

Appendix E

Private Property Development Guidelines



Mono Basin National Forest Scenic Area
Private Property Development Guidelines

Approved by Associate Chief George Leonard

April 7, 1988

Effective April 25, 1988

Guidelines for the Development of Private Lands
within the Mono Basin National Forest Scenic Area

Section 1 - General

(a) Introduction. These guidelines shall provide standards for the use and development of private lands within the Mono Basin National Forest Scenic Area (hereafter "Scenic Area") as provided by the California Wilderness Act (Pub. Law 98-425; 98 Stat. 1632) hereafter, "Act". Private property meeting these standards shall be deemed compatible with the purposes of the Scenic Area.

(b) Purposes of the Scenic Area. Congress has directed the Secretary of Agriculture to manage the Scenic Area to protect its geologic, ecologic, cultural, natural, and scenic resources.

(c) Amendments. Amendments to these guidelines shall be made by publishing proposed changes in the **Federal Register**, with final adoption after interested persons have been given an opportunity to participate through submission of comments.

(d) Definitions.

(1) "Accessory building" means a subordinate building incidental to main building on the same lot, which is not for habitation.

(2) "Attached" as applied to structural additions means structures which share at least one wall with the original structure and the height does not exceed that of the original.

(3) "Certified or certification" means a determination by the Forest Service that development or use of a property is compatible with the purposes of the Scenic Area.

(4) "Continuous use" means any building or structure used full time or seasonally (at least 3 months of the year) prior to June 1, 1984.

(5) "Existing use" means a use, including development or practice, that was occurring as of June 1, 1984 (or if seasonal, within the twelve (12) months prior to June 1, 1984) by, or with the consent of, the landowner, consistent with applicable laws and regulations; including, but not limited to local zoning and State and local pollution abatement requirements. An exception to this definition is found in Section 3(b).

(6) "Expansion" means an increase in the square footage of a structure or an increase in the size, area, or effect (visual, noise, etc.) of any improvement or disturbance.

(7) "Guest housing" means a second structure on a lot designed for habitation. This does not include structures designed for authorized transient occupancy, such as certified motel units.

(8) "Improved property" means a parcel containing any improvements requiring a building permit (residence, accessory building, fence or other non-earth development, etc). An exception to this definition is found in Section 3(b).

(9) "Improvements" means any manmade structure of a permanent or semi-permanent nature without regard to size.

(10) "Private property" means all land owned by other than the Federal Government, the State of California, or any subdivision thereof (including the City of Los Angeles).

(11) "Reconstruction" means remodeling (including replacement of worn or damaged items) including roofing, siding, and other structural replacement up to and including total building removal and reconstruction.

(12) "Secondary housing" or guest housing means a second structure on a lot designed for habitation. This does not include structures designed for authorized transient occupancy, such as certified motel units.

(13) "Secretary" means the Secretary of Agriculture acting by or through the Forest Service, Mono Lake Ranger District, Inyo National Forest.

(14) "Serviceable" means the condition of a building or structure which renders it ready for its designed use (i.e., habitation, storage, etc.) for the present and in the future.

(15) "Significant geologic features" includes, but is not limited to, craters, volcanic domes, fissures, hot water and steam vents, the eastern Sierra escarpment as a whole, and all tufa within the Scenic Area.

(16) "Structure" means an improvement in such condition that it is available for its designed use.

(17) "Unimproved property" means a parcel without improvements. Minor earthwork which does not require a county grading permit does not render property improved.

(18) "Use" means an activity or development, associated with a parcel of land.

(19) "Use and development plan" includes all documents required by Mono County and all specific details the District Ranger deems necessary.

Section 2 - Land Use Classifications

(a) General. For purposes of managing the Scenic Area and achieving the statutory objectives for the area, the Forest Service shall classify the lands within the Scenic Area in one of three land use categories: Natural, Developed, and Relict as shown on the Land Use Category Map dated May 7, 1985, on file and available for public inspection in the office of the District Ranger, Mono Lake Ranger District on the Inyo National Forest, Lee Vining, CA.

(b) Relicted Land Use Category. This category consists of all lands below elevation 6,417 feet.

This land use category includes exposed lake bottom containing open vistas, outstanding geologic features and wildlife habitat. Only isolated development exists and is essentially limited to scattered interpretive facilities, boat access, range and wildlife improvements and a few residences. Management emphasis on lands in this category is to protect and interpret the natural ecosystems, cultural values and outstanding geologic features of the area.

(c) Developed Land Use Category. This category consists of lands north of Lee Vining in a strip approximately one mile each side of US 395 and above elevation 6,417 feet.

This area is characterized by a predominantly rural and natural appearing landscape with some developments and structures. Private parcels in this area have historically been used for commercial, residential and community purposes. Management emphasis on lands in this category is to maintain the rural and natural appearing landscape while allowing and providing for recreational and interpretive developments where appropriate. Limited further development and continued use of privately owned land compatible with the purposes of the Scenic Area are consistent with the management emphasis for this portion of the Scenic Area.

(d) Natural Land Use Category. This category includes all lands within the Scenic Area not included in the Relicted and Developed Land Use Categories.

These lands are predominantly natural in appearance, containing essentially uninterrupted vistas, outstanding geologic features and extensive rangeland and grazing with no significant impacts on wildlife habitats, ecologic processes and dispersed recreational uses. Management of lands in the natural category emphasizes protection of the natural character, ecosystems, cultural values and outstanding geologic features; and providing recreational and interpretive facilities and opportunities consistent with the purposes and values for which the Scenic Area was established. Management of lands in this category also recognizes compatible development and resource uses.

Section 3 - Certification

(a) General. Private lands used in a manner consistent with the land use standards of these guidelines are deemed compatible with the purposes of the Scenic Area. The District Ranger certifies that the land use is consistent with the management standards. Uses will be recorded by diagrams, written descriptions and photographs, which will provide accurate base line data from which new construction, reconstruction or expansion will be reviewed. Landowners who have not been certified shall apply to the Forest Service for certification prior to any change in use or development of their property. Certification of uses will not be affected by a change in ownership, for that reason only. The Secretary will not acquire by condemnation certified property within the Scenic Area.

The certification of any structure or use located on relicted lands is not deemed a waiver of any claim by the U.S. Government to title of lands in the relicted area.

(b) Pre-existing uses. All land uses and developments existing on June 1, 1984, shall be depicted on maps and in records at the District Ranger's office, shall be deemed compatible with the purposes of the Scenic Area, and shall be certified by letter to the landowner. Developments occurring after June 1, 1984, shall be certified as though they existed on June 1, 1984, if the landowner was issued a valid Mono County building permit between June 1, 1984, and May 22, 1985.

(c) New Uses and Developments. All new uses and developments are subject to certification, including changes from uses existing on June 1, 1984. All new uses after that date shall be certified if they are confined to locations where they may be conducted without detracting from the purposes and objectives of the Scenic Area. Any landowner who proposes to change uses or develop property shall submit to the District Ranger a use and development plan setting forth the manner in which the property is proposed to be developed and proposed uses of the property. If the District Ranger determines that the development and use plan conforms to the applicable standards established for the land use category in which the property is located, the District Ranger will declare the proposal non-detrimental and compatible with the purposes of the Scenic Area, and it shall be so certified in writing.

Landowners may develop new recreation and interpretive facilities in locations deemed appropriate through the Comprehensive Management Plan. Such facilities must be certified.

(d) Historically Significant Structures. A variance to the compatibility standards may be allowed for the preservation of historically significant structures as set forth in the National Historic Preservation Act, 36 CFR 800, and determined by eligibility criteria for the National Register of Historic Places, 36 CFR 60.4.

(e) Coordination with County Zoning Ordinances. If the County enacts zoning regulations consistent with these guidelines, the District Ranger may coordinate compatibility determinations with the County approval process in order to reduce duplication of review and facilitate approvals. In such an event, the Forest Service would effectively be providing staff input to the County process, and would certify compatible uses, upon approval by the County.

Should the County grant a zoning variance in conflict with these guidelines, the Secretary may acquire the property without consent of the owner if the property use is otherwise deemed incompatible.

(f) Denial or Rescission of Certification. The District Ranger shall deny or rescind certification when a change in use or developments results in non-conformance with applicable standards. The District Ranger shall notify an affected landowner in writing as to the basis for such denial or rescission, and may provide a period of time for correction of the non-conforming use.

(g) Appeals. In giving written notice of a decision to deny certification to a landowner, the District Ranger shall specifically advise the landowner of

any available opportunity to appeal the decision and include the name and address of the officer with whom an appeal may be filed.

Section 4 - Compatibility Standards

(a) Existing Improvements. As required by section 303(b)(2) of the Act, the District Ranger shall certify the following uses as compatible with the purposes of the Scenic Area:

(1) Development and uses existing as of June 1, 1984.

(2) Reconstruction and expansion of buildings, support systems and facilities existing on June 1, 1984, and new construction of support systems and facilities as follows:

(A) Reconstruction of an existing building, and

(B) Construction of attached structural additions, not to exceed 100 percentum of the square footage of the original building, and

(C) Construction of reasonable support development such as roads, parking, water and sewage systems.

(b) General Compatibility Standards. Landowners must conform to the following standards for their continued land uses to be compatible and remain certified:

(1) Disposal of Wastes. Landowners provide for disposal of solid and liquid waste originating on or resulting from use of their properties, consistent with State and County law.

(2) Utilities. Landowners place underground all utility modifications, expansion, replacement, or new utilities, (including cable TV). Any utility structures required to be above ground (e.g. satellite dishes, windmills, etc.) are painted in earth tones and properly placed to be screened by vegetation and/or topography.

(3) Discharge of Pollutants. Landowners obtain required permits for discharging pollutants, as defined by State law.

(4) Use of Recreation Vehicles. Landowners use or store recreation vehicles, including but not limited to, motor homes, camper trucks and travel trailers, on private property within the Scenic Area as follows:

(A) For no more than 60 days recreational use,

(B) For one year during construction of a residence,

(C) For storage by an owner, at the owner's residence.

(5) Land Disturbance. Landowners obtain approval of the District Ranger for any new land disturbance (movement of 200 cubic yards of soil or more, or

clearing land 10,000 square feet or more) and/or vegetative removal on other than a building site (e.g. tree farm, alfalfa field, mining roads, etc.). Any new land disturbance, regardless of size, must not substantially impair or detract from natural, scenic, ecologic, geologic and cultural values.

(6) Mobile Homes. Landowners provide the following conditions for new placement and use of mobile homes (manufactured housing):

(A) Mobile home is on permanent foundation,

(B) Mobile home has a pitched roof,

(C) Mobile home is paneled with wood siding, which is painted or stained an earth tone color that harmonizes with the natural surroundings.

(7) Commercial Signs. Landowners use commercial signs as follows:

(A) Signs are located on the site on which the use occurs,

(B) Signs do not exceed 40 square feet in size with a maximum length of 8 feet and maximum height from the ground of 15 feet,

(C) Signs do not feature flashing or neon devices, and

(D) Signs are of colors that harmonize with the natural surroundings.

(8) Subdivision. Landowners subdivide their property only when subdivision is intended to facilitate sale to the government to benefit the Scenic Area.

(9) Secondary Housing. Landowners do not construct or provide secondary or guest housing.

(10) Damage to a Certified Structure. Landowners reconstruct or remove structures damaged by fire, flood, or other catastrophe in conformance with the applicable standards. A landowner does not need new certification for reconstruction unless the damage reduces the value of the structure by 50% or more.

(11) Storage. Landowners do not utilize cargo containers, semi-trailers, train cars, or other trailers for storage or other incompatible uses.

(12) Maintenance. Landowners maintain buildings, structures, and grounds, including fences, in an equal or upgraded condition to that noted in the original certification, or they remove said buildings and structures.

(13) Home Industry. Landowners establish only those home industries deemed compatible with the purposes of the Scenic Area. Home industries must be certified by the District Ranger.

(14) Grazing. Landowners maintain or reduce the level of grazing that existed June 1, 1984. Increased levels of grazing must be certified by the District Ranger.

(15) Scenic and Aesthetic Values. Landowners protect scenic and aesthetic values by not accumulating debris, junk automobiles, and unused or unusable equipment on their properties.

(16) Conformance with Other Standards. When appropriate, landowners adopt all applicable and practicable guidelines for unimproved residential property in the Developed Land Use Category, Sec. 5(b)(1)(A).

(17) Conformance with Other Regulations. Landowners use and develop their property in conformance with applicable Federal, State and local laws, regulations and ordinances.

(c) Mining. The standards set forth in this paragraph shall apply to private property in any land use category which is used for mineral operations. To aid in determining whether a planned mineral operation will conform to these guidelines, the landowner shall submit to the District Ranger a proposed plan of operations in compliance with agency regulations at 36 CFR 228.8.

All existing mining operations as of June 1, 1984, will be certified. The District Ranger will certify all other operations in the Scenic Area if the following conditions are met:

(1) Landowners confine operations to locations where they may be conducted without substantially impairing or detracting from the natural, scenic, ecologic, geologic and cultural values of the area.

(2) Operators meet the general compatibility standards set forth in paragraph (b)(1)-(17) of this section.

(3) Landowners describe in their operating plans how the operations will:

(A) Comply with Federal and State air and water quality waste disposal standards.

(B) Minimize adverse impacts on scenic values.

(C) Provide for prompt stabilization and restoration of areas disturbed by the operations.

(4) Operators meet all pertinent provisions of the rules governing mining set forth in 36 CFR 228.

Section 5 - Standards for New Development

New use and development of private lands will be deemed compatible and will be certified if landowners comply with the standards in Section 4, paragraph (b)(1)-(17) and the following additional specific land use category standards:

(a) Natural Land Use Category.

(1) Unimproved Property. Landowners may construct and provide only those new commercial developments which serve recreational, interpretive, or research purposes and which are deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(2) Improved Property.

(A) Landowners may construct and provide only those new commercial developments which serve recreational, interpretive, or research purposes and which are deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(B) Landowners may construct up to two new detached structures in lieu of an attached structural addition as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(i) Parcels with certified development resulting from an original building permit issued between June 1, 1984, and May 22, 1985, shall be considered "unimproved" as of June 1, 1984, but exceptions will be made to allow the completion of improvements authorized by such building permits. However, provisions of 4(a)(2) and 5(a)(2)(B) shall not apply to these parcels. Construction or expansion in addition to that authorized by the original building permit shall not be allowed.

(b) Developed Land Use Category.

(1) Unimproved Property.

(A) Residential.

(i) Landowners must submit a proposed use and development plan which includes a preliminary landscape plan indicating visual screening of structures from main travel routes and public use areas. Such visual screening may be achieved by a combination of vegetative screening, topography, structure design and site development.

(ii) Landowners must submit a proposed grading and earth movement plan with the use and development plan, which minimizes all excavation or topographic changes that may be required for buildings, roads, and utilities.

(iii) Landowners may construct no more than one single family dwelling on each separately owned parcel as recorded in the records of Mono County as of June 1, 1984. Dwelling size may not exceed 2,000 square feet of floor space (excluding below ground basement).

(iv) Landowners may construct up to two accessory buildings, including a detached garage or a garage attached to the residence. Such accessory buildings are not to be used for habitation and may not exceed 900 square feet total (both buildings and/or attached garage).

(v) Landowners may construct buildings that are single story structures and do not exceed 18 feet from the ground to the highest point of the roof.

(vi) Landowners must utilize building architecture that is compatible with the rural environment, location, and scale; visually unobtrusive to passing motorists; rustic in nature; and uses harmonious earth tone colors and non-reflective roofing and sidings. Any fence is clearly necessary, made of natural materials (such as split rail), and compatible with the building architecture.

(vii) Landowners may construct structural improvements that cover up to 40% of the parcel.

(viii) Landowners may remove live trees and other vegetation only when necessary to accommodate buildings and roads and to allow installation of utilities. All mature trees and vegetation stands that are proposed to be removed must be identified in the proposed use and development plan.

(ix) Landowners minimize adverse aesthetic impacts and soil erosion in the design, location and construction of roads.

(x) Landowners place identification signs only on the site. Signs may not exceed two (2) square feet in size. Sale and rental signs may be located only on the site and do not exceed four (4) square feet in size.

(B) Commercial. Landowners may construct and provide only those new commercial developments deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(2) Improved Property.

(A) Residential.

Landowners may reconstruct and expand residential property as specified in (i) or (ii) below, whichever is larger:

(i) Landowners may construct up to two new detached structures in lieu of an attached structural addition as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(ii) Landowners may reconstruct or expand their single family dwellings up to 2000 square feet of floor space (excluding below ground basement); and up to 900 square feet of accessory buildings (total square footage of old and new structures), including a detached garage or a garage attached to the residence.

No new accessory buildings may be used for habitation; only those existing buildings certified as guest housing may be used as such. No more than two new accessory buildings, including a detached garage, may be constructed.

(B) Commercial.

(i) Landowners may reconstruct and expand commercial development by the standards for residential property [Sec. 5(b)(2)(A)].

(ii) Commercial use and development is compatible when the purpose and intent of a commercial business is the same as that existing June 1, 1984 or found not to be detrimental to the integrity of the Scenic Area in the Comprehensive Management Plan.

(c) Relicted Land Use Category. For any private lands within the relicted land use category, the following will apply:

(1) Unimproved Property. Landowners, and/or Federal, State, or local units of government upon receipt of an easement, may construct reasonable roads, utilities, parking or other facilities that are needed for existing uses or developments, or uses and developments identified in the Comprehensive Management Plan.

(2) Improved Property.

(A) Landowners may construct up to two detached structures in lieu of attached structural additions as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(B) Landowners, and/or Federal, State, or local units of government upon receipt of an easement, may construct reasonable roads, utilities, parking or other facilities that are needed for existing uses or developments, or uses and developments identified in the Comprehensive Management Plan.

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Appendix F

Compatibility Determinations for Proposed New Commercial Uses and Developments



Compatibility Determinations
for
Proposed New Commercial Uses and Developments
On Private Property Within the Scenic Area

Section I - Introduction

Sections 5 (a)(1)(2)(A); (b)(1)(B), (2)(B)(ii); and (c)(1), (c)(2)(B) of the Private Property Development Guidelines for the SCENIC AREA provide for new uses and developments if they are found to be compatible with the values and purposes of the Scenic Area. Compatibility determinations will be based on the following guidelines.

Section II General Guidelines

These guidelines apply to all proposals for new commercial uses and developments.

- Any new use or development shall be subject to a compatibility determination as outlined in this appendix unless specifically exempted.
- New uses or developments shall not adversely affect the cultural, ecological, visual, geological, or other natural resources as described in Section VI of this appendix.
- New uses or developments which are found to be compatible remain subject to the provisions of the Private Property Development Guidelines and to all applicable Federal, State, and local laws, regulations, and requirements.
- Determinations of "improved" or "unimproved" parcels shall be based on the original certification records on file at the Mono Lake Ranger District office.
- All new commercial uses and developments shall be certified. Square footage for new, authorized structures shall be within the square footage allotments as shown in the Private Property Development Guidelines and in the original certification records.

Section III

Guidelines for Proposals

Within the "Natural Land Use Category".

This category is described in Section 2(d) of the Private Property Development Guidelines and is shown on the attached map.

Owners of both improved and unimproved land may construct and provide only those new commercial developments which serve recreational, interpretive, or research purposes and which are deemed compatible with the Scenic Area in the Comprehensive Management Plan. The guidelines contained in this appendix will be used to determine compatibility with the Scenic Area.

Objective: To emphasize the protection of the natural character, ecosystem, cultural values and outstanding geologic features while providing recreational, interpretive, and research facilities and opportunities consistent with this protection.

Guidelines:

- If the property is located within the "DEVELOPED RECREATION" or "GENERAL USE" prescription areas as shown in this Comprehensive Management Plan and the proposal is for recreational, interpretive, or research purposes, a determination of compatibility or non-compatibility shall be based on the guidelines found in Section VI of this appendix.
- If the property is located within the "NO DEVELOPMENT" or "LIMITED DEVELOPMENT" prescription areas a finding of non-compatibility shall be made.

Section IV

Guidelines for Proposals

Within the "Developed Land Use Category".

This category is described in Section 2(c) of the Private Property Development Guidelines and is shown on the attached map.

Owners of improved parcels may construct and provide new commercial developments when the purpose and intent of the commercial business is the same as that existing June 1, 1984, or found not to be detrimental to the integrity of the Scenic Area in the Comprehensive Management Plan. New commercial development that is for the same purpose and intent of the existing business, shall be guided by the Private Property Development Guidelines.

Owners of unimproved parcels may construct and provide only those new commercial developments deemed compatible with the Scenic Area in the

Comprehensive Management Plan. The process described in this appendix will be used to determine compatibility with the Scenic Area.

Objective: To maintain the rural and natural appearing landscape while allowing and providing for recreational, interpretive, and research developments which are deemed compatible with the Scenic Area.

Guidelines:

- A determination of compatibility or non-compatibility shall be based on the guidelines found in Section VI of this appendix.

Section V

Guidelines for Proposals

Within the "Relicted Land Use Category".

This category is described in Section 2(b) of the Private Property Development Guidelines and is shown on the attached map.

For any private lands within the relicted land use category, landowners, and/or Federal, State, or local units or government upon receipt of an easement, may construct reasonable roads, utilities, parking or other facilities that are needed for existing uses or developments, or uses and developments identified in the Comprehensive Management Plan.

The process described in this appendix will be used to determine compatibility with the Scenic Area.

Objective: To emphasize the protection and interpretation of natural ecosystems, cultural values, and outstanding geologic features while allowing recreational, interpretive, and research facilities and opportunities consistent with this protection.

Guidelines:

- If the property is located within the "DEVELOPED RECREATION", "GENERAL USE", or "LIMITED DEVELOPMENT" prescription areas, and the primary purpose of the proposal is to provide goods or services to serve recreational, interpretive, or research purposes, a determination of compatibility or non-compatibility shall be based on the guidelines found in Section VI of this appendix.
- If the property is located within the "NO DEVELOPMENT" prescription area and includes construction or placement of facilities or structures, a finding of non-compatibility shall be made. If the proposal does not include the construction or placement of facilities or structures but the primary purpose of the proposal is to serve

recreational, interpretive, or research purposes, a determination of compatibility or non-compatibility shall be based on the guidelines found in Section VI of this appendix.

Section VI

Specific Guidelines for the Protection of Cultural, Ecological, Visual, Geologic, or other Natural Resources

Any private property owner who proposes new commercial uses or developments shall submit to the District Ranger a Use and Development Plan setting forth the manner in which the property is to be developed and the proposed use of the property. The District Ranger will analyze the proposal utilizing the guidelines contained in this section, and will make a determination of the compatibility or non-compatibility with the Scenic Area.

Analysis of potential impacts will include consideration of cumulative effects and take into account any mitigation that is a part of the proposal. When a use or development impacts a resource, compatibility may be achieved through mitigation measures or through redesign of the project to eliminate or reduce the adverse impact. A finding of non-compatibility may be appealed as provided for in Section 3 (g) of the Private Property Development Guidelines.

A. Cultural Resources - Objective: To protect and enhance cultural resources.

Guidelines - Proposed new uses or developments...

- ...shall not damage or destroy significant cultural resources existing on the site or in the vicinity.
- ...shall require a cultural resource inventory and evaluation to be conducted by a qualified professional if the affected site contains or is likely to contain cultural resources.
- ...shall include design of adequate mitigation measures on sites where significant cultural resources are found. Mitigation must be designed in consultation with the Inyo National Forest Cultural Resource Officer and the State Historic Preservation Officer. Mitigation can include protecting the resource from damage during development or use, or recovering the resource from the site.
- ...shall be encouraged if they enhance the cultural resource and will help protect the other resources within the Scenic Area.
- ...shall be subject to review and comment by affected parties including Native Americans.

- ...shall be found to be non-compatible with the Scenic Area when mitigation will not result in adequate protection for cultural resources.

B. Ecological Resource - Objective: To protect and enhance ecological resources.

Ecological resources are any naturally occurring values including land, water, air, plants, animals including fish, and plant and animal habitats that exist within the Scenic Area.

Guidelines - Proposed new uses or developments ...

- ...shall not destroy or significantly degrade the ecological resources existing on the site, or cause off-site impacts that could result in degradation of the ecological resource.
- ...shall not disturb normal drainage patterns of nearby wetlands or water courses.
- ...shall include mitigation plans to protect threatened, endangered, or sensitive species or species of special interest (plant and animal) on sites where they are found.
- ...shall not alter habitats of threatened, endangered or sensitive species, species of special interest, or riparian areas, without design and implementation of adequate mitigation measures.
- ...shall maintain existing habitat for cavity nesting birds and other dependent animals through retention of snags, and fallen logs whenever practicable.
- ...shall not significantly degrade air quality during development or use.
- ...shall be encouraged if they enhance ecological resources and will help to protect the other resources within the Scenic Area.
- ...shall be determined to be non-compatible if mitigation measures do not provide adequate protection to the ecological resources.

C. Visual Resources - Objective: To protect and enhance the scenic resources of the Scenic Area.

Guidelines - Proposed new uses or developments...

- ...shall protect or enhance the visual resources by avoiding significant changes in the particular landscape setting of the property.
- ...shall be of a size and shall provide a service or activity in keeping with the ROS class (as identified in this Comprehensive Management Plan) where the site is located.

- ...shall not detract from or impair views from key observer points. Sensitivity 1 observer points include U.S.395, Highways 120 (E&W), 167, Lundy Canyon Road, Cemetery Road to County Park, and Test Station Road from Old Marina to South Tufa. Level 1 observer points include the visitor center site, South Tufa, Panum Crater, Navy Beach, County Park, Black Point, and the 4WD trail around the east end of the lake from Navy Beach to Highway 167. Screening using topographic, other natural features, or native vegetation may be necessary.
- ...shall not appear to modify surrounding vegetation types as seen from key observer points except as necessary for preparation of the actual building site.
- ...shall be aligned, designed and sited to fit the natural topography to minimize visible grading and other modifications of land forms, vegetation, and other natural characteristics.
- ...shall meet or exceed the prescribed visual quality objective for the site as identified in the prescription for the property .
- ...shall be encouraged if they enhance the visual resource and help to protect the other resources within the Scenic Area.
- ...shall be determined to be non-compatible if mitigation measures do not provide adequate protection to the visual resources.

D. Geological Resources - Objective: To protect and enhance geological resources.

Guidelines - Proposed new uses or developments...

- ...shall not damage or destroy significant geological resources such as volcanic features, springs, steam vents, or tufa existing on the site or nearby.
- ...shall include designs of adequate mitigation measures on sites where geological resources are found. Mitigation can include avoiding the site, or protecting the resource from damage during development and use.
- ...shall be encouraged if they and help to protect the other resources within the Scenic Area.
- ...shall be determined to be non-compatible if mitigation measures do not provide adequate protection to the geological resources.