

DEPARTMENT: Board of Supervisors

BY: Supervisor Turpin

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Approve a Letter of Response to the Stanislaus National Forest Motorized Travel Management Final Environmental Impact Statement (FEIS), Proposed Action of Alternate #1, and Authorize the Board of Supervisors Chair to Sign the Letter

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See attached letter

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		_____
Source:		Response letter _____
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.: 10-14 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved _____
 Minute Order Attached () No Action Necessary

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

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

CAO: RJB/16



COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BRAD ABORN
LYLE TURPIN
JANET BIBBY
KEVIN CANN
JIM ALLEN

DISTRICT I
DISTRICT II
DISTRICT III
DISTRICT IV
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SUPERVISOR TURPIN

FROM: MARGIE WILLIAMS, Clerk of the Board *MJ for MW*

SUBJECT: Approve a Letter of Response to the Stanislaus National Forest Motorized Travel Management Final Environmental Impact Statement (FEIS), Proposed Action of Alternate #1, and Authorize the Board of Supervisors Chair to Sign the Letter

RESOLUTION 10-14

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on January 5, 2010

ACTION AND VOTE:

Approve a Letter of Response to the Stanislaus National Forest Motorized Travel Management Final Environmental Impact Statement (FEIS), Proposed Action of Alternate #1, and Authorize the Board of Supervisors Chair to Sign the Letter (Supervisor Turpin)

BOARD ACTION: Supervisor Turpin advised that the Final Environment Impact Statement (FEIS) does not address the issues that our Board sent to them in a letter dated May 8, 2009. Supervisor Turpin asked Rick Benson, County Administrative Officer, if this is an appeal that Stanislaus National Forest would be required to sit down with us and address our concerns, and he expressed concern of their ability to manage all of what they are proposing. Rick Benson responded that he could add a request for a meeting prior to their approval of the FEIS to this letter. Supervisor Bibby brought up discussion relative to designating staging areas for off highway vehicles, suggesting adding search and rescue efforts wording. Supervisor Turpin concurred. Discussion was held relative to the National Environmental Policy Act requirement (NEPA) that Stanislaus National Forest is required to respond to our comments as a commenting agency. Supervisor Cann asked if Stanislaus National Forest has the authority to allow non-licensed vehicles on these roads and asked if we are maintaining Forest Service roads. Supervisor Turpin responded we have a Memorandum of Understanding with the Forest Service listing these roads, and advised that Mariposa County has a history of maintaining these roads for many years. He reminded the Board that Rick Benson advised that, according to the CHP, non-licensed vehicles are not allowed on these roads. Supervisor Aborn recommended a legal review of what our next step is and suggested doing a follow up letter in addition to this letter. Supervisor Allen advised that the Forest Service doesn't always respond to community calls and as a result Mariposa County Sheriff are contacted. He expressed concerns relative to fire danger, relative to the public coming up from the cities, unfamiliar with the area, using roads that are not designated for off highway vehicles. Supervisor Cann suggested sending a copy of the letter to the Department of Agriculture. Discussion was held relative to additional wording and sending the letter certified. Supervisor Bibby suggested the County Administrative Officer check Title III funding for possible use

towards forest lands. Supervisor Turpin advised that the Forest Service Supervisor will be here next Tuesday, January 12th for a presentation.

Input from the public was provided by the following:

Sabrina Lion of Lion Towing and Automotive in Greeley Hill advised that they closed their business of Lion Quad rentals because of this issue. She expressed concern that road 2S23, which is a legal crossover and a fire break, has been locked by a homeowner, and expressed concern relative to non-licensed vehicles on these roads.

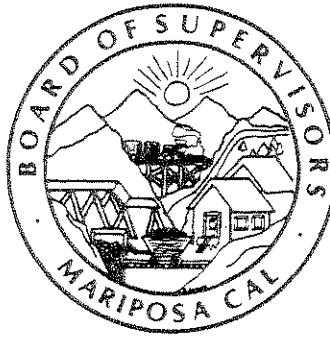
MaryAnn Huff commented that she remembers this has been going on for years and expressed concern that the off highway roads are important to North County businesses as a draw for tourists.

Supervisor Turpin advised that the Board is not endorsing any of the Stanislaus National Forest alternates; we are addressing their recommended decision. Supervisor Bibby asked the time frame and if this item can come back to the Board next week. She commented about not listing certain roads in the resolution and suggested comparing the RS2477 to this letter. Supervisor Cann responded that if this is a final record of decision Stanislaus National Forest is done with their FEIS and we have legal rights to continue pursuing our concerns. Further discussion was held relative to moving forward with changes based on discussion and sending the letter as soon as possible. (M)Turpin, (S)Allen, Res. 10-14 was adopted with changes as discussed and authorizing the Chair to sign the letter as approved/Ayes: Unanimous.

Cc: Rick Benson, CAO
Dana Hertfelder, Public Works Director
File

Mariposa County Board of Supervisors

District 1 BRAD ABORN
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JIM ALLEN



RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222
1-800-736-1252
FAX (209) 966-5147
www.mariposacounty.org/board

January 5, 2010

Randy Moore
Regional Forester
US Forest Service
1323 Club Drive
Vallejo, CA 94592

Subject: Appeal of the Motorized Travel Management Final
Environmental Impact Statement (FEIS)

Dear Forester Moore:

Mariposa County has reviewed the environmental impact statement (17305) addressing motorized travel management within the Stanislaus National Forest. We believe that if the proposed action (Alternate #1) is adopted by the Forest Service, there will be serious detrimental consequences to the County and to the environment. In addition, we have serious concerns regarding some legalities within this proposal.

Mariposa County's position was expressed in our letter of May 8, 2009 (enclosed) and has not changed.

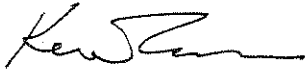
We continue to have the following concerns:

1. Mariposa County cannot be responsible for non-licensed vehicles on portions of old Coulterville Yosemite Road (F.S # 2S01) and Anderson Valley Road (F.S. # 2S02) which are County maintained. See attached map. The proposal places an unacceptable liability risk by allowing non-licensed vehicles and drivers on County maintained roads. We also question the legality of allowing non-licensed vehicles to use a County maintained road.
2. We are very concerned with the proposed one car length parking off the travel way for parking. We continue to assert that this practice will lead to the spread of noxious weeds and disagree with the proposal's finding that parking these vehicles does not present an extreme fire danger.

Although these concerns were expressed previously, we contend that they were not adequately considered in the final environmental impact statement. In particular, we can find no response to our concern of unlicensed vehicles and drivers being allowed to use County maintained roads.

Mariposa County wishes to formally appeal the proposed decision and respectfully requests a meeting with you and appropriate staff so that these concerns may be addressed prior to taking the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Cann", written in a cursive style.

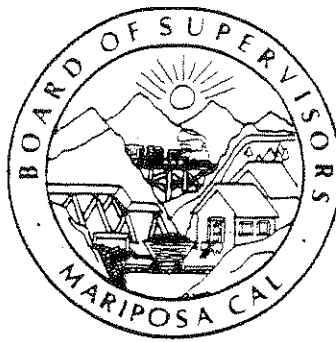
Kevin Cann

Chairman

Mariposa County Board of Supervisors

Cc: Susan Skalaski, Forest Supervisor
Sue Warren, Team Leader
Congressman George Radanovich
Senator Barbara Boxer
Senator Dianne Feinstein
Senator Dave Cogdill
Assemblyman Tom Berryhill
Ed Cole, Sierra National Forest Supervisor
State of California Parks and Recreation OHV Division
California State Association of Counties
Regional Council of Rural Counties
Brian Muller, Mariposa County Sheriff
Jim Wilson, Mariposa County Fire Chief
William Haigh, Bureau of Land Management, Folsom District Office
Bureau of Land Management, Sacramento State Office
Maggie Down, Ranger, Groveland Ranger District
Mike Troxil, California Highway Patrol
Chief Dale Hutchinson, CAL FIRE
Dave Uberuaga, Yosemite National Park Superintendent

Mariposa County
Board of Supervisors



RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222
1-800-736-1252
FAX (209) 966-5147
www.mariposacounty.org/board

District 1 BRAD ABORN
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JIM ALLEN

May 8, 2009

Stanislaus National Forest
Susan Skalski
Forest Supervisor
19777 Greenley Road
Sonora, CA 95340

*little
w/ correction
add date*

Subject: Motorized Travel Management Draft
Environmental Impact Statement (DEIS)

Dear Forest Supervisor Skalski:

The Mariposa County Board of Supervisors would like to thank the Forest Service for providing the County with the opportunity to comment and have input on the Stanislaus National Forest proposed **Motorized Travel Management Draft Environmental Impact Statement**.

The process the Forest Service has taken with the leadership of Sue Warren, the Forest Service Coordinator for Motorized Travel Management has been very informative and understandable.

The Forest Service Initial Mission Statement of no roads or trails encroaching on private property, respecting all other multiple users with as little interference from off-highway vehicles traffic as possible and the protection of our natural resources is supported by Mariposa County.

The Mariposa County Board of Supervisors enthusiastically supports the Forest Service's compliance with its mission statement. The Board support off-highway vehicle routes with proper management and maintenance, off-highway vehicle use is critical to the economic viability of several communities in close proximity to these public lands. These visitors support numerous local businesses. Enforcement of an adopted motorized travel management plan will be necessary.

We have three major issues that must be addressed.

1. Mariposa County cannot be responsible for non-licensed vehicles on portions of old Coulterville Yosemite Road (F.S # 2S01) and Anderson Valley Road

(F.S. # 2S02) which are County maintained. See attached map from Mariposa County Public Works.

2. Mariposa County, in partnership with private land owners, have taken an aggressive approach on the reduction of noxious weeds. Specifically Yellow Star Thistle in the Bull Creek area. We are very concerned with the proposed one car length off the travel way for parking. See attached response to the Motorized Travel Management Draft by Mariposa County Agricultural Commissioner.
3. The proposed one car length parking off the travel way is of great concern for Mariposa County. As proposed the policy would appear to have the potential to be an extreme fire hazard.

The Board does not endorse any alternates as proposed. To meet our request, several of the proposed alternatives would need to be modified.

Mariposa County would strongly recommend that the Forest Service consider establishing designated staging areas for the off-highway users. By implementing staging areas the off road users would have less impact on all other forest users.

Mariposa County requests that the Forest Service communicate with the adjoining State and Federal agencies on all planned and proposed projects.

Mariposa County would like to thank the Stanislaus National Forest for allowing our County to address our concerns and make recommendations.

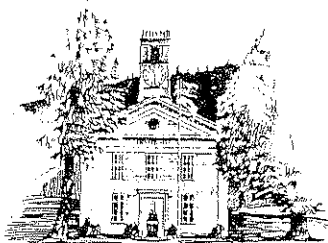
Sincerely,



Brad Aborn
Board Chair
Mariposa County

Cc: Congressman George Radanovich
Senator Barbara Boxer
Senator Dianne Feinstein
Senator Dave Cogdill
Assemblyman Tom Berryhill
Ed Cole, Sierra National Forest Supervisor
State of California Parks and Recreation OHV Division
California State Association of Counties
Regional Council of Rural Counties
Brian Muller, Mariposa County Sheriff
Jim Wilson, Mariposa County Fire Chief
William Haigh, Bureau of Land Management, Folsom District Office
Bureau of Land Management, Sacramento State Office
Maggie Down, Ranger, Groveland Ranger District
Dave Price, California Highway Patrol
Chief Dale Hutchinson, CAL FIRE
Dave Uberuaga, Yosemite National Park Superintendent

COUNTY of MARIPOSA



4639 Ben Hur Road
Mariposa, CA 95338
Phone: (209) 966-5356
Fax: (209) 966-2828

DEPARTMENT OF PUBLIC WORKS

Divisions of:

Administration	Airport
Cemeteries	County Surveyor Design &
Construction	Engineering
Facilities	Parks & Rec.
Roads	Solid Waste
Transportation	Fleet Maintenance

Dana S. Hertfelder
Director

April 24, 2009

Stanislaus National Forest
Susan Skalski
Forest Supervisor
19777 Greenley Road
Sonora, CA 95340

Subject: Off-Highway Vehicle Use on County-Maintained Roads

Dear Forest Supervisor Skalski:

I would like to express my opposition to the Forest Service proposal to designate the County maintained portions of Old Coulterville Yosemite Road R.S. # 2S01 and Anderson Valley Road R.S. # 2S02 for off-highway vehicle use. I believe that off-highway vehicle use is incompatible with general vehicular traffic and will be detrimental to public safety. In addition, off-highway vehicle use causes additional and unnecessary damage to these County maintained roads leading to increased maintenance cost. Therefore, I am requesting that the Forest Service not designate the County maintained portions of Old Coulterville Yosemite and Anderson Valley Roads for off-highway vehicle use.

Please see the attached map relative to these roads.

If you have any questions or concerns regarding this matter please do not hesitate to contact me.

Sincerely,

Dana S. Hertfelder, P.E.
Road Commissioner
Mariposa County

Cc: Mariposa County Board of Supervisors

