

## IN THE SUPREME COURT OF CALIFORNIA

EBBETTS PASS FOREST WATCH et al.,	)	
	)	
Plaintiffs and Appellants,	)	
	)	S143689
v.	)	
	)	Ct.App. 5 F042896
CALIFORNIA DEPARTMENT OF	)	
FORESTRY AND FIRE PROTECTION,	)	
	)	Tuolumne County
Defendant and Respondent;	)	Super. Ct. No. CV48910
	)	
SIERRA PACIFIC INDUSTRIES,	)	
	)	
Real Party in Interest	)	
and Respondent.	)	
_____	)	

### MODIFICATION OF OPINION

#### THE COURT:

The opinion herein, appearing at 43 Cal.4th 936, is modified as follows:

The following sentence is added to the end of the paragraph spanning pages 957-958:

“To the extent the recirculation standard of Public Resources Code section 21092.1 applies, CDF’s identification of past use data in its responses to public comments do not comprise significant new information as to require an additional public comment period.”

This modification does not affect the judgment.