MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO:       JEFF GREEN, County Counsel
          ERIC TOLL, Planning Director

FROM:     MARGIE WILLIAMS, Clerk of the Board

SUBJECT:  Response to Draft EIR for Merced County and University of CA - Merced
          Resolution No. 01-274

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on October 2, 2001

ACTION AND VOTE:

10:36 a.m. Chairman Balmain;
Board Discussion and Approval of Response to Draft Environmental Impact Reports for Merced County
and University of California Merced

BOARD ACTION: Discussion was held. Jeff Green, County Counsel, advised that the Planning Director
was unable to be present, and that a number of comments have been received to soften the tone of the letter.
He asked for Board input relative to the substantive issues, and for any changes to be submitted as soon as
possible so that the final letter could be delivered on Thursday (the deadline to respond). Further discussion
was held relative to addressing LaPaloma Road, and potential impacts to the County. (M)Pickard,
(S)Parker, Res. 01-274 adopted approving the letter to be submitted, with changes as discussed/Ayes:
Reilly, Balmain, Parker, Pickard; Excused: Stewart.

cc:       Resolution File
          File
October 4, 2001

Mr. Ric Notini
Environmental and Permitting Manager
Physical Planning
University of California, Merced
1170 West Olive Avenue, Suite I
Merced, CA 95348

Mr. Robert Smith
University of California Project Planner
County of Merced
2222 M Street
Merced, CA 95340

Topic: Comments and issues concerning the Draft Environmental Impact Reports for the University of California, Merced Long Range Development Plan and the County of Merced University Community Plan

Dear Messrs. Notini and Smith:

On behalf of the County of Mariposa, these comments are submitted for the response and revision of the Draft Environmental Impact Report for the University of California, Merced, Long Range Development Plan (LRDP) and the County of Merced University Community Plan (UCP). The Board of Supervisors has been an early and enthusiastic supporter of the University of California, Merced and the associated University Community. As the growth history in the Central Valley has consistently proven during the last 30 years, Valley city growth booms also add proportionally higher growth, development, and population increases to the foothills. We look forward to sharing in the economic and population growth of Merced.

We are disappointed that the preparers of the Environmental Impact Reports seem to believe that no impacts will occur in Mariposa County. We are likewise disappointed by the failure of any participant in the Environmental Impact Report to contact our planning agency or this Board to discuss potential impacts to the County of Mariposa.

Procedural flaws

First, the County finds that bifurcation of the University’s LRDP Draft Environmental Impact Report and Merced County’s University Community Plan Draft Environmental Impact Report are contrary to the tenet of the California Environmental Quality Act prohibiting the piecemeal analysis of intricately linked projects in order to understate the environmental impacts. The two projects are completely and totally linked, one will not occur without the other.
Releasing two separate multi-thousand page documents for a project significantly affecting the future of this region, and providing a mere 55 days for review places the public at a disadvantage. The County recognizes that there are separate lead agencies, but the use of a single EIR by multiple lead agencies is not unprecedented. In fact, the County of Mariposa is undertaking just such a consolidated environmental and planning document with co-lead agency, Yosemite National Park.

**Growth inducing impacts**

The Draft Environmental Impact Report ignores the potential adverse and growth-inducing impacts to any jurisdiction east of Arboleda Avenue. The growth inducing impacts analysis fail to take into consideration the history of California valley and Foothill development.

Historically, California’s natural growth patterns in the Central Valley resulted in Sierra Nevada counties leading the state in percentage population growth according to California Department of Finance data. Even without significant outside stimulus, Mariposa County grew twenty percent from 1990 to 2000.

Mariposa County has large tracts of undeveloped land and already subdivided undeveloped residential parcels within community areas with significant access opportunities. These tracts and lots are located on routes connecting to the UC/Merced campus and into the job opportunities of the University Community. These tracts are well within reasonable commutesheds from the Campus and proposed University Community.

As Mariposa County has been preparing its General Plan update and reviewing Census and direct data, we are discovering unexpected numbers of commuters to Fresno, Merced, Modesto, and even Tracy, Livermore, and Dublin. Several members of the California State University at Fresno faculty live in Mariposa County, despite a more than 60 mile one-way commute. We also have Merced city and county employees residing in Mariposa County. It is less than 25 minutes from Catheys Valley to the Merced City Limits on Highway 140. While the unimpaired raw numbers existing today may not appear to be significant, even if a mere five percent of the staff, faculty, and spin-off employees were to live in Mariposa County, our population would increase by more than twenty percent.

Growth inducing impacts are significant and are not properly addressed.

**Traffic and circulation**

The Draft Environmental Impact Report is flawed in its traffic and circulation assessment because it fails to address the impacts of increased traffic on the most direct route from Mariposa County to the Campus and the University Community: La Paloma Road. This road and its existing prescribed, described, and dedicated easements connect northern and west-central Mariposa County with Merced on a straight run from Horritos to G Street. Mariposa recognizes that the road is currently substandard, however, its service as a means of alleviating traffic congestion on Hwy 140 and as an alternate access from the east should have been assessed. Additionally, La Paloma Road provides significant opportunities for emergency access, all of these issues need to be addressed.

It should also be noted that as early as 1997, the County of Mariposa officially asked the University to address the benefits and impacts of ensuring a safe, direct transportation link to the Campus via La Paloma Road. On October 5, 2000, a letter from the Mariposa Board of
Supervisors to Greg Wellman, Clifford Graves, Jerald O’Banion, and Jess Brown specifically requested this issue be reviewed in the Environmental Impact Report for the projects. Numerous personal conversations have been held about the need for La Paloma Road between Mariposa County Supervisors and both top level University Administration and Merced County Supervisors. In addition, Mariposa County Staff and both Merced County and University staff have had this discussion. The Draft EIR should have addressed this issue as a result of these responses to the Notice of Preparation.

The traffic projections do not incorporate the anticipated volumes for visitor growth at Yosemite National Park. The volumes do not appear to reflect tour buses and increases in such bus traffic. Further the EIRs appear to ignore the benefits and potential of the Yosemite Area Regional Transit System (YARTS) and its connections not only to Mariposa, but also Merced links, and even interconnects to Mono County.

Conclusion

The Board of Supervisors of the County of Mariposa are confident that the University of California/Merced and the County of Merced will respond to our comments in a proactive manner.

If you have any questions, please contact our Planning Director, Eric Jay Toll at 209-966-0302.

Respectfully submitted,
The County of Mariposa

Doug Balmain

Doug Balmain, Chairman
Board of Supervisors