

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: April 24, 1990
AGENDA ITEM NO. RAC

DEPT.: BOARD OF SUPERVISORS

BY: ARTHUR G. BAGGETT, JR.

PHONE: 966-3622

RECOMMENDED ACTION AND JUSTIFICATION:

A resolution in support of "A BILL" introduced by MR. CONDIT of the HOUSE OF REPRESENTATIVES for enactment by the SENATE and HOUSE OF REPRESENTATIVE of the UNITED STATES OF AMERICA to amend the *Wild and Scenic Rivers Act* by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has aggressively supported wild and scenic legislation for the Lower Merced River in California for many years. This *BILL* is necessary for approval of Saxon Creek Water Project.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Saxon Creek Water Project would be delayed.

COST: (x) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required add'l funding \$ _____
D. Source: _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
letter with BILL (4 pages)

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

NOTE: This material also on
under WATER AGENCY

CLERK'S USE ONLY:
Resolution No. 90-213
Ordinance No. _____
Vote: Ayes: 5 Noes: _____
MWS Absent: _____ Abstained: _____
Approved () Denied
(X) Minute Order Attached

ADMINISTRATIVE OFFICER'S
RECOMMENDATION:

This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

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

DATE: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: _____
Deputy

Comment: _____

A.O. Initials: AB

Merced River

Mariposa County Board of Supervisors



JOHN W. McCAMMAN
Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222

DISTRICT 1 ARTHUR G. BAGGETT, JR.
DISTRICT 2 SALLY S. PUNTE
DISTRICT 3 ERIC J. ERICKSON
DISTRICT 4 GEORGE P. RADANOVICH
DISTRICT 5 GERTRUDE R. TABER

May 17, 1990

Ms. Barbara Boyle
Sierra Club
5412 College Drive
Oakland, CA 94618

Dear Barbara:

Enclosed is a copy of the Lower Merced River Bill as introduced by Senator Cranston and Congressman Condit. Also enclosed is our Board's resolution of support and the Bureau of Land Management's proposed Management Plan.

This has been a six year effort to develop legislation that American Rivers, Friends of the River, the Merced Canyon Committee, the Mariposa County Board of Supervisors and Water Agency, the Bureau of Land Management, and the Congressional staff could all support. We look forward to the Sierra Club endorsing this bill also.

Please feel free to call me if I can answer any questions for you.

Sincerely,

ARTHUR G. BAGGETT, JR., Chairman
Mariposa County Board of Supervisors



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
FOLSOM RESOURCE AREA
63 NATOMA STREET
FOLSOM, CALIFORNIA 95630



IN REPLY REFER TO:

4333
CA-018.15

APR 30 1990

Interested Public:

Enclosed is the Draft Merced Wild and Scenic River Management Plan and Environmental Assessment (EA). The Draft Plan is the Proposed Action for the EA. Both documents should be used together, particularly, the maps in the plan while reviewing the E.A.

Prior to your reviewing these documents I believe a brief explanation of the current Wild and Scenic River status on the Merced River is appropriate. First, of the 22 miles of river addressed in the plan, the upper 14 miles are currently designated as Wild and Scenic under the Wild and Scenic River Act. Eleven (11) miles of the designated river pass through the Forest Service lands and 3 miles pass through Bureau of Land Management (Bureau) lands. The entire 14 miles is classified as recreational.

Second, the lower eight miles of the 22 miles pass through Bureau lands and have been under study status for possible Wild and Scenic River designation for the last 3 years. The Bureau is required to complete the Section 5(a) Wild and Scenic River Study on the suitability of the lower 8 miles for inclusion into the Wild and Scenic River system by 1992.

Third, there is a possibility that legislation may be introduced which will legally designate the lower eight miles of river as Wild and Scenic.

The plan and the EA are a culmination of both agency and public efforts regarding the management of this spectacular river corridor. I am looking forward to your comments. Please send us your comments by June 15, 1990.

Sincerely,

D.K. Swickard
Area Manager

GARY A. CONDIT
Member of Congress

IN THE HOUSE OF REPRESENTATIVES

May 1, 1990

A BILL

To amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,

SECTION 1. DESIGNATION OF THE LOWER MERCED RIVER.

(A) DESIGNATION.- Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.1274(a)) is amended by adding the following new paragraph at the end:

"(#) MERCED, CALIFORNIA.- The main stem from a point 300 feet upstream of the confluence with Bear Creek downstream to a point of maximum control storage of Lake McClure (elevation 867 feet mean sea level) approximately 8 miles. The Secretary of Interior shall administer the Lower Merced River, as recreational, from a point 300 feet upstream of the confluence with Bear Creek downstream to a point 300 feet west of the boundary of Mountain King Mine; and as wild, from a point 300 feet west of the boundary of Mountain King Mine to the maximum flood control storage of Lake McClure, as generally depicted on the map entitled Merced Wild and Scenic River, dated April 1990. The requirements of subsection (b) of this section shall be fulfilled by the Secretary of Interior through appropriate revisions to the Sierra Management Framework Plan for the Sierra Planning Area of the Folsom Resource Area, Bakersfield District Bureau of Land Management. For the purposes of the segments designated by this paragraph, there shall be authorized the appropriate sums as may be necessary for the acquisition of lands, interest in lands and for development."

SECTION 2.- WITHDRAWAL FROM MINERAL ENTRY

(a) In addition to the wild river segments covered by Section 9 (a) (iii) of this Act, the recreational river segments on the main stem of the Merced River and the scenic river segment on the South Fork Merced River are withdrawn, subject to valid existing rights, from settlement, location, entry and appropriation under the public land laws including the mining laws. This withdrawal includes: (1) on the main stem of the Merced River from the west boundary of the National Park Service, El Portal Administrative Site to the point 300 feet west of the west boundary of the Mineral King Mine, from the normal high water mark on the south side of the river to the northern margin of the Yosemite Railroad grade on the north side of the river, a distance of 22 miles, and (2) on the South Fork Merced River between normal high water marks on either

side of the river, from 1.5 miles upstream of Hite Cove to 0.5 downstream of Hite Cove, a distance of 2 miles.

SECTION 3.- SAXON CREEK PROJECT

(a) To the extent and in a manner consistent with the purposes of this act, including Section 7, the Secretary of Interior shall permit the construction and operation of such pumping facilities and associated pipelines as identified in Bureau of Land Management right of way application CACA 26084, filed by the Mariposa County Water Agency on November 7, 1989, and known as the "Saxon Creek Project" to assure an adequate supply of water from the Merced River to Mariposa Country.

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

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BY: ARTHUR G. BAGGETT, JR.

PHONE: 966-3622

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NOTE: This material also on
under WATER AGENCY

CLERK'S USE ONLY:

Resolution No. 90-213
 Ordinance No. _____
 Vote: Ayes: 5 Noes: _____
 Absent: _____ Abstained: _____
 Approved () Denied
 (X) Minute Order Attached

ADMINISTRATIVE OFFICER'S
RECOMMENDATION:

This item on agenda as:

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

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

DATE: _____

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.

By: _____
Deputy

Comment: _____

A.O. Initials: AG

MARIPOSA COUNTY WATER AGENCY

MINUTE ORDER

TO: FILE
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *MW*
RE: WILD AND SCENIC RIVERS ACT

THE BOARD OF DIRECTORS OF THE MARIPOSA COUNTY WATER AGENCY,
MARIPOSA, CALIFORNIA
ADOPTED THIS Order on April 24, 1990

ACTION AND VOTE:

11:07 a.m. MARIPOSA COUNTY WATER AGENCY

B) Resolution of Support Relative to Legislation to
Amend the Wild and Scenic Rivers Act (Baggett)

AGENCY ACTION: Approved, as discussed - (M)Baggett,
(S)Radanovich/Ayes: Unanimous. WA Res. 90-5. Audrey Wilson
provided input.