In order to protect public health and the safety of Tuolumne County citizens, the Tuolumne County Planning Commission Meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in the meeting, follow the instructions below. For detailed Zoom instructions go to the Agenda Packet https://www.tuolumnecounty.ca.gov/AgendaCenter/Tuolumne-County-Planning-Commission-8, if you need swift special assistance during the Planning Commission meeting, please call 209-770-5423.

1) Use the link to join the webinar: https://us02web.zoom.us/j/89051366681 (Webinar ID: 890 5136 6681)
   - Or iPhone one-tap:
     US: +16699006833,,89051366681# or +13462487799,,89051366681#

   - Or Telephone:
     Dial(for higher quality, dial a number based on your current location):
     US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

2) During the public comment period you will have the option to “raise your hand” if you would like to comment on a project or during the public comment portion of the meeting.

If participating by computer:
- After clicking the “raise your hand” option, please wait until a staff member unmutes your microphone.
- Once staff has unmuted your microphone you will be asked to provide comments.
- A staff member will notify you when you have 30 seconds remaining and again when your time is up.
- Once your allotted time is up, a staff member will mute your microphone and “lower your hand”.

If participating by smartphone:
- If you are participating from your smartphone, you will also have a “raise your hand” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will able to provide public comment. Staff will assist as described above.

If participating by telephone:
- If you are participating via telephone call, you will need to press *9 (star 9) to “raise your hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment. Staff will assist as described above.

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (QYaley@co.tuolumne.ca.us) for retention as part of the administrative record. Comments will not be read during the meeting. Comments must be received by the Community Development Department Director no later than 9:00 AM on the morning of the noticed meeting.
PLANNING COMMISSION BUSINESS: 5:00 p.m.

1. Meeting Procedures
2. Reports
   a. Commissioners and Staff
   b. Board of Supervisors Planning Committee Representative
   c. Agricultural Advisory Committee Representative

PUBLIC COMMENT: 15 minutes
The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING: 5:00 p.m.

NEW ITEMS:
TERRA VI LODGE,

1. Site Development Permit SDP18-003 to allow a lodging development that includes guest rooms, detached cabins, employee housing, a market, event space, and other support buildings. The project site is 64.04± acres and is zoned C-K (Commercial Recreation) and O (Open Space) by the Tuolumne County Ordinance Code.

2. Resolution to Certify the Final Environmental Impact Report for Site Development Permit SDP18-003, Adopt the CEQA Findings of Fact and Statement of Overriding Considerations, and Adopt the Mitigation Monitoring and Reporting Plan.

The project site is located at 11262 Sawmill Mountain Road, approximately 20 miles east of the community of Groveland. The site is within a portion of Section 26, Township 1 South, Range 18 East, Mount Diablo Baseline and Meridian, and is located within Supervisorial District 4. Assessor’s Parcel Numbers 068-120-060 and 068-120-061.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda, or other materials provided by the County to the Planning Commission prior to the meeting are available for review online at www.tuolumnecounty.ca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

IMPORTANT PUBLIC NOTICE: Under the Governor’s Executive Order N-25-20, this meeting will allow members of the Planning Commissioners to participate by teleconference; and under Order N-29-20, Accessibility Requirements.
November 5, 2020

TO:    Tuolumne County Committee and Commission Members
FROM:  Quincy Yaley, AICP Community Development Department Director
RE:    COVID-19 Meeting Procedures

In response to increasing risks of exposure to the coronavirus (COVID-19), all the Committee and
Commission meetings will be conducted and participated via Zoom. Video conferencing via Zoom
will allow the Commission/Committees and County to adhere to social distancing requirements of
the Brown Act and provide a way for the public to provide public comment live during the meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may
choose to allow public comment on the project in an alternative fashion, rather than calling for those
in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may
take public comment on the project in any order in lieu of the calling for those in favor, opposition,
neutral, rebuttals, and then surrebuttals.

The Committee and Commission may elect to allow the applicant or applicant representative a
specific time to speak on the project prior to taking public comments on the item. This opportunity
could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required
to provide their name. County staff will notify the Chair of any individuals who wish to provide
testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and
can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each Committee and Commission member to be named by County
Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated
the motion and the name of the commissioner who seconds the motion. After a second is named,
the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project
and when County staff can connect them into the zoom meeting. It is recommended that the Chair
pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If
there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting
to provide assistance to the public if they encounter problems using the Zoom platform. Staff
requests that the Chair allow additional time as needed to ensure that members of the public can
engage in the meeting.
Zoom Instructions

Zoom links can be found in the agenda for each meeting. The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 60 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Director at gyaley@co.tuolumne.ca.us. If you would like your comments to be included in the record, please send comments to the above email address by 9:00 a.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom’s support page for helpful tips: https://support.zoom.us/hc/en-us/categories/201146643.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

JOINING A WEBINAR BY LINK

• To join the webinar, clink the link that we provided in the agenda.
• If you are signed in, change your name if you do not want your default name to appear.
• If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

• Use the 9-digit meeting ID/webinar ID provided in the agenda.
• Sign in to the Zoom Desktop or Mobile App
• Click or tap Join a Meeting
• Enter the 9-digit webinar ID, and click Join or tap Join Meeting
• If prompted, enter your name and email, then click Join Webinar or tap Join.
• You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

• If the host has not started broadcasting the webinar, you’ll receive a message letting you know to “Please wait for the host to start the meeting”.

PUBLIC COMMENT

• During the public comment period you will have the option to “raise your hand” if you would like to comment on a proposed project or during the public comment portion of the meeting.
• Once you have clicked the “raise your hand” option, please wait until a staff unmutes your microphone.
• Once staff has unmuted you will have three minutes to speak.
• A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.
• Once your allotted time is up, a staff member will mute and “lower your hand”.
• If you are participating from your smartphone, you will also have a “raise their hand” feature.
• When you are unmuted a prompt will appear to confirm you would like to be unmuted.
• Once you confirm you will able to provide public comment.
• If you are participating via telephone call, you will need to press *9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

END OF MEETING

• If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.
TO: Tuolumne County Planning Commission  
FROM: Quincy Yaley, AICP, Community Development Department Director  
RE: Certification of the Environmental Impact Report and Public Hearing for Site Development Permit SDP18-003

PROJECT DESCRIPTION: 1. Site Development Permit SDP18-003 to allow a lodging development that includes guest rooms, detached cabins, employee housing, a market, event space, and other support buildings. The project site is 64.04± acres and is zoned C-K (Commercial Recreation) and O (Open Space) by the Tuolumne County Ordinance Code.

2. Resolution to Certify the Final Environmental Impact Report for Site Development Permit SDP18-003, Adopt the CEQA Findings and Statement of Overriding Considerations, and Adopt the Mitigation Monitoring and Reporting Plan.

LOCATION: The project site is located at 11262 Sawmill Mountain Road, approximately 20 miles east of the community of Groveland. The site is within a portion of Section 26, Township 1 South, Range 18 East, Mount Diablo Baseline and Meridian, and is located within Supervisorial District 4. Assessor’s Parcel Numbers 068-120-060 and 068-120-061.

This memorandum covers the following information:

1. History of the Project  
2. Project Description  
3. Tuolumne County General Plan  
4. Tuolumne County Ordinance Code  
5. Public Outreach and Engagement  
6. Environmental Analysis  
7. Issues to Consider Outside of CEQA  
8. SDP and CUP Findings of Approval  
9. Planning Commission Action

Due to the length of the environmental documents, they are not included in this Agenda Report. The full project description, DEIR, and Final EIR and other documentation can be found here: https://www.tuolumnecounty.ca.gov/1158/Terra-Vi-Lodge-Yosemite
SECTION 1: HISTORY OF THE PROJECT

An application for Site Development Permit SDP18-003 was submitted on November 21, 2018. Initial project notification letters were mailed on December 10, 2018 and October 7, 2019 to advisory agency groups and property owners within 1,000 feet, as required by Chapter 17.68 of the TCOC. Due to comments received from stakeholders, the County and project applicant decided to move forward with preparation of an Environmental Impact Report (EIR).

A Notice of Preparation (NOP) was circulated on May 2, 2019, which started the 30-day comment period for scoping information for the EIR. A public scoping meeting was held on May 13, 2019. A subsequent NOP was issued on November 15, 2019 due to a clerical error and another 30 day scoping period for the document was held. A Draft EIR was prepared following the end of the scoping period which included concerns raised at the scoping meeting. A DEIR was submitted to the State Clearinghouse on June 15, 2020. The public comment period was 45 days in length and closed on July 30, 2020. All comments received on the DEIR are included in the Final EIR.

SECTION 2: PROJECT DESCRIPTION

Site Development Permit SDP18-003 propose to develop a hotel lodge comprised of various single, two-, and three-story elements. The building design accommodates a setback, maximizing the distance between taller structures and adjacent residential properties to minimize visibility from both public and private views. Elements of the project include a public market, general lodge with 100 guestrooms and multi-purpose uses, indoor and outdoor areas, and 26 cabin guestrooms in seven buildings, as well as 5 employee apartments with four rooms in each unit, for a total of 20 employee rooms. The proposed project would develop 18 percent (11.5 acres) of the project site with buildings, roads, and parking. An additional 1.4 acres would be used for the primary septic system. Additional project plans are provided in Appendix B of Draft EIR.

The project would incorporate design elements into the building program which would include green building materials such as energy-efficient windows, skylights, doors, insulation, roofing, lighting, plumbing, and heating and cooling equipment. The proposed development would create a comprehensive energy-efficient building infrastructure and envelope. Solar panels are proposed to be constructed on the roof of the buildings.

The project site consists of two parcels, assigned Assessor Parcel Numbers (APN) 068-120-060 (28.08 acres in area) and 068-120-061 (35.96 acres in area). The western parcel, APN 068-120-060, is located on the northern side of Highway 120. Most of it is east of Sawmill Mountain Road (also designated as Forest Road 1S03) but a portion of it lies on the west side of Sawmill Mountain Road. Sawmill Mountain Road is located within a 66-foot roadway easement on the project site. A materials storage and roadway easement is also located on the project site to allow the California Department of Transportation (Caltrans) to access a storage building directly to the west of the project site. The eastern parcel, APN 068-120-061, is on the northern side of Highway 120 entirely east of Sawmill Mountain Road.

Water will be provided via on-site wells, which will be developed as a public water system through the State Water Resources Control Board. Wastewater treatment will be provided via on-site sewage treatment and disposal systems. Additional project information can be found in Chapter 3 of the DEIR.

The objectives of the project are:

1. Provide a financially viable, environmentally sensitive lodging option to address the increased demands for eco-sensitive resorts and Yosemite recreation tourism.
2. Develop and operate a lodging facility at a scale sufficient to support a variety of accommodations, amenities and on-site recreation capabilities on an undeveloped property which is zoned for a commercial recreation use and is within 10 miles of the Yosemite National Park, Big Oak Flat entrance.
3. Create a one-of-a-kind place where individuals, families and groups can experience one of nature’s most beautiful settings. Incorporate indoor – outdoor relationships throughout the resort; design public spaces which include lobbies, dining, event and special amenity areas to have open connections to nature both visually and physically.

4. Provide diverse recreational and wellness experiences to promote year-round use through education, outdoor recreation activities, wellness and well-being programs. The lodging facility will serve as a portal to the Stanislaus National Forest and U.S. Forest Service lands for hiking, trail running, biking and other outdoor activities.

5. Provide a helicopter landing zone for emergency personnel to provide immediate medical treatment and transportation to regional hospitals for both the project users and the surrounding community.

6. Reduce visual impacts at the project entrance by using low-rise structures that gradually increase in height as the building elements are pushed in an away from the neighboring properties. This design creates a maximum set-back for buildings, incorporates desirable height transitions, and enlarges the open space between the building structures and neighboring properties.

7. Reduce noise to nearby residential properties by locating the activity recreation areas on the opposite side of the property and using the building orientation in a manner that provides substantial sound mitigation.

8. Minimize light spillage by following Dark-Sky influenced design programs and following the California Title 24 Building Energy Efficiency Standards. An example of this is achieved by using downward positioned, fully shielded, high efficiency 3000K (Kelvin) LED (low-emitting diode) fixtures.

9. Design and construct Type I fire resistive structures, fire prevention systems and defensible space areas by providing increased building separation, low building heights, high performance fire extinguishing and alarm systems, surplus water storage, hold-in-place refuge and complete perimeter accessibility to ensure fire-fighting and life-safety capabilities in the event of a wildland fire.

10. Provide a robust parking design that is convenient but planned in such a way so not to dominate the site. Accomplish this by avoiding large expanses of asphalt and incorporating gently curving roads that follow the natural topography of the site. Use berms and landscape elements to screen and visually break up on-site roadways and parking areas.

11. Incorporate a Yosemite Area Regional Transportation System (YARTS) stop area to foster and promote the use of public transportation for lodge guests, visitors and employees.

12. Provide up to 30 day-use parking stalls for the public benefit to encourage the use of the public transportation or ride sharing to ease Yosemite National Park traffic.

13. Develop a site which has a safe, reliable and sustainable source of water.

14. Develop a site for which the geology (native physical structure and substance) is ideal for a septic system, whereby the optimal operating performance and service-life can be maintained.

SECTION 3: GENERAL PLAN CONSISTENCY

The project site has a General Plan land use designation of Parks and Recreation (R/P). The Parks and Recreation General Plan land use designation was created to provide for recreational uses of a commercial nature to serve the tourist industry as well as providing leisure activities for the County’s residents. This designation is found primarily along the County’s highway corridors and is also interspersed in the Stanislaus National Forest and Yosemite National Park. Typical land uses allowed under the Parks and Recreation designation include parks, camping facilities, recreation vehicle parks, ski and other resort facilities, marinas, and commercial uses in support of such facilities. Table 1.3 in the Technical Background Report for the 2018 Tuolumne County General Plan indicates that the C-K zoning district is compatible with the R/P land use designation and that the O zoning district is compatible with all General Plan designations.

The following Goals, Policies, and Implementation Programs of the 2018 General Plan also pertain to the project. A response to each demonstrates the projects’ consistency with the General Plan.

Policy 1.A.3: Address the impacts associated with new development on cultural resources and conserve such resources where appropriate.
A cultural resource study was conducted on the site. The results of the records search and on-site survey did identify potentially significant resources, and therefore mitigation was required. Conditions of approval are included to protect resources that may potentially be unearthed during the construction project.

Implementation Program 1.D.c: Encourage building site designs that cater to transit riders, pedestrians and cyclists, as well as those arriving by car. Examples of transit, pedestrian and bicycle friendly building site design features include, but are not limited to, segregated entrances, pavement markings and warning and directional signage.

Policy 1.D.5: Promote the provision of multi-modal access to activity centers such as public facilities, commercial centers and corridors, employment centers, transit stops, schools, parks, recreation areas, and tourist attractions.

The project will include development of a YARTS (Yosemite Area Regional Transportation System) bus stop at the project entrance from Sawmill Mountain Road. The applicant will work with YARTS to schedule bus stops at the project location. This would support Implementation Program 1.D.c and Policy 1.D.5 of the 2018 General Plan.

Goal 1.F: Promote the development of commercial uses to meet the present and future needs of Tuolumne County’s residents and visitors and maintain economic vitality.

Policy 1.F.2: Promote new commercial development in rural communities that provides for the immediate needs of the local residents and services to tourists. The scale and character of such commercial development should be compatible with and complement the surrounding area.

The development of a facility along Highway 120 would support the commercial and tourism industry in this area of the County, consistent with Goal 1.F and Policy 1.F.2 of the 2018 General Plan.

Implementation Programs 1.F.b: Provide for commercial facilities in rural areas that have limited public services by maintaining a land use designation for such facilities that has unique development standards.

The project site is zoned C-K and O. The C-K zoning district encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. The C-K district allows for commercial development without the requirement for public water and sewer. This allows for the development of commercial facilities in rural areas, in support of Implementation Program 1.F.b of the General Plan.

Goal 6.D: Promote the development of commercial, industrial, agricultural, and recreational facilities and tourism uses to provide jobs for County residents and diversify the local economy.

Implementation Program 6.D.a: Encourage and support private sector initiatives to develop recreational and tourist-oriented facilities.

Policy 6.D.2: Promote a diverse, countywide tourist industry that relates to the agricultural, historical, cultural, recreational, and natural attractions of the County.

Policy 6.D.3: Encourage the expansion of the tourist industry by supporting new development that serves that industry.

Goal 6.E: Encourage the retention and expansion of existing businesses, attraction of new business and industry and assist in entrepreneurial programs to generate local employment opportunities, reduce retail leakage out of the county trade area and diversify the local economy, while maintaining its environmental
and cultural integrity.


Policy 9.A.1: Actively involve fire protection agencies within Tuolumne County in land use planning decisions.

Fire protection agencies within Tuolumne County, including the Tuolumne County Fire Prevention Division, Tuolumne County Fire, Groveland Community Services District, and CalFire have been consulted and involved in discussions with the project applicant and the County throughout the application process.

Policy 9.E.3: Require new development to be consistent with State and County regulations and policies regarding fire protection.

The development and operation of the facility will be consistent with all applicable State and County regulations and policies regarding fire protection. The project will be reviewed by the Tuolumne County Fire Prevention Division during development stages to verify consistency with State and County fire regulations.

Implementation Program 16.B.b: Encourage the preservation of open areas for recreational activities, including provision of an appropriate balance of facilities suitable for intensive use (e.g. playgrounds, sports fields) and low intensity use (e.g., hiking, camping) that meet the needs of residents and visitors. Preservation of open areas that provide cultural, historical and educational opportunities for residents and visitors should also be encouraged.

The project site contains two parcels, Assessor Parcel Numbers 068-120-060 (28.08 acres in area) and 068-120-061 (35.96 acres in area), totaling 64.04± acres. The proposed project would develop 18 percent (11.5 acres) of the project site with buildings, roads, and parking. An additional 1.4 acres would be used for the primary septic system, leaving the remaining acreage as open areas.

Implementation Program 16.B.i - Require development that is subject to a discretionary entitlement from the County and to environmental review under the California Environmental Quality Act (CEQA) to evaluate potential impacts to biological resources and mitigate significant impacts for the following or as otherwise required by State or Federal law:

- species listed or proposed for listing as threatened, rare, or endangered under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA);
- species considered as candidates for listing under the ESA or CESA;
- wildlife species designated by CDFW as Species of Special Concern;
- animals fully protected under the California Fish and Game Code; and
- plants considered by CDFW to be “rare, threatened, or endangered in California” (California Rare Plant Ranks [CRPR] of 1A, presumed extinct in California and not known to occur elsewhere; 1B, considered rare or endangered in California and elsewhere; 2A, presumed extinct in California, but more common elsewhere and 2B, considered rare or endangered in California but more common elsewhere).
- Sensitive natural communities, including wetlands under Federal or State jurisdiction, other aquatic resources, riparian habitats, and valley oak (Quercus lobata) woodland.
• Important wildlife movement corridors and breeding sites.
• Oak woodlands, as provided in Implementation Program 16.B.j.

The project was evaluated for impacts to biological resources. Mitigation measures have been incorporated to reduce impacts to biological resources to a less than significant impact. See “Biological Resources” in Section 4.3 of the DEIR for specific mitigation measures which have been incorporated for protection of wildlife, sensitive habitats, and special status species, consistent with Implementation Program 16.B.i of the 2018 General Plan.

**Policy 17.E.2:** Require the maintenance of defensible space setbacks in areas proposed for development if wildland fire hazards exist on adjacent properties.

The applicant will be required to receive approval of a Timber Harvest Plan with the CalFire to remove dead, dying, and unhealthy vegetation on site to improve the overall forest health of the project site and allow for the proposed improvements to be constructed. The removal of dead, dying and unhealthy vegetation will aid in creating defensible space conditions on the project site.

**Policy 17.E.3:** Require new development to have adequate fire protection and to include, where necessary, design and maintenance features that contribute to the protection of the County from the losses associated with wildland fire.

The project has been designed to minimize impacts to wildfire hazards. Project design features will be incorporate during construction, such as use of spark arrestors on equipment, preparation of firebreaks, and keeping areas cleared of dried vegetation or other fuels, as well as the preparation of a Fire Protection and Evacuation plan which will be reviewed and approved by the Tuolumne County Fire Prevention Bureau. See “Wildfire” in Section 4.17 and the “Hazards and Hazardous Materials” in Section 4.9 of the DEIR for the specific measures and conditions which have been incorporated to reduce wildfire risk on site.

**SECTION 4: TUOLUMNE COUNTY ORDINANCE CODE**

The project site is zoned C-K and O under Title 17 of the Tuolumne County Ordinance Code. The purpose of the C-K district is to encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. The purpose of the O district is to preserve and protect areas of valuable wildlife habitat consistent with the wildlife policies of the general plan or areas with significant cultural resources. Approximately 21 acres of the eastern parcel (APN 068-120-061) are within the O Zoning District.

Hotels and motels are a permitted use within the C-K zoning district. However, Section 17.68.100 of the TCOC requires a Site Development Permit to be secured prior to construction or expansion of building projects in the C-K district to ensure that certain types of proposed developments will serve to achieve a design which is desirable. The project review associated with a Site Development Permit includes verifying conformance to the latest accepted planning and engineering standards covering the following areas: site layout, structure design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking. The Site Development Permit is different from the Use Permit in that the review is limited to the physical development of the site. The applicant has applied for Site Development Permit SDP18-003. The EIR prepared for the project have analyzed site layout, structure design, landscaping, water and sewer service and other utilities, surface drainage and erosion control, fire protection, access, traffic circulation and parking.

The project has been conditioned to ensure compliance with applicable sections of the TCOC including Title 11 and Title 15 for road standards, Title 13 for construction and maintenance of on-site wells and sewage disposal systems, and Title 17 for zoning and development standards.
The existing O zoning on site was established under a previous action as mitigation to protect general wildlife habitat.

SECTION 5: PUBLIC OUTREACH AND ENGAGEMENT

Comments were received on the project throughout the process. An initial project notification letter was mailed on July 19, 2018 to property owners within 1000 feet and stakeholder groups. The purpose of this informal review process is to give agencies, adjoining property owners, and interested parties a chance to give their opinion of the project and help identify potential areas of controversy surrounding the project at the start of the application process. Comments received from agencies help determine what studies may be required or what conditions of approval are applicable to the project.

Comments during the public scoping meeting were included directed the analysis in the DEIR. Comments were received from public agencies, private organizations, and individuals and businesses. Concerns raised during the scoping period are summarized in Section 1.5 of the DEIR. At the conclusion of the circulation of the DEIR, a formal Response to Comments was been prepared and included in the Final EIR. A summary of the most common concerns raised regarding the project are included in Section 6 below in this report. If comments are received after the close of the DEIR public review period, they are not included in the FEIR, but are posted on the project website and forwarded to Planning Commissioners.

SECTION 6: ENVIRONMENTAL ANALYSIS

Environmental Documentation

The California Environmental Quality Act (CEQA) requires all local and State governmental agencies to consider the environmental consequences of projects over which they have discretionary authority. Public Resources Code Section 21065 defines a project as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” Therefore, Tuolumne County, as the lead agency, is required to analyze the environmental impacts of Site Development Permit SDP18-003.

Tuolumne County has determined that the size, scale, and potentially significant impacts resulting from the project require the preparation of an Environmental Impact Report (EIR). Consistent with CEQA, the EIR is an informational document which will inform public agency decision-makers and the public about the potential environmental effects of the project, and about mitigation measures and/or alternatives to the project to minimize the project’s significant adverse impacts (CEQA Guidelines Section 15121(a)).

Draft Environmental Impact Report

On May 2, 2019, the County sent a Notice of Preparation (NOP) to responsible, trustee, and Federal agencies, as well as to organizations and individuals interested in the project. The County held a scoping meeting on May 13, 2019 at the Groveland Community Hall. A subsequent NOP was issued on November 15, 2019 due to a clerical error and another 30 day scoping period for the document was held. The NOP requested that agencies and individuals identify the relevant environmental issues that should be addressed in the EIR. The NOP and comments received on the NOP have been included as Appendix B of the EIR. A DEIR was submitted to the State Clearinghouse on June 15, 2020. The public comment period was 45 days in length and closed on July 30, 2020. All comments received on the DEIR are included in the Final EIR.

Section 15129 of the State CEQA Guidelines states that a lead agency need not provide a detailed discussion of environmental effects that would not be significant, and may instead provide a brief statement of dismissal for applicable environmental issues. The following areas were found to not have potentially significant impacts or less than significant impacts:
The following resource areas were analyzed in the DEIR and found to have potentially significant impacts, but the impacts would be reduced to a level of less than significant with the implementation of mitigation measures:

- Aesthetics
- Biological Resources
- Cultural and Tribal Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

The following resource areas were analyzed in the DEIR and found to have significant and unavoidable impacts:

- Greenhouse Gas Emission
- Noise

The DEIR found that there would be no significant and unavoidable impacts as a result of this project. Project impacts and mitigation measures are discussed and presented in Chapter 3 of the EIR. A summary of the impacts of the project and proposed mitigation measures can be found in Table ES-1 of the DEIR and throughout the IS/MND.

**Alternatives**

As required by Section 15126.6(a) of the State CEQA Guidelines, the DEIR examined a range of reasonable alternatives to project. Alternatives were selected for evaluation that could feasibly accomplish the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects of the project. The alternatives evaluated in the DEIR were a “Reduced Project Alternative”, “Alternative Location Alternative”, and the “No Project/No Development Alternative”.

CEQA requires the identification of an “environmentally superior” alternative among the options studied. The No Project Alternative would be the most environmentally superior alternative with the fewest environmental impacts. However, it would not meet any of the objectives of the project. CEQA requires that a second alternative be identified when the No Project alternative is the environmentally superior alternative. Therefore, the Reduced Project would be the environmentally superior alternative. A detailed analysis of the alternatives is found in Chapter 4 of the DEIR and in the Statement of Findings of Fact.
Public Comment and Responses

A Notice of Availability of the DEIR was published on June 5, 2020. The DEIR was available for public review from June 16, 2020 to July 30, 2020. At the conclusion of the comment period, common themes were found throughout the comments received on the DEIR. Rather than repeat information, the Response to Comments includes seven “Master Responses” on the following topics:

- Wastewater Treatment
- Emergency Helipad
- Emergency Evacuation
- Wildfire
- Public Services
- Alternative Location Alternative
- Duration of the DEIR Public Comment Period

Other areas of concerns were raised during the public review period and the specific responses, in addition to the master responses listed above, are found in the Final EIR.

Certification of the Final Environmental Impact Report

Before approving Site Development Permit SDP18-003, the Planning Commission must certify that the EIR complies with CEQA, reflects the County’s independent judgment and analysis, and was presented to the Planning Commission, which reviewed and considered the information in the EIR before approving the project. Section 15151 of the CEQA Guidelines states in part "an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible”.

It is the Community Development Department’s recommendation that the EIR meets the intent of Section 15151. The document thoroughly discusses all potentially significant environmental issues, contains all sections required by law, and adheres to all review periods and time requirements. All issues raised during the review of the DEIR are thoroughly discussed in the Final EIR.

Findings of Fact

In approving a project, for each significant impact of the project identified in the EIR, the County must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. (CEQA Guidelines Section 15091.) If the County approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the County’s decision and explains why the project’s benefits outweigh the significant environmental effects.

Findings of Fact and Statement of Overriding Considerations

In approving a project, for each significant impact of the project identified in the EIR, the County must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. (CEQA Guidelines Section 15091.) If the County approves a project with unavoidable significant environmental effects, it must prepare a written Statement of
Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the County’s decision and explains why the project’s benefits outweigh the significant environmental effects. The draft Findings of Fact and Statement of Overriding Considerations for the General Plan Update project is attached to this report. The draft Mitigation and Monitoring Reporting Program, which will ensure the mitigation measures are implemented, is also attached to this report.

SECTION 7: ISSUES TO CONSIDER OUTSIDE OF CEQA

Illegal Zoning and Land Division

During the project review by County staff, a resident of the Sawmill Mountain area raised concerns about the legality of the C-K zoning on the site and the previous completed land divisions that created the subject parcels. Community Development Department staff researched this issue, including consulting with the County Surveyor, and no illegal land divisions were found to have occurred, nor were violations committed relating to the August 20, 1991 decision to approve the current zoning on the project site. This designation went into effect on August 20, 2001, because the site was being rezoned from Timberland Production, which takes 10 years to remove from a property.

Property Values and Appropriateness of Land Use

Evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment are beyond the scope of CEQA. However, economic and social impacts can be considered by the Planning Commission within the scope of the stated findings that are necessary to be made if the project were to be approved. Information regarding how the required findings are met is described in Section 8 below.

The Tuolumne County General Plan, most recently updated in 2019, provides a map of approved land uses throughout the County. This land use map serves as a guide for property owners and decision makers when identifying appropriate land uses on specific properties. One of the purposes of the land use map is to guide County staff with evaluating proposed developments, as the map provides the development framework for the County that has been approved by the Board of Supervisors.

The approved land use designation in the General Plan land use map for the project site is Parks and Recreation. The intended specific uses for this land use designation are described in Section 3 of this report. The County Supervisors in approving the land use map with the Parks and Recreation land use on this site, have stated that after undergoing the required environmental analysis, the project site could be developed with land uses such as parks, camping facilities, recreation vehicle parks, ski and other resort facilities, marinas. Therefore, it has been anticipated by the County that there could be a potential for recreational development at some scale on this property.

Funding a Fair Share of the Cost of Emergency Services

CEQA’s treatment of Public Services impacts is narrowly defined to include only those impacts that would arise from the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. However, many members of the public, including the Groveland Community Services District, raised concerns regarding the cost of providing emergency services to the Terra Vi project. A discussion of how this issue is analyzed under CEQA can be found in the FEIR. In general, response times, service ratios, and other performance objectives are relevant to a CEQA analysis only within the context of whether or not new or expanded facilities would be required to meet defined objectives related to those service objectives, and what the environmental effects would be of providing those facilities.

As many commenters on the DEIR stated, and as presented in the DEIR, the nearest all-hazard emergency services resources (structural and wildland firefighters and paramedics) are located in Groveland,
approximately 17 road miles west of the project site. Seasonally, wildland-only firefighting resources are nearer, about nine miles to the west at the U.S. Forest Service’s (USFS) Groveland ranger station, and eight miles to the east at Hodgdon Meadow on Yosemite National Park, where a cooperative USFS/National Park Service (NPS) facility is located. The amount of time required for any of these resources to arrive at the project site would be dependent upon travel time and availability of the resource. These same constraints also apply to law enforcement and ambulance service in this area of the County.

Based upon the realities imposed by distance and availability of resources, the County has therefore not adopted a specific emergency response time standard for the remote areas of the County. This reality is articulated in both the General Plan and in the operational plans of the relevant service providers. Accordingly, there is no impact to a specified response time or staffing ratio requirement that would be triggered by the project, and the project would not trigger a requirement for the construction of new or expanded public services facilities that could cause a significant environmental effect. Based on the established significance criteria in CEQA, the project’s impacts related to public services would be less than significant.

All-hazard emergency response service to the project site and the surrounding area is currently provided by the Groveland Community Services District (GCSD), though resources from other providers (CALFIRE, USFS, NPS) also could be dispatched to the site depending on the type of incident and resource availability. GCSD responds to emergencies within its district, and also to out-of-district areas like the project site and the surrounding area through its mutual aid agreement with the County. GCSD would therefore have primary responsibility for the provision of all-hazard emergency response services.

The extent to which response times to the area are deficient is an existing condition. If the proposed project is approved and becomes operational, this existing condition would not have been caused by the project. To assign responsibility for the current situation to a single project is neither fair nor appropriate.

In 2019, the Board of Supervisors was made aware by the Groveland Community Service District of the challenges involved with affording the cost of providing fire services for GCSD. Recently, the General Manager has stated that within three years GCSD will find themselves in a difficult place to financially afford to fund the CALFIRE contract for fire services that are provided at the CALFIRE station at 11700 Merrill Road in Groveland. Due to the current evaluation of several projects that could utilize GCSD resources, the GCSD Board directed their General Manager to work with the County towards future fire revenues and/or services.

There is a Groveland Amador station at 11700 Merrill Road. The Amador station is a CALFIRE fire station, with CALFIRE staff and equipment. The cost of running the station is borne by the state during fire season. During the winter months, GCSD is charged for providing the service. This contract is currently being considered for a three-year term, for $263,466 a year.

After listening to the issues GCSD is facing and comments that the County does not provide any fire services along the Groveland corridor, on September 22, 2020, the County approved an allocation of $263,466 for the Groveland Amador station to fund the GCSD portion of the CALFIRE contract. This action taken by the Board allows the County to move towards their goal of providing additional first responder services along the Highway 120 corridor as well as providing financial relief to GCSD. A result of Tuolumne County taking over the three-year contract, Groveland Community Services District will have immediate relief of this financial obligation and can direct over $790,000 to other needs within the district, including additional staffing or equipment.

As is the case with all private land parcels in the vicinity, the Terra Vi site is located within a State Responsibility Area (SRA) for wildfire protection responsibility. The surrounding federal lands of the Stanislaus National Forest are designated as a Federal Responsibility Area (FRA). Through an agreement with the U.S. Forest Service (USFS), wildfire protection on SRA lands in the area is provided by the USFS. The role of the USFS is restricted to wildland firefighting only; the USFS does not fight structural fires or provide paramedic service. Those services would fall to another provider such as CALFIRE or GCSD.
However, to assist with the provision of emergency response services to the project site, the project applicant has agreed to financially support emergency response efforts on the Highway 120 corridor. Because the funding of emergency response is outside the scope of the California Environmental Quality Act, this contribution has been made a Condition of Approval for the project. The County is currently in the process of determining an appropriate fair-share fee for the project. The fee would be based on per unit of lodging. Proceeds from the fee would be utilized to offset the cost of providing emergency service to the project, and to assist the County with equipment and staffing needs. The proposed Condition of Approval represents the project’s fair-share contribution with respect to providing emergency response service to the project site.

The language of the Condition of Approval reflects the possibility that the future will bring changes to the funding of emergency services. Currently, the County is conducting a study evaluating the potential for a commercial County Services Impact Fee to be adopted, which would collect funds at the time of a Building Permit for a development’s fair share draw on County services. Additional efforts by County staff are underway to increase emergency response availability on the Highway 120 corridor. Therefore, at this time, it is not certain how the fair share payment will be made. In the event that at the time of the issuance of the Building Permit for this project, no other fees or assessments have been adopted by the Board of Supervisors to fund the cost of providing emergency response to the project site, the applicant will be required to pay an annual fair share contribution to Tuolumne County for their use of emergency services. This fair share fee will be collected for the life of the project, or until another substantially similar funding mechanism is in place.

SECTION 8: FINDINGS OF APPROVAL

Section 17.68.120 of the Tuolumne County Ordinance Code require that evidence be shown that the proposed project meets the necessary findings for a Site Development Permit. Below are the required findings for the entitlement, and staff’s responses to each point. The CEQA findings are separate from the findings below.

A. The proposed project is consistent with the Tuolumne County General Plan.

Consistency with the General Plan is discussed and demonstrated in Section 3 above in this report.

B. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use.

All proposed structures on site will be constructed in accordance with all County and State of California building codes. All on-site roads will be constructed in accordance with all County and State regulations. The on-site public water system and sewage disposal system will be constructed and maintained in accordance with all County and State regulations. The water and sewage disposal systems will be permitted as public water systems and will be approved and maintained by the State Water Resources Control Board. Mitigation Measures have been added to reduce impacts related to wildfire. Therefore, people living or working near the project site will not experience a decrease in their health, safety or welfare and there would be no substantially detrimental or injurious results to property or improvements in the neighborhood.

SECTION 9: PLANNING COMMISSION OPTIONS FOR ACTION

Approval: The Planning Commission may approve the project as proposed or may include any revisions it deems appropriate.

Denial: If the Planning Commission intends to deny the project, the Commission should include its reasons for denial described in the motion.

No Action: If after voting on one or more motions, the Planning Commission cannot make a decision, the
project can be directed back to staff for further review, noting the motion(s) made that failed.

**Recommendation**

The Community Development Department requests the Planning Commission complete the following:

1. Adopt the Resolution to Certify the Environmental Impact Report, Adopt the Findings of Fact and Statement of Overriding Consideration and Mitigation Monitoring and Reporting Plan pursuant to the California Environmental Quality Act.
2. Approve Site Development Permit SDP18-003, based on findings A and B and subject to attached Conditions.

Attachment A: Conditions of Approval/MMRP
Attachment B: Comments received after the publication of the Final EIR
Source: ESRI, 2019; National Park Service, 2019; Toulumne County, 2019; PlaceWorks, 2019.

<table>
<thead>
<tr>
<th>Zoning Code</th>
<th>Zoning Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-K</td>
<td>Commercial Recreational</td>
</tr>
<tr>
<td>C-K &amp; O</td>
<td>Commercial Recreational with Open Space</td>
</tr>
<tr>
<td>C-K &amp; O-1</td>
<td>Commercial Recreational with Valuable Wildlife Habitat Open Space</td>
</tr>
<tr>
<td>K</td>
<td>General Recreational</td>
</tr>
<tr>
<td>K &amp; O &amp; O-1</td>
<td>General Recreational with Open Space and Valuable Wildlife Habitat Open Space</td>
</tr>
<tr>
<td>P</td>
<td>Public</td>
</tr>
<tr>
<td>Zoning Not Found</td>
<td></td>
</tr>
</tbody>
</table>

**Figure 3-3**

**Zoning**
CONCEPTUAL ELEVATIONS
CONDITIONS OF APPROVAL
TERRA VI/HANSJI CORPORATION
SITE DEVELOPMENT PERMIT SDP18-003

General Conditions:

1. LU
   As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permittee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney’s fees and costs awards) arising out of, or in connection with the County’s review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel’s time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 17.68.150)

2. LU
   All measures identified in the approved Mitigation Monitoring and Reporting Program (SCH# 2019110286) shall be required for this project. (TCOC, Section 17.68.150)

Conditions to be met prior to issuance of a grading permit:

3. ED
   Submit an Grading Plan and secure a Grading Permit from the Engineering Division prior to any grading on site. (TCOC, Section 12.20.100 and 12.20.050)

4. ED
   Secure an Encroachment Permit from the US Forest Service prior to any construction activities within the Sawmill Mountain right of way. (TCOC, Section 17.68.150)

5. ED
   Provide proof of primary access to the site to the Engineering Development and the Tuolumne County Fire Department. (TCOC, Section 17.68.150)

6. LU/ED
   Secure an Encroachment Permit from the California Department of Transportation (CalTrans) District 10 Permit Office prior to any construction.
activities within the State right-of-way along Highway 120. (TCOC, Section 17.68.150)

7. ED An Encroachment Permit, or appropriate Agreement in lieu of an Encroachment Permit shall be obtained from the US Forest Service for any work that may be proposed within the road right-of-way/easement along Sawmill Mountain Road (aka Forest Route 1S03), a Maintenance Level 3 road. The US Forest Service shall review project plans as they affect Sawmill Mountain Road and provide clearance from the National Environmental Policy Act (NEPA) The US Forest Service may require the formation of a CSA for road maintenance by the developer over the Forest Service segment of the project improvements. After review of project plans, the appropriate FS instrument would be determined and a single authorization of use & maintenance of the road would be issued. (TCOC, Section 12.04, 17.69.150)

8. ED A Road and Public Utility Easement shall be dedicated (or verified that it has been dedicated) for Sawmill Mountain Road (Forest Road 1S03) as it intersects the project property. (TCOC, Section 17.68.150)

9. ED On-site roads shall be designed in accordance with Chapter 11.12 of the TCOC. Basic road design and construction standards shall meet Title 11 requirements as they pertain to road widths of a minimum of 12 feet with turnouts and a minimum 4 inches of compacted aggregate base surfacing. (TCOC, Chapter 11.12)

10. ED/LU A parking area plan shall be submitted to the Roads Division for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking, and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.60.020 and Section 17.68.150)

11. ED/LU Parking spaces for the physically handicapped shall be located, constructed, maintained and otherwise meet all requirements set forth in the State Accessibility Standards, Chapter 2-71 of the California Building Standards Code (Title 24 California Code of Regulations) and as may be amended from time to time. (TCOC, Section 17.60.070(G))

12. ED/LU A Drainage Study shall be submitted to the Engineering Division of the Community Resources Agency and address the entire on-site area and additional storm water runoff and the ability of downstream drainage ditches and culverts to handle the runoff. On-site detention/retention of the additional runoff caused by the site development shall be required (TCOC, Section 11.04.050(E))

13. ED The Drainage Plan shall be required and address the concerns below:

   1. The project site including the parking lot drainage and other areas where development may contribute to runoff.
   2. The increased runoff and effect to downstream drainages, culverts, and adjacent property.
   3. On-site detention/retention. This feature may be proposed as subsurface under the parking area.
14. **ED**

Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement. (TCOC, Section 17.68.150)

15. **ED**

All property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress. (TCOC, Chapter 12.20)

**Conditions to be met prior to issuance of a building permit:**

16. **FPB**

The applicant shall submit a Wildland Fire Prevention Plan and Vegetation Management Plan to the Tuolumne County Fire Prevention Bureau for review and approval. The project site plan and landscaping documents shall be revised to conform to the Vegetation Management Plan. These revisions shall include, but are not limited to, the following measures:

- The perimeter of all structures shall be surrounded by a 5-foot non-combustible zone.
- Project landscaping shall be fire resistant, with a planting palette consisting of native hardwoods and other fire resistant native vegetation.
- Landscape plantings shall be installed in a way that strategically staggered placement and planting heights to provide effective screening of the proposed project from adjacent roadways.
- Areas within 200 feet of all structures shall be managed as defensible space (in compliance with the California Fire Code and Public Resources Code Section 4291, with vegetative fuels that would produce 2-foot or shorter flames.
- The entire project site, including open all undeveloped areas, shall be managed as fire-resistant landscaping that adheres to CAL FIRE’s firescaping requirements, with widely spaced trees and shrubs.
- Any new plantings in the undeveloped areas of the site shall include a greater proportion of oaks.
- Undeveloped areas of the project site shall be managed so that they do not grow back in as high a density as existed before the 2013 Rim Fire. Brush and grass in these areas shall be maintained and managed so that continuous groupings do not exceed 120 square feet in area.

(CEQA MM WF-2 SCH# 2019110286)

17. **LU**

Submit a Landscape plan to the Land Use and Natural Resources Division for review and approval. The landscape plan shall be consistent with the plan approved in certified Environmental Impact Report. (TCOC, Chapter 15.28)

18. **LU**

Submit a lighting plan to the Land Use and Natural Resources Division for review and approval prior to the installation of any exterior lighting. The landscape plan shall be consistent with the plan approved in certified Environmental Impact Report. Lighting shall be provided in the SR120/Sawmill.
Mountain Road intersection, in accordance to Caltrans standards for the State Highway (Project Description; TCOC, Section 17.68.150)

19. **ED**

Prior to the start of any construction activity on-site or in the SR 120/Sawmill Mountain Road intersection, the applicant shall coordinate with the Tuolumne County Public Works Department for an on-site inspection of Sawmill Mountain Road to assess the road surface conditions. Following completion of project construction, but prior to issuance of an occupancy permit, the applicant shall schedule a post-construction inspection to determine if deterioration of the road surface occurred, and if so, the applicant/contractor shall restore the road to pre-construction conditions. (CEQA MM TRANS-1.2b SCH# 2019110286)

20. **BD**

Building Permits are required for all non-exempt structures being constructed on this project site pursuant to Section 105 of the California Building Code. (TCOC, Section 17.68.150)

21. **FPD**

Roads shall be constructed to have an unobstructed clearance 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 of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by the Fire Prevention Division. (CFC, Section 503; and TCOC, Title 11)

22. **FPD**

All construction and plans shall comply with Section 450 of the 2016 California Building Code regarding organized camps. (TCOC, Section 17.68.150)

23. **EH**

A complete application for a permit to operate a Public Water System shall be submitted to the California State Water Resources Control Board with consultant designed plans. Written approval of the plans and verifications of an adequate and safe source of potable water or written approval for the connection to an approved Public Water System shall be submitted to the Environmental Health Division of the CRA prior to issuance of a Building Permit for the water system. (California Health and Safety Code, Section 116525; California Retail Food Code, Chapter 2, Section 114189; California Code of Regulations, Title 22, Chapter 16)

24. **EH**

Prior to the issuance of a Building Permit, plans for a commercial on-site sewage treatment and disposal system shall demonstrate compliance with Chapter 13.08 of the TCOC and shall be approved by the Environmental Health Division. Plans and construction of the on-site sewage treatment and disposal system facilities shall be approved and overseen by the California State Water Resources Control Board if the quantity of wastewater to be treated by the on-site sewage treatment and disposal system facilities exceeds 10,000 gallons per day. All waste discharge permits shall be obtained from the California State Water Resources Control Board prior to operation. (TCOC, Chapter 13.08)

25. **EH**

An application with complete plans for each proposed food facility shall be submitted to the Environment Health Division. The plans shall demonstrate compliance with the California Retail Food Code. The plans shall be approved by the Environmental Health Division prior to the issuance of a building permit for a food facility. (TCOC, Section 17.68.150)
26. EH Details for refuse storage facilities shall be included on the food facility plans and shall demonstrate compliance with Article 4 of the California Retail Food Code. (TCOC, Section 17.68.150)

27. ED/SUR Any necessary easements on the parcel(s) for underground dry utilities, wet utilities, or sewer leach field areas should be recorded in accordance with the requirements dictated by the County Surveyor and/or Environmental Health Division. (TCOC, Section 17.68.150)

28. FPB The required fire flow for the proposed 54,000 square foot building is 6,250 gpm at 20-psi for 4 hours with Type V –B construction. Fire flow is determined by the square footage of the largest building on site including all horizontal projections. A reduction of up to 75%, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute. (CFC Section 507.3)

29. FPB The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of any building permits. (TCOC Chapter 15.20.010)

30. FPB County Standard Dry Barrel Hydrant shall be available within 300 feet of the furthest portion of all proposed buildings measured by way of drivable access. Tuolumne County Fire Prevention shall approve all hydrant plans, locations and installations. (TCOC Chapter 15.20)

31. FPB All commercial occupancy fire suppressions systems will be based on building size and type of occupancy. Submit plans and calculations for the Automatic Engineered Fire Sprinkler System to Tuolumne County Fire Prevention for review and approval prior to the issuance of a building permit or the installation of any portion of the system. Plan check fees are assessed upon completion of review. (TCOC Section 15.20.10)

32. FPB Sprinkler systems and the buildings shall be protected by an approved automatic electronic fire alarm system. The fire alarm system shall meet all the requirements of NFPA 72 for such systems, and shall monitor water flow, main valve tamper, manual fire alarm boxes, strobes and horns. The fire alarm system shall be monitored at an approved central station as specified in NFPA 72. Plans and specifications and listing numbers shall be submitted to Tuolumne County Fire Prevention for review and approval prior to installation of any portion of the fire alarm system. Plan check fees shall be assessed upon completion of review. (CFC Section 903.4)

33. FPB Roads shall be provided within 150 feet of all portions of the exterior walls of the proposed buildings. 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 15 feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by Fire Prevention. (CFC Sections 503, TCOC Title 11)
34. **FPB** For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by Tuolumne County Fire Prevention. (CFC Section 503)

35. **FPB** Permits shall be required for any above ground fuel storage tanks. Tuolumne County Fire Prevention shall inspect each tank. A permit constitutes permission to maintain, store, use or handle materials, or to conduct a process that will produce conditions hazardous to life or property. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of the California Fire Code. The issuance of permits will occur at the time of the inspection with the payment of permit/inspection fee. This permit is active for a period of one year from the date issuance, and shall be renewed at that time, or the tanks must be removed. (CFC Sections 3801.2 and 105)

**Conditions to be met during the construction phase:**

36. **LU** If a cultural resource is discovered during the activities authorized by this Permit, the person in possession of the parcel for which the permit was issued and all persons conducting any activity authorized by this permit shall comply with the following provisions:

**A.** The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the department is closed.

**B.** When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.

**C.** When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.

**D.** When the cultural resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.

**E.** When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional.
professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

37. **ED**

The applicant shall submit an erosion control plan for any construction to take place between October 15 and May 15 of any year. In the absence of such approved and implemented plan, all construction shall cease on or before October 15 (TCOC, Title 12).

38. **ED**

Drainage improvements shall be installed in accordance with approved drainage plans. (TCOC Title 11, 12, and General Plan)

39. **ED**

All soils disturbed by grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible and before October 15 of the construction year and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).

40. **ED**

The implemented parking area control plan, referenced in Condition 10, shall provide commercial driveways shall be a minimum of twenty-foot wide to meet the requirements of Title 11. The onsite roads shall be paved and extended to within 150 feet of all portions of all buildings. The looped road(s) shall provide a minimum outside radius of 50 feet for the turning of interstate trucks and fire apparatus as approved by the Fire Prevention Bureau. (TCOC, Title 11.16.020)

41. **ED**

Road improvements to Sawmill Mountain Road along the project frontage shall include a minimum of a 10 foot wide northbound lane, 10 foot wide southbound lane, a 4 foot wide paved shoulder on the east side of the roadway, and a 2 foot wide paved shoulder on the west side of the roadway. The road shall be improved with a design section capable of supporting a Traffic Index of no less than 6.5 along the project frontage, between SR120 and just past the proposed main entrance to the site, and to a Traffic Index of no less than 5.0 from just beyond the main site entrance to the northerly property line. (TCOC 11.12.007).

42. **ED**

All Title 11 standard roads shall meet the following requirements:

a. The Engineering Division shall be notified prior to commencement of road improvements. Quality control personnel will establish schedules for periodic inspections at the time the construction staking is inspected. Roads constructed without proper periodic inspections or not in conformance with approved plans are subject to rejection.
b. The applicant shall provide adequate traffic striping, marking and signs during and after construction.

c. The developer shall give reasonable advance notice of commencement of construction and keep the CRA Engineering Division informed of all changes in the construction schedule. After completion of the work, the applicant shall submit as-built plans.

d. Plan check and inspection fees, as required by Ordinance, shall be submitted to the CRA Engineering Division prior to approval of improvements plans.

e. The developer shall remedy any defect in the improvements on any county, State, or Forest Service road arising from any faulty or defective materials or workmanship occurring within 12 months of the Department’s acceptance of the work or formal acceptance by the Board of Supervisors. A maintenance warranty agreement shall be enacted when applicable (TCOC, Title 11).

43. ED

The property owner shall improve the shoulders of Sawmill Mountain Road (Forest Route 1S03) through the project frontage to facilitate pedestrian access. (Tuolumne County General Plan Trails)

44. ED

All soils disturbed by grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible and before October 15 of the construction year. Emergency erosion control measures shall be utilized as requested by County officials. (TCOC, Title 12)

45. BD/ED

The contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (TCOC, Section 12.20.370)

46. ED/APCD

Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to the Tuolumne County Air Pollution Control District Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or (D)(3). No person shall use, apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. (Health and Safety Code, Sections 93105 and 93106)

47. AG

All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
48. AG  All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

49. AG  All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)

50. AG  The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 5401 and 5402)

Conditions to be met prior to the issuance of a Certificate of Occupancy:

51. LU  The final project shall meet all requirements mandated by federal, state or local law. Federal or state law may require additional obligations beyond those required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.68.150)

52. LU/BD  All construction on the site shall adhere to the site plan approved by Tuolumne County. Any significant deviation from the plans shall require approval of supplemental plans submitted by the property owner. (TCOC, Section 17.68.150)

53. LU/BD/ED  All parking on the site shall adhere to the site plan approved by the Engineering Division. Any significant deviation from the plan shall require approval of supplemental plans submitted by the property owner. (TCOC, Chapter 17.60)

54. LU/BD  The applicable Traffic Impact Mitigation Fee shall be paid to Tuolumne County prior to issuance of a Certificate of Occupancy by the Building and Safety Division. (TCOC, Chapter 3.54)

55. ED  Drainage improvements shall be installed in accordance with approved drainage plans. Any significant deviation from the plan shall require approval of supplemental plans submitted by the property owner. (TCOC, Title 12)

56. LU  Prior to issuance of a final certificate of occupancy, the project contractor shall implement the following: To prevent trapping, injuring, or impeding deer movement, barbed wire fencing is prohibited. Non-barb-wired fencing immediately surrounding structures (e.g., storage facilities, swimming pools) where deer are less likely to travel is permitted. Additional Fencing design shall be subject to review and approval by the project biologist following one of the recommended designs found in a Landowner’s Guide to Wildlife Friendly Fences: How to Build a Fence with Wildlife in Mind. 2nd edition, 2012 (or as may be updated) by the Montana Dpt. of Fish Wildlife and Parks. Alternative fencing shall be approved by CDFW prior to installation. (CEQA MM BIO-4.2a SCH# 2019110286)
57. **LU** The Applicant, at the time of the issuance of the first building permit for the Project ("Anniversary Date"), shall pay an annual fee per rental unit (prorated equivalent to the operational season of the Project) to the Tuolumne County ("Annual Fee"). The payment of the Annual Fee shall represent the Project’s fair share of costs associated with the provision of emergency services, including fire and medical response services to the Project. The payment of the Annual Fee shall continue until such time as the County develops its own alternative fee or tax program for fire and emergency services or until the County develops an alternative fee program for the area, inclusive of the Project site, at which time the Annual Fee shall cease and the Applicant shall pay the County’s alternative fee or participate in the County’s tax program for fire and emergency services. Payment of the Annual Fee shall be deemed due and payable on the Anniversary Date each year until an alternative program is instituted by the County. (TCOC, Section 17.68.150)

**On-Going conditions:**

58. **ED** Commercial driveways, meeting the requirements of Title 11 for onsite roads must be extended to within 150 feet of all portions of all buildings. (TCOC, Title 11)

59. **EH** A permit to operate a public water system shall be obtained from the California State Water Resources Control Board prior to operation of any public water system. (California Health and Safety Code, Section 116525)

60. **EH** All storage and removal of refuse, rubbish, and recyclables shall be in compliance with the requirements specified in TCOC, Chapter 8.05 and CCR Title 14 and Title 27. (TCOC, Chapter 8.05)

61. **SW** Excepting disruptions in normal refuse collection schedules, refuse shall not be allowed to remain on the premises for more than seven days unless it is satisfactorily composted, used as animal food, used as soil amendments, or some other beneficial use provided such use does not create a nuisance. (TCOC, Section 8.05.035)

62. **SW** Persons hauling solid waste from their residence or solid waste produced in the course of their own business (including building contractors) are required to deliver solid waste only to facilities identified and authorized by the Tuolumne County Board of Supervisors by Resolution, including the Cal Sierra Transfer Station, the Pinecrest Transfer Station, or the Groveland Transfer Station. (TCOC, Section 7.12.050)

63. **SW** If a business located on the project site generates more than four (4) cubic yards of solid waste per week, recycling is required, even if this quantity of generation happens only occasionally. Recycling can include subscribing to recycling service provided by the franchise hauler of the collection area, self-hauling recyclables to a recycling center, or donating recyclables to a charitable cause. Space shall be included on the project site for recycling and garbage receptacles. (Natural Resources, Division 7, Chapter 9.1, Sections 18835-18837)
64. SW  Space shall be provided on the project site for organics recycling to comply with AB 1826. (TCOC, Section 17.68.150)

65. SW  Trash shall be stored in an animal-resistant enclosure, or bear shed throughout the life of the project. Trash enclosure design shall be approved by the project biologist prior to installation. The project proponents are encouraged to visit http://www.waste101.com/bear-aware/ or contact the Tahoe Truckee Sierra Disposal or similar entity, for appropriate designs. (CEQA MM BIO-1.15 SCH# 2019110286)

66. EH  The handling, use or storage of hazardous materials on-site shall be in compliance with Chapter 13.24 of the Tuolumne County Ordinance Code, Chapter 6.95 of the California Health and Safety Code, and Title 19 of the California Code of Regulations. The handling, storage or use of hazardous materials, above threshold quantities, shall be permitted by the Tuolumne County Environmental Health Division, Certified Unified Program Agency (CUPA). (TCOC, Chapter 13.24; CHSC, Chapter 6.95; and CCR, Title 19)

67. LU  To satisfy applicable Tuolumne County General Plan noise level increase criteria at the nearest existing sensitive use to the project, the project shall limit on-site truck deliveries to daytime hours only (7:00 a.m. to 10:00 p.m.) and limit refuse collection activities to daytime hours only (7:00 a.m. to 10:00 p.m.). (CEQA MM NOI-1.2a SCH# 2019110286)

68. APCD  Prior to the burning of any vegetation on the project site, or burning associated with the project, obtain a burn permit from the Tuolumne County Air Pollution Control District (APCD), the United States Forest Service, and/or the California Department of Forestry. Only clean dry vegetation shall be burned on the site on a California Air Resources Board declared permissive burn day. Applicant shall comply with all open burning regulations pursuant to APCD Regulation III – Open Burning, including but not limited to prohibiting the use of fires to dispose of construction/demolition debris, and garbage. (California Health and Safety Code; California Public Resources Code Sections 41800 & 41802; General Plan, Implementation Program 12.D.d; TCAPCD Rules and Regulations, Regulation III)

69. LU  Prior to the cutting or removal of commercial tree species, a harvesting plan and application for conversion of timberland shall be submitted to the California Department of Forestry and Fire Protection (CalFire) for review and approval in accordance with Public Resources Code Sections 4581 and 4621(a). If the area of timber operations is less than three acres in size, a Less Than Three Acre Conversion Exemption may be used. (TCOC, Section 17.68.150)

70. LU  All lighting for the proposed project shall be designed to direct the lighting downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards, and utilize low or high pressure sodium lamps instead of halogen type lights. Exterior lighting fixtures shall have the International Dark Sky Fixture seal of approval. (Project Description; TCOC Section 17.68.150)

71. LU  All deliveries would occur at the designated loading dock during normal delivery hours (8:00 am to 5:00 pm). (Project Description)
72. LU  The helipad at the project site would be for emergency uses only. The pad shall be made for any emergency use by a public or private entity and community and shall be used for emergencies only. (Project Description)

73. EH  A valid permit to operate shall be issued by the Environmental Health Division of the CRA prior to operation of any food facility. (CHSC Part 7, Section 114381)

74. FPD  For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by the Tuolumne County Fire Prevention Division. (CFC, Section 503)

75. EH  All buildings and plumbing fixtures must have adequate means for the disposal of human wastes, either by connection to an approved on-site wastewater treatment and disposal system or where permitted, an approved graywater system. (TCOC, Sections 13.08.170 and 13.08.231)

76. EH  All special design and commercial on-site sewage treatment and disposal systems shall comply with an operation, maintenance, and monitoring program (TCOC, Section 13.08.220)

77. LU  Any proposed directional signs along State Highway 120 shall be installed outside of the State right of way and in accordance with the State Outdoor Advertising Program regulation and Federal Laws. (TCOC, Section 17.68.150)

78. LU  The project sponsor shall implement the following: Dogs shall be kept on leash or otherwise prohibited from running free outdoors. Signs shall be posted along all project trails stating that dogs shall be kept on leash. The project website, booking site, and/or brochures shall advise visitors of this requirement. (CEQA MM BIO-4.1b SCH# 2019110286)

79. LU  The Applicant shall on the project Anniversary Date (described in Condition 57), pay an annual fee per rental unit (prorated equivalent to the operational season of the Project) to the Tuolumne County. (TCOC, Section 17.68.150)

A Notice of Action shall be recorded for Conditions 1 through 55 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (TCOC, Section 17.68.150)

COMMUNITY DEVELOPMENT DEPARTMENT CONTACT PERSON: Quincy Yaley
Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program [MMRP] has been prepared for the Terra Vi Lodge Project, herein referred to as the "proposed project" or "project." The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the proposed project. The MMRP includes the following information:

* The full text of the mitigation measures;
* The party responsible for implementing the mitigation measures;
* The timing for implementation of the mitigation measures;
* The agency responsible for monitoring the implementation; and
* The monitoring action and frequency.

Tuolumne County must adopt this MMRP or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.
## Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AESTHETICS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AES-4: Proposed photovoltaic panels shall be designed to ensure the following:</td>
<td>Project Sponsor and Construction Contractor</td>
<td>Prior to Installation of Solar Panels</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Review Construction Plans and Specifications/ Conduct Site Inspections</td>
<td>Prior to Installation/ During Regularly Scheduled Construction Site Inspections</td>
</tr>
<tr>
<td>▪ The angle at which panels are installed precludes, or minimizes to the maximum extent practicable, glare observed by viewers on the ground.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ The reflectivity of materials used shall not be greater than the reflectivity of standard materials used in residential and commercial developments.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ Panels shall be sited to minimize their visibility from Highway 120.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>BIOLOGICAL RESOURCES</strong></th>
<th>Consulting Biologist</th>
<th>Prior to Issuance of Grading Permits</th>
<th>Tuolumne County Community Development Department Land Use and Natural Resources Division</th>
<th>Review and Confirm Survey/ Confirm CDFW Consultation</th>
<th>Once for Survey/ Ongoing if Active: Crotch Bumble Bee Nests are Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIO-1.1a: Preconstruction Bee Surveys. Prior to issuance of grading permits for any staging, construction, or ground disturbing activities between February 1 and November 30th of the construction year, a qualified biologist shall survey the project boundaries for active Crotch bumble bee nests. If identified, CDFW shall be consulted for guidance on buffer distances to avoid colony disturbance (e.g., buffer surrounding the nest itself, entry/exit, and avoiding direct disturbance). If full avoidance cannot be achieved through buffers, no construction shall occur until the nest is no longer occupied. No pesticides or herbicides shall be used so long as the species occupies the site.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This measure shall be incorporated into the project bid package and contract. The measure is the responsibility of the qualified biologist under contract to either the County or construction contractor.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitigation Measure</td>
<td>Implementation Timing</td>
<td>Agency Responsible for Monitoring</td>
<td>Monitoring Action</td>
<td>Monitoring Frequency</td>
<td></td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------</td>
<td>----------------------------------</td>
<td>------------------</td>
<td>---------------------</td>
<td></td>
</tr>
<tr>
<td>BIO-1.1b: Environmental Awareness Training. All contractors involved in site development, applicable County department staff, and environmental specialists (e.g., biologist) shall attend a mandatory Environmental Awareness Training prior to any site disturbances. The program shall address proper implementation of mitigation measures contained herein.</td>
<td>Prior to Issuance of Grading Permits/ Throughout Project Construction</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review and Confirm Training</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>BIO-1.2a: Implement Mitigation Measure BIO-1.1b.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.2b: Avoid Inadvertent Animal Trapping During Construction. To avoid inadvertently trapping special-status or common animal species during construction, all excavated steep-walled holes or trenches more than two feet deep shall be covered at the end of each working day with plywood or similar material, or provided with one or more escape ramps constructed of earth fill or wooden planks, or equivalent, at each end of the trench. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped animal is discovered, the contractor shall place an escape ramp or other appropriate structure to allow the animal to escape. Alternatively, the contractor shall contact the project biologist or California Department of Fish and Wildlife for assistance. Similarly, stored pipes or other materials providing potential cover for animals shall be inspected prior to installation or use to ensure that they are unoccupied.</td>
<td>During Construction</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Confirm Presence of Covers for Holes and Trenches</td>
<td>During Regularly Scheduled Construction Site Inspections</td>
<td></td>
</tr>
</tbody>
</table>
# Mitigation Monitoring and Reporting Program

## Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BIO-1.2c: Food and Trash Disposal.</strong> All food and food-related trash shall be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site every day to avoid attracting wildlife. This measure shall be implemented throughout project construction. The measure is the responsibility of the construction contractor.</td>
<td>Construction Contractor</td>
<td>During Construction</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm Presence of Trash Cans</td>
<td>During Regularly Scheduled Construction Site Inspections</td>
</tr>
<tr>
<td><strong>BIO-1.2d: Construction Hours.</strong> Project construction shall be limited to 7:00 a.m. to 7:00 p.m. unless an emergency exists.</td>
<td>Construction Contractor</td>
<td>During Construction</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm Compliance with Construction Hours</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

### BIO-1.3: Implement Mitigation Measure BIO-1.2d.

### BIO-1.4: Implement Mitigation Measure BIO-1.2d.

### BIO-1.5a: Preconstruction Surveys Suitable Bat Roosting (or Nursery) Areas and Provisions for Protection, if Identified. The project sponsor or contractor shall implement the following measures:

- 15 days or fewer before commencing ground-disturbing activities between April and September of the construction year, a qualified biologist shall survey snags, trees, rock crevices and other suitable cavities and structures on the site for roosting bats or bat nurseries.
- If bats are not found and there is no evidence of bat use, construction may proceed.
- If bats are found or evidence of use by bats is present, CDFW shall be consulted for guidance on measures to avoid or minimize disturbance to the colony or nursery. Subject to CDFW approval, measures may include excluding bats from roosts before construction begins. If nurseries are discovered, no work shall occur within buffer areas as established by...
<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIO-1.5b: Implement Mitigation Measure BIO-1.2d.</td>
<td>CDFW until all young are self-sufficient and have left the nursery.</td>
<td>See Mitigation Measure BIO-1.2d.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.6: Implement Mitigation Measures BIO-1.5a and BIO-1.2b.</td>
<td></td>
<td></td>
<td>See Mitigation Measures BIO-1.5a and BIO-1.2b.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.7: Implement Mitigation Measures BIO-1.2d and BIO-1.5a.</td>
<td></td>
<td></td>
<td>See Mitigation Measures BIO-1.2d and BIO-1.5a.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIO-1.8: Pre-Construction Bird/Raptor Survey. Prior to issuance of grading permits for construction occurring between February 1st and August 30th (e.g., excavation, ground disturbance, or vegetation removal), a preconstruction survey for nesting birds shall be conducted in accordance with the CDFW guidelines and a no-disturbance buffer shall be established, if necessary.

If equipment staging, site preparation, vegetation removal, grading, excavation or other project-related construction activities are scheduled during the avian nesting season (generally February 1 through August 30), a focused survey for active nests would be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities.

Following initial pre-construction surveys in year one of project construction, bird surveys shall be repeated annually so long as outside construction continues. Surveys shall be repeated within 15 days prior to resuming outdoor construction activities for the first time between February 1st and August 30th whenever outdoor construction activities have ceased for more than one month (e.g., if outdoor construction shuts down for the season due to winter rains in late November, preconstruction...
## Table 1: Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>bird surveys would occur again within 15 days prior to recommending outdoor site work between February 1st and August 30th. If work recommences in January and continues without interruption through August 30th, then no additional preconstruction survey is required.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surveys shall be conducted in all suitable habitat in the BSA. If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the nest estimated. No additional measures need be implemented if active nests are more than the following distances from the nearest work site: (a) 300 feet for raptors unless otherwise specified; (b) 345 feet for spotted owls; or (c) 75 feet for other non-special-status bird species. Disturbance of active nests shall be avoided to the extent possible until it is determined that nesting is complete and the young have fledged. For species protected under the California Fish and Game Code (CFGC), if active nests are closer than those distances to the nearest work site and there is the potential for bird disturbance, CDFW shall be contacted for approval to work within 300 feet of raptors, or 75 feet of other non-special-status bird species. This measure shall be incorporated into the project bid package and contract. Surveys shall occur within 15 days of commencing construction that occurs between February 1st and August 30th.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.9: Implement Mitigation Measure BIO-1.8.</td>
<td>See Mitigation Measure BIO-1.8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.10: Implement Mitigation Measure BIO-1.8.</td>
<td>See Mitigation Measure BIO-1.8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.11: Implement Mitigation Measure BIO-1.8.</td>
<td>See Mitigation Measure BIO-1.8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-1.12: Implement Mitigation Measures BIO-1.2b, BIO-1.2c, and BIO-1.2d.</td>
<td>See Mitigation Measures BIO-1.2b, BIO-1.2c, and BIO-1.2d.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitigation Measures</td>
<td>Party Responsible for Implementation</td>
<td>Implementation Timing</td>
<td>Agency Responsible for Monitoring</td>
<td>Monitoring Action</td>
<td>Monitoring Frequency</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------</td>
<td>-----------------------</td>
<td>----------------------------------</td>
<td>------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>BIO-1.13: Pre-Construction Botanical Survey</td>
<td>Consulting Biologist/ Construction Contractor</td>
<td>Prior to issuance of Grading Permits</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review and Confirm Survey</td>
<td>Ongoing if Survey Finds Evidence of the Clarkia australis or Erythranthe filicaulis Species</td>
</tr>
</tbody>
</table>

This measure shall be incorporated into the project bid package and contract. Surveys shall occur during the bloom season prior to commencing construction during the bloom period for Clarkia australis (May through August) and Erythranthe filicaulis (April through August).
TABLE 1  MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIO-1.14: Implement Mitigation Measure BIO-1.13.</td>
<td>Project Sponsor</td>
<td>Prior to Issuance of Occupancy Permit</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm Filing of Notice of Action with County Clerk</td>
<td>Once</td>
</tr>
<tr>
<td>BIO-1.15: Food and Trash Enclosures. Trash shall be stored in an animal-resistant enclosure, or bear shed throughout the life of the project. Trash enclosure design shall be approved by the project biologist prior to installation. The project proponents are encouraged to visit <a href="http://www.waste101.com/bear-aware/">http://www.waste101.com/bear-aware/</a> or contact the Tahoe Trucky Sierra Disposal or similar entity, for appropriate designs. This measure shall be implemented prior to issuance of an occupancy permit. The measure is the responsibility of the construction contractor. A Notice of Action shall be filed with the County Clerk on the project parcels including the project conditions specifying that this measure shall be continued throughout the life of the project.</td>
<td>Project Sponsor/ Consulting Landscape Architect/ Construction Contractor</td>
<td>Prior to Approval of Landscaping Plan/ During Construction</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review Revised Landscaping Palette/ Inspect Construction Equipment and Materials</td>
<td>Once/ During Regularly Scheduled Site Inspections</td>
</tr>
<tr>
<td>BIO-2: Minimize the spread of invasive plant species through the following:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The project landscaping planting palette shall be revised to ensure that all plantings are non-invasive species.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control on the project site shall be free of noxious weed seeds and propagules (Food and Agriculture Code Sections 6305, 6341, and 6461).</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• All equipment brought to the project site shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds and shall be cleaned of all dirt and vegetation prior to exiting the site to prevent exporting noxious weeds. (Food and Agriculture Code Section 5401).</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• All material brought to the site, including rock, gravel, road base, sand, and topsoil, shall be free of noxious weeds and propagules. (Food and Agriculture Code Sections 6305, 6341 and 6461).</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIO-3.1: Install Temporary Environmentally Sensitive Area (ESA) Fencing to Protect Sensitive Drainages during Construction Activities that Disturb Soils. Prior to issuance of grading permits, the project contractor shall implement the following:</td>
<td>Construction Contractor</td>
<td>Prior to issuance of Grading Permits</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Inspect Temporary Environmentally Sensitive Area Fencing</td>
<td>During Regularly Scheduled Construction Site Inspections</td>
</tr>
<tr>
<td>- Install high-visibility/ESA fencing (e.g., orange construction safety fencing) a minimum of 50 feet from the centerline of both sides of Ephemeral Channel-1 (Northwest corner of the project site) during any time when disturbing soils within 50 feet of the drainage channel (fencing is not required when soil disturbances are not occurring so long as erosion control from any prior soil disturbances within 50 feet has been installed). Fencing shall be of flexible material that allows for deer passage. Install silt fencing, fiber rolls, or equivalent erosion and sediment control devices on the project side of the ESA fencing to prevent disturbances and erosion into the adjacent drainage. Silt fencing or other materials, as required, shall be installed consistent with the applicable water quality requirements specified in the project’s Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCC). Fencing or other erosion control materials or devices shall be shown on the final construction documents.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- No construction-related materials, equipment, trash or other related debris shall be allowed, stored or staged within the fenced area. ESA Fencing shall remain in place until soil disturbances within 50 feet have been completed and erosion control measures have been installed in accordance with approved plans. Fallen fencing shall immediately be repaired as necessary to remain visible during all construction activities.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Fenced areas shall be avoided throughout project construction (i.e., active soil disturbing activities) and shall be monitored by the project manager throughout construction.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- This measure shall be incorporated into the project bid package and contract.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Mitigation Monitoring and Reporting Program**

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>* All ESA Fencing shall be removed from the site after construction activities are completed.</td>
<td>Project Sponsor / Consulting Biologist: Construction Contractor</td>
<td>Prior to issuance of grading permits</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Review Approved</td>
<td>Once</td>
</tr>
<tr>
<td><strong>BIO-3.2:</strong> Comply with Section 404 of the federal Clean Water Act. Within the Caltrans right-of-way, the applicant shall secure an encroachment permit from Caltrans and comply with all conditions of the Caltrans encroachment permit including the following as it applies to Ephemeral Channel-2:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Prior to issuance of grading permits, comply with Section 404 and Section 401 of the Clean Water Act and comply with all current regulations (i.e., at the time of disturbance) pertaining to fill of Ephemeral Channel-2 (0.001 acre).</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* If regulations in place at the time of site disturbance require permits from the USACE for filling an ephemeral drainage: the acreage, location, and method(s) for compensation for fill shall be determined during the permitting process in accordance with USACE standards. The project shall adhere to a “no net loss” standard for waters of the U.S. and waters of the State. Suitable habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods approved by the USACE and Central Valley Regional Water Quality Control Board, as jurisdictionally appropriate. The replacement of waters will be equivalent to the nature of the habitat lost and will be provided at a suitable ratio to ensure that, at a minimum, there is no net loss of habitat acreage or value. The replacement habitat will be set aside in perpetuity for habitat use.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Compensation may also include purchasing credits from a Corps and/or state or federally approved mitigation bank at a ratio prescribed in the applicable Section 404 Permit as necessary to achieve no net loss of waters of the U.S. For waters of the state, compensation may be through the National Fish and Wildlife Foundation Sacramento District California In-Loan Fee Program.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 1: Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIO-3.4: Best Management Practices (BMPs) to Protect Water Quality (including NC/NI/PERES/SEPP), Prior to issuance of grading permits, the project contractor shall implement the following:</td>
<td>Project Contractor</td>
<td>Prior to issuance of Grading Permits</td>
<td>Tuolumne County Public Works Departments/ Tuolumne County Community Development Department</td>
<td>Review and Approve Erosion Control Plan/ Confirm Attainment of NPDES General Permit for Construction</td>
<td>Once for Each Document</td>
</tr>
<tr>
<td>- Prepare an Erosion Control Plan for implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures, if necessary, the plan shall be submitted to the County Public Works Department for review and approval.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit - California’s National Pollution Discharge Elimination System (NPDES) general permit for construction-related storm water discharges for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction-related storm water discharge and the State Water Resources Control Board Permitting Unit shall be contacted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre is to be disturbed. Obtain coverage or an exemption from these requirements. [Federal Water Pollution Control Act, Section 401, California Clean Water...</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Table 1: Mitigation Monitoring and Reporting Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mitigation Measures</strong></td>
<td><strong>Party Responsible for Implementation</strong></td>
<td><strong>Implementation Timing</strong></td>
<td><strong>Agency Responsible for Monitoring</strong></td>
<td><strong>Monitoring Action</strong></td>
<td><strong>Monitoring Frequency</strong></td>
</tr>
<tr>
<td>Act. The permit may include preparation of a Stormwater Pollution Prevention Plan (SWPPP).</td>
<td>Project Sponsor</td>
<td>Prior to issuance of Certificate of Occupancy</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Confirm Payment of Mitigation Fee</td>
<td>Once</td>
</tr>
<tr>
<td>* This measure shall be incorporated into the project bid package and contract.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-4.1a: Enhance Rim Fire Burned Deer Winter Range and/or Data. Prior to issuance of a certificate of occupancy, the project proponents shall contribute $1,100 per acre for approximately 43.4 acres to a non-profit (e.g., Yosemite Stanislaus Solutions) to be used for activities associated with either enhancing deer winter range or providing updated research data to support herd management within the footprint of the Rim Fire.</td>
<td>Project Sponsor/Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Inspect Signage/Confirm Project Materials and Notice of Action with County Clerk</td>
<td>Once</td>
</tr>
<tr>
<td>* The project website, booking site, and/or brochures shall advise visitors of this requirement. A Notice of Action shall be filed with the County Clerk on the project parcels including the project conditions specifying that this measure shall be continued throughout the life of the project.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-4.1b: Keep Dogs Leashed. The project sponsor shall implement the following:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Dogs shall be kept on leash or otherwise prohibited from running free outdoors. Signs shall be posted along all project trails stating that dogs shall be kept on leash.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-4.1c: Stay on Trails/Education. The project sponsor shall implement the following:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Visitors shall be required to stay on designated trails at the project site when hiking within the project boundaries to minimize wintering deer/human interactions. Signs shall be posted along all project trails stating that visitors shall stay on trails and shall not approach deer (in particular between November 30 and April 30 when deer are expected to be migrating to and from their wintering grounds). In consultation with the project biologists, the project proponents shall prepare an interpretive trail sign/plaque or sign/plaque describing the life history of the Yosemite Deer Herd, the area's importance as wintering deer habitat and as</td>
<td>Project Applicant/Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Inspect Signage/Confirm Project Materials and Notice of Action with County Clerk</td>
<td>Once</td>
</tr>
</tbody>
</table>
## TABLE 1  MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>a migratory corridor, and the necessity to avoid approaching non-resident deer during their winter migrations.</td>
<td></td>
<td></td>
<td></td>
<td>Site Inspection/Confirmation of CDFW Approval for Alternative Fencing Designs and Filling of Notice of Action with County Clerk</td>
<td>Once</td>
</tr>
<tr>
<td>▪ The project website, booking site, and/or brochures shall advise visitors of the requirement to avoid approaching non-resident deer during winter migrations.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2a Deer-Friendly Fencing. Prior to issuance of a final certificate of occupancy, the project contractor shall implement the following:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>▪ To prevent trapping, injuring, or impeding deer movement, barbed wire fencing is prohibited. Non barb-wired fencing immediately surrounding structures (e.g., storage facilities, swimming pools) where deer are less likely to travel is permitted. Additional Fencing design shall be subject to review and approval by the project biologist following one of the recommended designs found in A Landowner’s Guide to Wildlife Friendly Fences: How to Build a Fence with Wildlife in Mind, 2nd edition, 2012 (or as may be updated) by the Montana Dep. of Fish Wildlife and Parks. Alternative fencing designs shall be approved by CDFW prior to installation.</td>
<td>Project Sponsor/Consulting Landscape Architect/Construction Contractor</td>
<td>Prior to issuance of a Certificate of Occupancy</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>See Mitigation Measures BIO-4.1b and BIO-4.1c.</td>
<td></td>
</tr>
<tr>
<td>▪ A Notice of Action shall be filed with the County Clerk on the project parcels including the project conditions specifying that this measure shall be continued throughout the life of the project.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-4.2b: Implement Mitigation Measures BIO-4.1b and BIO-4.1c.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-5.1a: Implement Mitigation Measure BIO-1.1b.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-5.1b: Native Oak Tree Protection. Throughout project construction, for native oak trees greater than 5 inches diameter at breast height (DBH), to be retained, to the maximum extent feasible:</td>
<td>Construction Contractor</td>
<td>Construction</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Conduct Site Inspection</td>
<td>During Regularly Scheduled Construction Site Inspections</td>
</tr>
<tr>
<td>▪ Limit ground-disturbing activities to outside the dripline of native oaks and preferably outside 1-1/2 times the dripline.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TABLE 1 Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>No storage equipment, supplies, vehicles, debris, construction wastewater, paint, stucco, concrete, or any other clean-up waste, and temporary or permanent structures shall be placed within the ditches.</td>
<td>Construction Contractor</td>
<td>Prior to Issuance of Grading Permits</td>
<td>Tuolumne County Community Development Department</td>
<td>Inspect Temporary Environmentally Sensitive Area Fencing</td>
<td>During Regularly Scheduled Construction Site Inspections</td>
</tr>
<tr>
<td>Avoid cutting oak roots.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use boring, rather than trenching, within ditches.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avoid equipment damage to limbs, trunks, and roots of oak trees.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do not attach signs, ropes, cables, or other items to trees.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIO-5.2: Install ESA fencing along existing Open Space Zoning District boundaries where active construction will occur within 50 feet of the boundaries. The project contractor shall install ESA fencing along existing open space boundaries where active construction will occur within 50 feet of existing open space boundaries. Fencing shall be shown on the final construction documents.

This measure shall be incorporated into the project bid package and contract and implemented prior to issuance of grading permits.

BIO-7: Implement Mitigation Measures BIO-4.1a and BIO-4.2a. See Mitigation Measures BIO-4.1a and BIO-4.2a.

CULTURAL RESOURCES

CULT-1a: Prior to the issuance of grading permits, the County shall confirm the applicant has required all construction crews to undergo adequate training for the identification of federal or State-eligible cultural resources, and that the construction crews are aware of the potential for previously undiscovered archaeological or paleontological resources on-site, of the laws protecting these resources and associated penalties, and of the procedures to follow should they discover cultural resources during project-related work. Examples of prehistoric resources
### TABLE 1  MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>May include: stone tools and manufacturing debris; milling equipment such as bedrock mortars, portable mortars, and pestles; darkened or stained soils (midden) that may contain dietary remains such as shell and bone; as well as human remains. Historic resources may include: burial plots; structural foundations; mining spoil piles and prospecting pits; cabin pads; and trash scatters consisting of cans with soldered seams or tops, bottles, cut (square) nails, and ceramics.</td>
<td>Construction Contractor/ Qualified Archaeologist or Paleontologist</td>
<td>During Construction</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review and Confirm Recommendations</td>
<td>As Needed if Resources are Discovered and Recommendations are Made</td>
</tr>
</tbody>
</table>

**CULT-1b:** In the event that unanticipated discoveries of potentially sensitive cultural resources are encountered during the construction period, all activity should cease within 100 feet of the find until a qualified archaeologist or paleontologist, who meets federal criteria under 36 CFR 61, can determine the significance of the find and determine the appropriate mitigation. If the deposits are determined to be non-significant by a qualified archaeologist or paleontologist, avoidance is not necessary. If the deposits are determined to be potentially significant by the qualified archaeologist or paleontologist, the resources shall be avoided if feasible. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the archaeologist and paleontologist, in coordination with the County, local tribes, and the CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan.

The data recovery plan shall include provisions for adequately recovering all scientifically consequential information from and about any discovered archaeological or paleontological materials and include recommendations for the treatment of these resources. In-place preservation of the archaeological or paleontological resources is the preferred manner of mitigating potential impacts, as it maintains the relationship between the resource and the archaeological or paleontological context. In-place preservation also reduces the potential for conflicts with the religious or cultural values of groups associated with the
Mitigation Monitoring and Reporting Program

Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The County shall confirm that the project applicant has retained a qualified archaeologist and paleontologist for the preparation and implementation of the data recovery plan. The recovery plan shall be submitted to the project applicant, the County, and the Central California Information Center. A data recovery plan shall not be required for resources that have been deemed by the Central California Information Center as adequately recorded and recovered by studies already completed. Once the recovery plan is reviewed and approved by the County and any appropriate resource recovery completed, project construction activity within the area of the find may resume.

CULT-2: Implement Mitigation Measures CULT-1a and CULT-1b.

CULT-3: If human remains are encountered during ground-disturbing activities within the project site, the project contractor and/or on-site supervisor shall immediately halt all work within 100 feet of the discovery and the project contractor shall immediately notify the Tuolumne County Coroner (Coroner), and theTuolumne County Community Development Department. In coordination with the County, the project applicant and contractor shall contact a qualified archaeologist meeting federal criteria under 36 CFR 61 to assess the situation and consult with the appropriate agencies. If the human remains are of Native American origin, the Coroner shall notify the NACHC within 24 hours of this identification. The NACHC will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment or disposition, with proper dignity, of the remains and any associated grave goods. Upon completion of the assessment, the qualified archaeologist shall prepare a report documenting the background to the finds and provide recommendations for the treatment of the human remains.

See Mitigation Measures CULT-1a and CULT-1b.
**TABLE 1  MITIGATION MONITORING AND REPORTING PROGRAM**

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>CULT-4a: Implement Mitigation Measures CULT-1a and CULT-1b.</td>
<td>See Mitigation Measures CULT-1a and CULT-1b.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CULT-4b: Prior to the initiation of any construction activities, the project applicant shall provide one-time site access to a Tuolumne Band representative(s) to remove native plants for the purpose of transplanting them to the Four Seasons Native Plant Nursery on the Tuolumne Rancheria.</td>
<td>Project Sponsor</td>
<td>Prior to Issuance of Any Construction Permits</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Confirm Invitation to Access Site</td>
<td>Once</td>
</tr>
<tr>
<td>CULT-4c: The project site plan shall be amended to identify a 50-foot buffer around the top of the knoll (see Figure 4.4-1 of the Draft EIR) as a Me-Wuk Open Space area. This area will be available for quiet enjoyment for the following uses: guest/visitor recreational activities, guest/visitor assembly, and guest/visitor programs. The project developer shall not construct or otherwise place any permanent structures or improvements within the 50-foot buffer.</td>
<td>Project Sponsor</td>
<td>Prior to Issuance of Any Construction Permits</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review Revised Site Plan</td>
<td>Once</td>
</tr>
<tr>
<td>CULT-4d: Prior to the initiation of any construction activities, the project applicant shall provide one-time site access to a Tuolumne Band representative(s) to gather firewood on the project site.</td>
<td>Project Sponsor</td>
<td>Prior to Issuance of Any Construction Permits</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Confirm Invitation to Access Site</td>
<td>Once</td>
</tr>
</tbody>
</table>
# Mitigation Monitoring and Reporting Program

## Table 1: Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GREENHOUSE GAS EMISSIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GHG-3.1a: The proposed project shall use electrically powered construction equipment, where feasible.</td>
<td>Construction Contractor</td>
<td>During Construction</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Inspect Construction Equipment</td>
<td>During Regularly Scheduled Construction Site Inspection</td>
</tr>
<tr>
<td>GHG-1.1b: The net increase in GHG emissions associated with the Terra Vi Lodge Project could be further reduced by the applicant purchasing carbon credits to offset GHG emissions. Carbon credits, however, are market-based. The availability, amount, and price of carbon credits fluctuate over time. As a result, it is unknown if local carbon credit offsets would be available at the time the project is implemented. Additional carbon credit offsets are available on a statewide or national level. However, even though the impact of GHG emissions is considered to be global in scale, the CEQA legal adequacy of applying statewide or national offsets to individual local projects has been questioned. In addition, while the County considered application of carbon credits to offset GHG emissions due to the proposed project, the County General Plan places a higher priority on implementing local mitigation measures before application of offsets. As a result of the unknown availability of local carbon credits, mitigation measures needed to eliminate any net increase in GHG emissions are considered to be not available. Application of this mitigation measure is not considered to reduce the GHG emissions impacts of the project to a less-than-significant level, and this impact is considered to be significant and unavoidable.</td>
<td></td>
<td></td>
<td></td>
<td>No feasible measures.</td>
<td></td>
</tr>
<tr>
<td>GHG-2.2a: The proposed project shall use electrically powered landscape equipment during outdoor landscaping and maintenance activities.</td>
<td>Project Sponsor/ Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department</td>
<td>Inspect Landscaping, Maintenance Fleet and Tools</td>
<td>Once</td>
</tr>
</tbody>
</table>

NOVEMBER 2020
### Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>GHG-1.4a: As not in the description of Mitigation Measure GHG-1.1b, because of the unknown availability of local carbon credits, mitigation measures needed to eliminate any net increase in GHG emissions are considered to be not available. Application of this mitigation measure is not considered to reduce the GHG emissions impacts of the project to a less-than-significant level, and this impact is considered to be significant and unavoidable.</td>
<td>Building and Safety Division</td>
<td>No feasible measures.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Hazards and Hazardous Materials

**HAZ-5:** Prior to the start of any helipad operations on the project site, the project shall receive airspace determination approvals from the Federal Aviation Administration, a building permit from the Tuolumne County Building Division, and a Letter of Land Use Consistency from the Tuolumne County Airport Land Use Commission.

<table>
<thead>
<tr>
<th>Project Sponsor</th>
<th>Prior to Use of Helipad</th>
<th>Tuolumne County Community Development Department Building and Safety Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Sponsor/ Consulting Civil Engineer</td>
<td>Prior to Issuance of Building Permits</td>
<td>Review and Approve Drainage Plan</td>
</tr>
</tbody>
</table>

### Hydrology and Water Quality

**HYD-1a:** A Drainage Plan for the site shall be prepared prior to issuance of building permits to address the post-construction requirements of the Statewide Construction General Permit. The Drainage Plan shall specify how runoff on the site will be managed in order to protect water quality. The plans will include detailed runoff calculations, including site culverts, bridges, retention ponds/areas, and roadside ditches to meet the drainage requirements of the project site. The purpose of the plan will be to prevent the creation of localized on- or off-site flooding and to prevent any negative water quality effects off-site. If necessary, the plan shall be submitted to the Engineering Development Division of the Tuolumne County Public Works Department for review and approval.

<table>
<thead>
<tr>
<th>Project Sponsor/ Consulting Civil Engineer</th>
<th>Prior to Issuance of Building Permits</th>
<th>Tuolumne County Community Development Department Public Works Department</th>
<th>Review and Approve Drainage Plan</th>
<th>Once</th>
</tr>
</thead>
</table>
### TABLE 1 Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>HYD-1b: Detention and/or retention facilities shall be designed to the satisfaction of the Tuolumne County Engineering Development Department staff and shall be included in the drainage report as described in Mitigation Measure HYD-1. These facilities shall capture surface runoff and retain flows such that the rate of surface runoff does not exceed existing flows. Maintenance of retention facilities shall be required by Tuolumne County.</td>
<td>Project Sponsor/Consulting Civil Engineer</td>
<td>Prior to issuance of Building Permits</td>
<td>Tuolumne County Engineering Development Department</td>
<td>Review Detention and Retention Facility Design</td>
<td>Once</td>
</tr>
<tr>
<td>HYD-3: Implement Mitigation Measures HYD-1a and HYD-1b.</td>
<td></td>
<td></td>
<td></td>
<td>See Mitigation Measures HYD-1a and HYD-1b.</td>
<td></td>
</tr>
</tbody>
</table>

### NOISE

NOI-1.1: In order to satisfy applicable Tuolumne County General Plan daytime and nighttime noise level limits at the nearest existing sensitive use to the project, and subsequently result in maintenance yard noise levels at or below ambient noise conditions at that use, the following noise mitigation measures shall be implemented:

- Construct a solid noise barrier measuring 11 feet in height along the north, east and west sides of the maintenance yard boundary, as depicted in Figure 4.12-2. The barrier could be constructed of either masonry or precast concrete panels. A noise barrier constructed of wood (or wood composite) fence material with overlapping slat construction would also be sufficient. The purpose of overlapping slats and using screws rather than nails is to ensure that prolonged exposure to the elements does not result in visible gaps through the slats which would result in reduced noise barrier effectiveness.

- Ensure that the generator selected for the maintenance yard have a reference noise level not to exceed 70 dB at a distance of 50 feet. Depending on the power requirements of the equipment, the implementation of a custom engineered generator enclosure may be required in order to achieve an overall equipment noise level of 70 dB at 50 feet.
### Table 1: Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOI-1.2a: To satisfy applicable Tuolumne County General Plan noise level increase criteria at the nearest existing sensitive use to the project, the project shall limit on-site truck deliveries to daytime hours only (7:00 a.m. to 11:00 p.m.) and limit refuse collection activities to daytime hours only (7:00 a.m. to 10:00 p.m.).</td>
<td>Project Sponsor/ Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Conduct Site Inspection</td>
<td>As Needed</td>
</tr>
<tr>
<td>NOI-1.2b: Implement Mitigation Measure NOI-1.1.</td>
<td></td>
<td></td>
<td>See Mitigation Measure NOI-1.1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOI-3.2a: As part of the design and approvals process for the proposed helipad, the project sponsor shall relocate the helipad to a location on the project site farther from residential buildings, if another feasible location can be identified.</td>
<td>Project Sponsor/ Consulting Civil Engineer</td>
<td>Prior to Issuance of Any Helipad Permits</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review Revised Site Plan</td>
<td>Once</td>
</tr>
<tr>
<td>NOI-3.2b: Window and door assemblies of all lodging within the proposed development should be upgraded to a minimum STC rating of 32.</td>
<td>Project Sponsor/ Consulting Architect</td>
<td>Prior to Issuance of Building Permits</td>
<td>Tuolumne County Community Development Department Building and Safety Division</td>
<td>Review Window Specifications</td>
<td>Once</td>
</tr>
<tr>
<td>NOI-3.2b: Window and door assemblies of all lodging within the proposed development should be upgraded to a minimum STC rating of 32.</td>
<td>Project Sponsor/ Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department Land Use and Natural Resources Division</td>
<td>Review Disclosure Materials</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

NOVEMBER 2020
## Mitigation Monitoring and Reporting Program

### Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC SERVICES AND RECREATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS-1: Prior to issuance of the certificate of occupancy, the project sponsor shall provide trained and certified emergency staff. The project shall provide enough staff to ensure that two emergency staff are on premises and available to respond to emergencies at all times.</td>
<td>Project Sponsor/ Lodge General Manager</td>
<td>Prior to issuance of Certificate of Occupancy</td>
<td>Tuolumne County Fire Department</td>
<td>Confirm Trained Emergency Staff and Equipment</td>
<td>Once</td>
</tr>
<tr>
<td>The emergency staff shall be trained to meet Tuolumne County Fire Department volunteer fire service standards. Staffing may be provided by Terra Vi employees who have completed the required training.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Terra Vi project shall provide personal protection equipment (PPE) and positive communication equipment for all emergency staff. PPE and communication equipment shall be stored in a central, secure location. Communication systems shall permit uninterrupted contact between all firefighters at all times and at all locations on or within the property. In addition, there shall be communication at all times between a fire officer and recognized Emergency Command Center (ECC). All equipment required shall be approved by and become property of Tuolumne County and maintained per manufacturer and National Fire Protection Association (NFPA) standards by the Terra Vi project sponsor.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS-2: Implement Mitigation Measure PS-1.</td>
<td>See Mitigation Measure PS-1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS-3: The Terra Vi Lodge shall include private security personnel on staff (Manager on Duty) to provide security, complaint resolution, and interfaces with law enforcement/emergency personnel in case of an incident, emergency, or evacuation. These personnel shall be on-site 24 hours a day, seven days a week. The security personnel shall make regular rounds of the Terra Vi Lodge and employee housing and report internally any</td>
<td>Project Applicant/ Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm Trained Emergency Staff</td>
<td>Once</td>
</tr>
</tbody>
</table>
### TABLE 1  MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incidences, as well as report to local authorities if the situation warrants it.</td>
<td>Project Sponsor/Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm On-site Transit Coordinator</td>
<td>Once</td>
</tr>
<tr>
<td>PS-4: Implement Mitigation Measure PS-3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### TRANSPORTATION

**TRANS-1.1:** The project applicant shall provide an on-site transit coordinator to coordinate guest transit use to help ensure smooth operations at the project site bus stop. The on-site transit coordinator would also serve as a point of contact between Terra VI Lodge, YARTS, and the County to assist in identifying and responding to issues related to transit services that may arise at the project site.

<table>
<thead>
<tr>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Sponsor/Lodge General Manager</td>
<td>During Project Operation</td>
<td>Tuolumne County Community Development Department</td>
<td>Confirm On-site Transit Coordinator</td>
<td>Once</td>
</tr>
</tbody>
</table>

**TRANS-1.2a:** The project applicant or contractor shall prepare a Construction Traffic Control Plan as part of the Caltrans encroachment permit application for all work within the state right of way on SR 120.

<table>
<thead>
<tr>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Sponsor/Construction Contractor</td>
<td>Prior to Construction</td>
<td>Tuolumne County Public Works Department</td>
<td>Review Construction Traffic Control Plan</td>
<td>Once</td>
</tr>
</tbody>
</table>

**TRANS-1.2b:** Prior to the start of any construction activity on-site or in the SR 120/Sawmill Mountain Road intersection, the applicant shall coordinate with the Tuolumne County Public Works Department for an on-site inspection of Sawmill Mountain Road to assess the road surface conditions. Following completion of project construction, but prior to issuance of an occupancy permit, the applicant shall schedule a post-construction inspection to determine if deterioration of the road surface occurred, and if so, the applicant/contractor shall restore the road to pre-construction conditions.

<table>
<thead>
<tr>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Sponsor/Construction Contractor</td>
<td>Prior to Construction</td>
<td>Tuolumne County Public Works Department</td>
<td>Conduct Site Inspection</td>
<td>Twice (Once Prior to Construction to Assess Pre-Construction Conditions and Once Following Restoration to Confirm Adequacy of Restoration Improvements)</td>
</tr>
</tbody>
</table>

**TRANS-3:** Construction of the proposed left turn lane from SR 120 to Sawmill Mountain to accommodate project-generated traffic will require cutting the hillside and vegetation removal in conformance with Caltrans standards, which will open the line of sight to an acceptable distance, as determined by Caltrans. The project sponsor shall obtain encroachment permit approval from Caltrans prior to the start of construction on the proposed

<table>
<thead>
<tr>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Applicant/Consulting Civil Engineer</td>
<td>Prior to Construction</td>
<td>Tuolumne County Public Works Department</td>
<td>Review Approved Encroachment Permit</td>
<td>Once</td>
</tr>
</tbody>
</table>
# Mitigation Monitoring and Reporting Program

## Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project site and shall complete improvements to SR 120 prior to operation of the proposed project.</td>
<td>Project Sponsor/Consulting Landscape Architect/ Lodge General Manager</td>
<td>Prior to Issuance of Building Permits</td>
<td>Tuolumne County Fire Prevention Bureau</td>
<td>Review and Approve Wildland Fire Prevention Plan and Vegetation Management Plan</td>
<td>Once</td>
</tr>
</tbody>
</table>

## Utilities and Service Systems

**UTIL-10:** Implement Mitigation Measures HYD-1a and HYD-1b. See Mitigation Measures HYD-1a and HYD-1b.

## Wildfire

**WF-2:** Prior to issuance of building permits, the applicant shall submit a Wildland Fire Prevention Plan and Vegetation Management Plan to the Tuolumne County Fire Prevention Bureau for review and approval. The project site plan and landscaping documents shall be revised to conform to the Vegetation Management Plan. These revisions shall include, but are not limited to, the following measures:

- The perimeter of all structures shall be surrounded by a 5-foot non-combustible zone.
- Project landscaping shall be fire resistant, with a planting palette consisting of native hardwoods and other fire-resistant native vegetation.
- Landscape plantings shall be installed in a way that strategically staggering placement and planting heights to provide effective screening of the proposed project from adjacent roadways.
- Areas within 200 feet of all structures shall be managed as defensible space (in compliance with the California Fire Code and Public Resources Code Section 4291), with vegetative fuels that would produce 3-foot or shorter flames.
- The entire project site, including open all undeveloped areas, shall be managed as fire-resistant landscaping that adheres to CAL FIRE’s fire-scaping requirements, with widely spaced trees and shrubs.
- Any new plantings in the undeveloped areas of the site shall include a greater proportion of oaks.
### Table 1. Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Party Responsible for Implementation</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Monitoring Action</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Undeveloped areas of the project site shall be managed so that they do not grow back in as high a density as existed before the 2013 Rim Fire. Brush and grass in these areas shall be maintained and managed so that continuous groupings do not exceed 120 square feet in area.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

 hypothetical data
Good Evening,

Below is the link to the Terra Vi Lodge webpage. The Final EIR is located here. I have broken it down into smaller sections to allow for easier reading and downloading capability.

https://www.tuolumnecounty.ca.gov/1158/Terra-Vi-Lodge-Yosemite

Below is the information for the December 1, 2020 TCPC Zoom meeting. This information can also be found on the Terra Vi Lodge link above.

Please click the link below to join the webinar:

https://us02web.zoom.us/j/89051366681

Or iPhone one-tap:
US: +16699006833,,89051366681# or +13462487799,,89051366681#

Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592
Webinar ID: 890 5136 6681
If you have any questions or concerns, please do not hesitate to contact us. Our offices will be physically closed to the public the week of November 23rd – November 27th. The County offices will be closed for holiday on November 26th – 27th.

Taryn VanDiper
Administrative Assistant
Community Development Department
County of Tuolumne
(209) 533-5635
www.tuolumnecounty.ca.gov
FYI

From: Eric Erickson <ericrerickson@gmail.com>
Sent: Friday, November 20, 2020 7:20 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Fwd: Terra Vi Lodge Final EIR

Seriously Quincy? My planning colleagues shook their head at your unprofessional behavior. You embarrass me as a fellow public servant.

-------- Forwarded message --------
From: Taryn Vanderpan <TVanderpan@co.tuolumne.ca.us>
Date: Fri, Nov 20, 2020, 5:49 PM
Subject: Terra Vi Lodge Final EIR
To:

Good Evening,

Below is the link to the Terra Vi Lodge webpage.

The Final EIR is located here.

I have broken it down into smaller sections to allow for easier reading and downloading capability.

https://www.tuolumnecounty.ca.gov/1158/Terra-Vi-Lodge-Yosemite

Below is the information for the December 1, 2020 TCPC Zoom meeting.

This information can also be found on the Terra Vi Lodge link above

Please click the link below to join the webinar:
Or iPhone one-tap:

US: +16699006833, 89051366681# or +13462487799, 89051366681#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 890 5136 6681

If you have any questions or concerns, please do not hesitate to contact us.

Our offices will be physically closed to the public the week of November 23rd – November 25th, however staff will be working.

The County offices will be closed for holiday on November 26 – 27th.

Taryn Vanderpan

Administrative Assistant

Community Development Department

County of Tuolumne

(209) 533-5635

www.tuolumnecounty.ca.gov
Quincy Yaley

From: John Buckley <johnb@cserc.org>
Sent: Monday, November 23, 2020 11:18 AM
To: Quincy Yaley; Taryn Vanderpan
Cc: John Gray; Anaiah Kirk; Sherri Brennan; Karl Rodefer; Ryan Campbell
Subject: Question about upcoming Planning Commission meeting

From John Buckley
CSERC
P.O. Box 396
Twain Harte, CA 95383
(209) 586-7440

Monday, November 23, 2020

To Quincy Yaley
Community Development Department

To Quincy:

The Planning Commission always meets on Wednesdays, but the email that Taryn sent out listed the upcoming Planning Commission consideration of the Terra Vi Lodge EIR and permits as being held on Tuesday, December 1st.

Is that date accurate?

Second, the rushed scheduling of this matter by the Planning Commission appears to be yet another example of the County intentionally rushing through the Under Canvas and Terra Vi Lodge projects unfairly and inappropriately given that the Terra Vi Lodge EIR and Responses to Comments were not even released until AFTER business hours on Friday evening.

So for public agencies that do not work after 5 p.m. on Friday until returning on Monday, there is no way that those agencies received a legal 10-day notice of the Terra Vi Lodge matter before the Commission and the posting of the EIR on the website.

Further, it is obvious that requests for a basic, reasonable amount of time to review the EIR and responses falls on deaf ears when it comes to the County Board of Supervisors, which I respectfully point out is shameful and a disgrace for those who supposedly believe in democratic process and fairness in receiving input from an informed public.

But beyond CSERC’s frustration, for legal purposes I ask that you please accept this email as yet another formal request by CSERC for members of the public to be given additional time to review and consider responses prior to a scheduled public hearing by the Planning Commission of the Terra Vi Lodge matter.

In this instance, the rushed planning process is tied to the FEIR and Responses to Comments for the Terra Vi Lodge EIR and project. Given that there are four weekend days and two holiday days between the time of the late evening posting of the link to the EIR on the County website, members of the public honestly only have 4 or 5 weekdays prior to the hearing to review and prepare comments for the extremely lengthy EIR and consultant’s perspectives about this highly contentious and unpopular proposed project.

1
CSERC asks for a minimum of 10 (non-holiday) weekdays for time for a reasonable public review prior to a hearing by the Planning Commission.

—

Back to the original question at the start of this email, if the email from Taryn is correct that the Planning Commissions review of the Terra Vi Lodge project is indeed scheduled for Tuesday, December 1, 2020, for what reason has the Board of Supervisors determined it is appropriate to deviate from the normal scheduled planning commission calendar? CSERC asks to be informed as to the County’s reason for the change in date.

John Buckley
CSERC
johnb@cserc.org