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SCH No. 2005091071

DECEMBER 2024



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# COUNTY OF MADERA

## ENVIRONMENTAL CHECKLIST FORM AND INITIAL STUDY FOR A SUPPLEMENT TO THE GATEWAY VILLAGE ENVIRONMENTAL IMPACT REPORT

1. Project Title

Avenue 12 Improvement Project: Hwy. 41 to West of Road 40

2. State Clearinghouse Number

2005091071

3. Lead Agency Name and Address

County of Madera  
Department of Public Works  
200 W. 4th Street  
Madera, CA 93637 531-377-1577

4. Contact Person, Phone, Email

Dominic Tyburski  
Public Works Director  
(559) 6757811  
mcpublicworks@maderacounty.com

5. Project Location

Avenue 12 West of Road 40 to West of Highway 41 (California State Route 41)

Latitude/longitude: 36.923235, -119.794210 to 36.923157, -119.830600

6. Property Owner

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7. Project Sponsor's Name and Address

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8. General Plan Designation

Limited Expressway (Board of Supervisors Resolution 2008-119)

9. Zoning

Multiple

## 10. Project Description

The proposed project would in part implement the 2006 County of Madera Gateway Village Plan (GVAP), the Gateway Village Specific Plan (GVSP) and associated Infrastructure Master Plan (IMP). The Area Plan expands the project area towards California State Route 41 and the boundary with Fresno County. The Gateway Village Specific Plan encompasses comprehensive planned conversion of a 1,062-acre site north and south of Avenue 12 and west of SR 41. Urban uses that is currently partially completed. The master planned community as described in the Plan consists of 1,457 acres of 5,836 low density residential units, 132 acres of commercial and mixed use (including 742 residential units), 40 acres of highway service commercial uses, 19 acres of neighborhood commercial uses, 148 acres of open space, and 177 acres of right-of-way. (GVSP Draft Program EIR, p-10).

The GVSP identifies Avenue 12 as a four lane boulevard between SR 41 and Rio Mesa Boulevard (the latter is not labeled in the GVSP circulation diagram but coincides with Root Creek Parkway East the diagram, now named Riverstone Boulevard Southeast); the Madera County General Plan (MCGP) Circulation Plan (MCGP, Table-B).

The proposed project would widen Avenue 12 consistent with the GVSP/MCGP circulation diagrams, extending approximately 1.6 miles from California State Route 41 (SR 41) on the east, eventually aligning with the Caltrans widening improvements at the intersection of SR 41 and Avenue 12. Avenue 12 would ultimately have six lanes between Riverstone Boulevard Southeast and SR 41, four lanes between Riverstone Boulevard Southeast and approximately 200 feet west of Road 40; other improvements include turn lanes, raised medians, stormwater basins and other street improvements (curbs, gutters, striping designated bicycle lanes and drainage improvements). See Appendix A for full scale plans with sections and striping diagrams. Note that these plans are for SR 909.

**Traffic Signals** New traffic signal systems would be placed at the intersections of Avenue 12 and Riverstone Boulevard Southwest, Avenue 12 and Riverstone Boulevard Southeast and Avenue 12 and Riverwalk Boulevard South.

**Medians** Center medians would be raised above the street grade and surfaced with decorative concrete (Appendix A, Sheets 30).

**Stormwater Drainage** The proposed project would construct roadway, median, and sidewalk improvements, stormwater detention basins, and culvert extensions underneath the widened roadway. Appendix A, Sheets G and G1U show drawings of six 5-foot x 7-foot long, oriented generally north-south, culvert extensions to existing culverts underneath Avenue 12, constructed of reinforced concrete pipe (RCP). New inlets would be constructed along the north side of the roadway. The inlet at Road 40 would be reconstructed and moved from its present location along Road 40 to the northeast quadrant of the Avenue 12 and Road 40 intersection. All drainage improvements would be sized to accommodate the increased stormwater runoff from the widened roadway and would connect to existing systems. See Appendix A, Sheets 21-22, Drainage Plans.

**Right-of-Way Acquisition.** The proposed Avenue 12 widening would require acquiring right-of-way (ROW) along the north and south sides of the existing roadway. Approximately to four rows of orchard trees would be removed on the north side within the GVSP area, as well as an undetermined number of orchard trees along an approximately 350-foot long segment on the south side of Avenue 12 west of Road 40, outside the GVSP 049-051-004 (San Joaquin River Ranch). (see Figure 1 below). Table AG 1 below shows the acreage per

<sup>1</sup> Street names may change as development progresses.

parcel of ROW to be acquired. Approximately 3.11 acres (135,676 square feet) would be needed on the north side of Avenue 12 to accommodate the roadway widening (see Appendix B, Right-of-Way Exhibit, Station 444+00 to Station 526+0). None of these parcels is associated with a Williamson Act Agreement (see Madera County Assessor, ParcelQuest Lite, Property Search, available at <https://assr.parcelquest.com/Home/Index> (accessed October 9, 2024)).

Approximately 0.23 acre (10,190 square feet) would be needed on the south side of Avenue 12 on APN 049 051-004 for ROW to accommodate a new right-of-way lane at Road 40 (id.). APN 049 051-004 is 262.05 acres (11,414,898 square feet) in area; the area of the proposed ROW is 0.09 percent of the total (see Madera County Assessor, ParcelQuest Lite, Property Search, available at <https://assr.parcelquest.com/Home/Index> (accessed October 9, 2024)). The property does not appear to be under a Williamson Act agreement (id.).

Retaining Wall, Private Property Reconstruction: An approximately 286-foot long, 8-foot tall concrete retaining wall would be constructed on the north side of Avenue 12 along the property frontage of 39877 Avenue 12 to accommodate a minor change in elevation. The wall would be constructed to approximate its current configuration. See Appendix A, Sheets 19, 20.

Tree Removals: Approximately 85 mature ornamental trees in the parkway between the curb and sidewalk along the length of the project would be removed to accommodate road construction and to reduce the number of olives that drop on and stain the existing sidewalk. The trees bordering the residential properties would remain in place.

Construction Duration: Project final design, right-of-way acquisition, utility relocation, and roadway construction would take place over approximately 12 months, with construction beginning in 2025.

Figures PD1 - PD10 below show the regional and project vicinity, Google Streetview images, and the GVAP Circulation Plan.

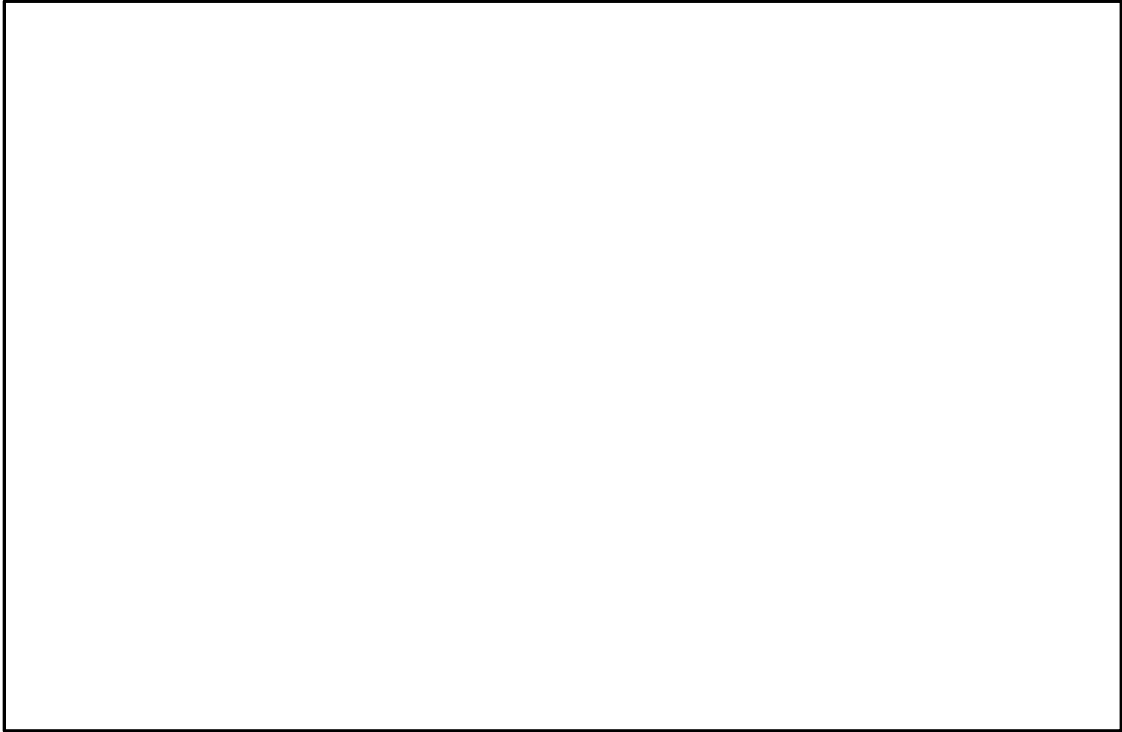


Figure PD 1 Regional Vicinity

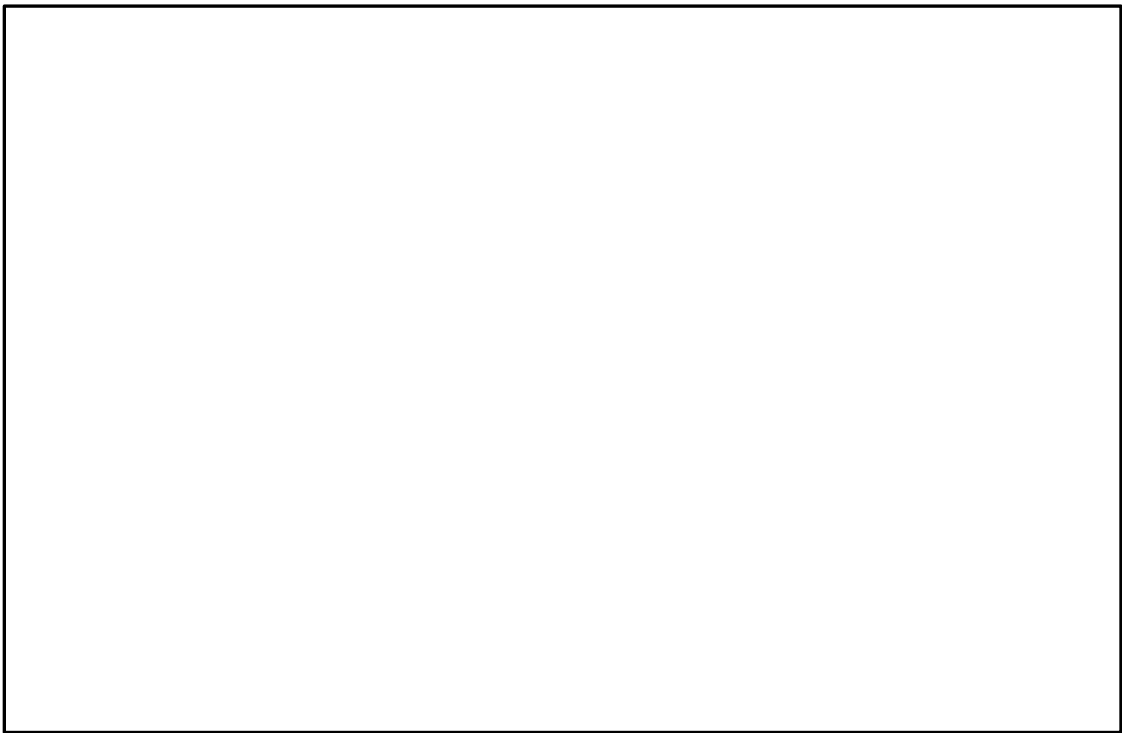


Figure PD 2 Local Vicinity

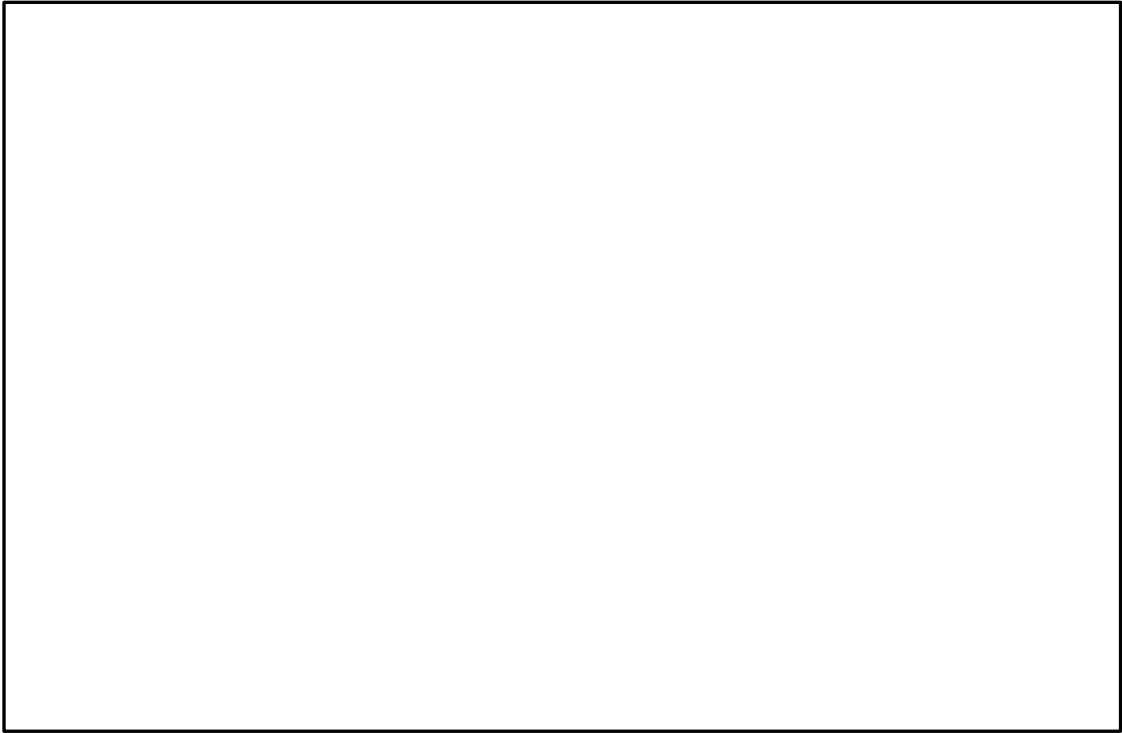


Figure PD 3 Aerial View

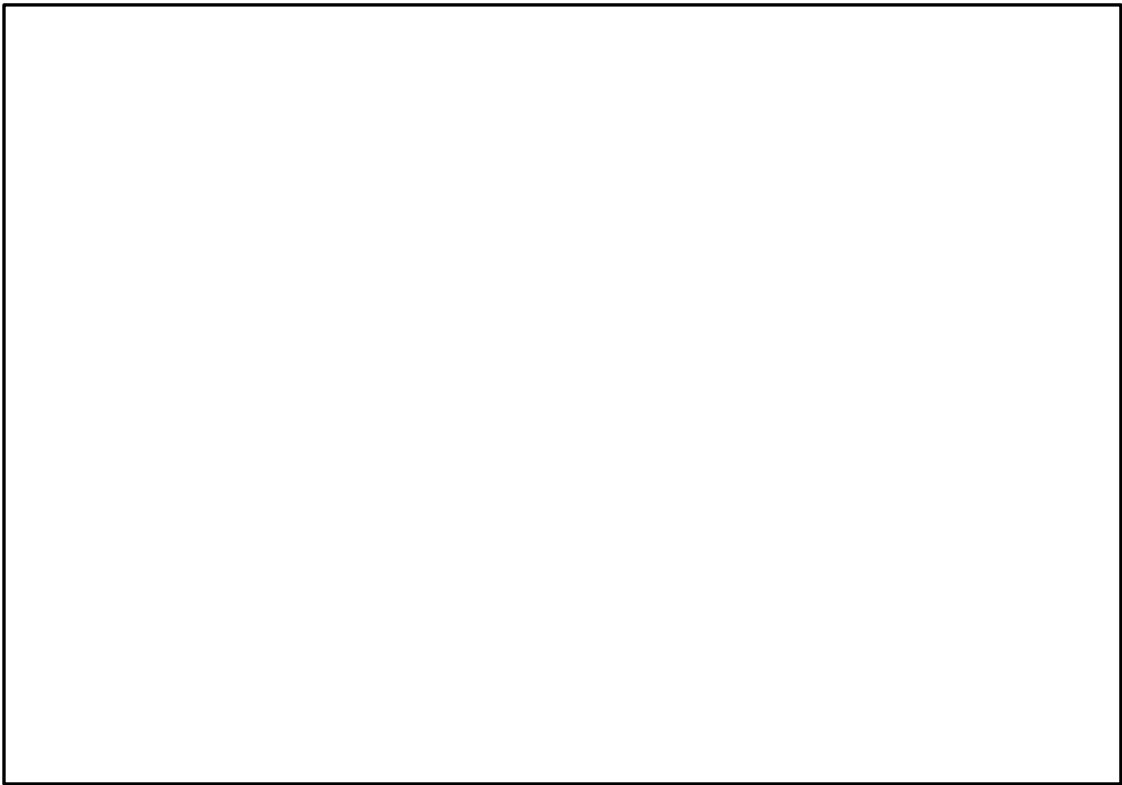


Figure PD 4 Ave. 12 at SR 4 facing West

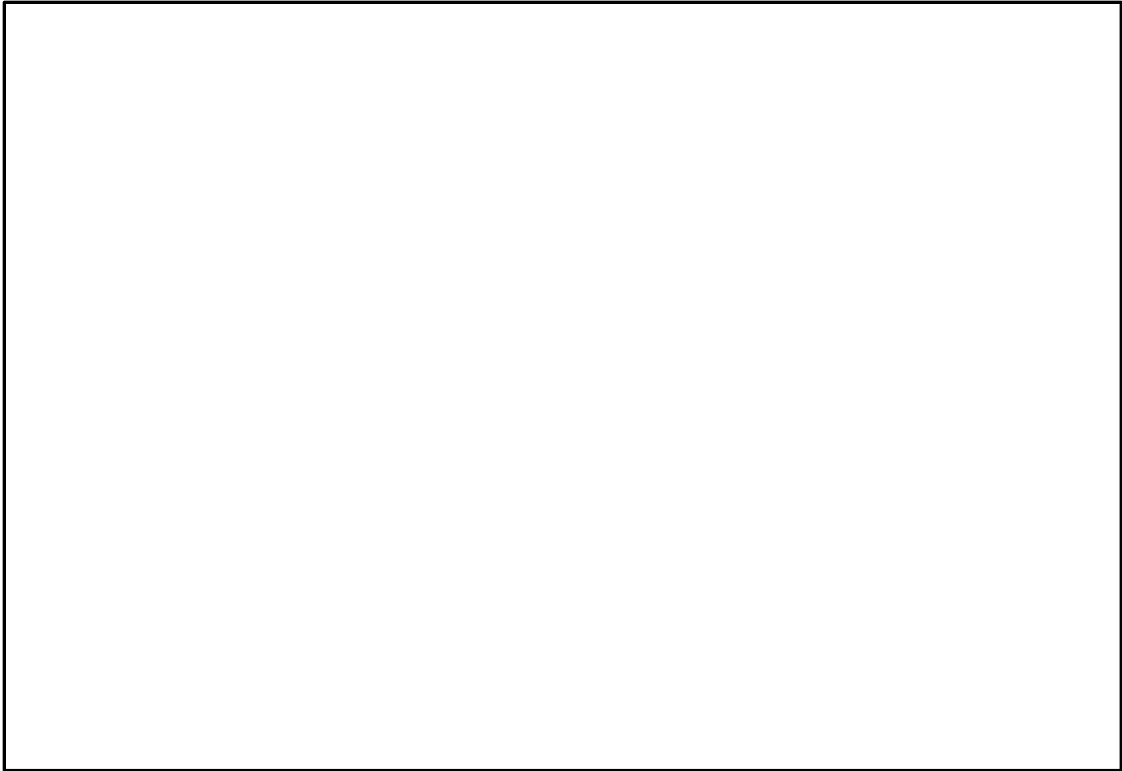


Figure PD 5 Ave. 12 at Riverwalk Blvd Facing West

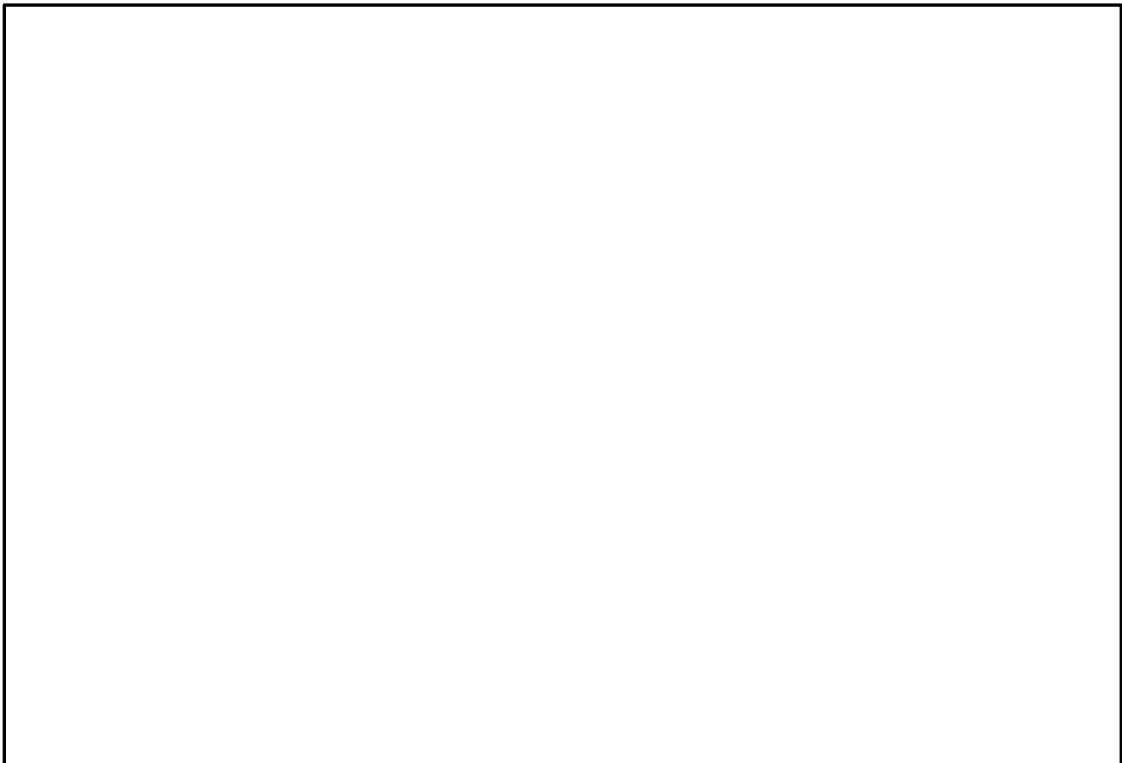


Figure PD 6 Ave. 12 at Riverstone Blvd SE Facing West

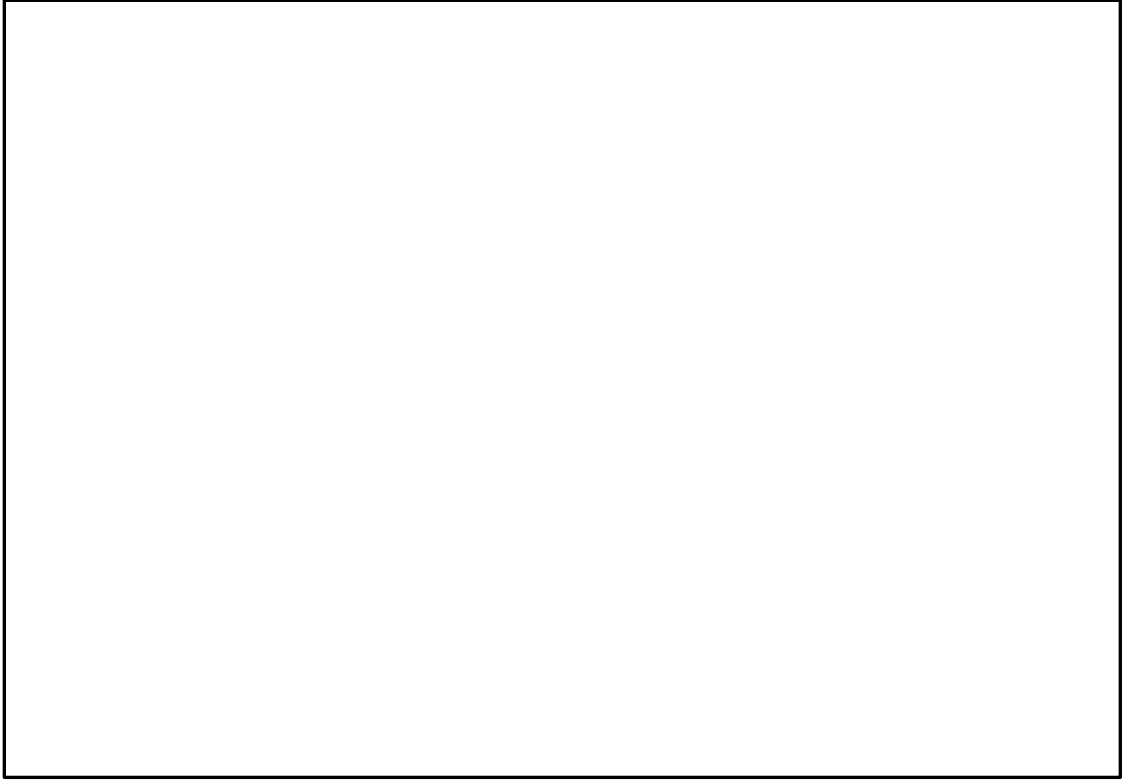


Figure PD 7 Ave. 12 at Riverstone Blvd. SW, Facing West

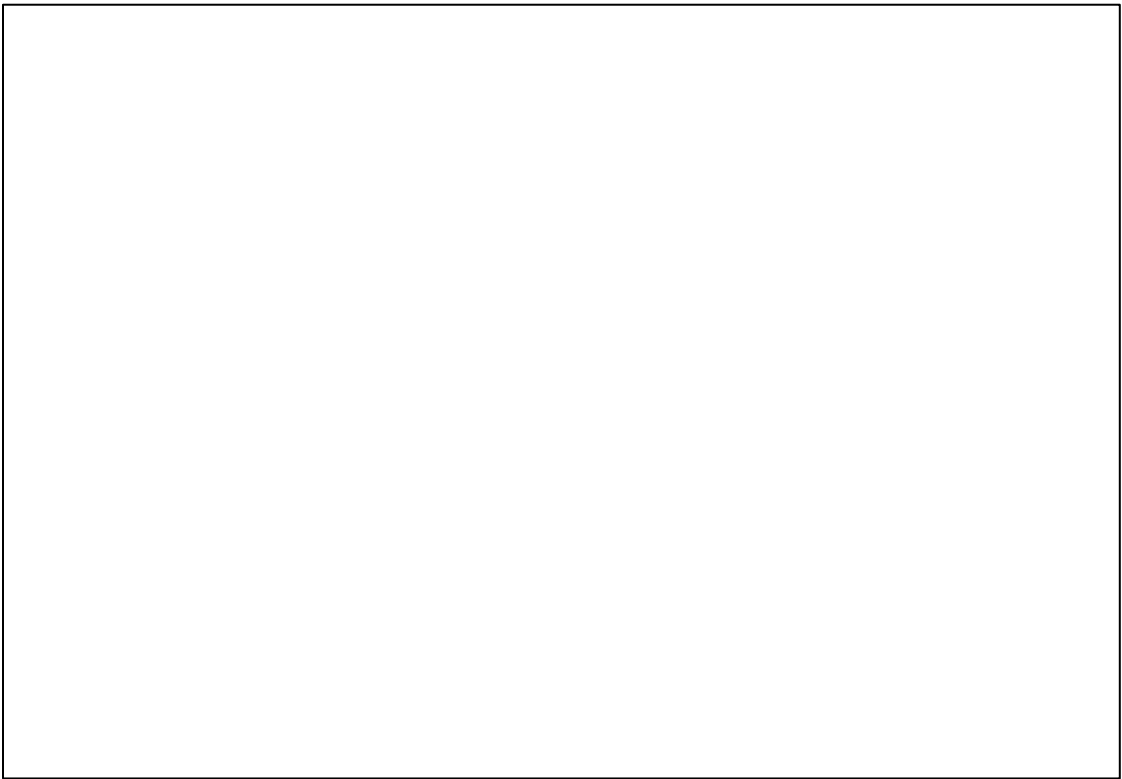


Figure PD 8 Ave. 12 at Rd. 40, Facing West

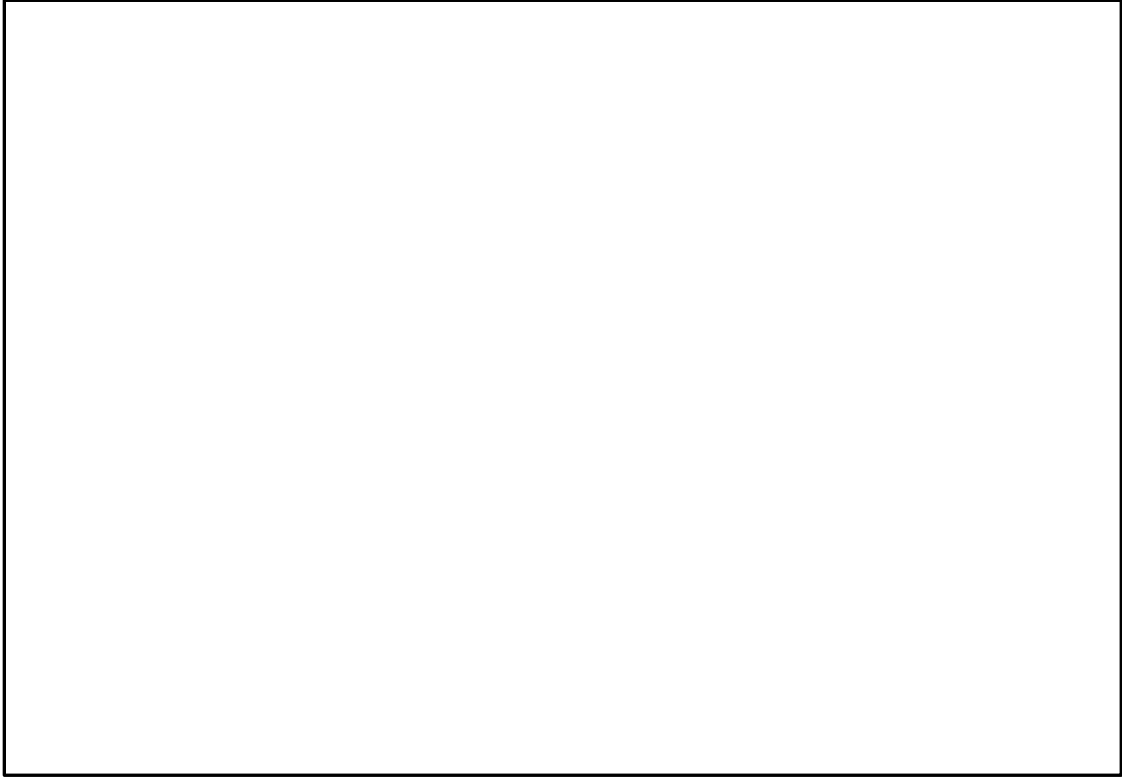


Figure PD 9 Ave. 12 at Rd. 39 ½, Facing East



Figure PD 10 Gateway Village Area Plan Circulation Plan

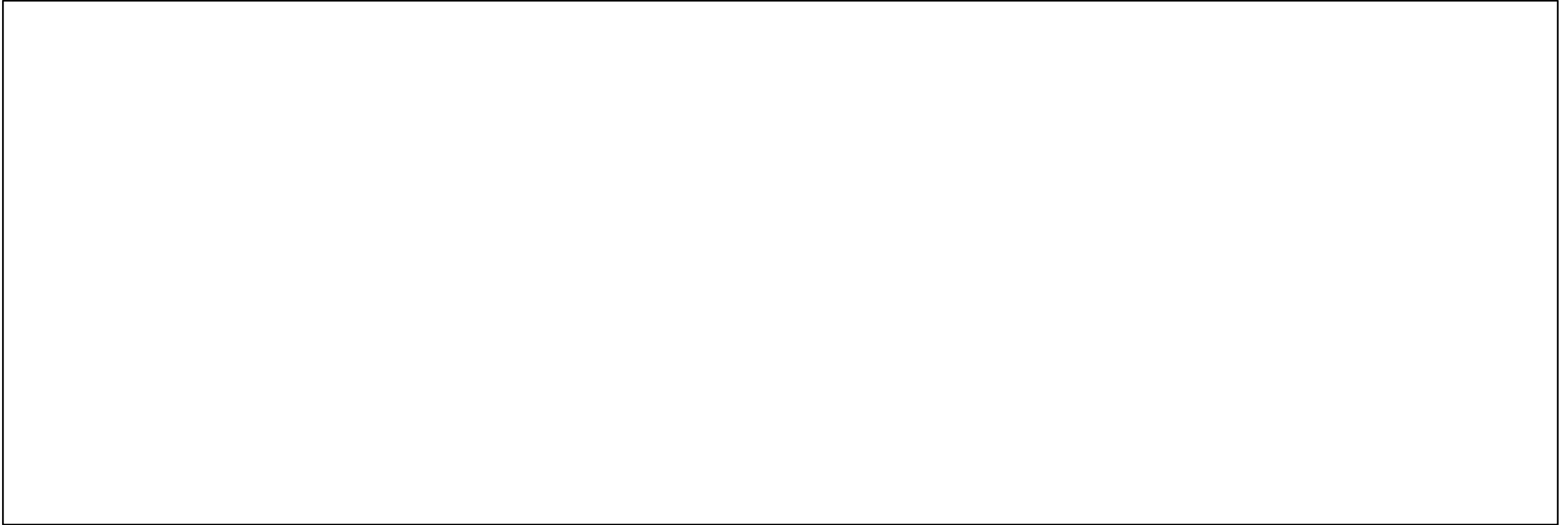


Figure PD 11 Ave. 12 Roadway Alignment Conceptual Right-of-Way  
(See Appendix A or County of Madera Public Works current full-size plans)

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## 11. Surrounding Land Uses and Setting:

Avenue 12 is an east-west, two to four-lane, arterial roadway that extends approximately 25 miles from Road 16 on the west to California SR 41 on the east. The proposed construction would widen the easternmost 1.6 miles of Avenue 12. This road segment traverses the Gateway Village Area Plan<sup>2</sup> and the Riverstone development occupies the land south of Avenue 12 along the length of the project area.

The project area is transitioning from agricultural uses to suburban single-family, mixed-use, and commercial development as programmed in the Gateway Village Specific Plan and more broadly, the Madera County General Plan. Current uses along the project segment of Avenue 12 include single family residences and some commercial uses on the south from Road 40 to SR 41 and agricultural and agricultural residential uses on the north.

All residences in Riverstone take access from internal streets via Riverstone Blvd. SW, Riverstone Blvd. SE, Lodge Rd. S, and Riverwalk Blvd. S, and no residences access Avenue 12. Landscaping and six to seven foot tall decorative concrete masonry block wall borders residential rear yards along the roadway.

Only the intersection of Avenue 12 and Riverwalk Blvd. is permanently signalized and there is a temporary signal at Avenue 12 and Riverstone Blvd. Southwest. Vehicle access at the intersections of Ave. 12 with Lodge Rd. and Riverstone Blvd. SE is restricted to left turn, right turn out with temporary plastics surface mounted delineators along the centerline of Ave. 12.

Vegetation. Vegetation along the north side of Avenue 12 consists of sparse, ruderal, weedy plant material on the road shoulders. There is no undisturbed native vegetation in the project area. Landscaped parkway lines the Gateway Village neighborhoods on the south side of Mission Drive to SR 41.

Topography. Avenue 12 is 372 feet above mean sea level (msl) at Road 40 to 379 feet above msl at SR 41. Terrain on either side of the roadway is to gently sloped toward the southwest.

There are no mapped earthquake zones near or within the project, and there are no active faults within Madera County (GVSPEIR, p. 14.6). See also Figure PD12, Earthquake Zones of Required Investigation below.

Hydrology/Wetlands. There are no mapped wetlands along Avenue 12. The seasonal Root Creek flows south of Avenue 12 toward the southwest. Tributary A, a seasonal tributary to Root Creek passes under Avenue 12 at Riverwalk Boulevard South. This latter tributary has been substantially degraded by agricultural/orchard operations and exhibits no riparian characteristics, such as a defined bed and bank, riparian vegetation (sedges, willows, cottonwoods), etc. (Willdan field observation, March 2024). San Joaquin River lies approximately 1.3 miles southwest of the SR 41/Ave. 12 intersection.

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<sup>2</sup> For a comprehensive description of the Gateway Village Specific Plan and analysis of environmental impacts see County of Madera, Gateway Village Draft Program EIR available at <https://www.maderacounty.com/government/community-economiedevelopmentdepartment/divisions/planningdivision/planningforms-and-documents/folder-204> (accessed September 12, 2024)

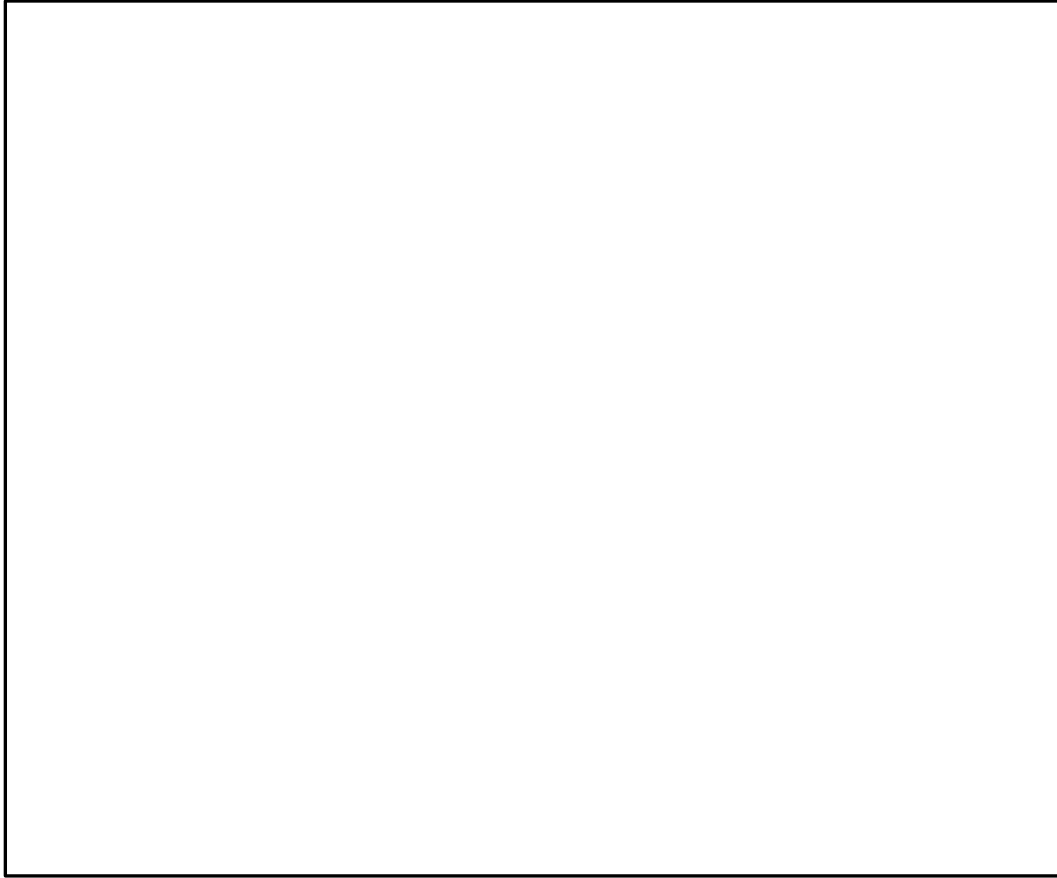


Figure PD 12 Earthquake Zones of Required Investigation

Source: California Department of Conservation California Earthquake Hazards Zone Application available at <https://www.conservation.ca.gov/cgs/geohazards/ezapp> (accessed March 20, 2024).

## 12. Purpose and Authority

The California Environmental Quality Act (CEQA) requires that all State and local agencies consider the environmental consequences of projects over which they have discretionary authority. Environmental Impact Reports (EIRs) and subsequent documents to a Program EIR, such as Addendums, Supplements or Subsequent EIRs provide decisionmakers and the public with information concerning the environmental effects of a proposed project, possible ways to reduce or avoid the possible environmental damage, and identify alternatives to the project. Program EIRs must disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; as well as significant cumulative impacts. Documents must identify impacts that were not previously considered and provide additional mitigation measures if necessary.

The Board of Supervisors of the County of Madera certified the Program Environmental Impact Report (Program EIR) for the Gateway Village Specific Plan in 2017 (State Clearinghouse No. 2005091071).

The purpose of this Supplement to the Gateway Village Program EIR (SEIR) is to evaluate the environmental impacts of widening an approximately 1.6-mile segment of Avenue 12 from about 1/4 mile west of SR 41

The County of Madera is the Lead Agency under the California Environmental Quality Act (CEQA), and is responsible for preparing the Supplemental Environmental Impact Report (SEIR) to the GVPEIR. This Supplement to the GVPEIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), California CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the rules, regulations, and procedures for implementation of CEQA, as adopted by the County of Madera. The principal CEQA Guidelines section governing content of this document is Section 15162 (Subsequent Documents and Negative Declarations).

CEQA Guidelines Section 15162 permits agencies to prepare follow-up documents to existing EIRs when, among other factors: (a) substantial changes are proposed in the project that would require major revisions in that EIR resulting from new significant environmental effects or a substantial change in circumstances that would require major revisions; (c) new information arises that was not known at the time that the document was certified, that shows new significant effects or an increase in their severity; (d) a project proponent declines to implement mitigation measures that were previously infeasible, but became feasible and would substantially reduce one or more significant effects; or (e) a project proponent declines to implement newly-discovered mitigation measures that would substantially reduce significant effects.

Alternatively, if there are changes to a project that would not require major revisions to the existing EIR, and only minor additions or changes to that existing EIR would be necessary, CEQA permits a supplemental Supplement to the EIR (Section 15163). (See California Natural Resources Agency, Title 14, California Code of Regulations, Chapter 3, Guidelines for the Implementation of the California Environmental Quality Act, Article 11, Types of EIRs Sections 15160-15170, available at [\(https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I86C9BC205B4D11EC976B000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I86C9BC205B4D11EC976B000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)) (accessed September 12, 2024).

- CEQA Guidelines Section 15163 (b) requires that:
- a) The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
  - b) A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087.
  - c) A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.
  - d) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

The County of Madera has accordingly prepared this Supplement to the GVPEIR because the proposed infrastructure improvements will likely necessitate only minor revisions. The accompanying Initial Study/Environmental Checklist Form evaluates the environmental impacts, incorporates mitigation measures from the GVPEIR, and includes additional mitigation measures as required.

13. Incorporation by Reference

This analysis incorporates by reference the Gateway Village Specific Plan Program EIR SCH #2005091071) amended and all technical studies prepared for the Program EIR and Mitigation Monitoring and Reporting Program, the Findings of Fact and Statement of Overriding Considerations, the Gateway Village Arterial Plan, Madera County General Plan as amended, the Madera County General Plan Background Report, the Madera

County General Plan Final EIR and the Madera County Local Hazard Mitigation Plan Update. These Planning documents are available for public review at the County of Madera, 200 W. 4th Street, Madera, CA 93637, and online at <https://www.maderacounty.com/government/communityeconomicdevelopmentdepartment/divisions/planningdivision/planningforms-and-documents/folder-269>.

Documents and Technical Studies Attached as Appendices to this Initial Study  
(In-line references will use the abbreviations in parentheses)

- x Appendix A Willdan Engineering, Madera County Avenue 12 Project Plans
- x Appendix B Willdan Engineering, County of Madera, Avenue 12 from Road to Highway 41, Alignment B Right-of-Way Exhibit (11/20/24)
- x Appendix C Willdan Engineering, Air Quality/GHG Emissions Road Construction Emissions Model Results (September 2024) (Willdan I)
- x Appendix D Willdan Engineering, Avenue 12 Widening Vehicle Miles Traveled Analysis, (April 2024) (Willdan II)

#### 14. Intended Uses of This Initial Study

The County of Madera as the Lead Agency for this project, will use this Initial Study to determine whether to certify a Supplemental Environmental Impact Report for the proposed improvements to Avenue 12. This Initial Study will also provide environmental information to other agencies affected by the project, or which are likely to have an interest in the project. Various State and Federal agencies exercise control over certain aspects of the study area. The various public, private, and political agencies and jurisdictions that have a particular interest in the proposed project, may include but are not limited to the following:

- x California Air Resources Board (CARB)
- x California Department of Transportation (Caltrans)
- x California Emergency Management Agency
- x California Regional Water Quality Control Board (CRWQB)
- x City of Madera
- x County of Fresno
- x County of Fresno Association of Governments
- x County of Madera Fire Department
- x County of Madera Public Works
- x County of Madera
- x San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD)
- x Tribal Governments

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one Environmental topics that were identified as having potentially significant impacts by the GVPEIR are also checked here

Table with 3 columns and 6 rows of environmental factors and their impact status.

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is answer is adequately supported if the referenced information sources show that the impact simply does not occur. If the answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including site as well as onsite, cumulative as well as project level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or not significant. If a determination is made, an EIR is required.
4. If an effect is potentially significant, the lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. In this case, a brief discussion should identify the following:
  - a) Earlier Analyses Used Identify and state where they are available for review.
  - b) Impacts Adequately Addressed Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures Identify the mitigation measures that were used in the earlier analysis and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies must use the same format for all impacts in whatever format is selected.
9. The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measure identified, if any, to reduce the impact to less than significant.

I. AESTHETICS

Except as provided in Public Resources Code Section 21099(c) (prohibits a significance determination regarding aesthetics impacts for transit-oriented infill projects within transit priority areas)

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista	•			•	•
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	•			•	•
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views the site and its surroundings (Public views are those that are experienced from a publicly access vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	•			•	
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	•			•	

Impact Discussion:

- a) **Less Than Significant Impact.** The GVPEIR notes that the Gateway Village project, including all infrastructure improvements, would result in a permanent change to the visual environment of the area (GVPEIR, p. 49). Primary scenic vistas in the project area include ridgelines and slopes of visible but distant mountain ranges and undeveloped plains. The GVPEIR determined that Specific Plan implementation would result in less than significant impacts to visible mountain ranges and plains. Resulting in impacts to visible mountain ranges and plains. Visual changes would be limited to the immediate area of the vistas around the site (id.). Likewise, the proposed Avenue 12 improvements would not affect how these views are perceived because the widening would not change the position of any viewpoint; moreover, the project would not construct visual barriers between the roadway and distant views. Impacts to scenic vistas would remain less than significant.
- b) **Less Than Significant Impact.** The GVPEIR states that there were no officially designated or eligible state or County scenic routes or highways in Madera County; none have been added within Madera County (<https://dot.ca.gov/programs/design/lap/landscapearchitectureandcommunitylivability/lap-liv-i-scenichighways>) (accessed September 12, 2024). There are no rock outcrops or historic buildings in the project area (id., p. 4-10).

The roadway widening would affect existing ornamental landscaping. Project construction would require removing approximately 85 mature ornamental olive trees between the existing curb and sidewalk along the length of the project to accommodate the widening and to reduce olive staining on the concrete sidewalk. The trees along the south side of the sidewalk would remain in place to mature, these latter trees would likely fill the visual voids created by removing the outer row of trees.

Entertainment, The New Sunset Western Garden Book (2012), p. 460), and the trees are μ CE CE v š o Ç %o o v š š Á Unless the trees are regularly pruned, their canopies would eventually grow together. Figure AES1 below shows an example of the trees to be removed.

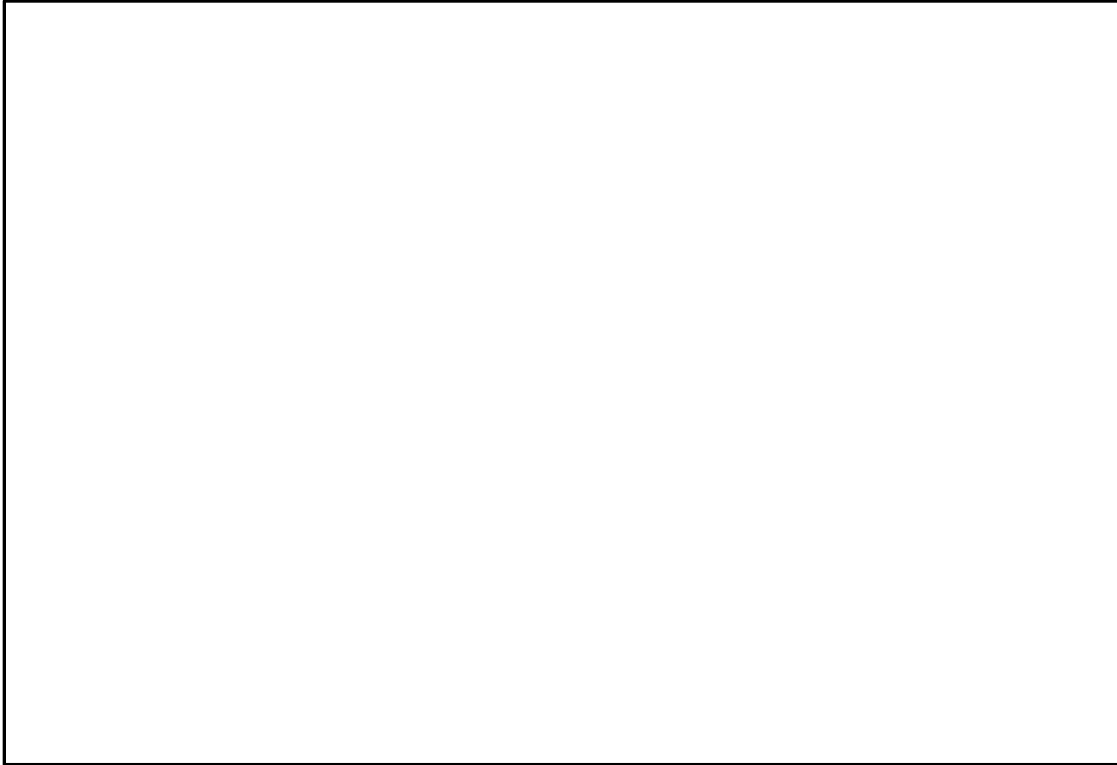


Figure AES1 Olive Trees Along Ave. 12

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 Frequently Asked Questions available at <https://dot.ca.gov/programs/design/landscape-architecture-and-community-livability/lap-liv-i-scenic-highways/lapliv-i-scenic-highwaysfaq2> (accessed  
 September 12, 2024) While mature street trees with substantial canopies v }v š CE] μ š š} v CE  
 scenic quality the subject trees are relatively young, having been installed with the Riverstone  
 development, and are growing with the context of new residential and commercial structures As  
 • μ Z U š Z Ç Á}μo v}š o ]| o Ç Accordingly, the aesthetic impact of removing these  
 trees would be less than significant.

- c) Less Than Significant Impact the GVPEIR reasoned that GVSP implementation would not significantly affect the existing visual character or quality of public views of the site and its surroundings (GVPEIR p. 4.1-11). The proposed Avenue 12 widening is consistent with the GVSP. Additionally, the project would result in a finished roadway where the current pavement does not extend to the full of way,

trees between the sidewalk and the curb along the south side of Avenue 12 would result in a less significant impact.

- d) Less Than Significant Impact: The proposed project would add new signalized intersections as well as a flashing beacon but would not add new street lighting or substantial glare-producing surfaces. Glare is caused either by high intensity lighting arrays, such as those used in sports fields or vehicle dealerships, or by flat, light-colored, or shiny surfaces that reflect light or vehicle headlights. The new traffic signals would conform to Caltrans specifications for safety.

The GVPEIR determined that GVSP implementation could cause light and glare impacts from lighting, increased vehicle lighting, interior and exterior building lighting, and commercial signage but that these impacts would be mitigated to less-than-significant levels (GVPEIR p. 421, Mitigation Measure 4.11). The proposed Avenue 12 widening does not include street lighting, illuminated structures, or commercial signage so it would not cause light and glare impacts from these sources.

The additional lanes would result in a greater horizontal spread of light from vehicle headlights at a viewpoint into oncoming traffic. The resulting glare would vary with traffic density. However, the California Vehicle Code (Ca. Veh. Code) regulates headlight illumination: low beams are deemed to avoid glare if set correctly and high beams must not project glare into the eyes of oncoming drivers (Ca. Veh. Code § 24409(a)). Vehicles approaching intersections or in moderate heavy traffic would also be required to. Moreover, headlamps must be placed not more than 54 inches above or less than 22 inches above ground level (Ca. Veh. Code § 24400). Accordingly, impacts from oncoming headlights viewed against the direction of travel would be less than significant.

Vehicle headlights are designed to project light in front of the vehicle, not to the side. Headlight glare would not be expected to extend outwards from the roadway. Additionally, the subdivision wall that divides the public right-of-way from residential rear yards appears to be six feet tall (72 inches), and would block headlight glare. Future residential development would be expected to incorporate similar perimeter walls along this limited expressway on both the south and north sides of Avenue 12. Also, a planter to shield motor vehicles from glare is also planned in a planter to shield motor vehicles from glare. To North America, they originate from a similar climate regime in the Middle East, and will develop dense, evergreen canopies that would filter vehicle headlight glare that might project over the subdivision perimeter walls. Therefore, with the subdivision walls in place, and with adherence to GVPEIR Mitigation Measure 4.11, impacts on residential yards and properties would be less than significant. No additional mitigation measures against light and glare are required.

#### GVPEIR Mitigation Measures

GVPEIR Measure 4.1. The following project design features shall be implemented to minimize light and glare impacts:

- x Outdoor light fixtures for non-residential areas (such as lighting used for landscaping architectural features and parking lots) shall be low intensity, shielded, and directed away from residential areas and night sky. Lighting fixtures for parking lots shall use low pressure sodium lamps or other similar lighting fixture and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High intensity discharge lamps, such as mercury metal halide and high pressure sodium lamps shall be prohibited. Site plans shall

be reviewed and approved on a case-by-case basis, contingent upon certification by Madera County Planning Department that adjacent residential areas would not be affected.

- x Streetlights shall use low-pressure sodium lamps and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High intensity discharge lamps, such as mercury, metal halide, and high-pressure sodium lamps shall be prohibited.
- x Native landscaping, such as shrubs and trees, shall be planted in such a manner to shield motor vehicle lights from adjacent areas. Dense native landscaping (such as shrubs) shall be placed along all project arterial roadways and Root Creek Parkway, as well as employment and commercially designated areas and the Village Center.
- x Light fixtures for sports fields, park sites, and other lighted sports facilities shall be shielded away from residential areas and shielded in a manner to minimize the illumination of the night sky, as specified in applicable County standards.

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<sup>3</sup> Note that existing street lamps are now LED, rather than low-pressure sodium. Future street lamps will be consistent with currently-existing lighting technology.

II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as a optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to agricultural use?	•		•		•
b) Conflict with existing zoning for agricultural use, or Williamson Act contract?	•				•
c) Conflict with existing zoning for, or cause zoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland for Timberland Production (as defined by Government Code Section 51104(g))?	•				•
d) Result in the loss of forest land or conversion of forest land to nonforest use?	•				•
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to nonforest use?	•			•	•

Impact Discussion:

- a) Less than Significant Impact with GVPEIR Mitigation Incorporated The proposed Avenue 12 widening project would convert approximately 3.34 acres of important farmland to roadway for right-of-way (ROW) acquisition along both sides of Avenue 12 (Figure 1 PD)

The 2007 GVPEIR determined that the overall GVAP/GVSP would result in significant and unavoidable impacts associated with farmland conversion because it proposed developing 1,973 acres of actively producing farmland (932 acres of Prime Farmland, 1050 acres prime farmland) with residential, commercial, public facility, recreation, and other related uses (GVPEIR, p. 49). Most of the GVSP area south of Avenue 12 has now been developed and the existing farmland displaced.

Two mitigation measures were adopted to reduce farmland impacts during the development process:

**Mitigation:**

Measure 4.2.1: Economically viable agricultural uses shall be retained until development urban/suburban uses becomes viable and can be served by infrastructure. The transition made incrementally in conjunction with the availability of services and infrastructure.

Measure 4.2.2: Subsequent entitlement requests or site plan review within the Gateway project area shall be reviewed for compliance with protection of economically agricultural uses through buffering and land use separation from those lands subject to construction.

These mitigation measures continue to apply to GVSP implementation and are included below

Figure AG-1: Gateway Project Area Finder Map for the project area (2022).

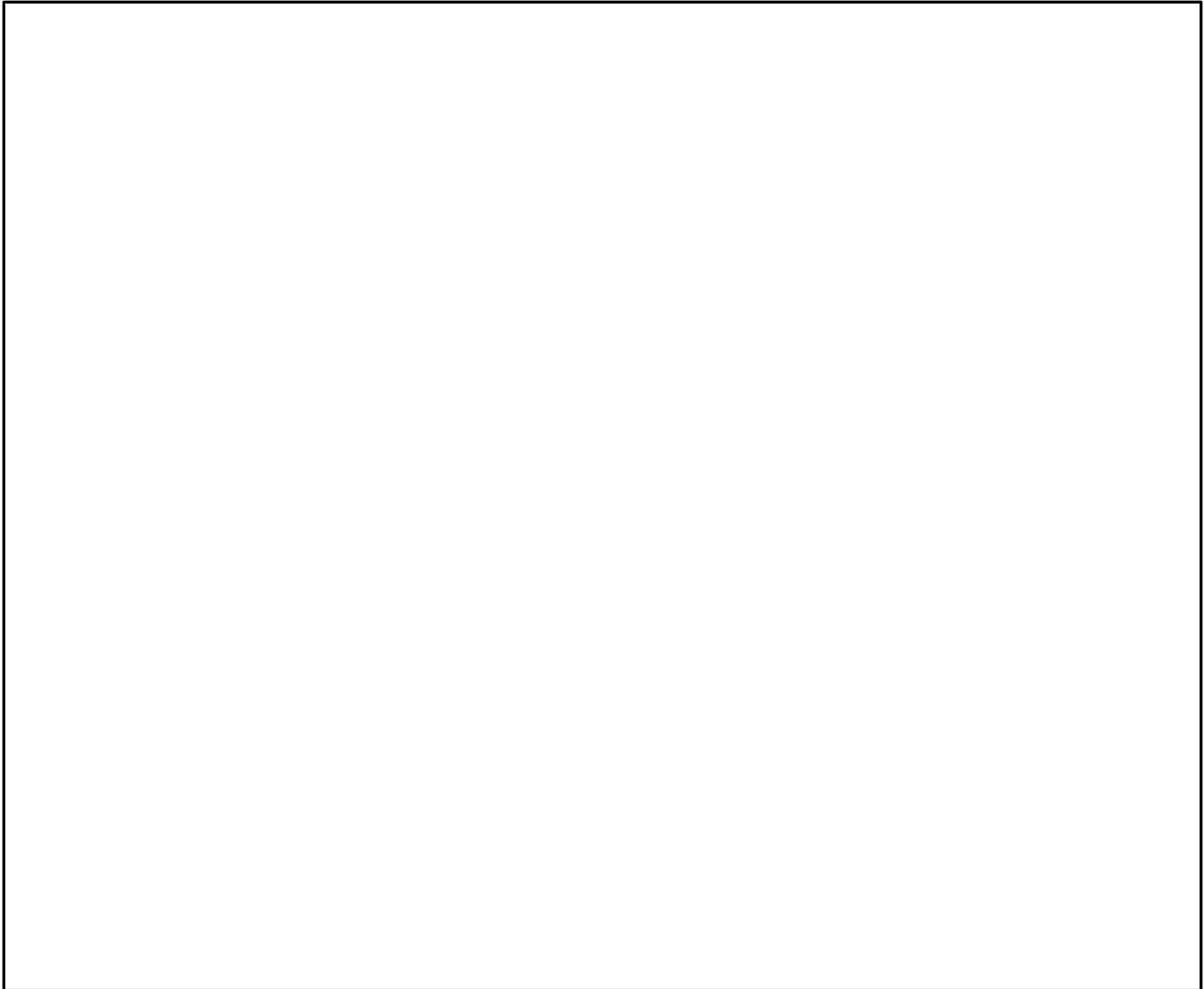


Figure AG 1 Important Farmland in Project Vicinity

Source California Department of Conservation, California Important Farmland Findings available at <https://maps.conservation.ca.gov/dlrp/ciff/> (accessed October 9, 2024).

small area of prime quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California (California Department of Conservation, Important Farmland Categories, available at [https://www.conservation.ca.gov/dlrp/fmmp/Pages/ ImportantFarmlandCategories.aspx](https://www.conservation.ca.gov/dlrp/fmmp/Pages/ImportantFarmlandCategories.aspx) (accessed October 11, 2024))

The proposed Avenue 12 ROW acquisition and widening may require removing two to four rows of orchard trees on the north side within the GVSP area, and an undetermined number of orchard trees along a

in APN 049051-004 (San Joaquin River Ranch) (see Figure PD1 above) Table AGt 1 below shows the acreage per parcel of ROW to be acquired.

Table AG 1 Right-of-Way (ROW) Acquisition From Orchard Production

APN	Area (acres)	Area (sq. ft.)	ROW Area (acres)	Row Area (sq. ft.)	ROW percent of total area
049051-001	1.17	509,112	0.17	73,776	15.28%
049051-002	1.17	509,112	0.17	73,776	15.28%
049051-003	1.17	509,112	0.17	73,776	15.28%
049051-004	1.17	509,112	0.17	73,776	15.28%
049051-005	1.17	509,112	0.17	73,776	15.28%
049051-006	1.17	509,112	0.17	73,776	15.28%
049051-007	1.17	509,112	0.17	73,776	15.28%
049051-008	1.17	509,112	0.17	73,776	15.28%
049051-009	1.17	509,112	0.17	73,776	15.28%
049051-010	1.17	509,112	0.17	73,776	15.28%

<sup>a</sup> Willdan to facilitate ROW acquisition for County

<sup>b</sup> Dewberry to facilitate acquisition of 0.23 acre of ROW from APN 049026-008 for County or Caltrans

North side. Approximately 3.11 acres (135,676 square feet) would be needed from three agricultural parcels (see Figure PD1 above) to accommodate the roadway widening (see Appendix B, Right-of-Way Exhibit Station 444+00 to Station 526+0). This acreage represents 5.44 percent of the total parcel area that is currently in agricultural production. None of these parcels is associated with a Williamson Act agreement (see Madera County Assessor, ParcelQuest Lite, Property Search, available at <https://assr.parcelquest.com/Home/Index> (accessed October 9, 2024)).

South side. Approximately 0.23 acre (10,190 square feet) would be needed from APN 049051-004 for ROW to accommodate a new right turn lane at Road 400. APN 049051-004 is 262.05 acres (11,414,898 square feet) area, the area of the proposed ROWs 0.09 percent of the total (see Madera County Assessor, ParcelQuest Lite, Property Search, available at <https://assr.parcelquest.com/Home/Index> (accessed October 9, 2024)). The property does not appear to be under a Williamson Act agreement (id.).

Because the fractional area on both sides of Avenue 12 are very small compared to the remaining land in agricultural production and as such constitute a very small percentage of the total area, the use in conjunction with providing infrastructure (Mitigation Measure 4.2.1), the Avenue 12 widening in this area is anticipated to be less than significant.

- b) No Impact As noted in Section II(a) above, none of the involved parcels are subject to a Williamson Act agreement. The proposed widening is consistent with the roadway standards for a limited expressway set forth in the GVAP (Gateway Village Area Circulation Plan, p. 41) and the MCGP (Madera County General Plan, Table 3).
- c) No Impact The proposed project would not conflict with forest or timberland zoning, because forest and timberland zoning and uses are not present within the project area (California Department of Conservation, Important Farmland Categories, available at <https://www.conservation.ca.gov/dlrp/fmmp/Pages/ImportantFarmlandCategories.aspx> (accessed October 11, 2024)).
- d) No Impact The project area does not contain forest land and is dominated by agricultural uses (orchards) and the residential/commercial development within the GVAP.
- e) Less Than Significant Impact The proposed roadway widening is limited to the existing and future ROW along Avenue 12. Although some ROW acquisition would result in farmland conversion, this limited

conversion is consistent with the GVAP. As noted above, developing the GVAP converted substantial acreage from farmland to residential and commercial uses, and the Gateway Village Specific Plan Program EIR concluded that significant and unavoidable impacts would result.

#### GVPEIR Mitigation Measures

GVPEIR MM 4.1: Economically viable agricultural uses shall be retained until development to urban/suburban uses becomes viable and can be served by infrastructure. The transition shall be made incrementally in conjunction with the availability of services and infrastructure.

GVPEIR MM 4.2: Subsequent entitlement requests or site plan review within the Gateway Village project area shall be reviewed for compliance with protection of economically viable agricultural uses through buffering and land use separation from those lands still in production.









IV. BIOLOGICAL RESOURCES.

t}μ o š Z %œ }i š W	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly c through habitat modifications, on any species identified as a candidate, sensitive, or special statu species in local or regional plans, policies, or regulations, or by the California Department of Fis and Wildlife or U.S. Fish and Wildlife Service?	•		•		
b) Have a substantial adverse effect on aiparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fisl and Wildlife or U.S. Fish and Wildlife Service?	•		•		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) throug direct removal, filling, hydrological interruption, or other means?	•			•	
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 native wildlife nursery sites?	•	•			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	•			•	
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?	•				•

Impact Discussion:

- a) Less Than Significant with Mitigation Incorporated As discussed in the Gateway Village Program EIR, the proposed project may affect some sensitive special status wildlife species (Table 4.4.3, pp. 4-40 to 4-41) and special status plants with moderate or high potential to occur in the project area. Table B below excerpts species that were listed as having a moderate or high potential to occur in the project area and are listed in the Specific Plan and are listed in the Special Status Plant List.

Table Bio-1 Special Status Species with Moderate to High Potential to Occur on the Project Site

Species	USFWS/ CDFW/CNPS	Habitat	Wetland Potential (2006)
<b>Birds</b>			
<i>Athene cunicularia</i> Western burrowing owl	FSC/CSC	Grasslands; nests in ground squirrel burrows	Moderate. The vernal pool/grassland complex east of SR41 provides marginal habitat for this species.
<i>Elanus leucurus</i> White-tailed kite	--/FP	Nests in shrubs and trees adjacent to grassland, oak savannah and agricultural fields.	Moderate. The project site was considered to provide marginal habitat for this species.
<i>Eremophila alpestris actia</i> California horned lark	--/CSC	Grasslands, agricultural habitats	Observed. A pair of horned larks was observed during reconnaissance level surveys (2006).
<i>Falco columbarius</i> Merlin	--/CSC	Grasslands, savannah.	Moderate. The project site was considered to provide marginal habitat for this species.
<i>Falco mexicanus</i> Prairie falcon	--/CSC	Cliffs; annual grasslands.	Moderate. The project site was considered to provide marginal habitat for this species.
<i>Lanius ludovicianus</i> Loggerhead shrike	FSC/CSC	Nests in trees and shrubs adjacent to grassland and scrub	Observed. Several loggerhead shrikes and shrike signs were observed during reconnaissance level surveys.
<b>Mammals</b>			
<i>Antrozous pallidus</i> Pallid bat	--/CSC	Present in many habitats.	Moderate. The project site was considered to provide habitat for this species.
<i>Perognathus inornatus inornatus</i> San Joaquin pocket mouse	FSC/-	Typically found in grasslands and blue oak savannahs	Moderate. The project site was considered to provide habitat for this species. The nearest CNDD record was more than 1/2 mile away.
<i>Plecotus townsendii pallenscens</i> Pale big-eared bat	FSC/CSC	Present in many habitats.	Moderate. The project site was considered to provide habitat for this species. No structure for roosting sites present.
<b>Amphibians/reptiles</b>			
<i>Scaphiopus hammondi</i> Western spadefoot toad	FSC/CSC	Sandy washes.	Moderate. The project site was considered to be moderately suitable for the Western spadefoot along Root Creek. Property to the east of SR 41 may provide suitable habitat for this species.
<b>Invertebrates</b>			
<i>Lytta molesta</i> Molestan blister beetle	FSC/-	Inhabits the Central Valley from Contra Costa to Kern and Tulare Counties	High. The project site was considered to provide habitat for this species. The nearest CNDD record was more than 1/2 mile away.



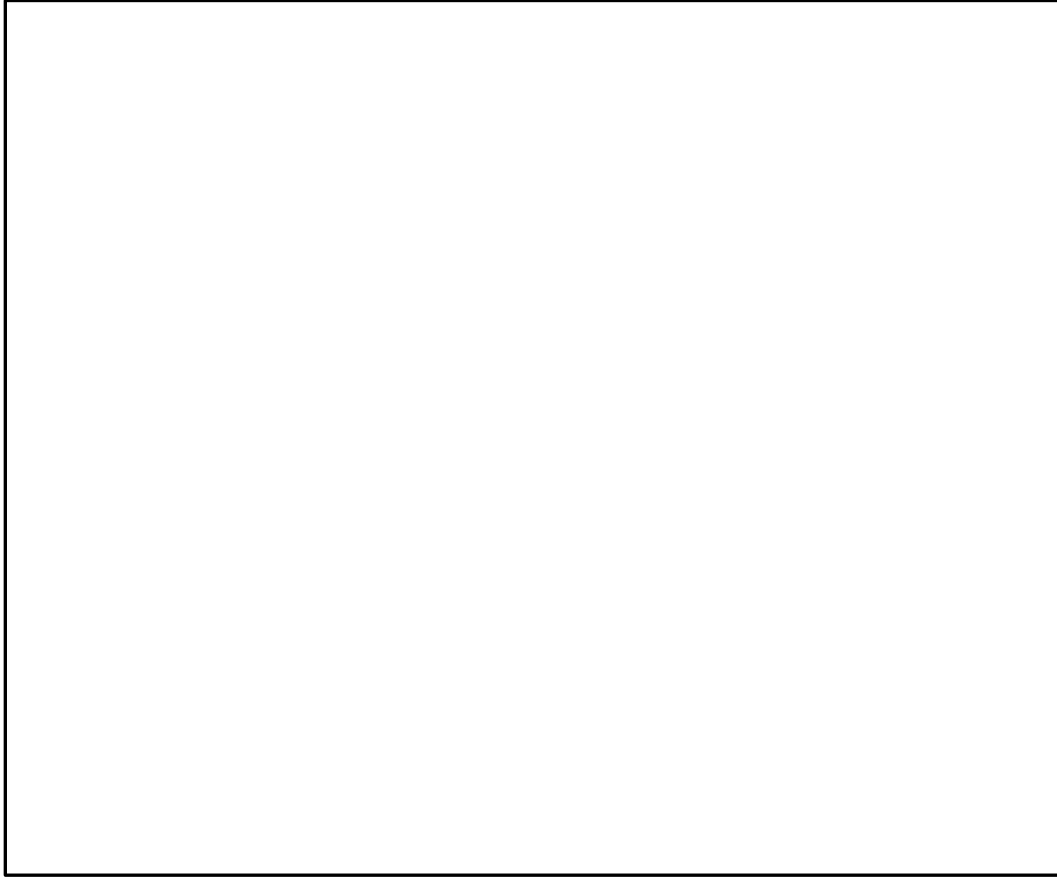


Figure Bio-1 Marginal Habitat E. of Project Area

b) Less Than Significant with GVPEIR Mitigation Incorporated The GVPEIR noted that the Gateway Village Specific Plan implementation could affect riparian habitat, but recognized that the riparian resources (Root Creek and tributaries, Madera Ranchos South Creek) in the project area were substantially degraded by agricultural uses (GVPEIR, pp. 3, 4, 4, 6, 74.4-24). The proposed Avenue 12 widening and additional grading and culvert improvements adjacent to the road are necessary for storm drainage and future construction of Riverwalk Blvd. North. As shown in Figure B2 below, Tributary A passes through an orchard with no riparian habitat before it reaches Avenue 12. Nonetheless because it is an established tributary with a defined streambed, the California Fish and Game Code §1602 requires notifying the California Department of Fish and Wildlife and Streambed Alteration Program to determine whether a Lake or Streambed Alteration Agreement is necessary. It may require that the County mitigate for loss of riparian resource.

The GVPEIR also noted that the project would also be required to obtain permits or to enter into agreements with the U.S. Army Corps of Engineers and the Regional Water Quality Control Board under the provisions of the federal Clean Water Act (CWA) and the California Porter-Cologne Act, respectively (GVPEIR, p. 425).

In addition to any mitigation required by the above-referenced permits and agreements, the GVPEIR included Mitigation Measure 4.2 that calls for identifying and planting riparian plants in an area

equivalent to the wetland (riparian) acreage impacted by the project. Because the overall project included future Avenue 12 widening, the impacts presented by the current project would not exceed those expected to be mitigated by permit conditions and Mitigation Measure 4.4.2. Accordingly, that mitigation measure is repeated below and is anticipated to reduce impacts to riparian resources to less than significant levels.



Figure Bio-2 Root Creek Tributary A Alignment

- c) Less Than Significant Impact. The GVPEIR identified wetland resources and near the project site, including two vernal pools east of SR 41 (GVPEIR, Figure 4.4.2;7), and potential jurisdictional waters within the Gateway Village project site in segments of Tributary A, Root Creek, and Madera Ranchos South Creek. However, the GVPEIR considered the creek segments to be federal jurisdictional waters because they receive surface irrigation water, and would cease to exist if that irrigation was removed (id., p.54.4).

As discussed in IV(b) above, the Avenue 12 widening would affect a small segment of Tributary A, but would not affect Root Creek or the vernal pools because the latter resources are separated from Avenue 12 by the now existing Riverstone development and SR 41. Specifically, the Root Creek channel traverses the Riverstone development from east to west, between 3,000 feet and 1.2 miles south of Avenue 12, and the vernal pools lie more than 2,000 feet west-southwest of the intersection of SR 41 and Avenue 12. Project construction would not extend into these areas.

Finally, Willdan engineering and environmental planning staff conducted a field visit on March 18, 2024. No wetland characteristics such as saturated soils, vegetation (sedges, cattail, willows, mule fat, etc.) were observed on the north side of Avenue 12 at Riverstone Blvd. South where Tributary A passes underneath the roadway.

Accordingly, the proposed Avenue 12 widening would not be anticipated to affect wetland resources significantly. GVPEIR Mitigation Measure 4.4.2 nonetheless applies to this project, and requires avoidance of wetlands resources to the extent feasible to identify and improve wetland acreage as close to the project site as possible. This mitigation measure is repeated below for informational purposes. No additional mitigation is required except for any permit conditions that arise from the permits and agreements discussed in IV(b) above.

- d) Significant and Unavoidable Impact. The GVPEIR concluded that the overall development of the Gateway Village Specific Plan and others in the immediate area would contribute cumulatively to habitat fragmentation in the region, resulting in significant and unavoidable impacts (GVPEIR, p. 4.426). Adding travel lanes in an existing roadway can increase hazards for wildlife attempting to cross that roadway, exacerbating significant and unavoidable impacts. The proposed project would incrementally add to the fragmentation created by the highly traveled Avenue 12 and the existing Riverstone development. Although nearby agricultural fields and creek beds can support wildlife movement, particularly the San Joaquin River corridor and the Root Creek open space that traverses the southerly portion of the Riverstone development (Id., pp. 4.49, 10, 26), widening Avenue 12 would continue the fragmentation the GVPEIR describes. Impacts remain significant and unavoidable.
- e) Less Than Significant Impact with Mitigation Incorporated. The GVPEIR lists the General Plan policies for protecting biological resources (GVPEIR, pp. 9.20, 21) and concludes that with mitigation, the overall Gateway Village Specific Plan, including widened Avenue 12, was consistent with those policies. Relevant mitigation measures from the GVPEIR have been included in this document. No additional mitigation is required.
- f) No Impact. The project site is not located within or near an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans are not expected to occur from development of the proposed project, and mitigation is not required.

#### GVPEIR Mitigation Measures

GVPEIR MM 4.4.1: Special Status Species. The following mitigation provisions apply to the burrowing owl and are derived from CDFW CDFG guidelines.

- x A pre-construction survey shall be conducted by a qualified biologist within 30 days adjacent to ruderal habitat (orchards would not be used by this species) within 30 days of the onset of construction. This survey shall include two early morning surveys and two evening surveys to ensure that all owl pairs have been located.
- x If preconstruction surveys undertaken during the breeding season (February 1st through July 31) locate active nest burrows within 250 feet of construction zones, an appropriate buffer around them (as determined by the project biologist) shall remain excluded from construction activities until the breeding season is over.
- x During the nonbreeding season (August 1st through January 31st), resident owls may be relocated to alternative habitat. The relocation of resident owls shall be according to a relocation plan prepared by a qualified biologist in consultation with the CDFG. This plan shall possess a suitable nesting habitat. Suitable

development-free buffers shall be maintained between replacement nest burrows and the nearest building, pathway, parking lot, or landscaping. The relocation of resident owls shall be in conformance with all necessary state and federal permits.

GVPEIR MM 4.4. (May 2007 Revision) If reasonably feasible, the project shall avoid the 0.0054 acres of wetlands and waters of the United States (and an appropriate buffer zone) that would potentially be impacted by the project. If the project does not avoid the jurisdictional wetlands, an area equivalent to the wetland impact acreage and in similar condition shall be identified and improved through riparian planting or the removal of non-native species. The location shall be as close to the project site as possible.

## V. CULTURAL RESOURCES

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	•			•	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	•		•		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	•		•		

### Impact Discussion:

- Less Than Significant Impact. The GVPEIR reported that the field surveys and records searches showed that there are no architectural historic resources at the project site, including the area encompassed by the Avenue 12 right-of-way (GVPEIR, p. 47). Impacts to historic resources are thus anticipated to be less than significant and mitigation measures are not required.
- Less Than Significant With Mitigation Incorporated. The GVPEIR determined that project construction could significantly affect previously unknown archeological sites, such as shell midden soils, stone artifacts, and historic trash scatters, because the archeological records search revealed two artifacts, an obsidian stone tool fragment, and a milling slab fragment (GVPEIR, p. 34). These artifacts and without context (evidence of habitation, campsites, cooking, etc.) (id.). Additionally, other resources have been identified near the project site, particularly along the SR alignment, which has been routinely studied as infrastructure improvements have progressed (GVPEIR, p. 48).

Finally, in 2004 the EIR preparers reached out to individuals identified by the Native American Heritage Commission and received one letter requesting additional information. No formal consultation ensued (GVPEIR, p. 44). 20 years have passed since that outreach, and much of the Gateway Village project has been developed. The proposed project will take place on the existing right-of-way and limited areas of adjacent farmland where the land surface has been routinely disturbed. Impacts to resources are not expected to be significant; however, to preclude impacts to undiscovered resources, the GVPEIR incorporated Mitigation Measure GVPEIR 4.1, which is incorporated into this document below.

c) **Less Than Significant With Mitigation Incorporated.** The proposed project is unlikely to affect human remains, because as noted above, most construction would extend into areas already disturbed by roadway and infrastructure grading and trenching agricultural processes, and stormwater detention basins. Extensive excavation of undisturbed native soils is not anticipated. However, should human remains be discovered during project construction, California Public Resources Code § 5097.98 requires that work be halted if the remains are recent human origin or of older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the California Native American Heritage Commission (NAHC). The NAHC is responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by California Health and Safety Code § 7050.5. The MLD will make recommendations within 24 hours of his or her notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials. With these statutory requirements in place, as well as GVPEIR Mitigation Measure 4.5.1, no additional mitigation is required. Remaining impacts are expected to be less than significant.

**GVPEIR Mitigation Measure**

GVPEIR MM 4.5.1 If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and the County shall consult with a qualified archaeologist to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the County and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. The County shall make the final determination. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the County shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

**VI. ENERGY**

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				•	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				•	

**Background:**

CEQA now requires projects to be evaluated with respect to their potential energy consumption in light of



































- e) Less Than Significant Impact the project site is located approximately 1.5 miles northwest of the Fresno Yosemite International Airport (FAT), six to seven miles northeast of the Sierra Sky Park Airport (LGB), and 3 miles north of the Hawthorne Municipal Airport (HHR), and is between approximately 0.85 mile and 1.5 miles south of the Fresno Chandler Executive Airport. The unmanned Clovis VORTAC navigational aid station lies approximately 2.25 miles south of the intersection of Avenue 12 and Riverstone Boulevard Southwest.

The roadway project would not introduce new habitable structures or sensitive receptors that would be susceptible to airport hazards or noise. Temporary construction equipment noise affecting construction workers (as discussed in Section XIII, Noise, below) would likely mask any airport noise audible at the project site; moreover, construction companies must comply with Cal, CE P μ o š ] } v • ( ) CE Á } CE I hearing protection. Impacts associated with airport safety zones or noise are thus anticipated to be less than significant. Applicable GVPEIR Mitigation Measures are listed below.

- f) Less Than Significant Impact Avenue 12 is not a County-designated emergency response or evacuation route although it is designated as a limited expressway between California SR 99 and SR 41. The roadway widening project is not anticipated to interfere with emergency evacuation because the roadway would not be closed during construction, and construction would stop in the event of an emergency requiring evacuation. K v š Z Á ] v ] v P ] • } u % o š U Á v μ í î [ • ] o ] š first-responder travel as well as civilian evacuation would be increased. Applicable GVPEIR Mitigation Measures are listed below.

- g) Less Than Significant Impact The Avenue 12 widening project would not expose people or structures to significant risk of loss, injury, or death involving wildland fires more than the existing wildfire risk, because the general configuration of Avenue 12 would not change, and the project itself would not increase the local population or add flammable structures. The project area is not within a wildland-fire zone, and is surrounded by irrigated agricultural uses, not range or forest land. Applicable GVPEIR Mitigation Measures are listed below.

### GVPEIR Mitigation Measures

Measure 4.7.1 In order to determine if contaminants may be present in the soil, a sampling program shall be conducted in areas proposed for sensitive land uses such as residences and schools. Sampling protocol shall include, but not be limited to, sampling in random locations, sampling at various soil depths, and sampling in areas where known mixing of pesticides has occurred.

Soil samples shall be analyzed for elevated levels of agricultural chemicals. Soil sampling also shall be conducted in the areas of the urea fertilizer tanks and the irrigation well turbine pumps. Remediation activities shall be required if testing reveals levels of contaminants that exceed regulatory requirements and/or pose a threat to the public health and the environment. Remediation may be required for both soil and groundwater if regulatory requirements are exceeded. The remediation plan shall require approvals from the appropriate agencies. Remediation activities could include excavation and disposal, excavation-site treatment, or capping the soil with an impenetrable surface such as asphalt or concrete.

GVPEIR Mitigation Measure 4.7.1 was accomplished in 2014, as cited in Section IX(d). The following GVPEIR mitigation measures reference applicable environmental laws and regulations for hazardous material handling and disposal. These regulations, as updated and amended, apply to the present project.

Measure 4.7.2 The applicant shall follow the provisions of CCR, Title 8, Sections 5163 through 5167 for General Industry Safety Orders to protect the project area from being contaminated by the accidental release of any

hazardous materials and/or wastes. Disposal of all hazardous materials will be in compliance with applicable California hazardous waste disposal laws. The applicant shall contact the local fire agency and the County Department of Public Health, Environmental Health Division, for any site-specific requirements regarding hazardous materials or hazardous waste containment or handling.

Measure 4.7.3 In the event of an accidental release of hazardous materials during construction, containment and cleanup shall occur in accordance with applicable regulatory requirements.

Measure 4.7.4 Oil and other solvents used during maintenance of construction equipment shall be recycled or disposed of in accordance with applicable regulatory requirements. All hazardous materials shall be transported, handled, and disposed of in accordance with applicable regulatory requirements.

Measure 4.7.5 The applicant shall require the construction contractor to prepare a Site Safety Plan in accordance with any requirement of the RWQCB. If hazardous materials are encountered during construction activities, the contractor shall be required to halt construction immediately and notify the applicant. Disposal of all hazardous materials shall be in compliance with all applicable California hazardous waste disposal laws.

Measure 4.7.6 The applicant shall prepare and implement a safety program to ensure the health and safety of construction workers and the public during project construction. The safety program shall include an injury and illness prevention program, a site-specific safety plan, and information on the appropriate personal protective equipment to be used during construction.

Measure 4.7.7 The applicant shall work closely with local fire agencies to develop a fire safety plan, which describes various potential scenarios and action plans in the event of a fire.

Measure 4.7.8 During construction, all staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other material that could ignite. Any construction equipment that includes a spark arrestor shall be equipped with a spark arrestor in good working order. During the construction of the proposed project, the applicant shall require all vehicles and crews working at the project site to have access to functional fire extinguishers at all times. In addition, construction crews shall have a spotter during welding activities to look out for potentially dangerous situations, including accidental sparks.

X. HYDROLOGY AND WATER QUALITY

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	•			•	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	•			•	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	•			•	
i. Result in substantial erosion or siltation-on or off-site?	•			•	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	•			•	
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	•			•	
iv. Impede or redirect flood flows?	•			•	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	•			•	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	•			•	

Impact Discussion:

- a) Less Than Significant Impact The proposed Avenue 12 widening project would not violate water quality standards or waste discharge requirements and would not be anticipated to degrade surface or groundwater quality because as further explained below, numerous existing regulatory controls will apply to the project to protect surface and groundwater resources.

The proposed project would construct roadway median, and sidewalk improvements, stormwater detention basins, and culvert extensions underneath the widened roadway. Paving for additional lanes would add impervious surfaces to the right-of-way and associated excavation could moderately change local drainage patterns. Appendix A, Sheets G and G-1 through G-10 show stormwater drainage improvements. These drawings show six (6) north-south culvert extensions to existing culverts underneath Avenue 12, constructed of reinforced concrete pipe (RCP). Inlets would be constructed along the north side of the roadway. The inlet at Row 10 would be reconstructed within







XI. LAND USE AND PLANNING

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	•				•
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?	•				•

Impact Discussion:

- a) No Impact. The proposed project would not divide an established community because all work will be conducted on an existing roadway on the north side of the current Riverstone community and no barriers restricting movement across the roadway would be introduced. Moreover, the improvements will incorporate future connections to the northerly area of the GVAP (see Appendix A, Sheets 13, 18).
- b) No Impact. The proposed project would not cause significant impacts resulting from conflicts with land use plans, policies, or regulations, in part because the project implements the Madera County General Plan Circulation Element for a limited expressway along Avenue 12 between Highway 99 and Highway 41 as well as the GVSP (Madera County General Plan Policy Document, Figure C Circulation Plan Diagram Table 13, Roadway Classification Definition). The project is further consistent with the following General Plan Policies and implementation measures:

Transportation and Circulation Element Policy 2.A.13. The County shall ensure that transportation system investments and improvements support existing and future sustainable land use patterns.

In compliance with this policy, the eastern growth area including the GVAP and Circulation Element Diagram classification for Avenue 12

Transportation and Circulation Element Policy 2.A.14. The County shall schedule transportation improvements to coordinate with land use development and transportation demand. Transportation investments and service capacity shall be planned to correspond to the development and travel demand identified by local communities.

In compliance with this policy, the Avenue 12 widening would be constructed after the southerly phases of the GVSP are largely complete, but before the northerly phase of development.

Transportation and Circulation Element Policy 2.C.6. The County shall plan, design, and regulate roadways in accordance with the functional classification system described in Part I of this Policy Document and reflected in the Circulation Diagram

In compliance with this policy, the proposed improvements to Avenue 12 have been designed according to the criteria for a limited expressway, including four to six travel lanes (Madera County, General Plan Policy Document Table 13, Roadway Classification Definitions).

Transportation and Circulation Element Policy 2.C. The County shall require existing and new streets and roads to be dedicated, widened, and constructed according to the roadway design and access standards generally defined in Part I of Policy Document. Exceptions to these standards may be necessary, but should be kept to a minimum. Exceptions shall be permitted only upon determination by the County Public Works Director that safe and adequate public access and circulation are preserved where exceptions are permitted.

In compliance with this policy, the project would widen Avenue 12 according to the criteria for a Limited Expressway as noted above, and would be designed subject to the approval of the County Public Works Director.

## XII. MINERAL RESOURCES

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	•				•
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?	•				•

### Impact Discussion:

- a) No Impact. The proposed project would not result in losing availability of a known, valuable, mineral resource because the roadway widening would occur along the alignment of an existing roadway which is not in a mineral resource zone (Madera County, General Plan Background Report, Figure 6.1 Mineral Resource Zones, Fresno Production/Consumption Region, San Joaquin River Resource Area). Moreover, the GVPEIR noted that there are no known economically viable sources of rock materials in the immediate vicinity (GVPEIR, p. 4-13).
- b) No Impact. The proposed project would not result in the loss of availability of any designated mineral resource recovery sites, because the roadway widening would occur along the alignment of an existing roadway that is not in a mineral resource zone (The GVPEIR also noted that the County has sufficient mineral resources to meet its 50-year projected aggregate demand (id.).





traffic noise The extent of buffer that would be needed can be reduced through judicious orientation of buildings and outdoor living areas and insulation of the facades facing the road or through construction of soundwalls or berms or some combination of the two types of measures. At the tentative map stage, the County shall ensure that the developer has incorporated the necessary features to ensure that future noise environment would be less than 60 Ldn.

Measure 4.11.6 Where the development of a given parcel could result in the exposure of noise-sensitive land uses to existing or projected transportation or stationary noise levels in excess of the applicable County standards, an acoustical analysis that conforms to the requirements of General Plan Policy 7.A.7 shall be performed.

Measure 4.11.7 Siting of individual parcels shall adhere to the applicable noise standard to establish minimum setbacks or other measures required for noise attenuation from transportation noise.

#### XIV. POPULATION AND HOUSING

Would the project:	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	•				•

#### Impact Discussion:

- a) No Impact. The proposed project would not induce unplanned population growth because it would not construct housing. As noted in Section XI above, the project is consistent with the Madera County ' v CE o W o v [ • P CE } Á ð e C i f u C i p n E l e m e n t , and the Gateway Village Area Plan.
- b) No Impact. The proposed project would not displace people or housing since all work is confined to the existing roadway and embankments and minor acquisition of ROW where no housing would be displaced. No housing would be taken to accomplish the project.

XV. PUBLIC SERVICES

<p>t } μ o š Z %o Œ } i š W</p>	<p>Analyzed In Prior EIR</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant with Mitigation Incorporated</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
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- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

Impact Discussion:

- a) Less Than Significant with Mitigation Incorporated. The proposed project would not result in adverse physical impacts associated with constructing new fire, police, school, or park facilities, as it would not add population or structures requiring expanded public services from these facilities. Impacts associated with the proposed public roadway widening (other public facilities) are evaluated throughout this document with GVPEIR mitigation measures incorporated as needed to reduce impacts to less than significant levels.

XVI. RECREATION

	Analyzed In Prior EIR	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?	•				•
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?	•				•

Impact Discussion:

- a) No Impact. The proposed Avenue 12 widening would not introduce additional population to the area that is not already incorporated in the County General Plan, and thus would not be expected to increase park use or to contribute to parkland deterioration.
- b) No Impact. The proposed Avenue 12 widening project is limited to the roadway, existing ROW, and minor portions of private property to be acquired for ROW. No park or recreational facilities lie along this segment of Avenue 12, and none would be affected by project construction.





XVIII. TRIBAL CULTURAL RESOURCES

			Less Than		
	Analyzed In	Potentially	Significant with	Less Than	No
	Prior EIR	Significant	Mitigation	Significant	Impact
		Impact	Incorporated	Impact	Impact

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21083.2 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Background and Regulatory Setting

Tribal Cultural Resources were not a separate CEQA category when the GVPEIR was prepared, but were considered in the evaluation of cultural resources.

Y ^ š}}v íííóí (}v • ^ o}({œv} E š}À u œ} v dœ} \_ • ^ E š}À í that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 5.0 of the Madera General Ordinance (GO) is as follows:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(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 subdivision (c) of Section 5024.1.

In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

œ}•}vP (œ}u •• u oÇ }oo ñî ~ ñîU ' šš}U íííð•U Y ^ š}}v íííóíXíXí negative declaration, mitigated negative declaration or environmental impact report, public agencies must

consult with California Native American Indian tribes that are traditionally and culturally affiliated with the geographic area of the proposed project (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the notification. Section 21080.3.1(d) further requires that agencies formally notify designated representatives of California Native American tribes who have requested such notification about projects that the agency plans to undertake (such as road construction) or about entitlement applications the agency is considering. This notification must take place within 15 days of a determination to proceed with the public project or upon determining that a private development application is being processed. An interested California Native American tribe must tell the agency within 30 days of receiving the notification that it wishes to begin the consultation process within 30 days of receiving the notification.

The statute does not set forth procedures for CEQA documents that tier from an earlier CEQA document, such as supplements to EIRs or Negative Declarations, addenda, or subsequent documents per CEQA Guidelines Section 15160 et seq.

**Impact Discussion:**

- a) **Less Than Significant Impact** The proposed project would not affect any properties listed or eligible for listing in any register of historical resources, because as discussed in Section V, Cultural Resources, above, no such properties are known to exist in the project area and all work will take place in previously disturbed right-of-way. Widening of the road surface would be accomplished by grading existing roadway and shoulder surfaces, as well as minor excavation for the concrete retaining wall to be constructed on the north side of Avenue 12 along the property frontage of 39877 Avenue 12.

In compliance with AB 52 (California Public Resources §§ 50097, 21073, 21074, 21080, 21082, 21083, and 21084) the Department of Public Works has notified Tribal groups that have requested AB 52 notification.

- b) **Less Than Significant With Mitigation Incorporated** The proposed project would not be expected to disturb resources important to any affiliated California Native American Tribe, simply because the excavation associated with the project would affect existing disturbed soil within the ROW or planned ROW where there are now orchard trees. However, the GVPEIR noted that the project vicinity may have previously undiscovered Tribal resources, and incorporated GVPEIR Mitigation Measure 4.5.1 restated above under Section V, Cultural Resources. As stated in Section XV (a) above, Tribal groups have been notified about the project. The County will respond to any requests for consultation.

Impacts to Tribal resources may affect descendants of the peoples who occupied the land before Western colonization, and who may have special knowledge or information about the project site. As described above, the requirement for notification and consultation was instituted after the GVPEIR was prepared. Accordingly, additional Mitigation Measures TCR2 specific to Tribal consultation are provided below.

**SEIR Mitigation Measures**

**TCR1:** If suspect resources with any potential cultural value to a California Native American Tribe are found during ground disturbing activities into native soils, the County shall contact and retain a Native American monitor, procured by the consulting Tribe under AB52. During excavation, the Native American monitor shall have the authority to halt any activities adversely impacting tribal resources. If

human remains are uncovered, the Madera County Coroner, Native American Heritage Commission, local Native American representatives, and archaeological monitor shall determine the nature of further studies, as warranted in accordance with Public Resource Code 5097.98.

TCR2: The Lead Agency shall, in good faith, consult with responding Tribes regarding the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.

XIX. UTILITIES AND SERVICE SYSTEMS

t } μ o š Z %o Ć } i š W	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	•			•	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	•			•	
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? %o Ć } i š [ • %o Ć } i š u v ] v %o Ć } Ā ] Ć [ • Ć ] • š ] v P } u u ] š u v	•				•
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?	•			•	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	•			•	

Impact Discussion:

- a) **Less Than Significant With Mitigation Incorporated.** The project would not require substantial new or expanded water, wastewater treatment, stormwater drainage, electric or natural gas facilities, utility poles, or telecommunication facilities. Some utility poles would be moved to new locations within the ROW to accommodate the widening. **CE** Mitigation Measures 4.1.1, 4.4.1, 4.4.2, 4.5.1, 4.5.2, 4.7.2, 4.8.1, 4.11.4, 11.7, and **SEIR** Measure **TCR 2** would serve to reduce associated impacts to less than significant levels.
- b) **Less Than Significant Impact.** The proposed project would be expected to have sufficient water supply to provide for construction uses including dust control, concrete mixing, and equipment wash. Operation of the project will not require water supply.
- c) **No Impact.** The proposed roadway improvement project would not generate wastewater.

- d) Less Than Significant Impact. Project construction will generate excess concrete and asphalt material during the demolition of portions of the existing roadway. Debris would be recycled or transported to the regional sanitary landfill and used as inert cover. The volume of debris generated during project construction is not expected to significantly impact landfill capacities. Project operation will not generate solid waste.
- e) Less Than Significant Impact. Disposal of waste materials generated during construction must comply with all local, state, and federal requirements for integrated waste management (e.g., recycling, green waste) and solid waste disposal. As stated above, construction of the project is anticipated to exceed the standards or capacity of local disposal facilities.

XX. WILDFIRE

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				•	
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?					•
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel break, 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?					•
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?					•

Note: Wildfire hazard potential was not a separate CEQA category when the GVPEIR was prepared, but was considered broadly within the Hazards section.

Impact Discussion:

- a) Less Than Significant Impact. The proposed roadway improvement project would not be expected to impair emergency response or evacuation plans, because as discussed in Section IX, Hazards and Hazardous Materials above, Avenue 12 and cross streets would remain open during construction, and construction work would stop in the event of an emergency affecting the project area.
- b) No Impact. The proposed project would not expose new or current residents, or students and staff of Stone Creek Elementary School to wildfire smoke risks greater than exist now, because project construction is limited to roadway improvements and would not increase the population density of the area by building housing or commercial space.
- c) No Impact. The proposed project is a roadway surfacing and widening project and additional through and turn lanes. It would not require installing associated infrastructure that would exacerbate

fire risks. Risks associated with wildfire would not change as the project area is not within a wildland fire zone, and is surrounded by irrigated agricultural uses, not range or forest. Mitigation measures throughout this document are intended to reduce environmental impacts to less than significant levels.

- d) No Impact. The proposed project would not increase the existing human exposure to wildfire risks, because (1) the project area is not within or near a wildland fire zone and is bordered by suburban and agricultural uses, and (2) it would not change the overall topography of the area along the roadway. The overall roadway drainage configuration would not change substantially.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Analyzed In Prior EIR	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	•		•		
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Incremental effects of a project are considered cumulative when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	•	•	•		•
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	•	•			

Discussion:

- a) **Less than Significant Impact with Mitigation Incorporated** The proposed project could incrementally increase odors, removing existing ornamental tree species, excavating retaining wall, and generating construction noise and vibration. However, as discussed in the respective sections above, Mitigation Measures 4.1.1, 4.4.1, 4.4.2, 4.5.1, 4.5.2, 4.7.2, 4.8.1, 4.11.1, 4.11.7, and SEIR Measures TCR 1 and 2 as applied to the project would reduce impacts to less than significant levels.
- b) **Significant and Unavoidable** Most of the project is limited in scope to the segment of Avenue 12 between Road 39 1/2 and California State Route 41; moreover, the project is consistent with the limited expressway specifications in the Madera County General Plan and the Gateway Village Area Plan roadway capacity would be increased, but is not anticipated to induce substantial VMT as discussed in Section XVII above, or produce other cumulative effects. However, as discussed in Section X, project impacts with respect to transportation noise remain significant and unavoidable.
- c) **Significant and Unavoidable** The proposed project could generate temporary environmental effects from construction and operations as discussed throughout this document. However, compliance with GVPEIR and SEIR Mitigation Measures would reduce most of these impacts to less than significant levels. Nonetheless, the GVPEIR determined that transportation noise impacts would be significant and unavoidable, even with mitigation measures applied.