

## 4.17 RECREATION

### 4.17.A Impacts on Lake Yosemite Regional Park

This response addresses comments LA5-2, LA5-19, LA9-13, LA9-16, and O31-59, which raise concerns about increased use of Lake Yosemite Regional Park from the development of the proposed project.

Section 4.13 of the Draft EIR discusses the potential increased use of Lake Yosemite Regional Park, by the Campus population and cumulative population growth, including the lake itself, its shoreline, and other areas. It identifies a potentially significant impact related to the potential deterioration of recreational facilities from the population increase and resultant increased use of local recreational facilities, including the Regional Park (Impact 4.13-1). Mitigation Measures 4.13-1(a) through 4.13-1(d) provide several means to reduce this impact to a less-than-significant level. The mitigation measures state that the Campus would work with the County to provide for joint use of Campus recreational, parking, and sports facilities, to expand the Regional Park, to develop appropriate mechanisms for the County to replace potential parkland lost to conversion to nonopen-space Campus uses, and to monitor the use of the Regional Park. If Regional Park use increases due to development of the Campus and the University Community such that substantial physical deterioration occurs, the mitigation measures provide that the University would negotiate with the County to offset increased costs to the County for maintenance of Regional Park facilities. These measures will protect Lake Yosemite itself and its shoreline from substantial deterioration caused by increased use by the Campus population. These measures also provide a means for the Campus to compensate the County for increased “wear and tear” on Regional Park facilities.

For several reasons it is unlikely that additional parking space would be needed in the Regional Park. The LRDP includes policies and programs to encourage the use of alternative transport modes such as bicycles; bus service will also be improved, which will permit all members of the population to reduce their car trips to the Regional Park. Most importantly, mitigation measures call for joint parking and, thus, additional parking space for park users will be provided on the Campus, especially during the peak periods for park use (weekends).

With regard to the County’s ability to collect fees for park use, the project does not limit the County’s ability to collect fees from users accessing the Regional Park by automobile. If Campus residents access the Regional Park by foot, such use will be offset by the increased open space now being located next to the Regional Park due to the redesign of the Campus to create a larger buffer between Campus facilities and the Regional Park. The mitigation measures described above adequately address the environmental impacts of increased use of the Regional Park.

Mitigation Measures 4.13-1(b) and 4.13(c) identify ways to provide for recreational facilities such as boating and overnight camping that could not be provided on campus. The Draft EIR already examined and addressed the impacts related to increased use of the Regional Park; it would be speculative to elaborate on the potential for overloading of septic and water systems, as it would be to discuss effects related to swimming, boating, overnight camping by youth groups, group picnic uses, and day-use picnic areas. The extent and exact location of such impacts cannot be determined at this time. See also Mitigation Measure 4.10-2 with regard to noise

created by wedding receptions and other special events. Similarly, there is no basis to assume that MID's continued use and operation of its facilities will be impaired.

#### 4.17.B Other Park Facilities Demands

This response addresses comments I33-12, I38-6, and LA6-6, which pertain to recreation programs and facilities offered by the City and the County. One commenter requests further information about possible displacement of existing City users from the City's recreation programs by the student population and the adequacy of the County's parkland standard of 2.5 acres per 1,000 residents. The commenters also suggest that regional planning efforts address replacement of the Merced Hills Golf Course, and a specific location is proposed by one of the commenters.

The LRDP includes the provision of a broad array of recreational programs and facilities for its student population, faculty, and staff. Since these recreational opportunities would be located near to where students live and/or spend most of their time, based upon the University's experience, the Campus population would be more likely to use them than to travel to recreational facilities provided by the City elsewhere. Some usage of City facilities would occur associated with campus-related population that would live off site during the early years of Campus development. However, as shown in Section 4.15.B, the number is not anticipated to be high; thus, physical effects on the City's facilities would be negligible. With regard to the amount of parkland per population, the Draft EIR notes that implementation of the LRDP includes the provision of about 116 acres of recreational facilities and 134 acres of open space, meaning the Campus would include the equivalent of more than 8 acres of parkland per 1,000 residents.

As discussed in the Draft EIR, the elimination of the Merced Hills Golf Course would result in a less-than-significant impact since sufficient capacity exists at other golf courses in the area. Moreover, since golf courses are private enterprises, new golfing facilities would be added by private investment if the market demand is sufficiently high. To the extent that the market forces lead to the establishment of another golf course, it could be developed anywhere in the County. Since the recreational impact of loss of the golf course is less than significant, it is unnecessary to specify a location for a replacement golf course and to analyze the impacts of such a replacement. The Draft EIR explains why the University has determined that the loss of the Merced Hills Golf Course is a less-than-significant impact, even though the County has adopted a different standard of significance in the UCP EIR. Nevertheless, the University has no objection to the City's suggestion that regional planning efforts include consideration of replacing the Merced Hills Golf Course.

#### 4.17.C Conversion of County Park Land by the University

This response addresses comments LA9-12, LA9-16a, and O19-2, which concern the transfer of land acquired with funds provided by state and federal agencies for recreational purposes.

The LRDP is currently in the environmental review phase. Several subsequent steps will require approval before the transfer of the County's land to the University would occur. These steps include review and acceptance by The Regents and the County Board of Supervisors. As described below, acquisition and conversion to nonpark uses of County park lands could also require federal and state agency approvals and/or an act of the California legislature.

California's Public Park Preservation Act of 1971 provides that no agency of the state (including any division, department, or agency of the state government) may acquire any real property, which is in use as a public park at the time of acquisition, for the purpose of utilizing the property for any nonpark purpose, unless the acquiring entity pays or transfers to the legislative body of the entity operating the park sufficient compensation or land, or both, to enable the operating entity to replace the park land and its facilities. The Act authorizes changes in the general character and location of the park, if certain requirements are met. Under the current Campus plan, undeveloped County park lands would be acquired by the University and used for nonpark purposes. The University understands the requirements of the Act and will provide for appropriate compensation and/or replacement property under the terms and procedures of the Act after The Regents adopt an LRDP and the precise nature of the acquisition and conversion of County park lands is known. The University will continue to work closely with the County throughout the process to ensure that the Act's requirements are met and that the County receives appropriate compensation and/or replacement property. At this time, the location of potential replacement park property is not known.

For park lands that were previously acquired with state bond monies provided for recreation purposes, California law generally provides that no use of the land for other purposes is permitted except by specific act of the state legislature. Under the current Campus plan, conversion of undeveloped state-funded parklands to nonrecreational uses would occur. The University will continue to work with the County and with appropriate agencies to ensure that all applicable legal requirements are satisfied.

The federal Land and Water Conservation Fund Act provides that no property acquired or developed with federal Fund Act assistance may be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior, acting through the National Park Service. Conversion of such property requires that the property be replaced in accordance with the Fund Act and National Park Service's implementing regulations. These regulations require the replacement property to be of reasonably equivalent usefulness and location as the property being converted; however, the replacement property need not necessarily provide identical recreational experiences or be located adjacent to or close by the converted site. Moreover, when wetlands areas identified in the Statewide Comprehensive Outdoor Recreation Plan are proposed as replacement property, they are considered to be of equivalent usefulness regardless of the nature of the converted property. In any event, with respect to the LRDP, the Campus site plan has been modified so that all County park lands acquired with federal funds (approximately 55 acres) will remain in public outdoor recreational use. Therefore, no conversion of federally funded park lands to other than public outdoor recreation uses is currently proposed. To the extent that any such conversion might be proposed in the future, the University will work with the County and other appropriate agencies to ensure that all applicable legal requirements are satisfied.

In addition, Section 4.13 of the Draft EIR includes mitigation to address the need to compensate for the loss of any lands previously acquired by the County for expansion of Lake Yosemite Regional Park. For example, prior to the transfer of any land that is currently or planned to be part of the Regional Park, the University will work with the County to develop appropriate mechanisms for the acquisition of replacement property. The University will also work with the County to address the adequacy of the Regional Park facilities in response to increased usage associated with the development of the Campus and the University Community and other growth

in the north Merced region. Section 4.13 of the Draft EIR also includes mitigation to address the potential physical deterioration of Regional Park facilities due to increases in the area population and, thus, increases in the demand for recreational facilities, resulting from development of the LRDP.

One commenter asks where the County will get funding for expansion of the Regional Park in the future, and whether the transfer of land previously purchased with state and federal funds would jeopardize the future possibility of obtaining any such funds for Regional Park use. The availability of state and federal funding for park acquisition is dependent on myriad local, state, and federal policy decisions and political factors. Consequently, it would be speculative to attempt to answer the question about the possibility of future government funding of parkland acquisition by the County. However, there is no reason to believe that the transfer of County park lands to the University would jeopardize any such future funding.

In its comment letter, Merced County, as owner/operator of Lake Yosemite Regional Park, has proposed that the University prepare a master plan, including a set of objectives for the Regional Park expansion planning process. Mitigation Measure 4.13-1(c) establishes a mechanism for the expansion of the Regional Park. The University and County have agreed to a scope of work for the master planning effort.

With regard to use of the Regional Park parking lots, the LRDP includes provisions for adequate on-campus parking at each stage of Campus development. In addition, the LRDP Circulation Element contains numerous TDM measures to diminish solo vehicle travel, with the intention of minimizing the need for parking. Because the periods of heaviest Campus activity (i.e., weekdays during the school year) do not generally coincide with the heaviest periods of recreational usage of the Regional Park, it is anticipated that the parking demands of the two user groups will generally be complementary. In fact, the Land Use and Planning Section of the Draft EIR notes that the County and University are considering shared parking to allow more of the Regional Park property to be used for primary recreational activities. On-campus parking might help supplement a shortage of recreational parking currently experienced during summer weekends with the heaviest use of the Regional Park. Some of the planned on-campus parking areas are within the portion of the undeveloped County parkland that was acquired with state funds.