MARIPOSA COUNTY RESOLUTION NO. 78-197

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

WHEREAS, Section 15050 of the State of California Guidelines for Implementation of the California Environmental Quality Act (CEQA) of 1970, as amended, requires public agencies to adopt specific procedures, consistent with CEQA, for the orderly evaluation of projects and the preparation of environmental documents; and,

WHEREAS, Section 15026.5 of the Guidelines defines Environmental Documents as "Draft and Final EIR's, Initial Studies, Negative Declarations, Notices of Completion, and Notices of Determinations; and,

WHEREAS, it is in the interest of the people of Mariposa County to develop and maintain a high quality environment now and in the future; and,

WHEREAS, it is the Board of Supervisor's desire to be in compliance with state law, inasmuch as guidelines for environmental procedures have never been officially adopted by Mariposa County; and,

WHEREAS, it is in the interest of the people of Mariposa County to provide clean air and water, enjoyment of aesthetic, natural scenic, and historic environmental qualities and freedom from excessive noise; and,

WHEREAS, it is in the interest of the people of Mariposa County to consider qualitative factors as well as economic and technical factors and long term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed projects which affect the environment; and,
WHEREAS, the Planning Commission has adopted Resolution No. 78-74 setting out the criteria and procedures for reviewing projects in compliance with the Calif. Environmental Quality Act (CEQA) of 1970, as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Mariposa County Board of Supervisors hereby adopts Planning Commission Resolution 78-44 in its entirety as the criteria and procedure for reviewing projects in compliance with state law.

PASSED AND ADOPTED by the Board of Supervisors, Mariposa County, this 12th day of December, 1978, by the following vote:

AYES: CLARK, DALTON, LONG, WEBER, OWINGS

NOES: NONE

NOT VOTING: NONE

ABSENT: NONE

CARROLL N. CLARK, Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk & Ex Officio Clerk of the Board
PLANNING COMMISSION - COUNTY OF MARIPosa

STATE OF CALIFORNIA

RESOLUTION NO. 78-44

The Mariposa County Planning Commission does hereby resolve as follows:

WHEREAS, Section 15050 of the State of California Guidelines for Implementation of the California Environmental Quality Act (CEQA) of 1970, as amended, requires public agencies to adopt specific procedures, consistent with CEQA, for the orderly evaluation of projects and the preparation of environmental documents; and

WHEREAS, Section 15026.5 of the Guidelines defines Environmental Documents as "Draft and Final EIR's, Initial Studies, Negative Declarations, Notices of Completion and Notices of Determinations and

WHEREAS, it is the Planning Commission's desire to be in compliance with state law, in as much as guidelines for environmental procedures have never been officially adopted by Mariposa County; and

WHEREAS, it is in the interest of the people of Mariposa County to develop and maintain a high quality environment now and in the future; and

WHEREAS, it is in the interest of the people of Mariposa County to provide clean air and water, enjoyment of asesthetic, natural scenic, and historic environmental qualities and freedom from excessive noise; and

WHEREAS, it is in the interest of the people of Mariposa County to consider qualitative factors as well as economic and technical factors and long term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed projects which affect the environment.

BE IT THEREFORE RESOLVED, that the Mariposa County Planning Commission does hereby adopt the following criteria and procedures for reviewing projects in compliance with state law:
I. The following criteria shall be used to determine the completeness of an application for the projects noted:

A. Minor Land Divisions
   1) Application Form
   2) Preliminary Environmental Assessment Form
   3) Appropriate Fees
   4) 12 copies of the Tentative Map
   5) Verification of taxes paid
   6) Appropriate Deeds
   7) Reports from the County Sanitarian and County Surveyor

B. Major Land Divisions
   1) Application Form
   2) Preliminary Environmental Assessment Form
   3) Appropriate Fees
   4) 20 copies of the Tentative Map
   5) Verification of Taxes Paid
   6) Appropriate Deeds
   7) Grading Plan

C. Use Permits
   1) Application Form
   2) Preliminary Environmental Assessment Form
   3) Appropriate Fees
   4) 15 Copies of the site plan
   5) A letter, or other written documentation, giving the specifics of the project.

II. The following procedures shall be followed in the process of an application for the projects noted.

A. Minor Land Divisions
1) Within 30 days of receiving an application, the Planning Office, using the aforementioned criteria list, will determine whether the application is complete or not complete.

2) A notice shall be sent to the applicant informing him/her that the application is complete or if it is not complete.

3) If an application is determined not to be complete, said notice shall inform the applicant as to the deficiencies in the application. When such deficiencies have been rectified, a notice shall then be sent to the applicant that the application is complete.

4) Within 45 days of determining that an application is complete, the Planning Commission Subdivision Committee will make a determination as to whether the project will require the preparation of a draft EIR or the filing of a Negative Declaration in the following manner:

   a. An Initial Study will be prepared by staff and forwarded to the Subdivision Committee for their consideration.

   b. If the Committee makes a determination that the project is not likely to have a significant impact on the environment, the Committee will instruct the staff to file a public notice in the newspaper and to post the Negative Declaration in a public place. The Committee will also instruct staff to place the consideration of the Minor Land Division Application on the next regularly scheduled meeting. Upon the publication of the notice in the newspaper, a ten (10) day public review period will commence. At the end of the public review period, staff will report back to the Committee at their next meeting, which will coincide with consideration of the Land Division Application.

   c. If, after reviewing the Initial Study or after the public review period of a Negative Declaration, the Committee determines that an
Environmental Impact Report (EIR) will need to be prepared on the project, said project will be forwarded to the Planning Commission with a recommendation as to the need for the EIR and the items the draft EIR will be required to address.

d. From the Planning Commissions requirements for the draft EIR, the staff will prepare a "Scope of Environmental Concerns" which will be used as the foundation for the preparation of the draft EIR. The County of Mariposa will act as an intermediary between the applicant and the consultant for the preparation of the draft EIR.

B. Major Land Divisions

1. Following the receipt of the application, the Planning Office will determine if the application is complete by the method outlined in Subsections II (A) 1, 2 & 3 as above.

2. Within 45 days of determining that an application is complete, the Planning Commission will make a determination as to the content of the draft EIR in the following manner:

a) The tentative map will be forwarded to the Environmental Review Technical Advisory Committee (ER-TAC) for their recommendations as to the specific areas that will be addressed in the draft EIR.

b) The recommendations of ER-TAC will be forwarded to the Planning Commission, who will either accept or modify such recommendations.

c) Planning Office staff will then prepare a "Scope of Environmental Concern" for the project.

3. Mariposa County will then act as an intermediary between the applicant and a consultant for the preparation of the draft EIR.

C. Use Permits

1) Following the receipt of the application, the Planning Office will determine if the application is complete by the method outlined in Subsection
II (A) 1, 2 & 3 as above.

2) Within 45 days of determining that an application is complete, a determination will be made to require the preparation of a draft EIR of the filing of a Negative Declaration, in the following manner:

a. The use permit will be forwarded to ER-TAC for their consideration. A recommendation will then be made as to whether a draft EIR should be required, or if a Negative Declaration should be filed. If the recommendation is to prepare a draft EIR, ER-TAC will also make specific findings as to the content of the draft EIR.

b. ER-TAC's recommendation will then be forwarded to the Planning Commission for consideration. If the recommendation is for a Negative Declaration, and the Commission concurs, staff will be instructed to publish a public notice in the newspaper and prepare a Negative Declaration which will be posted. A ten (10) day public review period will commence with the publication of such notice.

c. If ER-TAC's recommendation is for the preparation of a draft EIR, or if after consideration the Commission does not agree with ER-TAC's recommendation for a Negative Declaration and in turn requires the preparation of a draft EIR, the Commission will identify specific areas to be addressed in the draft EIR. Planning Office staff will then prepare a "Scope of Environmental Concerns" for the project.

3) Mariposa County will then act as the intermediary between the applicant and a consultant for the preparation of the draft EIR

PASSED AND ADOPTED THIS 30TH DAY OF NOVEMBER, 1978, by the following vote:

AYES: Grammer, Brouillette, Tune, Wooden, Simpson, Jacobs.
NOES: None.
NOT VOTING: None.
ABSENT: Kelley.
ATTEST:

KATHY WORLEY, Secretary
Mariposa County Planning Commission