RESOLUTION - ACTION REQUESTED 2017-66

MEETING: February 14, 2017

TO: The Board of Supervisors

FROM: Doug Binnewies, Sheriff-Coroner-Public Administrator

RE: CEQA Exemption for Adult Detention Facility Addition

RECOMMENDATION AND JUSTIFICATION:
Adopt a Resolution Making Findings Pursuant to the California Environmental Quality Act Regarding the Mariposa County Adult Detention Facility (Jail) Expansion Project.

This request is made in order to support an application for State lease-revenue bond funding under SB844. The project is an addition to an existing structure which is less than 10,000 square feet in size and in an area where all public services and facilities are available (CEQA Guidelines §15301).

The project is construction of a structure which is accessory to an existing institutional facilities (CEQA Guidelines §15311). None of the exceptions to the categorical exemptions listed in CEQA Guidelines §15300.2 apply to the project:

- The Project will be constructed within the use area footprint of the Mariposa County Adult Detention Facility complex. The area identified for project construction is currently used as a wood sorting, processing and storage yard.

- The Mariposa County Adult Detention Facility is located at an urbanized and developed site in the Town of Mariposa.

- The Mariposa County Adult Detention Facility is not located within or along an officially designed state scenic highway.

- The Mariposa County Adult Detention Facility is not located within a Historic Design Review Overlay District.

- The Mariposa County Adult Detention Facility project will not involve any improvements, modifications, or other changes to an historical resource.

- The Mariposa County Adult Detention Facility is not located on a site included on a list of known hazardous materials sites compiled pursuant to Government Code §65962.5.
There are no additional future plans for any other expansions of space at the Mariposa County Adult Detention Facility and therefore the Expansion Project would not result in any cumulative impact.

The Project is 9,300 square feet in size and in the Town of Mariposa where all public services and facilities are available; and

The project is subject to the regulations established by the Mariposa Town Planning Area Town Plan. An Environmental Impact Report (EIR) was certified by the Board of Supervisors when the Town Plan was adopted. The EIR evaluated the effects of Plan adoption, including the potential effects of further development within the Town Plan area based on land use, density and development standards of the Plan. The EIR included mitigation measures to reduce the identified potentially significant environmental effects to a level of less than significant.

This project is consistent with the mitigation measures contained within the EIR. Because the EIR has already addressed the environmental impacts of the Town Plan, and based on the limited scope of this project and the permitting requirements to ensure consistency with adopted regulations, the potential impacts of the Project have already been addressed and mitigated. Pursuant to Section 15061(b)(3) of the CEQA Guidelines, the project is exempt from preparation of environmental documents because it does not have the potential to cause a significant effect.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** On January 10, 2017 the Mariposa County Board of Supervisors adopted Res.# 2017-12 which approved a Professional Service Agreement with Vanir Construction to pursue the application for SB844 State lease-revenue bond funding for Jail improvements as a result of State’s AB109 Realignment requirements. Among other requirements to meet eligibility for SB844 funding is the need to have a Board Resolution making findings pursuant to the California Environmental Quality Act (CEQA). The Mariposa County Board of Supervisors, as lead agency for the project, is charged with making such determinations.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:** Do not seek a Resolution regarding a CEQA determination and forgo the grant application process and funding opportunity.

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

2017 DRAFT BOS Resolution Jail Expansion (DOC)

2017 DRAFT Jail Expansion Notice of Exemption (DOC)

**CAO RECOMMENDATION**

Requested Action Recommended
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Menetrey, Smallcombe, Jones, Long, Cann
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution No. 2017-66

A Resolution Making Findings Pursuant to the California Environmental Quality Act Regarding the Mariposa County Adult Detention Facility (Jail) Expansion Project

WHEREAS, Mariposa County intends to construct an addition to expand the Mariposa County Adult Detention Facility (Jail) located at 5379 Highway 49 North in the Town of Mariposa, California, also known as Mariposa County Assessor Parcel Number 012-340-012; and

WHEREAS, the proposed addition will be approximately 9,300 square feet in size; and

WHEREAS, this project is known as the Mariposa County Adult Detention Facility (Jail) Expansion Project; and

WHEREAS, the Expansion Project will contain new cell blocks, administrative/operational space and a mental health unit; and

WHEREAS, the additional space to be created by the Expansion Project will be used to better accommodate the special needs of existing and future jail inmates and well as house general population inmates, and

WHEREAS, the location of the addition will be on the south end of the existing facility, where the wood storage yard is currently located, and as generally depicted on the sketch plan included as Attachment 1 to this resolution; and

WHEREAS, the Expansion Project is subject to a Building Permit, to be obtained from the Mariposa County Building Department; and

WHEREAS, the Building Permit process will ensure that all construction associated with the Expansion Project will be in compliance with the California Building Code and adopted Appendices; and

WHEREAS, this project is subject to a Design Review and Site Plan Application, to be obtained from the Mariposa County Planning Department; and

WHEREAS, the Design Review and Site Plan Application process will ensure that all construction associated with the Expansion Project will be in compliance with development regulations established by the Mariposa County Zoning Ordinance and the Mariposa Town Plan; and
WHEREAS, the estimated cost of the Expansion Project is $11,359,200 and Mariposa County is seeking funding from the State of California under SB-844 Financing of Adult Local Criminal Justice Facilities - 2016; and

WHEREAS, the Expansion Project is considered a “Project” pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to CEQA Guidelines Section 15367, the County Board of Supervisors is considered the Lead Agency for purposes of implementation of CEQA; and

WHEREAS, the Board of Supervisors has reviewed the Project and has determined it is exempt from the provisions of CEQA pursuant to the Class 1 categorical exemption for “Existing Facilities” including minor alteration and additions to existing structures which are less than 10,000 square feet in size and in an area where all public services and facilities are available (CEQA Guidelines §15301); and

WHEREAS, the Board of Supervisors has reviewed the Project and has determined it is exempt from the provisions of CEQA pursuant to the Class 11 categorical exemption for “Accessory Structures” including construction of minor structures accessory to existing institutional facilities (CEQA Guidelines §15311); and

WHEREAS, the Board of Supervisors has determined that the proposed project is not located in a particularly sensitive environment and none of the exceptions to the categorical exemptions outlined in CEQA Guidelines §15300.2 apply to the project; and

WHEREAS, the Board of Supervisors’ CEQA determinations are based on the following considerations:

1. The Project will be constructed within the use area footprint of the Mariposa County Adult Detention Facility complex. The area identified for project construction is currently used as a wood sorting, processing and storage yard.

2. The Mariposa County Adult Detention Facility is located at an urbanized and developed site in the Town of Mariposa.

3. The Mariposa County Adult Detention Facility is not located within or along an officially designed state scenic highway.

4. The Mariposa County Adult Detention Facility is not located within a Historic Design Review Overlay District.

5. The Mariposa County Adult Detention Facility project will not involve any improvements, modifications, or other changes to an historical resource.

6. The Mariposa County Adult Detention Facility is not located on a site included on a list of known hazardous materials sites compiled pursuant to Government Code §65962.5.
7. There are no additional future plans for any other expansions of space at the Mariposa County Adult Detention Facility and therefore the Expansion Project would not result in any cumulative impact.

8. The Project is 9,300 square feet in size and in the Town of Mariposa where all public services and facilities are available; and

WHEREAS, based on the location of the Mariposa County Adult Detention Facility, the Project to expand the detention facility is subject to the Mariposa Town Planning Area Town Plan. An Environmental Impact Report (EIR) was certified by the Board of Supervisors when the Town Plan was adopted. The EIR evaluated the effects of Plan adoption, including the potential effects of further development within the Town Plan area based on land use, density and development standards of the Plan; and

WHEREAS, the EIR included mitigation measures to reduce the identified potentially significant environmental effects to a level of less than significant. This project is consistent with the mitigation measures contained within the EIR; and

WHEREAS, because the EIR has already addressed the environmental impacts of the Town Plan, and based on the limited scope of this project and the permitting requirements to ensure consistency with adopted regulations, the potential impacts of the Project have already been addressed and mitigated. Pursuant to Section 15061(b)(3) of the CEQA Guidelines, the project is exempt from preparation of environmental documents because it does not have the potential to cause a significant effect on the environment; and

WHEREAS, each of the foregoing exemptions is sufficient to independently exempt the whole of the Project from CEQA; and

WHEREAS, a Notice of Exemption has been prepared pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, this resolution was considered at a regularly scheduled public meeting of the Mariposa County Board of Supervisors, for which a minimum of 72 hours of public notice was duly given.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby find the Mariposa County Adult Detention Facility Expansion Project is exempt from environmental review and directs staff to file a Notice of Exemption with the Mariposa County Clerk within five (5) working days of the date of this action.
ON MOTION BY Supervisor Jones seconded by Supervisor Cann, this resolution is duly passed and adopted this 21st day of February, 2017 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY

NOES: NONE

EXCUSED: NONE

ABSTAIN: NONE

[Signature]
Marshall Long, Chair
Mariposa County Board of Supervisors

Attest:

[Signature]
René LaRoche, Clerk of the Board
Mariposa County Board of Supervisors

Approve As to Form:

[Signature]
Steven W. Dahlem, County Counsel
ATTACHMENT 1

Mariposa County Adult Detention Facility Expansion Project
Sketch Plan
MARIPOSA COUNTY
NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
    P.O. Box 247
    Mariposa, CA 95338
FROM: Mariposa County
      Board of Supervisors
      P.O. Box 784
      Mariposa, CA 95338

Project Title: Mariposa County Adult Detention Facility (Jail) Expansion Project

Project Location: 5379 Highway 49 North in the Town of Mariposa, County of Mariposa

Project Parcels: Mariposa County Assessor Parcel Number 012-340-012

Description of Project: Expansion of the Mariposa County Adult Detention Facility (Jail). Proposed addition to existing facility will be approximately 9,300 square feet in size. The project will contain new cell blocks, administrative/operational space and a mental health unit. The project site will be at the south end of the existing facility, where the wood storage yard is currently located.

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Department (Applicant) Carrying Out Project: Mariposa County Sheriff’s Department

Exempt Status: Categorical Exemption, Class 1 Existing Facilities; Categorical Exemption, Class 11 Accessory Structures; and General Rule Exemption

Reason Why Project Is Exempt:

The project is an addition to an existing structure which is less than 10,000 square feet in size and in an area where all public services and facilities are available (CEQA Guidelines §15301).

The project is construction of a structure which is accessory to an existing institutional facilities (CEQA Guidelines §15311).

None of the exceptions to the categorical exemptions listed in CEQA Guidelines §15300.2 apply to the project:

- The Project will be constructed within the use area footprint of the Mariposa County Adult Detention Facility complex. The area identified for project construction is currently used as a wood sorting, processing and storage yard.

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• The Project is 9,300 square feet in size and in the Town of Mariposa where all public services and facilities are available; and

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Lead Agency Contact Person: Sarah Williams, Planning Director

Phone Number: (209) 966-5151

Mariposa County Board of Supervisors by:

[Signature]
Chair

[Signature] 2/23/17
Date

APPROVED AS TO FORM:

[Signature]
STEVEN W. DAHLEM
COUNTY COUNSEL