

DEPARTMENT: PWD/Engineering

BY: Peter Rei  
PHONE: 966-5356

**RECOMMENDED ACTION AND JUSTIFICATION:** Adopt a Mitigated Negative Declaration for the remodel of the lower courtroom at the Mariposa County Courthouse.

The Notice of Intent to Adopt a Mitigated Declaration was published in the Mariposa Gazette on July 14 and 21, 2011. No comments have been received.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

On January 4, 2011, the Board of Supervisors approved the remodel project, which was requested by the Superior Court of mariposa County. The project is being funded by Superior Court funds. No county funds are proposed to be used.

The Historical Sites and Records Committee recommended the project details on June 13, 2011. The Planning Department issued a Memo in support of the project on July 15, 2011.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

1. Adopt the filing and have project proceed; or
2. Not Adopt and revise the CEQA document.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$ 0.00	Annual Recurring Cost: \$0
Budgeted In Current FY? ( ) Yes (X) No ( ) Partially Funded		
Amount in Budget: \$0.00		List Attachments, number pages consecutively
Additional Funding Needed: \$ 0.00		Negative Declaration with mitigation measures
Source:		Supporting memo's from Monighan Design
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other		_____

**CLERK'S USE ONLY:**

Res. No.: 11-403 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 4 Noes: \_\_\_\_\_  
 Absent: *[Signature]*  
 Approved  
 ( ) Minute Order Attached ( ) No Action Necessary

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
 Attest: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California  
 By: \_\_\_\_\_  
 Deputy

CAO: *[Signature]*

MARIPOSA COUNTY  
NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

APPLICANT/APPLICATION: Mariposa County  
4639 Ben Hur Road  
Mariposa, California 95338  
(209) 966-5356

PROJECT DESCRIPTION: Remodeling of the existing first floor courtroom to accommodate a jury box and jury deliberation room. This will allow jury trials to be held in this courtroom, freeing the main courtroom for court calendar business requiring greater seating capacity.

An existing wall of the 1936 addition to the original courthouse is to be moved back 10 feet to the location of the original exterior wall of the 1854 courthouse. A side room of the addition is to become the jury deliberation room, behind the jury box. A new judge's bench/clerk's counter/witness stand is to be constructed, as well as a gallery rail and jury box rail.

All existing historical materials are to be re-used. All new materials are to match the historical materials in dimension and profile. The judge's bench is to be painted to match the original judge's bench in the upstairs courtroom. The balance of the paint is to be the same as is used for maintenance painting of the interior of the courthouse.

The only exterior changes will be to blank off one window in the side room of the addition and install an exterior door in place of one other window on that same wall.

This remodel was presented to the local Historical Sites and Records Commission on June 13, 2011. The Commission gave their approval to the project.

No significant effect is based on the following findings:

Based on the Initial Study one Environmental Factor was found to be Potentially Affected. That is the Health Hazard of lead based paint. The mitigation measures to be employed will assure that atmospheric and environmental levels of lead will remain below threshold levels.

No significant effect is based on review procedures of the following County Departments or Divisions:

<input type="checkbox"/>	Building Division	<input type="checkbox"/>	County Health Department
<input checked="" type="checkbox"/>	Planning Department	<input checked="" type="checkbox"/>	Public Works Department

Other: *(list if applicable)*

No significant effect is based on additional conditions as follows:

See attached Mitigation Measures and Conditions of Approval

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Initial Study was prepared by Ken Pritchett, Junior Engineer, and is on file at Public Works, 4639 Ben Hur Road, Mariposa, California 95338

  
Allen Toschi, Director  
Mariposa County Public Works Department

  
Date

## CONDITIONS & MITIGATION MEASURES

Since the concentration of lead in the existing paint has been determined by laboratory test to be above the threshold limits in several areas:

1. Before any cutting or demolition of materials painted with paint having a lead concentration above the threshold, the paint will be removed with a gel based paint remover by a qualified contractor, who will also be responsible for proper disposal of the waste.
2. Removal or cutting of items will only be done after the paint is removed.
3. Non-lead based paint will be used to re-paint the new work in the courtroom and jury room after construction is finished.

June 6, 2011

Mr. Ken Pritchett Jr, Engineer  
Mariposa County Depart. Of public Works  
4639 Ben Hur Road  
Mariposa, Ca 95338

By Email: kpritchett@mariposacounty.org

RE: Mariposa County Courtroom Renovations – Mitigated Environmental Impacts –  
Historic Building Renovation

The Mariposa County Courthouse was constructed in 1854 and has had numerous minor and significant remodels and additions in it's' history. It is still an active public building housing Court activities including Court Clerks, Judges Offices and Court administrative duties. The second floor houses the historic Courtroom that is still used for trial purposes.

Upgrades have been made to modernize the structure over its life including structural improvements, plumbing, heating and air conditioning, electrical power and lighting and security. Most remodeling has had only minor visual impact on the historic fabric of the building and has not detracted from visitor experiences to the historic setting or interpretation of the history of the building.

The anticipated work of this project is to make the ground floor courtroom accessible to the disabled including jury participation, audience seating, Court officers, attorneys and defendants. In addition to the Courtroom and Jury Room, the current toilet rooms will be converted to accessible compliant single occupancy toilet rooms. Life safety changes will include an additional emergency exit. With the exception of the new emergency exit door, all improvements will be to the interior and not visible from the exterior.

Mitigating the visual changes to the historic structure, it is planned that the interior finishes of the Courtroom walls, ceiling and trim will be detailed to reflect the materials currently used; beaded board siding, flat board door and base trim and routed wainscot trim. New doors will be solid drop panel doors reflective of those in the building of which four styles have been identified.

Mitigating the changes to the exterior the new exit door will open on to exterior landing and sloped walk (less than 5% slope) to avoid a need for a ramp design with associated handrails. The new exit door will receive panic hardware as required by code but it will be integrated in to the door. One window will need to be removed to allow for the door to be installed. The wall opening will be in-filled with materials to match the existing wall in size and pattern.

An in-filled original door opening into the hallway will be reopened and a door matching the others in that section of the hall will be installed.

The toilet rooms will receive beaded board wall siding above a 5' wainscot level of patterned Marlite sanitary wall panels. The floor will be finished in a sheet vinyl and with contiguous cove base. Doors will be 3'x7' solid drop panel doors similar to those removed.

Sincerely,

*Bruce Monighan.*

Bruce Monighan.

June 6, 2011

Mr. Ken Pritchett Jr, Engineer  
Mariposa County Depart. Of public Works  
4639 Ben Hur Road  
Mariposa, Ca 95338

By Email: kpritchett@mariposacounty.org

RE: Mariposa County Courtroom Renovations – Historic Review -Office of State Historic Preservation

The question of OHP review of the accessibility modifications and remodeling at the Mariposa County Courthouse were put to Timothy J. Brandt, AIA, LEED AP, Senior Restoration Architect at the State of California Office of Historic Preservation.

The project was described to Tim as: A remodel of an existing ground floor courtroom in the historic courthouse to provide for jury trials with disabled access. This courtroom does not have a jury box or jury room and the historic courtroom upstairs that is still used is not accessible to the disabled. The project scope is the removal of one original partition wall, conversion of a space used for a file room and a space used as a break room into the jury deliberation room, a new exit door for the increased occupancy, and conversion of two no accessible toilet rooms into accessible single occupancy toilet rooms.

The question to Tim was related to a review and approval process and at that time Tim mentioned that the funding source would be a determining factor in their potential involvement as was the ownership of the Courthouse. It has been confirmed that the County is funding the project through the State Superior Court and that takes it out of OHP's area of control. Tim has also checked with Dwight A. Dutschke of the Office of Historic Preservation and has determined that if the building is owned by the County then OHP is not the reviewing agency, but if it is owned by the State it is reviewed by OHP. Therefore the approvals are by the local designated historic agency and not OHP.

Sincerely,

*Bruce Monighan.*

Bruce Monighan.

**Reference**

Timothy J. Brandt, AIA, LEED AP  
Senior Restoration Architect  
Office of Historic Preservation  
(916) 445-7049  
Fax (916) 445-7053  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

Dwight A. Dutschke  
Office of Historic Preservation  
916-445-7010  
1725 23rd Street, Suite 100  
Sacramento, CA 95816  
[ddutschke@parks.ca.gov](mailto:ddutschke@parks.ca.gov)

# Initial Study

## Mariposa County Department of Public Works

1. **Project Title:** Lower Courtroom Remodel  
PW-09-14
2. **Lead Agency:** Mariposa County Board of Supervisors  
P.O. Box 784  
Mariposa, CA 95338  
(209) 966-3222
3. **Initial Study Prepared by:** Ken Pritchett, Junior Engineer  
Mariposa County Department of Public Works  
4639 Ben Hur Road  
Mariposa, CA 95338  
(209) 966-5356
4. **Project Sponsor:** Mariposa County  
4639 Ben Hur Road  
Mariposa, CA 95338  
(209) 966-5356
5. **Project Location:** Mariposa County Courthouse  
5088 Bullion Street  
Mariposa CA 95338
6. **General Plan Designation:** Public/Quasi-Public (Review Required)– Historic Review Overlay
7. **Zoning:** Adopted Area Plan

8. **Description of Project:** This project involves remodeling of the existing first floor courtroom to accommodate a jury box and jury deliberation room. This will allow jury trials to be held in this courtroom, freeing the main courtroom for court calendar business requiring greater seating capacity.

An existing wall of the addition to the original courthouse is to be moved back 10 feet to the location of the original exterior wall of the courthouse. A side room of the addition is to become the jury deliberation room, behind the jury box. A new judge's bench/clerk's counter/witness stand is to be constructed, as well as a gallery rail and jury box rail.

All existing historical materials are to be re-used. All new materials are to match the historical materials in dimension and profile. The judge's bench is to be painted to match the original judge's bench in the upstairs courtroom. The balance of the paint is to be the same as is used for maintenance painting of the interior of the courthouse.

The only exterior change will be to blank off one window in the side room of the addition.

This remodel was presented to the local Historical Sites Preservation Commission on June 13, 2011. They gave their approval to the project.

9. **Description of Environmental Setting:** The project site is located in the historical district of the town of Mariposa, Mariposa County, California. The courthouse is surrounded on two sides by county government buildings. To the east are residences, and to the south is a funeral home.

10. **Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Land Use and Planning      | <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Public Services               |
| <input type="checkbox"/> Population and Housing     | <input type="checkbox"/> Energy and Mineral Resources       | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geophysical                | <input checked="" type="checkbox"/> Hazards                 | <input type="checkbox"/> Aesthetics                    |
| <input type="checkbox"/> Water                      | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Cultural Resources            |
| <input type="checkbox"/> Air Quality                | <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Transportation/Circulation |   |  |

11. **Evaluation of Environmental Impacts:**

A. **Land Use and Planning. *Would the proposal:***

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Conflict with general plan designation or zoning?	---	---	---	X
2)	Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	---	---	---	X
3)	Be incompatible or substantially alter the existing and planned land uses in the vicinity?	---	---	---	X
4)	Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	---	---	---	X
5)	Disrupt or divide the physical arrangement of an established community?	---	---	---	X

DISCUSSION: No changes in land use or planning are involved in this project. This project is intended to alleviate overcrowding in the lower courtroom.

B. **Population and Housing. *Would the proposal:***

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	---	---	---	X
2)	Displace existing housing, especially affordable housing?	---	---	---	X
3)	Alter the location, distribution, density, or growth rate of the human population of an area?	---	---	---	X

DISCUSSION: No long term growth or displacement is expected due to the completion of this project at the courthouse.

C. **Earth/Geologic. *Would the proposal result in or expose people to potential impacts involving:***

Potentially    Potentially    Less Than    No Impact



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		Significant Impact	Significant Unless Mitigated	Significant Impact	
1)	Fault rupture or seismic ground shaking or failure including liquefaction?	---	---	---	X
2)	Landslides or mudflows?	---	---	---	X
3)	Change in topography or ground surface relief features?	---	---	---	X
4)	Disruptions, displacements, compaction, or over-covering of the soil?	---	---	---	X
5)	The destruction, covering, or modification of any unique geologic or physical features?	---	---	---	X
6)	A substantial increase in wind or water erosion of soils, either on or off the site?	---	---	---	X
7)	Unstable earth conditions, subsidence of land, or changes in geologic substructures?	---	---	---	X
8)	Changes in deposition or erosion of soil, or changes in situation, deposition, or erosion which may modify the channel of a river or stream?	---	---	---	X

DISCUSSION: No work is to be performed outside of the courthouse, thus no earth/geologic effects are anticipated.

**D. Water.** *Would the proposal result in:*

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	---	---	---	X
2)	Alterations to the course or flow of flood waters?	---	---	---	X
3)	Exposure of people or property to water related hazards such as flooding?	---	---	---	X
4)	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, or turbidity)?	---	---	---	X
5)	Changes in the amount of surface water in any water body?	---	---	---	X
6)	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	---	---	---	X
7)	Alteration of the direction or rate of flow of ground waters?	---	---	---	X
8)	Impacts to groundwater quality?	---	---	---	X
9)	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	---	---	---	X

DISCUSSION: This project does not involve any aspects relating to water, either in the need for more water or the discharge of any water. Drainage will not be changed either.

**E. Air Quality.** *Would the proposal result in:*

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Substantial air emissions or deterioration of ambient air quality?	---	---	---	X
2)	Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	---	---	---	X
3)	The creation of objectionable odors?	---	---	---	X

DISCUSSION: This project does not involve any aspects relating to the discharge or use of anything that would affect the quality of the air.

**F. Transportation/Circulation.** *Would the proposal result in:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Generation of substantial additional vehicular movement?	---	---	---	X
2) Traffic hazards to motor vehicles, bicyclists, or pedestrians?	---	---	---	X
3) Inadequate emergency access or access to nearby uses?	---	---	---	X
4) Insufficient parking capacity on-site or off-site?	---	---	---	X
5) Alterations to present patterns of circulation or movement of people and/or goods?	---	---	---	X
6) Alterations to air traffic?	---	---	---	X

DISCUSSION: Access and capacity will not be changed or altered by this project. No increased demand for parking will be created. Only internal re-distribution of people will result from the project.

**G. Biological Resources.** *Would the proposal result in impacts to:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish insects, animals, and birds)?	---	---	---	X
2) Locally designated species (e.g. heritage trees) or natural communities (e.g. oak forest, coastal habitat, etc.)?	---	---	---	X
3) Wetland habitat (e.g. marsh, riparian, and vernal pool)?	---	---	---	X
4) Wildlife dispersal or migration corridors?	---	---	---	X

DISCUSSION: No additional impact on any species has been determined by this project.

**H. Energy and Mineral Resources.** *Would the proposal:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Conflict with adopted energy conservation plans?	---	---	---	X
2) Use non-renewable resources in a wasteful and inefficient manner?	---	---	---	X
3) Result in the loss of availability of a known mineral resource that would be of future value to the region residents of the State?	---	---	---	X

DISCUSSION: This project will be re-using all existing finish materials. A minimal amount of waste will be generated. No increased energy demands will result from this interior remodel.

**I. Hazards.** *Would the proposal involve:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?	---	---	---	X

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2)	Possible interference with an emergency response plan or emergency evacuation plan?	---	---	---	X
3)	The creation of any health hazard or potential health hazards?	---	X	---	---
4)	Increased fire hazard in areas with flammable brush, grass, or trees?	---	---	---	X

DISCUSSION: The general public would not be exposed to additional hazards due to this project. A qualified contractor will remove lead based paint before any cutting or demolition is performed. Protection of the workers and the public would be of utmost concern. Safe encapsulation of the remaining lead based paint would be used to mitigate future lead exposure in the courtroom.

**J. Noise.** *Would the proposal result in:*

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Increases in existing noise levels?	---	---	---	X
2)	Exposure of people to severe noise levels?	---	---	---	X

DISCUSSION: Existing noise levels will not increase. The amount of use of this facility will not change.

**K. Public Services.** *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Fire protection?	---	---	---	X
2)	Police protection?	---	---	---	X
3)	Schools?	---	---	---	X
4)	Maintenance of public facilities, including roads?	---	---	---	X
5)	Other governmental services?	---	---	---	X

DISCUSSION: Since this is an interior remodel with no increase in usage of the building, there will be no increased need for any government services.

**L. Utilities and Service Systems.** *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

		Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1)	Power or natural gas?	---	---	---	X
2)	Communications systems?	---	---	---	X
3)	Local or regional water treatment or distribution facilities?	---	---	---	X
4)	Sewer or septic tanks?	---	---	---	X
5)	Storm water drainage?	---	---	---	X
6)	Solid waste disposal?	---	---	---	X
7)	Local or regional water supplies?	---	---	---	X

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DISCUSSION: Since this is an interior remodel with no increase in usage of the building, there will be no increased need for any power, communications, water, sewer or any other utilities.

**M. Aesthetics.** *Would the proposal:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Affect a scenic vista or scenic highway?	---	---	---	X
2) Have a demonstrable negative aesthetic effect?	---	---	---	X
3) Create light or glare?	---	---	---	X

DISCUSSION: External changes will incorporate materials matching the existing historical materials. Therefore there will be no effect upon aesthetic or scenic vistas. No new exterior lighting is to be installed.

**N. Cultural Resources.** *Would the proposal:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Disturb paleontological or archaeological resources?	---	---	---	X
2) Affect historical resources?	---	---	---	X
3) Have the potential to cause a physical change which would affect unique ethnic cultural values?	---	---	---	X
4) Restrict existing religious or sacred uses within the potential impact area?	---	---	---	X

DISCUSSION: This project will not be disturbing any soil that has not already been disturbed by previous work, so it should not have an impact on cultural or archaeological resources. The Mariposa Historical Sites and Records Commission has recorded in its minutes of May 10, 2010 that they find that the proposed remodel will have no significant adverse effect on the historical character or value of the courthouse. Revisions recommended by an historical and accessibility specialized architect were presented and approved at their June 13, 2011 meeting.

**O. Recreation.** *Would the proposal:*

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
1) Increase the demand for neighborhood or regional parks or other recreational facilities?	---	---	---	X
2) Affect existing recreational opportunities?	---	---	---	X

DISCUSSION: This project would have no effect upon the demand for parks or on recreational opportunities.

**12. Mandatory Findings of Significance:**

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>A. Potential to Degrade:</b> Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	---	---	---	X

- B. **Short-term:** Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- C. **Cumulative:** Does the project have impacts which are individually limited, but cumulatively considerable?
- D. **Substantial Adverse:** Does the project have environmental effects, which will cause adverse effects on human beings, either directly or indirectly?

13. **Determination:**

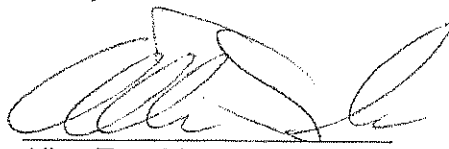
On the basis of this initial study:

- It is found that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** has been prepared and adopted.
- It is found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this initial study have been added to the project. A **NEGATIVE DECLARATION** has been prepared and adopted.
- It is found that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Prepared by,

Reviewed by,

  
 Ken Pritchett  
 Junior Engineer

  
 Allen Toschi  
 Public Works Director

7/14/11  
 Date:

