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.

COSTS: (xx) Not Applicable
A. Budgeted current F.Y. $_________
B. Total anticipated costs $_________
C. Required Add’l. Funding $_________
D. Source:__________________________

SOURCE: ( ) 4/5th's 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 1/1/91
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: 0
Absent: __________ Abstained: 
Approved ( ) Denied
( ) Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as: 
( ) Recommended
( ) Not Recommended
( ) For Policy Determination
( ) Submitted with Comment
( ) Returned for Further Action

Date: _______________________
Comment: ___________________

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

A.O. Initials: __________
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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

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