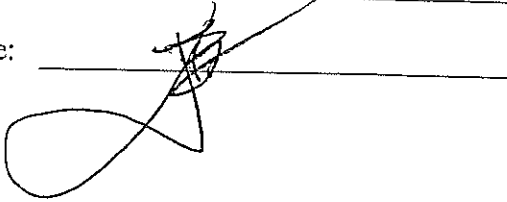


Section A
CEQA DETERMINATION OF IMPACT

On the basis of this initial evaluation:

- 1) I find that the proposed modified project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 2) I find that although the proposed modified project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- 3) I find the proposed modified project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- 4) I find the proposed modified project MAY have a "potentially significant impact" or "Less Than Significant With Mitigation" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- 5) I find that although the proposed modified project could have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

By: John B. Anderson Date: October 8, 2009
Title: Contract Planner Representing: County of Mariposa
Signature: 

Section B
ENVIRONMENTAL CHECKLIST
EVALUATION OF ENVIRONMENTAL IMPACTS

B.1 AESTHETICS

1. AESTHETICS Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect on a scenic vista?			√	
b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?				√
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			√	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			√	

B.1.a, c, d Scenic Vista/Visual Quality/Light and Glare

A significant impact would be one that has a substantially adverse effect on a scenic vista, substantially degrades the visual quality of the area, or results in an adverse effect on day or nighttime views in the area. The EIR prepared for the Silver Tip Resort Village Project found that the project had the potential to cause the removal of large trees which could create an aesthetically offensive site and may alter existing vistas in the Fish Camp area. A number of conditions and mitigation measures imposed with the original project will be enforced by Mariposa County to reduce the Aesthetic impacts to levels of less than significant. The newly proposed architecture is substantially different than that which was reviewed by the public as part of the original project. The project proponent has also added an elevated parking structure (1.5 stories tall) to the site plan to address remote parking concerns. Planning staff has compared the proposed architectural changes to the approved project and has found that the new architecture treatment illustrated in figures 4A and 4C proposes to use native stone veneering and for the most part achieves the Fish Camp Specific Plan policies to promote mountain type resort development. The architectural elevation which uses more stucco is similar to the approved architecture, but suggests the use of fewer native materials. Planning staff has recently been given two different roof color treatments, brown and green, to add to our modified project review. The applicant has stated that they desire the approval of all four elevation types illustrated in figure 4 as part of this action. The approved architecture included a green architectural composition roof for the hotel and commercial structures. The new architectural treatments and color schemes will not in and of themselves create an adverse impact on aesthetics.

The proposed parking structure appears to have only one side exposed to public view. The project proponents have agreed to treat the exposed elevations architecturally with the same materials approved for the balance of the project. The parking structure will be elevated, meaning that it is a structure of about 1.5 stories tall. The sitting of the parking structure is such that it fits into the adjacent hillside and is below or lower than the Hotel/Conference structure proposed to the south. It is not ground level parking and will require architectural treatments on elevations which are exposed to the public. See figure 5A and 5B above.

The project proponents have also recently clarified their desire to have Mariposa County consider two modified cabin designs. (The architecture theme will be the same on the cabins as that which is ultimately approved for the entire project.) The proposed cabins are larger in size than that which was originally approved. The new cabin sizes are 1,350 square feet and 2,200 square feet as compared with the approved cabin sizes of 1,070, 1,372 and 1,532 square feet. The mix of allowable cabin mix has not been determined and the final Building Permits will be considered against the permitted square footage thresholds established as part of the Board of Supervisors approval in 2003.

The proposed site plan modifications suggest a number of changes such as the consolidation of the remote conference centers into a singular location next to and adjacent to the proposed Hotel. The revised site plan does not propose to locate building any closer to the adjoining properties and/or substantially alter the scenic vista above that which was previously proposed. *Therefore, the modified project will not create additional impacts, or require new mitigation measures on a scenic vista, the visual quality of the area and increased light and glare, beyond what was previously considered and certified in Project's Final EIR, dated December 2003.*

B.1.b State Scenic Highway

A significant impact would be one that substantially damages scenic resources such as trees, rock outcroppings and historic buildings along a state scenic highway. While State Route 41 is not designated as a scenic highway, the Silver Tip Resort Village Project has been conditioned to comply with the Mariposa County Scenic Highway Overlay requirements. All impacts have been previously addressed and appropriate conditions and mitigation measures added. The site plan changes did not suggest moving or altering the location of the proposed two story commercial structure. Architecturally the new building design complies with the Scenic Overlay design criteria and the implied standards of the Fish Camp Specific Plan. *The incremental project change will not create any new impacts to scenic vista, the visual quality of the area and increased light and glare beyond what was previously considered and certified under the Project's Final EIR, dated December 2003.*

B.2 AGRICULTURAL RESOURCES

2. AGRICULTURE RESOURCES Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring				√

Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				√
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				√

B.2.a. b. c Agricultural Resources

A significant impact would be one that converts farmland designated as “prime,” “unique” or “farmland of statewide importance” to nonagricultural uses; conflict with existing zoning for agricultural use or a Williamson Act contract; or involve other changes in the existing environment which could result in conversion of Farmland, to non-agricultural use. The project site will have no impact on farmland or a Williamson Act contract. There is no important agricultural land as identified by the state Department of Conservation Farmland Mapping and Monitoring Program within the community of Fish Camp. *The modified project will have no additional impact to agricultural resources beyond what has previously considered and certified under the Project’s Final EIR, dated December 2003.*

B.3 AIR QUALITY

3. AIR QUALITY – [Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.] Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			√	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			√	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			√	
d) Expose sensitive receptors to substantial pollutant concentrations?				√

e) Create objectionable odors affecting a substantial number of people?				√
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B.3.a, b, c, d. Air Quality

A significant impact would be one that conflicts with or obstructs implementation of the applicable air quality plan. A significant impact would be one that violates any air quality standard or contributes substantially to an existing or projected air quality violation. Under the California Clean Air Act of 1988, districts designated as non-attainment for state Clean Ambient Air Quality Standards (CAAQS) must submit a plan for attaining or maintaining state standards for these pollutants.

Mariposa County is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Mariposa County Air Pollution Control District (MCAPCD.) The MCAPCD has not yet adopted recommended significance thresholds for air quality review of development projects subject to the California Environmental Quality Act within its district boundaries. MCAPCD is currently preparing a New Source Review Rule that should contain some thresholds. Mariposa County is classified as either attainment or unclassified status for all federal air quality standards, except ozone. MCAPCD was going to be required to prepare an attainment plan; however, air quality modeling has shown that the County will be in attainment by 2009, so the state is not now requiring such a plan be prepared.

The closest Air Pollution Control District that has published criteria for thresholds of significance is the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The SJVUAPCD is a much larger district, located to the south and west of the project. The SJVUAPCD has the most protective standards for assessing the significance of impacts of a project of any of the 3 air pollution control districts that adjoin the MCAPCD. For comparison purposes, the Guide for Assessing the Mitigating Air Quality Impacts, SJVUAPCD, will be used to evaluate future developments to determine whether they will have a significant impact if it were located within the jurisdiction of the more restrictive SJVUAPCD.

B.3.c Cumulative Impacts

A significant impact would be one that results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). Actions taken by the State of California to reduce Greenhouse Gas (GHG) emissions in the state, including AB 32, the California Global Warming Solutions Act of 2006, do not include methods for determining cumulatively considerable increases in GHG generated by individual projects. SB 375 made findings and declarations relative to greenhouse gas emissions and linked transportation and the California Environmental Quality Act (CEQA) and required that draft guidelines be developed by June, 2010, with final adoption in September, 2010.

The potential impacts of GHG emissions were addressed in the Air Quality impacts section of the certified 2006 Environmental Impact Report for the Mariposa County General Plan. The General Plan EIR GHG impacts discussion is repeated below:

“Impact AQ-4. Build-out of the proposed General Plan may result in changes in air movements, moisture, temperature, or climate. However, no projects of the magnitude that would cause such impacts are anticipated in the county. Major projects that would produce large amounts of greenhouse gases are likewise not anticipated. In the event that such projects are proposed, the projects would be subject to national and international regulations, and thus would result in impacts that are at a level of less than significant.

Plan Policies that Serve as Mitigation

If, in the unlikely event, a major project is proposed that would potentially emit large quantities of CO₂ or methane, the project would be subject to national and international regulations, and thus beyond the control of local government. This would result in impacts that are at a level of less than significant.”

Without specific CEQA Guidelines at this time, any attempt to address GHG, for incremental project change is unlikely to satisfy all of the Guideline requirements of the future. The county has considered other options in satisfying this requirement for the entire General Plan, rather than doing so on a piecemeal basis

B.3.d Sensitive Receptors to Pollutants

A significant impact would be one that exposes sensitive receptors to pollutant concentrations. Sensitive receptors are defined as members of a population who are most sensitive to the adverse health effects of air pollution and the land uses where these population groups would reside for long periods. These groups include children, elderly, the acutely ill and the chronically ill, and typical land uses include schools, residential care facilities, and hospitals. Such land uses are located throughout Mariposa County, but in general are more concentrated in the town planning areas. Development, through a building permit does not have inherent properties that would cause it to produce concentrations of pollutants that would impact these population groups. Throughout Mariposa County development is always located in close proximity to these sensitive receptors, and there are no problems associated with their close proximity to one another. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.3.e Objectionable Odors

A significant impact would be one that creates objectionable odors affecting a substantial number of people. The type of development associated with the project should no create any objectionable odors. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.4 BIOLOGICAL RESOURCES

4. BIOLOGICAL RESOURCES Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			√	

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			√	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			√	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				√
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				√

B.4.a, b, c, d, e, and f Biological Resources

A significant impact would be one that has a substantial adverse effect on any of the biological resources cited in the checklist above. The original EIR for Silver Tip cited a number of key sensitive habitat areas and species which might be impacted by the approved project. The Silver Tip Resort Village Project has 55 Mitigation Measures and 90 conditions of approval which clearly articulate the circumstances upon which these sensitive areas will be examined, documented, avoided and as a last resort mitigated or restored. The project proponent has secured a streambed alteration agreement from California Dept. of Fish and Game which has suggested 45 key terms which will need to be complied with (Streambed Alteration Agreement No. 2006-0143-R4). The applicant has further been advised by California Fish and Game that the Section 1600 permit will need to be modified to acknowledge the latest site plan alterations and detail grading and construction techniques suggested. The Army Corp of Engineer's has issued a preliminary jurisdiction determination for wetlands and the project proponent is continuing to pursue the issuance of a Nationwide Permit with the Army Corp for the wetland disturbances proposed as part of the latest site plan. The proposed site plan changes and modifications do present an expansion of the parking area closer to the main stream channel which passes through the project meadow. Wetland Meadow area No 3. will be further impacted by the expanded parking lot as well. Both the Certified EIR for Silver Tip and the wetlands permitting being conducted by Army Corp have considered these wetland areas as

impact areas because of their proximity to grading and construction activities. These wetland impact areas have been considered in the wetlands impact evaluation being performed by the Army Corp but will need to be further explained to the State Department of Fish and Game. The proposed site plan alterations do not further impact sensitive habitat areas which were previously identified. All resource agencies involved with the permitting of the project have been notified of this review and been given an opportunity to comment on the changes. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.5 CULTURAL RESOURCES

5. CULTURAL RESOURCES Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				√
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			√	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			√	
d) Disturb any human remains, including those interred outside of formal cemeteries?				√

B.5.a. b, c, d Cultural Resources

A significant impact would be one that has a substantial adverse effect on any of the cultural resources cited in the checklist above. The original EIR for Silver Tip cited a number of key sensitive cultural resource areas which might be impacted by the approved project. The Silver Tip Resort Village Project has 55 Mitigation Measures and 90 conditions of approval which clearly articulate the circumstances upon which these cultural resource areas will be treated. In October 2008 a refined Archaeological Investigation was conducted by Dr. Dudley M. Varner of Fresno. Approximately nine sites were analyzed through test excavations conducted by his firm and observed by Eric Tucker Douglas of the American Indian Council of Mariposa County. All of these sites contained a mixture of disturbed fragments of glass, nails and few obsidian flakes. Dr. Dudley has recommended that when further site construction activity occurs that a qualified archaeologist or Native American monitor the grading activities. The test pits are all within an area which was previously contemplated for Resort construction activities. The proposed project changes being analyzed as part of this Initial Study and does not impact areas or sites which are known to contain sensitive cultural resources. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.6 GEOLOGY AND SOILS

6. GEOLOGY AND SOILS -- Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			√	
ii) Strong seismic ground shaking?			√	
iii) Seismic-related ground failure, including liquefaction?			√	
iv) Landslides?			√	
b) Result in substantial soil erosion or the loss of topsoil?			√	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			√	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			√	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			√	

B.6.a Faults, Ground Shaking, Ground Failure and Landslides

A significant impact would be one that exposes people or structures to loss, injury or death.

Earthquake Faults: The Seismic Hazards Act of 1990 directs the California Department of Conservation to map the state's most prominent earthquake hazard areas in California. These areas are called "Special Study Zones" and appear on a set of maps named the Alquist-Priolo Earthquake Fault Zone maps. Mariposa County is not a Special Study Zone and a map has not been created for Mariposa. The majority of the county falls within the lowest earthquake hazard zone of 10-20% probability. However, the potential for earthquakes and related hazards does exist in Mariposa County. A Five County Seismic Safety Study completed in 1974 by the Counties of Fresno, Kings, Madera, Mariposa, and Tulare found that fault zones do exist within and around Mariposa County and contribute to earthquake activity experienced within the county. The two fault zones within Mariposa making up the Foothill Fault System include the Bear Mountain Zone and the Melones Zone, both of which are located on the western side of the county. The Foothill Fault System is considered active. Additionally, three other faults known to be active near Mariposa include the San Andreas Fault to the west, the Owens Valley Fault to the east and the White Wolf fault to the south. According to the Five County Study, the three faults may cause small periodic local earthquakes.

Almost all of Mariposa County falls within the lowest earthquake hazard zone of 10-20 percent probability. No earthquake with a magnitude above 5 has occurred in Mariposa County since 1800. When earthquakes do occur in Mariposa County, records show they occur at around magnitude 2.7 or less. Section 8.2.02 – Physical Geology in Volume III of the Mariposa County General Plan states that the probability of earthquake occurrence on the Foothills Fault System is rated as low. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

Ground Shaking: All construction in California is required to comply with all California Building Code standards with respect to a seismic design category applicable to a specific area. The structure will be required to be constructed to these standards. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

Ground Failure: Liquefaction hazard areas have not been identified in Mariposa County. The State's Seismic Hazard Mapping Program has not yet mapped the County of Mariposa to determine the probability of various types of ground failure likely to occur as a result of earthquake activity. The County of Mariposa is not considered a priority area within the state and no schedule exists as to when Mariposa County will be mapped. New California Building Code standards that went into effect on January 1, 2008 require the preparation of a "soils investigation" report for all new building construction. These reports are required to provide complete evaluations of the foundation conditions of the site including design criteria related to the nature and extent of foundations materials, groundwater conditions, liquefaction potential, settlement potential and slope stability. The soils report must be prepared by a California-Registered Engineer. The building permit process will ensure that this report is properly prepared and reviewed. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

Landslides: The State's Seismic Hazard Mapping Program has not yet mapped Mariposa County to determine the probability of landslide occurrence as a result of earthquake activity. The Five County Seismic Safety Study performed a generalized landslide risk appraisal and found that there was minimal risk of landslides caused by earthquakes in areas of low relief and moderate to high risk found in the remaining mountainous areas of the county. The project site is not steep and has a low risk for landslide. *Therefore, the modified project will not create additional impacts, or require new mitigation measures,*

beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.

Many other factors can play a role in the development of landslides, including rock types susceptible to sliding, steep slopes, heavy rainfall during winter months, and slopes that have been modified by development activity. Landslides generally occur on slopes of 15 percent or greater. Grading will be necessary to implement the project and this grading will be required to be consistent with the provisions of Title 15.38 – Grading and Excavation in Title 15 – Buildings and Construction, Mariposa County Code. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.6.b, c Soil Erosion/Unstable Soils

A significant impact would be one that results in substantial soil erosion or loss of topsoil. Construction could increase erosion and loss of topsoil. As noted above, the standards of the county's Grading Ordinance will apply to site grading work. This ordinance contains requirements for soil compaction and sediment control during construction, and permanent re-vegetation following construction. Onsite inspections by the Building Department are conducted to ensure compliance with these requirements. Grading will comply with the adopted policies and ordinance requirements, and the required permits and onsite inspections, and the use of the retaining walls will ensure *a less than significant impact* from future grading activities associated with the project. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

The project proponents are continuing to work with the California Regional Water Quality Control Board and their Civil Engineers on the appropriate techniques to control site runoff and drainage. The construction concept relies on a series of ponds to control and filter the site drainage. The entire drainage system and erosion control plan must be approved by the appropriate resource agencies including the County of Mariposa before site disturbance can occur. A number of site plan changes have been proposed to reduce site disturbance, employ better management techniques and to increase efficiency of the resort operations. A careful evaluation of the new site plan suggests a total net reduction of site disturbance of nearly 5 acres. All Mitigation Measures and conditions of approval will be adhered to through the construction of this project. Mariposa County has not been presented either a final Site Plan nor have we seen a final grading and drainage plan. Planning staff will continue to work with the applicant to adhere to all condition and mitigation measures of the original project.

B.6.d Expansive Soils

A significant impact would occur if the project is placed on expansive soils and creates substantial risk to life or property. Construction will require compliance with the California Building Code standards for the construction of the slab. The California Building Code standards are implemented through the building permit process. Onsite inspections by building inspectors are conducted to ensure construction is in compliance with these standards. Based upon the existing permit requirements in place, the implementation of Uniform Building Code standards, and the onsite inspections, *the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.6.e Septic Systems

A significant impact would be one that results in substantial impacts on soil as a result of individual septic effluent being placed on the site. The project proponents have worked with the California Regional Water Quality Control Board on designing a community sewer treatment system which adequately treats the sewer effluent generated on site and distributes the treated water through a series of subsurface drip systems indentified in key areas distributed over the entire project site. Specifics of the discharge order and the numerous conditions for soil and ground water monitoring may be found in Order NO. 2007-0140 as modified by letter dated January 12, 2009 and signed by Senior Engineer Douglas K. Patteson. The proposed site plan embraces the new effluent drip system techniques by proposing three (3) leach field areas rather than one to be built based on conventional methods. The new effluent drip system will be installed mostly by hand crews to a prescribed depth of 12 inches or to a depth which is below the frost line. The traditional leach field area would have resulted in considerable site disturbance and tree and shrub removal as demonstrated in the previous EIR and findings of fact adopted by the Mariposa County BOS. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.7 HAZARDS & HAZARDOUS MATERIALS

7. HAZARDS AND HAZARDOUS MATERIALS Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				√
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				√
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				√
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				√
e) For a project located within an airport				√

land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				√
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				√
h) Expose people or structures to a significant risk of loss, injury or death involving Wildland fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with Wildlands?				√

B.7.a, b, c Transport, Use, Disposal, Release, or Emission of Hazardous Materials

A significant impact would be one that produces a substantial risk to the public from routine transportation, use, or disposal of hazardous material, or from reasonably foreseeable accidental release of such material. There would also be an impact if there would be hazardous emissions or substances within one-quarter mile of a school or proposed school. The project does not involve the transport, use or disposal of any hazardous materials other than the types that would typical for hotel usage, such as cleaning fluids, solvents, etc. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.7.d Exposure from Existing Contaminated Sites

A significant impact would be where a project is located on a listed contamination site and would expose the public or the environment to the hazard. The project site is not listed on the Mariposa County Health Department list of hazardous sites. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.7.e and f Hazards Near Airports and Airstrips

A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or private airstrip. The project site is not within two miles of a public airport. No private airstrips are known to exist within the area of the project site. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.7.g and h Emergency Response Plans and Risk of Wildland Fire

A significant impact would be one that impairs the implementation of or interferes with an emergency response, alter evacuation plans or increase the risk of Wildland Fires. A number of mitigation measures and conditions of approval address this issue specifically. Condition No.10 for example requires the installation of a complete fire suppression system including a looped water line to adequately serve all proposed buildings and structures. Condition No.12 requires the project proponent to secure the approval of the road design including both the road grade and width from CALFIRE as well as the County of Mariposa Fire Department. Additionally, the project proponents are under obligation to train volunteer fire personnel and work collectively with the Fire Department to determine appropriate building access locations and fire suppression systems. The project proponent and/or operator will be responsible for complying with the SRA standards for site clearing of dead trees, needles and debris according to State standards. The proposed project reduces the number of structures proposed in the remote areas of the project. Consolidation of the conference centers into a centralized location adjacent to the Hotel structure will make it easier for emergency crews to respond to potential incidents. *Therefore, the modified project will not create additional impacts, or require new mitigation measures, beyond what has been previously considered and certified under the Project's Final EIR, dated December 2003.*

B.8 HYDROLOGY & WATER QUALITY

8. HYDROLOGY AND WATER QUALITY Would the modified project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Violate any water quality standards or waste discharge requirements?			√	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			√	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			√	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or			√	

substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			√	
f) Otherwise substantially degrade water quality?			√	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				√
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				√
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				√
j) Inundation by Seiche, tsunami, or mudflow?				√

B.8.a,b,c,d,e, and f. Violate Water Quality Standards, adversely affect the groundwater aquifer, alter runoff patterns or otherwise degrade the water quality.

A significant impact would be one that has a substantial adverse effect on any of the water quality concerns cited in the checklist above. The original EIR for Silver Tip cited a number of water quality concerns which must be addressed by the project proponent during the course of project construction. The Silver Tip Resort Village Project has 55 Mitigation Measures and 90 conditions of approval which articulate the circumstances upon which these water quality impacts and concerns will be monitored and mitigated to a less than significant level. Planning staff shall continue to work with the resource agencies and the project proponent to ensure complete compliance with all measures previously approved. The proposed project does not increase the intensity of use, number of anticipated guests, employees, impervious surfaces and the like. There is no evidence in the record to suggest that the site plan changes will create an impact on Hydrology which was not previously evaluated under the Silver Tip Resort Village EIR. The project proponent has installed a number of water monitoring wells during the fall of 2008 to establish pre-project water quality measurements. These monitoring wells were required by the California Regional Water Quality Control Board and are long-term obligations of the project proponents as required by the State. *Therefore, the modified project will not create additional impacts, or require*