

Notice of Determination

Appendix D

To:

- Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814
County Clerk
County of: Mariposa
Address: PO Box 247
Mariposa, CA 95338

From:

Public Agency: Mariposa County Planning
Address: PO Box 2039
Mariposa, CA 95338
Contact: Steve Engfer
Phone: 209-966-5151

FILED

JAN 13 2022

KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK

[Signature]

KAREN M. HERMAN

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021110182
Project Title: Commercial-Industrial-Manufacturing (CIM) Plan No. 2021-124; Wildhaven Yosemite
Project Applicant: CalCamp2 LLC dba Wildhaven Yosemite
Project Location (include county): 4808 Highway 140, Mariposa County

Project Description:

The Wildhaven Yosemite project is proposed to be developed on the current location of the 36-acre Yosemite Ziplines and Adventure Ranch property. The project proposes to construct 80 canvas tents in two (2) phases. The project applicant would develop accessory facilities associated with a campground, including platform tents, a bathhouse, parking spaces, on-site water and sewer facilities, and other support facilities. (see Initial Study for additional project description information).

This is to advise that the Mariposa County Board of Supervisors has approved the above (Lead Agency or Responsible Agency)

described project on January 11, 2022 and has made the following determinations regarding the above described project.

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Mariposa County Planning Department, 5100 Bullion Street, Mariposa, CA 95338

Signature (Public Agency): [Signature] Title: Director

Date: 1/12/2022 Date Received for filing at OPR:

MARIPOSA COUNTY MITIGATED NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

APPLICATION/APPLICANT: *Commercial-Industrial-Manufacturing Plan No. 2021-124*
CalCamp2 LLC, dba Wildhaven Yosemite

PROJECT DESCRIPTION: The Wildhaven Yosemite project is proposed to be developed on the current location of the 36-acre Yosemite Ziplines and Adventure Ranch property. The project proposes to construct 80 canvas tents in two (2) phases. The project applicant would develop accessory facilities associated with a campground, including platform tents, a bathhouse, parking spaces, on-site water and sewer facilities, and other support facilities.

Project phasing is proposed as follows:

Phase I

- Construction of approximately 40 basic wood tent platforms, ranging in size from 10' x 20' to 12' x 24'.
- Pitch and furnish 40 canvas tents on top of tent platforms, which at full occupancy would hold 100 guests (assuming 2.5 average guests per tent).
- Build an approximately 10' x 10' reception/check-in kiosk.
- Design and build the communal bathhouse, supporting both Phase I and Phase II. The estimated size of the facility is 20' x 60' with rustic post and beam construction housing men's and women's bathrooms and approximately 10 shower stalls and eight toilets in each. The facility will be served by a new well (specific for a public water system) to be drilled on site and the property's existing electrical infrastructure.
- Construction of a septic system to support the bathhouse.
- Install an automatic gate with emergency controls for fire service access.
- Install non-permanent propane fire pits at the premium tents to reduce fire risk; the one common area non-permanent fire pit may switch to wood fuel in the winter months and would be managed by Wildhaven staff.

Phase II

- Build and furnish another approximately 40 tents using the same Phase I specifications. Completion of this construction would bring total tent capacity up to 80, which would serve 200 guests at full occupancy (assuming 2.5 average guests per tent).
- Provide a portable bathroom trailer.

The site plan also shows the installation of a 50,000-gallon storage tank for firefighting and back-up domestic supply. The existing horse barn will be removed as part of site development.

The project proponent may incorporate the existing zipline amenity into the campground project. The zipline would be for the sole use of overnight campers. The existing ropes course will be removed.

Hours of operation:

The campground would be operated daily on a year-round basis. Hours of operation would be 24 hours a day with check-in between 3:00 p.m. – 7:00 p.m.

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Number of employees:

The campground will have a total of ten (10) employees; five (5) full time and five (5) part time. One (1) general manager would live in the existing on-site house. Three (3) maintenance staff may live in RVs on the site if allowed by code. The remaining six (6) employees would be front desk and housekeepers.

Number of anticipated customers:

Fifty (50) to up to two hundred (200) maximum daily.

Parking:

There are currently forty (40) parking spaces on site to serve the Yosemite Zipline and Adventure Ranch project. Forty-two (42) spaces will be added to bring total on-site parking spaces to eighty-two (82).

Access:

Primary access will be from an existing driveway connected to State Highway 140. The internal roadway to access the site will be a two-lane 24-foot-wide graveled road. The site plan shows that roadways accessing the project's tent areas will be one-way and graveled; where grades exceed 16%, the access driveways will be asphalted. Internal access roads and driveways will be subject to state fire safe and local standards as well as applicable special occupancy park standards contained in Section 2106 (Roadways) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations.

Walking trails to access cabins from parking areas have been incorporated into project design.

The project site is located at 4808 Highway 140, Mariposa, Ca and is known as APN 012-180-056. It is in projected Section 26, Township 5 South, Range 18 East, M.D.B.&M, Rancho Las Mariposas. It is within the USGS 7.5-minute Mariposa topographic quadrangle at 37°28'15"N/119°57'40"W. The project site is located just south of the community of Mariposa.

No significant effect is based on the following findings:

1. The project has the potential to significantly impact biological resources, i.e. ephemeral drainages/riparian features; special status bat species; special status plant species and nesting raptors and migratory birds. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels. The project has the potential to impact cultural resources that may be uncovered during project construction. A mitigation measure is proposed to reduce this potentially significant impact to a less than significant level.
2. The project will result in increased air emissions, groundwater use, noise, traffic, and demand for public services. The project also has the potential to increase fire danger. However, these impacts are not considered to be significant, are individually limited, and not cumulatively considerable. The project's potential impacts on on-site biological resources can be reduced to less than significant levels with the implementation of proposed mitigation measures. Off-site resources are also protected through these measures. Therefore, the potential cumulative impact on biological resources from project implementation is considered to be less than significant. The project will not have a cumulatively considerable impact.
3. The project does not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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Based upon the environmental review conducted within this Initial Study, and the anticipated level of impact as a result of the project, a mitigated negative declaration will be adopted for the project.

No significant effect is based on review procedures of the following County Departments or Divisions:

- | | | | |
|-------------------------------------|---------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | Building Division | <input checked="" type="checkbox"/> | County Health Department |
| <input checked="" type="checkbox"/> | Planning Commission | <input checked="" type="checkbox"/> | Public Works Department |

Other: Mariposa County Unified School District, CAL FIRE, Sierra Telephone, Mariposa County Fire Department, Mariposa County Assessor, California Department of Fish and Wildlife, Southern Sierra Miwok Nation, Mariposa County Agricultural Commissioner, Mariposa County Resource Conservation District, Sheriff's Department, John C. Fremont Hospital, and Pacific Gas & Electric.

No significant effect is based on this initial study and the additional conditions and mitigation measures included as Attachment A.

The Initial Study was prepared by Alvaro Arias, Deputy Director, on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338



Sarah Williams, Director
Mariposa Planning

1/11/2022

Date

Attachment A

Conditions of Approval and Mitigation Measures for CIM Plan No. 2021-124

Project Name: Wildhaven Yosemite

Project Approval Date: January 11, 2022

The following conditions of approval and mitigation measures are applied to this project in order to ensure compliance with all applicable codes and policies and the findings of the initial study prepared for the project.

1. CIM Plan No. 2021-124 is approved for the following uses:

Phase I

- Construction of approximately 40 basic wood tent platforms, ranging in size from 10' x 20' to 12' x 24'.
- Pitch and furnish 40 canvas tents on top of tent platforms, which at full occupancy would hold 100 guests (assuming 2.5 avg. guests per tent).
- Build an approximately 10' x 10' reception/check-in kiosk.
- Design and build the communal bathhouse, supporting both Phase I and Phase II. The estimated size of the facility is 20' x 60' with rustic post and beam construction housing men's and women's bathrooms and approximately 10 shower stalls and eight toilets in each. The facility will be served by a new well (specific for a public water system) to be drilled on site and the property's existing electrical infrastructure.
- Construction of a septic system to support the bathhouse.
- Install an automatic gate with emergency controls for fire service access.
- Install non-permanent propane fire pits at the premium tents to reduce fire risk; the one common area non-permanent fire pit may switch to wood fuel in the winter months and would be managed by Wildhaven staff.

Phase II

- Build and furnish another approximately 40 tents using the same Phase I specifications. Completion of this construction would bring total tent capacity up to 80, which would serve 200 guests at full occupancy (assuming 2.5 average guests per tent).
- Provide a portable bathroom trailer.

The approved site plan includes the installation of a 50,000-gallon storage tank for firefighting and back-up domestic supply and 82 parking spaces. The project proponent may incorporate the existing zipline amenity into the campground project. The zipline would be for the sole use of overnight campers. The reception facility for guest check-in, and a small store facility for guests to purchase incidentals, snacks, drinks (including beer & wine), and Wildhaven-branded merchandise would be located in the existing on-site office structure.

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Timing of the implementation of the phases of development shall be at the sole discretion of the project proponent, but full project implementation must be completed prior to the project approval expiration date included in the conditions of approval.

(Mariposa Planning Recommendation)

2. The project shall be developed in substantial compliance with the approved site plan dated June 25, 2021. Prior to any modification and/or any deviation from the site plan approved by Mariposa County, said modification/deviation shall be reviewed and approved by the Planning Director in accordance with the conditions of approval. Minor modifications or amendments in the site layout, configuration, size, and materials of the project site may be approved by the Planning Director provided that any expansion does not exceed 10% of the size of area of the approved facility and provided a finding can be made that the potential modification does not create impacts which were not addresses in the original approval. Modifications or amendments to the project exceeding 10% of the size of the approved facility shall be approved by the Planning Commission and Board of Supervisors. The applicant may increase the number of RVs available for employee housing up to the total number of employees or 10 RVs, whichever is less. The RVs use shall be limited to employee housing. Should any proposed modification(s)/amendment(s) result in potential impacts which were not reviewed and conditioned by the original action and approval of this CIM Plan then an application for amended conditions/amended site plan may be required by the Planning Director.

(Mariposa Planning Recommendation)

3. This project is approved on January 11th, 2022. This approval shall expire January 11th, 2025. If the conditions of approval are not completed and the project is not fully implemented by January 11th, 2025, the applicant may request one (1) time extension of up to eighteen (18) months (total). The applicant must make this request in writing prior to January 11th, 2025.

(Mariposa Planning Recommendation)

4. The project shall be developed in strict conformance with applicable permitting and operational standards contained in Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. The project shall not be approved for operation by Mariposa County until such time as the project receives a permit to operate by the California Housing and Community Development Department as required by Section 2010 (Permit to Operate – Construction Completed) of Article 1 (Administration and Enforcement) Title 25, Division 1, Chapter 2.2 – Special Occupancy Parks, California Code of Regulations. The project proponent shall provide Mariposa Planning with a copy of the permit to operate the facility issued by the California Housing and Community Development Department.

(Mariposa Planning Recommendation)

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5. The project shall be implemented in compliance with all applicable standards of the Rural Economic land use classification and the Rural Economic/Recreation subclassification contained in Section 5.3.03 of the Mariposa County General Plan; with all applicable standards for a CIM Plan contained in Chapter 84 of Title 17; and with all applicable standards for the Resort Commercial zone contained in Chapter 17.96 of Title 17.

(Mariposa Planning Recommendation; General Plan and zoning standards).

6. The project proponent/operator shall employ for the life of the project the fire protection and mitigation standards contained in the Fire Hazard Mitigation Plan (FHMP) prepared for the project by Dudek, dated June 2021. The Emergency Operations Plan described in the FHMP shall be prepared to include all of the applicable standards required for Emergency Preparedness Plans contained in Section 2013 (Emergency Preparedness Plans) of Article 1 (Administration and Enforcement), Title 25, Chapter 2.2 – Special Occupancy Parks in the California Code of Regulations. The FHMP shall be allowed to be amended to add new standards or to amend original standards at the discretion of the project proponent/operator. Any amended standards shall be of equal or greater efficacy to those they replace.

(Mariposa Planning Recommendation; California Code of Regulations)

7. An encroachment permit shall be obtained from the California Department of Transportation (Caltrans) prior to any work being done within the State Highway 140 right-of-way. A copy of the encroachment permit or evidence that a permit is not required shall be provided to Mariposa Planning. All encroachment improvements shall be completed as required by Caltrans. Evidence that all encroachment permit improvements have been completed to the satisfaction of Caltrans shall be submitted to Mariposa Planning by the project proponent prior to the submittal to the state Housing and Community Development of an application for a permit to operate.

(Mariposa Planning Recommendation)

8. Prior to the issuance of a grading permit for the project, the project applicant shall submit engineered drainage plans to the California Department of Transportation for review to ensure that all Caltrans requirements regarding drainage from the project site are addressed. The drainage plans shall be prepared to Caltrans standards. The plans shall show how any runoff into State drainage facilities from the site is to be treated to meet current stormwater quality standards. If flows into State drainage facilities will not be increased by the project, the project shall provide Caltrans with information utilized to arrive at that conclusion. Verification of Caltrans review and approval of the drainage plans shall be provided to the Mariposa County Planning and Public Works departments prior to the issuance of a grading permit.

(Caltrans Recommendation)

9. Prior to issuance or authorization by the Planning Department for any permit, a final site plan showing all parking, camp sites, and employee RV spaces located a minimum of 50

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feet from all property lines and 100 feet from the centerline of any dedicated public right-of-way shall be submitted and approved by the Planning Department. A landscaping plan shall also be submitted showing no more than 6 parking spaces adjoining each other without intervening landscaping. The final site plan and landscaping plan shall be in general conformance to the site plan dated June 25, 2021.

(Section 17.96.050.A.7 and Section 17.88.040.C. Mariposa County Code)

10. Prior to the installation of any signage, an application for Design Review of the proposed signage shall be submitted and approved by Mariposa Planning. In addition to compliance with Mariposa County sign standards, any outdoor advertising displays visible to traffic on Highway 140 shall be installed and constructed in compliance with state regulations. Such displays are subject to the provisions of the Outdoor Advertising Act (Business and Professions Code §5200 et seq) which requires the submittal of an Outdoor Advertising Permit Application to Caltrans. Evidence of the approval of such signage by Caltrans shall be provided to Mariposa Planning.

(Caltrans Requirement; §5200 et seq of the state Business and Professions Code)

11. The project applicant shall improve the access to a minimum of Rural Class III A road standard (24-foot wide graveled) from Highway 140 to the parking lot and all internal two-way roads. The access from State Highway 140 to the access points into the Spring Hill High School site is required to remain paved. The width of internal one-way roads may be reduced to 12 feet wide. Areas in excess of 16% grade shall be paved. The access roads shall meet the above standards prior to finalization of the Building Department or Housing and Community Development permits and prior to beginning operation of the project. The improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by a Registered Civil Engineer prior to the finalization of the Building Permits and beginning operation of the project. The applicant shall submit a letter signed and stamped by a Registered Civil Engineer stating that the road meets the County's Rural Class III A road standards. Engineered improvement plans may be required to be prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the Building Department prior to commencement of construction work on the required road improvements. This section of roadway shall be maintained to this standard for the life of the project.

(Applicant Proposal, Road Improvement and Circulation Policy)

12. Prior to the commencement of any grading or construction activities on the project site, the project proponent shall contact the Regional Water Quality Control Board to determine if a General Permit for Discharges of Storm Water Associated with Construction Activity is required. If required, the proponent shall obtain the permit prior to commencement of grading or construction activities. A copy of the approved permit or evidence that a permit is not required shall be submitted to Mariposa Planning by the proponent prior to

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commencement of grading or construction activities. If a permit is required, all provisions and requirements of the permit shall be completed prior to issuance of a certificate of occupancy for the project. The proponent shall submit to Mariposa Planning evidence that the permit requirements have been met to the satisfaction of the Regional Water Quality Control Board.

(State Water Quality Control Board Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES))

13. The project proponent shall obtain a transient, non-community water system permit from the California Department of Public Health, Division of Drinking Water and Environmental Management if the on-site well is to provide drinking water to guests and staff. The project proponent shall provide Mariposa Planning and the Mariposa County Health and Human Services Agency, Environmental Health Unit a copy of the permit prior to issuance of a certificate of occupancy for the project.

(California Department of Public Health, Division of Drinking Water and Environmental Management requirement)

14. Prior to the issuance of a grading or construction permit for the project, the project proponent shall prepare a grading and construction dust mitigation plan and a hazardous materials storage plan and submit the plans to the Mariposa County Health and Human Services Agency, Environmental Health Unit (EHU) for review and approval. The project proponent shall provide Mariposa Planning evidence of EHU approval of the plans.

(Environmental Health Unit Recommendation)

15. Prior to the issuance of a certificate of occupancy for the project, the project proponent shall prepare a solid waste management plan and submit the plan to the Mariposa County Health and Human Services Agency, Environmental Health Unit (EHU) for review and approval. The plan shall incorporate the standards contained in Section 2120 (Rubbish and Accumulation of Waste Material) of Article 2 (General Park Requirements), Title 25, Division 1, Chapter 2.2, Special Occupancy Parks, California Code of Regulations. Solid waste shall be handled in compliance with all applicable sections of Mariposa County Code Title 8.36. Outdoor trash containers shall be required to meet the standards of Chapter 8.44, of Title 8, Health and Safety, Mariposa County Code, commonly known as the "Mariposa County Bear Control Ordinance." Verification by the Planning Department prior to issuance of Certificate of Occupancy. The project proponent shall provide Mariposa Planning evidence of EHU approval of the plan.

(Environmental Health Unit Recommendation)

16. All wastewater/sewage disposal shall be conducted in a manner approved by the Mariposa County Health and Human Services Department, Environmental Health Unit. Written confirmation from the Health and Human Services Department, Environmental Health

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Unit that all necessary permits and requirements have been met shall be provided to the Planning Department prior to initiation of any project activities.

Prior to the use of any portable restrooms, a permit shall be obtained from the Environmental Health Unit. The length of use of portable restrooms may be limited. (Mariposa County Health and Human Services Department, Environmental Health Unit Recommendation)

16. All exterior lighting fixtures shall be shielded and shall be designed and located to confine lighting directly on the premises. Lighting should be of minimum, but adequate, intensity. Exterior lighting fixtures shall not shine light upon or directly illuminate any surface other than the area required to be lighted, and must meet International Dark Sky requirements (General Plan Implementation Measure 11-1.d(1)). A lighting plan showing the design and location of all exterior lights shall be submitted to the Planning Department up to thirty (30) days after the issuance of a Building Permit and the design of the lighting fixtures shall be subject to Planning Director approval. (Mariposa Planning Recommendation)

17. Prior to issuance of the Certificate of Occupancy, all fees associated with the County's processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee (\$2,548.00 as of January 1st 2022) and County Clerk fee (\$50 as of January 1, 2022) shall be paid by the applicant within five (5) working days of the approval of the application (by Tuesday January 18th, 2022, because if the fee is not paid within 5 working days, and the Notice of Determination is not filed with the County Clerk prior to close of business on Tuesday, January 18th, 2022 the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code).

The County Clerk requires that one check be submitted to cover both of these fees, for a total of \$2,598.00 (effective January 1st, 2022), and that it be in the form of a cashier's check or money order payable to "Mariposa County;" The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning who will file this fee and other required documents with the County Clerk.

NOTE: The filing fees are adjusted annually, effective January 1st of each year, pursuant to Fish and Game Code.

(California Department of Fish and Wildlife Requirement; Mariposa Planning Recommendation)

18. The Property Owner (Owner) shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the

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approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in the defense of the action.

An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-compliance with this condition may result in revocation of project approval by the county.

(Mariposa Planning Recommendation)

19. Non-compliance with any of the conditions of approval for Commercial-Industrial-Manufacturing (CIM) Plan No. 2021-124 may be grounds for revocation of the CIM Plan.

(Mariposa Planning Recommendation)

20. It shall be the responsibility of the applicant to schedule an inspection with the Planning Department, two years after commencing operation of the project, to ensure continued compliance with the approved conditions of the project. The Planning Director may request information to determine compliance. At the discretion of the Planning Director, an item may be scheduled for the Planning Commission to review any compliance issues associated with the project. The applicant shall be responsible for all costs associated with this requirement.

(Mariposa Planning Recommendation)

21. The existing access road from State Highway 140 is a named road. A road name sign (Fremont Turnpike) shall be installed at the intersection of Highway 140 and the access easement. A new address shall be obtained from the Assessor's Office based on the official road name. The applicant has the option of renaming the road if all of the road naming requirements can be met. This condition shall be satisfied prior to beginning operation.

(Mariposa Planning Recommendation)

22. Pre-construction field surveys for special status bat species during the breeding season (April 1st to August 31st) shall be conducted by a qualified biologist to determine whether active roosts are present on site, or within 100 feet of the project boundaries. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. Field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (April through early May). Surveys

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shall be conducted no more than seven days prior to the onset of construction. If no roosting bats are found, then no further mitigation is required. If suitable habitat and/or bat signs are detected, a biologist shall conduct evening visual emergence surveys from one-half hour prior to sunset to one to two hours after sunset for a minimum of two nights. If roosting bats are found, the disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season, or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If construction activities begin prior to April 1, no pre-construction surveys are required. If at any time during the roosting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.

(Mitigation Measure 4.a.1)

23. Pre-construction field surveys for special status plant species identified as having a medium to high potential to occur within the habitats identified on the project site shall be conducted by a qualified biologist prior to commencement of construction activities. Surveys shall be conducted following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (California Department of Fish and Wildlife, 2018). Surveys are to be conducted in April and June of the year construction is to commence. As an example, if construction is to commence in August of a particular year, surveys conducted in April and June of that year will satisfy the pre-construction survey requirement. Surveys from prior years may be used in a prescribed circumstance. For example, if construction is to commence in May of a particular year, surveys from April of that year and June of the prior year will satisfy the pre-construction survey requirement. If such species are found, the project proponent shall prepare and implement a Transplantation and Monitoring Plan. The Plan shall be subject to review and approval by the California Department of Fish and Wildlife prior to commencement of any construction activities within the special-status plant species area. The Plan shall describe the intent and anticipated success of transplanting, and specific success criteria for transplanted plants and related long-term protection and management of transplanted plants. The Planning Department shall be provided a copy of the results of any pre-construction surveys conducted on the project site and any approved Transplanting and Monitoring Plan and evidence that any required mitigation measures contained in the Plan have been implemented prior to initiation of construction or grading activities.

(Mitigation Measure 4.a.2)

24. The project proponent shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared in accordance with State Water Resources Control Board standards and shall include a grading and erosion control plan required for all construction plans to address potential erosion control during construction. All construction plans and activities shall implement Best Management Practices (BMP) to provide effective erosion, runoff, and sediment control. BMPs may include, but not be

limited to, the use of straw wattles protecting down slope water features from construction activities, the use of silt fencing, or placement of construction exclusion fencing around stream or wetland resources in the vicinity of an activity. BMPs shall be selected to achieve maximum sediment removal and to represent the best available technology that is economically achievable.

If the project design changes and direct impacts to aquatic resources are anticipated, prior to the commencement of construction or grading activities in aquatic resources (such as ephemeral channels) within areas proposed for development, the project proponent shall acquire all applicable state and federal wetland and waters permits.

The Planning Department shall be provided a copy of all permit applications and evidence of approval of permits by applicable agencies, and evidence that any required measures approved by applicable agencies to protect water features have been implemented prior to initiation of construction or grading activities.

(Mitigation Measure 4.b.1)

25. Pre-construction surveys by a qualified biologist for active nests in suitable nesting habitat for raptors and migratory birds within 500 feet of the construction area during the nesting season (February 1 to September 15) shall be conducted. Areas off the project site that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds would nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found during the survey, the project proponent shall implement mitigation measures to ensure that the species would not be adversely affected, which would include establishing a no-work buffer zone as approved by the California Department of Fish and Wildlife, around the active nest. Measures shall include, but would not be limited to:
 1. For trees with active nests, the project proponent shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through September 15).
 2. If active nests are found on or within 500 feet of the project site, then the project proponent shall establish no disturbance buffers for active nests of 250 feet for migratory bird species and 500 feet for raptor species until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. Nests that are

Commercial-Industrial-Manufacturing Plan No. 2021-124 Mitigated Negative Declaration

inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.

3. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor the project would impact the nest, the biologist shall immediately inform the construction manager and the project proponent shall notify the California Department of Fish and Wildlife. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist. If construction begins outside of the migratory bird breeding season (February 1 through September 15), then the project proponent is permitted to continue construction activities throughout the breeding season.

The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of construction or grading activities.

(Mitigation Measure 4.d.1)

26. In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty (50) feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty (50) feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission (NAHC) shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, the NAHC guidelines shall be adhered to in treatment and disposition of the remains. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains.

(Mitigation Measure 5.c.1)



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print **StartOver** **Save**

RECEIPT NUMBER:
 22 — 01/13/2022 — 004
 STATE CLEARINGHOUSE NUMBER (If applicable)
 2021110182

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Mariposa County Planning Department	LEAD AGENCY EMAIL swilliams@mariposacounty.org	DATE 01/13/2022
COUNTY/STATE AGENCY OF FILING Mariposa		DOCUMENT NUMBER 2021-124

PROJECT TITLE
Commercial-Industrial-Manufacturing (CIM) Plan No.2021-124; Wildhaven Yosemite

PROJECT APPLICANT NAME CalCamp2 LLC dba Wildhaven Yosemite	PROJECT APPLICANT EMAIL brian@ccc.camp	PHONE NUMBER (978) 857-1035
PROJECT APPLICANT ADDRESS 996 Grove Street	CITY Healdsburg	STATE CA
		ZIP CODE 94548

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$	2,548.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other
 TOTAL RECEIVED \$ 2,598.00

SIGNATURE X Karen M. Herman <small>Digitally signed by Karen M. Herman Date: 2022.01.13 15:31:03 -08'00'</small>	AGENCY OF FILING PRINTED NAME AND TITLE Karen M. Herman, Deputy County Clerk, County of Mariposa
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State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

COUNTY OF MARIPOSA - CASH RECEIPTS
 *** CUSTOMER RECEIPT ***

Batch ID: KHERMAN 1/13/22 00 Receipt no: 3002

Type	SvcCd	Description	Amount
DU		CL/NEGATIVE DECLARATION	
	Qty	1.00	\$2548.00
Trans number:			2363189
CLERK'S TRUST / DET 10300002047007			
DS		CL/FISH & GAME FEES	
	Qty	1.00	\$50.00
Trans number:			2363190
CIVIL PROCESS SERVI 00101203079002			
FISH & WILDLIFE NOTICE OF DETERMINATION			
COMMERCIAL-INDUSTRIAL-MANUFACTURING (CIM) PLAN			
NO.2021 WILDHAVEN YOSEMITE			
USPS MO 27541449630=\$1000.00			
USPS MO 27541449641=\$1000.00			
USPS MO 27541449652=\$598.00			
Total tendered:			\$2598.00
Total payment:			\$2598.00

Trans date: 1/13/22 Time: 15:39:30