COMMENT LETTER # PUB100

From: Robert Hohn <rhohn@frontiernet.net>
Sent: Thursday, July 30, 2020 4:00 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Terra Vi

Dear Quincy Yaley,

I am writing to urge you to oppose the Terra Vi Lodge development plan for several reasons:

1. It is the sort of 'leapfrog' development which I believe should be discouraged in our county. It is many miles from local fire, police, and medical services, which would put a huge burden on those services. It would also take business away from Groveland hotels and restaurants. **PUB100-01**

2. It is in an intense fire-prone region. This area burned hot and heavy in the Rim Fire. It makes no sense to allow a development in which hundreds of people would be put in harms way in a fast moving wild fire. **PUB100-02**

3. The project relies on well-water, which seems highly problematic. We know there will be severe droughts in the coming years. What happens when the wells start under-performing? Also, they will have to construct their own sewage treatment system to handle vast amounts of waste water. What happens if that system fails? **PUB100-03**

There are simply too many problems for this leapfrog development to be approved at this particular site.

Thank you for your consideration,

Sincerely,

Robert Hohn

COMMENT LETTER # PUB101

From: Bob Kaehms <bob.kaehms@gmail.com>
Sent: Thursday, July 30, 2020 10:37 AM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Last day of comments for Terra Vi Lodge

Hi Quincy -

I saw a PML note float by again for the lodge up near Sawmill Mt. It seems like it would get a lot more support if more resources went into boosting fire services to a level where fire insurance wouldn't cost as much in the Groveland area. That could be done by putting in another station that would extend the 5 mile insurance range to more of the PML residents.

In many areas, when a large construction project impacts a community, the builders are required to increase things like parks, schools etc. In this area, increasing fire projection would go a long way. It seems to me that the addition of 2 additional
volunteer emergency staff who meet the certifications for a volunteer firefighter,as stated in the article, is well under what may be required in a normal community.

PUB101-01

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-Bob

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"From our orbital vantage point, we observe an earth without borders, full of peace, beauty and magnificence, and we pray that humanity as a whole can imagine a borderless world as we see it and strive to live as one in peace. ” —William Cameron McCool
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COMMENT LETTER # PUB102

From: Lillian Miotto <lmmiotto183@gmail.com>
Sent: Thursday, July 30, 2020 12:41 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Opposition to Terra Vi Lodge Yosemite

Mr. Yaley,

I am writing to oppose the development of the Terra Vi Lodge Yosemite for the following reasons:

1. WATER- I am concerned that there is not sufficient water supply to the area to support such a large facility. Testing has been done at the end of a wet season, however we cannot only use this data. Research needs to be done during the dry years as well to ensure that the wells that we have will not run dry while trying to support such a large facility. **PUB102-01**

2. SEPTIC- Tying together with the water concerns are additional concerns about an engineered septic system. With no public sewer system, Terra Vi Lodge Yosemite as well as the Under Canvas glamping must build their own septic systems. This will put further pressure on the water supply to the area. These systems are risking contaminating and polluting the Toulumne River as well as our current wells. **PUB102-02**

3. TRAFFIC- With two projects going in at the same time there will be a huge increase to both the vehicle and pedestrian traffic to the area. Furthermore, I believe that there will be an increase in the number of accidents and deaths with vacationers crossing HWY 120 and not being familiar with the area. **PUB102-03**

4. FIRE- The building of the two projects mentioned above puts a huge risk of potential fires to the area. Furthermore, the building of these sites increases the number of people that will be coming to the area and in doing so hundreds of more people will be put at risk should there be a summer wind-blown wildfire. The county facilities that we have cannot support evacuating the additional visitors that these facilities would bring. **PUB102-04**

Thank you for your time,

Lillian Miotto

COMMENT LETTER # PUB103

Unit 4550
Box 3158
DPO AP, 96504

30 July 2020

Tuolumne County Community Development Department
2 S. Greene St.
Sonora, CA 95370

RE: Comments on Draft Environmental Impact Report for Terra Vi Lodge Yosemite

Dear Ms. Yaley:

I am writing to express several concerns regarding the proposed Terri Vi Lodge project. As a property owner in Tuolumne County, I understand and respect the need to expand the tax base. However, as a property owner on Hardin Flat Rd., just over Highway 120 from Sawmill Mountain Rd., I am mindful of the fragility of the area. My principal concerns are as follows: **PUB103-01**

Cumulative impact with other projects, specifically Yosemite Under Canvas, Berkeley Tuolumne Camp restoration, and Yosemite Lakes expansion: The proposed project is much larger than any of the other projects which already will stress County services and pose risks such as… **PUB103-02**

Fire: The proposed development is in a Very High Fire Hazard Severity Zone and a minimum of 30 minutes from the nearest fire station. I have already had difficulty retaining homeowners' insurance as a result of the Rim Fire and persistent fire risk. **PUB103-03**

Traffic and egress: With so many vehicles on the only road in and out of the Big Oak Flat entrance to Yosemite, the risk to human life in the event of a major fire is real. The DEIR does not allay these concerns. **PUB103-04**

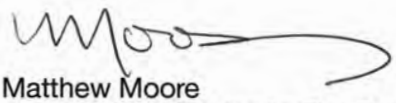
Water: The well studies performed are wholly inadequate, based on examination of the information provided and evaluations contained in the letters of other public commenters. How will the developer respond if neighboring residential wells dry up as a result of this development? **PUB103-05**

Sewage: The design and capacity of the proposed sewage system seems insufficient for the six of the development. Contamination of ground water seems a significant risk that is not fully addressed by the DEIR. **PUB103-06**

Good faith: The timing and size of the DEIRs for this project and the Under Canvas Project raise the question of whether the County truly respects the views of local stakeholders.

In short, I do not support this development. It puts short term tax revenues ahead of long-term environmental impact. We are better than this. **PUB103-07**

Sincerely,



Matthew Moore
Owner of 30835 Hardin Flat Rd., Groveland, CA 95321

COMMENT LETTER # PUB104

From: Ron Morgan <rjmorgan45@sbcglobal.net>
Sent: Thursday, July 30, 2020 8:29 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>; Tracie Riggs <TRiggs@co.tuolumne.ca.us>; BOS Members <bosm@co.tuolumne.ca.us>; kathleenhalf2020@gmail.com
Subject: Terra Vi project at Sawmill Mountain

Hello all,

We need you to stop and really take a look down deep within yourself. This and the project across Hwy 120 will be terribly disruptive to the area and those who live and enjoy the area. Folks in the area have long ties to this area and the changes being proposed will be a detriment to this beautiful area they have work so hard to keep to the natural beauty of the area.
We've all read the pros and cons of this project. The more I read the more I see the experts say these projects are bad for the area and cannot be supported by what exists. Even if the infrastructure could be made in such a way to be able to provide support such projects the scars would be deep and not heal.
Your country needs help monetarily but not at the expense of the wonderful people in the area.

PUB104-01

Sincerely,

Ronald James Morgan
11370 Sawmill Mountain Road

Sent from my iPhone

KEITH ZENOBIA AND SYLVIA NESTOR

19677 Jonny Degnan Court, Groveland, CA 95321
sylvia@zenobia.com / keith@zenobia.com
209-962-4014

July 29, 2020

Tuolumne County Community Development Department
2 S. Green St.
Sonora, CA 95370

Attn: Quincy Yaley, Community Development Department Director, qyaley@co.tuolumne.ca.us

Subject: Terra Vi Lodge Yosemite / Draft Environmental Impact Report

Dear Ms. Yaley:

As a 20-year property owner and an 8+-year full-time resident in the Pine Mountain Lake section of Groveland, I am extremely concerned about the multiple negative environmental impacts and potentially substantial threats to community safety posed by the Terra Vi Lodge development at the intersection of Hwy 120 and Sawmill Mountain Road. **PUB105-01**

After living through the Rim Fire, plus recent years of severe drought that resulted in many dried up wells and millions of dead trees, I am greatly concerned about the inevitable negative impact this development would have on the broad area water supply, natural water systems (rivers, streams, etc.) due to an overwhelmed septic system, and, heightened fire risk in an excessively vulnerable area with already insufficient fire-fighting and emergency services.

Water Supply: Despite well tests done in a wet year that show ample supply, groundwater is rapidly reduced in just a couple of drought years. In likely future droughts, the lack of a public water supply of surface water from a reservoir, lake, or river and the dramatically large increase in demand by hundreds of daily users at the lodge would easily result in dried up wells for the lodge and surrounding community. Add a wildfire in that situation and severe catastrophe ensues. **PUB105-02**

Septic System: As there is no public sewer system, relying on an engineered septic system to treat the humongous amounts of daily wastewater is beyond problematic, even in a wet year (tremendous amounts of water are required for those systems). The potential for the lower meadow in back of the lodge, surrounding wells and/or the Tuolumne River to be contaminated is far too great, especially as the system ages. **PUB105-03**

Fire Risk: Keeping in mind that this exact site was burned extensively by the Rim Fire, there is much greater risk for additional fires introduced by the vast increase in people inhabiting the vulnerable area. All of our emergency county services would be stretched way too far, thereby endangering those of us in in the Yosemite Gateway Corridor. **PUB105-04**

For these reasons and more (traffic problems), I adamantly oppose this project development at this site.

Thank you for your consideration.

Sincerely,

Sylvia Nestor

COMMENT LETTER # PUB106

July 30, 2020

Dear Quincy & Taryn, This letter is in reply to the Terra Vi EIR and their plan to construct a luxury loding facility, Site Development Permit SDP18-003, Assessor's Parcel Numbers 068-120-060 and 068-120-061.

The EIR has chosen to ignore the many concerns raised during the initial public review periods. They proposed no significant changes that I see based on the initial round of feedback.

PUB106-01

I am still greatly concerned about the size and scope of this project and the cumulative impact on the area from YUC, Terra Vi, NACO expansion and the Berkeley camp rebuild, which is not addressed by this report. The county seems to think that there will not be a significant impact by bringing in thousands of additional people per day between these sites. How can there not be significant impact from that kind of additional use of our area. Hardin Flat Road is already in a terrible state of disrepair and simply can't handle that extra traffic volume.

PUB106-02

The fire risk associated with the facilities and hundreds of guests coming and going is far greater than the report acknowledges. Any approved development must have firefighting capabilities onsite!

PUB106-03

The water use requirements suggested in the report are laughably low, and obviously not realistic and are especially of concern in drought years when the water table drops.

PUB106-04

The proposed leach field system instead of waste water treatment plant is also inappropriate for any commercial development, the proposed site of the leach fields is directly uphill of neighboring wells. I have serious concerns about the viability and reliability of a traditional leach field system as laid out on this site.

PUB106-05

The draft EIR fails to take into account the inevitable crossing of highway 120 by pedestrians should both Yosemite Under Canvas and Terra Vie be developed, this is extremely hazardous especially because of the blind turn at the top of the hill and the presence of one of only a small handful of passing lanes between the Yosemite entrance and Groveland.

PUB106-06

Suggesting that Terra Vi will not have a significant impact on noise or light pollution is disingenuous, they plan to have weddings, weddings have loud music, there is no way that playing loud music will not have a negative effect on neighbors as well as local wildlife.

PUB106-07

The amount of proposed onsite employee housing fails to address the added stress that this development and its needed workers will bring to the area. Terra Vi needs to be able to house at least 90% of its employees.

PUB106-08

Thank you,

Andy Nickell

COMMENT LETTER # PUB107

From: Nancy Perry <yosemitenan@sbcglobal.net>
Sent: Thursday, July 30, 2020 1:56 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Terra Vi Lodge - NO

This is such a bad idea I can't begin to count the ways. Stealing water from underground, the impact it will have on mountain roads and traffic as if the amount of cars racing thru this area Isn't enough. Let's not forget to mention evacuation from the risk of a fire. There is not enough of anything to support this nightmare of a project. These huge projects do nothing to support local business, fire efforts, water district, etc. I say NO to this horrible project.

PUB107-01

Please vote NO and do not pass approval of this development.

Nancy Perry
19492 Elder Lane
Groveland, CA 96321

July 30, 2020

Tuolumne County Community Resource Agency

EIR response to LLC Hansji Corp.

Dear Quincy Yaley,

I do not feel that the EIR report has adequately addressed the issues raised by me and others regarding the proposed project. The dangerous traffic situations at the entrance to the project using Sawmill Mt. Road (Forest Rte 1S03) has not been adequately addressed in the EIR. My first concern is the entrance to the proposed entrance is right after a hill and turn on HY120 that one needs to be very careful turning left when leaving Sawmill Mt. Road going towards Yosemite Park. In addition, if there is a fire at the propose project or at Under Canvas our escape route would be blocked. In around 1950 this area had a forest fire and again with the Rim Fire in 2013. Our 850 sq. ft. bunk house burnt to the ground in the Rim Fire. . **PUB108-01**

The plans for the Hansji Hotels is using modular construction and will look like a glorified trailer park. When the surrounding neighbors had a meeting with the developers at the start of this project, they were shown pictures of their pass projects and the renderings look pretty good. This project will be an eyesore for people going to Yosemite Park and is not in keeping with the current beauty of HW120 to the entrance to the park only 5 miles away. **PUB108-02**

The water issue is of great concern to us and our neighbors. We had our new well drilled in 2017 and the well drillers had to go down 500 feet to get adequate water supply. The Hansji Company needed to test the wells for the EIR report and we agreed to allow the testing on our well. Prior to our testing our water tasted fine. After they pumped over 210,355 gallons of water out of our well over 5 days the water had a bad metallic taste. Also, the dishes in the dishwasher now has a cloudy film on the glasses. When we boil water in a pot, the pot also has a film on the sides and bottom of the pots. As we are plumping more water in the summer the taste is almost gone, but in the winter time with reduced pumping the taste is back. Hansji installed a filter and that helped somewhat with the bad taste in the winter time. They were supposed to do additional testing but have not done it. It appears that with the large amount of pumping during testing that and an **PUB108-03**

increase flow rate from 7 gallons a minute when the well was dug, to 10 gallons a minute now it appears that water may be drawing from a new fracture in the granite. Could this be causing the bad taste? This question has not been answered in the EIR if with the increase pumping required for Hansji project and Under Canvas will other wells also have the same problems that we have encountered?

PUB108-03 cont.

Has the county done a costs analysis on the increase costs of additional county services and the increase taxes that would be gained by this ill-conceived project?

PUB108-04

I understand that Rush Creek (a much better designed project) even before the Covid-19 was not having full occupancy. Will this project take away business from Rush Creek causing the county's tax revenue for the county to not be that much greater with this project?

PUB108-05

My Father first came to this area (Hardin Flats) in 1926 for the fly fishing and camping. My parents said that my first trip to Harden Flats was in 1941 when I was only 6 weeks old. My parents built a cabin along the South Fork of the Tuolumne River in 1952. We bought our property on Sawmill Mt. in 1966 and build our cabin in 1970. Our family feels that this oversized project in not in keeping with the environment.

PUB108-06

When the property was rezoned commercial in 1091 we opposed the rezoning and the county did not consider the rezoning correctly. I am including my 1991 letter and the initial study by the county.

PUB108-07

Gene Pfeiffer

fx

Gene & Joann Pfeiffer
16755 Littlefield Ln.
Los Gatos, CA 95032

Aug. 19, 1991

Supervisor Norm Tergeson
Sonora Board of Supervisors
FAX TO 209 533 5510
Sonora, CA 95370

ref: Timothy & Carol Manly Assessor's parcel # 68-120-57
requested C-K zoning change

Dear Mr. Tergeson:

We own a vacation home off Sawmill Mt. Road near the proposed site. We are opposed to the zoning change to allow commercial development for the following reasons.

1. A negative declaration was issued by the planning department. This is in error as any commercial development in a residential and forest area will cause a significant adverse impact on the environment. State law requires the governing body (i.e. Bd. of Supervisors) to conduct environmental review of all projects pending before it. The purpose of this review is to examine the nature and extent of any potentially significant adverse effects on the environment that may occur if the project is approved. If the review revealed that a proposed project would have a significant adverse impact on the environment, the Director of Planning would require that an Environmental Impact Report be prepared. The Initial Study review that was prepared for this Zone change was a superficial environmental review. None of the nearby neighbors were contacted when the environmental review was prepared. A complete Environmental Impact Report needs to be prepared.

PUB108-08

2. We believe the present character of the area should be maintained. If all of the private parcels northwest of the site are developed with residences or vacation cabins, the density would be greater than one unit per 5 acres. A zoning change to RE-5 would be more appropriate to the site. At the very least the open space should be placed between the development and the present residential area. At the present time it is located at the opposite end of the property. The present commercial development, Yosemite Lakes Campground, is farther away than the existing residential area.

3. It is a winter grazing area for the deer herd. In the winter time I have seen a number of deer on the site.

4. It is also a bear habitat. My neighbors and our cabin have had bear problems for the last three to four years.

5. I have heard several different types of owls on the property. One of our neighbors has had a spotted owl land on their deck.

6. The General Plan Fire Hazard Rating of the project site is extreme. The county can not afford another major fire. Luckily this area has not had a major fire since 1952.

7. The erosion hazard for most of the project site is rated high.

8. The Section 51120 of the California Code discourage expansion of urban services into timberland and premature or unnecessary conversion of timberland to urban and other uses.

9. The project site is rated medium to high for commercial timber production.

10. The view-shed from HY120 needs to be studied.

11. The present exit off Sawmill Mt. Road is unsafe if the proposed project would significantly increase the traffic flow onto HY120.

12. The neighbors to the site should have been contacted regarding the wildlife study and given more notice of the proposed General Plan change. The owner of the property made no contact with his neighbors to work out a mutual agreement on his proposed zoning change.

We believe the planning staff is in error on allowing a major land use change without an environmental impact report. The C-K district allows hotels, motels, motorcycle racetracks, mobile home parks, service stations, bars, and other recreational developments. The above uses would result in a significant adverse impact. I believe that the Board of supervisor would be irresponsible and be put in a libelous position by not requiring an Environmental impact report to address the above twelve items.

Sincerely,

Gene L. Pfeiffer

PUB108-08 cont.

PLANNING DEPARTMENT

JAMES E. NUZUM
DIRECTOR OF PLANNIN

A. N. Francisco Building
48 West Yaney Street
MAILING:
2 South Green Street
Sonora, CA 95370
Phone (209) 533-5611

Initial Study

DATE: June 25, 1991

ASSESSOR'S PARCEL NOS. 68-120-49 and 68-120-57

SURFACE/MINERAL RIGHTS OWNERS: Timothy and Carol Manly

PROJECT:

1. Amend the General Plan land use designation of two parcels, 139± acres and 10± acres in area from TPZ (Timberland Preserve) to R/P (Parks and Recreation).

2. Rezone the 139± acre parcel from TPZ (Timberland Preserve) as follows:

C-K (Commercial Recreation)	112.0± acres
O (Open Space)	25.3± acres
O-1 (Open Space-1)	1.7± acres

Rezone the 10± acre parcel from TPZ (Timberland Preserve) as follows:

C-K (Commercial Recreation)	7.2± acres
O (Open Space)	2.8± acres

Pursuant to Section 17.42.050 of the Ordinance Code, the term of the TPZ contract is 10 years. Therefore, any Zone Change would not take effect for 10 years following adoption by the Board of Supervisors.

LOCATION: Assessor's Parcel No. 66-120-57 is 139± acres in area and is bisected by Highway 120. The intersection of Hardin Flat Road is located near the center of the parcel. The intersection of Sawmill Mountain Road is located near the western property boundary. The southeast 1/4 of Section 26, Township 1 South, Range 18 East.

Assessor's Parcel No. 66-120-49 is located on the north side of Highway 120 approximately 1/2 mile east of the Hardin Flat Road intersection adjacent to the northern boundary of Section 36, Township 1 South, Range 18 East.

GENERAL PLAN: The project site is designated TPZ (Timberland

PUB108-08 cont.

Preserve) by the General Plan. The requested General Plan Amendment and Zone Change would not take effect until ten years following adoption by the Board of Supervisors. Chart A-6a of the General Plan indicates that the requested C-K zoning may be found to be consistent with the requested R/P General Plan designation.

SITE DESCRIPTION:

Assessor's Parcel No. 68-120-57 is located on variable terrain at elevations between 3,700 and 4,000 feet. The parcel is bisected by State Highway 120 in an east-west direction. Slopes on the site range from level up to 40 percent in the drainages north of Highway 120. Vegetation on the site consists of a managed second growth mixed conifer forest with a medium to dense canopy. Sawmill Mountain Road and Hardin Flat Road intersect Highway 120 on the site. Existing dirt roads and skid trails provide access to the remainder of the site.

Assessor's Parcel No. 68-120-49 is situated on south facing slopes at elevations between 3,840 and 4,000 feet. Slopes on the site range from 15 percent near the top of the parcel to 40 percent. Native vegetation consists of a sparse overstory of ponderosa pine and an understory of manzanita and bearclover. A 6± acre plantation of ponderosa pine is located on the site.

PUB108-08 cont.

ENVIRONMENTAL EVALUATION:

NATURAL FEATURES

Climate - Due to the size, nature and location of the project, impacts to the local climate would not be significant.

Air Quality - The project has been reviewed by the Tuolumne County Air Pollution Control District (APCD). APCD advises that approval of the project would not result in a significant adverse air quality impact.

Future development of the project site in compliance with any zone change approved under this action, would require approval of a future discretionary permit by the County. As such, impacts to air quality resulting from future devel-

opment could be assessed, and mitigated if necessary, at the time of that application.

Hydrology/Water Quality - Run-off from Assessor's Parcel No. 68-120-49 drains south, across Highway 120, into the South Fork of the Tuolumne River near Hardin Flat.

Run-off from Assessor's Parcel No. 68-120-57 is collected by on-site ephemeral drainages which converge in the southeast portion of the parcel. The stream leaves the site near the southeast corner and flows into the South Fork of the Tuolumne River.

Enforcement of Title 13 of the Ordinance Code-Water and Sewers, during future development of the project site will protect the quality of water from degradation by sewage disposal. Enforcement of Chapter 12.20-Grading will serve to retain disturbed soils on the project site and minimize siltation of downstream water courses.

PUB108-08 cont.

Geology/Soils - The Geologic Map of California-Mariposa sheet indicates soils on that portion of the project site north of Highway 120 are derived from mesozoic granitic rocks and soils south of Highway 120 are derived from paleozoic marine rock.

The Stanislaus National Forest Soil Resource Inventory indicates that soils found on Assessor's Parcel No. 68-120-49 are as follows:

Soil Type:	Lithic Xerumbrepts Fiddletown Family (170)
Approximate Acreage:	9.2
Parent Material:	granitic rock
Depth:	4-40 inches
Slope:	35-70 percent
Permeability:	moderately rapid
Erosion Hazard:	very high
Timber Production:	low to medium
Soil Type:	Fiddletown Family (110)
Approximate Acreage:	0.8
Parent Material:	granitic rock
Depth:	4-40 inches

Slope:	15-35 percent
Permeability:	moderately rapid
Erosion Hazard:	high
Timber Production:	low to medium

Soils on Assessor's Parcel No. 68-120-57 are as follows:

Soil Type:	Holland Family (130)
Approximate Acreage:	74.6
Parent Material:	granitic rock
Depth:	20-40 inches
Slope:	5-35 percent
Permeability:	moderate to moderately slow
Erosion Hazard:	high
Timber Production:	medium to high

Soil Type:	Holland Family (132)
Approximate Acreage:	37.9
Parent Material:	granitic rock/andesitic tuff
Depth:	20-40 inches
Slope:	10-35 percent
Permeability:	moderately rapid to moderately slow
Erosion Hazard:	medium to high
Timber Production:	medium to high

Soil Type:	Josephine Family (159)
Approximate Acreage:	17.7
Parent Material:	metasedimentary rock
Depth:	20-60 inches
Slope:	5-35 percent
Permeability:	moderately rapid to moderate
Erosion Hazard:	medium to high
Timber Production:	medium to high

Soil Type:	Fiddletown Family (110)
Approximate Acreage:	8.8
Parent Material:	granitic rock
Depth:	4-40 inches
Slope:	15-35 percent
Permeability:	moderately rapid
Erosion Hazard:	high
Timber Production:	low to medium

PUB108-08 cont.

The Soil Resource Inventory indicates that Assessor's Parcel No. 68-120-49 is rated low to medium for commercial timber production. The Soil Resource Inventory further indicates that the erosion hazard is very high on 9.2 acres of the site, which contains the steepest slopes on the site. The erosion hazard on the remainder of the site is rated high.

Vegetation and Fire Hazard - The Stanislaus National Forest Soil Resource Inventory indicates that approximately 130.2 acres of Assessor's Parcel No. 68-120-57 is rated medium to high for commercial timber production.

Chapter III, Policy 5 of the General Plan indicates that the economically important forest resources in Tuolumne County, such as TPZ and Williamson Act contract lands, will be protected against unnecessary development. Economically important forest resources are defined as lands with an Arvanitis timber site index of 4, 5, 6 or 7. The Arvanitis timber site index of the 130.2± acre portion of Assessor's Parcel No. 68-120-57 is 3 to 5.

PUB108-08 cont.

The project has been reviewed by the California Department of Forestry and Fire Protection (CDF). CDF advises that both parcels are capable of timber production. CDF further advises as follows:

The process for the 10 year withdrawal is outlined in Section 51120 of California Code of Regulations which reads in part, "... it is the policy of this State to do all of the following:

1) Maintain the optimum amount of the limited supply of timberland so as to ensure its current and continued availability for growing and harvesting of timber and compatible uses.

2) Discourage premature or unnecessary conversion of timberland to urban and other uses.

3) Discourage expansion of urban services into timberland.

4) Encourage investment in timberlands based on reasonable expectation of harvest."

It appears clear that the Legislature's intent is to conserve what timberland remains, and although the Department of Forestry and Fire Protection and the Board of Forestry don't actively participate in the decision to remove this land from TPZ designation, we (CDF) support the policy established by the Legislature and encourage that it be considered by the Board of Supervisors in their decision making process.

The proposed General Plan Amendment and Zone Change, and likely future development of the project site, does not constitute urban development. Similarly, no urban services are required for the project or future development. However, approval of the Zone Change would adversely impact the use of the site for commercial timber production.

PUB108-08 cont.

Approval of the project would likely lead to development of the site following cancellation of the TPZ contract. Based on the size of Assessor's Parcel No. 68-120-57, 139± acres, development could occur in such a manner so as not to preclude commercial timber production on the entire site. However, continued timber management on the project site is not guaranteed beyond cancellation of the TPZ contract.

The Tuolumne County Agricultural Commissioner has reviewed the project and advises that approval would not result in a significant adverse impact on County agriculture.

The General Plan Fire Hazard Rating of the project site is extreme. This rating is determined using the California Fire Hazard Severity Classification System and is based on factors of slope, vegetation and summer weather patterns.

No species of rare or endangered plant is known to exist on or near the project site.

Wildlife and Habitat - The Tuolumne County wildlife aerial photography indicates that Mixed

chaparral (mch) habitat is found exclusively on Assessor's Parcel No. 68-120-49. Habitat types found on Assessor's Parcel No. 68-120-57 are as follows:

Habitat Type	Approximate Acreage
Montane hardwood-conifer (mhc)	114
Ponderosa pine (ppn)	20
Residential-park (rsp)	5

The Tuolumne County Wildlife Manual indicates that a Sierra Spotted Owl has been noticed in the vicinity of Assessor's Parcel No. 68-120-57. This record consists of a response to a hooting sequence by a single bird. The hooting sequence originated from the intersection of Hardin Flat Road and Highway 120. No nest or bird was sighted. Based upon this information, the California Department of Fish and Game advises that a wildlife survey should be conducted of Assessor's Parcel No. 68-120-57 prior to approval of the project. Should the survey show that Spotted Owls utilize the site, the protection measures outlined in Chapter III of the Wildlife Manual will be implemented to preserve the habitat.

PUB108-08 cont.

Appendix C of the Wildlife Manual indicates that the mch, mhc, ppn and rsp habitats are common habitats found throughout the County. Appendix B indicates that the rsp habitat is a fourth priority wildlife area. The mch habitat found on Assessor's Parcel No. 68-120-49 is a third priority wildlife area due to the presence of a relatively mature shrub layer. The mhc and ppn habitats found on Assessor's Parcel No. 68-120-57 are third priority wildlife areas due to the presence of a relatively mature tree layer.

Chapter III, Implementation Measure LL of the General Plan requires that where a common habitat type located on a proposed development site is determined to be a third priority wildlife area, Open Space zoning shall be used to conserve 20 percent of the site or the entire habitat area, whichever is less.

The Wildlife Survey conducted on the project site concluded that there exists no evidence of use of

Assessor's Parcel No. 68-120-57 by the Spotted Owl. The Survey also concluded that no suitable habitat exists on the site for the Willow Flycatcher (Empidonax trailii) and that no major deer migration corridors are located on the parcel.

As such, 20 percent of the site, approximately 29.8± acres must be zoned for Open Space to mitigate impacts to wildlife resulting from development of the site.

A 2.8± acre portion of Assessor's Parcel No. 68-120-49 will be zoned Open Space. This portion of the site is located adjacent to the eastern property boundary and contains an ephemeral drainage. A 1.7± acre portion of Assessor's Parcel No. 68-120-57 will be zoned O-1 to protect valuable riparian habitat associated with an intermittent stream in the southeast corner of the parcel. The remaining 25.3± acres of Open Space zoning will be located in the eastern portion of Assessor's Parcel No. 68-120-57 north of Highway 120. This area contains a year-round spring and several ephemeral drainages.

PUB108-08 cont.

Flood Hazard - The proposed project site has been located on the Federal Emergency Management Agency Flood Insurance Rate Maps. The site is not in an area prone to flooding, thus approval of the proposed project will not result in a significant adverse impact.

CULTURAL FEATURES

Public Plans and Policies - The project site is designated TPZ (Timberland Preserve) by the Tuolumne County General Plan. The site is presently zoned TPZ (Timberland Preserve) under Title 17 of the Tuolumne County Ordinance Code. Said zoning was adopted by passage of Ordinance 874 on June 21, 1977.

The TPZ General Plan designation is a non-priority land use designation. Therefore, prior to development of the site, an appropriate General Plan designation must be assigned to the site. Since the TPZ zoning has a ten year term, both the TPZ land use designation and zoning must

remain in effect for the duration of that 10 year period. If a zone change is approved, said zoning would take effect ten years following adoption by the Board of Supervisors.

Pursuant to Chapter I of the General Plan, the project site would ordinarily be run through the General Plan Decision Matrix (Appendix A) following cancellation of the Williamson Act contract, in order to determine the appropriate General Plan land use designation. Chart IC of the Decision Matrix indicates that the appropriate General Plan designation for Assessor's Parcel No. 68-120-49 would be RR (Rural Residential) and for Assessor's Parcel No. 68-120-57 would be LR (Large Lot).

The owner desires to rezone the project site C-K (Commercial Recreation) in order to utilize the locational aspects of the site. The Planning Director has determined that a General Plan Amendment is required for this project due to the size of the site. The Highway 120 right-of-way in the vicinity of the project site is designated R/P (Parks and Recreation) as are two small parcels located south of Highway 120 which are contiguous to Assessor's Parcel No. 68-120-57.

PUB108-08 cont.

Chart A-6a of the General Plan indicates that the requested C-K, O and O-1 zoning districts may be found to be consistent with the R/P land use designation.

Assessor's Parcel No. 68-120-57 is bisected by Highway 120 approximately 10 miles west of the Big Oak Flat entrance station to Yosemite National Park. As such, the site is ideally located for vacation oriented recreational development. The topography of the majority of the parcel lends itself to a variety of recreational land uses. The large, relatively level area north of Highway 120 and east of Sawmill Mountain Road could support a hotel development. Portions of the remainder of the site are suitable for recreational vehicle park or campground development. Open Space zoning will be located to encompass the steeper portions of the parcel.

Assessor's Parcel No. 68-120-49 is located adjacent to the north side of Highway 120 approximately 1/4 mile east of the remainder of the site. This parcel may be appropriate for accessory uses to a recreational development on Assessor's Parcel No. 68-120-57. Such uses include: a water tank and television reception equipment.

If the project site is designated R/P, General Plan policies relative to urban service requirements will not apply to the site. Therefore, recreational development could occur without public water or sewer service subject to approval by the Tuolumne County Health Officer and appropriate State agencies.

Chapter III, Policy 1 of the General Plan states as follows: "Land will be used for the purpose for which it is most suited by virtue of its inherent natural characteristics, as modified by its locational relationships, whether it be urban development or natural resource preservation and utilization."

PUB108-08 cont.

The majority of the project site is rated medium to high for commercial timber production. However, the project site is located adjacent to Highway 120 near an existing recreational community approximately ten miles from Yosemite National Park. Future land use decisions by Yosemite National Park will likely greatly increase the need for lodging accommodations on major access routes into the Park. The project site contains large amounts of potentially suitable land for recreational development. Therefore, despite the value of the project site for timber production, the location and terrain of the site dictate that the most appropriate future use is for recreational development.

Section 17.30.010 of the Ordinance Code indicates that the purpose of the C-K zoning district is to encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. A Development Agreement or Use Permit must be approved prior to issuance of a

Grading Permit or Building Permit in the C-K district.

Section 17.30.020 indicates that permitted uses in the C-K district include: recreational structures and developments; commercial stables; riding clubs; guest ranches; hotels and motels; motorcycle, snowmobile and auto clubs and facilities including trails, test areas and racetracks; mobilehome parks; service stations; bars (not permitted within 200 feet of a residential zoning district); health care facilities; and tourist information facilities.

The property owner has been issued a Timber Harvest Plan Exemption from the California Department of Forestry and Fire Protection. The project site is periodically logged to remove insect infested timber. Therefore, the project is in compliance with Ordinance 1750 regarding eradication of bark beetles.

PUB108-08 cont.

Section 51120 of the California Code of Regulations indicates that if the owner of property zoned TPZ wishes to rezone the property, the owner shall provide written notice requesting the zoning desired. Unless written notice is given at least 90 days prior to the anniversary date of the initial zoning, the zoning term shall be deemed extended.

The project site was zoned TPZ on June 21, 1977, through adoption of Ordinance 874. On April 5, 1991, the owners submitted an application requesting the project site be designated R/P and zoned C-K and O.

Section 51120 further indicates that a majority vote of the full Board of Supervisors is required to remove the property from TPZ zoning. The Board must specify a new zoning district for the parcels. The new zoning district approved by the Board shall become effective 10 years following the date of approval.

Tuolumne County Resolution 142-77 requires the County Clerk to send a Notice of Non-renewal of the TPZ zoning to the Assessor's Office and to

record such Notice with the County Recorder.

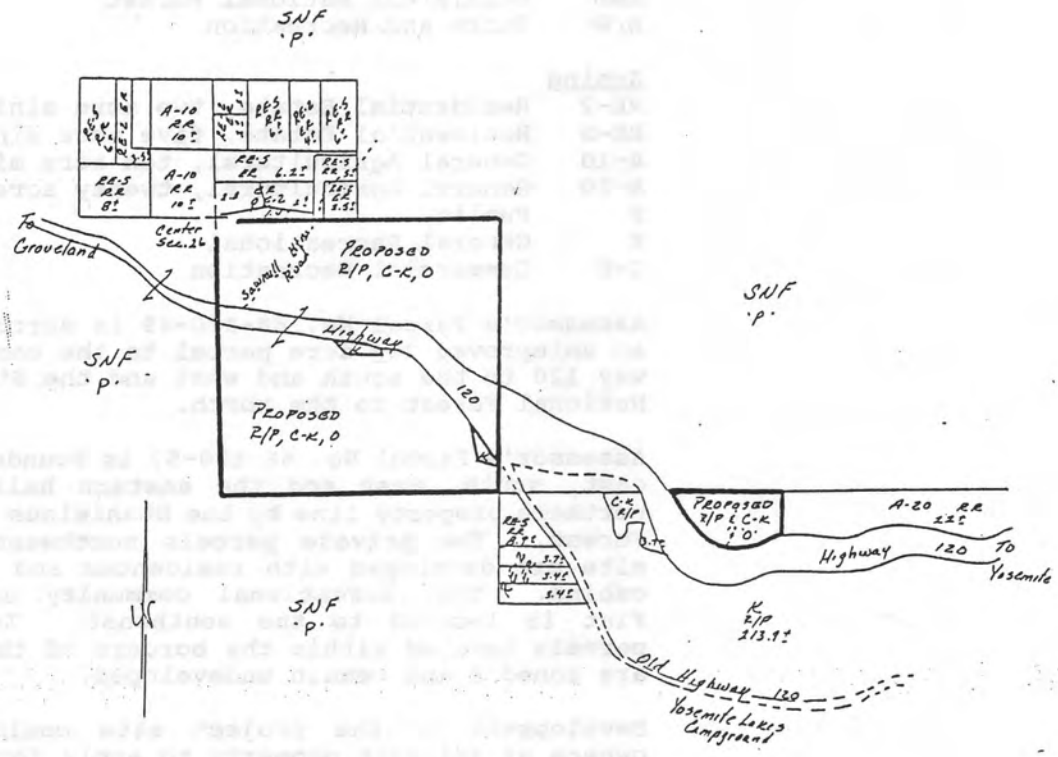
If the Board of Supervisors denies the request for a Zone Change from TPZ, the property owner may petition for a rehearing of the same request. Resolution 142-77 requires a rehearing to be held within 30 days of the request for such.

Prior to development of the project site under the requested C-K zoning, the following entitlements may be required:

Permit	Lead Agency
Development Agreement or Use Permit	Planning Department
Encroachment Permit	Department of Transportation and Engineering Services
Water System	Environmental Health Division
Sewage Treatment System	Environmental Health Division or California Regional Water Quality Control Board
Grading Permit	Department of Transportation and Engineering Services
Building Permit	Building Department

Growth Inducement - Parcels located in the vicinity of the project site are shown on the map on the following page.

PUB108-08 cont.



PUB108-08 cont.

Legend:

General Plan

ER	Estate Residential
RR	Rural Residential
SNF	Stanislaus National Forest
R/P	Parks and Recreation

Zoning

RE-2	Residential Estate, two acre minimum
RE-5	Residential Estate, five acre minimum
A-10	General Agricultural, ten acre minimum
A-20	General Agricultural, twenty acre minimum
P	Public
K	General Recreational
C-K	Commercial Recreation

Assessor's Parcel No. 68-120-49 is surrounded by an unimproved 22± acre parcel to the east, Highway 120 to the south and west and the Stanislaus National Forest to the north.

PUB108-08 cont.

Assessor's Parcel No. 68-120-57 is bounded to the east, south, west and the eastern half of the northern property line by the Stanislaus National Forest. The private parcels northwest of the site are developed with residences and vacation cabins. The recreational community of Hardin Flat is located to the southeast. Two small parcels located within the borders of the parcel are zoned K and remain undeveloped.

Development of the project site could induce owners of adjacent property to apply for similar recreation oriented development. However, the area is one which contains a variety of existing recreational opportunities and is located in such a way as to provide excellent recreational opportunities for the traveling public.

Community Identity - The US Forest Service has been advised of the project. The Forest Service has identified a Spotted Owl Habitat Area adjacent to the southern boundary of Assessor's Parcel No. 68-120-57 and is interested in the wildlife habitat of the parcel.

The Tuolumne County Hiking, Cycling and Equestrian Trails Advisory Council has reviewed the

project. They advise that any trail leading from the property into the National Forest should be continuously left open to non-motorized traffic. Access to the National Forest is provided by Highway 120, Sawmill Mountain Road and Hardin Flat Road in the vicinity of the project site. Therefore, no access through the site is necessary.

The Central Sierra Chapter of the Audubon Society has reviewed the project. They indicate concerns regarding loss of timber producing land, distance from the site to emergency services, impacts to wildlife and aesthetic impacts to the Highway 120 corridor through the National Forest and into Yosemite National Park. These impacts are addressed in previous and subsequent sections of this document.

The Highway 120 Association has been advised of the project and has offered no comments thereon.

PUB108-08 cont.

The project site is located adjacent to the recreational community of Hardin Flat. The NACO West resort, Yosemite Lakes Camper Park, is located approximately 1/2 mile from the site. An existing vacation cabin complex is located adjacent to Assessor's Parcel No. 68-120-57. The project site is contiguous to the Stanislaus National Forest. Highway 120 bisects Assessor's Parcel No. 68-120-57 and is adjacent to the southern border of Assessor's Parcel No. 68-120-49.

These facts indicate that approval of the project would result in expansion of an existing recreational community to include an appropriate site for further development.

Water and Sewer - The Tuolumne County Environmental Health Division advises that future development will be required to address health issues including: provision of potable water, sewage disposal and solid waste disposal.

Recreational development may be allowed to develop a self-contained domestic water supply meeting State standards subject to approval of the

Tuolumne County Health Officer. On-site sewage disposal systems may be allowed subject to approval of the Tuolumne County Health Officer and the California Regional Water Quality Control Board.

Fire Protection - The proposed project has been reviewed by the Tuolumne County Fire Department (TCFD). TCFD has indicated that the site receives year round structural fire protection from Smith Station, and seasonal (June 1 - November 1) wildland protection from the California Department of Forestry and Fire Protection through the Groveland Station. The response time from "First Due Engine Company" is 20± minutes.

TCFD advises as follows:

1. This project may create a significant adverse impact as far as the TCFD's and CDF's ability to provide fire protection within this area. However, at this time it is not known because an actual project has not been proposed.

2. Fire flows of 1,250 gpm at 20 psi for two (2) hours are required on all parcels zoned C-K. Additionally a water storage facility must be provided that can hold a minimum of 150,000 gallons of water over and above peak domestic use. The water storage facility would need to be refilled from a total fire flow drain down within 96 hours.

PUB108-08 cont.

Schools - The project site lies within the Big Oak Flat-Groveland Unified School District. Pursuant to State Law, this district can charge a fee for impacts to the school system.

Police Protection - This project has been reviewed by the Tuolumne County Sheriff's Department. The Sheriff's Department advises that approval of the project would not result in a significant adverse impact on law enforcement.

County Services - The Tuolumne County Board of Supervisors has determined that impacts to County provided services, except roads, resulting from

commercial development are mitigated through payment of increased property taxes resulting from that development.

Traffic and Access - Access is provided to the site by State Highway 120; Hardin Flat Road - a paved, County-maintained road in good condition and; Sawmill Mountain Road, which is maintained by the Stanislaus National Forest.

Caltrans has been advised of the project and has offered no comments thereon.

The proposed project has been reviewed by the Tuolumne County Department of Transportation and Engineering Services (TES). TES has offered no comments on the project. TES will respond when development of the site is proposed.

All development within the County contributes to a significant adverse cumulative impact on the County-maintained transportation system. To mitigate this impact, the appropriate Traffic Impact Mitigation Fee must be paid to Tuolumne County at the time of development.

PUB108-08 cont.

Noise - The project site receives noise from vehicular traffic on Highway 120, Hardin Flat Road and Sawmill Mountain Road. Noise impacts of proposed development on the project site will be analyzed at the time application is made.

Visual Quality - The project site is a private inholding within the Stanislaus National Forest. Assessor's Parcel No. 68-120-49 has approximately 1,000 feet of frontage on Highway 120. Assessor's Parcel No. 68-120-57 is bisected by Highway 120. As such, both parcels are highly visible from the highway.

Highway 120 travels through the Stanislaus Forest on the way to Yosemite National Park. As such, the route receives much tourist traffic. To maintain the character of the Highway 120 view-shed, development of the project site must consider aesthetic impacts to the traveling public. Assessor's Parcel No. 68-120-49 must be protected from unnecessary erosion. The visual corridor on

Pacific Gas and Electric
US Forest Service
Big Oak Flat-Groveland Unified School District
Highway 120 Association
Southern Tuolumne County Historical Society
Audubon Society-Central Sierra Chapter
Sierra Club-Tuolumne Group

SOURCES REVIEWED:

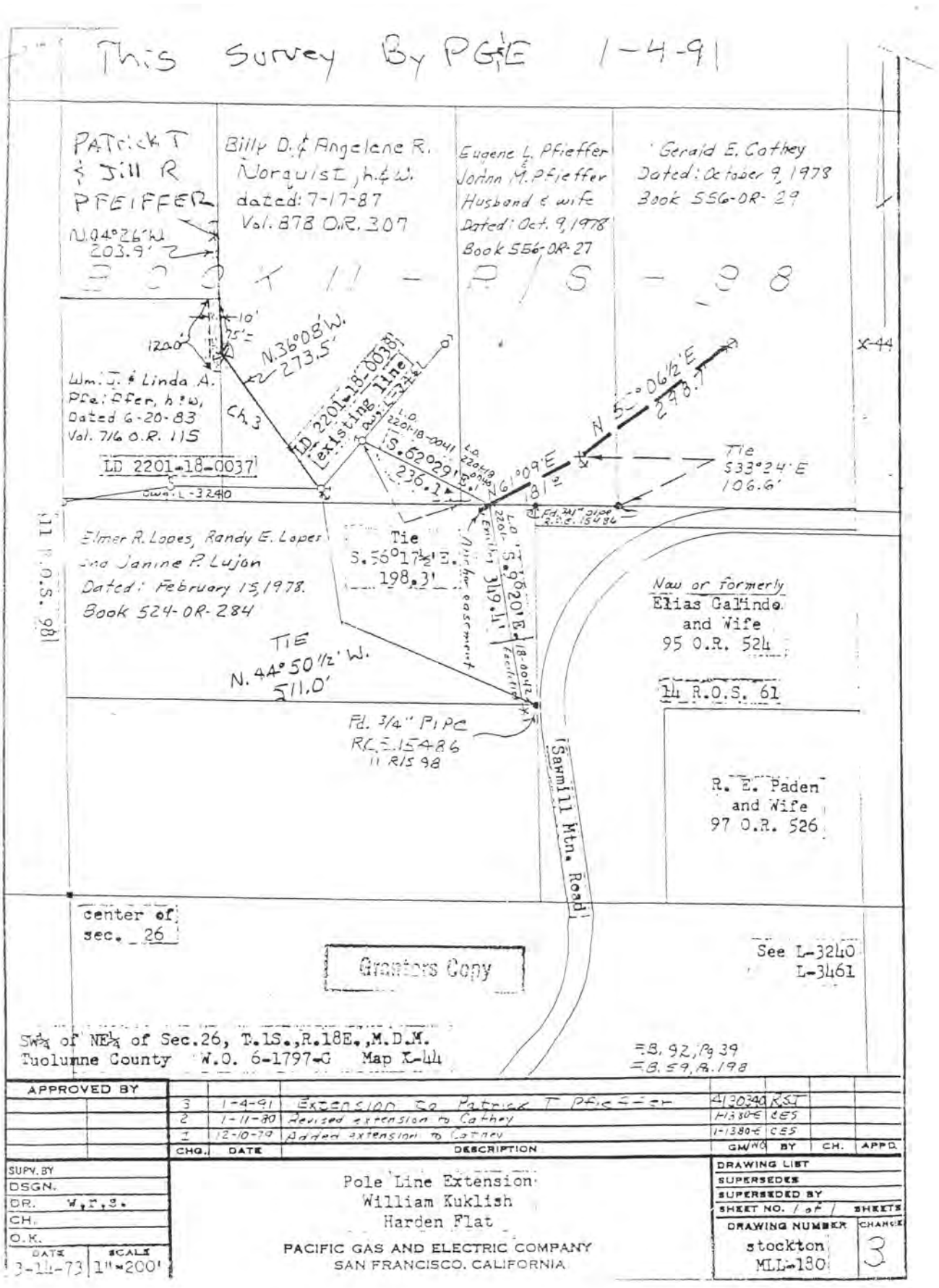
Tuolumne County
General Plan
Zoning Ordinance (Title 17)
Land Division Ordinance (Title 16)
Road Standards (Title 11)
Connecting Roadways (Chapter 12.04)
Grading Ordinance (Chapter 12.20)
Water and Sewers (Title 13)
Traffic Impact Mitigation Fees (Resolution 88-91)
County Services Impact Mitigation Fees (Resolution 381-90)
Geotechnical Interpretive Maps
Wildlife Aerial Photography
Wildlife Manual

Other
California Environmental Quality Act
California Government Code, Section 51100 et seq.
Geologic Map of California
Stanislaus National Forest Soil Resource Inventory
US Federal Emergency Management Agency Flood Insurance Rate Maps

PUB108-08 cont.

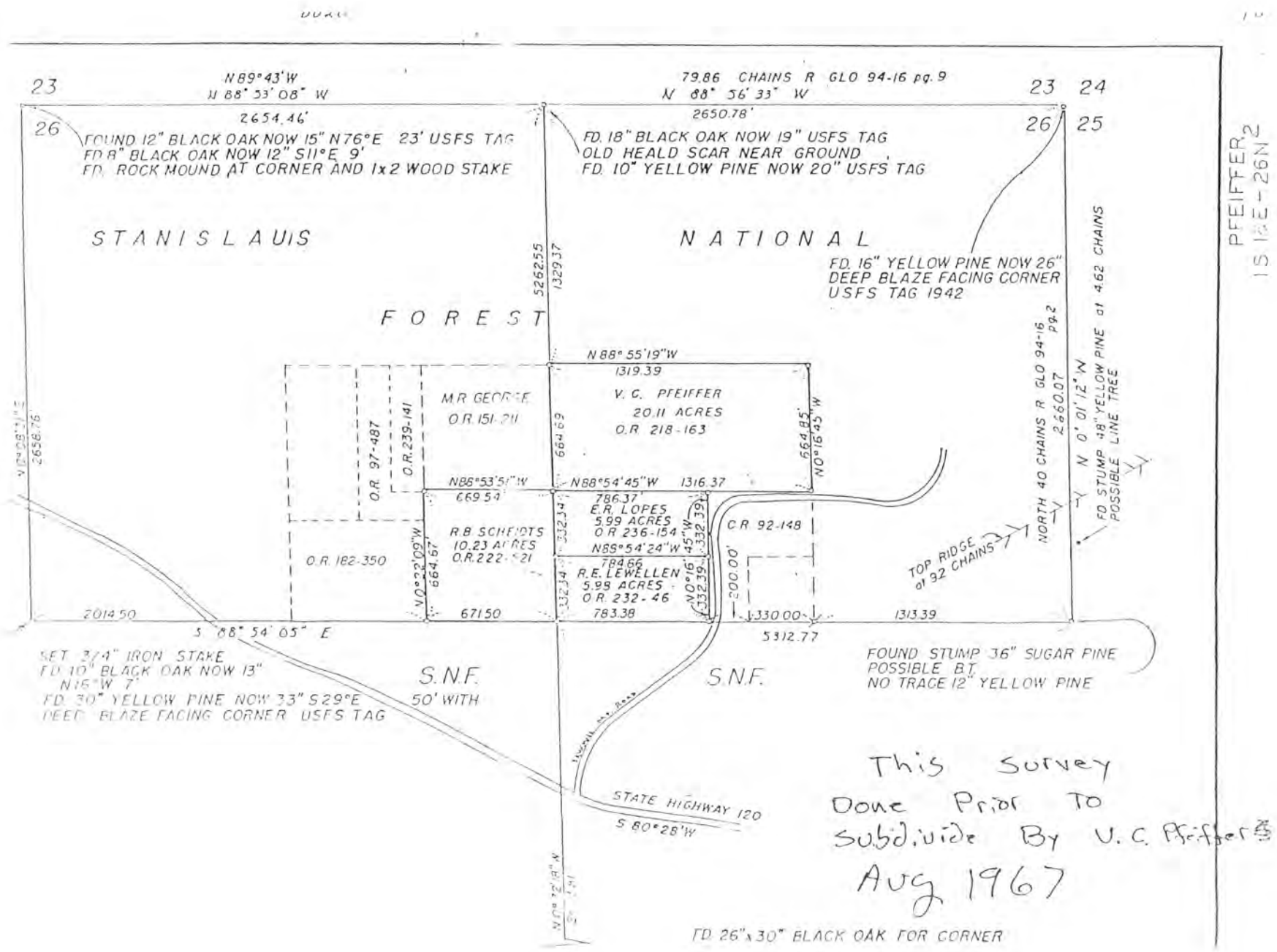
PREPARED BY: Mike Laird
Planner II

end



PUB108-08 cont.

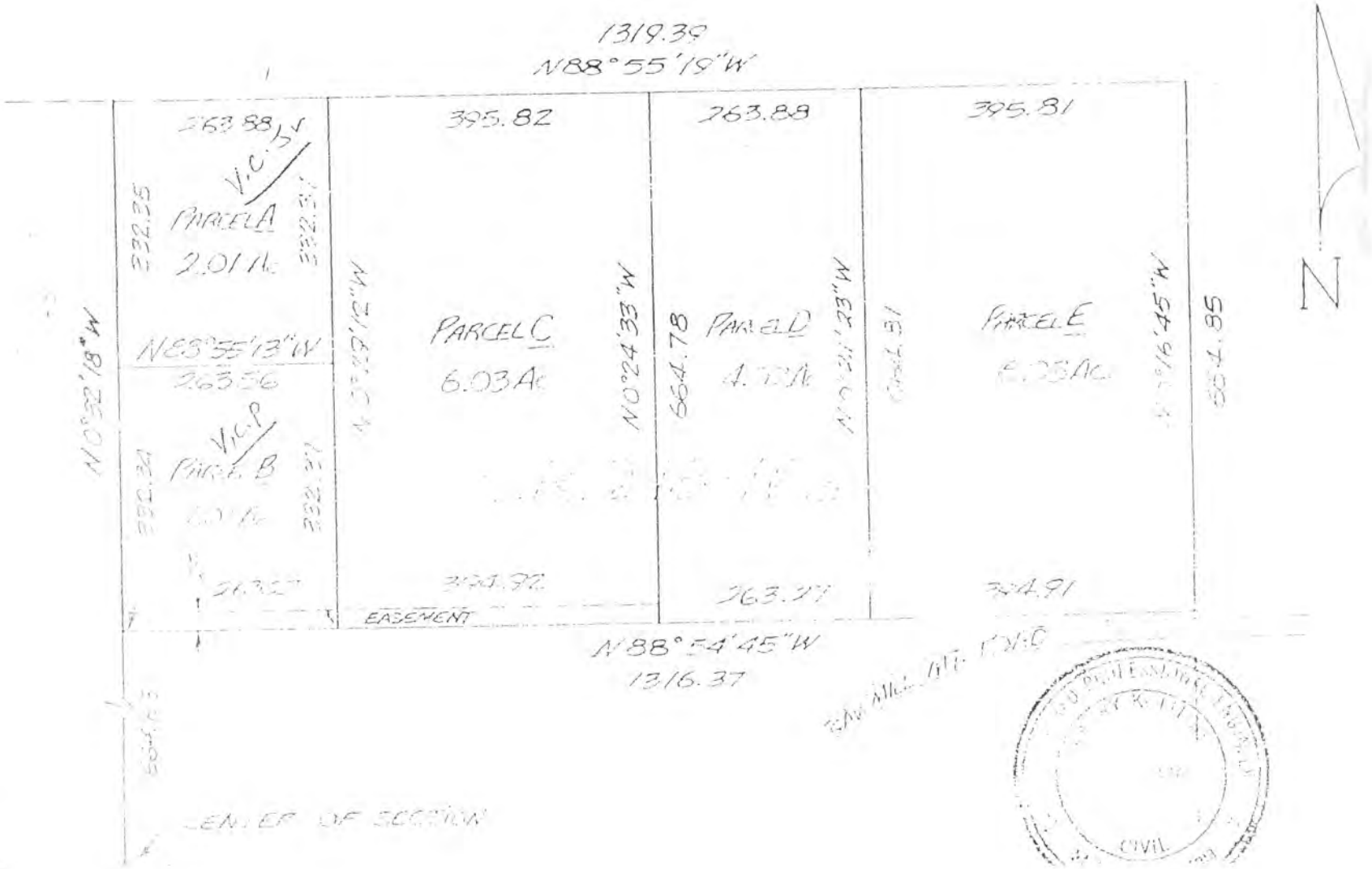
PUB108-08 cont.



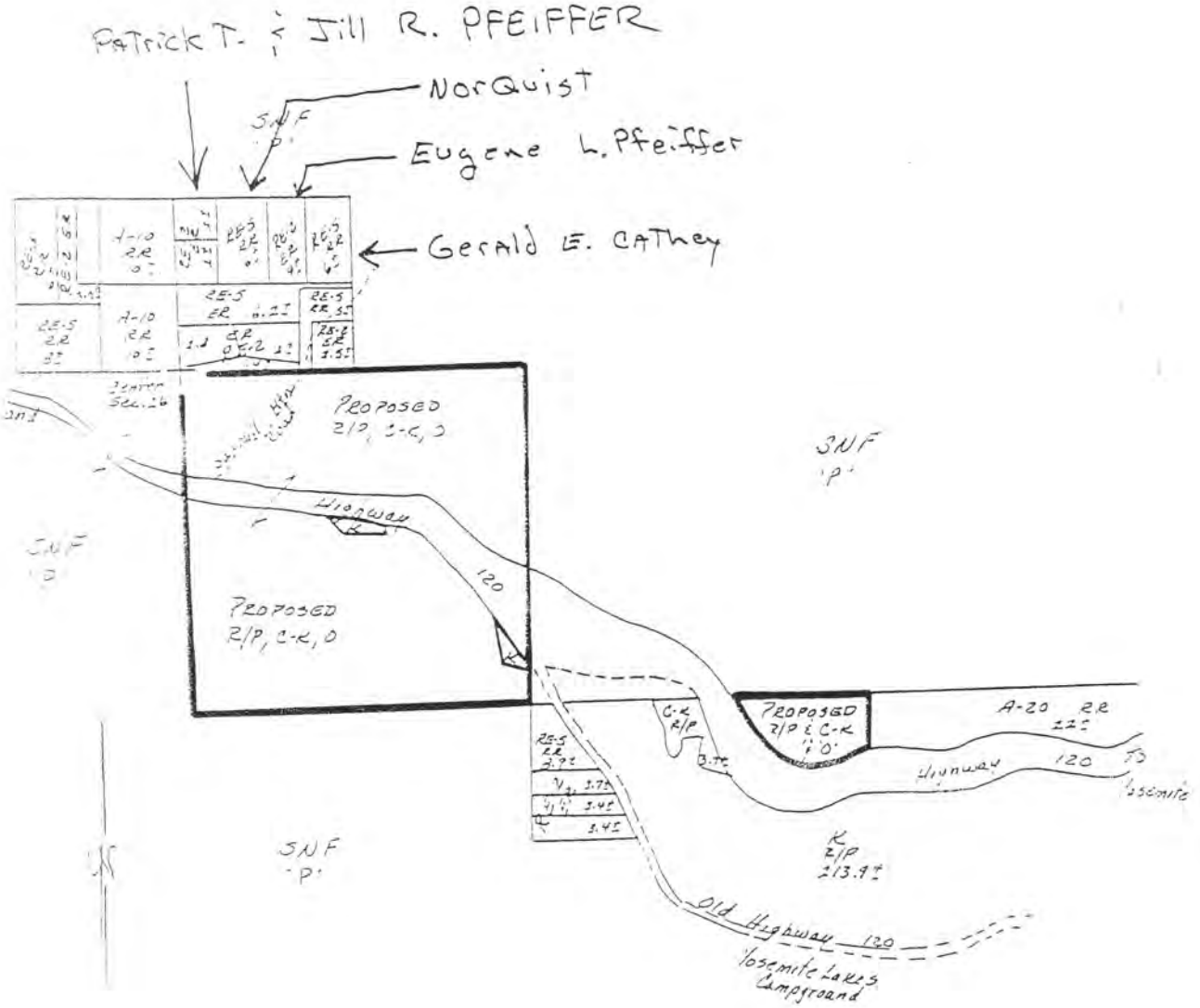
PUB108-08
cont.

Survey By V.C. Pfeiffer Sr Oct. 21, '

$N\frac{1}{2}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$ Section 26 T.1S. R.18E. M.D.M.



Manly

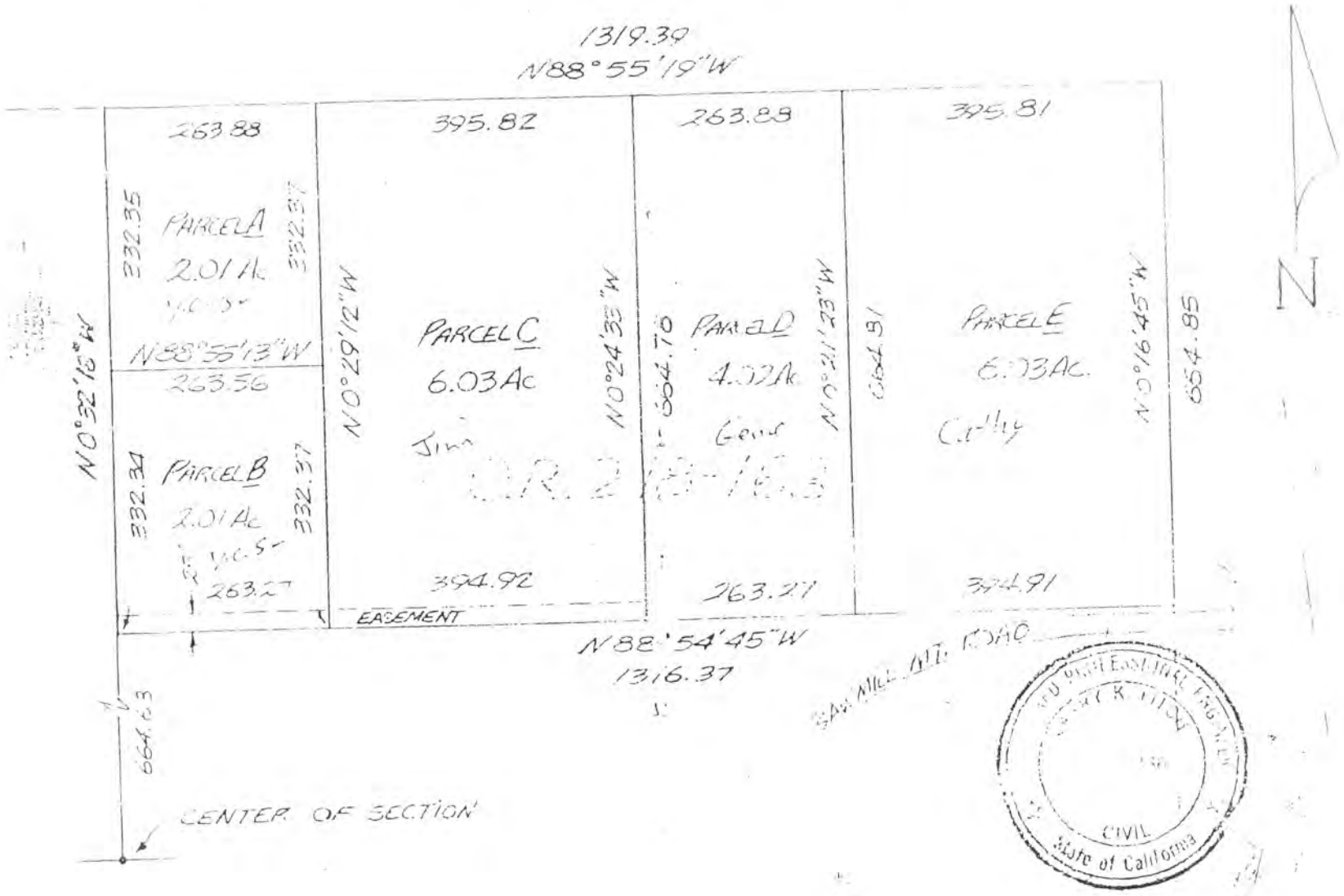


T. Manly
Proposed GPA & Zone Change
APNo. 68-120-49 (10± Ac.)
Existing TPZ Proposed: R/P, C-K, O
APNo 68-120-57 (139± Ac.)
Existing. TPZ Proposed R/P, C-K, O-1, O
Tuolumne County Wide Map
Supervisorial District No. 4

← This Survey Done with in 1990-1991 For T. Manly Zone Change

PUB108-08 cont.

$N\frac{1}{2}$ OF $SW\frac{1}{4}$ OF $NE\frac{1}{4}$ SECTION 26 T.1S. R.18E. M.D.M.



PUB108-08
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PUB108-08
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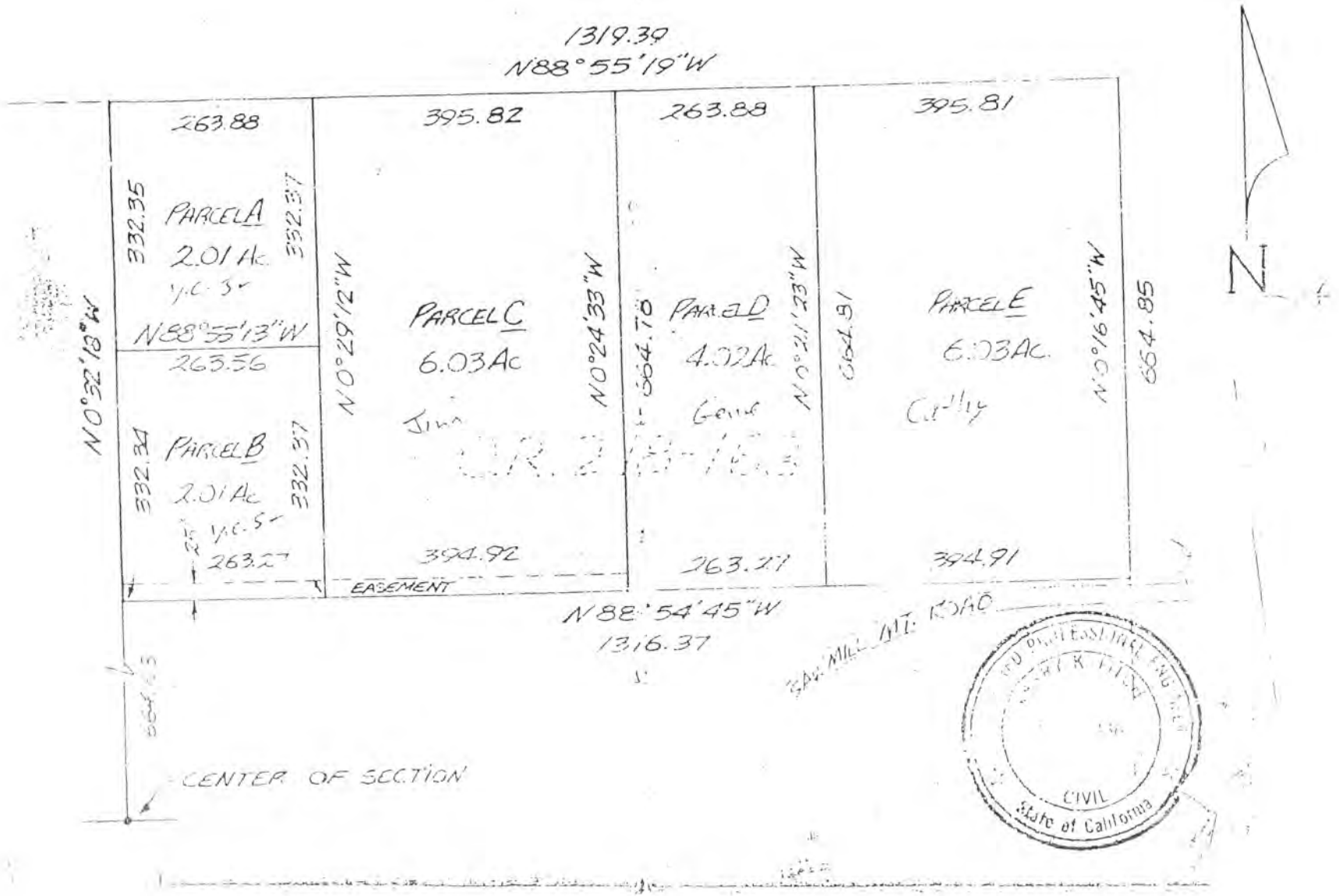

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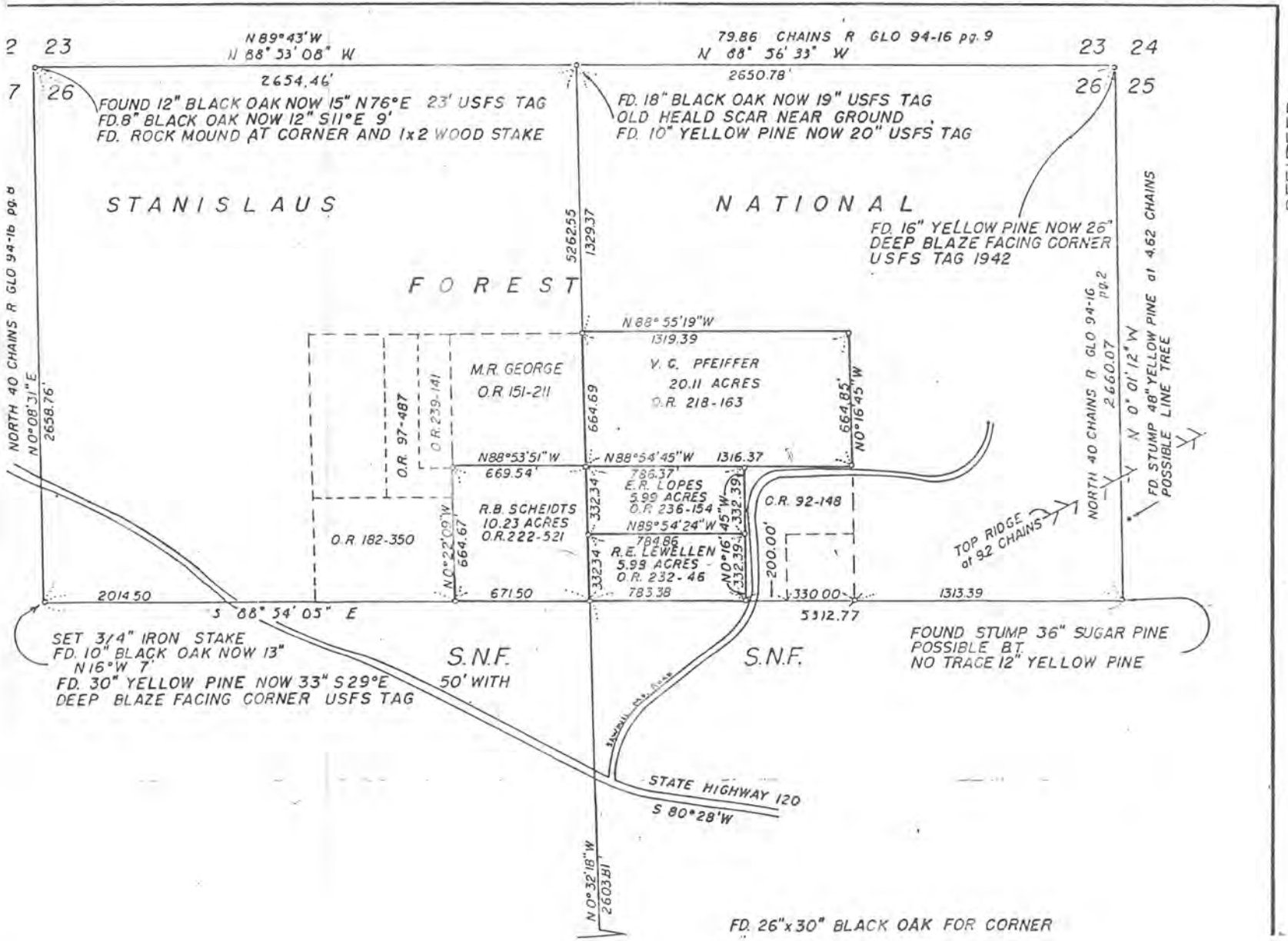


UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Stanislaus National Forest
19777 Greenley Road
Sonora, CA 95370-5909
(209) 532-3671/FAX NO. (209) 533-1890

1920
October 28, 1991

Dear Friend of the Stanislaus National Forest:

I am pleased to announce the release of our final Land and Resources Management Plan, accompanying final Environmental Impact Statement, and Record of Decision. The release of these documents represents the culmination of a 10 year planning effort on the Stanislaus National Forest, which has included extensive public input. I believe the final Plan is an excellent one, that achieves a good balance between maintaining the ecological health and biological diversity of the Forest with the need to provide a sustained flow of forest products to the American public. I look forward to working closely with you as we implement the Plan's provisions over the coming decade.

If you have previously requested that the final documents be mailed to you, they are enclosed herewith. If you would like to receive copies of these documents, but did not previously request them, please let us know and we will be happy to send them to you. Copies will also be available at all District offices (Hathaway Pines, Pinecrest, MiWuk Village, and Buck Meadows) and the Forest Supervisor's office in Sonora for distribution and/or on-site review. Public libraries in the local area, Stockton, Modesto, and the Bay Area will also have copies available for on-site review.

The 1990 Draft Forest Plan was revised in response to the more than 5,000 public comment letters received and has been reprinted in its entirety as the final Forest Plan. The Draft Environmental Impact Statement has not been reprinted. Rather, changes between the Draft Environmental Impact Statement and the Final Environmental Impact Statement are displayed in addendums and errata, thereby eliminating the need to reprint the entire document. The Draft Environmental Impact Statement released in October 1990 is now the final, with changes and additions as outlined in the Errata and Addendum packet being issued with the final Forest Plan. We still have some copies of the original Draft Environmental Impact Statement available; if you did not previously receive one, but would like one now, please let us know.

The legal notice of this decision appears in the Sacramento Bee on October 28, 1991. The decision will not be implemented for 30 days from this date, or November 27, 1991. Any appeal of the decision must be filed in writing with the Chief, Washington Office, within 90 days, or by January 27, 1992. The Record of Decision includes a section on appeal rights and procedures.

Thank you for your interest in the Stanislaus National Forest. If you have any questions about these documents, please contact me or a member of my Land Management Planning staff at (209) 532-3671.

Sincerely,

Jan Wold

JANET L. WOLD
Forest Supervisor

Enclosure

Caring for the Land and Serving People

FS-6200-28b(4/88)

PUB108-08 cont.

LAND AND RESOURCE MANAGEMENT PLAN

RECORD OF DECISION

STANISLAUS
NATIONAL FOREST

United States
Department of
Agriculture

Forest Service
Pacific Southwest Region

PUB108-08
cont.

COMMENT LETTER # PUB109

Quincy Yaley
Tuolumne County Community DEV. DEPT
25 Green St.
Sonoma CA 95370

07/30/2020

ATTN: Quincy Yaley
Tuolumne County Planning, Board of supervisors

RE: DEIR for Terra VI Lodge

Dear Quincy,

As a property owner at both Sawmill Mountain and Hardin Flat Road, I am writing to voice my concerns regarding the proposed Terra VI Lodge and the DEIR Prepared for the project. The DEIR prepared fails to address many important issues associated with the project. The DEIR states areas of concerns but fails to mitigate those concerns adequately.

PUB109-01

Below is a list of some of my concerns that need to be addressed in the best interest of the local community on Sawmill Mountain and Hardin Flat Rd, as well as the safety and wellbeing of the entire Groveland Community.

1) Traffic and Congestion
    a. The proposed access to Terra VI Lodger is not a county road. It is a Forest Service Rd (#1S03). It is currently used by the forest service, residents of Sawmill Mountain area and the general public to access national forest lands and the middle s fork of the Tuolumne River. Using it for commercial use is not per easement granted to the USFS dated July 23rd, 1965. "the said easement herby granted is of r the reconstruction, maintenance and full free and quiet use and enjoyment of the road traversing above the described premises." Us e of this road as access to a lodger of this size would also restrict access by the USFS during logging operations and firefighting operations.

PUB109-02

    b. The access on and off of Sawmill Mountain Rd. onto Highway 120 lacks proper visibility due to its location at the top of a knoll. Exiting Sawmill Mountain Rd. (1S03) heading Eastbound is dangerous now and will only be worse with several hundred guest that are unfamiliar with its challenges. Visibility is poor and not per Cal-Trans minimum requirements. This was not adequately addressed in the DEIR.

PUB109-03

    c. Cumulative impact from the proposed Yosemite under Canvas Project was not addressed and should be since the proposed secondary exit from Yosemite under Canvas is directly across from 1S03. Yosemite under Canvas proposes using another USFS road #1S09. In an evacuation situation this would create a bottle neck potentially trapping residents of Sawmill Mountain and Hardin Flat from exiting their property. This

PUB109-04

bottle neck would also create a situation which would prevent emergency vehicles from responding in a timely manner. This was not addressed in the DEIR. PUB109-04 cont.

2) WILDFIRE/ FIRE HAZARDS
    a. The DEIR fails to properly address the increase fire risk presented by the construction and operation of a lodge of this size. It also does not address the cumulative impact associated with other proposed projects. PUB109-05
    b. The proposed project is in a very high fire hazard severity zone and previously burned in the 2013 Rim Fire. This project should not be allowed to be built unless an additional fire station is constructed nearby to support firefighting efforts. PUB109-06
3) EMERGENCY SERVICE
    a. Current response time for emergency services are poor and additional needs created by the construction and subsequent use of the proposed lodge will put Groveland Residents at risk. The DEIR states a 20-minute response time. This was not properly addressed. It is not reasonable to believe that an emergency vehicle could be dispatched and mobilized on site in less than 45 minutes. This was not adequately addressed in the DEIR. PUB109-07
4) WATER/ SEWER
    a. the amount of water needed for this lodge and its impact on local resident's water supply was not adequately addressed PUB109-08
    b. The amount of water needed for firefighting efforts in the event of a fire was underestimated in the DEIR. PUB109-09
    c. The proposed Leach Fields Associated with the septic system is located within 800' of an active spring which feeds int a small creek and ultimately the middle-Fork of the Tuolumne River. The impact associated with a septic system failure was not adequately addressed in the DEIR. PUB109-10
5) WILDLIFE IMPACTS
    a. The land slated for the proposed lodge is currently used as a deer wintering area. I have seen up to 100 mule deer at a time in the proposed location. Per the DEIR there will be a donation made to a non-profit to mitigate the impact to the dee hero. This seems nothing short of a "Pay off" and does not address the issues to wildlife at the proposed site. PUB109-11
    b. The DEIR also does not adequately address impact to other wildlife.

Thank you for taking the time to listen to my concerns and the concerns of others in the area. I trust that you will address all concerns as part of the EIR final draft as it not only effects those in the immediate area of Sawmill Mountain both those in the Greater area of Groveland. PUB109-12

Best Regards,

Patrick T. Pfeiffer

COMMENT LETTER # PUB110

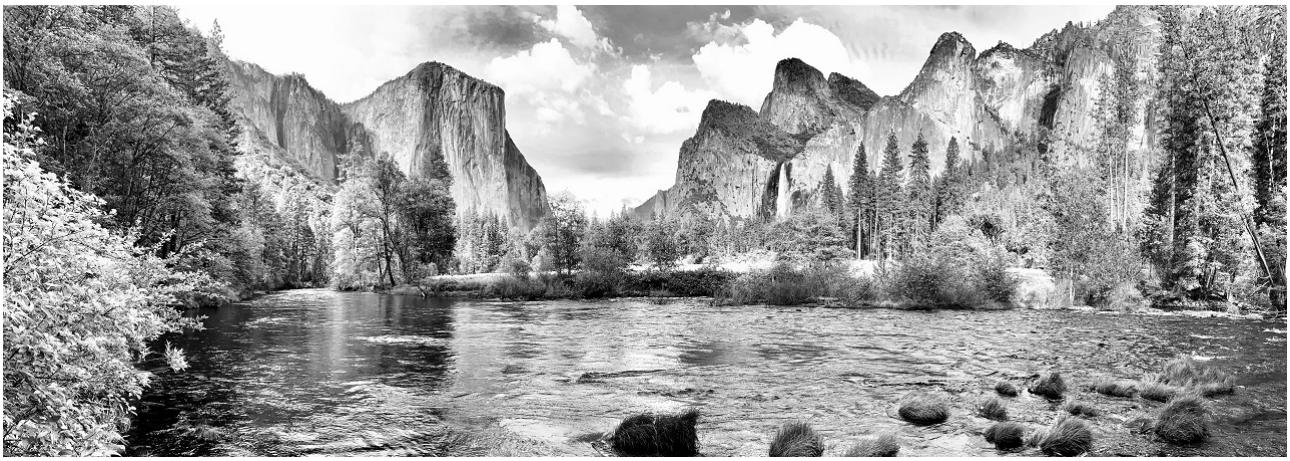


Photo: ©Josh Helling, 2020

July 30, 2020

TO: **Quincy Yaley (qyaley@co.tuolumne.ca.us)**
Natalie Rizzi (nrizzi@co.tuolumne.ca.us)
Kathleen Haff (kathleenhaff2020@gmail.com)
CC: **Alex MacLean (amaclean@uniondemocrat.net)**
Sara Barth (sbarth@sempervirens.org)

RE: Draft Environmental Impact Report (DEIR) for Terra Vi Lodge

As as a homeowner on Hardin Flat Road, I believe there are several reasons this project should not move forward. Here are a few.

1. County Sheriff Services are completely inadequate in this area for the addition of 250 or more units in the immediate vicinity as Terra Vi, Yosemite Under Canvas, and Berkeley Camp expansion. Personally, when we experienced two break-ins, we were told no officer was available to come by our property for at least three days. On another occasion, when a family member believed we were personally at risk and reported it, we received a voice message from the Sheriff's Department with the request to call back in the morning if help was required. And we are not an isolated case. With limited services and staffing located more than an hour away in Sonora, we have learned that this is a remote area of the county that cannot support the onslaught of the development that is projected. **PUB110-01**
2. While we agree that economic solutions are needed in the county, it seems grossly unfair that the targeted solution is sought more than 45 miles from the county's largest city and in an area that by its nature is rural with abundant natural beauty and wildlife. It is those characteristics that will be grossly impacted and lost forever. **PUB110-02**
3. It is clear that one family, the Manly family, stands to gain a huge income stream through their proposed multiple projects in the vicinity. It is not appropriate that one family that owns land in the region will benefit so greatly while others will be paying the price. **PUB110-03**
4. There are major issues with the DEIR. Included in those are the report's conclusions regarding water. With many homes downhill from the Terra Vi site, the report does not adequately address the impact of wastewater disposal on groundwater and possible water contamination on the sites of nearby property owners. Also, the testing methodology used, based on what I have read, seems to be insufficient for the type of location and terrain where Terra Vi is to be located. **PUB110-04**

5. The mitigation measures seem to be fraught with weak assurances rather than any clear guarantees that the surrounding lands and properties will not be harmed. **PUB110-05**
6. During Coronavirus and with Yosemite's own plans for it future unclear, it is unsound to push forward without more thoroughly vetting the impact this project will have on an area where the National Park Service is limiting entrance and cutting back service. **PUB110-06**
7. The impact of a helicopter pad on the quality and serenity of the surrounding area will not be sufficiently mitigated by the efforts proposed. It seems to me that the single best reason for a helicopter pad at this location is so that persons can be flown to Sonora and elsewhere when emergencies occur. However, the request for a helicopter pad in itself seems to constitute an admission on the part of the developers that the infrastructure does not exist in the region to adequately deal with emergencies that they seem to expect are certain. If on the other hand, the hope of Terra Vi is that executives can be flown in for the "Terra Vi Experience," rather than having to drive up the hill, then others businesses along the way will not see the benefits expected. Again, maybe great for the County or the Manleys, but not for the rest. **PUB110-07**

In a sense, this seems like a 2020 version of the fight that John Muir had on his hands when Hetch Hetchy was constructed more than a century ago. With Rush Creek, Evergreen Lodge and others already in the area, more is not better. The county's financial woes would best be solved by focusing support around existing developed areas. Let's see meaningful initiatives to existing business owners, not the introduction of more competition when more is not needed. Let's see area like Tuolumne City focused on in a way that uplifts those in that community. Let's housing developed that can draw those that are now seeking to exit dense metropolitan areas who also now have the capacity to work from home. Let's see a targeted effort to attract retirees to enjoy the special way of life that Tuolumne County affords. Let's not begin to destroy the great natural resources that are unparalleled in Tuolumne County. **PUB110-08**

Sincerely,
Louis Rivara
31583 Hardin Flat Road, Groveland 95321
925-200-6917
Louis@remaxaccord.com

COMMENT LETTER # PUB111

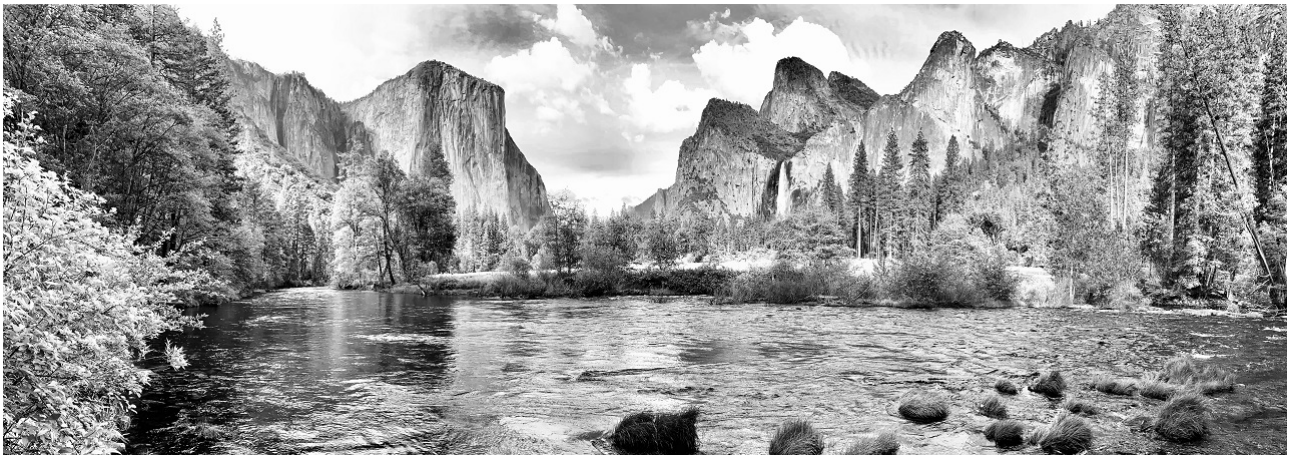


Photo: ©Josh Helling, 2020

July 30, 2020

FROM: Margene Rivara 31583 Hardin Flat Rd., Groveland, CA. 95321
Margene@venturesir.com (925)200-6916

RE: Proposed "Terra Vi Resort, 240 Guest Rooms in 3 Story Lodge and 25 Detached Cabins , 2 Story Event Center, A Public Market, and a Heli-Pad" within 5 miles to Yosemite.

TO: Quincy Yaley, Tracy Riggs, Kathleen Haff, Natalie Rizzi, Tuolumne County Planning Commissioners, Tuolumne Board of Supervisors; Gov. Gavin Newson; Lt. Gov. Eleni Kounalakis; U.S. Congressman Tom McClintock; Jim Junette, U.S. Forestry Service; Yosemite Conservancy; State of California Water Quality Control Board; U.S. Environmental Protection Agency; Sierra Club; James Laird, Past Head of Calif. Water; Cal Fire; Sara Barth, Sempervirens Fund; Yosemite Preservation Voice; and to all those who have an interest in the future of Yosemite for generations to come.

To be perfectly clear and to put it bluntly, there is absolutely no way Terra Vi should be built on the site presently being considered. It is dangerous, irresponsible and short sighted to move forward with such a proposal. According to the Reports I have read, related to Water availability, Sewage Runoff, Extreme Fire Hazard Potential, Lack of Emergency Services, Traffic Congestion and Irreparable Damage to the Environment, there is no justification to warrant building this project. The Draft EIR is weak and not completely accurate about the facts related to this Development. In addition to this huge project being proposed in a very poor location, there is already plenty of Development in close proximity to the proposed site, which includes, Yosemite Lakes, Berkeley Camp (approved to be rebuilt after it burned down in the 2013 Rim Fire), Rush Creek Lodge, and Evergreen Lodge.

PUB111-01

During the Rim Fire, the Fire moved more than 18 miles from Groveland, to completely burn down Berkeley Camp and bump at the Boundary of Yosemite and the Park itself. It was finally stopped at great Tax Payer Expense after much damage was done. We were fortunate Yosemite was saved that time, but we cannot risk a next time. Should there be such a fire again at the proposed Terra Vi Site or YUC Site, across Hwy 120 there is high probability the fire could race right into Yosemite. Do not ignore what is common knowledge. The proposed sight is marked on Fire maps as "Extreme Fire Danger". At stake is Yosemite, the Environment and a way of life for the Animals that cannot be replaced.

PUB111-02

The way I see it, the only winner in the Development of Terra Vi and YUC if the project is approved is the Family of Tim Manly, and the Southern Calif. Hansji Corp. The losers are the Environment and those who have lived "lightly" on the land in harmony with the environment for many generations. They have protected the land, and the environment which they are feel is worth fighting for, and so do I.

PUB111-03

My suggestion is, why not build such projects closer to Groveland where there can be a win for all concerned. The Services that Groveland can supply are immense, such as Air Transport, Fire Services, Sheriff Services, Medical Services, Shopping, available land for parking and public Transportation, and Education Services for the families of those working at the development. The impact on the Environment would be less damaging and the positive impact to Groveland would be a plus. A Groveland location would be a win for everyone, including the County and the Tax Revenues you would receive. It is far safer and has more advantages while at the same time has far less risk.

PUB111-04

Best Regards,
Margene Rivara

COMMENT LETTER # PUB112

From: Margaret Speed <margaretspeed@earthlink.net>
Sent: Thursday, July 30, 2020 1:01 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Sierra Vi Lodge and glamping campground

Mr Yaley, I would like to express my opposition to any further development along Hwy 120 between Groveland and Yosemite until the two lane Hwy 120 is widened to accommodate the substantial additional traffic. As an employee in Yosemite, who drove there from Groveland for 9 years, the impact on traffic from your most recently approved project in the same area, Rush Creek Lodge, was very apparent. Now you are leaning towards approving these two additional projects in the same area to impact traffic to a tremendous degree. Will we have gridlock in Groveland? Maybe. Please stop sacrificing our quality of life in Groveland for revenue from these projects that will be used to enhance Tuolumne County's budget. It seems like the cart is always put before the horse. Widen the road first, then look to further development. Sierra Vi is not just a new motel. It will impact the area on a very large scale. I haven't even gone into the myriad of other problems these developments will bring: fire, ambulance, water. Please deny these developments until the aforementioned issues are corrected. Don't try to figure it out after the projects are built and then discover there aren't any good solutions. What if Yosemite decides to continue with only allowing a reduced number of visitors to the Park and continue the Day Use Reservation system? Where are all these people from Rush Creek Lodge, Sierra Vi and Glamping campground going to go?They are here to go to Yosemite not wander along forest roads or go to our tiny Rainbow Pools when they can't get into Yosemite. You don't have enough answers yet, Mr. Yaley, to approve these developments.
Sent from my iPad

PUB112-01

COMMENT LETTER # PUB113

From: Pauline Turski <pmtbythebay@yahoo.com>
Sent: Thursday, July 30, 2020 8:22 AM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Cc: P T <pmtbythebay@yahoo.com>
Subject: Terra Vi Lodge, my comments

I am very much in favor of this project.
I cannot see how it will impact Groveland; it will help small local businesses!
It will provide a tax base.
There is already traffic going through Groveland to Yosemite!
There is not enough housing in PML / Groveland as it is.

I have attended many GCSD meetings about this project and how the services will work. This community needs to start growing up; they need to start working together.

PUB113-01

Make it happen!
Have a great day!
Pauline Turski

From: Steve Vrionis <svrionis@gmail.com>
Sent: Thursday, July 30, 2020 11:44 AM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>; Natalie Rizzi <NRizzi@co.tuolumne.ca.us>; Tracie Riggs <TRiggs@co.tuolumne.ca.us>; kathleenhaff2020@gmail.com; BOS Members <bosm@co.tuolumne.ca.us>
Subject: RE: Comments in response to TERRA VI DEIR

To Quincy Yaley, County Planning Commissioners, and the Board of Supervisors:
I write on behalf of the Erickson family and further additionally submit their letter and cosign as a show of support.
Respectfully submitted,
Steven Vrionis

PUB114-01

Our family has owned a parcel adjacent to the proposed development since the mid-1940's. Our family and friends have been enjoying the South Fork, Middle Fork, Sawmill Mountain and the Groveland community for five generations.

This letter is in response to the "Terra Vi DEIR," which included extensive appendices, well test reports, site plans, and past comments. This document dismisses items that are considered relevant to the safety and well-being of the neighboring communities and the general public that frequent the Highway 120 corridor in Tuolumne County.

The First Issue to address is the Parcel and Zoning Questions:

This DEIR is doing a report on a parcel that was never legally subdivided in compliance with the Tuolumne County Ordinance. As a property within the community of the Manly property we would like the County to follow the proper procedure and notification for a divide and rezoning.

The Second Issue to address is the Timberland Conversion:

The matter of conversion of the site from commercial forest use to a non-forest use. The DEIR notes that the project could have a significant impact on the environment if it results in the conversion of forest land to non-forest use.

The DEIR text clearly acknowledges that the project would result in a conversion of the project site from a focus on timber management to a focus on recreation.

PUB114-02

Over past decades, when projects affecting forest lands have been reviewed, Tuolumne County planning commissioners and county supervisors have historically strongly advocated for strict and thorough review of the impact of converting commercial timberlands to other uses**.**

Third Issue is Fire Risk:

The Grand Jury published a report on June 3, 2020 a Tuolumne County Fire Safety Report. (which can be found on the County's website: https://www.tuolumnecounty.ca.gov/1294/2020-Grand-Jury-Report) The report states "Of the 20 most destructive Fires in California's History, 10 have happened within the last four years….Recent wildfires events in Tuolumne County include the 2013 Rim Fire that burned more than 257,000 acres over 68 days.." it continues to state that "A mass evacuation will always be difficult on neighborhood roads that are two lanes, winding and easily blocked by one fallen tree, power poles, or abandoned vehicles across a road."

Adding a 250+ room hotel, employees, and general public along with the properties already there, this project would cause a massive potential for disaster with hundreds of guests and employees attempting to evacuate along with the owners of properties adjacent to the proposed project..

The Fourth Issues is Water Supply:

All properties currently get their water supply from wells. Terra Vi's well testing failed. With the indicated required draw on the water table, the project could and probably would leave the Sawmill Community with no water. The is no documented mitigation for this.

The DEIR finding of Less Than Significant is based on just the minimum required tests that in no way confirm that any of the onsite wells have sufficient volume of recharge to be a permanent water source for the large scale of this development. All the other local, large hotels that are also in granite sub-strata have struggled to provide sufficient water.

The DEIR does not appropriately state that the water flow testing showed that the pump test was a failure in providing the appropriate water that would meet the demand of such a project. There is no mitigation for depriving the surrounding properties of their water supply.

The Fifth issue is Forest Service Road:

Terra Vi is assuming they would have access from the Sawmill Mountain Road (Forest Route IS03). Their main circulation, access and egress is all planned for using this route. However, a Forest Route, such as IS03, is for forest administration and forest access. Also Forest Route IS03 is the only access that the 15 cabins in the 80 acre homestead have.

Considering that the planned site for Terra Vi has an alternative access approved by CalTrans 200 yards east along Highway 120, the alternative would be the most appropriate access to such a planned project.

PUB114-02 cont.

The Sixth issue is Waste Water:

The DEIR does not address the potential for system failure of the waste water treatment system. The failure of the system would result in contaminating the water supply for the 15 resident cabins, the Middle Fork of the Tuolumne River and also could be in violation of the clean water act. The DEIR completely overlooks the negative impact of a waste water treatment failure.

The USGS Ascension Mountain quad map (photo-inspected 1992) shows a spring located outside the project boundaries, 300± feet to the north (the same off-site aquatic feature shown in the NWI map). On the quad map, the spring flows into an unnamed perennial channel that flows northwest into the Middle Tuolumne River and, based on topography, EC-01 also would be expected to flow into the same off-site perennial channel 300± feet north of the project boundaries and subsequently to the Middle Fork Tuolumne River. What does this tell us?

These concerns address only a few of the issues; as this DEIR is over 1,200 plus pages with a short time granted to review not only the Terra Vi DEIR but also the Under Canvas DEIR, the county is limiting the community's ability to adequately respond to all the misinformation and lack of facts this DEIR provides.

Erickson Family
30300 Highway 120
Groveland

COMMENT LETTER # PUB115

From: Keith Zenobia <keith@zenobia.com>
Sent: Thursday, July 30, 2020 5:58 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Terra Vi Lodge Project / Public Comment
Importance: High

Dear Ms. Yaley:

As a long-time resident of Pine Mountain Lake in Groveland, I vehemently object on several grounds to the Terra Vi Lodge development at the intersection of Hwy 120 and Sawmill Mountain Road. **PUB115-01**

The Environmental Impact Report does not adequately address traffic safety concerns introduced by the project. Nor does it properly assess the probable shortfall of the area water supply for a project of this immense scale and likely endangerment by the overtaxed septic system to the surrounding natural water system. **PUB115-02** Moreover, the exponentially increased fire-risk by such large numbers of daily visitors in an extremely vulnerable area of our county would pose too great of a threat and severely overtax our barely sufficient fire-fighting, emergency and sheriff services. **PUB115-03**

Thank you for your consideration.

Sincerely,

Keith Zenobia
19677 Jonny Degnan Ct.
Groveland, CA 05321
209-962-4014

COMMENT LETTER # PUB116

From: dan@excaliburre.com <dan@excaliburre.com>
Sent: Friday, July 31, 2020 3:22 PM
To: bosm@co.tuolumne.ca.us; triggs@co.tuolumne.ca.us; Kathleen Haff <kathleenhaff2020@gmail.com>; gyaley@co.tuolumne.ca.us; nrizzi@co.tuolumne.ca.us
Cc: dan@excaliburre.com
Subject: Comment Lettter - Terra Vi Draft EIR

Please find attached a copy of the comment letter I submitted yesterday regarding the draft EIR for the Hansji Company Terra Vi hotel / resort proposed for Sawmill Mountain.
To echo many comments you have received, or will be receiving, I have to state that I feel the way The County has handled this project from the very beginning has been disingenuous and counter productive.
I own the property directly adjacent to the site and directly below the proposed giant leach field (approximately seven acres I believe). The subject property drains onto and through my meadow, springs and well before entering the middle fork of The Tuolumne River.
My property will, without any doubt, be severally impacted yet neither I, or any of my neighbors, interested parties, community organizations, government agencies or anyone else was given a reasonable opportunity to review and comment on this massive draft environmental impact report, which, I understand to be the largest ever submitted in The County.
The previous record was set, I understand, by the Yosemite Under Canvas draft EIR which, as you're aware, we JUST finished reviewing and commenting on.
It was unconscionable to "dump" such a humongous amount of work on everyone, just seven business days between deadlines, in the middle of Summer, during the re-surgence of COVID19 and to offer the bare minimum required review period.
I know many people and organizations submitted valid and justified requests for a short extension which were apparently rejected. I did not even receive an answer on my request, despite my follow-up emails and phone calls.

PUB116-01

In fact, as far as I can tell, The County did not even run a notice in the Union Democrat, Mother Lode or other medias which would alert it's citizens and organizations of the issuance and comment period for the DEIR's on *either* project.

PUB116-02

I know that the District Ranger for the Groveland District of the USFS was not aware of the submittals until hearing about it from me thirty days into the review period and that Mr. Glenn Gottshall, President of the Tuolumne County Alliance for Resources and Environment (TUCARE) and every member of the Board was completely unaware of either DEIR and comment period until YESTERDAY, when Mr. Gottschall saw the article in the Union Democrat which was initiated by communications from the residents of Sawmill Mountain.
There are hundreds, or thousands, of important residents and entities which were completely unaware.

How is The County supposedly served when it's key citizens and organizations are kept in the dark and not allowed a chance to review and advise?

PUB116-03

So I, an adjacent property owner, had no viable chance to review and comment. My attached letter is piecemeal and incomplete, as are the submittals from many impacted neighbors, organizations and concerned citizens and The County is thereby deprived of valuable input.
I know the County is accepting comments until the BOS meeting, but there is a big difference with the effectiveness and standing of comments received after the deadline, as the County will not be legally required to respond to those points and issues raised post-deadline.

PUB116-04

Both Terra Vi and Yosemite Under Canvas are BIG projects and, if approved, will have tremendous impacts on Tuolumne County for decades to come.

It's extremely important for the County to receive, and evaluate, ALL information related to potential impacts.

I am hereby re-submiting my request for the Terra Vi DEIR comment period to be extended to the standard sixty day period, per CEQA guidelines, to allow citizens and organizations a reasonable opportunity to provide valuable input.

PUB116-04 cont.

In closing I would like to make the point that many of us feel The County is pushing these projects through with little, or no, consideration for the long term surrounding community.

At every step of this process the comment periods are kept to the minimum as is Notice.

In fact, Yosemite Under Canvas was just three days away from Board of Supervisors approval based on the results of just an Initial Study before I, an adjacent property owner, found out about the meeting **by accident,** when I called the Planning Department regarding an entirely different meeting, for the Terra Vi project. Attorney's Ellison Folk and Deborah Rosenthal had to scramble to have the Approval vote removed from the agenda.
Prior to mistakenly receiving information on the Board of Supervisors meeting I had absolutely NO knowledge that Under Canvas was set for Approval. In fact I was never even made aware that an Application had been submitted for this project and neither were ANY of my neighbors on Sawmill Mountain and Hardin Flat, surrounding the project site.
The Application had in fact been in process for ONE YEAR.

These tactics are counter productive in terms of gaining support from the community and ineffective in that we are a smart bunch and know how to address these issues.

PUB116-05

Additionally, as you will see in my letter, there are serious issues with past entitlements on this property. The County has been made aware and, as the lead agency, has the legal responsibility to investigate, yet it apparently is not and failed to include the alleged Unlawful Land Division in the DEIR's for either project, despite their timely submittal and constant follow-up by County resident Matthew Chapman. His complaint needs to be taken seriously and investigated.

PUB116-06

Again, I implore you to extend the comment period for another two weeks, to the standard CEQA sixty (60) day period. Give your residents, representatives and organizations the opportunity to review and submit comprehensive comments.

It's not like two weeks will make any difference in the timeframe of these proposed developments. Both have been in the works for two years and will likely be in the works for several more years as the surrounding community has been stewards of Sawmill Mountain and Hardin Flat for Seventy Five Years and will continue to do what's necessary to protect this beautiful part of Tuolumne County.

PUB116-07

Sincerely,

Dan Courtney
Trustee, The Jacqueline Courtney Trust

Owner, 11250 Sawmill Mountain Road, Groveland

Dan Courtney
La Jolla, CA
(858) 337-7019 cell
Dan@excaliburre.com

Ms. Quincy Yaley

Community Development Director

Tuolumne County

July 30, 2020

Dear Ms. Yaley, please review the following comment letter I'm submitting on the Draft Environmental Impact Report for the proposed Terra Vi project.

I will start by stating that we have to question whether the County is really looking out for it's constituents when it refuses to accommodate valid requests for a short extension to allow for a more through and valuable review and response to the Draft Environmental Impact Report.

As the owner of the property directly adjacent to this proposed resort, sharing a long property line, and directly under the proposed giant leach field I am writing to share several concerns regarding various Impacts which were not adequately addressed in the Draft Environmental Impact Report as well as to question the legality of the previous entitlements, which the County is required to investigate.

The Sawmill Mountain / Hardin Flat area is comprised of R-2, R-5 and A-10 residential properties. This proposed hotel / resort site is directly in the center of our long term Homsteader residential area.

PUB116-08

It shows on the map as a small patch of private property surrounded by thousands of miles of Stanislaus National Forest and Yosemite National Park, just six miles to the east.

My great-great uncle was one of the very original homesteadesr while serving as the foreman of the sawmill almost one century ago.

The Sawmill Mountain / Hardin Flat area is a beautiful, rustic community.

Our properties are typically one or two bedroom cabins or houses on five to ten acres parcels of incredibly beautiful, scenic, quiet nature "preserves" consisting of old-growth forest, lush green meadows, seasonal springs and streams feeding the Wild and Scenic Tuolumne River.

The area is populated by far more animals than people including hawks, herds of Mule Deer, frogs, mountain lion, bear, endangered owls and bats and much more.

Most of the homes have been in the same families for generations. Many of my neighbors are up to their third or fourth generation and the Erickson's are on their fifth generation. One of my earliest memories here was catching poison oak and falling in love with Calamine Lotion at around five years old.

We are the caretakers for this land as generation after generation are raised here and taught how to protect and care for this beautiful yet fragile nature.

Most of our homes (but unfortunately not all) survived the Rim Fire, due in part to our regular thinning and maintenance of this forest, which is both hard and expensive work.

PUB116-08 cont.

In fact, the firefighters and other responders nicknamed our area "The Oasis" because it was the last remaining stand of green in miles of black, burnt forest.

We all love this mountain and river and do our best to protect it and preserve it for future generations.

Personally, I'm a second generation owner, a relative "new kid" on the block. My late Mother, Jacqueline, loved this property immensely and was so at peace and happy surrounded by "her" trees and "her" meadows until she passed last year.

It's for her sake, as well as mine and future generations that I write this letter to let you all know what a shame and tragedy it would be if Tuolumne County decides to forget about what it represents for the sake of dollars.

I'm going to briefly review the history of this land and then point out some of the numerous substantially negative impacts which have been largely ignored, dismissed or altogether ignored

When this site was purportedly re-zoned from Timber Preserve to Commercial Recreation thirty years ago (Exhibit One – Letter from Gene Pfeiffer) the County provided minimal notice to the surrounding property owners, did not conduct an Environmental Impact Review and essentially made no mention of the existence of this large residential community. In fact, they referenced the underlying zoning of Hwy 120 as a justification of conformance with the commercial use, completely

PUB116-09

ignoring the fact the subject site is in the midst of our residential community, which was established over Seventy Five (75) years ago.

From my research I've gathered that in 1991 the Tuolumne County Board of Supervisors voted to support a General Plan Amendment to re-zone the subject property from Timber Preserve (TPZ) to Commercial Recreation (CK) based on an Initial Study.

The property at that time was a single approximately 139 acre parcel (APN 68-120-57).

The approval document attached as Exhibit One brings up some interesting points including the fact that CEQA requires the lead agency to obtain an EIR unless there is "no substantial evidence in light of the whole record before the lead agency, that the Project may have a significant impact on the environment (Public Resource Code 21080 (c) (i) .

PUB116-09 cont.

However, the Initial Study did mention the possibility for multiple significant impacts including, but not limited to:

Adversely impacting timber production.

Being located in an Extreme Fire Hazard zone.

A request by Fish & Game for a wildlife survey.

Distance from emergency service.

Impacts to wildlife.

Aesthetic impacts to the Hwy 120 corridor through the National Forest leading to the National Park.

Tuolumne County Fire Department's statement that the project "may create a significant adverse impact as far as TCFD's and CDF's ability to provide fire protection within this area."

The Initial Study reported that the Tuolumne County Fire Department indicated that the site receives year round structural fire protection from Cal Fire Smith

Station, and seasonal (June 1 - November 1) from Cal Fire / Groveland. The response time from “First Due Engine Company” is 20 +- minutes.

In fact, the Smith Station fire station is no longer a year-round CalFire facility but is now operated by the U.S. Forest Service who are neither trained for nor permitted to respond to structure fires on private property.

So it appears this site no longer satisfies the conditions of the 1991 zone change.

It also appears the County did not obtain input from many of the key agencies including Cal Trans.

The study also states:

Page 5: It is the policy of the State to discourage expansion of urban services into Timberland.

PUB116-09 cont.

Page 6: Conclusion the zone change does not constitute Urban Development and no urban services are required for the project or future development.

Question: How do you develop large scale motel / hotel / resort complexes without urban services?

General Plan Fire Hazard Rating of the project site is Extreme.

No major deer migration corridor. (There is no question there are large herds of Mule Deer migrating through this property at this time).

Pg. 8 Year round spring and ephereral drainages.

Importantly, the Initial Study, page 11, states that "Pursuant to Chapter 1 of the General Plan, the project site would ordinarily be run through the General Plan Decision Matrix (Appendix A) following cancellation of the Williamson Act contract, in order to determine the appropriate General Plan land use designation. Chart 1C of the Decision Matrix indicates that the appropriate General Plan designation for … Assessors Parcel No, 68-120-57 would be LR (Large Lot)."

The Initial Study then makes the case that because Hwy 120's underlying zoning is designated Parks and Recreation as are two small adjacent parcels south of Hwy 120 and contiguous to subject property (I believe this refers to the pull-over lane and the drainage channel for Hwy 120) the findings can be made the property can be rezoned to Commercial Recreation.

PUB116-09 cont.

To me that sounds like a little bit of a stretch.

There is no mention of the fact this property sits right in the center of a Seventy Five (75) year old well established Homesteader community consisting of well over Thirty multi-generational RE-2, RE-5 and A10/RR properties.

The net effect of Re-Zoning this property from Timber Preserve to Commercial Recreation without the benefit of an Environmental Impact Review was to deprive the neighboring property owners, the community as a whole, the County and the surrounding environment of the ability to consider all of the potentially significant negative impacts listed in the Initial Study, and possibly more.

The next significant entitlement action on this property was the division of this single approximately 139 acre parcel (APN 68-120-57) into four relatively similar size lots between 2003 and 2004 through a lot line adjustment.

Information pertaining to this County action, an allegation into a possible violation of the Subdivision Maps Act and an ongoing request for investigation was submitted to the County during the Scoping study but apparently was not included in this over 2,000 page DEIR.

PUB116-10

The allegation is, in part, that the lot line adjustment was performed illegally with parcels that did not in fact exist. More information is included in the Comment Letters submitted by one of our neighbors, Matt Chapman.

It appears the County may be failing it's duty to investigate this allegation.

Attached to this letter are several County documents including a Consent to Record four large separate legal parcels when only two legal parcels are in the referenced Certificate of Compliance (Exhibits Two, Three, Four & Five).

PUB116-10 cont.

The apparent net impact of this likely ministerial process was for the County to once again deprive the neighboring property owners, the community as a whole, the County and the surrounding environment any kind of Notice, possible circumvention of the Subdivision Map Act and loss of the opportunity to examine the potential impact of this division of land, which now lends itself to the creation of two separate large-scale commercial developments.

Fast forward to 2015 – 2016. A recorded CFIP agreement is brought to my attention.

I've attached a California Forest Improvement Act (CFID) Greenhouse Gas Reduction Fund (GGRF) agreement for a Federal Grant (Exhibit Six).

This document was signed and submitted by the property owner less than five years ago, a couple of years after The Rim Fire, and includes the following information:

Objective: Establish fully stocked forest conditions capable of carbon sequestration and long term timber production. Establishment of planted conifer plantations and maintain healthy productive stands into the future.

PUB116-11

Pg. 13.

Approximately 30 acres of the northeast portion was planted at 300 trees per acre and a spot spray around seedlings was done. The remaining area had adequate natural regeneration and was not planted.

The area has a history of wildfire activity. The 1987 Complex Fire, Rogge Fire 1995, and the Rim Fire 2013 all burned major portions of the Tuolumne River watershed either burning or threatening the property.

The proximity of the parcels to Hwy 120, a major State highway and the northern access to Yosemite Park, add to the importance of creating a safe and aesthetic forest landscape.

The Tuolumne River along with the other perennial watercourses provide valuable wildlife habitat for a number of species including deer, bear, wild turkey, and gray squirrels. The landowners want to insure these values by improving forest health and reducing current fuel load levels.

When combined with other properties within the Tuolumne River Watershed, this project will help protect water quality, aesthetics, and wildlife values within the overall watershed.

PUB116-11 cont.

Pg. 14: Tree establishment and survival to a fully stocked timber stand will allow for carbon storage on site. Long term the stand will be grown to maturity and managed for timber. Trees will be left to grow on site to rotation age 60-100 years. As harvests occur regeneration will be encouraged to maintain a viable timber stand. Trees will occupy the site and timber volumes per acre are expected to be maintained between 15 and 40MBF/ac.

Once trees are established shade will deter the growth of brushy fuels and plantation maintenance will greatly decrease hazardous fuel buildups that lead to large wildfires.

Pg. 15: The landowner is committed to managing the parcel for long term forest and agricultural use. Current zoning is rural allowing for these land uses.

The promotion of a mature forest will provide a diversity of habitat for wildlife.

The area is located within the VeryHighFHSZ in Tuolumne County.

This project is designed to achieve the following:

1) Establish viable forested condition.
2) Restore and improve forest health.

3) Protecting water quality by maintaining vegetative debris and minimize potential for movement of herbicides downstream through use of no application buffer strips.

4) Help reduce the risk of catastrophic stand replacement wildfires through maintenance and establishment of forested landscapes.

PUB116-11 cont.

Pg. 4: Participant certifies that the parcel of forestland to which the Forest Improvement Program applies will not be developed for uses incompatible with forest resources management within 10 years following recordation date, as explained below. If the parcel of forestland is zoned other than TPZ, pursuant to provisions of Chapter 67 (commencing with Section 52200) of Part 1 of Division 1 of Title 5 of the Government Code, a Land-Use Addendum shall be signed by the Participant and shall be incorporated in and made a part of this agreement. Said Land-Use Addendum shall be recorded in the office of the County Recorder of the county of the affected land and shall be a covenant running with the land.

Pg. 10: (d) Number of acres under the Management Plan: 149

How is the project area zoned? Check one of the following and answer pertinent questions: TPZ Agriculture Preserve Other: **AE**

Is there a Conservation Easement, CC&R's, or a petition for rezoning from TPZ to other uses, existing, underway, or contemplated, which would restrict resource management activities for the period of time during which the grant is administered (10 years)? Yes **No X**

PUB116-11 cont.

Will the landowner agree not to put CFIP land to any use incompatible with forest resource management for 10 years? **Yes X**

So after reading and analyzing these documents I'm now sitting here asking myself "is this hotel/recreation land or is this timberland?

As long as we've owned our property, again, directly adjacent to the subject property, all we've observed is it's use as Timber Preserve. We saw a large logging operation in 2013, we see the recorded CFIP document stating the property owner will receive grant money for reforestation and that the land will remain in use as Timberland through at least 2025, we see the property use described as Agricultural on the County's tax roll, and we think this is Timberland, not Commercial.

In fact, so does the State of California.

It appears the property was intended to be converted from Timberland ten years after the 1991 zone change. According to the State of California, up through the date of the writing of this letter a Conversion permit has not been submitted and applied for.

As the 1991 Initial Plan stated, "the project site would ordinarily be tun through the General Plan Decision Matrix (Appendix A) following cancellation of the Williamson Act contract, in order to determine the appropriate General Plan land use designation."

PUB116-12

We feel that's where things stand today. The property owner should first complete the Conversion permit with the State of California and, IF approved, should THEN proceed to apply for a zone change with the County, based on the conditions in effect today, not thirty years ago.

It is not "automatic" that the State will approve a Conversion permit. In fact the Conversion permit applied for by Yosemite Under Canvas, on the other side of the site, was rejected by The California Department of Forestry and Fire Protection just last week due, in part, to concerns stated by the California Department of Fish and Wildlife's concern "concerned with potential impacts to special-status bat species, State Species of Special Concern northern goshawk (Accipiter gentilis), avian species, and stream and riparian resources." (See Exhibit Seven – Cal Dept of Fish & Game Letter).

Additionally, the impact of Conversion of Timber Preserve is in itself a serious impact. Due to extreme reductions in the availability of Federal Timberland and the loss of substantial amounts of private Timberland the remaining inventory is treasured, as are the benefits of carbon sequestering and the reduction of greenhouse gasses.

PUB116-13

We feel the County is putting the cart before the horse and should table this Application until when, and if, the property is successfully converted from Timber Preserve through the State of California, THEN perform the due diligence to evaluate the appropriate zoning in this current era.

It is quite possible the outcome would be different, and the determination following an Environmental Impact Report could well be that the current appropriate land use is either Residential, to conform with the surrounding community (and not the underlying zoning of Highway 120), or some other appropriate use.

It is actually highly questionable that this is an appropriate site for Commercial zoning, given the severe fire risk and what we've learned (hopefully) from The Rim Fire and The Camp Fire, the absence of public water and sewage, the traffic

concerns, the impact on the migration patterns of the wildlife present in the area currently (not what was or was not here thirty years ago) .

Let's look at the reasons why this might be the case:

PUB116-13 cont.

Water:

Please see the attached letter (Exhibit Eight) from top hydrogeology expert Kenneth Schmidt (Bio attached as Exhibit Nine).

Mr. Schmidt's concluded that the DEIR statement that the proposed development doesn't appear to place a burden on the available groundwater supply in the project vicinity was **not** supported by the report.

In fact the pump testing had several major failures including, but not limited to:

Drawdowns were significant, especially since the residential properties were mostly uninhabited and not utilizing water during the time of the test.

The discharged water may have re-entered the water table during the pump test.

Testing was not performed in a cumulative manner, with the proposed Yosemite Under Canvas Project across the road.

Incomplete and missing information.

PUB116-14

Fire:

This impact is so obvious it's barely worth discussing. Just the concept of inserting several hundred hotel guests into the middle of an Extreme Fire Hazard Zone / dry forest.

Not to mention this area is prone to frequent fires and has been burned in:

The Rim Fire of 2012

The Rogge Fire of 1995

PUB116-15

The Complex Fire of 1987

Again, in the 1991 Initial Study the Tuolumne County Fire Department's stated that the project "may create a significant adverse impact as far as TCFD's and CDF's ability to provide fire protection within this area."

And that was with the Smith Station Fire Station year-round and a 20 minute response time, plus they required a 1,250 gpm 20 psi fire system which could operate for two hours and a 150,000 gallon dedicated water tank.

Is there less risk of fire now than in 1991? All reports I've read say there is now a greatly heightened risk of fire.

I keep hearing about Cal-Fire's plans to freeze developments in the high fire risk areas. Is this rush to approve the project for the purpose of beating those restrictions?

PUB116-15 cont.

Traffic:

The cumulative impact of this project combined with the re-opening of Berkeley Camp, expansion of Yosemite Lakes and proposed adjacent Yosemite Under Canvas MUST be evaluated with a Traffic Study as well as the design of Hwy 120 to allow pull-outs for YARTS, turn lanes on both sides of Hwy 120 and a center lane.

CalTrans was apparently not consulted in the 1991 zone change to commercial but they must be now.

Rather than utilizing a dead-end Forest Route with a sharp turn as the drivers are exiting a sharp curve along Hwy 120 the main entrance and exit for the project should be located at the site's sixty foot opening onto Hwy. 120, further to the east, where the line of sight is much better (Exhibit Ten).

PUB116-16

Sewage:

PUB116-17

Even the top of the line sewage treatment centers fail and the concept of a giant leechfield for a development of this scale is disgusting. What happens when the waste cannot percolate, and where does it go when it does percolate?

The project map depicts the flow going south, towards Hwy 120, which is uphill.

Since underground flow typically follows the terrain it is much more likely the sewage would flow downhill through the meadows, springs, streams and wells of the neighboring properties then into the stream 300' away which flows into the middle fork of the Wild and Scenic Tuolumne River.

It's preposterous to think there is no substantial impact created.

When it fails, then what? How does that get removed from the river?

There are confirmed reports of COVID19 in the water exiting Yosemite Valley from the Merced River. Do we want COVID19 in The Wild and Scenic Tuolumne River as well?

As stated in Dr. Schmidt's letter (Exhibit 7) a careful hydrogeologic evaluation needs to be performed on the impact of wastewater on the project's and neighboring property owner's water supply.

PUB116-17 cont.

Evacuation:

The residents of Sawmill Mountain have one, and only one, evacuation route, along Forest Route I-S03 past the proposed resort and onto Hwy 120. How are the residents, as well as visitors to Stanislaus National Forest, supposed to reach the highway when hundreds of fleeing and likely panicked hotel guests are between them and the highway?

Eight homes have only the use of the easement across the NW corner of this site just feet from the proposed Heli-pad, which means they would likely be stopped until the helicopters have completed their landings and take-offs.

PUB116-18

Eco-Friendly:

PUB116-19

How Eco-Friendly is it to destroy a forest of mature trees which were among the relative few in the area to survive the Rim Fire, adjacent to the boundary of a National Forest?

PUB116-19 cont.

The bottom line here is that, yes, Tuolumne County needs additional revenue. But at what point do you sacrifice what you're all about?

This project will have a severe detrimental impact on the scenic corridor into Yosemite National Park.

PUB116-20

It creates serious safety and environmental impacts which cannot be mitigated.

PUB116-21

This is the wrong place for a large commercial development of this scale.

There are alternative locations which are served by the Groveland Community Service District with running water, sewage, in closer proximity to the scarce emergency services. These locations, including "The Scar" and the Deardorfer property along Hwy 120 near Smith Station, will generate the same tax revenues for the County without destroying this beautiful but fragile environment and putting so many lives at risk.

PUB116-22

The zone change to Commercial Recreation was performed almost thirty years ago without an EIR. Conditions have changed. Indeed, it seems impossible for this site to now satisfy the conditions of the 1991 approval.

The property has continued to be utilized as Timberland the entire time through current. There is currently a Timber Harvest Plan proposed.

I urge the County to put aside the temptation of substantial TOT income for a minute and look at this proposed project solely with regards to it's merits vrs it's potentially extremely serious negative impacts.

Find a more appropriate location for the lodging establishments.

Allow the property owner to obtain the financial reward they deserve through profitably developing the site in character with the long-term existing residential community it sits in the center of.

PUB116-23

Conduct a feasibility study to examine other potential uses, such as creating single family homes to blend in with the neighborhood and to assist with the County's serious affordable housing crisis.

After all, theres no guarantee this project will be successful or survive for more than a few years. Then what?

PLEASE consider all the input, observations and suggestions you are receiving from your constituents and tax payers.

PUB116-23 cont.

Sincerely,

Dan Courtney

Trustee, The Jacqueline Courtney Trust

Owner of 11250 Sawmill Mountain Road

Groveland, CA 95321

EXHIBIT LIST

DAN COURTNEY DEIR LTR – TERRA VI 7-30-20

EXHIBIT #	TITLE
ONE	Gene Pfeiffer Ltr – 1991 Zone Change
TWO	Cert of Compliance, etc Manly
THREE	Manly Subdivision
FOUR	County Surveyor's Decision
FIVE	Lot Line Adjustment Map
SIX	Manly PRA_8GG (CFIP)
SEVEN	YUC CONVERSION LTR
EIGHT	Ken Schmidt Letter
NINE	Ken Schmidt Bio
TEN	CalTrans Quitclaim - Opening

Gene & Joann Pfeiffer
16755 Littlefield Ln.
Los Gatos, CA 95032

Aug. 19, 1991

Supervisor Norm Tergeson
Sonora Board of Supervisors
FAX TO 209 533 5510
Sonora, CA 95370

ref: Timothy & Carol Manly Assessor's parcel # 68-120-57
requested C-K zoning change

Dear Mr. Tergeson:

We own a vacation home off Sawmill Mt. Road near the proposed site. We are opposed to the zoning change to allow commercial development for the following reasons.

1. A negative declaration was issued by the planning department. This is in error as any commercial development in a residential and forest area will cause a significant adverse impact on the environment. State law requires the governing body (i.e. Bd. of Supervisors) to conduct environmental review of all projects pending before it. The purpose of this review is to examine the nature and extent of any potentially significant adverse effects on the environment that may occur if the project is approved. If the review revealed that a proposed project would have a significant adverse impact on the environment, the Director of Planning would require that an Environmental Impact Report be prepared. The Initial Study review that was prepared for this Zone change was a superficial environmental review. None of the nearby neighbors were contacted when the environmental review was prepared. A complete Environmental Impact Report needs to be prepared.

PUB116-24

2. We believe the present character of the area should be maintained. If all of the private parcels northwest of the site are developed with residences or vacation cabins, the density would be greater than one unit per 5 acres. A zoning change to RE-5 would be more appropriate to the site. At the very least the open space should be placed between the development and the present residential area. At the present time it is located at the opposite end of the property. The present commercial development, Yosemite Lakes Campground, is farther away than the existing residential area.

3. It is a winter grazing area for the deer herd. In the winter time I have seen a number of deer on the site.

4. It is also a bear habitat. My neighbors and our cabin have had bear problems for the last three to four years.

5. I have heard several different types of owls on the property. One of our neighbors has had a spotted owl land on their deck.

6. The General Plan Fire Hazard Rating of the project site is extreme. The county can not afford another major fire. Luckily this area has not had a major fire since 1952.

7. The erosion hazard for most of the project site is rated high.

8. The Section 51120 of the California Code discourage expansion of urban services into timberland and premature or unnecessary conversion of timberland to urban and other uses.

9. The project site is rated medium to high for commercial timber production.

10. The view-shed from HY120 needs to be studied.

11. The present exit off Sawmill Mt. Road is unsafe if the proposed project would significantly increase the traffic flow onto HY120.

12. The neighbors to the site should have been contacted regarding the wildlife study and given more notice of the proposed General Plan change. The owner of the property made no contact with his neighbors to work out a mutual agreement on his proposed zoning change.

PUB116-24 cont.

We believe the planning staff is in error on allowing a major land use change without an environmental impact report. The C-K district allows hotels, motels, motorcycle racetracks, mobile home parks, service stations, bars, and other recreational developments. The above uses would result in a significant adverse impact. I believe that the Board of supervisor would be irresponsible and be put in a libelous position by not requiring an Environmental impact report to address the above twelve items.

Sincerely,

Gene L. Pfeiffer

PLANNING DEPARTMENT

JAMES E. NUZUM
DIRECTOR OF PLANNIN

A. N. Francisco Building
48 West Yaney Street
MAILING:
2 South Green Street
Sonora, CA 95370
Phone (209) 533-5611

Initial Study

DATE: June 25, 1991

ASSESSOR'S PARCEL NOS. 68-120-49 and 68-120-57

SURFACE/MINERAL RIGHTS OWNERS: Timothy and Carol Manly

PROJECT:

1. Amend the General Plan land use designation of two parcels, 139± acres and 10± acres in area from TPZ (Timberland Preserve) to R/P (Parks and Recreation).

2. Rezone the 139± acre parcel from TPZ (Timberland Preserve) as follows:

C-K (Commercial Recreation)	112.0± acres
O (Open Space)	25.3± acres
O-1 (Open Space-1)	1.7± acres

Rezone the 10± acre parcel from TPZ (Timberland Preserve) as follows:

C-K (Commercial Recreation)	7.2± acres
O (Open Space)	2.8± acres

Pursuant to Section 17.42.050 of the Ordinance Code, the term of the TPZ contract is 10 years. Therefore, any Zone Change would not take effect for 10 years following adoption by the Board of Supervisors.

LOCATION: Assessor's Parcel No. 66-120-57 is 139± acres in area and is bisected by Highway 120. The intersection of Hardin Flat Road is located near the center of the parcel. The intersection of Sawmill Mountain Road is located near the western property boundary. The southeast 1/4 of Section 26, Township 1 South, Range 18 East.

Assessor's Parcel No. 66-120-49 is located on the north side of Highway 120 approximately 1/2 mile east of the Hardin Flat Road intersection adjacent to the northern boundary of Section 36, Township 1 South, Range 18 East.

GENERAL PLAN: The project site is designated TPZ (Timberland

PUB116-24 cont.

Preserve) by the General Plan. The requested General Plan Amendment and Zone Change would not take effect until ten years following adoption by the Board of Supervisors. Chart A-6a of the General Plan indicates that the requested C-K zoning may be found to be consistent with the requested R/P General Plan designation.

SITE DESCRIPTION:

Assessor's Parcel No. 68-120-57 is located on variable terrain at elevations between 3,700 and 4,000 feet. The parcel is bisected by State Highway 120 in an east-west direction. Slopes on the site range from level up to 40 percent in the drainages north of Highway 120. Vegetation on the site consists of a managed second growth mixed conifer forest with a medium to dense canopy. Sawmill Mountain Road and Hardin Flat Road intersect Highway 120 on the site. Existing dirt roads and skid trails provide access to the remainder of the site.

Assessor's Parcel No. 68-120-49 is situated on south facing slopes at elevations between 3,840 and 4,000 feet. Slopes on the site range from 15 percent near the top of the parcel to 40 percent. Native vegetation consists of a sparse overstory of ponderosa pine and an understory of manzanita and bearclover. A 6± acre plantation of ponderosa pine is located on the site.

PUB116-24 cont.

ENVIRONMENTAL EVALUATION:

NATURAL FEATURES

Climate - Due to the size, nature and location of the project, impacts to the local climate would not be significant.

Air Quality - The project has been reviewed by the Tuolumne County Air Pollution Control District (APCD). APCD advises that approval of the project would not result in a significant adverse air quality impact.

Future development of the project site in compliance with any zone change approved under this action, would require approval of a future discretionary permit by the County. As such, impacts to air quality resulting from future devel-

opment could be assessed, and mitigated if necessary, at the time of that application.

Hydrology/Water Quality - Run-off from Assessor's Parcel No. 68-120-49 drains south, across Highway 120, into the South Fork of the Tuolumne River near Hardin Flat.

Run-off from Assessor's Parcel No. 68-120-57 is collected by on-site ephemeral drainages which converge in the southeast portion of the parcel. The stream leaves the site near the southeast corner and flows into the South Fork of the Tuolumne River.

Enforcement of Title 13 of the Ordinance Code-Water and Sewers, during future development of the project site will protect the quality of water from degradation by sewage disposal. Enforcement of Chapter 12.20-Grading will serve to retain disturbed soils on the project site and minimize siltation of downstream water courses.

PUB116-24 cont.

Geology/Soils - The Geologic Map of California-Mariposa sheet indicates soils on that portion of the project site north of Highway 120 are derived from mesozoic granitic rocks and soils south of Highway 120 are derived from paleozoic marine rock.

The Stanislaus National Forest Soil Resource Inventory indicates that soils found on Assessor's Parcel No. 68-120-49 are as follows:

Soil Type:	Lithic Xerumbrepts Fiddletown Family (170)
Approximate Acreage:	9.2
Parent Material:	granitic rock
Depth:	4-40 inches
Slope:	35-70 percent
Permeability:	moderately rapid
Erosion Hazard:	very high
Timber Production:	low to medium
Soil Type:	Fiddletown Family (110)
Approximate Acreage:	0.8
Parent Material:	granitic rock
Depth:	4-40 inches

Slope:	15-35 percent
Permeability:	moderately rapid
Erosion Hazard:	high
Timber Production:	low to medium

Soils on Assessor's Parcel No. 68-120-57 are as follows:

Soil Type:	Holland Family (130)
Approximate Acreage:	74.6
Parent Material:	granitic rock
Depth:	20-40 inches
Slope:	5-35 percent
Permeability:	moderate to moderately slow
Erosion Hazard:	high
Timber Production:	medium to high

Soil Type:	Holland Family (132)
Approximate Acreage:	37.9
Parent Material:	granitic rock/andesitic tuff
Depth:	20-40 inches
Slope:	10-35 percent
Permeability:	moderately rapid to moderately slow
Erosion Hazard:	medium to high
Timber Production:	medium to high

Soil Type:	Josephine Family (159)
Approximate Acreage:	17.7
Parent Material:	metasedimentary rock
Depth:	20-60 inches
Slope:	5-35 percent
Permeability:	moderately rapid to moderate
Erosion Hazard:	medium to high
Timber Production:	medium to high

Soil Type:	Fiddletown Family (110)
Approximate Acreage:	8.8
Parent Material:	granitic rock
Depth:	4-40 inches
Slope:	15-35 percent
Permeability:	moderately rapid
Erosion Hazard:	high
Timber Production:	low to medium

PUB116-24 cont.

The Soil Resource Inventory indicates that Assessor's Parcel No. 68-120-49 is rated low to medium for commercial timber production. The Soil Resource Inventory further indicates that the erosion hazard is very high on 9.2 acres of the site, which contains the steepest slopes on the site. The erosion hazard on the remainder of the site is rated high.

Vegetation and Fire Hazard - The Stanislaus National Forest Soil Resource Inventory indicates that approximately 130.2 acres of Assessor's Parcel No. 68-120-57 is rated medium to high for commercial timber production.

Chapter III, Policy 5 of the General Plan indicates that the economically important forest resources in Tuolumne County, such as TPZ and Williamson Act contract lands, will be protected against unnecessary development. Economically important forest resources are defined as lands with an Arvanitis timber site index of 4, 5, 6 or 7. The Arvanitis timber site index of the 130.2± acre portion of Assessor's Parcel No. 68-120-57 is 3 to 5.

PUB116-24 cont.

The project has been reviewed by the California Department of Forestry and Fire Protection (CDF). CDF advises that both parcels are capable of timber production. CDF further advises as follows:

The process for the 10 year withdrawal is outlined in Section 51120 of California Code of Regulations which reads in part, "... it is the policy of this State to do all of the following:

1) Maintain the optimum amount of the limited supply of timberland so as to ensure its current and continued availability for growing and harvesting of timber and compatible uses.

2) Discourage premature or unnecessary conversion of timberland to urban and other uses.

3) Discourage expansion of urban services into timberland.

4) Encourage investment in timberlands based on reasonable expectation of harvest."

It appears clear that the Legislature's intent is to conserve what timberland remains, and although the Department of Forestry and Fire Protection and the Board of Forestry don't actively participate in the decision to remove this land from TPZ designation, we (CDF) support the policy established by the Legislature and encourage that it be considered by the Board of Supervisors in their decision making process.

The proposed General Plan Amendment and Zone Change, and likely future development of the project site, does not constitute urban development. Similarly, no urban services are required for the project or future development. However, approval of the Zone Change would adversely impact the use of the site for commercial timber production.

PUB116-24 cont.

Approval of the project would likely lead to development of the site following cancellation of the TPZ contract. Based on the size of Assessor's Parcel No. 68-120-57, 139± acres, development could occur in such a manner so as not to preclude commercial timber production on the entire site. However, continued timber management on the project site is not guaranteed beyond cancellation of the TPZ contract.

The Tuolumne County Agricultural Commissioner has reviewed the project and advises that approval would not result in a significant adverse impact on County agriculture.

The General Plan Fire Hazard Rating of the project site is extreme. This rating is determined using the California Fire Hazard Severity Classification System and is based on factors of slope, vegetation and summer weather patterns.

No species of rare or endangered plant is known to exist on or near the project site.

Wildlife and Habitat - The Tuolumne County wildlife aerial photography indicates that Mixed

chaparral (mch) habitat is found exclusively on Assessor's Parcel No. 68-120-49. Habitat types found on Assessor's Parcel No. 68-120-57 are as follows:

Habitat Type	Approximate Acreage
Montane hardwood-conifer (mhc)	114
Ponderosa pine (ppn)	20
Residential-park (rsp)	5

The Tuolumne County Wildlife Manual indicates that a Sierra Spotted Owl has been noticed in the vicinity of Assessor's Parcel No. 68-120-57. This record consists of a response to a hooting sequence by a single bird. The hooting sequence originated from the intersection of Hardin Flat Road and Highway 120. No nest or bird was sighted. Based upon this information, the California Department of Fish and Game advises that a wildlife survey should be conducted of Assessor's Parcel No. 68-120-57 prior to approval of the project. Should the survey show that Spotted Owls utilize the site, the protection measures outlined in Chapter III of the Wildlife Manual will be implemented to preserve the habitat.

PUB116-24 cont.

Appendix C of the Wildlife Manual indicates that the mch, mhc, ppn and rsp habitats are common habitats found throughout the County. Appendix B indicates that the rsp habitat is a fourth priority wildlife area. The mch habitat found on Assessor's Parcel No. 68-120-49 is a third priority wildlife area due to the presence of a relatively mature shrub layer. The mhc and ppn habitats found on Assessor's Parcel No. 68-120-57 are third priority wildlife areas due to the presence of a relatively mature tree layer.

Chapter III, Implementation Measure LL of the General Plan requires that where a common habitat type located on a proposed development site is determined to be a third priority wildlife area, Open Space zoning shall be used to conserve 20 percent of the site or the entire habitat area, whichever is less.

The Wildlife Survey conducted on the project site concluded that there exists no evidence of use of

Assessor's Parcel No. 68-120-57 by the Spotted Owl. The Survey also concluded that no suitable habitat exists on the site for the Willow Flycatcher (Empidonax trailii) and that no major deer migration corridors are located on the parcel.

As such, 20 percent of the site, approximately 29.8± acres must be zoned for Open Space to mitigate impacts to wildlife resulting from development of the site.

A 2.8± acre portion of Assessor's Parcel No. 68-120-49 will be zoned Open Space. This portion of the site is located adjacent to the eastern property boundary and contains an ephemeral drainage. A 1.7± acre portion of Assessor's Parcel No. 68-120-57 will be zoned O-1 to protect valuable riparian habitat associated with an intermittent stream in the southeast corner of the parcel. The remaining 25.3± acres of Open Space zoning will be located in the eastern portion of Assessor's Parcel No. 68-120-57 north of Highway 120. This area contains a year-round spring and several ephemeral drainages.

PUB116-24 cont.

Flood Hazard - The proposed project site has been located on the Federal Emergency Management Agency Flood Insurance Rate Maps. The site is not in an area prone to flooding, thus approval of the proposed project will not result in a significant adverse impact.

CULTURAL FEATURES

Public Plans and Policies - The project site is designated TPZ (Timberland Preserve) by the Tuolumne County General Plan. The site is presently zoned TPZ (Timberland Preserve) under Title 17 of the Tuolumne County Ordinance Code. Said zoning was adopted by passage of Ordinance 874 on June 21, 1977.

The TPZ General Plan designation is a non-priority land use designation. Therefore, prior to development of the site, an appropriate General Plan designation must be assigned to the site. Since the TPZ zoning has a ten year term, both the TPZ land use designation and zoning must

remain in effect for the duration of that 10 year period. If a zone change is approved, said zoning would take effect ten years following adoption by the Board of Supervisors.

Pursuant to Chapter I of the General Plan, the project site would ordinarily be run through the General Plan Decision Matrix (Appendix A) following cancellation of the Williamson Act contract, in order to determine the appropriate General Plan land use designation. Chart IC of the Decision Matrix indicates that the appropriate General Plan designation for Assessor's Parcel No. 68-120-49 would be RR (Rural Residential) and for Assessor's Parcel No. 68-120-57 would be LR (Large Lot).

The owner desires to rezone the project site C-K (Commercial Recreation) in order to utilize the locational aspects of the site. The Planning Director has determined that a General Plan Amendment is required for this project due to the size of the site. The Highway 120 right-of-way in the vicinity of the project site is designated R/P (Parks and Recreation) as are two small parcels located south of Highway 120 which are contiguous to Assessor's Parcel No. 68-120-57.

PUB116-24 cont.

Chart A-6a of the General Plan indicates that the requested C-K, O and O-1 zoning districts may be found to be consistent with the R/P land use designation.

Assessor's Parcel No. 68-120-57 is bisected by Highway 120 approximately 10 miles west of the Big Oak Flat entrance station to Yosemite National Park. As such, the site is ideally located for vacation oriented recreational development. The topography of the majority of the parcel lends itself to a variety of recreational land uses. The large, relatively level area north of Highway 120 and east of Sawmill Mountain Road could support a hotel development. Portions of the remainder of the site are suitable for recreational vehicle park or campground development. Open Space zoning will be located to encompass the steeper portions of the parcel.

Assessor's Parcel No. 68-120-49 is located adjacent to the north side of Highway 120 approximately 1/4 mile east of the remainder of the site. This parcel may be appropriate for accessory uses to a recreational development on Assessor's Parcel No. 68-120-57. Such uses include: a water tank and television reception equipment.

If the project site is designated R/P, General Plan policies relative to urban service requirements will not apply to the site. Therefore, recreational development could occur without public water or sewer service subject to approval by the Tuolumne County Health Officer and appropriate State agencies.

Chapter III, Policy 1 of the General Plan states as follows: "Land will be used for the purpose for which it is most suited by virtue of its inherent natural characteristics, as modified by its locational relationships, whether it be urban development or natural resource preservation and utilization."

PUB116-24 cont.

The majority of the project site is rated medium to high for commercial timber production. However, the project site is located adjacent to Highway 120 near an existing recreational community approximately ten miles from Yosemite National Park. Future land use decisions by Yosemite National Park will likely greatly increase the need for lodging accommodations on major access routes into the Park. The project site contains large amounts of potentially suitable land for recreational development. Therefore, despite the value of the project site for timber production, the location and terrain of the site dictate that the most appropriate future use is for recreational development.

Section 17.30.010 of the Ordinance Code indicates that the purpose of the C-K zoning district is to encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. A Development Agreement or Use Permit must be approved prior to issuance of a

Grading Permit or Building Permit in the C-K district.

Section 17.30.020 indicates that permitted uses in the C-K district include: recreational structures and developments; commercial stables; riding clubs; guest ranches; hotels and motels; motorcycle, snowmobile and auto clubs and facilities including trails, test areas and racetracks; mobilehome parks; service stations; bars (not permitted within 200 feet of a residential zoning district); health care facilities; and tourist information facilities.

The property owner has been issued a Timber Harvest Plan Exemption from the California Department of Forestry and Fire Protection. The project site is periodically logged to remove insect infested timber. Therefore, the project is in compliance with Ordinance 1750 regarding eradication of bark beetles.

PUB116-24 cont.

Section 51120 of the California Code of Regulations indicates that if the owner of property zoned TPZ wishes to rezone the property, the owner shall provide written notice requesting the zoning desired. Unless written notice is given at least 90 days prior to the anniversary date of the initial zoning, the zoning term shall be deemed extended.

The project site was zoned TPZ on June 21, 1977, through adoption of Ordinance 874. On April 5, 1991, the owners submitted an application requesting the project site be designated R/P and zoned C-K and O.

Section 51120 further indicates that a majority vote of the full Board of Supervisors is required to remove the property from TPZ zoning. The Board must specify a new zoning district for the parcels. The new zoning district approved by the Board shall become effective 10 years following the date of approval.

Tuolumne County Resolution 142-77 requires the County Clerk to send a Notice of Non-renewal of the TPZ zoning to the Assessor's Office and to

record such Notice with the County Recorder.

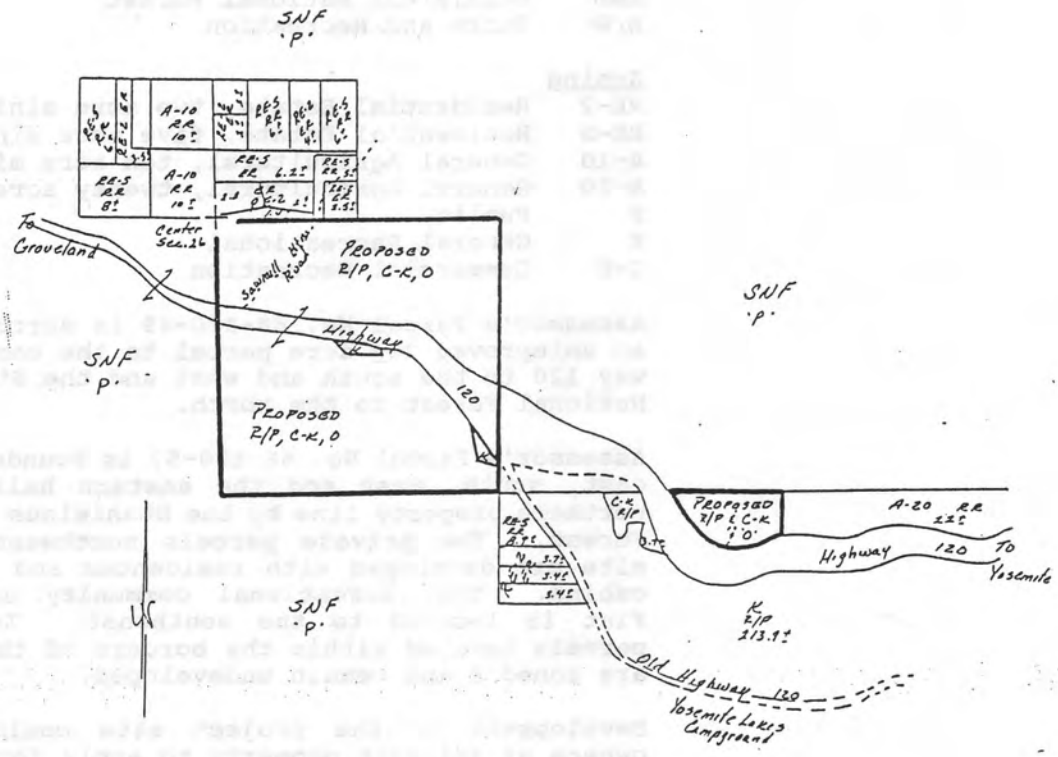
If the Board of Supervisors denies the request for a Zone Change from TPZ, the property owner may petition for a rehearing of the same request. Resolution 142-77 requires a rehearing to be held within 30 days of the request for such.

Prior to development of the project site under the requested C-K zoning, the following entitlements may be required:

Permit	Lead Agency
Development Agreement or Use Permit	Planning Department
Encroachment Permit	Department of Transportation and Engineering Services
Water System	Environmental Health Division
Sewage Treatment System	Environmental Health Division or California Regional Water Quality Control Board
Grading Permit	Department of Transportation and Engineering Services
Building Permit	Building Department

Growth Inducement - Parcels located in the vicinity of the project site are shown on the map on the following page.

PUB116-24 cont.



PUB116-24 cont.

Legend:

General Plan

ER	Estate Residential
RR	Rural Residential
SNF	Stanislaus National Forest
R/P	Parks and Recreation

Zoning

RE-2	Residential Estate, two acre minimum
RE-5	Residential Estate, five acre minimum
A-10	General Agricultural, ten acre minimum
A-20	General Agricultural, twenty acre minimum
P	Public
K	General Recreational
C-K	Commercial Recreation

Assessor's Parcel No. 68-120-49 is surrounded by an unimproved 22± acre parcel to the east, Highway 120 to the south and west and the Stanislaus National Forest to the north.

PUB116-24 cont.

Assessor's Parcel No. 68-120-57 is bounded to the east, south, west and the eastern half of the northern property line by the Stanislaus National Forest. The private parcels northwest of the site are developed with residences and vacation cabins. The recreational community of Hardin Flat is located to the southeast. Two small parcels located within the borders of the parcel are zoned K and remain undeveloped.

Development of the project site could induce owners of adjacent property to apply for similar recreation oriented development. However, the area is one which contains a variety of existing recreational opportunities and is located in such a way as to provide excellent recreational opportunities for the traveling public.

Community Identity - The US Forest Service has been advised of the project. The Forest Service has identified a Spotted Owl Habitat Area adjacent to the southern boundary of Assessor's Parcel No. 68-120-57 and is interested in the wildlife habitat of the parcel.

The Tuolumne County Hiking, Cycling and Equestrian Trails Advisory Council has reviewed the

project. They advise that any trail leading from the property into the National Forest should be continuously left open to non-motorized traffic. Access to the National Forest is provided by Highway 120, Sawmill Mountain Road and Hardin Flat Road in the vicinity of the project site. Therefore, no access through the site is necessary.

The Central Sierra Chapter of the Audubon Society has reviewed the project. They indicate concerns regarding loss of timber producing land, distance from the site to emergency services, impacts to wildlife and aesthetic impacts to the Highway 120 corridor through the National Forest and into Yosemite National Park. These impacts are addressed in previous and subsequent sections of this document.

The Highway 120 Association has been advised of the project and has offered no comments thereon.

PUB116-24 cont.

The project site is located adjacent to the recreational community of Hardin Flat. The NACO West resort, Yosemite Lakes Camper Park, is located approximately 1/2 mile from the site. An existing vacation cabin complex is located adjacent to Assessor's Parcel No. 68-120-57. The project site is contiguous to the Stanislaus National Forest. Highway 120 bisects Assessor's Parcel No. 68-120-57 and is adjacent to the southern border of Assessor's Parcel No. 68-120-49.

These facts indicate that approval of the project would result in expansion of an existing recreational community to include an appropriate site for further development.

Water and Sewer - The Tuolumne County Environmental Health Division advises that future development will be required to address health issues including: provision of potable water, sewage disposal and solid waste disposal.

Recreational development may be allowed to develop a self-contained domestic water supply meeting State standards subject to approval of the

Tuolumne County Health Officer. On-site sewage disposal systems may be allowed subject to approval of the Tuolumne County Health Officer and the California Regional Water Quality Control Board.

Fire Protection - The proposed project has been reviewed by the Tuolumne County Fire Department (TCFD). TCFD has indicated that the site receives year round structural fire protection from Smith Station, and seasonal (June 1 - November 1) wildland protection from the California Department of Forestry and Fire Protection through the Groveland Station. The response time from "First Due Engine Company" is 20± minutes.

TCFD advises as follows:

1. This project may create a significant adverse impact as far as the TCFD's and CDF's ability to provide fire protection within this area. However, at this time it is not known because an actual project has not been proposed.

2. Fire flows of 1,250 gpm at 20 psi for two (2) hours are required on all parcels zoned C-K. Additionally a water storage facility must be provided that can hold a minimum of 150,000 gallons of water over and above peak domestic use. The water storage facility would need to be refilled from a total fire flow drain down within 96 hours.

PUB116-24 cont.

Schools - The project site lies within the Big Oak Flat-Groveland Unified School District. Pursuant to State Law, this district can charge a fee for impacts to the school system.

Police Protection - This project has been reviewed by the Tuolumne County Sheriff's Department. The Sheriff's Department advises that approval of the project would not result in a significant adverse impact on law enforcement.

County Services - The Tuolumne County Board of Supervisors has determined that impacts to County provided services, except roads, resulting from

commercial development are mitigated through payment of increased property taxes resulting from that development.

Traffic and Access - Access is provided to the site by State Highway 120; Hardin Flat Road - a paved, County-maintained road in good condition and; Sawmill Mountain Road, which is maintained by the Stanislaus National Forest.

Caltrans has been advised of the project and has offered no comments thereon.

The proposed project has been reviewed by the Tuolumne County Department of Transportation and Engineering Services (TES). TES has offered no comments on the project. TES will respond when development of the site is proposed.

All development within the County contributes to a significant adverse cumulative impact on the County-maintained transportation system. To mitigate this impact, the appropriate Traffic Impact Mitigation Fee must be paid to Tuolumne County at the time of development.

PUB116-24 cont.

Noise - The project site receives noise from vehicular traffic on Highway 120, Hardin Flat Road and Sawmill Mountain Road. Noise impacts of proposed development on the project site will be analyzed at the time application is made.

Visual Quality - The project site is a private inholding within the Stanislaus National Forest. Assessor's Parcel No. 68-120-49 has approximately 1,000 feet of frontage on Highway 120. Assessor's Parcel No. 68-120-57 is bisected by Highway 120. As such, both parcels are highly visible from the highway.

Highway 120 travels through the Stanislaus Forest on the way to Yosemite National Park. As such, the route receives much tourist traffic. To maintain the character of the Highway 120 view-shed, development of the project site must consider aesthetic impacts to the traveling public. Assessor's Parcel No. 68-120-49 must be protected from unnecessary erosion. The visual corridor on

Pacific Gas and Electric
US Forest Service
Big Oak Flat-Groveland Unified School District
Highway 120 Association
Southern Tuolumne County Historical Society
Audubon Society-Central Sierra Chapter
Sierra Club-Tuolumne Group

SOURCES REVIEWED:

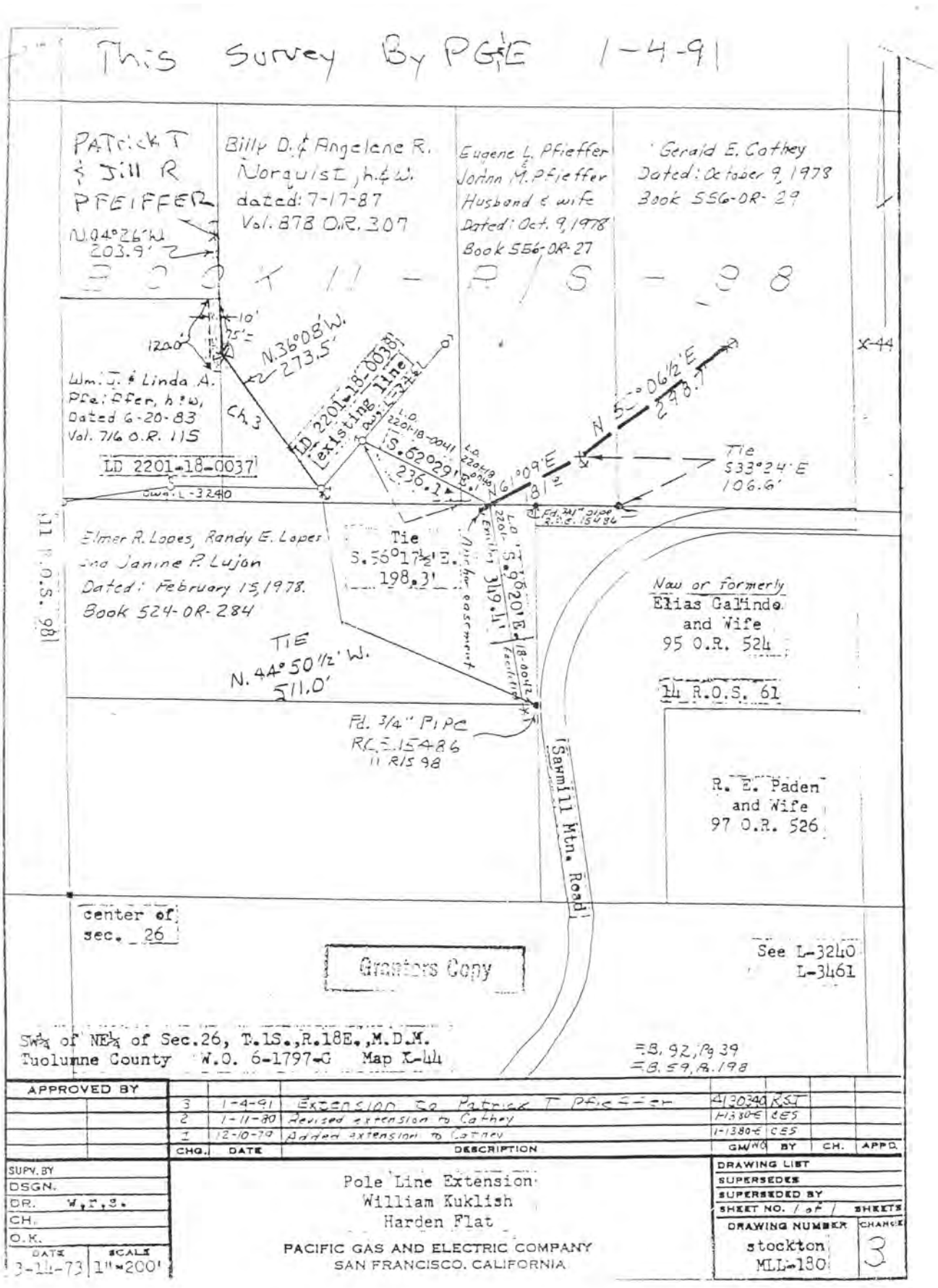
Tuolumne County
General Plan
Zoning Ordinance (Title 17)
Land Division Ordinance (Title 16)
Road Standards (Title 11)
Connecting Roadways (Chapter 12.04)
Grading Ordinance (Chapter 12.20)
Water and Sewers (Title 13)
Traffic Impact Mitigation Fees (Resolution 88-91)
County Services Impact Mitigation Fees (Resolution 381-90)
Geotechnical Interpretive Maps
Wildlife Aerial Photography
Wildlife Manual

Other
California Environmental Quality Act
California Government Code, Section 51100 et seq.
Geologic Map of California
Stanislaus National Forest Soil Resource Inventory
US Federal Emergency Management Agency Flood Insurance Rate Maps

PREPARED BY: Mike Laird
Planner II

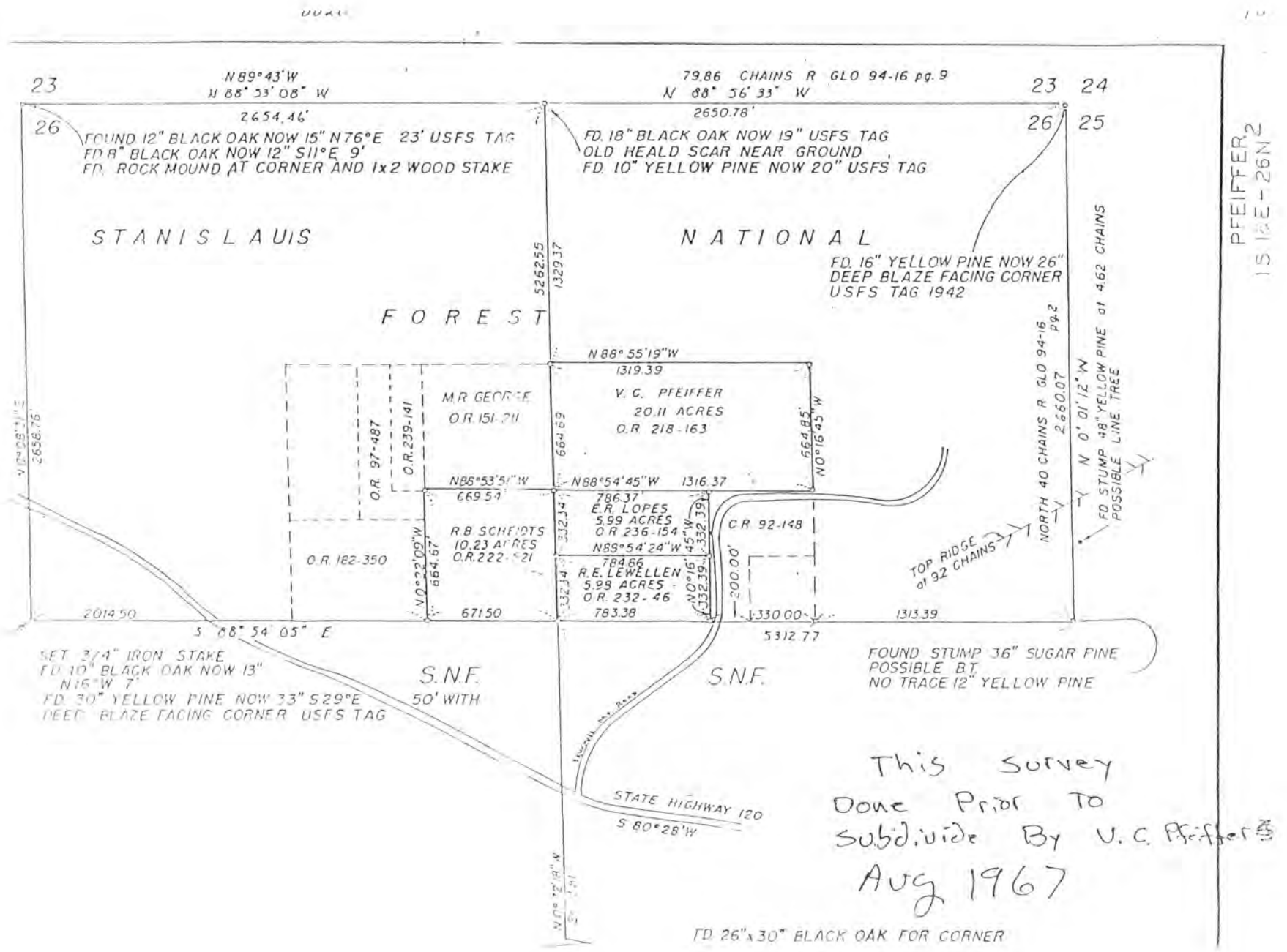
PUB116-24 cont.

end



PUB116-24 cont.

PUB116-24 cont.



PUB116-24
cont.

Survey By V.C. Pfeiffer Sr Oct. 21, '

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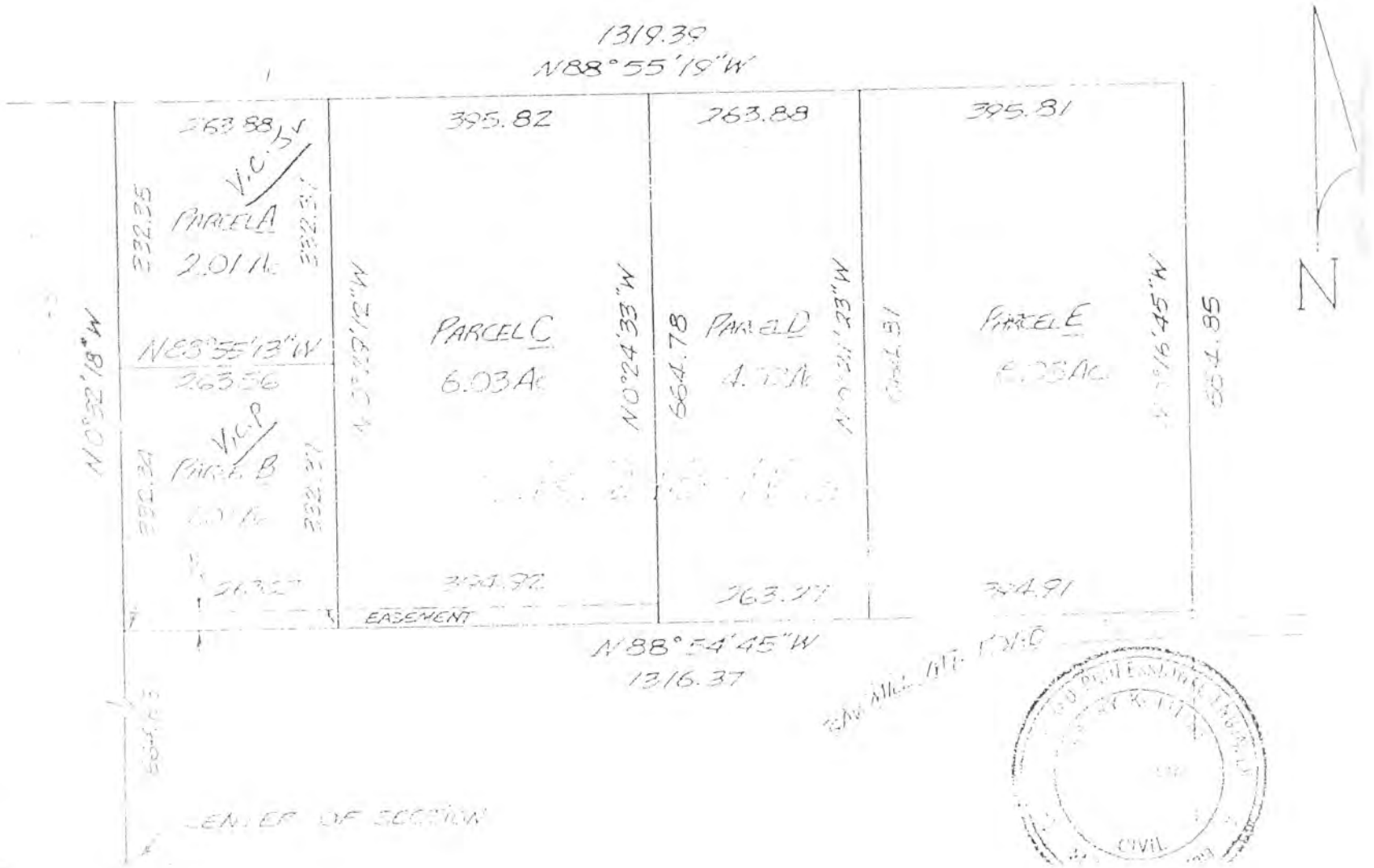
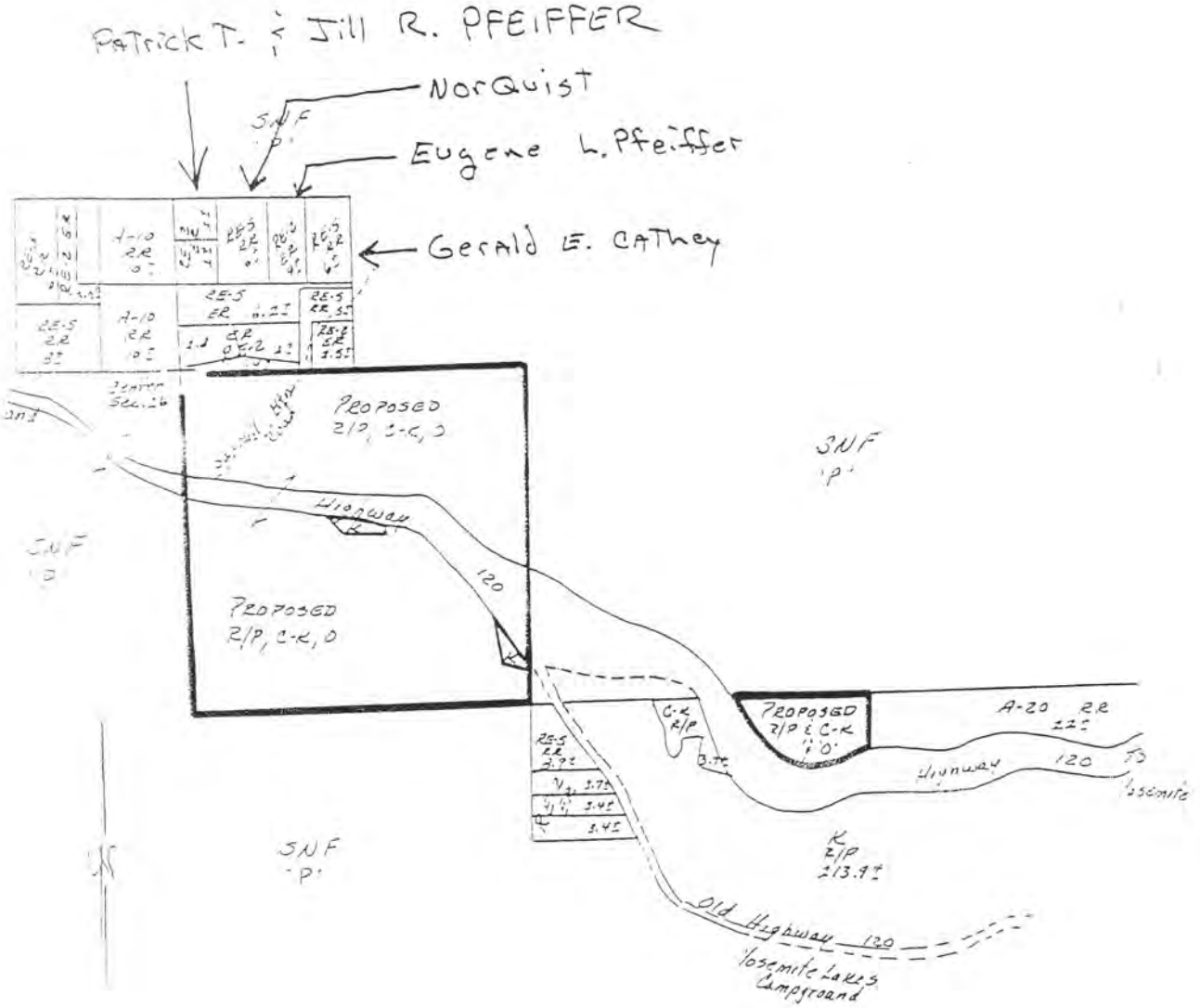


Manly

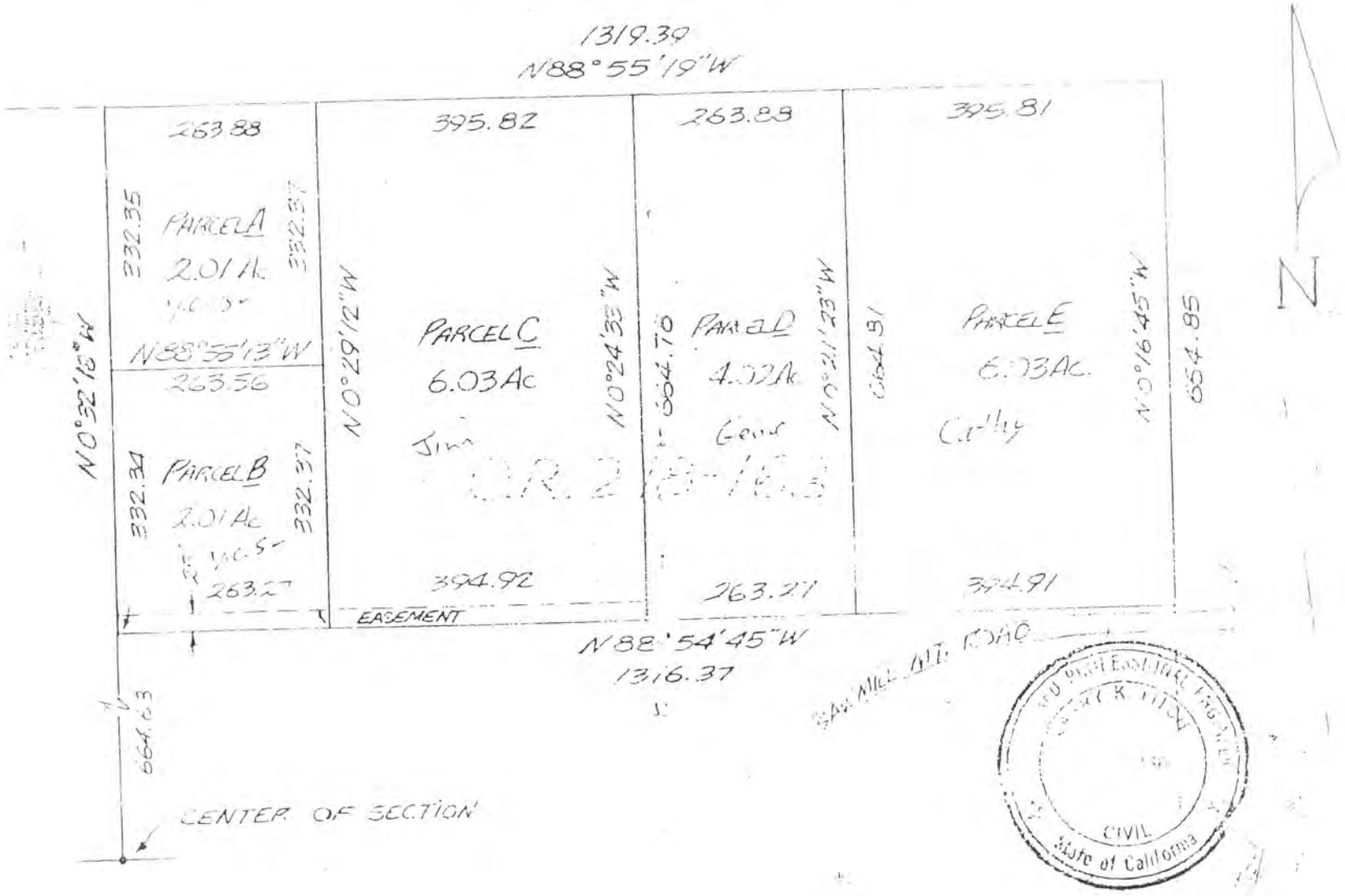


T. Manly
Proposed GPA & Zone Change
APNo. 68-120-49 (10± Ac.)
Existing TPZ Proposed: R/P, C-K, O
APNo 68-120-57 (139± Ac.)
Existing. TPZ Proposed R/P, C-K, O-1, O
Tuolumne County Wide Map
Supervisorial District No. 4

← This Survey Done with in 1990-1991 For T. Manly Zone Change

PUB116-24 cont.

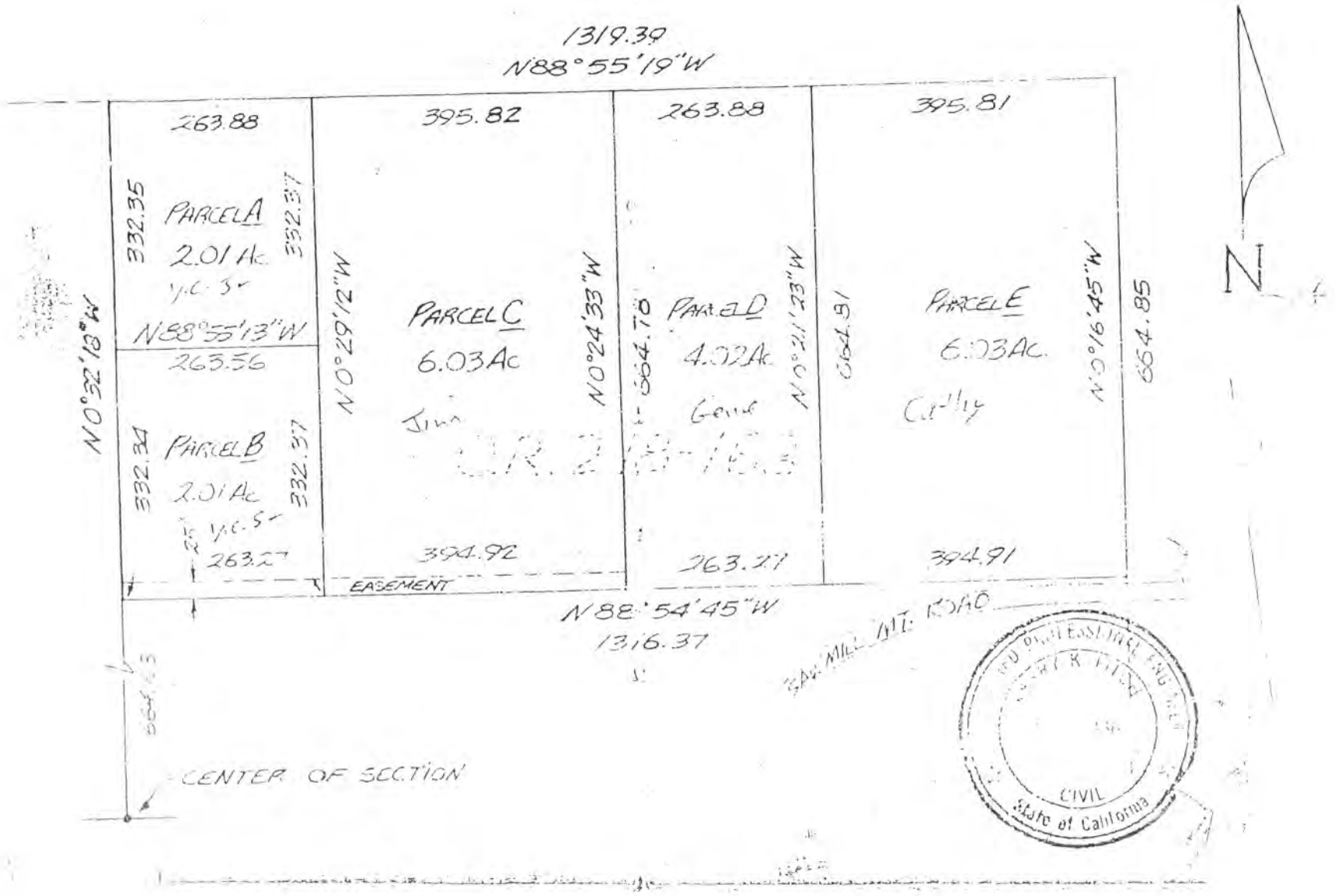
$N\frac{1}{2}$ OF $SW\frac{1}{4}$ OF $NE\frac{1}{4}$ SECTION 26 T.1S. R.18E. M.D.M.



PUB116-24
cont.

PUB116-24
cont.

N½ OF SW¼ OF NE¼ SECTION 26 T.1S. R.18E. M.D.M.



PUB116-24
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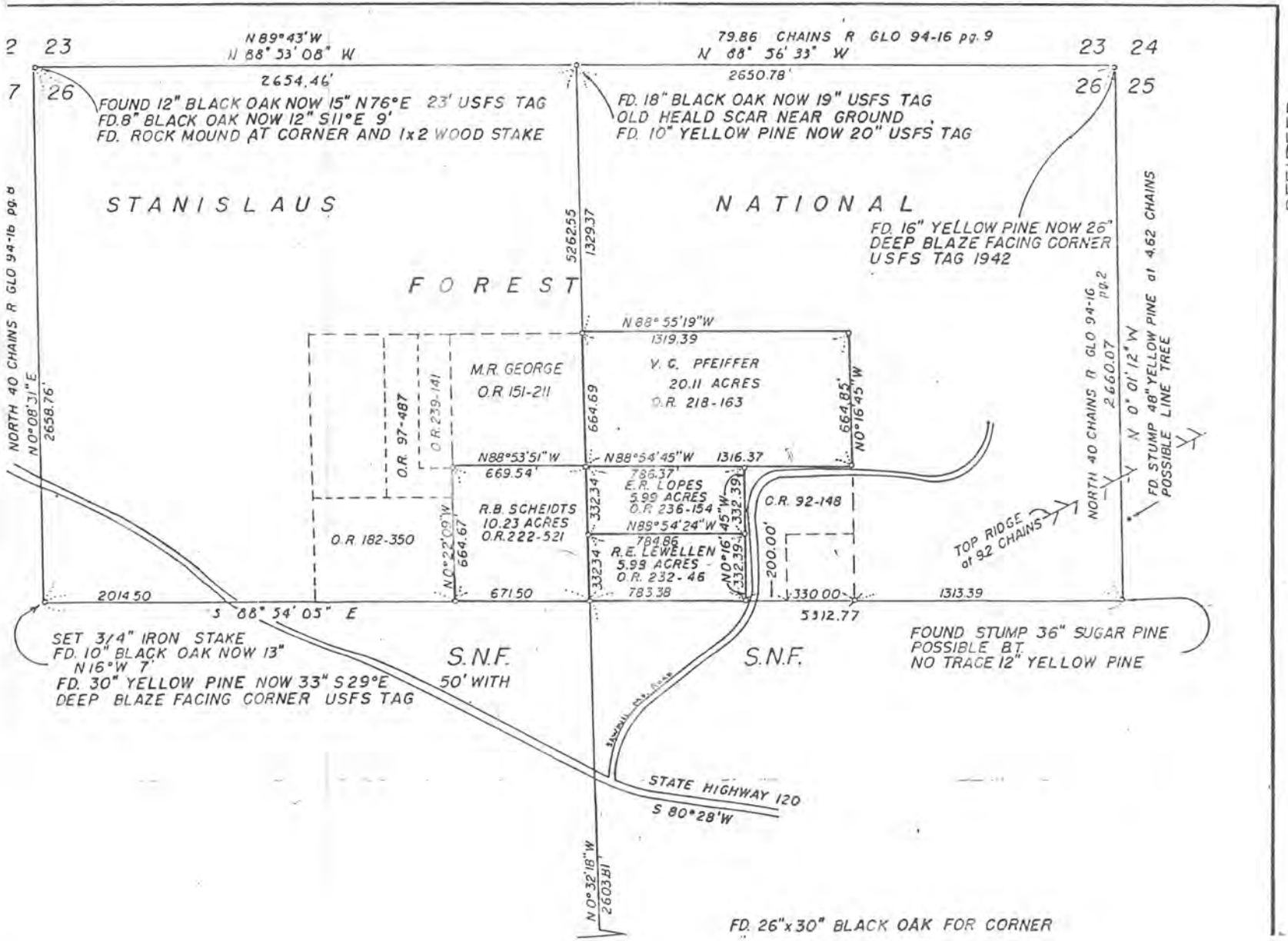

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Stanislaus National Forest
19777 Greenley Road
Sonora, CA 95370-5909
(209) 532-3671/FAX NO. (209) 533-1890

1920

October 28, 1991

Dear Friend of the Stanislaus National Forest:

I am pleased to announce the release of our final Land and Resources Management Plan, accompanying final Environmental Impact Statement, and Record of Decision. The release of these documents represents the culmination of a 10 year planning effort on the Stanislaus National Forest, which has included extensive public input. I believe the final Plan is an excellent one, that achieves a good balance between maintaining the ecological health and biological diversity of the Forest with the need to provide a sustained flow of forest products to the American public. I look forward to working closely with you as we implement the Plan's provisions over the coming decade.

If you have previously requested that the final documents be mailed to you, they are enclosed herewith. If you would like to receive copies of these documents, but did not previously request them, please let us know and we will be happy to send them to you. Copies will also be available at all District offices (Hathaway Pines, Pinecrest, MiWuk Village, and Buck Meadows) and the Forest Supervisor's office in Sonora for distribution and/or on-site review. Public libraries in the local area, Stockton, Modesto, and the Bay Area will also have copies available for on-site review.

The 1990 Draft Forest Plan was revised in response to the more than 5,000 public comment letters received and has been reprinted in its entirety as the final Forest Plan. The Draft Environmental Impact Statement has not been reprinted. Rather, changes between the Draft Environmental Impact Statement and the Final Environmental Impact Statement are displayed in addendums and errata, thereby eliminating the need to reprint the entire document. The Draft Environmental Impact Statement released in October 1990 is now the final, with changes and additions as outlined in the Errata and Addendum packet being issued with the final Forest Plan. We still have some copies of the original Draft Environmental Impact Statement available; if you did not previously receive one, but would like one now, please let us know.

PUB116-24 cont.

The legal notice of this decision appears in the Sacramento Bee on October 28, 1991. The decision will not be implemented for 30 days from this date, or November 27, 1991. Any appeal of the decision must be filed in writing with the Chief, Washington Office, within 90 days, or by January 27, 1992. The Record of Decision includes a section on appeal rights and procedures.

Thank you for your interest in the Stanislaus National Forest. If you have any questions about these documents, please contact me or a member of my Land Management Planning staff at (209) 532-3671.

Sincerely,

Jan Wold

JANET L. WOLD
Forest Supervisor

Enclosure

LAND AND RESOURCE MANAGEMENT PLAN

RECORD OF DECISION

STANISLAUS
NATIONAL FOREST

United States
Department of
Agriculture

Forest Service
Pacific Southwest Region

PUB116-24
cont.

Recording Requested by:

Department of Public Works

WHEN RECORDED, MAIL TO:

Department of Public Works
2 South Green Street
Sonora, CA 95370

Doc # 2003024198
Page 1 of 2
Date: 09/18/2003 02:31P
Filed by: TUOLUMNE CO, D/P/W
Filed & Recorded in Official Records
of COUNTY OF TUOLUMNE
DAVID W WYNNE
COUNTY RECORDER
Fee: $0.00

CERTIFICATE OF COMPLIANCE

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described herein may be sold, leased or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcels may require issuance of a permit or permits, or other grant or grants of approval.

This Certificate is issued pursuant to Section 66499.35 of the Government Code.

All that real property situated in the unincorporated area of the County of Tuolumne, State of California, being more particularly described as follows:

PUB116-25

See Exhibit "A"

NOTE:
The parcels as described in Exhibit "A" are two (2) separate legal parcels.

OWNERS OF SAID PROPERTY ARE: Timothy R. Manly and Carol L. Manly.

ASSESSOR'S PARCEL NUMBER: a portion of 068-120-27, and a portion of 068-120-57.

LICENSED LAND SURVEYOR
CYRUS A. HOBLITT
EXP. 09/30/2005
NO. 4377
STATE OF CALIFORNIA

By: Cyrus A. Hoblitt
Cyrus A. Hoblitt, P.L.S. 4377
Deputy County Surveyor
License Expires 9-30-2005

Date: 9-18-2003

EXHIBIT "A"

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

PARCEL 1
All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, lying Northerly and Easterly of the Southerly line of that parcel described in deed recorded March 10, 1960, in Book 111, page 521 of the Official Records of Tuolumne County, and Southerly and Westerly of Line B of Parcel 5351 as described in deed recorded August 25, 2003, as Document Number 2003021597 of the Official Records of Tuolumne County.
EXCEPTING THEREFROM, any portion thereof lying within Parcel 6223A as described in said document.

PARCEL 2
All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, described as Parcel No. 2 of deed recorded June 18, 1962, in Book 144, page 70 of the Official Records of Tuolumne County.

PUB116-25 cont.

RECORDING REQUESTED BY: GRANTOR

AND WHEN RECORDED MAIL THIS DOCUMENT TO:

YOSEMITE TITLE COMPANY

C/O MANLY
P.O. BOX 130
MOCCASIN CA 95347

Doc # 2004006667
Page 1 of 4
Date: 04/05/2004 10:46A
Filed by: PUBLIC - COUNTER
Filed & Recorded in Official Records
of COUNTY OF TUOLUMNE
DAVID W WYNNE
COUNTY RECORDER
Fee: $16.00

A.P.N. 068-120-57 and 068-120-29

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned Grantor(s) declare(s): Documentary Transfer Tax is NONE computed on full value of property conveyed.

GRANT DEED

For a valuable consideration, receipt of which is hereby acknowledged,

TIMOTHY R. MANLY and **CAROL L. MANLY,** husband and wife

hereby **GRANT(S)** to

YOSEMITE TITLE COMPANY, a California corporation

the real property in the unincorporated area of the County of Tuolumne, State of California, described as:

See **Exhibit "A",** consisting of two pages, attached hereto and made a part hereof by this reference.

The purpose of this deed is to facilitate a lot line adjustment (Tuolumne County #04T-2).

PUB116-26

DATED: March 23, 2004

Signature of Grantor

Timothy R. Manly
TIMOTHY R. MANLY

Carol L. Manly
CAROL L. MANLY

State of California)
County of Tuolumne) S.S.

On 3-24-04 before me, Colleen Caciappo Notary Public, personally appeared Timothy R. Manly and Carol L. Manly

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Colleen Caciappo

COLLEEN CACIAPPO
Commission # 1368431
Notary Public - California
Tuolumne County
My Comm. Expires Aug 6, 2006

EXHIBIT "A"

Order No.: **95159T**

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

PARCEL ONE:

The Southeast ¼ of Section 26, T. 1 S., R. 18 East, M.D.B. M.

EXCEPTING THEREFROM the interest in a portion of said land as conveyed to the State of California, for freeway purposes, by Deed recorded August 25, 2003 as Instrument No. 2003021597, Tuolumne County Records.

ALSO EXCEPTING THEREFROM all that real property described that Certificate of Compliance recorded September 18, 2003 as Instrument No. 2003024198, Tuolumne County Records.

ALSO EXCEPTING THEREFROM A portion of that certain parcel of land situate in the southeast quarter of Section 26, T. 1 S., R. 18 E., M.D.B. & M., County of Tuolumne, State of California, described as follows:

Beginning at the northwesterly corner of that certain 18.76 acre parcel of land described in deed to the State of California, dated January 11, 1960 and recorded in Volume 111 of Official Records, Page 521, Tuolumne County Records, said point lying on the one-quarter (1/4) section line running north and south through said Section 26; thence (1) along said one-quarter (1/4) section line North 95.27 feet; thence (2) S. 80° 24' E., 50.70 feet; thence (3) South 93.41 feet to a point on the northerly line of the aforesaid 18.76 acre parcel of land; thence (4) along said northerly line N. 82° 08' 09" W. 60.41 feet to the point of beginning.

PUB116-26 cont.

PARCEL TWO:

A portion of that certain parcel of land situate in the southeast quarter of Section 26, T. 1 S., R. 18 E., M.D.B. & M., County of Tuolumne, State of California, described as follows:

Beginning at the northwesterly corner of that certain 18.76 acre parcel of land described in deed to the State of California, dated January 11, 1960 and recorded in Volume 111 of Official Records, Page 521, Tuolumne County Records, said point lying on the one-quarter (1/4) section line running north and south through said Section 26; thence (1) along said one-quarter (1/4) section line North 95.27 feet; thence (2) S. 80° 24' E., 50.70 feet; thence (3) South 93.41 feet to a point on the northerly line of the aforesaid 18.76 acre parcel of land; thence (4) along said northerly line N. 82° 08' 09" W. 60.41 feet to the point of beginning.

PARCEL THREE:

All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, lying Northerly and Easterly of the Southerly line of that parcel described in deed recorded March 10, 1960, in Book 111, Page 521 of the Official Records of Tuolumne County, and Southerly and Westerly of Line B of Parcel 5351 as described in deed recorded August 25, 2003, as Document Number 2003021597 of the Official Records of Tuolumne County.

EXCEPTING THEREFROM, any portion thereof lying within Parcel 6223A as described in said document.

PARCEL FOUR:

All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, described as Parcel No. 2 of deed recorded June 18, 1962, in Book 144, Page 70 of the Official Records of Tuolumne County.

PARCEL FIVE:

The right of access over and across that certain 60.42 foot access opening in the northerly right of way of the State Highway 10-Tuo-120 Post Mile 50.1 in the Southeast one-quarter of Section 26, T. 1 S., R. 18 E., M.D.M., lying west of the southerly terminus of the following described Line A, and east of the southerly terminus of the following described Line B:

PUB116-26 cont.

Line A: Commencing at a 2 ¼-inch diameter iron pipe with a standard U.S. Forest Service 3-inch brass disk, set to mark the center ¼ corner of said Section 26, according to that certain map filed for record in Book 25 of Records of Surveys, Page 81, Tuolumne County Records; thence south along the west line of the southeast one-quarter according to said map, S. 0° 25' 43" E., 443.32 feet; thence N. 64° 29' 16" E., 63.80 feet; thence S. 42° 26' 23" E., 160.89 feet to the True point of Beginning; thence S. 42° 26' 23" E., 79.52 feet; thence S. 3° 36' 10" E., 96.12 feet; thence S. 0° 03' 16" W., 170.42 feet to the northerly right of way of said State Route 120.

Line B: Commencing at the True Point of Beginning of the above described Line A; thence S. 0° 03' 16" W., 316.71' to the northerly right of way of said State Route 120.

Assessor's Parcel Numbers 068-120-57, 068-120-29

COUNTY SURVEYOR

CONSENT TO RECORD

THE ATTACHED LOT LINE ADJUSTMENT FOR Timothy R. and Carol L. Manly, WAS APPROVED BY THE DEPUTY COUNTY SURVEYOR ON January 28, 2004, AND CONSENT IS HEREBY GIVEN TO RECORD THE ATTACHED DOCUMENTS.

PUB116-27

Peter M Rei

PETER M. REI, PLS 5963
COUNTY SURVEYOR
License Expires 12-31-2004

DATE 3/31/04

LICENSED LAND SURVEYOR
PETER REI
NO. 5963
Exp. 12/31/04

RECORDING REQUESTED BY: GRANTEE

AND WHEN RECORDED MAIL THIS DOCUMENT AND ALL TAX STATEMENTS TO:

TIMOTHY R. & CAROL L. MANLY
P.O. BOX 130
MOCCASIN CA 95347

Doc # 2004006668
Page 1 of 7
Date: 04/05/2004 10:46A
Filed by: PUBLIC - COUNTER
Filed & Recorded in Official Records
of COUNTY OF TUOLUMNE
DAVID W WYNNE
COUNTY RECORDER
Fee: $25.00

A.P.N. 068-120-57 and 068-120-29

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned Grantor(s) declare(s): Documentary Transfer Tax is NONE computed on full value of property conveyed.

GRANT DEED

For a valuable consideration, receipt of which is hereby acknowledged,

YOSEMITE TITLE COMPANY, a California corporation

hereby **GRANT(S)** to

TIMOTHY R. MANLY and **CAROL L. MANLY,** Trustees of the Manly Living Trust dated April 14, 2003

the real property in the unincorporated area of the County of Tuolumne, State of California, described as:

PUB116-27 cont.

See the following four **Exhibits: "A"**, consisting of one page; **"B"**, consisting of one page; **"C"**, consisting of one page; and **"D"** consisting of two pages; all attached hereto and made a part hereof by this reference.

The purpose of this deed is to facilitate a lot line adjustment (Tuolumne County #04T-2).

DATED: March 23, 2004

Signature of Grantor

MICHAEL AZZARO, Vice President
Yosemite Title Company

State of California)
County of Tuolumne) S.S.

On 3-29-04 before me, Nealy Horton, Notary Public, personally appeared Michael Azzaro

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

NEALY HORTON
COMM. #1421291
Notary Public-California
TUOLUMNE COUNTY
My Comm. Exp. May 31, 2007

EXHIBIT "A"
describing PARCEL A

A tract of land situated in a portion of the West half of the Southeast quarter of Section 26, Township 1 South, Range 18 East, M. D. B. & M., in the unincorporated area of Tuolumne County, State of California, said tract of land being more particularly described as follows:

All that portion of said West half of the Southeast quarter lying northerly of LINE A of Parcel 5351 as said LINE A of Parcel 5351 is described in Grant Deed to the State of California recorded August 25, 2003 as Document No. 2003021597 in the Official Records of Tuolumne County, said LINE A of Parcel 5351 being described in said Grant Deed as follows:
Commencing at a 2-inch iron pipe with United States Forest Service brass disk set to mark the East quarter corner of said Section 26; thence (1) along the East line of said Southeast quarter S 7°18'29"E, a distance of 2720.69 feet to a 2-inch iron pipe with U.S.F.S. brass disk set to mark the Southeast corner of said section; thence (2) leaving said section line, N 5°10'56"E, a Distance of 1007.43 feet to the True Point of Beginning of Line A;
Thence (3) N66°25'36"W, a Distance of 285.54 feet;
thence (4) N49°55'35"W, a Distance of 798.58 feet;
thence (5) N80°40'49"W, a Distance of 481.25 feet;
thence (6) N83°21'12"W, a Distance of 1429.82 feet;
thence (7) N82°04'56"W, a Distance of 294.65 feet to a point on the West line of said Southeast quarter lying 1770.43 feet north of the South quarter corner of said Section 26.

RESERVING THEREFROM a non-exclusive easement for ingress and egress purposes on, over, across, and under a strip of land having a uniform width of 30.00 feet, being 15.00 feet on each side of the following described centerline:
BEGINNING at a point on the above described course (6), said point being located N83°21'12"W a distance of 350.49 feet from the easterly beginning of said course (6), said point being the center of a right of access as reserved by the grantor in said Grant Deed; thence northerly and easterly, along the centerline of an existing dirt road, to a point on the easterly line of said West half of the Southeast quarter, said point being the terminus of the herein described centerline.

PUB116-27 cont.

The sidelines of the above described strip of land are to be lengthened or shortened so as to begin on said LINE A of Parcel 5351 and end on the easterly line of said West half of the Southeast quarter.

The above-described tract of land is subject to any liens, encumbrances, covenants, restrictions and rights-of-way or easements of record or legally acquired.

Prepared by:

Richard A. Seaman, L.S. 5399
License Expires 12/31/05

3/3/04
Date

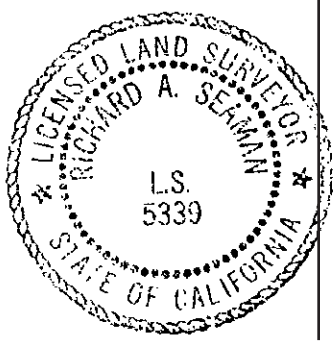

EXHIBIT "B"
describing PARCEL B

A tract of land situated in a portion of the East half of the Southeast quarter of Section 26, Township 1 South, Range 18 East, M. D. B. & M., in the unincorporated area of Tuolumne County, State of California, said tract of land being more particularly described as follows:

All that portion of said East half of the Southeast quarter lying northerly of LINE A of Parcel 5351 as said LINE A of Parcel 5351 is described in Grant Deed to the State of California recorded August 25, 2003 as Document No. 2003021597 in the Official Records of Tuolumne County, said LINE A of Parcel 5351 being described in said Grant Deed as follows:
Commencing at a 2-inch iron pipe with United States Forest Service brass disk set to mark the East quarter corner of said Section 26; thence (1) along the East line of said Southeast quarter S 7°18'29"E, a distance of 2720.69 feet to a 2-inch iron pipe with U.S.F.S. brass disk set to mark the Southeast corner of said section; thence (2) leaving said section line, N 5°10'56"E, a Distance of 1007.43 feet to the True Point of Beginning of Line A;
Thence (3) N66°25'36"W, a Distance of 285.54 feet;
thence (4) N49°55'35"W, a Distance of 798.58 feet;
thence (5) N80°40'49"W, a Distance of 481.25 feet;
thence (6) N83°21'12"W, a Distance of 1429.82 feet;
thence (7) N82°04'56"W, a Distance of 294.65 feet to a point on the West line of said Southeast quarter lying 1770.43 feet north of the South quarter corner of said Section 26.

TOGETHER WITH a non-exclusive easement for ingress and egress purposes on, over, across, and under a strip of land having a uniform width of 30.00 feet, being 15.00 feet on each side of the following described centerline:
BEGINNING at a point on the above described course (6), said point being located N83°21'12"W a distance of 350.49 feet from the easterly beginning of said course (6), said point being the center of a right of access as reserved by the grantor in said Grant Deed; thence northerly and easterly, along the centerline of an existing dirt road, to a point on the westerly line of said East half of the Southeast quarter, said point being the terminus of the herein described centerline.

PUB116-27 cont.

The sidelines of the above described strip of land are to be lengthened or shortened so as to begin on said LINE A of Parcel 5351 and end on the westerly line of said East half of the Southeast quarter.

The above-described tract of land is subject to any liens, encumbrances, covenants, restrictions and rights-of-way or easements of record or legally acquired.

Prepared by:

Richard A. Seaman, L.S. 5399
License Expires 12/31/05

3/31/04
Date

LICENSED LAND SURVEYOR
RICHARD A. SEAMAN
L.S. 5339
STATE OF CALIFORNIA

EXHIBIT "C"
describing PARCEL C

A tract of land situated in a portion of the West half of the Southeast quarter of Section 26, Township 1 South, Range 18 East, M. D. B. & M., in the unincorporated area of Tuolumne County, State of California, said tract of land being more particularly described as follows:

All that portion of said West half of the Southeast quarter lying southerly of LINE B of Parcel 5351 as said LINE B of Parcel 5351 is described in Grant Deed to the State of California recorded August 25, 2003 as Document No. 2003021597 in the Official Records of Tuolumne County, said LINE B of Parcel 5351 being described in said Grant Deed as follows:
Commencing at a 2-inch iron pipe with United States Forest Service brass disk set to mark the East quarter corner of said Section 26; thence (1) along the East line of said Southeast quarter S 7°18'29"E, a distance of 2720.69 feet to a 2-inch iron pipe with U.S.F.S. brass disk set to mark the Southeast corner of said section; thence (8) leaving said section line, N 0°00'20"E, a Distance of 180.23 feet to the True Point of Beginning of Line B;
thence (9) N31°13'44"W, a Distance of 883.36 feet;
thence (10) N43°19'42"W, a Distance of 608.81 feet;
thence (11) N78°01'19"W, a Distance of 431.47 feet;
thence (12) N81°57'04"W, a Distance of 1428.40 feet;
thence (13) N82°04'56"W, a Distance of 257.49 feet to a point on the West line of said Southeast quarter lying 1558.28 feet north of the South quarter corner of said Section 26.

PUB116-27 cont.

The above-described tract of land is subject to any liens, encumbrances, covenants, restrictions and rights-of-way or easements of record or legally acquired.

Prepared by:

Richard A. Seaman, L.S. 5399
License Expires 12/31/05

3/3/04
Date

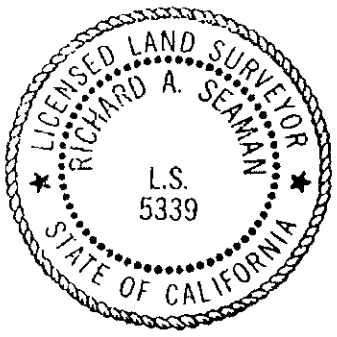

EXHIBIT "D"
describing PARCEL D

A tract of land situated in a portion of the East half of the Southeast quarter of Section 26, Township 1 South, Range 18 East, M. D. B. & M., in the unincorporated area of Tuolumne County, State of California, said tract of land being more particularly described as follows:

All that portion of said East half of the Southeast quarter lying southerly of LINE B of Parcel 5351 as said LINE B of Parcel 5351 is described in Grant Deed to the State of California recorded August 25, 2003 as Document No. 2003021597 in the Official Records of Tuolumne County, said LINE B of Parcel 5351 being described in said Grant Deed as follows:

Commencing at a 2-inch iron pipe with United States Forest Service brass disk set to mark the East quarter corner of said Section 26; thence (1) along the East line of said Southeast quarter S 7°18'29"E, a distance of 2720.69 feet to a 2-inch iron pipe with U.S.F.S. brass disk set to mark the Southeast corner of said section; thence (8) leaving said section line, N 0°00'20"E, a Distance of 180.23 feet to the True Point of Beginning of Line B;
thence (9) N31°13'44"W, a Distance of 883.36 feet;
thence (10) N43°19'42"W, a Distance of 608.81 feet;
thence (11) N78°01'19"W, a Distance of 431.47 feet;
thence (12) N81°57'04"W, a Distance of 1428.40 feet;
thence (13) N82°04'56"W, a Distance of 257.49 feet to a point on the West line of said Southeast quarter lying 1558.28 feet north of the South quarter corner of said Section 26.

PUB116-27 cont.

EXCEPTING THEREFROM Parcel 6223A, said Parcel 6223A being described in said Grant Deed as follows:
Beginning at The True Point of Beginning of the above described Line B of Parcel 5351;
thence (15) along said Line B, N31°13'44"W, a Distance of 496.78 feet;
thence, (16) leaving said Line B, S12°27'14"E, a Distance of 330.26 feet;
thence (17) S61°13'50"E, a distance of 212.58 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM Parcel 6223B, said Parcel 6223B being described in said Grant Deed as follows:
Beginning at a point on the above described Line B of Parcel 5351, distant 155.00 feet from the easterly terminus of the above described course (12) of Line B;
thence (18) along said Line B, S81°57'04"E, a Distance of 155.00 feet;
thence (19) S78°01'19"E, a Distance of 196.03 feet;
thence (20) leaving said Line B, S13°13'13"W, a Distance of 50.30 feet;

thence (21) S89°19'02"W, a Distance of 195.71 feet;
thence, (22) from a tangent which bears S86°01'10"W, along a curve concave to the northeast, having a radius of 130.00 feet, through a central angle of 86°54'37"; an arc length of 197.19 feet; to the Point of Beginning.

The above-described tract of land is subject to any liens, encumbrances, covenants, restrictions and rights-of-way or easements of record or legally acquired.

Prepared by:

Richard A. Seaman, L.S. 5399
License Expires 12/31/05

3/3/04
Date

PUB116-27 cont.

COUNTY SURVEYOR

CONSENT TO RECORD

PUB116-27 cont.

THE ATTACHED LOT LINE ADJUSTMENT FOR Timothy R. and Carol L. Manly, WAS APPROVED BY THE DEPUTY COUNTY SURVEYOR ON January 28, 2004, AND CONSENT IS HEREBY GIVEN TO RECORD THE ATTACHED DOCUMENTS.

Peter M. Rei

PETER M. REI, PLS 5963
COUNTY SURVEYOR
License Expires 12-31-2004

DATE 3/31/04

LICENSED LAND SURVEYOR
PETER REI
Exp. 12/31/04
STATE OF CALIFORNIA

County of Tuolumne
Department of Public Works

PETER REI, R.C.E., P.L.S.
Director of Public Works

A.N. Francisco Building
48 West Yaney Avenue
Mailing: 2 South Green Street
Sonora, California 95370

Engineering and Road Operations Divisions
(209) 533-5601
Transportation Division
(209) 533-5603
County Surveyor Division
(209) 533-5626
Environmental Management
(209) 533-5588
Fax (209) 533-5698

COUNTY SURVEYOR'S DECISION

DATE: January 28, 2004

LOT LINE ADJUSTMENT APPLICATION: 04T-2

SURFACE/MINERAL RIGHTS OWNERS: Timothy R. and Carol L. Manly

PROJECT DESCRIPTION: Lot line adjustment between four legal parcels two of which are described in Certificate of Compliance, Document Number 2003-024198

Assessor Parcel Numbers 68-120-57 and 29

LOCATION:

ENVIRONMENTAL EVALUATION: This project is categorically exempt from environmental review in accordance with Section 15268 of the State and County Guidelines for the Implementation of the California Environmental Quality Act.

PUB116-27 cont.

FINDINGS

a. The requested lot line adjustment is consistent with the Tuolumne County General Plan.

b. The requested lot line adjustment is consistent with the Tuolumne County Ordinance Code.

DECISION

On January 28, 2004, a decision was rendered by the Deputy County Surveyor approving the lot line adjustment application based on Findings a and b.

PUB116-27 cont.

WARNING:

Any aggrieved person has ten (10) days to appeal this decision to the Board of Supervisors.

DEPARTMENT OF PUBLIC WORKS
PETER M. REI, DIRECTOR

Cyrus A. Hoblitt, P.L.S.
Deputy County Surveyor

CAH/cc

pc: Richard A. Seaman, P.L.S.
Nancy Rotelli, Roads
Rebecca Cremeen, Planner

County of Tuolumne
Department of Public Works

PETER REI, R.C.E., P.L.S.
Director of Public Works

A.N. Francisco Building
48 West Yaney Avenue
Mailing: 2 South Green Street
Sonora, California 95370

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COUNTY SURVEYOR'S DECISION

DATE: January 28, 2004

LOT LINE ADJUSTMENT APPLICATION: 04T-2

SURFACE/MINERAL RIGHTS OWNERS: Timothy R. and Carol L. Manly

PROJECT DESCRIPTION: Lot line adjustment between ~~two~~ four legal parcels ~~one~~ two of which ~~is~~ are described in Certificate of Compliance, Document Number 2003-024198

Assessor Parcel Numbers 68-120-57 and 29

LOCATION:

ENVIRONMENTAL EVALUATION: This project is categorically exempt from environmental review in accordance with Section 15268 of the State and County Guidelines for the Implementation of the California Environmental Quality Act.

PUB116-27 cont.

FINDINGS

a. The requested lot line adjustment is consistent with the Tuolumne County General Plan.

b. The requested lot line adjustment is consistent with the Tuolumne County Ordinance Code.

DECISION

On January 28, 2004, a decision was rendered by the Deputy County Surveyor approving the lot line adjustment application based on Findings a and b.

PUB116-27 cont.

WARNING:

Any aggrieved person has ten (10) days to appeal this decision to the Board of Supervisors.

DEPARTMENT OF PUBLIC WORKS
PETER M. REI, DIRECTOR

Cyrus A. Hoblitt, P.L.S.
Deputy County Surveyor

CAH/cc

pc: Richard A. Seaman, P.L.S.
Nancy Rotelli, Roads
Rebecca Cremeen, Planner

Recording Requested by:

Department of Public Works

WHEN RECORDED, MAIL TO:

Department of Public Works
2 South Green Street
Sonora, CA 95370

Doc # 2003024198
Page 1 of 2
Date: 09/18/2003 02:31P
Filed by: TUOLUMNE CO, D/P/W
Filed & Recorded in Official Records
of COUNTY OF TUOLUMNE
DAVID W WYNNE
COUNTY RECORDER
Fee: $0.00

CONFORMED COPY

CERTIFICATE OF COMPLIANCE

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described herein may be sold, leased or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcels may require issuance of a permit or permits, or other grant or grants of approval.

This Certificate is issued pursuant to Section 66499.35 of the Government Code.

All that real property situated in the unincorporated area of the County of Tuolumne, State of California, being more particularly described as follows:

PUB116-27 cont.

See Exhibit "A"

NOTE:
The parcels as described in Exhibit "A" are two (2) separate legal parcels.

OWNERS OF SAID PROPERTY ARE: Timothy R. Manly and Carol L. Manly.

ASSESSOR'S PARCEL NUMBER: a portion of 068-120-27, and a portion of 068-120-57.

LICENSED LAND SURVEYOR
CYRUS A. HOBLITT
EXP. 09/30/2005
NO. 4377
STATE OF CALIFORNIA

By: Cyrus A. Hoblitt
Cyrus A. Hoblitt, P.L.S. 4377
Deputy County Surveyor
License Expires 9-30-2005

Date: 9-18-2003

EXHIBIT "A"

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

PARCEL 1
All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, lying Northerly and Easterly of the Southerly line of that parcel described in deed recorded March 10, 1960, in Book 111, page 521 of the Official Records of Tuolumne County, and Southerly and Westerly of Line B of Parcel 5351 as described in deed recorded August 25, 2003, as Document Number 2003021597 of the Official Records of Tuolumne County.
EXCEPTING THEREFROM, any portion thereof lying within Parcel 6223A as described in said document.

PARCEL 2
All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, described as Parcel No. 2 of deed recorded June 18, 1962, in Book 144, page 70 of the Official Records of Tuolumne County.

PUB116-27 cont.

TENTATIVE MAP EVALUATION

Tentative Map No. 04T-2

Applicant: Timothy and Carol Manly

Zoning: C-K, O, O-1

__X__ This map meets Title 17 requirements.

_____ This map does not meet County requirements, for the following reasons:

PUB116-27 cont.

Environmental Evaluation

__X__ This project is exempt from environmental review in accordance with Section 15268 of the State and County Guidelines for the implementation of the California Environmental Quality Act (CEQA).

_____ Approval of this project is based on certain mitigating conditions which are to be applied to the project. A copy of the Conditions are attached.

_____ This project has been reviewed in accordance with the Wildlife Element of the General Plan.

Additional Comments:

Planner: Rebecca Cremeen Date: January 27, 2004

County of Tuolumne
Department of Public Works

Peter Rei, R.C.E., P.L.S.
Director of Public Works

A. N. Francisco Building
48 West Yaney Avenue
Mailing: 2 South Green Street
Sonora, California 95370

Engineering and Road Operations Divisions
(209) 533-5601
Transportation Division
(209) 533-5603
County Surveyor Division
(209) 533-5626
Solid Waste Division
(209) 533-5588
Fax (209) 533-5698

Memorandum

Date: January 26, 2004

To: Cyrus A. Hoblitt
Deputy County Surveyor

From: Richard S. York, R.C.E.
Deputy Director

Re: Tentative Parcel Map 04T-002
Lot Line Adjustment
Assessor's Parcel – Portion of 068-120-57
State Highway 120
Manly

PUB116-27 cont.

The Engineering Development Division has no comment regarding this request for a tentative (lot line adjustment) parcel map.

Completed by: Nancy Rotelli, Engineering Technician II

COMMUNITY DEVELOPMENT DEPARTMENT

BEV SHANE, AICP
Director

BUILDING AND SAFETY - CODE COMPLIANCE - FIRE PREVENTION - PLANNING - GIS

48 W. Yaney, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (fax)

DATE: January 8, 2004

TO: Cyrus A. Hoblitt, PLS
Assistant Public Works Director

FROM: Gregory M. Lamb
Chief Building Official

SUBJECT: Lot Line Adjustment...04T-2

I have reviewed the above mentioned lot line adjustment. The map has been approved as shown with no structures present. Parcels resulting from the lot line adjustment will conform to local Building Ordinances.

PUB116-27 cont.

GML/tm

Tuolumne County Health Department

S. Todd Stolp, M.D
County Health Officer

Environmental Health
2 South Green St.
Sonora, CA 95370
(209) 533-5990
Fax: (209) 533-5994

Walter L. Kruse
Director of Environmental Health

Food
Hazardous Materials/ Land Use
Housing
Medical Waste
Public Swimming Pools
Public Water
Sewage Treatment and Disposal
Solid Waste
Vector
Water Wells

Public Health
20111 Cedar Rd. N.
Sonora, CA 95370
(209) 533-7400
Fax: 209) 533-7406

Kathy Amos
Director of Public Health Nursing

AIDS Surveillance
California Children's Services
CHDP
Clinical Services
Communicable Disease
Emergency Medical Services
HIV Education and Prevention
Immunization
Maternal Child Health
PHN Case Management
Tobacco Control
WIC

January 8, 2004

To: Carole Carson, Surveyors Division
From: Dan Leasure, Environmental Health Division

RE: Exhibit for Lot Line Adjustment for MANLY; 04T-02 on APN 68-120-57

Review of the above-referenced exhibit shows that it is exempt from the soil testing requirements set forth in Chapter 13.04 TCOC because it is a boundary line adjustment between existing lots and because all proposed parcels will exceed 10 acres (section 13.04.030 TCOC).

Future development of the property will require compliance with Chapters 13.08 and 13.16 TCOC (regarding construction and maintenance of on-site sewage treatment and disposal systems and domestic water wells) to prevent groundwater contamination and public health hazards.[1]

PUB116-27 cont.

Please contact me at the Environmental Health Division, if you have any questions or need additional information.

[1] As each parcel is developed, suitability for on-site sewage treatment and disposal and for well sites must be determined by site and soil evaluations conducted during review of permit applications.

cc: Freeman and Seaman Land Surveyors (P.O. Box 1305; Mariposa, CA 95338)

file\dbl\lla10a

APPLICATION

____ DIVISION ____ MERGER

X LOT LINE ADJUSTMENT ____ RESUBDIVISION

RECORDS OR LEGAL OWNER TIM & CAROL MANLY PHONE # 984-0809

ADDRESS P.O. BOX 130; MOCCASIN CA 95347

RECORDS OR LEGAL OWNER (SAME) PHONE # ____

ADDRESS ____

SURVEYOR OR ENGINEER RICHARD SEAMAN PHONE # 966-3926

ADDRESS P.O. BOX 1305; MARIPOSA CA; 95338

I hereby declare, under penalty of perjury, that I/we (am) (are) the record owner(s) of a parcel(s) of land ~~recorded in Volume~~ APNs ~~of~~ 068-120-57 and 29 ~~Page~~ and, ~~Document No.~~ C of C 2003024198 *, and do hereby consent to the preparation and submittal of the attached Exhibit or Tentative Map showing a proposed project as checked above.

PUB116-27 cont.

As a condition of the grant of approval of the project, and as a continuing condition of approval of the project (as applicable), Applicant(s) shall defend, indemnify (including attorney's fee and cost awards), and hold harmless the County of Tuolumne, its officers, agents and employees from any seeking to attack, set aside, void or annul a County approval concerning the project. With respect to the County's approval, these obligations apply only to actions which are brought within the time period provided for in Government Code Section 6499.37, and shall be conditioned on County promptly notifying the applicant of any such claim, action or proceeding and cooperating fully in the defense.

I agree to the foregoing condition of project approval.

Executed this 30 day of December 2003, Jacksonville CA (Town/State)

Timothy R. Manly

Carol L. Manly

Owner(s) Signature(s)

* For further parcel detail, refer to Exhibit & P.M. guarantee attached.

Order No. 95159 T

ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY

PARCEL MAP GUARANTEE

Commonwealth
A LANDAMERICA COMPANY

GUARANTEE NUMBER
312-008440

Fee: $400.00

Parcel Map Reference: Manly

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY, AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE,

Commonwealth Land Title Insurance Company
a corporation, herein called "the Company",

GUARANTEES

(The County of Tuolumne and any city within which the land is located),

herein called the Assured, against loss not exceeding $1,000, which the Assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records on the date stated below,

1. The title to the herein described estate or interest was vested in the vestee named, subject to the matters shown as Exceptions herein, which Exceptions are not necessarily shown in the order of their priority; and

2. Had said Parcel Map been recorded in the office of the County Recorder of said county, such map would be sufficient for use as a primary reference in legal descriptions of the parcels within its boundaries.

PUB116-27 cont.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Guarantee to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Dated: November 10, 2003 @ 7:30 a.m.

By: Janet A. Alpert
President

Countersigned:

Attest: Wm. Chadwick Perrine
Secretary

By: _____
Authorized Officer or Agent

CLTA Guarantee Form No. 23
Form 1076-1

ORIGINAL

PARCEL MAP GUARANTEE

Order No.: **95159T**
Guarantee No.: **312-008440**

1. The estate or interest in the land hereinafter described or referred to covered by this Guarantee is a fee.

   A FEE AS TO PARCELS ONE, TWO, THREE & FOUR / AN EASEMENT AS TO PARCEL FIVE

2. Title to said estate or interest at the date hereof is vested in:

   TIMOTHY R. MANLY and CAROL L. MANLY, husband and wife, as joint tenants

3. The land referred to in this policy is described as follows:

   SEE EXHIBIT "A" ATTACHED HERETO.

PUB116-27 cont.

EXHIBIT "A"

Order No.: **95159T**

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

PARCEL ONE:

The Southeast ¼ of Section 26, T. 1 S., R. 18 East, M.D.B. M.

EXCEPTING THEREFROM the interest in a portion of said land as conveyed to the State of California, for freeway purposes, by Deed recorded August 25, 2003 as Instrument No. 2003021597, Tuolumne County Records.

ALSO EXCEPTING THEREFROM all that real property described that Certificate of Compliance recorded September 18, 2003 as Instrument No. 2003024198, Tuolumne County Records.

ALSO EXCEPTING THEREFROM A portion of that certain parcel of land situate in the southeast quarter of Section 26, T. 1 S., R. 18 E., M.D.B. & M., County of Tuolumne, State of California, described as follows:

Beginning at the northwesterly corner of that certain 18.76 acre parcel of land described in deed to the State of California, dated January 11, 1960 and recorded in Volume 111 of Official Records, Page 521, Tuolumne County Records, said point lying on the one-quarter (1/4) section line running north and south through said Section 26; thence (1) along said one-quarter (1/4) section line North 95.27 feet; thence (2) S. 80° 24' E., 50.70 feet; thence (3) South 93.41 feet to a point on the northerly line of the aforesaid 18.76 acre parcel of land; thence (4) along said northerly line N. 82° 08' 09" W. 60.41 feet to the point of beginning.

PUB116-27 cont.

PARCEL TWO:

A portion of that certain parcel of land situate in the southeast quarter of Section 26, T. 1 S., R. 18 E., M.D.B. & M., County of Tuolumne, State of California, described as follows:

Beginning at the northwesterly corner of that certain 18.76 acre parcel of land described in deed to the State of California, dated January 11, 1960 and recorded in Volume 111 of Official Records, Page 521, Tuolumne County Records, said point lying on the one-quarter (1/4) section line running north and south through said Section 26; thence (1) along said one-quarter (1/4) section line North 95.27 feet; thence (2) S. 80° 24' E., 50.70 feet; thence (3) South 93.41 feet to a point on the northerly line of the aforesaid 18.76 acre parcel of land; thence (4) along said northerly line N. 82° 08' 09" W. 60.41 feet to the point of beginning.

PARCEL THREE:

All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, lying Northerly and Easterly of the Southerly line of that parcel described in deed recorded March 10, 1960, in Book 111, Page 521 of the Official Records of Tuolumne County, and Southerly and Westerly of Line B of Parcel 5351 as described in deed recorded August 25, 2003, as Document Number 2003021597 of the Official Records of Tuolumne County.

EXCEPTING THEREFROM, any portion thereof lying within Parcel 6223A as described in said document.

PARCEL FOUR:

All that portion of the Southeast Quarter of Section 26, Township 1 South, Range 18 East, described as Parcel No. 2 of deed recorded June 18, 1962, in Book 144, Page 70 of the Official Records of Tuolumne County.

PARCEL FIVE:

The right of access over and across that certain 60.42 foot access opening in the northerly right of way of the State Highway 10-Tuo-120 Post Mile 50.1 in the Southeast one-quarter of Section 26, T. 1 S., R. 18 E., M.D.M., lying west of the southerly terminus of the following described Line A, and east of the southerly terminus of the following described Line B:

PUB116-27 cont.

Line A: Commencing at a 2 ¼-inch diameter iron pipe with a standard U.S. Forest Service 3-inch brass disk, set to mark the center ¼ corner of said Section 26, according to that certain map filed for record in Book 25 of Records of Surveys, Page 81, Tuolumne County Records; thence south along the west line of the southeast one-quarter according to said map, S. 0° 25' 43" E., 443.32 feet; thence N. 64° 29' 16" E., 63.80 feet; thence S. 42° 26' 23" E., 160.89 feet to the True point of Beginning; thence S. 42° 26' 23" E., 79.52 feet; thence S. 3° 36' 10" E., 96.12 feet; thence S. 0° 03' 16" W., 170.42 feet to the northerly right of way of said State Route 120.

Line B: Commencing at the True Point of Beginning of the above described Line A; thence S. 0° 03' 16" W., 316.71' to the northerly right of way of said State Route 120.

Assessor's Parcel Numbers 068-120-57, 068-120-29

EXCEPTIONS

Order No.: **95159T**
Guarantee No.: **312-008440**

1. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 2003 - 2004

1st installment	: $5.33 OPEN
2nd installment	: $5.33 OPEN
Land	: $67.00
Improvements	: $0.00
Personal Property	: $0.00
Exemptions	: $0.00
A.P. No.	: 068-120-29
Code Area	: 54/009
Bill No.	: 24893

2. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 2003 - 2004

1st installment	: $481.23 OPEN
2nd installment	: $481.23 OPEN
Land	: $94,651.00
Improvements	: $0.00
Personal Property	: $0.00
Exemptions	: $0.00
A.P. No.	: 068-120-57
Code Area	: 54/009
Bill No.	: 24899

PUB116-27 cont.

3. THE LIEN OF SUPPLEMENTAL TAXES, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California, et seq.

4. THE PROPERTY IS WITHIN THE JURISDICTION OF THE FOLLOWING DISTRICT and is subject to all taxes, assessments and obligations thereof.

District : AMBULANCE ASSESSMENT

5. RESERVATIONS, EASEMENTS AND CONDITIONS as contained in the United States Land Patent

Issued	: March 1, 1886
To	: JOHN HEARDIN
Recorded	: September 30, 1886, in Book 23 of Deeds, Page 40, Tuolumne County Records.

6. An easement, as reserved in the United States Land Patent herein referred to, for the proprietor of any vein or lode to extract or remove the ore therefrom should the same be found to penetrate or intersect the herein described property.

7. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to	: PACIFIC GAS AND ELECTRIC COMPANY, a California corporation
Purpose	: The right to erect and maintain a line of poles and appurtenances
Affects	: A portion of premises
Recorded	: December 20, 1950, in Volume 49 of Official Records, Page 177, Tuolumne County Records.

8. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to	: THE UNITED STATES OF AMERICA, U. S. DEPARTMENT OF AGRICULTURE
Purpose	: Road
Affects	: Northwesterly portion of premises
Recorded	: July 1, 1966, in Volume 216 of Official Records, Page 102, Tuolumne County Records.
Instrument No.	: 4557

PUB116-27 cont.

9. The terms and provisions of that certain Land Conservation Contract dated January 4, 1972, Between Mazie Woolstenhulme, as Owner or Lessee, and the County of Tuolumne, a Political Subdivision, recorded February 22, 1972, in Volume 350 of Official Records, Page 264, Instrument No. 1756, Tuolumne County Records.

   Said Conservation Contract was amended by agreement dated February 26, 1974 and recorded February 28, 1974, in Volume 406 of Official Records, Page 120, Instrument No. 2051, Tuolumne County Records.

10. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to	: THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation
Purpose	: The right to construct and maintain communication facilities consisting of underground conduits, pipes, manholes, wires, cables, fixtures and appurtenances
Affects	: The Northwesterly portion of premises
Recorded	: August 28, 1972, in Volume 364 of Official Records, Page 448, Tuolumne County Records.
Instrument No.	: 8741

11. CONDITIONS ON THE DEVELOPMENT OR USE contained in the following instrument:

Type of entitlement	: Amend the General Plan land use designation of two parcels totaling 149+/- acres from TPZ to R/P and Rezone the site from TPZ to 112.0+/- acres of C-K, 25.3+/- acres of O and 1.7+/- acres of O-1.
Date of issuance	: August 20, 1991
Recorded	: August 28, 1991, in Volume 1076 of Official Records, Page 232, Tuolumne County Records.
Instrument No.	: 14447

Reference should be made to the actual document referred to herein which is on file at the Tuolumne County Planning Department.

12. AGREEMENT FOR : Community Property
Executed by and between : Timothy R. Manly
and : Carol L. Manly
Upon the terms and conditions contained therein,
Recorded : October 19, 1993, in Volume 1230 of Official Records Page 120, Tuolumne County Records.
Instrument No. : 18218

13. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to	: THE STATE OF CALIFORNIA
Purpose	: Roadway and material storage
Affects	: Northwesterly portion of premises
Recorded	: October 26, 2000, in Volume 1706 of Official Records, Page 0469, Tuolumne County Records.
Instrument No.	: 016108

PUB116-27 cont.

14. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to	: THE STATE OF CALIFORNIA
Purpose	: Channel change purposes
Affects	: A portion of premises
Recorded	: August 25, 2003, Tuolumne County Records.
Instrument No.	: 2003021597

PRIVACY NOTICE (15 U.S.C. 6801 and 16 CFR Part 313): We collect non-public personal information about you from information you provide on forms and documents and from others who are involved in your transaction. We do not disclose any non-public personal information about our customers or former customers to anyone, except as permitted by law. We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your non-public personal information.

NOTE: CALIFORNIA "GOOD FUNDS" LAW. Effective January 1, 1990, California Insurance Code Section 12413.1, (Chapter 598, Statutes of 1989), prohibits a title insurance company, controlled escrow company or underwritten title company from disbursing funds from an escrow or sub-escrow account, (except for funds deposited by WIRE TRANSFER, ELECTRONIC PAYMENT or CASH) until the day these funds are made available to the depositor or pursuant to Part 229 of Title 12 of the Code of Federal Regulations, (Reg. CC). Items such as CASHIER'S, CERTIFIED or TELLER'S CHECKS may be available for disbursement on the business day following the business day of deposit; however, other forms or deposits may cause extended delays in closing the escrow or sub-escrow.

"YOSEMITE TITLE COMPANY will not be responsible for accruals of interest or other charges resulting from compliance with the disbursement restrictions imposed by State Law."

NOTE: The issuance of this report is conditioned upon payment of a cancellation fee, if for any reason, a Policy of Title Insurance is not issued in connection with this Title Order. Said fee shall be in an amount not less than the minimum charge set forth in the filed rate schedule, and is a required charge pursuant to Section 12404.1 of the Insurance Code of the State of California.

NOTICE: California Revenue and Taxation Code (R & TC) Section 18662, which requires that **unless a waiver is obtained from the California Franchise Tax Board** a buyer must withhold from any seller who is not a California resident, a sum equal to 3 1/3% of the sales price upon the disposition of non-exempt California real property interest. This withhold is in addition to the provisions of Section 1445 of the Internal Revenue Code pertaining to the tax due if the transferor is a "foreign person" as defined therein.

In accordance with Section 18662 of the Revenue and Taxation Code, a buyer may be required to withhold an amount equal to 3 1/3 percent of the sales price in the case of a disposition of California real property interest by either:

PUB116-27 cont.

1. A seller who is an individual or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of the seller, OR

2. A corporate seller that has no permanent place of business in California.

The buyer may become subject to penalty for failure to withhold an amount equal to the greater of 10 percent of the amount required to be withheld or five hundred dollars ($500).

However, notwithstanding any other provision included in the California statutes referenced above, no buyer will be required to withhold any amount or be subject to penalty for failure to withhold if:

1. The sales price of the California real property conveyed does not exceed one hundred thousand dollars ($100,000), OR

2. The seller executes a written certificate, under the penalty of perjury, certifying that the seller is a corporation with a permanent place of business in California, OR

3. The seller, who is an individual, executes a written certificate, under the penalty of perjury, of any of the following:

   A. That the California real property being conveyed is the seller's principal residence (within the meaning of Section 121 of the Internal Revenue Code).

B. That the California real property being conveyed is or will be exchanged for property of like kind (within the meaning of Section 1031 of the Internal Revenue Code), but only to the extent of the amount of gain not required to be recognized for California income tax purposes under Section 1031 of the Internal Revenue Code.

C. That the California real property has been compulsorily or involuntarily converted (within the meaning of Section 1033 of the Internal Revenue Code) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under Section 1033 of the Internal Revenue Code.

D. That the California real property transaction will result in a loss for California income tax purposes.

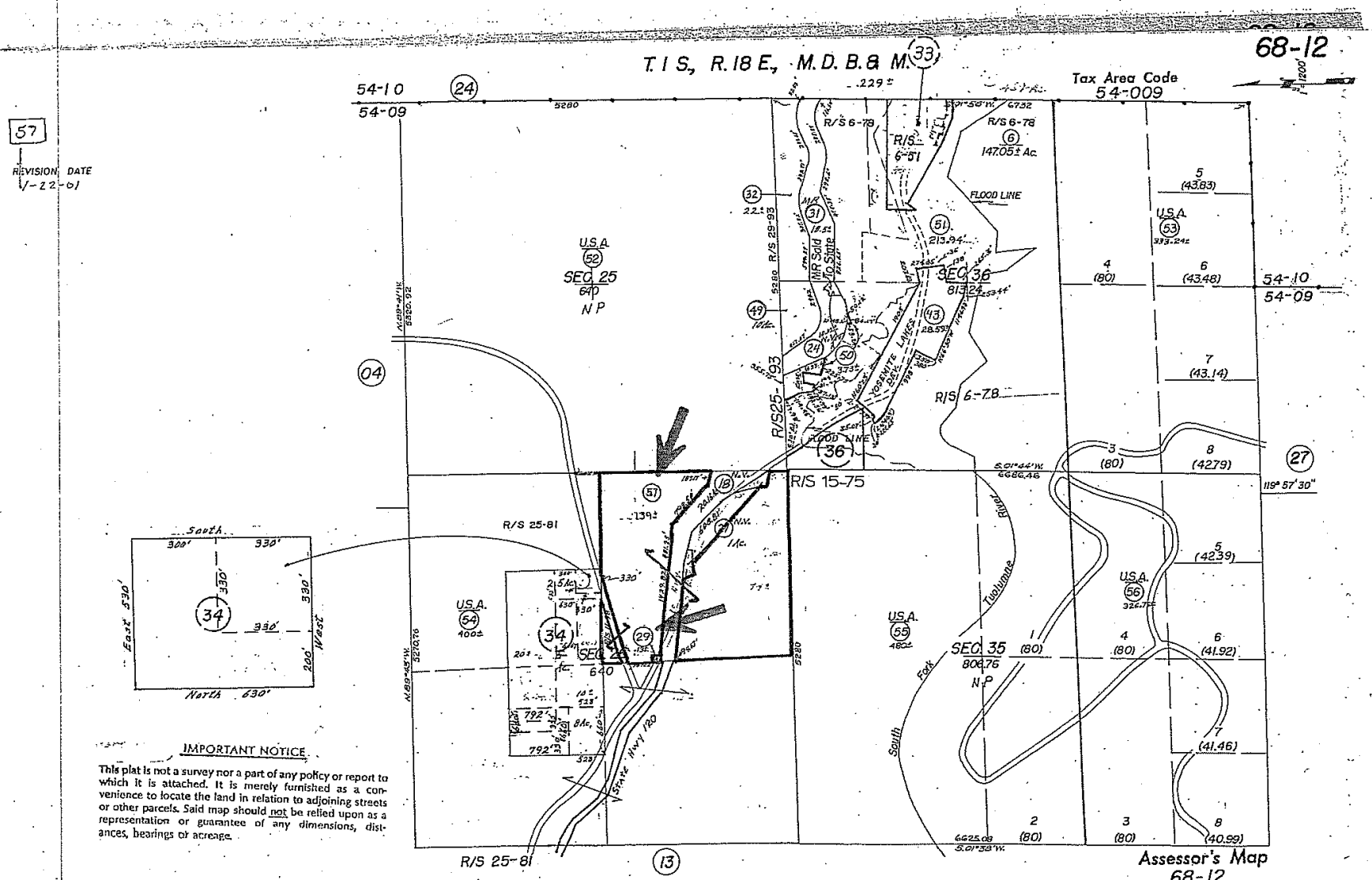
The seller is subject to penalty for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding requirement.

PUB116-27 cont.

The California statutes referenced above include provisions which authorize the Franchise Tax Board to grant reduced withholding and waivers from withholding on a case-by-case basis for corporations or other entities.

Buyer understands that in no event will Escrow Holder undertake to advise Buyer and/or Buyer's representative on the possible application of the above code sections to this specific transaction. Unless expressly instructed by Seller and Buyer herein, Buyer understands that Escrow Holder will NOT assist in obtaining a waiver from withholding from the Franchise Tax Board.

Should Buyer and Seller herein direct Escrow Holder to undertake any activities pursuant to the withholding provisions under California law, Buyer and Seller agree to cooperate fully in providing necessary information to Escrow Holder. Buyer and Seller agree to indemnify and hold Escrow Holder harmless in the event of noncompliance resulting from information supplied by either Buyer and/or Seller. For additional information concerning the withholding provisions under the code sections referenced above, please contact the Franchise Tax Board-Withhold-at-Source Unit at (916) 845-4900, P.O. Box 651, Sacramento, CA 95812-0651.



PUB116-27
cont.

EXHIBIT for LOT LINE ADJUSTMENT

RECEIVED
COUNTY OF TUOLUMNE
JAN 07 2004
DEPARTMENT OF PUBLIC WORKS
SURVEY

FOR

TIMOTHY R. & CAROL L. MANLY
P. O. BOX 130
MARIPOSA, CA 95338 (209)984-0809

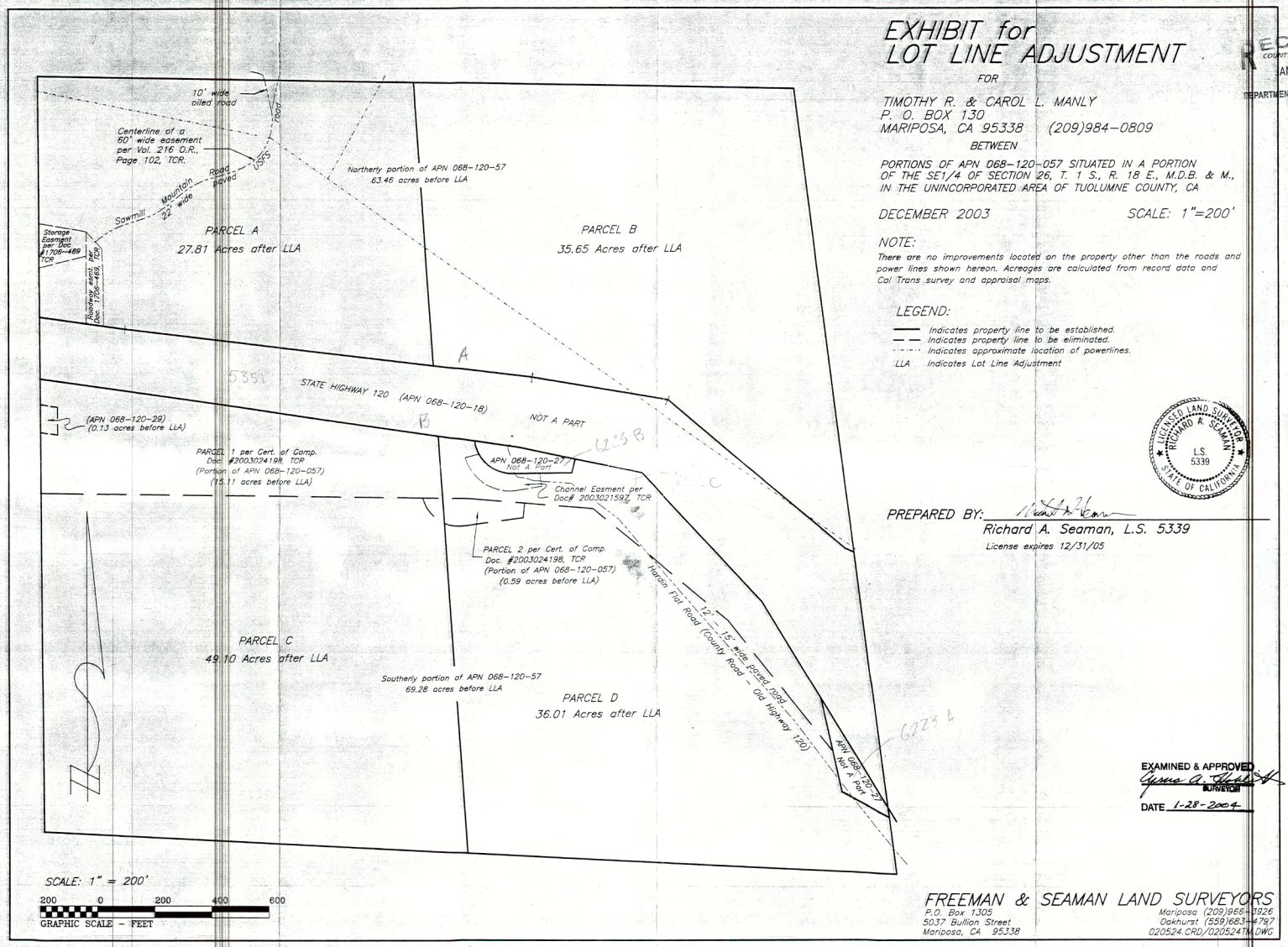
BETWEEN

PORTIONS OF APN 068-120-057 SITUATED IN A PORTION OF THE SE1/4 OF SECTION 26, T. 1 S., R. 18 E., M.D.B. & M., IN THE UNINCORPORATED AREA OF TUOLUMNE COUNTY, CA

DECEMBER 2003 SCALE: 1"=200'

NOTE:
There are no improvements located on the property other than the roads and power lines shown hereon. Acreages are calculated from record data and Cal Trans survey and appraisal maps.

LEGEND:
- ——— Indicates property line to be established.
- — — Indicates property line to be eliminated.
- ·—·—· Indicates approximate location of powerlines.
- LLA Indicates Lot Line Adjustment



LICENSED LAND SURVEYOR
RICHARD A. SEAMAN
L.S. 5339
STATE OF CALIFORNIA

PREPARED BY: _____
Richard A. Seaman, L.S. 5339
License expires 12/31/05

EXAMINED & APPROVED
_____
SURVEYOR
DATE 1-28-2004

FREEMAN & SEAMAN LAND SURVEYORS
P.O. Box 1305
5037 Bullion Street
Mariposa, CA 95338
Mariposa (209)966-0926
Oakhurst (559)683-4797
020524.CRD/020524TM.DWG

047-2

PUB116-28

State of California
Memorandum

The Natural Resources Agency

To: FAS/Landowner

Date: December 17, 2015
Telephone: (916) 651-6660
E-Mail: Aaron.Mills@fire.ca.gov

Cc: DAO/SCO

Jeff Calvert

Federal Grant Analyst / AFAS

File

From: CA Dept of Forestry & Fire Protection

Subject: **CFIP Contract – 8GG14302; Gregory Robert Manly – APPROVED**

Attached are two (2) originally signed of the above mentioned CFIP contract agreement which has been properly approved. Please forward one (1) original to the Landowner at your earliest convenience.

If you have any questions, please feel free to contact me.

Thank you.

Aaron Mills
Staff Services Analyst
Grants Management Unit

PUB116-29

STATE OF CALIFORNIA
CFIP AGREEMENT
(Rev. 2015)

DEPARTMENT OF FORESTRY
AND FIRE PROTECTION

CFIP Agreement 2015 GGRF

CFIP Project Number: 14-GHG-CFIP-01-0054 State Contract Number: 8GG14302

THIS AGREEMENT is made and entered into and becomes effective upon the last date of the signatories below, by and between the State of California, acting through its duly appointed and qualified Director of the Department of Forestry and Fire Protection,

hereinafter called "State," and

hereinafter called "Participant," whose mailing address is:

Gregory Robert Manly
Name
P.O. Box 58
Street Address/PO Box
Moccasin, California 95347
City/State/Zip
209-984-0468
Telephone

This agreement expires Dec 31, 2019

IN WITNESS WHEREOF, this agreement has been executed by the parties hereto, and becomes effective upon the last date of the signatories below:

STATE OF CALIFORNIA

Agency: Department of Forestry and Fire Protection

[redacted]

Approval for the Director Date

Printed Name/Title

Jeffrey J. Calvert
Deputy Chief of Forestry Assistance

Local CAL FIRE name and address:

Adam Frese
785 Mountain Ranch Road
San Andreas, CA 95249
(209) 532-2706

PARTICIPANT *all landowners appearing on the deed must sign or provide Power of Attorney*

[redacted]

Signature

Gregory Robert Manly

Printed Name/Title

Signature

Printed Name/Title

Signature

Printed Name/Title

Signature

Printed Name/Title

Amount encumbered: $ 34,224.00

Program: Local Assistance Fund: GGRF Item: 3540-101-3228

Chapter: 25 Statute: 2014 Fiscal Year: 14/15 -9520-418.99-PCA 96240

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of expenditure stated above.

[redacted]

Signature of Accounting Officer Date

I hereby certify that all conditions for exemption have been complied with and this agreement is exempt from the Department of General Services' approval.

[redacted]

Signature of Officer signing on behalf of the agency Date

Vendor Identification Number: 039647-00

PUB116-29 cont.

CFIP Agreement 2015 GGRF

WHEREAS, under the provisions of the California Forest Improvement Act of 1978, State may enter into cost-sharing agreements with eligible Participants who will undertake forest improvement work upon his/her land; NOW, THEREFORE,

1. In consideration of the forest improvement work to be performed by the Participants, as described in the attached Project Summary, State will reimburse costs incurred for the purpose of undertaking forest improvement work on those lands designated. The maximum amount of reimbursement is the amount stated in Project Summary, "MAXIMUM REIMBURSEMENT". Reimbursement will be made for actual cash expenditures and for goods or services beyond Participant's matching contribution requirement. Reimbursement for such goods and services shall be made in accordance with the State's prevailing rates, provided, however, reimbursement shall not exceed the State's adopted maximum per-acre (or other unit of measure) costs or Participant's actual costs, whichever is less for the forest improvement practices. Expected revenues from products generated will reduce reimbursement and no more than 100% of out of pocket costs are to be recovered.

2. This agreement is conditional upon appropriation and availability of funds for purposes of this contract. In the event such funds are not available in the Budget Act for the fiscal year concerned or are insufficient to carry out the purpose of this agreement, each party agrees to release the other party from all obligations. Funding of the work is also subjected to annual funding decisions. IF FUNDED, NOTICE TO THE PARTICIPANT BY THE STATE WILL BE MADE**. NO WORK MAY COMMENCE WITHOUT THIS NOTICE.**

3. Participant shall promptly submit records at intervals and in such form as State may request. Payment by the State shall be made after an on-site inspection and approval of the practice(s). The Participant shall submit a CFIP Invoice for payment to the local Forestry Assistance Specialist (FAS) of the California Department of Forestry and Fire Protection. A final CFIP Invoice shall be submitted no later than 45 days after completion or expiration of this agreement, as specified on the Project Schedule.

PUB116-29 cont.

4. The Participant agrees to make immediate monetary restitution of any paid funds for any disallowance of costs or expenditures or unauthorized activities which are disclosed through audit or inspection by the State. If Participant does not complete the five acres of minimum practice(s) of forest improvement work as described and required in Section 1527.1, Chapter 9.5, Title 14 of the California Code of Regulations (CCR) by the end of the term specified herein, all sums previously paid by State shall immediately become due and payable to State.

5. Participant shall comply with all local and State fire and safety laws.

6. The Project Description, Project Schedule, Environmental Checklist, RPF Checklist, Land-Use Addendum and Management Plan are deliverables due prior to commencement of ground practices. Work started prior to the execution of this agreement will not be eligible for funding under the terms of this agreement. Project costs eligible for assistance shall be determined upon the basis of the criteria set forth in Chapter 9.5 of Title 14 of the CCR.

7. Participant shall permit periodic site visits by a representative of the State to ensure program compliance.

8. Participant agrees to indemnify, defend, and save harmless State, its officers, agents and employees from any and all claims and losses occurring or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this contract and from any and all claims and losses occurring or resulting to any person, firm, or corporation who may be injured or damaged by the Participant or any agent or employee of Participant in the performance of this agreement.

9. The Participant, and the agents and employees of Participant, in the performance of this agreement, shall act in an independent capacity and not as officers, or employees or agents of the State.

10. This agreement may be amended, or terminated by mutual consent; it may also be terminated by State or Participant upon the giving of written notice to the other party thirty (30) days in advance.

11. Failure by the Participant to comply with the terms of this agreement shall be cause for the suspension of all obligations of the State.

12. Participant certifies that title to the land upon which forest improvement work will be performed is vested in the persons named in this agreement and that land is under the control and possession of the person(s) named in this agreement.

13. Participant certifies that the parcel of forestland to which the Forest Improvement Program applies will not be developed for uses incompatible with forest resources management within 10 years following recordation date, as explained below. If the parcel of forestland is zoned other than TPZ, pursuant to provisions of Chapter 67 (commencing with Section 52200) of Part 1 of Division 1 of Title 5 of the Government Code, a Land-Use Addendum shall be signed by the Participant and shall be incorporated in and made a part of this agreement. Said Land-Use Addendum shall be recorded in the office of the County Recorder of the county of the affected land and shall be a covenant running with the land.

14. The Participant agrees to comply with the California Environmental Quality Act (CEQA), Workers' Compensation, and all other state and federal laws applicable to the work carried out pursuant to the proposed forest resource improvement project.

15. The Participant, by signing this agreement, does swear under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Participant within the immediately preceding two-year period because of the Participant's failure to comply with an order of a federal court which orders Participant to comply with an order of the National Labor Relations Board (Government Code Section 14780.5).

PUB116-29 cont.

16. Participant shall keep such records as State shall prescribe, including records which fully disclose (a) the disposition of the proceeds of state funding assistance, (b) the total cost of the project in connection with such assistance that is given or used, (c) the amount and nature of that portion of the project cost supplied by other sources, and (d) any other such records as will facilitate an effective audit. All records shall be made available to the State for auditing purposes at reasonable times. Such accounts, documents, and records shall be retained by the Participant for at least three years following project termination.

17. During the performance of this agreement, Participant and its subcontractors shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Participant and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Participant and subcontractors shall comply with provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et. Seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et. Seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990 (a-f), set forth in Chapter 5 Division 4 of Title 2 of the California Code of Regulations are incorporated into this agreement by reference and made a part hereof as if set forth in full. Participant and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have collective bargaining or other agreement. The Participant shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the agreement.

18. Participant certifies under penalty of perjury under the laws of the State of California to have, unless exempted, complied with the non-discrimination program requirements of Government Code Section12990 and California Code of Regulations, Title 2 Section 8103.

CFIP Agreement 2015 GGRF

19. Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, state or local governmental agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it. The State requests each participant's social security account number on a voluntary basis. However, it should be noted that due to the use of social security account numbers by other agencies for identification purposes, the State may be unable to approve agreements without the social security account number. The State uses social security account numbers for the following purpose: reports to the Department of Fair Employment and Housing, Internal Revenue Service, and Franchise Tax Board.

20. The Participant acknowledges that a conflict of interest with the State does not exist pursuant to provisions in Division 2, Chapter 2, Article 8, Sections 10410 and 10411 of the Public Contract Code.

21. The Participant states the information in the Management Plan and/or Management Plan Addendum (Project Description) is proprietary information and claims privilege against its disclosure pursuant to Evidence Code 1060.

22. The contractor or grant recipient hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The contractor will:

    1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

    2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:

        (a) The dangers of drug abuse in the workplace;
        (b) The person's or organization's policy of maintaining a drug-free workplace;
        (c) Any available counseling, rehabilitation and employee assistance programs; and
        (d) Penalties that may be imposed upon employees for drug abuse violations.

    3. Provide as required by Government Code Section 8355(c) that every employee who works on the proposed contract or grant:

        (a) Will receive a copy of the company's drug-free policy statement, and
        (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

PUB116-29 cont.

23. Contractor shall comply with all federal requirements established under 28 code of Regulations, Part 36, and Americans with Disabilities Act, in order to make programs accessible to all participants and to provide equally effective communications.

24. In addition to the terms and conditions of this agreement, the Addendum for Greenhouse Gas Reduction Fund (GGRF) Grants Projects is hereby incorporated and made part this agreement.

8GG14302
Gregory Robert Manly
Manly CFIP

ADDENDUM – GREENHOUSE GAS REDUCTION PROJECTS

I. SPECIAL PROVISIONS

1. Grant funds shall be used on projects with the primary goal of reducing greenhouse gases (GHGs) and furthering the purposes of AB 32 (Chapter 488, Statutes of 2006), California's Global Warming Solutions Act of 2006.

2. Grant funds shall be used on projects limited to specific activities as described in GHG Grants Procedural Guides.

3. Greenhouse gas reduction must be calculated using a GHG quantification methodology that has been developed or approved by ARB.

4. Grantee shall report project and benefits information when requested by the State (e.g., GHG reductions, disadvantaged community benefits, energy/water savings, and other co-benefits).

5. Grantee shall maintain accurate and detailed records documenting project description, project location, and schedule, GGRF dollars allocated, and leveraged funds throughout the duration of the project.

6. Failure of Grantee to meet the agreed upon terms of achieving required GHG reduction may result in project termination and recovery of funds.

7. Grant funds used on Urban and Community Forestry projects shall adhere to the following:

   a. Must contain a tree planting component.

   b. Must be located in or provide direct, meaningful and assured benefits to a disadvantaged community, if approved as part of the project and as outlined in the Urban and Community Forestry Grants Procedural Guide.

PUB116-29 cont.

II. MONITORING AND REPORTING REQUIREMENTS

All Greenhouse Gas Reduction Fund (GGRF) projects are required to monitor and report on carbon flux. This includes direct emissions, avoided emissions and sequestration. All such emissions should be monitored and reported separately. In addition, the Urban & Community Forestry and Forest Legacy Program Grants have to monitor and report on other metrics. Monitoring should be done at sufficient intervals to allow periodic reporting per the specific requirements of the individual grant program. Carbon flux should be expressed as the difference between the pre-project baseline and the in-progress or completed project at the end of the given monitoring period.

This will require the establishment of a pre-project baseline from which direct emissions, avoided emissions and sequestration can be periodically measured throughout the crediting period1 on the project area. Emissions and sequestration measurements should be expressed as metric tonnes of carbon dioxide equivalent [MTCO2e]. Net Greenhouse Gas (GHG) benefit of the project will be determined by the sum of the GHG emissions reductions and sequestration less any GHG emissions resulting from project implementation. All other metrics should be reported in the appropriate units of measure. The reporting requirements should determine the timing and frequency of monitoring actions as described in Table 1.

a. TABLE 1 GGRF GRANT REPORTING REQUIREMENTS

Grant Program	What to Report	Reporting Frequency	Report Due
Urban & Community Forestry	1, 3, 6, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20	Quarterly, At Completion	January 1, April 1, July 1, September 1, At Completion
Fuels Reduction	2, 3, 4, 6, 9, 10	Annually, At Completion	September 1, At Completion
Reforestation Services	2, 3, 6, 9, 10	Annually, At Completion	September 1, At Completion
Forest Legacy	2, 3, 5, 6, 9, 10, 11, 12, 13, 17, 19, 20	Annually, At Completion	September 1, At Completion
Forest Pest Control	2, 3, 6, 7, 9, 10	Annually, At Completion	September 1, At Completion
Demonstration State Forests Research	2, 3, 6, 8, 9, 10	Annually, At Completion	September 1, At Completion

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b. GGRF GRANT REPORTING REQUIREMENTS

1. Increased carbon sequestration through tree growth.

2. Increased carbon sequestration through tree growth and timberland management.

3. GHG emissions resulting from project implementation actions (fuel reduction activities, timber harvesting, sanitation harvesting, site preparation, research activities, etc.)

4. Avoided GHG emissions resulting from reducing hazardous fuel load potential that could lead to large wildfires.

[1] The crediting period is the time period over which the project accrues GHG benefits.

5. Avoided GHG emissions resulting from retaining the forest and avoiding conversion to another use.

6. Avoided GHG emissions resulting from utilization of the removed trees or other vegetation for biomass energy, solid wood products or other products.

7. Avoided GHG emissions resulting from preventing spread of disease to healthy forests by selectively removing pest- or pathogen-infected trees.

8. Avoided GHG emissions resulting from research activities.

9. Estimated net GHG benefit achieved to date.

10. Estimated net GHG benefit for entire project to date [provide total MTCO2e over the project life].

11. Project status [provide one of the following: (a) started during reporting period; or (b) in progress.]

12. Project activities completed [e.g., milestones achieved].

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13. Additional project benefits and results [if applicable, provide estimated totals, if available,
or qualitative descriptions, of the following: (a) vehicle miles traveled reductions; (b) open space or greenbelt creation or preservation; (c) wildlife habitat preservation; (d) tons of biomass generated from forest easements and delivered to a renewable energy facility; (e) tons of harvested wood generated from forest easements and delivered to a mill; and (f) property acquired to be repurposed as an urban forestry project site.]

14. Number of trees planted and location.

15. Vegetation planted and location.

16. Maintenance activities conducted.

17. Verification that the land is still being managed in accordance with the terms of the forest conservation easement.

18. Verification that the site is still being maintained in accordance with the terms of the grant agreement.

19. At completion, summarize project accomplishments, including benefits to disadvantaged communities.

20. At completion, summarize co-benefits for entire project [if applicable, e.g., vehicle miles traveled reductions; open space creation or preservation; wildlife habitat preservation].

III. PROGRAM ACKNOWLEDGEMENT/RECOGNITION

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All projects funded both fully and partially by the GGRF must clearly display, identify and label themselves as being part of the "California Climate Investments" program. The acknowledgement must contain the "California Climate Investments" and CAL FIRE logos as well as the following statement:

"Funding for this project provided by the California Department of Forestry and Fire Protection as part of the California Climate Investments Program."

A draft of the acknowledgement must be approved by the STATE prior to publication.

CALIFORNIA FOREST IMPROVEMENT PROGRAM APPLICATION

CFIP Project Number: 14-GHG-CFIP-01-0054

1. Enter the name(s) of **all** landowners **as they appear on the deed**. (Use attachment if necessary).

Name: Bob Manly Phone Number(s): 209-984-0468 (Day) _____ (Evening)

Address: P.O. Box 130 (Street or P.O. Box) Moccasin (City) Ca (State) 95347 (Zip)

Name: _____ Phone Number(s): _____ (Day) _____ (Evening)

Address: _____ (Street or P.O. Box) _____ (City) _____ (State) _____ (Zip)

Name: _____ Phone Number(s): _____ (Day) _____ (Evening)

Address: _____ (Street or P.O. Box) _____ (City) _____ (State) _____ (Zip)

2. Responsible person to be contacted:

Name: Bob Manly Phone Number(s): 209-984-0468 (Day) _____ (Evening)

Address: P.O. Box 130 (Street or P.O. Box) Moccasin (City) Ca (State) 95347 (Zip)

3. (a) Does the landowner own 5,000 acres or less of forestland in California? ☒ Yes ☐ No

(b) 20 acres or more of forestland? ☒ Yes ☐ No

(c) Is the total area proposed for each ground practice 5 acres or more? ☒ Yes ☐ No ☐ N/A (Wildlife/Conservation)

(d) Number of acres under the Management Plan: 149 Total ownership size: 149

(e) Project area timber site productivity is: ☒ I ☒ II ☐ III ☐ IV ☐ V

(f) Has the project area been damaged by natural causes within the last 10 years? ☒ Yes ☐ No

4. (a) How is the project area zoned? Check one of the following and answer pertinent questions:

☐ TPZ ☐ Agriculture Preserve ☒ Other: AE

(b) Is there a Conservation Easement, CC&R's, or a petition for rezoning from TPZ to other uses, existing, underway, or contemplated, which would restrict resource management activities for the period of time during which the grant is administered (10 years)?
☐ Yes ☒ No

If yes, explain: _____

(c) List all land uses permitted under this zoning. Indicate existing land uses on Management Plan Map.

List specific use(s): Timber Production

(d) Will the landowner agree not to put CFIP land to any use incompatible with forest resource management for 10 years?
☒ Yes ☐ No

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CFIP APPLICATION

5. Has any of the land proposed for CFIP funds been harvested subject to the 1973 Z'Berg-Nededly Forest Practice Act?
   ☒ Yes ☐ No If yes, please list THP, NTMP, SYP Number: 4-13EM-020-TUO
6. Is there a previously prepared Forest or Land Management Plan for the area proposed for CFIP project? ☐ Yes ☒ No
   Should the plan be revised? ☐ Yes ☐ No
   If yes, list the CFIP Project Number: _____
7. Are you an employee of the State of California? ☐ Yes ☒ No
   Were you an employee of the State of California within the past 12 months? ☐ Yes ☒ No
8. Does your current employment or former employment within the last 12 months with the State of California in any way relate to or affect the awarding of California Forest Improvement Program (CFIP) grants or authorization of cost-share payments for work accomplished under a CFIP grant? ☐ Yes ☒ No

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Please complete the **Application Project Summary**.

I certify that the above and attached is true and correct to the best of my knowledge.

Executed on 6-9-15 at Jamestown Ca

[redacted]

Applicant's Signature

NOTE

Other Application Requirements:

- **Complete the Application Project Summary** (Include as page 3 of 3 for this application).
- **The funding rate** requested must be explained and justified in the Project Description. Failure to adequately describe the project could result in delays or denial of approval.
- **Provide maps** (scale 15 min. /7.5 min.; USGS topographic maps are best) indicating areas to be treated.
- **Provide a detailed project description** which includes an explanation and justification for the cost-share rate requested.

STATE OF CALIFORNIA
CFIP APPLICATION
RM-6 Rev. 12/09/13

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

CFIP APPLICATION/PROJECT SUMMARY

Name(s): Manly CFIP#: 14-GHG-CFIP-01-0054

SUMMARY OF PRACTICES TO BE PERFORMED

PRACTICE	Land Conservation Practice	Rating	ACREAGE OR OTHER UNIT	COST/AC OR OTHER UNIT** ROUNDED UP	TOTAL ESTIMATED PROJECT COST	90% COST SHARE (SEE COLUMN 'K')	75% COST SHARE	Value if different than formula	Enter "Yes" if 90% cost share
Management Plan/addendum	☐			NA	$ -	0	$ -	$0	
Mini- Mgt Plan	☑		1	$1,750.00	$ 1,751	1,576	$ -	$0	Yes
RPF Supervision		First 20 ac.	20	$150	$ 3,000				
		Remainder	72	$75	$ 5,400				
	☑	Total	92	$92	$ 8,400	7,560	$ -	$0	Yes
Site Prep	☐	Low	15	$350					
		Medium							
		High	0		$ 5,250	4,725	$ -		Yes
Trees & Planting	☐	Average	15	$225					
		Moderate							
		Difficult			$ 3,375	3,038	$ -		Yes
Tree Shelters	☐		0	$0	$ -	0	$ -		
Pre-commercial thinning	☐	Low	0	$0					
		Medium	0	$0					
		High			$ -	0	$ -		
Pruning	☐	50 TPA	0	$0					
		100 TPA							
		150 TPA			$ -	0	$ -		
Follow up - slash disposal	☐	Low	0	$0					
		Medium							
		High			$ -	0	$ -		
Follow up Herbicide	☑	Low	77	$250					
		Medium	0	$0					
		High			$ 19,250	17,325	$ -		Yes
Follow up Other	☐	Low	0	$0					
		Medium							
		High			$ -	0	$ -		
Release Mechanical	☐	Low	0	$0					
		Medium							
		High			$ -	0	$ -		
Release Herbicide	☐	Low	0	$0					
		Medium	0	$0					
		High			$ -	0	$ -		
Release Other	☐	Low	0	$0					
		Medium		$0					
		High		$0	$ -	0	$ -		
Land Conservation Wildlife/ Fisheries Projects	☐		0	$0	$ -	0	$ -		
Other	☐		0	$0	$ -	0	$ -		
						$ 34,224	$ -		
					$ 38,026	Box "A"	Box "B"		

* Enter net acres work for partial practices (minimum of 5 acres of an individual practice except for land conservation and habitat improvement). ^RPF supe acreages are explained in the project description.
** Enter 100% contract cost/acre or other unit (not to exceed maximum allowable rate).

MAXIMUM REIMBURSEMENT: $ 34,224 (Enter "Box A" + "Box B" rounded off to whole dollars)

Location of the proposed project listed above, use additional sheets as necessary.
For recording purposes at your local county recorder's office:

Sub-section	Sec	Town-ship	Range	County	Assessor's Parcel #	TPZ
Portion SE 1/4	26	1S	18E	Tuolumne	068-120-60,61,62,&63	☐ Yes ☐ No

For non-TPZ zoned lands described above a part of that real property more fully described in that certain deed from (See attached page)
Carol L Manly Trustee of the Manly living Trust to Carol L Manly Trustee of the Manly Surviving Spous Trust dated 31-May-06
and recorded with the recorder of Tuolumne County, Page
or document number 2006010230

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CALIFORNIA FOREST IMPROVEMENT PROGRAM

PROJECT DESCRIPTION

Landowners: Bob Manly
P.O. Box 130
Moccasin, CA 95347
(209) 984-0468

CFIP #: 14-GHG-CFIP-01-0054

Legislative Districts: State Senator - #14, State Assembly - #25, Congressional - #19

Objective
Establish fully stocked forest conditions capable of carbon sequestration and long term timber production. Establishment of planted conifer plantations and maintain healthy productive stands into the future.

Site
This property is located in SE ¼ SE ¼ Section 26 Township 1 South, Range 18 East, Tuolumne County (37.821792°N, 119.960909°W). The project consists of two parcels separated by the Cal Trans easement along Highway 120. These parcels are in the Big Creek planning watershed (calwater 2.2 #6536.800201) that is classified as high risk by the FRAP assessment team. The 14,197.1 acre watershed is part of the broader Tuolumne River watershed that is also classified as high risk. The South Fork of the Tuolumne River runs ¼ mile south of the property. The 2013 Rim Flat fire burned through the majority of the two parcels. The portion north of Highway 120 burned at high intensity and the area south of the highway burned at lower intensity except for a couple of isolated pockets. There are green trees throughout and surrounding the units. Approximately 77 acres of the area were burned at high intensity. This project is located in the footprint of intensively burned area. Salvage timber operations were conducted following the fire and were completed in the spring of 2014. Reforestation under a NRCS contracted was conducted in the winter of 2014-15. Approximately 30 acres of the northeast portion was planted at 300 trees per acre and a spot spray around seedlings was done. The remaining area had adequate natural regeneration and was not planted. A follow-up herbicide treatment in the summer of 2015 is scheduled for the entire burned area. The area is in need of additional reforestation replanting and follow-up herbicide treatments to achieve adequate survival levels of conifers. The sites have extensive bear clover and oak competition. With the current drought mortality of planted and natural seedlings is expected. Replanting on 15 acres, 10% of the total is expected. The area has a history of wildfire activity. The 1987 Complex Fire, Rogge Fire 1995, and the Rim Fire 2013 all burned major portions of the Tuolumne River watershed either burning or threatening the property.

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The project is along Hwy 120 between the North and South forks of the Tuolumne River just west of Harden Flat, a major summer recreation area. This project will complement fuel reduction work completed by the Forest Service on bordering land to the west and south of the unit. The proximity of the parcels to Hwy 120, a major State highway and the northern access to Yosemite Park, add to the importance of creating a safe and aesthetic forest landscape.

The Tuolumne River along with the other perennial watercourses provide valuable wildlife habitat for a number of species including deer, bear, wild turkey, and gray squirrels. The landowners want to insure these values by improving forest health and reducing current fuel load levels.

When combined with other properties within the Tuolumne River Watershed, this project will help protect water quality, aesthetics, and wildlife values within the overall watershed.

Project
This project proposes three cultural treatments to maintain and improve habitat conditions on the property. Individual treatment areas are shown on the attached map and acreages are listed in the summary below.

- Preparation of mini-management plan. The parcel is not covered by any management plan and will need a mini management plan to meet the long term management plan requirement.

- RPF supervision for a total of 92 acres, 20 to be paid at $150/ac and 72 at $75/ac.
    1. 77acres of chemical follow-up.
    2. 15 acres of chemical site prep and trees and planting. These operations will be conducted together and RPF supervision will be combined.

- 77 acres will be treated with Follow-up herbicide (low). The entire area will be treated in the summer of 2016. Application shall be a directed foliar herbicide treatment. Application will be by backpack sprayer and follow Pest Control Recommendations made by a registered Pest Control Advisor. Work will be conducted by a licensed Pest Control Company and follow all appropriate EPA regulations.

- 15 acres site pre (low). This will consist of chemical spot treatment around seedlings replanted in understocked areas as a result of mortality. Application will be by backpack sprayer and follow Pest Control Recommendations made by a registered Pest Control Advisor. Work will be conducted by a licensed Pest Control Company and follow all appropriate EPA regulations.

- Trees and Planting (Average). This operation will consist of planting trees in understocked areas. Operation will be conducted in the winter of 2015-16. Seedlings will be grown from local seed and be 1-0 stock. Operation will be supervised by PRF and tree handling will be done to insure seedlings protection from adverse conditions.

Greenhouse Gas Affects

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- Tree establishment and survival to a fully stocked timber stand will allow for carbon storage on site. Long term the stand will be grown to maturity and managed for timber. Trees will be left to grow on site to rotation age 60-100 years. As harvests occur regeneration will be encouraged to maintain a viable timber stand. Trees will occupy the site and timber volumes per acre are expected to be maintained between 15 and 40MBF/ac.

- The project will reforest the currently understocked area resulting from the Rim Fire. Historically chaparral vegetation types burn from wildfire every 10-20 years. Establishment and future management of invading brush levels and stocking will decrease the potential for and intensity of a wildfire. Once trees are established shade will deter the growth of brushy fuels and plantation maintenance will greatly decrease hazardous fuel buildups that lead to large wildfires.

- Control of stocking as well as competing brush will increase the vigor of trees. Competition for nutrients and water will be less providing for a healthier tree able to increase growth as well as repel insect attack.

- As the stand grows and timber gets to merchantable size periodic harvests will occur. Trees harvested will be used for wood products and store carbon offsite in homes or other wood products. This offsite storage will last for an anticipated several decades adding to the carbon benefits.

- Emissions from the project will be a result of operating the hand tools and crew mobilization in the herbicide application. Emissions from reforestation activities are estimated at 6.93 tons of carbon using COLE 1605B evaluation.

- The project will sequester a net 2,130.02 tons CO_2 over the 40 year crediting period and 2,607.16 tons CO_2 over the 100 year project life. A worksheet summarizing these

calculations is attached. Also attached is the COLE 1605 report. Calculations were made using the COLE program. A 100 km radius was used to obtain adequate plot numbers. Timber type was Mixed Conifer and Dunning site class I to III. Only above ground carbon was counted as site preparation will not disrupt the soil and no deep tilling is planned.

- If this project was not implemented the project site would continue to be subject to periodic stand replacement wildfire as fuel loading would be extreme. The 2,607.16 tons of carbon stored over the life of the project would be zero in the no project scenario as the probability of keeping fire out of the area for that length of time in heavy fuel conditions is not likely.

- The landowner employs an RPF to maintain forest health implement management operations. Annual inspections will be made to assess project status. Several photo points will be establish to provide visual evidence of changes over time. The landowner has demonstrated his commitment to long term management through a long history of resource management.

- The landowner is committed to managing the parcel for long term forest and agricultural use. Current zoning is rural allowing for these land uses. Development to other uses would require applications to the county and waiting periods.

- Co-benefits of the project include the establishment of jobs for the local community. The project will provide approximately 1,000 hours of employment. The promotion of a mature forest will provide a diversity of habitat for wildlife.

- The project is along Hwy 120 a major thoroughfare for tourism in Tuolumne County.

- The landowner has maintained the area in well stocked conditions for decades. The landowner has already committed significant resource to begin reforestation activities.

- The applicant is ready to conduct work immediately after approval.

- The area is located within the VeryHighFHSZ in Tuolumne County.

- Biomass was removed during the commercial timber harvest and residual material will not be removed.

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This project is designed to achieve the following:

1) Establish viable forested condition.
2) Restore and improve forest health.
3) Protecting water quality by maintaining vegetative debris and minimize potential for movement of herbicides downstream through use of no application buffer strips.
4) Help reduce the risk of catastrophic stand replacement wildfires through maintenance and establishment of forested landscapes.

CFIP Carbon Calculation 2015
Project: Manly
Project #: 14-GHG-CFIP-01-0054

	Crediting Period (40years)	**Project Life (100 years)**
Gross Carbon Stored (tonnes of C/hectare) (live and Dead COLE Report)	28.03	32.20
Conversion to tons of CO_2 per acre 1.486	41.65	47.85
Carbon removed in Site Prep (light to medium Shrubs) tons/acre	-13.90	-13.90
Net tons/ac	27.75	33.95
Acres	77.00	77.00
Total CO_2 /acre	2,136.95	2,614.09
Emissions from Site Prep (light Brush Cover) 0.09 t/ac	-6.93	-6.93
Project Onsite tree carbon (tons)	**2,130.02**	**2,607.16**

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COLE 1605(b) Report for California filtered for Forest Type: California mixed conifer; Site Productivity Class: 225+ cuft/ac/yr , 165-224 cuft/ac/yr, 120-164 cuft/ac/yr, 85-119 cuft/ac/yr; Stand Origin: Planted

COLE Development Group *

June 3, 2015

PUB116-29 cont.

1 Abstract

This is a standard report produced by COLE, **The Carbon Online Estimator**. COLE is an online package that was developed under a cooperative agreement between NCASI and the USDA Forest Service, RWU-4104 in Durham, NH.

*NCASI: http://www.ncasi2.org/, USDA Forest Service: http://www.fs.fed.us/ne/durham/4104/

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2 **Carbon Stocks by Forest Type for California** 5

2 Introduction

This report includes numerous tables that portray various components of forest carbon. A carbon map is given to show the distribution of aboveground carbon. The map also shows approximately where the FIA plots were located that contributed data to this report. Each plot is assigned to a hexagon (each hex covers 2428 hectares), which is colored to indicate the amount of carbon at that location.

This report is based on data from the states and counties that were selected. The tables may be useful for 1605(b) reporting, but it is important to consider the nature of the data before using these tables. The data originate from USDA Forest Inventory and

Analysis (FIA) plots that are part of an annual forest inventory system. Therefore they are a representative sample from forest land in the U.S. The database for COLE includes all plots in the most recent FIA evaluation group for each state. This report reflects the forest type and site characteristics of stands within the selected region that also meet the filter criteria. The COLE data set is derived from the public FIADB and is updated on a regular basis. The format of the tables and the methods used to develop them are similar to those in (Smith et al. , 2006).

Any filters that were selected by the user will impact the tables. Filters can be used to specify characteristics of your land within the limitations of the filter variables. For example, you could generate 2 reports to examine differences in total forest carbon between private and public land. To do this, set the Ownership Group filter to Private and generate a report. Go back to the Filters tab and select public ownership groups. Generate another report. Now you can compare the differences in carbon stocks. This method can be applied using any of the filters. Consult the COLE Filters Tab Help File for details on filter availability and use.

Data provided in these tables will generally not be valid for reporting on forests outside of the U.S. unless the conditions of the forest are consistent with conditions and forest types covered by the tables.

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3 Regional Carbon Tables

The following tables are made from data from the counties selected in California. Each of the 8 columns in the tables are defined as follows:

1. Mean volume: volume of growing stock.This is derived by converting net cubic foot volume per acre (VOLCFNET) from the FIADB to cubic meters per hectare.
2. Live tree: carbon in boles, crowns and coarse roots of live trees dbh at least 2.5cm. This is derived by multiplying the dry biomass variable (DRYBIOT) in the FIADB by 0.5 to get carbon. Foliage and root carbon is estimated with equations (Jenkins et al. , 2003). Units are metric tonnes per hectare.
3. Standing dead tree: carbon in boles, crowns and course roots of standing dead trees with dbh at least 2.5cm. Units are metric tonnes per hectare. This is estimated analogously to live tree carbon, except foliage is excluded.
4. Understory: carbon in boles, crowns and coarse roots of trees (dbh less than 2.5cm), shrubs and bushes. Units are metric tonnes per hectare.

5. Down dead wood: carbon in woody debris (includes logging residue and coarse woody debris larger than 7.5 cm diameter), stumps and coarse roots of stumps. Units are metric tonnes per hectare.

6. Forest floor: carbon in fine woody debris (dbh less than 7.5 cm), litter, fine roots above mineral soil. Units are metric tonnes per hectare.

7. Soil organic: organic C (including fine roots) in the surface 1 meter. Excludes coarse roots. Units are metric tonnes per hectare.

8. Total nonsoil: sum of carbon contained in live tree, standing dead tree, understory, down dead wood and forest floor pools. Units are metric tonnes per hectare.

The COLE database values for live tree and standing dead carbon are derived from a combination of FIA data and published equations. The FIA data provide a total gross biomass oven dry weight (DRYBIOT) value for each tree in the FIA database (Anonymous , 2007). DRYBIOT gives the total above ground biomass for a tree 1.0 inch and larger including all tops and limbs, but excluding foliage. DRYBIOT is multiplied by 0.5 to convert it to carbon. Carbon in foliage and roots is then estimated for each tree using published equations (Jenkins et al. , 2003). Live tree carbon is the sum of 0.5*DRYBIOT+foliage+roots. Dead tree carbon is 0.5*DRYBIOT+roots. These tree carbon values are summed for each plot and expanded to represent per hectare values.

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The data for the other carbon components, i.e. forest floor, down dead wood, and soil organic, is estimated at the plot level using methods developed for Smith et al. (2006). Mean volume comes from what FIA calls VOLCFNET, which is net cubic foot volume and is provided for each tree in the FIA public data base.

The tables are derived from the COLE database by fitting an equation to the data for the selected region. Therefore, the tables are presenting expected values rather than raw data averages. Any filters that are in place affect the data used to fit the table equations. The equation used for mean volume, live tree carbon and standing dead tree carbon has the form $y = a(1 - e^{-b*AGE})^3$, which is the well known Von Bertalanffy growth equation. The a-coefficient gives the asymptote, and the b-coefficient controls the rate of approach to the asymptote. One can compute the time it takes to reach a certain percentage of the asymptote with the following equation, $t(p) = -log(1 - p^{1/3})/b$, where p is the desired proportion and b is the estimate for the b-coefficient. The coefficient values are given at the bottom of each carbon stock column. The assumption is that the trend for these components begins at 0.0 at age 0 and eventually asymptotes.

Other carbon components follow different trends which are estimated using methods described in (Smith et al. , 2006). Understory will generally decline over time as the canopy matures. The following equation is used to estimate understory, $underC =$

$liveTreeC * e^{c_1 - c_2 * ln(liveTreeC)}$, where liveTreeC is the estimate for live tree carbon, and c_1 and c_2 are coefficients that must be estimated from the selected COLE data.

Tables are given for each forest type for both reforestation and afforestation. It is assumed that the following carbon component trends differ for reforestation and afforestation: down dead wood, forest floor, and soil organic. Down dead wood trends for afforestation are estimated with $ddC_A = r * liveTreeC$, where r is a coefficient that is estimated from the selected data. Reforestation down dead trends are estimated with $ddC = ddC_A + d_1 * e^{-age/d_2}$, where d_1 and d_2 are coefficients that must be estimated and age is stand age. Adding an additional component for reforestation accounts for the fact that there would be down dead wood following a clearcut harvest.

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Forest floor carbon after afforestation is modeled as $ffC_A = f_1 * age/(f_2 + age)$. Forest floor carbon after reforestation requires an additional component to account for the fact that there will be residual forest floor carbon following a clearcut. It is modeled as, $ffC = ffC_A + f_3 * e^{-(age/f_4)}$, where $f_1, ..., f_4$ are coefficients that must be estimated from the data.

The soil organic carbon value in the reforestation table is based on the assumption that this component will remain relatively constant over time. For afforestation, it is assumed that soil organic carbon will start off at 75% of the reforestation value and gradually increase to the reforestation value. This is modeled with $soc_A = soc * \left(0.75 + 0.25 * (1 - e^{-(age/50)^2})\right)$

Table 1: **Carbon Stocks by Age Class for California**

Age Class	Mean volume	Live tree	Dead tree	Under story	Down dead wood	Forest floor	Soil	Total non soil
years	m^3/hectare	tonnes carbon/hectare						
0	0	0	0.58	0	18.96	34.76	49.8	54.29
5	2.72	1.02	0.58	5.34	16.65	34.76	49.8	58.35
10	11.84	4.86	0.58	5.75	15.11	34.76	49.8	61.06
15	22.87	10.11	0.58	4.9	14.06	34.76	49.8	64.41
20	32.54	15.28	0.58	4.35	13.25	34.76	49.8	68.21
25	39.88	19.65	0.58	4.01	12.53	34.76	49.8	71.53
30	45.06	23.07	0.58	3.8	11.84	34.76	49.8	74.05
35	48.55	25.61	0.58	3.67	11.17	34.76	49.8	75.79
40	50.86	27.45	0.58	3.58	10.53	34.76	49.8	76.9
50	53.31	29.65	0.58	3.49	9.37	34.76	49.8	77.85
60	54.32	30.72	0.58	3.44	8.39	34.76	49.8	77.89
70	54.73	31.22	0.58	3.42	7.61	34.76	49.8	77.59
80	54.89	31.46	0.58	3.42	6.99	34.76	49.8	77.2
90	54.96	31.57	0.58	3.41	6.51	34.76	49.8	76.83
100	54.98	31.62	0.58	3.41	6.15	34.76	49.8	76.51
a	55	31.66						
b	0.09	0.08						
se	25.89	9.76						
n	5							

PUB116-29 cont.

Table 1 shows the regression-based volume and carbon pool estimates by age class for the entire area you have selected, as noted in the table title. Table 1 is based on reforestation assumptions. The number of plots used in calculating the regression is denoted at the bottom of the table as row *n*. The *se* value is the residual standard error, provided to help you judge the strength of the relationship between stand age and the various carbon pools. However, many of the carbon components lack regression coefficients. Coefficients and standard errors are provided for the components that are estimated with the Von Bertalanffy equation, i.e. the *Mean volume, Live tree, and Standing dead* columns. No coefficients are given for the remaining components, since they are only loosely tied to the actual FIA data. The remaining component values are largely based on models and assumptions.

PUB116-29 cont.

Table 2 is the mean value of the volume and carbon pools for all forest types occurring over the entire area you selected. The next set of tables giving carbon components by forest type are not generated unless there are at least 20 plots. Sample size by forest type in Table 2 is shown in column *n*.

Table 2: **Carbon Stocks by Forest Type for California**

Forest Type		Mean volume	Live tree	Dead tree	Under story	Down dead wood	Forest floor	Soil	Total non soil	n
		m^3/ha	tonnes carbon/ha							
California conifer	mixed	21.3	10.7	0.6	7	13.5	34.8	49.8	66.5	6

3.1 Regional carbon tables by forest type

The following tables are broken down by forest type and given for reforestation and afforestation assumptions.

PUB116-29 cont.

There are 2 reasons that a forest type listed in Table 2 is not broken out in the following series of tables.

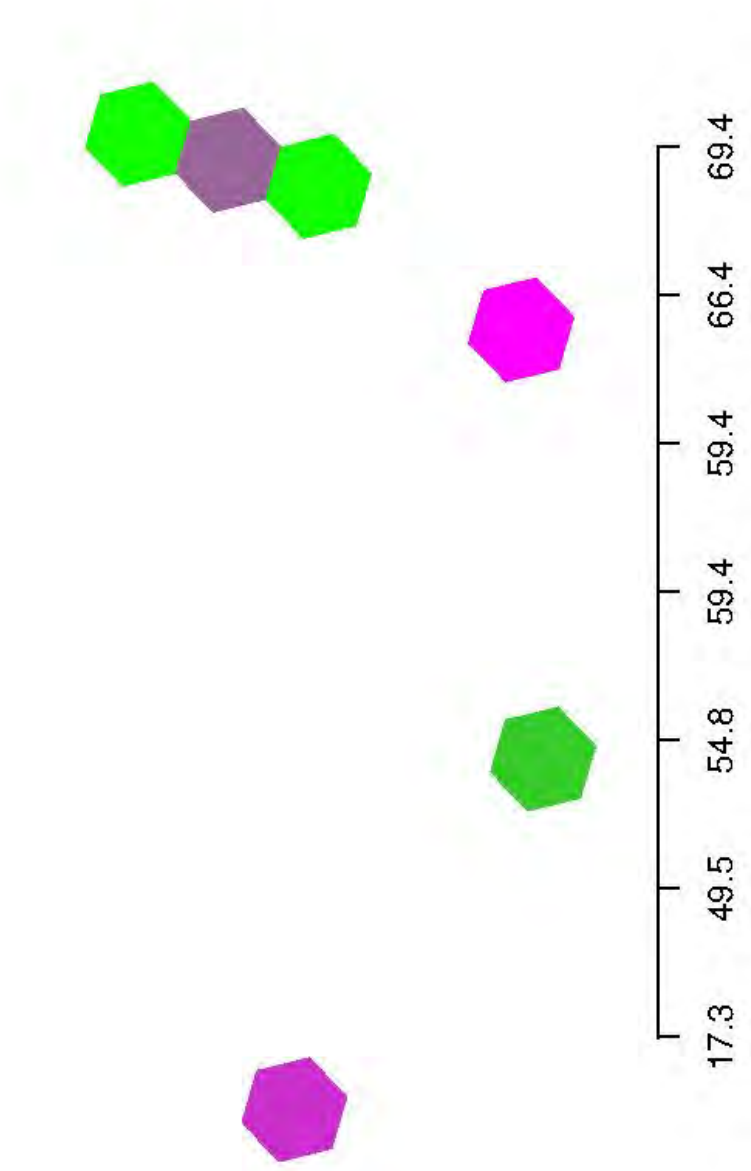
1. Sample size is less than 20. The regression needs at least 20 samples to produce a reliable estimate.
2. Missing values in the data may prevent the regression from converging. This is especially important for a forest type that has close to the 20 sample threshold explained above.

4 Carbon Map

The carbon map gives an indication of the distribution of above ground carbon by coloring hexagons that cover each state. Each FIA plot that contributed data to this report is assigned to a hex. Hexes that aren't filled in contributed no data to this report. A hex is left out of the analysis because it was (1) not selected for inclusion or (2) it has no data in the COLE data base (it might be a non-forest area). It is important to look at this map to understand what data were included when the tables were made for this report. It is possible that 2 reports with exactly the same title were, in fact, made with data from different parts of the state. The report title indicates the state(s) and the filters that were applied. The carbon map definitively indicates the FIA plots that were included.

PUB116-29 cont.

Figure 1: Hex map of Total Aboveground Carbon (metric tons/hectare) for California



PUB116-29 cont.

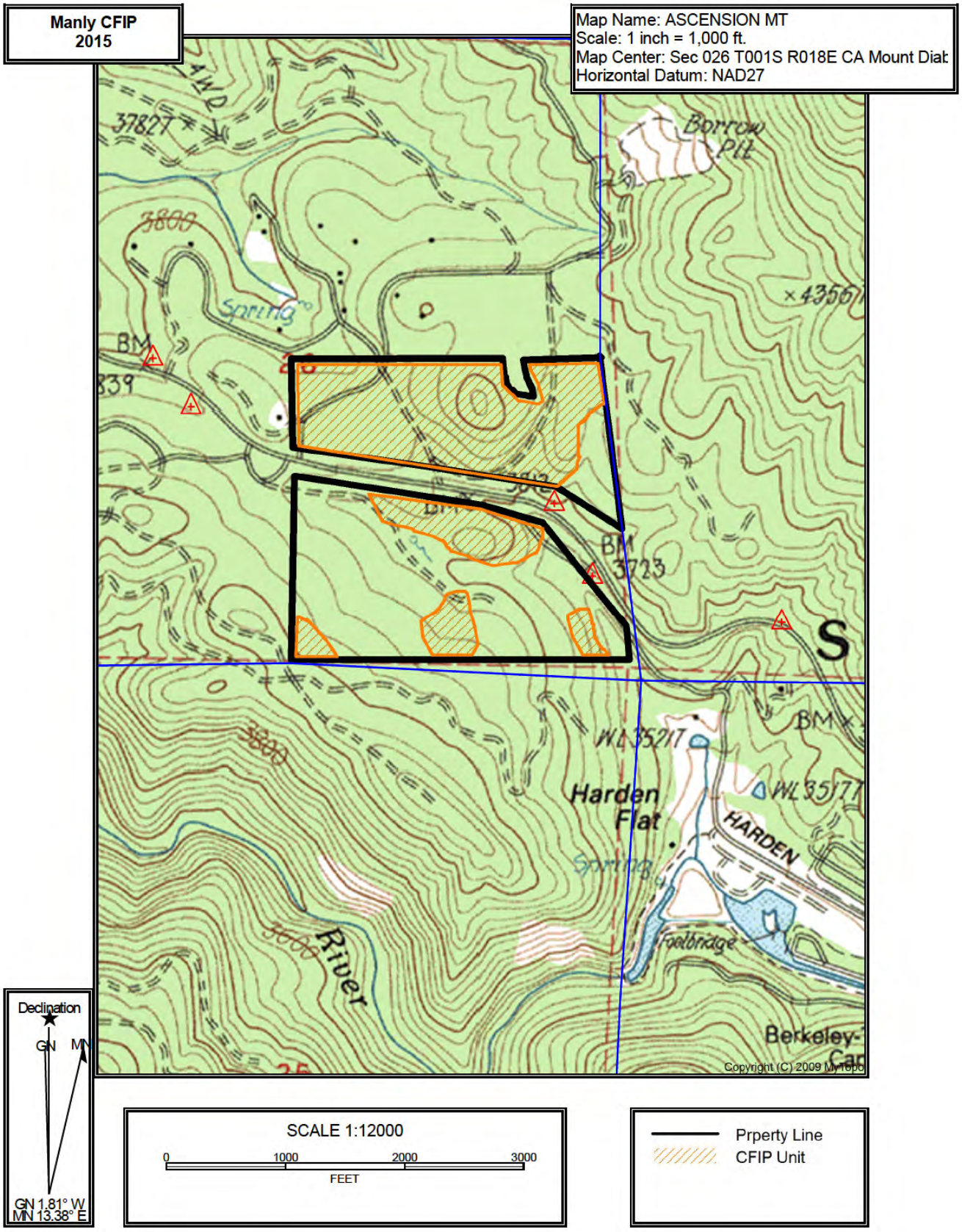
References

Smith, J.E., Heath, L.S., Skog, K.E. and Birdsey, R.A. (2006). Methods for calculating forest ecosystem and harvested carbon with standard estimates for forest types of the United States. Gen. Tech. Rep. NE-343. Newtown Square, PA: USDA, Forest Service, Northern Research Station. 216p.

Anonymous (2007). The Forest Inventory and Analysis Database: Database Description and Users Guide Version 3.0. [Available on internet: www.ncrs2.fs.fed.us/4801/fiadb/index.htm]

Jenkins, J.C., Chojnacky, D.C., Heath, L.S., and Birdsey, R.A. (2003). National-scale biomass estimators for United States tree species. Forest Science 49(1): 12-35.

PUB116-29 cont.



PUB116-29 cont.

State of California
Department of Fish and Wildlife

M e m o r a n d u m

Date: July 22, 2020

To: Kevin Kiniery
Review Team Chair
California Department of Forestry and Fire Protection
1234 East Shaw Avenue
Fresno, California 93710

From: Julie A. Vance
Regional Manager
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, California 93710

Subject: First Review of Timber Harvest Plan (THP) No. 4-20-00116-TUO

PUB116-30

The California Department of Fish and Wildlife (CDFW) staff (Erin Duprey, Environmental Scientist), has completed the First Review of the above referenced THP. CDFW is concerned with potential impacts to special-status bat species, State Species of Special Concern northern goshawk (*Accipiter gentilis*), avian species, and stream and riparian resources. Listed below are the questions, comments, and recommendations that resulted from the review.

Questions for the Registered Professional Forester (RPF):

Comment 1: Section II, Item 34 states that snags more than 26-inches diameter at breast height (dbh) and dead black oaks more than 15-inches dbh shall be retained unless a determination is made that removal is absolutely necessary to protect life and property. However, in the project's Wildfire Mitigation Plan as referenced in the Draft Environmental Impact Report (EIR), Section 3.9-9, all dead, down, dying, diseased and hazard trees will be removed. Please clarify.

Comment 2: Section II, Item 32(a) contains multiple species of bats which are not listed as endangered, threatened or rare under federal or state law, or as sensitive species by the Board of Forestry. Therefore, these species should be included under Section II, Item 32(c). However, the northern goshawk (*Accipiter gentilis*) is considered a sensitive species by the Board of Forestry and should be included in Section II, Item 32(a). Please update Section II, Item 32

accordingly.

Comment 3: Section II, Item 34, Mitigation Measure TO-6 lists that vegetation mastication operations, road construction, and other projects related to grading and tree removal shall occur outside of the nesting season that encompasses all birds (February 1 to September 15). However, in #1 and #3 of this measure, the breeding season is listed as February 1 to August 31. Please revise the breeding season end date to September 15 to be consistent within the THP, and also with Mitigation Measure 3.4-1 in the Draft EIR.

Comment 4: Section II, Item 32, Mitigation Measures TO-6 and TO-6a state that surveys shall be conducted if operations occur within the breeding season of birds (February 1 to September 15) or the breeding season of special-status bat species (April 1 to August 31). CDFW recommends comprehensive survey results are submitted to CDFW and California Department of Forestry and Fire Protection (CAL FIRE) at least seven (7) days prior to the commencement of timber operations in units harvested that year. Comprehensive survey results need to have sufficient detail to demonstrate to CDFW the level of survey effort including who conducted the survey, location of survey(s) (areas and habitats, including a map), acreage/area covered per day per surveyor, timing of surveys, what protocol was used, and data sheets.

PUB116-30 cont.

Comment 5: Section II, Item 32, Mitigation Measure TO-6a indicates that for construction activities expected to occur during the breeding season of special status bat species, a field survey shall be conducted. As construction activities are not included as part of operations within this THP, please revise this language.

Comment 6: Section II, Item 32, Mitigation Measure TO-6a includes protections for special status bats during the breeding season. However, winter roosts are also an essential habitat element, and their loss could potentially cause significant impacts. Please discuss the potential for winter roost habitat within the project area for these special-status species, the survey protocol that will be used to detect winter roost bats, and provide appropriate measures to reduce impacts to bats if found.

Comment 7: Section III indicates that botanical surveys were conducted prior to THP submittal. CDFW recommends the comprehensive survey results are included in the THP. Comprehensive survey results need to have sufficient detail to demonstrate to CDFW the level of survey effort including who conducted the surveys, location of surveys (areas and habitats, including a map), acreage/area covered per day per surveyor and data sheets.

Comment 8: Section II, Item 26(e) indicates that the THP Review Process is not going to be used to meet CEQA review requirements for watercourses (i.e. Notifying for a Lake and Streambed Alteration Agreement (LSAA) for timber operations), yet in the following Map Point/Reference Table (page 41), multiple LSA sites are requested. It is unclear if these LSAA sites are associated with timber operations, or if they are only associated with construction activities. CDFW recommends all streams where the work within the channel is necessary for timber operations and is substantial enough to warrant inclusion in the THP as a map point be included in an LSAA notification. If Notification is warranted, CDFW recommends
Section II, Item 26(e) answer be changed to "yes" and that the THP includes a complete project description of all LSAA sites. CDFW, as the Responsible Agency, will make the determination, based on the description of the work provided, if the activity may substantially adversely affect existing fish and wildlife resources pursuant to Fish and Game Code section 1600 et seq.

PUB116-30 cont.

Comment 9: Section V contains the maps associated with this THP. Operational maps should be included in Section II that contain the information required under Title 14 California Code of Regulations Section1034(x). Please include all operational maps in Section II.

Comment 10: Due to the time constraint for the first review, the above questions, comments, and recommendations do not reflect all of CDFW concerns, questions, comments, and recommendations.

CDFW requests a mutually agreeable date for attendance on the Pre-harvest Inspection for this THP. CDFW appreciates the opportunity to review this THP. Should you have any questions on these issues, please contact Erin Duprey, by mail at 1234 East Shaw Avenue, Fresno, California 93710, by telephone at 559-243-4014, extension 259, or by email at Erin.Duprey@wildlife.ca.gov.

KENNETH D. SCHMIDT AND ASSOCIATES
GROUNDWATER QUALITY CONSULTANTS
600 WEST SHAW AVE., SUITE 250
FRESNO, CALIFORNIA 93704
TELEPHONE (559) 224-4412

July 30, 2020

Mr. Dan Courtney
7869 Calle Juela
La Jolla, CA 92037

Re: Terra VI Lodge Project

Dear Dan:

Pursuant to your request, I reviewed the Hydrology and Water Quality section of the DEIR and Appendix G (Hydrogeology Study) for the Terra VI Lodge project. First, I discuss major issues and this is followed by other comments. PUB116-31

Major Issues

1. The disposition of the water pumped during the pump tests wasn't discussed in the report, which is a serious omission. Was it handled so it didn't percolate back to the groundwater during the tests? The flattening in the drawdown plots (Figures 10 and 12) could have been caused by recirculation of the discharged water. PUB116-02

2. The additional drawdowns in the 26G(B) and 26G(C) wells of 54 feet and 24 feet after only 10 days of pumping for the pump tests are significant. The total drawdowns in these wells after pumping for the project for the whole summer and during drought periods weren't provided. PUB116-03

3. The testing procedure called for in the 22 CA ADC § 64554 are far from ideal for hardrock wells in the foothills and mountains of the Sierra Nevada. Constant rate pump tests have been known for decades to not indicate long-term well yields in this situation. Rather, constant head tests of 20 to 30 days in duration are needed to determine long-term yields. This is what a number of counties required when evaluating proposed subdivisions in such areas for use in CEQA evaluations. PUB116-04

4. A table should have been prepared clearly indicating the drawdowns in all of the wells due to pumping of these two wells. Figures 14-16 are problematic in this regard. PUB116-05

5. The impact of wastewater on groundwater quality wasn't discussed in Appendix G. There was also no meaningful discussion on this impact in Section 4.10. PUB116-06

6. A cumulative impact evaluation needs to be done for the pumpage for the Under Canvas and Terra VI projects and the existing water supply wells in the vicinity. Conditions at the end of the dry season should be evaluated. PUB116-37

Other Comments

1. The water samples from the wells should have been collected near the end of the pump tests, not before and after as indicated on Page 8. Purging of multi borehole volumes (Page 10) isn't suitable practice for obtaining representative samples from hardrock water supply wells. PUB116-38

2. There wasn't much discussion of the fractured zones that provided most of the water from the various wells. Also, MW-1 only produced 1 gpm by airlifting, and was almost a dry hole. It is thus of limited value. Depth and water production for the three private wells weren't discussed. What happened to the yields of these wells during the pump tests? PUB116-39

3. There was no discussion of a water budget and groundwater recharge, such as was provided for the project to the south. The explanation of the DDW approach mentioned on Page 15 is flawed, primarily because DDW staff aren't hydrogeologists or experienced in hardrock evaluations. When the counties such as Fresno handled the evaluations, a much more thorough approach was required, particularly in terms of impacts on other wells. PUB116-40

4. Figures 14-16 are difficult to follow. For example, on Figure 14, the symbols under the explanation for each well can't be determined on the water-level plots. PUB116-41

5. I reviewed the transducer measurements for the G. Pfeiffer well at 11360 Sawmill Road. First, the well identification for the transducer measurements does not follow that used in the text (26GB). Second, the pages of transducer measurements don't indicate when the pump tested wells started and stopped pumping, or when the private domestic well itself started and stopped pumping. Also, the water-level changes shown under the Depth (ft) column don't agree with those under the Groundwater Elevations column. PUB116-42

Recommendations

1. Separate water-level plots for each well should be provided (i.e. for Well 26GB). On each plot, the times should be shown for when Wells 1 and 2 started and stopped pumping, and when private domestic wells such as 26GB started and stopped pumping. PUB116-43

2. Transmissivity and storage coefficient can be readily determined from the pump test results. They should be used to calculate long-term drawdowns in the private domestic wells, for a whole period of seasonal pumping in the absence of recharge. PUB116-44

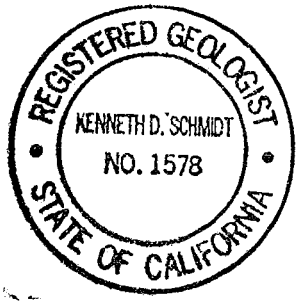
3. A careful hydrogeologic evaluation of the impact of wastewater disposal on groundwater quality (including on private domestic wells) needs to be done, rather than relying on bureaucratic procedures to handle the issue. PUB116-45

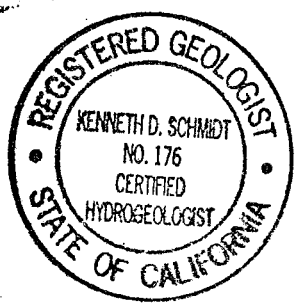
4. The accumulative impact evaluation should be done for the pumpage for the Under Canvas and Terra VI projects and the existing water supply wells. PUB116-46

Sincerely Yours,

Kenneth D. Schmidt
Geologist No. 1578
Certified Hydrogeologist
No. 176

KDS/ms





KENNETH D. SCHMIDT AND ASSOCIATES
GROUNDWATER QUALITY CONSULTANTS

PROFESSIONAL EXPERIENCE
KENNETH D. SCHMIDT
AUGUST 2014

BIRTHPLACE AND DATE

Madera, California on November 8, 1942

DEGREES

B.S. Geology, Fresno State College, Fresno, California (1964)
M.S. Hydrology, University of Arizona, Tucson, Arizona (1969)
Ph.D. Hydrology, University of Arizona, Tucson, Arizona (1971)

REGISTRATION AND CERTIFICATION

Geologist No. 1578 in California (1970)
Geologist No. 23685 in Arizona (1989)
Geologist No. G462 in Oregon (1978)
Hydrogeologist No. 176 in California (1995)

SOCIETY MEMBERSHIP

American Water Resources Association (1972)
American Water Works Association (1970) (Life Member)
California Groundwater Resources Association (1996)
Geological Society of America (2006)
Water Pollution Control Federation (1972)

PUB116-47

PROFESSIONAL EXPERIENCE

July 1972 to Present: Principal, Kenneth D. Schmidt and Associates, Groundwater Quality Consultants, Fresno, California.

January 1969 to June 1972: Hydrologist, Harshbarger & Associates, Consultants in Hydrogeology, Tucson, Arizona.

December 1964 to February 1967: Engineering Geologist, Bookman-Edmonston Engineering, Inc., Arvin, California.

As an engineering geologist with Bookman-Edmonston Engineering, Inc. in Arvin from 1964-67, Schmidt's primary duties included hydrogeologic studies associated with the development and operation of two large-scale recharge and groundwater recovery facilities southeast of Bakersfield, California. This experience included the basic aspects of groundwater studies, including preparing a well inventory, water-level measurements, aquifer testing, logging drill cuttings, interpreting geophysical logs, observing well drilling and construction, collecting water

samples for chemical analyses from hundreds of water supply wells, and data interpretation. He conducted specific studies of land surface subsidence due to groundwater overdrafting and of the occurrence of high boron contents in groundwater northeast of Arvin. Schmidt subsequently completed a Master's thesis (in the hydrology program at the University of Arizona) in 1969 on the boron problem in the Arvin area.

As a hydrologist with Harshbarger & Associates in Tucson from 1969-72, an investigation was conducted on groundwater conditions and potential groundwater development for the City of Fresno. Schmidt's interest in the presence of high nitrate contents in groundwater of the Fresno urban area resulted in the subsequent completion of a Ph.D. dissertation in 1971 (also at the University of Arizona) on that topic. Since that time, he has participated in four master plan updates for the Fresno Metro area and prepared a comprehensive nitrate evaluation for the City of Fresno in 2006.

As the principal of his own consulting firm (Kenneth D. Schmidt & Associates) since 1972, Schmidt has conducted and supervised over a thousand hydrogeologic investigations in the southwest, primarily in Central California. In the early 1970's, he participated in development of the Tulare Lake Basin (south part of the San Joaquin Valley) Water Quality Plan. As part of this project, he developed salt budgets for sub-basins, and evaluated the distribution of chemical constituents such as nitrate and boron in groundwater, and the impacts of irrigation and waste disposal facilities on groundwater quality. In the mid-1970's, Schmidt worked on development of some of the first national guidelines for groundwater quality monitoring for the U.S. Environmental Protection Agency.

PUB116-47 cont.

By the late 1970's, Schmidt began to design, develop, and implement some of the earliest groundwater quality monitoring programs at specific sites in California. His involvement with a number of these has continued through to the present. Although a fulltime consultant, he has conducted more than a dozen University of California extension classes and other short courses since the late 1970's on groundwater hydraulics, groundwater quality and contamination, and monitoring. Since 1973, he has periodically taught hydrogeology classes at California State University, Fresno.

In 1980, Schmidt began working on a number of projects to develop new public-supply wells in water quality problem areas.

Included have been hundreds of such wells in high salinity, nitrate, sulfate, arsenic, fluoride, iron, manganese, hydrogen sulfide, methane gas, color, DBCP, EDB, 1,2,3-TCP, and uranium areas of the San Joaquin Valley. His work in this regard for dozens of cities, water utilities, and schools in the San Joaquin Valley has continued through to the present.

From 1985 to 1988, he was a member of the National Academy of Sciences Committee on Irrigation-Induced Water Quality Problems. The committee work focused on agricultural drainage problems, including the San Joaquin Valley. For a number of years following the inception of the U.S. Geological Survey's National Water Quality Assessment Program in the mid-1980's, Schmidt was a member of a national advisory committee for that program. In 1987, he was named the Chairman of the Groundwater Sub-Committee of the Technical Advisory Committee for the San Joaquin Valley Agricultural Drainage Program. From 1992-98, Schmidt was a member of the Industrial Advisory Council in the College of Engineering at the University of Arizona. From 1993-2003 he was a member of the Department Advisory Committee that evaluated the hydrology program at the University of Arizona.

PUB116-47 cont.

Since the mid-1990's, KDSA has been a leader in groundwater resource and quality evaluations in Central California. The firm has been involved with a number recharge and water banking projects, including: the Arvin-Edison Water Storage District in Kern County, the Semitropic Water Banking Project in the Shafter-Wasco area, the Kern Fan Water Banking Projects west of Bakersfield, the Apex Ranch project southwest of Kingsburg, the Fresno Irrigation District Water Bank, the James Irrigation District project near San Joaquin, and the Madera irrigation District Madera Ranch project. KDSA has worked on numerous other groundwater recharge evaluations, including selection and evaluation of areas favorable for recharge, exploration, and monitoring of existing facilities. KDSA has completed detailed groundwater evaluations for development of Water Management Plans and Water Supply Evaluations in the Cities of Bakersfield, Clovis, Fresno, Madera, Livingston, Tulare, Dinuba, Patterson, Porterville, Selma, and Sanger. KDSA has prepared numerous groundwater sustainability evaluations. Ken Schmidt has also provided expert witness services for numerous litigation cases involving groundwater in the San Joaquin Valley Court. In 2012, he was selected by Judge Wanger of the Federal Court in Fresno to serve as an independent 701 expert on a chromium contamination case near Atwater. KDSA has conducted detailed groundwater studies

associated with EIRs for numerous gravel mines and rocks quarries in Fresno, Madera, Merced, Tulare, and Stanislaus Counties. During the past two decades, KDSA has designed and implemented enhanced groundwater monitoring programs at dozens of sites, including municipal WWTF, food processing sites, and dairies. The firm specializes in interpretation of groundwater monitoring results. During the past two decades, the firm has worked on hundreds of new deep irrigation wells in the west and south parts of the valley. In 2003 the firm opened a branch office in Bakersfield. During 2007-14, the firm worked on arsenic mitigation programs for the Cities of Hanford and Delano and for the Arvin CSD.

AWARDS

1958 Outstanding Achievement Award, California Central Valley Science Fair.

1959 Outstanding Laboratory Science Award, Madera Union High School.

1977 Best Paper Award, Journal of Groundwater, National Water Well Association.

PUB116-47 cont.

1986 Outstanding Service Award, American Water Resources Association.

1995 Distinguished Citizens Award, University of Arizona Alumni Association.

1998 Centennial Achievement Award, University of Arizona Alumni Association.

2013 Top Dog Award, College of Science & Mathematics, Fresno State Alumni Association.

2014 Golden Shovel Award, California State University, Fresno, Earth & Environmental Sciences.

SELECTED CLIENTELE

Cities and Towns

Atwater, Public Works Department
Bakersfield, Wastewater Division
Clovis, Public Works Department
Corcoran, Public Works Department
Delano, Water Division and Wastewater Division

Dinuba, Public Works Department
East Orosi
Exeter, Water Division and Wastewater Division
Firebaugh
Fresno, Public Works Department, Water Division, and Wastewater Division
Galt
Gustine
Hanford, Public Works Department
Kerman, Public Works Department
Los Banos
Lindsay, Public Works Department
Madera, Public Works Department
Mammoth CWD (Mammoth Lakes)
McFarland
Mendota, Public Works Department
Modesto, Public Works Department
Newman
Patterson
Porterville
Reedley, Public Works Department
Sanger, Public Works Department
San Joaquin, Water Department
Santa Clara, Department of Public Works
Stevinson Ranch
Sultana
Tulare, Public Works Department
Turlock, Public Works Department
Wasco, Wastewater Division
Woodlake

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Counties

County of Fresno, Departments of Public Works, Planning, and Environmental Health
County of Madera, Department of Public Works
County of Merced
County of Sierra
County of Tulare, Department of Public Works

Engineering Firms

AECOM, Fresno and Bakersfield
Alan Mok Engineering, Clovis
Blair, Church, and Flynn, Clovis
Carollo Engineers, Fresno and Sacramento
The H_2O Group Folson and Elk Grove
Dee Jaspar and Associates, Bakersfield

Fremming, Parsons, & Pechenino, Merced
GEI (Bookman-Edmonston Engineering), Bakersfield
Provost & Pritchard Engineering Group, Fresno, Visalia, and Bakersfield
Quad Knopf, Fresno, Visalia, and Bakersfield
Yamabe and Horn Engineering, Fresno

Farming Entities

ACDF, Inc., Kern County
Britz Farms, Five Points
Coleman Farming, Fresno and Madera Counties
Dalena Farms, Avenal
Delano Farming, Kern County
Gary Esajian Farms, Lemoore
Farmland Management Services, Kern County and Madera County
Five Points Ranch, Five Points
Brad Gleason Pleasant Valley
Grimmway Farms, Kern County
Harris Ranch, Coalinga
John Seasholtz Farms
Kaweah-St. Johns Farmers League
Lucich Farms, Kern County
Maricopa Orchards, Kern County
Mike Woolf Farms
O'Neill Farming Enterprises, Five Points
Newton Farms, Stratford
Paramount Farms, Madera, Kern, and Tulare Counties
Primex World
Red Rock Ranch, Five Points
Gary Robinson, Western Fresno County
RTS Agribusiness, Kern County
Schmiederer Farms, Mendota
Setton Pistachios, Terra Bella
Starrh Farms, Shafter
Sun Pacific, Cawelo
Sun World, Bakersfield
Ted Sheely Farms, Lemoore
Triangle T Ranch, El Nido
James Walker Farms, Fresno
Westside Harvesting, LLC, Huron
Woolf Farms, Huron

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Industries

California Portland Cement Co., Mojave and Colton
Central Valley Meat, Hanford
CIBA GEIGY, Sanger

Delano Growers Grape Products, Delano
Dole Fruit & Nut Co., Fresno
Food Machinery Corporation, San Jose
Gallo Winery, Fresno and Livingston
The Garlic Company, Lerdo
Guardian Glass Plant, Kingsburg
GWF Power Systems, Inc., Hanford and Kingsburg
Holly Sugar Co., Tracy and Imperial
Kraft Foods, Tulare
Kenetech Alternative Power Systems, Kingsburg
Pacific Ethanol, Madera
Rogers Helicopters, Inc., Clovis
Sperry New Holland, Fowler
Spreckels Sugar Company, Manteca, Mendota, Salinas, and Woodland
Sunkist, Tipton
Sun-Maid Growers of California, Kingsburg and Orange Cove
Thermo-Electron Energy Systems, Mendota
Ultra Power, Inc., Kern County
Valley Perforating Co., Bakersfield

Irrigation Entities

Aliso Water District
Angiola Water District, Corcoran
Arvin-Edison WSD, Arvin
Central California Irrigation District, Los Banos
Columbia Canal Company, Firebaugh
Eastside Water District, Stanislaus County
Firebaugh Canal Water Co. Firebaugh
Friant Water Users
James Irrigation District, San Joaquin
Madera Irrigation District
North Kern Water Storage District, Cawelo
Panoche Drainage District
Pleasant Valley Water District, Coalinga
Santa Paula Pumpers Association, Santa Paula
San Joaquin River Exchange Contractors Authority, Los Banos
Semitropic Water Storage District, Wasco

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cont.

Mining Companies

Artesia Ready Mix, Lemoncove
Calavaras Materials, Fresno and Merced Counties
Granite Construction, Fresno and Madera Counties
Jaxon Enterprises, Red Bluff
LeHigh Hanson, LLC-CMI, Kings River and Merced Co.
Madera Quarry Hildreth Creek
Madera Sand & Rock, Madera

Sonora Mining Corporation, Jamestown
Stewart & Nuss, Fresno
Vulcan Materials, Centerville, Fresno, Los Banos, and Madera County

Private Water Companies

Bakman Water Co., Fresno
Cal Water Service, Selma and Bakersfield
Deer Creek Water Co. Terra Bella
East Niles CSD, Bakersfield
Greenfield CSD Greenfiled
North of the River MWD, Bakersfield
Oildale Mutual Water Co., Bakersfield
Vaughn Water Co., Bakersfield
West Kern Water District, Taft

Special Districts

Kern County Water Agency, Bakersfield
Monterey County Flood Control and Water Conservation District, Salinas
Monterey Peninsula Water Management District, Monterey
Selma-Kingsburg-Fowler County Sanitation District, Kingsburg
Sierra Valley Groundwater Management District, Sierraville

PUB116-47 cont.

Publications and Articles

"The Use of Chemical Hydrographs in Groundwater Quality Studies", in Hydrology and Water Resources in Arizona and the Southwest, vol. 1, Arizona Section AWRA, pp 211-223, 1971.

"Nitrate in Groundwater of the Fresno-Clovis Metropolitan Area, California", Ground Water, vol, 10, No. 1, pp 50-64, 1972.

"Groundwater Contamination in the Cortaro Area, Pima County, Arizona", in Hydrology and Water Resources in Arizona and the Southwest, vol. 2, Arizona Section AWRA, pp 95-111, 1972.

"Groundwater Quality in the Cortaro Area Northwest of Tucson, Arizona", Water Resources Bulletin, vol. 9, No. 3, pp 598-606, 1973.

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DIRECTOR'S DEED

District	County	Route	Post	Number
10	Tuo	120	PM 50.1	DD005351-01-01

The STATE OF CALIFORNIA, acting by and through its Director of Transportation, does hereby grant to

TIMOTHY R. MANLY AND CAROL L. MANLY, HUSBAND AND WIFE AS JOINT TENANTS

the right of access over and across that certain 60.42 foot access opening in the northerly right of way line of the State highway in the unincorporated area, County of Tuolumne, State of California, described as:

PUB116-48

SEE

ATTACHED

DESCRIPTION

MAIL TAX
STATEMENTS TO:

1715/0510

DD005351-01-01

The right of access over and across that certain 60.42 foot access opening in the northerly right of way of the State Highway 10-Tuo-120 Post Mile 50.1 in the Southeast one-quarter of Section 26, T.1 S., R.18 E., M.D.M., lying west of the southerly terminus of the following described Line A, and east of the southerly terminus of the following described Line B:

Line A: Commencing at a 2 1/4-inch diameter iron pipe with a standard U.S. Forest Service 3-inch brass disk, set to mark the center 1/4 corner of said Section 26, according to that certain map filed for record in Book 25 of Records of Surveys, page 81, Tuolumne County Records; thence south along the west line of the southeast one-quarter according to said map, S.0°25'43"E., 443.32 feet; thence N.64°29'16"E., 63.80 feet; thence S. 42°26'23"E., 160.89 feet to the True Point of Beginning; thence S.42°26'23"E., 79.52 feet; thence S.3°36'10"E., 96.12 feet; thence S.0°03'16"W., 170.42 feet to the northerly right of way of said State Route 120;

Line B: Commencing at the True Point of Beginning of the above described Line A; thence S.0°03'16"W., 316.71' to the northerly right of way of said State Route 120.

PUB116-48 cont.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature _____
Licensed Land Surveyor

Date October 16, 1997

PROFESSIONAL LAND SURVEYOR
MICHAEL J. WAGNER
No. L 006418
Exp. 12-31-98
STATE OF CALIFORNIA

Number
DD005351-01-01

17157/0511 END

Subject to special assessments if any, restrictions, reservations, and easements of record.

This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

WITNESS my hand and the seal of the Department of Transportation of the State of California, this 18th day of November 1999.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

JOSE MEDINA
Director of Transportation

By Cherie L Sivell
Attorney in Fact

STATE OF CALIFORNIA } ss

PERSONAL ACKNOWLEDGMENT

County of San Joaquin

On this the 18th day of November 1999, before me, Steven Gene Christensen, Notary Public.
Name, Title of Officer-E.G., "Jane Doe, Notary Public"

personally appeared Cherie L. Sivell
Name of Signer

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument and acknowledged to me that she ~~he~~/she executed the same in her ~~his~~/her authorized capacity, and that by her ~~his~~/her signature on the Instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Notary Public's signature in and for said County and State)

STEVEN GENE CHRISTENSEN
Comm. # 1226959
NOTARY PUBLIC - CALIFORNIA
San Joaquin County
My Comm. Expires June 28, 2003

(for notary seal or stamp)

THIS IS TO CERTIFY That the California Transportation Commission has authorized the Director of Transportation to execute the forgoing deed under provisions of CTC RESOLUTION #G-95-07, approved on June 7, 1995, amending RESOLUTION #G-02 PERTAINING TO SALE OF EXCESS PROPERTY.

Dated this 18th **day of** November, **19** 99.

Cherie L Sivell

Form RW 6-1(S&T) (New 4/96)
USE FOR SALES DELEGATED TO DISTRICT

PUB116-48 cont.

COMMENT LETTER # PUB117

From: Rich <aardvarkrh@yahoo.com>
Sent: Friday, July 31, 2020 12:29 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Water, developments, or any water useage inrease near Groveland. beyond Groveland

Than you, for taking emails regarding this issue. All it takes is a drive around this are to understand that there really cannot be any further discussion about any increased water usage, residential, commercial, or otherwise...., until such time as another "for sure" source of fresh water is deveveloped or found.
The only other real answer is to have the devevelopers or new residents bear all costs for their projects water needs.
There is currently a rather extensive water sortage up here, that almost ALL who alread reside here ARE CURRENTLY PAINFULLY DEALING WITH.
Regards,
Rich Hill

PUB117-01

July 30, 2020

Sarah Sutton, RLA-CA #4219
11981 McGraw Court
Groveland, CA 95321

Tuolumne County Planning
2 S. Green Street
Sonora, CA 95370
Attention: Ms. Quincy Yaley

RE: Terra Vi Lodge Yosemite, Draft Environmental Impact Report

Dear Ms. Yaley:

I have reviewed the Draft EIR for *Terra Vi Lodge Yosemite* and think the project can provide many benefits to vacationers and the local residents. I do have a few concerns, however, that I would like to see addressed more thoroughly and would like to see specific mitigation measures addressing my concerns included in the final document and MMRP. **PUB118-01**

Fire Risk, Emergency Response and Evacuation Planning

The devastating urban interface wildfires state-wide over the past three years point to the critical need for detailed fire risk evaluation and planning, especially with all new developments. I urge the County to obtain a full Fire and Emergency services review at the State level due to the high wildfire potential in Tuolumne County. What plans will be put in place to facilitate rapid evaluation if needed, especially if fire teams are also coming up Priest Grade to fight the fire? How can we be assured the additional population and traffic from this project and cumulative impacts from the other proposed projects listed in the EIR will not put our community at much greater risk of evacuating safely? How can avoid the sort of disaster, in terms of property damage and lost lives, experienced in Paradise in 2018?

Highway 120 is the main access road to and from the west and is very narrow through Groveland, Big Oak Flat and the winding Priest Grade. Please require that the project prepare a detailed fire safety and mitigation plan, including emergency evacuation projections. Include number of vehicles (for this project and cumulative impacts) on the road all, at one time, heading west out of the region through Groveland, Big Oak Flat and down Priest Grade. **PUB118-02**

Please take into account that the Highway 120/Ferretti Road intersection in Groveland already backs up as traffic along 120 increases during prime vacation season. Even if a stop light is eventually required at this intersection, how will that impact cross-traffic evacuation? Traffic back-up for basic roadwork at that intersection, as well as many locations along 120, already results in long wait times. If residents waiting at the intersection can't merge onto 120 to evacuate due to a long line of vacationers trying to escape on the highway, I envision wholesale panic and injuries, or worse if people can't exit in time.

I realize I am painting a dire worse-case scenario, but recall that Paradise was destroyed in less than 24 hours! I lived in the Bay Area and remember how residents were trapped when trying to exit the Oakland Hills fire in 1991 along their narrow roads, which resulted in several deaths. I personally had to evacuate from the Rim Fire, and helped family leave the area from the Complex Fire. Wildfires in these steep canyons have proven repeatedly to be very difficult to contain, especially with the superheated dry winds fanning the fires from the east.

PUB118-02 cont.

Other Concerns

In addition to my primary concern about addressing fire risk and public safety, I am concerned about the following:

- Emergency Services: Fire (localized incidents in addition to forest fires, mentioned above) Medical services and evacuations, and Law Enforcement. How will the project contribute to necessary increases in staffing, equipment and services in all these areas? It is not sufficient to simply defer that decision to the County and ignore the increased demand from the project.

PUB118-03

- Transportation and Services: How will increased traffic impact Groveland and Big Oak Flat? In the summer, traffic is already congested through our small town. I am also concerned about public safety – please address how to slow vehicles coming into Groveland from the west and east. Can rumble strips be installed? We were rear-ended by a truck barreling around the corner into town and not stopping in time as we were waiting to turn left into Yosemite Bank. As noted above, the corner of Ferretti Road and 120 are already a congestion point when long lines of tourists are passing through. Also, our two small gas stations are already packed with vehicles on the weekends (and many choosing not to wear masks!) with long wait times.

PUB118-04

- Water Supplies: How will the project impact current and long-term supplies for existing residents? State-wide projections are showing water availability decreasing, even with current populations, let alone future development.

PUB118-05

- Cumulative Impacts: the EIR mentions several projects that will increase the cumulative impacts. Please address the maximum expected impacts for all of the above at full build-out.

Thank you for reading and addressing my concerns. I do think the project can provide a unique opportunity for visitors and also can potentially bring positive economic benefits to our historic Gateway Community to Yosemite.

PUB118-06

Sincerely,

Sarah Sutton

Sarah Sutton