

DEPARTMENT: Public Works BY: Michael D. Edwards PHONE: 966-5356  
Assistant Director

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes: \_\_\_ NO: x)  
Resolution denying the appeal and upholding the Director of Public Works' decision to adopt a Negative Declaration, with mitigations, for the proposed Hayward Road Relocation Project, Project #90-09.

Justification: The appellant has provided no substantial evidence that additional impacts will occur from this project or that proposed mitigation measures will not adequately offset identified impacts.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

An Initial Study was prepared by Public Works on 5/15/91 and reviewed by the Planning Department on 6/17/91. A Public Hearing was held by the Public Works Director on 9/11/91, at which time public input was taken, including that of the appellant, regarding the Director's intent to adopt a Negative Declaration. The Initial Study was approved and the Negative Declaration, with mitigations, was adopted by the Director on 11/1/91.

The Board previously authorized the preparation of the Plans and Specifications and Estimates. The project is part of the approved Capital Improvement Program, funded through the Federal Aid Secondary-Exchange Dollars.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Deny appeal and modify mitigation measures.
2. Uphold the appeal.
3. Require preparation of an Environmental Impact Report.
4. Continue matter.

COSTS: (xx) Not Applicable

A. Budgeted current F.Y. \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required Add'l. Funding \$ \_\_\_\_\_

D. Source: \_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required

A. Other budgeted funds \$ \_\_\_\_\_

B. Unanticipated revenues \$ \_\_\_\_\_

C. Reserve for contingencies \$ \_\_\_\_\_

D. Description: \_\_\_\_\_

Balance in Reserve for contingencies, if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Initial Study and Negative Declaration adopted 11/1/91
2. Appellant's Statement of Grounds for Appeal
3. Memo from Director of Public Works to BOS responding to dated 1/7/92.
4. Memo to project file regarding implementation of mitigated measures dated 1/6/92.

CLERK'S USE ONLY:

Res. No.: 92-46

Ord. No.: \_\_\_\_\_

Vote - Ayes: 4 Noes: None

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

Approved ( ) Denied

(x) Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

X Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS  
Clerk of the Board of Supervisors  
County of Mariposa, State of CA

By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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TO: LARRY POLLARD, PUBLIC WORKS DIRECTOR  
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *mw*  
RE: PUBLIC HEARING REGARDING HAYWARD ROAD PROJECT

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA  
ADOPTED THIS Order on January 21, 1992

ACTION AND VOTE:

Larry Pollard, Public Works Director;  
PUBLIC HEARING - Appeal of Director of Public Works'  
Decision to File a Negative Declaration with Mitigation  
Measures for the Proposed Hayward Road Realignment  
Project; County of Mariposa, Applicant/Gookin,  
Appellant

BOARD ACTION: Hearing was opened and continued to  
after a recess. Board reconvened at 11:09 a.m. Larry  
presented staff report. Mike Edwards, Assistant Public  
Works Director, provided input. Input from the public  
was provided by: Tom Gookin, appellant, and Tim  
Erickson. Res. 91-46 adopted denying the appeal/Ayes:  
(M)Erickson, (S)Baggett, Punte, Radanovich; Noes:  
Taber. Board suggested Public Works meet with Mr.  
Gookin and Mr. Erickson and come back with other  
options for the intersection portion of the realignment  
project.

cc: File  
Planning