Mariposa County Board of Supervisors

Resolution No. 79-207

The Mariposa County Board of Supervisors does hereby resolve as follows:

WHEREAS, the U. S. Department of Interior Bureau of Land Management (BLM) is currently involved in off-road vehicle planning the outcome of which is of vital concern to the residents of Mariposa County; and

WHEREAS, the BLM has prepared a draft Environmental Assessment (EA) enumerating the environmental impacts of various off-road vehicle plans in the North Fork of the Merced River region; and

WHEREAS, the Mariposa County Board of Supervisors wishes to comment upon the adequacy of the draft EA as prepared by the BLM; and

WHEREAS, the Mariposa County Board of Supervisors has serious concerns regarding the type and extent of off-road vehicle activity in the North Fork of the Merced River region.

NOW, THEREFORE, BE IT RESOLVED that the following policy is adopted concerning the draft EA and off-road vehicle activity in the North Fork of the Merced River region:

A. Draft Environmental Assessment (EA)

The draft EA does not adequately address impacts related to County services, soils, vegetation, and wildlife (See Exhibit "A"). The draft EA should be revised to address the specific points in Exhibit "A".

B. Off-road Vehicle Policy

1. The Mariposa County Board of Supervisors opposes the creation of an "open" off-road vehicle classification in the North Fork of the Merced River area due to conflicts with local residents, damage caused by indiscriminate off-road vehicle use on County-maintained roads, and law enforcement problems
caused by indiscriminate off-road vehicle use of public and private lands.

2. The Mariposa County Board of Supervisors opposes the closing of the North Fork of the Merced River to all vehicles. Legitimate uses of the area such as mining access and grazing lease access should not be restricted.

3. The Mariposa County Board of Supervisors favors a system whereby legitimate uses of the area such a mining and grazing are not restricted and off-road vehicle activity is restricted and/or controlled so as to eliminate conflicts and problems listed previously. The County of Mariposa is willing to work closely with the BLM to achieve these goals.

4. The Mariposa County Board of Supervisors wishes to be informed as early as possible of any upcoming meetings and/or public hearings concerning off-road vehicle management in Mariposa County, and goes on record as being opposed to the BLM holding public hearings on issues concerning Mariposa County in areas other than in Mariposa County. In addition, the BLM should make every effort possible to inform the citizens of Mariposa County of upcoming public hearings concerning BLM activities within Mariposa County.

5. The Mariposa County Board of Supervisors are aware that the principal reasons motivating the Bureau to opt for an "Open" or "Closed" designation is to minimize enforcement problems. The Board feels that although there is a higher cost associated with a "limited" use area, it would better address the unique qualities and problems of the area. The Board would strongly urge the Bureau and Congress to appropriate
sufficient resources to cover enforcement of a limited use designation

PASSED AND ADOPTED by the Mariposa County Board of Supervisors, on this 18th day of December, 1979 by the following vote:

AYES: DALTON, CLARK, ERICKSON, MOFFITT, TABER
NOES: None
NOT VOTING: NONE
ABSENT: None

EUGENE P. DALTON, Chairman
Board of Supervisors

ATTJEST:

Joan J. Lynk, Clerk of the Board
EXHIBIT "A"

Review of BLM Draft Environmental Assessment (EA) for North Fork Merced River ORV Designation Proposals

Although the draft EA contains a number of weak points and debatable statements, these comments will relate mostly to Section III of the document (analysis of the Proposed Action and Alternatives).

1. Soils

The draft EA's differentiation of the three alternatives (closed, limited, open) is poor since "open" and "limited" appear to be the same thing. "Limited" (according to Section I, page 2) means vehicle use is limited to "existing" roads, ways, and trails", which is practically anywhere where somebody has driven once. Therefore, Section III-b, page 14 is inaccurate in stating that ORV impacts "cannot significantly affect hydrologic characteristics of the watershed" with a "limited" designation. A "limited" or "open" designation will cause, and continue to cause, problems with erosion and sedimentation in the study area, including the North Fork and main fork of the Merced River.

2. Vegetation

The draft EA states that large trees will not be impacted by soil compaction (Section III-d, page 16). This will not be true in concentration areas where ORVers camp or congregate (sometimes called "pit areas").

3. Wildlife

The draft EA makes the statement that "wildlife impacts from a "limited" designation would probably be minimal" (III-e, page 17). Again, there is no significant difference between the "open" designation and the "limited" designation, so the statement made is hard to believe, when the draft EA then states that "greater adverse impacts on wildlife" would result from the "open" designation.

4. Social and Economic Impacts

In this section, the economic impacts upon the County of Mariposa are totally ignored. No mention is made of impacts upon the County Road system. Dogtown Road, Texas Hill Road, Shilling Road, and Bull Creek Road are all County Roads which directly access the study area. In fact, Bull Creek Road (Bricusburg Road) and Shilling Road are shown on the BLM area map as existing ORV roads. The damage that ORVs, especially motorcycles, cause on dirt roads is considerable. If the cost of maintaining these roads continues to be County funded, then the economic impacts upon the County will be considerable.

Additionally, the draft EA makes no mention of costs to the County for law enforcement on private property adjacent to or on roads leading to the study area. Numerous citizen complaints have been received in the
past regarding trespass on private property and noise-related nuisance. Residents of the area do not call in BLM Rangers, who are seldom around, they call the County Sheriff's Department. Therefore, the County again becomes financially impacted by ORV operation on Federal (BLM) lands. Both the "open" and "limited" ORV land use designations will impact the County of Mariposa financially.

The draft EA states that conflicts between adjacent land owners and ORV recreationists would be reduced by a "limited" designation (existing roads and trails). The logic of this statement is difficult to understand. Conflicts exist right now, and by "limiting" ORV recreationists to "existing" roads and trails, the situation remains the same.

5. General Comments

The draft EA states that a "strong demand" for ORV use was indicated by letters from the public requesting an "open" designation for the area (appendix F). This is hardly surprising since the requests for input were sent to a large number of ORV groups and very few people in Mariposa County, particularly in the area affected, were notified.