



MARIPOSA COUNTY

Public Works · 209 966 5356



RESOLUTION - ACTION REQUESTED 2019-596

MEETING: October 8, 2019
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Adopt the Initial Study/ Mitigated Negative Declaration Oak Road Bridge
40C0060

RECOMMENDATION AND JUSTIFICATION:

Resolution Adopting a Mitigated Negative Declaration with Findings for the Oak Road Bridge Replacement Project (Bridge No. 40C-0060) and directing the Department of Public Works to file a Notice of Determination with the Mariposa County Clerk pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.

Recommendation is made pursuant to CEQA Guidelines Section 15074(b). On the basis of the whole record, including the Initial Study and comments received, there is no substantial evidence that the Project will have a significant effect on the environment. The Mitigated Negative Declaration reflects Mariposa County's independent judgment and analysis.

The IS/MND supports the following findings:

- The Project will not impact agricultural and forest resources, land use and planning, mineral resources, population and housing, and recreation.
- The Project will have a less than significant impact, once mitigation measures are implemented, on biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation and traffic, and tribal cultural resources
- No substantial evidence exists that the Project would have a significant negative or adverse effect on the environment.

Per CEQA Guidelines Section 15074(B), the Board of Supervisors is required to adopt the Mitigated Negative Declaration prior to filing a Notice of Determination.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Mariposa County Department of Public Works proposed replacing the existing bridge (Bridge No. 40C-0060) with one that will be designed to meet current structural and geometric standards while minimizing adverse impacts to Bear Creek and

Resolution - Action Requested 2019-596

surrounding area. Oak Road Bridge will be closed during construction and a roadway detour will be in place to route traffic around the project site.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve; the project will not be adopted and will not move forward.

ATTACHMENTS:

Oak Road Bridge-Final Study Mitigated Negative Declaration (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: Mariposa
Address: 4982 10th St, Mariposa, CA 95338

From:

Public Agency: Mariposa County Public Works
Address: 4639 Ben Hur Road
Mariposa, CA 95338
Contact: Gary Brown
Phone: (209) 966-5356

FILED

Lead Agency (if different from above):
Address: KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK
Contact: Karen M. Herman
Phone: KAREN M. HERMAN

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2019029139

Project Title: Oak Road Bridge (40C-0060) Over Bear Creek Replacement Project

Project Applicant: Mariposa County Department of Public Works

Project Location (include county): Oak Rd. at State Hwy 140, Mariposa County (over Bear Creek)

Project Description:

Mariposa County Department of Public Works proposes to replace the existing bridge along Oak Road over Bear Creek, located approximately one mile north of the town of Midpines, in central Mariposa County, within the Sierra Nevada Foothills. The replacement bridge is designed to meet 20-foot clear width requirement established by Cal Fire. The replacement bridge would accommodate a single bi-directional travel lane with shoulders.

This is to advise that the Mariposa County has approved the above (X) Lead Agency or Responsible Agency

described project on 10/08/2019 and has made the following determinations regarding the above described project.

- 1. The project [X] will [X] will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not] adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not] adopted for this project.
6. Findings [X] were [] were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Mariposa County Department of Public Works (4639 Ben Hur Road, Mariposa California 95338)

Signature (Public Agency): [Signature] Title: Director, Public Works & Transp.

Date: 10/9/19 Date Received for filing at OPR:



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

Print **Start Over** **Finalize&Email**

RECEIPT NUMBER:
 22 — 10/21/2019 — 029
 STATE CLEARINGHOUSE NUMBER (If applicable)
 2019029139

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Mariposa County Public Works	LEAD AGENCY EMAIL mhealy@mariposacounty.org	DATE 10/21/2019
COUNTY/STATE AGENCY OF FILING Mariposa		DOCUMENT NUMBER

PROJECT TITLE

Oak Road Bridge (40C-0060) Over Bear Creek Replacement Project

PROJECT APPLICANT NAME Mariposa County Department of Public Works	PROJECT APPLICANT EMAIL mhealy@mariposacounty.org	PHONE NUMBER (209) 966-5356
PROJECT APPLICANT ADDRESS Mariposa County Department of Public Works	CITY Mariposa	STATE CA
		ZIP CODE 95338

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|----------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,271.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | 2,354.75 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,112.00 | \$ | 0.00 |
|
 | | | |
| <input type="checkbox"/> Exempt from fee | | | |
| <input type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |
|
 | | | |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 0.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ 2,354.75

SIGNATURE

X Karen M. Herman
 Digitally signed by Karen M. Herman
 Date: 2019.10.21 14:07:35 -07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

Karen M. Herman, Deputy County Clerk, County of Mariposa



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

COUNTY OF MARIPOSA - CASH RECEIPTS
*** CUSTOMER RECEIPT ***

Batch ID: KHERMAN 10/21/19 00 Receipt no: 5422

Type	SvcCd	Description	Amount
DU		CL/NEGATIVE DECLARATION	
	Qty	1.00	\$2354.75
Trans number:			2160766
CLERK'S TRUST / DET 10300002047007			
DU		CL/NEGATIVE DECLARATION	
	Qty	1.00	\$2354.75
Trans number:			2160767

CLERK'S TRUST / DET 10300002047007
FISH & WILDLIFE FILINGS
NOTICE OF DETERMINATION
NEGATIVE DECLARATION
22-10.21.2019-029 OAK ROAD
BRIDGE(40C-0060)OVER BEAR
CREEK REPLACEMENT PROJECT
22-10.21.2019-030 BUCKEYE ROAD
BRIDGE(40C-0036)OVER MARIPOSA
CREEK REPLACEMENT PROJECT
CK#1078167

COUNTY OF MARIPOSA - CASH RECEIPTS
*** CUSTOMER RECEIPT ***

Batch ID: KHERMAN 10/21/19 00 Receipt no: 5422

	Type	SvcCd	Description	Amount
Total tendered:			\$4709.50	
Total payment:			\$4709.50	

Trans date: 10/21/19 Time: 16:37:59

COUNTY OF MARIPOSA