Appendix B

February 2015 NOP and Comments
July 2015 Revised NOP and Comments
March 2016 Agency Comments on Revised Application Materials
Notice of Preparation

To: State Clearinghouse
    P.O. Box 3044
    Sacramento, CA 95812-3044
From: Mariposa County Planning
    PO Box 2039
    Mariposa, CA 95338

Subject: Notice of Preparation of a Draft Environmental Impact Report

Mariposa County will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☐ is ☒ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Mariposa County Planning at the address shown above. We will need the name for a contact person in your agency.

Project Title: SPZA 2014-163, CUP 2014-164, and LDA 2014-165 Tenaya Explorer Cabins
Project Applicant, if any: DNC Parks and Resorts (Brian Fulce) 559 692 9343

Date 2/9/15

Signature

Title Associate Planner

Telephone 209 742 1250

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.
Summary Form for Electronic Document Submittal

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: __________________________

Project Title: SPZA 2014-163, CUP 2014-164, and LDA 2014-165 Tenaya Explorer Cabins

Lead Agency: Mariposa County

Contact Name: Steve Engfer, Associate Planner OR Alvaro Arias, Senior Planner

Email: sengfer@mariposacounty.org or aarias@mariposacounty.org Phone Number: 209 742 1250

Project Location: Fish Camp Mariposa County


The applicant, Delaware North Parks and Resorts, Inc., proposes the “Explorer Cabins at Tenaya” the proposed project site is a 26.89 acre parcel (APN 010-350-008) located at 1152 Highway 41, Fish Camp CA. The proposed project is: Fish Camp Specific Plan Land Use Amendment from existing SFR-1 Acre classification to Resort Commercial classification for proposed Parcel 1 as shown on the tentative parcel map, to SFR ½ Acre land use classification for proposed Parcel 2 (½ acre parcel) shown on the tentative parcel map. Two Parcel Land Division- to create a ½ acre residential parcel, the remaining proposed as resort commercial. Conditional Use Permit for 34 pre-manufactured cabins of approximately 500± square feet each, a multi-function clubhouse, outdoor deck and recreation area to serve as guest registration, laundry, retail, hospitality, banqueting, food service, pool, barbeque and hot tub. The clubhouse outdoor area/deck is designed to seat 60± people. Outdoor activities/events are to conclude by 10:30 pm. Parking areas- 51 spaces to serve the project. Access-proposed from an existing Hwy 41 encroachment, and an internal looped roadway/driveway system. Shared access is proposed to serve the commercial development and the proposed SFR ½ acre parcel as shown on the tentative parcel map (Parcel 2). Water supply- proposed either from Fish Camp Mutual Water or Tenaya Lodge Resort shared system. Waste water- Tenaya Waste Water treatment Plant.


Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

EIR being prepared -- Potentially significant effects/issues of concern;

- Cultural Resources- Study conducted-Consultation with Native American tribal groups is required.
- Biological Study- indicates need for additional seasonal surveys.Biological study to consider water and waste water treatment infrastructure/system impacts.
- Water Source- the proposal establishes potential for two water sources. Demonstration of adequacy of water supply for the project is required, as is determination of impacts impacts to water sources for other development in vicinity.
- Easements-Potential relocations
- Waste Water-Use of the Tenaya Waste Water Treatment Plant. Capacity study or analysis from an appropriately licensed professional is required. Tenaya Waste Water Treatment Infrastructure locations are required to be shown on plans.
- Traffic Study- Completion and submittal required.
- Noise study is required.
- Fire Protection- Adequate water supply for fire protection will have to be demonstrated.
- Preliminary Grading Plan- A preliminary grading plan is required.

Preliminary review conducted- mitigation to be applied through EIR process.


Revised September 2011
If applicable, describe any of the project’s areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

To date: Agency - Hwy 41 encroachment, biological, cultural, water supply and waste water.


Provide a list of the responsible or trustee agencies for the project.

List to date- CalFIRE, CDFW, RWQCB, USACE, NAHC, CALTRANS, SWRCB

January 21, 2015

Steve Engfer
Mariposa County Planning
5100 Buillon St.
Mariposa, CA 95338


Dear Mr. Engfer,

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above project.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. A Sacred Lands File search was not completed. Local governments should be aware that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at my email address: Katy.Sanchez@nahc.ca.gov.

Sincerely,

Katy Sanchez
Associate Government Program Analyst

cc: State Clearinghouse
Southern Sierra Miwuk Nation
Lois Martin, Chairperson
P.O. Box 186
Mariposa, CA 95338
Miwok
Paute
Northern Valley Yokut
(209) 742-6867 Office

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3 and 65362.4, et seq.
TRIBAL CONSULTATION LIST REQUEST
NATIVE AMERICAN HERITAGE COMMISSION
1556 HARBOR BLVD. WEST
SACRAMENTO, CA 95811
916-373-3710
916-373-5471 - Fax
E-mail – nahc@pachell.net

Project Title: Specific Plan Zoning Amendment #2014-163, CUP #2014-164, LDA 2014-165 “Explorer Cabins at Tenaya”.

Local Government: Mariposa County Planning        Contact Person: Steve Engler
                                    Phone: 209 966 6151
Street Address: 5100 Bullion St        Fax: 209 742 5024
City: Mariposa CA        Zip: 95338

Project Location:
County: Mariposa        City/Community: Fish Camp California

Local Action Type:
___ General Plan ___ General Plan Element ___ Specific Plan
___ General Plan Amendment ___ Specific Plan Amendment
___ Pre-Planning Outreach Activity

Project Description:
Please see the attached project information.
Project Title: **Specific Plan Zoning Amendment #2014-163, CUP #2014-164, LDA 2014-165 “Explorer Cabins at Tenaya”**.

Local Government: **Mariposa County Planning** Contact Person: **Steve Engfer**

Phone: **209-966-5151**

Street Address: **5100 Bullion St**

Fax: **209-742-5024**

City: **Mariposa CA** Zip: **95338**

Project Location:

County: **Mariposa** City/Community: **Fish Camp California**

Local Action Type:

- [ ] General Plan [ ] General Plan Element [ ] Specific Plan
- [ ] General Plan Amendment [X] Specific Plan Amendment
- [ ] Pre-Planning Outreach Activity

Project Description:

*Please see the attached project information.*
REQUEST FOR COMMENTS

January 5, 2015

 Applicant: DNC Parks and Resorts, (Tenaya lodge)

Application Type / File #: 2014-163 (Specific Plan Zoning Amendment)  
                      2014-164 (Conditional Use Permit)  
                      2014-165 (Land Division)

Site Address: 1110 Hwy 41 Fish Camp, Ca.  
APN:010-350-008 (26.89 acres)

Dear Reviewing Agency,

Mariposa Planning thanks you for your continued participation to create quality developments in Mariposa County. We value your comments and hope for your continued participation in a planning process meant to inform applicants of your agency’s concerns and requirements or if you need additional information to review this project. No doubt, this early involvement eliminates or minimizes problems that would otherwise arise. Once again, we request your comments and encourage them to be submitted to our office in writing by Monday, January 19, 2015. If during this time you find a need for additional information, then contact the assigned project planner by this date so that we can acquire the information for you. State law places a deadline on such requests, so please do not miss your opportunity.

Assigned Project Planner: Steve Engfer  
209-742-1250  
sengfer@mariposacounty.org

Project Description:
The applicant, Delaware North Parks and Resorts, Inc., proposes the “Explorer Cabins at Tenaya”, described as an “upscale campground”. The proposed project site is a 26.89 acre parcel (APN 010-350-008) located at 1152 Highway 41, Fish Camp CA. The site is governed by the Fish Camp Specific Plan. The proposed project requires a Specific Plan Land Use Amendment, Land Division and Conditional Use Permit. The proposed project is:

- Fish Camp Specific Plan Land Use Amendment from existing SFR-1 Acre classification to Resort Commercial classification for proposed Parcel 1 as shown on the tentative parcel map. And a change to SFR ½ Acre land use classification for proposed Parcel 2 (½ acre parcel) shown on the tentative parcel map.

- Two Parcel Land Division- to create a ½ acre residential parcel, the remaining proposed as resort commercial

- Conditional Use Permit-
  - 34 pre-manufactured cabins of approximately 500± square feet each
  - A multi-function clubhouse, outdoor deck and recreation area to serve as guest registration, laundry, retail, hospitality, banqueting, food service, pool, barbeque and hot tub. The clubhouse outdoor area/deck is designed to seat 60± people. Outdoor activities/events are to conclude by 10:30 pm.
  - Parking areas- 51 spaces to serve the project
  - Access-proposed from an existing Hwy 41 encroachment, and an internal looped roadway/driveway system
  - Shared access is proposed to serve the commercial development and the proposed SFR ½ acre parcel as shown on the tentative parcel map (Parcel 2)
  - Water supply- proposed either from Fish Camp Mutual Water or Tenaya Lodge Resort shared system
  - Waste water- proposed for treatment at the Tenaya Waste Water Treatment Plant
  - Project description includes goal to minimize impact on environmental features to inform project design/layout

- Environmental considerations on-site include, but are not limited to:
  - Wetland & Pond
  - Drainage- Big Creek and flood areas
  - Biological Sensitive species habitats- riparian, wetland, meadow, forests
  - Historic/Cultural Resources
  - Topographical constraints
The hardcopy attachments include: vicinity map, site plan, wetlands overlay site plan, proposed tentative map and project description. All other plans and submitted studies (excluding item m. on the CD- confidential cultural resources study) are included in the review materials contained on the enclosed CD. The cultural resources study is included in the comment request to the appropriate Native American tribal contacts. A CEQA initial study is being conducted for the project and either a mitigated negative declaration or EIR will be required.

California law requires the County to only approve projects when potentially significant impacts have been mitigated. This is accomplished through the conditions of approval that your agency recommends. Mariposa Planning operates under the assumption that agencies have valuable comments that define and specify required project standards. We also understand that agencies have multiple duties and priorities, and that upon occasion, an agency may not comment by the deadline, even though it may have issues with the project. Unfortunately, Mariposa Planning has both statutory and ordinance deadlines for processing applications. We are violating State law and local code if we do not meet our deadlines. Statute requires your timely response, and failure to comment may preclude your imposition of requirements later. Our preference is for some type of communication—even an e-mail—that states “no comment,” so that we know you have at least reviewed the proposed application and we know you have no issues. Failure to provide any comments prior to deadlines imposed by state law means that we may have to move forward with the project to the Planning Commission with an assumption there are no conditions needed and that the project as proposed meets your agency’s requirements.

<table>
<thead>
<tr>
<th>Date</th>
<th>Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Applicant and Agent introduces the project to Staff</td>
</tr>
<tr>
<td></td>
<td>Agency Comments / Draft Conditions Due—(not attended by applicant or agent)</td>
</tr>
</tbody>
</table>

CC: Project Applicant and Agent

Revision Date: April 23, 2004
February 2, 2015

DNC Parks and Resorts, (Tenaya Lodge)
1152 Hwy 41 Fish Camp, CA

To: Assigned Project Planner Steve Engfer

RE: Plan Review Comments, Explorer Cabins at Tenaya
From: The California Department of Forestry and Fire Protection

Issue #1: Road Standards (1273.01, 1273.10 PRC)

Issue #2: Roadway Name and Sign (1274.00 PRC)

Issue #3: Setback for structure defensible space (1276.01-PRC 4290)

Findings: The proposed site is located in Fish Camp off of Highway 41 on the East side of the highway. The project consists of timber with moderate sloping to flat ground. The vegetation fuel loading is light in the meadow and moderate to heavy in the timber. The potential for large and damaging fires exist in this area.

Recommended Resolution of Issue (conditions):

Adequate information has been provided (See recommended Mitigation Measures Noted below). Additional PRC 4290 and 4291 requirements will be applicable upon receipt of building permits.

Recommended Mitigation Measures:

Issue #1: All roads will comply with State Fire Safe Regulations (PRC 4290) (PRC 4290) section 1273.09 dead-end roads.

Issue #2: Roads and streets must be identified by name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within each county.
Issue #3: A minimum 100 foot setback from flammable vegetation will be required around each new structure to afford adequate defensible space due to flame lengths that may be anticipated in the event of a wildland fire (PRC 4290) section 1299. This is especially important when planning building sites at least 100 feet from any property line.

Submitted By:

[Signature]

Darrin McCully
Fire Prevention
Madera-Mariposa-Merced Unit
Mr. Engfer:

The California Department of Fish and Wildlife (CDFW) has conducted a preliminary review of the Delaware North "Explorer Cabins at Tenaya" (Project). The Project proposes developing 26.89 acres of land into an upscale campground located adjacent to the Tenaya Lodge in Fish Camp, California. CDFW has concerns about potential biological impacts that may occur as a result of the Project, but additional review is needed. We will be providing comments and recommendations as soon as our review is complete. Please contact me if you have any questions.

Sarah Boogay
Environmental Scientist
CA Department of Fish and Wildlife
1234 E. Shaw Ave.
Fresno, CA 93710
(559) 243-4014 x 309
Fax: (559) 243-4020
sarah.boogay@wildlife.ca.gov
Good Morning Steve,

The following will have to take place:

- Site distance must meet Caltrans Highway Design Manual (HDM), Table 405.1A, Corner Sight Distance;
- A field visit will be required to verify site distance;
- We'll also be locating other road connections to see if there are any conflicting turn movements in the area;
- Based on our findings, left-turn channelization may be required with the anticipation of hazards conditions;
- Site access must meet Caltrans standard design which can be found in the Caltrans Permit Manual; and
- An encroachment permit will be required for the access connection to SR 41.

Additional comments will follow upon completion of the field visit.

Thank you

David Padilla
Office: (559) 444-2493, Fax: (559) 445-5785

---

Hello,

I hope all is well.

Will you be sending comments this morning?

Thank you.

Steve Engfer
Associate Planner, Mariposa Planning
P.O. Box 2039 • 5100 Bullion Street Mariposa CA • 95338
(209) 742-1250 • Fax (209) 742-5024
sengfer@mariposacounty.org

www.mariposacounty.org/planning

---

From: Steve Engfer
Sent: Tuesday, January 20, 2015 3:15 PM
March 4, 2015

County of Mariposa-Mariposa Planning
Steve Engfer, Associate Planner
5100 Bullion Street
PO Box 2039
Mariposa, CA 95338

RE: EXPLORER CABINS AT TENAYA PROPOSAL BY DELAWARE NORTH PARKS AND RESORTS, INC.

Dear Mr. Engfer,

The North Fork Rancheria of Mono Indians of California received a letter from the Southern Sierra Miwok, aka, American Indian Council of Mariposa County, Inc., asking if we were consulted for the project proposed below:

Applicant: DNC Parks and Resorts (Tenaya Lodge)
Site Address: 1152 Hwy 41 Fish Camp, CA
APN: 010-350-008

We did not receive a notice regarding this proposed project and request that the project be placed on hold until consultation can occur with the Southern Sierra Miwok, Picayune Rancheria of Chukchansi Indians and the North Fork Rancheria of Mono Indians. This area is culturally rich with the history of all tribes associated with the area.

Proper government to government consultation is necessary for us to provide comment on the proposed project. We do not have the information necessary to make comments on this project, other than the limited information received from the Southern Sierra Miwok. We request full disclosure of all data and information regarding this project so that we may make the proper comments regarding the conditional use permit, parking areas, looped roadway system/egress, water and waste water, impacts to the environment, cultural resource studies completed.

Comments regarding the Project Description (limited due to lack of information)

1.0 Conditional Use Permit and Clubhouse Building
34 pre-manufactured homes at 500 square feet and proposed Clubhouse Building will cause substantial soil disturbance. Footings, slab on grade foundations and utilities will cause considerable disturbance. In the event of a discovery of a culturally sensitive area, what will be the protocol and mitigation for the lead agency and project applicant? Creeks and springs are indicators of occupation and there is concern over these proposed facilities. Will fill dirt be
utilized? Where will the fill come from? Where will displaced soils go? How large is the fire pit, hot tub and swimming pool?

2.0 Parking areas, road access, and Utilities
There is concern over the proposed parking areas, road access, and utilities (water and sewer). We can only base our concern on disturbed soils (as provided in 1.0). Since we do not have any maps of the proposed area we can only assume the area has been archeologically surveyed. It was noted on the information we received that there are rock formations. To ensure that these formations are not sacred to tribes, we would request a site visit with County officials to discuss this project in detail. What is the length of trenching to the existing Tenaya Lodge Waste Water Treatment Plant? Maps are requested for this project.

We have been in contact with Tribal Historic Preservation Officer, Mary Motola of the Picayune Rancheria of Chukchansi Indians, who has contacted your office regarding this project. She informed us that we didn’t receive the information because we were not on the Native American Heritage Commission’s database for Mariposa County. The North Fork Rancheria of Mono Indians of California kindly requests that information be sent to the tribe for projects in the County that are South of the Merced River with an emphasis on the Highway 41 corridor. If a project falls within an area that is out of our aboriginal territory we defer those projects to Picayune or the Miwok tribes to comment and respond to. The tribes communicate on these issues and that is how we were made aware of the proposed project.

Our contact information is provided for your database:

Judy E. Fink, Tribal Chairperson, PO Box 929, North Fork, CA 93643, 559-877-2461
Renee Getty, Chief Administrative Officer, rgetty@nfr-nsn.gov
Christina McDonald, Environmental Director, cmcdonald@nfr-nsn.gov

The tribe requests that all information regarding this project be sent to us. If you need further information from the tribe please contact our Environmental Protection Department Environmental Director, Ms. Christina McDonald, at 559-877-2461 or e-mail at cmcdonald@nfr-nsn.gov.

We look forward to hearing from you.

Respectfully,

[Signature]
Judy E. Fink
Tribal Chairperson
Date: March 10, 2015

From: Picayune Rancheria of Chukchansi Indians
       Mary Motola, THPO/ Cultural Natural Director
       8080 North Palm Ave., Suite #207
       Fresno, CA 93711
       559-370-4141

To: Steve Engfer
   Mariposa County Planning
   5100 Bouillon St.
   Mariposa, Ca. 95338

Re: SB 18 Consultation, Specific Plan Amendment #2014-163, “Explorer Cabins at, Tenaya; Mariposa County”

Dear Mr. Engfer,

The THPO Department of the Picayune Rancheria of Chukchansi Indians has reviewed the paperwork Mariposa County Planning has sent us concerning, SB 18 Consultation, Specific Plan Amendment #2014-163, “Explorer Cabins at, Tenaya; Mariposa County.

We have several concerns and comments:

- Until we review the cultural resources report, we cannot honestly enter into SB 18 Consultation.
- We notice plans for major ground disturbances grading, sewer issues, swimming pool, what about social trails, to name a few. We consider this area a sensitive traditional landscape.
- We have questions as to where the Tenaya Waste Water Plant is to be located.
- There are concerns addressed by the California Department Forestry in February 2, 2015 letter.
- According to H.T. Harvey & Associate’s Biotic Report, there are more seasonal surveys to be conducted.

If we can make an appointment to review the Cultural Resources Study, and also we would like a site visit to the location. The visit will help us identify things culturally sensitive to the Tribe.

Thank you,
Mary Motola,
THPO, Cultural Resources Director
Picayune Rancheria of Chukchansi Indians,
American Indian Council
Of Mariposa County
SOUTHERN SIERRA MIWUK NATION
P.O. Box 186 · Mariposa, California 95338

January 16, 2015

Sarah Williams
Mariposa Planning Department
5100 Bullion Street
PO Box 2039
Mariposa, CA 95338

RE: DNC Request for Cabins at Tenaya

The American Indian Council of Mariposa County, Inc., aka Southern Sierra Miwuk Nation would like to go on record as opposing the proposed project initiated by DNC.

The reasons we are in opposition to DNC’s request are listed below:

1. We strongly oppose any more ground disturbance in the Fish Camp area.
2. There has been no consultation between DNC and the American Indian Council of Mariposa County, Inc. regarding this project.
3. We have not seen a cultural resource study.
4. We feel there will be tremendous impact on the environment, more than has already been impacted.
5. We feel there are enough hotel accommodations on nearby town of Oakhurst.
6. The time frame for comments on an important issue such as this is too short.

Thank you for allowing our comments.

Respectfully,

[Signature]
Lois M. Martin, Chairperson
American Indian Council of Mariposa County, Inc.
Aka Southern Sierra Miwuk Nation
I have reviewed the proposed Specific Plan Zoning Amendment No. 2014-163, Conditional Use Permit No. 2014-164, and Land Division No. 2014-165 for DNC Parks and Resorts (Tenaya Lodge), APN 010-350-008 (26.89 acres), located 1152 Highway 41, Fish Camp, California.

A review of the Biotic Report, Appendix B – Plant Species Observed on the Project Site, prepared by H.T. Harvey & Associates dated December 2014, indicates that Bull thistle (Cirsium vulgare), a C-rated noxious weed, was found on the project site. A C-rated noxious weed is classified by the California Department of Food and Agriculture as one that is more widespread within the state of California. The dissemination of invasive noxious weed species such as Bull thistle is favored by soil disturbance and their seeds are primarily spread by human activities such as road maintenance and other soil-disturbing activities.

A search of the California Department of Pesticide Regulation’s Endangered Species database (PREScribes) for the STR of the project area (Township 05S, Range 21E, sections 23, 24, and 26) indicates that two endangered species, the Pacific Fisher (Martes pennanti Pacifica) now known as Fisher (Pekanta pennanti), West Coast Distinct Population Segment, and Steelhead (Oncorhynchus mykiss irideus) are potentially present in that area.

I have the following concerns/comments/recommendations about the proposed project:

- The H.T. Harvey & Associates Biotic Report does include both endangered species in the report with the Pacific Fisher noted as: **Possible, i.e. Suitable habitat is present, the CNDDB includes a 1971 record of the species from the vicinity, and radio-collared animals have been detected in the vicinity in the past year. A fisher skull was found on a neighboring property during a survey by ITH biologists in 2010. The focused habitat assessment for this study found few trees and snags suitable for denning. They are unlikely to den on the site, but may forage or move through the site.**
I would concur with the Pacific Fisher Mitigation Measures noted in the report:
- Conduct preconstruction surveys for fishers and avoid occupied dens
- Conduct construction near occupied fisher dens outside the kit rearing season
- Avoid use of anticoagulant rodenticides and insecticides during construction and operation

The Steelhead is noted in the report as: Absent, i.e. the Project site is within this species' historic range, but drainages in this region are anthropogenically blocked.

- However, per the H.T. Harvey & Associates Biotic Report, approximately 8.73 acres of potentially jurisdictional waters were identified on the Project site. Such areas comprise 6.51 acres of wetlands (4.37 acres of freshwater forested/shrub/wetland/riparian and 2.14 acres of wet meadow/freshwater emergent wetland), and 2.22 acres of other waters (1.10 acres of perennial stream, 0.02 acres of intermittent stream, 0.06 acres of drainage channel, and 1.04 acres of freshwater pond).
- Approximately 1.10 acres of Big Rainier Creek, a perennial stream, occurs along the northern, eastern, and northeastern portions of the Project site. Streamflow in the reach through the Project site has been influenced by an upstream canal that partially diverts flows from Big Rainier Creek to the Lewis Fork of the Fresno River. A small intermittent stream (approximately 0.02 acres) drains the southern wet meadow into Big Rainier Creek. In the northern edge of the site, there is an approximately 1.04 acres perennially flooded freshwater pond. Three areas of wet meadow/freshwater emergent wetland, totaling approximately 2.14 acres, occur on the site. The wet meadow community surrounds the pond, and another wet meadow along the southern portion of the site in a swale, lacks forest canopy. Two drainage channels of approximately 0.06 acres total, act as overflow channels for the pond, with one on each side of the dam.
- Since there is the potential for Steelhead in these areas as the H.T. Harvey & Associates Biotic Report notes that both bullhead and trout were found in the project area, perhaps further surveys are warranted.

I was unable to find if the H.T. Harvey & Associates Biotic Report addressed any wildlife movement corridors that might be considered significant on a regional basis in the project area. The Wet Meadow wetlands and riparian areas and, to a lesser extent ephemeral drainages, tend to function as a movement corridor for wildlife species. Wet meadow/seasonal wetland habitats, such as that occurring on the project site, are valuable for many wildlife species, serve as movement corridors for many species such as deer, and are increasingly utilized to mitigate the effects of habitat fragmentation by development and conserve biodiversity. The wildlife species (26 special status wildlife species and 19 special status bird species) noted in the report and the wildlife species observed on the project site listed in Appendix C of the H.T. Harvey & Associates Biotic Report indicate that numerous vertebrate species as well as migratory bird species have the potential and use the habitat supported on the project site.

As noted in the H.T. Harvey & Associates Biotic Report, Appendix B, the non-native C-rated invasive noxious weed species Bull thistle (Cirsium vulgare) occurs in the proposed project area. Dense infestations of many of these invasive weeds not only displace native plants, but also reduce the value of land for grazing, wildlife, and recreation. I am concerned that, unless mitigation and control measures are included in the project conditions, this and any other invasive noxious weed species present on or adjacent to the project site will be spread by the heavy equipment and movement
of infested soil within the project development as well as outside of the area by hitchhiking weed seeds.

➢ I would recommend that weed prevention control measures be instituted prior to any parcel development in order to avoid further dissemination of the invasive noxious weed seed bank from the infested parcel areas into the non-infested project areas as well as from outside the project area and along the right-of-ways.

If you have any questions regarding this matter, please feel free to contact me at (209) 966-2075.

Sincerely,

Cathi Boze
Mariposa County Agricultural Commissioner

Attachments:  PREScribe (California Department of Pesticide Regulation)
PREScribe search – township 05S, Range 21E, sections 23, 24 & 26
Pacific Fisher, West Coast DPS
Steelhead, Central Valley DPS
Bull Thistle (Sierra-San Joaquin Noxious Weed Alliance Field guide,
pages 26-27)
The Department of Pesticide Regulation has developed a free, online tool that allows pesticide users to quickly and easily identify local habitat for endangered animals and plants. Called PRESCRIBE, it advises applicators when special restrictions are necessary to protect endangered or threatened species.

PRESCRIBE is a user-friendly replacement for more than 2,500 pages of printed bulletins for virtually all of California’s 58 counties. PRESCRIBE can locate more than 1,000 endangered, threatened, and other special status species within almost 80,000 one-square-mile land sections in the state.

When using PRESCRIBE, you first select the county-township-range-section where you intend to apply pesticides, and then the pesticide product you plan to use. PRESCRIBE looks up species that occur there, and the active ingredients in your product. (PRESCRIBE can search for 30,000 pesticide products by brand name. It then generates a report of listed species in the area and what use limitations may apply.

To use PRESCRIBE, go to www.cdpr.ca.gov, click on the red "Endangered Species" link, and then on "PRESCRIBE." If you need help, ask your County Agricultural Commissioner’s office for advice or call DPR’s Endangered Species Project, 916-324-3888.

To go directly to the PRESCRIBE Web site, go to www.cdpr.ca.gov/docs/es/prescrib.htm.

Protecting Endangered Species from Pesticides

Endangered species must be protected from harm that can be caused by pesticides. This is not only the law, but also makes good sense. The Department of Pesticide Regulation (DPR) helps farmers and other pesticide users do this by recommending ways that needed pest control can be done and endangered species protected at the same time.

An important part of DPR’s endangered species protection project is the use of computer-based geographic information systems, or GIS for short. GIS helps us pinpoint habitats of endangered and threatened species and develop maps where these species make their homes near agriculture.

We have an online tool called PRESCRIBE (see details on back) which allows pesticide users to quickly find out if there are endangered species in their areas of operation. Then the database provides use limitations or alternative methods of application, depending on the pesticide. DPR works closely with growers, pesticide applicators, County Agricultural Commissioners, wildlife experts, and other local groups to develop workable pest control methods to protect endangered species.

DPR also publishes field identification cards and other instructional materials to assist pesticide users in identifying endangered species and their habitats. We distribute these materials at continuing education seminars and they are also available on our Web site, www.cdpr.ca.gov, click “Endangered Species.”
CALIFORNIA PESTICIDE INFORMATION PORTAL (CALPIP)

Endangered Species Custom Bulletin

Species Located

Step 3. Non-target species in selected section(s) by status:

- [FT] STEELHEAD - CENTRAL VALLEY DPS
- [R] PACIFIC FISHER, WEST COAST DPS

Species Status Key:

[FE] = Federal Endangered
[FT] = Federal Threatened
[FPE] = Federal Proposed Endangered
[FPT] = Federal Proposed Threatened
[R] = Rare, Not Currently Listed

To continue, click Next to select the products that you intend to use.

Next  Start Over
Endangered Species Custom Bulletin

Species Details

PACIFIC FISHER, WEST COAST DPS

Scientific Name: *MARTEN_PENNEATU PACIFICA*

Species Description: A member of the weasel family, they have long, thin bodies and short legs, length is 30-47 in. Fur is mostly dark brown with face, neck and shoulders light brown. Tail is long and bushy. Females weigh 4.4-5.5 lbs., males weigh 7.7-12.1 lbs.

General Habitat Information:
INTERMEDIATE TO LARGE-TREE STAGES OF CONIFEROUS FORESTS & DECIDUOUS-RIPARIAN AREAS WITH HIGH PERCENT CANOPY CLOSURE.

Specific Habitat Information:
USES CAVITIES. SNAGS, LOGS & ROCKY AREAS FOR COVER & DENNING. NEEDS LARGE AREAS OF MATURE, DENSE FOREST.

Habitat Location Information Source: DFW and NMFS updated quarterly

USE THE BACK BUTTON ON YOUR BROWSER TO CONTINUE
Endangered Species Custom Bulletin
Species Details

Photo by: Richard T. Groet

STEELHEAD - CENTRAL VALLEY DPS

Scientific Name: OXYURUS CUVIERI MYKON RIPLEUS

Species Description: A genetically distinct and evolutionarily significant anadromous or freshwater fish related to rainbow and cutthroat trout.

General Habitat Information:
POPULATIONS IN THE SACRAMENTO AND SAN JOAQUIN RIVERS AND THEIR TRIBUTARIES.

Specific Habitat Information:
NONE

Habitat Location Information Source: DFV and NMFS updated quarterly

USE THE BACK BUTTON ON YOUR BROWSER TO CONTINUE
BULL THISTLE

General description: Biennial. Fleshy taproot gives rise to one stem that branches freely above the middle of the plant. Two to 6 feet tall. First year plants form a rosette up to 3 feet in diameter. Second year plants bolt and form alternating, spiny, pinnately-lobed stem leaves that are hairy and rough to touch on the upper side (like medium sandpaper) and cottony underneath. Leaf tissue extends down the stem of the plant forming long, prickly, seemingly continuous wings on the stem.

Flowers and seeds: One to hundreds of flowerheads form in clusters at the ends of branches. The purple flowerheads are 1 ¼ to 2 inches wide. Each yellowish-brown seed is topped with a circle of feathery white hairs up to 1 inch long (pappus). Plants may flower from early June until the first hard frost, but generally peak from July to August in California. Can produce tens of thousands of seeds, viability is often above 90 percent. Seeds can be viable for 5 years.

Habitat: Grows from sea level to around 8,000 feet. Meadows and moist forest openings in the mountains. Increases after fire disturbance if seed bank is present. Most common in disturbed areas.

Mechanism of spread: Reproduces by seed, which is spread by water, animals, human activities, and to a lesser degree, wind. May be moved in transport of agricultural products such as hay.

Impacts: Reduces forage, deters grazing, degrades recreation, and competes with native species in highly valued habitats such as meadows.

Origin and distribution: Native to Europe, western Asia, and North Africa. Probably arrived in eastern North America first, as a contaminant in seed and/or ballast of ships. Bull thistle is found on all continents except Antarctica. It occurs throughout California and is widely distributed in our tri-county area. It is one of only a few non-native species that is found at high elevation in the wilderness.

Important control hints: Hand pulling works well but requires thick protective gloves. Mowing or cutting is effective if done just prior to flowering, and followed up to cut or pull any resprouts. Any flowerheads should be removed from the site or viable seed will form. If using chemicals, timing is important. See pages 4 and 5 for more information about control.
On your new cabin project my first thought is that the cabins will have to meet all elements of the California Building Code. This would include fire sprinklers. Your overall engineer of record for the project would also have to sign off on them. The prefab cabins would have some issues. At this time just FYI. Thanks! Mike

Hi Mike - just following up to see if you are able to release the clearing/grading permit for the subject project.

Look forward to hearing from you.

Thank you.

Please note, e-mail address will change January 1, 2015 to BFulce@delawarenorth.com

Brian Fulce, PE
Regional Project Manager

Delaware North
Tenaya Lodge
1122 Hwy 41
P.O. Box 159
Fish Camp, CA 93623

T 559-692-9343
M 661-747-6914
F 559-658-2135

www.delawarenorth.com

The information contained in this electronic mail transmission is intended only for the use of the recipient(s) named above. It may contain proprietary, confidential or privileged information of the sender. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of the
Steve Engfer

From: Dave Conway  
Sent: Thursday, January 15, 2015 6:01 PM  
To: Steve Engfer  
Cc: Rachelle Irby; Karen Christenson  
Subject: Keller/Tenaya Lodge projects 2014-163, 164 & 165

Steve,
The Health Department has the following comments for these 3 projects:
SPZA- No concerns
LDA – All parcels must be serviced by a Regional Water Quality Control Board approved sewage treatment facility or the applicant shall provide a soils report meeting Health Department requirements demonstrating on-site sewage disposal systems and be installed. No individual on-site sewage disposal systems will be allowed on proposed parcel 2 (1/2 acre). Proof of water meeting the General Plan requirements must be provided. If connecting to an existing public water system a will serve letter and letter of concurrence from the State Water Board, Drinking Water Division must be provided.
CUP – we will have project specific requirements for dust control at the time a grading plan is sought.

David L. Conway, REHS  
Director, Environmental Health Division  
Mariposa County Health Department  
Deputy Air Pollution Control Officer  
Mariposa County Air Pollution Control District  
5100 Bullion Street, P.O. Box 5  
Mariposa, CA 95338  
(209) 966-2220
January 12, 2015

Mariposa County Planning Department
Steve Engfer
Post Office Box 2039
Mariposa, California 95338

Planner: Steve Engfer

File #: 2014-163 (Specific Plan Zoning Amendment)
2014-164 (Conditional Use Permit)
2014-165 (Land Division)

Applicant: DNC Parks and Resorts (Tenaya Lodge)

We have reviewed the proposed plans for “Explorer Cabins at Tenaya” to allow Delaware North Companies to construct a clubhouse and 34 cabins on APN 010-350-008.

As the construction plans are proposed, it appears that up to 2 cabins along the southerly property line are planned to be placed over our existing easement area obtained from Robert Keller. (See enclosed document recorded on June 6, 2013 in Mariposa County as Doc No. 20132403) We obtained this easement to place fiber optic facilities to the John L. Boyd Outdoor School at Camp Green Meadows on APN 010-350-002, located directly east of the DNC project. We plan to commence construction after we obtain the required land use permit from the United States Department of Forestry, which we applied for in May of 2013. Once the land use permit is received, Sierra Telephone plans to begin construction as our schedule allows.

We have no objections to this proposed project as long as the 2 cabins proposed within our easement area are relocated outside of our easement area or DNC Parks and Resorts grants us an easement to circumvent this area allowing us to complete our route to serve the John L. Boyd Outdoor School.

Additionally, it would be very advantageous to the developers to contact Sierra Telephone prior to construction in order to coordinate the location of telephone facilities to the proposed clubhouse and cabins.

If you have further questions, please call us at (559) 683-5410.

Sincerely yours,

[Signature]

JC McNally
Outside Plant Manager

JC/ss
RECORDING REQUESTED BY
SIERRA TELEPHONE COMPANY,
INC.

When recorded mail to:

Sierra Telephone Company, Inc.
Attention: Engineering Department
Post Office Box 219
Oakhurst, California 93644-0219

The undersigned declares no
documentary transfer tax due

STANDARD TELEPHONE COMPANY
RIGHT-OF-WAY EASEMENT (CALIFORNIA)

Work Order Number: 7-126-12

We the undersigned (whether one or more), ROBERT O. KELLER, Successor Trustee
of the KELLER FAMILY TRUST dated September 13, 2001 ("Grantor"), for
valuable consideration, do hereby grant to SIERRA TELEPHONE COMPANY, INC.
(the "Company") an easement and right-of-way to construct, maintain, operate, inspect,
repair, and upgrade underground cables, conduits, splice boxes, and aboveground
markers and pedestals, and to reconstruct, replace, and substitute for such
facilities/equipment, and to add facilities/equipment as the Company shall from time to
time deem necessary or as appropriate to accommodate advances in technology, and to
remove such facilities/equipment as the Company may from time to time require over, in,
under, and upon that certain real property in the County of Mariposa, State of California,
which easement and right-of-way is more particularly described as:

Property affected by easement: A.P.N. 010-350-008, more particularly described as
follows:

See attached Exhibit "A"

Location of easement on above described property:

See attached Exhibit "B"

Grantor grants to Company an easement and right-of-way ten (10) feet in width, the
centerline of which shall be coincidental with the centerline of the facilities/equipment as
constructed on Grantor's Property.

Grantor also grants to the Company and its agents and employees the right of ingress to
and egress from the easement and right-of-way for the purpose of exercising the rights
granted herein and the Company shall have the right to remove or otherwise control such vegetation as may endanger or interfere with the use of the easement and right-of-way. Ingress to and egress from easement shall not unreasonably encroach upon other portions of property. The burden and benefit of the covenants set forth in this instrument shall run with the property and shall inure to the benefit of, and be binding upon, the parties and their respective heirs, devisees, successors, and assigns.

The Company agrees to place (at minimum) three access point pedestals along the route traversing the southerly boundary of the aforementioned parcel of land to be available to the Grantor for his future development needs.

The Company agrees for itself and all of its representatives, agents, contractors and invitees that it shall (a) perform all work permitted under this Right of Way in a diligent, expeditious and safe manner, (b) comply with all applicable laws and governmental regulations, (c) repair any and all damage to the property caused by the construction and installation in a timely manner, and (d) defend, indemnify and hold harmless the Grantor and the property from and against any claims or liability arising from the Company’s entry, construction and/or installation hereunder, including, without limitation, liens. The Company shall notify the Grantor in writing (the “Company’s Construction Notice”) at least ten (10) days prior to the date of entry for the construction of the improvements on the property.

The Company shall reasonably exercise such rights as granted and the Company shall be liable for any damage caused to the property by any negligent act or omission by the Company, its agents, or employees while exercising the rights granted herein.

EXECUTED THIS 23 DAY OF May, 2013.

GRANTOR(S):

[Signature]

ROBERT O. KELLER, Successor Trustee
ACKNOWLEDGEMENT

State of California

County of Fresno

On May 23, 2013, before me, Jessica S. Hall, a Notary Public, personally appeared Robert C. Keller, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary Public
Exhibit 'A'

All that portion of the SE ¼ of Section 23, Township 5 South, Range 21 East, M.D.B. & M.,
according to the United States Government Township Plat, lying East of the Easterly right of way
line of State Highway No. 41 and Southerly of that certain property line of the Northeast side of Big
Creek, being more particularly described as follows:

Commencing at a point on the Southerly line of the SE ¼ of Section 23, which bears S.89°15′W.,
369.68 feet from the Southeast corner of Section 23, said point of commencement also being the
Southwest corner of that certain parcel of land conveyed to Kenney Noble and recorded December
15, 1954, in Volume 48, Page 582, Official Records, Mariposa County; thence S.89°15′W., 1016 feet,
more or less, along the Southerly line of the SE ¼ of Section 23, to its intersection with the Easterly
right of way line of State Highway No. 41; thence Northerly along said Easterly right of way line,
1852 feet, more or less, to a point with bears S.41°37′W., 165 feet from the most Westerly corner of
Lot 11, Block A of the Fishcamp Subdivision as per map filed July 25, 1940, said point also being at
Corner No. 2, as referred to in Deed to Archie S. Henderson and Rayna H. Henderson, Deed
recorded April 17, 1965 in Volume 112, Page 665 of Official Records; thence leaving State
Highway No. 41 along the boundary of the aforementioned deeded parcels as follows: S.19°16′E.,
71.60 feet; thence S.0°33′W., 51.90 feet; thence S.36°45′W., 127.80 feet; thence S.6°47′E., 21.55
feet; thence S.34°35′E., 32.79 feet; thence S.62°11′E., 35.41 feet; thence N.88°15′E., 25.47 feet;
thence N.59°28′E., 87.49 feet; said point bearing S.41°37′W. 85 feet from the most Westerly corner
of Lot 34 of said Block A, said point also being on the Northerly line of that certain parcel deeded to
R. D. Hargrave and Sempa Hargrave, recorded August 4, 1950 in Volume 33, Page 72 of Official
Records; thence along the boundary of the last mentioned Deed as follows: S.41°37′W., 28.06 feet;
thence S.62°18′E., 87.57 feet, to a point which bears S.41°37′W., 17.00 feet from the most Westerly
corner of Lot 26 A of said Block A and being on the Southwesterly extension of the Northwesterly
line of said Lot 26 A, said point also being a point on the corner of that certain parcel of land
conveyed to Kyle W. Murray and Barbara E. Murray as recorded May 8, 1957 in Volume 58, Page
295, Official Records; thence along the boundary of the last mentioned Deed, S.25°10′E., 110.52
feet; thence N.41°37′W., 64 feet to the most Southerly corner of Lot 26 A, in said Block A, thence
leaving the boundary of last mentioned Deed, S.17°24′33″E., 46.65 feet, to the most Westerly corner
of Lot 27, in said Block A, said point also being the most Northerly corner of that certain parcel
deeded to C. Perry Dresser and Charlott T. Dresser; thence along the boundary of the last mentioned
Deed as follows: S.41°37′E., 43.1 feet, along the Southwesterly extension of the Northwesterly line
of said Lot 27; thence S.21°57′E., 89 feet; thence S.81°56′16″E., 84.55 feet calculated (S.74°03′E.,
85 feet deed) to a point which bears S.41°37′W., 35.6 feet, along the Southwesterly extension of the
Southeasterly line of Lot 28 of said Block A, said point also being Corner No. 1 of that certain parcel
as deeded to S. H. Edwards and Ruth E. Edwards, recorded in Volume 8, Page 64, Official Records,
and thence following the boundary of the last mentioned Deed S.20°35′E. (S.69°25′E., Deed),
442.78 feet; thence S.61°17′E., 163.34 feet; thence S.84°38′E., 243.72 feet to a point on the Easterly
line of Section 23; thence leaving aforementioned Deed, S.3°16′43″E., 231.17 feet, more or less,
along the Easterly boundary of Section 23, to a point on the Northerly line of that certain parcel
deeded to Kenney Noble as previously mentioned; thence along the boundary of said parcel as
follows: N.30°34′E., 130.26 feet (146.20 feet Deed), N.86°19′W., 224.98 feet; thence South 333.79
feet, to the point of commencement.
Notice of Preparation

Date: July 17, 2015

To: California State Clearinghouse
   Agencies and Interested Parties

From: Mariposa County Planning


SCH #: 2015021032

Delaware North (DN) proposes to construct up to 54 pre-manufactured cabins (approximately 675 square feet each [sf]) and a clubhouse (approximately 2,700 square feet [sf]) on Assessor’s Parcel Number (APN) 010-350-008, located immediately north of the Tenaya Lodge, in Fish Camp, Mariposa County, just outside the south entrance to Yosemite National Park. Mariposa County will be the Lead Agency for preparation of an environmental impact report (EIR) for the Tenaya Cabins Project.

PURPOSE OF THE NOTICE OF PREPARATION

In accordance with the State CEQA Guidelines (14 California Code of Regulations [CCR] § 15082), the purpose of this notice of preparation (NOP) is to inform agencies and interested parties that an EIR will be prepared for the Tenaya Cabins Project. The NOP is intended to provide sufficient information about the proposed project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR (State CEQA Guidelines 14 CCR § 15082[b]).

This is the second NOP for the project. DN originally proposed to construct up to 34 cabins and a clubhouse on the identified parcel. Mariposa County circulated an NOP for that proposal on February 9, 2015, and received five scoping comment letters. This revised NOP is being circulated because the applicant has increased the size of the project, to up to 54 cabins, on the same project site. This NOP also announces a public scoping meeting, which will be held on August 13, 2015, and solicits input on the scope of the EIR for the Tenaya Cabins.

The project location, description, and potential environmental effects are summarized below.
PROJECT DESCRIPTION

Background and Site Location
The Tenaya Lodge is an existing mountain resort set in forested lands near the southern gate of Yosemite National Park, adjacent to the Sierra National Forest, in Fish Camp, Mariposa County (Exhibit 1). Tenaya Lodge offers guest accommodations within a 249-room destination hotel and 53 rooms in 17 separate cottage buildings. The all-season resort offers onsite amenities and access to a range of recreational activities in the surrounding region.

DN is proposing to place up to 54 pre-manufactured cabins (approximately 675 sf each) and a clubhouse (approximately 2,700 sf) on APN 010-350-008 immediately to the north of the Tenaya Lodge (Exhibit 2). The 26.89-acre project site is forested and bordered by wetlands, meadow, and the Tenaya Lodge to the south, State Highway 41 to the west, a 1-acre pond to the north, and Big Creek to the east.

Proposed Project Elements
The Tenaya Cabins Project would include up to 54 pre-fabricated cabins set on concrete pier footings or concrete slab-on-grade foundations. Each cabin would have an area of approximately 675 square feet of room space (plus approximately 75 square feet of deck) and would be served by sanitary sewer, potable water, electricity, telephone, data, and cable television services. The proposed site plan (Exhibits 3 and 4) is designed to accommodate the existing topography of the site; minimize the impacts to existing natural features such as rock formations, trees, the Big Creek riparian corridor, the pond, and wetlands; and maximize the buffer between the cabins and Highway 41.

The proposed multi-use clubhouse would be located adjacent to Big Creek on the eastern boundary of the site and would include a large outdoor deck, fire pit, barbeque, hot tub and swimming pool. The clubhouse would be used for guest registration, administrative offices, events, laundry facilities, a small grocery, a residential-style kitchen, and recreational activities. The clubhouse would be designed to accommodate seating for 60 people on the deck and provide indoor facilities capable of holding smaller parties. Outdoor events for the customers of Tenaya Cabins guests could use amplified sound and would conclude by 10:30 p.m.

Vehicular access to the Tenaya Cabins is proposed from Highway 41 at the same location as an existing dirt-road entrance to the site. The entrance would be configured to meet Caltrans requirements for acceleration and deceleration distances and turning lane requirements. Onsite roads would follow existing dirt roads where possible and would be routed around existing trees, vegetation, and rock formations whenever possible to maximize visual screening. The project roads would be paved with asphalt and designed in compliance with Mariposa County standards for slope, width, turning radius and fire and emergency access.

The proposed site plan provides 1.5 parking stalls for each cabin plus seven additional stalls to account for retail, office and associate parking in accordance with the Fish Camp Town Planning Area Specific Plan, which results in up to 88 parking stalls. One wheelchair accessible stall would be located near the clubhouse, and parking would be clustered to maintain visual separation between parked vehicles and the cabins.

Utilities would be installed underground within the limits of the paved access roads where feasible, and would comply with separation standards set by the State of California and the Mariposa County Health Department. Wastewater would be collected with a below-grade piping system and gravity fed to a lift station located near the low point of the property. From the lift station, wastewater would be pumped to a new Tenaya Lodge Wastewater Treatment Plant located on the adjacent parcel, south of the project site. The new wastewater treatment plant, which would have capacity to serve the proposed cabins, is currently under construction and completion is expected by the end of 2015.
Mariposa County

Exhibit 1

Tenaya Cabins Project Location
Water for domestic and firefighting purposes would be provided by the existing Tenaya Lodge water system and possibly supplemented by an additional well, which would be drilled as part of this project. An alternative water supply option would be the Fish Camp Mutual Water Company, which could provide water for this project in a backup or secondary capacity. Fire hydrants would be located adjacent to the paved access road per the requirements of Mariposa County Fire Department. Fire water storage is estimated to be between 120,000 and 150,000 gallons, per Mariposa County requirements.

Electricity would be extended from existing PG&E facilities. Telephone, data and cable television service would be extended from Tenaya Lodge, so the services are integrated with the main lodge.

The proposed project includes a land division to create a ½-acre parcel for residential use. This parcel is shown on the site plan (Exhibit 3) and requires an amendment from Single Family Residential 1-acre residential to Single Family Residential ½ -acre land use classification per Fish Camp Town Planning Area Specific Plan and Mariposa County requirements. Although no development is currently proposed for this parcel, it is assumed that a residence would be built on the site in the future. The project would provide water and wastewater service to the residential parcel.

POTENTIAL ENVIRONMENTAL IMPACTS

The EIR will identify and assess the direct and indirect, significant and potentially significant environmental impacts of the project. The EIR also will evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The County has identified the following key environmental issue areas:

- **Water Supply**: Draw-down of groundwater from fractured hardrock wells; potential for decreased groundwater elevations with impacts to other local water supply wells or impacts to surface water bodies.

- **Utility Connections and Wastewater Treatment Capacity**: Wastewater treatment capacity at the new Tenaya wastewater treatment plant (currently under construction); potential environmental effects associated with the footprint for offsite utility connections.

- **Transportation**: Safety of project site ingress/egress from Highway 41, including Caltrans requirements, such as line of sight; project-related trip generation under existing and cumulative conditions, considering future trips from potential development, such as the approved Silver Tip Project.

- **Air Quality**: Increases in air pollutant emissions associated with project construction and operation (including stationary and mobile-source emissions).

- **Greenhouse Gas Emissions**: Generation of greenhouse gas emissions (including stationary and mobile-source emissions) during project construction and operation.

- **Biological Resources**: Potential disturbance of special-status terrestrial species; potential disturbance of sensitive habitats such as wetlands; potential effects on aquatic resources; potential effects on migratory corridors; and the potential spread of noxious weeds.

- **Cultural Resources**: Temporary and/or permanent disturbance of known and unknown archaeological resources.

- **Hydrology and Water Quality**: Changes in drainage patterns and associated effects on flooding hazards; hydrologic effects associated with changes to drainage or hydrology; and potential effects on groundwater resources.

- **Hazard**: Potential for increased fire hazards and exposure to wildfires.

- **Noise**: Potential for noise from the site to disturb offsite noise-sensitive land uses.
Other environmental issue areas that will be addressed in the EIR include: Land Use and Forestry Resources; Geology, Soils, and Seismicity; Visual Resources; and Public Services. Throughout the resource impact analyses, feasible and practicable mitigation measures would be recommended as necessary to reduce identified significant and potentially significant impacts.

It is anticipated that the following resource categories will be scoped out of the EIR: agricultural resources, mineral resources, paleontological resources, population and housing, recreation, law enforcement, and schools.

ALTERNATIVES TO BE EVALUATED IN THE EIR

In accordance with the State CEQA Guidelines (14 CCR § 15126.6), the EIR will describe a reasonable range of alternatives to the proposed project that are capable of meeting most of the project objectives, but would avoid or substantially lessen the significant effects of the project, if significant environmental impacts are identified. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons for their rejection. The EIR will include an analysis of the No-Project Alternative, or the consequences of taking no action.

DOCUMENTS AVAILABLE FOR PUBLIC REVIEW

The revised NOP and Tenaya Cabins application materials are available for public review at the following locations:

Mariposa County Planning
5100 Bullion Street
Mariposa, CA 95338

Mariposa Library
4978 10th Street
Mariposa, CA 95338

Wawona Library
7971 Chilnualna Road
Wawona, CA 95389

Hours:
M-F 8 – 5

Hours:
M 8:30-4, T-F 8:30-6,
Sat 8:30-4

Hours:
M-F 1-6, Sat 10-3

The revised NOP and project application are available for public review online at:

PROVIDING COMMENTS

Interested individuals, groups, and agencies may provide the County with written comments on topics to be addressed in the EIR. Because of time limits mandated by State law, comments should be provided no later than 5:00 p.m. on August 17, 2015. Please send all comments to:

Steve Engfer, Associate Planner
Mariposa County Planning Department
PO Box 2039 Mariposa, CA 95338
Telephone: (209) 742-1250
Email: sengfer@mariposacounty.org

Agencies that will use the EIR when considering permits or other approvals for the proposed project should provide the name of a contact person. Comments provided by email should include “Tenaya Cabins” in the subject line, and the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in winter 2015/2016.
PUBLIC SCOPING MEETING

A public scoping meeting will be held by the County to inform interested parties about the proposed project, and provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The scoping meeting will be held on **August 13, 2015 from 6:00 p.m. to 7:30 PM** at the Tenaya Lodge, 1122 Highway 41, Fish Camp, CA 93623 (between Jackson/Big Sandy Road and Chowchilla Mountain Road) in the Forest View Room.

The meeting space is accessible to persons with disabilities. Individuals needing special assistive devices will be accommodated to the best ability of the County. For more information, please contact Steve Engfer (at the contact information above) at least 48 hours before the meeting.
Steve Engfer  
Associate Planner  
Mariposa Planning  
County of Mariposa  
5100 Bullion Street, Mariposa CA 95338

Dear Mr. Engfer,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of an EIR for the Tenaya Cabins Project (Project). The Sierra National Forest (Sierra NF) is very interested in this project and appreciates being included in the planning process. We are providing these scoping comments to help address key resources that are important in managing forest lands.

As the project abuts the Sierra NF we would like to see the effects of the project on the public and forest resources addressed in the EIR. Issues and potential effects we would like to see addressed in the Project EIR about the project include:

- **Public Safety** – The Sierra NF is concerned about the ability of the public to evacuate from a wildfire coming up the Lewis Creek or Big Creek drainages if Highway 41 were to be cut off as an escape route. Currently there is no shelter in place option for the current population and visitors. Increasing the number of people in the area, particularly during peak summer months would potentially increase hazards to public safety in the event of a wildfire.

- **Recreation** - Additional recreation demands and potential impacts to ecological sustainability including additional demands for:
  - guided hiking and biking tours along trails off of Jackson and Big Sandy Road
  - winter operations that may have been related to winter sleigh rides and the routes that they were using.
  - Conflicts in recreation use with additional public use
  - Potential increases in clientele for Tenaya Lodge.

- **Grazing Permittee Access** - Impacts to the historic and on-going Diane Bohna cattle drive in the area. Her cattle are trailed up the stock drive from Hwy 49 and up toward Fish Camp and on to the Forest Service Iron Creek Allotment. The cattle cross at Highway 41 at Fish Camp from the 5S66 Road and trail down through the meadow that is just to the north of Tenaya Lodge but south of the proposed cabins where they then cross Big Creek.
Diane Bohna is a Sierra National Forest grazing permittee and is authorized to hold cattle at Miami Creek overnight before trailing her cattle to the Long Meadow Holding Field and Cow Camp on the Iron Creek Allotment.

- Special Status Species - Sierra National Forest records indicate several Forest Service special status species are known to occur within a one mile radius of the proposed project site and should be addressed in the EIR.

<table>
<thead>
<tr>
<th>Species</th>
<th>Status</th>
<th>Observations within 1 mile boundary of proposed project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacific fisher (Pekania [=Martes] pennanti)</td>
<td>Proposed Federally Threatened</td>
<td>Suitable habitat, numerous recorded densities</td>
</tr>
<tr>
<td>California spotted owl (Strix occidentalis occidentalis)</td>
<td>Forest Service Sensitive</td>
<td>Active spotted owl territory</td>
</tr>
<tr>
<td>Sierra-Nevada yellow-legged frog (Rana sierrae)</td>
<td>Federally Endangered</td>
<td>Suitable Habitat</td>
</tr>
<tr>
<td>California red-legged frog (Rana draytonii)</td>
<td>Federally Threatened</td>
<td>Suitable Habitat</td>
</tr>
<tr>
<td>Great gray owl (Strix nebulosa)</td>
<td>Forest Service Sensitive California State Endangered</td>
<td>Suitable Habitat</td>
</tr>
</tbody>
</table>

- Hydrology – What are the cumulative watershed effects on the drainages affected by the project? What is the source of water for this development and how will it affect surface and groundwater resources on the Sierra NF?

- Air Quality – How will the increased visitation or ownership of cabins affect air quality and how will smoke generated from fire on the forest affect people utilizing the development.

- Cumulative Effects – Please consider the cumulative effects of the siting of these cabins with Forest Service activities and projects on the resources of fire and fuels, recreation, wildlife, grazing, vegetation and hydrology.

Thank you for including the potential effects on these resources in the EIR. The Sierra NF would like to continue to be involved in the planning process for this development. Please
continue to keep us informed of other public involvement opportunities and feel free to call us if you have questions related to interactions of the project with Sierra NF land, resources, projects and activities. Please contact Judith Tapia at (559) 297-0706 extension 4938 if you have any questions about our NOP comments.

Sincerely,

[Signature]

DEAN GOULD
Forest Supervisor

cc: Alan Gallegos
Hi Steve,

John Ramaley just sent me the arch report for the Tenaya Cabins development. I have not had a chance to read it, but have prepared a statement for you in response to the NOP. I sent a copy of this to Darrin McCully and Len Nielson to include in with the other CAL Fire review materials, but have not had confirmation that it was included. Please add this to our comments if they have not sent it already.

Thank you,

Gerrit Fenenga, Ph.D.
Cal Fire Archaeologist
Steve Engfer

From: Ramaley, John@CAlFIRE <John.Ramaley@fire.ca.gov>
Sent: Friday, August 14, 2015 10:15 AM
To: Steve Engfer
Cc: Fenenga, Gerrit@CALFIRE
Subject: Tenaya Lodge

Steve,

As discussed yesterday, can you send Gerrit Fenega, CAL FIRE Archaeologist, and myself a copy of the confidential archaeological report for the Tenaya Lodge project.

Thank you for hosting the scoping tour. It was very helpful.

John Ramaley, RPF #2504
Forester III, Cascade, Sierra & Southern Regions
Forest Practice Manager

CAL FIRE
California Department of
Forestry and Fire Protection
6105 Airport Road
Redding, CA. 96002
Phone (530) 224-2481
Fax (530) 224-4841
Cell (530) 941-7179

OR
Fresno
Phone (559) 243-4153
Cell (559) 259-6405

john.ramaley@fire.ca.gov

Every Californian should conserve water. Find out how at:

Save Our Water

SaveOurWater.com · Drought.CA.gov
August 17, 2015

Steve Engefer, Associate Planner  
Mariposa County Planning Department  
P.O. Box 2039  
Mariposa, CA  95338

RE: Cultural Resources and the Tenaya Cabins Project Notice of Preparation

Dear Mr. Engfer,

I am an archaeologist with the California Department of Forestry and Fire Protection (CAL FIRE) who will be reviewing the proposed Tenaya Cabins Project for compliance with the requirements of the Forest Practice Act. I was not on last week’s project scoping field trip, but was informed about it by John Ramaley from our Forest Practice Review Team. I was, however, involved with review of the proposed project at Silver Tip Lodge directly across Highway 41 from the Tenaya Lodge development and am familiar with some of the issues concerning the large archaeological site complex that exists in this location. I have not seen the cultural resource evaluation study that has been done for Tenaya project, so I cannot presently comment on that work or its findings. I do have a copy of the professional archaeological study done for the 47 acres of the adjacent Silver Tip Resort by Dr. L. Kyle Napton in 1999 and subsequent updates prepared by Registered Professional Foresters who have had Certified Archaeological Training through CAL FIRE and the California Licensed Forester’s Association.

I believe you are aware that even after approval of the EIR, this project cannot break ground until approval of a Timber Harvest Plan and receipt of a Timberland Conversion permit by CAL FIRE. It is quite obvious from the data I have that the archaeological remains on the Tenaya Cabins property is only a portion of a much larger prehistoric archaeological site complex that extends onto neighboring land ownership. Past analysis of the Silver Tip Lodge property has shown that the archaeological deposits there have been assessed as potentially eligible for nomination to the National Register of Historic Places and the California Register of Historic Resources.

I have concerns that the work done on the adjacent property has not been considered in the archaeological evaluation of the Tenaya Cabins property as CAL FIRE Representative John Ramaley understands that the project archaeologist may not have followed the site off of the project property, as it was not part of the project. Since this is all part of a single archaeological site complex, a complete and accurate assessment should take this into consideration. The Forest Practice Rules have an additional set of significance criteria to those defined in CEQA and the NHPA National Register criteria.
Based on the limited information I have at hand from John Ramaley's field inspection during the scoping tour, I can already tell the archaeological site components on the Tenaya Cabins property will meet at least two of the Forest Practice significance criteria (14CCR 895.1(a) and (d)), and perhaps as many as four of these (14CCR 895.1 (c) and (e)).

If possible, I would like to review the archaeological report prepared for the Tenaya Cabins project prior to my own review for the pending timber harvest. I plan on attending the pre-harvest inspection for that project prior to approval of the Timber Harvest Plan and will have a chance to visit the archaeological site at that time.

Thank you for consideration of this matter,

Gerrit L. Fenenga, Ph.D.
CAL FIRE Archaeologist
August 16, 2015

DNC Parks and Resorts, (Tenaya Lodge)
1152 Hwy 41 Fish Camp, CA

To: Assigned Project Planner Steve Engfer

RE: Plan Review Comments, Explorer Cabins at Tenaya
From: The California Department of Forestry and Fire Protection

Issue #1: Road Standards (1273.01 through 1273.10 PRC 4290)

Issue #2: Roadway Name and Sign (1274.00 PRC)

Issue #3 Setback for structure defensible space (1276.01-PRC 4290)

Findings: The proposed site is located in Fish Camp off of Highway 41 on the East side of the highway. The project consists of timber with moderate sloping to flat ground. The vegetation fuel loading is light in the meadow and moderate to heavy in the timber. The potential for large and damaging fires exist in this area.

Recommended Resolution of Issue (conditions):

Adequate information has been provided (See recommended Mitigation Measures Noted below). Additional PRC 4290 and 4291 requirements will be applicable upon receipt of building permits.

Recommended Mitigation Measures:

Issue #1: All roads will comply with State Fire Safe Regulations (PRC 4290). (PRC 4290) section 1273.08 one way roads, section 1273.09 dead-end roads, section 1273.10 driveways.

Issue #2: Roads and streets must be identified by name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within each county.
Issue #3: A minimum 100 foot setback from flammable vegetation will be required around each new structure to afford adequate defensible space due to flame lengths that may be anticipated in the event of a wildland fire (PRC 4290) section 1299. This is especially important when planning building sites at least 100 feet from any property line.

Submitted By:

[Signature]

Darrin McCully
Fire Prevention
Madera-Mariposa-Merced Unit
Steve Engfer
Mariposa County Planning
Post Office Box 2039
Mariposa, California  95338
SEngfer@mariposacounty.org

Subject: Notice of Preparation, SPZA 2014-163, CUP 2014-164, and LDA 2014-165
Tenaya Explorer Cabins (Project)
Township 5 south, Range 21 east, Section 23 of the USGS Fish Camp,
California quadrangle in Mariposa County
Updated Notice of Preparation, SCH# 2015021032

Dear Mr. Engfer:

The California Department of Fish and Wildlife (Department) has reviewed the updated Notice of Preparation (NOP) for the draft Environmental Impact Report (EIR) for the above Project. The Department previously commented on the original NOP in a letter to the Mariposa Planning Department dated March 12, 2015. The NOP has been revised and recirculated due to an increase in the number of cabins, from 34 to 54, and an increase in the number of parking spaces, from 51 to 88. Other aspects of the Project remain the same. Approval of the Project would allow for the construction of an upscale campground, and would consist of a Fish Camp Specific Plan Land Use Amendment from existing SFR-1 Acre land use classification to Resort Commercial classification for Parcel 1, and to SFR ½ Acre land use classification for Parcel 2; a Two Parcel Land Division to create a ½-acre residential parcel; a Conditional Use Permit for 54, 500-square-foot pre-manufactured cabins, a parking lot with 88 spaces, and a clubhouse with an outdoor deck and recreation area to serve as guest registration, laundry, retail, hospitality, banquetting, food service, pool, barbeque and hot tub; Highway 41 access and an internal looped roadway/driveway system; and water supply and waste water systems. The Project proposes to take place on a 26.89-acre site located on the west side of Highway 41 in Fish Camp, Mariposa County, California; Township 5 south, Range 21 east, Section 23 of the United States Geological Survey Fish Camp Quadrangle.

The Department has concerns with the potential related Project impacts to special status species known to occur in the Project area including, but not limited to the State Threatened and Federally Endangered Sierra Nevada yellow-legged frog (Rana sierrae), State and federally endangered Willow Flycatcher (Empidonax traillii); the State Candidate Townsend’s big-eared bat (Corynorhinus townsendii), the State and Federal Candidate fisher (Martes pennanti), State Endangered great gray owl (Strix nebulosa); the State Species of Special Concern northern goshawk (Accipiter gentilis), California spotted owl (Strix occidentalis occidentalis), foothill yellow-legged frog (Rana boylii), and western mastiff bat (Eumops perotis); special status plants; and potential impacts to waterways, wetland, and riparian resources and the species that depend on them. The Department addressed these concerns in our comment letter on the
original NOP, our concerns in the original letter; dated March 12, 2015, remain the same. The Department has the following additional comments:

**Urban/Wildlife Conflicts:** Several wildlife species that often result in urban/wildlife conflicts are present in the Project area. These species include black bear, mountain lion, coyote, deer, raccoon, skunk, and bat species. Direct and indirect human interactions with some of these species can result in human fatalities, injury, and loss of property, as well as, wildlife injuries, and fatalities. Animals that become either a nuisance or a threat because of inappropriate interactions with people often must be relocated or destroyed. The Department recommends the draft EIR address the potential problems associated with urban/wildlife interactions and the potential associated impacts to wildlife, including impacts by additional human disturbance (i.e. pets, traffic, trash, etc.) and interference with migration/life history patterns (i.e. migration corridors, foraging habitat, etc.). The Department also recommends the Project proponent develop a plan to avoid and minimize urban/wildlife conflicts, such as developing educational materials for guests and installing signage around ecological sensitive areas.

**Outdoor Lighting:** It is anticipated that due to the increase in cabins and parking spaces, there will be an increase in outdoor lighting needed for the Project. The Department recommends that the draft EIR incorporate mitigation measures to decrease the impacts of artificial lighting on wildlife species, such as: motion sensitive lighting; mounting light fixtures as low as possible to minimize light trespass; use light fittings that direct and confine the spread of light downward; and use long wavelength light sources. In addition, the Department recommends lighting is not installed in ecological sensitive areas (e.g. streams, wetlands, and habitat used by special status species, such as nesting/roosting sites), and avoid lighting that use the white/blue wavelengths of the light spectrum.

If you have any questions on these issues, please contact Margarita Gordus, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (559) 243-4014, extension 236, or by electronic mail at Margarita.Gordus@wildlife.ca.gov.

Sincerely,

[Signature]

Dean Marston
Acting Regional Manager

cc: United States Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

ec: California Department of Forestry and Fire Protection
John Ramaley, John.Ramaley@fire.ca.gov

California Department of Fish and Wildlife
Sarah Boogay, Sarah.Boogay@wildlife.ca.gov
Margarita Gordus, Margarita.Gordus@wildlife.ca.gov
Hi Steve,

I have enclosed the memo which summarizes the California Waterworks Standard and the Standard itself. These two documents will provide guidance related to the water system and wastewater disposal expansion at Tenaya Lodge.Outlined below are comments regarding the EIR Scoping of the expansion site of the Tenaya Cabins Project.

1. Expansion of the service area of 20% or more requires an amendment to the Tenaya Lodge’s water system permit.
2. All sanitary setbacks must be followed in relation to the Fishcamp MWC’s two wells. For example, the sewer line must be at least 50 feet away from Fishcamp MWC’s well that is located in the vault.
3. Consideration must be provided to accommodate a 50 foot radius control zone around the two Fishcamp MWC’s wells to protect the wells from potential contamination from activities located in close proximity to the wells and also provide adequate space for routine maintenance on the wellheads.
4. Regarding the Fishcamp MWC’s Well No. 2 (located in the vault), a suggestion has been made to Fishcamp MWC to look into raising the wellhead and electrical controls at least 18 inches above grade.
5. The Merced District Office is aware that TODD Groundwater will be conducting a 3-day pump test on three wells supplying the Fishcamp MWC.
6. All water main installation shall meet requirements of the California Waterworks Standard Section 64570 and 64572 (see attachment).

Best Regards,

Lourdes Mertens, REHS
Environmental Scientist
State Water Resources Control Board
Division of Drinking Water – Merced District (11)
265 W. Bullard Ave., Suite 101 Fresno, CA 93704
Phone: (559) 447-3139
Fax: (559) 447-3304

NEW EMAIL ADDRESS: Lourdes.Mertens@waterboards.ca.gov
August 17, 2015

Steve Engfer
Mariposa County Planning
Post Office Box 2039
Mariposa, California 95338
SEngfer@mariposacounty.org

Subject: Notice of Preparation, SPZA 2014-163, CUP 2014-164, and LDA 2014-165
Tenaya Explorer Cabins (Project)
Township 5 south, Range 21 east, Section 23 of the USGS Fish Camp,
California quadrangle in Mariposa County
Updated Notice of Preparation, SCH# 2015021032

Dear Mr. Engfer:

The California Department of Fish and Wildlife (Department) has reviewed the updated Notice of Preparation (NOP) for the draft Environmental Impact Report (EIR) for the above Project. The Department previously commented on the original NOP in a letter to the Mariposa Planning Department dated March 12, 2015. The NOP has been revised and recirculated due to an increase in the number of cabins, from 34 to 54, and an increase in the number of parking spaces, from 51 to 88. Other aspects of the Project remain the same. Approval of the Project would allow for the construction of an upscale campground, and would consist of a Fish Camp Specific Plan Land Use Amendment from existing SFR-1 Acre land use classification to Resort Commercial classification for Parcel 1, and to SFR ½ Acre land use classification for Parcel 2; a Two Parcel Land Division to create a ½-acre residential parcel; a Conditional Use Permit for 54, 500-square-foot pre-manufactured cabins, a parking lot with 88 spaces, and a clubhouse with an outdoor deck and recreation area to serve as guest registration, laundry, retail, hospitality, banquetting, food service, pool, barbeque, and hot tub; Highway 41 access and an internal looped roadway/driveway system; and water supply and waste water systems. The Project proposes to take place on a 26.89-acre site located on the west side of Highway 41 in Fish Camp, Mariposa County, California; Township 5 south, Range 21 east, Section 23 of the United States Geological Survey Fish Camp Quadrangle.

The Department has concerns with the potential related Project impacts to special status species known to occur in the Project area including, but not limited to the State Threatened and Federally Endangered Sierra Nevada yellow-legged frog (Rana sierrae), State and federally endangered Willow Flycatcher (Empidonax traillii); the State Candidate Townsend’s big-eared bat (Corynorhinus townsendii), the State and Federal Candidate fisher (Martes pennanti), State Endangered great gray owl (Strix nebulosa); the State Species of Special Concern northern goshawk (Accipiter gentilis), California spotted owl (Strix occidentalis occidentalis), foothill yellow-legged frog (Rana boylii), and western mastiff bat (Eumops perotis); special status plants; and potential impacts to waterways, wetland, and riparian resources and the species that depend on them. The Department addressed these concerns in our comment letter on the

Conserving California's Wildlife Since 1870
original NOP, our concerns in the original letter; dated March 12, 2015, remain the same. The Department has the following additional comments:

**Urban/Wildlife Conflicts**: Several wildlife species that often result in urban/wildlife conflicts are present in the Project area. These species include black bear, mountain lion, coyote, deer, raccoon, skunk, and bat species. Direct and indirect human interactions with some of these species can result in human fatalities, injury, and loss of property, as well as, wildlife injuries, and fatalities. Animals that become either a nuisance or a threat because of inappropriate interactions with people often must be relocated or destroyed. The Department recommends the draft EIR address the potential problems associated with urban/wildlife interactions and the potential associated impacts to wildlife, including impacts by additional human disturbance (i.e. pets, traffic, trash, etc.) and interference with migration/life history patterns (i.e. migration corridors, foraging habitat, etc.). The Department also recommends the Project proponent develop a plan to avoid and minimize urban/wildlife conflicts, such as developing educational materials for guests and installing signage around ecological sensitive areas.

**Outdoor Lighting**: It is anticipated that due to the increase in cabins and parking spaces, there will be an increase in outdoor lighting needed for the Project. The Department recommends that the draft EIR incorporate mitigation measures to decrease the impacts of artificial lighting on wildlife species, such as: motion sensitive lighting, mounting light fixtures as low as possible to minimize light trespass; use light fittings that direct and confine the spread of light downward; and use long wavelength light sources. In addition, the Department recommends lighting is not installed in ecological sensitive areas (e.g. streams, wetlands, and habitat used by special status species, such as resting/roosting sites), and avoid lighting that use the white/blue wavelengths of the light spectrum.

If you have any questions on these issues, please contact Margarita Gordus, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (559) 243-4014, extension 236, or by electronic mail at Margarita.Gordus@wildlife.ca.gov.

Sincerely,

Dean Marston
Acting Regional Manager

cc: United States Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

cc: California Department of Forestry and Fire Protection
John Ramaley, John.Rameley@fire.ca.gov

cc: California Department of Fish and Wildlife
Sarah Boogay, Sarah.Boogay@wildlife.ca.gov
Margarita Gordus, Margarita.Gordus@wildlife.ca.gov
DATE: March 31, 2008

TO: All Public Water Systems

FROM: Division of Drinking Water and Environmental Management
1816 Capitol Avenue
Sacramento, CA 95899-7377

SUBJECT: STATE ADOPTION OF REVISED WATERWORKS STANDARDS

The California Department of Public Health (Department) has been in the process of adopting revised Waterworks Standards. The process is now complete. As a result, after serving us well for many years, the old Waterworks Standards have finally been put to rest. On March 9, 2008, a set of revised Waterworks Standards became effective. The new regulations have been incorporated into our on-line regulation book at http://www.cdph.ca.gov/certlic/drinkingwater/Pages/Lawbook.aspx, under Chapter 16 of Title 22.

This memorandum serves to announce the adoption of the new regulations and provide a general overview of the requirements. It is not intended to be a substitute for the actual regulations. If you have any questions regarding the content of this memo, please contact your local Department District Office.

WHAT YOU SHOULD KNOW ABOUT THE NEW WATERWORKS STANDARDS!

- Although some similarities may remain for particular requirements, the old Waterworks Standards have been repealed and are no longer applicable.

- The new standards include requirements on the following topics:
  - Permits, including initial permits and permit amendments.
  - Source capacity, including new methods for determining source capacities
  - New well siting and construction
  - Installation and construction material requirements for water mains and other distribution system appurtenances
  - Disinfection requirements for reservoirs, wells, and new or repaired mains
  - Design and construction criteria for distribution reservoirs
  - Distribution system operation requirements
  - ANSI/NSF certification for chemicals, products, equipment, and materials added to drinking water, as well as those that come in contact with drinking water or come in contact with a product to be added to drinking water

- Page 1 of 6 -
You will need to apply for a permit amendment if you plan on...
- adding a treated water tank or reservoir ≥ 100,000 gallons
- adding a new source
- changing the status of a source (e.g. active, standby)
- changing a source in a manner that affects the quantity or quality of the supply
- changing or adding a treatment process
- expanding your service area by 20% or more
- consolidating with another water system
- obtaining a Secondary Maximum Contaminant Level waiver
- modifying recreational activities at a reservoir

Refer to Section 64556 for the complete list. Please note that a permit amendment may be required for other situations, pursuant to Section 64556(b) and Section 116550 of the Health and Safety Code.

If you have no existing domestic public water supply permit and need to obtain an initial permit, you will need to apply pursuant to Section 64552.
- In addition to the requirements in Section 64552, a community water system using only groundwater must be capable of meeting maximum day demand with its highest source off line. [see Section 64554(c)]

Do you have enough source and storage capacity?
- Empirical calculations replace the charts in the old Waterworks Standards [see (a), (b), and (d) of Section 64554]
- Requirements must be met in each individual pressure zone, as well as for the system as a whole [see Section 64554(a)(3)]
- Prescriptive well capacity test (i.e. pump test) language replaces the old language [see Section 64554(e)-(l)]
- If your existing system or a planned expansion has or may lead to source capacity problems, you may be required to complete a Source Capacity Planning Study [see Section 64558]
- Sources must be metered such that the quantity of water can be determined and recorded at least monthly [see Section 64561]

Are you planning on putting in a new well? [see Section 64560]
- First, contact the Department’s local District Office
- Include the following in your permit application:
  - A source water assessment for the well site
  - Demonstrate a 50-foot radius control zone around the well
  - Design plans and specifications for the well
  - California Environmental Quality Act (CEQA) documentation
- After the application has been approved, submit the following:
  - A copy of the well construction permit (if required by local agencies)
  - The Department of Water Resources well completion report
  - Pump test results and information per Section 64554
- Water quality data
- As-built plans

• Make sure well is constructed such that:
  - The well meets California Department of Water Resources Bulletins 74-81 and 74-90
  - The well meets AWWA Standard A100-06
  - The well has the ability to pump to waste, with the waste discharge line protected against backflow
  - The equipment is accessible
  - The well is protected against flooding
  - The wellhead terminates at least 18 inches above the finished grade
  - The wellhead and electrical controls are not in a vault
  - The well is equipped to enable chlorination facilities to be readily installed
  - A non-threaded sampling tap is located between the wellhead and check-valve (no screens or aerators if used for bacteriological sampling)
  - A meter exists to determine the quantity of water [see Section 64561]

• Are you planning on destroying a well? [see Sections 64560.5]
  - The destruction of the well must be performed in accordance with the California Department of Water Resources Bulletins 74-81 and 74-90.

• Are you planning on installing a water main? [see Sections 64570 and 64572]
  - The installation and materials must meet applicable AWWA standards
  - The main must be protected against freezing and loads that may crush the main
  - The main or supply line must be 10 feet from and 1 foot above pipes containing:
    - Untreated sewage
    - Primary or secondary treated sewage
    - Disinfected secondary 2.2 or 23 recycled water
    - Hazardous fluids such as fuels, industrial waste, wastewater sludge, etc.
  - The main or supply line must be 4 feet from and 1 foot above:
    - Storm drains
    - Disinfected tertiary recycled pipes
  - The main must be more than 100 feet from a sanitary landfill, wastewater disposal pond, or hazardous waste site
  - The main must be more than 25 feet from cesspools, septic tanks, sewage leach fields, seepage pits, underground hazardous material storage tanks, or groundwater recharge project sites
  - If you're a Community Water System, the main must have a diameter of at least 4 inches [see Section 64573]
  - If it's a dead-end, it'll need a flushing valve [see Section 64575]
  - Install a valve between main and each fire hydrant [see Section 64577]
  - If it's a 12-inch diameter main (or less), install an isolation valve no farther than every 1320 feet and at tees or crossings [see Section 64577]
• Make sure buried valve stems have a valve box and, if 5 feet below grade, it should either have a valve stem riser (to allow use of a normal key) or a notation in records indicating a long key is needed [see Section 64578]

Note: The Department understands that meeting the separation criteria may not always be feasible. If you demonstrate that you are unable to meet the separation criteria and will take other measures to ensure an equivalent level public health protection, you may be approved to use an alternative pursuant to Section 64572 or Section 64551.100.

• Are you planning on flushing a water main? [see Sections 64575]
  ▪ Don’t discharge to a sewer without a proper air gap
  ▪ The flushing velocity should be at least 2.5 ft/sec

• Are you replacing or putting in a new air-release, air-vacuum, or combination valve? [see Sections 64575]
  ▪ Install it to meet AWWA C512-04 and AWWA Manual M51-2001
  ▪ Make sure it’s readily accessible for inspection, maintenance, and replacement
  ▪ Make sure the vent opening is downward facing and screened (or domed) and is above:
    - finished grade,
    - the 100-year flood level, and
    - the highest recorded water level
  ▪ Make sure it’s constructed to prevent vandalism and exposure to rain, insects, and varmints

• Do you need to disinfect a reservoir, new main, repaired main, or well?
  ▪ Make sure you meet the applicable requirements in Sections 64580, 64582, 64583, and the applicable AWWA standards.

• Are you designing a new treated water reservoir?
  ▪ If you’re planning to install a new reservoir:
    - You need to apply for a permit amendment if it’s ≥ 100,000 gallons [see Section 64556]
    - It needs to be designed to meet the requirements listed in 64585(a) and (b)
    - You need to submit plans and specifications to the Department for review prior to constructing the reservoir

Note: If it’s an existing reservoir, it needs to meet the requirements in Section 64585(a)

• Are you adding a chemical or a product to the drinking water? [see Section 64590, Direct Additives]
  ▪ As required in the old Waterworks Standards, the product or chemical will need to be NSF/ANSI 60 certified…this includes chemicals used to clean your water treatment facilities [see Subsection 64591(c)]. However, the new Waterworks Standards require the certifying organization to include product testing, facility inspections, QA/QC review, manufacturing practice reviews, and chemical stock inspections; all on an annual basis.
Most certifying organizations perform these tasks annually. Check with your supplier to make sure.

• **Do the materials and products that come in contact with your drinking water meet the new indirect additive requirements?** [see Section 64591, Indirect Additives]
  
  - Beginning March 9, 2008, essentially all products and materials that come in contact with your drinking water (or in contact with an additive you’ll be applying to your drinking water) must be NSF/ANSI 61 certified. However, if you’re under a contract signed before March 9, 2008, you’re exempt until March 9, 2009.
  
  Note: Some uncertified direct or indirect additives may be used if specific criteria are met. See Section 64593 for details.

• **Is your water system being properly operated and maintained?**
  
  - Your water system must be operated in a manner that ensures 20 psi at every service connection, at all times. If you expand your distribution system service connection by more than 20% (or the expansion adversely affects the distribution system), the new distribution system will need to be designed to provide 40 psi (excluding fire flow). [see Section 64602]
  
  - If the Department has identified deficiencies in the operation or maintenance of your water system, you may be required to prepare and implement an operations and maintenance plan to address the deficiencies. [see Section 64600]

• **Do your recordkeeping practices meet the new requirements?** [see Section 64604]
  
  - All public water systems must prepare, maintain, and update the following:
    - As built plans, maps, and drawings of all new water system facilities, as well as nearby existing facilities. The location, size, construction material, and year of installation must be included for each new water main or facility.
    - A schematic map that includes the location of each water source, treatment facility, pumping plant, reservoir, water main, and isolation valve.
    - Results of laboratory analyses must be maintained for at least 3 years.
    - Flushing records must be maintained for at least 3 years.
    - Reservoir cleaning and inspection records must be maintained for at least 3 years.

• **Do you have a unique situation making the Waterworks Standards unworkable or an innovative technique for meeting the intent of a requirement?**
  
  - If you demonstrate to the Department that your alternative ensures an equivalent level public health protection as that of the Waterworks Standards requirement, you may be approved to use an alternative pursuant to Section 64551.100.
Many third-party standards have been incorporated by reference, making them enforceable standards. They include…

California Department of Water Resources:
- Bulletins 74-81 and 74-90…California Well Standards

- ANSI/NSF Standard 60-2005…Direct Additives
- ANSI/NSF 61-2005/Addendum 1.0-2005…Indirect Additives

The incorporated AWWA standards include:
- A100-06…Water Wells
- C150/A21.50-02…Ductile iron pipe thickness
- C151/A21.51-02…Ductile iron pipe, centrifugally cast
- C200-97…Steel pipe, six inches and larger
- C300-04…Reinforced concrete cylinder pipe
- C301-99…Prestressed Concrete Pressure Pipe, Steel-Cylinder
- C302-04…Reinforced Concrete Pressure Pipe, Noncylinder
- C303-02…Concrete Pressure Pipe, Bar-Wrapped, Steel-Cylinder Type
- C304-99…Design of Prestressed Concrete Cylinder Pipe
- C512-04…Air Release, Air/Vacuum, and Combination Air Valves for Waterworks Service
- C600-05…Ductile-iron water mains and their appurtenances
- C605-05…Installation and hydrostatic testing procedures for polyvinyl chloride (PVC)
- C651-05…Disinfecting Water Mains
- C652-02…Disinfection of water storage facilities
- C654-03…Disinfection of wells
- C800-05…Underground Service Line Valves and Fittings
- C900-97…Polyvinyl Chloride (PVC) Pressure Pipe and Fabricated Fittings
- C905-97…Polyvinyl Chloride (PVC) Pressure Pipe and Fabricated Fittings
- C906-99…Polyethylene (PE) Pressure Pipe and Fittings
- C999-02…Molecularly Oriented Polyvinyl Chloride (PVCO) Pressure Pipe
- C950-01…Fiberglass Pressure Pipe
- D100-05…Welded carbon steel tanks
- D102-03…Coating Steel Water-Storage Tanks
- D103-97…Factory-coated bolted steel tanks
- D110-04…Wire- and Strand-Wound, Circular, Prestressed Concrete Water Tanks
- D120-02…Thermosetting Fiberglass-Reinforced Plastic Tanks
- D130-02…Flexible-Membrane Materials for Potable Water Applications
- Manual M9 (1995)…Concrete Pressure Pipe
- M25 (2000)…Flexible-Membrane Storage
- M51 (2001)…Air-Release, Air/Vacuum, and Combination Air Valves
- Cal/Nevada Section (April 1999)…Reservoir Floating Cover Guidelines
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(9) Whether the system is in compliance with the particular alternative compliance criterion in section 64536(a) or (b).

CHAPTER 16. CALIFORNIA WATERWORKS STANDARDS

Article 1. Definitions

§64551.10. Distribution Reservoir.
“Distribution reservoir” means any tank or other structure located within or connected to the distribution system and used to store treated/finished drinking water.

§64551.20. Distribution System.
“Distribution system” means all physical parts of the water system, including, but not limited to: Pipes, valves, pumping stations, storage tanks or reservoirs, and user service lines, that are located between the water treatment plant, or the source if there is no treatment, and the consumer’s service connection.

§64551.30. Maximum Day Demand (MDD).
“Maximum day demand (MDD)” means the amount of water utilized by consumers during the highest day of use (midnight to midnight), excluding fire flow, as determined pursuant to Section 64554.

§64551.35. Peak Hour Demand (PHD).
“Peak hour demand (PHD)” means the amount of water utilized by consumers during the highest hour of use during the maximum day, excluding fire flow, as determined pursuant to Section 64554.

§64551.40. Source Capacity.
“Source capacity” means the total amount of water supply available, expressed as a flow, from all active sources permitted for use by the water system, including approved surface water, groundwater, and purchased water.

§64551.60. User Service Line.
“User service line” means the pipe, tubing, and fittings connecting a water main to an individual water meter or service connection.

§64551.70. Water Main.
“Water main” means any pipeline, except for user service lines, within the distribution system.

Article 1.5. Waivers and Alternatives

§64551.100. Waivers and Alternatives.
(a) A water system that proposes to use an alternative to a requirement in this chapter shall:
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(1) Demonstrate to the Department that the proposed alternative would provide at least the same level of protection to public health; and

(2) Obtain written approval from the Department prior to implementation of the alternative.

Article 2. Permit Requirements
§64552. Initial Permit for Public Water System.
(a) Each public water system applying for an initial domestic public water system permit shall submit an application that includes:

(1) A map and description of the entire existing and proposed service area, showing:

(A) The location of each water source, as well as wells that are abandoned, out-of-service, destroyed, standby, or inactive (not physically connected to the water system), together with:

1. Any valid water rights owned by the system for surface water sources, including information on any limitations or restrictions of those rights;
2. For a groundwater aquifer, the groundwater levels and drawdown patterns;

3. Permits or approvals for groundwater extraction if pumping from an adjudicated groundwater basin;
4. Existing and planned source pumping capability and distribution storage capacity for the system as a whole and for each pressure zone;
5. The calculated sustained well yields of existing wells if groundwater sources are used;
6. Permits for any waters proposed for use to offset potable water demand; and

(B) Treatment facilities and pumping plants;
(C) Distribution system piping, pressure zones, hydropneumatic tanks, and reservoirs;
(D) Valves, sample taps, and other system appurtenances;
(E) Recycled water and sewage systems;
(F) Conveyance facilities;
(G) Any flood plains in the projected service area; and
(H) The 100 year flood or highest recorded flood level, whichever is higher.

(2) The population, and number and type of residential, commercial, agricultural, and industrial service connections, in the system’s projected service area;

(3) Design drawings of proposed facilities drawn to scale, showing location, size, and construction material;

(4) As-built drawings of existing facilities, drawn to scale, showing location, size, construction materials, and year of installation of any water main or other facility that has already been constructed;

(5) The estimated MDD and PHD with the methods, assumptions, and calculations used for the estimations;

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(6) A source water assessment and description of each source of water proposed for use to meet the estimated MDD and information demonstrating that the sources are adequate to do so, such as, but not limited to, well pump tests, the capacities of all pumping facilities, and the hydraulic capacity of surface water treatment facilities,
(A) If the system plans to use surface water, the system shall demonstrate that it holds a valid water right to that amount of water including any allowable reductions or limitations on its availability, as stated in the water rights contract;
(B) If groundwater is to be used, the system shall demonstrate that the groundwater aquifer is sufficient, or in the case of adjudicated groundwater basins, that approval has been obtained to allow that amount of sustained withdrawal including any allowable reductions or limitations on its availability, as stated in the water rights contract;
(C) If purchased water is to be used, the system shall provide contracted amount and the hydraulic capacity at each turnout and any allowable reductions or limitations on its availability, as stated in the purchased water contract; and
(7) Information that demonstrates how the system proposes to reliably meet four hours of PHD using, but not limited to, available source capacity and distribution reservoirs.

(b) The information in subsection (a) shall be prepared by a professional civil engineer registered in the State of California with experience in water supply engineering.

§64554. New and Existing Source Capacity.
(a) At all times, a public water system’s water source(s) shall have the capacity to meet the system’s maximum daily demand (MDD). MDD shall be determined pursuant to subsection (b).
(1) For systems with 1,000 or more service connections, the system shall be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections.
(2) For systems with less than 1,000 service connections, the system shall have storage capacity equal to or greater than MDD, unless the system can demonstrate that it has an additional source of supply or has an emergency source connection that can meet the MDD requirement.
(3) Both the MDD and PHD requirements shall be met in the system as a whole and in each individual pressure zone.

(b) A system shall estimate MDD and PHD for the water system as a whole (total source capacity and number of service connections) and for each pressure zone within the system (total water supply available from the water sources and interzonal transfers directly supplying the zone and number of service connections within the zone), as follows:

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
(1) If daily water usage data are available, identify the day with the highest usage during the past ten years to obtain MDD; determine the average hourly flow during MDD and multiply by a peaking factor of at least 1.5 to obtain the PHD.

(2) If no daily water usage data are available and monthly water usage data are available:

(A) Identify the month with the highest water usage (maximum month) during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its period of operation;

(B) To calculate average daily usage during maximum month, divide the total water usage during the maximum month by the number of days in that month; and

(C) To calculate the MDD, multiply the average daily usage by a peaking factor that is a minimum of 1.5; and

(D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.

(3) If only annual water usage data are available:

(A) Identify the year with the highest water usage during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its years of operation;

(B) To calculate the average daily use, divide the total annual water usage for the year with the highest use by 365 days; and

(C) To calculate the MDD, multiply the average daily usage by a peaking factor of 2.25.

(D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.

(4) If no water usage data are available, utilize records from a system that is similar in size, elevation, climate, demography, residential property size, and metering to determine the average water usage per service connection. From the average water usage per service connection, calculate the average daily demand and follow the steps in paragraph (3) to calculate the MDD and PHD.

(e) Community water systems using only groundwater shall have a minimum of two approved sources before being granted an initial permit. The system shall be capable of meeting MDD with the highest-capacity source off line.

(d) A public water system shall determine the total capacity of its groundwater sources by summing the capacity of its individual active sources. If a source is influenced by concurrent operation of another source, the total capacity shall be reduced to account for such influence. Where the capacity of a source varies seasonally, it shall be determined at the time of MDD.

(e) The capacity of a well shall be determined from pumping data existing prior to March 9, 2008, or in accordance with subsection (f) or (g). Prior to conducting a well capacity test pursuant to subsection (g), a system shall submit the information listed below to the Department for review and approval. For well capacity tests conducted
pursuant to subsection (f), the information shall be submitted to the Department if requested by the Department.

(1) The name and qualifications of the person who will be conducting the test;
(2) The proposed test’s pump discharge rate, based on the design rate determined during well development and/or a step-drawdown test.
(3) A copy of a United States Geological Survey 7 ½-minute topographic map of the site at a scale of 1:24,000 or larger (1 inch equals 2,000 feet or 1 inch equals less than 2,000 feet) or, if necessary, a site sketch at a scale providing more detail, that clearly indicates;
   (A) The well discharge location(s) during the test, and
   (B) The location of surface waters, water staff gauges, and other production wells within a radius of 1000 feet;
(4) A well construction drawing, geologic log, and electric log, if available;
(5) Dates of well completion and well development, if known;
(6) Specifications for the pump that will be used for the test and the depth at which it will draw water from the well;
(7) A description of the methods and equipment that will be used to measure and maintain a constant pumping rate;
(8) A description of the water level measurement method and measurement schedule;
(9) For wells located in or having an influence on the aquifer from which the new well will draw water, a description of the wells’ operating schedules and the estimated amount of groundwater to be extracted, while the new well is tested and during normal operations prior to and after the new well is in operation;
(10) A description of the surface waters, water staff gauges, and production wells shown in (3)(B);
(11) A description of how the well discharge will be managed to ensure the discharge doesn’t interfere with the test;
(12) A description of how the initial volume of water in the well’s casing, or bore hole if there is no casing at the time, will be addressed to ensure it has no impact on the test results; and
(13) A written description of the aquifer’s annual recharge.

(f) To determine the capacity of a well drilled in alluvial soils when there is no existing data to determine the capacity, a water system shall complete a constant discharge (pumping rate) well capacity test and determine the capacity as follows:
(1) Take an initial water level measurement (static water level) and then pump the well continuously for a minimum of eight hours, maintaining the pump discharge rate proposed in subsection (e)(2);
(2) While pumping the well, take measurements of the water level drawdown and pump discharge rates for a minimum of eight hours at a frequency no less than every hour;
(3) Plot the drawdown data versus the time data on semi-logarithmic graph paper, with the time intervals on the horizontal logarithm axis and the drawdown data on the vertical axis;

(4) Steady-state is indicated if the last four hours of drawdown measurements and the elapsed time yield a straight line in the plot developed pursuant to subsection (3). If steady-state is not achieved, the pump discharge rate shall be continued for a longer period of time or adjusted, with paragraphs (2) and (3) above repeated, until steady-state is achieved.

(5) Discontinue pumping and take measurements of the water level drawdown no less frequently than every 15 minutes for the first two hours and every hour thereafter for at least six hours or until the test is complete; and

(6) To complete the test, the well shall demonstrate that, within a length of time not exceeding the duration of the pumping time of the well capacity test, the water level has recovered to within two feet of the static water level measured at the beginning of the test or to a minimum of ninety-five percent of the total drawdown measured during the test, whichever is more stringent.

(7) The capacity of the well shall be the pump discharge rate determined by a completed test.

(g) The capacity of a well whose primary production is from a bedrock formation, such that the water produced is yielded by secondary permeability features (e.g. fractures or cracks), shall be determined pursuant to either paragraph (1) or (2) below.

(1) The public water system shall submit a report, for Department review and approval, proposing a well capacity based on well tests and the evaluation and management of the aquifer from which the well draws water. The report shall be prepared and signed by a California registered geologist with at least three years of experience with groundwater hydrology, a California licensed engineer with at least five years of experience with groundwater hydrology, or a California certified hydrogeologist. Acceptance of the proposed well capacity by the Department shall, at a minimum, be based on the Department's review and approval of the following information presented in the report in support of the proposed well capacity:

(A) The rationale for the selected well test method and the results;
(B) The geological environment of the well;
(C) The historical use of the aquifer;
(D) Data from monitoring of other local wells;
(E) A description of the health risks of contaminants identified in a Source Water Assessment, as defined in section 63000.84 of Title 22, and the likelihood of such contaminants being present in the well's discharge;
(F) Impacts on the quantity and quality of the groundwater;
(G) How adjustments were made to the estimated capacity based on drawdown, length of the well test, results of the wells test, discharge options, and seasonal variations and expected use of the well; and

(II) The well test(s) results and capacity analysis.

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
(2) During the months of August, September, or October, conduct either a 72-hour well capacity test or a 10-day well capacity test, and determine the well capacity using the following procedures:

(A) Procedures for a 72-hour well capacity test:
1. For the purpose of obtaining an accurate static water level value, at least twelve hours before initiating step 2., pump the well at the pump discharge rate proposed in subsection (c)(2) for no more than two hours, then discontinue pumping;
2. Measure and record the static water level and then pump the well continuously for a minimum of 72 hours starting at the pump discharge rate proposed in (c)(2);
3. Measure and record water drawdown levels and pump discharge rate:
   a. Every thirty minutes during the first four hours of pumping,
   b. Every hour for the next four hours, and
   c. Every four hours thereafter until the water drawdown level is constant for at least the last four remaining measurements, and;
4. Plot the drawdown and pump discharge rate data versus time data on semi-logarithmic graph paper, with the time intervals on the horizontal logarithmic axis and the drawdown and pump discharge rate data on the vertical axis.

(B) Procedures for a 10 day well capacity test:
1. For the purpose of obtaining an accurate static water level value, at least twelve hours before initiating step 2., pump the well at the pump discharge rate proposed in subsection (c)(2) for no more than two hours, then discontinue pumping;
2. Measure and record the static water level and then pump the well continuously for a minimum of 10 days starting at the pump discharge rate proposed in (c)(2);
3. Measure and record water drawdown levels and pumping rate:
   a. Every thirty minutes during the first four hours of pumping,
   b. Every hour for the next four hours,
   c. Every eight hours for the remainder of the first four days,
   d. Every 24 hours for the next five days, and
   e. Every four hours thereafter until the water drawdown level is constant for at least the last four remaining measurements, and;
4. Plot the drawdown and pump discharge rate data versus time data on semi-logarithmic graph paper, with the time intervals on the horizontal logarithmic axis and the drawdown and pump discharge rate data on the vertical axis.

(C) To complete either the 72-hour or 10-day well capacity test the well shall demonstrate that, within a length of time not exceeding the duration of the pumping time of the well capacity test, the water level has recovered to within two feet of the static water level measured at the beginning of the well capacity test or to a minimum of ninety-five percent of the total drawdown measured during the test, whichever is more stringent. If the well recovery does not meet these criteria, the well capacity cannot be determined pursuant to subsection (g)(2) using the proposed pump rate. To demonstrate meeting the recovery criteria, the following water level data in the well shall be measured, recorded, and compared with the criteria:

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

1. Every 30 minutes during the first four hours after pumping stops,
2. Hourly for the next eight hours, and
3. Every 12 hours until either the water level in the well recovers to within two feet of the static water level measured at the beginning of the well capacity test or to a at least ninety-five percent of the total drawdown measured during the test, which ever occurs first.

(D) Following completion of a 72-hour or 10-day well capacity test, the well shall be assigned a capacity no more than:
1. For a 72-hour test, 25 percent of the pumping rate at the end of a completed test’s pumping.
2. For a 10-day test, 50 percent of the pumping rate at the end a completed test’s pumping.

(h) The public water system shall submit a report to the Department that includes all data and observations associated with a well capacity test conducted pursuant to subsection (f) or (g), as well as the estimated capacity determination methods and calculations. The data collected during pumping and recovery phases of the well capacity tests shall be submitted in an electronic spreadsheet format in both tabular and graphic files.

(i) An assigned well capacity may be revised by the Department if pumping data collected during normal operations indicates that the assigned well capacity was not representative of the actual well capacity.

(j) If directed by the Department to do so, based on adverse conditions that may lead or may have led to a regional aquifer’s inability to meet a water system’s demand on such an aquifer, the water system shall submit a report to the Department that includes regional aquifer recharge estimates and a water balance analysis. The report shall be prepared and signed by a California registered geologist with at least three years of experience with groundwater hydrology, a California licensed engineer with at least five years of experience with groundwater hydrology, or a California certified hydrogeologist.

(k) The source capacity of a surface water supply or a spring shall be the lowest anticipated daily yield based on adequately supported and documented data.

(l) The source capacity of a purchased water connection between two public water systems shall be included in the total source capacity of the purchaser if the purchaser has sufficient storage or standby source capacity to meet user requirements during reasonable foreseeable shutdowns by the supplier.

§64556. Permit Amendments.
(a) An application for an amended domestic water supply permit shall be submitted to the Department prior to any of the following:

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(1) Addition of a new distribution reservoir (100,000 gallon capacity or greater) to the distribution system;
(2) Modification or extension of an existing distribution system using an alternative to the requirements in this chapter;
(3) Modification of the water supply by:
   A. Adding a new source;
   B. Changing the status of an existing source (e.g., active to standby); or
   C. Changing or altering a source, such that the quantity or quality of supply could be affected;
(4) Any addition or change in treatment, including:
   A. Design capacity; or
   B. Process;
(5) Expansion of the existing service area (by 20% or more of the number of service connections specified in the most recent permit or permit amendment);
(6) Consolidation with one or more other water systems;
(7) Change in regulatory jurisdiction;
(8) Change in type of public water system;
(9) Obtaining a water quality standard exemption from the Department;
(10) Obtaining a secondary standard waiver from the Department;
(11) Proposal for modifications of existing recreational uses on a water supply reservoir;
(12) Request for a hand washing exclusion by a transient noncommunity water system, pursuant to section 116282 of the Health and Safety Code; or
(13) Proposal for offsetting domestic water needs with an unapproved water supply.

(b) A water system shall submit an application to the Department if it has been notified by the Department that changes to the water system require an amended permit based on the Department's review of system operations, source type and capacity, geographical location, system size, and distribution system complexity.

(c) Except as set forth in subsections (a) and (b) any modifications or extensions to an existing distribution system may be made without applying for and receiving an amended domestic water supply permit provided the modifications comply with all of the requirements of this chapter.

§64558. Source Capacity Planning Study.
(a) If directed by the Department to do so based on its determination that there is an existing or potential problem with the system's source capacity or a proposed expansion pursuant to section 64556(a)(5), a water system shall submit a Source Capacity Planning Study (Study) containing the following information:

   (1) The anticipated growth of the water system over a projected period of at least ten years in terms of the population and number and type of residential, commercial, and industrial service connections to be served by the water system.
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—wherever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(2) Estimates of the amount of water needed to meet the total annual demand and the MDD over the projected ten-year growth period (projected system demand). Methods, assumptions, and calculations used to estimate the projected system demand shall be included.

(3) A map and description of the entire existing and proposed service area, showing:

(A) The location of each water source, including wells that are abandoned, out-of-service, destroyed, standby, or inactive;
   1. Any valid water rights owned by the system for surface water sources, including information on any limitations or restrictions of those rights;
   2. For a groundwater aquifer, the groundwater levels and drawdown patterns;
   3. Permits or approvals for groundwater extraction if pumping from an adjudicated groundwater basin;
   4. Existing and planned source pumping capability and distribution storage capacity for the system as a whole and for each pressure zone;
   5. The calculated sustained well yields of existing wells if groundwater sources are used;
   6. Permits, if required, for any waters proposed for use to offset potable water demand; and
   7. A Source Water Assessment for each potable water source.
(B) Distribution system piping, pressure zones, hydropneumatic tanks, and reservoirs;
(C) Valves, sample taps, flow meters, unmetered service connections, and other system appurtenances;
(D) Conveyance facilities;
(E) Any flood plains in the proposed service area; and
(F) The 100 year flood or highest recorded flood level, whichever is higher.

(b) If directed by the Department to do so based on its determination that a study is out of date, a water system shall update and submit the Study to the Department.

(c) Water systems that have submitted an Urban Water Management Plan to the Department of Water Resources pursuant to Water Code Part 2.6 commencing with section 10610, may submit a copy of that report in lieu of some or all of the requirements of subsection (a) to the extent such information is included in the plan.

Article 3, Water Sources
§64560. New Well Siting, Construction, and Permit Application.
(a) To receive a new or amended domestic water supply permit for a proposed well, the water system shall provide the following information to the Department in the technical report as part of its permit application:

(i) A source water assessment as defined in Section 63000.84 for the proposed site;

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(2) Documentation demonstrating that a well site control zone with a 50-foot radius around the site can be established for protecting the source from vandalism, tampering, or other threats at the site by water system ownership, easement, zoning, lease, or an alternative approach approved by the Department based on its potential effectiveness in providing protection of the source from contamination;

(3) Design plans and specifications for the well; and

(4) Documentation required for compliance with the California Environmental Quality Act (CEQA).

(b) After the Department has provided written or oral approval of the initial permit amendment application and the water system has constructed the well, the water system shall submit the following additional materials for its permit application:

1. A copy of the well construction permit if required by the county or local agency;

2. Department of Water Resources well completion report;

3. A copy of any pump tests required by the Department;

4. Results of all required water quality analyses; and

5. As-built plans.

(c) Each new public water supply well shall:

1. As a minimum, be constructed in accordance with the community water system well requirements in California Department of Water Resources Bulletins 74-81 and 74-90, which are hereby incorporated by reference;

2. Be constructed in accordance with American Water Works Association (AWWA) Standard A100-06 (Water Wells), which is hereby incorporated by reference;

3. Be installed such that:

   A. All equipment is accessible for operation, maintenance, and removal;

   B. Protection is provided against flooding;

   C. The wellhead terminates a minimum of 18 inches above the finished grade;

   D. Wellhead and electrical controls are not installed in vaults;

   E. The well is equipped with:

       1. Fittings and electrical connections to enable chlorination facilities to be readily installed;

       2. A non-threaded down-turned sampling tap located on the discharge line between the wellhead and the check valve. Sampling taps used for obtaining samples for bacteriological analysis shall not have a screen, aerator, or other such appurtenance;

   F. Provisions are made to allow the well to be pumped to waste with a waste discharge line that is protected against backflow.

§64560.5. Well Destruction.

Destruction of a public drinking water supply well shall be in accordance with the California Department of Water Resources Bulletins 74-81 and 74-90.
§64561. Source Flow Meters.

Each water system shall:

(a) Except for inactive sources, install a flow meter at a location between each water source and the entry point to the distribution system;

(b) Meter the quantity of water flow from each source, and record the total monthly production each month.

Article 4. Materials and Installation of Water Mains and Appurtenances

§64570. Materials and Installation.

(a) All newly installed water mains shall comply with the materials and installation standards of the American Water Works Association pursuant to tables 64570-A and 64570-B. The standards are hereby incorporated by reference.

Table 64570-A

<table>
<thead>
<tr>
<th>Type of Material</th>
<th>Diameter of Main</th>
<th>Applicable Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVC</td>
<td>4 in. through 12 in.</td>
<td>C900-97</td>
</tr>
<tr>
<td>PVC</td>
<td>14 in. through 48 in.</td>
<td>C905-97</td>
</tr>
<tr>
<td>Polyethylene (HDPE)</td>
<td>4 in. through 63 in.</td>
<td>C906-99</td>
</tr>
<tr>
<td>Fiberglass</td>
<td>All sizes</td>
<td>C950-01</td>
</tr>
<tr>
<td>Ductile Iron</td>
<td>All sizes</td>
<td>C150/A21.50-02</td>
</tr>
<tr>
<td>Ductile Iron, Centrifugally cast</td>
<td>All sizes</td>
<td>C151/A21.51-02</td>
</tr>
<tr>
<td>Steel</td>
<td>6 inches and larger</td>
<td>C200-97</td>
</tr>
<tr>
<td>Copper</td>
<td>All sizes</td>
<td>C800-05</td>
</tr>
<tr>
<td>Concrete</td>
<td>All sizes</td>
<td></td>
</tr>
<tr>
<td>Reinforced steel-cylinder</td>
<td>All sizes</td>
<td>C300-04</td>
</tr>
<tr>
<td>Prestressed steel-cylinder</td>
<td>All sizes</td>
<td>C301-99, C304-99</td>
</tr>
<tr>
<td>Reinforced noncylinder</td>
<td>All sizes</td>
<td>C302-04</td>
</tr>
<tr>
<td>Bar wrapped/steel cylinder</td>
<td>All sizes</td>
<td>C303-02</td>
</tr>
<tr>
<td>PVC, Molecularly oriented polyvinyl chloride – All sizes</td>
<td></td>
<td>C909-02</td>
</tr>
</tbody>
</table>

Table 64570-B

<table>
<thead>
<tr>
<th>Type of Installation</th>
<th>Applicable Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ductile-Iron Water Mains and Their Appurtenances</td>
<td>C600-05</td>
</tr>
<tr>
<td>Underground Installation of PVC Pressure Pipe and Fittings</td>
<td>C605-05</td>
</tr>
<tr>
<td>Concrete Pressure Pipe</td>
<td>M9(1995)</td>
</tr>
</tbody>
</table>

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(b) Water mains shall:
(1) Be installed below the frost line or be otherwise protected to prevent freezing; and
(2) Be protected against crushing under loads that could pass above the installation.

§64572. Water Main Separation.
(a) New water mains and new supply lines shall not be installed in the same trench as, and shall be at least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying:
(1) Untreated sewage,
(2) Primary or secondary treated sewage,
(3) Disinfected secondary-2.2 recycled water (defined in section 60301.220),
(4) Disinfected secondary-23 recycled water (defined in section 60301.225), and
(5) Hazardous fluids such as fuels, industrial wastes, and wastewater sludge.

(b) New water mains and new supply lines shall be installed at least 4 feet horizontally from, and one foot vertically above, any parallel pipeline conveying:
(1) Disinfected tertiary recycled water (defined in section 60301.230), and
(2) Storm drainage.

(c) New supply lines conveying raw water to be treated for drinking purposes shall be installed at least 4 feet horizontally from, and one foot vertically below, any water main.

(d) If crossing a pipeline conveying a fluid listed in subsection (a) or (b), a new water main shall be constructed no less than 45-degrees to and at least one foot above that pipeline. No connection joints shall be made in the water main within eight horizontal feet of the fluid pipeline.

(e) The vertical separation specified in subsections (a), (b), and (c) is required only when the horizontal distance between a water main and pipeline is less than ten feet.

(f) New water mains shall not be installed within 100 horizontal feet of the nearest edge of any sanitary landfill, wastewater disposal pond, or hazardous waste disposal site, or within 25 horizontal feet of the nearest edge of any cesspool, septic tank, sewage leach field, seepage pit, underground hazardous material storage tank, or groundwater recharge project site.

(g) The minimum separation distances set forth in this section shall be measured from the nearest outside edge of each pipe barrel.

(h) With Department approval, newly installed water mains may be exempt from the separation distances in this section, except subsection (f), if the newly installed main is:
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

1. less than 1320 linear feet,
2. replacing an existing main, installed in the same location, and has a diameter no greater than six inches more than the diameter of the main it is replacing, and
3. installed in a manner that minimizes the potential for contamination, including, but not limited to:
   A. sleeving the newly installed main, or
   B. utilizing upgraded piping material.

§64573. Minimum Water Main Size for Community Water Systems. Newly installed water mains in a community water system shall have a nominal diameter of at least four inches.

§64575. Flushing.
(a) A flushing valve or blowoff shall be provided at the end of each newly installed dead-end water main. Fire hydrants meeting the criteria of this section may be considered flushing valves.
(b) Flushing valves and blowoffs shall not discharge to a sanitary sewer without an air gap separation between the sewer and the valve or blowoff.
(c) The flushing velocity in the main shall not be less than 2.5 ft/s unless it is determined that conditions do not permit the required flow to be discharged to waste.
(d) Newly installed flushing valves and blowoffs shall be designed to maintain the minimum continuous flushing flows as indicated below to produce a minimum velocity of 2.5 ft/s in commonly used sizes of pipe.

Table 64575-A. Minimum Flushing Flows for Different Size Water Mains.

<table>
<thead>
<tr>
<th>Nominal Main Size Diameter (inches)</th>
<th>Minimum Flushing Flow (gallons per minute)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>25</td>
</tr>
<tr>
<td>3</td>
<td>50</td>
</tr>
<tr>
<td>4</td>
<td>100</td>
</tr>
<tr>
<td>6</td>
<td>225</td>
</tr>
<tr>
<td>8</td>
<td>400</td>
</tr>
<tr>
<td>10</td>
<td>600</td>
</tr>
<tr>
<td>12</td>
<td>900</td>
</tr>
<tr>
<td>14</td>
<td>1200</td>
</tr>
<tr>
<td>16</td>
<td>1600</td>
</tr>
</tbody>
</table>

§64576. Air-Release, Air Vacuum, and Combination Valves. Each new air-release, air vacuum, or combination valve, and any such valve installed to replace an existing valve shall be:
(a) Installed such that its vent opening is above grade, above the calculated 100-year flood water level, and, if recorded data are available, above the highest recorded water level;

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(b) Readily accessible for inspection, maintenance and replacement;
(c) Constructed and designed to prevent exposure to rainwater or runoff, vandalism, and birds, insects, rodents, or other animals;
(d) Fitted with a downward-facing screened vent or a domed and screened cap; and
(e) Installed pursuant to American Water Works Association Standard C512-04 and Manual M51 (2001), which are hereby incorporated by reference.

§64577. Isolation Valves.
As a minimum, isolation valves shall be installed on all new water mains within the distribution system as follows:
(a) No farther than 1,320 linear feet apart on all mains having a diameter of 12 inches or less.
(b) At each tee or crossing connection between mains that have a diameter of 12 inches or less, within 100 feet of the tee or crossing connection with the primary main.
(c) Between the water main and each fire hydrant served by the main.

§64578. Water Main Valve Construction.
Newly installed valves constructed on water mains shall comply with the following:
(a) A valve box shall be installed over each buried valve stem to aid in locating and operating the valve.
(b) For valves buried in trenches greater than five feet below the finished grade, either a valve stem riser to permit the use of a normal key or a notation on valve records indicating that a long key will be required shall be provided.

Article 5. Disinfection Requirements
§64580. Disinfection of New or Repaired Mains.
Prior to use, newly installed water mains, or water mains that have been taken out of service for maintenance or repair, shall be disinfected and sampled for bacteriological quality in accordance with American Water Works Association Standard C651-05, which is hereby incorporated by reference. Samples from new mains shall be negative for coliform bacteria prior to the new main(s) being placed into service.

§64582. Disinfection of Reservoirs.
A newly-installed distribution reservoir or distribution reservoir that has been taken out of service for repair or inspection shall be disinfected and sampled for bacteriological quality in accordance with the American Water Works Association Standard C652-02, which is hereby incorporated by reference. If the results of the bacteriological sampling are positive for coliform bacteria, the reservoir shall be resampled for bacteriological quality and the test results shall be submitted to the Department for review and approval before the reservoir is placed into service.

§64583. Disinfection of Wells.
A new or repaired well, or a well that has not been in operation for more than three months shall be sampled for bacteriological quality prior to use. If the results of the

Last updated June 21, 2012—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

bacteriological sampling are positive for coliform bacteria, the well shall be disinfected in accordance with the American Water Works Association C654-03, which is hereby incorporated by reference, and resampled for bacteriological quality and the test results shall be submitted to the Department for review and approval before the well is placed into service.

Article 6. Distribution Reservoirs
§64585. Design and Construction.
(a) Each distribution reservoir shall meet the following:
   (1) Any reservoir coatings or linings shall be installed in accordance with manufacturer’s instructions;
   (2) Vents and other openings shall be constructed and designed to prevent the entry of rainwater or runoff, and birds, insects, rodents, or other animals;
   (3) At least one sampling tap shall be available to enable representative sampling of the water in the reservoir that will be entering the distribution system; the tap shall be protected against freezing, if necessary; and
   (4) A reservoir shall not be designed, constructed, or used for any activity that creates a contamination hazard.

(b) The water supplier shall submit to the Department for review the design drawings and specifications for each proposed distribution reservoir prior to its construction. Each new distribution reservoir shall be:
   (1) If it is a tank, constructed in accordance with American Water Works Association (AWWA) standards, which are hereby incorporated by reference, as follows: AWWA D100-05 (Welded Carbon Steel Tanks for Water Storage), D102-03 (Coating Steel Water-Storage Tanks), D103-97 (Factory-Coated Bolted Steel Tanks for Water Storage), D110-04 (Wire-And Strand-Wound, Circular, Prestressed Concrete Water Tanks), and D120-02 (Thermosetting Fiberglass-Reinforced Plastic Tanks);
   (2) Constructed of an impervious material that prevents the movement of water into or out of the reservoir;
   (3) Covered with
      (A) A rigid structural roof made of impervious material that prevents the movement of water or other liquids into or out of the reservoir; or
      (B) A floating cover designed, constructed, and maintained in conformance with the AWWA California-Nevada Section’s “Reservoir Floating Cover Guidelines” (April 1999), AWWA Manual M25 (2000), and AWWA D130-02 (Flexible-Membrane Materials for Potable Water Applications), which are hereby incorporated by reference.
   (4) Equipped with at least one separate inlet and outlet (internal or external), and designed to minimize short-circuiting and stagnation of the water flow through the reservoir;
   (5) Equipped with drainage facilities that allow the tank to be drained and all residual sediment removed, and an overflow device. The reservoir drainage facilities and overflow device shall not be connected directly to a sewer or storm drain and shall be free of cross-connections;
(6) Equipped with controls to maintain and monitor reservoir water levels;
(7) Equipped to prevent access by unauthorized persons;
(8) Designed to allow authorized access and adequate lighting of reservoir interior for inspections, cleaning or repair;
(9) Equipped with isolation valves, and designed and operated to allow continued distribution of water when the reservoir is removed from service. The isolation valves shall be located within 100 feet of the reservoir. For a reservoir used to meet the disinfectant contact time requirements of chapter 17 (Surface Water Treatment), bypass lines shall be blind-flanged closed during normal operations;
(10) Designed and constructed to prevent the entry of surface runoff, subsurface flow, or drainage into the reservoir;
(11) Designed to prevent corrosion of the interior walls of the reservoir;
(12) For a subsurface reservoir,
(A) Protected against flooding (both reservoir and vents);
(B) Equipped with underdrain facilities to divert any water in proximity to the reservoir away from the reservoir;
(C) Sited a minimum of 50 feet horizontally from a sanitary sewer and 100 feet horizontally from any other waste facilities and any force main;
(D) Constructed so as to have the reservoir bottom located above the highest anticipated groundwater level, based on a site investigation that includes actual measurements of the groundwater level during peak rainfall periods; extraction wells shall not be used to influence the highest anticipated groundwater level;
(E) Provided with a minimum of two groundwater level monitoring wells drilled to a depth at least 20 feet below the reservoir bottom and sited within 100 feet and on opposite sides (upgradient and downgradient) of the reservoir; and
(F) If the roof is to be buried and have a function (e.g., recreation, landscape, parking) in addition to covering the reservoir:
   1. Designed and constructed pursuant to AWWA D110-04 (Wire-Strand-Wound, Circular, Prestressed Concrete Water Tanks), which is hereby incorporated by reference;
   2. Equipped with an impervious connection, such as a pvc waterstop, between the wall and buried roof; and
   3. Watertight, sloped for drainage and coated with a damp proofing material.

Article 7. Additives
§64590. Direct Additives.
No chemical or product shall be added to drinking water by a water supplier unless the chemical or product is certified as meeting the specifications of NSF International/American National Standard Institute (NSF/ANSI) 60-2005 (Drinking Water Treatment Chemicals—Health Effects), which is hereby incorporated by reference. Certification shall be from an ANSI accredited product certification organization whose certification system includes, as a minimum, the following criteria for ensuring the chemical or product meets NSF/ANSI Standard 60.
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(a) Annual product testing,

(b) Annual facility inspections,

(c) Annual quality assurance and quality control review,

(d) Annual manufacturing practice reviews, and

(e) Annual chemical stock inspections.

§64591. Indirect Additives.

(a) Except as provided in Section 64593 or where a more stringent statutory requirement exists, after March 9, 2008, a water system shall not use any chemical, material, lubricant, or product in the production, treatment or distribution of drinking water that will result in its contact with the drinking water including process media (carbon, sand), protective materials (coatings, linings, liners), joining and sealing materials (solvent cements, welding materials, gaskets, lubricating oils), pipes and related products (pipes, tanks, fittings), and mechanical devices used in treatment/transmission/distribution systems (valves, chlorinators, separation membranes) that has not been tested and certified as meeting the specifications of NSF International/American National Standard Institute (NSF/ANSI) 61-2005 / Addendum 1.0-2005 (Drinking Water System Components—Health Effects), which is hereby incorporated by reference. This requirement shall be met under testing conducted by a product certification organization accredited for this purpose by the American National Standards Institute.

(b) If a treatment chemical is generated on site,

(1) No equipment used in the generation process shall be in contact with a drinking water, or a chemical to be applied to drinking water, after March 9, 2008, unless the equipment has been tested and certified as meeting the specifications of NSF International/American National Standard Institute (NSF/ANSI) Standard 61-2005/Addendum 1.0-2005 (Drinking Water System Components—Health Effects). This requirement shall be met under testing conducted by a product certification organization accredited for this purpose by the American National Standards Institute; and

(2) No input chemical used in the generation process shall be in contact with a drinking water after March 9, 2008, unless the chemical meets the requirements of section 64590.

(c) Any chemical used to clean on-line or off-line drinking water treatment facilities that may subsequently come into contact with drinking water to be distributed to the public shall meet the requirements of section 64590.
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(d) Any contract for the purchase of chemicals, materials, or products that was signed by a public water system and effective prior to March 9, 2008, shall be exempt from the provisions of subsections (a) and (b) until March 9, 2009.

§64593. Use of Uncertified Chemicals, Materials or Products.
(a) A water supplier may use a chemical, material or product that has not been certified pursuant to sections 64590 or 64591 if the chemical, material or product is in the process of being tested and certified and there are no certified alternatives.

(b) Prior to use of an uncertified chemical, material or product, the water supplier shall provide the Department with an explanation of the need for the chemical, material or product; the date that the chemical, material or product was submitted for testing; the name of the accredited product certification organization conducting the testing; and a statement that certified alternatives are not available.

(c) Unless directed otherwise by the Department to ensure a pure and wholesome drinking water supply, a water supplier may use the following chemicals, materials, or products that have not been and are not in the process of being certified pursuant to section 64590 or 64591:

1. a material or product previously approved by the Department for use or installation on or before March 9, 2008.
2. a material or product constructed of components meeting the requirements of sections 64590 and 64591;
3. chemical by-products necessary for meeting drinking water standards, such as sodium hypochlorite for disinfection, generated by chemicals certified pursuant to section 64590 or 64591; and
4. atmospheric air and small parts, such as probes, sensors, wires, nuts, bolts, and tubing for which there are no certified alternatives.

Article 8. Distribution System Operation
(a) If directed by the Department to do so based on an identified deficiency in the system’s operations, a water system shall develop and submit a Water System Operations and Maintenance Plan (Plan); the water system shall include those elements in the following list that are deemed by the Department to be relevant to the deficiency:
1. The operations and maintenance schedule for each treatment plant that treats an approved surface water;
2. The operations and maintenance schedule for each groundwater source and unit process;
3. The schedule and procedure for flushing dead end mains, and the procedures for disposal of the flushed water including dechlorination;
4. The schedule for routine inspection of reservoirs, and the procedures for cleaning reservoirs;
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(5) The schedule and procedures for inspecting, repairing, and replacing water mains;
(6) The plan and procedures for responding to water supply emergencies;
(7) The plan and procedures for responding to consumer complaints;
(8) The schedule and procedures for testing backflow prevention assemblies;
(9) The schedule and procedures for routine exercising of water main valves;
(10) The schedule and program for maintenance and calibration of source flow meters and other online instruments used to determine the quality or quantity of water;
(11) The qualifications and training of operating personnel;
(12) The program for control of biological organisms on the interior walls of water mains; and
(13) For an underground reservoir with a buried roof designed for a function in addition to covering the reservoir, a comprehensive routine inspection and monitoring plan to ensure that there is no contamination of the reservoir as a result of that additional function.

(b) Each water system that has prepared a Plan pursuant to subsection (a) shall operate in accordance with its Department-approved Plan.

(c) Each water system that has prepared a Plan pursuant to subsection (a) shall update the Plan at least once every five years and, in addition, following any change in the method of treatment or any other modification to the system requiring a change in the systems operations and maintenance.

§64602. Minimum Pressure.
(a) Each distribution system shall be operated in a manner to assure that the minimum operating pressure in the water main at the user service line connection throughout the distribution system is not less than 20 pounds per square inch at all times.

(b) Each new distribution system that expands the existing system service connections by more than 20 percent or that may otherwise adversely affect the distribution system pressure shall be designed to provide a minimum operating pressure throughout the new distribution system of not less than 40 pounds per square inch at all times excluding fire flow.

§64604. Preparation and Maintenance of Records.
(a) Each public water system subject to this chapter shall prepare:
(1) “As built” plans, maps, and drawings of all new water system facilities including updated information for all existing facilities in the same location or connected to the new facilities. The plans, maps, and drawings shall be clear and legible and shall include the location, size, construction material, and year of installation of each new water main or other facility.
(2) A schematic drawing or map showing the location of each water source, treatment facility, pumping plant, reservoir, water main and isolation valve.
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(b) The plans, drawings, and maps prepared pursuant to subsection (a) shall be updated as changes occur, and maintained until replaced or superseded by updated plans or drawings. The most current plans, drawings, and maps shall be available for Department review.

(c) Results of laboratory analyses of samples taken pursuant to sections 64580, 64582, and 64583, records of flushing of mains; and records of reservoir inspections and cleaning shall be maintained for at least three years.

CHAPTER 17. SURFACE WATER TREATMENT

Article 1. General Requirements and Definitions
§64650. General Requirements.
(a) For a supplier using an approved surface water, as defined in section 64651.10, this chapter establishes treatment techniques in lieu of maximum contaminant levels for turbidity and the following microbial contaminants: Giardia lamblia (cysts), viruses, heterotrophic plate count bacteria, and Legionella. In addition, for a supplier using an approved surface water and serving at least 10,000 people, Article 3.5, commencing with section 64657, establishes treatment techniques in lieu of maximum contaminant limits for Cryptosporidium.

(b) Each supplier using an approved surface water shall provide multibarrier treatment necessary to reliably protect users from the adverse health effects of microbiological contaminants and to comply with the requirements and performance standards prescribed in this chapter. A supplier that meets the requirements of section 64652.5 and wishes to not be required to provide multibarrier treatment shall submit an application to the Department. That application shall consist of comprehensive documentation that either demonstrates current compliance with the requirements in section 64652.5 or demonstrates that the water system will be in compliance within fifteen months from application submittal. Within 30 days, the Department will review the application and inform the applicant in writing that the application is complete and accepted for filing, or that the application is deficient and what specific information is required. Within 90 days from the date the application is accepted for filing, the Department will complete its review of the documentation, determine whether to approve the application, and notify the water supplier. If at any time the Department determines that a water supplier is not in compliance with the requirements of this chapter, the Department will notify the supplier of that determination within 30 days of its being made.

(c) Except as provided for existing treatment plants in section 64652(c), within 90 days from the date of notification by the Department pursuant to subsection (b), the
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California’s representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH’s drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

§64556. Permit Amendments.

(a) An application for an amended domestic water supply permit shall be submitted to the Department prior to any of the following:

1. Addition of a new distribution reservoir (100,000 gallon capacity or greater) to the distribution system;
2. Modification or extension of an existing distribution system using an alternative to the requirements in this chapter;
3. Modification of the water supply by:
   A. Adding a new source;
   B. Changing the status of an existing source (e.g., active to standby); or
   C. Changing or altering a source, such that the quantity or quality of supply could be affected;

4. Any addition or change in treatment, including:
   A. Design capacity; or
   B. Process;

5. Expansion of the existing service area (by 20% or more of the number of service connections specified in the most recent permit or permit amendment);
6. Consolidation with one or more other water systems;
7. Change in regulatory jurisdiction;
8. Change in type of public water system;
9. Obtaining a water quality standard exemption from the Department;
10. Obtaining a secondary standard waiver from the Department;
11. Proposal for modifications of existing recreational uses on a water supply reservoir;
12. Request for a hand washing exclusion by a transient noncommunity water system, pursuant to section 116282 of the Health and Safety Code; or
13. Proposal for offsetting domestic water needs with an unapproved water supply.

(b) A water system shall submit an application to the Department if it has been notified by the Department that changes to the water system require an amended permit based on the Department’s review of system operations, source type and capacity, geographical location, system size, and distribution system complexity.

(c) Except as set forth in subsections (a) and (b) any modifications or extensions to an existing distribution system may be made without applying for and receiving an amended domestic water supply permit provided the modifications comply with all of the requirements of this chapter.

§64558. Source Capacity Planning Study.

(a) If directed by the Department to do so based on its determination that there is an existing or potential problem with the system’s source capacity or a proposed expansion pursuant to section 64556(a)(5), a water system shall submit a Source Capacity Planning Study (Study) containing the following information:
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(1) The anticipated growth of the water system over a projected period of at least ten years in terms of the population and number and type of residential, commercial, and industrial service connections to be served by the water system.

(2) Estimates of the amount of water needed to meet the total annual demand and the MDD over the projected ten-year growth period (projected system demand). Methods, assumptions, and calculations used to estimate the projected system demand shall be included.

(3) A map and description of the entire existing and proposed service area, showing:
   (A) The location of each water source, including wells that are abandoned, out-of-service, destroyed, standby, or inactive;
      1. Any valid water rights owned by the system for surface water sources, including information on any limitations or restrictions of those rights;
      2. For a groundwater aquifer, the groundwater levels and drawdown patterns;
   3. Permits or approvals for groundwater extraction if pumping from an adjudicated groundwater basin;
   4. Existing and planned source pumping capability and distribution storage capacity for the system as a whole and for each pressure zone;
   5. The calculated sustained well yields of existing wells if groundwater sources are used;
   6. Permits, if required, for any waters proposed for use to offset potable water demand; and
   7. A Source Water Assessment for each potable water source.

   (B) Distribution system piping, pressure zones, hydropneumatic tanks, and reservoirs;
   (C) Valves, sample taps, flow meters, unmetered service connections, and other system appurtenances;
   (D) Conveyance facilities;
   (E) Any flood plains in the projected service area; and
   (F) The 100 year flood or highest recorded flood level, whichever is higher.

(b) If directed by the Department to do so based on its determination that a study is out of date, a water system shall update and submit the Study to the Department.

(c) Water systems that have submitted an Urban Water Management Plan to the Department of Water Resources pursuant to Water Code Part 2.6 commencing with section 10610, may submit a copy of that report in lieu of some or all of the requirements of subsection (a) to the extent such information is included in the plan.

Last updated July 1, 2014—from Titles 17 and 22 California Code of Regulations
California Regulations Related to Drinking Water
Article 3. Water Sources
§ 614560. New Well Siting, Construction, and Permit Application.

(a) To receive a new or amended domestic water supply permit for a proposed well, the water system shall provide the following information to the Department in the technical report as part of its permit application:

1. A source water assessment as defined in Section 63000.84 for the proposed site;

2. Documentation demonstrating that a well site control zone with a 50-foot radius around the site can be established for protecting the source from vandalism, tampering, or other threats at the site by water system ownership, easement, zoning, lease, or an alternative approach approved by the Department based on its potential effectiveness in providing protection of the source from contamination;

3. Design plans and specifications for the well; and

4. Documentation required for compliance with the California Environmental Quality Act (CEQA).

(b) After the Department has provided written or oral approval of the initial permit application and the water system has constructed the well, the water system shall submit the following additional materials for its permit application:

1. A copy of the well construction permit if required by the county or local agency;

2. Department of Water Resources well completion report;

3. A copy of any pump tests required by the Department;

4. Results of all required water quality analyses; and

5. As-built plans.

(c) Each new public water supply well shall:

1. As a minimum, be constructed in accordance with the community water system well requirements in California Department of Water Resources Bulletins 74-81 and 74-90, which are hereby incorporated by reference;

2. Be constructed in accordance with American Water Works Association (AWWA) Standard A100-06 (Water Wells), which is hereby incorporated by reference;

3. Be installed such that:
   (A) All equipment is accessible for operation, maintenance, and removal;
   (B) Protection is provided against flooding;
   (C) The wellhead terminates a minimum of 18 inches above the finished grade;
   (D) Wellhead and electrical controls are not installed in vaults;
   (E) The well is equipped with:

   1. Fittings and electrical connections to enable chlorination facilities to be readily installed;

   2. A non-threaded down-turned sampling tap located on the discharge line between the wellhead and the check valve. Sampling taps used for obtaining samples for bacteriological analysis shall not have a screen, aerator, or other such appurtenance;
NOTE: This publication is meant to be an aid to the staff of the CDPH Drinking Water Program and cannot be relied upon by the regulated community as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the published codes—in this case, 17 CCR and 22 CCR—whenever specific citations are required. Statutes related to CDPH's drinking water-related activities are in the Health & Safety Code, the Water Code, and other codes.

(F) Provisions are made to allow the well to be pumped to waste with a waste discharge line that is protected against backflow.

§64560.5. Well Destruction.
Destruction of a public drinking water supply well shall be in accordance with the California Department of Water Resources Bulletins 74-81 and 74-90.

§64561. Source Flow Meters.
Each water system shall:
(a) Except for inactive sources, install a flow meter at a location between each water source and the entry point to the distribution system;

(b) Meter the quantity of water flow from each source, and record the total monthly production each month.

Article 4. Materials and Installation of Water Mains and Appurtenances
§64570. Materials and Installation.
(a) All newly installed water mains shall conform with the materials and installation standards of the American Water Works Association pursuant to tables 64570-A and 64570-B. The standards are hereby incorporated by reference.

### Table 64570-A
Materials Standards for Water Mains

<table>
<thead>
<tr>
<th>Type of Material</th>
<th>Diameter of Main</th>
<th>Applicable Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVC</td>
<td>4 in. through 12 in.</td>
<td>C900-97</td>
</tr>
<tr>
<td>PVC</td>
<td>14 in. through 48 in.</td>
<td>C905-97</td>
</tr>
<tr>
<td>Polyethylene (HDPE)</td>
<td>4 in. through 63 in.</td>
<td>C906-99</td>
</tr>
<tr>
<td>Fiberglass</td>
<td>All sizes</td>
<td>C950-01</td>
</tr>
<tr>
<td>Ductile Iron</td>
<td>All sizes</td>
<td>C150/A21.50-02</td>
</tr>
<tr>
<td>Ductile Iron, Centrifugally cast</td>
<td>All sizes</td>
<td>C151/A21.51-02</td>
</tr>
<tr>
<td>Steel</td>
<td>6 inches and larger</td>
<td>C200-97</td>
</tr>
<tr>
<td>Copper</td>
<td>All sizes</td>
<td>C800-05</td>
</tr>
<tr>
<td>Concrete</td>
<td>All sizes</td>
<td>C300-04</td>
</tr>
<tr>
<td>Reinforced steel-cylinder</td>
<td>All sizes</td>
<td>C301-99, C304-99</td>
</tr>
<tr>
<td>Prestressed steel-cylinder</td>
<td>All sizes</td>
<td>C302-04</td>
</tr>
<tr>
<td>Reinforced noncylinder</td>
<td>All sizes</td>
<td>C303-02</td>
</tr>
<tr>
<td>Bar wrapped/steel cylinder</td>
<td>All sizes</td>
<td>C305-02</td>
</tr>
<tr>
<td>PVC, Molecularly oriented polyvinyl chloride — All sizes</td>
<td>C909-02</td>
<td></td>
</tr>
</tbody>
</table>
September 1, 2015

Mr. Steve Engfer
Associate Planner
Mariposa Planning
P.O. Box 2039 5100 Bullion Street
Mariposa, CA 95338

Dear Mr. Engfer:

We have completed our review of the traffic impact study for the proposed 54 cabins project located adjacent to the Tenaya Lodge facility along State Route (SR) 41 near Yosemite National Park within the Fish Camp Town Planning Area. A proposed driveway would be located on the eastside of SR 41 approximately 560 feet north of the Summit Camp roadway. Caltrans has the following comments:

The traffic impact study analyzed the typical 7 to 9 A.M. and 4 to 6 P.M. peak hours and was conducted on a Tuesday. Considering the area and the location of the proposed project, the typical peak hours would not be expected in this area. The low traffic counts recorded appear to substantiate this assumption. Therefore, the traffic consultant should conduct weekend peak hour counts to substantiate the TIS.

According to our Transportation Concept Report (TCR), this segment of SR 41 in the vicinity of the proposed project is planned for a 2-lane highway with the improvements such as passing lanes, left-turn lanes, or right-turn lanes. The preservation of 112 feet of right-of-way is recommended for this segment of SR 41.

Because of the limited sight distance described in the TIS and the potential queuing, a 250-foot southbound left-turn lane entering the project is recommended. A standard 8-foot shoulder would be required for the entire frontage with the construction of the driveway. The driveway design plans would need to be approved through the Caltrans Encroachment Permit Office.

The developer should also consider a transit alternative for this project to help sustain State transportation facilities in the area by lessening traffic demand. A project of this nature should be supported by transit, and early planning could make such an alternative feasible. Shuttles to Yosemite National Park or connection with an existing service should be explored.
If you have any further questions, please contact David Padilla, Associate Transportation Planner, Transportation Planning at (559) 444-2493.

Sincerely,

[Signature]

MICHAEL NAVARRO, Chief
North Planning Branch
Mariposa Planning
5100 Bullion Street,
P.O. Box 2039
Mariposa CA 95338-2039

14 August 2015

Subject: DNC Parks and Resorts (Tenaya Lodge)
Specific Plan Zoning Amendment No. 2014-163
Conditional Use Permit No. 2014-164
Land Division No. 2014-165 Revised NOP
APN: 010-350-008
1152 Highway 41
Fish Camp, California 93623

I have reviewed the revised Specific Plan Zoning Amendment No. 2014-163, Conditional Use Permit No. 2014-164, and Land Division No. 2014-165 Revised NOP for DNC Parks and Resorts (Tenaya Lodge), APN 010-350-008 (26.89 acres), located at 1152 Highway 41, Fish Camp, California.

My previous comment letter of 16 January 2015 listed my concerns with regard to invasive noxious weed species, endangered species (Pacific Fisher and Steelhead), wetland habitat, several water areas that might potentially be considered jurisdictional Waters of the U.S., and the need for the consideration of wildlife corridors on the proposed project area.

Mariposa County has identified the following key environmental issue areas with regard to Biological Resources: Potential disturbance of special-status terrestrial species; potential disturbance of sensitive habitats such as wetlands; potential effects on aquatic resources; potential effects on migratory corridors; and the potential spread of noxious weeds.

Just to reiterate, a review of the Biotic Report, Appendix B – Plant Species Observed on the Project Site, prepared by H.T. Harvey & Associates dated December 2014, indicates that Bull thistle (Cirsium vulgare), a C-rated noxious weed, was found on the project site. The dissemination of invasive noxious weed species such as Bull thistle is favored by soil disturbance and their seeds are primarily spread by human activities such as road creation and maintenance, road grading, construction, and other soil-disturbing activities.
The Mariposa County General Plan (General Plan) identifies specific policies regarding biological resources and invasive species eradication:

- **Specifically, Implementation Measure 10-3a (2)** states: The County shall maintain a commitment to programs for invasive species eradication (Consequences: Puts the County in an active role with the noxious weed program.)
- **Additionally, Goal 11-4a states**: Conserve the diversity of native ecosystems, plant communities, wildlife habitat, and plant and animal species in the County.
- **Implementation Measure 11-4a (3)** states: The County shall develop and enforce standards that reduce or eradicate invasive species affecting the agricultural and natural ecosystems. (Consequences: Reduction of invasive species).
- **Implementation Measure 11-4a (5)**: The County shall utilize collaborative planning efforts to coordinate local efforts to eradicate invasive plant species. (Consequences: Reduction of invasive species).

Further, the Implementation Measures included in the Mariposa County General Plan Appendix C - “Future Considerations List” include:

- **Implementation Measure (Agriculture)**: As an ongoing project, the County shall utilize collaborative planning efforts to determine local efforts eradicating invasive species.
- **Implementation Measure (Conservation and Open Space)**: During the short-term planning period, the County shall develop and enforce standards to reduce or eradicate invasive species affecting the agricultural and natural ecosystems.

I have the following concerns/comments/recommendations about the proposed amended project:

- **Since there is the potential for Steelhead in the project site (the Project site is within this species’ historic range, but drainages in this region are anthropogenically blocked)** as the H.T. Harvey & Associates Biotic Report notes that both bullhead and trout were found in the project area, perhaps further surveys are warranted.

- **I was unable to find if the H.T. Harvey & Associates Biotic Report addressed any wildlife movement corridors that might be considered significant on a regional basis in the project area**, including the Wet Meadow wetlands and riparian areas and, to a lesser extent, ephemeral drainages. These habitats, which occur on the proposed project site, are valuable for many wildlife species (including the 26 special status wildlife species and 19 special status bird species noted in the report), serve as movement corridors for many species such as deer, and are increasingly utilized to mitigate the effects of habitat fragmentation by development and conserve biodiversity. The H.T. Harvey & Associates Biotic Report indicates that numerous vertebrate species as well as migratory bird species have the potential and use the habitat supported on the proposed project site.

- **With regard to the number and type of wildlife species observed by the H.T. Harvey & Associates biologists (only 6 mammal species were observed and did not include skunks, gray fox, bobcats, black bears, mountain lions, brush rabbits,**
cotton tails, opossums, or coyotes – some of the many species that are most likely to occur in the proposed project area) that would be dependent on the time of day when the surveys are done. I would recommend that, in order to get a more accurate assessment of the numerous vertebrate species as well as migratory bird species that use the habitat supported on the project site, surveys should be conducted in either the early morning or the late evening when the wildlife species are more likely to be present. This would also provide a more detailed study of the wildlife species present, wildlife movements, and wildlife corridors in the proposed project area which is currently lacking from the H.T. Harvey & Associates Biotic Report.

- Due to the expansion of the Tenaya Cabins Project from 34 to 54 cabins with additional corresponding parking stalls and onsite roads, I feel that this will increase the footprint and impact of the proposed project. As noted in the H.T. Harvey & Associates Biotic Report, Appendix B, the non-native C-rated invasive noxious weed species Bull thistle (Cirsium vulgare) occurs in the proposed project area. Vehicular access to the Tenaya Cabins is proposed from Highway 41 at the same location as an existing dirt-road entrance to the site. The entrance would be configured to meet Caltrans requirements for acceleration and deceleration distances and turning lane requirements. Onsite roads would follow existing dirt roads where possible and would be routed around existing trees, vegetation, and rock formations whenever possible to maximize visual screening. The project roads would be paved with asphalt and designed in compliance with Mariposa County standards for slope, width, turning radius, and fire and emergency access. All of these actions lend themselves to the importation, dissemination, and establishment of invasive weed species within the proposed project area as well as from outside the project area.

- I was unable to find the preliminary grading plan in the project proposal. I would like to request a copy of the preliminary grading plan as well as the invasive noxious weed abatement management plan for review which should include the specifications for invasive noxious weed best management practices and protocols.
  - I am concerned that, unless mitigation and control measures are included in the proposed project conditions, Bull thistle and any other invasive noxious weed species present on, or adjacent to, the project site will be spread by the heavy equipment and movement of infested soil within the project development, road development, and grading as well as from outside of the project area into the Tenaya Cabins Project area by hitchhiking weed seeds on the equipment that is brought in for construction and project development.
  - I would recommend that weed prevention control measures and best management practices, including equipment cleaning, be instituted prior to any grading or road development. This will avoid dissemination of the invasive noxious weed seed bank from the infested project areas into the non-infested project areas as well as from outside the project area and along the right-of-ways.
  - Because I feel that the potential for the dissemination of invasive weed seed is most critical during the grading and construction phases, I would like to add conditions of approval or mitigation measures or both for the proposed project
that are then to be reviewed and verified by the Agricultural Commissioner prior to the approval and issuance of a grading permit.

- I would also like to include inspections by Agricultural Commissioner to verify that the specified best management practices are being applied during the construction phase.
- The above requirements would be conditions of approval or mitigation measures under CEQA, including the submittal of a plan for invasive noxious weed abatement to be approved by the Agricultural Commissioner prior to the issuance of any construction permit, grading permit, or building permit.

The following additional recommendations and protocols should be included in the invasive noxious weed abatement management plan to prevent the importation, dissemination, and establishment of invasive noxious weeds on the Tenaya Cabins Project Site and in the Fish Camp area:

- Prior to beginning any ground-disturbing activities, inventory and prioritize any existing invasive noxious weed infestations for treatment in the project area and along access routes. Identify what invasive noxious weed species are on site or within the project’s vicinity and do a risk assessment accordingly. Develop a control and eradication program for any invasive noxious weed species present. Control these weed infestations, ideally three to five years prior to any ground-disturbing, to minimize any weed seeds present in the soil.
- Locate and use weed-free project staging areas. Avoid or minimize travel through any weed-infested areas. Restrict movement of equipment or machinery from any weed-contaminated areas to non-contaminated areas. Inspect, remove, and properly dispose of weed seed and plant parts found on clothing as well as equipment.
- Retain desirable native vegetation along access roads and in the project area as much as possible to discourage establishment of invasive noxious weeds. Minimize the creation of bare ground and other factors that support weeds.
- All earth-moving equipment should be washed and cleaned of vegetative debris prior to being transported onto the site. Remove mud, dirt, and vegetative debris from project equipment (preferably with a 2,000-PSI pressure washer) before moving it into the project area. Seeds and plant parts should be collected and properly disposed of off-site. The cleaning area should be monitored for invasive noxious weed species for several years afterward. Clean all equipment before leaving the project site if operating in any areas infested with invasive noxious weeds.
- Any fill imported to the site should be certified as free of vegetative debris and acquired from a weed-free location. Inspect materials at the source to ensure that they are weed-free before transport and use. Maintain stockpiled, non-infested material in a weed-free condition by preventing weed seed contamination with physical barriers and by frequently monitoring and quickly eradicating new weeds prior to seed production.
- If any hydroseeding machinery (tanks and hoses) is utilized, it should be rinsed and flushed clean off-site at least three times before being used for onsite hydro-mulch
or hydroseeding operations. All hydroseed machinery should be washed and cleaned of vegetative debris prior to being transported onto the site. Remove mud, dirt, and vegetative debris from machinery (preferably with a 2,000-PSI pressure washer) before moving it into the project area. Seeds and plant parts should be collected and properly disposed of off-site.

✓ Hay or straw should not be used in a hydro-mulch application or as a broadcast erosion-control matrix unless certified as noxious weed-free.

✓ A site-suitable native grass-seed mix should be incorporated into any hydro-mulch applied to areas denuded of vegetation.

✓ Any temporary work area that is to be returned to a natural condition should be promptly hydroseeded with a site-suitable native seed mix upon completion of construction operations in that area.

✓ Any on-site mitigation areas scheduled for landscaping with native species should be evaluated by a biological monitor or landscaper to verify that they are invasive noxious weed-free prior to initiating any planting or seeding. Multiple applications of suitable herbicides or implementation of an aggressive/selective weeding program may be necessary to achieve this condition.

✓ All container plants and seed mixes to be used for landscaping should be certified by the supplier(s) to be noxious weed-free prior to import to the site.

✓ A biological monitor or landscaper should periodically check/monitor all active construction areas for the presence of any invasive noxious weeds. If any invasive noxious weed species are observed, take immediate action to remove and/or control during the early growth stages before they develop seed. Any removed weeds should be containerized and properly disposed of off-site. (Proper disposal means bagging the seed and plant parts and preferably incinerating them if possible.)

✓ Continue to inspect and document all ground-disturbing operations for at least three growing seasons following the completion of the project to ensure that the area is free of invasive noxious weeds. Plan for follow-up treatments of any invasive noxious weeds detected based on inspection results.

If you have any questions regarding these comments or recommendations, please feel free to contact me at (209) 966-2075.

Sincerely,

\[Signature\]

Cathi Boze
Mariposa County Agricultural Commissioner
Steve Engfer

From: Dave Conway  
Sent: Monday, August 17, 2015 1:38 PM  
To: Steve Engfer; Sarah Williams  
Subject: Tenaya Cabins Scoping Comments

Steve,

In addition to the EIR comments previously submitted by this Department, after walking the property last week the Mariposa County Health Department has some additional comments:

1. The EIR should look at the possible impacts associated with the proposed sewer lift station, including the proximity to Big Creek, spill containment options, redundant pumping systems and back-up power supplies.
2. The EIR should look at the possible impacts associated with site disturbance during construction that has the potential to change storm water runoff and carry silt and debris into both Big Creek and the nearby meadow.
3. The EIR should look at the possible impacts associated with the road that is proposed to cross the meadow between the project site and the current lodge site. Is this road to be used for vehicle traffic of any type? Is an all-weather road proposed?
4. The EIR should look at the possible impacts associated with adding wastewater flows from 54 additional units to the existing sewage treatment facility. While the plant is being sized to accommodate the added flows it is unclear what additional leaching area is required for the project. Additionally, due to the proximity to Big Creek the proposed pool drain and backwashing systems will be required to connect to the sewer.
5. The EIR should look at the possible impacts associated with the installation of fuel storage tanks to fuel the back-up power supply. What redundant systems will be necessary to ensure against sewer spills and fuel spills. The EIR should look at the fuel type and location as well as the need for a containment plan for both sewer and fuel spills.
6. The EIR should look at the possible impacts associated with installing sewer lines near existing water wells, water lines and through the meadow/wetlands areas. Some of the existing infrastructure is near steep slopes that may have to be traversed to tie into; therefore, the EIR should also look at impacts associated with constructing those possible tie in operations vs. running all the way to the water tanks and sewer plant.
7. The proposed ½ acre parcel does not appear to have access from the interior road. The EIR should look at the possible impacts associated with constructing a driveway off of the existing easement road vs. providing an easement from the interior road. This may require changing a portion of the interior road to a two way road.
8. The EIR should look at the possible impacts associated with collection of solid waste from the project as well as possible impacts to the life of the County Landfill.
9. The EIR should look at the possible impacts associated with the use of wood fireplaces in the cabins if they are proposed.
10. The EIR should look at the possible impacts to the existing Emergency Medical System.
11. The EIR should review all Air Quality Studies and Greenhouse Gas studies for all phases of the project.

David L. Conway, REHS  
Director, Environmental Health Division  
Mariposa County Health Department  
Deputy Air Pollution Control Officer  
Mariposa County Air Pollution Control District  
5100 Bullion Street, P.O. Box 5  
Mariposa, CA 95338  
(209) 966-2220
Steve here are the Fire Departments comments on the Tenaya Cabins project.

_Curtis Jackson_
Deputy Fire Chief
Mariposa County Fire Department
August 8, 2015

To: Steve Engfer, Associate Planner

From: Curtis Jackson, Deputy Fire Chief

Re: Tenaya Explorer Cabins 1152 Highway 41, Fish Camp: APN#010-350-008

Comments and additional information required

Based on Mariposa Fire Department review to date, the following items are required to conduct further review.

1. All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows. The road shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. The roads shall be designed and maintained to support the imposed loads for the fire lanes 75,000-pounds (CFC Appendix D102.1 or PRC 4290-4291) shall be provided with a surface so as to provide all weather driving capabilities.

   Due to the size of this project there shall be a secondary entry/egress point (emergency use only). On all roadways 20 feet wide there shall be no parking is permitted on both sides of the roadway (no parking signs). The length of the long cul-de-sac requires that the roadway be 20 feet wide.

2. All FDC and fire hydrant locations an additional 40 foot turnout with 15 foot approach ways shall be provided. FDC and hydrants shall have a minimum separation of 25 feet and a maximum separation of 50 feet. All FDC and hydrants shall permit fire apparatus parking that does not block additional apparatus traffic.

3. The Cabins shall Prior to use or occupancy, maintain a minimum of two trained and certified emergency staff on premises or in the Fish Camp community and available to respond to emergencies at all times that guests are on property. The on duty certified emergency staff shall include two certified Firefighter EMT’s to assume command position until a Mariposa County Fire Command Officer arrives on scene. The certification will be through Mariposa County Fire Department training academy. Minimum staff shall be two Firefighter EMT’s.

4. The permit holder shall provide personal protection equipment (PPE) and positive communication equipment shall be supplied for all firefighting and EMS personnel. PPE and communication equipment may be stored in a central secure location. Communication systems will permit uninterrupted contact between all firefighters at all times and at all locations on or within the property. In addition there shall be positive communication at all times between a fire officer and recognized Emergency Command Center (ECC). All above equipment shall be approved by and become the property of Mariposa County and maintained per manufacturer and NFPA standards by property owner.

"Putting our community first, understanding they deserve nothing less!"
5. The water system including storage tank(s), loop water line system, fire hydrants and the provisions to meet the commercial fire flows as contained in the most recently adopted NFPA 1142. The storage tank(s) shall have dedicated water storage to meet the commercial fire flows at all times and the piping arrangements needs to consider domestic and emerge systems separately. The placement of the water storage tank(s) may require a fire pump and pump house complying with NFPA 20 this well need to be provided - diesel fire pump not electric. All cabins will require fire sprinkler protection with a minimum design based upon NFPA 13R and as with R-1 occupancies a fire alarm system other than smoke alarms will be required.

6. The Cabins shall, prior to the issuance of a building permit for the first on-site building install water storage tank(s) meeting project water demands consistent with standards contained in the most recently adopted NFPA 1142. The required storage volume shall be a minimum of 120,000 gallons. The Cabins shall install sufficient water improvements to meet fire flow during phased construction to the satisfaction of the Mariposa County Fire Department.

7. Prior to the issuance of a building or grading permit, the County Fire Chief shall provide the Planning Director with a litter certifying that the permit holder has entered into a written agreement satisfying the requirements of the County Fire Department for fire protection. The County Fire Chief shall provide a copy of the written agreement with a certification letter. The agreement shall at a minimum enumerate each mitigation measure identified in the Environmental Impact Report for fire protection and shall affirmatively state the measure’s inclusion in the agreement or alternatives accomplishing the same objective as required by the mitigation measure that are incorporated into the agreement.

8. Cabins “addressing” or numbering shall be visible from the main access roadway and all roadways shall be named.

9. Prior to the occupancy of the Tenaya Cabins, Permit Holder shall prepare and obtain written approval of the Mariposa County Fire Department, for emergency evacuation plan for the Tenaya Cabins. The evacuation plan at a minimum shall set forth the procedures to immediately evacuate hotel guests without interfering with vehicular traffic on the roadways so that emergency vehicles and personnel can move unobstructed to perform their tactical duties.

These comments are not conclusive, as additional information is required. Future submittals will result in additional comments.

Please direct any question pertaining to the Fire Department review for the project to Curtis Jackson.
Date: August 17, 2015 at 4:04:41 PM PDT

Subject: Explorer cabins

To whom it may concern:
I moved to Fish Camp, Ca in 1979 and built my parents a home. I have worked on Fish Camp Mutual Water Company (FCMWC or FCM) infrastructure for over 30 years and have officially "operated" the system for about 15 years. I'm VERY familiar with 99% of the 7000' of plumbing, 4 wells, 4 tanks and myriad idiosyncrasies of the system.

I was pleased to attend the August 13, 2015 "site walk" on the proposed explorer cabins and want to go on record on behalf of FCM about some issues. The maps were very thorough but I need to add to, and clarify a few electrical and plumbing details that were omitted. I have had numerous meetings with Bob Keller, Jeff Cerioni, Tom Miller, Chad Taylor, Brian Fulce, Donn Harter and other FCM board members about our involvement in the proposed project. I get the sense that FCM is willing to adjust the location of most of our pipes to accommodate this project so long as it maintains the integrity and safety of our system and complies with all current codes. We have approximately 1600' of water mains coming from our tanks up on Laurel ave. They range in pressure from 70 PSI at well #4 to 85 PSI at the old "Baker cabin" foundation to 95 PSI down by the creek. We also have about 500' of elec conduit and one underground PGE "feed".

This PGE feed for wells 2 and 4 starts out at a power pole about 100' north of the southwest point of the property. PGE brings the power to this pole overhead across hiway 41. From there it proceeds down the pole and underground to a panel board about 10' from Tenaya's abandoned well#1. This panel has many PGE meter sockets, mostly not being used. From here the power is fed underground to FCM wells 2 and 4 where the site walk map has them marked as an easement.

There are many details about FCM well #2 that is located just east of R141 and R142 on the site walk map. It was installed underground in a "vault" with a "pitless adapter" configuration. At the bottom of the vault it has a drain in the event that water ever gets in there. I am concerned about maintaining the integrity of the end of the drain where it "daylights" out of the ground in the parking area around R141. The best solution is probably to extend it downhill past the parking area. I want to make sure the 2" pipe doesn't get paved over in the midst of construction.

I'm also VERY CONCERNED that FCM well #2 will end up in the roadway and get run into during snow removal operations. Right now it sticks up a few
inches above the dirt and works just fine. How will the new asphalt road interface with the vault? Will the snow plow bump into the hatch? How can we keep it sanitary in the middle of the road? Will water pour in there from the road? This is our best well and can continuously produces 28 GPM 24/7 as necess.

Furthermore, the existing water outlet from well #2 would cross the proposed sewer main. I want to make sure to maintain adequate clearance and comply with current codes.

I hope this helps in the EIR planning. Feel free to forward this to anyone that could use this information. I am in Fish Camp 3 or 4 days/ week and would be glad to meet with anyone to help FCM keep the water flowing. Thank you for your consideration.
This is to memorialize the notes I took during the Tenaya Cabins Project Agency Site Walk and Consultation on Thursday, August 13, 2015. Some of these notes may not be related to environmental issues. All notes were based on comments and questions from participants during the afternoon site walk / consultation.

1. **Access** from Highway – what is Caltrans’ input on maintaining existing encroachment location? Can Caltrans’ standard engineering be used at this location? Is site distance adequate? Will the SilverTip encroachment improvements impact this project? Are there any concerns about the slope / cross slope of the highway at the location of this project’s encroachment (for winter traffic) (vehicles regularly slide off the road along this curve)?

2. **Highway Traffic** – is there potential for increase in pedestrian traffic along Highway 41 as a result of this project? Are there pedestrian safety impacts associated with this?

3. **Alternative Access** – if direct access to the project site from Highway 41 cannot be accomplished, show how the alternative access to the site (from Tenaya Lodge site) will be accomplished. Consider grade and potential impacts to existing leach lines.

4. **Visibility** from Highway – what will the developed site look like from the highway?

5. **Visibility** from properties across Big Creek from project site – what will the developed site look like from properties across Big Creek?

6. **CalFire and State Fire Safe Regulations** – how will development of this site comply with CalFire’s requirements for vegetation clearance around structures?

7. **Access Requirements for Land Division** – how will this project comply with land division access requirements, including easement width and improvement standards? Is there a potential driveway alignment to a building site on the residential parcel provided from the proposed access road?

8. **Utility Corridor** – will the project improvements be setback from the utility corridor so access/maintenance can occur in the future? Will project replace existing water lines maintained by Fish Camp Mutual (FCM)? What will be the required horizontal or vertical separation between FCM well / water lines and proposed new sewer lines?
9. **Wastewater Treatment Plant / Leach lines** – confirm that it was designed to accommodate the additional flow from this project. Confirm that the leach lines are designed to accommodate the additional flow from this project. There have been problems with the leach lines in the past. Why is there a fence around some of the leach line area?

10. **Meadow Crossing** – what is the method proposed to cross the meadow – is it a bridge or will the existing graded “dam/roadway” across the meadow be maintained? The existing graded “dam/roadway” was put in sometime around 1998. Were permits obtained for this? Utilities are proposed for placement in this location. How much additional area or width is needed for the utilities installation?

11. **Grading Impacts** – structures are mostly slab on grade, however some piers are also proposed to minimize grading and tree removal. How will it be determined where these two different foundation types will be used? Have compaction impacts to roots of trees to be maintained been considered?

12. **Walking Trails** – are any on-site walking trails proposed for guests of this project? How will access into the meadow or along the creek or along the pond or off-site (trespassing) be controlled? Will there be interpretive signs? Other?

13. **Check-In for Guests** – where will this be located – at Tenaya Cabins site or at the Tenaya Lodge site? This will impact turning traffic numbers.

14. **Clubhouse Location** – is it too close to the creek? Will there be a retaining wall along the bottom of the structure?

15. **100-Year Flood Boundary** – where is it on-site? How far away are new structures proposed from this boundary? Is this adequate for CA Fish and Wildlife? There are small trout in Big Creek.

16. **Revegetation of Areas On-site Impacted by Construction** – consider using native on-site plants, moved prior to grading. Could have nursery on-site. Plants will be native and acclimated to site.

17. **Backup Generator** – is this proposed? Is important for sewage flow / pumping to sewage treatment plant during times when electricity is out (can be often in the mountains). This is fire / life safety issue. Where will the generator be located?

18. **Heating Source for New Development** – is it propane or electricity?

19. **Power** – will new lines come from highway and then be underground?

20. **Vegetation on-site** – some species are historically important species for Native Americans for their traditions, including basket making. Could individual plants be transplanted to another location? In Tuolumne County, a Caltrans project was mitigated by the requirement that a book be prepared which shows and describes all native plants used by Native Americans. That book has been a helpful tool for teaching.

21. **Use of Site by Native Americans** – could there be interpretive signs to teach visitors about how this site was used?

22. **Consultation** – final (formal) comments will come after the site walk participants make a report to their Councils – the Councils will need to make official comments. The on-site pond is man-made - how does that feature fit into the timeline and use by American Indians or other groups? Is the historic use of the pond on-site considered a historic or cultural resource within the context of the cultural resources study?

23. **Project water** – water is needed for domestic purposes and for fire flow.

24. **FCM** – if FCM water is used for fire flow, the offsite location of any new water storage tanks and alignment of any new needed water lines will have to be included in the environmental review. There are issues associated with the current location of FCM water tanks which will impact new
tank installation (current tanks are located within dedicated access and utility easement; dedication must be abandoned and ownership issues must be addressed).

25. **Tenaya Lodge Water Supply and Storage Tank Locations** – potential location for fire flow and potable water storage tank on Tenaya Lodge parcel, near Summerdale. If this option is pursued, any new off-site water line alignment and tank location(s) will have to be included in the environmental review.

26. **Sewage Treatment Lift Stations** – where will they be located on-site? How close will they be to Big Creek? Will there be a containment area around the lift stations (in case there is an overflow out of the lift due to operation problems)? Are there potential odor impacts associated with the lift stations? How will odors be mitigated?

27. **Off-site Trespass Issues** – is there a potential for increase in off-site trespass by guests of this facility? Does this represent a potential for increased wildland fire risk because guests are not knowledgeable about wildland fires?

Cc: Ascent Environmental
Delaware North
Blair, Church & Flynn Consulting Engineers
Another potential issue is the potential for trespassing. A larger population of visitors might lead to more people wandering off into what they might perceive as forest, when in fact it is private land they might be starting fires on or getting hurt on. Is it possible to have some signage in guest rooms that would warn them about wandering off?

Thank you,
Greg Royse
Manager Yosemite Mtn. Ranch
Fish Camp CA
559-760-0473
August 16, 2015

To: Steve Engfer, Associate Planner
Mariposa County Planning Department
P. O. Box 2039
Mariposa, CA 95338

Please find attached scoping comments for the Tenaya Cabin Project NOP from the Tehipite Chapter of the Sierra Club.

Should you have any questions or issues with the attachment, please contact me via the information below.

Trudy

Trudy Tucker
National Forest Chair
Sierra Club Tehipite Chapter
P. O. Box 788
Coarsegold, CA 93614-0788
559-683-6230
trudyt@cvip.net
August 16, 2015

Steve Engfer, Associate Planner
Mariposa County Planning Department
P. O. Box 2039
Mariposa, CA 95338

Sent electronically to: sengfer@mariposacounty.org, August 16, 2015

RE: Proposed Tenaya Cabins Project NOP Comments Submitted to Mariposa County

Dear Mr. Engfer:

These comments are submitted on behalf of the Tehipite Chapter of the Sierra Club. We appreciate the opportunity to comment on the Notice of Preparation (NOP) for the proposed Tenaya Cabins Project in Fish Camp, in Mariposa County.

I. Overview

The following comments address environmental concerns associated with Delaware North’s proposed construction of up to 54 cabins, clubhouse and other related developments, such as the amount of ground water needed for this large project, the scope and design of the sewage system, delivery and choice of pumping sewage up hill, and the extensive environmental impacts on this sensitive forested project area and surrounding community.

II. Comments

1. Drawdown of Groundwater

Of the many important issues for this proposed project, the sheer volume of water required to build, continuously service and maintain the cabin and clubhouse project’s real capacity needs, is well beyond and inconsistent with local, state and global declines in available potable water. Ever increasing numbers of Mariposa and Madera County local and downstream residents (private and commercial) are experiencing well water failures due to lack of groundwater. These failures are increasing exponentially with physical and financial effects to families and commercial institutions, with negative effects on both counties. The Fish Camp area and downstream users are under threat of groundwater failures. Both draw from the same fractured hardrock groundwater geological systems. Proposed project evaluations need to include careful assessment of near term and important long-term availability of groundwater on both local and downstream communities.
2. Wastewater Infrastructure, Capacity, Hazards and System Failure Structures

The water treatment information includes pumping stations, but does not clearly show that the sewage system will pump sewage over a hill to the hotel area. Pumping any liquids upslope at any degree creates inevitable opportunities for system failures, including toxic spills. What infrastructure will be in place for the inevitable system failure and sewage spills? The proposed project design needs to include containment structures to safe guard and contain any amount of untreated sewage spilled. Locally, communities at Bass Lake have a similar sewage system that pumps waste uphill and experience failures that cause sewage to run free to enter the lake and terrestrial areas. The Bass Lake system was not designed to have containment infrastructures in place to capture escaping sewage. Such failures result from electrical outages (which stop pumps) and storm water surges that overload pumps. Even one such failure is significant and unacceptable.

3. Hydrology, Storm Water Runoff and Water Quality

Effects of storm water runoff are extremely important in this proposed Cabin Project area. The topography and volume of sensitive areas in the project and surrounding properties is significant and can be negatively subjected to major to extreme effects of storm water flows. With continuing warming of air and ocean temperatures, climate and weather patterns are changing. Historical weather patterns and precipitation are changing to warmer, wetter, higher volume storms. These changes will bring more surface water runoff and cause flooding of any low lying areas.

4. Hazards, Wildfire Risks and Removal of Trees

The proposed Cabin Project area is located in an unnaturally dense forest that has not recently experienced wildfire. Consequently the area contains an unnaturally high amount of woody fuels (which in a natural condition would be cleared out by frequently returning natural wildfire) and is therefore subject to uncharacteristically hot fire that threatens human communities and infrastructure. To make matters worse, climate change and resultant intense droughts greatly exacerbate the threat of wildfire. Furthermore, millions of visitors passing through the area greatly increase the likelihood of a catastrophic fire event, like the 2014 Rim Fire. New and historical fire information is available in local agencies, and in the locally based Sierra Nevada Adaptive Management Project (SNAMP) that includes the Fish Camp area www.snamp.cnr.berkeley.edu). The SNAMP website includes many published peer-reviewed papers and unpublished reports on pertinent wildfire information relevant to the project area.

5. Environmental Impacts on Biological Resources, Wildlife and Sensitive Species

Impacts of the proposed Cabins Project on biological resources will be significant and will require attention to all impacts from construction and operation of the proposed project. A good source of local area scientific information in the area is the Sierra Nevada Adaptive Management Project (SNAMP), which includes the Fish Camp area. The SNAMP is a joint effort by the University of California, state and federal agencies, and the public to study management of forest lands in the Sierra Nevada. Including the specific information from SNAMP into the proposed projects analysis is appropriate and will give added credibility to the proposed project’s analysis. Information from the project can be found at www.snamp.cnr.berkeley.edu/, a comprehensive study of all species with an extensive multi-year Pacific fisher study, including the Sugar Pine fisher project.

Current scientific information is available in a Biological Opinion for frogs and toads produced by the USDI Fish and Wildlife Service. The report includes information on suitable and occupied
habitat and best practices for the Endangered Sierra Nevada yellow-legged frog, Endangered Northern District Population Segment of mountain yellow-legged frog and threatened Yosemite Toad. A key requirement for species survival is to ensure non-point source pollutants are controlled, legacy sources of water pollution are remediated, water quality is maintained or improved and the objectives of the Clean Water Act are met. The multitude of impacts from the proposed Cabin Project could affect these endangered and threatened species. The report is available online at http://www.fs.usda.gov/sierra/, listed under “Related Links.”

6. Greenhouse Gas Emissions, Air Quality and Climate Change
The NOP includes information about potential environmental effects of Greenhouse Gas Emission (GHE) during construction, but does not address GHEs from operation effects should the Cabin Project be built. What are the expected additional GHEs generated from implementation of this proposed Cabin Project? What are the predicted volumes of GHEs from each cabin, the clubhouse, utilities, sewage systems, etc.? The expected effects GHE during operation of the project need to be included in the scientific project evaluation.

7. Aesthetics, Noise and Lighting
The proposed project design presents samples of the cabin and clubhouse designs, outlined attention to the placement of cabins, accounting of foot traffic, and notations of controlling noise predicted from the proposed project, with quiet time after 10:00 p.m. The proposed project planning and design of new light should address and include light sources that contain upward light pollution by using fixtures that block upward light. The elimination of upward light complements the “cabin” theme and adds to visitor’s experience of seeing stars at night. Reducing upward light also is imperative for the local and forest communities. A thorough study of the proposed project’s minimal needs for lighting and noise is imperative to having a successful project that is also a good neighbor.

8. Cultural Resources
The NOP notes attention to cultural disturbances of archaeological and historical resource during construction. It does not note participation of cultural oversight from/by contemporary cultures affected by the construction of the proposed Cabins Project. It is important to include local Native American tribes (recognized and those awaiting recognition) in all phases of the proposed Cabins Project and especially in locations of any and all ground disturbing project designs that could include prehistorical, historical and sacred sites. The area also includes more recent historical area impacts from the arrival and colonizers by Anglo Europeans. Outreaching, contacting and inviting those with specific knowledge of on-the-ground culturally significant areas is appropriate and should be included in proposed project plans.

9. Recreation Use and Impacts
The proposed addition of up to 54 cabins and a clubhouse to this already crowded area will also impact surrounding recreational use and negative impacts to land resources. Local recreational use in Yosemite National Park and Sierra National Forest is significant on an annual and seasonal basis. Not only does the area receive recreational use of campgrounds, trails, roads, etc., it also receives large overflow use from Yosemite. For decades, visitors that cannot get a campsite in the park regularly are directed to this area for dispersed and/or designated camping. The proposed project scientific study needs to include impacts from these recreational visitors that do not show up on agency data.
III. Conclusions

The Potential Environmental impacts to be analyzed in the EIR are a good beginning. Comments received at the August 13, 2015, public scoping meeting were significant. The Proposed Tenaya Cabins Project’s preliminary design will substantially impact the land, water, flora and fauna. The two most essential red flags for this project are the current lack of knowledge of sufficient groundwater and negative impacts on local and downstream users, and, initial water treatment designs that lack containment structures for the inevitable sewage spills. Additional issues contained in these scoping comments are important and need to be addressed in the analysis process.

Thank you for the opportunity to participate in the Notice of Preparation for the Tenaya Cabins Project. Please place us on your contact lists for any and all additional information, meetings and activities.

Sincerely,

[Signature]

Trudy L. Tucker, M.A.  
National Forest Chair  
Tehipite Chapter, Sierra Club  
trudyt@cvip.net  
559-683-6230
Steve Engfer

From: Sarah Williams
Sent: Friday, August 14, 2015 10:21 AM
To: Steve Engfer
Subject: FW: Tenaya Cabin Project/Historical Cattle Drive
Attachments: Tenaya Cabin Project.docx; Tenaya Lodge Cabin Project

-----Original Message-----
From: Diane Bohna [mailto:dianephoto@sti.net]
Sent: Friday, August 14, 2015 10:13 AM
To: Sarah Williams
Subject: Tenaya Cabin Project/Historical Cattle Drive

Dear Mrs. Williams,

I have attached a letter and a map in regards to the relation between the Tenaya Cabin Project and Mariposa Counties Historical Cattle drive to and from the Sierras.

Please feel free to contact me with any questions you may have.

Sincerely,

Diane Bohna
209-966-3022
August 14, 2015

Mariposa Planning County of Mariposa
5100 Bullion Street
P.O. Box 2039
Mariposa, CA 95339-2039
Attn: Sarah Williams

United States Forest Service
57003 Road 225
North Fork, CA 93643
Attn: Aimee Cox

Subject: Tenaya Cabin Project and Historical Cattle Drive

Dear Mrs. Williams and Mrs. Cox,

I am writing to express the story of the historical cattle drive that began in the 1920’s and continues to travel thru Fish Camp twice a year and the relation to the proposed Tenaya Cabin Project.

The cattle drive began in the 1920’s or earlier when cattle were joined together by several cattlemen that wintered in the Sierra Foothills, including among others the Bissett Family and the Starns Family, then traveled for 4 days to reach their United States Forest Service Iron Creek cattle allotment. The cattle drive has continued every year since that time with the Everett Phelps Family then to Bob Freitas and then after Mr. Freitas was killed in a tragic accident on Deadwood Lester Bissett took back over and then I purchased the cattle in 1998. I began taking care of the cattle on the Iron Creek cattle permit the year Bob Freitas was killed 1980 and have been with the cattle on this cattle drive ever since.

I have attached a map of the historical route the cattle drive takes and I believe it is a very important part of Mariposa counties history.

I would like to work with the Delaware North company to make the drive a asset to the Tenaya Lodge cabin guest to view this valued tradition that occurs on the Sunday near June 15 and the Saturday near October 1 each year.

Please feel free to contact me for further discussion or information in this regard.

Sincerely,

[Signature]

Three Bar Ranch
Diane Bohna
2686 Preston Road
Raymond, CA 93653
209-966-3022
---Cattle Drive Route---
Dear Steve,

Thanks for requesting comments regarding proposed expansion of the proponent's initial request to now accommodate 54 manufactured housing units and 88+ parking spaces in the meadow area located on the Keller property next to Tenaya Lodge. Since 1967 our family has been seasonally part of the Fish Camp community, and following my retirement several years ago I have served on the board of directors for the Fish Camp Mutual Water Company. Please note my comments do not reflect our water company's position; rather they come from a local resident representing only myself.

My primary concern with this project regards provision of water to those who will be temporarily staying in the proposed "upscale campground." I have considerable difficulty equating the proposed project goal ("to minimize impact on environmental features to inform project design/layout") with the proponent's recent augmentation in number of units and parking spaces. Wouldn't a reduction in units and spaces been more appropriate?

The amount of available water underneath Fish Camp is something that concerns many local residents. With additional water withdrawals from those recreating in the area (with little incentive to conserve), what assurances do we have that future water supply won't be affected (and potentially contaminated through chemical/mineral intrusion due to declining water tables)?

I appreciate your interest in gaining local perspectives on this issue, and look forward to learning the extent to which such input is incorporated in the proposed project's next phase. Thanks for your consideration.

Sincerely,

Emmett

Emmett P. Fiske, Ph.D
Emeritus Professor
Washington State University
Good Day Steve,

Please find below comments to be included in the Scoping of the Tenaya Cabins Project. These are being made by Karen Glendenning, a private citizen of Fish Camp.

1. Traffic Study Inadequate.
   a. Done on Tuesday, June 9. No consideration or extrapolation was given for December, January or February when the road is icy / snowed upon. This is a consideration for projects at the 5000' level.
   b. Line of Sight was given little regard because of the traffic count. When Hwy 41 is icy / snowed upon vehicles need more time to slow down and more time to get up to speed. This is a consideration for projects at the 5000' level. Cumulative effect is a factor.
   c. The pedestrian count did not reflect when pedestrians are out. People walk along Hwy 41 to go to the Fish Camp General Store and cross over 41 to get to the store. The future guests at the Cabins will potentially cross over 41 to get to the store. Guests at the Tenaya Lodge walk their animals along the streets on the west side of Hwy 41. These folks need to be considered in the traffic study. Cumulative impact is a factor.

2. Cal Trans Encroachment Permit.
   a. The entrance to the Cabin project needs to come from the original entrance to the Tenaya Lodge. The proposed entrance is not safe in the middle of a double S turns on a downward slope toward the pond/bridge.
   b. The Cal Trans Encroachment Permit for the Silvertip Resort requires a deceleration lane, a turn lane for northbound traffic on 41. This will be located just north of the entrance to the Tenaya Cabins project. Cumulative effect is a factor.
   c. The entrance does not have adequate line of sight as per Cal Trans requirements. The speed of traffic warrants a longer line of sight. This is project is at 5000' and after folks have been driving northward behind slow moving vehicles they like to accelerate as they pass the current Tenaya Lodge. When there is snow / icy on the road you need a longer line of sight. Cumulative effect is a factor.

   a. Snow Removal Locations. This project is at the 5000' level and locations need to be allotted for the placement / storage of snow removed from internal roads. A fewer number of cabins may be necessary to allow for snow placement / storage.

   a. The proposal calls for a 10:30 pm cessation of amplified sounds. Fish Camp Specific Plan calls for a 10:00 pm cessation of loud noises.

5. YARTS Buses.
   Just before Memorial Day the YARTS Yellow Line has begun service to and through the Fish Camp area. Buses need more space to slow down and speed up along Hwy 41. This will be increased traffic as the bus comes through roughly 5 times each direction EACH DAY. This is a cumulative factor that has not been adequately
Thank you for including these items in the scoping process for the Tenaya Cabin project. I think this project could benefit Fish Camp after the above listed items have been addressed adequately.

Karen Glendenning
private citizen of Fish Camp.
Dear Mr. Engfer,
This is in reference to the application by Delaware North to expand their initial commercial land use plan to accommodate 54 cabins and 88+ parking spaces in the meadow area located on the Keller property next to Tenaya Lodge.
My family have owned and seasonally occupied a cabin at Fish Camp for several generations. The ambiance at Fish Camp is precious to us, as it is to many of the other local residents. The magnitude of the proposed development is inappropriate for the community, in my estimation, and most especially in this time of statewide drought when a sufficient supply of residential water cannot be assured.
I believe that the residents of Fish Camp have a duty to monitor the stewardship of the resources in our community. This development, in its present form, does not meet the criterion of responsible stewardship, and should not be approved.
Thank you for the opportunity to comment on this important issue.

Les Dorfman, MD
Professor Emeritus
Stanford University
Dear Mr. Engfer,

I understand there was a meeting last night about the expansion of the Tenaya Lodge meadow project.

My family had had a cabin at Fish Camp since 1955. The third generation is now using it. My father was on the Fish Camp Mutual Water Board for many years before his death and my husband has been on it for many years since. I remember from my earliest childhood constant talk of water. There is no comparison with the current state of water today and the fear of its lack thereof in the future. There may be many issues to deal with for the Tenaya project but what obviously concerns us at this point is the possibility that we may lose some of our precious water. Some of our family members are seriously considering retiring to our Fish Camp property and this is even more concerning to them. If there was some thought that our water company might have enough water to share a few years ago, no one can deny that the unprecedented drought has produced formerly unimaginable changes. This year's wildfires, and the fact that every day is more dangerous than the previous one, should be enough to show all that we need every drop for safety, even without taking into account the needs of the residents who already live there.

Sincerely,
Roberta C. Wright
Dear Mr. Engfer,

Thanks for accepting comments with regard to the Tenaya's proposed expansion. Since the 50’s, my family and I have spent countless happy seasons at our Fish Camp cabin. I’m writing to convey my concern and alarm at plans for 50+ new manufactured housing units and nearly double this in parking spaces.

The "upscale campground" project's proposed goal, “to minimize impact on environmental features”, seems at cross-purposes with California's stark and unprecedented realities. Water is in perilously short supply, and getting shorter.

My father is a longtime active member of the Fish Camp Mutual Water board, and having attended meetings myself, I'm especially attuned to the water demands of our fragile ecosystem, and the significant efforts and resources required to keep it flowing.

As Fish Camp locals, we know there is no higher priority than a reliable and robust water inventory. The danger the current drought proposes is already a precarious scenario; for the Tenaya to move stridently forward with this expansion ill-suited to the region strikes as especially perverse.

Thank you for seeking local commentary on this issue. I look forward to learning how our perspectives are being considered.

Sincerely,

Mark Wright
Dear Mr. Engfer,

I am writing to provide my comments regarding Delaware North’s application to expand their initial commercial land use plan to accommodate 54 cabins and 88+ parking spaces in the meadow area located on the Keller property next to Tenaya Lodge.

My parents purchased a cabin in Fish Camp in 1955. I was 5 at the time and and my memories of Fish Camp and our cabin are treasured as our family spent holidays and every weekend there together. I am now 65 and am planning to retire to our Fish Camp property.

Growing up in Fish Camp, my memories are rich with images of blue green trees and heavy snows. Now, the effects of the California drought are felt everywhere... the hillsides are covered with brown trees that are diseased and dying from lack of water and blackened from last year’s Oakhurst fire. In light of this, I was shocked to learn of Delaware North’s proposal to increase the size of their prior project from 34 to 54 cabins, and include a multi-function Clubhouse, laundry, banqueting, food service, pool, barbecue, and hot tub. Also, I was appalled to see they included minimizing “impact on environmental features” as one of their site goals.

Water has always been a concern for residents of Fish Camp and now a real concern throughout the state of California. Delaware North’s revised proposal to enlarge their commercial “upscale campground” project and include a full array of recreational facilities for vacationers to enjoy without regard or responsibility to residents of Fish Camp is not reflective of efforts “to minimize environmental impact” and is in direct conflict with the new reality of California’s drought.

Sincerely,

Pamela Davis
(925) 255-3782
Dear Mr. Engfer,

I appreciate your request for comments regarding the proposed expansion of the initial request to now accommodate 54 manufactured housing units and 88+ parking spaces in the meadow area located on the Keller property next to Tenaya Lodge. Clearly it is a specious argument that the goal is to “minimize impact on environmental features to inform project design/layout” when they want to increase the number of users and the demand for water.

I have had a family cabin in Fish Camp for most of my life. There has always been a concern about water, and now with fires raging and clear climate change, I cannot fathom the idea of building an “upscale campground”, let alone increasing the size. Have they calculated the amount of water they would use with showers, food services, laundry, a pool, and hot tub? How do we know that our future water supply will support this? Without that data and those assurances, doesn’t it make sense to limit water for local residents and the visitors in the existing Tenaya Lodge? And of course, for use in the case of wildfires.

I do appreciate your interest in gathering local views on this proposal and incorporating them into the planning for this proposed project’s next phase.

Thank you again for your consideration,
Penelope Zeifert

---

Penelope Zeifert, PhD
Professor, Department of Neurology and Neurosciences
Director, Neuropsychology Service
Stanford Health Care
300 Pasteur Drive, B36  MC:5234 · Stanford, CA  94305
O: 650.498.7875  C: 650 804-6335  F: 650.498.7868
pzeifert@stanfordhealthcare.org

Administrative Assistant: Coralee Blanchard 650.721.6024

Confidential Information: This communication and any attachments may contain confidential or privileged information for the use by the designated recipient(s) named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or the attachments is strictly prohibited. If you have received this communication in error, please contact me and destroy all copies of the communication and attachments. Thank you.
Good afternoon,

Based on the on-site review on Thursday August 13, 2015 I have several comments/questions/concerns, pertaining the overall project.

Has a flood study been done?
Has site drainage been identified, designed or considered?
What about snow removal?

Though not under the review of Public Works, I have concerns regarding the access encroachment onto Highway 41. The access parameters to be defined by Caltrans will be a significant factor.

The proposed 0.50 acre parcel must have easements for access and public utilities. This access easement should be 60' wide and non-exclusive. There needs to be a provision for road maintenance and snow removal. The access to the Marshall parcel must be protected or an alternative easement which is acceptable to the Marshall’s be provided. Will this access be improved? Will this access be restricted to prevent any use except by the Marshalls?

The proposed access point for the 0.50 parcel needs to be defined. This will determine the location of the required turnaround. It needs to be demonstrated that an encroachment and driveway can be built to serve a building site on the parcel. The topographic detail also needs to shown for the entire parcel.

All wells adjacent to the project should be identified. I did find a well on the Marshall parcel that should be shown on the plan. Due to the lack of posting notices, I could not determine how close the well is to the actual property line.

There is an overhead PG&E line that crosses the property. The location needs to be shown on the site plan.

During the site walk a access near the southwest corner of the project was pointed out as a possible service road to Tenaya Lodge. This proposed access is not shown on the plan and crosses a meadow/potential wetlands area.

One of the on-site access roads is shown very near to an existing well. This well must be protected throughout construction.

What are the projected ADT’s for this project? Need ADT’s to determine the road Class to serve the project and the proposed LDA. Being within the Fish Camp TPA, either Town Class II or Town Class III standards would apply, which require street parking lane on one side and a sidewalk on one side. This information/details need to be a part of the proposed plan.

Per the County Road improvement Standards the maximum grade for a Class III road is 10%. With justification and approval by the County Engineer, a Class II road can be built to a maximum grade of 12%.
This project has only one proposed access point. The road length to the proposed 0.5 acre parcel need to be confirmed. The maximum allowed dead end road length for this zoning is 800'. The LDA will be subject to all CalFire Fire Safe Standards for land divisions. A secondary egress point should be considered.

The outside loop roads which are one-way should have parking pockets for loading zones and the cul-de-sac access roads should be two lane from the outer loop road to the cul-de-sacs. The outer loop roads should be clearly signed for no stopping or parking and the exit route should be clearly signed.

The formal LDA comments will follow.

Russ Marks
Mariposa Co. Surveyor
(209)966-5356
August 10, 2015
Mariposa Planning Dept.
Attention: Steve Croyer
Associate Planner

I am the sole surviving parent of the property immediately adjacent to the property being considered at the August 13th Scoping Meeting. The Tenaya Lodge/Cabin Project.

I have two daughters who will inherit half of my estate. I have five adult grandchildren who all love our property. So, we are here to stay.

When we purchased the property December of 1964 we only wanted to enjoy the little Cabin of our dreams. We knew that the Tenaya property beside us by Nightingale could be developed one day according to their zoning.

We object to any change in that zoning. We still accept the idea of possibly having cabins as allowed in original zoning. The idea of 36 prefabricated cabins and a club house smack of Little Las Vegas in Fish Camp with the traffic—human and vehicular—noise, lights, and trespassers, We do not look favorably on the need for a sewer, fence or "private property" signs.

Tenaya Lodge has had problems with their septic sewage from the beginning. Their block field above our property has leaked qntities over 4 acres. Our well will decay tanks down will can only tolerate so much.

I cannot attend your Aug 13th meeting although some family will be there. I'm sure you know it would be more likely for out of area owners to attend if scheduled during business hours. I'll be seeing you.

Shirley Marshall

1738 S. Atlantis Ave.
Fresno, CA 93727
(559) 251-5818
Tenaya Cabins Project Environmental Impact Report (EIR)

EIR SCOPING COMMENTS

Written comments should be submitted at the earliest possible date, but not later than 5:00 p.m. on August 17, 2015 to: Steve Engfer, Associate Planner, Mariposa County Planning Department, PO Box 2039 Mariposa, CA 95338; Telephone: (209) 742-1250; email: sengfer@mariposacounty.org.

Name: Tim L. Casagrande

Organization (if any): Property at 1154 Hwy 41 (Marshall)

Address (optional): 1041 E. Portland

City, State, Zip: Fresno, CA 93720

Email (optional): ta.ca.1041@gmail.com

Mariposa County invites you to provide specific comments on the scope of the Tenaya Cabins Project EIR. You can use this form or write your comments in letter or e-mail form and submit, as described above. Thank you!

Comments

- Evaluate current zoning for residential and property limitations vs proposed use of club house and cottages
- Sewage system: transmission alternatives - methods - above or below ground;
- Snow loads freeze conditions; redundancies for lift stations;
- Volume increase on Tenaya Treatment Plant and its adequacy;
- Leach/drip irrigation disposal areas adequacy and current function based on prior overuse and soils malfunction/function; evaluate soils on eastern leach area and malfunctioning monitoring wells;
- Stormwater runoff, from roads/parking areas/cabins, impacts to creek and meadows below and adjacent to project;
- Evaluate ecosystems of creek and lower/upper meadows impacts
- Noise impacts
- Assess impacts to landlocked property (Marshall) for trespass/access by project customers and public mitigation?
- Access to property at 1154 (Marshall) during construction and after
- Impacts of and to Annual cattle drive (Bona Ranch)
- Why the project increased from a reasonable 34 units to 54 units creating increased impacts mentioned above.

More space on back
Steve Engfer, Associate Planner
Mariposa County Planning Department
PO Box 2039
Mariposa, CA 95338
Dear Mr. Engfer,

I have been a Fish Camp resident for the last ten years. In regards to the proposed development by DNC/Tenaya Lodge, my concern is that resources needed to service any new development would strain the already thin agencies such as fire, medical services, and law enforcement. Fish Camp is located in a fairly remote corner of Mariposa County, and it already has long response times to any of the above mentioned emergency services. How does Delaware North Company propose to address the increased call load that will occur with additional people and structures? Is Mariposa County prepared to add personnel for fire, medical and law enforcement necessary for such a development? The response times from the city of Mariposa are already lengthy. This serious question needs to be addressed.

Sam Winstead
1146 Pine St
Fish Camp, Ca
## Tenaya Cabins Project EIR
### Scoping Meeting - August 13, 2015
### SIGN-IN SHEET

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Address</th>
<th>E-Mail</th>
<th>Do You Want To Be Added To The Mailing List?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donn Hartee</td>
<td>Mariposa Co.</td>
<td>P.O. Box 160, 166, 183 23</td>
<td><a href="mailto:donnatyosemite@att.net">donnatyosemite@att.net</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Trudy Tucker</td>
<td>Tulip Tree Chapter</td>
<td>P.O. Box 788</td>
<td><a href="mailto:trudyt@cwip.net">trudyt@cwip.net</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Tim &amp; Miran Cerragunde</td>
<td>Neighboring Cabin</td>
<td>1041 E. Portland, Fresno, CA 93720</td>
<td><a href="mailto:timcarr010@gmail.com">timcarr010@gmail.com</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Cheryl &amp; Bryan Merrell</td>
<td>Cabin Owner</td>
<td>1475 W. Sample, Fresno, CA 93711</td>
<td><a href="mailto:chmerrell@comcast.net">chmerrell@comcast.net</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Pat &amp; John Lutten</td>
<td>Bear Club Don Ladesh</td>
<td>P.O. Box 2, Fish Camp</td>
<td><a href="mailto:jlutten@hotmail.com">jlutten@hotmail.com</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Amy Sparks</td>
<td>H.T. Harvey &amp; Assoc</td>
<td>7815 N. Palm Ave, Suite 310</td>
<td>Fresno, CA 93711</td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Coral Eginton</td>
<td>TCS</td>
<td>280 Commerce Suite 280</td>
<td><a href="mailto:Ceginton@fcs-intl.com">Ceginton@fcs-intl.com</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Karen Glendenning</td>
<td></td>
<td></td>
<td></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Suzi Keller Loorz</td>
<td></td>
<td>P.O. Box 23648, Fresno 93729</td>
<td><a href="mailto:suzi.kellersk@gmail.com">suzi.kellersk@gmail.com</a></td>
<td>☑️ YES  ☐ No</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Address</td>
<td>E-Mail</td>
<td>Do You Want To Be Added To The Mailing List?</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------</td>
<td>-----------------------</td>
<td>--------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>Robert Keller</td>
<td>Owner</td>
<td>P.O. Box 13</td>
<td></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Elena Nuño</td>
<td>FirstCarbon Solutions</td>
<td>7205 N 1st St #101</td>
<td><a href="mailto:enuno@fcs-int.com">enuno@fcs-int.com</a></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Michael J. McNeny</td>
<td>BCI&amp;F</td>
<td>451 Cloris Ave, Cloris Ave</td>
<td><a href="mailto:mmcsphy@bcf-engr.com">mmcsphy@bcf-engr.com</a></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Sarah Williams</td>
<td>Planning Dept</td>
<td>Bos</td>
<td></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>John Carrier</td>
<td>Mariposa Co</td>
<td>Bos</td>
<td></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Isaac Wedman</td>
<td>BCI&amp;F</td>
<td>451 Cloris Ave, Cloris Ave</td>
<td><a href="mailto:iwedman@bcf-engr.com">iwedman@bcf-engr.com</a></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Brian Fulce</td>
<td>Tenaya</td>
<td>Box 159, Fish Camp, CA 93623</td>
<td><a href="mailto:BFulce@delawarewater.com">BFulce@delawarewater.com</a></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Barry &amp; Karen Green</td>
<td>FC Cabin</td>
<td>PO Box 54, Fish Camp CA</td>
<td><a href="mailto:greenbeans5@comcast.net">greenbeans5@comcast.net</a></td>
<td>☐ YES ☐ No</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Address</td>
<td>E-Mail</td>
<td>Do You Want To Be Added To The Mailing List?</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------</td>
<td>------------------------</td>
<td>-------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>Jeff Cerioni</td>
<td>7CMWC</td>
<td>420 Camisenway</td>
<td><a href="mailto:cerionij@geo.com">cerionij@geo.com</a></td>
<td>Yes</td>
</tr>
<tr>
<td>Tom Miller</td>
<td>FCNWC</td>
<td>116 Meiners Way</td>
<td><a href="mailto:c0mterw@go.com">c0mterw@go.com</a></td>
<td>Yes</td>
</tr>
<tr>
<td>Chuck Sikora</td>
<td>Sikora Forestry Consulting Coarsegold</td>
<td>sikoraforestry@sh. net</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Greg Rosce</td>
<td>Yosemite Mtn. Ranch Fish Camp</td>
<td>ymresti.net</td>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>
### Tenaya Cabins Project EIR
#### Scoping Meeting - August 13, 2015
#### Verbal Comments

<table>
<thead>
<tr>
<th>NAME/ORGANIZATION</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian</td>
<td>Why would this be good for the existing community?</td>
</tr>
</tbody>
</table>
| Tim Casagrande     | • Evaluation of the current residential property based on current site limitations, verses the project. Based on site conditions, how many could be built with current limitations? Verses with the current project (potential alternative)?  
• Sewage transmission lines: Evaluation of how sewage will be transmitted from the project to Tenaya, where and how, what redundancies would be in place (lift stations adequately maintained and operating and what kind of systems). What happens if it goes through the meadow/quasi-road? This road did not exist up until 5/6 years ago. During wet years, you cannot get through there. How did it get there? It needs to be evaluated (disturbance to meadow). Is the method of the transmission appropriate (above/below-ground?). Consider weather conditions.  
• New treatment plant: quality issues, 34 units originally, now 54. Plant needs to be evaluated for the increase. The plants systems needs to be evaluated. Historically, drip irrigation in leech field. Soils evaluation was never done, and monitoring wells were not replaced. The Water Board needs to look at that. Can the soils handle the increase? What kind of redundancies to equipment for no failures. Lift stations so closed to the creek, they cannot fail. Need to consider this. What kind of impacts to the creek could occur if there was failure?  
• Stormwater runoff from the roads/cabin rooflines: Where is the water going? Needs to be addressed. First rain will have contamination and go to the creek? Will it have an impact?  
• Ecosystems to the creek: Eco to meadows. Runoff to meadow (bottom portion). General eco flora/fauna. One was done 20yrs ago (revisit/check).  
• Noise study.  
• Access to the property (landlocked property) before and after construction.  
• Annual cattle drive: How will this be addressed?  
• Overall issues of trespassing/impacts to that property, meadow, creek. With respect to increase activity, where there has been little. Clubhouse and increase in number of units, increase those impacts.  
• Because that meadow “roadway” exists, this becomes an alternative that is preferable, but should not be there. Is it appropriate for a road-use? |
<table>
<thead>
<tr>
<th></th>
<th>Comment</th>
</tr>
</thead>
</table>
| **Karen**   | • Noise: The Specific Plan has a 10pm quiet time. 10:30pm shows up in the project description. **Applicant Response: This is a typo (page 2).**  
• Traffic Study: Question the validity of winter time/day used. There are a number of accidents in winter. This needs to be looked at more thoroughly. Silver Tip project will also result in an impact. When done, they found no pedestrian use. There is a store across the street (people will walk their dogs). People do walk their dogs in neighborhoods. The study hours/day/month (June) is not an accurate portrayal of what existing conditions truly exist. |
| **Cheryl Merrell** | • Water Supply: What is the projected amount of water and how much can it support? Can that influence the number of cabins allowed?  
**Response: the EIR will evaluate the demand and if there is a deficiency, the EIR will recommend measures to mitigate.** |
| **Barry Green** | • Water Supply: 3 day test on pumps, amount of water that will be pulled. Where will this water go in these drought conditions? At this time, is there a better way to do the test without wasting it? |
| **Suzi Keller** | • Will there be restrictions on types of vehicles? Recreational? Etc. |
March 7, 2016

RE: Proposed Explorer Cabins at Tenaya Lodge
Building Department Comments to Date

Dear Delaware North Companies, Inc.:

After review of resubmitted plans received by Planning on March 1, 2016 the Mariposa County Building Director has the following comments:

1. The Building Department does not have an issue with the increased number of cabins or parking spaces.
2. All improvements shall be according the current California Building codes.
3. A full Geo Technical report shall be completed and submitted for the site.
4. Full civil engineering drawings shall be completed and submitted for the site.
5. A complete storm water/ environmental plan shall be submitted. A Geo Technical firm shall be appointed to monitor all environmental issues throughout the project life and project close out. All reports shall be copied to the Building Department.
6. A design professional of record shall be designated for the project. The design professional of record shall provide periodic phase monitoring and inspection of the project. Periodic reports shall be stamped, signed and submitted to the Building Department by the design professional of record.
7. A final letter of completion shall be stamped, signed and submitted by the design professional of record to the Building Department stating that the project has been satisfactorily completed per the plans and specifications.
8. A full fire water system supply plan shall be completed and submitted. This plan must be approved by Mariposa County Fire. All cabins shall have sprinklers.
9. All structures must comply with the Wildland, Urban Interface fire construction requirements of Cal. Fire and the California Building Codes.
10. The full project must comply with all required ADA requirements. A CASp sign off will be required at the completion of the project. It is highly recommended that the CASp review the project plans prior to submission of the final plan set for permitting.
11. The project must be approved by all applicable County, State and Federal departments.

Thank you for your cooperation on this project.

Sincerely,

[Signature]

Mike Kinslow
Building Director
March 9, 2016

Attention: Steve Engfer
Mariposa County Planning Department
Post Office Box 2039
Mariposa, California 95338

Planner: Steve Engfer

File #: Tenaya Cabins Project
SPZA 2014-163 (Specific Plan Zoning Amendment)
CUP 2014-164 (Conditional Use Permit)
LDA 2014-165 (Land Division)

Applicant: DNC Parks and Resorts (Tenaya Lodge)

We have reviewed the revised plans for “Explorer Cabins at Tenaya” to allow Delaware North Companies to construct a clubhouse, 54 cabins and up to 88 parking spaces on APN 010-350-008.

As the construction plans are proposed, it appears that the remaining single family residential parcel will be land locked from public telephone facilities.

We have no objections to this proposed project as long as we will be provided a right-of-way to our existing buried telephone utilities along the easterly property line from this land locked parcel. This may be accomplished either with a signed easement document or reservations of a utility easement in and along the existing road adjacent to the property and extending to the easterly property boundary on a recorded map.

We thank you for keeping us well-informed of this project. If you have further questions, please call us at (559) 683-5410.

Sincerely yours,

Joe Ewing
Outside Plant Engineering Supervisor

JE/ss
Mariposa County Unified School District – Planning Department Comment Reply Form

Date: 3/15/2016

County of Mariposa
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

Assigned Project Planner Name: Steve Engler

Application Type/File #: Tenaya Cabins Project SPZA 2014-163, CUP 2014-184, and LDA 2014-165

Applicant Name: DNC Parks and Resorts (Tenaya Lodge)

Project Description: Construction of 54 cabins, with up to 88 parking spaces (revised project)

Mariposa County USD Comments:

☑ There are no specific concerns or needs of our agency pertaining to this development project.

☐ There are specific concerns and needs of our agency pertaining to this development project.

☐ The necessary action and who is involved to resolve this issue are noted below:

☐ The necessary action to resolve this issue needs to occur with the following time period:

☐ Other comments attached:
March 23, 2016

Steve Engfer
Mariposa County Planning
Post Office Box 2039
Mariposa, California 95338
SEngfer@mariposacounty.org

Subject: Request for Additional Comments on Revised Project Submittals, SPZA 2014-163, CUP 2014-164, and LDA 2014-165, Tenaya Lodge Explorer Cabins (Project) Township 5 south, Range 21 east, Section 23 of the USGS Fish Camp, California quadrangle in Mariposa County SCH# 2015021032

Dear Mr. Engfer:

The California Department of Fish and Wildlife (Department) has reviewed the additional information submitted for review as part of the above Project. The Department previously commented on the original Notice of Preparation (NOP) in a letter to the Mariposa Planning Department dated March 12, 2015 and on the revised NOP in a letter dated August 17, 2015. Approval of the Project would allow for 1) the construction of an upscale campground and would consist of a Fish Camp Specific Plan Land Use Amendment from existing SFR-1 Acre land use classification to Resort Commercial classification for Parcel 1, and to SFR ½ Acre land use classification for Parcel 2; 2) a Two Parcel Land Division to create a ½-acre residential parcel; 3) a Conditional Use Permit for 54, 500-square-foot pre-manufactured cabins, a parking lot with 88 spaces, and a clubhouse with an outdoor deck and recreation area to serve as guest registration, laundry, retail, hospitality, banqueting, food service, pool, barbeque and hot tub; 4) Highway 41 access and an internal looped roadway/driveway system; and 5) water supply and waste water systems. The Project proposes to take place on a 26.89-acre site located on the west side of Highway 41 in Fish Camp, Mariposa County, California; Township 5 south, Range 21 east, Section 23 of the United States Geological Survey Fish Camp Quadrangle.

The Department has concerns with the potential related Project impacts to special status species known to occur in the Project area including, but not limited to, the State Threatened and federally Endangered Sierra Nevada yellow-legged frog (Rana sierrae), State and federally endangered Willow Flycatcher (Empidonax traillii); the

Conserving California’s Wildlife Since 1870
State Candidate Townsend's big-eared bat (Corynorhinus townsendii), the State and Federal Candidate fisher (Martes pennanti), State Endangered great gray owl (Strix nebulosa); the State Species of Special Concern northern goshawk (Accipiter gentilis), California spotted owl (Strix occidentalis occidentalis), foothill yellow-legged frog (Rana boylii), and western mastiff bat (Eumops perotis); special status plants; and potential impacts to waterways, wetland, and riparian resources and the species that depend on them. The Department provided comments and recommendations for these concerns in our previous comment letters. Several of our comments and recommendations have been addressed in the biological reports submitted for review. These biological reports also included mitigation measures that will be incorporated into the draft Environmental Impact Report for this Project. The Department has the following additional comments:

**Fisher (Martes pennanti):** The Biotic Report Addendum (Biotic Report) includes several minimization and avoidance measures and habitat retention measures for the fisher. The fisher is a candidate species for listing under the California Endangered Species Act (CESA); therefore, no “take”, absent the acquisition of an Incidental Take Permit (ITP) pursuant to Section 2081(b) of the Fish and Game Code, can occur. Fishers are known to occur in the Project area. The Department has concerns regarding possible Project related activities during the fisher natal denning period (approximately March 1 to May 15) and maternal denning period (approximately May 16 to July 31). The Biotic Report includes mitigation measures for preconstruction surveys of potential den sites utilizing remote camera stations no more than seven (7) days prior to initiating construction activities. Per Mitigation Measure (MM) BIO-4a, dens sites will be considered inactive if fishers are not detected for a minimum of three (3) consecutive nights. For a 95% detection probability for fishers using remote camera stations, Slauson et al. (2009) recommends a minimum of 200 and 80 functional survey days (24 hour period) per sample unit during the summer (July – September) and non-summer seasons (October – June) respectively. The Slauson et al. (2009) recommendation is based on large scale surveys (i.e. approximately 1 km² survey units); however, this highlights the difficulty of fisher detections when they are present within the landscape.

MM BIO-4b includes measures for construction activities between June 30 and February 1 (outside the kit rearing season). During the maternal denning period (i.e. after kits are weaned), a female fisher may move her kits several times to other denning sites. The number of maternal den movements and length of individual maternal den use vary (Aubrey and Raley, 2006). The maternal denning period ends when fisher kits are approximately 4 months old or until they become more mobile and able to travel with their mother and begin to kill live prey (Lofroth et al. 2010). The Department has concerns regarding construction activities during the maternal denning period, when kits are still dependent on their mother for survival.

The Department recommends a qualified biologist conduct a stand search for potential fisher denning structures and that a qualified biologist conduct surveys for denning fisher activity utilizing established protocols for remote camera stations, such as the United States Forest Service American marten, fisher, lynx and wolverine
survey methods for their detection (Zielinski and Kucera, 1995). The Department recommends remote camera station surveys are conducted for a minimum of 12 functional survey days; however, the Department does not recommend using bait or scent lures, as this may attract foraging fishers and other wildlife species. MM BIO-4a states if any occupied den is detected, a 300-foot no-disturbance buffer will be flagged around the den site. The Department does not concur that a 300-foot no-disturbance buffer is adequate for a natal or maternal den site. The Sierra Nevada National Forest (USDA Forest Service 2004) implements a 700-acre protection buffer consisting of the highest quality habitat for verified fisher dens from March 1 through June 30. The Department recommends that we are immediately notified if any fishers are detected during the natal or maternal denning periods and that no Project-related activities occur within 0.25 miles of the occupied den site or potentially occupied den site until consultation with the Department can determine if the Project can be implemented and avoid take. If take avoidance of this species is not feasible, an ITP (pursuant to Section 2081(b)) is warranted prior to engaging in any Project activities to comply with CESA.

MM BIO-4b states that occupied maternity dens (dens with female and kits) will be monitored weekly until a qualified biologist has determined that the fishers have vacated the den site. It is unclear how the occupied den will be monitored and how the den site will be considered vacant. The Department recommends the use of remote camera stations, as described above, continuously until there is evidence the den has been vacated. The Department recommends that we are notified when a den site has been determined vacant and that supporting documentation is submitted to the Department for review prior to the commencement of Project-related activities.

If you have any questions on these issues, please contact Margarita Gordus, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (559) 243-4014, extension 236, or by electronic mail at Margarita.Gordus@wildlife.ca.gov.

Sincerely,

[Signature]

Julie A. Vance
Regional Manager

ec:  California Department of Fish and Wildlife
      Margarita Gordus, Margarita.Gordus@wildlife.ca.gov

      California Department of Forestry and Fire Protection
      John Ramaley, John.Ramaley@fire.ca.gov

      United States Fish and Wildlife Service
      Chris Nagano, Chris.Nagano@fws.gov
Literature Cited


March 24, 2016

Mr. Steve Engfer  
Associate Planner  
Mariposa Planning  
P.O. Box 2039 5100 Bullion Street  
Mariposa, CA 95338

Dear Mr. Engfer:

We have completed our review of the traffic impact study dated February 2016 prepared by VRPA Technologies for the proposed 54 cabins project located adjacent to the Tenaya Lodge facility along State Route (SR) 41 near Yosemite National Park within the Fish Camp Town Planning Area. A proposed driveway would be located on the eastside of SR 41 approximately 560 feet north of the Summit Camp roadway. Caltrans has the following comments:

The traffic impact study addressed our previous concerns in our comment letter dated September 1, 2015. The remaining comments from our September 1, 2015 still apply as follows:

Excerpt:

- **According to our Transportation Concept Report (TCR), this segment of SR 41 in the vicinity of the proposed project is planned for a 2-lane highway with the improvements such as passing lanes, left-turn lanes, or right-turn lanes. The preservation of 112 feet of right-of-way is recommended for this segment of SR 41.**

- **Because of the limited sight distance described in the TIS and the potential queuing, a 250-foot southbound left-turn lane entering the project is recommended. A standard 8-foot shoulder would be required for the entire frontage with the construction of the driveway. The driveway design plans would need to be approved through the Caltrans Encroachment Permit Office.**

- **The developer should also consider a transit alternative for this project to help sustain State transportation facilities in the area by lessening traffic demand. A project of this nature should be supported by transit, and early planning could make such an alternative feasible. Shuttles to Yosemite National Park or connection with an existing service should be explored.**

An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve

“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”
the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

If you have any further questions, please me at (559) 444-2493.

Sincerely,

[Signature]

DAVID PADILLA
Associate Transportation Planner

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
March 24, 2016

To: Steve Engfer, Associate Planner

From: Curtis Jackson, Deputy Fire Chief


Based on Mariposa Fire Department review to date, the following items are required to conduct further review:

1. The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. The roads shall be designed and maintained to support the imposed loads for the fire lanes of 75,000-pounds (CFC Appendix D102.1 or PCR 4290-4291) and shall be provided with a surface so to provide all weather driving capabilities. The length of the long cul-de-sac requires that the roadway be 20 feet wide. (Circulation plan sheet #4/8)

2. There are no Fire Hydrant or FDC locations on the Utility Plan sheet #7/8. FDC and Hydrants shall have a minimum separation of 25 feet and a maximum separation of 50 feet. All FDC and Hydrants shall permit fire apparatus parking that does not block additional apparatus traffic. Also on the Utility Plan 7/8 the location of the on-site fire line is cutting across the property and does not provide the ability to easily provide for a Fire Hydrant and FDC for fire sprinkler connection to the Club House.

These comments are not conclusive, as additional information is required. Future submittals will result in additional comments.

Please direct any question pertaining to the Fire Department review for the project to Curtis Jackson.

"Putting our community first, understanding they deserve nothing less!"
August 8, 2015

To: Steve Engfer, Associate Planner

From: Curtis Jackson, Deputy Fire Chief

Re: Tenaya Explorer Cabins 1152 Highway 41, Fish Camp: APN#010-350-008

Comments and additional information required

Based on Mariposa Fire Department review to date, the following items are required to conduct further review.

1. All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows. The road shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. The roads shall be designed and maintained to support the imposed loads for the fire lanes of 75,000-pounds (CFC Appendix D102.1 or PCR 4290-4291) shall be provided with a surface so as to provide all-weather driving capabilities.

   Due to the size of this project there shall be a secondary entry/exit point emergency use only. On all roadways 20 feet wide there shall be no parking permitted on both sides of the roadway (no parking signs). The length of the long cul-de-sac requires that the roadway be 20 feet wide.

2. All FDC and fire hydrant locations an additional 40 foot turnout with 15 foot approach ways shall be provided. FDC and hydrants shall have a minimum separation of 25 feet and a maximum separation of 50 feet. All FDC and hydrants shall permit fire apparatus parking that does not block additional apparatus traffic.

3. The Cabins shall Prior to use or occupancy, maintain a minimum of two trained and certified emergency staff on premises or in the Fish Camp community and available to respond to emergencies at all times that guests are on the property. The on duty certified emergency staff shall include two certified Firefighter EMT’s to assume command position until a Mariposa County Fire Command Officer arrives on scene. The certification will be through Mariposa County Fire Department training academy. Minimum staff shall be two Firefighter EMT’s.

4. The permit holder shall provide personal protection equipment (PPE) and positive communication equipment shall be supplied for all firefighting and EMS personnel. PPE and communication equipment may be stored in a central secure location. Communication systems will permit uninterrupted contact between all firefighters at all times and at all locations on or within the property. In addition there shall be positive communication at all times between a fire officer and recognized Emergency Command Center (ECC). All above equipment shall be approved by and become the property of Mariposa County and maintained per manufacturer and NFPA standards by property owner.

"Putting our community first, understanding they deserve nothing less!"
5. The water system including storage tank(s), loop water line system, fire hydrants and the provisions to meet the commercial fire flows as contained in the most recently adopted NFPA 1142. The storage tank(s) shall have dedicated water storage to meet the commercial fire flows at all times and the piping arrangements needs to consider domestic and emergency systems separately. The placement of the water storage tank(s) will require a diesel fire pump and pump house complying with NFPA 20. All cabins will require fire sprinkler protection with a minimum design based upon NFPA 13R and as with R-1 occupancies a fire alarm system other than smoke alarms will be required.

6. The Cabins shall, prior to the issuance of a building permit for the first on-site building install water storage tank(s) meeting project water demands consistent with standards contained in the most recently adopted NFPA 1142. The required storage volume shall be a minimum of 120,000 usable gallons. The Cabins shall install sufficient water improvements to meet fire flow during phased construction to the satisfaction of the Mariposa County Fire Department.

7. Prior to the issuance of a building or grading permit, the County Fire Chief shall provide the Planning Director with a letter certifying that the permit holder has entered into a written agreement satisfying the requirements of the County Fire Department for fire protection. The County Fire Chief shall provide a copy of the written agreement with a certification letter. The agreement shall at a minimum enumerate each mitigation measure identified in the Environmental Impact Report for fire protection and shall affirmatively state the measure’s inclusion in the agreement or alternatives accomplishing the same objective as required by the mitigation measure that are incorporated into the agreement.

8. Cabins “addressing” or numbering shall be visible from the main access roadway and all roadways shall be named.

9. Prior to the occupancy of the Tenaya Cabins, Permit Holder shall prepare and obtain written approval of the Mariposa County Fire Department, for emergency evacuation plan for the Tenaya Cabins. The evacuation plan at a minimum shall set forth the procedures to immediately evacuate hotel guests without interfering with vehicular traffic on the roadways so that emergency vehicles and personnel can move unobstructed to perform their tactical duties.

These comments are not conclusive, as additional information is required. Future submittals will result in additional comments.

Please direct any question pertaining to the Fire Department review for the project to Curtis Jackson.
Mariposa Planning
5100 Bullion Street,
P.O. Box 2039
Mariposa CA 95338-2039

22 March 2016

Subject: Delaware North (Tenaya Lodge Explorer Cabins Project)
Specific Plan Zoning Amendment No. 2014-163
Conditional Use Permit No. 2014-164
LDA No. 2014-165
EIR SCH#2015021032
APN: 010-350-008
1152 Highway 41
Fish Camp, California 93623

I have reviewed the updated Specific Plan Zoning Amendment No. 2014-163, Conditional Use Permit No. 2014-164, and LDA No. 2014-165 for Delaware North (Tenaya Lodge Explorer Cabins Project), APN 010-350-008 (26.89 or 24.82 acres – parcel area discrepancy to be reconciled), located at 1152 Highway 41, Fish Camp, California.

My previous comment letters of 16 January 2015 and 14 August 2015 listed my concerns and recommendations with regard to invasive noxious weed species, endangered species, wetland habitat, several water areas that might potentially be considered jurisdictional Waters of the U.S., and the need for the consideration of wildlife corridors on the proposed project area.

Mariposa County has identified the following key environmental issue areas with regard to Biological Resources: Potential disturbance of special-status terrestrial species; potential disturbance of sensitive habitats such as wetlands; potential effects on aquatic resources; potential effects on migratory corridors; and the potential spread of noxious weeds. From my review of the updated materials submitted, I see that some of these issues have been addressed and perhaps the others will be addressed in the draft EIR.

Just to reiterate, the Mariposa County General Plan (General Plan) identifies specific policies regarding biological resources and invasive species eradication:

- Specifically, Implementation Measure 10-3a (2) states: The County shall maintain a commitment to programs for invasive species eradication (Consequences: Puts the County in an active role with the noxious weed program.)
- Additionally, Goal 11-4a states: Conserve the diversity of native ecosystems, plant communities, wildlife habitat, and plant and animal species in the County.
- Implementation Measure 11-4a (3) states: The County shall develop and enforce standards that reduce or eradicate invasive species affecting the agricultural and natural ecosystems. (Consequences: Reduction of invasive species).
- Implementation Measure 11-4a (5): The County shall utilize collaborative planning efforts to coordinate local efforts to eradicate invasive plant species. (Consequences: Reduction of invasive species).
I have the following concerns/comments/recommendations about the proposed Tenaya Lodge Explorer Cabins project that need to be addressed in the draft EIR:

- I still feel that any wildlife movement corridors need to be addressed that might be considered significant on a regional basis in the project area, including the Wet Meadow wetlands and riparian areas and, to a lesser extent, ephemeral drainages. These habitats, which occur on and around the proposed project site, are valuable for many wildlife species, serve as movement corridors for many species such as deer, and are increasingly utilized to mitigate the effects of habitat fragmentation by development and conserve biodiversity.

- I would recommend that a more accurate assessment of the numerous vertebrate species as well as migratory bird species that use the habitat supported on and adjacent to, the project site be done. Surveys should be conducted in either the early morning or the late evening when the wildlife species are more likely to be present. This would also provide a more detailed study of the wildlife species present, wildlife movements, and wildlife corridors in the proposed project area which was lacking from the H.T. Harvey & Associates Biotic Report.

- Due to the expansion of the Tenaya Lodge Explorer Cabins Project from 34 to 54 cabins with additional corresponding parking stalls and onsite roads, I feel that this will increase the footprint and impact of the proposed project. The dissemination of invasive noxious weed species is favored by soil disturbance and their seeds are primarily spread by human activities such as road creation and maintenance, road grading, construction, and other soil-disturbing activities. All of these actions lend themselves to the importation, dissemination, and establishment of invasive weed species within the proposed project area as well as from outside the project area.

- While there is a preliminary grading plan layout included in the updated documents, I was unable to find the site management plan in the project proposal that addressed how to deal with soil disturbances, cut and fill, and soil movement as well as equipment cleaning. The site management plan should ideally include the specifications for invasive noxious weed best management practices and protocols to be employed as well as invasive noxious weed abatement. Unless mitigation and control measures are included in the proposed project conditions and instituted prior to any grading or road development, any invasive noxious weed species present on, or adjacent to, the project site will be spread by the heavy equipment and movement of infested soil within the project development, road development, and grading as well as from outside of the project area into the Tenaya Lodge Explorer Cabins Project area by hitchhiking weed seeds on the equipment that is brought in for construction and project development.

- Because I feel that the potential for the dissemination of invasive weed seeds is most critical during the grading and construction phases, I would like to add the above requirements as conditions of approval or mitigation measures under CEQA, including the submittal of a plan for invasive noxious weed abatement to be approved by the Agricultural Commissioner prior to the issuance of any construction permit, grading permit, or building permit.

If you have any questions regarding these comments or recommendations, please feel free to contact me at (209) 966-2075.

Sincerely,

Cathi Boze
Mariposa County Agricultural Commissioner
Steve,

My contract Air Engineer need some info on the project. See below. I am advising him that I am running the request through you.

David L. Conway, REHS
Director, Environmental Health Division
Mariposa County Health Department
Deputy Air Pollution Control Officer

From: KapahiR. [mailto:ray.kapahi@gmail.com]
Sent: Tuesday, March 29, 2016 11:29 AM
To: Dave Conway
Subject: Re: Tenaya Cabins Air Quality and GHG Analysis Report

Dave,

I would like to obtain an electronic copy of the modeling that was included in the report. May I contact the applicant or can you or someone contact them and request a copy of the inputs/outputs associated with the CalEEMod model runs.

Also, wanted to confirm, the County's General Plan has thresholds of significance but no other CEQA Guidance has been prepared at the County.

Thx

Ray

On Mon, Mar 28, 2016 at 3:09 PM, Dave Conway <dconway@mariposacounty.org> wrote:

Ray,

Attached is a copy of the above-referenced report for your review. Please review and provide comments in memo form. I have a due date of April 4th to provide comments back to the Planning Dept. on the project. This is the technical report that will be used to form conclusions for the Draft EIR; Therefore, if there is anything that needs correcting etc. we need to provide that input.

Thanks
Director, Environmental Health Division
Mariposa County Health Department
Deputy Air Pollution Control Officer
Mariposa County Air Pollution Control District
5100 Bullion Street, P.O. Box 5
Mariposa, CA 95338

(209) 966-2220

Ray Kapahi
Principal
Air Permitting Specialists
Web Site: www.kapahi.com
and
Lead Greenhouse Gas Verifier

12247 Welch Road
Wilton, CA 95693
Tel: 916-687-8352
Fax: 916-687-7863
Mobile: 916-806-8333
E-Mail: ray.kapahi@gmail.com
Picayune Rancheria
of the
CHUKCHANSI INDIANS
8080 Palm Ave., Suite 207, Fresno, Ca. 936711
mmotola@chukchansi-nsn.gov

THPO and CULTURAL RESOURCES DEPARTMENT

Date: March 24th, 2016

From: Picayune Rancheria of Chukchansi Indians
Mary Motola, THPO/ Cultural Natural Director
8080 North Palm Ave., Suite #207
Fresno, CA 93711
559-370-4141 ext.1005

To: Steve Engfer
Mariposa Planning

Re: Tenaya Cabins Project 9 SPZA 2014, and CUP 2014-164, and LDA 2014, EIR SCH# 2015021032 NOTICE- COMMENT REQUEST FOR REVISED PROJECT SUBMITTALS

Dear Mr. Engfer,
The Picayune Rancheria of Chukchansi Indians, received the Tenaya Cabins Project 9 SPZA 2014, and CUP 2014-164, and LDA 2014, EIR SCH# 2015021032 NOTICE- COMMENT REQUEST FOR REVISED PROJECT SUBMITTALS the week of March 21st, 2016. The Tribe still has concerns about the project and would like to continue to consult under CEQA (AB 52) & SB 18.

The Tribe is still troubled about:

- The town of Fish Camp will be altered, by increased population, traffic, noise, water use and the whole atmosphere of a small, rural community will be changed to that of a tourist town.
- Disturbance to a Culturally Sensitive Landscape
  - A mano was found on the on the August, 2015 site visit
  - There are Culturally Sensitive Plants in the area of potential effect
  - The large amount of ground disturbances and what cultural resources will be revealed
- The Silver Tip Lodge Project has been approved, does Fish Camp need this much lodging

Thank you,

Mary Motola,
THPO, Cultural Resources Director
Date: March 24th, 2016

From: Picayune Rancheria of Chukchansi Indians
Mary Motola, THPO/ Cultural Natural Director
8080 North Palm Ave., Suite #207
Fresno, CA 93711
559-370-4141 ext.1005

To: Steve Engfer
Mariposa Planning

Re: Tenaya Cabins Project 9 SPZA 2014, and CUP 2014-164, and LDA 2014, EIR SCH# 2015021032 NOTICE- COMMENT REQUEST FOR REVISED PROJECT SUBMITTALS

Dear Mr. Engfer,
The Picayune Rancheria of Chukchansi Indians, received the Tenaya Cabins Project 9 SPZA 2014, and CUP 2014-164, and LDA 2014, EIR SCH# 2015021032 NOTICE- COMMENT REQUEST FOR REVISED PROJECT SUBMITTALS the week of March 21st, 2016. The Tribe still has concerns about the project and would like to continue to consult under CEQA (AB 52) & SB 18.

The Tribe is still troubled about:

- The town of Fish Camp will be altered, by increased population, traffic, noise, water use and the whole atmosphere of a small, rural community will be changed to that of a tourist town.
- Disturbance to a Culturally Sensitive Landscape
  - A mano was found on the on the August, 2015 site visit
  - There are Culturally Sensitive Plants in the area of potential effect
  - The large amount of ground disturbances and what cultural resources will be revealed
- The Silver Tip Lodge Project has been approved, does Fish Camp need this much lodging

Thank you,

Mary Motola,
THPO, Cultural Resources Director
TENAYA CABINS FLOOD STUDY

Review of the report submitted by Blair, Church & Flynn dated February, 2016 for the Explorer Cabins at Tenaya Lodge Flood Study:

The Engineering Department review of the methodology in developing the modeling for the Base Flood Elevations proposed for Tenaya Cabins development is acceptable. However, it is concerning to find out that the previous report calculated the discharge rate in the wrong area resulting in the revised discharge rate to increase approximately 200%.

Reviewing the Big Creek cross sections does show that the proposed water surface profile is contained within the creek’s banks. In reading the report it seems as if the data used to create the existing cross sections came from a digital terrain model.

Our concern is verification of the accuracy of this data in developing the cross sections. We feel that some verification in the field is warranted and obtaining data of the nearby bridge located on Highway 41. If the information presented in the report can be substantiated, then the proposed development would not to appear to impact downstream properties.

Gary Taylor, PE
County Engineer
Mariposa County Public Works
Steve,

Please see below Russ’s comments on the Traffic Study and this would be relative to the Land Division portion of the project.

Doug felt the Traffic study was adequate for the area of PW concern. Established a project ADT of 451, therefore the subdivision must develop the LDA road to meet 451 ADT’s + 8 add'l for the offsite parcel currently served by a recorded easement thru the project. Therefore the ADT Total would be 459.
The overall traffic study is pertinent to Hwy 41 and would be under CalTrans review.

With this being said and reviewing the “Mariposa County Improvement Standards” and the “Mariposa County Road Improvement and Circulation Policy” it appears that a Town Class V and/or Town Class III is required for the Subdivision due to the ADT’s. We as PWD are not sure which Class to impose for this Subdivision due to Parcel 1 is 24.82 Acres and Parcel 2 is 21.782 sq. ft. (1/2 acre). We will need clarification for Planning on this.

Please let me know if you need anything else.
Thank you,
Cheryl Jay
Engineering Technician
Mariposa County Public Works
cjay@mariposacounty.org
4639 Ben Hur Road
Mariposa, CA 95338
(209)966-5356
Mr. Steve Engfer  
Mariposa County Planning  
Post Office Box 2039  
Mariposa, California 95338  

Subject Comments on the Draft Environmental Impact Report (EIR) for the Tenaya Lodge Explorer Cabins Project in Mariposa County, California

Dear Mr. Engfer:

This responds to your March 2, 2016, request for comments on the Tenaya Lodge Explorer Cabins Project. Your request was received by the U.S. Fish and Wildlife Service (Service) staff on March 28, 2016. At issue are the potential effects of the Tenaya Lodge Explorer Cabins Project on the proposed threatened West Coast Distinct Population Segment of the fisher (Pekania pennanti) (fisher), endangered Sierra Nevada yellow-legged frog (Rana muscosa), threatened Yosemite Toad (Bufo canorus), and sensitive wildlife or plant species including, the California spotted owl (Strix occidentalis occidentalis), Western pond turtle (Actinemys marmorata), and black-backed woodpecker (Picoideus arcticus). Our comments and recommendations are made under the authority of the Endangered Species Act of 1973, as amended (16 USC §§ 1531)(Act).

The comments and recommendations in this letter are based on: (1) Request for comments on the Tenaya Lodge Explorer Cabins Project submitted by the County of Mariposa; (2) the Tentative Parcel Map prepared by Blair, Church & Flynn Consulting Engineers; (3) the Tenaya Lodge Explorer Cabins Project, Project Description, and (4) other information available to the Service.

It is our understanding Tenaya Lodge Explorer Cabins Project includes the construction of 54 pre-manufactured cabins, each 675 square feet in area, just north of Tenaya Lodge on a 26.89 acre parcel in Mariposa County, California. The Tenaya Lodge Explorer Cabins Project is proposed to occur along Highway 41 south of the southern entrance to Yosemite National Park and east of Sierra National Forest near Fish Camp. The proposed project location is at approximately 5,000 feet in elevation, mainly composed of sierra mixed conifer forest, and is bordered by existing recreational and commercial use buildings and roads as well as Big Creek and Rainbow Lake to the North. Proposed project activities, in addition to the building construction and parking lots, will include pathways to the main lodge and recreational areas will be constructed. Recreational areas will be adjacent to Big Creek, and will include fire and barbecue pits, a large deck, hot tub and swimming pool. An access road will be constructed and trenching for electrical lines will be contained primarily within the road footprint and construction of waste water and water supply systems will be necessary to support the proposed project.
The Act prohibits the take of any federally listed animal species by any person subject to the jurisdiction of the United States. As defined in the Act, take is defined as "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." "Harm has been further defined to include habitat destruction when it injures or kills a listed species by interfering with essential behavioral patterns, such as breeding, foraging, or resting. Thus, not only are the Sierra Nevada yellow-legged frog and Yosemite Toad protected from an activity such as collecting, but also from actions that damage or destroys their habitat. If the proposed critical habitat for these two Sierra Nevada amphibians is designated, the lead Federal agency will need to ensure any action they fund, authorize or carry out does not result in adverse modification or destruction of critical habitat. If the proposed project will result in adverse effects to the proposed threatened fisher we recommend that a biological conference for this species be obtained by the Federal Agency. If the conference is conducted in the same manner as a formal consultation, it is generally a rapid process to convert the biological conference to a biological opinion in the event the species becomes listed under the Act. If a Federal agency is not involved in the project and federally listed species may be taken as a part of the project, then an incidental take permit pursuant to section 10(a)(1)(B) of the Act should be obtained. The Service may issue such a permit upon completion of a satisfactory habitat conservation plan for the listed species that will be taken as a result of the project.

Section 7 of the Act requires that when a Federal agency is involved with the permitting, funding, or carrying out of a project and a listed species is going to be adversely affected, then initiation of formal consultation between that agency and the Service should be requested. Such consultation will result in a biological opinion that addresses the anticipated effects of the project on the listed species and may authorize a limited level of incidental take.

Our comments and recommendations on the Tenaya Lodge Explorer Cabins Project are as follows:

1. The California Natural Diversity Database (CNDDB) indicates recent observation of Sierra Nevada yellow-legged frog within 6 miles of the project site along near Ranier Creek which is hydrologically connected to Big Creek allowing a suitable dispersal corridor for the amphibian. Although CNDDB does not show records of Yosemite toad in the project vicinity, this database does not include all locations occupied by the species. Yosemite toad has been found in several meadows throughout Sierra National Forest, with recent survey efforts, and the proposed project site provides suitable habitat for the toad. We recommend that an assessment for endangered Sierra Nevada yellow-legged frog, and threatened Yosemite Toad be completed in the action area. The Service recommends if a biological opinion or conference opinion are appropriate for this project, the Federal agency obtain them from us, or a section 10(a)(1)(B) permit be obtained, prior to issuance of the Record of Decision for the Environmental Impact Statement.

2. The California Department of Fish and Wildlife (2010) summarized several studies that had population estimates ranging from 160-370 individuals in the southern Sierra Nevada, and that the proposed project falls within Core Area 4 of the Southern Sierra Nevada Fisher Conservation Strategy (Spencer et al. 2016). This area has not been intensely studied, however is modeled to have high habitat value, with potential foraging, resting and dispersal habitat. Additionally there are several records of fisher within one mile of the project site.
Road mortality is documented in the species in the southern Sierra Nevada, especially in heavily travelled area near the Southern Entrance to Yosemite National Park (Gabriel et al. 2015), and roads also may create barriers to dispersal and may remove critical links in habitat (Truex et al. 1998). Therefore, we recommend that if the Federal agency determines the Tenaya Lodge Explorer Cabins Project may adversely affect the fisher, we recommend a conference assessment be prepared and a conference report or conference opinion, as appropriate, be obtained from the Service pursuant to 50 CFR § 402.10.

3. We suggest the applicant complete assessments for the California spotted owl, the Western pond turtle, and the black-backed woodpecker in the action area. If the applicant determines Tenaya Lodge Explorer Cabins Project may adversely affect these three species, we suggest that the appropriate measures be implemented to avoid and/or minimize the impacts on them.

We are interested in working with the County of Mariposa in the timely resolution of these issues. If you have questions about our comments and recommendations on the Tenaya Lodge Explorer Cabins Project, please contact Desirae Watson, Endangered Species Biologist (Forest), or me at the letterhead address, telephone (916) 414-6653 or (916) 414-6621, or email (Desirae_Watson@fws.gov; Chris_Nagano@fws.gov).

Sincerely,

Christopher D. Nagano
Chief, Endangered Species Division (Forest)

cc:
Ms. Margarita Gordus, California Department of Fish and Wildlife, Fresno, California
References Cited


California Department of Fish and Wildlife. 2016. California Natural Diversity Data Base (CNDDB) RAREFIND. Natural Heritage Division, Sacramento, California.


Our contract air Engineer has completed review of the Tenaya Cabins project. While the end result has the same conclusion, that the project will have a less than significant impact on Air Quality, as the project report there are some areas that should be modified as outlined in the attached memo.

David L. Conway, REHS
Director, Environmental Health Division
Mariposa County Health Department
Deputy Air Pollution Control Officer

From: Kapahi <mailto:ray.kapahi@gmail.com>
Sent: Wednesday, April 13, 2016 4:23 AM
To: Dave Conway
Subject: Tenaya Cabins AQ Review

Dave,

My comments are attached.

Ray

--
Ray Kapahi
Principal
Air Permitting Specialists
Web Site: www.kapahi.com
and
Lead Greenhouse Gas Verifier

12247 Welch Road
Wilton, CA 95693
Tel: 916-687-8352
Fax: 916-687-7863
Mobile: 916-806-8333
E-Mail: ray.kapahi@gmail.com
TECHNICAL MEMORANDUM

To: Dave Conway  
Deputy APCO  
Mariposa County Dept. of Health

From: Ray Kapahi
Consultant to Mariposa County  
Dept. of Health  
Tel: 916-687-8352  
E-Mail: ray.kapahi@gmail.com

Date: April 13, 2016

Subject: Review of Air Quality and Greenhouse Gas Analysis for Tenaya Lodge Explorer Cabins, Fish Camp, Mariposa County, CA

I have completed my review of the air quality and greenhouse gas analysis report for the proposed Tenaya Lodge Explorer Cabins development to be located at Fish Camp, in Mariposa County. It is my understanding that the project consists of 54 pre-fabricated cabins and a 2,700 square foot club house.

The report presents an analysis of emissions associated with the construction and occupancy phases. Emissions of criteria air pollutants and greenhouse gas (GHG) emissions were estimated using the CalEEMod emissions model. Since a detailed construction schedule or a traffic study were not available, the report used the CalEEMod in the default mode for both the construction and occupancy phases.

1 "Air Quality and Greenhouse Gas Analysis Report", Tenaya Lodge Explorer Cabins, Fish Camp, Mariposa County, California. February 19, 2016
The report concluded that the project would have less than significant impact. Specifically, the project would not obstruct or conflict with an applicable air quality plan; violate any air quality standard or contribute substantially to an existing air quality violation; and would not expose any sensitive receptors to substantial pollutant concentration.

Since the cabins will be pre-fabricated and installed on piers, construction related emissions and impacts are not expected to be significant. As a result, the principal air quality impact associated with the project will be associated with the occupancy phase. During the occupancy phase, the main source of emissions would be vehicular traffic. Much smaller quantities of air and GHG emissions will be released from space heating, maintenance, cooking, etc.

My comments are as follows:

**Vehicle Miles Travelled**
The analysis used the default VMT calculated in the CalEEMod model without any discussion as to the appropriateness of the values generated by this model. The default VMT presented in the report would be the same whether the project was located in Fan Francisco, Sacramento or Fish Camp. Clearly, this is not the case.

It would be more appropriate to calculate the miles travelled based on a reasonable trip scenario. For example, a typical visitor to the cabins might travel from cities such as San Francisco, Sacramento, Modesto, etc. While at the cabins, there may be some vehicle travel. Finally, they would return home after 3 or 4 day visit. The occupancy duration can easily be determined from other, existing hotels/cabins in the area.

I have calculated the annual VMT based on the occupancy duration, distance from the Mariposa County line to the project location, and an estimate of miles driven during the visit. I estimate annual vehicle miles travelled to be 1.12 million miles per year. This estimate is 32 % higher than values presented in the report. See attached calculation. The annual operational emissions from mobile sources should be increased by 32% as compared to the values presented in Table 11. The updated emissions would be as follows:

<table>
<thead>
<tr>
<th></th>
<th>ROG (tons/yr)</th>
<th>NOx (tons/yr)</th>
<th>PM-10 (tons/yr)</th>
<th>PM-2.5 (tons/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original</td>
<td>0.53</td>
<td>0.81</td>
<td>0.33</td>
<td>0.09</td>
</tr>
<tr>
<td>Revised</td>
<td>0.70</td>
<td>1.07</td>
<td>0.45</td>
<td>0.12</td>
</tr>
</tbody>
</table>

Total annual emissions would remain below the thresholds of significance.

**Trip Information**
Sections 4.2 of the model output “Trip Summary Information”, provides the total annual VMT and a breakdown of weekend versus weekday daily trips. Section 4.3 “Trip Type
information” details trip lengths for categories such as “H-W” (home to work) and “H-S” (home to school). These categories are meaningless in the present context, yet no discussion or explanation is presented in the report.

Significance of Air Quality impacts
The report used the thresholds of significance for San Joaquin Valley APCD as MCAPCD has not adopted any CEQA Guidance. Use of SJVAPCD is inappropriate as any thresholds of significance must be adopted by the County or Air District. Unless formally adopted, the thresholds of significance are not legally binding.

We note that Mariposa County has adopted thresholds of significance as part of their General Plan. The General Plan was updated in 2006 and established annual thresholds of significance of 100 tons per year for various air pollutants. The project impacts would remain insignificant under these thresholds.

Mitigation Measures (Construction Phase)
Mitigation Measure (MM AIR-2) recommends the use of construction equipment meeting Tier 2 or greater emission standards. Use of older, Tier 2 equipment does not constitute mitigation. Current off-road equipment meets Tier 4 standards. It is recommended that any construction equipment that will be used comply with ARB’s in-use Off-Road diesel vehicle program. This program is described in Section 2.4 of the report but is not cross-referenced in the proposed mitigation AIR-2.
# Calculation of Weekly and Annual Vehicle Miles Travelled

<table>
<thead>
<tr>
<th>No. of Cabins</th>
<th>54 cabins</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Variables</strong></td>
<td></td>
</tr>
<tr>
<td>Distance to Cabins</td>
<td>40 miles (from County line)</td>
</tr>
<tr>
<td>Occupancy Duration</td>
<td>2.1 days (from Applicant)</td>
</tr>
<tr>
<td>Miles Travelled While Visiting</td>
<td>40 miles (estimated)</td>
</tr>
<tr>
<td><strong>Calcs</strong></td>
<td></td>
</tr>
<tr>
<td>VMT per Trip</td>
<td>120 miles (40 x 2 + 40)</td>
</tr>
<tr>
<td>RT From County Line to Cabins</td>
<td></td>
</tr>
<tr>
<td>Plus VMT while visiting</td>
<td></td>
</tr>
<tr>
<td>VMT per week per cabin</td>
<td>400 miles (105 miles x 7/2.1)</td>
</tr>
<tr>
<td>VMT per week All cabins</td>
<td>21,600 miles (400 x 54)</td>
</tr>
<tr>
<td>Annual VMT All Cabins</td>
<td>1,123,200 miles (21,000 x 52)</td>
</tr>
</tbody>
</table>