RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes _ No _X)

Adopt resolution:

1. Authorizing the Public Works Director to execute an Application for Federal Aviation Administration (FAA) funds for Improvements at Mariposa-Yosemite Airport (ATTACHMENT 4).

2. Certifying the County will comply with grant assurances (ATTACHMENT 3).

for the following project:

<table>
<thead>
<tr>
<th>FAA FUNDS:</th>
<th>STATE:</th>
<th>COUNTY:</th>
<th>TOTAL:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$894,200</td>
<td>$44,700</td>
<td>$54,700</td>
<td>$993,500</td>
</tr>
<tr>
<td>90%</td>
<td>4.5%</td>
<td>5.5%</td>
<td>100%</td>
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</tbody>
</table>

Apron expansion and grading, hangar taxiway, drainage, and runway protection zone acquisition

The FAA has offered the County the opportunity to make a formal application for Airport Improvement Program (AIP) funds for projects at the airport (ATTACHMENT 1). Application for these funds require assurances by the County under federal regulations (ATTACHMENT 3). These projects require a 10% match. The State will match 4.5%. The County set aside $30,000 match for the apron project in the 1996-97 CIP. There will be additional match needed in the 97/98 and 98/99 fiscal years to meet the assurances for the FAA grant. ATTACHMENT 2 details these amounts.

The projects include expansion of the transient apron, grading for future hangars and acquisition of the runway protection zone.

The apron project encompasses removal of the underground fuel tanks, addition of apron lighting, provisions for storm water runoff, revision of vehicle access, and enhancements of the transient parking area. The project also includes grading and construction of taxiways for the proposed hangar parking area on the south side of the airport, construction of a perimeter service road, and grading of borrow areas on the airport property. Runway safety area improvements funded under a state grant are planned to be completed at the same time. The geotechnical, surveying, and aviation engineering will be completed by private firms, to be approved in subsequent Board actions.

The FAA funds will also cover purchase of properties within the west runway protection zone along Old Toll Road and Highway 49. The acquisition work will be completed primarily by County staff.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved a pre-application for the apron (and other projects which were subsequently funded by the State) on April 15, 1994. The Board approved the Airport Master Plan in 1995. The Board considered proceeding with acquisition of two runway protection zone parcels on February 3, 1996 but deferred action on the acquisition until the FAA grant would be offered. The County submitted an
LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. No action. If the application is not submitted the County will lose access to the FAA funds.
2. Minor changes can be made in the project scope.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>SPECIAL INSTRUCTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Budgeted current FY&gt;</td>
<td>List the attachments and number the pages consecutively:</td>
</tr>
<tr>
<td>B. Total anticipated Costs&gt;</td>
<td>1. FAA letter allocating funds to Mariposa (1 page)</td>
</tr>
<tr>
<td>C. Required additional funding&gt;</td>
<td>2. Local Match for Projects (1 page)</td>
</tr>
<tr>
<td>D. Internal transfers&gt;</td>
<td>3. FAA Assurances (13 pages)</td>
</tr>
<tr>
<td></td>
<td>4. Application for FAA funds (20 pages)</td>
</tr>
<tr>
<td></td>
<td>* see ATTACHMENT 2</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Balance in Reserve Contingencies, If Approved:

$__________

---

CLERK’S USE ONLY

Res. No.: 27-173 Ord. No.: _________

Vote - Ayes: 5 Noes: _________

Absent: _________ Abstained: _________

Approved: _________ Denied: _________

Minute Order Attached: Yes No Action Necessary: No

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

Date: _________

ATTEST: MARGIE WILLIAMS, Clerk of the Board
By: _________
Deputy

ADMINISTRATIVE OFFICER’S RECOMMENDATION:

This item on agenda as:

☑ Recommended
☐ Not Recommended
☐ For Policy Determination
☐ Submitted with Comment
☐ Returned for Further Action

Comment: _________

C.A.O. Initials: _________

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d:\doc\airport\apron\bosapp.lwp  5/2/97  PW 96-12

Action Form Revised 8/20/94
January 3, 1997

Mr. Michael D. Edwards  
Director, Department of Public Works  
County of Mariposa  
4639 Ben Hur Road  
Mariposa, California 95338

Dear Mr. Edwards:

In response to the request by the County of Mariposa, it is a pleasure to advise you that the Federal Aviation Administration has allocated $894,200.00 under the Fiscal Year 1997 Airport Improvement Program (AIP), for further development of Mariposa-Yosemite Airport, Mariposa, California. This project, designated 3-06-0147-03, is programmed only for the following specific development:

Construct apron and transient tiedown area (120,000SF) including grading, marking, drainage and removal of underground tank (10,000 gal.); construct hangar taxiway (138,000SF) including grading and drainage; land acquisition for approach protection and perimeter road.

Approval of your (updated) DBE Program by our Civil Rights Office is required 45 days prior to bid solicitation or grant offer, whichever occurs first.

This allocation of federal funds is the first step leading to the issuance of a Grant Offer. The issuance of a Grant Offer is contingent upon the fact that all applicable federal requirements have been met.

Your project manager, William T. Gin at (415) 876-2822, will contact your airport representative in a few days to arrange a meeting for the purpose of assuring a clear understanding of all requirements, to establish a realistic work schedule for the project, and to fix a firm date for the acceptance of the grant offer.

Failure of the County of Mariposa to conform to the schedule and Grant Offer date, as established, may result in the withdrawal of this allocation.

Sincerely,

John L. Pfeifer  
Manager, Airports District Office
<table>
<thead>
<tr>
<th>EXPENDITURE YEAR</th>
<th>PROJECT DESCRIPTION</th>
<th>PRIMARY FUNDING SOURCE</th>
<th>STATE FUNDS **</th>
<th>LOCAL FUNDS * *</th>
<th>FAA FUNDS *</th>
<th>TOTAL PROJECT</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>96/97</td>
<td>Runway &amp; Taxiway Slurry Seal</td>
<td>STATE</td>
<td>$53,300</td>
<td>$6,000</td>
<td></td>
<td>$63,500</td>
<td>In progress.</td>
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<tr>
<td>96/97</td>
<td>Runway Safety Area grading design</td>
<td>STATE</td>
<td>$27,000</td>
<td>$3,000</td>
<td></td>
<td>$30,000</td>
<td>Approved for State funding, no contract yet</td>
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<tr>
<td>96/97</td>
<td>Apron &amp; grading projects: preliminary design, 10% of total cost</td>
<td>FAA</td>
<td>$2,600</td>
<td>$3,300</td>
<td>$53,300</td>
<td>$59,200</td>
<td>Included in revised pre-app 11/96</td>
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<tr>
<td>96/97</td>
<td>Runway Protection Zone acquisition: appraisals, prelim, 10% of total cost</td>
<td>FAA</td>
<td>$1,800</td>
<td>$2,200</td>
<td>$36,100</td>
<td>$40,100</td>
<td>Included in revised pre-app 11/96</td>
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<tr>
<td></td>
<td>total for 96/97</td>
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<td>$84,700</td>
<td>$14,500</td>
<td></td>
<td>$89,400</td>
<td>$192,800</td>
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<tr>
<td>97/98</td>
<td>Runway Safety Area improvements</td>
<td>STATE</td>
<td>$241,000</td>
<td>$26,800</td>
<td></td>
<td>$267,800</td>
<td>Planned construction in fall 97, spring 98</td>
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<tr>
<td>97/98</td>
<td>Apron Expansion &amp; Grading: drainage &amp; runway protection zone grading within airport boundary.</td>
<td>FAA</td>
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<td>$479,700</td>
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<td>Planned construction in 1997 or 1998</td>
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<td>$479,700</td>
<td>$800,800</td>
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<td>98/99</td>
<td>Runway Protection Zone-acquisition</td>
<td>FAA</td>
<td>$16,300</td>
<td>$19,900</td>
<td>$325,100</td>
<td>$361,300</td>
<td></td>
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<td>total for 98/99</td>
<td></td>
<td>$16,300</td>
<td>$19,900</td>
<td></td>
<td>$325,100</td>
<td>$361,300</td>
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<tr>
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<td>TOTALS PER AGENCY:</td>
<td></td>
<td>$366,000</td>
<td>$90,500</td>
<td></td>
<td>$894,200</td>
<td>$1,354,900</td>
</tr>
</tbody>
</table>

BUDGETED BY MARIPOSA COUNTY FOR THIS FISCAL YEAR (96/97) $30,000
ADDITIONAL MATCH NEEDED FOR NEXT BUDGET YEAR (97/98) $40,600
MATCH NEEDED FOR FOLLOWING BUDGET YEAR (98/99) $19,900

* 10% local match required for state funds, 10% local match required for federal funds....but
** the state can generally match federal funds 4.5%, so County matches Federal funds 5.5%
*** the state prefers to write the contract with the County following bid closing

ATTACHMENT 2
ASSURANCES

Airport Sponsors

Back to APP-510 Home

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.

2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.

3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

B. Duration and Applicability.

1. Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor. The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurance against exclusive rights or the terms, conditions and assurances with respect to real property acquired with Federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor. The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor. Unless otherwise specified in the grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 30, 32, 33, and 34 in section C apply to planning projects. The terms, conditions, and assurances of the grant agreement shall remain in full force and effect during the life of the project.

C. Sponsor Certification. The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements. It will comply with all applicable Federal laws, regulations, executive
orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

**Federal Legislation**


b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.1


g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.1

h. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.1


m. Powerplant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.1


o. Copeland Antikickback Act - 18 U.S.C. 874.1


q. Endangered Species Act - 16 U.S.C. 668(a), et seq.1


**Executive Orders**

Executive Order 12372 - Intergovernmental Review of Federal Programs.

Executive Order 11246 - Equal Employment Opportunity
Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction

Federal Regulations

a. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.

b. 49 CFR Part 21 - Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.

c. 49 CFR Part 23 - Participation by minority business enterprise in Department of Transportation programs.

d. 49 CFR Part 24 - Uniform relocation assistance and real property acquisition for Federal and federally assisted programs.

e. 49 CFR Part 27 - Nondiscrimination on the basis of handicap in programs and activities receiving or benefitting from Federal financial assistance.

f. 49 CFR Part 29 - Governmentwide debarment and suspension (non-procurement) and governmentwide requirements for drug-free workplace (grants).

g. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.


i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.

j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to nonconstruction contracts subject to the Contract Work Hours and Safety Standards Act).


l. 14 CFR Part 150 - Airport noise compatibility planning.

m. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

n. 49 CFR Part 20 - New restrictions on lobbying.

Office of Management and Budget Circulars

a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.

b A-128 - Audits of State and Local Governments.
1 These laws do not apply to airport planning sponsors.

2 These laws do not apply to private sponsors.

3 49 CFR Part 18 and OMB Circular A-87 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under the Airport and Airway Improvement Act of 1982, as amended.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in the grant agreement.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor: It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor: It has legal authority to apply for the grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein, to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability. It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under the grant agreement which it will own or control.

4. Good Title.

a. It holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof; or will give assurance satisfactory to the Secretary that good title will be acquired.

b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.


a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program
project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under the Airport and Airway Improvement Act of 1982 to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.

c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.

f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance with the Airport and Airway Improvement Act of 1982, the regulations and the terms, conditions and assurances in the grant agreement and shall insure that such arrangement also requires compliance therewith.

6. Consistency with Local Plans. The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. For noise compatibility program projects, other than land acquisition, to be carried out on property not owned by the airport and over which property another agency has land use control or authority, the sponsor shall obtain from each such agency a written declaration that such agency supports that project and the project is reasonably consistent with the agency's plans regarding the property.

7. Consideration of Local Interest. It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users. In making a decision to undertake any airport development project under the Airport and Airway Improvement Act of 1982, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings. In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with
goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Air and Water Quality Standards. In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

11. Pavement Preventive Maintenance. With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites. For projects which include terminal development at a public airport, it has, on the date of submission of the project grant application, all the safety equipment required for certification of such airport under section 612 of the Federal Aviation Act of 1958 and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.


a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.

b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates. It shall include, in all contracts in excess of $2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40
U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference. It shall include in all contracts for work on any project funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Veterans of the Vietnam era and disabled veterans as defined in Section 515(c)(1) and (2) of the Airport and Airway Improvement Act of 1982. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications. It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into the grant agreement.

17. Construction Inspection and Approval. It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects. In carrying out planning projects:

a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.

b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.

c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.

d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.

e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.

f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.

g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.

h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval
of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.


a. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for nonaeronautical purposes must first be approved by the Secretary. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes.

In furtherance of this assurance, the sponsor will have in effect at all times arrangements for-

(1) Operating the airport's aeronautical facilities whenever required;

(2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and

(3) Promptly notifying airmen of any condition affecting aeronautical use of the airport.

Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation. It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use. It will take appropriate action, including the adoption of zoning laws, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

a. It will make its airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

(1) furnish said services on a fair, reasonable, and not unjustly discriminatory basis to all users thereof, and

(2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

c. Each fixed-based operator at any airport owned by the sponsor shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.

d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.

e. Each air carrier using such airport (whether as a tenant, nontenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or nontenants and signatory carriers and nonsignatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport; from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.

g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by contractors or concessionaires of the sponsor under these provisions.

h. The sponsor may establish such fair, equal, and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights. It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if
both of the following apply:

a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and

b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport.

It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under the Airport and

Airway Improvement Act of 1982.

24. Fee and Rental Structure. It will maintain a fee and rental structure consistent with Assurance 22 and 23 for the facilities and services being provided the airport users which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues. If the airport is under the control of a public agency, all revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. Provided, however, that if covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

26. Reports and Inspections. It will:

(a) submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public;

(b) make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
(c) for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;

(d) for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

(e) in a format prescribed by the Secretary, provide to the Secretary and make available to the public, not later than 60 days following each of its fiscal years, ending after March 1, 1995, an annual report listing in detail:

(i) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and

(ii) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft. It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that-

a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or

b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities. It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.


a. It will keep up to date at all times an airport layout plan of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal
buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities.

30. Civil Rights. It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefitting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon in

which case the assurance obligates the sponsor or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or (b) the period during which the sponsor retains ownership or possession of the property.


a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, 1) be paid to the Secretary for deposit in the Trust Fund, or 2) be reinvested in an approved noise compatibility project as prescribed by the Secretary.

b. (1) For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (a) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system, or (b) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists.

(2) Land shall be considered to be needed for airport purposes under this assurance if (a) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and
(b) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

c. Disposition of such land under (a) or (b) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services. It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions. It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications. It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated ______ and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition. (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.
APPLICATION FOR FEDERAL ASSISTANCE

APRON CONSTRUCTION & GRADING
DRAINAGE IMPROVEMENTS
RUNWAY PROTECTION ZONE ACQUISITION
for the

MARIPOSA-YOSEMITE AIRPORT

submitted to:
THE FEDERAL AVIATION ADMINISTRATION
by
MARIPOSA COUNTY, CALIFORNIA

May, 1997

ATTACHMENT #4
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<td>Design and Construction Schedule</td>
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<td>Acquisition Schedule</td>
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<tr>
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<td>Property Map</td>
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<td>(large scale map--not included in Board package)</td>
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<th>PART V:</th>
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<td>(see ATTACHMENT 3 of Board package)</td>
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<td>page 21</td>
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</tbody>
</table>

Standard DOT Title VI: previously submitted, March 1989

Mariposa-Yosemite Airport
ATTENTION: BILL GIN

SUBJECT: Application for Federal Funds
Mariposa-Yosemite Airport
Project No. 3-06-0147-03

Dear Bill:

The enclosed application for Federal Aviation Administration financial assistance is submitted by Mariposa County in response to your allocation of funds for proposed projects at Mariposa Yosemite Airport.

Mariposa County is retaining the services of Shutt Moen to perform the engineering design work at the airport. The County will also be hiring other firms as necessary for soil testing and appraisal work. This application includes a request for force account work to be performed by the County on several aspects of the project.

Please advise us if you need additional information. Thank you for your cooperation and assistance with this matter.

Sincerely,

Michael D. Edwards, Director

enclosure

cc: Board of Supervisors
    Chris Ryan, Caltrans Aeronautics
APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: Application
   ☒ Construction
   ☐ Non-Construction

2. DATE SUBMITTED
   April 11, 1997

3. DATE RECEIVED BY STATE
   State Application Identifier

4. DATE RECEIVED BY FEDERAL AGENCY
   Federal Identifier

5. APPLICANT INFORMATION

   Legal Name: MARIPORA COUNTY

   Address (give city, county, state, and zip code):
   4639 Ben Hur Road
   Mariposa, CA 95338

6. EMPLOYER IDENTIFICATION NUMBER (EIN):
   94 - 600 088 0

7. NAME OF FEDERAL AGENCY:
   Federal Aviation Administration

8. TYPE OF APPLICATION:
   ☒ New
   ☐ Continuation
   ☐ Revision

   Name and telephone number of the person to be contacted on matters involving this application:
   Guadalupe Foster
   Jr. Civil Engineer
   (209) 966-5356

9. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:
   20106

10. TITLE:
    Airport Improvement Program

11. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):
    Mariposa County

12. PROPOSED PROJECT:

13. CONGRESSIONAL DISTRICTS OF:

14. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
    a. YES
    b. NO

15. ESTIMATED FUNDING:

   a. Federal
      $ 900,000

   b. Applicant
      $ 55,000

   c. State
      $ 45,000

   d. Local
      See Applicant

   e. Other
      $ 0

   f. Program Income
      $ 0

   g. TOTAL
      $ 1,000,000

16. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PreAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED

   a. Typed Name of Authorized Representative
      Michael D. Edwards

   b. Title
      Public Works Director

   c. Telephone number
      (209) 966-5356

   d. Signature of Authorized Representative

Authorized for Local Reproduction
PART II

PROJECT APPROVAL INFORMATION
SECTION A

Item 1.
Does this assistance request require State, local, regional, or other priority rating? Name of Governing Body

Priority Rating.

_________ Yes □ No □

Item 2.
Does this assistance request require State, or local advisory, educational or health clearances? Name of Agency or Board

_________ Yes □ No □ (Attach Documentation)

Item 3.
Does this assistance request require clearnghouse review in accordance with OMB Circular A-95? (Attach Comments)

______ Yes □ No □

Item 4.
Does this assistance request require State, local, regional or other planning approval? Name of Approving Agency

Date

______ Yes □ No □

Item 5.
Is the proposed project covered by an approved comprehensive plan? Check one: State □ Local □ Regional □

______ Yes □ No □ Location of plan

Item 6.
Will the assistance requested serve a Federal installation? Name of Federal Installation

Federal Population benefiting from Project

______ Yes □ No □

Item 7.
Will the assistance requested be on Federal land or installation? Name of Federal Installation

Location of Federal Land

______ Yes □ No □ Percent of Project

Item 8.
Will the assistance requested have an impact or effect on the environment? See instruction for additional information to be provided. No effects anticipated. Biological study underway. County will avoid any impacts on resources.

______ Yes □ No □

Item 9.
Will the assistance requested cause the displacement of individuals families, businesses, or farms? See narrative

Number of:
Individuals
Families
Businesses
Farms

______ Yes □ No □

Item 10.
Is there other related Federal assistance on this project previous, pending, or anticipated? See instructions for additional information to be provided.

______ Yes □ No □
PART II - SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use.—The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

   Mariposa County has adopted a comprehensive land use plan and implemented zoning by ordinance in conformity with that plan, to exclude or limit development in areas around the airport.

2. Defaults.—The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

   None.

3. Possible Disabilities.—There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of Part V of this Application, either by limiting its legal or financial ability or otherwise, except as follows:

   None.

4. Land.—(a) The Sponsor holds the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport, subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit “A”:

   There has been no change in property interest since the last AIP construction project No. 3-06-0147-01. All properties are listed on Exhibit A. Property 1-G, the west and runway protection zone will be acquired as part of this project.

---

*State character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.
PART II - SECTION C (Continued)

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

Not applicable. Property to be acquired is in the east runway protection zone where no construction is contemplated. Any property required for perimeter service road will be acquired when necessary.

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

N.A., West runway protection zone only.

5. Exclusive Rights.—There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None.

*State character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.
ATTENTION: GRANTS COORDINATOR

SUBJECT: Mariposa County Airporr Projects
AIP, 20-106 Pre-application

Enclosed please find a copy of form 424 for projects at the Mariposa/Yosemite Airport. This letter is to request the Clearinghouse obtain comments from State agencies. Specifically, please request comments from the public agency charged with enforcing or furthering the objectives of state and local civil rights laws regarding the civil rights aspects of the proposed project.

A final EIR was adopted for the Mariposa/Yosemite Airport in June of 1995 which incorporated comments from several state agencies based on Clearinghouse review of the Draft EIR (This was State Clearinghouse #90020935). The projects received extensive public review and comment at the time of the development of the Master Plan. Agencies may contact the County directly if they desire a copy of this final EIR. The County plans to perform biological studies on the airport prior to the construction portion of the projects, as recommended in the EIR.

Thank you for your assistance.

Sincerely,

Gwendolyn Foster
Junior Civil Engineer

cc: Bill Gin, FAA

enclosure
**Application for Assistance**

**Applicant Information**

- **Name:** MARIPOSA COUNTY
  - 4639 Ben Hur Road
  - Mariposa, CA 95338

- **Type of Application:** New
- **Organizational Unit:** PUBLIC WORKS
- **Name and Telephone Number:** Gwendolyn Foster Jr. Civil Engineer
  - (209) 966-5355

**Project Identification Number (EIN):** 204106

**Type of Application:**
- New
- Continuation

**Type of Assistance:**
- Airport Improvement Program

**Areas Affected by Project (City, County, State, etc.):** MARIPOLSA COUNTY

**Proposed Project:**
- Apron construction & grading
- Drainage improvements
- Runway protection zone acquisition

**Estimated Funding:**
- **Federal:** $894,200
- **Local:** $44,700
- **State:** $54,690
- **Other:** $0

**Total:** $993,590

**Application Subject to Review by State Executive Order 12372 Process:**
- Yes

**Telephone Number:** (209) 966-5356

**Date Submitted:** November 12, 1996

**Date Received by State:**
- State Application Identifier

**Date Received by Federal Agency:**
- Federal Identifier

**To the Best of My Knowledge and Belief, All Data in This Application are True and Correct, the Document Has Been Duly Authorized by the Governing Body of the Applicant and the Applicant Will Comply with the Attached Assurances If the Assistance is Awarded:**

**Authorized for Local Reproduction:**
- Michael D. Edwards
- 12/9/96

**Standard Form 424 Rev. 4-951 Prescribed by OMB Circular A-102**
## PART III  BUDGET INFORMATION - CONSTRUCTION

### SECTION A - GENERAL

1. Federal Domestic Assistance Catalog No. ............... 20.106

2. Functional or Other Breakout ............... N.A.

### SECTION B - CALCULATION OF FEDERAL GRANT

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<td>3. Land, structures, right-of-way</td>
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<td>4. Architectural engineering basic fees</td>
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<td>8. Relocation Expenses</td>
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<td>9. Relocation payments to Individuals and Businesses</td>
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<td>10. Demolition and removal</td>
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<td>11. Construction and project improvement</td>
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<td>12. Equipment</td>
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<td>13. Miscellaneous</td>
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<td>14. Total (Lines 1 through 13)</td>
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<td>15. Estimated Income (if applicable)</td>
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<td>16. Net Project Amount (Line 14 minus 15)</td>
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<td>17. Less: Ineligible Exclusions</td>
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<td>18. Add: Contingencies</td>
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<td>19. Total Project Amt. (Excluding Rehabilitation Grants)</td>
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<td>20. Federal Share requested of Line 19</td>
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<td>21. Add Rehabilitation Grants Requested (100 Percent)</td>
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<td>22. Total Federal grant requested (Lines 20 &amp; 21)</td>
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### SECTION C - EXCLUSIONS

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### SECTION D - PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

27. Grantee Share
   a. Securities
   b. Mortgages
   c. Appropriations (By Applicant) CURRENT COUNTY BUDGETS 96/97, 97/98, 98/99 $55,000
   d. Bonds
   e. Tax Levies
   f. Non Cash
   g. Other (Explain)
   h. TOTAL - Grantee share $55,000

38. Other Shares
   a. State $45,000
   b. Other
   c. Total Other Shares

9. TOTAL $100,000

### SECTION E - REMARKS

---

PART IV PROGRAM NARRATIVE (Attach - See Instructions)
John Pfeifer
Federal Aviation Administration
Airports District Office
831 Mitten Road
Burlingame, CA 94010-1303

ATTENTION: BILL GIN

SUBJECT: Sponsor-Force Account Work
Mariposa-Yosemite Airport

Dear Bill:

Mariposa County would like to complete a portion of our FAA funded airport projects by force account. We propose to utilize Public Works staff for the following tasks:

1. Preparation of environmental documents (CEQA requirements)
2. Issuing of NOTAMS, and coordination with airport users during construction
3. Coordination with airport users and the County Board of Supervisors
4. Coordination of consultants on the construction, design, and appraisal work
5. Guidance on layout of elements such as hangar sizes, lighting needs, airport layout, and other detail
6. Assistance to engineering consultant on preliminary designs
7. Bid advertisement and issuance of bid documents and addendum
8. Development of property map and deeds for acquisition projects
9. Property owner contacts and negotiation
10. Project administration and documentation

The request is based on experience of County staff with projects at the airport, airport users, property owners, and local expectations and procedures. Public Works staff are familiar with the airport and can be on site within minutes to handle questions. Most of the acquisition work requires local knowledge and administration to produce a successful project. In addition, the County has already performed some work necessary for the projects, such as the aerial survey work.

Though the workload of the Public Works Department precludes the entire project being completed by force account, staff members are prepared to perform necessary work to meet the accelerated time schedule for construction projects proposed in the application.
Key County staff to be involved include the following:

**Property Agent:** Bruce Atkinson, Special Projects Coordinator

Mr. Atkinson served as Right-of-Way Agent for the Mariposa County Public Works Department for twelve years. He has been a Registered Land Surveyor in California since 1984. He has occupied the position of Special Project Coordinator since 1989. He coordinated land acquisition activities on the Clean Water Project between 1989-1990. He has experience in the preparation of legal descriptions, maps & plats, deeds and contracts, and property negotiations. He has been responsible for the training and oversight of contract appraisers and negotiators on numerous projects ranging from roads, bridges, sewer treatment facilities, etc. Outside of his right-of-way duties, Mr. Atkinson is also the administrator of the County's Zone of Benefit program, and the systems administrator for the department's computer systems. In addition to his land surveyors license, Mr. Atkinson also has a Real Estate Sales License and the equivalent of a Novell Certified Network Engineer (CNE/CNA).

**Project Manager:** Gwendolyn Foster, Jr. Civil Engineer

Ms. Foster served as transportation planner for the County for ten years. She was project manager for development of the airport Master Plan, completed by a consultant. She has provided technical information and assistance to the Airport Advisory Committee for the past eight years. She assisted with completion of a slurry seal of the runway, taxiways, and portion of the apron at the airport. She is currently completing construction oversight for an above ground fueling system at the airport, and installation of storage hangars. Outside of airport duties, Ms. Foster has assisted with compliance with Federal contract provisions for Department projects, worked with citizen committees on design of transportation projects, and performed administrative duties for federal and state funded projects. She holds a BS from Fresno State in Civil Engineering and AA degree in Architecture from Santa Monica College.

**Project Engineer:** David Tucker, P.E., Sr. Civil Engineer

Mr. Tucker oversees the day-to-day engineering activities at Public Works and will supervise the County staff involved with the project. He has had extensive experience with many kinds of public works projects and contract work.
Survey Crew: Charles Pratt, County Surveyor, Judye Mangan & Brian Atkinson, Eng. Tech II,
The survey crew has extensive survey and drafting experience with many public works projects. They will provide expertise for development of the property maps and acquisition work.

Clerical Sue Mejica, Executive Secretary
Darleen Petersen, Secretary
Both Ms. Mejica and Petersen have extensive experience in distributing bid packages, advertising, and other secretarial duties related to completing public works projects.

Maria Liddle, (contract) Airport Manager
Ms. Liddle will coordinate public information on the project to airport users, review and comment on project plans, help develop traffic control plans and issue NOTAMs as required.

Ginny Estep, Fiscal Technician
Ms. Estep will handle invoices from consultants and contractors and payments of property owners and track all financial matters related to the project.

Jeff Green, County Counsel
Mr. Green will review all contracts, agreements, and property documents involved with the project.

An estimate of the time and costs for the County portion of the work is enclosed.

Thank you for your consideration of this request.

Sincerely,

Michael D. Edwards, Director

enclosure

cc: Board of Supervisors
    Chris Ryan, Caltrans Aeronautics

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PART IV
PROGRAM NARRATIVE
MARIPOSA YOSEMITE AIRPORT PROJECTS

Mariposa County seeks Federal Aviation Administration (FAA) assistance to complete construction and acquisition projects at the Mariposa-Yosemite Airport as follows:

Construct apron and transient tiedown area (100,000 SF) including lighting, grading, marking, drainage, construction of pollution control facility and removal of three underground tanks (total 14,000 GAL); construct hangar taxiway (25,000 SF) including grading, drainage, and perimeter road; and land acquisition (approximately 6 acres) for approach protection and perimeter road.

BENEFITS and JUSTIFICATION

There is a shortage of tiedown and hangar space available, with waiting lists for both. Transient and reserved aircraft are often forced to tie down on dirt spaces when the airport is busy during the spring and summer. The airport is receiving increasing visitation by tourists and recreational and business users. The construction projects will increase the available flat space on the airport for this activity.

The west area runway protection zone, though well below the approach surface for Runway 8, contains several homes. The County has no aviation easement nor interest in these parcels at present. Per previous recommendation of FAA staff, the County intends to obtain fee and/or easement interest in these parcels to remove residents from under the flight path. The perimeter road is necessary to reduce or eliminate vehicle traffic on the taxiway and apron and across the runway.

AUTHORIZED REPRESENTATIVES

The following individuals are authorized representatives of Mariposa County for the purposes of the proposed project:

Gwendolyn Foster Jr. Civil Engineer
Mariposa County Public Works
4639 Ben Hur Road
Mariposa, CA 95338
(209) 966-5356 FAX: (209) 966-2828
gfoster@yosemite.net

Dave Tucker Sr. Civil Engineer
dtucker@yosemite.net
AIRPORT CONSULTANT

Mariposa County is retaining the services of an airport engineering firm to design and oversee the airport construction projects. The principal in charge will be:

Michael Shutt
Shutt Moen Associates
707 Aviation Blvd.
Santa Rosa, CA 95403

WORK PROGRAM: CONSTRUCTION PROJECTS

Construction work will include the following:

1. Grading, construction, and finish work for apron, approximately 100,000 square feet, including over 800 yards of cut and over 4500 yards of fill, to accommodate up to 22 aircraft.
2. Clearing and temporary relocation of fire helicopter pad.
3. Removal of one 10,000-gallon and two 2,000-gallon underground fuel tanks in the proposed apron area, including replacement of over 70 yards of material. (Any unusual remediation will be handled separately. An above ground-fuel system replacement has been installed under a state loan.)
4. Grading and construction of hangar taxiways, approximately 25,000 square feet, including approximately 17,000 cubic yards of material.
5. Grading of areas to north of runway for borrow areas, including approximately 2,200 cubic yards of material from runway protection zone.
6. Relocation and reconstruction of perimeter fence adjacent to apron area.
7. Placement of pollution control facility as appropriate.
8. Installation of apron lighting.
9. Installation of drainage structures to retain fuel spillage and direct water off pavements.
10. Installation of tie-down hardware and pavement markings.
11. Reduction of vehicle circulation across apron areas through re-design of access points.

Support work for the construction includes the following:

1. Completion of biological study in compliance with Clearinghouse comments on Master Plan EIR and production of CEQA document to include any necessary mitigation (scheduled for completion by end of May).
2. Contract negotiation and approval for use of consulting engineers.
3. Geotechnical study and property survey for use in the design phase. This includes the cost for an aerial survey which was previously completed.
4. Plan and remediation for fuel tank removal. (This work is being completed by a geotechnical consultant under a separate project and funding source. The entire tank removal project will include removal of tanks on the northside of the airport, funded separately).
5. Preliminary design, including detail layout of terminal and hangar areas.
6. Plans and specifications.
7. County and FAA review and coordination.
8. Final plans and specifications.
9. Bid advertisement and award.
11. Invoicing, file maintenance, and documentation for the project.
12. Revision of Airport Layout Plan to reflect improvements.

Runway Safety Area (RSA) Improvements.

In conjunction with the construction project, the County intends to use a separate state grant ($268,000) to complete grading work on the runway safety areas to improve them to current standards. The existing RSA’s slope away from each end at 3% and are only 200 feet long. This additional work will flatten the grade to match the slopes of the runway ends and lengthen the safety area by 40 feet. This includes approximately 10,000 cubic yards of earthwork. The work will be performed at the same time as the other construction work to take advantage of economies of scale, runway closures, and the consultant engineers.

WORK PROGRAM: ACQUISITION PROJECTS

The County will acquire up to four properties, for a total of approximately five acres, in the west end runway protection zone. All of the property owners are aware of the County's interest in acquiring their property. Several of them are anxious to move ahead. The parcels to be acquired (all in fee simple, if possible) are shown on Exhibit A, Sheets 1 & 2. The County will also acquire construction easements or right of way (approximately 2 acres) as necessary adjacent to the apron and perimeter service road locations.

Two of the properties have homes. The APN 12-090-05 property has a rental house. The current renter may move to another rental of this property owner. The property owner considers this income property, so may desire a trade of County property. An inspection of this property for hazardous waste by a qualified consultant will be included as part of the appraisal cost. The APN 12-090-07 home includes a mobile home. During the master plan process, the
property owner/resident previously indicated he would like to move out of the area if the property could be sold.

The -05,-06 & -07 properties will need to be acquired in entirety under this grant. If only the acreage within the boundaries of the runway protection zone were purchased, the owners would be left with unusable substandard property that would not meet current zoning code.

The APN 12-090-02 property may require an avigation easement, as their home falls outside of the runway protection zone, and they would like to continue to use the property for approved uses. (For example, their water well is on the property to be acquired). Only a portion (approximately 3 acres) of their entire lot needs to be acquired for the runway protection zone.

A private firm will be retained to perform title reports, appraisals, and review appraisals. The County will perform all the property owner contact, negotiation, and deed production with force account work, per the letter in Part III of this application.

Any savings on the construction projects are proposed to be used to clear the runway protection zones of structures and obstructions and to obtain additional property or an easement needed for an airport perimeter road. The amount of clearing necessary will be settled upon further discussion with FAA staff and property owners.

Acquisition tasks include:

1. Property owner contact and notifications
2. Property map drafting, additional survey work, & title reports
3. Title reporting
4. Appraiser and hazardous waste consultant selection and contract execution
5. Negotiation
6. Deed preparation and execution
7. Evaluation of demolition and/or salvage of structures and obstructions
8. Salvage/demolition work
9. Preparation of final report
CONSTRUCTION PROJECTS

Proposed Schedule

Mariposa/Yosemite Airport
A.I.P. 3-06-0147-03

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Shutt Moen Associates
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* Negotiation and some other steps may require longer periods, depending on Uniform Act, though at least two of the owners are hoping the process is more rapid.