RECOMMENDED ACTION AND JUSTIFICATION:

Public Hearing for the SDA Camp Wawona Redevelopment Project

Specific Plan/Zoning Text Amendment No. 2002-345: A text amendment to change the Wawona Town Specific Plan, to create a new conditional use designation for "Organizational Recreation Camp", a new conditional use in the Mountain Residential Land Use and Zone: "An area containing one or more permanent buildings and or developed campsites that are used for recreational purposes, for the transitory accommodation of members and invitees of private organizations or groups, and is not open to the general public. The recreational activities and camping are provided as part of an organized program that is owned, managed, controlled and maintained by the private not-for-profit organization or group." The Board of Supervisors will also consider a recommended amendment to the Specific Plan lot coverage standards for the Mountain Residential Land Use and Zone to clarify applicability to this project.

Conditional Use Permit No. 2002-346: A proposed permit to conditionally approve the proposed phased redevelopment plan for the Seventh Day Adventists' organizational recreation camp, which includes demolition of existing camp buildings and facilities and construction of new buildings and facilities and associated site work on the camp's existing property. Note that the land exchange with the National Park Service has been abandoned and is no longer a part of the project. All redevelopment activities will occur on existing SDA owned property. The applicant has proposed architectural design guidelines, elevations, a site plan, a phasing plan, and a preliminary grading plan.

Environmental Impact Report No. 2002-292: The Environmental Impact Report (EIR) must be certified with mitigation measures to approve the project as recommended. There are several mitigation measures resulting from the environmental review of the project, one of which includes limits on occupancy of the facility based upon the condition of Forest Drive.

The project applicant is the Central California Conference of Seventh Day Adventists (CCCSDA).

Camp Wawona, an existing camp facility, is located on two parcels of privately owned land in the southeastern corner of Section 35 of Township 4 South, Range 21 East Mount Diablo Base & Meridian, inside Yosemite National Park, within the community of Wawona in Mariposa County. APN 010-280-009, a 30.45 acre parcel is the last privately owned parcel at the southeastern end of Forest Drive (8110 Forest Drive) and the parcel on which the redevelopment activity is proposed. APN 010-280-010, a 1.768 acre parcel is located on the north side of Forest Drive, between Forest Drive and the South Fork of the Merced River. Access to the site is from Forest Drive.

The Board of Supervisors conducted a public hearing on August 14, 2007. On August 14, 2007, the Board of Supervisors completed the staff presentation, applicant presentation, and public testimony portions of the public hearing process. The Board of Supervisors continued the public hearing to October 16, 2007 in order to conduct the deliberation portion of the public hearing process, and to consider the format action documents. A further continuance to November 6, 2007 was necessary in order for staff to complete preparation of the Board packet.

Staff has prepared the following documents and recommends:

1. Adoption of a Resolution certifying Environmental Impact Report, adopting CEQA findings, and approving MMRP for Camp Wawona Redevelopment Project;
2. Waiver of first reading and introduction of ordinance approving amendment to the Wawona Town Planning Area Specific Plan;
3. Adoption of a Resolution approving Specific Plan/Zoning Amendment No. 2002-345;

Recommended action is based upon the Planning Commission’s recommendations. Additional information regarding recommended action is provided in attached memorandum to Board.

Staff has also requested that the second reading and the adoption of the ordinance be agendized for the November 13, 2007 meeting. All actions will be effective 30 days following the adoption of the ordinance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On June 13, 2007 the Board of Supervisors conducted an official on-site information tour of the SDA Camp Wawona Redevelopment Project.

On June 19, 2007, the Board of Supervisors scheduled the public hearing for this project for August 14, 2007.

On August 14, 2007, the Board of Supervisors conducted the public hearing for this project at the Camp Green Meadows Facility in Fish Camp. The staff made a presentation regarding the project. The applicant made a presentation to the Board of Supervisors. Public testimony was taken. The Board of Supervisors closed the public input portion of the hearing and continued the hearing to October 16, 2007 in order to provide adequate time for deliberations.

On October 16, 2007, the Board of Supervisors continued the public hearing to November 6, 2007.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Modify conditions of approval.
2. Modify findings supporting action.
3. Deny project.

Negative action, or denying the project applications, will mean that mean that the existing camp will remain a non-conforming use. Non-conforming uses in Wawona have a 50 year amortization period (from 1987), which means that the camp will have to cease operation by the end of the year 2036.

Financial Impact? ( ) Yes (x) No Current FY Cost: $8
Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded

Additional Funding Needed: $8

List Attachments, number pages consecutively
Memorandum to Board with Attachments:
1. Draft Resolution Certifying EIR
2. Draft Ordinance Approving ZA
3. Draft Resolution Approving SP/ZA
4. Draft Resolution Approving CUP
5. October 22, 2007 Correspondence from NPS
6. October 19, 2007 Water Supply Assessment

Res. No.: 07-523
Res. No.: 07-524

Vote – Ayes: ______ Noes: ______
Absent: ______
( ) Approved
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: ________________________________

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ________________________________
Deputy

Revised Dec. 2002
TO: KRIS SCHENK, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: PUBLIC HEARING for the Seventh Day Adventist (SDA) Camp Wawona Redevelopment Project

RESOLUTION 07-523, 07-524 & 07-525

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA
ADOPTED THIS Order on November 6, 2007

ACTION AND VOTE:

Kris Schenk, Planning Director;
PUBLIC HEARING for the Seventh Day Adventist (SDA) Camp Wawona Redevelopment Project
(Continued from August 14 & October 16, 2007) (Deliberation Phase)
The Project Consists of the Following:

A) Specific Plan/Zoning Text Amendment No. 2002-345: A Text Amendment to Change the Wawona Town Specific Plan, to Create a New Conditional Use Designation for "Organizational Recreation Camp", a New Conditional Use in the Mountain Residential Land Use and Zone. "An Area Containing One or More Permanent Buildings and or Developed Campsites that are Used for Recreational Purposes, for the Transitory Accommodation of Members and Invitees of Private Organizations or Groups, and is Not Open to the General Public. The Recreational Activities and Camping are Provided as Part of an Organized Program that is Owned, Managed, Controlled and Maintained by the Private Not-for-profit Organization or Group." The Board of Supervisors will also Consider a Recommended Amendment to the Specific Plan Lot Coverage Standards for the Mountain Residential Land Use and Zone to Clarify Applicability to this Project.

B) Conditional Use Permit No. 2002-346: A Proposed Permit to Conditionally Approve the Proposed Phased Redevelopment Plan for the Seventh Day Adventists’ Organizational Recreation Camp, which Includes Demolition of Existing Camp Buildings and Facilities and Construction of New Buildings and Facilities and Associated Site Work on the Camp’s Existing Property. Note that the Land Exchange with the National Park Service has Been Abandoned and is No Longer a Part of the Project. All Redevelopment Activities will Occur on Existing SDA Owned Property. The Applicant has Proposed Architectural Design Guidelines, Elevations, a Site Plan, a Phasing Plan, and a Preliminary Grading Plan.

C) Environmental Impact Report No. 2002-292: The Environmental Impact Report (EIR) must be Certified with Mitigation Measures to Approve the Project as Recommended. There are Several Mitigation Measures Resulting from the Environmental Review of the Project, one of Which Includes Limits on Occupancy of Facility Based Upon the Condition of Forest Drive.

The Project Applicant is the Central California Conference of Seventh Day Adventists (CCCSDA).
Camp Wawona, an existing Camp Facility, is located on two parcels of privately owned land in the southeastern corner of section 35 of township 4 south, range 21 east mount diablo base & meridian, inside yosemite national park, within the community of wawona in mariposa county. APN 010-280-009, a 30.45 acre parcel is the last privately owned parcel at the southeastern end of forest drive (8110 forest drive) and the parcel on which the redevelopment activity is proposed. APN 010-280-010, a 1.768 acre parcel is located on the north side of forest drive, between forest drive and the south fork of the merced river. Access to the site is from forest drive.

**Board Action:** Kris Skena reviewed the history of the tour and hearing on this project; and he advised that Steve Heipel/development of the EIR (environmental impact report); and attorney bill abbott/land use counsel from abbott & kindermann were present.

Sarah Williams, Deputy Planning Director, presented the staff report, and she responded to questions from the Board relative to the involvement by the national park service in the review of the conditions for the project; and relative to their approval of the specific plan text amendment. Sarah Williams reviewed the eighteen amended conditions for the conditional use permit; the wawona facilities matrix amendment, the 20-year construction schedule for the project; and the issue relative to occupancy numbers. She advised of six typographical and grammatical corrections to the resolutions. She reviewed the recommended actions and asked that the adoption of the ordinance be scheduled for November 13th.

Sarah Williams, Steve Heipel and Attorney Abbott responded to questions from the Board relative to the tree removal conditions and timeframes; the timber harvest plan; the two-foot freeboard requirement for hauling loads; relative to the grading conditions to eliminate the import of fill material and whether that would affect the ability to be able to haul in sand to accommodate the sub-base for pouring of concrete; and relative to the conditions for pilot cars for the buses and construction vehicles on forest drive and from the southern entrance to the park.

4:27 p.m. The Board recessed for staff to prepare language changes for the Board’s review; and Chair Bibby reminded everyone that the Board is in the deliberation phase of the hearing.

4:36 p.m. The Board reconvened. Sarah Williams advised of a recommended language change to clarify the requirement for pilot cars on forest drive for the buses and construction vehicles, and only for construction vehicles from the southern entrance to the park. She noted that this was the recommendation of the National Park Service and was not included in the EIR. The Board concurred with the recommended language change. Staff responded to additional questions from the Board as to whether the pilot car conditions apply to the use or just during the construction period; and relative to the reason for requiring 24-hours notice to the park of construction vehicles planning to enter the park. Sarah Williams advised of a change to the mitigation measure for air quality to add text to reflect “cover loads or maintain at least a two-foot freeboard.” She responded to a question from the Board relative to defining “large and over-sized” construction vehicles.

5:01 p.m. The Board recessed for staff to prepare a language change for the Board’s review to define “large and over-sized” construction vehicles.

5:13 p.m. The Board reconvened. Sarah Williams advised of a recommended language change to define “large and over-sized” construction vehicles as those being over eight-foot and six-inches in body width or having three axles or more; and the Board concurred with the change. Sarah Williams suggested that the condition for grading be clarified to reflect “rough” grading, and the Board concurred. Sarah Williams advised that she will make the changes as agreed to by the Board, along with those corrections that she reviewed in her staff report, and she will make sure that the changes are consistent throughout the documents; and the Board concurred.

(M)Pickard, (S)Aborn, Res. 07-523 was adopted certifying the final EIR, adopting the CEQA findings, and approving the Mitigation Monitoring and Reporting Program prepared for the Camp Wawona Redevelopment Project, including the corrections and changes as directed/Ayes: Unanimous.

(M)Pickard, (S)Fritz, Res. 07-524 was adopted approving Specific Plan/Zoning Amendment No. 2002-345, an amendment to the Wawona Town Planning Area Specific Plan, including any corrections and changes as directed/Ayes: Unanimous.

(M)Pickard, (S)Turpin, the first reading was waived and an Ordinance introduced approving an amendment to the Wawona Town Planning Area Specific Plan. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

(M)Pickard, (S)Fritz, Res. 07-525 was adopted approving Conditional Use Permit No. 2002-346, approving the Camp Wawona Redevelopment Project, including the corrections and changes as directed/Ayes: Unanimous.
Aborn, (S)Turpin, the Board approved the scheduling of the adoption of the Ordinance approving an amendment to the Wawona Town Planning Area Specific Plan on November 13th. Board members commented on the long process for this project and thanked everyone involved for their participation, including staff for their work. Ayes: Unanimous.

Cc: Thomas P. Guarino, County Counsel
    Becky Crafts, Assessor
    File
RECOMMENDED ACTION AND JUSTIFICATION:

Public Hearing for the SDA Camp Wawona Redevelopment Project

Specific Plan/Zoning Text Amendment No. 2002-345: A text amendment to change the Wawona Town Specific Plan, to create a new conditional use designation for “Organizational Recreation Camp”, a new conditional use in the Mountain Residential Land Use and Zone: “An area containing one or more permanent buildings and or developed campsites that are used for recreational purposes, for the transitory accommodation of members and invitees of private organizations or groups, and is not open to the general public. The recreational activities and camping are provided as part of an organized program that is owned, managed, controlled and maintained by the private not-for-profit organization or group.” The Board of Supervisors will also consider a recommended amendment to the Specific Plan lot coverage standards for the Mountain Residential Land Use and Zone to clarify applicability to this project.

Conditional Use Permit No. 2002-346: A proposed permit to conditionally approve the proposed phased redevelopment plan for the Seventh Day Adventists’ organizational recreation camp, which includes demolition of existing camp buildings and facilities and construction of new buildings and facilities and associated site work on the camp’s existing property. Note that the land exchange with the National Park Service has been abandoned and is no longer a part of the project. All redevelopment activities will occur on existing SDA owned property. The applicant has proposed architectural design guidelines, elevations, a site plan, a phasing plan, and a preliminary grading plan.

Environmental Impact Report No. 2002-292: The Environmental Impact Report (EIR) must be certified with mitigation measures to approve the project as recommended. There are several mitigation measures resulting from the environmental review of the project, one of which includes limits on occupancy of the facility based upon the condition of Forest Drive.

The project applicant is the Central California Conference of Seventh Day Adventists (CCCSDA).

Camp Wawona, an existing camp facility, is located on two parcels of privately owned land in the southeastern corner of Section 35 of Township 4 South, Range 21 East Mount Diablo Base & Meridian, inside Yosemite National Park, within the community of Wawona in Mariposa County. APN 010-280-009, a 30.45 acre parcel is the last privately owned parcel at the southeastern end of Forest Drive (8110 Forest Drive) and the parcel on which the redevelopment activity is proposed. APN 010-280-010, a 1.768 acre parcel is located on the north side of Forest Drive, between Forest Drive and the South Fork of the Merced River. Access to the site is from Forest Drive.

The Board of Supervisors conducted a public hearing on August 14, 2007. On August 14, 2007, the Board of Supervisors completed the staff presentation, applicant presentation, and public testimony portions of the public hearing process. The Board of Supervisors continued the public hearing to October 16, 2007 in order to conduct the deliberation portion of the public hearing process, and to consider the format action documents. A further continuance to November 6, 2007 was necessary in order for staff to complete preparation of the Board packet.

Staff has prepared the following documents and recommends:

1. Adoption of a Resolution certifying Environmental Impact Report, adopting CEQA findings, and approving MMRP for Camp Wawona Redevelopment Project;
2. Waiver of first reading and introduction of ordinance approving amendment to the Wawona Town Planning Area Specific Plan; 
3. Adoption of a Resolution approving Specific Plan/Zoning Amendment No. 2002-345, and

Recommended action is based upon the Planning Commission's recommendations. Additional information regarding recommended action is provided in attached memorandum to Board.
Staff has also requested that the second reading and the adoption of the ordinance be agendized for the November 13, 2007 meeting. All actions will be effective 30 days following the adoption of the ordinance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

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On August 14, 2007, the Board of Supervisors conducted the public hearing for this project at the Camp Green Meadows Facility in Fish Camp. The staff made a presentation regarding the project. The applicant made a presentation to the Board of Supervisors. Public testimony was taken. The Board of Supervisors closed the public input portion of the hearing and continued the hearing to October 16, 2007 in order to provide adequate time for deliberations.

On October 16, 2007, the Board of Supervisors continued the public hearing to November 6, 2007.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Modify conditions of approval.
2. Modify findings supporting action.
3. Deny project.

Negative action, or denying the project applications, will mean that mean that the existing camp will remain a non-conforming use. Non-conforming uses in Wawona have a 50 year amortization period (from 1987), which means that the camp will have to cease operation by the end of the year 2036.

Financial Impact? ( ) Yes  (x) No  Current FY Cost: $  Annual Recurring Cost: $  Budgeted In Current FY? ( ) Yes  ( ) No  ( ) Partially Funded

Additional Funding Needed: $  
Internal Transfer  $  
Unanticipated Revenue  4/5's vote  
Transfer Between Funds  4/5's vote  
Contingency  4/5's vote  
( ) General  ( ) Other

Memorandum to Board with Attachments:
1. Draft Resolution Certifying EIR
2. Draft Ordinance Approving ZA
3. Draft Resolution Approving SF/ZA
4. Draft Resolution Approving CUP
5. October 22, 2007 Correspondence from NPS
6. October 16, 2007 Water Supply Assessment

CLERK'S USE ONLY:
Res. No.: 13 Ord. No. 104
Vote - Ayes: 4  Noes: ___
Approved  
( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: Deputy

COUNTY ADMINISTRATIVE OFFICER:
Requested Action Recommended  
( ) No Opinion
Comments:

CAO: ______

Revised Dec. 2002
MARIPOSA COUNTY ORDINANCE NO. 1041
(Not to be Codified)

AN ORDINANCE APPROVING AN AMENDMENT TO THE WAWONA TOWN PLANNING AREA SPECIFIC PLAN

WHEREAS, a proposal to amend the Wawona Town Planning Area Specific Plan was initiated by the Central California Conference of Seventh Day Adventists on August 27, 2002; and

WHEREAS, the application is known as Specific Plan/Zoning Amendment Application No. 2002-345, and proposes three changes to the text of the Wawona Town Planning Area Specific Plan. Amendment No. 1: The application proposes to amend Section IV. Definitions, to add a definition for “Organizational Recreation Camps”. Amendment No. 2: The application proposes to change Section V.D, the list of Conditional Uses in the Mountain Residential District to add a new conditional use, “Organizational Recreation Camps”. Amendment No. 3: The application also proposes to change Section V.H, the Lot Coverage standards, to establish different maximum lot coverage standards for conditional uses on parcels undergoing review through the conditional use permit process; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Specific Plan/Zoning Amendment No. 2002-345 on the 30th day of March 2007, continued to the 18th day of May 2007, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on Specific Plan/Zoning Amendment No. 2002-345 on the 14th day of August 2007, continued to the 16th day of October 2007, and the 6th and 13th days of November 2007, in accordance with State Law and County Code; and

WHEREAS, an Environmental Impact Report has been prepared for Specific Plan/Zoning Amendment No. 2002-345 in accordance with the California Environmental Quality Act and state law, and the Board of Supervisors has reviewed and evaluated the EIR, which includes the Draft EIR, the Final EIR, Errata 1, 2, and 3, and the Mitigation Monitoring and Reporting Program (MMRP) for the Project, and has considered all oral and written comments on the EIR.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors does hereby amend the Wawona Town Planning Area Specific Plan pursuant to Specific Plan/Zoning Amendment No. 2002-345. Amendments are made as follows:

Amendment No. 1:

IV. DEFINITIONS

...
K. **Organizational Recreation Camps:** An area containing one or more permanent buildings and or developed campsites that are used for recreational purposes, for the transitory accommodation of members and invitees of private organizations or groups, and is not open to the general public. The recreational activities and camping are provided as part of an organized program that is owned, managed, controlled and maintained by the private not-for-profit organization or group.

Amendment No. 2:

V. **MOUNTAIN RESIDENTIAL DISTRICT**

D. **Conditional Uses:** The following shall be conditional uses in the MRD:
   1. Utility substations and similar utility and public/quasi-public facilities designed and necessary for the provision of service to adjacent residential areas.
   2. Churches.
   3. **Organizational Recreation Camps**

Amendment No. 3:

V. **MOUNTAIN RESIDENTIAL DISTRICT**

H. **Lot Coverage:** The maximum coverage of principal and accessory uses on residential lots shall be forty percent (40%) of the total square footage of the lot or four thousand (4,000) square feet, whichever is smaller. The maximum coverage of conditional uses on parcels undergoing review through the conditional use permit process shall be established through the conditional use permit process, however under no circumstance shall coverage exceed forty percent (40%) of the total square footage of the lot.

**SECTION II:** This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

**PASSED AND ADOPTED** on this 13th day of November, 2007 by the following vote.

**AYES:** ABORN, TURPIN, BIBBY, PICKARD

**NOES:** NONE

**ABSTAINED:** NONE

**EXCUSED:** FRITZ

**NOT VOTING:** NONE

[Signature]

Janet Bibby, Chair
Mariposa County Board of Supervisors
Attest:

\[\text{signature}\]

MARGIE WILLIAMS, Clerk of the Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM:

\[\text{signature}\]

THOMAS P. GUARINO, County Counsel
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution
No. 07-525 A Resolution Approving Conditional Use Permit No. 2002-346: Central California Conference of Seventh-day Adventists, Project Applicants

WHEREAS, in 1991, following an unsuccessful attempt by the Central California Conference of Seventh Day Adventists (CCCSDA) Camp Wawona staff to obtain a building permit to renovate a demolished camp building on Assessors Parcel Number 010-280-009, a 30.45 acre parcel in the Mountain Residential land use in the community of Wawona, the Mariposa County Planning Director determined that the "church" provision listed under the "conditional uses" section of the Mountain Residential land use section of the Wawona Town Planning Area Specific Plan did not apply to a "church camp". This determination meant that the existing Camp Wawona facility was a non-conforming use; and

WHEREAS, in 1991, following the Planning Director's determination, the CCCSDA met with the National Park Service (NPS) Wawona District Ranger to discuss an amendment to the Specific Plan. The CCCSDA was pursuing an amendment to the Specific Plan to make their existing camp facilities a conforming use. The meeting with the National Park Service was necessary to obtain NPS support for the amendment based upon NPS and Mariposa County concurrent jurisdiction in Wawona; and

WHEREAS, in 1991, following the meeting with the Wawona District Ranger, the CCCSDA met with Yosemite National Park Superintendent Mike Finley to discuss an amendment to the Wawona TPA Specific Plan and the proposed re-development of Camp Wawona. Superintendent Finley required a land exchange in exchange for NPS support of the Specific Plan text amendment and redevelopment of Camp Wawona; and

WHEREAS, between 1992 and 1994, CCCSDA consultants developed project specific technical studies and site plan alternatives. CCCSDA consultants obtained authorization from NPS to proceed with the land exchange; and

WHEREAS, in the fall of 1994, a Memorandum of Agreement was signed between NPS and CCCSDA for the land exchange; and

WHEREAS, in the spring 1995, the NPS Regional Office formally initiated the "land exchange" process; and

WHEREAS, there were many delays with the processing of the land exchange with NPS as a result of the following circumstances:

- Desire to link SDA land exchange with an unrelated El Portal land exchange
- The 1997 Yosemite Flood
- Lawsuits arising from Merced River Plan and Yosemite Valley Plan
• Development of Implementation plans for the Merced River Plan and the Yosemite Valley Plan
• Change in NPS personnel; and

WHEREAS, on August 27, 2002 a formal application for Conditional Use Permit No. 2002-346 was submitted by the Central California Conference of Seventh Day Adventists (CCCSDA) to the County of Mariposa in accordance with the policies of Mariposa County together with Specific Plan/Zoning Amendment No. 2002-345 and Lot Line Adjustment No. 2002-318; and

WHEREAS, this project was known as the Camp Wawona Redevelopment Project and Proposed Land Exchange; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) implementing Guidelines, the County determined that an Environmental Impact Report (EIR) was required. Because the project involved the Federal land exchange, the project was also subject to the National Environmental Protection Act (NEPA). The County caused an EIR to be prepared for the Project which included an analysis of impacts under NEPA; and

WHEREAS, on the 8th day of December 2003, the Draft Environmental Impact Report (EIR) was released for the Camp Wawona Redevelopment Project and Proposed Land Exchange; and

WHEREAS, the Draft EIR evaluated the Project’s potentially significant impacts to (1) land use and planning; (2) air quality; (3) noise; (4) biological resources; (5) cultural resources; (6) hydrology and water quality; (7) geology and soils; (8) aesthetics and visual resources; (9) traffic and transportation; (10) public utilities and services; and (11) hazards and hazardous materials. The Draft EIR described four alternatives to the proposed project, and discussed an additional four alternatives that had been considered but eliminated from detailed review in the Draft EIR: The Draft EIR found that the Project would not result in any unavoidable significant impacts under CEQA;

WHEREAS, on the 11th day of January 2004 and the 13th day of March 2004, public meetings were conducted on the Draft EIR with the Wawona Town Planning Advisory Committee; and

WHEREAS, on the 23rd day of January and the 25th day of January 2004, public hearings were conducted on the Draft EIR with the Planning Commission; and

WHEREAS, on the 9th day of February 2004, the public comment period on the Draft EIR closed; and

WHEREAS, in May 2004, the current Yosemite National Park Superintendent determined that the Land Exchange would not be required in order for NPS to support the project. CCCSDA decided to revise the Master Plan to accommodate development on their
existing property. The Land Exchange with the National Park Service and the Lot Line Adjustment application were abandoned; and

WHEREAS, in August 2005, the CCCSDA submitted revised application materials to the Planning Department for redevelopment of the Camp Wawona facilities including an updated Master Plan, Master Plan Design Guidelines and other materials. Redevelopment of the camp was to be entirely on property owned by the SDA. This revised project was the “no land exchange” alternative described in the Draft EIR. The project no longer included the proposed land exchange; and

WHEREAS, the County reviewed the revised application materials and determined that it would not result in any new or substantially greater significant environmental effects not previously discussed in the Draft EIR. Based upon the revised application materials and the fact that revised project was a specifically identified, described and reviewed alternative in the Draft EIR, the County determined that recirculation of the Draft EIR was not necessary. The County in consultation with the National Park Service also determined that, without the land exchange, the Federal Government was no longer a lead agency and that further processing of the project was only subject to CEQA; and

WHEREAS, between August 2005 and July 2006, additional technical information was submitted to the County of Mariposa by CCCSDA and additional analysis of the Project’s potential impacts was conducted; and

WHEREAS, on the 26th day of October 2006, the Final EIR was published and made available to the public; and

WHEREAS, the Final EIR found that the Project would not result in any significant unavoidable impacts under CEQA; and

WHEREAS, on the 1st day of November, 2006, Erratum 1 to the EIR was issued by the Planning Department to correct an administrative proofing error, as outdated language from a previous “staff administrative review copy” had been retained in portions of the printed Final EIR distributed to the public; and

WHEREAS, on the 9th day of November 2006, a Staff Report to the Wawona Town Planning Advisory Committee was issued; and

WHEREAS, on the 19th day of November 2006 and the 12th day of January 2007, noticed public meetings were conducted on the Project and the Final EIR for the Wawona Town Planning Advisory Committee (WTPAC). WTPAC took action to recommend approval of the project with modifications:

1) Add a provision that if there is damage to Forest Drive by construction activities associated with the project, the owner is to repair Forest Drive (Condition No. 58).
2) Staff is to develop language to ensure that any and all man made noise be restricted to the property itself (Condition No. 88).
3) Condition No. 2 for the 1.76 acre parcel would add language to specify that there be no overnight usage; require toilets for day use; and no use of speakers or megaphones allowed.

4) Construction time is limited, so that there will be no construction on Saturdays or Sundays (Condition No. 41); and

WHEREAS, on the 16th day of March 2007, a noticed public “workshop tour” of the project site was conducted with the Planning Commission; and

WHEREAS, on the 16th day of March 2007, the project Staff Report to the Planning Commission was issued and made available to the public; and

WHEREAS, in accordance with CEQA, the Planning Commission reviewed and evaluated the EIR, which includes the Draft EIR, the Final EIR, and the Mitigation Monitoring and Reporting Program (MMRP) for the Project; considered all oral and written comments on the EIR, and found that neither the comments received nor the responses to such comments added significant new information to the EIR regarding adverse environmental impacts of the proposed project requiring recirculation of the EIR; and

WHEREAS, the Planning Commission reviewed the project Staff Report; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on the 30th day of March 2007 after providing all proper notice as required by State Law and the Mariposa County Code at which time all members of the public were allowed to comment on Conditional Use Permit No. 2002-346 and the EIR; and

WHEREAS, Erratum 2 to the EIR was described by the EIR consultant at the Planning Commission public hearing on the 30th day of March 2007 to correct another administrative proofing error, as outdated language from a previous “staff administrative review copy” had been retained in portions of the printed Final EIR distributed to the public; and

WHEREAS, at the conclusion of the meeting on the 30th day of March 2007, the Planning Commission closed the public input portion of the public hearing and continued the public hearing until the 18th day of May 2007 at 9:00 a.m. or as soon thereafter as possible to the Board Chambers of the Mariposa County Government Center, Mariposa, California. The purpose of the continuance was to give staff time to bring information back to the Commission as directed. The purpose of the continuance was also to allow the Planning Commission adequate time for deliberation; and

WHEREAS, Erratum 3 to the EIR was described in the Supplement to Staff Report dated May 11, 2007 and approved by the Planning Commission on the 18th day of May 2007 to correct another administrative error, as the EIR Consultant misunderstood the scope of activities occurring on the 1.768 acre parcel and neglected to describe the overnight camping activities which have historically occurred on the parcel; and

WHEREAS, on the 18th day of May 2007 the Planning Commission of the County of Mariposa adopted Planning Commission Resolution No. 2007-18 with findings,
recommending that the Board of Supervisors approve Conditional Use Permit No. 2002-346 with conditions; and

WHEREAS, on the 13th day of June 2007, a noticed public "workshop tour" of the project site was conducted with the Board of Supervisors; and

WHEREAS, on the 19th day of June 2007, the Board of Supervisors scheduled the public hearing for the project for the 14th day of August 2007; and

WHEREAS, on the 3rd day of August 2007, the project Staff Report to the Board of Supervisors was issued and made available to the public; and

WHEREAS, in accordance with CEQA, the Board of Supervisors had independently reviewed and evaluated the EIR, which includes the Draft EIR, the Final EIR, Errata 1, 2, and 3, and the Mitigation Monitoring and Reporting Program (MMRP) for the Project, and has considered all oral and written comments on the EIR; and

WHEREAS, the Board of Supervisors reviewed the project Staff Report; and

WHEREAS, a duly noticed public hearing was held by the Board of Supervisors on the 14th day of August 2007 after providing all proper notice as required by State Law and the Mariposa County Code at which time all members of the public were allowed to comment on Conditional Use Permit No. 2002-346 and the EIR; and

WHEREAS, at the conclusion of the meeting on the 14th day of August 2007, the Board of Supervisors closed the public input portion of the public hearing and continued the public hearing until the 16th day of October 2007 at 2:00 p.m. or as soon thereafter as possible to the Board Chambers of the Mariposa County Government Center, Mariposa, California. The purpose of the continuance was to allow the Board of Supervisors adequate time for deliberation; and

WHEREAS, on the 16th day of October 2007 the Board of Supervisors continued the public hearing until the 6th day of November 2007 at 2:00 p.m. or as soon thereafter as possible to the Board Chambers of the Mariposa County Government Center, Mariposa, California in order to provide staff additional time to prepared documents and a supplement to the staff report for the Board's consideration.

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby adopt this resolution approving Conditional Use Permit No. 2002-346 with conditions as set forth in Attachment A, subject to the findings set forth in Attachment B.

NOW THEREFORE BE IT FINALLY RESOLVED THAT this resolution shall take effect on the effective date of Mariposa County Ordinance No. 1041, an Ordinance Approving an Amendment to the Wawona Town Planning Area Specific Plan.

ON MOTION BY Supervisor Pickard, seconded by Supervisor Fritz; this resolution is duly passed and adopted this 6th day of November, 2007 by the following vote:
AYES:  Aborn, Turpin, Bibby, Fritz, and Pickard

NOES:  None

EXCUSED:  None

ABSTAIN:  None

Janet Bibby, Chair
Board of Supervisors

Attest:

Margie Williams
Clerk of the Board of Supervisors

Approved as to Form:

Thomas P. Guarino
County Counsel
EXHIBIT A – Conditions Applied to Approval of Conditional Use Permit No. 2002-346

Approved conditions for approval of project shown below:

Administrative Conditions

1. The approved Conditional Use Permit is for operation and maintenance of a year round organizational recreation camp in accordance with the definition of such camp as contained in the Wawona Town Specific Plan ("An area containing one or more permanent buildings and or developed campsites that are used for recreational purposes, for the transitory accommodation of members and invitees of private organizations or groups, and is not open to the general public. The recreational activities and camping are provided as part of an organized program that is own.").

All existing facilities on-site as of November 6, 2007 are approved under this permit, with the exception of any facility which encroaches onto National Park Service property. Any structure which encroaches onto National Park Service property shall be removed and the land restored in accordance with conditions of this permit within five (5) years of the effective date of approval of this permit (by December 13, 2012). All NPS encroachments shall be combined and removal shall occur in one project. All NPS requirements for removal and restoration shall be completed. Should a lawsuit involving the approval of the project or related entitlements be pending in a court of competent jurisdiction, this five year time period shall be tolled until such time the court action or other delay has concluded. However, if the remaining time is less than 120 days, the permit shall be valid for 120 days following the termination of the moratorium or other event triggering the tolling of the time period. The tolling period shall be initiated upon written notice by the applicant to the Planning Director setting forth the facts and circumstances justifying the tolling, and shall be immediately effective unless a written notice of rejection is issued by the Planning Director within 21 days of receipt of the applicant’s notice.

Additionally, the following redevelopment plan facilities and uses are approved under this Conditional Use Permit as shown on the approved Conceptual Master Plan dated 8/07/05 with Revision Dates listed as 8/17/05 and 8/29/05:

“Wawona Facilities Matrix – November 2007”:
<table>
<thead>
<tr>
<th>Master Plan Legend Ref. No.</th>
<th>Facility</th>
<th>Total No. of Bldgs.</th>
<th>S.F. Area Per Bldg First Floor or Bldg Footprint</th>
<th>S.F. Area of Additional Floors per Building</th>
<th>Total S.F. Area</th>
<th>= Total S.F. Footprint</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>MP-25</td>
<td>Road Relocation and Grading</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>MP-14</td>
<td>Chapel</td>
<td>1</td>
<td>4516</td>
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<td>4516</td>
<td>4516</td>
<td></td>
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<tr>
<td>MP-8</td>
<td>Dining Hall and Kitchen/ Laundry Facility</td>
<td>1</td>
<td>8392</td>
<td>6873</td>
<td>15265</td>
<td>8392</td>
<td>Alt. Floor = Basement</td>
</tr>
<tr>
<td>MP-19</td>
<td>Teepee</td>
<td>8</td>
<td>336</td>
<td></td>
<td>2688</td>
<td>2688</td>
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<tr>
<td>MP-15</td>
<td>Wooden Tent</td>
<td>8</td>
<td>459</td>
<td></td>
<td>3672</td>
<td>3672</td>
<td></td>
</tr>
<tr>
<td>MP-34</td>
<td>Bath House</td>
<td>2</td>
<td>1311</td>
<td></td>
<td>2622</td>
<td>2622</td>
<td></td>
</tr>
<tr>
<td>MP-5</td>
<td>Duplexes</td>
<td>8</td>
<td>1308</td>
<td></td>
<td>10484</td>
<td>10484</td>
<td></td>
</tr>
<tr>
<td>MP-13</td>
<td>24 Mini-lodges (two story)</td>
<td>2</td>
<td>2585</td>
<td>2397</td>
<td>9964</td>
<td>5170</td>
<td></td>
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<tr>
<td>MP-13</td>
<td>36 Mini-lodges (one story)</td>
<td>2</td>
<td>4835</td>
<td>2272</td>
<td>14214</td>
<td>9670</td>
<td></td>
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<tr>
<td>MP-9</td>
<td>Nurse's Apartment/Infirmary</td>
<td>1</td>
<td>4500</td>
<td></td>
<td>4500</td>
<td>4500</td>
<td></td>
</tr>
<tr>
<td>MP-3</td>
<td>Craft/ Black Smith Shop</td>
<td>1</td>
<td>2700</td>
<td></td>
<td>2700</td>
<td>2700</td>
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</tr>
<tr>
<td>MP-4</td>
<td>Club House/ Game Room/ Snack Shop</td>
<td>1</td>
<td>2700</td>
<td></td>
<td>2700</td>
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<td></td>
</tr>
<tr>
<td>MP-10</td>
<td>Entry Train Gazebo</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>See Below</td>
</tr>
<tr>
<td>MP-12</td>
<td>Train Platform</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>See Below</td>
</tr>
<tr>
<td>MP-7</td>
<td>Gymnasium</td>
<td>1</td>
<td>6707</td>
<td>1030</td>
<td>7737</td>
<td>6707</td>
<td>Alt. Floor = Second Story</td>
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<tr>
<td>MP</td>
<td>Description</td>
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<td>2002</td>
<td>4788</td>
<td>8968</td>
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</tr>
<tr>
<td>MP-13</td>
<td>48 Mini-lodges (two story)</td>
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<td>2000</td>
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<td>2000</td>
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<tr>
<td>MP-16</td>
<td>Staff Residences</td>
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<tr>
<td>MP-20</td>
<td>Maintenance Shop/Commissary</td>
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<td>3000</td>
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<td>3000</td>
<td>3000</td>
<td></td>
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<tr>
<td>MP-21</td>
<td>Covered Riding Arena/</td>
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<td></td>
</tr>
<tr>
<td>MP-22</td>
<td>Horse Stables/Tack Room</td>
<td>1</td>
<td>4800</td>
<td></td>
<td>4800</td>
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<td></td>
</tr>
<tr>
<td>MP-26</td>
<td>Petting Zoo</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MP-27</td>
<td>Star Gazing Tower &amp; Outdoor Education Pavilion</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>MP-30</td>
<td>Fire Station</td>
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Alt. Floors: Loft: 1558; Basement: 3230
### Table 1: Building and Non-Building Structures

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<tr>
<th>Building</th>
<th>MP-20</th>
<th>MP-10</th>
<th>MP-12</th>
<th>MP-6</th>
<th>MP-22</th>
<th>MP-21</th>
<th>MP-29</th>
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<th>TOTAL</th>
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<td>Existing Apartment</td>
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<td>Entry Train Gazebo</td>
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<tr>
<td>Train Platform</td>
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<tr>
<td>Swimming Pool/Indoor &amp; Outdoor</td>
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<td>Covered Riding Arena/</td>
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<tr>
<td>Riding Arena</td>
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<td></td>
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<tr>
<td>Petting Zoo</td>
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<td>12347</td>
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<tr>
<td>Star Gazing Tower &amp; Outdoor Education Pavilion</td>
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<td>Existing Church Bowl</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>26679 S.F.</td>
</tr>
</tbody>
</table>

* Does Not Include Teepees & Wooden Tents (non-winterized)

** Used By Summer Staff Only
Minor amendments in the site plan and building footprint and square footage may be approved by the Planning Director if a finding is made that the amendment doesn't result in impacts not previously addressed by the project conditions and environmental review document. Any reduction in building size may be approved by the Planning Director.

At no time shall enclosed building square footage on-site exceed 111,818 square feet.

At no time shall non-enclosed building square footage on-site exceed 26,679 square feet.

The maximum number of horses, mules, donkeys or similar animals on-site shall be 40.

Non-compliance with any condition in this Conditional Use Permit may be grounds for revocation of the permit.

(Planning Department Recommendation: Project Description: NPS Recommendation)

2. This approved Conditional Use Permit includes use of APN 010-280-010, a 1.768 acre parcel, for secondary uses associated with the approved year round organizational recreation camp on Assessor's Parcel Number 010-280-009. Approved uses on APN 010-280-010 are limited to recreational and educational uses, and other open space uses. Portable toilets shall be provided for day use of this site. The portable toilets shall be painted natural color(s), so as to blend in with the colors of the surrounding environment. Additionally, the portable toilet shall be sited in such a way as to be screened from public views from the river by use of existing vegetation, wherever possible. The existing (as of the approval date of the Conditional Use Permit) temporary tee-pee structures on the property are approved as part of a Native American education program. Overnight use of APN 010-280-010 shall be allowed, with occupancy not to exceed historic usage of 30 campers and 5 staff. The campers using this parcel shall be from the main camp on Assessor's Parcel Number 010-280-009 (the 30.45 acre parcel). Use of speakers and/or megaphones on APN 010-280-010 shall be prohibited.

(Planning Department and WTPAC recommendation: Project Description)

3. The maximum overnight occupancy of the camp during the summer season (June 1 to August 31) shall be limited to 338 guests and 15 resident staff. Maximum daytime occupancy of the camp may exceed this limit on one day per week – the transition day, when one week's program ends and the next week's program begins.

Non-compliance with this condition shall be grounds for revocation of the Conditional Use Permit.
4. The maximum overnight occupancy of the camp during the off-season shall be limited to the following:

During the winter months (December 1 to February 28), overnight occupancy shall be limited to 230 guests on the weekend and 150 guests during the week.

During the spring (March 1 to May 31), overnight occupancy shall be limited to 240 guests on the weekend and 160 guests during the week.

During the fall (September 1 to November 30), maximum overnight occupancy shall be limited to 265 guests on the weekend and 175 guests during the week.

A maximum of 15 resident staff may occupy the camp during these off-season periods.

The weekend is generally defined as Friday through Sunday, with inclusion of Monday on major holidays.

Non-compliance with this condition shall be grounds for revocation of the Conditional Use Permit.

(Mitigation Measure)

5. The construction time period approved for the redevelopment portions of this project is twenty (20) years from December 13, 2007. This approved construction time period shall expire on December 13, 2027. All building and grading permits for the site work and structures which are described in the redevelopment project description shall be issued and finalized prior to the expiration of the conditional use permit. The redevelopment construction project shall be considered complete when certificates of occupancy have been issued by the building official for the permit(s).

This time period limitation does not apply to permits which may be necessary for maintenance purposes or minor renovations of existing structures which do not increase building square footage and which do not result in a change in use or occupancy.

Should a lawsuit involving the approval of the project or related entitlements be pending in a court of competent jurisdiction, the time period described above shall be tolled until such time the court action or other delay has concluded. The tolling period shall be initiated upon written notice by the applicant to the Planning Director setting forth the facts and circumstances justifying the tolling, and shall be immediately effective unless a written notice of rejection is issued by the Planning Director within 21 days of receipt of the applicant's notice.

(Project Description: §17.08.170 and 17.08.190, Mariposa County Zoning Code, Planning Department Recommendation)
6. Commencement of permitting for construction of Phase I of the redevelopment project shall occur within five (5) years from December 13, 2007.

Should a lawsuit involving the approval of the project or related entitlements be pending in a court of competent jurisdiction, the time period described above shall be tolled until such time the court action or other delay has concluded. However, if the remaining time is less than 120 days, the permit shall be valid for 120 days following the termination of the moratorium or other event triggering the tolling of the time period. The tolling period shall be initiated upon written notice by the applicant to the Planning Director setting forth the facts and circumstances justifying the tolling, and shall be immediately effective unless a written notice of rejection is issued by the Planning Director within 21 days of receipt of the applicant’s notice.

(Planning Department Recommendation)

7. The demolition and redevelopment project may be completed in phases, as long as each phase is found to be in compliance with each condition of this conditional use permit. Each phase must be found to stand on its own relative to all required infrastructure improvements and necessary health and safety requirements. The approved Demolition and Construction Phasing plans are shown on the drawings from consulting engineers Creegan + D’Angelo dated 09/06/06 and 09/17/06. Minor amendments to the approved phasing plans may be approved by the Planning Director as long as a finding is made that the amendment doesn’t result in impacts not previously addressed by the project conditions and environmental review document.

Demolition and redevelopment activities shall incorporate recycling to the maximum extent feasible to reuse existing building materials if possible and to minimize refuse removal haul trips off-site.

(Project description: Planning Department Recommendation)

8. The applicant shall pay all fees associated with the County’s filing of documents for the Notice of Determination. The Department of Fish and Game filing fee ($2,500) and County Clerk fee ($50) shall be paid within five (5) workdays of the certification of the Environmental Impact Report by the Board of Supervisors. Pursuant to the California Environmental Quality Act §21089(b), the project is not operative, vested, or final until the filing fees required pursuant to §711.4 of the Fish and Game code are paid.

The County Clerk requires that one check be submitted to cover both of these fees, for a total of $2550.00, and that it be in the form of a cashier’s check or money order payable to “Mariposa County”.

(Planning Department Recommendation)
9. The applicant shall pay all required County fees associated with the processing of this application. The applicant shall pay all fees associated with the review of necessary documents associated with the processing of future permits or otherwise necessary to ensure compliance with conditions of this permit.

(Planning Department Recommendation)

10. 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 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 five (5) working days of the date of project action. Non-compliance with this condition shall result in revocation of project approval by the county.

(Planning Department Recommendation)

Botanical Conditions

11. Before the initiation of any ground-disturbing or vegetation-clearing activities, the applicant shall retain a qualified botanist to conduct surveys for Yosemite onion, snapdragon, Child’s blue-eyed Mary, mountain lady’s-slipper, Congdon’s woolly sunflower, Yosemite woolly sunflower, short-leaved hulsea, Congdon’s lewisia, trillium, and Hall’s wyethia.

The botanist shall conduct surveys for these special-status plant species at the appropriate time of year when the target species would be in flower and therefore clearly identifiable (i.e. blooming periods). The blooming periods for target species are given in Table 4.4-2 of the Environmental Impact Report. Surveys shall be conducted following the CDFG-approved protocol for surveying for special-status plant species.
If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to the applicant and County, and no further management measures would be required.

If special-status plants are found, the following measures shall be implemented:

a) If the populations can be avoided, they shall be clearly marked in the field by a qualified botanist for avoidance during construction activities. To ensure that avoidance is achieved, construction personnel shall participate in an environmental awareness program. Under this program, workers shall be informed about the presence of special-status plant populations and requirements to ensure that habitat occupied by special-status plants is not affected during construction. On-site biological monitoring shall be conducted at least once per week by a qualified botanist when ground-disturbing activity is conducted in areas adjacent to habitat occupied by special-status plants. At the end of the construction period, a botanist shall prepare a letter report for the applicant and the County that summarizes the monitoring results.

b) If special-status plant populations can not be avoided, consultations with CDFG (California Department of Fish and Game) may be required, depending on the listing status of the species present. These consultations would determine appropriate mitigation measures to ensure that impacts to any populations that would be affected by the implementation of the project are minimized and fully mitigated. Appropriate measures may include the creation of off-site populations through seed collection or transplanting, preservation and enhancement of existing populations, or restoration or creation of suitable habitat in sufficient quantities to compensate for the impact. A qualified botanist shall prepare a letter report for the applicant and the County that describes all measures to be implemented to minimize and fully mitigate impacts to special-status plants. The letter report shall include performance standards, a detailed five-year monitoring program for each mitigation site, and contingency actions if the performance standards are not met.

c) The applicant shall implement all measures determined necessary during this agency consultation. A qualified botanist shall monitor the implementation of these measures and, if necessary, develop and monitor contingency actions if it is determined at any time during the monitoring period that the performance standards are not being met.

(Mitigation Measure)

Design Conditions

12. See “Construction Conditions”, “Botanical Conditions” and “Biological Conditions” for provisions to be included in project design and/or construction specifications.
13. See “Other Agency Permits” Conditions for provisions to be included in project design and/or construction specifications.

14. Grading on-site shall be minimized, and there shall be no off-site impacts resulting from grading including no impacts to NPS lands, except as may occur during restoration activities associated with removal of NPS encroachments described in Condition No. 1 of this permit. No grading shall occur within the drip-line of any off-site tree on adjacent NPS parcels, except as may occur during restoration activities associated with removal of NPS encroachments described in Condition No. 1 of this permit or unless otherwise authorized by NPS. The grading plan shall be developed to balance cuts and fills so that import of fill is not necessary for rough grading. Cut banks on-site shall not be greater than 10 feet in height, and shall not be steeper than 1:1/2 to 1. If cuts greater than 10 feet in height are necessary for the project or if the maximum 1:1/2 to 1 grade cannot be met, a retaining wall or walls shall be used or the site plan shall be modified. Retaining wall material shall comply with design review guidelines including but not limited to items such as color, finish, material, and surfaces. The grading plan shall ensure that all final slopes are stable and that final slopes can sustain vegetative re-growth. Final slopes shall be stabilized and seeded (if appropriate) in accordance with the recommendations and standards of the Mariposa County Resource Conservation District (RCD) and the County Grading Ordinance and/or landscaped in accordance with design review requirements. National Park Service recommendations for revegetation may also be considered. All cut areas shall comply with the Grading Ordinance setback requirements from property lines. The applicant shall provide final grading plan information to the Planning Department and Resource Conservation District for verification that these requirements are met prior to issuance of a grading permit for any phase of this project.

15. Grading shall be confined primarily to areas sloped at 20% or less.

16. Refuse storage areas, dumpsters, and propane tanks shall be enclosed or screened from public view. Additionally, refuse storage areas and dumpsters shall comply with all provisions of the “Mariposa Bear Control Ordinance”, Chapter 8.44, Mariposa County Code. Food-related refuse shall also be controlled by disposal in animal-resistant receptacles of National Park Service-approved design. Food stored on the project site shall be stored in animal-resistant containers. The project site shall be surveyed for food residues at the end of each day, and any such residues shall be collected and deposited in an animal-resistant trash receptacle. No food garbage shall be deposited in open-top construction dumpsters. If the county
ordinance and the NPS animal-resistant receptacle requirements differ, the more restrictive requirements shall apply.

Proposed locations, designs, and screening of these facilities shall be reviewed and approved by the Planning Department and the National Park Service pursuant to this condition prior to issuance of any grading or building permit for this project. Additionally, no refuse storage area, dumpster or propane tank shall be located within 200 feet of any residence on an adjacent parcel.

(Planning Department Recommendation: NPS Recommendation)

17. Building elevations for all new structures and for any structure for which exterior modifications are proposed shall generally conform to those on file at the Planning Department submitted with the August 2005 revised plans and approved by the Board of Supervisors. The building elevations shall conform to the Camp Wawona Master Plan Design Guidelines on file and approved by the Board of Supervisors. Colors of building and roofing materials shall be natural colors which blend with the colors of the surrounding environment on-site. Roofing materials shall not be reflective. The applicant shall submit final building elevations and a final material and color palette showing the proposed materials and colors for the building, and roofing, etc. which shall be approved by the Planning Director prior to issuance of any building permit.

(Planning Department Recommendation)

18. Design specifications for new buildings shall use materials and techniques which reduce the risk of damage during wildland fires, including use of brick, stucco, or thicker wood siding materials for exterior walls, the enclosure of the underside of balconies and decks with fire resistive materials, roofing with Class A fire resistive or noncombustible material, eaves that are boxed or enclosed with fire resistive materials, and limiting the number and size of windows facing large areas of flammable vegetation.

(Mitigation Measure)

19. The on-site access roads and driveways on site shall be designed to be sufficiently wide to allow for emergency vehicles access. The National Park Service, CDF and County Fire should all be consulted for approval of road and driveway design criteria on-site.

(Mitigation Measure)

20. The site plan design shall ensure that on-site access roads maintain connection to the existing circulation system using roads (e.g., Bills Hill Road) connecting through other parcels to regional roadways for emergency access.

(Mitigation Measure)
21. The site plan design shall maintain a minimum of 15 feet between heating oil and/or fuel oil tanks and structures.

(Mitigation Measure: County Fire Recommendation)

22. The site plan shall include a 3 foot split rail fence along all property lines that abut the designated Wilderness Boundary, but physically located on the CCCSDA Camp property. The bottom rail shall be a minimum of 18 inches off of the ground. Informational signage shall be installed along the fencing.

(National Park Service Recommendation, Planning Staff Recommendation, Wawona Specific Plan Fencing Standards, CA Department of Fish and Game Deer Friendly Fencing Design Recommendations)

23. The project construction plans shall incorporate use of water saving devices wherever possible, including but not limited to use of low flow toilets. Prior to commencement of each phase of construction, the applicant shall consult with the NPS Utilities Branch Chief or his designated representative regarding the specifications of the project’s proposed low flow plumbing fixtures and any other proposed water saving devices. The applicant shall incorporate NPS recommendations to ensure that impacts to the NPS Wastewater Treatment Plant are minimized. As an alternative, the NPS Utilities Branch Chief may consider a “package” approval of fixtures which is good for a specified number of months or years (at the discretion of the Branch Chief). Verification that this review has occurred shall be submitted to the Planning Department.

(National Park Service Recommendation)

24. Prior to completion of the site plan, the proposed trail system shall be submitted to the National Park Service for review to address trail access from the SDA Camp onto NPS Lands and wilderness use limits. All recommendations of the National Park Service shall be incorporated into the final site plan.

(National Park Service Recommendation)

25. Prior to the issuance of a demolition permit or any permit for grading or new construction, the applicant shall submit a final landscaping and revegetation plan for the area to be disturbed by the permit. The plan shall indicate existing native trees within the development site to be retained (if any), and methods to provide physical protection to the “save trees” within the development site during construction. The plan shall delineate the size, type, and location of landscape and revegetation plantings as well as proposed irrigation methods. The plan shall ensure that final slopes are stabilized and seeded (if appropriate) in accordance with the recommendations and standards of the Resource Conservation District (RCD) and/or the County Grading Ordinance. Landscaping near development shall include native species appropriate to the area or National Park Service-approved non-invasive, non-native landscape plants. This plan must be approved by the Planning Director.
prior to issuance of the permit, who shall consider input from the National Park Service.

(Planning Department Recommendation: Mitigation Measure)

26. As part of the required habitat restoration plan, a tree mitigation and monitoring plan shall be completed by a qualified biologist or arborist for all oak and other native trees. The plan shall include an inventory of trees to be preserved and those to be removed, including those that may be disturbed from construction activities. The plan shall also address areas to be restored on National Park Service property, following removal of SDA encroaching buildings and improvements.

For trees to be removed and areas to be restored, the plan shall define replacement ratios and species, location of replacement plantings, local seed/container stock sources, description of planting methods, appropriate irrigation schedules, a monitoring schedule, success criteria, remedial measures, root rot management measures (if infection is diagnosed in trees to be removed), and a fact sheet describing the value and care of oaks.

Individual oak trees and other native trees whose removal during project implementation is unavoidable shall be replaced by planting seedlings or acorns from local genetic stock as close to the original site as possible. Replacement ratios and success criteria shall be implemented in accordance with the tree mitigation and monitoring plan described above.

The habitat restoration plan shall incorporate input from the National Park Service and shall be approved by Mariposa County prior to the issuance of grading or building permits. The plan shall be implemented as soon as practicable after project construction is complete.

It may be necessary to start a local native plant “nursery” on-site to implement this mitigation measure. This native plant “nursery” shall be located at, and incorporated into, the proposed nature center on-site.

(Mitigation Measure: Planning Department Recommendation)

27. The public address system shall be designed so that there are no off-site noise impacts, including impacts on NPS land.

(National Park Service Recommendation)

28. The public address system shall also be designed to include the following:

a) A distributed speaker system shall be employed to minimize the volume level of each loudspeaker.
b) All loudspeakers shall be dispersion controlled and placed in such a way as not to radiate directly toward the nearby noise-sensitive residential properties.

c) A device shall be employed to monitor ambient noise levels and adjust the amplification level of the public address system accordingly.

d) The system shall be structured into zones capable of sequencing thru zones for all-calls to minimize the number of speakers active at any one time.

e) Automatic level control shall be used on all signal sources to prevent overdriving the system.

The public address system shall be designed, installed, and certified by an acoustical engineer to ensure full compliance with all requirements of this use permit and all mitigation measures.

(Mitigation Measure)

29. Perimeter landscaping plantings and the placement of structures around the open play field shall be implemented to help attenuate the noise originating from outdoor activity areas.

(Mitigation Measure)

30. Outdoor activity areas for large groups, such as the open play field and recreation field, will be sited in central portions of the 30.45-acre parcel to increase the distance between the source of human voice and sensitive receptors.

(Mitigation Measure)

31. All exterior lighting shall be designed and located so as to confine lighting directly on the premises and shall not shine light upon other properties in the vicinity. A light source shall have a maximum output of 150 watts or a comparable output and shall not shine upon or illuminate directly on any surface other than the area required to be lighted. Lighting shall not be of the type or in a location which constitutes a hazard to vehicular traffic, either on private property or on abutting private or public roads.

All exterior lighting shall be full cut-off fixtures.

All lighting should be shielded and point downward to avoid day or nighttime glare.

A lighting plan which uses minimum wattage as necessary to achieve intended function and compliance with this condition shall be submitted for review prior to issuance of the first permit for a habitable structure. Full cut-off fixtures as recommended by the International Dark Sky Association shall be used and/or the
NPS Design Guidelines for Yosemite Valley shall be used, whichever establishes the more restrictive standard.

(Section VIII.F, Wawona TPA Specific Plan: National Park Service and Planning Department recommendation: Mitigation Measure)

32. The installation of linear infrastructure (e.g., power lines) shall, to the extent feasible, be located in existing utility corridors, and shall not entail clearing of new forested corridors. Electric transmission facilities and telephone poles shall be placed above-ground in existing corridors to avoid clearing corridors and disturbing native soil, unless the lines are placed underground along roads which are already disturbed. Utility poles shall be brown in color and shall be placed in a manner to blend with the natural environment, to the extent practical.

(Mitigation Measure)

33. The front yard setback along Forest Drive shall be a minimum of forty (40) feet from the centerline of Forest Drive or twenty (20) feet from the front property line, whichever is the greatest setback. The side yard setbacks shall be a minimum of five (5) feet. The rear yard setbacks shall be a minimum of ten (10) feet. These setback requirements shall apply to all new structures. These setback requirements shall not apply to existing structures.

(Planning Department Recommendation, Wawona Specific Plan)

34. The maximum building height for any structure on the property shall be 35 feet from average ground level or no more than two stories unless approved as to compliance with fire safe regulations. This height standard shall not apply to decorative or functional architectural features such as chimneys, ornamental spires, and clerestory windows or other similar non-habitable features pursuant to Section 17.108.140 of County Code and as approved by the Planning Director.

(Planning Department Recommendation)

35. The maximum lot coverage on the property shall be forty percent (40%). This shall apply to buildings and roadways and structure or improvement which creates an impermeable surface. The Mariposa County Resource Conservation District encourages use of permeable paving for parking lots wherever feasible to maximize percolation and infiltration back into the ground, and to decrease runoff from the site.

(Planning Department and Resource Conservation District Recommendation: Wawona Specific Plan)

Biological Conditions

36. Tree removal shall take place between September 1st and October 1st. This would place tree removal outside of the Pacific fisher pupping season (typically between
February and May), outside of bird nesting season (typically February to August), after the bat hibernation period (typically late fall to early spring), and prior to the bat pupping season (typically early spring through mid-August).

If tree removal would occur outside of this window, protocol-level breeding surveys for the appropriate species, depending on the season, shall be conducted prior to tree removal. If surveys are required, they shall be performed with mitigation measures as described in the following two conditions for roosting bats and nesting birds. The surveys for pacific fishers, if required, shall involve survey for the presence of pacific fishers only, due to the difficulty in locating natal or maternal dens. If the presence of pacific fishers is confirmed, tree removal would be delayed until August 15, when fisher pups are mobile.

(Mitigation Measure)

37. To minimize impacts to roosting bats, prior to demolition, removal, or movement of any existing structures, a qualified biologist shall conduct a survey for the existence of roosting bats.

If surveys conducted in the fall do not reveal any bat species, then project actions shall occur within three days in order to prevent the destruction of any bats that could move into the area after the survey. If an existing structure were being used as a winter roost, then project actions affecting the structure shall occur between September 1 and October 1 (prior to hibernation) or between January 15 to February 15 (after hibernation and before pupping).

If surveys reveal that an existing structure is being used as a nursery colony, project actions affecting the structure shall not occur until after August 15, when the pups are weaned and are free-flying. If the surveys reveal a day or night roost, a one-way exclusion device approved by California Department of Fish and Game (CDFG) shall be installed for an appropriate amount of time (as determined through consultation between the applicant and CDFG) to allow bats to leave the structure prior to project activities.

(Mitigation Measure)

38. To minimize adverse effects on nesting birds, grading, construction, demolition, and movement of structures shall be avoided during nesting season. The United States Fish and Wildlife Service (USFWS) considers the nesting season to be March 1 to August 31.

If these actions were to take place during the nesting season, a qualified biologist shall conduct surveys for nesting birds, no more than one week prior to construction disturbance. If any special-status species were observed nesting, a determination would be made by a qualified biologist as to whether or not the proposed activity would impact the active nest or disrupt reproductive behavior. If it were determined that the action would not impact an active nest or disrupt breeding behavior, construction may proceed without any restriction or additional mitigation. If it were
determined that the action would impact an active nest or disrupt breeding behavior, then avoidance strategies shall be implemented, in consultation with CDFG. Construction could be delayed within 500 feet of such a nest, until a qualified biologist determines that the subject birds were no longer nesting or until a qualified biologist confirms that any juvenile birds were no longer using the nest as their primary day and night roost.

(Mitigation Measure)

39. To reduce impacts to special-status species and their habitat during construction, the following methods shall be used:

- Special-status species or habitats shall be demarcated using high-visibility fencing and signs to ensure avoidance during construction.

- Routes of escape shall be maintained from excavated pits and trenches for animals that might fall in. During construction, construction workers shall maintain vigilance for animals caught in excavations and take appropriate actions to free them.

- Food-related refuse shall be controlled by disposal in animal-resistant receptacles of National Park Service-approved design; food on the project site shall be stored in animal-resistant containers; the project site shall be surveyed for food residues at the end of each workday, and any such residues shall be collected and deposited in an animal-resistant trash receptacle; no food garbage shall be deposited in open-top construction dumpsters.

- An educational program on the above special-status species shall be presented by a qualified biologist to construction and tree removal crews prior to their actions on the project site. Under this program, workers shall be informed about the presence of special-status species or habitats to ensure that habitat occupied by special-status species is not affected during construction. On-site biological monitoring shall be conducted at least once per week by a qualified biologist when ground-disturbing activity is conducted in areas adjacent to habitat occupied by special-status species. At the end of the construction period, a biologist shall prepare a letter report for the applicant and the County that summarizes the monitoring results.

- Speed limits in and approaching the construction area shall be low and posted in appropriate locations

(Mitigation Measures)

Construction Conditions

40. See “Biological Conditions” and “Botanical Conditions”.
(Mitigation Measures)

41. Any and all construction activities occurring outside of structures shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday. No construction activities occurring outside of structures shall occur on Saturdays and Sundays. The Planning Department shall monitor noise through complaints by the neighbors.

Information regarding this requirement shall be included in the project construction specifications.

(National Park Service Recommendation; Planning Department Recommendation; Mitigation Measure; Wawona Town Planning Advisory Committee Recommendation)

42. When construction or demolition activities will be within thirty (30) feet of the existing property line, the property line shall be located in the field by a licensed land surveyor and shall be flagged with surveying lathe and tape, and temporary fencing. The flagging and fencing shall be in place at the time of building or grading permit issuance. The flagging and fencing shall be maintained during project construction or demolition activities, and removed following completion of construction or demolition activities. The purpose of this requirement is to ensure that: 1) the exact location of the property line is known during demolition work; 2) the exact location of the property line is known for National Park Service restoration work; and 3) all construction activities associated with new site work, including grading, storage of construction materials and equipment, and construction of new facilities are maintained on-site.

Information regarding this requirement shall be included in the project construction specifications.

(Planning Department Recommendation)

43. The extent of areas to be disturbed during construction shall be limited to those areas needed to be cleared or graded for the construction of new facilities. Construction area boundaries, including staging areas, shall be clearly marked and fenced to ensure that construction activities do not impact vegetation outside of the approved construction areas. All construction activity and storage of construction materials shall be confined to these marked areas. Staging areas shall be limited to locations already subject to disturbance, or in locations that would have to be cleared for facility construction.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)
44. During construction, specifications regarding topsoil segregation, salvage and reuse, vegetation protection, and finished grading shall be enforced.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

45. Direct removal and damage, including but not limited to, pruning and soil compaction within the dripline of large trees, particularly black oaks, shall be avoided as much as possible.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

46. Individual oak trees or groups of trees to be retained during construction shall be protected by establishing a root protection zone (RPZ) that is 1.5 times the distance from the trunk to the dripline or the distance from the trunk to the edge of the cut or fill slope, which ever is greater, prior to the initiation of any ground-disturbing activities, wherever feasible. Temporary construction fencing shall be installed and no grading, trenching, or vegetative alteration shall be allowed in the RPZ.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure; Planning Department Recommendation)

47. Side-casting and stock-piling activities shall be conducted away from oak trees and other native trees, as much as possible. Side-casting or stock-piling of materials within the dripline of oak trees and other native trees shall be prohibited.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

48. Vehicles and heavy construction equipment, such as backhoes and excavators, shall not be parked within or adjacent to the dripline of oak trees.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

49. During active construction periods, accommodations for storing construction vehicles and construction workers will be provided at Camp Wawona to reduce the number of
construction-related vehicles using Forest Drive. Adequate space for storage of construction vehicles, heavy equipment, construction materials, and a contractor’s office will be provided on the 30.45-acre parcel of land owned by the Seventh-Day Adventists. In addition, temporary housing for construction workers at Camp Wawona will be provided in a manner that does not exceed the existing maximum capacity for overnight guests established by the Conditional Use Permit.

Information regarding this requirement shall be included in the project construction specifications.

This mitigation measure only requires that temporary housing or a temporary housing area be provided on-site. This mitigation measure does not mandate that all construction workers live on-site during construction, as contractors who live locally may choose to return to their residences each evening.

Solid waste shall be removed from the project site on a weekly basis or as needed, but not less often than one time per week, to ensure that accumulation of solid waste does not occur.

(Mitigation Measure; Planning Department Recommendation)

50. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers’ recommendations.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

51. The public address system shall be installed, and certified by an acoustical engineer to ensure full compliance with the requirements of this use permit and all mitigation measures.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

52. Noise monitoring shall be conducted by an acoustical engineer upon installation of the public address system to ensure compliance with all applicable noise standards of this permit and mitigation measures, and to ensure that volume controls are appropriately locked.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)
53. All exposed and/or disturbed soils created by grading or construction activities shall be watered down or suppressed during grading operations to reduce the generation of dust and other particulate matter. During non-grading periods, all stockpiles of debris, soil, sand, or other materials shall be protected from wind erosion.

Information regarding this requirement shall be included in the project construction specifications.

(Planning Department Recommendation)

54. In the event that previously unknown archaeological resources are discovered during land alteration activities, the construction contractor shall cease work that could further disturb such resources and notify the Camp Director regarding the discovery. Work may continue on other parts of the building site while cultural resource evaluation or treatment is being completed.

The Seventh-Day Adventists shall contact the County Planning Department and an archaeologist meeting the Secretary of the Interior’s professional qualifications. The archaeologist shall evaluate the resource in accordance with state guidelines. If necessary, appropriate treatment measures shall be developed in consultation with the County. If required, treatment of the resource, in accordance with a plan approved by the responsible agencies, shall be implemented before potentially destructive work within the area of the resource could resume.

In the event that human remains are discovered during land alternation activities, the Mariposa County Coroner, the American Indian Council of Mariposa, and the Native American Heritage Commission in Sacramento shall also be immediately notified.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

55. Large and over-sized construction vehicles (over 8 foot 6 inches in body width, or 3 axles or more) entering and leaving Yosemite National Park and Camp Wawona shall be accompanied by a pilot car that shall precede each construction vehicle using the South Entrance and Forest Drive. The NPS Wawona District Ranger shall be notified with a minimum 24-hour advance notice. The car shall be in contact with the construction vehicle by radio, shall inform the construction vehicle driver of the status of opposing traffic, and shall inform approaching motorists of a following construction vehicle and direct them to a safe location to wait until the construction vehicle passes.

Information regarding this requirement shall be included in the project construction specifications.
(Mitigation Measure: National Park Service Recommendation)

56. A Traffic Control Plan describing the number and nature of construction-related vehicles, periods of use along Forest Drive, and plans to notify NPS, residents and motorists of construction traffic shall be developed for review and approval by the County and the NPS Wawona District Ranger prior to each active construction season.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure: National Park Service Recommendation)

57. All of the following shall be implemented during all construction activities associated with the project, to reduce short-term increases in regional criteria pollutants and precursors:

a. Engine timing on diesel-powered equipment shall be retarded to reduce NOx emissions.

b. Construction equipment shall be turned off when not in use.

c. Contractor shall develop a comprehensive construction activity management plan to minimize pieces of construction equipment operating and the extent of the site area worked during any given day.

d. Contractor shall ensure that construction NOx equipment and maintenance vehicles are properly maintained and direct-injection diesel engines or gasoline-powered engines are used where feasible.

e. To the extent feasible, alternative fueled construction equipment and vehicles shall be selected for use at the project site. All construction equipment and vehicles shall be fitted with emission reduction equipment, where feasible, and in accordance with manufacturers’ specifications.

f. Sprinkle all construction areas with water at least twice daily during excavation and other ground disturbing activities.

g. Keep stockpiles of soil moist or surrounded by windbreaks.

h. Cover trucks hauling dirt and debris off the site to reduce spillage onto paved surfaces.

i. Cover loads or maintain at least 2 feet of freeboard on all haul trucks on-site.

j. Use, where possible, water or NPS-approved chemicals for control of dust in construction operations, the construction of roadways and the clearing of land.
k. Apply asphalt, oil if approved for use by NPS, water, or NPS-approved suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.

Information regarding this requirement shall be included in the project construction specifications.

(Mitigation Measure)

Other Agency Permits

58. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Forest Drive. All grading and road improvement work required as a condition of approval of this project or as a condition of the encroachment permit which is along Forest Drive shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements along Forest Drive required as a condition of approval for this project or as a condition of the encroachment permit. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road or encroachment improvements. Any and all damage to Forest Drive caused by or related to construction activities associated with this project shall be repaired immediately by the applicant. Repair work shall be in accordance with Mariposa County Improvement Standards and all requirements contained therein. An encroachment permit may be required for the repair work.

(Chapter 11, County Improvement Standards; WTPAC Recommendation)

59. The applicant shall comply with all applicable requirements of California Uniform Retail Food Facilities Law (CURFFL) as determined by the Mariposa County Health Department and shall obtain and/or maintain a food preparation permit from the Health Department. Major violations of CURFFL as determined by the Health Department may result in the suspension or revocation of the Conditional Use Permit.

(Health Department)

60. The applicant shall comply with all applicable requirements established by the State Department of Health Services through a Domestic Water Supply Permit and shall maintain a Domestic Water Supply Permit from the State Department of Health Services as long as a domestic water system is used for the facility. Should the facility elect to or be required to connect to the community water supply system maintained by the National Park Service at some time in the future, all connection requirements established by the utility purveyor shall be met and the requirement
for maintaining and complying with a Domestic Water Supply Permit through the State Department of Health Service shall no longer apply.

(State Department of Health Services: California Health and Safety Code)

61. A thorough Hazardous Materials Investigation by a qualified professional as approved by the Building Official shall be made of each structure on the project site scheduled for demolition during implementation of the project. The study shall focus on locating sources of asbestos, lead-based paint, and other hazardous building materials that could exist in the older camp structures. If these substances are located in a building scheduled for demolition, removal shall be conducted according to OSHA regulations.

The plan shall be submitted to the Mariposa County Building Department at such time as the demolition permit application is made. All recommendations of the plan shall be implemented during demolition.

(Mitigation Measure)

62. Prior to any construction activities on-site, a noxious weed abatement program shall be developed in coordination with the Mariposa County Agricultural Commissioner and/or the Mariposa County Farm Advisor. The program shall be implemented during all phases of construction, and shall include provisions to steam-clean and inspect construction equipment to ensure that it arrives on-site free of mud or seed-bearing material; fill soil, mulch, seeds and straw material shall be certified as weed-free; and areas of noxious weeds would be identified and treated pre-construction. All equipment arriving to the job site is subject to inspection by the NPS Branch Chief, Vegetation and Restoration, for compliance with the requirements of this program.

(Mitigation Measure)

63. The applicant shall comply with all applicable requirements established by the Transient Occupancy Tax provisions of Mariposa County Code. The Camp shall obtain and/or maintain a Transient Occupancy Tax Certificate from the Planning Department.

(Chapter 3.36, Mariposa County Code)

64. An Erosion Control Plan shall be prepared by the project engineer in accordance with Mariposa County Code, Grading Ordinance Section 15.28.120, for those areas of the site where grading is proposed on slopes of 20% or greater. The plan shall be submitted with each grading permit, and shall comply with all provisions of code. The Erosion Control Plan shall be coordinated with the landscaping/revegetation plan as appropriate. Code requires that permanent revegetation or landscaping is to be commenced on the construction site as soon as practical and in no case exceeding one hundred eighty (180) days after achieving final grades and utility emplacements. All revegetation shall be completed no later than October 15th.
Whenever practical, land is to be developed in increments of workable size which can be completed during a single construction season. Erosion control measures are to be coordinated with the sequence or phasing of grading or improvements.

(Section 15.28.120, Mariposa County Code; Mitigation Measure)

65. Grading activities should be conducted during non-rainy seasons to the extent this will minimize potential erosion impacts of construction. However, because the area may get significant thunderstorms during the spring and summer, a Sediment Control Plan shall be prepared by the project engineer and approved in accordance with Mariposa County Code, Grading Ordinance §15.28.120.C.7, prior to issuance of a grading permit. All provisions of the approved sediment control plan shall be implemented on-site during construction. This plan shall be submitted and approved through the Grading Permit process.

(Section 15.28.120, Mariposa County Code)

66. A Storm Drainage Plan for the project shall be prepared and approved in accordance with Sections 15.28.110.D, 15.28.110.E, and 15.28.110.F of Mariposa County Code, Grading Ordinance and shall be required prior to issuance of a grading permit for the phase. The plan shall be submitted to the Building Department and approved by the Building Director, who may consider the recommendations of the County Engineer relative to potential impacts on drainage structures for Forest Drive. The plan shall also be submitted to the NPS for review and approval prior to issuance of a grading permit, to address any potential impacts associated with storm water discharge onto NPS lands.

(Section 15.28.110, Mariposa County Code)

67. Parking shall comply with all handicapped accessibility requirements as established by Title 24 of California Code of Regulations. The Building Director shall ensure that adequate handicapped parking exists for each structure pursuant to these regulations prior to issuance of a building permit for each structure.

(Title 24, California Code of Regulations)

68. Because the project will disturb an area of more than one (1) acre, prior to issuance of any grading permit and prior to any construction activity on-site including clearing, the applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit 99-08-DWQ) from the State of California Regional Water Quality Control Board (RWQCB).

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the
project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

All requirements of the Construction General Permit or an Individual Permit if that is required by the RWQCB shall be implemented throughout the construction of the project.

Evidence that the General Permit or Individual Permit has been obtained shall be submitted to the Planning Department prior to issuance of any grading permit for the project.

A duplicate copy of the Notification shall be submitted to the NPS.

(Section 402(p), Clean Water Act)

69. Prior to issuance of a building permit for any phase, the applicant shall comply with all of the National Park Service requirements for sewer services. A “can and will serve” letter shall be submitted to the Building Department by the applicant for each building permit. All requirements of the “can and will serve” letter shall be met.

(National Park Service)

70. Prior to issuance of a building permit for any phase of the project other than a single family residence, the applicant shall comply with all of the State Fire Marshall requirements for commercial construction. As of the date of approval of the Conditional Use Permit, the State Fire Marshall requirements are implemented and enforced by the Mariposa County Fire Department. These requirements may include but not be limited to sprinkler systems for individual buildings, water storage for fire suppression (which shall be in addition to that necessary for domestic purposes), alarm systems, fire rating requirements for materials such as canvas used in the teepees or other structures, and fire hydrants. The requirements may also include specifications for a “shelter in place”.

Prior to any completion of final construction plans for any phase, the applicant shall contact the appropriate agency for verification of current fire protection development requirements. The applicant shall incorporate the fire protection requirements into the construction plans submitted for the building and/or grading permit as appropriate.

(County Fire Recommendation)

71. Prior to issuance of a permit for the Camp Entrance/Security – Information Booth, the applicant shall submit a Sign Design Review Plan for the proposed structure,
delineating the location, size, materials, colors, lettering, and lighting method for the proposed new entrance sign and any additional on-site signage which may be visible from exterior property lines. The proposed signage shall be in conformance with the Wawona Town Planning Area Specific Plan and other applicable provisions of the Mariposa County Zoning Ordinance. A maximum of thirty-two (32) square feet in on-site sign area is allowed for this facility. No internally-illuminated signs are allowed. Sign(s) shall be subdued in appearance, harmonizing in design and coloring with the surroundings, and shall not be attached to a tree or shrub.

(Planning Department Recommendation: Section VIII.B, Wawona Town Plan Area Specific Plan)

72. The Sign Design Review Plan shall include a proposal for on-site directional signs that provide easy identification of roads, driveways, and emergency escape routes. The sign plan shall be coordinated with the evacuation plan specified in Condition No. 89. These signs shall be installed, as appropriate, during each phase of construction.

(Mitigation Measure)

73. Prior to any ground clearing activities, and prior to removal of any vegetation on-site, the applicant shall contact the California Department of Forestry and Fire Protection (CDF) to determine if a Timber Harvest Plan (THP) pursuant to the Forest Practice Act is required for the project. If a THP is required, then that permit shall be prepared and obtained as required by CDF prior to any vegetation removal on-site. If the project is exempt from a THP, a written determination of this exemption shall be obtained from CDF.

Evidence of CDF's determination regarding the necessity of a THP shall be submitted to the Planning Director prior to issuance of any permit on-site.

(Forest Practice Act)

Operations and On-Going Maintenance

74. The Camp Manager or his/her designee shall submit an occupancy report to the Mariposa County Planning Department on a monthly basis. Reports to be sent to Planning Director shall be filed in separate file which shall be available for public inspection at any time. Additionally, at any time, staff may conduct on-site inspections and request review of reservation and/or occupancy records from the Camp Manager or his/her designee. The purpose of this condition is to ensure compliance with occupancy limitations established by this conditional use permit. Following a full two (2) years of successful and timely reporting showing compliance with occupancy requirements of this use permit, the Planning Director may alter the reporting schedule established by this condition to allow quarterly reporting. The alteration by the Planning Director shall be made in writing, upon written request by the applicant.
Non-compliance with this condition shall be grounds for revocation of the Conditional Use Permit.

(Planning Department Recommendation)

75. The Camp Manager or his/her designee shall maintain all landscaping and revegetation in a good and healthy condition in order to meet objectives of the design guidelines and objectives of the revegetation program for the life of the development. Dead or diseased plants shall be immediately replaced with plants meeting original landscape or revegetation plan criteria.

(Planning Department Recommendation)

76. The Camp Manager or his/her designee shall implement an on-going noxious weed abatement and control program. The program shall be coordinated with the Mariposa County Agricultural Commissioner and/or the Mariposa County Farm Advisor as necessary. The program shall also be coordinated with the NPS Branch Chief, Vegetation and Restoration.

(Mitigation Measure)

77. The Camp Manager or his/her designee shall maintain sufficient onsite emergency water supply and firefighting equipment to control and contain fires that could start on the camp property.

(Mitigation Measure)

78. The use of open outdoor fires in recreational activities shall be allowed under the following conditions:
   
   - Material to be burned shall be limited to charcoal, untreated wood, or cooking fuels.
   
   - Burning shall be managed in compliance with Rule 305 for Minimum Drying Times (Mariposa County Air Pollution Control District Rules)
   
   - Only approved ignition devices will be used as stated in Rule 300.E (Mariposa County Air Pollution Control District Rules)

(Planning Department Recommendation; Rule 308.2 Mariposa County Air Pollution Control District Rules)

79. The Camp Manager or his/her designee shall maintain clear ground around any areas where open fires shall be used, and maintain fire suppression materials (e.g., shovels, buckets of water) in those locations.

(Mitigation Measure)
80. The Camp Manager or his/her designee shall maintain fuel breaks between structures and vegetation. Width of fuel breaks shall be consistent with those established by CDF at 19 CCR §§1.00-2352 up to existing property lines.

(Mitigation Measure)

81. Buses entering and leaving Camp Wawona shall be accompanied by a pilot car that shall precede each bus using Forest Drive. The car shall be in contact with the bus by radio, shall inform the bus driver of the status of opposing traffic, and shall inform approaching motorists of a following bus and direct them to a safe location to wait until the bus passes.

(Mitigation Measure)

82. When Camp Wawona is being occupied by overnight guests, the existing pull-outs along Forest Drive shall be kept clear of snow and ice that would otherwise make use of these pull-outs infeasible. The Camp Manager or his/her designee shall be responsible for this condition and shall make any necessary arrangements, which may include an encroachment permit, with the County of Mariposa Public Works Department.

(Mitigation Measure)

83. Use of the public address system and large outdoor gathering areas shall be limited to between the hours of 7 a.m. and 10 p.m. from Monday through Friday, and between 9 a.m. and 10 p.m. on Saturdays and Sundays, except for Primary Life Safety Functions such as fire alarms and emergency evacuation broadcasts.

(Mitigation Measure)

84. The public address system shall be physically and electronically locked-out during non-use periods described above, with access to the locks accessible only to authorized personnel.

(Mitigation Measure)

85. Only authorized, trained personnel shall be allowed to use the public address system, with access controlled through password or lock protection.

(Mitigation Measure)

86. The outdoor public address system speakers shall be oriented such that sound transmission is directed away from nearby residential land uses and the NPS Wilderness Area.

(Mitigation Measure)
87. Noise monitoring shall be conducted by an acoustical engineer twice a year (summer and winter) during operation of the camp to ensure compliance with all applicable noise standards, and to ensure that volume controls are appropriately locked.

(Mitigation Measure)

88. On-going and regular use of camp equipment (all “man-made noise”), except that necessary for routine and emergency maintenance activities shall be such that there are no off-site noise impacts. This condition shall not apply to construction activities for the redevelopment project.

(Wawona Town Planning Advisory Committee Recommendation)

89. An emergency evacuation plan shall be prepared for the Camp by the applicant. The plan shall be developed and coordinated with the National Park Service Emergency Evacuation Plan for the community of Wawona. The initial plan shall be submitted to the NPS Wawona District Ranger, for routing, review and approval. Following initial plan approval, the applicant shall submit the Plan and any updates, to the NPS Wawona District Ranger, for annual review and approval.

(National Park Service Recommendation)

90. Pursuant to Section XI of the Wawona Specific Plan, the National Park Service shall be notified of all grading and building permits for this project.

(Section XI, Wawona Specific Plan)
EXHIBIT B – Findings Made in Approving Conditional Use Permit No. 2002-346

This project approval is based on the following findings supported by substantial evidence in the public record:

FINDING No. 1: Adequate open space is provided by this proposal. (§17.112.040.A, Mariposa County Zoning Code)

The project site includes a 30.45 acre parcel and a 1.768 acre parcel, totaling 32.218 acres. Adequate open space is provided by this proposal.

No permanent improvements are permitted on the 1.768 acre parcel. This entire parcel will remain in open space.

Relative to the 30.45 acre parcel, the proposed redevelopment project results in a total lot coverage (impervious area, including buildings and paved parking or access areas) of 15.6% of the site. Using impervious area data, the majority of the site, or 84.4% of the site, will remain in open space.

Relative to the 30.45 acre parcel, proposed maximum building square footages for the project total 111,818 square feet, although some of the buildings are 2 stories. The total proposed building area footprint is 89,789 square feet. The footprint of non-buildings, such as the swimming pool, the outdoor and the covered riding arena, the railroad, the petting zoo, and the church bowl total 26,679 square feet. The total footprint of the building area and the non-building area (89,789 + 26,679) is 116,468 square feet or 2.674 acres. This is 8.8% lot coverage. Using building area and non-building area footprint coverage, the majority of the site, or 91.2% of the site, will remain in open space.

FINDING No. 2: The site is physically suited for the proposed development. (§17.112.040.B, Mariposa County Zoning Code)

The Environmental Impact Report (EIR) evaluated the potential impacts of the proposed redevelopment project and concluded that the project could be implemented with no significant environmental impacts based upon adequate and feasible mitigation measures which are incorporated into the project. This is evidence that the site is physically suited for the proposed redevelopment.

The project is the redevelopment of an existing camp facility which has operated on the property for at least the past 70 years. The existing and historic development and usage of the site is evidence that the site is physically suited for the proposed development and use.

Pursuant to mitigation measures recommended by the EIR and imposed in the Mitigation Monitoring and Reporting Program (MMRP) to address potential impacts associated with traffic and the condition of Forest Drive, the occupancy of the camp
will be limited to levels which are compatible with actual camp occupancies during the 2001-2005 time period. This mitigation ensures that access to the site remains suitable for the conditioned redevelopment of an existing camp use, as it has been for the past camp use. This mitigation is based upon the EIR Traffic Analysis, review of Accident History data for Forest Drive, and additional traffic assessment performed by the traffic consultant and presented to the Board of Supervisors in August 2007. The occupancy limits will remain in effect until the condition of Forest Drive is improved. Additionally, mitigation requires the on-site access roads maintain connection to existing roads connecting to regional roadways for emergency access.

There is adequate water on-site for the use, and the current water system for the existing camp is regulated by the State of California Department of Health Services (DHS), Domestic Water Supply Permit No. 03-11-94P-048 issued June 6, 1994; System No. 2203051. This existing permit ensures regular state agency monitoring and review and testing of both water quantity (availability) and water quality (testing) for domestic use. The EIR consultant provided additional Water Supply Assessment data to the Board of Supervisors for their review prior to action on the Conditional Use Permit. There is evidence that the site is physically suited for the proposed redevelopment of an existing camp use relative to water availability for domestic purposes.

The existing camp facility is connected to the National Park Service community sewage treatment plant, so that sewage from the facility is properly treated. The National Park Service has indicated that they are able to continue to treat the camp’s sewage, and mitigation limits occupancy of the camp to levels which are compatible with actual camp occupancies during the 2001-2005 time period. This is evidence that the site is physically suited for the proposed redevelopment of an existing camp use relative to continued sewage treatment from an existing community system.

Preliminary project site plans show the layout of the proposed redevelopment project and the alignment of access roads and parking for the project. These preliminary site plans are evidence that the site can accommodate the proposed redevelopment project as conditioned, in accordance with all applicable development standards of the specific plan. The project can be constructed on-site and grading and tree removal can be minimized by incorporation of stepped foundations and retaining walls. The redevelopment project shifts the majority of the development from the lower portions of the project site to the upper portions of the project site, where existing terrain is gentle and redevelopment can occur with minimal site grading impacts.

The Mariposa County Fire Department has reviewed the project and supports the redevelopment of the existing camp facility. The Fire Department finds that rebuilding the existing structures and facilities to comply with current Uniform Electric Codes and Uniform Fire Codes, together with the mitigation to limit occupancies to levels which are compatible with actual camp occupancies during the 2001-2005 time period, actually represents an improvement over the current situation. The redeveloped facilities will be designed using materials and
techniques to reduce the risk of damage during wildland fires. Current facilities are not now so designed. On-site access for the redeveloped camp facilities will be designed for emergency vehicle standards. Current facilities are not now so designed. Finally, the redeveloped facilities will be designed and reviewed by the State Fire Marshall in accordance with all commercial code standards, which include but are not limited to sprinkler systems for individual buildings, water storage for fire suppression, alarm systems, fire rating requirements for materials such as the canvas used in the teepees or in the wagon sleeping structures, and fire hydrants. Current facilities are not now so designed. This information is evidence that the site is physically suited for the conditioned redevelopment of an existing camp use relative to fire safety issues.

FINDING No. 3: Adequate provisions have been made for sewage disposal and the handling of solid waste. (§17.112.040.C, Mariposa County Zoning Code).

The EIR evaluated the project’s impacts on sewage disposal and solid waste and concluded that the project would not result in significant impacts. This is evidence that adequate provisions have been made for sewage disposal and the handling of solid waste from the project.

The existing camp facilities are connected to the community sewage treatment plant in Wawona, which is maintained and operated by the National Park Service, Yosemite National Park. The National Park Service, Yosemite National Park has been provided opportunities to review and comment on the proposed redevelopment project for the SDA Camp Wawona project. The National Park Service has commented that they have adequate capacity in the current sewage treatment facilities to treat sewage effluent from the redevelopment project. Although there have been comments made during the public hearing for the project relative to sewage flow issues, the National Park Service has stated in the record at the Planning Commission public hearing on the 30th day of March 2007 that these issues are off-site collection issues and not related to the SDA Camp Wawona redevelopment project. The National Park Service reiterated on the 22nd day of October 2007 that the existing park service wastewater system is capable of handling the sewage from the project as permitted under the new occupancy limits. This is evidence that adequate provisions have been made for sewage disposal from the project.

Conditions of approval require the weekly removal of solid waste during construction of the project, to ensure that solid waste does not accumulate on-site. This is evidence that adequate provisions have been made for the handling of solid waste from the project.

FINDING No. 4: The proposed development will have adequate potable water for public use and fire protection. (§17.112.040.D, Mariposa County Zoning Code)

The EIR evaluated the project’s impacts and adequacy of potable water for public use and fire protection and concluded that the project would not result in significant impacts. This is evidence that the proposed development will have adequate water for the project.
Although the community of Wawona has a community water system which is operated by the National Park Service and to which the camp could connect, the current camp use has historically and is currently served by three (3) on-site wells. One well produces 12 gallons per minute. The second well produces 30 gallons per minute. The third well produces 65 gallons per minute.

The State of California Department of Health Services (DHS) regulates public drinking water supplies, and establishes mandatory requirements for both quantity and quality of drinking water supplies. The Department of Health Services is already involved in this project and regulates the water supply system for the existing camp facility through Domestic Water Supply Permit No. 03-11-94P-048, issued June 6, 1994; System No. 2203051. This permit ensures that water is regularly tested to comply with public drinking water standards. Source capacity may also be addressed through the existing permit. These existing wells and the existing permit is evidence that the proposed redevelopment of the existing camp facility will have adequate potable water for domestic purposes.

The existing wells, which have a combined production of 107 gallons per minute, will also be adequate for fire protection purposes. Water storage requirements will be established for each structure pursuant to the current standards enforced by the Uniform Fire Code and the State Fire Marshall at the time of construction. The project is mandated by conditions of approval to provide fire protection water in a storage and delivery system meeting the current requirements of the State Fire Marshall. Conditions are written to reference “current requirements” as requirements may change over the 20 year construction time period. The County Fire Department/State Fire Marshall has reviewed the project and supports the redevelopment of the existing camp facility as conditioned.

**FINDING No. 5:** The project proposal complies with all standard and special setback requirements and adequate buffers have been provided for adjacent land uses. (§17.112.040.E, Mariposa County Zoning Code)

The project has been conditioned to comply with all standard setback requirements, including the front yard, side yard and rear yard setbacks established by the development standards of the Mountain Residential land use designation of the Wawona Town Specific Plan, Section V.G.

The project has been conditioned to provide an additional setback distance of 200 feet from any residence on an adjacent parcel for a refuse storage area, a dumpster or a propane tank for the SDA Camp Redevelopment project. This special setback requirement is to ensure that there will be adequate buffer for the residence from these service facilities.

The project requires that perimeter landscape plantings and the placement of structures be incorporated around the open play field to attenuate noise originating from outdoor activity areas. This special setback requirement is provided for buffer purposes for neighboring residential and National Park uses.
The project requires that outdoor activity areas for large groups, such as the open play field and the recreation field, be sited in the central portions of the 30.45 acre parcel, to increase the distance between the source of human voice and sensitive receptors. This special setback requirement is provided for buffer purposes for neighboring residential and National Park uses.

Finally, the project requires that lighting be designed and located to confine lighting directly on the premises and shall not shine light upon other properties in the vicinity. The project requires use of low wattage fixtures. The project requires use of “Dark-Sky” full cut-off fixtures (or the NPS-Design Guidelines for Yosemite Valley). These special requirements are provided for buffer purposes for neighboring residential and National Park uses.

**FINDING No. 6: Appropriate access is available or is proposed to the development.** (§17.112.040.F, Mariposa County Zoning Code)

The Environmental Impact Report (EIR) evaluated the potential impacts of the proposed redevelopment project and concluded that the redevelopment project could occur with no significant environmental impacts based upon mitigation. Mitigation is incorporated into the project.

The project is the redevelopment of an existing camp facility and an existing camp use has occurred on the property for at least the past 70 years. The historic development and usage of the site is considered in the environmental review of the proposed redevelopment project.

Pursuant to mitigation established by the EIR to address potential project impacts associated with traffic and the condition of Forest Drive, the occupancy of the camp will be limited to levels which are compatible with actual camp occupancies during the 2001-2005 time period. This mitigation ensures that access to the site remains suitable for the conditioned redevelopment of an existing camp use, as it has been for the past camp use, based upon the EIR Traffic Analysis, review of Accident History data for Forest Drive, and additional traffic assessment performed by the traffic consultant and presented to the Board of Supervisors in August 2007 until the condition of Forest Drive is improved.

Finally, mitigation requires that on-site access roads maintain connection to existing roads connecting to regional roadways for emergency access purposes.

**FINDING No. 7: The proposed use is consistent with the policies and standards of the general plan and any applicable specific plan.** (§17.112.040.G, Mariposa County Zoning Code)

The project will allow for the conditioned redevelopment of an existing historic camp facility in Wawona, where many community services are located. The community of Wawona has established and maintained community sewer and water services. There are paved and maintained roads in the community of Wawona. There are established emergency services in the community of Wawona. There are school, library and post office facilities in the community of Wawona. There are limited
retail and service facilities in the community of Wawona. The allowance of
development where services are located is consistent with Policy 5-2A of the General
Plan.

The project will legalize an existing camp, which is currently a non-conforming use.
Non-conforming uses are required to cease operation by the year 2036, at the end of
the 50 year amortization period established for non-conforming uses in the Wawona
Specific Plan. Issuing the conditional use permit for the existing non-conforming
camp is consistent with the General Plan policy which specifies that businesses and
services need properly classified sites on which to grow (Policy 5-4B, General Plan).
This is also consistent with the General Plan policy which specifies that no
implementation of the General Plan shall be enacted to force the amortization,
closure, and relocation of any legally existing nonconformity—except signs and/or
billboards and major transient rental management activities in the rural portions of
Yosemite West [Implementation Measure 5-11A(1)].

This project, the conditioned redevelopement of an existing use, will have safe and
adequate access which is consistent with Goal 9-1 of the General Plan. Pursuant to
mitigation established by the EIR to address potential impacts associated with
traffic and the condition of Forest Drive, the occupancy of the camp will be limited to
levels which are compatible with actual camp occupancies during the 2001-2005
time period. This mitigation ensures that access to the site remains suitable for the
conditioned redevelopement of an existing camp use, as it has been for the past camp
use based upon the EIR Traffic Analysis, review of Accident History data for Forest
Drive, and additional traffic assessment performed by the traffic consultant and
presented to the Board of Supervisors in August 2007 until the condition of Forest
Drive is improved.

This project, the conditioned redevelopement of an existing recreational camp, will
have access to an approved source for wastewater treatment and disposal and a
potable water supply meeting Health Department requirements, which is consistent
with Policy 9-5A and Implementation Measure 9-5A(1) of the General Plan. The
existing camp facilities are connected to the community sewage treatment plant in
Wawona, which is maintained and operated by the National Park Service, Yosemite
National Park. The National Park Service, Yosemite National Park has been
provided opportunities to review and comment on the proposed redevelopement
project for the SDA Camp Wawona project. The National Park Service has
commented that they have adequate capacity in the current sewage treatment
facilities to continue to treat sewage effluent from the redevelopement project.
Relative to potable water, the current camp use has historically and is currently
served by three (3) on-site wells. One well produces 12 gallons per minute. The
second well produces 30 gallons per minute. The third well produces 65 gallons per
minute. The State of California Department of Health Services (DHS) regulates
public drinking water supplies, and establishes mandatory requirements for both
quantity and quality of drinking water supplies. The Department of Health Services
is already involved in this project and regulates the water supply system for the
existing camp facility through Domestic Water Supply Permit No. 03-11-94P-048,
issued June 6, 1994; System No. 2203051.
This project, the conditioned redevelopment of an existing use, will be conditioned to
ensure that light sources in new development are compatible with rural character
and that light sources do not produce glare that interferes with vision of the night
sky. This is consistent with Policy 11-1D of the General Plan. The conditions of
approval require compliance with the International Dark Sky Association lighting
standards (or the NPS-Design Guidelines for Yosemite Valley), which is consistent
with Implementation Measure 11-1D(1) of the General Plan.

This project, as conditioned, will be in compliance with Federal and State
regulations regarding endangered species and their habitat, including both wildlife
and plant species. This is consistent with Implementation Measure 11-4A(6) of the
General Plan.

This project, as conditioned, will avoid erosion and loss of soils, and will minimize
impacts of grading activities due to the redevelopment activities. The project
requires an Erosion Control Plan, prepared by a licensed engineer, pursuant to the
County Grading Ordinance. This project establishes timing requirements for
erosion control implementation, based upon the season of grading activities. This
project requires a Sediment Control Plan, prepared by a licensed engineer, pursuant
to the Grading Ordinance. This project requires a Storm Drainage Plan, prepared
by a licensed engineer, pursuant to the Grading Ordinance. This project requires
coverage under that National Pollutant Discharge Elimination System (NPDES)
General Permit from the Regional Water Quality Control Board, and
implementation of a Storm Water Pollution Prevention Plan (SWPPP) implementing
Best Management Practices. Finally, this project requires that grading be
minimized and establishes specific cut and fill thresholds, and requirements for
retaining walls should those thresholds be exceeded. All of these provisions are
consistent with Goal 11-5 and Policy 11-5A of the General Plan, which specify that
erosion and loss of soil should be avoided due to development activities, and that
impacts of grading activities should be minimized.

This project implements the General Plan policy to maximize public access to public
lands consistent with the protection of sensitive natural resources and habitats.
This conditional use permit for the existing camp facility implements the General
Plan Implementation Measures (to implement the policy), which specifies that the
Board of Supervisors should support programs to maintain and increase multi-use
on public land. This existing camp facility provides opportunities for as many as 338
campers per week (during the summer months) to stay in a world-renowned
National Park, and to experience and access the park in a way which would not be
possible from a remote hotel or motel setting. Yet because the camp is on private
property, and not Park Service property, the facilities are not directly impacting
sensitive park resources [Policy 13-1B and Implementation Measure 13-1B(1),
General Plan].

This project implements the General Plan goal of providing job growth and
sustaining County revenues by enhancing the visitor-serving sectors of the economy.
The amendment, by making the existing camp a conforming use, will ensure that
the camp can be redeveloped and used in the future. There will be jobs created by
the construction activities associated with the redevelopment project. There will be
continued jobs created by the operation and management functions of the camp. Finally, the camp, as a transient occupancy facility, pays transient occupancy taxes to Mariposa County, which is revenue generating (Goal 13-5, General Plan).

This project, as conditioned, will preserve the quality of life in Mariposa County by controlling noise at its source, which is consistent with Goal 15-1 and Policy 15-1A of the General Plan. An acoustical analysis has been performed by a qualified professional, and the requirement for this analysis is consistent with Implementation Measure 15-2B(1) of the General Plan. There are significant mitigation measures incorporated into the project which will ensure that noise from the public address system, and noise from equipment other than that necessary for routine and emergency maintenance activities will not be audible beyond the property lines of the camp. The conditions include requirements for continued and regular monitoring of noise by the qualified acoustical professional to ensure effectiveness of the mitigation program.

The project will allow for an orderly expansion of the existing camp facilities on-site through the Conditional Use Permit process, while limiting and controlling the occupancy and use of those facilities to address circulation issues in the community. This is consistent with Goal 1 of the Wawona Specific Plan, “To provide for a limited and controlled and orderly expansion of the community of Wawona.” Although not open to the public, this existing camp is a recreational development which exists in the community. Some of the 90 conditions established through the Conditional Use Permit process are for the express purpose of limiting this use – either occupancy or structure location or square footage or other development criteria.

This project, to make the SDA Camp Wawona a conforming use through the Conditional Use Permit process, will preserve and protect an historical use in the community, as the existing camp has operated for over 70 years in Wawona. By making the use conforming, future generations will be able to enjoy the camp in its unique setting within Yosemite National Park. This is consistent with Goal 3 of the Wawona Specific Plan, “To preserve and protect the historical sites and structures of the community for the benefit of future generations.”

This project, as conditioned to limit occupancy to levels compatible with historic figures from the 2001-2005 time period will not create significant impacts on Forest Drive. This project, as conditioned, will ensure continued through access on-site to other connecting roads for emergency egress purposes. All on-site access improvements will comply with fire jurisdiction requirements for grade and width. This is consistent with Goal 4, “To promote an effective and safe circulation system within the community.”

An Environmental Impact Report has been prepared for this project to evaluate the project’s potentially significant impacts. As discussed in the EIR, on-site wetland areas and steep slopes greater than 20% are protected from development impacts. These may be fragile ecological areas. The project results in existing camp development and activity areas on the 30.45 acre parcel, which are closest to Forest Drive and the South Fork of the Merced River, being removed and relocated to the top portion of the project site. This represents greater setback area between the
redevelopment project and the South Fork of the Merced River and greater protection for the river. These project characteristics are consistent with Goal 5 of the Wawona Specific Plan, “To preserve and protect the fragile ecology of the community, specifically with respect to the mountainous area and of the South Fork of the Merced River.”

There are significant conditions and mitigations incorporated into this project to protect the adjacent and nearby residential parcels. These include but are not limited to conditions to limit and regulate project-related noise, lighting, traffic, occupancy and use, construction activities, types of allowable architecture, and outdoor activity areas. This is consistent with Goal 7 of the Wawona Specific Plan, “To promote and protect the residential environment of the community.”

Finally, site characteristics and the location of the project parcel within the community of Wawona make the site uniquely appropriate for the continued operation and redevelopment of the existing camp use. The project parcel is the largest privately owned parcel in the community of Wawona at 30.45 acres (87% of the 310 existing privately owned parcels in Wawona are less than 1 acre in size). The existing camp is at the end of Forest Drive, and the camp facilities are located on the last privately owned parcel off of Forest Drive. The site is remote from the majority of the community. There are only two privately owned parcels which immediately abut the camp parcel (a 5.35 acre parcel and a 1.00 acre parcel), and only one additional privately owned parcel (a 1.667 acre parcel) within 900 feet of the camp parcel boundary. All other neighboring property of the camp parcel is owned by the National Park Service. These site characteristics help to minimize direct impacts of the project from the majority of privately owned parcels in the community. The project has included Master Plan Design Guidelines, to ensure that the future redeveloped facilities will respect and be compatible with the mountain, small community of the Wawona. The guidelines were developed based upon consideration of the existing historic architecture in the community and region, including building side and scale, building materials and colors, and architectural style and detailing. The guidelines also include grading and landscaping standards. These site characteristic and project characteristic details are consistent with Goal 8 of the Wawona Specific Plan, “To maintain the mountain, small community atmosphere of Wawona for the benefit of present and future residents of the community.”

**FINDING No. 8:** The project as approved will not have a significant effect on the environment, or the significant impacts have been eliminated or substantially lessened, or it has been determined that the significant effects are unavoidable and acceptable due to overriding concerns. (§17.112.040.H, Mariposa County Zoning Code)

In accordance with the California Environmental Quality Act (CEQA) implementing Guidelines, Mariposa County determined that preparation of an Environmental Impact Report (EIR) was required for the project. Because the project initially involved the Federal land exchange, the project was also subject to the National Environmental Protection Act (NEPA). The County caused an EIR to be prepared for the Project, which included an analysis of impacts under NEPA. On December 8th,
2003, the Draft EIR was released for the Camp Wawona Redevelopment Project and Proposed Land Exchange. The Draft EIR evaluated the Project’s potentially significant impacts to (1) land use and planning; (2) air quality; (3) noise; (4) biological resources; (5) cultural resources; (6) hydrology and water quality; (7) geology and soils; (8) aesthetics and visual resources; (9) traffic and transportation; (10) public utilities and services; and (11) hazards and hazardous materials. The Draft EIR described four alternatives to the proposed project, and discussed an additional four alternatives that had been considered but eliminated from detailed review in the Draft EIR; the Draft EIR found that the Project would not result in any unavoidable significant impacts under CEQA.

On January 11th, 2004 and March 13th, 2004, public meetings were conducted on the Draft EIR with the Wawona Town Planning Advisory Committee at which time members of the public were allowed to comment on all environmental and planning documents. On January 23rd and 25th of 2004, the Planning Commission conducted public hearings were conducted on the Draft EIR to receive public testimony with respect to environmental and planning documentation prepared for the project.

On February 9th, 2004, the public comment period on the Draft EIR closed.

In May 2004, the Yosemite National Park Superintendent determined that the Land Exchange would not be required in order for NPS to support the project. CCCSDA decided to revise the Master Plan to accommodate development on their existing property. The Land Exchange with the National Park Service and the Lot Line Adjustment application were abandoned.

In August 2005, the applicant CCCSDA submitted revised application materials to the Planning Department for redevelopment of the Camp Wawona facilities including an updated Master Plan, Master Plan Design Guidelines and other materials. Redevelopment of the camp was to be entirely on property owned by the SDA. This revised project was the “no land exchange” alternative described in the Draft EIR. The project no longer included the proposed land exchange.

The County reviewed the revised application materials and determined that it would not result in any new or substantially greater significant environmental effects not previously discussed in the Draft EIR. Based upon the revised application materials and the fact that revised project was a specifically identified, described and reviewed alternative in the Draft EIR, the County determined that recirculation of the Draft EIR was not necessary. The County in consultation with the National Park Service also determined that, without the land exchange, the Federal Government was no longer a lead agency and that further processing of the project was only subject to CEQA; and

Between August 2005 and July 2006, additional technical information was submitted to the County of Mariposa by CCCSDA and additional analysis of the Project’s potential impacts was conducted. On October 26, 2006, the Final EIR was published and made available to the public. The Final EIR found that the Project would not result in any significant unavoidable impacts under CEQA.
The Planning Commission held a duly noticed public hearing on March 30th, 2007, at which time all members of the public were allowed to comment on the environmental and planning documents pertaining to Conditional Use Permit No. 2002-346 and on Specific Plan/Zoning Amendment No. 2002-345. The hearing was continued to May 18th for additional information and Commission deliberation and action.

The Board of Supervisors held a duly noticed public hearing on August 14, 2007, at which time all members of the public were allowed to comment on the environmental and planning documents pertaining to Conditional Use Permit No. 2002-346 and on Specific Plan/Zoning Amendment No. 2002-345. The hearing was continued to October 16th, 2007 and then to November 6th and 13th, for additional information and Board deliberation.

The Board of Supervisors has independently reviewed and considered the information contained in the EIR, which includes the Draft EIR, the Final EIR, and the Mitigation Monitoring and Reporting Program (MMRP) for the Project. The Board of Supervisors finds that the EIR was prepared in compliance with CEQA. The EIR reflects the independent judgment and analysis of the County, and provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the project. The public review and hearing process provided for this project provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the EIR and the project.

The Board of Supervisors also finds that textual refinements and errata were compiled and presented to the Planning Commission and Board of Supervisors for review and consideration as set forth in Section 4 of the Final EIR, in the Erratum 1 to the EIR (November 1st, 2006), Erratum 2 to the EIR (March 30th, 2007), and Erratum 3 to the EIR (May 18th, 2007). The Board of Supervisors has reviewed and considered all Errata to the EIR. The County Planning Department has made every effort to notify the Board of Supervisors, Planning Commission, interested agencies and members of the public of textual changes in the documents associated with the Planning Commission and Board of Supervisor’s review of the Project.

The Board of Supervisors has considered all oral and written comments on the EIR. The Board of Supervisors finds that neither the comments nor received nor the responses to such comments add significant new information to the EIR regarding adverse environmental impacts of the proposed project requiring recirculation of the EIR.

Based upon consideration of the entire administrative record, including the EIR, the MMRP, all Errata and textual refinements to the EIR, and all public input and testimony, the Board of Supervisors finds that the Conditional Use Permit for the SDA Camp Wawona Project, as conditioned, will not have a significant effect on the environment. Mitigation has been incorporated into the project to eliminate or substantially lessen the identified impacts on the environment. The MMRP included in the EIR meets the CEQA requirements to adopt a MMRP for the changes to the project which it has adopted or made a condition of project approval. The MMRP
includes all of the mitigation measures identified in the EIR and has been designed to ensure compliance during implementation of the proposed development. In accordance with CEQA, the MMRP provides the measures to ensure that the mitigation measures are fully enforceable including that the MMRP designates responsibility and anticipated timing for the implementation of mitigation.

**FINDING No. 9:** The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, or general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the county. (§17.112.040.I, Mariposa County Zoning Code)

This project will make an existing church camp facility, which has operated in the community of Wawona for over 70 years, a conforming use under a Conditional Use Permit. The Conditional Use Permit will result in the establishment of identified written limits to the use and occupancy of the camp in the future. These limits don’t presently exist for the current operating camp facility. The Conditional Use Permit will result in the establishment of specific identified mitigation measures and conditions to address potential impacts the camp may have on surrounding properties or properties in the community, including noise and light and traffic and outdoor activity areas. These mitigations don’t presently exist for the current operating camp facility. Finally, this Conditional Use Permit will establish specific requirements for the redevelopment of the camp facility, to address potential impacts the redevelopment may have on persons residing or working in the neighborhood or in the community. There is a benefit to the health, safety, morals, comfort and general welfare of persons residing and working in the neighborhood of the existing camp use to have established limits and mitigations such as will result from this project.

The Environmental Impact Report (EIR) evaluated all potential environmental impacts of the proposed redevelopment project and concluded that the project could occur with no significant environmental impacts based upon the implementation of adequate and feasible mitigation measures. These mitigation measures are incorporated into the project.

This Conditional Use Permit has been reviewed through a discretionary process, and there have been numerous opportunities for public input on health, safety, morals, comfort and general welfare issues throughout the public process. The Board of Supervisors has considered all public input on these matters as well as input and recommendations from the Planning Commission. The Board of Supervisors has considered the EIR for this project. Finally, the Board of Supervisors has considered the staff report and findings for the Conditional Use Permit. The Board of Supervisors has established conditions to address the potential impacts the project may have during construction and during operation as well. The Board of Supervisors has considered conditions established to:

- Limit occupancy and use to levels compatible with the 2001-2005 time period
- Protect special status plant species
- Protect special status animal species
- Minimize grading and grading impacts
- Establish additional buffers for potentially incompatible service needs such as dumpsters
- Establish Master Plan Guidelines to address community compatibility issues
- Protect trees and vegetation
- Eliminate off-site noise impacts
- Eliminate off-site lighting impacts
- Limit hours and days of outside construction activities
- Require a contractor's camp on-site
- Require a traffic control plan
- Implement air quality requirements during construction
- Implement a noxious weed program
- Implement State Fire Marshall requirements and improve wildland fire protection
- Clear Forest Drive of snow and ice during winter months, during camp use
- Address potential project impacts on NPS lands
- Ensure continued NPS involvement in the permitting process

The Board of Supervisors finds that it is logical and appropriate that the redevelopment of the existing camp facility would result in an expansion of the square footage of structures on-site for the following reasons:

- Uniform Building Codes establish minimum area requirements for structures which may significantly affect square footage. This may include such things as width for hallways, exiting requirements, minimum area per person occupancy, and compliance requirements for the Americans with Disabilities Act.

- It is normal to expect the camp to provide indoor plumbing facilities, including separate facilities for both genders, in the new facilities. Currently, these necessities do not exist in all of the facilities at SDA Camp Wawona.

- It is reasonable for the camp facility to be able to “seat” and feed all of their campers and staff in one building for meals. Currently, the cafeteria can seat only 1/3 of the occupants during the summer camping season.

- It is reasonable for the camp facility to have an indoor chapel for purposes of religious gathering. Currently, the camp has only an outdoor area for this use.

- It is reasonable for the camp facility to have indoor recreational facilities for their special camp programs, including the handicapped camp programs and for their asthma camp programs. It is also reasonable for the camp facility to have indoor recreational facilities for their regular camp programs. These facilities would provide alternative recreational opportunities, as well as
areas for recreational activities during inclement weather. Currently, indoor recreational facilities do not exist at SDA Camp Wawona.

- It is reasonable for the applicant to have developed their new camp facilities to provide flexibly designed facilities which would work equally well for youth camp, for family camp, and for group camp. Currently, the facilities are not now so designed.

- "Modernizing" older facilities often results in an increase in square footage of space for occupancy.

The Board of Supervisors finds that, as conditioned, the redevelopment of the existing camp facility, and the continued maintenance and operation of the use as conditioned will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, or general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the county.

Finally, this Conditional Use Permit is consistent with the General Plan and Specific Plan, as described in Finding No. 7 of this Resolution.

**FINDING No. 10**: A twenty year time period for build out of the site plan for Conditional Use Permit No. 2002-346 is necessary based upon the size and scale of the proposed project, and the fact that it is a redevelopment of an existing camp facility which the applicants wish to continue to operate during construction activities. The twenty year time period is not detrimental to the public health, safety and welfare. (§17.08.170, Mariposa County Zoning Code)

Pursuant to Mariposa County Code, Section 17.08.170, Zoning Ordinance, the applicant has requested a twenty (20) year time period for build out of the proposed redevelopment plan for Conditional Use Permit No. 2002-346, and the Board of Supervisors finds it appropriate to approve the extended time period for the redevelopment project. The applicant has requested the extended time period for financing reasons, as this is a significant redevelopment effort of a major facility for the Seventh-Day Adventists conference. As a religious organization, the applicant relies upon donations for capital improvement projects such as this, which are not a guaranteed funding source. Additionally, the applicant would like to be able to continue to operate the camp at some capacity during construction, and meeting this objective will extend the time needed to re-build the camp facilities. Finally, the extended redevelopment construction period is intended to lessen the severity of the impacts of construction on the community of Wawona, as a shorter construction time period would compress the activity level associated with the reconstruction work.

The Board of Supervisors also acknowledges that the construction season in Wawona is limited by the weather, based on the elevation of Wawona.
The Board of Supervisors acknowledges that many of the project conditions involve multiple review authorities, limit time for construction, and establish a number of approvals which must occur prior to issuance of any permits.

The extended time period for the Conditional Use Permit is not detrimental to the public health, safety and welfare, and the extended time period may actually reduce temporary or short term project related construction impacts on the community. The Environmental Impact Report has evaluated all impacts associated with construction of the project and mitigation has been incorporated into the project to reduce the identified impacts to a level of less than significant.