RESOLUTION - ACTION REQUESTED 2020-358

MEETING: June 23, 2020

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Merced River Trail/Miller Gulch Right to Enter

RECOMMENDATION AND JUSTIFICATION:
Approve Agreements for Right of Entry and Hold Harmless with the Transition Mountain Properties Ownership Group to Conduct Environmental Assessments of Miller Gulch Property in Support of the Merced River Trail; and Authorize the Board of Supervisors Chair to Sign the Agreements.

The Mariposa County Planning Department has been awarded assistance through the Environmental Protection Agency's (EPA) Targeted Brownfield Assessment program to conduct a Phase I and Phase II environmental assessment of the property owned and currently for sale by Transition Mountain Properties, Inc., located at APN 006-010-024, APN 006-020-001, and APN 006-020-007. These parcels, also known as the Miller Gulch site, are essential for providing public access throughout the Merced River canyon along the historic Yosemite Valley Railroad route. This concept, known as the Merced River Trail, has been a community priority for some time and has recently received significant Board support.

The EPA program will provide technical services free of charge that would be part of a larger due diligence process which would be necessary should the county have the funding to acquire the parcels for the purposes of completing the trail. The county is currently a finalist for such a grant. This agreement has been developed to grant access for county contractors (provided by the EPA) to the parcel for the purposes of conducting the Phase I and Phase II environmental assessments. It is a necessary step implementing the EPA program, and advancing the Merced River Trail project.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board and LTC has taken a number of actions related to the Merced River Trail and Miller Gulch property acquisition, including:

Ratify Letter Requesting Support for the Merced River Trail: RES 2020-101
Merced River Trail Right of Way Acquisition: LTC 2019-22
Merced River Trail Implementation Funding: LTC 2019-3
Merced River Trail Master Plan: LTC 2018-8
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ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Negative action will result in the county not being able to participate in the EPA program.

FINANCIAL IMPACT:
None

ATTACHMENTS:
Vicinity Map - Miller Gulch Site  (PDF)
200521 Right to Enter_Brouillette  (PDF)
200609 Right to Enter_American Indian Council  (PDF)
200521 Right to Enter_West  (PDF)
200616 Right to Enter  (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey