BOARD OF SUPERVISORS RESOLUTION NO. 79-82

WHEREAS: The Mariposa County Board of Supervisors adopted Resolution 78-142 wherein policies are established for Subdivision and Environmental Review, and

WHEREAS: Resolution 78-142 requires environmental impact reports on all major subdivisions in paragraph number 1, page one, line 15, and

WHEREAS: Said paragraph reads in full:

"The Environmental Impact Report procedures will be invoked on all major subdivision developments and the development shall not be approved upon the finding of a significant negative impact that cannot be mitigated through the imposition of on site improvements", and

WHEREAS: It has been determined that situations occur wherein an environmental impact report may not serve any benefit, that normal environmental review procedures are sufficient to adequately determine the need for an environmental impact report, and certain negative impacts identified in the environmental review process cannot be mitigated through the imposition of on site improvements.

NOW THEREFORE, BE IT RESOLVED that Resolution 78-142 be amended by deleting the above sited paragraph and the following language inserted in its stead:

1. The Environmental Review-Technical Advisory Committee (ER-TAC) may recommend to the Mariposa County Planning Commission, and the Planning Commission may accept such recommendation, that:

   a) Based upon Initial Studies of normal Environmental Review procedures and other available information that an Environmental Impact Report may not be required for a major subdivision if the following conditions exist:
i. All long and short term negative impacts, that can reasonably be anticipated, have been identified through the initial study procedures, and

ii. That said long and short term impacts can be mitigated through such conditions of approval as on site/off site improvements, mitigating fees where permissible, performance bonding in accordance with County policy, and other conditions as can be reasonably expected to mitigate said identified negative impacts.

b) When the above stated conditions cannot be found to exist, ER-TAC shall recommend that an Environmental Impact Report (EIR) will be prepared with specific recommendations as to informational requirements of the EIR, beyond the mandated sections required by state law or County policy.

PASSED AND ADOPTED THIS 29th DAY OF May 1979, by the following vote:

AYES: Dalton, Clark, Weber, Owings, Erickson

NOES: None

ABSENT: None

NOT VOTING: None

EUGENE P. DALTON, JR., CHAIRMAN
Board of Supervisors

ATTEST:

JOAN J. LYNK, CLERK OF THE BOARD