

# Agenda

## County of Inyo Planning Commission

Board of Supervisors Room  
Inyo County Administrative Center  
Independence, California

### INYO COUNTY PLANNING COMMISSION

**Howard Lehwald**  
**Caitlin (Kate) J. Morley**  
**Todd Vogel**  
**Callie Peek**  
**Aaron Cassell**

**First District**  
**Second District**  
**Third District (Chair)**  
**Fourth District (Vice Chair)**  
**Fifth District**

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#### STAFF

Cathreen Richards  
Danielle Visuaño  
Ryan Standridge  
Cynthia Draper  
Sally Faircloth  
Michael Errante  
Nate Greenberg  
Christian Milovich

Planning Director  
Senior Planner  
Associate Planner  
Associate Planner  
Project Coordinator  
Public Works Director  
County Administrator  
Assistant County Counsel

**This meeting will be held in the Board of Supervisors Room located at 224 N. Edwards Street, in Independence California, beginning at 10:00 a.m.**

- Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order, or the items are continued. Estimated start times are indicated for each item. The times are approximate, and no item will be discussed before its listed time.
- Lunch Break will be given at the Planning Commission's convenience.
- The Planning Commission Chairperson will announce when public testimony can be given for items on the agenda. The Commission will consider testimony on both the project and related environmental documents.
- The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

**Public Notice:** In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

**February 26, 2025**

**10:00 A.M.**

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the January 22, 2025, Planning Commission Meeting.

**Action  
Item /  
Public  
Hearing**

5. **TENTATIVE PARCEL MAP No. 429/McIntyre** – The applicant is seeking approval to subdivide a 32,007-square-foot parcel into two separate lots: Parcel 1, measuring 15,045 square feet, and Parcel 2, measuring 16,962 square feet. Each parcel currently contains an existing single-family home. The subdivision will not create any set-back issues for the homes or accessory structures on the property. The property is located at 3071 W. Line Street in Bishop, California, and both proposed parcels are zoned Residential – Single Residence (R-1 10,000), which requires a minimum lot size of 10,000 square feet. The parcels are also designated for Residential Low Density (RL) use in the General Plan. This project is exempt from CEQA under General Rule 15061(b)(3).

**Action  
Item /  
Public  
Hearing**

6. **CUP 2024-10/Elks Park** - The applicant, Bishop Elks, has applied for a CUP to continue to operate a currently non-conforming lodge that includes recreational activities, RV camping, and event rentals that involve large assemblages of people. The Bishop Elks Lodge has been operating at 3301 West Line Street, Bishop, since 1979. The applicant is asking for the CUP to continue these already established uses on the property without any expansion, building or additional uses. This project is Exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines 15301 Existing Facilities.

**Action  
Item /  
Public  
Hearing**

7. **CONDITIONAL USE PERMIT 2024-06; Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine.** The applicant, Verizon Wireless – c/o Armando Montes with Sequoia Deployment Services, has submitted an application to update Verizon’s existing Telecommunications Plan and request a Conditional Use Permit to construct a 105-foot monopole tower. The tower will house six 6-foot panel antennas, three 3-foot panel antennas, along with six remote radio units, two surge suppressors and two 4-foot microwave dishes. The property is located at 1203 Lubken Canyon Road, Lone Pine, California and has a Zoning Designation of Open Space with a 40-acre minimum (OS-40) and is owned by Scott and Mary Kemp, with Tax Assessor Parcel Number (APN) 026-150-30. The project is a Mitigated Negative Declaration of Environmental Impact under the California Environmental Quality Act (CEQA).

8. **RESIDENTIAL INFILL PROJECT WORKSHOP #1. (INFORMATIONAL)** Planning staff along with the consultant, Precision Civil Engineering, Inc., will conduct a workshop to discuss issues related to identifying updates and modifications to the Zoning and General Plan requirements that could help infill housing in the communities of Big Pine, Independence, and Lone Pine. This workshop will focus on exiting residential design standards and their relationship with the California Building Code, review of ADU requirements and vacant and underutilized zoned parcels.
9. **GENERAL PLAN ANNUAL PROGRESS REPORT (GPAPR) - (INFORMATIONAL)** Staff will present the 2024 GPAPR to the Commission and take comments. This document is a reporting document and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306 Information Collection.
10. **COMMISSIONERS' REPORTS/COMMENTS**
11. **PLANNING DIRECTOR'S REPORT**
12. **ADJORN**

# COUNTY OF INYO PLANNING COMMISSION

## MINUTES OF JANUARY 22, 2025 MEETING

### COMMISSIONERS:

HOWARD LEHWALD  
CAITLIN (KATE) J. MORLEY  
TODD VOGEL  
CALLIE PEEK  
AARON CASSELL

FIRST DISTRICT  
SECOND DISTRICT  
THIRD DISTRICT (CHAIR)  
FOURTH DISTRICT (VICE)  
FIFTH DISTRICT

Inyo County Planning Commission  
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### STAFF:

CATHREEN RICHARDS  
CHRISTIAN MILOVICH  
RYAN STANDRIDGE  
DANIELLE VISUANO  
CYNTHIA DRAPER  
SALLY FAIRCLOTH  
NATE GREENBERG  
MIKE ERRANTE

PLANNING DIRECTOR  
ASSISTANT COUNTY COUNSEL  
ASSOCIATE PLANNER  
SENIOR PLANNER  
ASSISTANT PLANNER  
PROJECT COORDINATOR  
COUNTY ADMINISTRATOR  
PUBLIC WORKS DIRECTOR

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The Inyo County Planning Commission met in regular session on Wednesday, January 22, 2025. Commissioner Vogel opened the meeting at 10:00 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

**ITEM 1:**      **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:00 a.m.

**ITEM 2:**      **ROLL CALL** - Commissioners, Todd Vogel, Callie Peek, Kate Morley, Howard Lehwald, and Aaron Cassell were present.

Staff present: Cathreen Richards, Planning Director, Danielle Visuaño, Senior Planner, Cynthia Draper, Associate Planner, Sally Faircloth, Project Coordinator and Christian Milovich, Assistant County Counsel.

Staff absent: Nate Greenberg, County Administrator; Michael Errante, Public Works Director.

**ITEM 3:**      **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the agenda.

Chair Vogel opened Public Comment Period at 10:01 a.m.

Commissioner Lehwald took a moment to introduce his wife, Cindy, who was sitting in the audience.

Chair Vogel asked if there was anyone else in the audience wishing to make a public comment.

No comments were made.

Chair Vogel closed Public Comment Period at 10:02 a.m.

**ITEM 4:      **NOMINATION & ELECTION OF CHAIRPERSON**** – The Commission will accept nominations for Chairperson for 2025 and hold an election.

Commissioner Kate Morley nominated Todd Vogel.

Commissioner Callie Peek made a second to Commissioner Vogel’s nomination.

Commissioner Todd Vogel asked the commissioners if all were in acceptance of himself, Todd Vogel being nominated for Chair. All commissioners approved.

Commissioner Vogel accepted the Chair nomination.

**ITEM 5:      **NOMINATION & ELECTION OF VICE CHAIRPERSON**** – The Commission will accept nominations for Vice-Chairperson for 2025 and hold an election.

Commissioner Howard Lehwald nominated Callie Peek for Vice-Chairperson.

Commissioner Kate Morley made a second to Commissioner Peek’s nomination.

Chair Vogel asked the commissioners if all were in acceptance of Callie Peek for Vice-Chair nomination. All commissioners approved.

Commissioner Callie Peek accepted the vice-chair nomination.

**ITEM 6:      **APPROVAL OF MINUTES**** – Approval of minutes from the December 11, 2024, Planning Commission Meeting.

**MOTION:** Chair Vogel made the motion to approve the minutes. The motion was seconded by Vice-Chair Peek.

Minutes were approved unanimously by general consent.

**ITEM 7:      **AMENDMENT TO CONDITIONAL USE PERMIT (CUP) 2014-02/BRANSON OLANCHA-**** Stimulus Technologies of CA, operating as Lone Pine Communications, has submitted a request for an Amendment to CUP 2014-02/Branson to introduce modifications to its originally designated design. Located at 689 Shop Street in Olancha (Olancha Fire Dept), the proposed amendment entails replacing the existing 60ft tower with an 80ft tower and repositioning it 8.9 feet in front of the current structure, utilizing the existing meter and electrical box. Once the new tower is erected, the current structure will be dismantled. This project is an Addendum to a Negative Declaration of Environmental Impact under CEQA.

Cynthia Draper, Associate Planner, presented the staff report as well as a slide show for this project.

Ms. Draper also provided additional printed pictures to the Commissioners for a clearer point of view.

Upon completion of Ms. Draper's presentation, she introduced Mr. Terry Randolph, the General Manager of Lone Pine Communications, as being present in the audience for any questions.

Chair Vogel asked Ms. Draper a question regarding the addendum and its findings.

Ms. Draper answered the question to Chair Vogel's satisfaction.

Vice Chair Peek inquired if this tower would help all communities south of Lone Pine.

Ms. Draper stated it would cover Olancho, Keeler and south to the Haiwee Reservoir and the updated tower is needed.

Commissioner Morley asked what type of tower would be put in place of the existing tower.

Ms. Draper and Mr. Randolph were able to answer Commissioner Morley's question to her satisfaction.

Commissioner Lehwald stated he looked at the building requirements on towers in reference to tie downs and base sizes.

Mr. Randolph stated this tower does not require tie downs and it also has a smaller base. Ms. Draper also added that part of the conditions of approval states the building requirements must be met by the Inyo County Building and Safety Department.

Chair Vogel opened and closed the Public Comment Period at 10:18 a.m.

No comments were made.

Chair Vogel opened discussion with the Commissioners at 10:18 a.m.

**MOTION:** Vice Chair Peek made a motion to approve the Amendment to Conditional Use Permit 2014-02/Branson Olancho and certify that it is an addendum to the negative declaration as outlined in the staff report with the findings 1-7 in conditions of approval 1-3.

Commissioner Morley seconded the motion.

The Motion passed unanimously at 10:20 a.m.

**ITEM 8: ZONE TEXT AMENDMENT 2025-01/DENSITY BONUS OVERLAY AMENDMENT-** Staff are proposing to amend Chapter 18.65 DB District - Density Bonus Overlay (DB Zone) of the County Code to update the ordinance to reflect the State's Density Bonus Law as set forth in Government Code Sections 695915 et seq. Since the last update to the County's DB Zone in 2007 the State of California has enacted significant changes to the State Density Bonus Law. The State's Density Bonus Law allows developers to build residential projects at greater densities than allowed under the County's General Plan land use designations if the projects include specific types of housing. The Planning Commission will be considering providing a recommendation to the Board of Supervisors to adopt the proposed amendment. The project is exempt from CEQA by the "Common Sense Rule" found in 14 CCR Section 15061(b)(3).

Danielle Visuaño, Senior Planner, presented the staff report.

Chair Vogel commented to Ms. Visuaño that the County should approve this item to be in compliance with the state code.

Vice Chair Peek asked Ms. Visuaño as to what would happen if the county found this item was not beneficial and we were not in compliance with the state.

Christy Milovich, Assistant County Counsel, stated she was not aware of whether there was any provision in the statute that allows the county to deviate from the state law, so if there were to be a conflict between the county and state law; state law would rule.

Cathreen Richards, Planning Director, commented she believed this item would have to be implemented whether or not the county code was updated.

Ms. Milovich stated this statute does allow counties to opt out of certain applications of state law, but this statute does not, and state law would be what we defer to.

Ms. Visuaño stated that as of 2004, the county has not received an application for Density Bonus development.

Commissioner Morley asked a clarifying question that Inyo County code will now be tracking the State Density Bonus Law and if there are changes at the state level, Inyo County will automatically be compliant.

Ms. Richards addressed Commissioner Morley's comments and answered her question.

Commissioner Lehwald asked if there was anything listed regarding senior housing within Density Bonus Overlay.

Ms. Visuaño addressed Commissioner Lehwald's comment and answered his question.

Chair Vogel opened and closed the public hearing and opened discussion with the Commissioners at 10:40 a.m.

**MOTION:** Chair Vogel made a motion to make with findings 1-3 as identified in the staff report to adopt a Resolution recommending that the Board of Supervisors approve Zone Text Amendment 2025-01/Density Bonus Overlay Amendment and certify that it is exempt from CEQA.

The motion was seconded by Commissioner Morley.

Chair Vogel continued an open discussion with the Commissioners at 10:41 a.m.

No additional comments were made by the Commissioners.

The Motion passed unanimously 5-0 at 10:41 a.m.

### **COMMISSIONERS' REPORT/COMMENTS**

Chair Vogel asked if there would be a February meeting and a March meeting. Ms. Richards stated there will be a February meeting, but there will not be a March meeting and if it could be cancelled.

Ms. Richards also stated she was working on a sign ordinance workshop and would place it on the May meeting agenda.

### **DIRECTOR'S REPORT –**

Planning Director, Cathreen Richards, stated Planning Commission will meet on February 26, 2025.

Ms. Richards stated the Planning Department will be starting a residential infill project to look at the design standards and maximize the land on residential properties for residents of Independence, Big Pine, and Lone Pine.

Chair Vogel introduced the new Planning Commissioner Aaron Cassell.

Everyone Welcomed Aaron.

### **ADJOURNMENT**

Chair Vogel adjourned the meeting at 10:49 a.m.

Prepared by:  
Sally Faircloth  
Planning Department





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**AGENDA ITEM NO.: 5**

(Action Item and Public Hearing)

**PLANNING COMMISSION**  
**MEETING DATE:**

February 26, 2025

**SUBJECT:**

Tentative Parcel Map No. 429 (McIntyre)

**EXECUTIVE SUMMARY:**

The applicant is seeking approval to subdivide a 32,007-square-foot parcel into two separate lots: Parcel 1, measuring 15,045 square feet, and Parcel 2, measuring 16,962 square feet. Each parcel currently contains an existing single-family home. The subdivision will not create any setback issues for the homes or accessory structures on the property. The property is located at 3071 W. Line Street in Bishop, California, and both proposed parcels are zoned Residential – Single Residence (R-1 10,000), which requires a minimum lot size of 10,000 square feet. The parcels are also designated for Residential Low Density (RL) use in the General Plan. This project is exempt from CEQA under General Rule 15061(b)(3).

**PROJECT INFORMATION**

<b>Supervisory District:</b>	1
<b>Applicants:</b>	Marilyn McIntyre
<b>Landowners:</b>	The McIntyre Family Trust
<b>Community:</b>	Bishop
<b>A.P.N.:</b>	001-110-08
<b>Existing General Plan:</b>	Residential Low Density (RL)
<b>Existing Zoning:</b>	Residential – Single Family Residence (R1-10,000)
<b>Surrounding Land Use:</b>	Residential, single-family homes

**Recommended Actions:**

- 1.) Find the proposed project Tentative Parcel Map No. 429/McIntyre is exempt from the requirements of the California Environmental Quality.
- 2.) Make certain findings with respect to and approve Tentative Parcel Map No. 429/McIntyre subject to Conditions of Approval.
- 3.) Waive street improvements and utility installations required by Inyo County Code Section 16.40.10, as permitted.

**Alternatives:**

- 1.) Specify modifications to the proposal and/or the Conditions of Approval.
- 2.) Make specific findings and deny the application.
- 3.) Continue the public hearing to a future date and provide specific direction to staff regarding additional information and analysis needed.

**Project Planner:**

Cynthia Draper

**BACKGROUND**

On May 21, 2023, a Tentative Parcel Map application was submitted to planning staff to subdivide a 32,007-square-foot parcel in Bishop into two parcels: one measuring 15,045 square feet and the other 16,962 square feet. The subdivision aims to divide the property into two parcels for inheritance by family members of the McIntyre Trust.

**STAFF ANALYSIS**

The applicant is requesting approval to subdivide the 32,007-square-foot parcel into two separate parcels (see Attachment A). Parcel 1 is developed with a single-family dwelling and is pre-disturbed, while Parcel 2, also pre-disturbed, contains an existing single-family home. Although the existing parcel has access from Line Street, the proposed horizontal split would render Parcel 2 landlocked. To resolve this issue, an access easement is proposed, running vertically along the center of Parcel 1, to provide access to Parcel 2. However, under the Subdivision Map Act, an easement cannot be created over property that remains under the same ownership, as an easement grants a right to use another party's land. Therefore, the applicant cannot legally grant an easement over their own property.

As a condition of approval for the Final Map, the applicant will be required to transfer the title of Parcel 2 to her daughter concurrently with the recording of the Final Map. This transfer will ensure that Parcel 2 is no longer under the same ownership as Parcel 1, thereby allowing the access easement to be established.

The application for TPM 429/McIntyre was routed to the following departments: Treasurer Tax Collector, Assessor, Environmental Health, and Public Works. No issues were raised by any County departments regarding the submitted application. The proposed parcels are located within the Eastern Sierra Community Services District (ESCSD) for sewer services and the Bishop Rural Fire Protection District for fire suppression and prevention. ESCSD provided comments on the project, indicating that it has sufficient capacity to serve both parcels.

**Land Use Analysis:** The proposed parcels are zoned R-1 and are situated within a residential area, with single-family homes on neighboring properties. The subdivision into two parcels will not change the existing land uses or permitted zoning. No new development is planned at this time. The surrounding properties are also zoned R-1 and are fully developed. The proposed subdivision is consistent with the area's residential character and density, as both the zoning and land use designations will remain the same.

**General Plan:** The Land Use Element designates both parcels as Residential Low Density (RL), intended for single-family residential neighborhoods situated near existing communities or rural residential areas. This designation permits public and quasi-public uses, along with other compatible developments. The residential density is set between 2.01 and 4.5 dwelling units per net acre. New development must be connected to a water and sewer system approved by the Inyo County Environmental Health Services Department. Alternatively, an individual well or septic system may be developed, subject to approval by the Environmental Health Services Department.

The proposed subdivision is consistent with the RL designation because it allows single-family residential uses, and the parcels are large enough to accommodate at least one dwelling each. The requirement for water and sewer services is also met through existing infrastructure, such as the private wells and connection to the Eastern Sierra Community Services District (ESCSD) sewer system.

**Zoning:** Both Parcel 1 and Parcel 2 are zoned R-1, with a required minimum lot size of 10,000 square feet. In accordance with Inyo County Code (ICC) Chapter 18.30, the zoning also mandates a minimum average lot width of 50 feet and sets setbacks of 25 feet for the front yard, 20 feet for the rear yard, and 5 feet for the side yards. According to the information provided in the documentation (TPM-429, Attachment A), both parcels comply with these zoning requirements.

**Subdivision:** ICC Title 16 <https://ecode360.com/44464547> and the Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lots meet the applicable lot standards and design requirements specified in ICC Chapter 16.16, and the TPM meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act. Staff recommends waving the street and utility improvements required by ICC Section 16.40.010, as these improvements are not anticipated to be necessary. No new structures are being constructed, and the property split along with the access and utility easement will not impact Line Street or neighboring properties. A condition of approval has been included to ensure that such improvements will be required in the future if deemed necessary.

**Access:** Parcel 1 is accessed via Line Street, while Parcel 2 is accessed through a 20-foot Access and Utility Easement that runs centrally through Parcel 1, also connecting to Line Street. The width of the Access and Utility Easement complies with the minimum requirements for emergency vehicle access.

**Utilities and Public Services:** Both Parcel 1 and Parcel 2 are currently served by existing utilities. Sewer services are provided by the Eastern Sierra Community Services District (ESCSD), and each parcel has its own well. ESCSD, which is temporarily halting new sewer connections, met with applicant Marilyn McIntyre regarding the project. It was discovered that Parcel 1's single-family dwelling is currently connected to the sewer lateral serving Parcel 2. To proceed with the approval of TPM 429, the single-family dwelling on Parcel 1 must be connected to a separate lateral that connects to the District's main sewer line. ESCSD also requested that the lateral serving Parcel 2 be located within the 20-foot Access and Utility Easement for Parcel 2's benefit, as shown in Attachment A. ESCSD provided a comment letter (Attachment B) outlining these conditions of approval, which is included in the Conditions of Approval for the project.

The property is located within the boundaries of the Bishop Fire Protection District. The proposed subdivision is not expected to significantly increase the demand for fire protection services. Additionally, since the property falls within a Local Fire District, no additional fire safety findings are required in accordance with SB-1241.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

## **NOTIFICATIONS**

TPM 429/McIntyre was noticed in the Inyo Register and sent to the property owners of property within 300-feet of the project, ten days prior to the Planning Commission Hearing. No comments have been received to date.

## **RECOMMENDATIONS – TPM 429/McIntyre**

Staff recommends that the Planning Commission find that TPM 429/McIntyre is CEQA exempt under the General Rule 15061(b)(3); make the findings specified below; and approve TPM 429/McIntyre, subject to Conditions of Approval; and waive street improvements and utility installations required by ICC Section 16.40.010

### **Recommended Findings**

1. TPM 429/McIntyre is covered by the General Rule 15061(b)(3)  
*[Evidence: the proposed TPM is covered by the General Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to*

*CEQA. This TPM is being conducted without plans for development, on already disturbed land, and therefore will not have a significant effect on the environment.]*

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 429/McIntyre is in conformance with the Inyo County General Plan, the Inyo County Zoning Ordinance, the Inyo County Subdivision Ordinance, and the State Subdivision Map Act. *[Evidence: The proposed Parcel 1 and Parcel 2 are consistent with the Residential Low Density (RL) General Plan designation, as it provides for single-family residential development at a maximum of 2.01-4.5-dwelling units per acre. Both Parcels also meet the zoning designation of R1-10,000-square-foot minimum parcel size and width requirement of 50-feet. The proposed lots meet the applicable requirements specified in ICC Chapter 16.16 and meet the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. ICC Section 16.40.010 has been met as street and utility improvements required by ICC Section 16.40.010 may be waived, and since no new structures are being constructed, and the property split along with the access and utility easement will not impact Line Street or neighboring properties, waving them is appropriate. A condition of approval is included to require such improvements in the future if they become necessary. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]*
3. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project. *[Evidence: The project aligns with the residential character of the surrounding area, and while no future development is anticipated, potential development will not significantly impact public services or utilities. Parcels 1 and 2 are served by private wells and sewer services from the Eastern Sierra Community Services District. With existing single-family homes on both parcels, no increased demand for fire protection services is expected, as the property lies within the Bishop Fire Protection District. TPM 429/McIntyre has been reviewed by relevant County departments, with no comments that would necessitate changes or additional conditions.]*
4. Based on substantial evidence in the record, the Planning Commission finds that the design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided. *[Evidence: Parcel 1 is provided access by Line Street and access to Parcel 2 is provided by Line Street and the proposed 20-foot easement for a driveway and utilities as depicted on TPM 429/McIntyre is included as a condition of approval for the Final Map. Existing utility (water, electric) easements will not be affected by the subdivision. Additionally, The width of the easement complies with the minimum requirements for emergency vehicle access.]*
5. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

*[Evidence: As indicated by the Exemption the project will not result in substantial impacts to the physical environment or human beings, either individually or cumulatively, or directly or indirectly. The subdivision itself will not result in physical modifications and no changes in permitted uses are proposed.]*

6. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.  
*[Evidence: As indicated in the Exemption, the subdivision will not cause direct impacts. Parcels 1 and 2 are both heavily disturbed, with existing single-family dwellings that have been in place for many years.]*

#### Conditions of Approval

- 1.) A Final Parcel Map, in substantial conformance with the approved Tentative Parcel Map (TPM) and in compliance with the applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act, shall be filed for recordation within two years from the date of approval by the Planning Commission. A request for a time extension, as outlined in ICC Section 16.20.110, must be submitted and approved prior to the expiration of this period.
- 2.) Prior to the recordation of the Final Parcel Map, and concurrent with title transfer to the applicant's daughter, a 20-foot legal on-site access and utility easement, as shown on TPM 429, shall be established from Line Street to Parcel 2.
- 3.) The applicant shall obtain the necessary permits from the Eastern Sierra Community Services District (ESCSA) to connect Parcel 1 to a separate sewer lateral that links to the District's main sewer line. Additionally, the lateral serving Parcel 2 shall be located within the 20-foot Access and Utility Easement for the benefit of Parcel 2.
- 4.) Payment of any outstanding taxes, delinquent fees, or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to the recordation of the Final Parcel Map.
- 5.) The applicant and any successors in interest shall be responsible for the improvement or appropriate contribution toward the construction of all streets and utilities within and serving the subdivision, in accordance with applicable County standards as required in the future.
- 6.) The applicant shall transfer the title of Parcel 2 to her daughter concurrently with the recording of the Final Parcel Map and access easement.
- 7.) The applicant, landowner, and/or operator shall defend, indemnify, and hold harmless Inyo County, its agents, officers, and employees from any claims, actions, or proceedings related to TPM No. 429/McIntyre, including those resulting from the applicant's failure to comply with the conditions of approval.

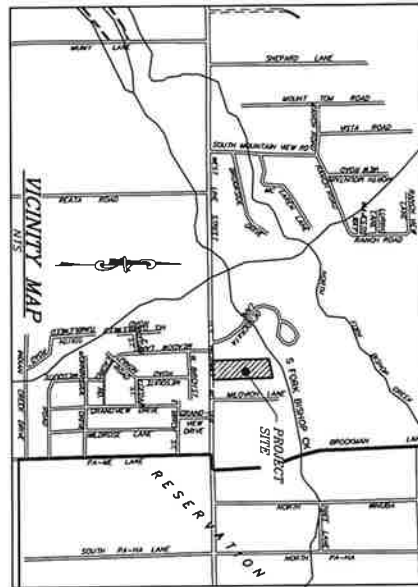
#### ATTACHMENTS:

- A) Tentative Map 429/McIntyre
- B) Vicinity Map
- C) Comments provided by Eastern Sierra Community Service District



3071 W. Line Street, Bishop





LEGEND	
PROPERTY LINE	AS G.M.
ADJACENT PROPERTY	AS G.M.
LINE	AS G.M.
CENTERLINE	AS G.M.
FLOWLINE	AS G.M.
EDGE OF PAVEMENT	AS G.M.
WOOD FENCE	AS G.M.
CHAINLINK FENCE	AS G.M.
OVERHEAD UTILITIES	AS G.M.
DATA	AS G.M.

**TENTATIVE PARCEL MAP NO. 429**  
IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA  
BEING A SUBDIVISION OF THAT CERTAIN REAL PROPERTY  
DESCRIBED IN THE GRANT DEED RECORDED ON NOVEMBER 29,  
2004 AS DOCUMENT NO. 2004-0005332 IN THE OFFICE OF THE  
COUNTY RECORDER

**RECORD OWNER & SUBDIVIDER**  
MARLIN A. MCINTYRE  
1000 WEST BISHOP STREET  
BISHOP, CA 93540  
760 873-7747  
boemintyre@earthlink.net

**ENGINEER/SURVEYOR**  
TRIAD/HOLMES ASSOCIATES INC.  
THOMAS A. PLATZ, P.O. BOX 1570  
MAMMOTH LAKES, CA 93546  
(760) 934-7588

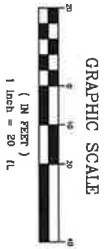
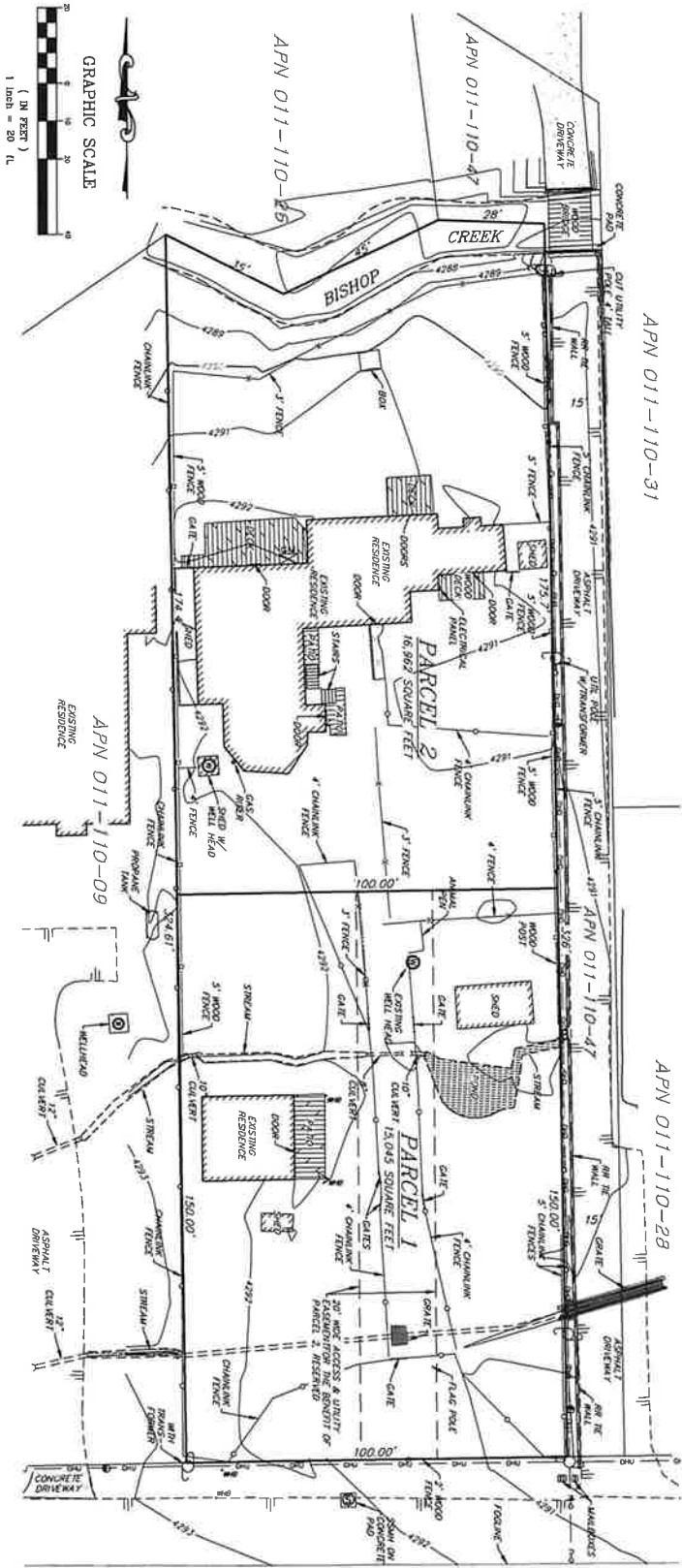
**LEGAL DESCRIPTION**

BEING THAT CERTAIN REAL PROPERTY DESCRIBED IN  
THE GRANT DEED RECORDED ON NOVEMBER 29,  
2004, AS DOCUMENT NO. 2004-0005332 IN THE  
OFFICE OF THE COUNTY RECORDER, INYO COUNTY,  
STATE OF CALIFORNIA.

**DESIGNER NOTES:**

ACCESSOR'S PARCEL NO.: 01-110-08  
ADDRESS: 1000 WEST BISHOP STREET, BISHOP  
GROSS SITE AREA: 0.754 ACRES  
EXISTING ZONING: RESIDENTIAL, R1-10,000  
EXISTING GENERAL, R1-10,000  
WATER SUPPLY: INDIVIDUAL WELLS  
SEWAGE DISPOSAL: EGRESS  
ELECTRICITY: SOUTHERN CALIFORNIA EDISON  
FIRE PROTECTION: BISHOP VOLUNTIER F.D.

**EASEMENTS**  
NO EASEMENTS OF RECORD



WEST LINE STREET

**TENTATIVE PARCEL MAP NO. 429**

SECTION 2, T.2 S., R.32 E. M.D.B. & M.

LOCATED IN WEST BISHOP, UNINCORPORATED  
TERRITORY OF INYO COUNTY, CALIFORNIA



TRIAD/HOLMES  
ASSOC.

2727 HOLMES AVE. 1970  
BISHOP, CA 93540  
PHONE: (760) 934-7588  
FAX: (760) 934-7588  
WWW.TRIADHOLMES.COM

DATE	8-5-2024
SCALE	SHOWN
DRAWN	USP
APP. NO.	04.0789
SHEET	1
SHEETS	2



# EASTERN SIERRA COMMUNITY SERVICE DISTRICT

301 WEST LINE STREET, SUITE D  
BISHOP, CALIFORNIA 93514  
760-872-1415 • fax 760-872-1289

August 12, 2024

Inyo County  
Planning

AUG 19 2024

RECEIVED

Inyo County Planning Department  
Ms. Cynthia Draper, Assistant Planner  
Post Office Drawer L  
Independence, California 93526  
[cdraper@inyocounty.us](mailto:cdraper@inyocounty.us)

Re: Conditions of Approval for Sewer Service  
Tentative Parcel Map 429/McIntyre  
3071 West Line Street, Bishop, California

Dear Ms. Draper:

At the July 10, 2024 Regular Board Meeting the Board of Directors (Board) of the Eastern Sierra Community Service District (District) reviewed Tentative Parcel Map 429/McIntyre (TPM 429/McIntyre). At this time, the District has a Temporary Cessation of New Sewer Connections (Temporary Cessation) in place. After careful consideration and discussion with Mrs. Marilyn McIntyre regarding the fact that both existing structures are already flowing into the system and will not create additional flow, the ESCSD Board approved waiving the Temporary Cessation for TPM 429/McIntyre as long as the following Conditions of Approval are met:

1. A Capacity Fee for Parcel 1 must be paid to the District *prior* to the approval of TPM 429/McIntyre by the Inyo County Planning Department. The current capacity fee is \$3,644.00 for a single-family dwelling. Please note the cost is subject to change.
2. It is our understanding that the Parcel 1 residence is currently connected to the sewer lateral that serves the existing residence of Parcel 2. The existing residence on Parcel 1 of TPM 429/McIntyre must have its own lateral connected to the District's main sewer line *prior* to the approval of TPM 429/McIntyre by the Inyo County Planning Department. The current Sewer Permit Fee is \$150.00 at this time and includes the connection saddle and inspection by our operators. The Capacity Fee for Parcel 1 must be paid before a Sewer Permit may be issued. Please note the cost is subject to change. The connection to the District's main sewer line must be done by a licensed plumber.

Once these Conditions of Approval are met, the District agrees to serve the two properties and a total of two homes created by the TPM 429/McIntyre lot split.

Inyo County Planning Department  
Ms. Cynthia Draper, Assistant Planner  
August 12, 2024  
Page 2

It is our understanding that the lateral serving Parcel 2 of TPM 429/McIntyre will be located within the "20' Access & Utility Easement for Benefit of Parcel 2" as suggested on the attached Tentative Parcel Map No. 429 dated August 5, 2024. This requirement falls under the Inyo County Public Works and/or Planning Department's regulations and approval.

At the District's July 10, 2024 Board Meeting there was mention of a shed that may be connected to the sewer at a later date. The shed was not included in the TPM 429/McIntyre description and would need to be considered at a later date when more information is available regarding the future use of the shed and where it may tie in for sewer service.

Thank you for keeping our district informed during this process.

Please feel free to contact me if you have any questions.

Sincerely,



Jennifer Krafcheck  
Executive Administrative Manager

Encl: August 5, 2024 Tentative Parcel Map 429

C: Mrs. Marilyn McIntyre  
3071 West Line Street  
Bishop, California 93514

Sent via Email and U.S. Postal Service First Class Mail



**Planning Department  
168 North Edwards Street  
Post Office Drawer L  
Independence, California 93526**

**Phone: (760) 878-0263  
FAX: (760) 872-2712  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

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**AGENDA ITEM NO.:** 6 (Action Item – Public Hearing)  
**PLANNING COMMISSION MEETING DATE:** February 26, 2025  
**SUBJECT:** Conditional Use Permit (CUP) 2024-10/Elks Park

#### **EXECUTIVE SUMMARY**

The applicant, Bishop Elks, has applied for a CUP to continue to operate a currently non-conforming lodge that includes recreational activities, RV camping, and event rentals that involve large assemblages of people. The Bishop Elks Lodge has been operating at 3301 West Line Street, Bishop, since 1979. The applicant is asking for the CUP to continue these already established uses on the property without any expansion, building or additional uses. This project is Exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines 15301 Existing Facilities.

#### **PROJECT INFORMATION.**

**Supervisory District:** 1

**Project Applicant:** Bishop Elks Lodge #1603

**Property Owner:** Los Angeles Department of Water and Power

**Site Address/** 3301 West Line Street, Bishop

**Community:** Bishop

**A.P.N.:** 011-400-08

**General Plan:** Agriculture (A)

**Zoning:** Open Space (OS)

**Size of Parcel:** Approximately 11.4 -acres

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Mostly open space with small, developed areas	Agriculture (A)	Open Space - 40 acre minimum (OS-40)
North	Vacant/Open Space	Agriculture (A)	Open Space - 40 acre minimum (OS-40)
East	Residential Development	One Family Residential (R1)	Residential Low Density
South	Line Street/Highway 168	NA	NA
West	Residential Development	One Family Residential (R1)	Residential Low Density

**Staff Recommended Action:**

**1.) Approve the CUP 2024-10/Elks Park and find the project is exempt under CEQA.**

**Alternatives:**

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:**

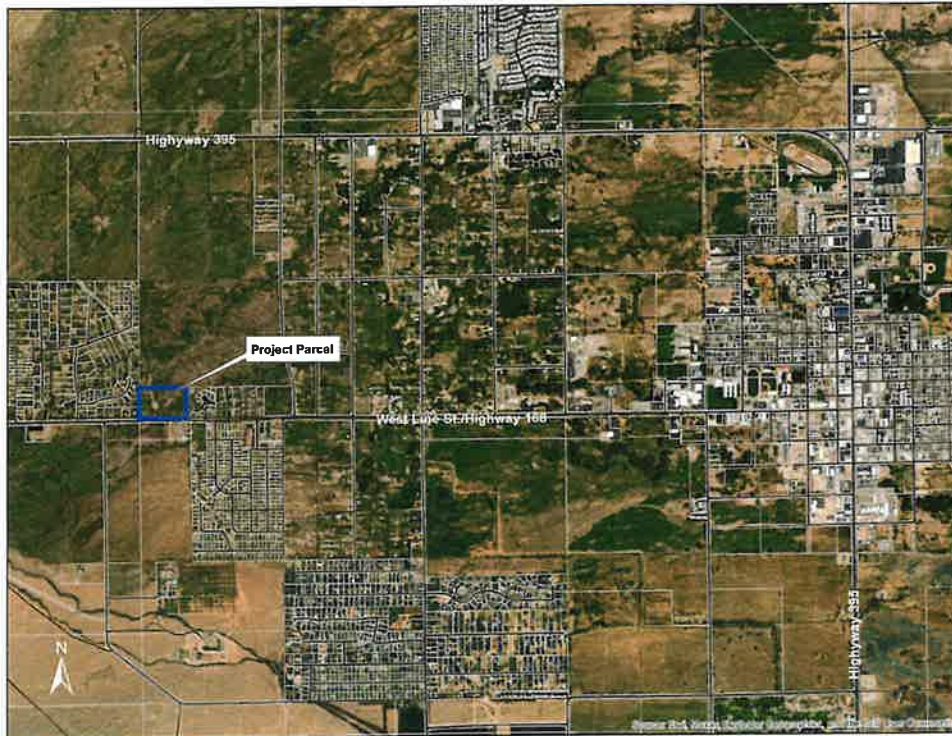
Cathreen Richards

**STAFF ANALYSIS**Background and Overview

The applicant has applied for a CUP to bring the current activities conducted by the Bishop Elks Lodge at 3301 West Line Street, in the Bishop area, into compliance. Currently, the Elks rent the property for weddings and parties, have seven Recreational Vehicle (RV) spaces for “members only” and hold Elks Lodge events at the property. The RV spaces have electrical hookups, but nothing else. The RVs must be self-contained (water and septic systems) and go off site for sewage dumping. The Elks are not proposing any changes or expansion of the current uses and have applied for the CUP to be in compliance with the county code. This was brought about by a code compliance complaint and the Elks Lodge was unaware of the fact they were not supposed to be renting the property for events or allowing for RV camping. The Elks are also operating under a Los Angeles Department of Water and Power (LADWP) lease for the use of the property. The LADWP is the actual property owner, and they have given their permission for the Elks to continue to use the property as they have been through the existing lease.

The general project area is adjacent to West Line Street/Highway 168 and is surrounded by vacant, open space, lands and low-density residential development.

### Vicinity Map



### Project Area





RV Area



Community Building and Event Area



### General Plan Consistency

The goal of this project is to bring established non-conforming uses that have been conducted by the Bishop Elks Lodge since 1979, into compliance. The project is consistent with the General Plan designation of Agriculture (A) on which it is located, as the Agriculture designation allows for some non-agriculture uses. The uses being conducted on the property are being done so by a private club and are of a lower impact than some of the uses allowed for as agriculture uses (e.g. processing facilities). It is also a property owned and leased by the LADWP. There is a grazing lease associated with the parcel, but not in the area that is leased to Elks Park by LADWP (it is a separate lease area), so there is no loss of leased parcel area that can be used for grazing. For these reasons, it meets the spirit of the General Plan designation. It is also compatible with the General Plan's Economic Development Element's Goal ED-1.3: Visitor Usage of LADWP Lands that states: *Encourage the LADWP to continue to allow and expand the recreational uses of their land holdings in the Owens Valley.*

### Zoning Ordinance Consistency

The OS zoning designation allows for lodges, campgrounds and other recreational activities involving large assemblages of people, as a conditional use. This application is for an established non-conforming use at the site and the applicant is seeking the use permit to continue to operate in compliance with County's zoning ordinance. The proposed uses have been conducted on the property for years. The Inyo County Code only allows these uses in the OS zone with a CUP approved by the Planning Commission. By acquiring the CUP the applicant is creating consistency with the code.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by 15301 – Existing Facilities, Class 1. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This application for a CUP is for a property that has been used for the proposed activities since 1979. No changes or expansion to the current use will be made and no additional areas of the property will be built upon or otherwise disturbed.

## **NOTICING & REVIEW**

The application for CUP 2024-10/Elks Park has been reviewed by the appropriate county departments and the Eastern Sierra Community Service District (ESCSA). Environmental Health staff commented on the application stating that the Elks need to address their water system with regard to a notice they received from the State Water Resources Board, Division of Drinking Water (DDW). The DDW indicated that the Elks need to ensure that their water provision is done in a manner that meets the definition of a "state small water system". These water systems are non-public and overseen by the local jurisdiction. In this case, the County Environmental Health Department. The CUP is being conditioned with the Elks meeting all of the requirements of a state small water system and they will not be able to operate until the County Environmental Health Department approves the water

system and notifies the Planning Department. The Elks are also being conditioned with a requirement to meet all County regulations regarding building, water and sanitary services including electrical hook-ups.

Also, based on the fact that no expansion of uses is going to be allowed with this CUP, it is being conditioned with:

- Quiet hours of 10 p.m. to 8 a.m.
- Seven total RV spaces - for members only
- Follows the County's outdoor lighting ordinance.

The hearing for CUP 2024-10/Elks Park was noticed on February 15<sup>th</sup>, 2025 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County and State of California Codes. No comments have been received to date.

### **RECOMMENDATION**

Planning Department staff recommends the approval of CUP No. 2024-10/Elks Park, with the following Findings and Conditions of Approval:

### **FINDINGS**

1. The proposed CUP is exempt by 15301 – Existing Facilities which consists of the operation, repair, maintenance, permitting, leasing, licensing, of existing public and private structures, facilities, or topographical features involving negligible or no expansion of existing or former uses and the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: 15301 states that CEQA does not apply to projects which consist of the operation, repair, maintenance, permitting, leasing, licensing of existing public and private structures, facilities, or topographical features involving negligible or no expansion of existing or former uses. This application for a CUP is for a property that has been used for the proposed activities since 1979. No changes or expansion to the current use will be made and no additional areas of the property will be built upon or otherwise disturbed; therefore, it qualifies under 15301- Existing Facilities as an exemption.]*

2. The proposed CUP is consistent with the Inyo County General Plan Land Use designation of Agriculture.

*[Evidence: The goal of this project is to bring, into compliance, established non-conforming uses that have been conducted by the Bishop Elks Lodge since 1979. The project is consistent with the General Plan designation of Agriculture (A) in which it is located, as the Agriculture designation allows for some non-agriculture uses. The uses on the property are conducted by a private club and are of a lower impact than some of the uses allowed for as agriculture uses (e.g. processing facilities). It is also on a property owned and leased by the LADWP that is not identified for agriculture activity (grazing); therefore, the Elks' activities are not taking away potential range/agriculture land. For these reasons, the project is consistent with the General Plan designation.]*



3. The proposed CUP is consistent with the Inyo County Zoning Ordinance, which permits lodges, campgrounds and event spaces as a conditional use in the OS Zone.  
*[Evidence: The Open Space zone allows for lodges, campgrounds and other recreational activities involving large assemblages of people, as a conditional use. This application is for these uses that are currently established non-conforming uses at the site and the applicant is seeking the use permit to continue to operate in compliance with County's zoning ordinance. The proposed uses have been on the property for many years without issue. The Inyo County Code only allows these uses in the OS zone with a CUP approved by the Planning Commission. By acquiring the CUP the applicant is creating consistency with the county code.]*
4. The proposed CUP is necessary or desirable.  
*[Evidence: The General Plan's Economic Development Element's Goal ED-1.3: Visitor Usage of LADWP Lands, states: Encourage the LADWP to continue to allow and expand the recreational uses of their land holdings in the Owens Valley. The Elks also provide the park for community events, such as an annual eater egg hunt, and donate some of the proceeds from their events to local schools and veterans groups.]*
5. The proposed CUP is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed CUP is to make existing uses compliant with the County's Zoning Code. It will not increase the current level of use on the site or of exiting and entering vehicles from Highway 168 and therefore, will not have an impact on transportation or service facilities in the vicinity.]*
6. The proposed CUP would not, under all the circumstances of this case, affect adversely the health or safety of people living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The CUP is proposed to make existing uses on the property compliant the County's Zoning Code. It will not create impacts on the health or safety of people living or working in the vicinity nor be materially detrimental to the public welfare as no changes to an already established use is being proposed and is being conditioned with ensuring a proper and permitted water system, quiet hours, and meeting county lighting requirements.]*
7. Operating requirements necessitate the CUP for the site.  
*[Evidence: The continuation of existing uses on the property by the Elks requires a CUP pursuant to the Inyo County Code to be compliant. Therefore, the CUP is necessary for the continued operations at the site.]*

#### **CONDITIONS OF APPROVAL**

1. Hold Harmless  
The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an

approval of the county, its advisory agencies, its appeals board, or legislative body concerning CUP No. 2024-10/Elks Park. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code and obtain all required permits and adhere to the requirements to operate as a state small water system. The Elks shall not have event rentals, RV stays or other lodge events until the Environmental Health Department approves the water system and notifies the Planning Department that the water system is properly permitted. Failure to comply may cause the revocation of CUP 2024-10/Elks Park.

3. The applicant shall work with the County Department of Building and Safety to ensure all State and County requirements have been met and all required permits are obtained regarding any buildings and/or electrical hook-ups. The applicant shall also follow the County's Outdoor Lighting Ordinance, 18.74 of the County Code. The applicant's failure to comply may cause the revocation of CUP 2024-10/Elks Park.



**Planning Department  
168 North Edwards Street  
Post Office Drawer L  
Independence, California 93526**

**Phone: (760) 878-0263**

**FAX: (760) 872-2712**

**E-Mail: [invoplaning@inyocounty.us](mailto:invoplaning@inyocounty.us)**

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**AGENDA ITEM NO.:** 7 (Action Item – Public Hearing)

**PLANNING COMMISSION  
MEETING DATE:** February 26, 2025

**SUBJECT:** Conditional Use Permit 2024-06;  
Telecommunications Plan Update 2024-  
02/Verizon-Sequoia-Lone Pine

#### **EXECUTIVE SUMMARY**

Verizon Wireless has submitted an application to update Verizon's existing Telecommunications Plan and request a Conditional Use Permit (CUP) to add a 105-foot monopole tower. The tower will house six 6-foot panel antennas, three 3-foot panel antennas, along with six remote radio units, two surge suppressors and two 4-foot microwave dishes. The Project also includes three cabinets, one GPS antenna, five service lights, a fiber telecom box, two surge suppressors and a 30KW backup generator on concrete pads within a 900 square feet lease area contained within an eight-foot chain link fence. The purpose of the Project is to increase the capacity of the existing Verizon Wireless network in the area and is to be located at 1203 Lubken Canyon Rd., in Lone Pine, California, on property owned by Scott and Mary Kemp, with Tax Assessor Parcel Number (APN) 026-150-30.

A Telecommunications Plan was approved for Verizon Wireless in 2003. This original plan identified six (6) tower locations. It was subsequently updated in 2016 and 2019 to include two (2) additional locations, and currently has eight (8) sites. As a note, there is one (1) site that is located inside the City of Bishop limits and not under the County's Jurisdiction, but is included in the Telecommunications Plan. This current proposal for the Verizon Wireless Telecommunications Plan Update, 2024-02/Verizon-Sequoia- Lone Pine, is to update the 2019 plan to include the proposed site at 1203 Lubken Canyon Road, Lone Pine, California to make a total of nine (9) sites upon the approval of the requested CUP.

## PROJECT INFORMATION

**Supervisory District:** 5

**Applicant:** Verizon Wireless – c/o Armando Montes with Sequoia Deployment Services.

**Property Owner:** The Tower is owned by Verizon Wireless who leases the Site from the Scott and Mary Kemp.

**Address/Community:** 1203 Lubken Canyon, Rd., CA

**A.P.N.:** 026-150-30

**General Plan:** Agriculture (A)

**Zoning:** Open Space-40 (OS)

### Surrounding Land Use:

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Vacant	Agriculture (A)	Open Space-40 (OS)
North	Residential, Vacant	(RRM) Rural Residential Medium, (NR) Natural Resources, (PF) Public Service Facilities	(P) Public District, (RR) Rural Residential – 2.5, (OS) Open Space - 40
East	Residential, Vacant	(RRM) Rural Residential Medium, (OSR) Open Space and Recreation, (NR) Natural Resources	(RR) Rural Residential – 2.5, (OS) Open Space - 40
South	Vacant	(SFL) State and Federal Lands, (RP) Rural Protection Designation	(OS) Open Space -40
West	Tuttle Creek Rd.	NA	NA

**Recommended Action:**

- 1.) Adopt the Mitigated Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act, prepared for CUP 2024-06; Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine.
- 2.) Make certain Findings with respect to, and approve, CUP 2024-06/Verizon-Sequoia-Lone Pine.
- 3.) Make certain Findings with respect to, and approve, Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine.

**Alternatives:**

- 1.) Deny CUP 2024-06/Verizon-Sequoia-Lone Pine thereby not allowing the applicant to build the tower.
- 2.) Deny Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine, thereby not allowing the applicant to update its Telecommunications Plan, or move forward with the proposed tower.
- 3.) Continue the public hearing to a future date, providing specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:**

Danielle Visuaño, Senior Planner

**STAFF ANALYSIS****Background and Overview*****Project Description***

This is a request for the approval of a CUP to add a telecommunications tower in Lone Pine, California and for the approval of an update to Verizon Wireless' existing Telecommunications Plan on file with the County. Verizon Wireless submitted an application to the County for a 105-foot monopole tower. The tower will house six 6-foot panel antennas, three 3-foot panel antennas, along with six remote radio units, two surge suppressors and two 4-foot microwave dishes. The Project will also include three cabinets, one GPS antenna, five service lights, a fiber telecom box, two surge suppressors and a 30KW backup generator on concrete pads within a 900 square feet lease area contained within an eight-foot chain link fence. The Project objective is to increase the

capacity of the existing Verizon Wireless network in the area and is to be located at 1203 Lubken Canyon Rd., in Lone Pine, California (Attachment 1 – Vicinity Map).

The proposed location is not included in the approved Verizon Wireless Telecommunications Plan on file with the County, which makes this telecommunications plan update necessary per the County's Telecommunications Ordinance and requires approval by the Planning Commission. Also, Inyo County Code 18.76.060 requires all proposals for telecommunications towers to first obtain a CUP before they may be built.

#### Inyo County Code

Wireless Communication in Inyo County is governed by Chapter 18.76 of the Inyo County Code – Regulation of Wireless Communication Facilities. Section 18.76.050(A) requires all Telecommunications Plans in the County be approved by the Planning Commission, and under 18.76.050(K) it requires that once they are approved, any amendments to Telecommunications Plans must also be approved by the Planning Commission. It also establishes that in considering an amendment, the Planning Commission shall be guided by the relevant portions of Chapter 18.76. In this case, the applicant has provided the materials needed to address the relevant portions with regard to the plan update. This includes Verizon's proposed Telecommunications Plan update containing a list and a map showing Verizon's existing and future planned sites (Attachment 2), and Justification and Coverage Maps with a description of how this new site relates to the other sites in Verizon's network (Attachment 3). This Project is designed to optimize cell service in the Lone Pine and Whitney Portal areas. The Project would provide increased public safety and bring wireless service to areas of the County where it currently does not exist.

#### General Plan Consistency

The Inyo County General Plan designates this site as Agricultural (A). The A designation provides for public and quasi-public uses, and similar and compatible nonagricultural activities. The communications facility is consistent with the use as a public and quasi-public use for utility provision.

In addition to the General Plan land use designation, the proposed Project is consistent with the following two General Plan Policies, which are located within the Public Services & Utilities Element:

1. Policy PSU 7.1: Provision of Services: The County shall encourage the provision of communications and telecommunications service and facilities to serve existing and future needs.
2. Policy PSU 7.5: Communication Towers: The County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.

#### Zoning Ordinance Consistency

The proposed site that Verizon Wireless identified to be added to their Telecommunications Plan is zoned Open Space (OS). The OS zone allows for public and quasi-public buildings and uses recreational, religious, cultural, or public service nature. The monopole tower and telecommunications antennae are considered a public and quasi-public utility use. Chapter 18.76 "Regulation of Wireless Communications Facilities," allows for wireless communication facilities within the OS zone, but requires a CUP if such a facility exceeds the maximum height allowed in that district for principal permitted uses, which is 30-feet in the OS Zone. This is a public and

quasi-public utility and use and is permitted in the OS zone with a CUP.

Review of Wireless Plan (ICC §18.76.050)

Section 18.76.050(K) of the Inyo County Code (ICC) states that once Telecommunications Plans are approved, any amendments to those plans must also be approved by the Planning Commission as well. It also establishes that in considering an amendment, the Planning Commission shall be guided by the relevant portions of Chapter 18.76. Section 18.76.050(E) of the ICC outlining the requirements for approval of Telecommunications Plans and specifies that "after discharging its duties as the environmental review board in accordance with ICC §15.12.040, the Planning Commission shall approve the wireless communications plan if it finds:

- That the Plan is in substantial compliance with the requirements of this chapter (i.e., Chapter 18.76).

*This is an update to the existing Verizon Wireless Telecommunications Plan that was updated and approved by the Planning Commission in May 2019. The 2019 plan met all of the requirements outlined in Chapter 18.76 at the time of approval. This update is to add a location site to the Verizon Wireless Telecommunications Plan and this request for approval is ensuring that the Plan is compliant with the requirements of Chapter 18.76.050(K).*

- That the applicant has made a good faith effort and commitment to meeting the standards and goals of this chapter.

*Verizon Wireless has an adopted Telecommunications Plan that is on file with the County and is updating that Plan with the proposed site located 1203 Lubken Canyon Rd., Lone Pine, California. These actions show a good faith effort by the applicant to meet the standards as outlined in Chapter 18.76.050(E) and (K) and will result in a Plan that is compliant with County Code.*

- That none of the entities listed in 18.76.050(B)(4) have interposed an objection to the plan (i.e., Edwards, China Lake or Ft. Irwin).

*This is an update to the existing Verizon Wireless Telecommunications Plan. The entities listed under B(4) did not provide any objections to this proposed plan during the process.*

- That execution of the plan will not pose or create a threat to the health, safety, or welfare of the public."

*This application submittal is an update to a previously adopted Telecommunications Plan. The Project proposes adding a 105-foot monopole tower. The tower will house six 6-foot panel antennas, three 3-foot panel antennas, along with six remote radio units, two surge suppressors and two 4-foot microwave dishes to increase the capacity of the existing Verizon Wireless network in the area, located at 1203 Lubken Canyon Rd., in Lone Pine, California. The proposed tower location requires a distance of at least 111 feet from the nearest residence. The monopole's location is approximately 1,500 feet from the nearest residence to the north, 1,700 feet from the nearest residence to the northeast, and 2,500 feet from the nearest residence to the west. This proposal shall require all pertinent building and electrical permits to be obtained. This process ensures all State and local building and safety standards are followed; therefore, the execution of the Plan does not pose threats to the health, safety or welfare of the public.*

## **ENVIRONMENTAL REVIEW**

In December 2024, an Initial Study and Mitigated Negative Declaration (ISMND) was performed by staff to consider possible significant impacts to environmental resources for this Project. The applicant provided a biological report and cultural report for the Project. The biological report identified three potential biological impacts that can be mitigated (Owens Valley Checkerbloom, wetlands and nesting birds) but no archeological cultural resource impacts. Biological mitigations were added to the draft ISMND prior to public review. The State review period ended on January 13, 2025.

The California Department of Fish and Wildlife (CDFW) commented on the ISMND requesting mitigation measures for the avoidance of sensitive plants, burrowing owl and nesting birds. (Attachment 4). These measures have been added to the Mitigation Monitoring and Reporting Program (Attachment 5) and listed in the Conditions of Approval.

For any potential wetland impacts, prior to construction a wetlands area survey and a wetlands delineation shall be conducted to mitigate any potential wetland impacts and is listed in the Conditions of Approval.

A copy of the ISMND as well as the biological survey and cultural report can be found at: <https://www.inyocounty.us/services/planning-department/current-projects>.

## **TRIBAL CONSULTATION**

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter about the Project and the opportunity for consultation on this Project. Tribal consultation invitations were sent to the: Big Pine Tribe of Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians and the Torrez Martinez/Desert Cahuilla Indians and the Kern Valley Indian Community per Tribal requests.

Inyo County did not receive any requests for consultation.

## **NOTICING & REVIEW**

Residents within 300 feet of the proposed Project were notified of the submission and review of CUP 2024-06 and Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine along with the date of the public hearing for these applications.

The Notice of Availability of the Initial Study was published in the *Inyo Register* on December 14, 2024. Notification of the public hearing date for the CUP and Telecommunications Plan Update was published in the *Inyo Register* on February 15, 2025.



The CUP 2024-06 and Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine applications have been reviewed by the following County Departments: Environmental Health, Public Works, Building & Safety, and the Inyo County Tax Collector. Information regarding the Project was also sent to the Great Basin Unified Air Pollution District, Owens Valley Radio Observatory, Lone Pine Fire Department, Edwards Air Force Base, Air Flight Test Center, China Lake Naval Air Weapons Station, Bicycle Lake Army Airfield at Fort Irwin and the Federal Aviation Administration.

The Federal Aviation Administration commented by providing a Determination of No Hazard to Air Navigation (Attachment 6) providing a Condition of Approval for this project addressing compatibility with FAA 5G C band and the e-filing of the required FAA Form 7460-2 Notice of Actual Construction or Alternation. These matters are detailed in the Conditions of Approval of this staff report.

No other comments have been received to date.

### **RECOMMENDATIONS**

Planning Department staff recommends the approval of CUP 2024-06 and Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine, with the following Findings and Conditions of Approval:

#### **Findings:**

##### **Conditional Use Permit 2024-06/Verizon-Sequoia-Lone Pine**

1. Based upon the Initial Study and all oral and written comments received, adopt the Negative Declaration of Environmental Impact and certify that the provisions of the California Environmental Quality Act have been satisfied.  
*[Evidence: An Initial Study and Draft Negative Declaration of Environmental Impact (ISMND) was prepared and circulated for public review and comment pursuant to the provisions of the California Environmental Quality Act. The 30-day public comment period ended on January 13, 2025. The ISMND identified three potential biological impacts (Owens Valley Checkerbloom, wetlands and nesting birds) but no archeological cultural resource impacts and mitigation was added to the ISMND accordingly. Staff received one comment letter from the California Department of Fish and Wildlife during circulation. The issues raised within this letter are sensitive plant surveys, focused and pre-construction surveys for Burrowing Owls and nesting bird surveys which are addressed in the attached Mitigation Monitoring and Reporting Program. For potential wetland impacts, preconstruction surveys and delineation have been added to the Conditions of Approval. No additional potentially significant environmental impacts were identified from the construction and operation of the telecommunications tower in the course of the ISMND circulation. Based upon the environmental evaluation of the proposed Project, the Planning Department finds that the Project has less than significant impacts on the environment with mitigation.]*
2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Agriculture (A).  
*[Evidence: The proposed Conditional Use Permit is consistent with the goals and policies of the Agriculture LU 5.3 designation and Policy PSU 7.1 Provision of Services of the General Plan, as the Project offers an essential public service by*

*providing the residents of Lone Pine with improved cellphone and wireless internet service. Wireless phone services are considered a “public and quasi-public facility.” No conflicts exist with policies and objectives in the other adopted elements of the General Plan.]*

3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits “Public and quasi-public buildings and uses” as a Conditional Use in the Open Space (OS) Zone.  
*[Evidence: Section 18.12 – OS (Open Space) Zone (referenced as OS) allows, under 18.12.040 Conditional uses, public and quasi-public buildings and uses of a public service nature when operating requirements necessitate its location within the district to extend capacity to existing Verizon wireless network. Telecommunications are considered a use of a public service nature, and the operating requirements necessitate the proposed location in the OS zone and the applicant has applied for the required Conditional Use Permit for the proposed monopole tower.]*
4. The proposed Conditional Use Permit is necessary or desirable.  
*[Evidence: General Plan Policy PSU-7.1 encourages the provision of new communications services to the residents of Inyo County. This Project serves the purpose of providing improved cellphone and wireless internet service to the people who live in the Lone Pine area; therefore, this is a desirable use.]*
5. The proposed Conditional Use Permit is appropriately related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed tower will be sited on the property which is currently undeveloped land and mostly flat desert terrain but is lightly disturbed with roads and paths. The Project is a monopole tower that will hold cellular service antennas. The 105-foot monopole tower will have no impact on transportation or service facilities.]*
6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The placement of the 105-foot monopole tower will not have an impact on surrounding properties or persons standing in accessible areas on the ground as the exposure levels are below the Federal Communications Commission’s (FCC) most stringent General Population Maximum Permissible Exposure Limits of equal to or less than 5%. At the 97-foot elevation/height levels of the antennas on the tower the exposure level extends out 98-feet from the front face of the antennas, however, there are no buildings or structures in this area at this antenna elevation/height. Beyond these extended areas, the exposure levels are predicted to be below the FCC’s most stringent General Population Maximum Permissible Exposure Limits. (See Attachment 7). The applicant shall be subject to the requirements set by the building requirements specified in the California Building Code by the Inyo County Building and Safety Department and the requirements of the Environmental Health Department’s Certified Unified Program Agency (CUPA).]*
7. Periodic review of the Conditional Use Permit and deviation for the Surface Mining and Reclamation Act of 1975 (SMARA) and the Inyo County Code (ICC) section 18.76.090.  
*[Evidence: Pursuant to ICC Section 18.76110(C), the applicant is required to provide a*

*financial mechanism that meets the requirements of the Surface Mining and Reclamation Act (SMARA), as set forth in Public Resources Code Section 2710 et seq. SMARA mandates that an applicant submit a renewed financial assurance mechanism annually, which is accompanied by a yearly inspection. However, staff has reviewed the requirements and determined that annual renewals and inspections are unnecessary for telecommunications facilities. These facilities are typically static and unchanging throughout their operational lifespan, resulting in minimal alteration to the project site.*

*Staff recommends that the applicant be required to renew the financial assurance mechanism every five years, with an associated inspection at the time of renewal. This inspection will enable planning staff to assess the status of the facility and ensure its continued operation. Should the facility become inoperable or abandoned, the conditional use permit will be revoked as necessary. The five-year renewal and inspection cycle is deemed sufficient by staff to manage the oversight of the conditional use permit.*

*Furthermore, the provisions of ICC Section 18.76.090, which addresses the term, expiration, and renewal of a communications facility's conditional use permit, includes a requirement that a communications facility's conditional use permit terminates after ten years unless the applicant applies to renew the permit. Staff considers this process redundant in light of the proposed five-year renewal and inspection process for the financial assurance mechanism. As such, staff recommends deviating from the requirements of Section 18.76.090 and instead relying on the five-year renewal and inspection process. Staff further recommends that the applicant be subject to the five-year renewal and inspection process as outlined in Condition of Approval #4.*

8. Operating requirements necessitate the 105-foot monopole tower's location within the Open Space (OS) zone.

*[Evidence: Several site locations were considered in preparation for the Telecommunications Plan Update. This took into consideration the topography and challenging terrain, radio frequency propagation, elevation and height, accessible adjacent utilities, the developed properties, expansion of the overall coverage to the surrounding communities and a willing landlord. No viable co-location or non-residential opportunities existed to meet the objectives. The Project location of 1203 Lubken Canyon Road and construction of the 105-foot monopole tower meets the requirements to expand Verizon's coverage to this area in Lone Pine and Whitney Portal. Therefore, the operating requirements necessitate the 105-foot. monopole location within the OS Zone.*

## **Findings:**

### **Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine**

1. Based upon the Initial Study and all oral and written comments received, adopt the Negative Declaration of Environmental Impact and certify that the provisions of the California Environmental Quality Act have been satisfied.  
*[Evidence: An Initial Study and Draft Negative Declaration of Environmental Impact (ISMND) was prepared and circulated for public review and comment pursuant to the*

*provisions of the California Environmental Quality Act. The 30-day public comment period ended on January 13, 2025. The ISMND identified three potential biological impacts (Owens Valley Checkerbloom, wetlands and nesting birds) but no archeological cultural resource impacts and mitigation was added to the ISMND accordingly. Staff received one comment letter from the California Department of Fish and Wildlife during circulation. The issues raised within this letter are sensitive plant surveys, focused and pre-construction surveys for Burrowing Owls and nesting bird surveys which are addressed in the attached Mitigation Monitoring and Reporting Program. For potential wetland impacts, preconstruction surveys and delineation have been added to the Conditions of Approval. No additional potentially significant environmental impacts were identified from the construction and operation of the telecommunications tower in the course of the ISMND circulation. Based upon the environmental evaluation of the proposed Project, the Planning Department finds that the Project has less than significant impacts on the environment with mitigation.]*

2. The proposed Telecommunications Plan Update is consistent with the Inyo County General Plan.  
*The Plan Update conforms to the land use designation of Agriculture that allows for public and quasi-public facility." The communications facility is consistent with the utility provision. The Plan Update also complies with Policy PSU 7.1: Provision of Services: The County shall encourage the provision of communications and telecommunications service and facilities to serve existing and future needs; and Policy PSU 7.5: Communication Towers: The County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.*
3. The proposed Telecommunications Plan Update is consistent with the Inyo County Zoning Chapter 18.12 OS (Open Space).  
*The Telecommunications Plan Update, as proposed, meets all the requirements of Chapter 18.12 of the Inyo County Code, and the required findings as outlined in ICC §18.76.050(E) as described above.*
4. This Commission further finds that the proposed Telecommunications Plan Update is consistent with Chapter 18.76 of the ICC [§18.76.050(E)] required findings as discussed above:
  - a. That the plan is in substantial compliance with the requirements of this chapter;
  - b. That the applicant has made a reasonable effort and commitment to meeting the standards and goals of this chapter;
  - c. That none of the entities listed in section 18.76.050(B)(4). (military) have objected to the plan; and
  - d. That execution of the plan will not pose or create a threat to the health, safety, or welfare of the public.
5. The proposed Telecommunications Plan necessitates the 105-foot monopole tower's location within the Open Space (OS) zoning district.  
*Several site locations were considered in preparation for the Telecommunications Plan Update. This took into consideration the topography and challenging terrain, radio*

*frequency propagation, elevation and height, accessible adjacent utilities, the developed properties, expansion of the overall coverage to the surrounding communities and a willing landlord. No viable co-location opportunities or non-residential existed to meet the objectives. The Project location of 1203 Lubken Canyon Road and construction of the 105-foot monopole tower meets the requirements to expand Verizon's coverage to this area in Lone Pine and Whitney Portal. Therefore, the operating requirements necessitate the Telecommunications Plan Update.*

Recommended Conditions of Approval for Conditional Use Permit 2024-06\Telecommunications Plan Update 2024-02/Verizon-Sequoia-Lone Pine.

## **CONDITIONS OF APPROVAL**

### *1. Hold Harmless*

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit 2024-06; Telecommunications Plan Update No. 2024-02/Verizon-Sequoia-Lone Pine. The County reserves the right to prepare its own defense.

### *2. Compliance with County Code*

The applicant/developer shall conform to all applicable provisions of the Inyo County Code. This includes, but is not limited to, Building and Safety requirements and the requirements of the Environmental Health Department, Hazardous Materials Certified Unified Program Agency (CUPA). If the use provided by this conditional use permit has not been established within one year of the approval date, it will become void.

### *3. Conformance with Approved Wireless Telecommunications Plan:*

All subsequent development of wireless communications facilities under this Telecommunications Plan including this update shall be in substantial conformance with the approved Verizon Wireless Telecommunications Plan. If future proposals are not in substantial conformance with the approved Plan, a request for approval of a modification to the approved Plan shall be submitted to the Planning Commission for approval prior to consideration of any subsequent applications for Conditional Use Permit and/or Variance applications, or any subsequent development of wireless communications facilities in Inyo County.

### *4. Reclamation Plan and Financial Security for Decommissioning and Site Restoration*

Pursuant to section 18.76.050(B)(3) of the ICC, the Applicant shall provide a wireless plan that describes in detail its methods for meeting, to the maximum extent feasible, the standards and measures outlined in the applicable sections of the Inyo County Code concerning the design, location, configuration, deployment, and removal of wireless communications facilities in Inyo County, as well as the remediation of any applicable former facility sites, and a detailed description of its policies and practices for doing so, all on both a county-wide and facility-specific basis.

Pursuant to section 18.76.070(14) of the ICC, the Applicant shall provide a detailed decommissioning plan for the removal of the facility and reclamation of the facility site(s) in the event the CUP expires

or terminates, or the cell tower facility is abandoned. This plan shall also include a time frame for decommission and restoration and shall meet any applicable provisions of such plans found in the Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code section 2710 et seq., as may be amended). The decommissioning and site restoration plan shall be submitted and reviewed and approved by the County prior to the issuance of any grading or building permits to the Applicant.

To ensure funds are available for the approved decommissioning and site restoration plan, the Applicant shall submit, on a form acceptable to the County, a surety bond or cash equivalent (collectively, "Financial Security") in an amount equal to the estimated costs to implement the said plan pursuant to ICC section 18.76.100(A) ("Restoration Costs").

Pursuant to section 18.76.110(C) of the ICC, this Financial Security shall meet all applicable provisions of SMARA; shall list the County of Inyo as the obligee; and shall be maintained with no gap in coverage until the decommissioning and site restoration obligations set forth above have been fulfilled. If a surety bond is provided, it shall be issued by an entity listed in the latest version of U.S. Department of Treasury Circular 570 that is authorized to issue bonds in California. If a cash equivalent is provided, it may consist of a letter of credit, cashier's check, or certificate of deposit and must be prepared and issued by a federally insured commercial bank in a form approved by the County. The Financial Security shall be submitted and approved by the County prior to the issuance of any grading or building permits to the Applicant.

Pursuant to section 18.76.110(D) of the ICC, the amount of the Restoration Costs shall be calculated based on the reasonably-anticipated cost to remove the facility and to reclaim the site upon which it is located and shall be computed using the methodology and addressing all cost items stated on the Financial Assurance Cost Estimate Form for use under the Surface Mining and Reclamation Act as referenced in 14 CCR Section 3805.1, as may be amended, to the extent applicable to this Project's decommissioning and site restoration.

The Financial Security shall be conditioned upon the Applicant fulfilling and performing the decommissioning and site restoration obligations set forth in the approved decommission plan. The Planning Director shall promptly exonerate and release the Financial Security or any remaining portion thereof upon satisfaction of said decommissioning and site restoration obligations.

Telecommunication towers, unlike mines, are static, unmoving and have little to no change on the Project site during its use requiring less frequent review of the Financial Security. As such, at each five-year interval after the initial Financial Security is provided, the Financial Security amount shall be inflation indexed (i.e., increased or decreased to account for inflation over the preceding one-year period) based on the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Los Angeles-Long Beach-Anaheim. In this regard, no later than five years and three months following submittal of the previous Financial Security, Applicant shall submit a replacement Financial Security to the Inyo County Planning Department reflecting the new inflation-adjusted Restoration Costs along with an updated decommissioning and site restoration plan. Such replacement Financial Security shall be subject to County review and approval as to form and amount.

The Applicant shall prepare a new estimate of Restoration Costs, and shall submit a new Financial Security in such amount, any time Applicant proposes a Project modification or seeks to implement a new Project phase that materially alters or adds to the information contained in the previously approved decommissioning and site restoration plan. Such replacement Financial Security shall be

subject to County review and approval as to form and amount.

5. *Aesthetics*

The applicant/developer shall use low shine polish finish to prevent glare to mitigate the aesthetic impact.

6. *Federal Aviation Administration*

The applicant/developer shall meet the requirements as provided by the Federal Aviation Administration **Determination of No Hazard to Air Navigation** dated July 23, 2024 (Attachment 6).

7. *Sensitive Plants*

The owner/developer shall implement and follow the Mitigation Monitoring Report Program regarding avoidance of sensitive plants (Attachment 5). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

8. *Burrowing Owl Survey*

The owner/developer shall implement and follow the Mitigation Monitoring Report Program regarding avoidance of burrowing owls (Attachment 5). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

9. *Nesting Bird Survey*

The owner/developer shall implement and follow the Mitigation Monitoring Report Program regarding avoidance of nesting birds (Attachment 5). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

10. *Wetlands*

Prior to construction the applicant shall conduct a wetlands area survey and a wetlands delineation to avoid any potential wetland area impacts. Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

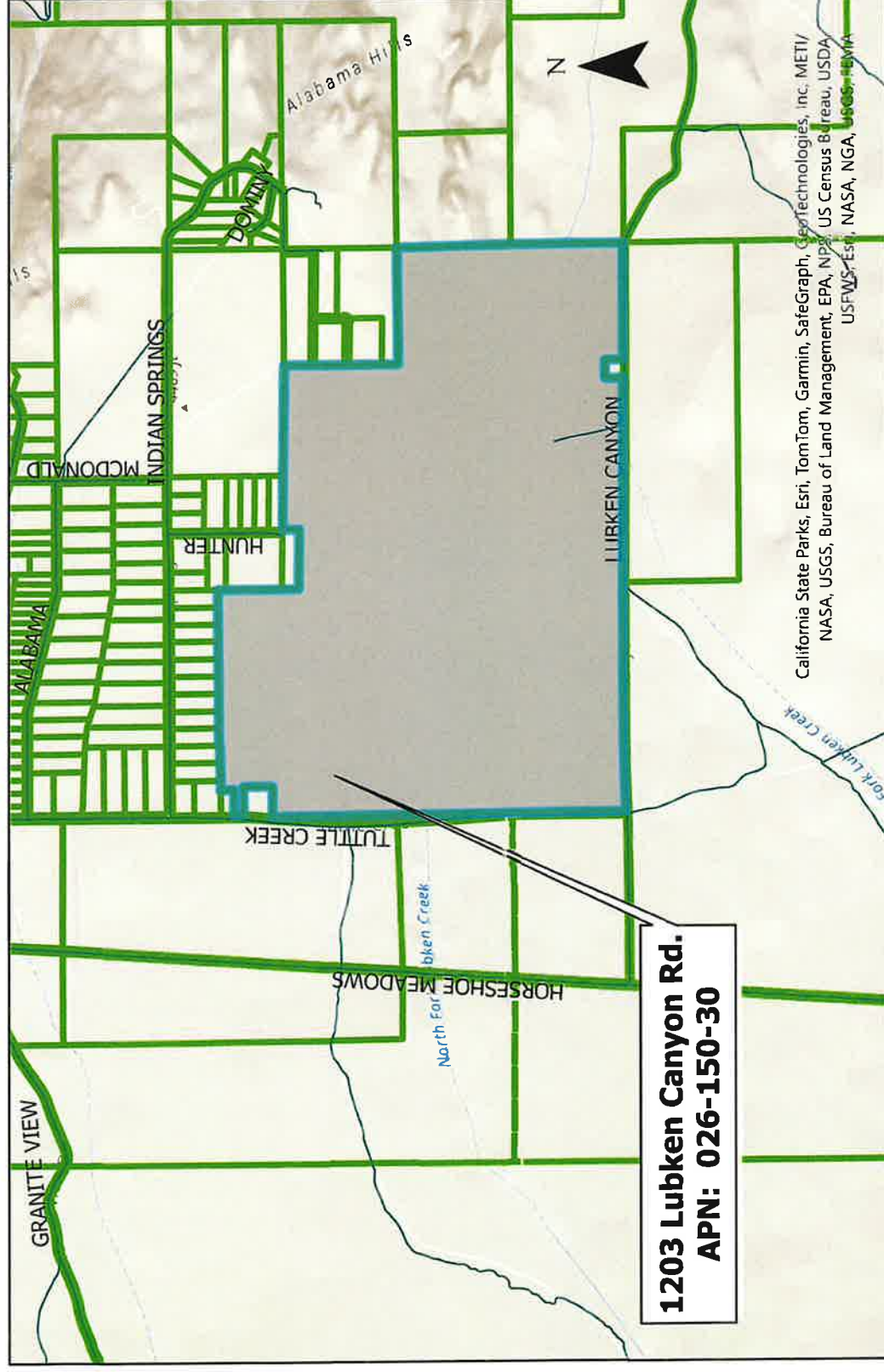
**ATTACHMENTS:**

- Attachment 1 - Vicinity Map and Photo Simulations
- Attachment 2 - Proposed Wireless Network Design Plan and Map
- Attachment 3 – Justification and Coverage Maps
- Attachment 4 - CDFW comment letter
- Attachment 5 - Mitigation Monitoring Report Program
- Attachment 6 - Federal Aviation Administration Determination of No Hazard to Air Navigation
- Photo Simulations

# ATTACHMENT 1

## VICINITY MAP

Conditional Use Permit 2024-06 and Telecommunications Plan Update/2024-02 Verizon-Sequoia-Lone Pine





**ATTACHMENT 2**



**Inyo County**

**Proposed Wireless Network Design Plan**

**Prepared by:  
Joshua Ehrlich  
08/12/2024**

# Current Network

Verizon currently operates eight (8) cell sites in Inyo County along Hwy 395. All of these sites currently provide 4G LTE service.

- West Bishop
  - Lat/Long: 37-22-27.42N 118-25-4.76W
  - APN: 011-120-64
  - Centerline: 91'
  - Frequencies
    - 746-757/776-787
    - 835-845/880-890
    - 2110-2130/1710-1730
    - 1890-1895/1970-1975
    - 2170-2180/1770-1780
- Bishop
  - Lat/Long: 37-21-32N; 118-23-45W
  - APN: 001-117-411
  - Centerline: 113'
  - Frequencies
    - 746-757/776-787
    - 835-845/880-890
    - 2110-2130/1710-1730
    - 1890-1895/1970-1975
    - 2170-2180/1770-1780

# Current Network (cont.)

- Poverty Hills

- Lat/Long: 37-03-26N; 118-14-32W
- APN 018-230-12
- Centerline: 79'
- Frequencies
  - 746-757/776-787
  - 835-845/880-890
  - 2110-2130/1710-1730
  - 1890-1895/1970-1975
  - 2170-2180/1770-1780

- Independence

- Lat/Long: 36-47-55.02N; 118-09-34.63W
- APN: 022-150-14
- Centerline: 164'
- Frequencies
  - 746-757/776-787
  - 835-845/880-890
  - 2110-2130/1710-1730
  - 1890-1895/1970-1975
  - 2170-2180/1770-1780

# Current Network (cont.)

- Lone Pine
  - Lat/Long: 36-36-58N; 118-02-29W
  - APN: 026-050-18
  - Centerline: 65'
  - Frequencies
    - 746-757/776-787
    - 835-845/880-890
    - 2110-2130/1710-1730
- Haiwee Pass
  - Lat/Long: 36-11-36N; 118-00-27W
  - APN: 033-220-43
  - Centerline: 65'
  - Frequencies
    - 746-757/776-787
    - 2110-2130/1710-1730

# Current Network (cont.)

- Gil Coso

- Lat/Long: 36-2-53N/117 56 39.9998W
- APN: 037-510-002-04
- Centerline: 96'
- Frequencies
  - 746-757/776-787

- Little Lake

- Lat/Long: 35-55-34N; 117-54-44W
- APN: 037-120-30
- Centerline: 65'
- Frequencies
  - 746-757/776-787
  - 835-845/880-890
  - 2110-2130/1710-1730

# Future Network Plans

All future site modifications and new build site plans are proposed and dependent on the necessary agreements and infrastructure availability and are subject to change. There are no estimated in-service dates at this time. Coordinates provided are an estimated point of a proposed new site. Actual locations will be determined upon completion of a feasibility study of the area. Co-location opportunities will be sought out and evaluated.

## Modifications Pending for Existing Sites

Bishop  
Gil Coso  
Independence  
Little Lake  
Lone Pine  
West Bishop

These sites are pending 5G C-band frequency adds (3700-3900Mhz), which will include adding any 4G frequencies not currently on air.

# Future Network Plans (cont.)

## Proposed New Build Locations

BIG PINE	37.164731	-118.290331
MAZUORKA	36.992386	-118.244611
NIGHTMARE ROCK	36.557306	-118.097819
OLANCHA	36.278986	-118.006411
SHOSHONE	35.899483	-116.275207
ROUND VALLEY	37.416731	-118.597529

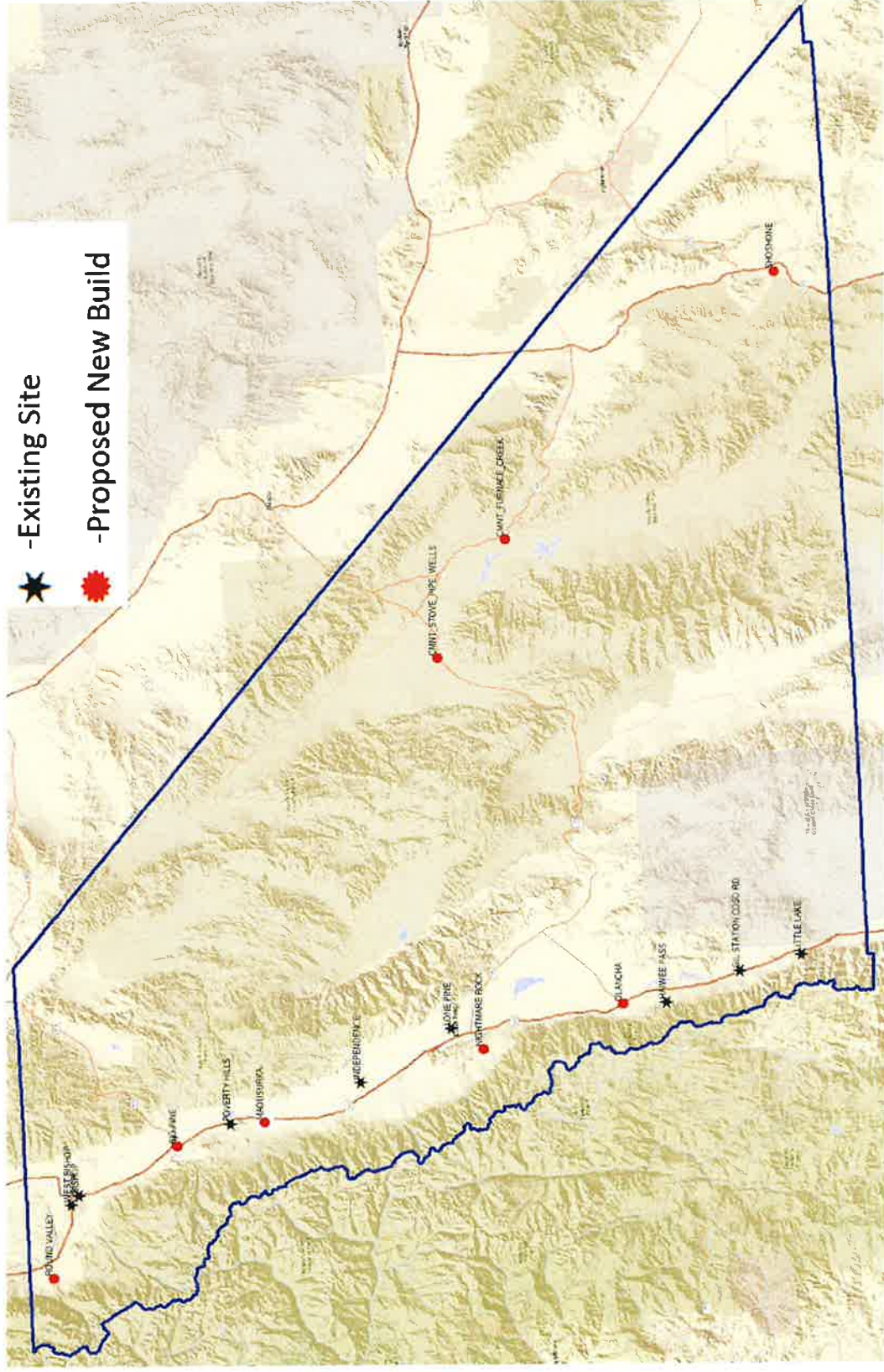
All new build sites designed with the following frequencies:

- 746-757/776-787
- 835-845/880-890
- 2110-2130/1710-1730
- 1890-1895/1970-1975
- 2170-2180/1770-1780
- 3700-3900

Commnet Conversion Sites (sites currently ran by Commnet that provide roaming service to the Verizon network that are planned to be shutdown by Commnet)

CMNT_FURNACE_CREEK	36.4574	-116.87
CMNT_STOVE_PIPE_WELLS	36.60411	-117.146





**verizon**

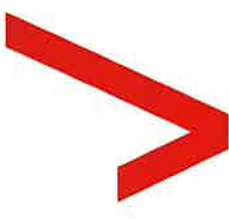
## **ATTACHMENT 3**

# **NIGHTMARE ROCK**

## **JUSTIFICATION AND COVERAGE MAPS**

Joshua Ehrlich, RF Engineer

04/23/2024



## Justification Statement

This site is needed to offload the sub1 triggers on sector 2 of our existing Lone Pine site and add capacity to the National Park and outdoor recreation areas to the west to include the Mt. Whitney Portal. This site will also add new service to the community of Alabama Hills which is an area with significant tourist travel.

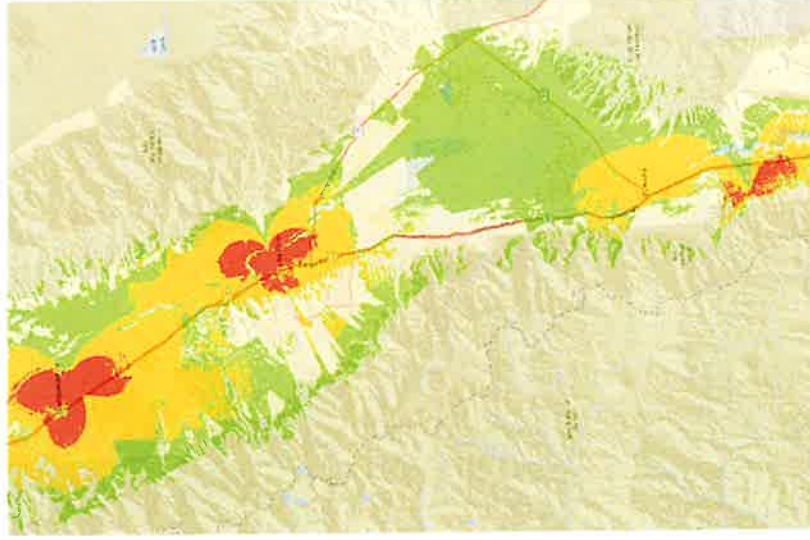


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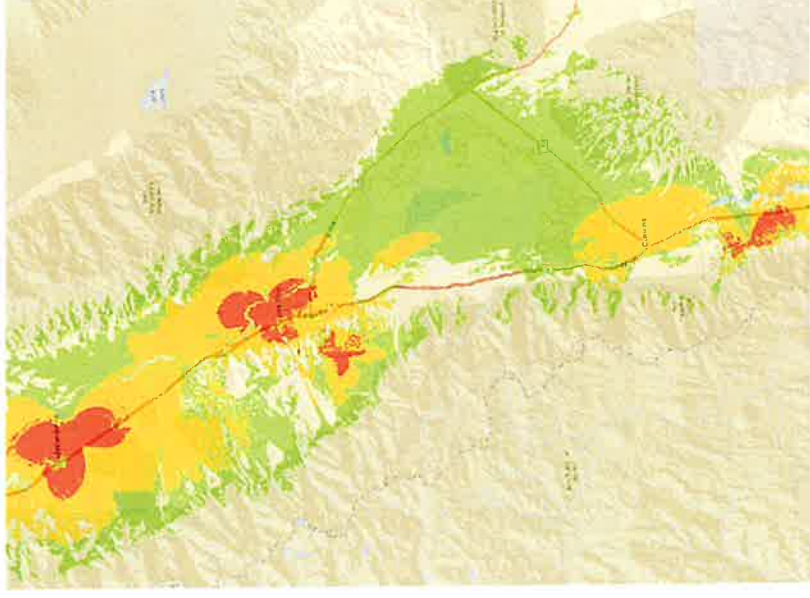


# OVERALL AREA

Current Coverage



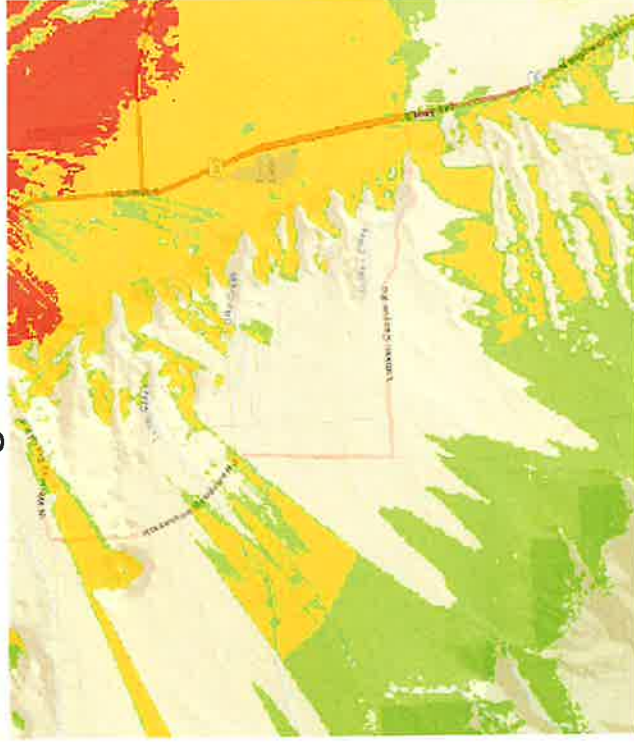
Coverage w/ Nightmare Rock Site



- In building coverage
- In vehicle coverage
- Outdoor coverage

# Immediate Area

Current Coverage



Coverage w/ Nightmare Rock Site



- In building coverage
- In vehicle coverage
- Outdoor coverage

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## Safe harbor statement

NOTE: In this presentation we have made forward-looking statements. These statements are based on our estimates and assumptions and are subject to risks and uncertainties. Forward-looking statements include the information concerning our possible or assumed future results of operations. Forward-looking statements also include those preceded or followed by the words “anticipates,” “believes,” “estimates,” “expects,” “hopes” or similar expressions. For those statements, we claim the protection of the safe harbor for forward-looking statements contained in the Private Securities Litigation Reform Act of 1995. We undertake no obligation to revise or publicly release the results of any revision to these forward-looking statements, except as required by law. Given these risks and uncertainties, readers are cautioned not to place undue reliance on such forward-looking statements. The following important factors, along with those discussed in our filings with the Securities and Exchange Commission (the “SEC”), could affect future results and could cause those results to differ materially from those expressed in the forward-looking statements: adverse conditions in the U.S. and international economies; the effects of competition in the markets in which we operate; material changes

in technology or technology substitution; disruption of our key suppliers’ provisioning of products or services; changes in the regulatory environment in which we operate, including any increase in restrictions on our ability to operate our networks; breaches of network or information technology security, natural disasters, terrorist attacks or acts of war or significant litigation and any resulting financial impact not covered by insurance; our high level of indebtedness; an adverse change in the ratings afforded our debt securities by nationally accredited ratings organizations or adverse conditions in the credit markets affecting the cost, including interest rates, and/or availability of further financing; material adverse changes in labor matters, including labor negotiations, and any resulting financial and/or operational impact; significant increases in benefit plan costs or lower investment returns on plan assets; changes in tax laws or treaties, or in their interpretation; changes in accounting assumptions that regulatory agencies, including the SEC, may require or that result from changes in the accounting rules or their application, which could result in an impact on earnings; the inability to implement our business strategies; and the inability to realize the expected benefits of strategic transactions.

**As required by SEC rules, we have provided a reconciliation of the non-GAAP financial measures included in this presentation to the most directly comparable GAAP measures in materials on our website at [www.verizon.com/about/investors](http://www.verizon.com/about/investors)**







State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
3602 Inland Empire Boulevard, Suite C-220  
Ontario, CA 91764  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



## ATTACHMENT 4

January 13, 2025

Danielle Visuaño  
Senior Planner  
Inyo County Planning Department  
168 North Edwards Street  
PO Drawer L  
Independence, CA 93526  
[dvisuano@inyocounty.us](mailto:dvisuano@inyocounty.us)  
*sent via email*

Dear Ms. Visuaño:

**Conditional Use Permit 2024-06 and Telecom Plan Update 2024-02/Verizon-Sequoia-Lone Pine (Project)**  
**MITIGATED NEGATIVE DECLARATION (MND)**  
**SCH# 2024120529**

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from Inyo County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

### CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

### PROJECT DESCRIPTION SUMMARY

**Proponent:** Verizon Wireless

**Objective:** The objective of the Project is to increase the capacity of the existing Verizon Wireless network in the area. Primary Project activities include installing a 105 foot (ft) tall monopole telecommunications tower and associated ground-based equipment within a 900 square ft (30 ft x 30 ft) fenced lease area and trenching 750 ft to run power and fiber

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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conduits along a 15 ft wide access route from the proposed tower to a proposed "meet-me-box" and existing utility pole.

**Location:** East of Tuttle Creek Road, Lone Pine, CA; Assessor Parcel Number: 026-150-30, in Inyo County at Latitude 36.557419° , Longitude - 118.097589° .

**Timeframe:** None mentioned

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Inyo County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends in Attachment A, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

### I. Environmental Setting and Related Impact Shortcoming

**Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?**

**COMMENT 1:** Sensitive wildlife species identified but only botanical and pre-construction clearance surveys proposed as mitigation.

#### Limited Biological Resources Report, Section 3.4 General Wildlife, Page 4

**Issue:** No avoidance, minimization, or mitigation measures were proposed to reduce impacts to biological resources despite identifying federal and state-listed species that have the potential to occur in the Project area. CDFW recommends incorporating avoidance, minimization, or mitigation measures specific to the several special status species that have the potential to occur within the Project area.

**Specific impact:** The Project is bordered by Sierra Nevada alluvial washes and their associated habitats, including North Fork Lubken Creek to the south and its tributaries. The Limited Biological Resources Technical Report prepared by Trileaf (Report) of the IS/MND concluded that the proposed Project has the potential to have a significant effect on threatened and endangered species, species of special concern, their habitats, and migratory birds (Trileaf, 2024); but only proposed limited botanical survey methods to avoid, minimize, or mitigate impacts to Owens Valley checkerbloom (*Sidalcea covillei*; state endangered) in the Project area.

Based on iPaC and CNDDDB review, the Report identified additional special-status species expected to occur in the Project area including fisher (*Pekania pennanti*), California condor (*Gymnogyps californianus*), western yellow-billed cuckoo (*Coccyzus americanus*), bald eagle (*Haliaeetus leucocephalus*), golden eagle (*Aquila chrysaetos*), Owens pupfish (*Cyprinodon radiosus*), Owens Tui chub (*Gila bicolor ssp. snyderi*), and Monarch butterfly (*Danaus plexippus*); though only Monarch butterfly had been determined to have any potential to occur.

The Report also indicated that the following sensitive/listed wildlife species have the potential to occur in undisturbed shrubland, such habitat pervading the Project area including Sierra Nevada yellow-legged frog (*Rana sierrae*), Western snowy plover (*Charadrius nivosus nivosus*), least Bell's vireo (*Vireo bellii pusillus*), Sierra Nevada bighorn sheep (*Ovis canadensis sierrae*), and desert tortoise (*Gopherus agassizii*). However, Trileaf did not disclose in the Report the resource or literature from which this information was derived.

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The Project area stated in the IS/MND includes habitat for state listed species. If during the environmental analysis for the Project, it is determined the Project may have the potential to result in "take" of a state-listed species, the IS/MND shall disclose how CESA compliance will be obtained prior to starting construction activities. "Take" is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill." The environmental document must include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures shall be proposed to fully mitigate the impacts to state-listed species (Cal. Code Regs., tit. 14, § 783.2, subd.(a)(8)). CDFW encourages early coordination to determine appropriate measures to offset Project impacts and facilitate future permitting processes.

Based on the sensitive species impact analyses provided in the Report and relevant literature review to support it, CDFW recommends mitigation measures for the following species that were determined to have a potential to occur: Owens Valley rare plants, burrowing owl, and nesting birds.

**Why impact would occur:** The IS/MND includes no avoidance, minimization, or mitigation measures to reduce impacts to sensitive wildlife species or avoid take of CESA-listed species.

**Evidence impact would be significant:** Take of any CESA listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Consequently, if a project, including project construction or any project-related activity during the life of the project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to project implementation. This may include an incidental take permit (ITP) or a consistency determination (Fish and Game Code, §§ 2080.1 & 2081).

## Owens Valley Rare Plants

### Limited Biological Resources Report, Section 3.5 Sensitive Biological Resources – Sensitive Plant Species, Page 6

**Issue:** Owens Valley checkerbloom (*Sidalcea covillei*) is presumed present in the Project area but limited botanical survey methods have been proposed to determine presence/absence during its blooming period (April-June) (Calflora, 2025). According to the CNDDDB, Owens Valley checkerbloom has a documented occurrence in the Project footprint.

Inyo County star-tulip (*Calochortus excavatus*), another rare plant species<sup>2</sup>, has been documented approximately 2,000 ft east of the Project area (CDFW, 2025), co-occurring within the same freshwater emergent wetland feature mapped in the [National Wetlands Inventory](#) figure in the Report (USFWS, 2025).

CDFW is concerned that an analysis was not completed to form a complete inventory of rare plants within the Project area and to identify the level of impacts on those species identified as potentially present and thus whether the Project's impacts have been adequately identified, disclosed, and mitigated.

**Specific impact:** The Project includes trenching a 750 ft long underground trench along 15 ft wide access road and requires vegetation removal of mapped Owens Valley checkerbloom habitat.

Owens Valley checkerbloom is a perennial herb in the mallow family (*Malvaceae*) that only grows in alkali meadows and spring plant communities having sandy loam soils with alkaline crusts in Owens Valley in Inyo County, California. Owens Valley checkerbloom currently has a limited distribution of 42 occurrences along 75 miles of the Owens River

<sup>2</sup> California Native Plant Society (CNPS) rank status 1B.1: Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California

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watershed (CDFW, 2025). These occurrences are threatened by lowering water tables and grazing. Unsustainable extraction of water in the Owens River Valley has lowered the water table, allowing noxious weeds to thrive while less water is available for Owens Valley checkerbloom and other native plants. Various studies show that vegetative cover is responsive to the groundwater depth and that lower groundwater can aid in recruitment success of plants that have not been historically present. This can cause unprecedented competition, and ultimately the decline of rare species such as Owens Valley checkerbloom (CDFW, 2017).

Inyo County star-tulip is a perennial geophyte, endemic to eastern California and was first described by Edward L. Greene in 1890 from a collection made by W. H. Shockley (No. 427) at Bishop Creek, Inyo County (Greene, 1901). There are 70 known populations, which all occur within alkali meadows, a severely threatened community type due to groundwater pumping, grazing, human disturbance, invasive species and habitat conversion (Winitsky, 2021).

The freshwater emergent wetland mapped by the [National Wetlands Inventory](#), when analyzed with CNDDDB for the Project area, has shown to support rare and endemic alkali meadow plant communities including Inyo County star-tulip as well as Owens Valley checkerbloom. Therefore, CDFW recommends MM BIO-1 below be added to the IS/MND to fully avoid and otherwise protect rare plant communities from Project-related direct and indirect impacts.

**Why impact would occur:** The timing of the July 31, 2024 surveys noted in the Report phenologically mismatches with the blooming season for Owens Valley checkerbloom, which blooms from April to June (Calflora, 2025). The July 31, 2024 survey was also conducted at the end of the Inyo County star-tulip blooming season (April to July) (Calflora, 2025), which did not involve surveying for Inyo County star-tulip potential occurrence. The Project area has not been surveyed for these two rare plant species during their corresponding blooming seasons and an impact analysis has not been done for Inyo County star-tulip. In both cases, a presence/absence determination cannot be made.

**Evidence impact would be significant:** The IS/MND presumes presence of only Owens Valley checkerbloom in the Project area, where Inyo County star-tulip has been documented in the same wetland feature. A botanical field survey following [CDFW or California Native Plant Society \(CNPS\) botanical survey protocol](#) is needed during each plant species' specific blooming season to identify plants at a taxonomic level to determine rarity and inform listing status of other sensitive plants that may not have been identified.

**Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant:** CDFW recommends inclusion of the following changes to the proposed 'Sensitive Plant Species' botanical survey to avoid take of Owens Valley checkerbloom (edits are in strikethrough and additions are in bold):

#### **MM BIO-1: Sensitive Plants Surveys**

**Sensitive Plant Species:** ~~Prior to construction, a botanical survey should be conducted during the appropriate blooming period to determine the presence or absence of sensitive plant species, specifically *Sidalcea covillei* (Owens Valley Checkerbloom), as the proposed project footprint extends through mapped habitat. If this species is identified within the proposed project area and cannot be avoided, necessary permits need to be obtained to continue construction.~~

**Prior to Project implementation, and during the appropriate blooming season, Inyo County shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the**



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appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status.

If any rare plants or sensitive vegetation communities are identified, Inyo County shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to-impact) ratio. Note that a higher ratio may be warranted if the proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species.

If the Project has the potential to impact any State-listed plant species, the County should apply for a CESA ITP with CDFW. CDFW [may issue permits for Owens Valley checkerbloom pursuant to CESA](#).

## Burrowing Owl (*Athene cunicularia*)

### Limited Biological Resources Report, Section 3.5 Sensitive Biological Resources

**Issue:** The Project may impact burrowing owl, a candidate species under the California Endangered Species Act (CESA) and Project activities may result in take as defined in Fish and Game Code section 86.

**Specific impact:** The IS/MND does not acknowledge the potential for burrowing owl to occur given, despite the Project area containing suitable habitat. No burrowing owls or signs were observed during the field site visit. CDFW notes that only one survey was performed on July 31, 2024. A focused survey for the species following CDFW approved guidelines was not conducted and CDFW has determined the site supports suitable habitat. Therefore, CDFW is concerned that Inyo County may not have adequately identified potentially significant impacts. Project implementation, including trenching, vegetation clearing and construction, may result in direct mortality, population declines, or local extirpation of burrowing owl not previously identified. Additionally, the California Wildlife Habitat Relationships (CWHHR) dataset, Burrowing Owl Predicted Habitat (CDFW, 2016), displays a high potential for burrowing owl presence within the Project area.

**Why impact would occur:** According to the Biological Constraints Analysis, focused burrowing owl surveys were not conducted on the Project site. Burrowing owls have been known to use highly degraded and marginal habitat where existing burrows are available. Burrowing owls are well-adapted to open, relatively flat expanses and vacant lots and prefer habitats with generally short sparse vegetation with few shrubs such as those occurring on the Project site. If BUOW burrows are not properly detected, prior to ground disturbance, site preparation and grading could destroy habitat and result in take of burrowing owl. Occupied site or occupancy means a site that is assumed occupied if at least one burrowing owl has been observed occupying a burrow within the last three years. Occupancy of suitable burrowing owl habitat may also be indicated by owl sign including its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site.

**Evidence impact would be significant:** On October 10, 2024, the California Fish and Game Commission accepted a petition to list Western Burrowing Owl as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. As a candidate species, Western Burrowing Owl is granted full protection of a threatened species under CESA. If Project activities could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under

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Fish and Game Code section 2081) should be obtained prior to commencement of Project activities. Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW.

**Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant:** CDFW recommends that prior to commencing Project activities, focused and preconstruction surveys for burrowing owl be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version). Because appropriate surveys were not conducted prior to circulation of the MND, the MND may not adequately identify potentially significant impacts. CDFW recommends the IS/MND be revised and recirculated following completion of survey so that results and appropriate specific avoidance and minimization measures can be included, to ensure that impacts to burrowing owls are reduced to less than significant. However, if Inyo County chooses not to follow this path, CDFW recommends including the MM BIO-2 measure below to ensure an adequate assessment is completed and CESA authorization obtained, if needed.

#### **MM BIO-2: Focused and Pre-Construction Surveys for Burrowing Owl**

**Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. The Designated Biologist shall provide to CDFW a GIS or KMZ map of BUOW burrow complex(es) and atypical burrows (e.g. culverts, buckled concrete, etc.) The map shall be at a scale of 1:24,000 or finer to show details and shall show locations of all BUOW sightings and labeled if sightings were potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and BUOW sign. Locations documented by use of GPS coordinates must be collected in NAD83 datum. The map shall include an outline of the Project Area. The map shall include a title, north arrow, scale bar, and legend.**

**If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project Proponent shall begin early coordination with CDFW for appropriate CESA authorization (i.e., Incidental Take Permit (ITP) under Fish and Game Code section 2081) prior to commencement of Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance/buffers, temporary and permanent impacts, monitoring, relocation and/or translocation, and minimization and compensatory mitigation actions. ITP compensatory mitigation will be fulfilled by one or more of following options: 1) Permittee-responsible mitigation land acquisition or 2) Conservation or Mitigation Bank credits (if available).**

## **Nesting Birds**

### **Limited Biological Resources Report, Section 3.6.3 Nesting Birds, Page 8**

**Issue:** The Report recognizes that the trees and shrubs located within the immediate vicinity of the Project site provide suitable avian nesting habitat for several avian species but only includes pre-construction clearance surveys as mitigative measures to avoid impacts to nesting birds. Furthermore, the IS/MND does not provide an estimated timeframe for construction. Mitigating impacts to nesting birds requires avoiding

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construction activities during the avian nesting season (February-September). CDFW is concerned that the Project does not avoid impacts to nesting birds, whether or not during avian nesting season.

**Specific Impact:** Potential take of nesting birds and loss of bird nesting and/or foraging habitat.

**Why impact would occur:** Project activities may disturb nesting birds, which can lead to failure of the nest or unauthorized take.

**Evidence impact would be significant:** Potential habitat for nesting birds and birds of prey is present within the Project area. The proposed Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its close vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the environmental document. Measures to avoid the impacts should include species specific work windows, biological monitoring, installation of noise attenuation barriers, etc.

Inyo County is responsible for complying with Fish and Game Code sections 3503, 3503.5, and 3513, which state as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs or any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto; section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

**Recommended potentially feasible mitigation measure(s) to reduce impacts to less than significant:** CDFW recommends a qualified biologist survey the entire Project area, not only for nesting birds, but also all bird activity to observe behavior that could be related to nest building, incubation, feeding of young and/or possible behavior that could indicate agitation and/or nest abandonment caused by Project activities. CDFW recommends inclusion of the following changes to the proposed nesting bird pre-construction clearance survey to avoid take of nesting birds (edits are in strikethrough and additions are in bold):

#### **MM BIO-3: Nesting Bird Surveys**

~~If construction activity must occur during the nesting season, a qualified biologist should perform a pre-construction clearance survey to determine the presence/absence of nesting activity onsite and in the vicinity of the project site. The survey will address impacts to nesting birds per the MBTA. If no nesting activity is observed, no further action is required.~~

~~If nesting activity is observed on or in the immediate vicinity of the project site, construction activity may proceed after the nestlings have fledged. If the facility must be installed in the vicinity of an active nest, a biological monitor will be present during all construction activity. Construction activity can be conducted at the discretion of the monitor to ensure that it does not directly or indirectly cause a nest to fail.~~

**Regardless of the time of year, nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of the survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests,**



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**establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (typically February 1 through September 1).**

**All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and take could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish and Game Code. A 250-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance.**

#### **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The types of information reported to CNDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals>.

#### **ENVIRONMENTAL DOCUMENT FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

#### **CONCLUSION**

CDFW appreciates the opportunity to comment on the MND to assist Inyo County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Bryant Luu, Environmental Scientist at (760) 923-8666 or [Bryant.Luu@wildlife.ca.gov](mailto:Bryant.Luu@wildlife.ca.gov).

Sincerely,

DocuSigned by:

*Alisa Ellsworth*  
84FBB8273E4C480...

Alisa Ellsworth  
Environmental Program Manager

cc: Graham Meese, Senior Environmental Scientist Supervisor  
Inland Deserts Region  
[Graham.Meese@wildlife.ca.gov](mailto:Graham.Meese@wildlife.ca.gov)

Office of Planning and Research, State Clearinghouse, Sacramento  
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## ATTACHMENT A: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR CDFW-PROPOSED MITIGATION MEASURES

### PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

### TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure

Biological Resources (BIO)		
Mitigation Measure (MM) Description	Implementation Schedule	Responsible Party
<p><b>MM BIO-1: Sensitive Plants Surveys</b></p> <p><del><b>Sensitive Plant Species:</b> Prior to construction, a botanical survey should be conducted during the appropriate blooming period to determine the presence or absence of sensitive plant species, specifically <i>Sidalcea covillei</i> (Owens Valley Checkerbloom), as the proposed project footprint extends through mapped habitat. If this species is identified within the proposed project area and cannot be avoided, necessary permits need to be obtained to continue construction.</del></p> <p>Prior to Project implementation, and during the appropriate blooming season, Inyo County shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status.</p> <p>If any rare plants or sensitive vegetation communities are identified, Inyo County shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to-impact) ratio. Note that a higher ratio may be warranted if the</p>	<p>Prior to and during ground- or vegetation disturbing activities</p>	<p>Inyo County</p>

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<p>proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species.</p> <p>If the Project has the potential to impact any State-listed plant species, the County should apply for a CESA ITP with CDFW. CDFW <a href="#">may issue permits for Owens Valley checkerbloom pursuant to CESA</a>.</p>		
<p><b>MM BIO-2: Focused and Pre-Construction Surveys for Burrowing Owl</b></p> <p>Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. The Designated Biologist shall provide to CDFW a GIS or KMZ map of BUOW burrow complex(es) and atypical burrows (e.g. culverts, buckled concrete, etc.) The map shall be at a scale of 1:24,000 or finer to show details and shall show locations of all BUOW sightings and labeled if sightings were potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and BUOW sign. Locations documented by use of GPS coordinates must be collected in NAD83 datum. The map shall include an outline of the Project Area. The map shall include a title, north arrow, scale bar, and legend.</p> <p>If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project Proponent shall begin early coordination with CDFW for appropriate CESA authorization (i.e., Incidental Take Permit (ITP) under Fish and Game Code section 2081) prior to commencement of Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance/buffers, temporary and permanent impacts, monitoring, relocation and/or translocation, and minimization and compensatory mitigation actions. ITP compensatory mitigation will be fulfilled by one or more of following options: 1) Permittee-responsible mitigation land acquisition or 2) Conservation or Mitigation Bank credits (if available).</p>	<p>Prior to and during ground- or vegetation disturbing activities</p>	<p>Inyo County</p>
<p><b>MM BIO-3: Nesting Bird Surveys</b></p> <p><del>If construction activity must occur during the nesting season, a qualified biologist should perform a pre-construction clearance survey to determine the presence/absence of nesting activity onsite and in the vicinity of the project site. The survey will address impacts to nesting birds per the MBTA. If no nesting activity is observed, no further action is required.</del></p> <p><del>If nesting activity is observed on or in the immediate vicinity of the project site, construction activity may proceed after the nestlings have fledged. If the facility must be installed in the vicinity of an active nest, a biological monitor will be present during all construction activity. Construction activity can be conducted at the discretion of the monitor to ensure that it does not directly or indirectly cause a nest to fail.</del></p> <p>Regardless of the time of year, nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days</p>	<p>Prior to ground- or vegetation disturbing activities</p>	<p>Inyo County</p>

Danielle Visuaño, Senior Planner  
 Inyo County Planning Department  
 January 13, 2025  
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<p>prior to vegetation clearing or ground disturbance activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of the survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (typically February 1 through September 1).</p> <p>All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and take could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish and Game Code. A 250-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance.</p>		
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## ATTACHMENT 5

### MITIGATION MONITORING AND REPORTING PROGRAM

#### PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

#### TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the party that is primarily responsible for implementing the mitigation measure

Biological Resources (BIO)		
Mitigation Measure (MM) Description	Implementation Schedule	Responsible Party
<p><b>MM BIO-1: Sensitive Plants Surveys</b></p> <p>Prior to Project implementation, and during the appropriate blooming season, Applicant shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by an approved botanist experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status.</p> <p>If any rare plants or sensitive vegetation communities are identified, Applicant shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to- impact) ratio. Note that a higher ratio may be warranted if the proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species.</p> <p>If the Project has the potential to impact any State-listed plant species, the Applicant should apply for a CESA ITP with CDFW. CDFW may issue permits for Owens Valley checkerbloom pursuant to CESA.</p>	<p>Prior to and during ground- or vegetation disturbing activities</p>	<p>Applicant</p>

<p><b>MM BIO-2: Focused and Pre-Construction Surveys for Burrowing Owl</b></p> <p>Focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If BUOW burrow complex(es) and atypical burrows (e.g. culverts, buckled concrete, etc.) are identified, the Designated Biologist shall provide to CDFW a GIS or KMZ map. The map shall be at a scale of 1:24,000 or finer to show details and shall show locations of all BUOW sightings and labeled if sightings were potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and BUOW sign. Locations documented by use of GPS coordinates must be collected in NAD83 datum. The map shall include an outline of the Project Area. The map shall include a title, north arrow, scale bar, and legend.</p> <p>If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project Proponent shall begin early coordination with CDFW for appropriate CESA authorization (i.e., Incidental Take Permit (ITP) under Fish and Game Code section 2081) prior to commencement of Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance/buffers, temporary and permanent impacts, monitoring, relocation and/or translocation, and minimization and compensatory mitigation actions. ITP compensatory mitigation will be fulfilled by one or more of following options: 1) Applicant-responsible mitigation land acquisition or 2) Conservation or Mitigation Bank credits (if available).</p>	<p>Prior to and during ground- or vegetation disturbing activities</p>	<p>Applicant</p>
<p><b>MM BIO-3: Nesting Bird Surveys</b></p> <p>A nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities. Pre- construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of the survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (typically February 1 through September 1).</p>	<p>Prior to ground- or vegetation disturbing activities</p>	<p>Applicant</p>



<p>All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and take could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish and Game Code. A 250-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance.</p>		
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## ATTACHMENT 6



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2024-AWP-8494-OE

Issued Date: 07/23/2024

Julie Heffernan  
The Towers, LLC  
7500 Park of Commerce Dr  
Suite 200  
Boca Raton, FL 33487

### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower US-CA-5825 - NIGHTMARE ROCK
Location:	Lone Pine, CA
Latitude:	36-33-26.71N NAD 83
Longitude:	118-05-51.32W
Heights:	4617 feet site elevation (SE) 110 feet above ground level (AGL) 4727 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

### **See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 01/23/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (206) 231-2877, or [Nicholas.Sanders@faa.gov](mailto:Nicholas.Sanders@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AWP-8494-OE.

**Signature Control No: 626231482-628090707**

( DNE )

Nicholas Sanders  
Technician

Attachment(s)  
Additional Information  
Frequency Data

cc: FCC

## **Additional information for ASN 2024-AWP-8494-OE**

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band.

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.

# Frequency Data for ASN 2024-AWP-8494-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	3280	W

# ATTACHMENT 7



YOUR RF SAFETY PARTNER

## RADIO FREQUENCY ELECTROMAGNETIC FIELDS EXPOSURE REPORT

PRE-Activation

Prepared for Verizon

Site Name: **Nightmare Rock**  
Site ID: **5000918226**  
Site Type: **Monopole**

Located at:

1203 Lubken Canyon Rd  
Lone Pine, CA 93526  
Latitude: 36.557306 / Longitude: -118.097819

Report Date: **4/9/2024**  
Report By: **Christopher Stollar, P.E.**

Based on FCC Rules and Regulations, Verizon is compliant.



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## 1.0 EXECUTIVE SUMMARY

Dtech Communications, LLC ("Dtech") has been retained by Sequoia Deployment Services, Inc., contractors to Verizon, to determine whether its wireless communications facility complies with the Federal Communications Commission ("FCC") Radio Frequency ("RF") Safety. This report contains a computer-simulated analysis of the Electromagnetic Fields ("EMF") exposure resulting from the facility. The analysis also includes assessment of existing wireless carriers on site, where information is provided. The table below summarizes the results at a glance:

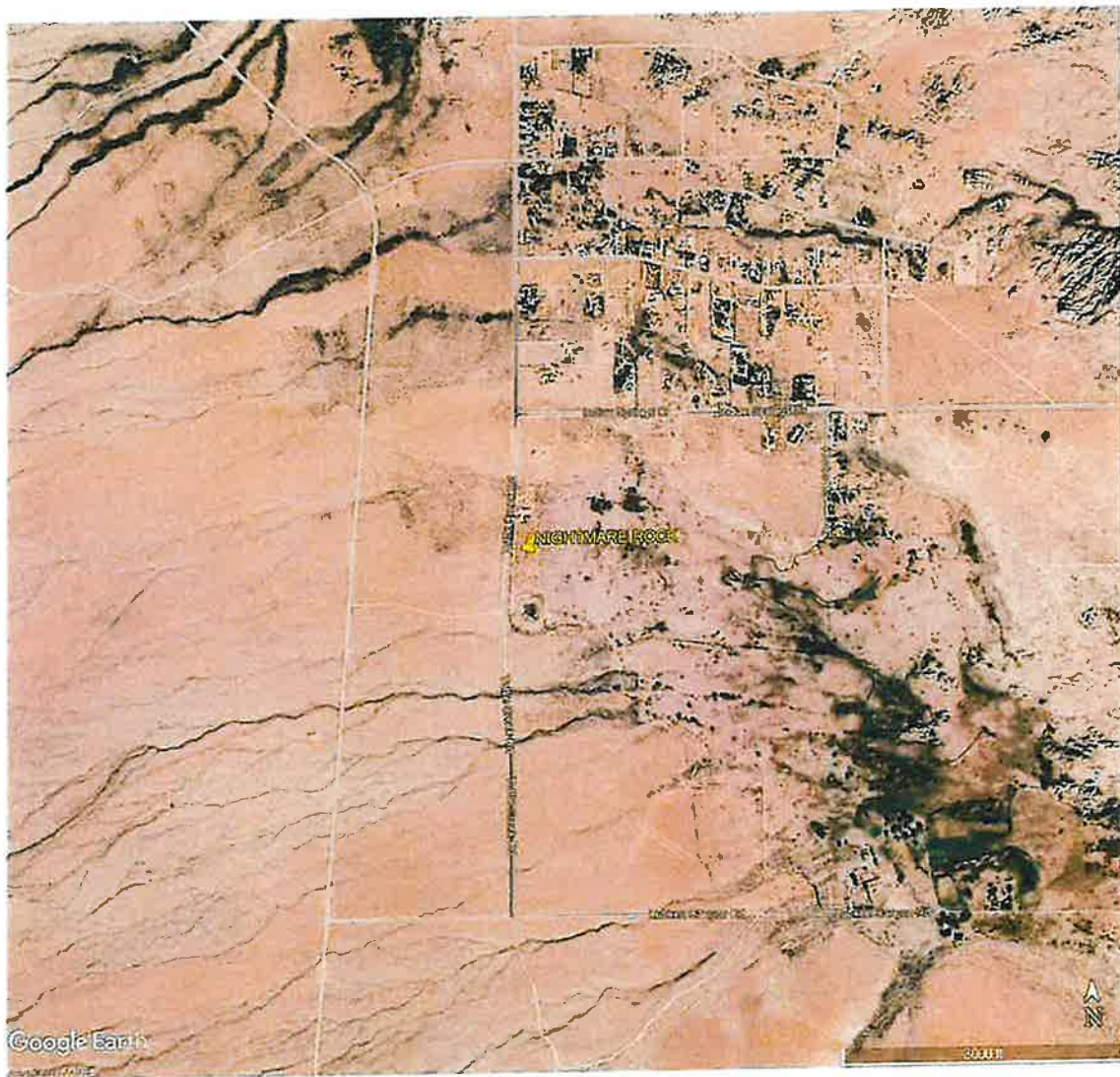
*Table 1: EMF Summary*

Verizon	Summary
Access Type	Gate
Access to antennas locked	Optional
RF Sign(s) @ access point(s)	NA
RF Sign(s) @ antennas	NA
Barrier(s) @ sectors	NA
Max EMF simulated level for Verizon on Ground	0.5% General Population
Clearance Distance from Face of Verizon's Antennas	98 Feet

## 2.0 SITE DESCRIPTION

The wireless telecommunication facility is located on the ground. The facility consists of 1 wireless carrier(s) or operator(s): Verizon. The antennas are typically grouped into sectors pointing in different directions to achieve the desired areas of coverage. Verizon's antennas are mounted on a monopole tower.

### 2.1 Site Map



## 2.2 Antenna Inventory

The table below reflects the technical specifications provided by our clients and/or gathered from physical field surveys where applicable. This final configuration, including power settings and antenna orientations must be maintained to remain in compliance with FCC guidelines. For co-locators or nearby transmitters, conservative estimates are used for purposes of a cumulative study where information is not provided or available.

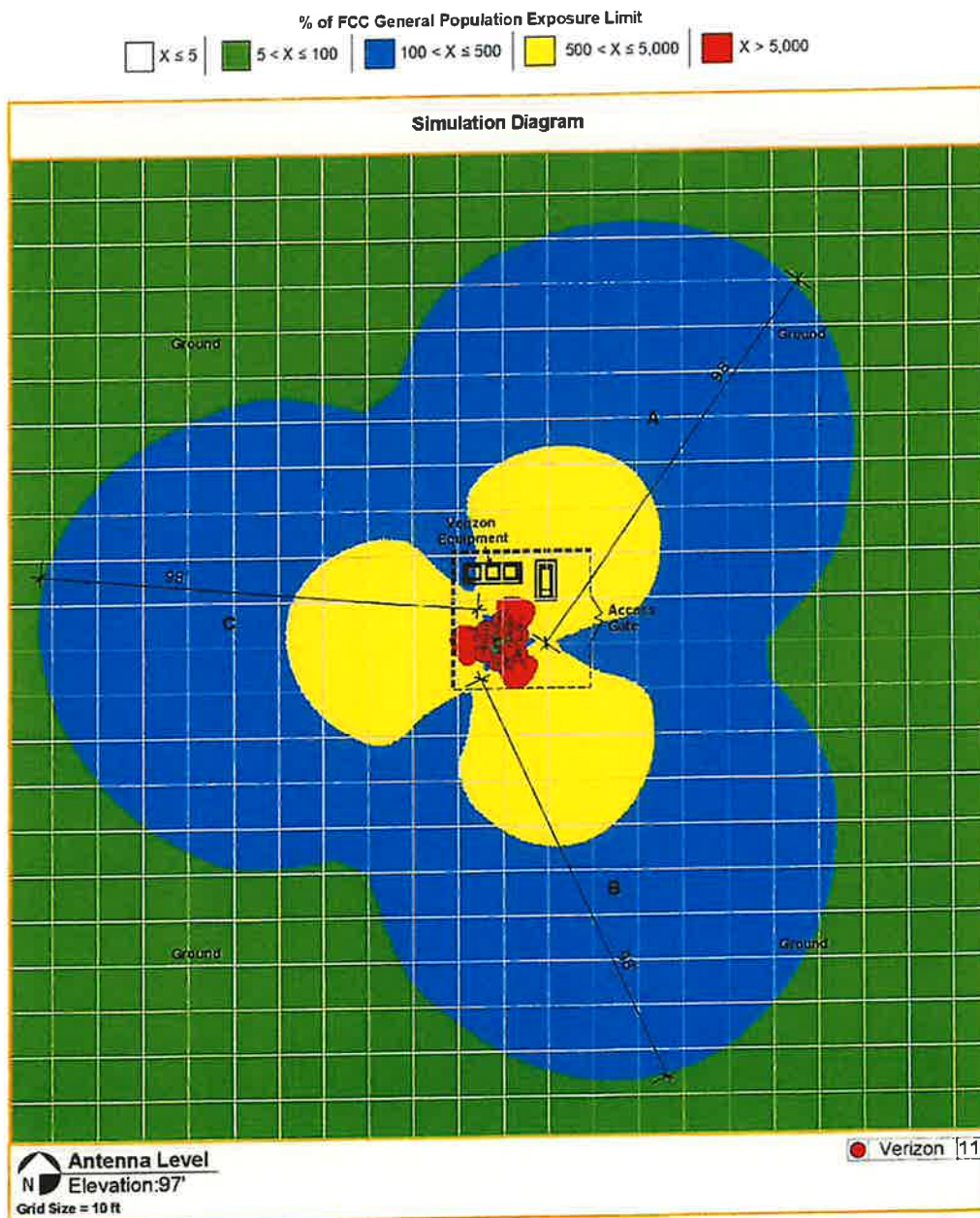
Table 2: Site Technical Specifications

Antenna ID	Antenna Num	Operator	Antenna Mtg	Antenna Model	Type	Frequency (MHz)	Orientation (°T)	Horizontal BWidth (°)	Antenna Aperture (ft)	Antenna Gain (dBi)	Total Input Power (Watts)	Duty Cycle	Total ERP (Watts)	Bottom Tip Height Above Ground (ft)	Bottom Tip Height Antenna Level (ft)
A1	1	Verizon	Ericsson	AIR6419	Panel	3700	35	11	2.4	23.5	320	0.8	56669	100.4	0.0
A2	2	Verizon	Commscope	NHH-65B-R2B	Panel	746	35	65	6.0	12.3	120	1.0	2033	97.0	0.0
A2	2	Verizon	Commscope	NHH-65B-R2B	Panel	880	35	60	6.0	12.7	120	1.0	2235	97.0	0.0
A2	2	Verizon	Commscope	NHH-65B-R2B	Panel	1965	35	69	6.0	15.7	240	1.0	8818	97.0	0.0
A3	3	Verizon	Commscope	NHH-65B-R2B	Panel	746	35	65	6.0	12.3	120	1.0	2033	97.0	0.0
A3	3	Verizon	Commscope	NHH-65B-R2B	Panel	880	35	60	6.0	12.7	120	1.0	2235	97.0	0.0
A3	3	Verizon	Commscope	NHH-65B-R2B	Panel	2120	35	64	6.0	16.2	240	1.0	10055	97.0	0.0
B1	4	Verizon	Ericsson	AIR6419	Panel	3700	155	11	2.4	23.5	320	0.8	56669	100.4	0.0
B2	5	Verizon	Commscope	NHH-65B-R2B	Panel	746	155	65	6.0	12.3	120	1.0	2033	97.0	0.0
B2	5	Verizon	Commscope	NHH-65B-R2B	Panel	880	155	60	6.0	12.7	120	1.0	2235	97.0	0.0
B2	5	Verizon	Commscope	NHH-65B-R2B	Panel	1965	155	69	6.0	15.7	240	1.0	8818	97.0	0.0
B3	6	Verizon	Commscope	NHH-65B-R2B	Panel	746	155	65	6.0	12.3	120	1.0	2033	97.0	0.0
B3	6	Verizon	Commscope	NHH-65B-R2B	Panel	880	155	60	6.0	12.7	120	1.0	2235	97.0	0.0
B3	6	Verizon	Commscope	NHH-65B-R2B	Panel	2120	155	64	6.0	16.2	240	1.0	10055	97.0	0.0
C1	7	Verizon	Ericsson	AIR6419	Panel	3700	275	11	2.4	23.5	320	0.8	56669	100.4	0.0
C2	8	Verizon	Commscope	NHH-65B-R2B	Panel	746	275	65	6.0	12.3	120	1.0	2033	97.0	0.0
C2	8	Verizon	Commscope	NHH-65B-R2B	Panel	880	275	60	6.0	12.7	120	1.0	2235	97.0	0.0
C2	8	Verizon	Commscope	NHH-65B-R2B	Panel	1965	275	69	6.0	15.7	240	1.0	8818	97.0	0.0
C3	9	Verizon	Commscope	NHH-65B-R2B	Panel	746	275	65	6.0	12.3	120	1.0	2033	97.0	0.0
C3	9	Verizon	Commscope	NHH-65B-R2B	Panel	880	275	60	6.0	12.7	120	1.0	2235	97.0	0.0
C3	9	Verizon	Commscope	NHH-65B-R2B	Panel	2120	275	64	6.0	16.2	240	1.0	10055	97.0	0.0
D1	10	Verizon	Unknown	Unknown	Dish	10000	37	1.5	4.0	38.7	-	1.0	1463	91.0	-6.0
D2	11	Verizon	Unknown	Unknown	Dish	10000	165	1.5	4.0	38.7	-	1.0	1463	91.0	-6.0





Figure 2: Plan (bird's eye) view map of results compared to FCC's General Population MPE (Maximum Permissible Exposure) Limits for a typical 6-foot person. White represents areas where exposure levels are calculated to be at or below 5%; Green- between 5% & 100% (below MPE limits); blue, yellow & red - greater than 100% (exceeds MPE limits). Individuals can safely occupy areas in white and green for indefinite amount of time; whereas areas in blue, yellow & red must be restricted to RF trained personnel who has been made fully aware of potential for exposure, has control and knows how to reduce their exposure with the use of personal protection equipment or has the ability to power down the transmitters.





## 4.0 CONCLUSION

### 4.1 Results

For a typical 6-foot person standing in accessible areas on the ground, calculations for Verizon's site resulted in exposure levels below the FCC's most stringent General Population MPE Limits.

At antenna elevation, the highest calculated exposure level is above the FCC's General Population MPE Limits near the Verizon antenna(s). The overexposed areas extend 98-feet from the front face of the Verizon antenna(s). There are no other buildings or surrounding structures at antenna elevation within the overexposed areas. Beyond these areas, exposure levels are predicted to be below the FCC's most stringent General Population MPE Limits.

The antennas are mounted on a tall tower and therefore not accessible by the general public. It is presumed that Verizon employees and contractors are aware of the transmitting antennas and will take appropriate precautions when working near them.

### 4.2 Recommendation(s)

Further actions are not required.

### 4.3 Statement of Compliance

Based on the above results, analysis and recommendation(s), it is the undersigned's professional opinion that Verizon's site is compliant with the FCC's RF Safety Guidelines.

### 4.4 Engineer Certification

This report has been prepared by or under the direction of the following Registered Professional Engineer: Darang Tech, holding California registration number 16000. I have reviewed this report and believe it to be both true and accurate to the best of my knowledge.



## Appendix A: Background

Dtech uses the FCC's guidelines described in detail in Office of Engineering & Technology, Bulletin No. 65 ("OET-65") "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields". The table below summarizes the current Maximum Permissible Exposure ("MPE") safety limits classified into two groups: General population and Occupational.

Table 3: FCC MPE Limits (from OET-65)

Frequency (Mhz)	General Population/ Uncontrolled MPE (mW/cm <sup>2</sup> )	Averaging Time (minutes)	Occupational/ Controlled MPE (mW/cm <sup>2</sup> )	Averaging Time (minutes)
30 - 300	0.2	30	1.0	6
300 - 1500	Frequency (Mhz)/1500 (0.2 - 1.0)	30	Frequency (Mhz)/300 (1.0 - 5.0)	6
1500 - 100,000	1.0	30	5.0	6

**General population/uncontrolled** limits apply in situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment, and may not be fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

**Occupational/controlled** limits apply in situations in which persons are exposed as a consequence of their employment, and those persons have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits, as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

It is important to understand that the FCC guidelines specify *exposure* limits not *emission* limits. For a transmitting facility to be out of compliance with the FCC's RF safety guidelines an area or areas where levels exceed the MPE limits must, first of all, be in some way *accessible* to the public or to workers. When accessibility to an area where excessive levels is appropriately restricted, the facility or operation can certify that it complies with the FCC requirements.

## **Appendix B: Measurement and/or Computer Simulation Methods**

Spatial averaging measurement technique is used. An area between 2 and 6 feet, approximately the size of an average human, is scanned in single passes from top to bottom in multiple planes. When possible, measurements were made at very close proximity to the antennas and inside the main beam where most of the energy is emitted. The spatial averaged values were recorded. A result higher than 100% exceeds the FCC's General Population MPE Limits.

Dtech uses an industry standard power density prediction computer Model<sup>1</sup> to assess the worse-case, cumulative EMF impact of the surrounding areas of the subject site. In addition, the analysis is performed at 80% duty cycle for all (C-Band/CBRS/mmWave) TDD technologies. All other frequencies are operating at 100% duty cycle transmitting at maximum total power. Lower interiors (if applicable), were analyzed 10-feet below roof level with a 10dB deck attenuation. For purposes of a cumulative study, nearby transmitters are included where possible. The result is a surrounding area map color-coded to percentages of the applicable FCC's MPE Limits.

## **Appendix C: Limitations**

The conclusions in this document rendered by Dtech are based solely upon the information collected during the site survey and/or furnished by our Client which Dtech believes is accurate and correct. Dtech, however, has no responsibility should such Client provided information prove to be inaccurate or incorrect. Third party specification estimates used for cumulative computer simulation purposes, where applicable, are based on common industry practices and our best interpretation of available information. Data, results and conclusions in this document are valid as of its date. However, as mobile technologies continuously change, these data, results and conclusions may also be at variance with such future changes. Dtech has no responsibility to update its survey or report to account for such future technology changes. This document was prepared for the use of our Client only and cannot be utilized by any third party for any purpose without Dtech's written consent. Dtech shall have no liability for any unauthorized use of this document and any such unauthorized user shall defend, indemnify and hold Dtech and its owners, directors, officers and employees harmless from and against any liability, claim, demand, loss or expense (including reasonable attorney's fees) arising from such unauthorized use.

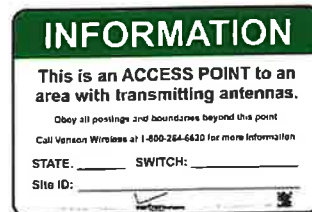
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<sup>1</sup> Roofmaster(tm)

## Appendix D: Sample Verizon<sup>2</sup> RF Advisory Signs



GUIDELINES Sign



NOC INFORMATION Sign



NOTICE Sign



CAUTION Sign



CAUTION Stay-Back Sign



WARNING Sign

<sup>2</sup> The above signage is for reference only. Actual signs may be updated in accordance to Verizon RF policy



VIEW 1



EXISTING



PROPOSED LOOKING NORTHEAST FROM TUTTLE CREEK ROAD

VIEW 2



EXISTING



PROPOSED

LOOKING SOUTHWEST FROM INDIAN SPRINGS DRIVE



VIEW 3



EXISTING



PROPOSED LOOKING SOUTH FROM TUTTLE CREEK ROAD

VIEW 4



EXISTING



PROPOSED LOOKING SOUTHEAST FROM TUTTLE CREEK ROAD



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**AGENDA ITEM NO.:**

**8 (Workshop)**

**PLANNING COMMISSION  
MEETING DATE:**

**February 26, 2025**

**SUBJECT:**

Staff will conduct a workshop regarding identifying updates and modifications to the Zoning and General Plan requirements that could help infill housing.

### **EXECUTIVE SUMMARY**

The County's 6<sup>th</sup> Cycle Housing Element Update identified several factors that pose constraints to housing development, including outdated zoning and General Plan requirements. In response, the County sought and was awarded REAP 2.0 grant funding from the California Department of Housing and Community Development ("HCD") to conduct a review of zoning and General Plan requirements that could help accelerate infill housing, including accessory dwelling units, in the communities of Big Pine, Independence, and Lone Pine.

Planning staff, with the help of consultant Precision Civil Engineering, Inc. (PCE), will be conducting a workshop to the Planning Commission to discuss the project and receive feedback and comments and answer questions. The project objective is staff and PCE will be conducting a review of residential design standards and their relationship with the current California Building Code. This information will be used to identify zoning and General Plan design and density requirements that could be inhibiting more infill development including Accessory Dwelling Units (ADUs). Proposed changes to current standards will be focused on promoting more housing opportunities primarily by increasing allowable residential density in the communities of Big Pine, Independence, and Lone Pine. A review of the code language addressing ADUs will also be reviewed for opportunities to go beyond what the State presently requires, as well as a review of vacant and underutilized residentially zoned parcels. A primary element of this work is public outreach including surveys and a series of community workshops.

### **PROJECT COMPONENTS**

The project components include:

1. **Development and Design Standards Review:** review existing standards applicable to residential development, Accessory Dwelling Units, and second units.

2. **Vacant and Underutilized Lands Inventory:** establish a database of parcels in Big Pine, Independence, and Lone Pine that are either undeveloped (vacant) or not being used to their full potential (underutilized), which could be developed or redeveloped for residential uses.
3. **Infill Residential Capacity Study:** apply the existing standards to infill parcels and develop recommendations for modifications to the zoning and General Plan requirements that could create more opportunities for infill residential development.

The project kicked off in January 2025 and has an estimated completion in December 2025.

## COMMUNITY OUTREACH

Currently, staff and PCE are facilitating the first series of three community workshops in the Big Pine, Independence and Lone Pine to gain input from the communities. This first series of workshops will introduce the project, discuss the project goals and approaches, and develop potential zoning and General Plan changes related to increased opportunities for infill residential development. The workshops are being held at the following locations:

- February 25, 2025 – Big Pine Town Hall, Big Pine
- February 26, 2025 – American Legion Hall, Independence
- February 27, 2025 – Statham Town Hall, Lone Pine

A second series of community workshops will be held in these communities at the end of May at which time staff and PCE will be presenting another workshop to the Planning Commission on May 28, 2025. The second series of community workshops will focus on preliminary findings and recommendations for infill residential development opportunities. The second series of workshops are scheduled as follows:

- May 20, 2025 – Big Pine Town Hall, Big Pine
- May 21, 2025 – American Legion Hall, Independence
- May 22, 2025 – Statham Town Hall, Lone Pine

Staff and PCE are also proposing to present a workshop to the Board of Supervisors on May 27, 2025, which may vary depending on the Board of Supervisors schedule.

Additionally, staff and PCE are conducting two public surveys. The first survey began February 3, 2025, and ends March 7, 2025, and seeks ideas about the project approach and potential recommendations related to potential residential infill opportunities. The second public survey begins May 1, 2025, and ends June 6, 2025, and will be seeking feedback on the preliminary findings and recommendations.



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**AGENDA ITEM NO.:** 9 (Informational)

**PLANNING COMMISSION**

**MEETING DATE:** February 26, 2025

**SUBJECT:** Inyo County 2024 General Plan Annual  
Progress Report and General Plan and  
Housing Element overviews

**EXECUTIVE SUMMARY**

Staff has prepared the County's 2024 General Plan Annual Progress Report (Attached) which includes the Housing Element Implementation Report (Attached). This report is required to be presented to local legislative bodies prior to being submitted to the State.

**PROJECT INFORMATION**

**Supervisory District:** County-wide

**Recommended Action:** **Receive a presentation from staff regarding the Inyo County General Plan, Housing Element and the 2024 Annual Progress Report**

**Alternatives:** 1.) Do not receive a presentation from staff regarding the Inyo County 2023 General Plan or Annual Progress Report

**Project Planner:** Cathreen Richards, Planning director

**BACKGROUND**

Government Code Section 65400 requires that local agencies prepare a General Plan Annual Progress Report (APR). The purpose of the document is to report on the County's progress in implementing its General Plan. The document is being provided to the Planning Commission and Board of Supervisors for their review. Subsequently, it will be submitted



to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

## **STAFF ANALYSIS**

The General Plan is the County’s constitution and guiding vision. Upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan’s vision on a day-to-day basis in its many projects and strives to include the public in the decision-making process. The County’s General Plan and Amendments can be found at: <https://www.inyocounty.us/services/planning-department/in-yo-county-general-plan> and an overview of General Plans titled “What is a General Plan” can be found at: <https://www.inyocounty.us/sites/default/files/2024-01/What%20is%20a%20General%20Plan%20V.%201%20-%20FINAL%20FINAL.pdf>

The County provided leadership and participated in many planning activities in 2024 as identified in the attached report. It continued its building permit and project review responsibilities to further the General Plan’s goals, policies, programs, and implementation measures. During 2024, the County reviewed 16 building permits for housing units in 2024. It also granted 12 Certificates of Occupancy (completed) for housing units. Currently the County has added 53 Above Moderate units as provided in its Regional Housing Number Allocation, sixteen of these were in 2024. No units have been added in the Very Low, Low or Moderate categories.

## **ENVIRONMENTAL REVIEW**

The APR is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306 – Information Collection.

## **RECOMMENDATIONS**

Provide comments on the draft APR.

## **ATTACHMENTS**

- Draft Inyo County 2024 Draft General Plan Annual Progress Report



# **General Plan Annual Progress Report 2024**

County of Inyo



**Prepared by the Inyo County Planning Department**

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## **Introduction**

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

The purpose of the document is to report on Inyo County's progress in implementing its General Plan. The document will be provided to the Planning Commission and Board of Supervisors for their review and submitted to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

## **Background**

The County adopted a comprehensive update to the General Plan on December 11, 2001, and has amended the Plan on several occasions since. The planning process for the update took over four years, many public hearings and meetings, and substantial effort on the part of staff, the Board of Supervisors, the Planning Commission, local organizations and interest groups, and the general public.

The Plan replaced, reformatted, and/or updated a number of older General Plan Elements and other planning documents that had been adopted over the years. In addition to the many working documents, staff reports, and outreach materials, the Plan resulted in the following major documents that are utilized on a day-to-basis in the County's planning processes:

- General Plan Summary
- Background Report
- Goals and Policies Report
- Land Use and Circulation Diagrams
- Environmental Impact Report (EIR)

The Inyo County General Plan received awards of excellence from local chapters of the American Planning Association in 2001. The policy document and diagrams are available on the Planning Department's website at the following link:

<https://www.inyocounty.us/sites/default/files/202002/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf>

## **Informational Document**

This document is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

## **Organization**

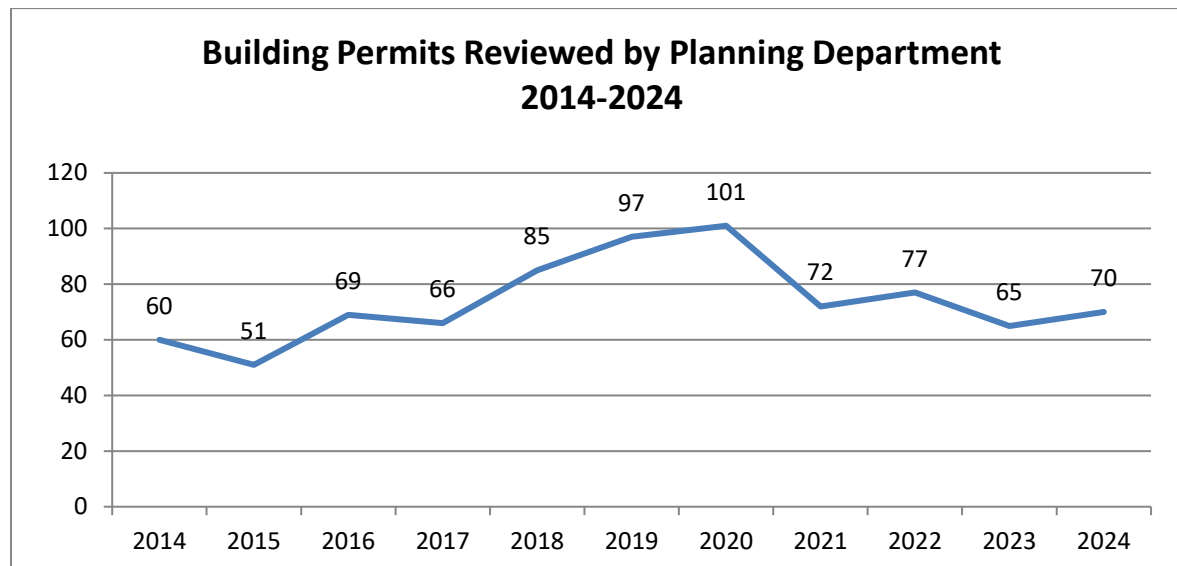
After this introduction, a summary of projects and issues addressed over the last year is provided, and then each General Plan element is addressed. Following these topics, the County's planned General Plan and Zoning Ordinance update are addressed. Appendix A includes Government Code Section 65400. Appendix B includes the HCD reporting forms.

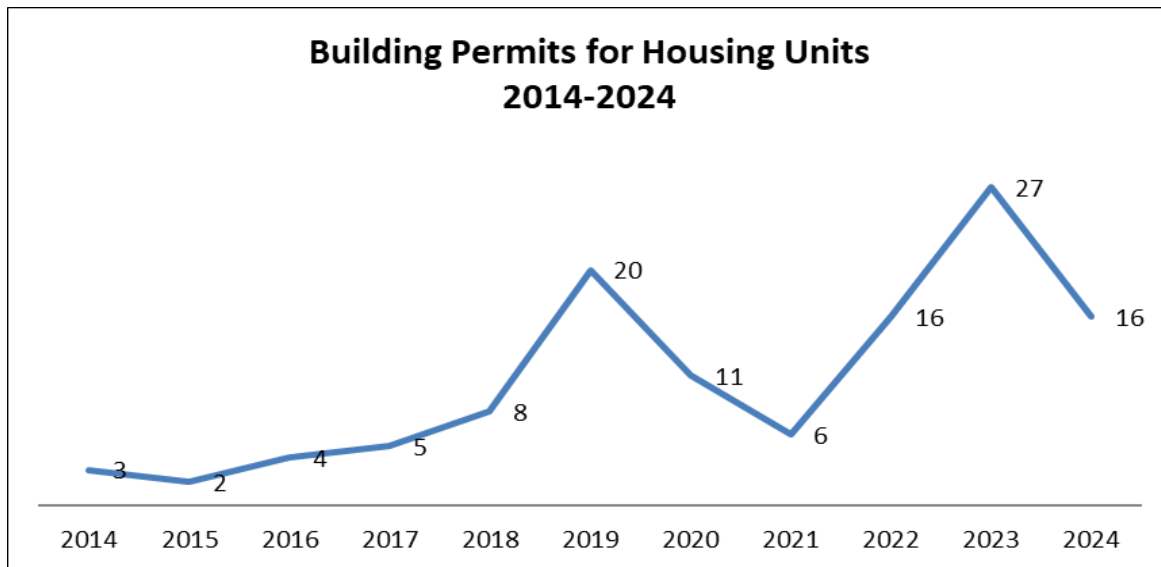
## II. Plans, Projects, and Accomplishments

During 2024 the County processed numerous projects and participated in a variety of planning programs. The following summaries provide a brief overview of these projects and programs and are not intended to be exhaustive.

### Building Permits

Four-Hundred and Forty-five total building permits were received by the Building and Safety Department in 2024. Seventy of these were reviewed by the Planning Department for zoning consistency issues. This is one more than was reviewed in 2023. Sixteen of these permits were for new housing units, twelve less than in 2023. Building permits were applied for 5 new single-family homes (4 less than in 2023), and 4 new manufactured homes (4 less than 2023) and 7 accessory dwelling units (ADU) (3 less than 2023). Six of the ADU applications were for conversions or additions to garages for ADUs. Twelve Certificates of Occupancy (completed projects) were also reported to have been granted by the Building and Safety Department in 2024 for residential projects. Four were for single family homes and 6 were for manufactured homes (9 of these are on one permit for employee housing at Furnace Creek) and 3 were for ADUs (1 ADU was with a SFR permit).





### Regional Housing Needs Allocation

The State Department of Housing and Community Development (HCD) or a Council of Governments (COG), with the approval of HCD, gives each jurisdiction in the State a Regional Housing Needs Allocation (RHNA) for every iteration of Housing Element Updates. The Allocation number is based on a Regional Housing Needs Assessment. This is the number of housing units per income group that the jurisdiction must plan for in its Housing Element. The last one of these that the County received was in 2020 for the 2021 Housing Element Update. Every jurisdiction must also report on the progress that has been made towards meeting its RHNA in its General Plan Annual Report. The 2020 RHNA units by income category are as follows:

- Very Low – 36 (includes Extremely Low)
- Low – 40
- Moderate – 39
- Above Moderate – 80

To date, the County has had 53 Above Moderate units built. This deviates, somewhat, from the report form as the form includes projected units and not, exclusively, built units.

### Planning Permits

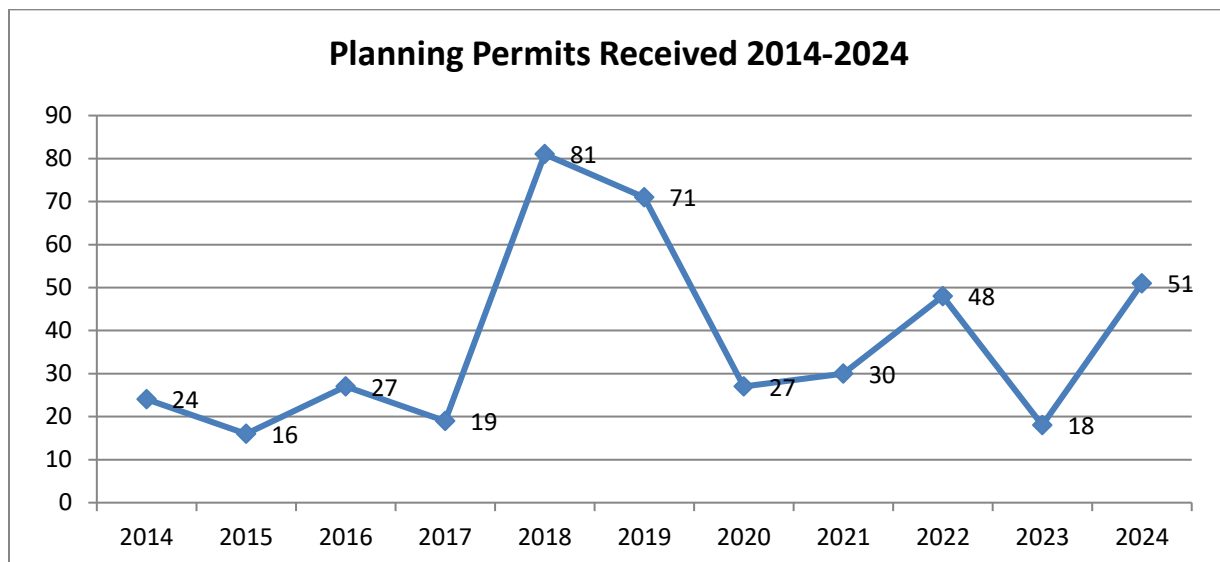
The Planning Department also processed a variety of landuse permits during 2024, including conditional use permits, variances, subdivisions, and associated environmental reviews. The breakdown in applications received is as follows:

- 11 Conditional Use Permits
- 3 General Plan Amendment
- 3 Zoning Reclassification
- 4 Zone Text Amendments
- 1 Renewable Energy Permits (solar)
- 3 Reclamation Plans 1 update
- 1 Appeal
- 1 Lot Line Adjustment
- 3 Parcel Mergers

- 3 Variances
- 8 Hosted Short-Term Rentals
- 2 Telecom Plans
- 4 Tentative Parcels Maps
- 4 Water Efficient Landscape Ordinance

During the past year, the Planning Commission agendas included the following application types:

- 6 Zone Text Amendments
- 5 Conditional Use Permits
- 2 Variances
- 1 Mining Stipulation Order
- 1 Renewable Energy Permits
- 1 General Plan finding
- 1 Mitigated Negative Declaration



Of the 17 projects reviewed by the Planning Commission, 4 projects were also presented to the Board of Supervisors. Thirty-three more applications were received by the Planning Department in 2024 than were in 2023 (18 in 2023 and 51 in 2024). This is quite an uptick from 2023, and this makes sense as a correction to the drop in 2023. Staff expected that the 2023 decline was temporary (some of it related to the moratorium on short-term rentals) and the numbers would go back up. The Planning Department also reviewed and approved 4 hosted short-term rentals and 3 were voluntarily withdrawn (1 non-hosted and 2 hosted) in 2024.

#### **Projects Reviewed by the Planning Commission During 2024**

The following applications were reviewed by the Planning Commission and/or Board of Supervisors during the past year:

**CONDITIONAL USE PERMIT 2023/BPCSD** - The applicant applied for a Conditional Use Permit located on parcel (APN: 018-090-19), in Big Pine, California. This permit would allow the applicant to construct a new rapid infiltration basin as an expansion to the current existing wastewater treatment facility. The project encompasses 5-acres of pre-disturbed land to be an expansion to the existing 10.3-acres wastewater treatment facility. The project was approved by the Planning Commission.

**CONDITIONAL USE PERMIT 2024-07 / SHELL STATION REIMAGE TO 76** - The applicant applied for a Conditional Use Permit (CUP) for the reimagining of a fuel station from Shell to 76. The property is zoned Central Business (CB) and is located at 109 S. Main St., Big Pine, California (APN: 004-032-01). A gas station and food mart have been operating on the site for many years. The applicant applied for the CUP to reimage existing unpermitted and nonconforming Shell brand signage to the 76 brand to include the canopy, fuel pumps, Food Mart, Hi-rise and Mid-rise signs, and to add a new electronic price reader to the Mid-rise sign. The project was approved by the Planning Commission.

**CONDITIONAL USE PERMIT (CUP) 2021-04/GREWAL** - The applicant applied for a Conditional Use Permit to change a one-family residence on a property located at 2218 North Sierra Highway, in the Bishop area, to a multiple family structure (duplex). The dwelling is located in the Highway Services and Tourist Commercial (C2) zone, which requires a CUP for multiple family dwellings. The project was approved by the Planning Commission.

**CONDITIONAL USE PERMIT 2024-04/BISHOP CREEK CHEVRON** - The applicant requested a Conditional Use Permit (CUP) for a property located at 2392 N. Sierra Highway in Bishop, California, to bring an existing pole sign with an electronic price reader into compliance. The applicant initially approached the Planning Department regarding the relocation of the sign due to a Cal Trans pavement project. However, during the review process, it was determined that the sign does not have an existing CUP, rendering it non-conforming. The project was approved by the Planning Commission.

**CONDITIONAL USE PERMIT 2024-09/SEXTON** - The applicant applied for a CUP to allow for a small addition to the overall square footage of a currently non-conforming one-family residence. It is located on a property located at 200 Ocean View Rd., in the Forty-Acres subdivision in the north Bishop area. The dwelling is located in the Rural Residential with a one-acre minimum zone (RR-1). The front and right-side yards currently do not meet the required setbacks, and the addition will also not meet the setback requirements. The project was approved by the Planning Commission.

**CODE AMENDMENT 2024-01/WELO** - Staff proposed to amend Chapter 17.04 of the County Code with the adoption of a Water Efficient Landscape Ordinance (WELO) to incorporate by reference the California State's Model Water Efficient Landscape Ordinance (MWELo), a state mandate, and provides additional provisions for enforcement and penalties to ensure the County meets the objectives required by the State's MWELo. The WELO would allow the County to implement the mandated State's MWELo objectives of improving water conservation through approved landscaping and irrigation planning. The Planning Commission considered the item and provided a recommendation to the Board of Supervisors to adopt the proposed ordinance. The



Board has not yet adopted it.

**MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT (MND) -**

The Inyo County Planning Commission considered the approval of a MND for the proposed Runway 12-30 Safety Area Improvement Project at the Bishop Airport. The project would involve clearing, cutting, filling, grading, and compacting approximately 14 acres of land near the runway ends within the runway safety area (RSA). The Planning Commission approved the MND for the project.

**RENEWABLE ENERGY PERMIT-2023-01/SBC** - The applicant applied for a Renewable Energy Permit located on two 5-acre parcels (APN's 038-340-20 and 038-340-21) in Trona, California. This permit would allow the applicant to construct a 2.0 megawatt (MW) commercial scale photovoltaic solar facility that uses 4,625 single axis tracker solar panels, encompassing 10-acres of mostly disturbed land. The project was approved by the Planning Commission.

**STIPULATED ORDER AMERICAN PERLITE MINE** - The American Perlite Mine is in violation of Reclamation Plan 1990-02 due to unauthorized mining activities. A Stipulation Agreement outlining corrective actions was drafted and necessitated a hearing for approval. The proposed Stipulated Order mandated compliance with approval conditions, mitigation measures, the reclamation plan, and the Surface Mining and Reclamation Act. The Planning Commission approved the Agreement.

**SUBDIVISION CODE TEXT AMENDMENT 2023-02/SB9 URBAN LOT SPLIT.** Staff proposed an amendment to Chapter 16.25 of the County Code with the adoption of a Senate Bill 9 (SB9) Urban Lot Split ordinance to address and incorporate the SB 9 Urban Lot Split requirements. The proposed amendment also provided recommendations to variable implementation measures to ensure the County not only meets the State's SB9 Urban Lot Split requirements but also meets the needs specific to the County of Inyo. SB9 allows for an Urban Lot Split of a single-family residentially zone parcel located in the urbanized area of Bishop, as defined by the U.S. Census, if certain criteria are met. The Planning Commission considered and provided a recommendation to the Board of Supervisors to adopt the proposed amendment. The Board subsequently approved the Amendment.

**VARIANCE 2024-02/OTREMBA** - Request for a Variance to allow a single-family dwelling to encroach 5 feet into the required 20-foot rear yard setback on a property zoned One-Family Residence (R1) at 570 W. Bush St., Lone Pine. The project was approved by the Planning Commission.

**VARIANCE 2024-03/BISHOP CREEK CHEVRON** - The applicant applied for a variance to exceed the maximum allowable sign height from 25 feet to 40 feet for a proposed electronic price reader sign. The property, located at 2392 N. Sierra Highway in Bishop, California, is zoned for Highway Services and Tourist Commercial (C-2) use. The project was approved by the Planning Commission.

**ZONE TEXT AMENDMENT 2024-01/SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY** - At the direction of the Board of Supervisors, staff prepared updates to the County's

Short-term Rental of Residential Property Ordinance. These updates included adding short-term rental areas and caps, time limits, insurance requirements, removing outside fires as allowed and changes to the enforcement process. A moratorium was active on short-term rental applications since October 25, 2022, and was extended to end November 25, 2024, unless lifted by the Board of Supervisors. The Planning Commission considered the item and provided a recommendation to the Board to adopt. The Board subsequently adopted it.

**ZONE TEXT AMENDMENT 2023-01/TWO-UNIT DEVELOPMENT** - Staff are proposed an amendment to Chapter 18.84 of the County Code with the adoption of a Senate Bill 9 (SB9) Two-Unit Development ordinance to address and incorporate the SB9 Two-Unit Development requirements. The proposed amendment also provided recommendations to variable implementation measures to ensure the County not only meets the State's SB9 Two-Unit Development requirements but also meets the needs specific to the County. SB9 allows for the development of two primary dwellings on a single-family residentially zone parcel located in the urbanized area of Bishop, as defined by the U.S. Census, if certain criteria are met. The Planning Commission considered and provided a recommendation to the Board of Supervisors to adopt the proposed amendment. The Board subsequently adopted it.

**ZONE TEXT AMENDMENT 2024-02/INYO COUNTY MOBILE FOOD FACILITIES** - Staff prepared a Draft Ordinance to include Mobile Food Facilities as a principal permitted use on private property in the Central Business, Highway Services and Tourist Commercial and Commercial Recreation Zones. The draft also included regulations to address possible nuisances that may be created by them. The Planning Commission considered and provided a recommendation to the Board of Supervisors to adopt the Ordinance. The Board subsequently adopted it.

**ZONE TEXT AMENDMENT 2024-03/INYO COUNTY-ANIMAL MAINTENANCE** - Staff drafted a proposed ordinance to update Section 18. 78.310-Animal Maintenance; and Subsections 18.12.020 (D) and 18.12.040 (J) Open Space, of the Inyo County Code to: update and make clear the limitations of the number of animals allowed, by zoning and lot size, and setting forth appropriate conditions for animals to be kept; identify prohibited nuisances; and include a requirement for all kennels to obtain a conditional use permit and kennel license to operate. The project is Exempt from the California Environmental Quality Act by the Common Sense Rule 15061(b)(3). Subsequent conditional use permits for kennels will require additional site specific CEQA evaluations. The Planning Commission requested that this item be brought back for further discussion.

## **Other Plans and Projects**

The following discussion summarizes other projects which the County expended substantial efforts in 2024.

### ***State Model Water Efficiency Land Landscape Ordinance***

The State's Model Water Efficient Landscape Ordinance (MWELo) become effective to Inyo County in 1993 and currently applies to the County by default since the County has not adopted the State's MWELo or a local ordinance. MWELo applies to new, rehabilitated, and existing landscaping with the purpose of conserving water through approved landscape design and

landscape construction/installation approval. The creation and effectiveness of MWELo to the County is derived from various statutes and legislative actions to include: Assembly Bill (AB) 325 (Clute, 1990); California Code of Regulations Title 23, Division 2, Chapter 2.7; AB 2717 (Laird, 2004); AB 1881 (Laird, 2006); Government Code 65595(c)(1) (2007); Executive Order NO. B-29-15 (2015); Senate Bill 1383 (Lara, 2016); and 14 CCR section 18989.2 (2020). Although the State's MWELo applies the County by default, pursuant to 14 CCR section 18989.2 the County is required to adopt an ordinance involving compliance with MWELo California Code of Regulations Title 23, Division 2, Chapter 2.7 sections 492.6(a)(3)(B), (C), (D), and (G) as amended on September 2015. The County began annual reporting in 2015. In 2022 the County began researching the requirements of MWELo and in 2023 began reviewing landscape applications under the State's MWELo requirements. Also, in 2023 the County began drafting a local Water Landscape Efficient Ordinance (WELO) that incorporates the State's MWELo but provides additional provisions for enforcement and penalties making the County's WELO more restrictive than the State's MWELo. The draft ordinance was presented to the Planning Commission in February 2024 and received a recommendation for approval by the Board. Staff presented it to the Board in April, 2024, they requested that it be brought back to them for further discussion and staff has been working towards this.

### ***Senate Bill 9***

Senate Bill 9 (SB9) Two-Unit Development and Urban Lot Split

SB9 was signed by Governor Newsom on September 16, 2021, and became effective January 1, 2022 requiring ministerial approval of two-unit developments and urban lot splits within specific single-family residential zones if certain requirements are met. In 2022 the County began reviewing the requirements of SB9 and identifying the single-family residential zoned areas in which SB9 can apply pursuant to the 2020 U.S. Census determined urbanized area within Inyo County. The County then began drafting two separate ordinances to meet the requirements of SB9. One draft ordinance is for applications associated with two-unit developments meeting the SB9 requirements and will be incorporated into the County's zoning ordinance under Title 18. The second draft ordinance is for applications associated with urban lot splits meeting the SB9 requirements and will be incorporated into Title 17 – Subdivisions of the County Code. Both draft ordinances were presented to the Planning Commission in March 2024, and a recommendation for approval was received the ordinance. It was then scheduled and approved by the Board of Supervisors in May 2024.

### ***Environmental Justice Element***

The County began preliminary work on the proposed Environment Justice Element of the General Plan in 2022 to meet the requirements set out by the Department of Housing and Community Development when certifying the County's sixth cycle of the Housing Element Update. The creation of the Environment Justice Element required a considerable amount of time and effort as it involved incorporating goals, policies and implementations found in other areas of the General Plan, and creating goals, policies and implementations relevant to the objectives and goals mandated for the Environmental Justice Element. A draft was finalized in the Fall of 2023 and notice to the tribes about the proposed Environmental Justice Element adoption into the General Plan and the opportunity to request consultation were sent via certified mail on November 15, 2023 as required pursuant to Senate Bill 18. The deadline for tribal requests for consultation was February 13, 2024, and the Bishop Paiute Tribe had comments regarding it. Staff met with the

Tribe and incorporated their comments into the Environmental Justice Element Draft. It will be presented to Planning Commission in 2025 and if recommended for approval by the Planning Commission, the Environmental Justice Element will be presented to the Board of Supervisors.

### ***Residential Design Standards for Infill REAP 2.0 Grant.***

Staff applied for and were awarded a REAP 2.0 grant to review the County's residential design standards that may be operating as government constraints to housing. This project will look at current required densities, setbacks, parking and height requirements and evaluate where changes can be made to better facilitate housing opportunities. This project will kick-off in early 2025 and is part of the implementation strategies from the Housing Element Update.

### ***2021 Housing Element Update***

The County's General Plan Housing Element was due for an update in 2021. The County began preliminary work on the update during the fall of 2020. This included securing a Local Early Action Planning (LEAP) grant from the State. The County expended a tremendous amount of time and effort in updating its Housing Element to meet all of the new requirements. With virtually no help, or guidance from HCD (besides references to statutes), the County addressed the new legislation and struggled through the required new Affirmatively Furthering Fair Housing (AFFH) section. Once substantive comments and edits were received from HCD the Update was completed and approved in August 2022. When two RHNA sites that were identified in the Housing Element were not approved for zone changes, planning staff had to find new parcels and revise the adopted Housing Element. This was completed, re-adopted and finally recertified by the state in October 2023. Staff continues to review and make changes in the County General Plan and Zoning Code to implement the Housing Element policies.

### ***Zoning Code/General Plan Update Housing Element***

Once the Housing Element Update was completed, updates to County's Zoning Code were made to begin implementing the changes set forth in the General Plan Update. This included adding multi-family housing as a by right use in the County's Central Business Zone and eliminating the requirement for a Conditional Use Permit for multi-family housing with over 15-units. Staff continues to work on zoning code updates related to the Housing Element Update including SB2 and Density Bonus ordinances.

### ***Senate Bill 2 (SB-2) Planning Grant for Affordable Housing***

SB2 was adopted by the State Legislature in 2017 to provide a permanent source of funding to help local jurisdictions provide affordable housing. In 2019, funding was directed at planning assistance that helps to achieve affordable housing goals. The grant funding was allocated by an "over the counter" non-competitive means to all eligible jurisdictions in the State. The county submitted an application for this funding. Since Inyo County is considered a 'small county' with regard to the SB2 funding allocations, the award was \$160,000. The County secured the SB2 grant and a contractor and began working on the project in fall 2020. The contractor and County identified parcels in the County that may be appropriate for re-designating for higher density residential use and the Draft Ad Min EIR was prepared and went through a 45-day review and comment period. This project went to the Planning Commission for a hearing in March 2023. The Planning Commission did not provide a recommendation to the Board. The item went to Board of Supervisor's for a hearing in May 2023 and was not adopted as presented by staff.

### ***Short-term Rentals***

In 2006 the County determined that short-term vacation rentals are not permitted within the Residential Zoning Districts. The County began to investigate if this decision should be revisited, and if so, how it might proceed. During 2016, the Board conducted several workshops, and directed staff to begin public outreach. Public workshops were conducted in 2017 and Draft regulations were prepared. In February 2018 an ordinance was approved by the Board of Supervisors allowing for the short term rental of residential properties with proper permitting. The County began approving permits for short term rentals in April 2018. During 2019 staff reviewed the successes and issues related to short-term rental permitting. The results of this review were presented to the Board of Supervisors, along with suggestions to update the short-term rental ordinance at 3 workshops. Based on public input and recommendations from the Board, updates to the short-term rental ordinance were prepared by staff and subsequently adopted by the Board. These changes included removing the availability of non-hosted short-term rental permits. Currently the short-term rental ordinance is being reviewed again for possible changes. In late 2022, the Board of Supervisors put a moratorium on short-term rentals in the County. This was extended twice to end in November 2024. A new ordinance was presented to the Board in Spring 2024 and was adopted. With or without these changes there has been a significant decline in the number of short term rental applications and three permits have been voluntarily withdrawn.

### ***Cannabis***

In 2016, California voters enacted Proposition 64, which permits and regulates recreational use of marijuana in California. Several statutes to regulate medical marijuana were passed in the 2015 legislative session – Assembly Bill (AB) 266 (Bonta, 2015), AB 243 (Wood, 2015), and Senate Bill (SB) 643 (McGuire, 2015) – becoming effective January 1, 2016. The County also included Advisory Ballot Measures G, H, and I in the 2016 election: Measure G inquired whether the voters support medical commercial cannabis businesses, H inquired whether the voters support recreational cannabis businesses, and I was for a tax on cannabis businesses. All three measures were decided in favor cannabis businesses and taxation. The County continues to monitor implementation of the legislation. The County worked throughout 2017 on cannabis regulations and adopted them in January 2018. In December 2018 the first Cannabis Business Licenses were awarded in Inyo County and subsequent CUPs began being processed in 2019 and have continued through 2024.

### ***Dark Skies – Lighting***

In the 2002 update of the County's General Plan a policy relating to lighting was include, under the Conservation and Open Space Element - Visual Resources 1.6 Control of Light and Glare. It states: *The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.* This policy was never implemented through the zoning code as language was never included in the County's zoning code for it. Due to interest from the community and members of the Board of Supervisors, County staff began a process to evaluate a possible lighting ordinance for the County. Three public outreach meetings and two Board workshops were held on the subject in 2018. The project continued into

2020, but with minimal attention due to Covid and lack of staff. This project was picked back up in 2021 and a Draft Ordinance has been completed. A recommendation from the Planning Commission was obtained and the Board approved it in April 2022. This program continued to be implemented and monitored during 2024.

### ***Community Plans for Charleston View/Tecopa***

Based on interest from local residents, the County embarked on preparation of Community Plans for Tecopa and Charleston View in Southeast Inyo County in 2015. Public meetings were conducted in both Charleston View and Tecopa in 2016 to kick-off the project and vision the Plan. In addition, background reports were developed for each planning area. Work continued on the plans in 2017 with visioning work. In December 2018 Draft Community Plans were presented to the communities of Charleston View and Tecopa. The Plans were well received with a few suggestions for minor changes. The County continued to try to identify and pursue grants for environmental analysis and implementation of the Plans during 2024.

***Olancho Cartago Corridor Study*** – The County was awarded a Caltrans Sustainable Communities Grant to study a section of U.S. 395 that is currently planned to be bypassed as part of the Caltrans US 395 Olancho-Cartago four lane project. The Olancho Bypass Corridor Study (OBCS) will include both 1) a portion of US 395 from the current intersection of SR 190 northward to just past Cartago that is proposed to be relinquished to the County and 2) the portion of US 395 from the current intersection with SR 190 south to the southern end of the bypass that will become part of SR 190. Work began on the study in 2018 that included the first public outreach meeting. This project continued through and was completed in 2019. The county has continued to research grants and various programs to implement the opportunities identified in the Study.

### ***West-wide Energy Corridors***

This project, approved in 2009, involves numerous federal agencies led by the BLM. Pursuant to a settlement agreement, the federal agencies are conducting reviews of the approved corridors. In 2016, a Corridor Study and regional reviews were released. The County provided input regarding the Region 1 Review and continues to monitor the program. In 2019, the Region 5 Review took place. The county provided numerous comments on Region 5 as it spans the length of Inyo County along the I-395 corridor. The Region 5 review continued into 2020 and the County participated in stakeholder meetings and providing comments. At the end of 2020 the Draft Report was released. The County prepared draft comments and sent them to the Agencies in early 2021. The County has continued to monitor and comment on the Plan throughout 2024 as it is currently being updated.

### ***Haiwee Geothermal Leasing Area (HGLA)***

A DEIS for the HGLA was submitted by the BLM for comments beginning in 2009 (Notice of Intent) through 2012 (DEIS). It evaluated five alternatives to address the potential environmental impacts of opening approximately 22,805-acres of BLM managed federal mineral estate for geothermal energy exploration and development and leasing and for three individual leasing proposals covering approximately 4,460-acres of federal mineral estate for geothermal energy testing and development. A supplement to the DEIS and proposed amendment to the CDCA Plan, was released in 2019. It was been prepared primarily to update both documents to be consistent with changes to landuse designations and resource management strategies based on the Desert



Renewable Energy Conservation Plan (DRECP). The total area under review (22,805-acres) and proposed leases (4,460-acres) are exactly the same as what was previously evaluated. The County reviewed the supplemental document with regard to comments it sent in 2009 and 2012 and sent additional comments in 2019. The County continued to monitor possible implementation of the DEIS in 2024.

### ***Owens Valley and Haiwee Pump-back Storage Projects***

During 2019, Premium Energy Holding LLC applied to the Federal Energy Regulatory Commission (FERC) for preliminary permits to study hydro-electric pump back storage projects for the North Owens Valley, and Haiwee dam areas. A preliminary permit is issued for up to four years. It does not authorize construction, but it maintains priority of an application for license while the applicant studies the site and prepares to apply for a license. The applicant is required to submit periodic reports on the status of its studies. The preliminary permit it is not necessary to apply for or receive a license. Many comments have been submitted regarding these applications. The Owens Valley proposal does not appear to be moving forward and Haiwee is. The County continued to monitor this proposal in 2020, 2021, 2022, 2023, 2024 and will continue to do so in 2025 and provide comments at each opportunity.

### ***Mining***

Pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of mineral resources while minimizing associated environmental impacts. Staff has continued to amend County policy as the impacts of changes to SMARA that were approved by the California Legislature and Governor in 2016 are continuing to be implemented. Staff is responsible for the inspection and administration of reclamation policy for approximately 79 SMARA mines. Staff has noted a continuation from last year of a general increase in activity at many of the County's local surface mines during 2019. The increase in mining activities in 2019 and 2020 continued into 2021 through 2024. Also, during 2024, more of the mines that were behind in fee payments were brought into compliance.

### ***Brownfields Grant***

In 2011 Inyo County entered into a Memorandum of Understanding (MOU) with Nye, Esmeralda, Lincoln, and White Pine counties of Nevada for the Environmental Protection Agency Brownfields Coalition Assessment Grant to conduct environmental site assessments and area-wide planning in support of renewable energy, transmission, and economic development in the vicinity of identified Brownfields sites. A subsequent grant was obtained, and the Coalition was expanded to include Esmeralda County. In 2018 the Duckwater Shoshone Tribe joined the Coalition. The County continued to participate in the Coalition during 2018. A site that was reviewed under a Brownfield grant funded Phase I environmental assessment in 2016 and a Phase II environmental assessment in 2017 was able to be successfully developed into a Grocery Outlet store with plans for the remainder of the property to be developed into the Inyo County consolidated office building. Also in 2018, a revolving loan and fund grant, applied for in 2017, was awarded to the coalition. The coalition completed updates to its website and to the Area Wide Plan. The county continued to participate in the Brownfields program during 2024.

### ***Yucca Mountain Repository Assessment Office***

Funding for development of the Yucca Mountain Repository was terminated by the Obama Administration, consequently eliminating the funding to all Affected Units of Local Government.

Staff continues to monitor litigation and other activities. In 2016, the County reviewed and provided input regarding the Final Supplemental EIS for groundwater, which largely responded to the County's previous input. The County has continued through 2024 to support groundwater monitoring in its southeast area to provide data for the project and monitor the Yucca Mountain program. Staff also moved the Yucca Mountain office out of the Water Department modular and into the vacant building at the Independence maintenance yard that is shared with code enforcement.

### ***Desert Renewable Energy Conservation Plan (DRECP)***

The DRECP covers the Mojave and Colorado deserts to provide binding, long-term endangered species permit assurances and facilitate renewable energy project review and approvals. The DRECP planning area includes portions of Inyo County: roughly in the Owens Valley to just north of Independence, the Panamint Valley, Death Valley, and other southeast portions of the County. The County has been participating in the project since the late 2000s, which was to have been a General Conservation Plan/Natural Communities Conservation Plan. In 2014, a phased approach was taken to the DRECP whereby the Bureau of Land Management's (BLM) Proposed Land Use Plan Amendment was separated out from the NCCP component. The Final EIS and Proposed Decision were released in late 2015, which the County protested. The County approved a Programmatic Agreement regarding cultural resources related to the Plan in early 2016, and reviewed BLM's recirculation of the Areas of Environmental Concern from the draft DRECP. The Record of Decision was issued later in 2016, which dismissed the County's protest and implemented the BLM's DRECP components. In early 2017 the BLM published a Segregation Notice for mineral entry on California Desert National Conservation Land. The County provided comments on this action and continues to monitor DRECP activities. In February 2018 a Presidential Executive Order was noticed in the Federal Register instructing the BLM to begin a scoping process for possible amendments to the DRECP. The notice specifically requested comments on how land designations identified in the DRECP might affect the ability to develop solar, wind or other renewable energy resources. The County evaluated and provided comments to the BLM regarding this request. The county continued to monitor DRECP activities through 2024 including a new landscape model, by the BLM that is focused on Tribal concerns.

### ***Tribal Consultation Policy***

In response to input from the Big Pine Tribe, the County developed a draft Tribal Consultation Policy to guide its consultation efforts under Senate Bill 18 (Burton, 2004) and Assembly Bill 52 (Gatto, 2014). The County shared the draft Policy with local Tribes and conducted multiple workshops in 2015 and 2016. The County approved the Policy in late 2016, and invited the Tribes to consult regarding development of Tribe-specific agreements. The County continues to work with the Tribes on establishing good communications and possible Tribal-specific agreements.

### ***Coso Hay Ranch Water Export Project***

The County approved a project in 2009 that pumps water from the Hay Ranch in the Rose Valley to the Coso Geothermal plants at China Lake Air Weapons Naval Station. The County continued to monitor pumping activities in 2024.

### ***North Sierra Highway Corridor/Specific Plan***

In 2015, Caltrans selected the County and the City of Bishop for a grant to prepare a Corridor Plan

for North Sierra Highway (generally between the Tri-County Fairgrounds and the Bishop Paiute Palace on the north side of Bishop) in 2015. The County, City of Bishop, and the Bishop Paiute Tribe worked with other interested parties in the Corridor to expand the scope of work to a Specific Plan, and the Eastern Sierra Transit Authority pledged to provide financial support to assist doing so. In 2016, the County and its partners selected a consultant to assist in the planning process and convened an Advisory Committee to assist with coordination between the many participating agencies. Preliminary outreach commenced, existing conditions were assessed, and a visioning was initiated. A Charrette was conducted to brainstorm ideas for the Plan, and a draft Plan is anticipated in 2017. The Corridor Plan was completed in 2017. The specific plan has not been completed and staff will continue to look for grants to fund its completion. During 2022 the plan was consulted with to help Cal Trans with the Meadow Farms ADA project as the project area is within the North Sierra Highway Plan area. The county continues to monitor and help Cal Trans implement the ADA project.

### ***Zoning Code/General Plan Update***

The County adopted a comprehensive General Plan update in 2001. One of the follow-up actions directed in the 2001 General Plan was to update the Zoning Code, which is a component of the Inyo County Code. Staff worked with Wildan in 2011 to prepare updated Zoning Code sections and incorporated the Planning Commission's and Board of Supervisors' input into a comprehensive Zoning Code update and prepared a related General Plan update. Staff received direction from the Board regarding several issues related to the update in 2014, including code enforcement, Digital 395, and special event permits. Environmental review is still waiting for a funding source.

### ***Endangered Species Coordination***

The County has been monitoring the US Fish and Wildlife Service's and the California Fish and Wildlife's endangered species listing work program. Most recently this included proposals for listing of the Western Joshua Tree, which also received special protections from state legislation and the Western Burrowing Owl that has recently been nominated for special protection.

### ***Eastern Sierra Small Business Resource Center (SBRC)***

The County of Inyo has officially launched the Small Business Resource Center in a beautiful community space centrally located in downtown Bishop. Over the last several years, the County has secured \$805,000 in local and federal dollars to build out the facility and develop a business plan. A Director was hired by Sierra Business Council in October 2024, and the grand opening of the facility was held December 10, 2024. On December 15, the County submitted a grant funding application to support the launch of high-quality programming and business development services, including:

- 2 Youth Entrepreneur Pitch Camps
- 60 hours per month of 1:1 Technical Assistance for small businesses and entrepreneurs
- 2 live workshops per month, aimed at small business or specific industries
- Capacity to develop a construction trades mentorship program
- Capacity to begin development of an Angel Investor Network
- The development of a financial sustainability plan.

### ***Lone Pine Housing Efforts***

The County of Inyo successfully purchased .5 acres of land in Lone Pine, California, for the purpose of incentivizing the development of housing. The land was declared surplus by the Inyo County Board of Supervisors in early 2023 and was listed as a surplus property as required by the state Surplus Lands Act. No affordable housing developer took possession of the property, so the County has procured a brokerage firm with a strong background in multi-family housing development proposals and they are in the process of marketing the property. The County continues to seek opportunities to leverage private land for the creation of new housing, while working with LADWP to identify opportunities for future land divestment.

### ***Permanent Local Housing Allocation (PLHA)***

Inyo County received an award of \$490,685 through the Permanent Local Housing Allocation. Inyo County has spent the past year negotiating contracts and drafting program guidelines to launch a low-interest loan program. Draft program guidelines were approved by HCD in summer 2024, but the County and Eastern Sierra Community Housing (formerly Mammoth Lakes Housing) continue to struggle to negotiate an agreement that allows for adequate oversight of the loan program while staying under the 5% indirect allowed under the PLHA program guidelines. Underfunding the administrative backbone for housing projects continues to be a primary barrier to Inyo County's participation in HCD funded programs.

### ***Accessory Dwelling Unit (ADU) Prototypes Program***

Inyo County hired Design Path Studios, an architectural firm from Encinitas, CA to develop 12 ADU and single-family home full design sets ranging in size from 306 square feet to 1500 square feet. These pre-approved architectural designs will reduce the cost of housing and ADU development and streamline the permitting process for homeowners that choose to use them. The 12 designs are available on Inyo County's website at:

<https://www.inyocounty.us/services/county-administrators-office/inyo-county-pre-approved-building-plan-sets>

There has been a lot of initial interest in these plans, however, there have not been any building permits applied for, to date, using these plans.

### ***Silver Peaks***

In Partnership with Visionary Home Builders and Mammoth Lakes Housing, Inyo County helped to develop and submit an application for HCD's MHP Super NOFA for approximately \$19 million to build a 72 unit affordable housing apartment complex in Bishop. The MHP application for our region was not funded for the third time. Visionary Home Builders is now looking at alternative financing options.

### ***Comprehensive Economic Development Strategy CEDS***

Inyo County, Mono County and Alpine County successfully completed the Eastern Sierra region's first ever Comprehensive Economic Development Strategy (CEDS) in October, 2023. The region's CEDS was submitted to and accepted by the Economic Development Administration (EDA) and will allow the region to become eligible for federal funding for economic development projects. The three CEDS counties and associated jurisdictions have continued to meet bi-weekly throughout 2024 in order to further regional economic development goals, and Inyo County

submitted a project appendix to the CEDS in August 2024.

### ***Inyo County Visitor Website Updates***

In 2023, Inyo County continued to build on the much-lauded and highly visited tourism-aimed website: [www.inyocountyvisitor.com](http://www.inyocountyvisitor.com). This website provides information for visitors on the many quaint small towns throughout the County and generally showcases many of the County's superlatives and scenic wonders, including: Mt. Whitney, the highest peak in the contiguous United States; Badwater Basin in Death Valley National Park, the lowest point in the Western Hemisphere; the oldest living thing in the Ancient Bristlecone Pine Forest; and the unique geological formations of the Alabama Hills, which has been designated as a National Scenic Area. The site includes information on Leave No Trace principles, stunning video and photography from our snow-capped mountains to rippling sand dunes, and also serves double duty as the County's Film Commission online resource, providing information on permitting, popular filming locations, local rules and regulations, and contact information for local businesses and experts who can provide services to film crews.

### ***Building a Strong Film Commission***

In 2023, Inyo County renewed its contract with a new Film Commissioner, who has made great strides in making critical film industry contacts and working with local agencies, as well as the USFS, BLM, and Los Angeles Department of Water and Power, on a streamlined permitting process. The Film Commissioner is also busy building up the aforementioned Film Commission section of [www.inyocountyvisitor.com](http://www.inyocountyvisitor.com), with the plan to move the content – which now includes photo libraries, a list of local businesses and professionals, permitting information, and even a feature to add yourself to a list of available “extras” in Inyo County – to its own domain. In addition to promoting and advertising Inyo County as a premier film destination, the Film Commissioner also represents Inyo County on the Film Liaisons in California Statewide (FLICS) board of directors. Inquiries from film, TV, and photography productions are growing in frequency as a result of these various efforts.

### ***2024 Regional Transportation Improvement Program (RTIP)***

This project involves the development and selection of transportation projects that are then programmed in specific amounts and program years for the next five-year funding cycle. The development of this program requires local and regional coordination and is based on State Transportation Improvement Program (STIP) funding. STIP funding has been on the decline statewide. The Inyo County STIP shares are modestly out of the negative this 2024 cycle (\$2.742 million) after many years due to Inyo County's long-term commitment to improve the safety along the Eastern Sierra corridor, along with its MOU partners, Kern COG, and Mono County. Inyo's 2024 RTIP was approved by the Inyo County Local Transportation Commission (ICLTC) in November 2023. This cycle, Kern COG agreed to repay a large portion of its RTIP funds to Inyo County, which were advanced by Inyo during the 2016 STIP cycle for Freeman Gulch Phase 1 in Kern County. The repayment of \$3.4 Million will pay for the Lone Pine Town Streets Rehabilitation Project. The 2024 RTIP provides a partial match to the Federal Lands Access Program grant (\$1.7 Million) to reconstruct State Line Road near Death Valley Junction. The statewide STIP (incorporating regions' RTIP's) was approved for final approval by the California Transportation Commission in March 2024.

### ***State Line Road Rehabilitation Federal Lands Access Program (FLAP) Grant***

This \$22 million dollar project was approved by the Federal Highway Administration on December 14, 2022. The project will rehabilitate and widen State Line Road from Death Valley Junction to the State Line. State Line Road will be widened to 28 feet with 12-foot-wide travel lanes and two 2-foot-wide paved shoulders. Signage, striping and safety-related features will be included. The County, in partnership with the Federal Highway Administration, will complete a review of this project under the California Environmental Quality Act and the National Environmental Policy Act. This roadway experiences heavy traffic volumes and is a popular route to Death Valley. The project will improve access to Death Valley National Park, Ash Meadows National Wildlife Refuge, and Bureau of Land Management Lands. The project adjoins another FLAP project on Bell Vista Road in Nevada, which is slated for construction in 2025. State Line Road construction funding is preliminarily programmed for fiscal year 2028.

### ***Regional Transportation Plan (RTP)***

This planning document involves the development and selection of transportation projects that are then eligible to be programmed in specific amounts and program years in the Regional Transportation Improvement Program. The RTP must be updated every four years. The ICLTC updated its RTP in November 2023. The RTP is intended to be a fiscally constrained planning document for a twenty-year period. The Inyo RTP is updated every four years. The development of this plan requires local and regional coordination. Any road construction and transportation infrastructure beyond basic repair and maintenance within the next four years should be included in this document.

### ***Inyo County Active Transportation Plan***

Inyo County, with a consultant, drafted an Active Transportation Program (ATP) Plan and held public outreach meetings. The 2015 ATP was released for public review and comment and then approved by the Inyo County Local Transportation Commission in April 2016. The 2015 ATP Plan includes:

1. Bicycle Element – an update of the 2009 Inyo County Collaborative Bikeways Plan;
2. Pedestrian Element – this describes existing facilities, examines past accident records, estimates the current number of pedestrians, lists and prioritizes potential projects, and identify funding sources;
3. Recreation Trails Element – this identifies areas where there are deficiencies in motorized and non-motorized recreational trails, lists and prioritizes potential projects, estimates the number of users for a given trail segment, and describes how the projects provide for the viewing of points of interest; and
4. Safe Routes to School Element – this section creates Safe Routes to Schools maps for all areas in Inyo County and updates the Safe Routes to School maps for schools inside the City of Bishop. The Inyo County LTC updated its Active Transportation Plan in February 2024. An Active Transportation Plan or its equivalent is a requirement to apply for ATP grant funds. In June 2024, the Inyo County LTC applied to the Cycle 7 ATP grant program to create a complete and safe 2.9-mile active transportation corridor between the communities of Tecopa and Tecopa Hot Springs. The application was successful and was awarded \$7.6 Million in grant funding. The project will construct a shared use path between the two communities, and sidewalks and bikes lanes within the communities' cores. The Tecopa area is classified as disadvantaged by income and is also located within a census tract with a Healthy Place Index score significantly below Inyo County.



Project completion anticipated in FY2028-2029.

### ***Local Road Safety Plan (LRSP)***

An LRSP provides a framework for organizing stakeholders to identify, analyze, and prioritize roadway safety improvements on local and rural roads. The process of developing an LRSP can be tailored to local protocols, needs, and issues. The Local Transportation Commission (LTC) prepared a LRSP in 2022 with the assistance of LSC Transportation Consultants, Inc. The Highway Safety Improvement Plan (HSIP) grants require a LRSP as a pre-condition. The 2022 LRSP identified several areas with higher-than-average crash rates in Inyo County, including Trona Wildrose in the Slate Range, Old Spanish Trail over Emigrant Pass, and East Line Street.

### ***Highway Safety Improvement Plan (HSIP)***

Highway Safety Improvement funds are awarded based on crash experience, crash potential, crash rate, or other data-supported means. In 2020, Inyo County Public Works received an HSIP grant to add fog-line and centerline striping at various locations throughout southern Inyo County. This striping work is complete. Public Works won another HSIP grant in 2021 to replace the Onion Valley Road guardrail. This work was completed in July 2024. complete. In 2023, the ICLTC won an HSIP grant to add flashing beacons, curve warnings, and a high surface friction treatment to Old Spanish Trail Highway, over Emigrant Pass. This area has a higher than usual crash rate. Anticipated construction in 2027. In September 2024, the Inyo LTC applied for the Cycle 12 HSIP grant program to address the safety concerns identified in the LRSP on Trone Wildrose Rd through the Slate Range.

### ***Water Meter Replacement Grant***

Inyo County Public Works Water Systems accepted a grant from the Eastern California Water Association. The project will replace existing meters with automatic electronic read meters and allow County staff to ensure that all service connections are metered. This effort will provide for the accurate measurement of individual water usage and ultimately a better understanding of the communities' gross water demands which will assist with water conservation strategies and mitigating overage charges from LADWP. Preparing RFP to get quotes from contractors for installation.

### ***Water Line Replacement in Lone Pine***

This project is aimed at replacing the existing water lines prior to repaving the Lone Pine town streets. Submitting grants to fund the project.

### ***Storm Damage & Run-off Repairs / Whitney Portal Road Repair & Replacement***

Hurricane Hilary and historic high snow pack levels in the Sierra led to excessive run-off events and resulted in significant road damage in 2023. Twenty-four roads were closed while others with significant damage remained open and passable. The most major damage was to approximately one mile of lower Whitney Portal Road. The damage was so extensive that the Federal Highways Central Lands Division has agreed to take over the re-design and re-construction project. The road was finished and re-opened January 2025.

### ***Lone Pine ADA Sidewalk Project***

This ADA retrofit project, funded by a Caltrans Active Transportation Program grant, will build,

repair or replace sidewalks connecting the downtown Lone Pine business district, Post Office and Senior Center to the elementary school, churches, low income housing complex and the hospital. This project is 100% complete.

#### ***Courthouse HVAC***

This project is almost 100% complete. The goal is to add energy efficient heating and cooling to the historic Inyo County Courthouse and remove the window unit air conditioners.

#### ***New Animal Shelter Building***

This project is 100% complete. The was to provide a new 1,600 sq. ft. animal shelter building as an addition to the existing complex.

#### ***Jail Administration Remodel***

This project is 100% complete. The project's principal goal was to repair and replace portions of the jail facility that had been severely damaged by water intrusion.

#### ***Walker Creek Bridge***

This project is federally funded by the Highway Bridge Program. The goal of this project is to replace the existing single lane bridge. This project is under contract.

#### ***Tecopa Campground Aeration System***

This project is almost 100% complete. Installation is scheduled for the beginning of February 2025. The goal is to eliminate some of the strong odors that come from the sewer ponds in the summer.

#### ***Lone Pine Town Streets***

This project is in design phase. Construction anticipated by 2029/2030. STIP funded and is a part of Kern County's RTIP.

#### ***Carrol Creek Bridge***

This project is federally funded by the Highway Bridge Program. Design is done, waiting on DWP for Right of Way.

#### ***Inyo/Los Angeles Long Term Water Agreement***

The Inyo/Los Angeles Long Term Water Agreement (Agreement) is settlement to CEQA litigation between the County and Los Angeles concerning the operation of Los Angeles's second aqueduct. The Agreement requires Los Angeles to manage surface water and groundwater so as to avoid any significant adverse impacts that cannot be acceptably mitigated and to provide a reliable supply of water for Inyo and Los Angeles. Activities conducted by the County and Los Angeles include annual planning of water management activities, implementation and monitoring of mitigation projects, monitoring of habitat and hydrologic conditions, and evaluation of current conditions relative to the Agreement's goals.

Specific activities undertaken in 2024 included continued monitoring of vegetation and hydrologic conditions, monitoring of mitigation projects, and a continuation of the implementation of an interim plan for management of Blackrock Waterfowl Management Area. In addition, the Water

Department responded to a number of proposals for new and replacement wells from Los Angeles Department of Water and Power. Under the Water Agreement, LADWP is allowed to replace wells and drill new wells provided conditions are favorable and they do not have an adverse effect on the environment. The Water Department has also begun discussing groundwater banking with LADWP. Lastly, the study of willow and cottonwood recruitment and establishment in riparian areas of the Owens Valley continued.

### ***Mitigation Projects***

The Water Department supports our communities by overseeing the progress of LADWP's environmental and mitigation projects in the Owens Valley. If mitigation goals are not being achieved, or projects are not being managed as stipulated, or simply not being implemented, the ICWD works with LADWP and MOU parties to either help implement or modify the project. The full list of these projects and their current status, as well as other useful information can be found on ICWD's mitigation webpage. Access the ICWD mitigation webpage here: [www.inyowater.org/mitigation](http://www.inyowater.org/mitigation).

ICWD is participating in an ongoing process among the MOU parties to review and assess mitigation projects. The original intention of this effort was to develop Mitigation, Monitoring, and Reporting plans, as required by CEQA, for all the mitigation projects, as many of the projects have vague or ill-defined goals and monitoring. Moving forward, MOU parties want to see clearer planning for and reporting on the projects. The parties are continuing a process of meeting regularly to discuss projects.

The Water Department maintains an interactive online map of all mitigation projects. This map offers a comprehensive overview of all Owens Valley mitigation projects tied to the Long-Term Water Agreement, Stipulations and Orders, and subsequent initiatives. Users can explore the geographic distribution, view project site photos, and easily find specific projects through filters. Clicking on a project's center point provides detailed information, including origin, impact, status, and available water delivery details. Access the mitigation maps here: <https://experience.arcgis.com/experience/44b652a16c4b443b9b4a2e7dc3fcbb91/>

### ***Lower Owens River Project (LORP)***

The LORP is a compensatory mitigation project under the Long-Term Water Agreement with LADWP. The project was established to offset impacts that are difficult to quantify or mitigate directly. After 17 years, the LORP is partially meeting its goals, which are the establishment of a healthy, functioning Lower Owens River riverine-riparian ecosystem and the establishment of healthy functioning ecosystems in the other elements of the LORP for the benefit of biodiversity and threatened and endangered species, while providing for the continuation of sustainable uses including recreation, livestock grazing, agriculture, and other activities. To assess its progress, refer to the 2024 LORP Annual Report, which is found here: <https://www.ladwp.com/who-we-are/water-system/los-angeles-aqueduct/lower-owens-river-project>.

Much of the activity in 2024 on the LORP focused on understanding the impacts of the very large runoff events from 2023. Staff walked the length of the Lower Owens River to look for spread of invasive species and recruitment of native woody species. Water quality was measured monthly

to assess changes in temperature and dissolved oxygen. The Blackrock Waterfowl Management Area interim plan was continued in order to understand the effects of a seasonal (vs. year-round) flooding regime on vegetation and bird species. Finally, the study of tree recruitment along the Lower Owens was continued.

### ***Owens River Water Trail (ORWT)***

Owens River Water Trail would open up about 6 miles of river channel east of the community of Lone Pine for recreational canoeing, kayaking, and paddle boarding. The County has been awarded a grant from the California Natural Resources Agency to conduct the initial channel clearing in the river. Additional funding is being sought for design, engineering, and permitting. LADWP funded the development and production of the draft EIR, which was completed in May 2019. The CEQA document will be certified as soon as the terms for a long-term lease with LADWP are known. The lease will allow the development of water entry and exit points that are located on LADWP owned lands.

### ***Sustainable Groundwater Management for the Owens Valley (SGMA)***

The Sustainable Groundwater Management Act of 2014 (SGMA) requires that local Groundwater Sustainability Agencies (GSA) manage groundwater basins in California. The Owens Valley Groundwater Basin is managed by three GSAs: Owens Valley Groundwater Authority (OVGA), Mono County, and Tri-Valley Groundwater Management District. ICWD serves as staff to the OVGA and implements the Groundwater Sustainability Plan for the Inyo County portion of the basin. In addition to regular reporting, the Water Department conducts a well registration program and a review process for all new well permit applications in the Owens Valley. In addition, Water Department staff is acting in a project management capacity for a groundwater model project in the Tri-Valley portion of the basin.

### ***Inyo-Mono Integrated Regional Water Management Program (IRWMP)***

The mission of the Inyo Mono Regional Water Management Group (RWMG) is to “To research, identify, prioritize, and act on regional water issues, and related social and economic issues, so as to protect and enhance our environment and economy.” The ICWD participates in this collaborative body made up of public, private, and not-for-profit entities. To date, the Inyo-Mono IRWM Program has raised more than \$7.75 million to support water infrastructure and ecosystem stewardship projects, provide technical assistance and project development services to small water systems, and engage disadvantaged communities throughout the region. Most recently, the Inyo-Mono IRWM Program was awarded \$2.762 million through Proposition 1 for nine projects, five of which are in Inyo County. Inyo County Public Works will receive \$558,000 to replace water meters in Laws, Independence, and Lone Pine.

The long-term outlook for the Inyo-Mono IRWM Program is uncertain at this time. Proposition 4, which received approval from California voters in 2024, earmarks funding for IRWM.

## **III. General Plan Elements**

The General Plan details the County’s guiding principles for a variety of planning topics and is the roadmap for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD), although the State Geologist and CalFire provide some oversight of other aspects.

The Inyo County General Plan consists of the following Elements:

- Government
- Land Use
- Economic Development
- Housing
- Circulation
- Conservation/Open Space
- Public Safety

Subtopics are included in the elements to meet California's requirements. The following sections address implementation for each of the County's General Plan Elements.

### **Government Element**

The Government Element includes the following goals (i) promoting consistency of other agencies' actions with General Plan (Goal Gov-1), (ii) encouraging collaborative planning and public participation (Goal Gov-2), (iii) increasing private land ownership (Goal Gov-3), (iv) guiding federal land actions and encouraging economic development (Goal Gov-4), (v) protecting and developing water resources (Goal Gov-5), (vi) preserving and expanding agriculture (Goal Gov-6), (vii) enhancing opportunities for recreation, including for off-road vehicles, hiking, and biking (Goal Gov-7), (viii) encouraging improved management of wildlife and fisheries (Goal Gov-8), (ix) promoting exploration, development, and reclamation of mineral resources (Goal Gov-9), (x) balancing energy development (Goal Gov-10), and (xi) enhancing transportation and preserving access (Goal Gov-11).

To achieve these goals, the County has continued dialogue with local, regional, State, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts with other agencies. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, State, and local regulations. The County works to make such agencies aware of County programs and policies and bring their actions into conformance with the General Plan. During 2024, the County worked state and federal land management agencies on regional planning efforts affecting Inyo County resources.

The County also involves citizens, Native American tribes, and public interest groups in the

planning process whenever feasible. Staff works to ensure that the public is made aware of all planning projects through mailings and notices in the newspaper to allow for their participation. Routine feedback and public input is requested, and the County's website is maintained to provide for current up-to-date information regarding planning issues.

### **Land Use Element**

The Land Use Element guides County land use policy and insures that appropriate development takes place, with adequate provision of public services and utilities. Land use designations are specified, defined, and mapped in the Land Use Diagrams. The land use designations roughly correspond to the County's zoning districts. Public services and utilities are also addressed in the Land Use Element. Development in and around existing towns is encouraged, which is where most building permits are issued. Potential impacts from new development are assessed under CEQA. Additional conditions of approval and mitigation may be required if deemed necessary to provide for issues such as screening, habitat conservation, parking, and noise-reduction, or otherwise address issues per the General Plan's direction.

### **Economic Development Element**

The Economic Development Element works to support long-term efforts to improve economic conditions for all County residents, and addresses tourism, natural resources, and retail sales. Towards these ends, the County has continued to promote access to public lands and limit any new restrictions being planned. Promotions regarding Inyo County in major population centers elsewhere in the State (including at the State fair) are carried out. Filming opportunities are exploited, and several dramatic locations were featured in film, television, and other venues in 2024. There are also several new economic development programs. These are outlined in the Other Plans and Projects section.

### **Housing Element**

The Housing Element works to provide housing for all of the community and addresses the needs of specified populations. In 2022, the County completed its 6<sup>th</sup> Cycle Updated of the Housing Element, which was certified by HCD in August 2022. This had to be revised as 2 RHNA sites identified in the certified Element required zone changes that were not approved. Staff found replacement parcels and revised the Housing Element, which was then re-approved and re-certified. Preliminary data indicate that in 2024 sixteen new units were applied for, and that construction began on a significant number of these. Twelve units also obtained certificates of occupancy (completed).

The County continues to work with service providers to provide for the needs of lower- income households, the disabled, and other special needs populations, per the direction provided by the Housing Element. The County updated several sections of its zoning code based on the Housing Element update, which incorporates new State zoning requirements regarding housing. Staff is also beginning a residential infill program designed to review design standards and density requirements that may be inhibiting new housing development.

### **Circulation Element**

The Circulation Element addresses a wide variety of topics, including roads, scenic highways, public transportation, bicycles and trails, railroads, aviation, canals, pipelines, and transmission



cables. These planning programs prioritize improvement to achieve implementation measures for roadway repaving and reconstruction projects.

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development, and Digital 395 provides an excellent opportunity for telecommunications enhancements locally. The County continues to work with Caltrans regarding the Olancho-Cartago Four-Lane project and is seeking ways to implement the strategies identified in the corridor study prepared for the area proposed to be abandoned.

Viewshed issues along scenic highways are also addressed, as they may apply. The County continues to encourage the Forest Service and other federal agencies to address local concerns regarding appropriate motorized transport on federal lands and to otherwise maintain and improve access to help promote the County's tourist-based economy.

The County worked with the City of Bishop, Caltrans, and other local stakeholders to implement the Collaborative Bikeways Plan, which was adopted in 2008. This project implements the Circulation Element's bicycle goals, policies, and implementation measures. As discussed above, the Inyo 2016 ATP built upon and incorporated the policies and goals set forth in the 2008 bikeways plan. Continued coordination with LADWP, the Forest Service, and the BLM ensures appropriate trail maintenance and access to public lands.

### **Conservation/Open Space Element**

The Conservation and Open Space Element works to provide for resource management, open space for recreation, and park development. Inyo County's Open Space Element includes sections on soils, agriculture, minerals and energy, water, biology, cultural (i.e., archaeology), visual, and recreation.

The County continues its programs to support agriculture and ranching. Mineral resource development is encouraged, and the County reviews projects to ensure compliance with SMARA and other regulations. As discussed above, the Planning Commission continues its work providing oversight for reclamation plans, and staff inspected about 80 mines in 2024. The County is working with State and federal agencies to encourage appropriate mineral production.

The Environmental Health Department provides oversight and permitting potable water and wastewater treatment systems in order to manage and improve water quality. Individual projects are reviewed to ensure that they do not adversely impact groundwater quality or quantity. Work on the LORP and other enhancement projects improve surface water quality through biological filtering. Water transfers are reviewed to minimize environmental and economic effects. Potential impacts on biological, cultural, and visual resources are analyzed for projects and programs through environmental review processes. Architectural Design review in Lone Pine is carried out to ensure compatibility. The County continues to work to improve its parks and provide access to federal lands.

### **Public Safety Element**

The Public Safety Element works to reduce hazards regarding air quality, floods, avalanches, wildfires, geology and seismicity, and noise. The County continues to cooperate with DWP to reduce dust from Owens Lake, and evaluates air quality issues for major discretionary projects. Building permits and other development proposals are reviewed for flooding, fire, avalanche, and faulting hazards. The County adopted a Hazard Mitigation Plan in 2017 and it was approved by FEMA. In September 2018 the County's General Plan Public Safety Element was amended to add by reference the Hazard Mitigation Plan. Incorporating the MHMP into the General Plan is beneficial to the County as it adds identification of potential hazards, analysis, and mitigation language to the General Plan; and, it opens up more potential funding opportunities to the County in the event of a disaster. The Hazard Mitigation Plan and Safety Element are currently in the process of being updated and staff from several county departments are working on it. Once it is complete it will be incorporated into the General Plan.

### **IV. General Plan and Zoning Code Updates**

The County comprehensively updated its General Plan on December 11, 2001. One of the follow-up actions was to update the County's Zoning Code per the direction provided in the General Plan. During the past several years staff has been working to update the Zoning Code based primarily on state changes to housing law.

### **V. Conclusion**

The General Plan is the County's constitution and guiding vision. Due to the world's ever-changing nature, upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The County provided leadership and participated in many planning activities in 2024, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures.

## **Appendix A**

### **Government Code Section 65400**

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

- (1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.
- (2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments. The report may include the number of units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

- (b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

## Appendix B

<b>Jurisdiction</b>	nyo County - Unincorporated	
<b>Reporting Year</b>	2024	(Jan. 1 - Dec. 31)
<b>Housing Element Planning Period</b>	6th Cycle	04/30/2021 - 04/30/2029

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		16
Total Units		16

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	0	0
2 to 4 units per structure	0	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	7	0
Mobile/Manufactured Home	0	0	0
<b>Total</b>	<b>0</b>	<b>7</b>	<b>0</b>

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	0	0
Not Indicated as Infill	16	16

Housing Applications Summary	
Total Housing Applications Submitted:	16
Number of Proposed Units in All Applications Received:	16
Total Housing Units Approved:	16
Total Housing Units Disapproved:	0

Use of SB 423 Streamlining Provisions - Applications	
Number of SB 423 Streamlining Applications	0
Number of SB 423 Streamlining Applications Approved	0

Units Constructed - SB 423 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 423 (2023)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	16	16
Discretionary	0	0

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	42
Sites Rezoned to Accommodate the RHNA	0

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

<b>Jurisdiction</b>		Inyo County - Unincorporated	
<b>Reporting Year</b>		2024	(Jan. 1 - Dec. 31)
<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b> Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Name of Program</b>	<b>Objective</b>	<b>Timeframe in H.E</b>	<b>Status of Program Implementation</b>
1.1.1 Housing Rehabilitation Funding	Research available state funds on an annual basis as Notice of Funding Availability (NOFA) is released. The County has set a goal of the rehabilitation of 15-units between 2021-2029 (equals 3-units per year for 5-years).	2021-2029	Researching available funding - A program County funding for rehabilitation and ADU projects is also being explored.
1.2 Housing Rehabilitation Code Enforcement	The County shall advocate for the rehabilitation of substandard residential properties by homeowners and landlords.	2021-2029	Case by case, work with homeowners as issues come up
1.3.1 Energy Efficiency	The County will focus efforts to promote energy efficiency by supporting programs such as weatherization and utility assistance programs that alleviate energy costs for households. The County shall maintain its webpage dedicated to energy efficiency education and programs.	2021-2029	Researching available funding
1.3.2 Energy Efficiency Webpage	The County shall rebuild its dedicated webpage to housing resources including for energy efficiency and loan programs.	2024-2025	Staff is working on how to make this work in the County's new webpage design.
2.1.1 Adequate Sites	If monitoring indicates that development has occurred on any of the parcels identified in the site inventory, the County shall ensure there is existing adequate capacity or identify additional sites to compensate for the loss.	2021-2029	Monitoring will occur by 2029



2.1.2 Sites Inventory	The County shall maintain an up-to-date inventory of sites suitable for residential development and provide this information to residential developers and to the real estate community. This inventory will include DWP land release sites.	2021-2029	This list is currently available
2.1.3	Removed 2023 Revision	2021-2029	Removed 2023 Revision
2.1.4 Code Update units	The County shall complete an update to the Code to remove the requirement for multi-family housing over 15 units to require a conditional use permit to by right rezoning.	2021-2023	Completed 12/2022
2.1.5 Employee Housing Deifnition Update	The County shall update its Code definition of employee housing to remove the description of “five or more unrelated persons or families” eliminating the number based restriction in the definition, and making it compliant with current State regulations.	2021-2023	Completed 12/2022
2.1.6 Regional Housing Group	The County shall within the 2021-2029 Housing Element timeframe and beyond create a regional housing working group including but not limited to the City of Bishop, Local Tribes, and Inyo County to review and evaluate housing needs at a regional level and prepare policies and programs to address those needs and to ensure adequate housing throughout the region.	2021-2029	A regional housing group has been meeting regularly and an RFP has been advertised for a regional housing needs study.
2.1.7 Regional Transportation Needs	The regional housing working group along with its review and evaluation of housing needs at the regional level will also look at issues, policies and programs to address gaps in transportation that might be contributing to fair access to jobs and services in relation to housing opportunities.	2021-2029	This program is being developed.
3.1.1 Meet with Federal State and City land manangers RE divestment of properties	Annual meetings with DWP, BLM and other federal / state agencies Determination for alternate sites for Sites 1 and Sites 3 if LADWP is unwilling or unable to facilitate housing on sites by end of 2024.	2021-2024	Talks are on going with LADWP, new sites 1 nad 3 have been identified and approved. Included in the 2023 HE revision.

3.1.2 ADUs	The County shall continue to encourage ADU/JADU development.	2021-2025	Building plans for several sizes and over the garage ADUs as well as a small SFR, have been prepared for the County to give to property owners. These plans were completed in 2024 and made available to the public
3.1.3 Tiny Homes	Tiny Homes are currently not defined in the County code. They are allowed by right as the County does not regulate the minimum size of residential units. They are also allowed as ADU/JADUs. To make tiny home development more accessible the County shall update the zoning code to include a definition of Tiny Homes.	2021-2023	Completed 12/2022
3.1.4 Definitions	Based on new and still relevant existing State law, Low Barrier Navigation Centers, and Transitional and Supportive Housing will be added to the County code definitions. These along with Emergency Shelters and Single Occupancy Residences (SROs) will have language added and/or updated to accurately match requirements provided for by State law. This includes: Transitional housing, supportive housing and group homes are permitted in the same manner as other residential dwellings of the same type in the same zone. Low Barrier Navigation Centers and Emergency shelters cannot have parking requirements beyond spaces needed for employees and cannot be required if located within one-half-mile of a transit stop.	2021-2023	Completed 12/2022
3.1.4 Definitions/Standards housing types	The County will also add SROs as a permitted use in the Multi-family 3-units and above residential (R3) zone and design development standards with reduced parking requirements by the end of 2023. The County will propose no more than 0.5 parking spaces per SRO unit.	2021-2023	Completed 12/2022

3.1.5 Affordable Housing Opportunities	The County shall provide expanded affordable housing opportunities by partnering with local organizations and providing technical assistance and/or pass-through funds as appropriate for the development of units affordable to extremely low, very low, or low-income households. As part of these partnerships, the County will obtain local data and knowledge from nearby jurisdiction on an annual basis, as outlined in Program 3.1.1. This will include a list of qualified entities, discussions on past successful projects, discussions on suitable development standards, and experiences with affordable housing developers.	2021-2029	This program is being developed.
3.1.6 Employer Assisted Housig	County will continue to explore Employer Assisted Housing Programs by forming a working group with major employers in the area to discuss how the County can assist in the development of employer-assisted housing in Inyo County.	2021-2029	This program is being be developed
3.1.7 Housing Specialist	The County will continue working on establishing a housing specialist position for the County. This person will help identify housing opportunities for income levels, be available to take fair housing complaints and help get people to the appropriate organization/agency for help.	2021-2029	This program is being be developed, currently Mammoth Lakes Housing fills the roll.
3.2.1 High Density Housing/Brochure	The County shall encourage higher density residential development in areas of population concentration by conducting outreach to developers and property owners to encourage higher density residential development. In addition, the County will explore funding options for appropriate housing as funds become available. A brochure will be completed and sent to property owners	2021-2029 Brochure 12/2024	In progress, brochure complete

3.2.2 Density Bonus	<p>The County shall encourage development of housing for low-income households through provision of density bonus incentives. The County shall prepare updates to the density bonus chapter (18.65) of the County code as required by the State and inform applicants of new opportunities for density increases.</p>	2021-2023	Completed by late spring 2024
3.2.3 Encourage Higher Density Housing	<p>Encourage high density residential development in specific Commercial Zones. The County will continue to explore ideas brought forth during its SB2 Vacant Lands grant work in allowing for outright permitting of multi-family units in the Central Business zone, as well as, explore opportunities for permitted by right mixed use and high density housing in other commercial zones. Areas along the County's small town main streets (highway 395) have vacant commercial parcels and empty buildings. Reevaluating these parcels for 'missing middle' housing opportunities, such as cottage apartments, 4-plexes and etc. could potentially do a lot to help the County meet its own housing goals. This work will also include a review of design requirements such as parking, setbacks, minimum lot size and height standards that could be improved to encourage more high density housing. The County will also seek out resources for the development of missing middle preapproved plans that require low cost renovations and may share indoor spaces and amenities to meet certain development standards.</p>	2021-2023	Changes to CB Zone completed 12/2022

3.2.3 Encourage Higher Density Housing	In addition to the updates outlined in Program 7.1.1 updating development standards such as minimum parcel size, the County will also allow multifamily and mixed use housing as a permitted use in the CB zone. This will allow the County to expand the number of candidate sites for housing, which is particularly useful in the event that the LADWP-owned sites (Sites 1 and 3) are not available for reasons outside of the County's control.	2021-2023	Changes to CB Zone completed 12/2022
3.2.4 Encourage Higher Density in established residential areas	Encourage higher density in established residential neighborhoods by evaluating current residential codes for design standards that might work to better encourage multi-family housing. This will include setback, minimum lot size, height and especially parking standards in the County's multi-family zones.	45870	In progress, should be completed by 12/25.
3.4.1 Mobile Home Parks	The County shall provide technical assistance to mobile home park residents who want to purchase their mobile home park. To accomplish this, the County will advertise the program to mobile home park residents, including conducting meetings with tenants as requested.	2021-2029	Not yet started
3.4.2 Mobile Home Overlay	The County will remove its Mobile Home overlay as it is not used and is non-compliant. Language clarifying that mobile/manufactured homes on a foundation are to be processed the same as the process applicable to a conventional single dwelling unit in the same zone.	2021-2029	Completed 12/2022
3.5.1 Financial Assistance	The County will support the efforts of local housing service providers to assist low-income households with utility bills by providing assistance to a minimum of 150-households annually through the LIHEAP (Low-income Energy Assistance Program).	2021-2029	Ongoing program

<b>3.5.2 Section 8 Housing</b>	The County shall encourage rental subsidies for lower-income families and elderly persons. The County shall encourage listing of rental units with local housing service providers.	2021-2029	Ongoing program
<b>3.5.3 Continued Affordability</b>	The County shall provide for the continued affordability of the County's low and moderate-income housing stock. Although not anticipated, if any deed-restricted affordable units currently serving County residents are at risk of converting to market rates, the County will facilitate a preservation program with the owner and/or operator of the project at risk. The goal will be to identify additional funds to either continue the affordability of the at-risk project or to replace those units once they are no longer affordable to lower-income households.	2021-2029	Ongoing program
<b>4.1.1 Self Help</b>	The County will continue to make efforts to coordinate with established self-help housing groups to solicit interest in developing projects in the county to facilitate self-help housing as a form of homeownership for lower-income households.	2021-2029	Ongoing program
<b>4.2.1 Federal Grants</b>	The County will consider, as appropriate, applying for state and federal grant funds to provide homeownership opportunities that may include interest rate write-downs, down payment assistance, and mortgage revenue bond financing through state and federal programs.	2021-2029 with goal of completeing at least one project	Researching availbale funding
<b>5.1.1 Compliance with new State Regulations</b>	The County shall update its zoning code to properly address new State laws regarding Density Bonus, Low Barrier Navigation Centers, Emergency Shelters and Transitional and Supportive Housing, pursuant to AB 2162.	2021-2023	Completed 12/2022

5.2.1 Expedite Permits	The County routinely works with homeowners to expedite their permits and provide flexibility in submittal requirements for owners developing their own homes. The County will also annually review its permit and development plan processing timelines and look for ways to expedite or simultaneously conduct development reviews to ensure timely processing.	2021-2029	Ongoing program
5.2.2 Expedite Affordable Projects	The County shall evaluate and consider alternative processes to help expedite and encourage affordable housing projects, such as administrative approvals of use permits projects and modifications to the design standards in the zoning code regarding setbacks, lot sizes, parking and height standards.	2024-2026	In progress, should be completed by 12/25.
5.3.1 Infrastructure in remote areas	For sites in remote areas, the County shall explore ways to help to facilitate the provision of infrastructure to accommodate residential development by researching opportunities for providing the necessary infrastructure in remote locations for residential development. Strategies to increase densities in these locations will also include development standards where it is feasible with regard to infrastructure, especially with regard to water and sewer.	2021-2029	Not yet started



5.3.2 County Property	<p>The County currently owns 66-parcels of land in the County. Of the 66-parcels, 32 are located in the Owens Valley. The rest are in the more remote areas of the County with limited to no infrastructure or services. All but 3 of the Owens Valley parcels are currently built on for various County offices, roads yards, libraries, parks -etc. The 3 vacant parcels are located in Bishop and Big Pine. The Bishop parcel is currently in the process of a zone change and is included in the RHNA site inventory - Site 2. This zone change will be completed by April 2023. The two parcels in Big Pine are environmentally constrained with special status species and a wetland. This parcel will, however, be further evaluated for housing development viability. The County also has several road yards and an airport on some of its properties in the Owens Valley. Two of the road yard parcels are currently undergoing zone and General Plan reclassifications to multi-family residential to encourage high density housing development. These parcels are located in Lone Pine. The County will complete the two zone change and reclassifications by December 2024.</p>	2021-2029	Site 2 was ultimately not rezoned, new parcels were identified and approved to replace it in the Update Housing Element.
6.1.1 Support Housing Services	<p>The County shall take positive action to assure unrestricted access to housing. The County will continue to support local housing service providers to provide fair housing services and assist in program outreach.</p>	2021-2029	Ongoing program
6.2.1 Reasonable Accommodation	<p>The County will continue efforts to mitigate or remove constraints on housing for persons with disabilities and will update its code to accurately follow new State regulations.</p>	2022	Completed 12/2022 - Reasonable Accommodation

7.1.1 AFFH	ADU Promotional Brochure within one year of certification. Remove minimum lot width, minimum lot size, minimum parcel size and maximum densities for all residential zones, except Rural Residential due to infrastructure concerns, and revise front yard / rear yard setbacks to facilitate higher density development as well as develop ordinance for SB9 compliance by the end of 2023.	2024	Completed 2024.
7.2.1 Senior Housing	The County will continue working with the housing stakeholder group established during the housing element update to further define housing issues in the county and specifically senior housing. This work will include identifying and applying for grants to provide affordable housing located near services. A focus will be placed on Census Tracts 5 and 8 as these include the areas in the County with the highest percentages of households with a householder 65-years and older. The housing stakeholder group will target new members from these Census Tracts and meet every six months. The group will discuss strategies to support multigenerational households and designing development standards that support aging in place. Intensifying existing single unit homes with ADUs, JADUs, can be an important way to fund housing costs, including mortgages and rehabilitation projects for senior households. The group will evaluate shared housing strategies and look to design / adopt template agreements that can help facilitate cost-sharing arrangements for a variety of households by the end of 2023.	2021-2029	Not yet started

