

Notice of Determination

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: Mariposa County
Board of Supervisors
c/o Mariposa Planning
P.O. Box 2039
Mariposa, CA 95338
Contact: Steve Engfer
Phone: (209) 966-5151

To: County Clerk
County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FILED

DEC - 8 2020

KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK

Karen M. Herman
KAREN M. HERMAN

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: SCH 2020060677

Project Title: General Plan/Specific Plan/Zoning Amendment (GP/SP/ZA) No. 2019-216 and Design Review (DR) No. 2020-008, Brown Bear Hotel & Conference Center and Multi-Family Housing Project.

Project Location:

LOCATION: 5243 Highway 49 N, 4987 Brown Bear Lane, 5225 Highway 49 N and unassigned parcels adjacent the intersection of Brown Bear Lane and Hwy 49 N, Mariposa CA.

ASSESSOR PARCEL NUMBERS: 013-050-009, 057, 059, 060, 008, 013-071-003

Section 5 T15S, R18E., M.D.B.&M.

USGS 15 Minute Quadrangle: Mariposa. (37° 29' 37" N; 119° 58' 48" W)

Project Description:

The project is known as the Brown Bear Hotel and Conference Center and Multi Family Housing Development. There are two components to the project; an amendment to the land use and zoning map for the Mariposa Town Planning Area Specific Plan, and a design review for the entirety of the project.

General Plan/Specific Plan/Zoning Map Amendment Application (GP/SP/ZA) No. 2019-216 and Design Review Application No. 2020-035 changes the land use designation of all of a 7.02 acre parcel (APN 013-050-060) and a portion (0.18+/- acre) of a split zoned 0.39 acre parcel (APN 013-050-059) from Multi Family Residential to General Commercial. The property site encompasses 17.97 acres and involves six parcels. The rezoning of the property will allow for the construction of:

- a hotel/conference center that will provide 180 rooms, including 124 standard rooms, 14 nightly suites, and 42 extended stay suites
- a 5,300± sq. ft. Conference Center seating 250 for banquet style dining and including high quality operable partitions allowing for flexible space and multiple breakout meeting and conference rooms
- an 1,800± sq. ft. restaurant seating 122
- a 1,125± sq. ft. lobby/lounge
- a 420± sq. ft. fitness center
- an outdoor pool, a garden area, outdoor wedding venue and outdoor barbecue area
- A total of 130,743± sq. ft. of space for the hotel/conference center uses

The residential component of the project will be constructed on 6.77 acres in the Multi-Family residential zone and includes 96 multi-family units in three (3) three-story structures. The housing units will target living-wage, single- and small-family households. The units will provide housing not only for project employees, but also for the community of Mariposa and Yosemite employees.

This is to advise that the Mariposa County Board of Supervisors, as Lead Agency has approved the above described project on the 8th day of December 2020 and has made the following determination regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
5. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval is available to the General Public at:

Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA 95338

	12/8/20	Director
Sarah Williams	Date	Title

Date Received for filing at OPR _____

Authority cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 06/01/20) Previously DFG 753.5a

RECEIPT NUMBER:

— —

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
COUNTY/STATE AGENCY OF FILING		DOCUMENT NUMBER
PROJECT TITLE		

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER ()
PROJECT APPLICANT ADDRESS	CITY	STATE ZIP CODE

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$	

☐ Exempt from fee
 ☐ Notice of Exemption (attach)
 ☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input type="checkbox"/> County documentary handling fee		\$	
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE
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2020 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 06/01/20) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090