
1.0 INTRODUCTION

This Draft Program Environmental Impact Report (DEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City of Madera ("the City") is the lead agency for the environmental review of the proposed City of Madera General Plan Update (the "proposed project") evaluated herein and has the principal responsibility for approving the project. This DEIR assesses the expected environmental impacts resulting from adoption and subsequent implementation of the proposed City of Madera General Plan Update.

1.1 PURPOSE OF THE EIR

The City, acting as the lead agency, has prepared this Draft EIR to provide the public and responsible/trustee agencies with information about the potential environmental effects of the proposed City of Madera General Plan Update. As described in the State CEQA Guidelines Section 15121(a), an EIR is a public informational document that assesses potential environmental effects of the proposed project, and identifies alternatives and mitigation measures to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an environmental impact report (EIR) prior to approving any "project" which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378[a]). With respect to the proposed City of Madera General Plan Update, the City has determined that the proposed General Plan Update is a "project" as defined by CEQA.

1.2 KNOWN TRUSTEE AND RESPONSIBLE STEE AGENCIES

For the purpose of CEQA, the term "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. The California Department of Fish and Game is a trustee agency with regard to the fish and wildlife of the state and designated rare or endangered native plants.

In CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency that may have discretionary actions associated with the implementation of the General Plan Update or an aspect of the project. The following agencies may have some role in implementing the City of Madera General Plan and have been identified as potential Responsible Agencies:

- California Department of Conservation
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Parks and Recreation
- California Department of Water Resources
- California Integrated Waste Management Board
- California Public Utilities Commission
- California State Lands Commission
- California Transportation Commission
- Caltrans District 6, Environmental Planning and Engineering
- Caltrans, Division of Aeronautics
- Central Valley Regional Water Quality Control Board

1.0 INTRODUCTION

- Madera County Airport Land Use Commission
- Madera County Local Agency Formation Commission (LAFCo)
- Madera County Air Pollution Control District
- Madera Irrigation District
- Madera Unified School District (MUSD)
- Madera County Transportation Commission
- Madera Unified School District
- U.S. Army Corps of Engineers
- U.S. Bureau of Land Management
- U.S. Bureau of Reclamation
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service

1.3 TYPE OF DOCUMENT

The State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. According to Section 15168:

A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- 1) *Geographically,*
- 2) *As logical parts in the chain of contemplated actions,*
- 3) *In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or*
- 4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The program level analysis in this Environmental Impact Report considers the broad environmental effects of the overall proposed General Plan Update. This EIR will be used to evaluate subsequent projects (public and private) under the proposed City of Madera General Plan Update consistent with CEQA and the State CEQA Guidelines. When individual projects or activities under the General Plan are proposed, the City would be required to examine the projects or activities to determine whether their effects were adequately analyzed in this EIR. If the projects or activities would have no effects beyond those analyzed in this EIR, no further environmental review would be required.

1.4 INTENDED USES OF THE EIR

This EIR is intended to evaluate the environmental impacts of adoption and implementation of the City of Madera General Plan Update. This EIR should be used as the primary environmental document to evaluate all subsequent actions associated with projects in the City. Subsequent projects that may be associated with the project are identified in Section 3.0 (Project Description) of this document as Village Areas and development types and will be evaluated at the time they are considered to determine whether they would result in impacts that fall within those disclosed in this program EIR or whether subsequent environmental review is required as provided for under State CEQA Guidelines Section 15183. In addition, this EIR may be used by

the City to support adoption of CEQA significance thresholds pursuant to State CEQA Guidelines Section 15064.7 (b).

1.5 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts.

The environmental issues addressed in the Draft EIR were established through review of the project, environmental documentation for nearby projects, and public and agency responses to the Notice of Preparation (NOP).

This Draft EIR is organized as follows:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an introduction and overview describing the purpose, type, and intended use of the EIR, responsible agencies, organization and scope of the EIR, the review and certification process, and a summary of comments received on the NOP.

SECTION 2.0 - EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts, proposed General Plan Update policies, possible mitigation measures, and identification of alternatives that reduce or avoid at least one environmental effect of the proposed General Plan.

SECTION 3.0 - PROJECT DESCRIPTION

This section provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics including the decisions subject to CEQA and a list of related environmental review and consultation requirements.

SECTION 4.0 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Section 4.0 contains an analysis of environmental topic areas as identified below. Each subsection contains a description of the existing setting of the project area, identifies project-related impacts, and identifies mitigation measures for significant environmental effects.

This section also includes an introduction to the environmental analysis that describes the general assumptions used to evaluate project-specific and cumulative environmental impacts. However, specific analyses are provided in each environmental issue area section.

The following major environmental topics are addressed in this section:

- Land Use
- Agriculture
- Population/Housing/Employment

1.0 INTRODUCTION

- Hazards and Human Health
- Transportation and Circulation
- Noise
- Air Quality
- Geology and Soils
- Hydrology and Water Quality
- Biological Resources
- Cultural and Paleontological Resources
- Public Services and Utilities
- Visual Resources/Light and Glare

SECTION 5.0 - CUMULATIVE IMPACTS SUMMARY

This section summarizes all identified cumulative impacts associated with the proposed project. As required by State CEQA Guidelines Section 15130, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. CEQA Guidelines Section 15065(a) (3). The cumulative impacts section includes analysis of Climate Change impacts at project buildout.

SECTION 6.0 - ALTERNATIVES TO THE PROJECT

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project. This alternatives analysis provides a comparative analysis between the merits of the project and the selected alternatives.

SECTION 7.0 - LONG-TERM IMPLICATIONS OF THE PROJECT

This section contains discussions and analysis of various topical issues mandated by CEQA. These include significant environmental effects that cannot be avoided if the project is implemented, significant irreversible environmental changes and growth-inducing impacts.

SECTION 8.0 - REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

APPENDICES

This section includes all notices and other procedural documents pertinent to the EIR, as well as all technical material prepared to support the analysis.

1.6 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

In accordance with Section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation (NOP) of an EIR for the project on December 27, 2007. The City was identified as the Lead Agency for the proposed project. This notice was circulated to the public, local, State, and federal agencies, and other interested parties to solicit comments on the proposed project. A scoping meeting was held on January 28, 2008 to receive comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix A**.

DRAFT EIR AND PUBLIC NOTICE/PUBLIC REVIEW

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of this Draft EIR, the City filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161).

Concurrent with the NOC, the City will provide public notice of the availability of the DEIR for public review, and invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period should be no less than forty-five (45) days. Public comment on the DEIR will be accepted both in written form and orally at public hearings. Although no public hearings to accept comments on the EIR are required by CEQA, the City expects to hold one or more public comment meeting(s) during the review period. Notice of the time and location of the hearing will be published prior to the hearing. Information on upcoming meetings associated with the General Plan Update is also available at:

www.maderageneralplan.com

Comments will also be accepted via an online comment form at the website listed below. All comments or questions regarding the Draft EIR should be addressed to:

**Dave Randall
City of Madera
205 West Fourth Street
Madera, CA 93637**

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments made at any public hearing(s) as well as contain any minor edits made to the Draft EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

As the final decision maker regarding the General Plan Update, the City Council will review and consider the Final EIR. If the Council finds that the Final EIR is "adequate and complete", they will certify the Final EIR.

Following certification of the Final EIR and following a recommendation on the proposed General Plan Update by the Planning Commission, the City Council may take action to adopt,

1.0 INTRODUCTION

revise, or reject the General Plan Update. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093 and would explain the General Plan Update's relationship to alternatives considered in this EIR. A Mitigation Monitoring and Reporting Program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This MMRP will be designed to ensure that these measures are carried out during General Plan implementation.

MITIGATION MONITORING

Public Resources Code Section 21081.6(a) requires lead agencies to adopt a reporting and mitigation monitoring program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; however it will be presented to the City Council for adoption. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program.

1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received several comment letters on the Notice of Preparation for the City of Madera General Plan DEIR. A copy of each letter is provided in **Appendix A** of this EIR. The City received letters from the following federal, state, and local agencies, and other interested parties:

- State of California Public Utilities Commission
- Madera County Local Agency Formation Commission (LAFCo)
- Madera County Planning Department
- Madera County Department of Engineering and General Services
- California Department of Fish and Game
- State of California Department of Water Resources
- California Department of Transportation, Division of Aeronautics
- Individuals not affiliated with public agencies

The following summarizes the concerns in these letters:

- Any development adjacent to or near rail corridors should be planned with safety of the rail corridor in mind.
- New development should pay its fair share for rail safety mitigations
- Services should be evaluated on any revisions to the City's Sphere of Influence and annexations. Impacts to the Service Districts should be evaluated.
- Circulation issues should be addressed, especially on the interface between the City and County road systems. Level of Service (current and projected), capital improvements, and the maintenance and operations of the roadways.
- Any potential modifications to consistency with the Airport Land Use Plan should be discussed.

- The source of additional potable water should be discussed. Negative impact to agricultural groundwater supply should be addressed.
- Additional stormwater should be addressed as far as where it will go and how it will meet water quality requirements.
- City Wastewater needs should be analyzed to see if a new tertiary treatment plant is needed. Purple pipe infrastructure for reclaimed water distribution as irrigation water should be considered. Grey water should be considered as a source of supplemental water.
- A new floodwater study is needed to determine floodplain boundaries and based flood elevations.
- An encroachment permit from the Reclamation Board may be needed if the project encroaches on a State Adopted Plan of Flood Control.
- There may be Project-related impacts to endangered, rare, or threatened species such as San Joaquin Valley orcutt grass, hair orcutt grass, San Joaquin kit fox, California tiger salamander, Swainson's hawk, blunt-nose leopard lizard, and burrowing owl. There may be loss of riparian habitat and/or wildlife movement corridors on the Fresno River, Cottonwood Creek, Schmidt Creek, Dry Creek, and other waterbodies. There may be loss of wetlands.
- The Olive Business Park Conceptual Specific Plan proposed development in a historic area with agricultural resources. It would also place residences near industrial uses and pose problems with truck traffic on Avenue 12 to and from Highway 99.
- The California Airport Land Use Planning Handbook should be used as a resource in the preparation of environmental documents for areas in which it is applicable around the Madera Municipal Airport. The General Plan should be consistent with the Madera County Airport Land Use Commission (ALUC) policies and should be referred to the ALUC. The General Plan should be coordinated with Madera Municipal Airport staff. Airport noise impacts should be considered.

