

MARIPOSA COUNTY

Merced River Trail Community Working Group

MEETING AGENDA

DATE: October 21, 2021
TIME: 10:00 AM
LOCATION: TELECONFERENCE ONLY

The following public comment options continue to be offered during the pandemic pursuant to the Governor's Executive Order N-29-20, which relaxed certain provisions of the Brown Act to allow public meetings accessible telephonically to all public members seeking to observe and address that committee/council/commission and or working group.

Members of the public who wish to participate in the meeting are invited to do so by submitting written comments (instructions follow) or by joining the teleconference by:

To join meeting by dialing in on phone, call this number:
United States: +1 (312) 757-3121 **Access Code:** 700-855-101

****Please note that all callers will be limited on their speaking time, and will be muted before and after public comment periods****

Planning Advisory Committee written commenting processes are as follows

WRITTEN COMMENTS: Written comments may be submitted via U.S. Postal Service, email or may be dropped off at the Planning Department. In your written communication please note in the subject line: Which Planning Advisory Committee you are commenting to and indicate which "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM" that you are commenting on.

1) Mail • Send written communication to:

Mariposa County Planning Department
PO Box 2039
Mariposa CA 95338

2) Email • Send an email to the planningdept@mariposacounty.org

3) Drop Off: • Written communication can be dropped off at:

Mariposa County Planning Department
5100 Bullion Street, 1st Floor
Mariposa, CA 95338

No matter which of these formats you choose to use for written communication (Mail, Email or Drop Off) please know that in order to ensure distribution to the committee prior to their consideration of the agenda, and in order for your written comments to be placed into the record it must be received no later than 8:00 a.m. on the day of the meeting.

MARIPOSA COUNTY

Merced River Trail Community Working Group

MEETING AGENDA

DATE: October 21, 2021

TIME: 10:00 AM

LOCATION: TELECONFERENCE ONLY

1. Call to Order: 10:00 AM welcome
2. Adopt a Resolution in accordance with AB361
3. Approve the minutes from the 8/19/21 meeting and the 9/16/21 meeting
4. Continued discussion of Mariposa Trails letter and clarification of Vision Plan direction
5. Update on Project Actions survey and next steps
6. Discussion of future meetings while staff is not available
7. Public comment
8. Adjourn

RESOLUTION NO. 2021-01

A RESOLUTION OF THE MERCED RIVER TRAIL COMMUNITY WORKING GROUP PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF CALIFORNIA ON MARCH 4, 2020 REGARDING AN OUTBREAK OF RESPIRATORY ILLNESS DUE TO A NOVEL CORONAVIRUS (A DISEASE NOW KNOWN AS COVID-19), AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE MERCED RIVER TRAIL COMMUNITY WORKING GROUP FOR THE PERIOD OCTOBER 21, 2021 TO NOVEMBER 20, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Merced River Trail Community Working Group (“MRTCWG”) is committed to preserving and nurturing public access and participation in its meetings; and

WHEREAS, all meetings of the MRTCWG are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the MRTCWG conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the County of Mariposa (“County”), caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the County, specifically, COVID-19 has spread and is continuing to spread at rates that threaten the capacity of the health care system and the health of the community; and

WHEREAS, in-person meetings that include members of the MRTCWG as well as members of the public would expose attendees to transmission of COVID-19 in ways that present imminent risks to health and safety; and

WHEREAS, the MRTCWG does hereby find that community transmission of COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the County that are likely to be beyond the control of services, personnel, equipment, and facilities of the County, and desires to proclaim a local emergency and ratify the proclamation of a state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the MRTCWG does hereby find that the MRTCWG shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the MRTCWG shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, efforts are being made to ensure public access to the MRTCWG meetings, including providing public call-in numbers which are part of the meeting packet and public noticing materials.

NOW, THEREFORE, THE MRTCWG DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The MRTCWG hereby proclaims that a local emergency now exists, and that meeting in-person as a committee and with members of the public in attendance would present an imminent risk to the transmission of COVID-19.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The MRTCWG is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 20, 2021, or such time as the MRTCWG adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the MRTCWG may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the MRTCWG this 21st day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MARIPOSA COUNTY

Merced River Trail Community Working Group

MEETING MINUTES

DATE: August 19, 2021
TIME: 10:00 AM
LOCATION: TELECONFERENCE ONLY

1. **CALL TO ORDER:** Goralnik called the meeting to order at: 10:06 AM

Members Present: Michael Martin, Wendy Brown, Nick Ross-Rhudy, Tony McDaniel, Jessica Thompson, Dean Bernacchi, Rosemarie Smallcombe,

Members Absent: Jeff Gabe, Art Baggett, Ralph Mendershausen, Ben Goger

Visitors: Dean Gould, Tara Fouch-Moore

2. **APPROVE THE MINUTES FROM THE 7/15/21 MEETING:** The minutes from this meeting were unanimously approved.

3. **DISCUSSION WITH SIERRA NATIONAL FOREST LEADERSHIP:**

Dean Gould, Superintendent of Sierra National Forest, was present to answer some questions from the community working group and discuss USFS involvement in the project. Additionally, Superintendent Gould provided the following responses to the CWG's questions:

1. *What is the position of the Sierra NF on the extension/development of the MRT?* The Forest sees value in and supports the trail project, but is primarily focused on dealing with the impacts of catastrophic wildfires. Due to this, the Forest has limited resources to dedicate to the trail. They can provide support in terms of checking in with specialists and technical experts, and encouraged the County to consider partnering with USFS to secure funding through the Great American Outdoors Act (GAOA) to support the project in the next several years. Note that if projects are approved/endorsed for GAOA funding, the forest is obligated to follow through.
2. *With the river being the boundary between Sierra and Stanislaus National Forests, how do the two jurisdictions typically collaborate on issues/projects that span (or are located along) the border? What documents/agreements govern the jurisdictions of the Stanislaus NF and the Sierra NF along their joint boundaries?* SNF has been delegated responsibility for managing the river, largely on behalf of STF. Operationally, the Sierra operates as a member of the larger Southern Sierra Zone which includes the other forests in the region (Sierra, Stanislaus, Inyo, and Sequoia). This means that each forest coordinates to determine and recommend regional priorities, with decisions and projects advanced as a zone, rather than by individual USFS units.
3. *Does the response to the recent algal bloom in the South Fork of the Merced provide an example or case study of this interjurisdictional collaboration?* Yes.
4. *Our understanding is that SNF is responsible for managing the camp sites and other recreation amenities on Incline Road (McClendon Beach, Indian Flat, Dry Gulch, Dirt Flat)? Is this accurate, and if so, does SNF have any concerns or foresee any issues with the trail potentially increasing use of existing SNF-managed recreation resources along Incline Road?* Yes, this is accurate. If the trail improvements were put in place, it likely would result in a larger number of visitors, resulting in more demand on the existing USFS recreation resources, including trash,

waste, and out-of-bounds parking. Conducting an estimate into increased visitation and adjusting campgrounds and other amenities could be a “packaged deal” from a funding perspective.

5. *What is the current USFS policy regarding e-bikes? What consequences to people face when apprehended using OHVs or other motorized modes in areas where they are not allowed, including portions of the Merced River Trail in the Wild and Scenic River corridor?* OHV users are typically responsible stewards and users of the land. However, there are individuals who do occasionally do damage through their use, which results in a citation. The OHV user groups are often self-policing and able to influence members to recreate in responsible ways. Regarding e-bikes, Superintendent Gould will investigate with staff and provide more clarity.

4. **DISCUSSION ON CONVERSATION WITH USFS LEADERSHIP:**

A short conversation followed regarding takeaways from the presentations from the two Forest superintendents (Superintendent Gould and Superintendent Kuiken). There was excitement around the potential of pursuing Great American Outdoors Act funding to support project recommendations.

5. **UPDATE ON PROJECT ACTIONS, INCLUDING POTENTIAL ROUTES:**

The CWG discussed the draft actions that were proposed by the dedicated subcommittee. Discussion included adding a new draft action (or draft actions), potentially in Goal #3 that promote engagement and consultation with area Indigenous tribes to protect and preserve cultural resources and sites. After that discussion, the committee authorized staff to proceed seeking input from the general public on the draft actions developed and proposed by the subcommittee.

The CWG also had a specific discussion on the potential route options included in the meeting packet. Goralnik reminded the CWG that the County had been working with NPS (both Yosemite and RTCA) staff and staff from Stanislaus National Forest to resolve the Miller Gulch alternate route as a way to provide access to Yosemite National Park while avoiding the communities of El Portal and Foresta. He indicated that USFS is eager to pursue this route alternate because its general adherence to existing forest roads enhances the Forest’s ability to conduct vegetation management on those roads, reducing fire risk. Additionally, by staying on existing roads and requiring little to no new trail construction, this route reduces the potential for new ecological impacts. Members of the CWG remarked that a trail which connects to higher elevations in Yosemite is conceptually coherent with the premise of the project as an expression of and resource for the Merced River’s wider watershed, rather than simply the main stem of the river.

Goralnik clarified that the potential route through the Miller Gulch site and to Crane flat via existing USFS roads would be a more strenuous alternate to—but not a replacement of—the route along the historic rail grade upstream of Miller Gulch. This more adventurous, multi-day route would be a “double black diamond” complement to a shorter and less strenuous route (the “bunny slope” route) through the river canyon whose upstream terminus would be located on the downstream side of Foresta Bridge, where a boat launch currently exists. From here, trail users traveling upstream could take public transportation, such as YARTS, into Yosemite Valley, bypassing the communities of El Portal and Foresta while still gaining access to Yosemite. Goralnik indicated that future versions of the map describing the route would better reflect this concept.

6. **PUBLIC COMMENT:**

There was no public comment.

7. **ADJOURN:** The meeting adjourned the meeting at 11:35 AM.

MARIPOSA COUNTY

Merced River Trail Community Working Group

MEETING MINUTES

DATE: September 16, 2021
TIME: 10:00 AM
LOCATION: TELECONFERENCE ONLY

1. **CALL TO ORDER:** Goralnik called the meeting to order at: 10:34 AM

Members Present: Wendy Brown, Jeff Gabe, Dean Bernacchi, Ralph Mendershausen, Rosemarie Smallcombe, Tony McDaniel,
Members Absent: Art Baggett, Ben Goger, Michael Martin, Nick Ross-Rhudy, Jessica Thompson
Visitors: Bill King, Tara Fouch-Moore

2. **APPROVE THE MINUTES FROM THE 8/19/21 MEETING:**

This item was tabled for a future meeting.

3. **UPDATE ON PROJECT ACTIONS SURVEY AND NEXT STEPS:**

Goralnik reminded CWG members that the survey on the draft project actions was released on September 8, and provided an update that so far 32 responses had been logged. He also provided an update that the Mariposa Gazette would be running a story about the survey and project in the following week's paper, and reminded CWG members to continue spreading the word about the survey to increase the response rate. There was a comment to make the comment box larger to accommodate longer responses.

4. **UPDATE ON DOCUMENT PRODUCTION TIMELINE:**

Goralnik provided an update on the production of the early chapters in the draft vision plan document. Drafts of these chapters, which include an introduction/overview chapter and a chapter on the steps in the visioning process, are anticipated to be ready to be shared with the CWG in November.

5. **OCTOBER MEETING RESCHEDULING:**

There was a brief consideration of changing the date of the October 2021 meeting, but it became clear that no change was necessary, so the October meeting will occur on October 21 as a teleconference, as scheduled.

6. **PUBLIC COMMENT:**

Goralnik provided an update on the two technical assistances that the County is current receiving from the EPA regarding the Miller Gulch site. He shared that the Targeted Brownfield Assessment technical assistance work is nearly complete, and that the results could be made public with landowner approval in the near future. He also shared that work under the Land Revitalization Technical Assistance would begin shortly.

Bill King, on behalf of Mariposa Trails, provided public comment regarding the draft action of routing the trail to avoid passing through the communities of El Portal and Foresta. He provided a letter of public comment and a suggestion for an alternate route (both attached), which the CWG

indicated they would consider along with the other previously discussed alternative route options. Wendy Brown and Dean Bernacchi expressed general agreement with the content of the letter. It was emphasized by several CWG members that a primary factor in the previously discussed alternatives was that they bypassed the communities of El Portal and Foresta, which was a commonly and unequivocally expressed sentiment at numerous points throughout the visioning process. Several members emphasized the importance of honoring this community feedback, and the CWG's prior assurances that the trail would bypass those communities in accordance with the community's input.

It was clarified that no decision on the route had been or would be made during the visioning process. Rather, the vision plan will identify several potential routes to consider in later, more formal trail planning efforts, and that the vision plan will identify pros and cons of these alternatives to evaluate in the future. It was suggested that a discussion of the route through the communities of El Portal and Foresta be included in the vision plan to record that it was initially considered and faced significant opposition from the community. In this discussion, the vision plan could convey the stated reasons for the community's opposition to that route alignment, as well as the perspectives expressed by Mariposa Trails in the attached letter of public comment.

Rosemarie Smallcombe requested that Mariposa Trails provide the CWG specific examples of the best practices for mitigating trail impact on adjacent communities, for evaluation and to consider sharing with community groups in El Portal and Foresta. Mr. King indicated that he would try to do so, in which case the CWG could discuss them at the October meeting (and potentially future meetings).

Tara Fouch-Moore reiterated that regardless of which routes are included in the vision plan, the Southern Sierra Miwuk Nation will advocate to ensure that cultural resources throughout the trail corridor are protected.

7. ADJOURN: The meeting adjourned the meeting at 11:45 AM.

Minutes Prepared by: Mikey Goralnik

MARIPOSA TRAILS
BUILDING TRAILS AND COMMUNITY

September 13, 2021

Mikey Goralnik
Community Design and Development Planner
Mariposa County Planning Department
5100 Bullion Street, Mariposa, CA 95338

Re: Merced River Trail Master Plan

Dear Mr. Goralnik,

Mariposa Trails applauds the county's continuing community outreach in crafting a guiding plan for the "Merced River Trail" (MRT). The county vision to create a regional plan is not only admirable, but within reach. In 2016, I solo backpacked from Mono Lake to UC Merced. This route passed through Foresta, El Portal and utilized the entire length of the MRT to Bagby. The MRT was an essential element for this 160-mile, 21-day journey.

Earlier this summer, I spent time with my son Jon in Portland Oregon. He brought me to *Forest Park*, located immediately adjacent to downtown. While there, Jon and I witnessed the magic of trails. Families were bike-riding together; athletes were training for events; teachers were with students; and friends were walking together smiling and laughing. Besides enjoying the trail and forest, we all shared one other thing in common- we had all walked respectfully through someone's neighborhood to get to the trail. Let's build community, and with the MRT Master Plan, celebrate the time-honored tradition of El Portal's name, "The Portal – The Gateway" to Yosemite.

In support of the county's vision of the MRT, the board of Mariposa Trails offers three points for your consideration:

1. Alternative Action to Goal #1

Draft Goal #1, which reads, ***“Ensure that the Merced River Trail does not jeopardize or negatively impact the public safety, social well-being, or historic character of adjacent and surrounding communities,”*** is fantastic, as it recognizes the need to address impacts that may occur in communities that are located along the MRT, including those of El Portal and Incline Road. Trail use impacts may include such things as noise, parking and litter. Interface trails like the MRT, which connect communities with adjacent public lands, are common throughout the nation; thus, there are many examples of how such trails can be designed to minimize impacts (see Exhibit 1 for a list of recommended actions).

2. Extend the MRT to El Portal

The magic and vision of the MRT is regional. Ending the MRT several miles downstream of El Portal is inconsistent with previously adopted county plans, as well as the vision and goals of the draft MRT Master Plan.

It's been long envisioned and planned that the MRT “would use portions of the abandoned Yosemite Valley Railroad grade along the Merced River to connect Merced County to Yosemite National Park” (2011 *Mariposa County Bike and Pedestrian Transportation Plan*). This grand vision is also noted in the county's recently adopted 2021 *Recreation and Resiliency Plan*. To **not** extend the MRT to El Portal significantly detracts from these long-held plans. Additionally, the Vision Statement for the draft MRT Master Plan states, in part, “The trail will serve as a central connective component of an existing and future network of trails.” Ending the MRT at the Foresta Bridge several miles downstream of El Portal precludes connection to (1) the best route into Yosemite National Park, and, (2) its extensive trail network. Finally, MRT Goal #2 reads: “Facilitate the elimination of barriers to the creation of a continuous, year-round trail from Bagby to Yosemite.” The committee's suggested implementation actions of Goal #1 actually create barriers for trail-users that wish for a continuous recreational experience to existing roads and trails that originate in El Portal.

3. The Reroute

Whether called a “reroute” or an “alternative,” the bottom line is that the proposed trail is extremely unlikely to be built-out, maintained or used (Exhibit B). It occurs on private property, is largely waterless, and in many places very steep and fully overgrown, very long and completely different in character to the MRT. As a hiker and backpacker myself, and in my work with Mariposa Trails, it is beyond apparent to me that this route is unrealistic. At best, it may one day be a side trail off the MRT.

We hope you find these comments helpful. Thank-you for your efforts.

Sincerely,

Bill King

President/Executive Director

Mariposa Trails – *“Building Trails and Community”*

CC Sarah Williams, Mariposa County Planning Director
MRT Community Working Group Members
Rosemarie Smallcombe, Board Liaison

OUR MISSION

We provide trail access and promote its use for adventure, health, stewardship, education and community prosperity.



CONNECT WITH US

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mariposa.trails@yahoo.com
P.O. Box 5008-139 Mariposa CA 95338
www.mariposatrails.org

EXHIBIT A

Suggested Actions for Goal #1:

Litter

- Encourage zero tolerance of litter through educational and volunteer programs.
- Provide trash cans and recycling containers in the MRT corridor at high-use areas.

Public Safety

- Coordinate with Yosemite National Park and residents of El Portal to design and place wayfinding signs that direct MRT-users safely and respectfully through the neighborhood.
- Establish a volunteer MRT-user patrol that advocates on safety issues and problem areas. Develop on-going safety education and etiquette events and information.
- Provide MRT etiquette information to minimize impacts between users and adjacent property owners and residents.

Parking

- MRT-based parking, if deemed necessary, should be designed and constructed to be compatible with the setting in which they are placed.

Impact Assessments

- Use regular surveys, counts, and other methods to collect data and monitor long-term trends in order to determine the types and extent of neighborhood impacts from trail use.

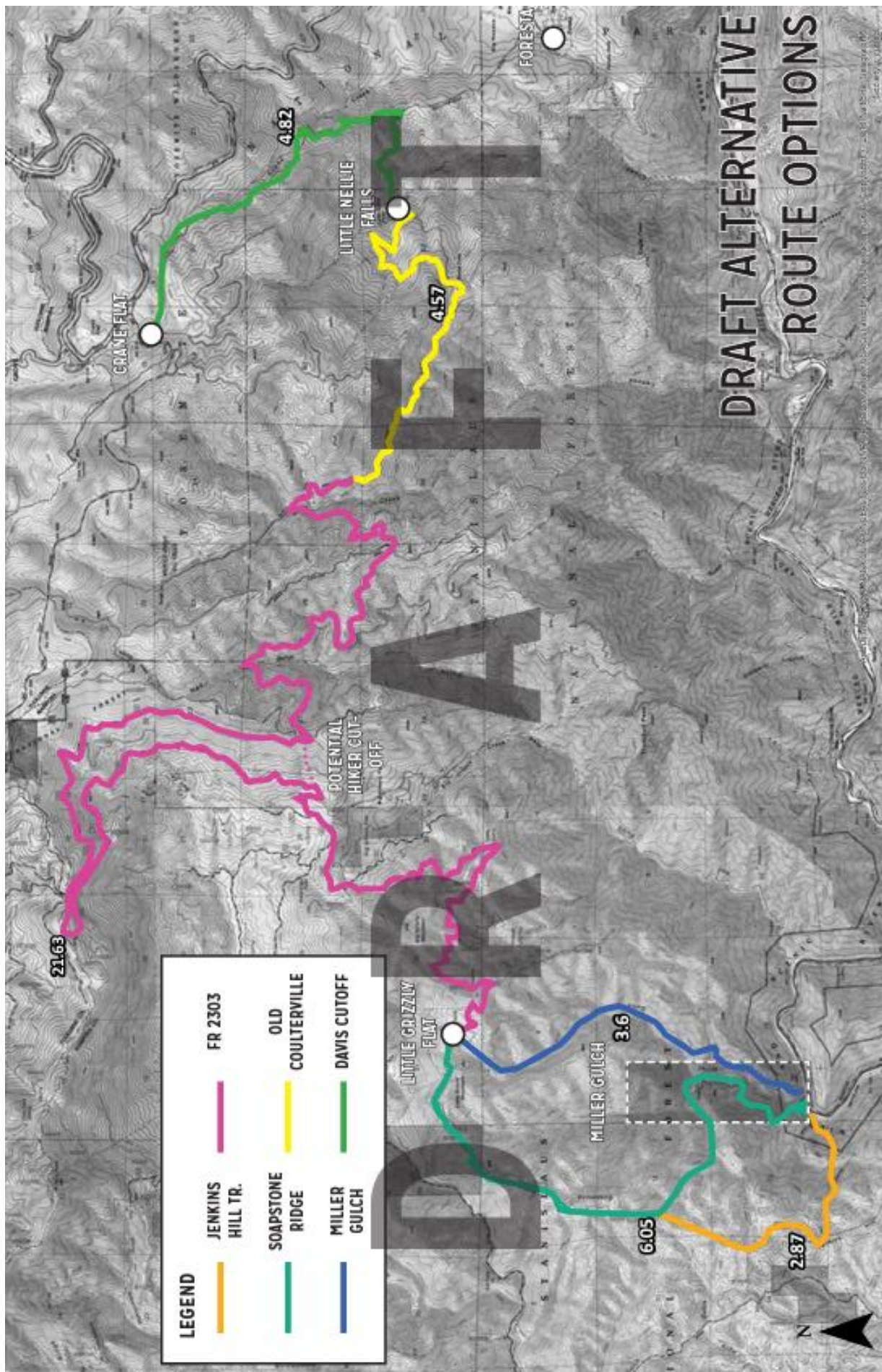


EXHIBIT B

