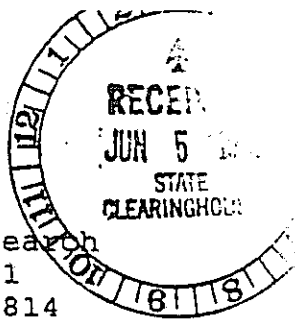


**SECTION IV**

**COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT**

# Memorandum



Mr. Russ Colliau  
State Clearinghouse  
Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, California 95814

Date : June 4, 1991

Place : Sacramento

From : Department of Food and Agriculture --1220 N Street, P.O. Box 942871  
Sacramento, CA 95814-0001

Subject: SCH No. 90020361 -- The Mariposa Town Area Specific Plan Update

The California Department of Food and Agriculture (CDFA) has reviewed the Draft Environmental Impact Report (DEIR) on the above referenced project. This project would involve the updating of the Mariposa Town Area Specific Plan. The CDFA has the following comments and recommendations.

The CDFA would like to commend the Specific Plan Update. This Specific Plan lists the same concerns regarding the preservation of agricultural land as those we hold here at the CDFA. It was a pleasure to see that the Specific Plan will not result in the conversion of an agricultural land to non-agricultural uses.

The CDFA supports the right of local agencies to develop and implement land-use policy in its area of influence. However, the CDFA wants to assure that agricultural land is not prematurely and irreversibly lost due to development which is not accurately assessed for environmental impact. Again, the CDFA is thankful that agricultural land is not to be developed in this Specific Plan.

Sincerely,

Mary McNally  
Graduate Student Assistant  
Agricultural Resources Branch  
(916) 322-5227

cc: Mariposa County Agricultural Commissioner  
California Association of Resource Conservation Districts

## Memorandum

To : 1. Projects Coordinator  
Resources Agency

2. Mr. Tony Lashbrook  
Mariposa County Planning Department  
P.O. Box 2039  
Mariposa, California 95338

Date : June 18, 1991

From : Department of Fish and Game

Subject : SCH 90020361, Mariposa Town Planning Area Specific Plan Update and Draft Environmental Impact Report (EIR), Mariposa County

The Department of Fish and Game has reviewed Mariposa County's Draft EIR regarding the Mariposa Town Planning Area (TPA) Specific Plan Update. The TPA is located in a narrow valley within the western foothills of the Sierra Nevada, in the Central area of Mariposa County with a land base of approximately 1,900 acres. State highways 49 and 140 intersect in the TPA and serve to connect Mariposa with Merced, Oakhurst, and Yosemite National Park. The TPA is located within the Foothill or Digger Pine Chaparral Belt of the Sierra Nevada. Wildlife habitat consists primarily of Pine-Oak Woodland, chaparral, and riparian wetland along Mariposa and Stockton creeks.

Based upon the information provided, it appears the project will adversely affect wildlife resources, including resident and migratory deer in the Yosemite deer herd, mountain lions, and black bears as well as wildlife species associated with riparian wetland habitats. These impacts will occur both within the project boundaries and on adjacent lands. They will include: (1) increased traffic (and associated disturbance and "road kills"), (2) increased disturbance factors for wildlife, (3) direct consumption of existing habitat due to constructed project features, (4) increased illumination, altering the feeding effectiveness and predatory-prey relationships of nocturnal animals, (5) increases in the abundance/incidence of free roaming pets, which prey adversely upon wildlife, and (6) interruption of daily and seasonal movement corridors of local and migratory animals and many other problems.

We believe the mitigation measures as contained in the Draft EIR fall short of reducing project impacts below significant levels.

The proposed project has the potential to adversely impact riparian wetland habitat along Mariposa and Stockton creeks. The following measures should be incorporated into the project to protect riparian wetland habitat and adopted as conditions of approval by the Board of Supervisors:

1. Projects Coordinator

2. Mr. Tony Lashbrook

June 18, 1991

Page Two

1. Establishment of a 100-foot buffer zone starting at the outermost edge of the riparian vegetation along Mariposa and Stockton creeks and no future development allowed within this buffer zone or in the riparian zone itself.
2. All native riparian vegetation shall be retained. The Department has direct jurisdiction under Fish and Game Code sections 1601-03 in regard to any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any stream. We recommend early consultation since modification of the proposed project may be required to avoid impacts to fish and wildlife resources. Formal notification under Fish and Game Code Section 1603 should be made after all other permits and certifications have been obtained. Work cannot be initiated until a streambed alteration agreement is executed.
3. Special consideration should be given to designating Mariposa County flood plain as a wildlife corridor through the community.

If the above-described (mitigation/consultation) is not (included/undertaken), the project should not be approved. The Department opposes the authorization of any project which would result in the net loss of either wetland acreage or wetland habitat value. We remind the lead agency that approval of any project with associated unavoidable effects will require a "Finding of Overriding Considerations" as a part of the approval decision.

If you have any questions or wish to discuss these comments, please contact Mr. George Nokes, Regional Manager, Region 4, 1234 East Shaw Avenue, Fresno, California 93710, telephone (209) 222-3761.

*Howard A. Santoro for*

Pete Bontadelli  
Director

## DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)  
STOCKTON, CA 95201

(209)948-7838

June 4, 1991

10-Mpa-49,140  
 City of Mariposa  
 Mariposa Town Planning  
 Area Specific Plan Update  
 DEIR  
 SCH #90020361

Mr. Russ Colliau  
 State Clearinghouse  
 1400 Tenth Street  
 Sacramento, CA 95814

Dear Mr. Colliau:

Caltrans has reviewed the DEIR for the Mariposa Town Planning Area Specific Plan and has the following comments:

Page 169

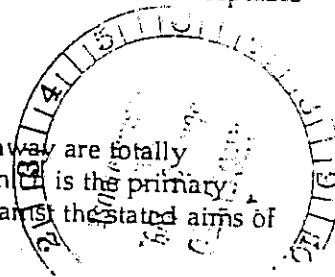
- The proposed Autone Road/State Route 49/State Route 140 intersection (shown in Fig. 22) is not acceptable. The extreme skew of the intersection would impair driver visibility and would make some of the turning moves difficult for automobiles and impossible for trucks or other large vehicles. The angle should be as close to 90 degrees as possible. The proposed 30' right-of-way is not wide enough for a proper roadway with shoulders. The minimum roadway should consist of 12' traffic lanes with 4' paved shoulders, for a minimum width of 32'.

Page 170

- Item C, Mariposa Mine Loop (shown in Fig. 26) - This plan would also create an unacceptable extremely skewed intersection where it meets State Route 49. It needs to be a right angle or nearly so.
- Fig. 26 also shows a new curved connection between State Route 49 and Bullion Street. This, too, would be unacceptable with the skew shown. In fact, what purpose would it serve? By the time it is realigned to a right angle, it would provide no better service than Third Street, which would be immediately next to it. It would be better to improve Third Street. (This is covered on Page 172, Item H - It is a one-way "ramp" to Bullion Street. This, too, would be unacceptable since it could encourage drivers to take a wrong-way, short-cut.)

Page 177

- Item 5 - "Chokers" and other built-in islands or restrictors on the highway are totally unacceptable. They are a hazard to vehicles and create congestion, which is the primary problem already in the downtown area. This recommendation goes against the stated aims of this Specific Plan, to improve conditions.



Mr. Russ Colliau  
June 4, 1991  
Page 2

- Item 7 - This recommends several street parking areas be converted to diagonal or right-angle parking. This would be a step backwards. Many studies have been done which have shown that a considerable increase in accidents can be expected with this type of parking. In addition, traffic congestion is increased on the streets.

If you have any questions in regard to our comments please call Mr. Raymond Goulart of our Traffic Operations section at (209) 948-7935.

Sincerely,

  
AL JOHNSON  
IGR Coordinator

Attachment

DIRECTORS:

DANA L. FINNEY  
JAMES A. MC GEE  
KENNETH E. MELTON  
GLENN MICHAEL  
DAVID RADANOVICH

# Mariposa Public Utility District

MARK L. ROWNEY, SEC.-MGR

P. O. BOX 494  
MARIPOSA, CALIFORNIA  
(209) 966-2515

June 27, 1991

Mr. Tony Lashbrook  
Mariposa Planning Dept.  
Box 2039  
Mariposa, Ca. 95338

REF: SPECIFIC PLAN AND EIR FOR MARIPOSA TOWN PLANNING AREA

Dear Tony:

The MPUD Board of Directors have reviewed the draft Mariposa Town Planning Area Specific Plan and Environmental Impact Report. There are some recommended changes in the description of MPUD's facilities, history and future projects. In addition, the Board wishes to convey recommended changes to the policies, standards and regulations.

Page 43 - Section 3. MPUD has accepted title to the total elevated storage tank at the hospital. There is no longer a reservation of 90,000 gallons storage for the hospital only. This reservation was made originally due to the hospital's location outside of MPUD boundaries. Since the annexation of the hospital property in 1984 the storage reservation is no longer necessary.

Page 44 - Section D. There is one unit process at the wastewater treatment plant that is operating at over capacity. The sludge dewatering process will need repair and additional capacity. MPUD and Mariposa County will be proposing a plan for a permanent septage receiving station which will include improvements to the sludge dewatering unit process.

Page 46 - Section F. The District fire fighting apparatus consists of two fire engines and no support vehicles.

Page 47 - Section F/Page 48 - Section A. The fire response inside of MPUD boundaries by CDF and the responses outside of MPUD by MPUD is provided by Mutual Aid and Automatic Aid Agreements between MPUD, Mariposa County and CDF. Wildland fires

A

within MPUD boundaries as well as outside of MPUD boundaries are CDF's responsibility.

Page 50 - Section 2.1. Third paragraph - development moratorium should be changed to moratorium on sewer connections.

Page 80, 81, 82 - Sections 2.6.2 & 2.6.3. The MPUD Board recommends that the word "should" replace words "will, shall, and must" when reference to MPUD services is made. At the top of Page 81 end of the first paragraph, the MPUD Board recommends the word "identified" be changed to "recommends".

The MPUD Board is of the opinion that Item (H) on Page 81 is discriminatory. The MPUD Board is not willing to dedicate a percentage of available water connections to a particular type of development. The Board recommends Item H be deleted from the document.

Page 82 - Item D. ISO standards have not been adopted by MPUD although the District fire protection system is rated by the Insurance Services Office. The Uniform Fire Code is more consistent with the Uniform Building Code as well as being more of a generally accepted standard for fire protection. The implementation of parts of either standard would probably be included in a "fire service plan".

Page 114 - Item 3. Should include building standards adopted by the Calif. State Fire Marshal.

Page 131 & 132 - Section 3.25. The MPUD Board recommends the word "shall" be replaced with "should" in the first sentence of Section 3.25(B).

Page 146 & 147 -Section D. Items 3,4, & 5. If connection is made to MPUD water system, the Specific Plan should simply make reference to MPUD standards. MPUD has adopted standards for construction of water mains and fire hydrants.

Page 148 -Section 3.37(A). MPUD all ready has an ordinance in effect that requires new development to connect to the MPUD sewer. The MPUD Board recommends the statement "if MPUD supplies a written statement that adequate sewer connections have been reserved for the subdivision" be deleted. MPUD will not reserve a sewer connection without a permit being issued for the specific improvement on the parcel. Plans for construction of buildings, payment of permit fees, etc., are required before a permit is issued.



Page 197-198. The Farmers Home Administration has obligated funding for the project. Before any funds are received from FmHA certain conditions must be met.

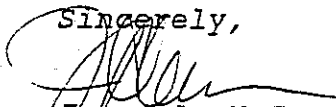
ENVIRONMENTAL IMPACT REPORT: If Mariposa County includes MPUD's recommendations in the Specific Plan, there are several corresponding changes that will be required in the EIR.

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B

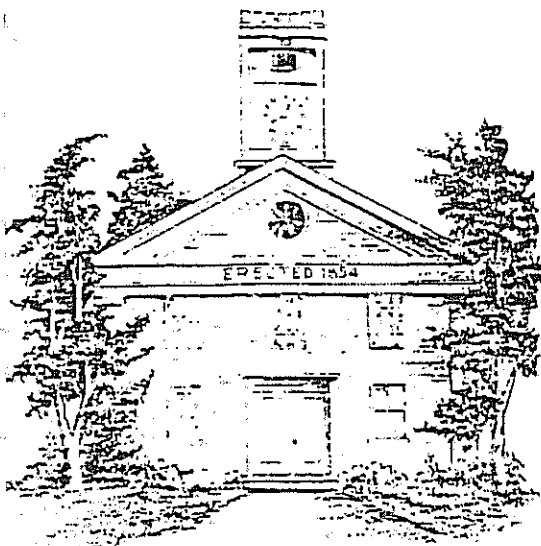
Thank you.

Sincerely,



James A. McGee  
Chairman  
MPUD Board of Directors

MLR:gp



MARIPOSA COUNTY COURT HOUSE  
"OLDEST IN THE WEST"

August 6, 1991

## *Local Agency Formation Commission*

*Mariposa County  
(209) 966-5151*

*Post Office Box 2039  
Mariposa, California 95338*

Mariposa County Board of Supervisors  
P.O. Box 784  
Mariposa, CA 95338

RE: Mariposa TPA Specific Plan Update and Draft  
Environmental Impact Report

Dear Members of the Board,

The Mariposa County Local Agency Formation Commission (LAFCo) has reviewed the Mariposa TPA Specific Plan Update and Draft Environmental Impact Report for those matters pertaining to special districts subject to the authority of LAFCo and serving the TPA, namely the Mariposa Public Utility District (MPUD). The Commission commends the County for including the Local Agency Formation Commission in the review process and addressing the provision of services both within and outside the Mariposa Public Utility District. The Commission has the following comments on the documents:

- 1) The Commission supports MPUD's request to have the words "will, shall and must" as they relate to MPUD be replaced by the word "should" in Chapter 2 of the Specific Plan document. The Commission supports this request because Chapter 2 is the policy section of the Specific Plan and the requested change will allow for flexibility in adopting implementation standards.
- 2) The Commission recommends that the words "will, shall and must" as they relate to MPUD not be changed in Chapter 3 since this chapter is the regulatory standard section of the Specific Plan and set standards must be in place.

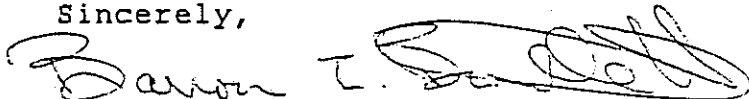
Aug. 6, 1991

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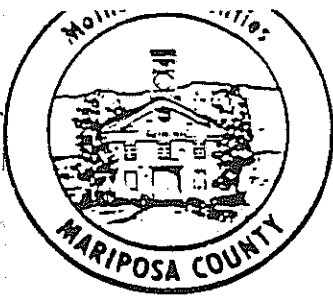
- 3) Pertaining to Section 3.25(B) of the Specific Plan, the Commission recommends that the Plan allow for a waiver by MPUD to the MPUD sewer connection requirement without further County approval based on adopted MPUD waiver procedures. The Commission further recommends the MPUD waiver procedures be reviewed and approved by the County before the waiver provision is added to the Specific Plan. This recommendation will reduce unnecessary County approvals for a sewer connection waiver when there are adequate waiver provisions adopted by MPUD to protect the public health and safety and comply with County standards while ensuring that such waivers are only granted under appropriate circumstances.
- 4) The prohibition of new private wells within MPUD as contained in Section 3.41(B) of the Specific Plan is strongly supported by the Commission. MPUD is the designated water provider for the District, and during these times of limited water availability for MPUD, it is important to protect MPUD's groundwater supply from further depletion which may affect service to existing and future development.
- 5) The Commission strongly supports the County's request to update the MPUD Sphere of Influence. The sphere of influence was adopted in 1980 prior to adoption of the first Specific Plan and is outdated in regards to both State law requirements and the existing circumstances and characteristics of the Town Planning Area and MPUD. The Commission has proposed budgeting funds for FY 1991-92 to undertake an update to the MPUD Sphere of Influence.
- 6) The Environmental Impact Report (EIR) adequately addresses and discusses the potential environmental impacts associated with an update to the MPUD Sphere of Influence. No revisions or comments are necessary to the EIR except as necessary for Comment #3.

The Commission looks forward to working with the County in an update to the MPUD Sphere of Influence. Tony Lashbrook, the Executive Officer for LAFCo, will be available to discuss our comments with the Board during the public hearing process.

Sincerely,



Barron E. Brouillette  
Chairman, Local Agency Formation Commission



# MARIPOSA COUNTY

4639 Ben Hur Rd.  
Mariposa, CA 95338  
(209) 966-5356

DEPARTMENT OF  
PUBLIC WORKS

Divisions of:  
Design & Construction  
Administration  
Operations

August 20, 1991

TO: Tony Lashbrook  
FROM: Gwendolyn Foster *Gwendolyn Foster*

RE: Comments on Draft Mariposa Town Planning Area  
Specific Plan & DEIR

Attached are corrections, comments and recommendations on circulation related items in the Mariposa Town Plan. Also included are responses to Caltrans comments on the DEIR. Items are arranged in their order of appearance.

The most important recommendation is that Antone Road be designed and built as a County Road, while the Mariposa Mine Loop be designated a State Highway route.

Please call me if you have any questions.

attachment

COMMENTS ON DEIR

ITEM: Summary 6--Traffic on State Highway 49 South

COMMENT/RECOMMENDATION:

Traffic increase on Highway 49 South may be significant.

MITIGATION:

A County-wide traffic study will determine impacts on the Highway, and develop funding for improvements. Possible highway improvements in the Fairgrounds area and encouragement of service development in eastern part of County could help reduce these impacts.

JUSTIFICATION:

Recent traffic count on Hwy 49 South at Hwy 140 approached 10,000 vehicles per day. The eastern area of the County will continue to use Mariposa as a service center until other facilities are developed.

ITEM: Summary 6--Traffic on State Highway 49 North

RECOMMENDATION:

Effect of commercial and professional office land uses will have a significant effect on traffic on Highway 49 between Highway 140 and Mariposa Creek.

MITIGATION:

A continuous left turn lane is included in the State Transportation Improvement Program.

JUSTIFICATION:

Since many of the parcels in this area are too small to develop a frontage road across them, and since there are no other alternate county roads for access, the State Highway in this area will serve this purpose. As is the case with most strip commercial development, a continuous left turn lane will help reduce conflicts with highway traffic. Antone Road, when developed, could help carry some of the local through traffic from Highway 140 and 49 South.

ITEM: page 33, level of service on Hwy 49

CORRECTION:

Highway 49 South was measured to have higher traffic volumes

than Highway 140 West. Highway 49 North is expected to have increased traffic volume due to planned land uses. See above.

ITEM: a), page 36, level of service E

COMMENT/RECOMMENDATION:

Level of Service should be established using accepted traffic engineering methods. As traffic counts are done every 3 years by the County & Caltrans, recommend these studies be conducted during same period. Also recommend that removal of all parking only be considered an option if pedestrian traffic can be handled safely.

ITEM: option #2, page 37, traffic volumes Smith Road

RECOMMENDATION:

Left turn lanes shall be constructed when funding becomes available and the projects can be included in the County's capital improvement program or in one of Caltrans' improvement programs.

JUSTIFICATION:

There may be more pressing projects within the County. The criteria used to select these projects should be uniform. Construction of the project should be based upon programming and funding considerations. Caltrans has already indicated that the projects will be necessary soon.

ITEM: a), page 37, traffic study for LOS E

RECOMMENDATION:

Measurement of level of service should be done by Caltrans to determine when action should be taken. Proposed improvements to the state highway should be placed into a State program when Caltrans determines that the highway has reached Level of Service E.

JUSTIFICATION:

Level of Service is based upon a traffic engineering procedure that may look at average highway performance and/or peak month. Completion of improvements depends on programming considerations as well as when certain conditions are reached. The County and/or Caltrans cannot always respond with highway improvements within a year.

RESPONSE TO CALTRANS' COMMENTS ON DEIR

ITEM: page 169--"Antone Road" intersection @ 49 S

RESPONSE:

An intersection for the planned road on the other side of the creek should be located away from the existing 49 S intersection. County staff would appreciate further discussion with Caltrans on the best location where a County road intersection could be constructed.

JUSTIFICATION:

Agree that the skewed intersection is not acceptable as shown. This was a conceptual drawing to show how placement of a road in this area might impact existing and planned improvements. An intersection and roadway designed as required by Caltrans would have even more of an adverse effect on Mariposa Creek in this area.

An alternative was considered for Highway 49 traffic bound for the Coakley Circle/Joe Howard Streets area. This would travel up the hill through the County Park.

ITEM: C, page 170--Mariposa Mine Loop/Hwy 49 S

RESPONSE:

This intersection should be properly designed to Caltrans specifications.

JUSTIFICATION:

Details of the intersection at Highway 49 S have not been resolved. One possibility that had been discussed involved installation of a grade separation bridge across Mariposa Creek and Highway 49 to meet Highway 140.

ITEM: page 170, Fig 26 & page 172, h.  
Bullion Street "off-ramp" from Hwy 49 South

COMMENT/RESPONSE:

The concept of this improvement would be to allow Highway 49 South traffic to easily travel onto Bullion Street and through to the east side of town without travelling through the downtown. Southbound traffic on Bullion would still be required to turn left at the 3rd Street intersection with

What a corridor analysis is

When a project acts as a generator or attractor of vehicle trips which may result in a significant change in level of service of local roadways, freeways, or arterials, the affected transportation corridor should be analyzed.

In conclusion the California Clean Air Act of 1988 (CCAA) requires air pollution control districts to adopt, implement, and enforce transportation control measures to the degree needed to meet state air pollution standards. Programs are required to reduce emissions from areawide or indirect sources and to reduce the number or length of trips. (Health and Safety Code, Section 40716).

cc: Charles B. Mosher, MD, Health Officer  
Air Pollution Control Board



- 1
- b. Long-term emissions;
  - c. Local scale analysis;
  - d. Corridor analysis;

What short-term emissions are

Short-term emissions are generated during the site preparation and construction phase of a project. Short-term emissions include fugitive dust resulting from grading and materials handling, construction workers' vehicular traffic, and the exhaust from heavy-duty gasoline and diesel-powered vehicles.

What long-term emissions are

The long-term emissions associated with a project include both the direct emissions generated by the operation of the project and the indirect emissions induced by the project, the latter caused principally by the use of motor vehicles. This assessment should identify and analyze emission sources, i.e., motor vehicles, project operations, or power usage generated on the project site and by the utilities.

The factors to be considered when determining vehicle usage are:

- a. Number of vehicle trips associated with the project;
- b. Length of trips;
- c. Peak hour traffic count estimates;
- d. Percent cold/hot starts;
- e. Types of trips and average speeds;
- f. Vehicle miles traveled per day;
- g. The percent of stops and starts and average queuing times per intersection in estimating vehicle emissions;

What a local scale analysis is

A local scale analysis is an estimate of a project's air quality impact in the vicinity of project. special emphasis should be placed on identifying locations of sensitive receptors such as hospitals and schools and the actual exposure to pollutants. Concentrations of carbon monoxide and lead are of primary concern.

Highway 49.

The current 3rd Street intersection, as traffic increases, may cause more of a conflict with major turning movements between the highways, similar to the problem caused by multiple driveways at the corner shopping center. For this reason, one alternative may be to move the 3rd Street intersection further or closer to the Highways intersection.

Another alternative, considered in the circulation study of the town, would be to provide a connection to Jones Street from Highway 49 S.

ITEM: 5, page 177--chokers

RECOMMENDATION:

Chokers should not be installed on the State Highways, or on streets where additional traffic flow is desired to reduce traffic on the State Highways.

JUSTIFICATION:

Highway 140 will be wider above 7th Street, which may increase speeds in that area. The installation of chokers would reduce speeds through the downtown, however, this would act against the purpose of the Highway. If a bypass by 49 and 140 were constructed, then chokers might be appropriate, in order to make Charles Street downtown a "local commercial" road.

ITEM: 7, page 177

RECOMMENDATION:

Additional traffic on the side streets could help reduce traffic on the State Highway, therefore, diagonal parking on Bullion Street should not be established. Diagonal or right-angle parking can not be installed or permitted on County Roads, unless exclusively permitted by resolution/ordinance.

JUSTIFICATION:

There are still locations in the downtown where parking could be located to serve the needs of the many existing small lots. There is a conflict in having Bullion serve as a reliever street for Highway 140, and also installing parking along the road.