

2.0 INTRODUCTION

2.1 PURPOSE OF THIS EIR

The California Environmental Quality Act (CEQA) requires that all State and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on them. This Environmental Impact Report (EIR) has been prepared in accordance with CEQA to evaluate the potential environmental impacts associated with implementation of the proposed The Villages at Almond Grove Specific Plan (herein referred to as the proposed Specific Plan or proposed project) for the City of Madera. This EIR has been prepared in conformance with CEQA, California Public Resources Code Section 21000 et seq; the California CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq); and the rules, regulations, and procedures for implementing CEQA as adopted by the City of Madera (herein referred to as the City).

This EIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the potential environmental impacts associated with the construction and long-term buildout of the proposed Specific Plan. In addition to identifying potential environmental impacts, this EIR also identifies development standards and design guidelines that are part of the proposed Specific Plan that would reduce potential significant environmental impacts, and identifies potential mitigation measures and alternatives to reduce potential environmental impacts.

Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with Section 15093(b) of the State CEQA Guidelines, if a lead agency, such as the City of Madera, approves a project (i.e., adoption of a specific plan) that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the lead agency shall state in writing the specific reasons for approving the project, based on the final CEQA documents and any other information in the public record for the project. This is identified in Section 15093 of the State of CEQA Guidelines, “a statement of overriding considerations.” These potential impacts are discussed in more detail throughout Chapter 4.0 of this EIR.

2.2 ENVIRONMENTAL REVIEW

The City of Madera, serving as Lead Agency responsible for administering the environmental review for the proposed project, determined that preparation of an EIR was required for the proposed Specific Plan project.

CEQA requires that, before a decision can be made to approve a project that could result in adverse physical effects, an EIR must be prepared that fully describes the environmental effects of the project. The EIR is a public information document for use by governmental agencies and the public to identify and evaluate potential environmental impacts of a project, to recommend mitigation measures to lessen or eliminate significant adverse impacts, and to examine feasible alternatives to the project. The information contained in the EIR must be reviewed and considered by the City of Madera Planning Commission, City Council, and other approving bodies prior to a decision to approve, disapprove, or modify the project.

As part of the consideration of the proposed project, an agency must prepare findings that identifies that all environmental effects of the project are supported by substantial evidence in the record. CEQA requires that agencies shall neither approve nor implement a project unless the project's significant environmental effects have been reduced to a less-than-significant level, essentially "eliminating, avoiding, or substantially lessening" the potentially significant impacts, except when certain findings are made. If an agency approves a project that will result in the occurrence of significant adverse impacts that cannot be mitigated to less-than-significant levels, the agency must state the reasons for its action in writing, demonstrate that its action is based on the EIR or other information in the record, and adopt a Statement of Overriding Considerations.

2.3 INTENDED USES OF THIS EIR

As noted above and described in the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, where feasible. In undertaking this duty, a public agency has an obligation to balance a project's significant effects on the environment with its benefits, including economic, social, technological, legal, and other non-environmental characteristics.

This EIR is intended as an informational document to: evaluate the proposed project and the potential for significant impacts on the environment; examine methods of reducing adverse environmental impacts; identify any significant and unavoidable adverse impacts that cannot be mitigated; and, identify reasonable and feasible alternatives to the proposed project that would eliminate any significant adverse environmental effects or reduce the impacts to a less-than-significant level. The Lead Agency is required to consider the information in the EIR, along with any other relevant information, in making its decisions on the proposed project. This analysis, in and of itself, does not determine whether a project will be approved, but aids the planning and decision-making process by disclosing the potential for significant and adverse impacts.

In conformance with CEQA and the CEQA Guidelines, this EIR provides objective information addressing the environmental consequences of the project and identifies possible means of reducing or avoiding significant impacts, either through mitigation measures or feasible project alternatives. The City of Madera must certify the Final EIR prior to project approval and implementation. Under CEQA Guidelines Section 15168, this is a program-level EIR. This type of EIR examines implementation of a plan over an extended period of time but considers potential construction and operational impacts of implementing the plan. This type of EIR would also allow for later activities that would occur under the proposed Specific Plan to be evaluated to the extent feasible based on the level of detail provided at the time the program EIR is prepared. The EIR also assesses proposed Vesting Tentative Tract Map Nos. 2020-02 and 2020-03. Later activities and discretionary actions occurring under the proposed Specific Plan would be subject to additional environmental review and documentation.

The CEQA Guidelines help define the role and standards of this EIR, as follows:

- **Information Document.** An EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effect(s) of a project, identify possible ways to minimize significant effects, and describe reasonable alternatives to

the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency (CEQA Guidelines Section 15121(a)).

- **Degree of Specificity.** The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. An EIR on a development project will necessarily be more detailed in its discussion of specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy (CEQA Guidelines Section 15146(a)).
- **Standards for Adequacy of an EIR.** An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information, which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure (CEQA Guidelines Section 15151).

Section 15382 of the CEQA Guidelines defines a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project...” Therefore, in identifying the significant impacts of the project, this EIR focuses on the substantial physical effects and mitigation measures to avoid, reduce, or otherwise alleviate those effects.

2.4 PROPOSED PROJECT

This EIR analyzes buildout of the 1,883-acre Specific Plan Area resulting in approximately 10,800 residential units, approximately 2.1 million square feet of commercial and office space, approximately 164 acres of parks and recreational area, approximately 54 acres of schools. Although densities as provided in the Specific Plan could result in a greater amount of development, these are the maximum densities/buildout anticipated; any additional development beyond these amounts would require further environmental analysis. In addition, the proposed Specific Plan would include infrastructure improvements including roadways and utilities. It is expected that the proposed project would require a General Plan Amendment, pre-zoning, and annexation of the Specific Plan Area into the City. Additionally, future development proposals within the Specific Plan Area would be required to be consistent with the Airport Land Use Compatibility Plan for Madera Municipal Airport, and some parcels would require removal of active Williamson Act contracts prior to development. See Chapter 3.0, Project Description of this EIR for a more complete description of the proposed project, and Appendix B, which contains the proposed Specific Plan.

2.5 EIR SCOPE

A Notice of Preparation (NOP) of the EIR was circulated for 30 days on August 17, 2018 to help identify the types of impacts that could result from implementation of the Specific Plan, as well as potential areas of controversy. After additional information was made available by the Project

Applicant, the NOP was reissued on December 3, 2018 for 30 days to identify increases in buildout proposed by the project. Both NOPs were mailed to public agencies, organizations, and individuals likely to be interested in the project and its potential impacts. Additionally, public scoping sessions for the Draft EIR were held on Wednesday, September 12, 2018 and Tuesday, December 18, 2018. Comments on the NOP were received by the City and considered during preparation of the EIR. A total of seven comment letters regarding the NOP were received, in addition to the verbal comments provided at the scoping session. Copies of the NOP and the comment letters are included in Appendix A.

The following environmental topics are addressed in this EIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Wildfire

2.6 REPORT ORGANIZATION

This EIR is organized into the following chapters:

- **Chapter 1.0 – Executive Summary:** Provides a summary of the impacts that would result from implementation of the proposed project, describes mitigation measures recommended to reduce or avoid significant impacts, and describes the alternatives to the proposed project.
- **Chapter 2.0 - Introduction:** Discusses the overall EIR purpose, provides a summary of the proposed project, describes the EIR scope, and summarizes the organization of the EIR.
- **Chapter 3.0 - Project Description:** Provides a description of the project site, the project objectives, the proposed project, and intended uses of this EIR.
- **Chapter 4.0 – Evaluation of Environmental Impacts:** Describes the following for each environmental technical topic: existing conditions (setting), potential environmental impacts and their level of significance, and mitigation measures recommended to mitigate identified impacts. Potential adverse impacts are identified by levels of significance, as follows: less-than-significant impact (LTS), significant impact (S), and significant and unavoidable impact (SU). The significance of each impact is categorized before and after implementation of any recommended mitigation measures(s). Cumulative impacts are also addressed.
- **Chapter 5.0 - Alternatives:** Provides an evaluation of three alternatives to the proposed project in addition to the CEQA-required No Project alternative.

- **Chapter 6.0 – CEQA-Required Assessment Conclusions:** Provides an analysis of effects found not to be significant, growth-inducing impacts, unavoidable significant environmental impacts, and significant irreversible changes.
- **Chapter 7.0 - Report Preparation:** Identifies preparers of the EIR, references used, and the persons and organizations contacted.
- **Appendices:** The appendices contain the NOP and comment letters on the NOP (Appendix A), technical calculations, and other documentation prepared in conjunction with this EIR.

2.7 PUBLIC PARTICIPATION

The CEQA Guidelines encourage public participation in the planning and environmental review processes. The City will provide opportunities for the public to present comments and concerns regarding the CEQA and planning processes. These opportunities will occur during the Draft EIR public review and comment period and public hearings before the City of Madera Planning Commission and City Council.

This Draft EIR, in compliance with Section 15105 of the CEQA Guidelines, has been distributed to responsible and trustee agencies, and other interested organizations, agencies and individuals for review and comment on the adequacy of the environmental analysis.

The Draft EIR and Notice of Availability (NOA) are posted electronically on the City's website (<https://www.madera.gov/home/departments/planning/#tr-current-projects-environmental-review-2436011>) and hard copies are available for public review by request by contacting the City of Madera Planning Department at 559.675.5430.

The Draft EIR 45-day public review and comment period for this project began on December 23, 2021 and will end on February 7, 2022.

Written public comments may be submitted to the Planning Department during the specified public review and comment period, and oral comments may be presented at the Draft EIR public hearing before the City of Madera Planning Commission and City Council. Written comments should be delivered in person or by courier service, or be sent by mail or email to:

Gary Conte, AICP, Planning Manager
City of Madera Planning Department
205 West 4th Street
Madera, CA 93637
gconte@madera.gov

Written comments submitted on this Draft EIR via email must be 25 megabytes or less in total size (incoming mail limitations). Written comments submitted via email must include the following subject title: "**Villages at Almond Grove Draft EIR Comment Letter.**" Any attachments to the email must be in Adobe Portable Document Format (PDF). Written comments submitted to the City via

email must be follow-up with an original signed printed letter of the written comments mailed to the City of Madera Planning Department.

The City of Madera Planning Department must receive all written comment submittals (paper, digital (email)) on this Draft EIR by 5:00 p.m., February 7, 2022. The City of Madera will not accept written or digital comments on this Draft EIR after the February 7, 2022, deadline.