

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

JOY ROAD AREA FOREST AND
WATERSHED ASSOCIATION,

Plaintiff and Appellant,

v.

CALIFORNIA DEPARTMENT OF
FORESTRY & FIRE PROTECTION,

Defendant and Appellant,

HARMONY FOREST & LAND
COMPANY, LLC.,

Real Party in Interest.

A105421

(Sonoma County
Super. Ct. No. SCV 229850)

BY THE COURT:

It is ordered that the opinion filed herein on August 30, 2006, be modified in the following particulars:

1. In the first sentence of the third paragraph on page 25 of the opinion, the phrase “required an approval of the project by USF&WS,” is deleted and the deleted language is replaced with the following language: “required that the project be acceptable to USF&WS.”

2. In the third sentence of the third paragraph on page 25 of the opinion, the following language is deleted: “there was no approval from USF&WS.” The deleted text is replaced with the following language: “the project was not acceptable to USF&WS.”

3. In the first sentence of the fourth paragraph on page 25, the word “approval” is deleted and replaced with the words “letter of acceptance.”

These modifications do not effect a change in the judgment.

The petition for rehearing is denied.

Dated: _____

Kline, P.J.