

MARIPOSA COUNTY ORDINANCE NO. 716

AN ORDINANCE AMENDING THE MARIPOSA COUNTY ENVIRONMENTAL REVIEW POLICIES AND PROCEDURES FOR THE PURPOSE OF IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE CEQA GUIDELINES.

WHEREAS, Section 15022(a) of Title 14, Division 6, Chapter 3 of the California Administrative Code requires public agencies to adopt objectives, criteria and specific procedures consistent with CEQA and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and the preparation of environmental documents; and

WHEREAS, Mariposa County adopted comprehensive Environmental Review Policies and procedures for the purpose of implementing CEQA and the CEQA Guidelines within the County of Mariposa, on May 13, 1986 by Resolution 86-151 and by ordinance on July 19, 1988; and

WHEREAS, the County has determined that it would be desirable and beneficial to have independent consultants prepare required environmental impact reports;

NOW THEREFORE, BE IT ORDAINED, the following amendments to the Environmental Review Policies and procedures are adopted to establish procedures for retention of the consultant:

I. Section 3.400 is amended to read as follows:

3.400 ENVIRONMENTAL IMPACT REPORTS

When an EIR is required, the following procedures and those procedures which are mandatory in Article 7 of the State CEQA Guidelines shall be followed:

1. In addition to information required from the applicant by the Planning Department, an applicant may submit additional information in any format to aid in the preparation of the draft EIR. The EIR shall be prepared by an outside consultant under contract with the County of Mariposa.

2. An estimate of the cost for the preparation of the EIR will be secured by the Planning Department from a list of consultants determined to be qualified relative to the type of project proposed.

3. The list shall be compiled from available information relative to recently completed projects in both Mariposa County and other jurisdictions. If necessary, a Request for Qualification process will be utilized to establish an adequate range for selection.

4. Requests for Proposals will be distributed to the selected group of consultants. Responses to these R.F.P.'s, including the consultant's cost estimate, project approach, work program, and experience, will be utilized in the selection process.

5. EIR consultant contracts shall not be awarded to consultants that have any other involvement in the same project. The County shall be satisfied that any consultant preparing an EIR can provide an independent, objective and unbiased document.

6. Costs estimated for the Planning Department's processing of the EIR shall be included in the fees

required of the applicant. Initial fees beyond the contract amount may be required if additional information is determined to be necessary by the Planning Department.

7. On all projects undertaken by the County for which an EIR is required, the head of the County Department carrying out the project shall confer with the Planning Director to determine who should prepare the EIR.

8. The Planning Director, in consultation with County Counsel and the project proponent, shall negotiate any contracts for the preparation of an EIR. All such contracts shall be approved by the Board of Supervisors.

9. The content of an EIR shall be governed by the requirements of the State CEQA Guidelines. Notice of completion of a draft EIR shall be given as provided in State CEQA Guidelines Section 15087.

II. The Board of Supervisors also finds that there is clearly no potential for causing a significant effect on the environment, and that the project is exempt from the California Environmental Quality Act under a general rule finding.

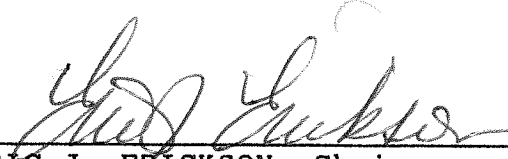
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 26th day of July , 1988 by the following vote:

AYES: DALTON, ERICKSON, RADANOVICH, TABER

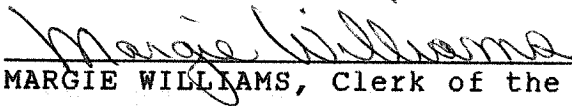
NOES: NONE

ABSTAINED: NONE

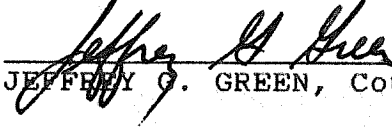
EXCUSED: BAGGETT


ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


JEFFREY G. GREEN, County Counsel