

**Adopting Resolution**

**Mono County Board of Supervisors**

**Resolution Number: R00-21**

**Certifying the Bodie Hills RV Park Specific Plan Final EIR, and  
Adopting Written Findings, A Statement of Overriding  
Considerations, and a Mitigation Monitoring Program Related  
Thereto; and Approving General Plan Amendment 00-01  
(Resource Management to Specific Plan) and Approving the  
Bodie Hills Specific Plan**

**Approved and Adopted: April 4, 2000**





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**RESOLUTION NO. R00-21  
BOARD OF SUPERVISORS, COUNTY OF MONO**

**CERTIFYING THE BODIE HILLS RV PARK SPECIFIC PLAN FINAL EIR, AND  
ADOPTING WRITTEN FINDINGS, A STATEMENT OF OVERRIDING  
CONSIDERATIONS, AND A MITIGATION MONITORING PROGRAM RELATED  
THERE TO; AND APPROVING GENERAL PLAN AMENDMENT 00-01 (RESOURCE  
MANAGEMENT TO SPECIFIC PLAN) AND APPROVING THE BODIE HILLS SPECIFIC  
PLAN**

**WHEREAS**, the overall objective of the Bodie Hills RV Park Specific Plan is to provide a mix of over-night accommodations and services for the Bodie visitor in a rustic environment that complements the historic character of Bodie State Historic Park and the setting and natural resources in the area; and,

**WHEREAS**, the Bodie Hills RV Park Specific Plan would allow for the construction and operation of up to a 4,800 square foot (SF) General Store/Motel/Office complex; a 600 SF Old West Museum; 32 RV spaces; 8 cabins; 14 tent camping sites; 2 single-family residences; and assorted accessory structures on approximately 13 acres of a 155-acre parcel; and

**WHEREAS**, the Specific Plan contains land use designations and design standards for the property; and,

**WHEREAS**, the Bodie Hills RV Park Revised Specific Plan and Final Environmental Impact Report were prepared simultaneously to incorporate environmental mitigation measures into the Specific Plan and to design the project around potential environmental constraints; and

**WHEREAS**, the Bodie Hills RV Park Revised Specific Plan Final EIR has been prepared and reviewed in compliance with CEQA; and,

**WHEREAS**, the Board of Supervisors, in consideration of evidence and testimony presented at a public hearing in accordance with County Code Section 19.41.110, hereby adopts the following findings with respect to the proposed General Plan Amendment and adoption of the Specific Plan:

1 The proposed Specific Plan is consistent with the Mono County General Plan because:

- 2 1. The Fire Protection Plan (Specific Plan Design Guidelines Policy 13) is consistent with the  
3 Safety Element, Goal II, Objective B, Actions 1.1 & 1.2.
- 4 2. The project has applied for a variance for the installation of power lines in a scenic highway  
5 corridor in compliance with the Conservation/Open Space Element, Visual Resource  
6 policies, Objective C, Action 3.3.
- 7 3. The Bodie Hills RV Park Specific Plan is consistent with the required findings in the  
8 countywide Land Use Policies, Objective A, Policy 3, Action 3.1 as follows:
- 9 a. Permanent open space preservation is provided.

10 Permanent open space is provided by designating the Clearwater Creek channel as Open  
11 Space/Natural Habitat Protection (Land Use Policy 5, Natural Resource Conservation  
12 Policy 2). That designation has been amended so that recreational use of the creek is no  
13 longer allowed (Land Use Policy 6); the only uses allowed are bridges and temporary  
14 stream crossings. Permanent open space is also provided by designating the remainder  
15 of the parcel not used for development (approximately 142 acres out of the 155 acre  
16 site) as Rural Resort/Resource Conservation Passive Recreation (Land Use Policy 4). A  
17 limited number of uses specified in the Specific Plan are allowed in that designation;  
18 Land Use Policy 4 has been amended to allow no other uses in that designation, thereby  
19 preserving the remainder of the parcel (approximately 90 percent of the total parcel) for  
20 natural habitat and open space uses.

- 21 b. The development would not adversely affect existing or potential farming, ranching, or  
22 recreational operations. The project is currently not used for farming, ranching, or  
23 recreation, other than passive recreation.
- 24 c. Development is clustered, concentrated or located to avoid adverse impacts to cultural  
25 resources. The development has been located to avoid significant impacts to cultural  
26 resources. Specific Plan policies require the development to avoid identified cultural  
27 resource sites.
- 28 d. Development is clustered, concentrated or located to maintain the visual quality of the  
area.

The development has been clustered on approximately 13 acres of the 155 acre site to  
maintain the visual quality of the area to the greatest extent possible. The project has  
been reconfigured to further cluster and remove RV spaces adjacent to Hwy 270 and  
minimize views from the state highway.

- e. Adequate public services and infrastructure for the proposed development are available  
or will be made available.

The project would marginally increase the need for public services; this increase can be  
accommodated by the existing service providers. The project will provide all necessary  
infrastructure on-site.

1 f. The development protects and is compatible with the surrounding natural environment  
2 and rural character of the area.

3 The development has been designed to protect and be compatible with the surrounding  
4 natural environment and rural character of the area. The project is clustered on a small  
5 portion of the parcel. Development would occur on approximately 8% of the property;  
6 the remainder of the property will be preserved as open space. Structures, fences, and  
7 signs will be designed and constructed with a rustic modern design, to be as unobtrusive  
8 as possible, and to blend into the surrounding environment to the greatest extent  
9 possible.

10 g. Housing is limited to that necessary to maintain the development.

11 The applicant estimates that 11 employees will be required for the project at buildout.  
12 The 2 two-bedroom single family residences and 2 RV spaces reserved for employees  
13 will provide space for 6 employees.

14 h. The development avoids or mitigates potential significant environmental impacts as  
15 required by Mono County General Plan policies and the California Environmental  
16 Quality Act (CEQA).

17 The only potential significant environmental impact identified as unavoidable is visual  
18 impacts although mitigation reduces visual impacts to the lowest feasible levels.

19 **NOW THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors  
20 hereby takes the following actions:

21 **A. In certifying the EIR:**

22 1. In compliance with CEQA Guidelines Section 15090 (a), certify the EIR by finding that:

23 a. The Final Environmental Impact Report (FEIR) has been completed in compliance with  
24 CEQA;

25 b. The Final EIR was presented to the decision-making body of the lead agency, and that  
26 the decision-making body reviewed and considered the information contained in the  
27 Final EIR prior to approving the project; and

28 c. The Final EIR reflects the lead agency's independent judgment and analysis.

2. Based upon evidence in the Final EIR, find that impacts are less than significant or  
mitigated to less than significant levels (Attachment A) except that a) significant  
unavoidable visual impacts will result from the project, and b) those unavoidable effects are  
acceptable due to overriding considerations;

2. Adopt a Statement of Overriding Considerations for significant unavoidable visual impacts  
in Attachment B; and

4. Adopt the Mitigation Monitoring Program for the Specific Plan EIR (sect. VI, FEIR, Vol I)

1 **B. In considering General Plan Consistency:**

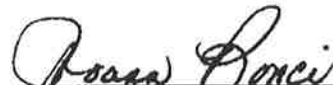
- 2 1. Find that the Bodie Hills RV Park Specific Plan is consistent with the Mono County  
3 General Plan;  
4 2. Amend the land use designation of APN 11-070-04 from Resource Management (RM) to  
5 Specific Plan (SP) shown in Figure 1 and adopt General Plan Amendment 00-01;  
6 3. In compliance with General Plan policies (Safety Element, Goal II, Objective B, Action  
7 1.2), find that the Fire Protection Plan in the Bodie Hills RV Revised Specific Plan (Design  
8 Guidelines Policy 13) provides adequate structural fire protection.

9 **C. In considering the Specific Plan:**

- 10 1. Approve the Specific Plan as modified by the Planning Commission and Board of  
11 Supervisors after hearing additional comments on the project at public hearings conducted  
12 for the project.

13 **APPROVED AND ADOPTED** this 4th day of April, 2000, by the following vote of the  
14 Board of Supervisors, County of Mono:

15 **AYES** : Supervisors Farnetti, Hunt, Inwood, Ronci and Rowan  
16 **NOES** : None  
17 **ABSENT** : None  
18 **ABSTAIN** : None

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21 **JOANN RONCI, CHAIRMAN**  
22 **BOARD OF SUPERVISORS**  
23 **COUNTY OF MONO**

24 **ATTEST:**

**APPROVED AS TO FORM**

25 **RENN NOLAN**  
26 **CLERK OF THE BOARD**

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28 \_\_\_\_\_  
**ROBERTA REED, DEPUTY**

  
\_\_\_\_\_  
**MARSHALL RUDOLPH**  
**COUNTY COUNSEL**

## ATTACHMENT A

### ENVIRONMENTAL IMPACT FINDINGS REQUIRED BY CEQA GUIDELINES SECTION 15091 BODIE HILLS RV PARK REVISED SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT

#### PART I: FINDINGS RELATIVE TO SIGNIFICANT ENVIRONMENTAL EFFECTS

##### *MITIGATIBLE SIGNIFICANT ENVIRONMENTAL EFFECTS*

#### EARTH

1. **SIGNIFICANT EFFECT:** The project will disturb the existing vegetation creating the potential to increase soil erosion and downstream sedimentation.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the project has been designed to minimize cut and fill and surface disturbance resulting from the construction of new structures, the creation of RV and tent spaces and the installation of roads and utilities. Specific Plan policies limit cut and fill and surface disturbance resulting from future development (LU Policies 3, 4; I Policy 10; DG Policy 8; NRC Policy 15) and require revegetation of disturbed areas with native, indigenous species (NRC Policies 5, 6). The Specific Plan limits development to areas specifically designated for development in the adopted site plan by designating approximately 140 acres for Rural Resort/Resource Conservation Passive Recreation (RU/RCPR) and by minimizing development in the Clearwater Creek channel (LU Policies 3, 4, 5, 6).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. **SIGNIFICANT EFFECT:** Without mitigation, the project will impact air and water quality during excavation/construction.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: the Specific Plan contains policies requiring compliance with the County's Grading Ordinance and with Lahontan Regional Water Quality Control Board standards for erosion control and NPDES permit requirements (I Policies 10, 11; NRC Policies 13, 14). Specific Plan policies also require compliance with performance standards which address dust control and erosion control practices (NRC Policy 8)..

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **SIGNIFICANT EFFECT:** The Clearwater Creek Channel streambanks are highly erodible. Potential impacts to stream and riparian vegetation from development occurring too close to streambank could result.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: Specific Plan policies do not permit development within an area delineated by a thirty foot setback from the top of the streambank and require restoration of areas temporarily disturbed for construction of the proposed bridges (LU Policies 5, 6; NRC Policies 2, 3, 5, 6). The RV sites will be a minimum of 30 feet from the top of the bank (LU Policy 2)..

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## AIR QUALITY

1. **SIGNIFICANT EFFECT:** Emissions from wood-burning devices may impact existing air quality.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: the tent cabins, motel, store and museum will not have any wood burning devices. Fires in the RV park area, the tent camping area and the cabin camping area will be limited to grills and one campfire ring and will occur only during the summer months.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. **SIGNIFICANT EFFECT:** By disturbing the existing vegetative cover, the project may introduce additional particulate matter into the air. Soil information for the site indicates that construction activities may expose material that is highly susceptible to erosion which may impact air quality.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: the Specific Plan contains policies requiring compliance with the County's Grading Ordinance and Lahontan Standards for erosion control (I Policies 10, 11; NRC Policy 13). Specific Plan policies limit cut and fill and surface disturbance resulting from future development (LU Policies 3, 4; I Policy 10; DG Policy 8; NRC Policy 15) and require revegetation of disturbed areas with native, indigenous species (NRC Policies 5, 6). Specific Plan policies also require compliance with performance standards which address dust control and erosion control practices (NRC Policy 8).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.



## WATER

1. **SIGNIFICANT EFFECT:** The project has the potential to degrade water quality by increasing sedimentation into Clearwater Creek.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: the project has been designed to minimize cut and fill and surface disturbance resulting from the construction of new structures, the creation of RV and tent spaces and the installation of roads and utilities. Specific Plan policies limit cut and fill and surface disturbance resulting from future development (LU Policies 3, 4; I Policy 10; DG Policy 8; NRC Policy 15) and require revegetation of disturbed areas with native, indigenous species (NRC Policies 5, 6).

The Specific Plan contains policies requiring compliance with the County's Grading Ordinance and with Lahontan Regional Water Quality Control Board standards for erosion control and NPDES permit requirements (I Policies 10, 11; NRC Policies 13, 14). Specific Plan policies also require compliance with performance standards which address dust control and erosion control practices (NRC Policy 8).

The project has been designed with a thirty foot wide buffer around the steep banks of Clearwater Creek and all proposed development would be constructed outside of the established stream corridor (LU Policies 5, 6). Outside of the developable areas shown on the plot plan, the balance of property will be designated for Rural Resort/Resource Conservation Passive Recreation (LU Policies 3, 4) which limits the intensity of development to two single-family homes and to passive recreational uses.

Specific Plan policies also require the implementation of slope protection measures to avoid and/or minimize channel erosion and associated sedimentation (NRC Policy 16).

The project has been designed to retain drainage on-site. Where the project has the potential to increase drainage (i.e., motel/store and camping cabins areas), retention basins will be installed to conform to Lahontan Regional Water Quality Control Board requirements (I Policy 10). The project will be designed and maintained to comply with all water quality standards and water quality control measures in the Lahontan Regional Water Quality Control Plan (I Policy 11; NRC Policies 13, 14).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. **SIGNIFICANT EFFECT:** The project has the potential to impact groundwater reserves and stream flows and to indirectly impact wildlife who depend on those water sources by increasing the use of subsurface water for the project.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: the Specific Plan requires a well permit from the Mono County Health Department prior to on-site water development (NRC Policy 12). The well permit application process requires the Health Department to make a finding that a groundwater supply of sufficient quality and quantity is available prior to issuing the well permit. The Health Department may also require the applicant's engineer to submit a technical report containing detailed plans and specifications, and water quality and water quantity information including production rates, static water levels and water level draw down rates.

As soon as the well is drilled for Phase I, NRC Policy 12 requires the implementation of a monitoring program to ensure that groundwater pumping is not adversely impacting existing groundwater levels, streamflows, or water quality. Construction of Phase II or III shall not occur unless the monitoring program can prove that Phase I is not impacting existing groundwater levels, stream flows or water quality. Prior to the development of Phases II and III, the Health Department shall make a finding that an adequate groundwater supply of sufficient quality and quantity is available for future phases. This finding shall be based upon the contents of a technical report containing information similar to Phase I.

The Specific Plan also requires approval of the septic system and leachfields from the Mono County Health Department prior to development of on-site waste disposal systems and requires the project to comply with all County requirements concerning sanitary waste disposal (Infrastructure Policy 4).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## PLANT LIFE

1. **SIGNIFICANT EFFECT:** The project will result in the removal of native vegetation.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required Specific Plan policies that minimize site disturbance, including cut and fill, require revegetation of disturbed areas (other than roadways and parking areas), and require the use of native/indigenous species for revegetation (DG Policy 8; NRC Policies 5, 6, 15). In addition, the removal of native vegetation (i.e. big sagebrush scrub and pinyon-juniper woodland) is not a significant impact because the habitat types on-site are abundant on a local and regional scale.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. **SIGNIFICANT EFFECT:** The project has the potential to impact stream and riparian vegetation including potential wetlands.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the project be designed to avoid potential impacts to the riparian habitat along Clearwater Creek by restricting land uses in the stream corridor and establishing a thirty foot setback from the top of the streambank (LU Policies 5,6; NRC Policy 2). Short-term impacts of driving construction equipment across the creek will be minimized by requiring a Fish and Game Stream Alteration Permit, restricting crossings to a designated spot, minimizing the number of stream crossings, and restoring the stream banks as soon as the bridges are operational (NRC Policy 3).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **SIGNIFICANT EFFECT:** The project could impact rare and endangered species.

**STATEMENT OF FACTS:** Two thorough vegetation surveys were conducted for the project to ascertain present or absence of sensitive plant species. Only two species were identified in two limited areas. The Mono County Board of Supervisors has required that: the project has been designed to avoid potential impacts to rare and endangered plant species, specifically Bodie Hills cusickiella and Masonic rock cress, by avoiding development in and adjacent to areas with identified populations of those species. The Specific Plan calls for flagging of identified populations and the establishment of a buffer zone from construction activities (NRC Policy 7).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## **ANIMAL LIFE**

1. **SIGNIFICANT EFFECT:** The project will result in the loss of wildlife habitat.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that: Specific Plan policies minimize site disturbance, require revegetation of disturbed areas, and require the use of native/indigenous species for revegetation (LU Policies 4, 5, 6, 7, 8; DG Policy 8; NRC Policies 5, 6, 15). The removal of native vegetation/habitat is not a significant impact because habitat types on-site are abundant on a local and regional scale.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. **SIGNIFICANT EFFECT:** By increasing the human activity level in the area, the project may disrupt wildlife movement and reproduction.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required Specific Plan policies which minimize potential impacts to wildlife by establishing restrictions on domestic animals, fencing, outdoor lighting, and construction activities (NRC Policies 8, 9, 15). The project has been designed to retain a deer movement corridor through the central portion of the project (LU Policy 7). The purpose of the corridor is to maintain connectivity among contiguous wildlands on either side of the project area. The Specific Plan limits development within this corridor to ensure that it remains useful to wildlife, particularly mule deer (LU Policy 8). The Specific Plan also designates a large proportion of the property outside of the areas proposed for development for permanent open space and natural habitat protection. These three land use designations limit the type and intensity of future development in order to retain natural site conditions (LU Policies 3, 4, 5, 6, 7, 8).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## NOISE

1. **SIGNIFICANT EFFECT:** Construction related noise impacts may cause some temporary disturbance.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the Specific Plan contain policies to minimize noise impacts during construction by equipping all on-site equipment with noise attenuation equipment and by compliance with all requirements of the County's Noise Ordinance (NRC Policy 8). All RV spaces will be equipped with electrical hookups, eliminating the need for RV users to run their generators thereby eliminating noise from that source. NRC Policy 9 prohibits the use of RV generators at after 10 p.m. to minimize potential impacts to the existing noise environment.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## EXPOSURE TO RISK

1. **SIGNIFICANT EFFECT:** The Clearwater Creek Channel banks are highly erodible. Potential impacts to persons and property could result from high flows and associated bank erosion and streambank instability.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the following mitigation measures, incorporated as policies and design features in the Specific Plan, to mitigate these potential impacts to a less than significant level:

- a. Specific Plan policies require the implementation of slope protection measures to avoid and/or minimize channel and streambank erosion (NRC Policy 16). NRC Policy 16 requires the Final Grading Plan to include a Streambank Protection component which provides a specific design for implementing Streambank Mitigation Alternative 2 from the Hydrology Study and site specific recommendations from the NRCS letter.
- b. Specific Plan policies designate the Clearwater Creek channel as Open Space/Natural Habitat Protection. That designation establishes a 30 foot setback from the top of the banks of Clearwater Creek, restricts uses within that setback in order to reduce erosion, requires access routes to the creek to be established and maintained, and requires signs to be posted along the 30 foot setback encouraging the use of the established access routes (LU Policies 5, 6). The 30 foot setback is to be maintained in perpetuity. It will be monitored on an annual basis, and uses will be discontinued or moved to the minimum 30 foot setback (LU Policy 5).
- c. The RV sites will be a minimum of 30 feet from the top of the bank (LU Policy 2).
- d. The resort will operate seasonally, in the summer months, when high flows are less likely to occur and erosion due to saturated banks is less likely to occur (LU Policy 11).
- e. Bridges will be constructed with concrete abutments located outside of the creek channel (DG Policy 3). Bridge supports may be located in the 30 foot setback (NRC Policy 2).

- f. Temporary impacts to the stream channel and riparian vegetation resulting from construction of the bridges will be minimized by a) identifying two temporary stream crossings sited to minimize impacts on vegetation and bank stability, b) parking heavy equipment on the south side of the creek to minimize impacts to soils and vegetation, and c) restoring the temporary stream crossings as soon as possible once the bridges are operational (streambanks will be stabilized and revegetated) (NRC Policy 3).
- g. All revegetation on the site will comply with revegetation performance standards in the Specific Plan which require native, indigenous species and replanting as necessary to assure success (NRC Policy 6).
- h. Specific Plan policies require bridges to be designed and constructed to convey the 100 year flow and the installation of slope protection around bridge abutments and approaches (NRC Policies 2, 4).
- i. Disturbance of natural habitat shall be kept to a minimum (NRC Policy 15).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## CULTURAL RESOURCES

1. **SIGNIFICANT EFFECT:** The project has the potential to directly or indirectly impact significant cultural resource sites.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the project be redesigned to avoid potential impacts and that limited testing and surface collection take place at four sites that cannot be avoided by the project (NRC Policy 10). Specific Plan policies also require the proponent to stop work and conduct an archaeological study should cultural resources be discovered during earthwork activities (NRC Policy 11).

Possible impacts from increased human presence in the area (e.g. vandalism) have been addressed by incorporating policies relating to vandalism from the Bodie Hills Recommended Cooperative Management Plan (Draft, 1994) and the 1999 Draft Mono County General Plan Land Use Element Amendments into the Bodie Hills RV Park Specific Plan/EIR.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

## UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

### AESTHETICS

1. **SIGNIFICANT EFFECT:** The project is anticipated to have significant unmitigable and unavoidable visual impacts resulting from development activities.

**STATEMENT OF FACTS:** The Mono County Board of Supervisors has required that the project be designed to avoid or minimize potential visual impacts, although any new development on the floor of the existing canyon, the proposed overhead powerline, and/or the single family residences will result in visual impacts. A number of policies

and design features have been incorporated into the Specific Plan to avoid potential visual impacts and to mitigate potential impacts to a less than significant level; however, the project will still result in significant visual impacts. Visual impacts will be significant and unavoidable because any development in the currently undeveloped project area will have some visual consequences.

The proposed development complies with Mono County General Plan policies and Mono County Code requirements concerning visual resources, site disturbance, structural design and materials, landscaping, outdoor lighting, utility lines, and signs.

The following mitigation measures, incorporated as policies and design features in the Specific Plan, will lessen potential impacts, but not to a less than significant level.

- a. RV spaces between Clearwater Creek and Hwy. 270 have been eliminated to reduce visual impacts of RVs parked close to the road and creek.
- b. No more than 10 % of the entire parcel may be disturbed; the remainder of the parcel must remain in its existing natural state (LU Policy 4h).
- c. Disturbed areas will be minimized and will be revegetated as soon as possible (DG Policy 8; NRC Policies 5, 6).
- d. No development will be allowed within the Clearwater Creek corridor area designated Open Space/Natural Habitat Protection (OS/NHP). The riparian scrub vegetation will be retained (NRC Policy 2). The setback from the creek has been increased to 30 feet from 10 feet.
- e. Bright colors or reflective materials, including windows, will not be allowed (DG Policy 1).
- f. Buildings will be designed and constructed to have a rustic appearance; materials and colors will blend in with the surrounding area (DG Policy 1).
- g. Wood fencing will be used to screen visually intrusive elements such as the propane tanks and dumpster and will be finished to blend into the surrounding environment (DG Policy 2).
- h. Landscaping will be used to shield some project components (Figures 12 & 13, Preliminary Landscaping Plan).
- i. Exterior lighting will be limited to that necessary for health and safety and will be shielded. Low intensity lighting will be used (DG Policy 5).
- j. Visually intrusive elements such as trash cans and lampposts will be painted a non-reflective color that blends in with the surrounding environment (DG Policies 4 & 6).
- k. The water storage tank will be shielded from view with trees and painted a non-reflective color that blends in with the surrounding environment (DG Policy 7).
- l. The overhead powerline will be sited and constructed in a manner to minimize impacts to natural and visual resources (DG Policy 11).
- m. Signs will be unobtrusive in color, material and design. The Specific Plan requires the project proponent to integrate existing and proposed signs along Hwy. 270, including Caltrans signs, State Parks signs, and the proposed Bodie RV Park signs (DG Policy 12).
- n. The single family residences on the north bluff shall be sited to minimize their visibility from Hwy. 270 and shall be single-story (LU Policy 4c). The access road to the houses will be designed and constructed to minimize cut and fill; existing trees will be retained to shield it from view and additional trees may be planted to soften the road's appearance (LU Policy 4c).

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR to the extent feasible. Additional mitigation or project alternatives with less

environmental impact are infeasible due to specific economic, engineering and other factors (See Part II of these Findings).

## **PART II: FINDINGS RELATIVE TO ALTERNATIVES**

The Mono County Board of Supervisors finds that the project alternatives identified in the Final EIR which would have significantly less environmental impact than the proposed project are infeasible due to specific economic, social, or other considerations, and that other alternatives identified in the Final EIR would have similar or greater environmental impacts than the proposed project.

The Mono County Board of Supervisors finds that Alternative 1, the No Project Alternative, which is the least environmentally damaging scenario, is infeasible due to social and economic considerations. This alternative would not allow new development on the project site and would not meet the project's objective "to provide a mix of over-night accommodations and services for the Bodie visitor in a rustic environment that complements the historic character of Bodie State Historic Park and the setting and natural resources in the area".

The Mono County Board of Supervisors finds that Alternative 2, the Reconfigured Project on the Same Site, is infeasible due to social and economic considerations, if the reconfigured project included eliminating one or more of the project components. While that alternative would reduce environmental impacts from the project since no development would occur at one or more sites on the parcel, it would not fulfill the project objective of providing a mix of over-night accommodations and services for the Bodie visitor.

The Mono County Board of Supervisors finds that Alternative 2, the Reconfigured Project on the Same Site, would create additional potential environmental impacts if the reconfigured project included relocating one or more project component(s) to another site on the same parcel. Due to the parcel's topography, the alternative location would have to be on the hillsides or on top of the bluffs overlooking Hwy. 270. Gaining access to these areas would require large amounts of earthwork. Significant visual impacts would occur both from the cut and fill required for the access and from the fact that the project would no longer be contained in a canyon but would be more visible on the upslope and plateau portions of the parcel. Depending on the site chosen, additional cultural resource sites could be impacted and additional habitat could be disturbed. Although development would no longer occur in areas adjacent to Clearwater Creek, the additional grading and earthwork necessary to access the steeper portions of the property would increase erosion and sedimentation and significantly impact the stream. This alternative would fulfill the project objective of providing a mix of over-night accommodations and services for the Bodie visitor.

The Mono County Board of Supervisors finds that Alternative 3, the Relocated Project on an Alternative Site, would result in similar impacts to the proposed project and if located further east towards Bodie, the "Bodie Experience", which is related to the isolation and remoteness of Bodie State Park, would be compromised. Private parcels located further east on Hwy. 270 are in much more visible locations, where the road overlooks vast, undeveloped areas which are critical to the "Bodie Experience". Significant and unavoidable visual impacts would occur in these more visible locations and the severity of those impacts could increase if project components are located in more visible areas closer to Bodie State Park.

## ATTACHMENT B

### STATEMENT OF OVERRIDING CONSIDERATIONS BODIE HILLS RV PARK REVISED SPECIFIC PLAN/FEIR

Mono County's economy is primarily supported by tourism and outdoor recreation. The Bodie Hills RV Park project would expand tourist serving facilities along the primary access route to Bodie State Park, one of Mono County's primary tourist attractions. By expanding tourist facilities, the project would enhance the local economy by attracting additional visitors and providing additional job opportunities. The Mono County Board of Supervisors finds that the level of development provided for under the Bodie Hills RV Park Revised Specific Plan would significantly benefit Mono County's tourist-based economy and would thereby outweigh significant unavoidable visual impacts associated with the project.

The Bodie Hills RV Park project is located along Hwy. 270 (Bodie Road), adjacent to Clearwater Creek, in an undeveloped area. The majority of the project will be located on the canyon floor, adjacent to the creek and the highway. Some project components will be located on the surrounding uplands. Although the project has been designed to avoid visual impacts and mitigation measures have been incorporated into the Revised Specific Plan and Final EIR which mitigate visual impacts to the lowest feasible level, any development in the currently undeveloped project area will have some visual consequences which are considered significant and unavoidable.

The development of the Bodie Hills RV Park would create additional jobs in northern Mono County. It would generate additional revenues for the County, particularly in the form of transient occupancy taxes collected from overnight visitors, sales taxes, and property taxes. Based upon these considerations, the Mono County Board of Supervisors finds that the potential benefits derived from the Bodie Hills RV Park project outweigh the project's significant unavoidable visual impacts and that a Statement of Overriding Considerations is warranted.