

FINAL ENVIRONMENTAL IMPACT REPORT

Ventana Specific Plan



January 31, 2007

Prepared by:

Quad Knopf, Inc.
One Sierragate Plaza
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Roseville, California 95678



Quad Knopf

FINAL
ENVIRONMENTAL IMPACT REPORT

Ventana Specific Plan

Submitted to:

City of Madera Community Development Department
Planning Division
City Hall
205 West Fourth Street
Madera, California 93637

Prepared by:



Quad Knopf

One Sierragate Plaza, Suite 270C
Roseville, California 95678

(916) 784-7823

January 31, 2007

TABLE OF CONTENTS

Section One – Introduction	1-1
1.1 Purpose.....	1-1
1.2 Scope and Format.....	1-1
Section Two – Overview of Comments Received	2-1
2.1 Public Review and Comment Procedures.....	2-1
2.2 Agencies and Individuals Who Commented on the Draft EIR	2-1
Section Three – Responses to Comments	3-1
Section Four –Errata	4-1
Section Five - Mitigation Monitoring Plan	5-1

Appendices

- Appendix A Fair Share Analysis
- Appendix B URBEMIS Model
- Appendix C Persons Consulted

SECTION ONE

INTRODUCTION

SECTION ONE INTRODUCTION

1.1 Purpose

The Environmental Impact Report for the Ventana Specific Plan project was prepared to disclose, analyze, and provide mitigation measures for potentially significant environmental effects associated with adoption and implementation of this project. Preparation of an environmental impact report is a requirement of the California Environmental Quality Act (CEQA) for all discretionary projects in California that have a potential to result in significant environmental impacts.

CEQA requires that a Final EIR be prepared, certified and considered by public decision makers prior to taking action on a project. The Final EIR provides the Lead Agency (i.e., City of Madera) an opportunity to respond to comments received on the Draft EIR during the public review period and to incorporate any additions or revisions to the Draft EIR necessary to clarify or supplement information contained in the Draft document. Following the submittal of the Draft EIR, a public review period was held from September 6, 2006 to October 20, 2006. This document includes the responses to comments received during the public review period and any other errata or changes necessitated by comments on the Draft EIR. The Draft EIR and this document constitute the Final EIR for the Ventana Specific Plan project.

1.2 Scope and Format

Section One introduces and outlines the purposes, scope, and format of the Final EIR. Section Two explains the public review process and lists all agencies and individuals who commented on the Draft EIR. Section Three consists of the actual letters of comment, reproduced in their entirety, and the responses to each written comment received on the Draft EIR. These responses are intended to supplement or clarify information contained in the Draft EIR, as appropriate, based on the comments and additional research or updated information. Additions to the Draft EIR are shown in underline and deletions shown in ~~strikeout~~ format. Each response follows the associated letter or document. Each letter and document has been numbered (e.g., Letter 1, Letter 2). Within each letter or document, individual comments are assigned an alphanumeric identification. For example, the first comment of Letter 1 is Comment 1A, and the second is Comment 1B. Section Four is a Mitigation Monitoring Plan to ensure that mitigation measures contained in the EIR are implemented. Section Five is errata.

SECTION TWO

OVERVIEW OF COMMENTS RECEIVED

SECTION TWO OVERVIEW OF COMMENTS RECEIVED

2.1 Public Review and Comment Procedures

CEQA requires public disclosure in an EIR of all project environmental effects and encourages public participation throughout the EIR process. As stated in Section 15200 of the CEQA Guidelines, the purposes of public review of environmental documents are:

- 1) sharing expertise
- 2) disclosing agency analyses
- 3) checking for accuracy
- 4) detecting omissions
- 5) discovering public concerns
- 6) soliciting counter proposals

Section 15201 of the CEQA Guidelines states that "Public participation is an essential part of the CEQA process." A public review period of no less than 30 days nor longer than 60 days is required for a Draft EIR under Section 15105(c) of the CEQA Guidelines. If a State agency is a lead or responsible agency for the project, the public review period shall be at least 45 days. As required under CEQA, the Draft EIR was published and circulated for the review and comment by responsible and trustee agencies and interested members of the public. The public review period ran from September 6, 2006 to October 20, 2006. All written comments received on the Draft EIR are addressed herein.

2.2 Agencies and Individuals Who Commented on the Draft EIR

- Letter 1: Terry Roberts, Governor's Office of Planning and Research
- Letter 2: Dave Herb, Executive Officer, Madera County Local Agency Formation Commission
- Letter 3: Lieutenant D. Paris, Madera Area Commander, Department of California Highway Patrol
- Letter 4: Dan Lynch, Environmental Scientist, Storm Water Unit, California Regional Water Quality Control Board
- Letter 5: Robert Mansfield, Planner, Planning Department, Madera County Resource Management Agency
- Letter 6: Brian Leahy, Assistant Director, Division of Land Resource Protection, California Department of Conservation
- Letter 7: Arnaud Marjollet, Permit Services Manager, San Joaquin Valley Air Pollution Control District.

SECTION THREE

RESPONSES TO COMMENTS

SECTION THREE RESPONSES TO COMMENTS

This section contains the letters of comment that were received on the Draft EIR. Following each comment letter is a response intended to either supplement, clarify, or amend information provided in the Draft EIR, or refer the commenter to the appropriate place in the Draft EIR where the requested information can be found. Those comments that are not directly related to environmental issues are noted for the record.



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Letter 1



Sean Walsh
Director

October 23, 2006

Dave Randall
City of Madera
205 W. Fourth Street
Madera, CA 93637

RECEIVED
OCT 30 2006

CITY OF MADERA
PLANNING DEPARTMENT

Subject: Ventana Specific Plan
SCH#: 2005091149

Dear Dave Randall:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 20, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Bas**

SCH# 2005091149
Project Title Ventana Specific Plan
Lead Agency Madera, City of

Type EIR Draft EIR

Description The project site is located west of SR-99, southeast of the City of Madera in unincorporated Madera County. The annexation area includes all land within the project site (250.6 acres), plus 18 parcels (49.55 acres) located north of the project site for a total of 300.2 acres. This annexation area is bound by SR-99 to the northeast, the city limit line to the north and west, the proposed Hazel Avenue extension to the south, and Road 28 1/4 to the east.

Lead Agency Contact

Name Dave Randall
Agency City of Madera
Phone (559) 661-5430
email
Address 205 W. Fourth Street
City Madera
State CA **Zip** 93637
Fax

Project Location

County Madera
City Madera
Region
Cross Streets SR 99, proposed Hazel Avenue extension, Road 28 1/4
Parcel No. 047-014-005, 007
Township 11S **Range** 18E **Section** 31, 32 **Base** MDBM

Proximity to:

Highways SR 99
Airports
Railways
Waterways Modesto Irrigation Canal
Schools
Land Use County GP: AE
City GP: RC(AG)
Z: ARE-20, AE, AR-5, RPM, CRH

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Department of Housing and Community Development; Office of Historic Preservation; Department of Health Services; Department of Fish and Game, Region 4; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 6; Department of Toxic Substances Control

Date Received 09/06/2006 **Start of Review** 09/06/2006 **End of Review** 10/20/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1 ***Terry Roberts, Governor's Office of Planning and Research***

Response 1A: The comment is noted.

Letter 2



LOCAL AGENCY FORMATION COMMISSION

• 2037 W. Cleveland Avenue MS-G
• Madera, CA 93637-0720
• (559) 661-6333
• FAX (559) 675-6573
• TDD (559) 675-8970
• EMail: lafo_planning@madera-county.com

September 11, 2006

RECEIVED
SEP 14 2006
CITY OF MADERA
PLANNING DEPARTMENT

David Randall, Planning Director
City of Madera Planning Department
208 West Fourth Street
Madera, Ca 93637

RE: Ventana Specific Plan -
Draft Environmental Impact Report

Dear Mr. Randall:

Thank you for the opportunity to review the documents related to the above entitled project. What follows are our comments on that document.

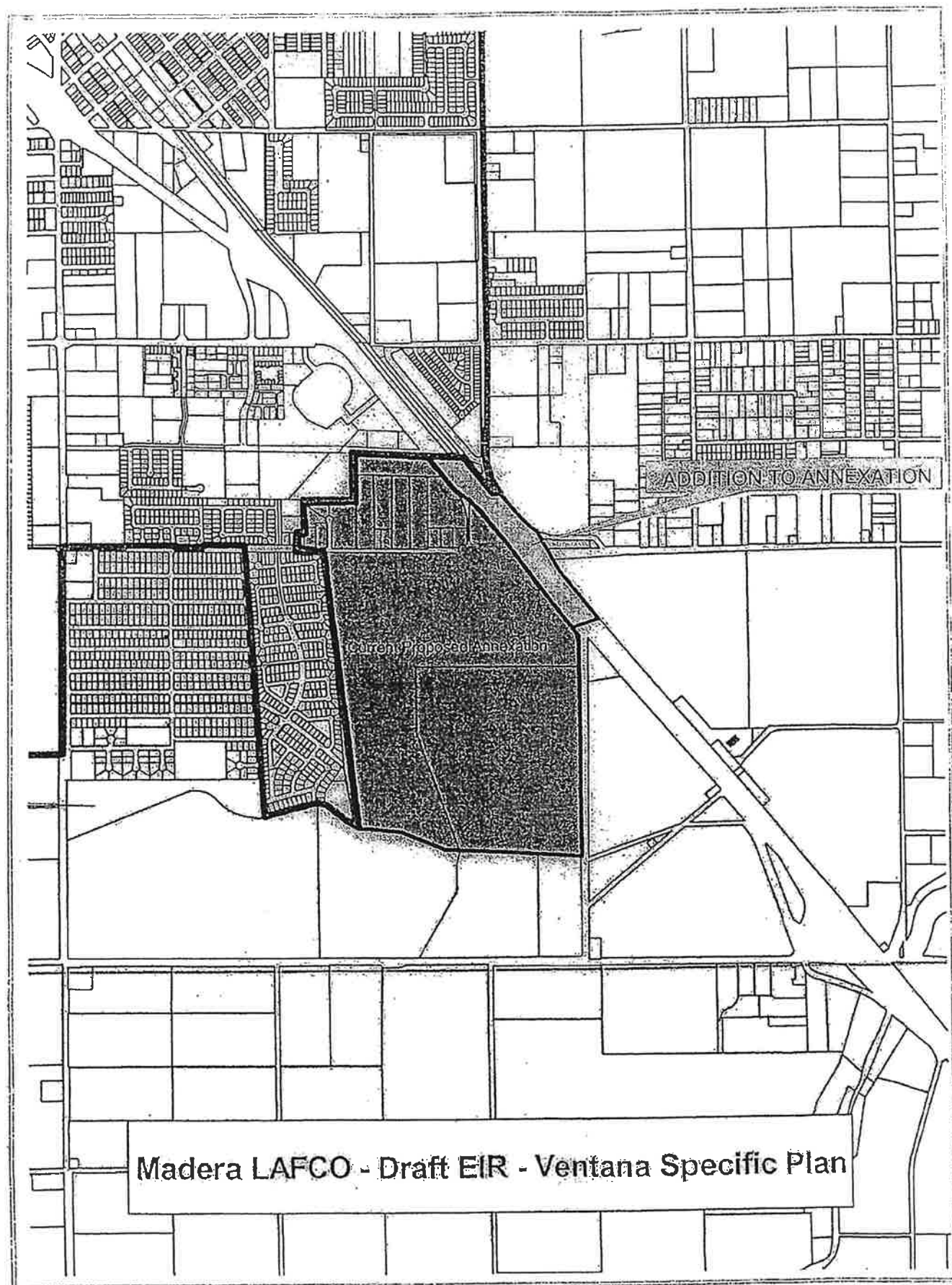
In regards to the Annexation Area Characteristics, there is no discussion of concerns that the City would be creating an island with the exclusion of Annexing Highway 99. To create orderly, efficient patterns of urban development within the area Right of Way Highway 99 fronting the property shall be included within the Annexation.

In the section discussing water supply, there was no discussion if the well used for the development is a municipal dedicated to the City of Madera.

Again, thank you for the opportunity to review the Draft Environmental Impact Report.

Sincerely,

Dave Herb
Executive Officer



Madera LAFCO - Draft EIR - Ventana Specific Plan

**Letter 2 Dave Herb, Executive Officer, Madera County Local Agency
Formation Commission**

Response 2A: The comment is noted. The commenter has reviewed the Draft EIR and offers comments.

Response 2B: The comment is noted. Minor adjustments to the annexation boundary will be made through negotiation between the project applicant and the Madera County Local Agency Formation Commission. This is not a comment on the environmental analysis.

Response 2C: The project's proposed water system and all appurtenances will be dedicated to the City and will become part of the City's public water supply system.

Response 2D: The comment is noted. The commenter has thanked the City of Madera for the opportunity to comment on the Draft EIR.

State of California—Business, Transportation and Housing Agency ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Madera Area
3051 Airport Drive
Madera, CA 93637
(559) 675-1025
(559) 675-1029 FAX
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



RECEIVED
OCT 30 2006

September 19, 2006

CITY OF MADERA
PLANNING DEPARTMENT

File No.: 450.data.exec.word.sch.sch#2005091149.doc

RECEIVED

SEP 25 2006

STATE CLEARING HOUSE

State Clearing House
1400 Tenth Street, Room 121
Sacramento, CA 95814

Check
10-20-06
e

RE: SCH #2005091149

State Clearing House:

Staff at the Madera office of the California Highway Patrol (CHP) has reviewed the Environmental Impact Report (EIR) regarding the proposed Ventana Project, (SCH #2005091149). The CHP is the primary agency providing traffic law enforcement, traffic safety, and traffic management within the unincorporated areas of Madera County. After a thorough review of this document, we offer the following comments:

A

The proposed development is located within the jurisdictional responsibility of the Madera Police Department. The CHP strongly believes there will be an increase in vehicular traffic as a result of this project. Mostly, there will be an increase of traffic patterns during ingress and egress, resulting in daily trips from single family dwellings to places of employment outside the Madera area. The EIR identified the new annexation as 20 parcels totaling 300 acres within the City of Madera. The construction will include a mix of low density and medium density lots with a proposed population of 4,590 people at build out, which represents a 7.5 percent increase to the city's projected 2010 population. It is estimated each SFD (single family dwelling) will contain 2.5 motor vehicles. Moreover, a projected increase of vehicles from this project, which would have access to State Highway (SR)-99 could be estimated at 2,000. The EIR did not identify daily commute traffic accessing SR-99 for travel to Fresno and Merced Counties. It can be assumed the majority of the local residents in this new annexation will be employed in the adjoining Counties. This is based upon retail and industrial businesses located in those Counties. Additionally, the CHP will initially see an increase in vehicular traffic during the construction phase of this project. The construction phase will be a limited period; however, construction employees, construction equipment and trucks delivering building materials will all utilize SR-99.

B

C

D

Safety, Service, and Security

State Clearing House
September 19, 2006
Page 2

According to the United States Census Bureau, the average U.S. Household population consists of 3.86 members. It can be assumed the population representation used for this project coincides with the U.S. Census Bureau. This increase would have an impact upon CHP responsibilities.

E

Staff will consider the Ventana project and the additional responsibilities related directly to this increase of responsibility during the 2007 and later Strategic Planning process.

F

Should there be questions regarding these comments, please contact me at (559) 675-1025.

G



D. PARIS, Lieutenant
Commander
Madera Area

cc: Central Division-CHP
Assistant Commissioner, Field-CHP
Special Projects Section-CHP

Letter 3 Lieutenant D. Paris, Madera Area Commander, Department of California Highway Patrol

Response 3A: The comment is noted. The comment is a description of the project and the Department's role in Madera County and is not a comment on the environmental analysis.

Response 3B: The comment is noted. Estimates of vehicle trip generation from the proposed project are fully described in Section 3.15 of the Draft EIR.

Response 3C: Highway 99 existing traffic volumes as well as projected traffic volumes with the addition of the proposed project are discussed on Page 3.15-14 and in Table 3.15-11 of the Draft EIR. It is concluded that the addition of the proposed project would not worsen the highway's existing Level of Service D. The Draft EIR also includes an analysis of the cumulative (Year 2025) conditions of Highway 99 with and without the proposed project. Again, it was concluded that the addition of the proposed project will not cumulatively worsen the highway's existing Level of Service D.

Response 3D: The residential portions of the Plan Area will be constructed in nine phases. The neighborhood commercial and elementary school will also be constructed separately. Therefore, construction vehicles and equipment entering and exiting the project site and utilizing Highway 99 at any one time will be insignificant and will only be temporarily present on these roadways.

Response 3E: The average U.S. household population size estimated by the United States Census Bureau represents a national average. The City's infrastructure master plans calculated the more accurate, city-specific estimates of 3.3 persons per household for low density residential units and 2.5 persons per household for medium density residential units. These specific household size estimates were utilized in the Draft EIR.

Response 3F: The comment is noted. The comment is not a comment on the environmental analysis.

Response 3G: The comment is noted. The commenter has offered to answer any questions regarding the comment letter.



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair

Fresno Branch Office
1685 E Street, Fresno, California 93706
(559) 445-5116 • Fax (559) 445-5910
<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

Letter 4

22 September 2006

RECEIVED
SEP 25 2006

Dave Randall, Planning Director
City of Madera Planning Department
205 West Fourth Street
Madera, CA 93637

CITY OF MADERA
PLANNING DEPARTMENT

VENTANA SPECIFIC PLAN PROJECT, DRAFT ENVIRONMENTAL IMPACT REPORT, SCH # 2005091149, MADERA, MADERA COUNTY

Your request for comments on the subject project was received on 7 September 2006. The proposed project is to construct a residential neighborhood on 250.6 acres west of State Route 99, southeast of the City of Madera and annex 49.55 acres located north of Avenue 13. The project will also include demolition and removal of existing structures and pulling out several acres of vineyard.

A

If any component of the project results in discharge of dredged or fill material into navigable waters or wetlands (jurisdictional waters), the project proponent(s) must obtain a permit pursuant to Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers (Corps) and a Section 401 Water Quality Certification from the Regional Water Board to ensure that discharges will not violate State water quality standards. If the project will result in the discharge of dredged or fill material into waters or wetlands that are determined by the Corps to be non-jurisdictional, the project proponent(s) will not be required to obtain a Section 401 Water Quality Certification, but may be required to submit a Report of Waste Discharge (RWD). Pursuant to California Water Code, Section 13260, all persons proposing to discharge waste that may affect the quality of waters of the State must submit to the Regional Water Board a RWD, following which the Regional Water Board will either prescribe waste discharge requirements or issue a waiver thereof.

B

If there will be demolishing of any existing wells during the demolition and removal of existing structures phase, unless contained, well development dewatering discharges must be covered under the NPBES Permit No. CAG995001, General Order No. 5-00-175 for Dewatering and Other Low Threat Discharges to Surface Waters. Before discharge begins, the project proponent(s) must submit Notices of Intent(s) (NOI) to comply with the permit and a filing fee to this Regional Water Board office. The General Order is applicable only if the discharge does not contain significant quantities of pollutants and is less than four months in duration or has an average dry weather flow of less than 0.25 million gallons per day. Otherwise, the project proponent(s) must apply for site-specific waste discharge requirements (WDRs). A representative sample of discharge would need to be collected and analyzed to demonstrate that no constituents of concern are present in quantities that would cause an exceedance of water quality objectives.

C

California Environmental Protection Agency

Recycled Paper

22 September 2006

In the Draft Environmental Impact Report, Chapter 3.8, Hydrology and Water Quality, the following incorrect statement is made: "The project proponent is required to prepare a Storm Water Pollution Prevention Plan (SWPPP) for the proposed project and submit it with a Notice of Intent to the RWQCB."

The requirement for applying for coverage under the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity (General Permit) is:

D

"Before construction begins, the project proponent(s) must submit an NOI to comply with the General Permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). A SWPPP must be prepared and retained at the project site. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures that will be taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into waters of the United States."

If the project will involve the storage of petroleum products in above-ground tanks, with a single tank capacity of greater than 660 gallons or a cumulative capacity of greater than 1,320 gallons, the project proponent(s) will be subject to State above-ground petroleum tank regulations. The project proponent(s) must file storage statements with the SWRCB, pay facility fees, and prepare a federal spill prevention control and countermeasure plans.

E

Thank you for the opportunity to comment on this Draft Environmental Impact Report. If you have any questions regarding our comments, please call me at (559) 445-6071.

F

Dan Lynch

Dan Lynch
Environmental Scientist
Storm Water Unit

cc: State Clearinghouse, Sacramento

Letter 4 Dan Lynch, Environmental Scientist, Storm Water Unit, California Regional Water Quality Control Board

Response 4A: The comment is noted. The comment is a description of the project and is not a comment on the environmental analysis.

Response 4B: As stated on Page 3.4-15 of the Draft EIR there are no wetlands or jurisdictional waters on or adjacent to the project site; therefore, the project will not result in the discharge of any materials into jurisdictional waters.

Response 4C: The NPBES permit is for the discharge of clean or relatively pollutant-free wastewater that poses little or no threat to water quality. The project site contains one or more existing, private groundwater wells. Use of these wells will be discontinued once the site is developed. Should the wells be demolished as part of project construction resulting in the release of dewatering discharges, the project applicant will be required to comply with the requirements of the NPBES Permit. However, according to RWQCB staff, well demolition does not typically result in dewatering discharges and the project will not likely require coverage under this permit for this activity. The discussion of Impact 3.8-1 is hereby revised as follows:

Impact #3.8-1: Violate any water quality standards or waste discharge requirements.

Discussion/Conclusion: The construction phase of the proposed project may cause stormwater runoff to enter drainages and, ultimately, waters of the U.S. The project proponent is required to prepare a SWPPP for the proposed project and submit it with a Notice of Intent to the RWQCB. SWPPPs include Best Management Practices (BMPs) that trap stormwater and prevent it from carrying sedimentation from the project site. SWPPPs are designed to control stormwater quality degradation to the extent practicable using BMPs during and after construction. Implementation of the approved SWPPP in accordance with a General Permit issued by the RWQCB for the proposed project and compliance with the requirements for obtaining a General Permit will reduce this impact to water quality to a level that is ~~less than significant~~ less than significant.

The demolition of onsite groundwater wells could result in the release of dewatering discharges into drainages and, ultimately, waters of the U.S. Should any groundwater wells within the Plan Area be demolished as part of the proposed project, the project proponent will be required to submit a Notice of Intent (NOI) and a filing fee for each well to the Central Valley Regional Water Quality Control Board to comply with the NPBES General Permit. Should the discharges from the dewatering of any well exceed the limitations of the NPBES Permit, the project proponent would be required to apply for site-specific waste discharge requirements (WDRs). However, according to RWQCB staff, well demolition does not typically result in dewatering discharges and the project will

not likely require coverage under this permit for this activity. This impact is *less than significant*.

Mitigation Measure

No mitigation measures are required.

Response 4D: The comment is noted. The project proponent will be required to comply with RWQCB procedures to obtain a NPDES General Permit. This is not a comment on the environmental analysis.

Response 4E: The comment is noted. The project does not propose any uses that would store petroleum products in above-ground tanks.

Response 4F: The comment is noted. The commenter has thanked the City of Madera for the opportunity to comment on the Draft EIR.



RESOURCE MANAGEMENT AGENCY Planning Department

Rayburn Beach, Planning Director

• 2037 W. Cleveland Avenue
• Madera, CA 93637
• Mail Stop G
• (559) 661-6333
• FAX: (559) 672-6573
• (toll) (559) 675-8970
• mc_planning@madera-county.com

October 16, 2006

David Randall, Planning Director
City of Madera Planning Department
208 West Fourth Street
Madera, Ca. 93637

RE: Ventana Specific Plan Draft
Environmental Impact Report

Dear Mr. Randall:

Thank you for the opportunity to the documents related to the above entitled project. What follows are our comments on that document.

In regards to Cultural Resources mitigations, while you have indicated that, amongst others, if any relics or remains are found that an archaeologist be contacted for evaluation. A continuance of that is to also contact the local coroner to assist in determining if the remains are indeed Native American in origin. It is good that you mention a worker education program to assist in the identification of potential cultural resources. This should be emphasized to be initiated prior to start of any construction or construction related activities (grading, etc.) so that the workers know what they are looking for before work gets started.

In the section discussing Hazards and Hazardous Materials, there was no discussion of using contractors who are certified by the appropriate agencies to handle, transport and/or dispose of any and all potential hazardous waste found on the site. While it is mentioned that there are some areas where contamination to some degree exists, means of disposal of material including soil dug up during grading activities need to be handled with due diligence.

On page ES-37 under Utilities and Service Systems, the mitigation measure listed is, by definition under CEQA Guidelines, inadequate. Mitigation measures must be adequate to lessen the impact [Guidelines 15126.4(a)]. All mitigations must be completed in a fashion to comply with Guidelines 15126.4 and 15364. The current mitigation calls for a study of water availability, which essentially defers the mitigations until a later time. One cannot mitigate a situation by studying it. The same issue applies to the wastewater issue on page ES-38.

On page 3.3-17, the discussion mentions that a cultural observer noted that some ceiling tiles in a structure may contain asbestos materials. However, there is no further discussion on how that cultural observer found the asbestos or knew of its existence.

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There is concern whether the sewer system currently in place, or the expansion noted in the EIR as being completed by August 2007, will be acceptable for this project when it is considered with other projects being coordinated by the City. There is no discussion of the other projects and their impacts on the system in the report.

G

On page ES-26, "Less Than Significant" is indicated for impacts related to the fire department and no mitigations were noted. However, the discussion on page 3.13-5 would lead one to believe that there is a significant impact and several mitigations available. With only two stations currently staffed by trained personnel, the placing of a new station within the vicinity of the project is indeed a mitigation, along with associated impact fees.

H

On page 3.16-4 regarding the discussion of the Fairmead Landfill at Avenue 22 and Road 19 as being in the City of Chowchilla is incorrect, as the Fairmead Landfill is located in Fairmead.

I

On page 2-1, in Table 2-1, the addresses/parcel numbers in the section marked "Parcels Inside the Specific Plan Boundary", the APNs and addresses do not match County records.

- 27781 Avenue 13, Madera Ca. 93637; APN #470-14-005 should be 27720 Avenue 13; Madera Ca. 93637; APN #047-014-005.
- 13234 Golden State Blvd, Madera, Ca. 93637; APN 470-14-007 should be 13228 Rd. 28 1/4 Madera, Ca. 93637; APN 047-014-007

J

It should also be noted that the 27781 Avenue 13 address was also listed under the "Parcels Outside the Specific Plan Boundary" and had an APN number of 034-100-023. The same can be sold for 13234 Golden State Blvd., and its APN of 034-100-071.

K

On Page 2-2, the parcels listed as 047-014-005, and -007 are given different acreage sizes than what is given them in the table on the previous page with no explanation.

L

On Page ES-27 under mitigations for Hydrology and Water Quality, the section regarding change of existing drainage is marked as "Less Than Significant." The project description indicates that there will be residential build-out, a school, parks and commercial areas. The impervious materials used for roadways, as well as new landscaping, will invariably alter the drainage patterns of the area. If anything, it will change due to the impervious surfaces diverting stormwater runoff into the vicinity due to the rainwater not being able to percolate into the ground.

M

The Madera County Fire Department has indicated that the design and density of this project would exceed the threshold of operational significance of the department. This is in regards to the department's ability to control a structure fire in the development due to limited staffing and resources. The department will require sprinkler systems conforming to NFPA 13D standards for all buildings in the subdivision.

N

In regards to roads, all projects within this vicinity must include the cumulative impacts in all studies of other projects. There are other areas the Road Department recommends should be included in the EIR to create a complete and accurate analysis. These include:

- Madera 72
- Cobb Madera
- Town Center
- Cat 17
- The Casino
- Center Point
- Parkwood Elementary School
- Madera High Schools, North and South

On page 3.15-15, Mitigation Measure #3, there is no mention of any Fair Share contribution for the County intersections impacted in the case that signal warrants are met by other Projects previous to build-out of this project. Page 3-15.16 Mitigation Measure #3.15-15. There should be Fair Share for signal warrants at Children's Boulevard and Peck, Children's Boulevard and Lanes Bridge, Lanes Bridge and Avenue 10, and at 41 frontage road and Avenue 10.

There was no mention of the redesign of the intersection of Pecan Avenue (Avenue 13) and Madera Avenue (State Route 145). This will include relocation of the traffic signals to correspond with the realignment and widening of the roads to include left turn lanes.

There is no mention of any contribution to future maintenance of County Roads that will be substantially impacted. There are also concerns regarding Highway 99 off-ramps in the area and that highway's overall capacity at build-out of the project. There appears to be no mention of cumulative impacts on Highway 99 with all the other projects being considered at this time.

The road around Avenue 13 and County Road 28 1/4 should be constructed on both sides not just the opposite side as indicated. The signalization of Avenue 12 and Road 28 1/4 should be installed when the warrants are met which may be sooner than build-out. This is also to include the construction of turn lanes.

Part of the EIR refers to Madera Boulevard while other parts refer to Madera Avenue.

There are no road segments studied. This is important to include portions of roadways that may require widening to facilitate traffic flow. There was no mention of possibly widening the overpass at State Route 99 and Avenue 13.

When a road is to be the boundary of the City Limits, the City will annex the road in its entire width. When an Intersection is at the edge of the City Limits, the City will annex the entire intersection.

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W

X

Page 3.15-27 Mitigation Measure, Since there is currently no source of funding identified yet for these items that are significant, the EIR should address the means for funding. An example would be that the City could enact an Area of Benefit to rectify some of the problems. To simply state that because there is not a current source of funding, this impact will remain significant and unavoidable with no mitigation to correct the problem is not acceptable.

Y

Z

Again, thank you for the opportunity to review the Draft Environmental Impact Report.

Sincerely,



Robert Mansfield
Planner

cc: Rayburn Beach, Planning Director

**Letter 5 Robert Mansfield, Planner, Planning Department, Madera County
Resource Management Agency**

Response 5A: The comment is noted. The commenter has reviewed the Draft EIR and offers comments.

Response 5B: The comment is noted. Under Mitigation Measures 3.5-1, the text is hereby amended as follows:

- *To ensure that buried cultural resources or human remains, if encountered, are recognized by construction crews, a worker education plan shall be initiated prior to ~~project implementation~~ the commencement of any construction activities. Information describing potentially significant resource characteristics and the procedures to be followed in the event of such a discovery shall be provided.*
- *~~Shall~~ Should any artifacts, exotic rock types or unusual amounts of bone, or shell be uncovered during construction activities, work shall be halted and a qualified archaeologist shall be consulted for an on-the-spot-evaluation.*
- *Should any human remains be uncovered during construction activities, work shall be halted and the local coroner shall be contacted to assist in determining if the remains are Native American in origin.*

Response 5C: The comment is noted. The project proponent is required to implement the recommendations contained in the Phase I Environmental Site Assessment included as Appendix H of the Draft EIR. These recommendations include the disposal of hazardous materials and contaminated soils at appropriate locations and according to industry standards.

Response 5D: CEQA Guidelines Section 15126.4(a)(1)(B) states that mitigation measures should not be deferred until some future time; however, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. CEQA Guidelines Section 15364 defines the term "feasible" as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Mitigation Measure 3.16-2 requires the completion of a study as a condition of approval of the tentative map to ensure adequate water pressures and fire flows and to determine if additional groundwater wells are needed onsite. While this study will be done in the future, it includes specific performance standards that must be met in accordance with this section of the CEQA Guidelines. This measure is feasible according to the definition provided in Section 15364.

It is also important to note that the study required by Mitigation Measure 3.16-2 does not relate to water availability. A Water Supply Assessment in accordance with SB610 was prepared for the proposed project and was included as Appendix J of the Draft EIR. This assessment concluded that adequate water supplies are available to the project.

Response 5E: See Response 5D above. Mitigation Measure 3.16-2 requires the completion of a study as part of the conditions of project approval to ensure adequate capacity of the proposed sewer pipelines. The study will be done in the future; however, it includes specific performance standards that must be met in accordance with CEQA Guidelines Section 15126.4(a)(1)(B). This measure is feasible according to the definition provided in Section 15364 of the CEQA Guidelines.

Response 5F: The possible presence of asbestos tiles in an existing structure on the project site was noted in the cultural resources assessment included in the Draft EIR as Appendix F. The ages of the structures and the presence of the tiles were observed during a routine site visit performed by the cultural resources specialist. The Phase I Environmental Site Assessment also noted the potential for the presence of asbestos due to the ages of the residential structures on the project site.

Response 5G: Expansion of the City's wastewater treatment plant has been approved and is expected to be completed by mid-2008. According to the environmental document for this expansion project, the expansion will accommodate the City's projected growth for approximately the next 20 years. This indicates that the expansion has been planned to service the proposed project, all other currently proposed projects, and all anticipated future projects.

Response 5H: As discussed on Page 3.13-5, the City already has plans to co-locate a new fire station. These plans are not the result of this project; therefore, this is not considered project mitigation. The plan for the new fire station is based on an analysis of the city's future needs based on population growth and other projects in the vicinity. As stated in the Draft EIR, the project site will be annexed into the citywide community facilities district and pay fees that will ensure on-going funding for the City of Madera Fire Department.

Response 5I: The comment is noted. The Fairmead Landfill is located near the City of Chowchilla. This is not a comment on the environmental analysis.

Response 5J: The comment is noted. Table 2-1 is hereby amended as follows:

Table 2-1
Parcels Proposed for Annexation

Parcel Address	Parcel Number	Parcel Acreage
Parcels Outside the Specific Plan Boundary		
13286 Golden State Blvd., Madera CA 93637	034-100-009	6.28
27807 Avenue 13, Madera CA 93637	034-100-068	1.15
--	034-100-070	1.32
27845 Avenue 13, Madera CA 93637	034-100-069	1.00
13188 Apricot Lane, Madera CA 93637	034-100-079	1.18
13156 Apricot Lane, Madera CA 93637	034-100-078	1.19
27549 Avenue 13, Madera CA 93638	034-100-074	0.43
27595 Avenue 13, Madera CA 93638	034-100-064	1.00
27605 Avenue 13, Madera CA 93638	034-100-077	1.00
27661 Avenue 13, Madera CA 93638	034-100-035	5.37
27673 Avenue 13, Madera CA 93637	034-100-032	5.00
27687 Avenue 13, Madera CA 93637	034-100-042	0.34
27699 Avenue 13, Madera CA 93637	034-100-041	0.83
27725 Avenue 13, Madera CA 93637	034-100-040	3.71
27749 Avenue 13, Madera CA 93638	034-100-033	5.00
27781 Avenue 13, Madera CA 93638	034-100-034	5.00
13234 Golden State Blvd., Madera CA 93637	034-100-071	6.57
27845 Avenue 13, Madera CA 93637	034-100-067	3.18
Total	--	49.55
Parcels Inside the Specific Plan Boundary		
27781 Avenue 13, Madera CA 93638	470-14-005	151.22
27720 Avenue 13, Madera CA 93637	047-014-005	
13234 Golden State Blvd., Madera CA 93637	470-14-007	100.58
12328 Road 28 1/4, Madera CA 93637	047-014-007	
Total	--	251.8*

*Total acreage of project site as surveyed is 250.6

Source: Madera County Assessor's Office; Quad Knopf, Inc.

Response 5K: See Response 5J above.

Response 5L: The comment is noted. The acreages of the parcels on the project site as surveyed are slightly different from those shown in Madera County records. This is noted at the bottom of Table 2-1 on Page 2-1 of the Draft EIR. The difference in acreage is not considered significant.

Response 5M: See Impact 3.8-3 on Page 3.8-8 of the Draft EIR. Implementation of the project will alter the existing drainage pattern; however, the proposed drainage system will collect all runoff from the project site thereby reducing the impact to a level of insignificance.

Response 5N: As stated on Page 3.13-2 of the Draft EIR, the project site will be under the jurisdiction of the City of Madera Fire Department. The site is not under the jurisdiction of the County of Madera. The commenter has not provided any evidence to support the claim that the design and density of the project would

exceed the threshold of operational significance of the department. Since no thresholds are specified, it is not possible to evaluate whether or not the project exceeds thresholds. In any event, the thresholds established by the county would not apply to a project in the city. At the present time there is no requirement to install sprinkler systems in residential developments in either the city or the county. Since the project site will be annexed into the city prior to development, the county does not have jurisdiction and does not have the authority to require sprinkler systems.

Response 5O: The comment is noted. Cumulative traffic impacts were evaluated using the Madera County Traffic Model, which accounts for development county-wide under the City and County General Plans. Specific projects which have been proposed in addition to the (background) general plan conditions are added to create the total cumulative traffic conditions.

The Cobb Madera project is in the conceptual planning stages only and could not be accurately analyzed in the traffic study. Additionally, because no application has been submitted to the County for this project it is not considered a probable future project for inclusion in the cumulative analysis. Similarly, no application has been submitted for the Madera 72 project.

The Madera Town Center and CAT-17 projects are located at the north end of the city along Avenue 17 and would therefore not affect the proposed project or surrounding circulation system. Similarly, the Casino project is located too far from the project site to have an impact on the circulation system and is at a very conceptual planning stage. The Center Point project is an industrial project located on land designated for industrial uses in the County General Plan. The impacts are therefore captured in the Madera County traffic model.

The Parkwood Elementary project is located within the project site and was considered in the traffic analysis for the proposed project.

It is not clear what project the commenter is referring to with regards to the "Madera High North and South" project. The current Madera High School North and South campuses are existing projects and were therefore included in the baseline traffic data. A new high school campus is proposed for the northern portion of the city; however, this project would be located too far from the project site to impact the circulation system in the project area.

Response 5P: The comment is noted. These locations are not in the vicinity of the proposed project and would not be significantly impacted by traffic from the proposed project; therefore, there is no nexus to require payment of fair share.

Response 5Q: The traffic analysis notes that under cumulative conditions SR 145 will need to be improved to a four lane section. Auxiliary turn lanes may be a part of this improvement. The proposed project will contribute its fair share to the cost of

this improvement if the City of Madera acts to include SR 145 widening in the pending fee program update.

Response 5R: Incrementally, development in and near the City of Madera contributes to the need for regular maintenance of state highways, city streets and county roads. As the south Madera area develops and is annexed, Madera County roads within the new city limits become the responsibility of the City of Madera. The proposed project will add traffic to the county roads that link the site with SR 145 and SR 99. To a minor degree, the proposed project will add traffic to county roads that are regional in nature, such as Avenue 12 and Avenue 13. However, the proposed project's impact on countywide road maintenance would not be itself significant, and project residents would contribute to the cost of regional roadway maintenance through the payment of state taxes. Potential impacts to the County are addressed through the payment of taxes under the terms of the existing city/county tax sharing agreement. The City and County may choose to pursue modifications to the tax sharing arrangement in the future which address inter-jurisdictional street maintenance impacts to both City and County streets.

Response 5S: The traffic study addressed the operation of SR 99 ramp intersections under "Existing Plus Ventana Project," "Existing plus Approved Projects Plus Ventana Project" and "Year 2025 Plus Ventana Project" conditions. The study also identifies impacts to mainline SR 99. See Section 3.15 of the Draft EIR.

Response 5T: The proposed project will construct frontage improvements that would include the complete half section of street adjacent to the subject property, as well as widening of the opposite side of the street as needed to create left turn lanes and one travel lane.

Response 5U: The extent to which future traffic volumes result in the need for improvements to the Avenue 12/Road 28¼ intersection is dependent on the rate at which the proposed project and other development projects proceed. The traffic analysis indicated that a signal would be needed to accommodate the proposed project alone at build out. The City of Madera will monitor traffic conditions at this location and traffic signals should be installed when actual conditions warrant.

Response 5V: The comment is noted. This comment is not a comment on the environmental analysis.

Response 5W: In urban areas the overall quality of traffic flow is typically governed by the operation of major intersections, rather than the flow of traffic on connecting roadway segments. Thus, the DEIR traffic study focuses on the operation of key intersections. Avenue 13 is a four lane facility in the City of Madera's circulation element. Typically City policy has been to require new development to construct frontage improvements that are consistent with that standard as their contribution to the cost of cumulative mitigation. Ultimately, the Avenue 13 crossing over SR 99 will need to be improved to a four lane highway. This would be an

improvement of community-wide benefit, and it is anticipated that the cost of crossing improvements would be included in a future modification to the City's impact fee program.

Response 5X: The comment is noted. The annexation area boundaries will be established in accordance with LAFCO policies.

Response 5Y: As stated in Mitigation Measure 3.15-2, the project proponent will pay the project's fair share of needed improvements through contributions to traffic impact mitigation fee programs. An analysis of those improvements not included in any fee program was prepared to determine the project's fair share of the cost of these improvements. This analysis has been included in this FEIR as Appendix A. The project proponent will pay the fair share for all improvements listed in Mitigation Measure 3.15-2 according to this analysis.

Response 5Z: The commenter has thanked the City of Madera for the opportunity to comment on the Draft EIR.

**DEPARTMENT OF CONSERVATION****DIVISION OF LAND RESOURCE PROTECTION**

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2666 • WEBSITE conservation.ca.gov

TO: Project Coordinator
Resources Agency

VIA FACSIMILE (559) 674-2972

Dave Randall, Planning Director
Madera Community Development Department
Planning Division
205 West Fourth Street
Madera, CA 93637



FROM: *RL*
Brian Leahy, Assistant Director
Department of Conservation
Division of Land Resource Protection

DATE: October 23, 2006

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE
VENTANA SPECIFIC PLAN **SCH# 2005091149**

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above DEIR and offers the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land.

A

The proposed project involves annexation of 300.2 acres to the City of Madera; general plan amendment from Resource Conservation, Agriculture to residential, commercial, school and public facility; rezoning; approval of the Ventana Specific Plan; and a vesting tentative subdivision map application for 1,043 lots. The DEIR notes that the 251-acre project site includes 241 acres of Prime Farmland and Farmland of Statewide Importance planted in vineyards. The DEIR also notes that conversion of these farmlands to residential uses would be potentially significant and that there are no mitigation measures available to reduce the impact to insignificance.

B

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

The Division recommends that the City consider the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act.

C

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. For example, the California Farmland Conservancy Program is authorized to accept donations of funds if the Department of Conservation is the designated beneficiary and it agrees to use the funds for purposes of the program in a county specified by the donor. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the City's planning area.

D

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

E

<http://www.conservation.ca.gov/DLRP/>

Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

F

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Protecting nearby farmland from *premature* conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

G

H

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the City's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan

I

Dave Randall, Planning Director
October 23, 2006
Page 3 of 3

mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses. The City's general plan should also be updated to identify and conserve strategically important agricultural lands that still remain uncommitted to urban development. In addition, the City's policy to not permit extension of sewer and water lines to agricultural lands should be updated and also included in the circulation element for reference when proposals for extension of infrastructure are submitted.

I cont.

J

K

Thank you for the opportunity to comment on the DEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

L

cc: Madera RCD
425 North Gateway Drive, Suite K
Madera, CA 93637

Letter 6 *Brian Leahy, Assistant Director, Division of Land Resource Protection, California Department of Conservation*

Response 6A: The comment is noted. The commenter has reviewed the Draft EIR and offers comments.

Response 6B: The comment is noted. The comment is a description of the project and the agriculture resources section of the Draft EIR and is not a comment on the environmental analysis.

Response 6C: The purchasing of agricultural conservation easements on land of equal quality and size would not mitigate the loss of agricultural land that will result from project implementation. While the long term preservation of existing agricultural land through the purchasing of conservation easements is very important, it does not create new agricultural land to replace agricultural land that is lost. Regardless of offsite mitigation, the conversion of the project site from agricultural use to urban use would result in a net loss of agricultural land that cannot be mitigated.

While CEQA allows the type of off-site mitigation proposed by the commenter, it does not require the adoption of such measures in every case. Instead, the decision of whether to require offsite mitigation for the loss of agricultural land is to be made by the Lead Agency. The City has not adopted any policies requiring offsite mitigation for the loss of agricultural lands and has not created any agricultural easement programs in which the project proponent could participate. The City will consider the inclusion of such policies and the development of such programs during the General Plan Update process.

Response 6D: The comment is noted. This is a description of the process for using conservation easements as mitigation and is not a comment on the environmental analysis.

Response 6E: The comment is noted. This is not a comment on the environmental analysis.

Response 6F: CEQA does not require that every conceivable alternative be examined. The CEQA Guidelines (Section 15126.6) requires that a reasonable range of alternatives be described. The Draft EIR examined three different alternatives including a "no project alternative," a "reduced density alternative," and a "reduced size alternative." This represents a reasonable range of alternatives as required by CEQA.

The Draft EIR did not evaluate an increased density or clustered alternative with continued operation of farmland on the site. Small, fragmented agricultural operations surrounded by urban uses would not likely be economically or practically feasible. Additionally, this alternative would not meet the project objectives to provide a mixture of residential land uses and housing products for various income levels and household types.

- Response 6G:** See Response 6C above. The protection of offsite farmland from conversion to urban uses is not considered mitigation for the loss of farmland that will result from project implementation. Additionally, the project site is primarily surrounded by existing or planned urban development including SR 99.
- Response 6H:** See Response 6C above. The protection or financial support of existing, offsite agricultural land is not considered mitigation for the loss of farmland that will result from project implementation.
- Response 6I:** The comment is noted. This is not a comment on the environmental analysis. The City will consider this comment during the General Plan update process.
- Response 6J:** The comment is noted. This is not a comment on the environmental analysis. The City will consider this comment during the General Plan update process.
- Response 6K:** The comment is noted. This is not a comment on the environmental analysis. The City will consider this comment during the General Plan update process.
- Response 6L:** The comment is noted. The commenter has thanked the City of Madera for the opportunity to comment on the Draft EIR and has offered to answer questions or provide technical assistance related to the project.



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT

OCT 23 2006

Dave Randall
City of Madera
Planning / Public Works
205 W. Fourth St.
Madera, CA 93637

Project: Ventana Specific Plan Draft Environmental Impact Report

District Reference No: C200602039

Dear Mr. Randall:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and offers the following comments:

Upon review of the project and its alternatives, the District concurs with the Draft Environmental Impact Report (DEIR) that the Ventana Specific Plan Project will produce emissions that exceed the District's Thresholds of Significance. However, the District has noted several discrepancies with District approved methodologies.

The Air Quality Analysis (AQA) contains some minor errors that would not change the conclusion of the analysis but should be corrected to improve the accuracy.

- Trip rates were inconsistent with default URBEMIS values and the trip rate assumptions were not adequately documented. Adequate documentation may be obtained from the traffic study or should refer to market study or some other data source acceptable to the City of Lodi.
- The District does not calculate emissions by the Summer/Winter season; the emissions are generated using the default tons/year option. The District's PM10 attainment strategy relies on obtaining NOx reductions during the winter months and the District's Ozone attainment strategy relies on reductions during the summer ozone season. Therefore, the annual average is more appropriate. The difference between summer and annual average is primarily due to winter hearth related emissions. Many developments are committing to using natural gas inserts and no wood burning devices. By utilizing this measure, there would be only small differences in the emissions estimate.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Chris J. Kalashian at (559) 230-6120 and provide the reference number at the top of this letter.

Sincerely,

Dave Warner
Director of Permits Services

FOR Arnaud Marjollet
Permit Services Manager
DW: cjk

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CITY OF MADERA
PLANNING DEPARTMENT

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Bakersfield, CA 93301-2373
Tel: (661) 326-6900 FAX: (661) 326-6985

Letter 7 Arnaud Marjollet, Permit Services Manager, San Joaquin Valley Air Pollution Control District

Response 7A: The comment is noted. The commenter has reviewed the Draft EIR and offers comments.

Response 7B: The comment is noted. The District agrees with the conclusions of the Draft EIR regarding the project exceeding adopted emissions thresholds.

Response 7C: As stated on page 3.3-10 of the Draft EIR, the trip rates utilized by the traffic engineer in preparation of the project traffic study were also utilized in the estimation of project air emissions. The URBEMIS default trip rates were changed to be consistent with the traffic analysis. These trip rates are documented in the appendix to the traffic report included in the Draft EIR as Appendix L.

Response 7D: The comment is noted. The addition of this data will not affect the analysis or conclusions in the DEIR. The URBEMIS results print out containing this additional data is included as Appendix B of this FEIR. Tables 3.3-8 and 3.3-9 on page 3.3-10 of the Draft EIR are hereby amended as follows:

**Table 3.3-8
URBEMIS Model Results – Area Source Emission Estimates (Lbs/Day)**

	ROG	NO _x	CO	SO ₂	PM ₁₀
Summer (lbs/day)	100.39	20.21	63.36	0.53	0.24
Winter (lbs/day)	178.34	36.80	682.37	6.30	114.21
<u>Annual Average (tons/year)</u>	<u>20.15</u>	<u>4.20</u>	<u>34.13</u>	<u>0.14</u>	<u>4.53</u>

Source: URBEMIS 2002; Quad Knopf, Inc.

**Table 3.3-9
URBEMIS Model Results – Operational (Vehicle) Emission Sources (Lbs/Day)**

		ROG	NO _x	CO	SO ₂	PM ₁₀
Summer (lbs/day)	Unmitigated	165.61	157.42	1,798.08	0.97	84.50
	Mitigated	159.05	149.67	1,709.52	0.93	80.34
Winter (lbs/day)	Unmitigated	170.93	244.13	1,973.55	0.97	84.50
	Mitigated	162.51	232.11	1,876.35	0.92	80.34
<u>Annual Average (tons/year)</u>	<u>Unmitigated</u>	<u>50.70</u>	<u>38.21</u>	<u>372.95</u>	<u>0.31</u>	<u>19.95</u>
	<u>Mitigated</u>	<u>49.39</u>	<u>36.53</u>	<u>356.27</u>	<u>0.31</u>	<u>19.19</u>

Source: URBEMIS 2002; Quad Knopf, Inc.

Response 7E: The comment is noted. The District's staff has offered to meet with the applicant to discuss regulatory requirements.

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE
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FRESNO, CA 93778-2616
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CITY OF MADERA
PLANNING DEPARTMENT

November 2, 2006

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Co./Dept		Co.	Madera - Planning		
Phone #		Phone #			
Fax #		Fax #			

2134-IGR/CEQA
6-MAD-99-8.722
DRAFT EIR
VENTANA SPECIFIC PLAN
SCH 2005091149

City of Madera Planning Department
205 W. Fourth Street
Madera, CA 93637

Dear Mr. Randall:

We have completed our review of the draft Environmental Impact Report (DEIR) for the proposal to develop a maximum of 1,500 single-family units, an elementary school for 800 students, and a 63,200 sq.ft. neighborhood commercial center on a 301-acre site. The site is located along the south side of Avenue 13, north of Avenue 12, west of Road 28 1/4, approximately 0.5 mile north of the State Route (SR) 99 interchange at Avenue 12 and south of the southbound ramps at Almond Avenue (Avenue 13 1/2), and approximately 1.5 miles south of SR 99/SR 145 interchange. Caltrans has the following comments:

SR 99/Avenue 12 interchange:

A Caltrans Project Study Report (PSR) to upgrade and reconstruct the SR 99 interchange at Avenue 12 was completed in 2003. The project is still listed in the Caltrans status of projects. However, no additional design work has been initiated.

The project proposes ultimate build and minimum build alternatives. The ultimate build alternative would accommodate the 2030 traffic volumes and consist of widening the overcrossing to eight lanes, realigning Golden State Boulevard and Road 29 south, constructing a new southbound slip on-ramp, reconstructing intersections, and installing traffic signals. The project cost is estimated to be between \$37 and \$47 million. The minimum build alternative would accommodate the 2020 traffic volumes and consists of widening the overcrossing to five lanes, reconstructing intersections, and installing traffic signals. The cost is estimated to be between \$19 and \$29 million. Both alternatives would realign Road 29 (east of northbound ramps) to the east. The ultimate build alternative would accommodate an 8-lane freeway on SR 99 and the minimum build alternative would accommodate a 6-lane freeway on SR 99. The cost estimate has not been updated. Therefore, it is recommended that the \$29 million minimum build cost estimate be used for collecting project fair share until a City of Madera Traffic Impact Fee Program is established.

SR 99/Avenue 12 traffic signal projects:

The two Caltrans traffic signal projects are still in the design process. The two projects will be combined during construction and are currently planned for construction in 2007.

The Caltrans projects would install three traffic signals at the Avenue 12 intersections at Golden State/Road 29, northbound ramps, and Road 29 (east of the northbound ramps). These three traffic signals on Avenue 12 will be coordinated. The projects also propose to add eastbound left-turn lanes to the northbound on-ramp and Road 29 on Avenue 12. No bridge widening is planned on the Avenue 12 overcrossing. Right-turn storage will be added at the northbound off-ramp. The southbound approach at the Avenue 12 and Golden State intersection would be widened to a left-turn lane, a through lane, and a right-turn lane. The northbound approach at Golden State/Road 29 to Avenue 12 would be converted from a shared left/through lane to a left-turn lane and a shared through/right-turn lane.

SR 99/SR 145/Olive and SR 99/Gateway Drive/Almond Avenue:

This project was prepared by the URS Corporation to upgrade and reconstruct the SR 99/SR 145 and the SR 99/Gateway Drive interchanges and is currently scheduled for construction at the end of 2006. The project includes structure widening from two lanes to six lanes on the SR 145 bridge over SR 99; adding northbound and eastbound dual left-turn lanes at the SR 145/Olive Avenue intersection; constructing new SR 99 southbound ramps at Almond Avenue; and realigning the Gateway Drive overcrossing to connect to Almond Avenue. This project is currently under construction.

A traffic study prepared by Y&C Transportation Consultants stated that the project was designed for the year 2015. Additional improvements at the SR 145/Olive Avenue intersection, the Olive Avenue/"T" Street intersection, and the Olive Avenue/SR 99 southbound off-ramp intersection are necessary to accommodate the 2025 traffic demand.

The additional improvements needed at the SR 145/Olive Avenue intersection include adding a separate southbound right-turn lane, which may require minor structure widening, and adding a separate eastbound through lane. An additional right-turn lane at the SR 99 southbound off-ramp to Olive Avenue should also be constructed to improve the operations at the intersection. The additional improvements needed at the Olive Avenue/"T" Street intersection include adding eastbound dual left-turn lanes and a separate westbound right-turn lane.

It is stated that the project could generate as many 1,687 trip during the typical P.M. peak travel period. This amount of traffic would have a significant impact to State facilities.

SR 99 between Avenue 12 and north of Avenue 13 is planned for ultimate 8-lane freeway. The existing 4-lane freeway will need to be widened to the west side of the freeway due to the close distance to the Southern Pacific Railroad. The portion of Road 28 1/4 along the east side of the project parallel to SR 99 will need to be realigned to the west to accommodate the future 8-lane freeway. Approximately 69 feet of additional right of way along the east side of the project

property will be needed (see enclosed plan). The Avenue 13 overcrossing was designed for a 6-lane freeway. The Avenue 13 OC will need to be reconstructed in the future when SR 99 is widened to an ultimate 8-lane freeway.	E cont.
Avenue 13 and Road 28¼ is a two-lane road within the project limit. It is suggested that Avenue 13 and Road 28¼ be designed as a four-lane roadway and right of way be preserved.	F
In a past meeting which included City Staff, the project proponents for the Triple L Project, and Caltrans staff, the possibility of constructing the new interchange at Avenue 13 was discussed. A partial interchange to construct a southbound on-ramp, and northbound on/off ramps is possible. A southbound off-ramp to Avenue 13 is not recommended due to the close proximity with the southbound on-ramp from Almond Avenue (Avenue 13½). However, SR 99 would need to be realigned to the west to construct the northbound ramps. The impacts to the adjacent properties west of SR 99 would be significant and the construction cost would be substantial.	G
The study should analyze the ramp intersections after the implementation of the Caltrans signal projects at the SR 99/Avenue 12 interchange at Ventana project buildout.	H
In regard to pages 11 and 12, a 15% pass by trip reduction for A.M and P.M. peak hour traffic is typically allowed as stated in the Caltrans <i>Guide for the Preparation of Traffic Impact Studies</i> (copy enclosed). Use of a higher percentage should be only be used after consultation and acceptance by Caltrans.	I
A minimum of 2% truck traffic should be used in the study. The study assumed 0% truck traffic throughout the analysis.	J
The SR 99 segment LOS (Table 3) should be analyzed using HCM 2000 with peak hour traffic volumes.	K
For the mitigated 2025 project scenario, the westbound approach on Avenue 12 at the northbound ramps should have a separate right-turn lane. The eastbound and westbound approaches on Avenue 12 to Golden State should have 2 through lanes and dual eastbound left-turn lanes. The intersection of Golden State and the southbound ramps will need to have a separate southbound left-turn lane, dual westbound left-turn lanes with a separate westbound right-turn lane, and separate northbound dual right-turn lanes.	L
The Triple L study proposed to realign Road 29. It is not clear if Road 29 east of the northbound ramps on Avenue 12 would be realigned by the Triple L development project. The Ventana traffic study <u>did not</u> analyze the intersection of Avenue 12 and Road 29 (east of the northbound ramps).	M
The worksheet for mitigated the 2025 project scenario for the SR 99 interchanges at Avenue 12 and SR 145/Olive Avenue are not included in the study and should be provided.	N
The lane configurations at this SR 99/SR 145/Olive Avenue interchange for the existing plus project, and the existing plus project and approved/pending projects scenarios should be	O

Mr. Dave Randall
November 2, 2006
Page 4

consistent with the proposed lane configurations in the Caltrans project at the intersections of SR 145 (Madera Avenue)/northbound ramps and SR 145 (Madera Avenue)/Olive Avenue.

The southbound exclusive right-turn lane should be a flared right-turn lane instead of a separate right-turn lane at the intersection of the southbound off-ramp and Olive Avenue as shown in Figures 3, 5, and 6 (intersection #3), and the southbound approach should have a left-turn lane and a right-turn lane in Figures 7 and 8. The westbound approach at the intersection of southbound off-ramp and Olive Avenue will be 2 through lanes after the construction of Caltrans project.

O cont.

The traffic study failed to analyze the intersection of Olive Avenue and "T" Street.

P

The intersection at Almond Avenue and the proposed southbound ramp intersection (intersection #7) will be a four-legged intersection (south leg access to Hospital). The study showed this intersection as a three-legged intersection.

Q

On page ES-31 (3.15-1) of the DEIR, it should be noted that a traffic signal at the Avenue 12/Road 29 intersection will be included as part of the Caltrans signalization project at the SR 99/Avenue 12 interchange.

R

On page 3.15-1 DEIR, it should be noted that the Caltrans *Guide for the Preparation of Traffic Impact Studies* states that Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State Highway facilities.

S

It is recommended that the project contribute their fair share for the interchange improvements at SR 99/Avenue 12 and SR 99/SR 145/Olive Avenue. The Minimum Build Alternative for the SR 99/Avenue 12 can be used for the purpose of calculating fair share for the Ventana and Triple L Projects until the City of Madera Traffic Impact Fee Program is established. The mitigation cost estimate and fair share calculation should be prepared the applicant's traffic consultant be submitted for review by Caltrans.

T

Please send a response to our comments prior final approval of this application. If you have any questions, please call me at (559) 445-5868.

U

Sincerely,



MICHAEL NAVARRO
Office of Transportation Planning
District 06

C: SCH

Enclosure

**Letter 8 Michael Navarro, Office of Transportation Planning, District 6,
California Department of Transportation**

Response 8A: The comment is noted. The comment is a description of the project and is not a comment on the environmental analysis.

Response 8B: The comment is noted. This comment describes buildout alternatives and states the estimated costs for the improvements. This information will be considered for the purposes of determining fair share mitigation payments.

Response 8C: The DEIR acknowledges that these projects are expected to be proceeding shortly. The DEIR traffic study acknowledges that pending improvements programmed by Caltrans will need to be supplemented by additional work in order to accommodate long term traffic conditions.

Response 8D: The DEIR traffic study acknowledges the proposed project's impacts to the state highway system and suggests appropriate mitigation measures.

Response 8E: The project design shall be modified to provide sufficient room for future Highway 99 widening in the event Caltrans elects to construct eight lanes. The comment letter calls for an additional 69 feet of right-of-way. Forty feet will be generated from modifications in lot sizing with the balance available through subsequent modifications to the internal and external frontage road right-of-way areas.

Response 8F: Avenue 13 is planned as a four-lane road. Frontage improvements to that standard will be made as a part of the proposed project. Road 28¼ is planned as a four-lane road. Frontage improvements will be made as part of the proposed project.

Response 8G: Development of a SR 99 / Avenue 13 interchange has not been discussed as part of the proposed project and is not addressed in the DEIR. If an interchange was to be pursued, it would require appreciable right-of-way that would affect the layout of Road 28¼ and the configuration of the proposed project itself. The project cannot base its design on a future speculative project.

Response 8H: "Existing Plus Ventana" Levels of Service at the intersections are noted in the table below.

Table 3.1
Existing Plus Ventana Project Levels of Service at SR 99 / Avenue 12 Interchange Ramps

Location	Condition	Existing Plus Ventana Conditions			
		A.M. Peak Hour		P.M. Peak Hour	
		Average Delay	LOS	Average Delay	LOS
Ave 12 / Golden State	SB approach widened to a left-turn lane, a through lane, and a right-turn lane. NB approach converted from a shared left/through lane to a left-turn lane and a shared through/right-turn lane	24.3 sec	C	31.4 sec	C
Golden State / SB ramps	WB stop sign	27.0 sec	D	29.9 sec	D
Ave 12 / NB SR 99	Eastbound left-turn lane; right-turn storage added at the northbound off-ramp	16.9 sec	B	19.2 sec	B
Ave 12 / Road 29	Eastbound left-turn lane	12.1 sec	B	11.8 sec	B
*Delay and LOS at this intersection is for worst case movement only					

Source: kdAnderson, 2006

Response 8I: The a.m. peak hour “pass-by trip reduction for the commercial center was assumed to be 15 percent per Caltrans guidelines. The p.m. peak hour pass-by percentage was derived from information contained in the ITE Trip Generation Handbook. That document (Figure 5.5) suggested that 45 percent of the trips associated with a 60 ksf retail center could be “pass-by;” however, due to the project’s location this factor was reduced to 30 percent. While no formal plan for the commercial site exists, these pass-by rates are applicable to the types of convenience oriented uses that are likely on a site of this size in this location.

Response 8J: Review of the factors associated with LOS calculations revealed that a 2 percent heavy vehicle factor was assumed in this study.

Response 8K: The referenced table suggested SR 99 Level of Service based on available daily traffic volume counts published by Caltrans. Level of Service D conditions were forecast with and without the proposed project.

The most recent peak hour traffic counts published by Caltrans for SR 99 in the vicinity of the proposed project (p.m. 10.27) reveal directional volumes that range of 2,122 to 2,906 vehicles per hour. Trucks comprise approximately 20 percent of the volume on SR 99 in this area. Under these conditions the average density ranges from 21.6 to 30.4 pc/hr/ln at LOS C and LSO D.

The proposed project will add 15 to 160 vph to various segments of SR 99 during the a.m. and p.m. peak hour. At worst, the addition of 160 vehicles to the

maximum 2,906 volume reported today yields a density of 32.3 pc/hr/ln and LOS D.

Response 8L: The exact nature of the intersection geometry available after implementation of Caltrans SR 99/Avenue 12 interchange project will be determined as the interchange project proceeds. The lanes noted in the comment are part of the "mitigated" geometry addressed in the traffic study, but additional lanes would be needed to deliver LOS D or better conditions. For example, the SB approach at the Avenue 12/Golden State intersection would need to be re-stripped to provide dual SB left turn lanes.

Response 8M: The proposed project does not propose to relocate the Avenue 29 intersection, nor is relocation a part of Caltrans pending SR 99/Avenue 12 traffic signals project. The relocation is required of development in the State Center Community College Specific Plan Area, of which the Triple L project is a part. Development of the proposed project would not add traffic to Avenue 29 in this area and would not be expected to trigger the need for the relocation.

Response 8N: LOS worksheets were included in Appendix L of the DEIR.

Response 8O: The "Existing Plus Ventana Project," "Existing Plus Approved Projects" and "Existing Plus Approved Projects Plus Ventana Project" analyses do not assume implementation of the planned Caltrans projects and are not shown in the referenced figures. The geometry described in the comment is discussed as "mitigation."

Response 8P: The Olive Avenue/I Street intersection lies approximately 150 feet west of the Olive Avenue/SB SR 99 ramps intersection. As such, it is an element of the SR 99/SR 145/Olive Avenue interchange. While not addressed in the traffic study itself, due to its proximity it is reasonable to expect that the Olive Avenue/I Street intersection will need to be improved in a manner that is consistent with the plan for ultimate improvements to the adjoining intersections on Olive Avenue. As noted in a previous comment, the additional improvements needed at the Olive Avenue/I Street intersection include adding eastbound dual left-turn lanes and a separate westbound right-turn lane. This work is not included in the pending Caltrans project. The proposed project will contribute its fair share to the cost of these improvements.

Response 8Q: The comment is noted. The configuration of the intersection does not significantly affect the traffic analysis and would not alter the recommended mitigation.

Response 8R: The comment is noted. This Final EIR recognizes that a traffic signal at the Avenue 12/Road 29 intersection will be included as part of the Caltrans signalization project at the SR 99/Avenue 12 interchange.

Response 8S: The comment is noted. This comment recites a portion of the Caltrans Guide for Preparation of traffic studies and is not a comment on the environmental analysis.

Response 8T: The comment is noted. Mitigation Measures 3.15-1 and 3.15-2 are amended as follows:

Mitigation Measure 3.15-1

The developers of the Ventana Specific Plan project site shall be required to complete the following improvements, which will be constructed at the time the impact will be expected to occur:

- *Construct Avenue 13 and County Road 28 ¼ Frontage Improvements (Intersection 11). The portions of Avenue 13 and County Road 28 ¼ fronting the project will need to be constructed to applicable City of Madera Arterial and Collector standards. In each case the opposite side of each road shall be widened as needed to provide a left turn lane and one through lane opposite the project. This is a standard condition of approval for development projects in the City of Madera-(Construction Project).*
- *Signalize the Avenue 12/County Road 28 ¼ intersection (Intersection 13). A traffic signal will be required when the project is built out and auxiliary left turn lanes will be required to accommodate signalization-(Construction Project).*
- *Signalize the Main Project Access on Avenue 13 (Intersection 18). Traffic conditions at this location shall be monitored as the site develops, and a traffic signal shall be installed when warranted-(Construction Project).*
- *Develop Access Plan for Commercial Site. Because no formal site plan exists for the development of the commercial site west of Road 28 ¼, it is not possible to evaluate the adequacy of site access or to provide recommendations for access/circulation. Specific traffic controls may be needed, depending on the scale and configuration of future commercial development. Further analysis, leading to the development of an Access Plan will be needed when site plans are prepared.*

The following improvements have previously been identified by the City as required mitigation for other approved residential development projects located near the project site. Given that development of the Ventana Specific Plan contributes to the need for these improvements, developers of projects in the Ventana Specific Plan area shall be required to pay their fair share of the cost of these improvements. ~~Such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact Mitigation Fee program for those improvements located within the City of Madera and pursuant to a fee study based regional traffic fee program alongside other developers where the improvement is located~~

~~outside the city.~~ Where such improvements are within the jurisdiction of the City of Madera (as noted below), such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact Mitigation Fee program. Where the improvement is not located in an existing City fee program, a "Fair Share" City Mitigation Fee shall be assessed pursuant to a mitigation agreement between the City and the Developer. Where the identified improvement is to a CalTrans facility (as noted below), "fair share" mitigation may be made through participation in the future City-CalTrans impact fee program, if adopted. In the event there is no such fee program in place by the time of building permit issuance, for those portions of the project built before such program is in place, "fair share" mitigation shall be provided on an "interim" basis per the "Fair Share" CalTrans mitigation fee found in Appendix A.

- Signalize the Avenue 13/Golden State Blvd intersection (Intersection 9). A traffic signal or roundabout will be warranted at this location by the time that the proposed project is fully occupied. (City of Madera, 42.4% Fair Share City Mitigation Fee)
- Signalize the Golden State/SB State Route 99 ramps intersection (Intersection 14). A traffic signal will be warranted when the project is built out. It is likely that Caltrans will require that all or a portion of the planned State Route 99/Avenue 12 interchange improvement project be constructed at that time in order to ensure that the improvement has an adequate useful life. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee)
- Signalize the Avenue 12/Golden State intersection (Intersection 15). A traffic signal will be required when the project is built out. Caltrans is currently pursuing plans to install traffic signals at this location. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee)
- Signalize the Avenue 12/NB State Route 99 ramps intersection (Intersection 16). A traffic signal will be required when the project is built out. Caltrans is currently pursuing plans to install traffic signals at this location. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee)

Mitigation Measure 3.15-2

Long-term conditions in the study area reflect continuing development of the MSSCCSP and the implementation of major planned improvements to the State Route 99/Avenue 12 and State Route 99/State Route 145 interchanges.

Developers of projects in the proposed project shall be required to pay their fair share of the cost of the improvements identified below. Where such improvements are within the jurisdiction of the City of Madera (as noted below), such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact

Mitigation Fee program. ~~Where the improvement is within the jurisdiction of an agency other than the City to approve or complete such fair share shall be determined pursuant to any study supported fee program that is put in place by such agency for construction of the improvement prior to the issuance of building permit. In the event there is no such fee program in place by the time of building permit issuance, those portions of the project built before such program is in place shall be considered part of the existing environment and shall fund their fair share of regional improvements (including those identified below) in the same manner as all other existing development. Where the improvement is not located in an existing City fee program, a "Fair Share" City Mitigation Fee shall be assessed pursuant to a mitigation agreement between the City and the Developer. Where the identified improvement is to a California Department of Transportation (CalTrans) facility (as noted below), "fair share" mitigation may be made through participation in the future City-CalTrans impact fee program, if adopted. In the event there is no such fee program in place by the time of building permit issuance, for those portions of the project built before such program is in place, "fair share" mitigation shall be provided on an "interim" basis per the "Fair Share" CalTrans mitigation fee found in Appendix A.~~

- *During the p.m. peak hour the intersection of Madera Blvd/State Route 99 NB ramps (intersection 1) will operate at LOS F. Locally, there is no apparent interim improvement that can be installed prior to the overall State Route 99/State Route 145 improvement project planned by Caltrans. Thus, short-term conditions in excess of City standards are expected until that project is implemented. The project shall contribute its fair share of the cost of these improvements-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Widen the westbound Almond Avenue approaches to Madera Boulevard (State Route 145) (intersection 4)-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Signalize Avenue 13/County Road 28 intersection (intersection 10)-(City of Madera, Payment of City of Madera Traffic Impact Fee).*
- *Signalize Golden State Blvd/State Route 99 ramps intersection (intersection 14)-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Improve Madera Blvd/Olive Avenue/State Route 99 SB on-ramps intersection (intersection 2). It will be necessary to add additional lanes to the improvements already planned by Caltrans. These improvements include a separate southbound right turn lane and a separate eastbound through lane. The project shall contribute its fair share to the cost of this improvement-(California Department of Transportation, CalTrans Mitigation Fee).*

- *Improve the Olive Avenue/SB State Route 99 off-ramp intersection (intersection 3). A separate right turn lane is needed-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Widen Almond Avenue approaches to Madera Blvd (State Route 145) intersection (intersection 4). It will be necessary to provide a separate left turn lane and a westbound right turn lane at this intersection- (California Department of Transportation, CalTrans Mitigation Fee).*
- *Widen State Route 145/Pecan Street (Avenue 13) intersection (intersection 5). It will be necessary to widen State Route 145 to a four lane section-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Signalize the Almond Avenue/Gateway Drive intersection (intersection 7). With the development of a new southbound State Route 99 off-ramp as planned by Caltrans, the volume of traffic through this intersection will increase. A traffic signal is needed in addition to the intersection improvements planned by Caltrans. The project shall contribute its fair share to the cost of these improvements- (City of Madera, 26.3% Fair Share City Mitigation Fee).*
- *Widen Avenue 13/Golden State intersection (intersection 9). As new freeway access to Almond Avenue is created the volume of traffic through the Avenue 13/Golden State intersection will increase as well. This intersection will need to be widened to the City's four lane arterial street standard, and dual southbound left turn lanes shall also be accommodated or a roundabout intersection shall be installed. The project shall contribute its fair share of the cost of these improvements- (City of Madera, 42.4% Fair Share City Mitigation Fee).*
- *Install "interim" improvements to the State Route 99/Avenue 12 Interchange (Intersections 14, 15, 16). The "interim" modification project described in the "Caltrans State Route 99/Avenue 12 Interchange Modification PSR" will improve performance to Level of Service "D." While these improvements are identified in a PSR, Caltrans has stated during the environmental review of other proposed projects that certain of the improvements are not funded or scheduled. If the City of Madera expands its fee program to include the "interim" improvements identified in Caltrans' PSR, then the developers of the proposed project shall contribute their fair share towards the improvements through the fee program-(California Department of Transportation, CalTrans Mitigation Fee).*
- *Development of the Proposed Project shall contribute its fair share to the cost of cumulative mitigation through the existing City of Madera Traffic Impact Mitigation Fee. The fee will address contribution to improvements to the Avenue 13/Road 28 intersection (intersection 10).*

- *Caltrans District 6 comments on the NOP for this project suggest that additional geometric improvements beyond those currently anticipated may be needed at the State Route 99/State Route 145 interchange. If the City of Madera expands its fee program to include this additional work, then the proposed project shall contribute its fair share at this location through the fee program.*

Response 8U: The comment is noted. Responses to all comments received on the DEIR have been provided in this FEIR. This document will be distributed to all commenting agencies.

SECTION FOUR

ERRATA

SECTION FOUR ERRATA

To correct an inadvertent duplication, Mitigation Measure #3.15-2 is amended as follows:

Mitigation Measure 3.15-2

Long-term conditions in the study area reflect continuing development of the MSSCCSP and the implementation of major planned improvements to the State Route 99/Avenue 12 and State Route 99/State Route 145 interchanges.

Developers of projects in the proposed project shall be required to pay their fair share of the cost of the improvements identified below. Where such improvements are within the jurisdiction of the City of Madera (as noted below), such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact Mitigation Fee program. Where the improvement is not located in an existing City fee program, a "Fair Share" City Mitigation Fee shall be assessed pursuant to a mitigation agreement between the City and the Developer. Where the identified improvement is to a California Department of Transportation (CalTrans) facility (as noted below), "fair share" mitigation may be made through participation in the future City-CalTrans impact fee program, if adopted. In the event there is no such fee program in place by the time of building permit issuance, for those portions of the project built before such program is in place, "fair share" mitigation shall be provided on an "interim" basis per the "Fair Share" CalTrans mitigation fee found in Appendix A.

- *During the p.m. peak hour the intersection of Madera Blvd/State Route 99 NB ramps (intersection 1) will operate at LOS F. Locally, there is no apparent interim improvement that can be installed prior to the overall State Route 99/State Route 145 improvement project planned by Caltrans. Thus, short-term conditions in excess of City standards are expected until that project is implemented. The project shall contribute its fair share of the cost of these improvements (California Department of Transportation, CalTrans Mitigation Fee).*
- ~~*Widen the westbound Almond Avenue approaches to Madera Boulevard (State Route 145) (intersection 4) (California Department of Transportation, CalTrans Mitigation Fee).*~~
- *Signalize Avenue 13/County Road 28 intersection (intersection 10) (City of Madera, Payment of City of Madera Traffic Impact Fee).*
- *Signalize Golden State Blvd/State Route 99 ramps intersection (intersection 14) (California Department of Transportation, CalTrans Mitigation Fee).*
- *Improve Madera Blvd/Olive Avenue/State Route 99 SB on-ramps intersection (intersection 2). It will be necessary to add additional lanes to the improvements already planned by Caltrans. These improvements include a separate southbound*

right turn lane and a separate eastbound through lane. The project shall contribute its fair share to the cost of this improvement (California Department of Transportation, CalTrans Mitigation Fee).

- Improve the Olive Avenue/SB State Route 99 off-ramp intersection (intersection 3). A separate right turn lane is needed (California Department of Transportation, CalTrans Mitigation Fee).
- Widen Almond Avenue approaches to Madera Blvd (State Route 145) intersection (intersection 4). It will be necessary to provide a separate left turn lane and a westbound right turn lane at this intersection (California Department of Transportation, CalTrans Mitigation Fee).
- Widen State Route 145/Pecan Street (Avenue 13) intersection (intersection 5). It will be necessary to widen State Route 145 to a four lane section (California Department of Transportation, CalTrans Mitigation Fee).
- Signalize the Almond Avenue/Gateway Drive intersection (intersection 7). With the development of a new southbound State Route 99 off-ramp as planned by Caltrans, the volume of traffic through this intersection will increase. A traffic signal is needed in addition to the intersection improvements planned by Caltrans. The project shall contribute its fair share to the cost of these improvements (City of Madera, 26.3% Fair Share City Mitigation Fee).
- Widen Avenue 13/Golden State intersection (intersection 9). As new freeway access to Almond Avenue is created the volume of traffic through the Avenue 13/Golden State intersection will increase as well. This intersection will need to be widened to the City's four lane arterial street standard, and dual southbound left turn lanes shall also be accommodated or a roundabout intersection shall be installed. The project shall contribute its fair share of the cost of these improvements (City of Madera, 42.4% Fair Share City Mitigation Fee)
- Install "interim" improvements to the State Route 99/Avenue 12 Interchange (Intersections 14, 15, 16). The "interim" modification project described in the "Caltrans State Route 99/Avenue 12 Interchange Modification PSR" will improve performance to Level of Service "D." While these improvements are identified in a PSR, Caltrans has stated during the environmental review of other proposed projects that certain of the improvements are not funded or scheduled. If the City of Madera expands its fee program to include the "interim" improvements identified in Caltrans' PSR, then the developers of the proposed project shall contribute their fair share towards the improvements through the fee program (California Department of Transportation, CalTrans Mitigation Fee).
- Development of the Proposed Project shall contribute its fair share to the cost of cumulative mitigation through the existing City of Madera Traffic Impact Mitigation

Fee. The fee will address contribution to improvements to the Avenue 13/Road 28 intersection (intersection 10).

- *Caltrans District 6 comments on the NOP for this project suggest that additional geometric improvements beyond those currently anticipated may be needed at the State Route 99/State Route 145 interchange. If the City of Madera expands its fee program to include this additional work, then the proposed project shall contribute its fair share at this location through the fee program.*

SECTION FIVE

MITIGATION MONITORING PLAN

SECTION FIVE MITIGATION MONITORING PLAN

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a public agency to adopt a reporting or monitoring program in those cases where the public agency finds that changes or alterations have been required in, or incorporated into, a project, and that those changes mitigate or avoid a significant effect on the environment. A public agency may delegate changes mitigate or avoid a significant effect on the environment. A public agency may delegate the monitoring or reporting responsibilities to another public agency or private entity that accepts the delegation, but the lead agency remains responsible for ensuring that the mitigation measures have been implemented (CEQA Guidelines § 15097).

Table 5-1 identifies each mitigation measure identified in the Environmental Impact Report, and identifies the monitoring or reporting plan, and timing for such efforts.

Table 5-1

Mitigation Monitoring Plan

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
3.3 Air Quality			
3.3-1	<p>The project proponent shall consult with the appropriate SJVAPCD Compliance Division prior to commencing any demolition or renovation of any building on the project site in order to determine inspection and compliance requirements. These requirements may include:</p> <ul style="list-style-type: none"> • Conduct an asbestos inspection of the facility before demolition. • Perform asbestos abatement including the removal of asbestos-containing building materials (ACBM) by a certified asbestos-contractor prior to demolition. • Submit an asbestos notification form to the SJVAPCD ten working days before demolition. • Complete a Demolition Permit Release form for submission to the City's Building Department. <p>All SJVAPCD requirements shall be met prior to and as a condition of approval of any tentative subdivision maps.</p>	<p>Prior to approval of building permits a Demolition Permit Release form shall be received by the City of Madera Community Development Department.</p>	City of Madera Community Development Department
3.3-2	<ul style="list-style-type: none"> • All chemically treated wood (e.g., stakes and end posts) from the vineyard must be removed and disposed of properly. Treated wood shall not be shredded or chipped. • If shredding or chipping equipment is to be used for processing the vineyard waste, the equipment shall be 	<p>Mitigation Measure 3.3-2 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<p>permitted by the SJVAPCD, or registered by the CARB or the SJVAPCD as Portable Equipment.</p> <ul style="list-style-type: none"> Visible emissions created from the shredding or chipping equipment shall not exceed 20 percent opacity or Ringlemann 1 and any standard specified on a Permit to Operate or Portable Equipment Registration Certificate. 	<p>issuance of any grading or building permits by the City of Madera Community Development Department.</p> <p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the contractor is in violation of this measure or any air quality standards.</p>	
3.3-3	<p>Construction contracts shall require the primary construction contractor to prepare and submit a dust control plan to the SJVAPCD that incorporates all provisions of Regulation VIII and the following additional measures:</p> <ul style="list-style-type: none"> All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant or vegetative ground cover. 	<p>Prior to approval of any grading or building permits, the City of Madera Community Development Department shall review and approve construction contracts.</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none">• All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.• All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.• When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.• All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)• Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.• Limit traffic speeds on unpaved roads to 15 mph and install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.	<p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the contractor is in violation of any air quality standards.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. • Install wind breaks at windward side(s) of construction areas. • Suspend excavation and grading activities when winds exceed 20 mph. • Limit area subject to excavation, grading, and other construction activity at any one time. • Make maximum use of diesel equipment equipped with catalytic converters and particulate traps. • Curtail construction during "Spare the Air Days" declared by the SJVAPCD. • Equipment not in use for more than ten minutes shall be turned off. • Limit the hours of operation of heavy duty equipment and/or the amount of equipment in use to between 7:00 a.m. and 5:00 p.m. on non-federal holiday weekdays. 		
3.3-4	<p>The project proponent shall provide the following features within the Plan Area in order to promote alternative transportation use:</p> <ul style="list-style-type: none"> • Transit enhancing infrastructure that includes: transit shelters, benches, etc.; route signs and displays; and/or bus turnouts/bulbs. 	Mitigation Measure 3.3-4 shall be integrated into project plans, which shall be approved by City of Madera Community Development	City of Madera Community Development

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> • Pedestrian enhancing infrastructure that includes: direct pedestrian connections; street trees to shade sidewalks; pedestrian safety designs/infrastructure; street furniture and artwork; and/or pedestrian signalization and signage. 	Department, prior to issuance of building permits. Compliance shall be required prior to issuance of certificates of occupancy.	
3.4 Biological Resources			
3.4-4	<p>Approximately 30 days prior to commencement of construction, a qualified biologist shall conduct a survey for birds and nests within the project site to determine the presence of nesting raptors. If raptors or raptor nests are found during the survey, the applicant shall implement appropriate mitigation measures to ensure that the species will not be adversely affected. Appropriate mitigation measures include: delay construction activities until nesting is complete and the juveniles have fledged the nests, or relocate the nest if avoidance of the nesting period is not feasible, or establish a 200-foot "no construction" zone buffer around the nest. The results of the survey shall be documented in a letter report that is distributed to, and approved by, the California Department of Fish and Game and the City of Madera Planning Department. These measures will ensure compliance with the Migratory Bird Treaty Act and California Department of Fish and Game Code Section 3503.5.</p>	<p>Mitigation Measure 3.4-4 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of any grading or building permits by the City of Madera Community Development Department.</p> <p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
		stop work if the contractor is in violation of this measure.	
3.4-5	Tree and shrub plantings within all park areas on the project site shall be selected to assure adequate food and nesting habitat for small birds and mammals characteristic of the area pursuant to City General Plan Open Space for Natural and Human Resources Policy 5.	Mitigation Measure 3.4-5 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of certificates of occupancy by the City of Madera Community Development Department.	City of Madera Community Development Department
3.5 Cultural Resources			
3.5-1	<ul style="list-style-type: none"> To ensure that buried cultural resources or human remains, if encountered, are recognized by construction crews, a worker education plan shall be initiated prior to the commencement of any construction activities. Information describing potentially significant resource characteristics and the procedures to be followed in the event of such a discovery shall be provided. Should any artifacts, exotic rock types or unusual amounts of bone, or shell be uncovered during construction activities, work shall be halted and a qualified archaeologist shall be consulted for an on-the-spot-evaluation. 	Mitigation Measure 3.5-1 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of any grading or building permits by the City of Madera Community Development Department.	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Should any human remains be uncovered during construction activities, work shall be halted and the local coroner shall be contacted to assist in determining if the remains are Native American in origin. 	Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the contractor is in violation of this measure.	
3.6-1 Geology and Soils			
3.6-1a	All structures shall be designed in accordance with the seismic requirements contained in the most recent California Building Code (CBC).	Mitigation Measure 3.6-1a shall be incorporated into project plans, which shall be approved by the City of Madera Engineering Department, prior to issuance of building permits. Compliance shall be required prior to issuance of certificates of occupancy.	City of Madera Engineering Department
3.6-1b	All recommendations made in the Geotechnical Engineering Investigation and Geohazards Evaluation report for the proposed project shall be implemented. This report is provided in its entirety in Appendix G.	Mitigation Measure 3.6-1b shall be incorporated into project plans, which shall be approved by the City of Madera Engineering	City of Madera Engineering Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
3.6-2	<p>Best Management Practices (BMPs) shall be applied during construction to minimize erosion and sedimentation. An erosion control plan shall be submitted prior to ground disturbing activities in order to reduce erosion and water quality degradation. BMPs selected shall be in accordance with the California Stormwater Quality Association Stormwater Best Management Practice Handbook.</p> <p>The erosion control plan shall indicate that proper control of erosion, sedimentation, siltation and other pollutants will be implemented per NPDES permit requirements and City standards. The plan shall address storm drainage during construction and propose BMPs to reduce erosion and water quality degradation. All drainage facilities shall be constructed to City of Madera specifications.</p> <p>Drainage facilities shall be protected as necessary to prevent erosion of the on-site soils immediately following grading activities. In addition, cut slopes and drainage ways within native material shall be protected from direct exposure to water runoff immediately following grading activities. The design for collected run-off shall dissipate energy immediately following grading activities. Cut and fill embankment slopes shall be protected from sheet, rill, and gully erosion.</p>	<p>Department, prior to issuance of building permits. Compliance shall be required prior to issuance of certificates of occupancy.</p> <p>Mitigation Measure 3.6-2 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of any grading or building permits by the City of Madera Community Development Department.</p> <p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the</p>	<p>City of Madera Community Development Department</p>

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the improvement plans/grading plans.	contractor is in violation of this measure.	
3.7 Hazards and Hazardous Materials			
3.7-3	<p>The following recommendations from ATC Environmental Site Assessment shall be implemented prior to and as a condition of issuance of any building permit for the affected phase of the project:</p> <ul style="list-style-type: none"> Petroleum-impacted soil within the brick barn/garage labeled "Poison Storage" on the northwest area of APN 047-014-007 shall be excavated and disposed of at an appropriate disposal facility prior to residential development. Comprehensive asbestos and lead-based paint surveys shall be conducted on any of the structures on the property prior to renovation, repair, or demolition. Any existing irrigation and domestic water wells shall be properly destroyed and abandoned according to the California Department of Water Resources standards. All household rubbish or hazardous waste such as empty pesticide and herbicide containers, waste oil jugs or any additional hazardous materials discovered shall be removed from the site and disposed of at an appropriate disposal facility prior to residential development. 	<p>Mitigation Measure 3.7-3 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of any grading or building permits by the City of Madera Community Development Department.</p> <p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
		contractor is in violation of this measure.	
3.11 Noise			
3.11-1	A barrier 10 feet in height shall be constructed along the west side of Roadway 28 ¼ within Phase 5. The barrier shall be reduced to 9 feet in height at the north end of Phase 6. The barrier shall gradually decrease in height to 6 feet at the mid-point of Phase 7, and continue as a 6-foot tall wall to the south end of Phase 8. Additionally, a barrier 7 feet in height shall be constructed along the south side of Avenue 13. This will reduce Avenue 13 traffic noise levels to 60 dBA.	Mitigation Measure 3.11-1 shall be integrated into project plans for the project, which shall be approved by City of Madera Community Development Department, prior to issuance of building permits. Compliance shall be required prior to issuance of certificates of occupancy.	City of Madera Community Development Department
3.11-2	The first row of residences adjacent to State Route 99 shall be restricted to single story. As an alternative, second floor facades shall identify construction techniques that provide noise level reduction in all dwellings to ensure interior noise levels are less than 45 dBA.	Mitigation Measure 3.11-2 shall be integrated into project plans for the project, which shall be approved by City of Madera Community Development Department, prior to issuance of building permits. Compliance shall be required prior to issuance of certificates of occupancy.	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
3.11-3	<p>All construction equipment shall be equipped with factory recommended mufflers. All equipment shall be in good working order.</p> <p>Construction activities shall be restricted to the hours between 7 a.m. and 7 p.m. Monday through Friday, and to the hours between 8 a.m. and 7 p.m. Saturday through Sunday. No construction activities shall occur on Federal holidays.</p>	<p>Mitigation Measure 3.11-3 shall be integrated into construction plans for the project. Compliance with this mitigation measure shall be required prior to issuance of any grading or building permits by the City of Madera Community Development Department.</p> <p>City of Madera Community Development Department staff shall make periodic unannounced site inspections during construction and on a complaint basis and shall have the authority to stop work if the contractor is in violation of this measure.</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
3.13 Public Services			
3.13-3	Pursuant to Education Code Section 17620, the project applicant shall pay school impact fees according to the most current fee schedule adopted by the district per square foot of assessable space constructed as part of the proposed project. These fees shall be paid as a condition of issuance of any building permits.	All school impacts fees shall be paid by the project applicant prior to issuance of any grading or building permits by the City of Madera Community Development Department.	City of Madera Community Development Department
3.15 Transportation/Traffic			
3.15-1	<p>The developers of the Ventana Specific Plan project site shall be required to complete the following improvements, which will be constructed at the time the impact will be expected to occur:</p> <ul style="list-style-type: none"> Construct Avenue 13 and County Road 28 ¼ Frontage Improvements (Intersection 11). The portions of Avenue 13 and County Road 28 ¼ fronting the project will need to be constructed to applicable City of Madera Arterial and Collector standards. In each case the opposite side of each road shall be widened as needed to provide a left turn lane and one through lane opposite 	<p>The City of Madera Community Development Department shall ensure that the developer either constructs or pays proportionate fair shares toward the improvements specified in this Mitigation Measure.</p> <p>100% funded by project proponents. Subject to standard City of Madera reimbursement policies.</p> <p>Project proponent to construct with project</p>	City of Madera Community Development Department

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<p>the project. This is a standard condition of approval for development projects in the City of Madera (Construction Project).</p> <ul style="list-style-type: none"> Signalize the Avenue 12/County Road 28 ¼ intersection (Intersection 13). A traffic signal will be required when the project is built out and auxiliary left turn lanes will be required to accommodate signalization (Construction Project). Signalize the Main Project Access on Avenue 13 (Intersection 18). Traffic conditions at this location shall be monitored as the site develops, and a traffic signal shall be installed when warranted (Construction Project). 	<p>build out.</p> <p>46.6% funded by project proponent. Area of Benefit established to reimburse for non-proportionate share of costs.</p> <p>Project proponent to construct. Traffic conditions to be monitored as site develops and signal installed when warrants met.</p> <p>100% funded by project proponent.</p> <p>Project proponent to construct; Traffic conditions to be monitored as site develops and signal installed when warrants met.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Develop Access Plan for Commercial Site. Because no formal site plan exists for the development of the commercial site west of Road 28 1/4, it is not possible to evaluate the adequacy of site access or to provide recommendations for access/circulation. Specific traffic controls may be needed, depending on the scale and configuration of future commercial development. Further analysis, leading to the development of an Access Plan will be needed when site plans are prepared. 	Commercial center project proponent to submit plans for City review.	
	<p>The following improvements have previously been identified by the City as required mitigation for other approved residential development projects located near the project site. Given that development of the Ventana Specific Plan contributes to the need for these improvements, developers of projects in the Ventana Specific Plan area shall be required to pay their fair share of the cost of these improvements. Where such improvements are within the jurisdiction of the City of Madera (as noted below), such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact Mitigation Fee program. Where the improvement is not located in an existing City fee program, a "Fair Share" City Mitigation Fee shall be assessed pursuant to a mitigation agreement between the City and the Developer. Where the identified improvement is to a CalTrans facility (as noted below), "fair share" mitigation may be made through participation in the future City-CalTrans impact fee program, if adopted. In the event there is no such fee program in place by the time of building permit issuance, for those portions of the project</p>		

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<p>built before such program is in place, "fair share" mitigation shall be provided on an "interim" basis per the "Fair Share" CalTrans mitigation fee found in Appendix A.</p> <ul style="list-style-type: none"> Signalize the Avenue 13/Golden State Blvd intersection (Intersection 9). A traffic signal or roundabout will be warranted at this location by the time that the proposed project is fully occupied. (City of Madera, 42.4% Fair Share City Mitigation Fee) Signalize the Golden State/SB State Route 99 ramps intersection (Intersection 14). A traffic signal will be warranted when the project is built out. It is likely that Caltrans will require that all or a portion of the planned State Route 99/Avenue 12 interchange improvement project be constructed at that time in order to ensure that the improvement has an adequate useful life. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee) 	<p>42.4% funded by project proponent. Project proponents to pay "Fair Share" City Mitigation Fee, Area of Benefit established for remaining portion of funding (Note 1).</p> <p>Traffic conditions to be monitored as site develops and signal installed when warrants met.</p> <p>7.1% funded by project proponent. Project proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Mitigation Fee Calculation.</p> <p>Measure shall be implemented prior to</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
		issuance of building permits.	
	<ul style="list-style-type: none"> Signalize the Avenue 12/Golden State intersection (Intersection 15). A traffic signal will be required when the project is built out. Caltrans is currently pursuing plans to install traffic signals at this location. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee) Signalize the Avenue 12/NB State Route 99 ramps intersection (Intersection 16). A traffic signal will be required when the project is built out. Caltrans is currently pursuing plans to install traffic signals at this location. (County of Madera; California Department of Transportation, CalTrans Mitigation Fee) 	<p>Project is fully funded through Federal CMAQ and State SHOP Funds. See Appendix A</p> <p>CalTrans Fee Calculation. Should any portion of the programmed federal funding for the project be deprogrammed prior to approval of the Final Map, the project shall pay 10.9% of the deprogrammed amount.</p> <p>Project is fully funded through Federal CMAQ and State SHOPP Funds. See Appendix A</p> <p>CalTrans Fee Calculation. Should any portion of the programmed federal funding for the project be deprogrammed prior to approval of the Final Map, the project shall</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
3.15-2	<p>Long-term conditions in the study area reflect continuing development of the MSSCCSP and the implementation of major planned improvements to the State Route 99/Avenue 12 and State Route 99/State Route 145 interchanges.</p> <p>Developers of projects in the proposed project shall be required to pay their fair share of the cost of the improvements identified below. Where such improvements are within the jurisdiction of the City of Madera (as noted below), such fair share contribution shall be made pursuant to the City of Madera's Traffic Impact Mitigation Fee program. Where the improvement is not located in an existing City fee program, a "Fair Share" City Mitigation Fee shall be assessed pursuant to a mitigation agreement between the City and the Developer. Where the identified improvement is to a California Department of Transportation (CalTrans) facility (as noted below), "fair share" mitigation may be made through participation in the future City-CalTrans impact fee program, if adopted. In the event there is no such fee program in place by the time of building permit issuance, for those portions of the project built before such program is in place, "fair share" mitigation shall be provided on an "interim" basis per the "Fair Share" CalTrans mitigation fee found in Appendix A.</p>	<p>The City of Madera Community Development Department shall ensure that the developer either constructs or pays proportionate fair shares toward the improvements specified in this Mitigation Measure.</p>	<p>City of Madera Community Development Department</p>

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> During the p.m. peak hour the intersection of Madera Blvd/State Route 99 NB ramps (intersection 1) will operate at LOS F. Locally, there is no apparent interim improvement that can be installed prior to the overall State Route 99/State Route 145 improvement project planned by Caltrans. Thus, short-term conditions in excess of City standards are expected until that project is implemented. The project shall contribute its fair share of the cost of these improvements. (California Department of Transportation, CalTrans Mitigation Fee). Signalize Avenue 13/County Road 28 intersection (intersection 10) (City of Madera, Payment of City of Madera Traffic Impact Fee). 	<p>Project is fully funded through \$4.3 million in 2006 STIP, \$2.4 million Federal Demonstration Fund and \$0.8 million from Measure A. See Appendix A CalTrans Fee Calculation. Should any portion of the programmed federal funding for the project be deprogrammed prior to approval of the Final Map, the project shall pay 10.9% of the deprogrammed amount.</p> <p>Project funding included in existing City of Madera Traffic Impact Fee. Project proponent shall pay the City of Madera traffic impact fee.</p> <p>Measure shall be implemented prior to issuance of building permits.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Signalize Golden State Blvd/State Route 99 ramps intersection (intersection 14) (California Department of Transportation, CalTrans Mitigation Fee). 	<p>7.1% funded by project proponent. Project proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measure shall be implemented prior to issuance of building permits.</p>	
	<ul style="list-style-type: none"> Improve Madera Blvd/Olive Avenue/State Route 99 SB on-ramps intersection (intersection 2). It will be necessary to add additional lanes to the improvements already planned by Caltrans. These improvements include a separate southbound right turn lane and a separate eastbound through lane. The project shall contribute its fair share to the cost of this improvement (California Department of Transportation, CalTrans Mitigation Fee). 	<p>10.9% funded by project proponents. Project Proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measure shall be implemented prior to issuance of building permits.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Improve the Olive Avenue/SB State Route 99 off-ramp intersection (intersection 3). A separate right turn lane is needed (California Department of Transportation, CalTrans Mitigation Fee). 	<p>13.6% funded by project proponents. Project proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measure shall be implemented prior to issuance of building permits.</p>	
	<ul style="list-style-type: none"> Widen Almond Avenue approaches to Madera Blvd (State Route 145) intersection (intersection 4). It will be necessary to provide a separate left turn lane and a westbound right turn lane at this intersection (California Department of Transportation, CalTrans Mitigation Fee). 	<p>31% funded by project proponents. Project Proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measure shall be implemented prior to issuance of building permits.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Widen State Route 145/Pecan Street (Avenue 13) intersection (intersection 5). It will be necessary to widen State Route 145 to a four lane section (California Department of Transportation, CalTrans Mitigation Fee). Signalize the Almond Avenue/Gateway Drive intersection (intersection 7). With the development of a new southbound State Route 99 off-ramp as planned by Caltrans, the volume of traffic through this intersection will increase. A traffic signal is needed in addition to the intersection improvements planned by Caltrans. The project shall contribute its fair share to the cost of these improvements (City of Madera, 26.3% Fair Share City Mitigation Fee). Widen Avenue 13/Golden State intersection (intersection 9). As new freeway access to Almond Avenue is created the volume of traffic through the Avenue 13/Golden State intersection will increase as well. This intersection will need to be widened to the 	<p>39.3% funded by project proponents. Project proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measure shall be implemented prior to issuance of building permits.</p> <p>26.3% funded by project proponents. Project Proponents shall pay a "Fair Share" City mitigation fee (Note 1).</p> <p>Measure shall be implemented prior to issuance of building permits.</p> <p>42.4% funded by project proponents. Project proponents shall pay a "Fair Share" City mitigation fee (Note 1).</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<p>City's four lane arterial street standard, and dual southbound left turn lanes shall also be accommodated or a roundabout intersection shall be installed. The project shall contribute its fair share of the cost of these improvements (City of Madera, 42.4% Fair Share City Mitigation Fee).</p> <ul style="list-style-type: none"> Install "interim" improvements to the State Route 99/Avenue 12 Interchange (Intersections 14, 15, 16). The "interim" modification project described in the "Caltrans State Route 99/Avenue 12 Interchange Modification PSR" will improve performance to Level of Service "D." While these improvements are identified in a PSR, Caltrans has stated during the environmental review of other proposed projects that certain of the improvements are not funded or scheduled. If the City of Madera expands its fee program to include the "interim" improvements identified in Caltrans' PSR, then the developers of the proposed project shall contribute their fair share towards the improvements through the fee program (California Department of Transportation, CalTrans Mitigation Fee). Development of the Proposed Project shall contribute its fair share to the cost of cumulative mitigation through the existing City of Madera Traffic Impact Mitigation Fee. The fee will address contribution to improvements to the Avenue 13/Road 28 intersection (intersection 10). 	<p>15.4%, 7.1%, and 9.4% funded by project proponents, respectively. Project proponents shall pay CalTrans traffic mitigation fee (Note 2). See Appendix A for CalTrans Fee Calculation.</p> <p>Measures shall be implemented prior to issuance of building permits.</p>	

Mitigation No.	Mitigation Measure	Monitoring Plan & Timing	Implementing Agencies
	<ul style="list-style-type: none"> Caltrans District 6 comments on the NOP for this project suggest that additional geometric improvements beyond those currently anticipated may be needed at the State Route 99/State Route 145 interchange. If the City of Madera expands its fee program to include this additional work, then the proposed project shall contribute its fair share at this location through the fee program. 		

Note (1): Project Proponents to enter into a "Fair Share" Fee Agreement with City of Madera
Note (2): The Project Proponents will pay the CalTrans traffic fee as calculated in Appendix A until such time as the City adopts regional fee covering CalTrans improvements at which time project proponents shall pay City fee

APPENDICES

APPENDIX A



GRAY • BOWEN

November 20, 2006

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

Dear Mr. Randall:

We have reviewed a letter from Kenneth Anderson of KD Anderson Associates, outlining his findings and recommendations with respect to a proposed "fair share" contribution for Pacific Union Homes in conjunction with their Ventana Specific Plan project in the City of Madera.

Gray-Bowen provides a somewhat unique blend of transportation consulting and strategic project planning services to a variety of public and private clients. Our understanding of transportation issues, along with knowledge of local land development and public finance issues has provided us an opportunity to assist a variety of clients with a number of interesting, if not difficult and challenging, transportation projects and/or issues. Gray-Bowen's experience with the Caltrans project development process is widely recognized and we are frequently asked to manage elements of projects that require interfacing with Caltrans and/or a permit from Caltrans. Our office is often called upon by local, state and federal elected officials to advise and assist on a wide range of infrastructure and public policy issues. In this regard, Mike Evanhoe and I were asked by the Business Transportation and Housing (BTH) Secretary Sunne McPeak to serve on an Expert Review Panel to review Caltrans operations and both of us were appointed by Caltrans Director Will Kempton to serve on the Caltrans/Self Help County "Executive Partnership."

Over the past few months, our office has begun to work with Caltrans management on issues related to what Caltrans internally refers to as their IGR/CEQA (Inter-Governmental Review/California Environmental Quality Act) process. In this regard, one major subject of discussion has been Caltrans' desire that local governments and private development projects do a better job of recognizing and acknowledging the impacts that local development projects have on the state highway system (SHS). Because of a shortage of funds to operate and maintain the SHS, Caltrans (like their local government counterparts) has, in recent years, begun to more aggressively encourage developers (or ask local agencies to require) to either physically construct or financially contribute to improvements that will mitigate impacts to the SHS.

What has begun to emerge from recent discussions with Caltrans Headquarters on the issue of how best to determine a local development project's "fair share" contribution to the SHS (as well as other local and regional roadways) is for the lead agency (i.e. – the City of Madera in this case) to, in cooperation with Caltrans, develop and implement a local or sub-regional impact fee program that includes state highway facilities. It is our

TRANSPORTATION CONSULTING, PROJECT MANAGEMENT & DELIVERY STRATEGIES

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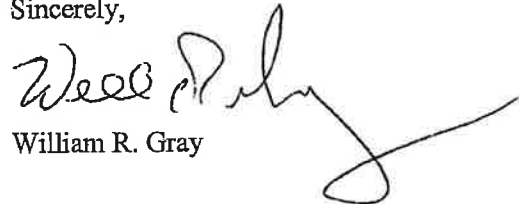
understanding that the City of Madera has embarked on such an effort and that Pacific Union Homes is prepared to commit to participate in the program once it is formally adopted. In addition, should the City's impact fee program not be in place by the time Pacific Union is ready to begin filing record maps (or secure building permits) for it's project, Pacific Union is prepared to contribute an "interim fee" in accordance with the attached letter from Ken Anderson.

We believe that that methodology used by Ken Anderson to calculate the proposed "interim fee" is reasonable given the current circumstances. The proposed "interim fee" should be sufficient to mitigate the impacts that the proposed Ventana Specific Plan project has on the state highway system, should the City's impact fee program not be in place by the time Pacific Union is ready to final their final maps and/or begin drawing building permits.

We would suggest that consideration be given to requiring payment of any "interim" or "ultimate" fees be made directly to the City of Madera and/or the Madera County Transportation Commission (MCTC). At the end of the day, the MCTC is responsible for programming a major part (75%) of the County's STIP funds and will be consulted with respect to the allocation of the Measure T and/or Proposition 1B funds for the State Route 99 Corridor. As a result, they (the MCTC) will be in a much stronger position to utilize local funds to leverage available state funds for projects throughout Madera County – particularly those on SR 99. As you are no doubt aware, some of the projects that have been identified in Ken Anderson's report are included in the in the final draft **Route 99 Corridor Business Plan** and are potential candidate projects for funding from Madera's recently approved Measure T and/or Proposition 1B "SR99 Corridor." The final draft of the guidelines for the SR 99 Bond Program was approved by the California Transportation Commission (CTC) earlier this month and will set the framework for the Commission's ultimate allocation of the Proposition 1B bond funds.

Thank you for the opportunity to comment on this matter. If you have any questions or would like any additional information on any of this, please do not hesitate to call.

Sincerely,



William R. Gray

WRG/kg

attachment

cc Chris Tyler, Pacific Union Homes
Ken Anderson, KD Anderson & Associates
Terry Bowen, Gray-Bowen
Gregg Albright, Caltrans
Patricia Taylor, MCTC

KD Anderson & Associates, Inc.

Transportation Engineers

November 16, 2006

Mr. Bill Gray, President
Gray-Bowen & Associates
1820 Bonanza Street, Suite 204
Walnut Creek, CA. 94596

**RE: VENTANA SPECIFIC PLAN (MADERA, CA.) MITIGATION COST
CONTRIBUTION**

Dear Mr. Gray:

You have asked that KD Anderson & Associates, Inc. assist Gray Bowen & Associates with development of a "fair share" contribution assessment to be applied toward the unfunded portion of Caltrans' facility improvements so that your client, Pacific Union Homes, may propose an impact fee contribution for traffic generated by its proposed Ventana Specific Plan project. Your company has provided research as to the funding status of the affected facilities which were identified in the traffic study contained in the Ventana Specific Plan Draft EIR (SCH 2005091149) and discussed in the project's FEIR.

As the Ventana project contains both residential and commercial land uses, we have segmented the trip generation percentages by land use type and accordingly, assessed "fair share" impacts by land use category. While the Plan Area contains three distinct land uses (residential, commercial, and educational), the cost allocation model we developed is based on the highest project trip generation which occurred in the p.m. peak hour. As the elementary school was assumed not to generate trips during that time period, no allocation has been made to this land use. **Table 1** identifies the fair share percentage split between residential uses (1,500 du's) and commercial area (217,800 sf of land assumed to be 63,200 sf building floor area).

The results of the analysis indicate that the residential portion of the Ventana project should be responsible for an impact fee of **\$1,272** per unit to Caltrans to cover a "fair share" portion of unfunded improvements. Similarly, the commercial land use should be assessed a **\$1.87 per s.f.** fee on gross developed area to fund its respective fair share portion. It is our understanding, however, that the City of Madera and Caltrans are currently working to develop a Citywide regional transportation fee program to co-fund portions of Caltrans improvements. The City's stated goal is to have this fee program fully instituted by mid 2007. The current fee proposal contained herein is thus an "ad hoc" project specific fee intended to serve as substitute mitigation in the case that no such regional transportation fee is agreed to by the City and Caltrans.

TABLE 1
VENTANA TRAFFIC – ALLOCATION TO LAND USES

Ventana Specific Plan Contribution				
Location	Mitigation	Fair Share Percentages		
		Total	Residential 1,500 du's	Commercial 217,800 gross s.f. 63,200 s.f. building floor area
1. Madera Blvd / NB SR 99 Ramps	Pending Interchange Modification	10.9%	10.9%	0%
	Add SB Right turn lane			
2. SB 99 SB On Ramp / Olive Ave/Madera Ave	Pending Interchange Modification	13.6%	13.6%	0%
	Add EB thru lane			
3. Olive Avenue / SB SR 99 Off Ramp	Pending Interchange Modification	11.8%	11.8%	0%
	Add SB right turn lane			
4. Olive Avenue / "I" Street	Add dual EB left turn lanes and separate WB right turn lane	11.8%	11.8%	0%
5. SR 145 / Almond Avenue	Add WB left turn and right turn lanes	31.0%	31.0%	0%
6. Golden State / SB SR 99 Ramps	Signal	7.1%	5.2%	1.9%
	"Interim" Interchange Modification			
7. Avenue 12 / Golden State	Signal	15.4%	11.5%	3.9%
	"Interim" Interchange Modification			
8. Avenue 12 / NB SR 99 Ramps	Signal	9.4%	7.3%	2.1%
	"Interim" Interchange Modification			
9. SR 145 / Pecan Ave	Widen SR 145 to 4 lanes through intersection	39.3%	36.6%	2.7%

SUMMARY OF IMPROVEMENTS / FUNDING STATUS

Existing Plus Project Impacts / Mitigations. The Ventana traffic study identifies the need to **signalize the intersections adjoining the SR 99 / Avenue 12 interchange (locations # 5, 6, and 7).** Madera County's 2004 Federal Transportation Improvement Program includes a project described as "Traffic Signals @ Avenue 12 and Golden State Blvd.; Road 29 and SR 99NB off ramps". Caltrans will be signalizing the intersection of the SR 99 NB on/off ramps at Avenue 12 as part of a SHOPP Safety Project (06-0C520). The intersection of Avenue 12/Golden State Blvd./Road 29 will be signalized as part of a SHOPP project (06-0C530). Two of the three

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signals (Avenue 12 / NB SR 99 ramps and Avenue 12 / Golden State) are fully funded through a combination of Federal CMAQ and State SHOPP funds. CMAQ funds in the amounts of \$60,000 are programmed in FY 05/06 and \$833,000 in FY 09/10. A third signal at Golden State SB SR 99 Ramps is not funded. While no formal cost estimate is available, assuming a total cost of \$290,000 at this location, Tables 2 and 3 contain the Plan Area's estimated share of this unfunded cost.

Existing Plus Project Plus Approved Projects / Mitigations. Caltrans and the City of Madera are partnering to deliver two improvement projects at the SR 99 / SR 145 (Madera Blvd) interchange and SR 99 / Gateway Blvd interchange.

The SR 99 / SR 145 (Madera Ave.) Separation Project will widen existing Madera Ave. bridge over SR 99 from two to six lanes (two lanes in each direction); include two left turn lanes to provide operationally improved access to existing NB and SB on ramps to SR 99; widen SR 145 (Madera Ave.) bridge approaches to conform to new six lane bridge width; widen Olive St. between I St. and SR 145 (Madera Ave.). The estimated capital cost \$7.5m. This project is considered fully funded by \$4.3m in the 2006 STIP, \$2.4m Federal Demonstration funds and \$800,000 from Measure A. This project is scheduled for construction in FY 07/08.

The SR 99 / Gateway Drive Interchange Project will reconstruct Gateway Dr. between Olive Ave. and SR 99; provide a NB exit ramp at SR 99 and Gateway Dr.; widen the existing Gateway Dr. bridge over SR 99 from one to two lanes; realign Gateway Dr. from SR 99 southerly to the Almond Ave. intersection with Barnett Street; provide new traffic signals at the Gateway/Almond/Barnett intersection; construct a new SB exit ramp from SR 99 to Almond Ave., opposite the Madera Community Hospital entrance; provide new traffic signals at the intersection of Almond Ave. the modified entrance to the hospital; and construct a SB on-ramp from Almond Ave. to SR 99. The total cost of this fully funded project is \$7.3m with \$4.7 from the 2006 STIP and \$2.6m from Measure A. The construction contract for this project has been awarded.

The SR 99/SR 145 (Madera Ave.) Separation Project is needed to accommodate "Existing Plus Approved Projects Plus Ventana" conditions for location # 1, 2, and 3.

Year 2025 Impacts / Mitigations. Additional improvements that have not yet been funded will become necessary to address the volume of traffic projected for the year 2025.

A Project Study Report (for Project Development Support) for the SR 99/Avenue 12 Interchange was approved by Caltrans on December 23, 2003. The PSR/PDS defined a "Minimum Build" Alternative and "Ultimate Build" Alternative. Estimate of capital costs for the Minimum Build Alternative ranges from \$19m-29m and for the Ultimate Build Alternative, between \$37m-47m. Support costs to complete the Project Approval and Environmental Document phase is estimated

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at \$1.12m. The Minimum Build Alternative is limited to modifications to existing interchange geometry and will operate acceptably until 2020. The Ultimate Build Alternative addresses operational and safety deficiencies and provide capacity for the year 2030. Improvements to the SR 99/Ave. 12 Interchange are included in the Madera County Measure T Expenditure Plan which was approved by voters on November 7, 2006. A total of \$19,646,000 is allocated to the Avenue 12 Interchange project. No other funds have been programmed.

Based on its utilization of the four intersections serving this interchange, Ventana would be responsible for funding its "fair share" of this unfunded improvement. Table 2 and 3 contains the Ventana Plan Area's estimated share of this unfunded cost.

At the **SR 145 / SR 99 NB ramps intersection** a southbound right turn lane is needed in addition to the pending improvement described earlier. This improvement is not funded and is assumed to cost \$1,000,000 for this lane. Tables 2 and 3 contain the Plan Area's estimated share of this unfunded cost.

At the **SR 145 / SR 99 SB ramps / Olive Avenue intersection**, an additional eastbound through lane onto the ramp is needed in the future. This improvement is not funded. Table 2 and 3 contains the Ventana Plan Area's estimated share of this unfunded cost.

At the **Olive Avenue / "I" Street intersection**, dual eastbound left turn lanes and a separate westbound right turn lane will be needed in the future. This improvement is not funded. Table 2 and 3 contains the Ventana Plan Area's estimated share of this unfunded cost.

A second off ramp lane is needed at the **Olive Avenue / SB SR 99 ramps intersection**. This project is not funded. The assumed cost is of \$350,000. Tables 2 and 3 contain the Ventana Plan Area's estimated share of this unfunded cost.

At the **Olive Avenue / "I" Street intersection**, dual eastbound left turn lanes and a separate westbound right turn lane will be needed in the future. This improvement is not funded. Table 2 and 3 contains the Ventana Plan Area's estimated share of this unfunded cost.

At the **SR 145 / Almond Avenue intersection** there will eventually be the need to widen the WB Almond Avenue approach to provide separate left turn and right turn lanes. This improvement is not funded. Tables 2 and 3 contain the Ventana Plan Area's estimated share of this unfunded cost.

At the **SR 145 / Pecan Avenue intersection** there will eventually be the need to widen SR 145 to four lanes. This improvement is not funded. Tables 2 and 3 contain the Ventana Plan Area's estimated share of this unfunded cost.

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TABLE 2: VENTANA RESIDENTIAL LAND USE UNFUNDED "FAIR SHARE" IMPROVEMENTS

Ventana Specific Plan Contribution									
Location	Mitigation	Residential Fair Share Percentage	Existing Plus Project		Existing Plus Approved Plus Project		Year 2025		Share
			Unfunded Cost (\$1,000's)	Share	Unfunded (\$1,000's)	Share	Unfunded Cost (\$1,000's)	Share	
1. Madera Blvd / NB SR 99 Ramps	Pending Interchange Modification Add SB Right turn lane	10.9%			\$0 (a)	\$0.0	\$1,000		\$109.0
2. SB 99 SB On Ramp / Olive Ave/Madera Ave	Pending Interchange Modification Add EB thru lane	13.6%			\$0 (a)	\$0.0	\$1,000		\$136.0
3. Olive Avenue / SB SR 99 Off Ramp	Pending Interchange Modification Add SB right turn lane	11.8%			\$0 (a)	\$0.0	\$350		\$41.3
4. Olive Avenue / "T" St	Add dual EB left turn lanes and separate WB right turn lanes	11.8%					\$800		\$94.4
5. SR 145 / Almond Avenue	Add WB left turn and right turn lanes	31.0%					\$250		\$77.5
6. Golden State / SB SR 99 Ramps	Signal "Interim" Interchange Modification	5.2%	\$290	\$15.1			\$14,500 / 3 (d)		\$251.3
7. Avenue 12 / Golden State	Signal "Interim" Interchange Modification	11.5%	\$0 (b)	\$0			\$14,500 / 3 (d)		\$555.8
8. Avenue 12 / NB SR 99 Ramps	Signal "Interim" Interchange Modification	7.3%	\$0 (c)	\$0			\$14,500 / 3 (d)		\$352.8
9. SR 145 / Pecan Ave	Widen SR 145 to 4 lanes through intersection	36.6%					\$750		\$274.5
Total					\$15.1	\$0			\$1,892.7
TOTAL = \$1,907.8 / 1.5 = \$1,272 per unit impact fee									

Notes: (a) SR 99/SR 145: \$4.3 million in 2006 STIP, \$2.4m Federal Demonstration funds and \$0.8 million from Measure A
(b) CT Project Number 06-0C530: 2004 FTIP CMAQ funds \$60,000 for PE in 05/06; \$833,000 for construction in 08/09, Minor Fund category of SHOPP

(c) CT Project Number: 06-0C520: Safety Fund category of SHOPP

(d) Final 2006 1/2 Cent Sales Tax Measure ("Measure T") Investment Plan provides 50% match of \$29 million cost

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TABLE 3: VENTANA COMMERCIAL LAND USE UNFUNDED "FAIR SHARE" IMPROVEMENTS

Ventana Specific Plan Contribution									
Location	Mitigation	Commercial Fair Share Percentage	Existing Plus Project		Existing Plus Approved Plus Project		Year 2025		
			Unfunded Cost (\$1,000's)	Share	Unfunded (\$1,000's)	Share	Unfunded Cost (\$1,000's)	Share	
1. Madera Blvd / NB SR 99 Ramps	Pending Interchange Modification Add SB Right turn lane	0%			\$0 (a)	NA	\$1,000	NA	
2. SB 99 SB On Ramp / Olive Ave/Madera Ave	Pending Interchange Modification Add EB thru lane	0%			\$0 (a)	NA	\$1,000	NA	
3. Olive Avenue / SB SR 99 Off Ramp	Pending Interchange Modification Add SB right turn lane	0%			\$0 (a)	NA	\$350	NA	
4. Olive Avenue / "T" St	Add EB dual left turn lanes and separate WB right turn lane	0%					\$800	NA	
5. SR 145 / Almond Avenue	Add WB left turn and right turn lanes	0%					\$250	NA	
6. Golden State / SB SR 99 Ramps	Signal "Interim" Interchange Modification	1.9%	\$290	\$5.5			\$14,500 / 3 (d)	\$91.8	
7. Avenue 12 / Golden State	Signal "Interim" Interchange Modification	3.9%	\$0 (b)	\$0			\$14,500 / 3 (d)	\$188.5	
8. Avenue 12 / NB SR 99 Ramps	Signal "Interim" Interchange Modification	2.1%	\$0 (c)	\$0			\$14,500 / 3 (d)	\$101.5	
9. SR 145 / Pecan Ave	Widen SR 145 to 4 lanes through intersection	2.7%					\$750	\$20.3	
Total					\$5.5	\$0		\$402.1	
TOTAL \$407.6/217.8 ksf = \$1.87 gross s.f. of land area development or \$407.6/ 63.2 ksf = \$6.45 per building s.f.									

Notes: (a) SR 99/SR 145: \$4.3 million in 2006 STIP and \$2.4 Federal Demonstration Funds, \$0.8 million from Measure A
(b) CT Project Number 06-0C530: 2004 FTIP CMAQ funds \$60,000 for PE in 05/06; \$833,000 for construction in 08/09, Minor Fund category of SHOPP
(c) CT Project Number: 06-0C520: Safety Fund category of SHOPP
(d) Final 2006 ½ Cent Sales Tax Measure ("Measure T") Investment Plan provides 50% match of \$29 million cost

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Mr. Bill Gray, President
Gray-Bowen & Associates
November 16, 2006
Page 7

SUMMARY

In summary, until such time as the City and Caltrans adopt a Citywide fee covering regional traffic impacts to Caltrans facilities, an "ad hoc" project specific fee for the Ventana Specific Plan Area can be employed as an appropriate interim mitigation measure. Based on the calculations in Table 2 above, each residential unit should be assessed a fee of **\$1,272** while commercial development should be responsible for a fee of **\$1.87 per gross s.f.** of commercial land area or **\$6.45 per building sf** as per Table 3.

Please feel free to contact me if you have any questions.

Sincerely,

KD Anderson & Associates, Inc.

A handwritten signature in black ink, appearing to read "K D Anderson", with a long horizontal flourish extending to the right.

Kenneth D. Anderson, P.E.
President

Ventana Draft State Highway Final Mitigation 11.16.06 ltr

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APPENDIX B

URBEMIS 2002 For Windows 8.7.0

File Name: L:\Projects\2005\050101 Ventana Specific Plan and EIR\Environmental Review\Ventana Specific
Project Name: Ventana Specific Plan
Project Location: San Joaquin Valley
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Tons/Year)

AREA SOURCE EMISSION ESTIMATES	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	20.15	4.20	34.13	0.14	4.53
TOTALS (tpy, mitigated)	20.15	4.20	34.13	0.14	4.53

OPERATIONAL (VEHICLE) EMISSION ESTIMATES	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	30.55	34.00	338.82	0.18	15.42
TOTALS (tpy, mitigated)	29.24	32.33	322.14	0.17	14.66

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES	ROG	NOx	CO	SO2	PM10
TOTALS (tpy, unmitigated)	50.70	38.21	372.95	0.31	19.95
TOTALS (tpy, mitigated)	49.39	36.53	356.27	0.31	19.19

APPENDIX C

APPENDIX C PERSON CONSULTED

Harvey, Del. Environmental Scientist, California Regional Water Quality Control Board.
Personal Communication, January 2007.