals to preserve groundwater quality. The revised MCZO would be consistent

with the GSP. Additionally, the Madera County General Plan includes the following policies related to groundwater quality:

- Policy 3.D.3:** The County shall permit on-site sewage treatment and disposal on parcels where all current regulations can be met; where parcels have the area, soils, and other characteristics that permit such disposal facilities without threatening surface or groundwater quality or posing any other health hazards; and where community sewer service is not available and cannot be provided.
- Policy 3.F.3:** The County shall ensure that solid waste disposal facilities do not violate state standards for contamination of surface or groundwater.
- Policy 5.C.1:** The County shall protect preserve areas with groundwater recharge capabilities and minimize placement of potential sources of pollution in such areas.
- Policy 5.C.3:** The County shall require new development of facilities near rivers, creeks, reservoirs, or substantial groundwater recharge areas to mitigate any potential impacts of release of pollutants in flood waters, flowing river, stream, creek, or reservoir waters.
- Policy 5.C.8:** The County shall protect groundwater resources from contamination and further overdraft by encouraging water conservation efforts and supporting the use of surface water for urban and agricultural uses wherever feasible.

The revised MCZO, by itself, does not propose or authorize any development and is not in conflict with implementation of the GSP or General Plan policies related to groundwater quality. Future development proposed in Madera County would be required to conform to the Madera County Sustainable Groundwater Management Plan and the aforementioned general plan policies. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any 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"/>

a. Would the project physically divide an established community?

The revised MCZO would not involve rezoning or facilitate new development that would divide an established community. The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not include any actions that would result in the division of an established community or neighborhood in the County, but rather provides the regulations and standards that guide how future development would be designed. Therefore, no impact would occur.

NO IMPACT

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The revised MCZO is limited to an update to the County’s zoning regulations, pursuant to the County’s General Plan. All updates to the revised MCZO would be consistent with the General Plan. The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO does not include any actions that would result in an incompatibility with an adopted plan but would rather further implement the goals and policies outlined in the General Plan. Therefore, no impact would occur.

NO IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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"/>

- a. *Would the project 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?*
- b. *Would the project 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?*

The Agricultural and Natural Resources Element includes policies for mineral resources. These policies include:

- Policy 5.1.2:** The County shall discourage the development of incompatible land uses in areas that have been identified as having potentially significant mineral resources, except where the California Department of Mines and Geology agrees that economic or environmental considerations make mineral extraction infeasible.
- Policy 5.1.3:** The County shall discourage the development of any uses that would be incompatible with adjacent mining operations or would restrict future extraction of significant mineral resources.

The revised MCZO would not involve changes to mineral resource recovery sites or alter or displace any mineral resource activities. The revised MCZO would make revisions, additions, corrections, and clarifications to various sections of the Zoning Regulations to ensure consistency and successful implementation of the Agricultural and Natural Resources Element. The revised MCZO would not allow new development in areas where such development is prohibited under the General Plan. Therefore, the revised MCZO would have no impact on mineral resources.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 ordinance, 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"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project result in 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 ordinance, or applicable standards of other agencies?*

The revised MCZO would not conflict with General Plan LUE policies pertaining to noise nor would it conflict with the Madera County noise ordinance. The revised MCZO includes several proposed modifications to further reduce potential impacts resulting from noise levels, consistent with the LUE. Article 4 of the revised MCZO includes clarifications regarding noise levels, which would provide further protections for the public and would implement the goals and policies of the LUE. The revised MCZO includes updates to performance standards for noise levels which include revisions to operational noise levels to home occupation, requiring special equipment or additional regulations for the control of vibrations in Concrete Manufacturing and Transit Mix (heavy industrial), and requiring a Traffic Management Plan for Special Event Facilities which includes an acoustical analysis that identifies the sources and types of noise expected to be generated, projected community noise equivalent level at all parcel lines and the nearest sensitive receptors, and proposed noise attenuation strategies, including limitations on hours and days of operations. In addition, Chapter 18.40.060 of the revised MCZO states that no use or activity shall create noise levels that exceed the standards established in the General Plan and requires that an acoustic analysis shall be required for any proposed use which could create or be subject to a noise exposure that exceeds the standards established in the General Plan.

The revised MCZO would not conflict with General Plan LUE policies pertaining to noise nor would it conflict with the Madera County noise ordinance. The revised MCZO, by itself, does not propose or authorize any development and would generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

The LUE includes the following policies related to vibration:

Policy 7.A.9: 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 direction 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. (Resolution No. 2010-043)

Policy 7.A.10: Operation or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at the location where the sensitivity exists such as the property line of a residential development or from the location of residence constructed on agricultural property. (Resolution No. 2010-043)

The revised MCZO includes several proposed modifications to reduce potential impacts resulting from groundborne vibration or groundborne noise levels, consistent with the LUE. Article 4 of the revised MCZO includes updated regulations for concrete manufacturing and transit mix (heavy industrial) land uses. As outlined in the revised MCZO, the Madera County Planning Director may require special equipment or additional regulations for the control of dust, noise, and vibrations which would provide further protections for the public against excessive groundborne vibration or groundborne noise levels.

The revised MCZO, by itself, does not propose or authorize any development. The revised MCZO would not conflict with existing policies and standards related to groundborne noise or vibration. Therefore, potential impacts related to vibration would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The General Plan and Municipal Code protect sensitive receptors from noise impacts through policies and plan review. For example, General Plan Policy 6.7 requires the County to review all development projects within the overflight zones of County airports for consistency with applicable airport comprehensive land use plans (CLUPs). The revised MCZO would not allow new development in areas where such development is prohibited under the LUE.

The revised MCZO would not involve changes to mineral resource recovery sites or alter or displace any mineral resource activities. The revised MCZO would make revisions, additions, corrections, and

clarifications to various sections of the MCZP to ensure consistency and successful implementation of the Agricultural and General Plan. The revised MCZO would not allow new development in areas where such development is prohibited under the General Plan. Therefore, the revised MCZO would have not expose people residing or working in the project area to excessive noise levels. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*
- b. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The revised MCZO would not result in direct or indirect population growth beyond anticipated growth in the region and as identified in the General Plan. Therefore, the revised MCZO is consistent with projected and planned growth. The revised MCZO would not facilitate new development that would displace existing people or housing. No impacts to population and housing would occur.

NO IMPACT

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15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

1	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a.1. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

a.3. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

a.4. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Public Facilities and Services Element and Recreational and Cultural Resources Element contains policies related to maintain acceptable service ratios or performance objectives for fire protection facilities, police protection facilities, schools, parks, or other public facilities:

- Policy 3.G.1:** The County shall ensure the provision of effective law enforcement, fire, and emergency medical services to unincorporated areas.
- Policy 3.G.2:** The County shall reserve adequate sites for sheriff, fire, and emergency medical facilities in unincorporated locations in Madera County.
- Policy 3.G.5:** The County shall limit development to very low densities in areas where emergency response times will average more than 20 minutes.
- Policy 3.H.3:** The County shall require that new fire stations be located to achieve a service level capability consistent with existing and planned land uses.
- Policy 3.H.4:** The County shall require new development to develop or fund fire protection facilities that, at a minimum, maintain the above service level standards.
- Policy 3.I.4:** The County shall include schools among those public facilities and services that are considered an essential part of the infrastructure and shall work with local school districts to see that facilities and services are provided to meet educational needs.
- Policy 3.I.7:** Specific plan and area plans shall identify school facilities required to serve the development encompassed by the plans and shall provide a mechanism to ensure that the school facilities will be available concurrent with the need for the facilities.
- Policy 4.A.2:** The County shall promote the continued and expanded use of national forest, national park, and wilderness areas to meet the recreational needs of Madera County residents.
- Policy 4.A.4:** The County shall strive to achieve and maintain a standard of three acres of improved parkland per 1,000 population.

As described in Section 14, *Population and Housing*, the revised MCZO would not directly or indirectly increase the population in the County. As such, the revised MCZO would not generate additional demand for public services. Therefore, the revised MCZO would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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, fire protection, police protection, schools, parks, or other public facilities. No impact would occur.

NO IMPACT

16 Recreation

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

- 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?*
- 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?*

The revised MCZO, by itself, does not propose or authorize any development, including recreational facilities. As described in Section 14, *Population and Housing*, the revised MCZO would not directly or indirectly increase the population in the County. Therefore, the revised MCZO would not result in an increase in population that would increase the use of existing neighborhood and regional parks or other recreational facilities.

The revised MCZO includes new recreational vehicle campground development and operational standards within Article 4. The update outlines minimum park parcel size for recreational vehicle camping, density, and other operational requirements such as parking, signage, and sewer systems. These updates would not generate new development of recreational vehicle campgrounds; rather they would clarify design requirements for such proposed uses. In addition, as the revised MCZO would not facilitate development, it would not result in an impact to recreational facilities or require the construction or expansion of new recreational facilities. Therefore, the revised MCZO would not result in substantial adverse impacts on parks. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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17 Transportation

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

- a. *Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*
- b. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

The Transportation and Circulation Element contains the following policies and that pertain to new development and traffic circulation within the County:

Policy 2.A.20: The County shall require proposed new development projects to analyze their contribution to increased traffic and to implement improvements necessary to address the increase and provide for alternative transportation modes.

Policy 2.A.21: The County shall require all new developments to provide their fair share of roadway facilities for alternative transportation modes to serve the development and to reduce automobile demand.

The revised MCZO includes several proposed modifications to minimize impacts with the circulation system and vehicle miles traveled (VMT), consistent with the Transportation and Circulation Element and the Madera County Transportation Commission Regional Transportation Plan (RTP) Sustainable Communities Strategy (SCS).

Proposed revisions to Article 4 of the MCZO includes updated operational standards for land use traffic levels and application procedures for several land uses which require an evaluation of traffic. For example, the revised MCZO requires agritourism land uses to have access from a road(s) which have adequate capacity for existing traffic and the traffic generated by the proposed agritourism use, as determined by the Planning Director or Public Works Director. Moreover, proposed

operational standards for home occupation require that home occupation shall not generate pedestrian or vehicle traffic exceeding the normal amount in the zone. The revised MCZO includes a new section in Article 4 regarding refuse disposal facilities. The intent of this section is to ensure compatibility with surrounding uses and ensure public health and safety. To ensure compatibility, applications for refuse disposal facilities will be approved, conditionally approved, or denied based upon, among other things, consideration of the potential effects of the proposed facility on a variety of factors including, roadways, traffic, and existing and potential future land uses in the vicinity. The revised MCZO also includes similar standards for Special Event Facility applications which are required to include a Traffic Management Plan and the location and description of the width and surfacing of roadway(s) that access the site up to the nearest major collector or arterial.

The modified Residential, Townhouse Zone (RT) under the revised MCZO is intended to be applied on subdivided blocks with alleys that are within or close to highly urbanized areas, transit areas. The RT Zone, as outlined in Article 4, shall include sidewalks as part of an overall pedestrian network and would promote the Transportation and Circulation Element policies and the Madera County RTP SCS.

The revised MCZO would not conflict with a program, plan, ordinance, or policy addressing the circulation system. The revised MCZO itself would not facilitate development beyond that identified in the General Plan, and therefore would not generate vehicle trips that could result in impacts. Further, the revised MCZO includes several proposed modifications to minimize impacts with the circulation system and VMT. Therefore, the revised MCZO would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities or CEQA Guidelines section 15064.3, subdivision (b). No impact would occur.

NO IMPACT

- c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

The Transportation and Circulation Element contains policies that pertain to the design of streets:

Policy 2.B.1: The County shall require new streets within unincorporated communities to be designed and constructed to serve all users. This includes:

- a. creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network for all modes of travel;
- b. minimizing curb cuts along non-local streets to improve safety and capacity;
- c. planting street trees adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and vehicular traffic, where appropriate;
- d. constructing sidewalks and bike lanes on both sides of streets, where feasible;
- e. including parking options to provide a buffer between pedestrians and vehicular traffic, where appropriate;
- f. coordinating with local jurisdictions and the Madera County Transportation Commission to ensure multimodal connections are established and maintained between jurisdictions; and

- g. incorporating traffic-calming devices such as roundabouts, bulb-outs at intersections, and traffic tables into the transportation system where appropriate to improve safety and encourage travel by active transportation modes.

Policy 2.B.4: The County shall require new streets within unincorporated communities to be designed and constructed to serve all users. This includes:

- a. creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network for all modes of travel;
- b. minimizing curb cuts along non-local streets to improve safety and capacity;
- c. planting street trees adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and vehicular traffic, where appropriate;
- d. constructing sidewalks and bike lanes on both sides of streets, where feasible;
- e. including parking options to provide a buffer between pedestrians and vehicular traffic, where appropriate;
- f. coordinating with local jurisdictions and the Madera County Transportation Commission to ensure multimodal connections are established and maintained between jurisdictions; and
- g. incorporating traffic-calming devices such as roundabouts, bulb-outs at intersections, and traffic tables into the transportation system where appropriate to improve safety and encourage travel by active transportation modes.

The revised MCZO includes several proposed modifications to minimize potential hazards due to a geometric design feature or incompatible uses. The revised MCZO would include revisions to Article 4 regarding Concrete Manufacturing and Transit Mix (heavy industrial) land uses operational standards. Heavy industrial land uses would be required to provide additional roadway and highway width sufficient to provide for the safe traffic control at the entrance to the site used to provide for safe entrance and exit. The revised MCZO would therefore reduce impacts associated with geometric design features or incompatible uses associated with heavy industrial roadway entrances.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan as described above and would not facilitate new areas for development beyond what has been identified by the General Plan or lead to development of roadways with geometric design features or incompatible uses. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. Would the project result in inadequate emergency access?*

The Health and Safety Element contains the following policies related to emergency access within the County:

Policy 6.B.19: The County shall require that areas protected from flooding by levees be designed to provide multiple escape routes for residents and access for emergency services in the event of a levee or dam failure.

Policy 6.C.5: The County shall require development to have adequate access for fire and emergency vehicles and equipment. All major subdivisions shall have two points of ingress and egress.

Policy 6.C.8: The County shall work with local fire protection agencies, the California Department of Forestry and Fire Protection, and the U.S. Forest Service to promote the maintenance of existing fuel breaks and emergency access routes for effective fire suppression.

Goal 6.E: To ensure the maintenance of an emergency action plan to effectively prepare for, respond to, recover from, and mitigate the effects of natural or technological disasters.

The revised MCZO includes several proposed modifications to reduce potential impacts to emergency access, consistent with the Health and Safety Element. Proposed revisions to Article 4 of the MCZO include clarifications to outdoor dining operations and special event facilities. Specifically, outdoor dining and seating areas shall not obstruct vehicular or pedestrian traffic flow. Proposals for Special Event Facilities must include a Traffic Management Plan which describes ingress and egress locations and provisions for the unimpeded movement of emergency vehicles. Therefore, the revised MCZO would help ensure adequate emergency access within the County.

The revised MCZO, by itself, does not propose or authorize any development beyond areas what has been identified by the General Plan. Therefore, the revised MCZO would not result in inadequate emergency access. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or 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:</p> <p>a. 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)?</p> <p>b. 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.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

On July 1, 2015, Assembly Bill 52 (AB 52) was enacted, expanding CEQA by defining a new resource category, “tribal cultural resources.” AB 52 states, “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states the lead agency shall establish measures to avoid impacts altering the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Sections 21074 (a)(1)(A-B) define tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and are:

1. Listed or eligible for listing in the CRHR or in a local register of historical resources as defined in PRC Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying

these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those having requested notice of projects proposed in the jurisdiction of the lead agency.

On March 13, 2023, the County distributed AB 52 consultation letters for the proposed project, including project information, a map, and County contact information, to four Native American tribes. The AB 52 consultation letters were sent, via certified mail, to the following tribal governments:

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

Under AB 52, Native American tribes have 30 days to respond and request further project information and formal consultation; however, none of the contacted tribes responded within 30 days of mailing of the letters. Accordingly, AB 52 consultation is complete for the project.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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)?

The revised MCZO, by itself, does not propose or authorize any development that could result in a substantial adverse change in the significance of a tribal cultural resource. Future land use development in the County would be required to conform to federal, State, and local guidelines and requirements that address historical, archaeological, and tribal cultural resources. The requirements may include identification of significant resources present within a given project site, requirements to avoid significant resources and requirements to mitigate any impacts to these resources through project design, tribal consultation, monitoring, and Native American consultation. The revised MCZO would not conflict with these existing requirements. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is 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?*

Representatives from four Native American Tribes identified by the Native American Heritage Commission (NAHC) were contacted in support to during preparation of this IS-ND. No response was received from the Native American Tribes contacted during consultation. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource as

defined in PRC Section 21074 that is listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k) or that is a resource determined by the County (the lead agency), in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). No impact would occur.

LESS THAN SIGNIFICANT IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project:

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

a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

The Public Facilities and Services Element includes goals and policies ensuring that development would maintain adequate levels of service for utilities. These policies include:

Goal 3.A: To ensure the timely development of public facilities and to maintain an adequate level of service to meet the needs of existing and future development.

- Policy 3.A.1:** The County shall ensure through the development review process that adequate public facilities and services are available to serve new development. The County shall not approve new development where existing facilities are inadequate unless the applicant can demonstrate that all necessary public facilities will be installed or adequately financed and maintained (through fees or other means).
- Policy 3.A.3:** The County shall require new urban development to be served by community sewer and water systems where such systems are available or can feasibly be provided.
- Policy 3.A.4:** The County shall discourage expansion of rural communities unless necessary services can be provided.
- Policy 3.A.5:** The County shall require detailed public facility planning as part of the area plans for designated new growth areas.

The revised MCZO includes several modifications that would reduce potential impacts related to public facilities. Proposed Article 4, Chapter 18.58 of the revised MCZO includes new wireless telecommunication facility standards in compliance with State law, including design and development standards. This would help provide for the orderly and efficient development of wireless telecommunication facilities in compliance with the State and federal laws within the County. The revised MCZO does not include any updates regarding water, wastewater, storm water, electric, or natural gas infrastructure.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. Therefore, the revised MCZO would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The revised MCZO, by itself, does not propose or authorize any development. Furthermore, the revised MCZO would not increase the population of Madera County beyond that envisioned in the General Plan. As such, the revised MCZO would not result in increased water usage.

The Public Facilities and Services Element includes the following goal and corresponding policies to ensure that the County considers immediate and long-term water supply during development review:

- Goal 3.C:** To ensure the availability of an adequate and safe water supply and the maintenance of high quality water in water bodies and aquifers used as sources of domestic and agricultural water supply.
- Policy 3.C.1:** The County shall approve new development only if an adequate water supply to serve such development is demonstrated.
- Policy 3.C.3:** The County shall limit development in areas identified as having severe water table depression to uses that do not have high water usage or to uses served by a surface water supply.

- Policy 3.C.4:** The County shall require that water supplies serving new development meet state water quality standards.
- Policy 3.C.6:** The County shall promote efficient water use and reduced water demand by:
- a. Requiring water-conserving design and equipment in new construction;
 - b. Encouraging water-conserving landscaping and other conservation measures;
 - c. Encouraging retrofitting existing development with water-conserving devices; and
 - d. Encouraging use of recycled or grey water for landscaping.
- Policy 3.C.7:** The County shall promote the use of reclaimed wastewater to offset the demand for new water supplies.
- Policy 3.C.8:** The County shall support opportunities for groundwater users in problem areas to convert to surface water supplies.
- Policy 3.C.9:** The County shall promote the use of surface water for agricultural use to reduce groundwater table reductions.
- Policy 3.C.10:** The County shall implement policies and procedures stated in the County adopted “AB3030 Groundwater Management Plan” for the Chowchilla, Delta-Mendota, and Madera Basins. (Resolution No. 2004-080).

The revised MCZO includes revisions to further conserve water within the County. This includes Chapter 13.56 of the revised MCZO which requires water efficient landscaping for new construction and establishes landscape area criteria such as development of irrigation and planting plans. The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development. Therefore, the revised MCZO would not result in increased water demand. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?*

The Public Facilities and Services Element includes the following goal and corresponding policies to ensure that the County considers wastewater demand:

- Goal 3.D:** To ensure adequate wastewater collection and treatment and the safe disposal of liquid and solid waste.
- Policy 3.D.1:** The County shall limit the expansion of urban communities to areas where community wastewater treatment systems can be provided. In areas with no public wastewater treatment systems, the County shall limit development to densities that can safely be developed with on-site systems.
- Policy 3.D.2:** The County shall promote efficient water use and reduced wastewater system demand by:
- a. Requiring water-conserving design and equipment in new construction;
 - b. Encouraging retrofitting with water-conserving devices; and;

- c. Designing wastewater systems to minimize inflow and infiltration, to the extent economically feasible.

Policy 3.D.3: The County shall permit on-site sewage treatment and disposal on parcels where all current regulations can be met; where parcels have the area, soils, and other characteristics that permit such disposal facilities without threatening surface or groundwater quality or posing any other health hazards; and where community sewer service is not available and cannot be provided.

Policy 3.D.4: The County shall require that the development, operation, and maintenance of on-site disposal systems complies with the requirements and standards of the County Department of Environmental Health.

The revised MCZO includes revisions to further conserve water within the County. This includes Chapter 13.96 of the revised MCZO which regulates the use of sewers owned by Madera County including the allocation, acquisition, and transfer of sewer units and the sewer main extension. The revised MCZO would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development beyond what has been identified by the General Plan and would therefore not result in increased demands on wastewater treatment providers. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project 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?*
- e. *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The Public Facilities and Services Element includes the following goal and corresponding policies to ensure that the County considers solid waste demand:

Goal 3.F: To ensure the safe and efficient disposal or recycling of solid waste generated in Madera County.

Policy 3.F.1: The County shall require waste collection in all new urban and suburban development.

Policy 3.F.2: The County shall promote maximum use of solid waste source reduction, recycling, composting, and environmentally-safe transformation of wastes.

Policy 3.F.3: The County shall ensure that solid waste disposal facilities do not violate state standards for contamination of surface or groundwater.

Policy 3.F.4: The County shall promote the siting of new solid waste collection and transfer facilities in locations as close as practical to the areas they serve.

Policy 3.F.5: The County shall ensure that landfills and transfer stations are buffered from incompatible development.

Policy 3.F.6: The County shall require that all new development complies with applicable provisions of the Madera County Integrated Waste Management Plan.

Policy 3.F.7: The County shall encourage the development of regional and community-based recycling facilities in heavy commercial and industrial areas.

Policy 3.F.8: The County shall encourage businesses to use recycled products in their manufacturing processes and consumers to buy recycled products.

The revised MCZO includes several proposed modifications to reduce potential impacts regarding solid waste and recycling facilities and implement the Public Facilities and Services Element goals and policies. Proposed revisions to Article 3, Chapter 18.44 of the MCZO include new standards to ensure adequate solid waste and recycling collection, storage, and distribution locations to serve the residents of the County. This would help provide for the orderly and efficient development and operation of solid waste facilities in compliance with the State and federal laws within the County.

The revised MCZO would be consistent with the programs and policies outlined within the General Plan as described above and would not facilitate new areas for development beyond what has been identified by the General Plan or lead to excess generation of solid waste. Therefore, the revised MCZO would not 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. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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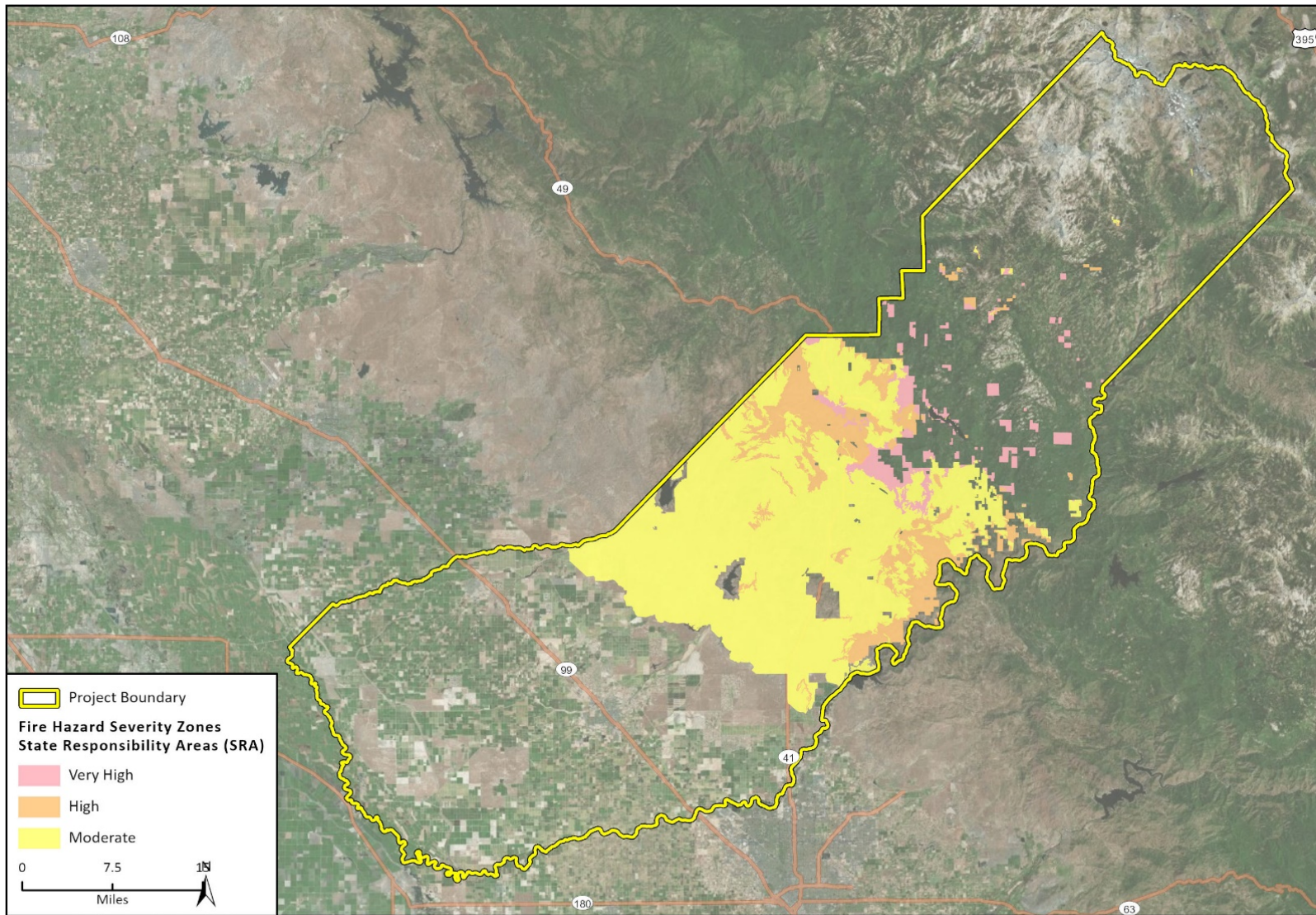
20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

The County contains a small amount of land classified as Very High Fire Hazard Severity Zones (VHFHSZs) and as State Responsibility Areas (SRAs) (California Department of Forestry and Fire Protection [CAL FIRE] 2007). The fire hazard severity zones and their locations within the county using this data are shown in Figure 3.

Figure 3 Fire Hazard Severity Zones in SRAs



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Additional data provided by CalFire, 2007.

22-13955 EPS
Fig 3 Madera County Fire Hazard Severity Zones in SRA

The revised MCZO would be consistent with and required to comply with the County of Madera Emergency Operations Plan (EOP) which outlines how the county will respond to an emergency such as wildfire. Specifically, the revised MCZO includes Section 18.50.180.G.2 which requires access to any special event facility to be connected to a public road and to comply with State Fire Safe Regulations, including maximum allowed dead-end road length, turnarounds, and turnouts as well as general modifications throughout that provides clarification to the previously adopted zoning ordinance as they relate to wildfire. The revised MCZO also includes new and modified sections addressing fire protection in campgrounds.

The revised MCZO does not impair either the EOP or CWPP. The revised MCZO, by itself, does not propose or authorize any development. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, 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?*
- d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The County contains lands classified as VHFHSZs and as SRAs (CAL FIRE 2007). The revised MCZO, by itself, does not propose or authorize any development. Future land development in the County would be required to comply with the following General Plan policies to reduce wildfire hazards:

- Policy 3.H.5:** The County shall ensure that all proposed developments are reviewed for compliance with fire safety standards by responsible local fire agencies per the Uniform Fire Code and other state and local ordinances.
- Policy 6.A.2:** In landslide hazard areas, the County shall prohibit avoidable alteration of land in a manner that could increase the hazard, including concentration of water through drainage, irrigation, or septic systems; removal of vegetative cover; and steepening of slopes and undercutting the bases of slopes. Areas of known landslides should be designated for open space uses.
- Policy 6.A.3:** The County shall limit development in areas of steep or unstable slopes to minimize hazards from landslides. Development will be prohibited in areas with slopes of 30 percent or more unless it can be demonstrated by a registered engineer or registered engineering geologist that such development will not present a public safety hazard.
- Policy 6.C.1:** The County shall ensure that development in high-fire-hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable state and county fire standards. In areas with high or extreme wildfire hazards, the County shall limit parcel sizes to 22 acres or larger or encourage clustered or planned residential development with on-site fire suppression measures.

- Policy 6.C.2:** The County shall require that discretionary permits for new development in fire hazard areas be conditioned to include requirements for fire-resistant vegetation, cleared fire breaks, or a long term comprehensive fuel management program. Fire hazard reduction measures shall be incorporated into the design of development projects in fire hazard areas.
- Policy 6.C.3:** New development shall be required to have water systems that meet County fire flow requirements. Where minimum fire flow is not available to meet County standards, alternate fire protection measures, including sprinkler systems, shall be identified and may be incorporated into development if approved by the appropriate fire protection agency.
- Policy 6.C.4:** The County shall review project proposals to identify potential fire hazards and prevent or mitigate such hazards to acceptable levels of risk.
- Policy 1.H.3:** The County shall require that new development on hillsides employ design, construction, and maintenance techniques that:
- a. Preserve and enhance the hillsides;
 - b. Ensure that development near or on portions of hillsides do not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
 - c. Include erosion and sediment control measures including temporary vegetation sufficient to stabilize disturbed areas;
 - d. Minimize risk to life and property from slope failure, landslides, and flooding; and
 - e. Maintain the character and visual quality of the hillside.

Additionally, as discussed in Section 7, *Geology and Soils*, the revised MCZO would be required to comply with Policy 6.A.2 and 6.A.3. of the General Plan, listed above, which restricts development on areas of known landslides and on slopes of 30 percent or more unless it can be shown this development would not create a public safety hazard. The revised MCZO does not facilitate new areas of development that would be inconsistent with the General Plan.

The revised MCZO includes modifications for drainage in tent and vehicle campgrounds, and mobile home parks. These modifications would require tent and vehicle campgrounds, as well as mobile home parks, to have drainage plans in compliance with Title 17 (Subdivisions). This would further ensure impacts related to drainage changes and flooding resulting from wildfire would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?*

The revised MCZO itself does not authorize new areas for development beyond what has been identified by the General Plan. The revised MCZO itself would not authorize development that would require the installation or maintenance of associated infrastructure (such as roads, fuel

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breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk. Therefore, no impact would occur.

NO IMPACT

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21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Does the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <p>a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- 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?*

The revised MCZO would make revisions, additions, corrections, and clarifications to various sections of the MCZO to ensure consistency and successful implementation of the General Plan. The revised MCZO does not facilitate any development. Therefore, its adoption would not in itself significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or

endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The project involves the adoption of the revised MCZO, which guides future development. No specific development projects would occur as a result of the revised MCZO and therefore, the revised MCZO, in itself, would not result in cumulative impacts. Furthermore, cumulative impacts associated with future development have been evaluated at a program level in the General Plan EIR. Since the project would not allow new development in areas where such development is prohibited under the LUE, adopting the revised MCZO would not create new cumulative impacts or increase the significance of cumulative impacts identified in the General Plan EIR. No impact would occur.

NO IMPACT

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

As identified throughout the analysis herein, the revised MCZO would not have an environmental effect that would cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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