Agenda

County of Inyo
Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

INYO COUNTY PLANNING COMMISSION

Howard Lehwald	**First District**	Inyo County Planning Commission
Caitlin (Kate) J. Morley	**Second District**	Post Office Drawer L
Todd Vogel	**Third District (Chair)**	Independence, CA 93526
Callie Peek	**Fourth District (Vice Chair)**	(760) 878-0263
Aaron Cassell	**Fifth District**	(760) 872-2712 FAX
		inyoplanning@inyocounty.us

STAFF

Cathreen Richards	Planning Director
Danielle Visuaño	Senior Planner
Ryan Standridge	Associate Planner
Cynthia Draper	Associate Planner
Sally Faircloth	Project Coordinator
Michael Errante	Public Works Director
Denelle Carrington	Acting County Administrator
Christian Milovich	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).

October 22, 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 August 27, 2025, Planning Commission Meeting.

5. **TENTATIVE PARCEL MAP-432; ZONE RECLASSIFICATION 2025-02/Wilson -** The applicant (Dwayne Wilson) is requesting to subdivide a parcel into four parcels for existing and future residential development. This action requires a Tentative Parcel Map. This Tentative Parcel Map also requires a Zone Reclassification to create the correct land use designation for all of the proposed new parcels. The project is located at 250 Panorama Dr., Bishop, California, has a Zoning Designation of R-1 Districts – One Family Residences with a 1.0 acre minimum, with Tax Assessor Parcel Number (APN) 013-180-02. This project is exempt from CEQA under General Rule 15061(b)(3).

Action Item / Public Hearing

6. **CONDITIONAL USE PERMIT 2025-03/VERTICAL BRIDGE – BIG PINE; TELECOMMUNICATIONS PLAN UPDATE 2025-02/Verizon; NEW TELECOMMUNICATIONS PLAN 2025-01/T-MOBLE.** The applicant, VB BTS III ("Vertical Bridge") through Representative Assurance Development, has submitted an application to update Verizon's existing Telecommunications Plan and approve T-Mobile's New Telecommunications Plan and request a Conditional Use Permit to construct a 125-foot monopole tower. The tower project will be equipped with, (24) RRUs, (2) 2-foot microwave antennas, (2) GPS antenna, required antenna cabling, HCS jumpers, (4) ground mounted radio cabinets, (4) surge suppressors, (1) equipment canopy, (1) fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (2) backup diesel generators, (4) raised concrete pads, cable ice bridge, utility backboard and multi-meter utility service mounted on H-frame contained on a 100-foot by 100-foot lease area within a 71-foot by 100-foot compound surrounded by a 6-foot chain link fence. The property is located at 1001 Count Rd., Big Pine, California, has a Zoning Designation of Public Districts (P) and is owned by the County of Inyo, with Tax Assessor Parcel Number (APN) 018-090-01. The project is a Mitigated Negative Declaration of Environmental Impact under the California Environmental Quality Act (CEQA).

Action Item / Public Hearing

7. **AMENDMENT TO CONDITIONAL USE 1973-14 AND RECLAMATION PLAN 1990-03 BYK HECTORITE MINE; GENERAL PLAN AMENDMENT 2025-03 -** The applicant, BYK USA Inc., requests a minor amendment to extend the term of Conditional Use Permit (CUP) No. 73-14 and associated Reclamation Plan No. 90-03 for the California Hectorite Mine (Mine ID #91-14-0013), previously operated by Industrial Mineral Ventures (IMV) and Floridin Company. The current CUP and reclamation plan are scheduled to expire on February 27, 2024. The amendment proposes a 25-year extension through February 27, 2049, with no changes to the approved scope, intensity, or methods of mining and reclamation. The project is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3) (Common Sense Exemption).

Action Item / Public Hearing

8. **RECLAMATION PLAN 2023-01 ZURICH PIT(MS308)CALTRANS** – Approval of a 14-acre reclamation plan for the Zurich Pit with adoption of a CEQA Mitigated Negative Declaration.

Action Item / Public Hearing

9. **Reconsideration of August 27, 2025, Revocation of Hosted Short-term Rental Permit 2024-03/Foroudi -** On August 27, 2025, the Commission held a hearing pursuant to Inyo County Code section 18.73.070 on the proposed modification or revocation of Hosted Short-term Rental Permit 2024-03/Foroudi. The Commission voted 3-1 (one absent) to revoke the permit. The Commission is being asked today to revisit its decision in light of a procedural issue at the hearing. The issue may be resolved during reconsideration, thereby allowing the prior decision to stand and enabling the permit holder(s) to pursue an appeal to the Board of Supervisors. However, if it is not resolved, then the Commission should vacate its prior decision and order that a new hearing be scheduled. This item is exempt from CEQA pursuant to 15061 – the common sense exemption, and pursuant to 15321 – enforcement actions by regulatory agencies.

Action Item / Reconsi-deration

10. **COMMISSIONERS' REPORTS/COMMENTS**

11. **PLANNING DIRECTOR'S REPORT**

12. **ADJORN**

COUNTY OF INYO
PLANNING COMMISSION

MINUTES OF AUGUST 27, 2025 MEETING

COMMISSIONERS:

HOWARD LEHWALD	FIRST DISTRICT	Inyo County Planning Commission
CAITLIN (KATE) J. MORLEY	SECOND DISTRICT	Post Office Drawer L
TODD VOGEL	THIRD DISTRICT (CHAIR)	Independence, CA 93526
CALLIE PEEK	FOURTH DISTRICT (VICE)	(760) 878-0263
AARON CASSELL	FIFTH DISTRICT	(760) 872-0712 FAX

STAFF:

CATHREEN RICHARDS	PLANNING DIRECTOR
CHRISTIAN MILOVICH	ASSISTANT COUNTY COUNSEL
RYAN STANDRIDGE	ASSOCIATE PLANNER
DANIELLE VISUANO	SENIOR PLANNER
CYNTHIA DRAPER	ASSISTANT PLANNER
SALLY FAIRCLOTH	PROJECT COORDINATOR
NATE GREENBERG	COUNTY ADMINISTRATOR
MIKE ERRANTE	PUBLIC WORKS DIRECTOR

The Inyo County Planning Commission met in regular session on Wednesday, August 27, 2025. Commissioner Vogel opened the meeting at 10:02 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 10:02 a.m.

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

Staff present: Cathreen Richards, Planning Director, Danielle Visuaño, Senior Planner, Sally Faircloth, Project Coordinator and Stacey Simon, 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 10:04 a.m.

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

No comments were made.

Chair Vogel closed Public Comment Period at 10:04 a.m.

ITEM 4: **APPROVAL OF MINUTES** – Approval of minutes from the May 28, 2025, Planning Commission Meeting.

MOTION: Commissioner Morley made the motion to approve the minutes. The motion was seconded by Vice Chair Peek.

Hearing no objections, the minutes of the May 28, 2025, meeting were approved by general consent at 10:05 a.m. Commissioner Cassell was absent.

ITEM 5: **Environmental Justice Workshop – (Informational Item/Public Hearing)** The Planning Commission is hosting a public workshop for the County's new draft Environmental Justice Element. Although not mandatory for our County, the State's Department of Housing and Community Development has required Inyo County to adopt an Environmental Justice Element in order to certify the 6th Cycle Housing Element previously adopted by the Board of Supervisors in 2023. The Environmental Justice Element must address at least eight topics which are: Air Quality, Food Access, Public Health, Safe & Sanitary Housing, Public Facilities, Recreation, Civic Engagement and Prioritizing Improvements & Programs. The workshop will discuss how these required topics are for the most part already independently addressed in the required General Plan elements but will be creating a standalone Environmental Justice Element for better reference.

Danielle Visuaño, Senior Planner, presented the Environmental Justice Workshop staff report accompanied by a slideshow.

The Commissioners asked Ms. Visuaño questions regarding this Environmental Justice workshop, requirements and funding streams.

The Commissioners were satisfied with Ms. Visuaño's response.

Prior to concluding the presentation, Ms. Visuaño noted that the public hearing had been missed on the agenda and asked Chair Vogel if it could be opened.

Chair Vogel opened Public Hearing Period at 10:21 a.m.

No comments were made.

Chair Vogel closed the public hearing at 10:21 a.m.

ITEM 6: **Tentative Tract Map No. 253; Zone Reclassification No.2025-04 and Variance No. 2025-02-** This project is a proposal to subdivide an approximately 1.95-acre parcel (APN 010-301-28), located at the south corner of Highway 395 and North Barlow Lane, adjacent to the Big 5 Sporting Goods store and the Bishop Plaza shopping center. The parcel is currently under a condominium project known as the Arbors that has sat mostly idle for many years. The project will include a zone reclassification, from Multiple-Residential 3+ units to One-Family Residential R1, and a variance addressing lot width and setbacks. The Condominium, including the homeowner's association and Conditions, Covenants and Restrictions (CC&R) will be dissolved in a separate but necessary action by the California

Department of Real Estate. This project is exempt from CEQA pursuant to 15061(b)(3) Commonsense Exemption.

Before beginning the presentation, Planning Director, Cathreen Richards distributed a public comment received prior to the meeting to the Commissioners and the public for review.

Ms. Richards then proceeded with the presentation of the staff report and accompanying slideshow.

Vice Chair Peek remarked that the matter involved the Meadow Creek Water District and asked if the water board members were now supportive of this project moving it forward.

Ms. Richards stated that, due to litigation related to the project, the water district determined that no more than twenty-two units could be built on the site. She further noted that a request for comments had been submitted to the water district, but no response was received.

For clarification, Assistant County Counsel Christie Milovich stated that the County is required to reach out to the relevant service agencies and districts.

Vice Chair Peek inquired if owners could decide on the design of their homes before they are built.

Ms. Richards answered Vice Chair Peek's question to her satisfaction.

Commissioner Lehwald inquired about this project's lot sizes and the potential precedent of allowing varied sizes.

In response to Commissioner Lehwald, Ms. Richards explained that the matter would be handled case by case, with required findings subject to Planning Commission review.

Commissioners posed further questions to Ms. Richards concerning conditional use permits and setbacks.

Ms. Richards addressed all commissioner questions satisfactorily.

Chair Vogel opened and closed Public Hearing Period and opened discussion with the Commissioners at 10:47 a.m.

MOTION: Chair Vogel moved to approve to recognize the ten findings in the staff report including one that certifies the project is Exempt under the California Environmental Quality Act pursuant to 15061(b)(3) the Commonsense Exemption and approve Tentative Tract Map #253/Eastside Vistas Variance #2025-02/Eastside Vistas subject to the findings and conditions of approval as recommended in the staff report and Variance #2025-02/Eastside Vistas, subject to the findings and conditions of approval as recommended in the staff report and adopt the attached Resolution, recommending that the Board of Supervisors certify the project is Exempt from CEQA pursuant to 15061(b)(3) the Commonsense Exemption and that the provisions of the California Environmental Quality Act have been met and Adopt Zone Reclassification # 2025-04/Eastside Vistas.

The motion was seconded by Vice Chair Peek.

Chair Vogel asked for a roll call.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Chair Vogel – Yes
Commissioner Peek – Yes
Commissioner Morley – Yes
Commissioner Lehwald – Yes
Commissioner Cassell – Absent

The motion passed unanimously, 4-0, at 10:56 a.m., with Commissioner Cassell absent.

ITEM 7: **Zone Text Amendment (ZTA) No. 2025-02/Inyo County – Kennels**
Staff has drafted a proposed ordinance to update Section 18.06.305 Definitions – Kennel; and Sections 18.12.020, 18.12.040, 18.21.040, 18.22.040, and, Subsections 18.12.040 (J) and 18.49.020(L) of the Inyo County Code (ICC) to: Change the Definition of "Kennel" in Title 18 Zoning to match the Definition in Chapter 8.20 - Dogs of the ICC and retitle it "Commercial Kennel"; add a requirement for conditional use permits for commercial kennels in the Open Space zone; clean up and make all references to "kennel" in the zoning code "commercial kennel" where applicable. The project is Exempt from the California Environmental Quality Act by the Commonsense Exemption 15061(b)(3). Subsequent CUPs for kennels will require project specific CEQA evaluations.

Ms. Richards presented the staff report and accompanying slideshow.

Commissioner Morley asked Ms. Richards a question regarding the current code for kennels.

Ms. Richards answered Commissioner Morley's question to her satisfaction.

Commissioner Lehwald asked Ms. Richards to clarify how the proposed change would benefit animal control operations and how kennels would be informed of the updated code requirements.

Ms. Richards, with input from Assistant County Counsel Christie Milovich, provided clarification and satisfactorily addressed the questions.

Chair Vogel opened and closed Public Hearing Period and opened discussion with the Commissioners at 11:03 a.m.

MOTION: Commissioner Morley moved to adopt the attached Resolution, recommending that the Board of Supervisors: 1.) Find the proposed project exempt from the requirements of the California Environmental Quality Act. 2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA-2025-02/ Commercial Kennels.

The motion was seconded by Chair Vogel.

Chair Vogel asked for a roll call.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Chair Vogel – Yes
Commissioner Peek – Yes
Commissioner Morley – Yes
Commissioner Lehwald – Yes
Commissioner Cassell – Absent

The motion passed, 4-0, at 11:10 a.m., with Commissioner Cassell absent.

Chair Vogel called a recess at 11:10 a.m.

Chair Vogel reconvened the meeting at 11:18 a.m. after the recess.

ITEM 8: Revocation of Hosted Short-term Rental (HSTR) Permit 2024-03/Foroudi

On June 13, 2024, the applicants, David and Pasha Foroudi and Natalie Jauregui, were approved for a HSTR to operate a short-term rental located at 2660 Highland Drive in the community of West Bishop. All HSTR permits are subject to the Short-term Rental General Requirements Section 18.73.030 of the Inyo County Code. David and Pasha Foroudi and Natalie Jauregui have failed to meet these requirements by failing to have a host on site during rentals, advertising as a whole-house rental, and not updating owner or host contact information, and therefore, staff is recommending the revocation of HSTR permit 2024-03/Foroudi. This action is Exempt from the California Environmental Quality Act under 15321- Enforcement Actions by Regulatory Agencies.

Chair Vogel made an opening statement at 11:19 a.m. before Agenda Item Number Eight.

At this time, Chair Vogel asked the applicant, Mr. David Foroudi, whether he intended to request a continuance.

Mr. Foroudi confirmed to Chair Vogel that he would be requesting a continuance.

At Chair Vogel's request, Mr. Foroudi was asked to explain his request for a continuance to assist the Commission in its decision.

Before Mr. Foroudi presented his request for continuance, individuals who would serve as witnesses or present evidence were sworn in by Sally Faircloth, Project Coordinator.

At 11:21 a.m., the oath was administered to David Foroudi (Applicant), Natalie Jauregui (Property Manager), and Tehauna Tiffany (Code Enforcement Inspector)

Mr. Foroudi was asked by Chair Vogel to proceed with his request for continuance.

Mr. Foroudi raised a question as to whether Chair Vogel would recuse himself, referencing a prior inquiry made during the signature-gathering process.

Special Counsel, Stacey Simon, answered the question raised by Mr. Foroudi on Chair Vogel's behalf.

Mr. Foroudi stated that his request for a one-to-two-month continuance was based solely on errors made by the Inyo County Planning Department regarding his home mailing address, which resulted in a delayed response to the Department.

Chair Vogel asked Planning Director Cathreen Richards to respond to Mr. Foroudi's statement.

Ms. Richards noted for the record that the Chair had signed the acknowledgment for the short-term rental. She further outlined the application requirements concerning address changes from the initial submittal and stated that Mr. Foroudi had been provided a copy of the same letter by both U.S. mail and email.

Mr. Foroudi offered a rebuttal, stating that his address has not changed since 2018. He added that Planning Department staff had his current Oregon address on file and questioned why correspondence was instead being sent to his Bishop address which caused the delays.

Commissioner Morley asked Mr. Foroudi to clarify which address he had listed on his application.

Mr. Foroudi confirmed that the application did not provide a space to specify a mailing address and that only the Bishop address was listed on the application.

Vice Chair Peek asked Mr. Foroudi whether the letter mailed to his address via U.S. Mail had also been received by him through email.

Mr. Foroudi responded to Vice Chair Peek, stating that in one instance he received the letter by both mail and email, and confirmed the date as July 17th.

Chair Vogel asked Mr. Foroudi to return to his seat and invited Ms. Richards back to the podium to speak.

Before proceeding, Special Counsel Simon asked whether Ms. Richards had been sworn in, and she was sworn in at that time prior to giving testimony.

Ms. Richards stated that a letter of violation was sent to Mr. Foroudi on June 23, 2025, followed by a Notice of Commencement of Revocation/Modification on July 17, 2025. She initially confirmed that both letters had been sent by U.S. mail and email but later clarified that the first letter was mailed only, while the second was sent by both U.S. mail and email.

Commissioner Morley asked Ms. Richards when she first became aware of Mr. Foroudi's request for a continuance and the date on which the request was made.

Ms. Richards stated a request for continuance from Mr. Foroudi came after the notice had gone out and did not speak with Mr. Foroudi per protocol.

Ms. Richards referred to Ms. Tiffany, Code Enforcement Inspector, to verify the date of the email, noting that she was copied on the referenced correspondence along with Mr. Foroudi.

Mr. Foroudi confirmed the letter requesting a continuance was emailed on July 31, 2025.

Chair Vogel asked Ms. Richards what her reason was for rejecting the request.

Ms. Richards explained that the rejection was based on the fact that the revocation/modification hearing had already been scheduled with the Planning Commission, and any continuance would require approval by the Commission rather than staff.

Chair Vogel advised that the granting of a continuance would require a motion, a second, and a vote of the Commission.

Mr. Foroudi wanted to go on record by stating the first rejection for continuance was on August 4, 2025, and the second rejection was on August 22, 2025.

Commissioner Morley asked Mr. Foroudi why he waited two weeks after receiving Exhibit 4, the Notice of Commencement of Revocation/Modification dated July 17th, which had been sent to him by both mail and email, before requesting a continuance.

Mr. Foroudi stated that he could not recall waiting that length of time and would need to refer to his emails.

Following further discussion between the Commissioners and Mr. Foroudi, Chair Vogel invited a motion from the Commission to grant a continuance and stated that if none was made, the hearing would proceed.

At 11:50 a.m., Commissioner Lehwald moved to grant the request for a continuance.

Chair Vogel stated that, as there was no second to the motion to grant a continuance, the motion failed, and the hearing would proceed.

At 11:50 a.m., as the hearing was set to proceed, Chair Vogel outlined the process for moving forward with the hearing.

At 11:51 a.m., Danielle Visuaño was administered the oath as a witness to provide testimony or evidence in this matter.

Chair Vogel concluded his outline of the hearing procedures and subsequently yielded the floor to Ms. Richards to present the Department's case.

Prior to beginning her presentation, Ms. Richards submitted five handouts to the Commission to be introduced as Exhibits 6 through 10, noting that these documents had not been included in the original staff report. Copies of the exhibits were also provided to Mr. Foroudi and made available for public review.

Ms. Richards proceeded with her staff report presenting her case for revocation to the Commission.

Special Counsel Simon inquired whether the Commission wished to formally admit into evidence all exhibits submitted by Ms. Richards.

Chair Vogel inquired whether any member of the Commission objected to the admission of Exhibits 1 through 10 into evidence, based on the materials submitted and testimony presented.

Chair Vogel declared that there being no objections from the Commission, exhibits 1 through 10 are hereby entered into the record and admitted into evidence.

Ms. Richards then continued her presentation concerning the proposed revocation and concluded her testimony with a brief summary for the record.

Chair Vogel called Mr. Foroudi to the podium to present his case to the commission.

Special Counsel Simon advised Mr. Foroudi that any materials he intended to present to the Commission must be provided in printed form in order to be entered into the record as evidence.

At this time, Mr. Foroudi connected his laptop to present on the large monitor correspondence exchanged between himself and the Planning Department for review by the Commission.

Mr. Foroudi showed the commission the email exchanges between himself and the Planning staff, Ms. Danielle Visuaño regarding his mailing address.

Mr. Foroudi testified that he had submitted his change of address to the Assessor's Office when the update occurred in 2018.

He also confirmed that he sent an email to the Assessor's Office on March 21,2025 and Alicia Hanson confirmed receipt of the address update.

Mr. Foroudi continued his testimony before the Commission, reiterating that no recent change of address had occurred and that he was not in violation of the applicable requirements, further stating that he employs property managers to oversee and maintain his property.

Mr. Foroudi stressed to the commission that he is in compliance, he received positive reviews from the renters and changed his rental listings to show a minimum of thirty-one nights.

Chair Vogel stated that any rental period exceeding thirty (30) days does not qualify as a short-term rental and asked Mr. Foroudi whether he had any evidence he wished to submit at that time.

Special Counsel Simon requested Mr. Foroudi's consent to obtain a copy of the email he had showed the Commission and asked that he provide the document to the Clerk of the Commission for printing.

At 1:00 p.m., following a brief recess to allow the email to be sent to the Clerk for printing, Chair Vogel called the meeting back to order.

Chair Vogel purposed for the record that the exhibits submitted by Mr. Foroudi would be identified alphabetically, and the exhibits submitted by the Planning Department would be identified numerically.

Mr. Foroudi submitted into evidence a copy of a postmarked envelope sent by the Planning Department to his Oregon mailing address, which was entered into the record as Exhibit A, and an email dated August 24, 2025, from the Inyo County Assessor's Office, which was entered into the record as Exhibit B.

Mr. Foroudi continued his presentation in support of his request for a continuance and presented evidence via the monitor, showing information from the rental websites used for his property and illustrating how the dates had been adjusted to demonstrate compliance.

Commissioner Morley asked Mr. Foroudi whether, when he applied for the short-term hosted rental permit in 2024, if he had read and understood the terms of the agreement.

Mr. Foroudi responded to Commissioner Morley's question, stating that he had read and understood the terms of the agreement. He further testified that, at the time of application, he had expressed to Ms. Richards his reluctance to obtain a hosted short-term rental permit due to privacy concerns between the host and guests.

Commissioners Peek and Morley reiterated their question to Mr. Foroudi regarding his understanding of the short-term rental permit requirements, specifically the condition requiring a host to be on site.

Mr. Foroudi again confirmed to the Commission that he understood the conditions of the permit.

Upon further discussion between the Commissioners and Mr. Foroudi, Commissioners Morley and Peek restated for the record the requirements associated with a hosted short-term rental.

Commissioner Morley informed Mr. Foroudi that if he was not interested in maintaining a hosted short-term rental permit, he could rent his property for periods exceeding thirty (30) days without requiring a permit if he is not interested in hosting.

Mr. Foroudi reiterated that he wished to retain his hosted short-term rental permit, noting that he had paid one-thousand dollars for the permit and did not want to repeat the application process again.

Commissioner Peek asked Mr. Foroudi if his property was rented without a host being on site.

In response to Commissioner Peek, Mr. Foroudi stated that the renter was not interested in having a host present during the duration of their stay.

Commissioner Peek reiterated that the decision regarding the presence of a host is not at the discretion of the renter and that County Code requires a host to be present for a hosted short-term rental permit. She further stated that the absence of a host at the property constituted a violation of the permit.

At this time, Mr. Foroudi turned and proceeded to ask Supervisor Marcellin who was present in the audience.

Assistant County Counsel, Ms. Christy Milovich, stood and clarified for the record that Supervisor Marcellin was not a party to this hearing.

Special Counsel to the commission, Ms. Stacey Simon, mentioned that Supervisor Marcellin can be called as a witness if necessary.

At 1:15 p.m., Mr. Foroudi called Ms. Tehauna Tiffany to testify as a witness regarding a verbal statement he alleged to have received from Planning Director, Ms. Cathreen Richards. The statement in question concerned the assertion that a compliance officer would not be dispatched to a property unless a valid complaint had been received.

Ms. Tiffany responded that the statement had been mentioned to her by Mr. Foroudi. She further testified that when she inquired with Ms. Richards as to the accuracy of the statement, Ms. Richards informed her that it was not true.

Mr. Foroudi then called up Supervisor Scott Marcellin to testify as a witness.

Assistant County Counsel, Ms. Christy Milovich, addressed the Commission, noting that Mr. Marcellin had not been sworn in and stating that, should he wish to provide testimony, he must first be sworn in.

Prior to offering his testimony or presenting evidence, Mr. Marcellin wished to contact his lawyer for consult based on the recommendation of Assistant County Counsel, Christy Milovich.

Special Counsel, Ms. Stacey Simon, asked Mr. Foroudi to clarify the relevance of the question he intended to pose to Mr. Marcellin as a witness.

Mr. Foroudi stated that the question he intended to ask Mr. Marcellin was relevant to his case and that he was awaiting Mr. Marcellin's return to be sworn in as a witness.

Mr. Foroudi stated that, in the event Mr. Marcellin did not testify, he would request that the hearing be postponed until his legal counsel could be present.

Special Counsel Simon again asked Mr. Foroudi to elaborate on the relevance of his question to call Mr. Marcellin as a witness.

Mr. Foroudi stated it would be the same question he posed to Ms. Tiffany and another question on how he feels in regard to this situation.

Special Counsel Simon provided clarification regarding Mr. Foroudi's request to question Mr. Marcellin as a witness.

At 1:26 p.m., Ms. Richards was called upon as a sworn witness to explain her conversation with Mr. Foroudi to the commission.

Mr. Foroudi asked Ms. Richards for further clarification regarding their conversation.

At 1:30 p.m., Commission Lehwald asked Mr. Foroudi if he was ever given an option to apply for a non-hosted rental permit versus a hosted short-term rental permit.

Mr. Foroudi stated that he had attended Tuesday Board of Supervisors meetings via Zoom and had requested, approximately two years prior, to be placed on the agenda to discuss non-hosted permits. He further stated that he later spoke with County Administrative Officer Nate Greenberg, who informed him that the topic had been discussed the previous year and that it was too soon to revisit the matter.

Commissioner Lehwald asked Ms. Richards if she ever informed Mr. Foroudi of his options to opt for a non-hosted rental versus a hosted short-term rental.

Ms. Richards was able to answer Commissioner Lehwald's question to his satisfaction.

At 1:40 p.m., Assistant County Counsel, Ms. Christy Milovich, addressed the Commission to clarify and establish the relevance of Mr. Marcellin's testimony.

Chair Vogel stated that the finding was that, while the permit holder could call Mr. Marcellin as a witness, no testimony had yet been provided by him; therefore, the Commission could not determine at that time whether his testimony would be relevant.

Assistant County Counsel, Ms. Milovich, reiterated her question to further clarify the nature of her request to the Commission.

Chair Vogel declared for the record that the question had already been addressed by Code Enforcement and, accordingly, the Commission considered the matter answered.

At this time, Chair Vogel stated that Mr. Foroudi could proceed with calling Mr. Marcellin as a witness if he so desired.

Mr. Marcellin was then called forward and, after being duly sworn by Special Counsel Simon, was prepared for questioning by Mr. Foroudi.

Mr. Foroudi asked Mr. Marcellin if he recalled being told in prior conversations that his immediate neighbor, Natalie, was his property manager, to which Mr. Marcellin responded yes.

Mr. Foroudi asked Mr. Marcellin how many times he had told him, during their conversations, that he had spoken with Cathreen regarding Code Compliance and the investigation of complaints. Mr. Marcellin responded that it was mentioned every time Mr. Foroudi called him.

Commissioner Morley asked Mr. Marcellin a follow-up question as to whether he had firsthand knowledge of the conversations between Mr. Foroudi and Ms. Richards.

Mr. Marcellin testified that he heard Ms. Richards explain matters to Mr. Foroudi and his property manager, referencing a meeting at the COB building attended by Mr. Dave Stotylmyre, Ms. Cathreen Richards, Mr. Foroudi, and himself.

Chair Vogel asked Mr. Foroudi if he had any further questions for Mr. Marcellin.

Mr. Foroudi had no further questions.

At this time, Chair Vogel introduced Planning Exhibit 11, identified as Mr. Foroudi's Hosted Short-Term Rental Application, which listed all contact addresses as the same address located in Bishop.

At this time, Mr. Foroudi commented to the commission as this document shows proof that there was no place for his mailing address and he stated he was told to place the local address on the Hosted Short Term Rental application.

The Commissioners reiterated to Mr. Foroudi that the application clearly indicated the placement for his current address.

Ms. Richards stated to the Commission that staff relies exclusively on the information provided by the applicant in the completed application for official contact purposes. She further noted that Ms. Visuaño was the assigned planner working with Mr. Foroudi and would likely be able to address the matter regarding the address. Ms. Richards also clarified that any change of address should have been reported directly to the Planning Department rather than to the Assessor's Office, and she deferred any further questions regarding the address change to Ms. Visuaño.

Chair Vogel provided a brief summary of the discussions that had transpired between all parties. He confirmed that correspondence had been mailed to the address on file provided by the applicant and further noted that Mr. Foroudi acknowledged earlier to Commissioner Peek that a host was not present while there were occupants at his rental.

At 1:51 p.m., Mr. Foroudi requested that Ms. Visuaño be called to testify as a witness.

Chair Vogel asked Mr. Foroudi to explain the relevance of the questions he intended to pose to Ms. Visuaño.

Mr. Foroudi confirmed that he intended to ask Ms. Visuaño the same questions previously posed to Ms. Tiffany and Mr. Marcellin, as well as questions regarding a prior conversation he had with her regarding address on record.

Mr. Foroudi preceded his questioning of Ms. Visuaño regarding verification of his mailing address.

Ms. Visuaño stated that her prior conversation with Mr. Foroudi concerned a tax-related question and not his mailing address. She further explained that she had referred him to the Assessor's Office, as she could not provide answers pertaining to tax matters since they were outside the scope of her responsibilities.

Ms. Visuaño responded to Mr. Foroudi's questions, stating that she answered based on what was asked of her and clarifying that the questions he was now raising had not been asked during their prior conversation.

Chair Vogel called upon Ms. Tiffany, Code Enforcement Inspector, who wished to address the issue of violations and noted that Mr. Foroudi continued to rent out his property despite being directed to cease all active rentals.

Chair Vogel requested clarification from Ms. Tiffany, confirming that her statement indicated Mr. Foroudi had not ceased rental of his property as ordered. Ms. Tiffany affirmed this was correct.

At 2:00 p.m., Chair Vogel called upon Planning Director Ms. Richards to deliver her rebuttal statement.

Ms. Richards informed the Commission that she had no rebuttal to present and stood by what was presented in the staff report.

Mr. Foroudi inquired of the Commission for clarification regarding the title of the agenda item.

Ms. Richards stated that while the potential for modification existed, the Planning Department was recommending revocation.

At 2:02, In her closing statement, Ms. Richards reiterated the Planning Department's position and summarized the basis for its recommendation of revocation.

At this time, Special Counsel Stacey Simon asked Ms. Richards whether she wished to request that the Commission admit Exhibit 11, the application permit, into the record as evidence.

Ms. Richards also requested that the commission include the permit application as the next exhibit number eleven in the packet.

Chair Vogel asked the members of the Commission if there were any questions regarding Exhibit 11. There being none, Chair Vogel directed that Exhibit 11 be entered into the record.

Ms. Richards concluded her closing statement.

At 2:05 p.m., Mr. Foroudi began his closing statement, stating that he believes he has remained in compliance and has followed the guidelines of the agreement.

Upon conclusion of all testimony and closing statements, Chair Vogel called for discussion among the Commissioners.

The Commissioners each expressed their views regarding the agenda item under discussion.

At 2:20 p.m., Special Counsel Stacey Simon introduced Exhibit C into evidence, identified as the Short-Term Rental Property Statement for 2025 provided by Mr. Foroudi showing there was a change of address, and asked the Commission whether it wished to enter the exhibit into the record.

Chair Vogel allowed Exhibit C, the Short-Term Rental Property Statement for 2025 (Change of Address), to be entered into the record as evidence in this case.

MOTION: Vice Chair Peek moved to revoke hosted short-term rental permit HSTR2024-03/Foroudi with findings as provided in the staff report, the findings 1-4 citing the Inyo County Code 18.73.070 A3G (ii) to the short term rental activity has been or is being conducted in violation of this chapter or other applicable law; (iii) the conditions of approval have been or are being violated.

The motion was seconded by Commissioner Morley.

Chair Vogel asked for a roll call.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Chair Vogel – Yes
Commissioner Peek – Yes
Commissioner Morley – Yes
Commissioner Lehwald – No
Commissioner Cassell – Absent

The motion passed, 3-1, at 2:24 p.m., with Commissioner Cassell absent.

COMMISSIONERS' REPORT/COMMENTS

Three commissioners will not be available for the September 24, 2025, meeting.

Ms. Richards announced a tentative meeting scheduled for October 1st in lieu of the September meeting and noted a potential conflict with the regularly scheduled October 22nd meeting, which may need to be rescheduled to October 29th. She stated that the October meeting dates would be finalized upon confirmation of the Board Room's availability, and the Commission would be advised once confirmed

DIRECTOR'S REPORT

Ms. Richards thanked the Commission for their patience, understanding, and continued support.

ADJOURNMENT

Chair Vogel adjourned the meeting at 2:33 p.m.

Prepared by:
Sally Faircloth
Planning Department

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

AGENDA ITEM NO.: **5** (Action Item and Public Hearing)

PLANNING COMMISSION MEETING DATE: October 22, 2025

SUBJECT: Tentative Parcel Map 432 and Zone Reclassification 2025-02/Wilson

EXECUTIVE SUMMARY

The applicant, Dwayne Wilson, has submitted an application to subdivide a parcel located at 250 Panorama Drive in Bishop. The entire parcel has an area of approximately 3 acres (130,468 square feet), is currently zoned R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0) with a General Plan designation of Rural Residential High (RRH) and Assessor Parcel Number (APN) 013-180-02 (Attachment – Vicinity Map). The proposal seeks to divide the parcel into four separate parcels as follows (Attachment – TPM 432):

- **Parcel A:** Located in the northwest quadrant and has an existing residence. Parcel A will have an area of 0.80 acres.

- **Parcel B**: Located in the northeast quadrant and is a vacant parcel that will have 0.80 acres.

- **Parcels C and D:** Located in the southeast and southwest quadrants and are vacant parcels that will each have 0.63 acres.

Due to the subdivision each parcel will require a Zone Reclassification (ZR) from R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0) to R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5), as requested by the applicant. The ZR to R1-0.5 fits the current and future uses of the proposed parcels and the applicant has indicated that no development is proposed at this time.

PROJECT INFORMATION

Supervisorial District: 4

Applicant: Dwayne Wilson

Landowners: The Wilson Trust Dated April 19, 1991

Community: Bishop, CA

A.P.N.: 013-180-02

Existing General Plan: Rural Residential High (RRH)

Existing Zoning: R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0)

Size of Parcel: Approximately 3-acres – 130,468 square feet

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	Single family residence	Rural Residential High	R1 Districts – One Family Residence with a 1.0 acre minimum
North	Panorama Drive	N/A	N/A
East	Residential	Residential Very Low	R1 Districts – One Family Residence with a 0.5 acre minimum
South	Collins Road	N/A	N/A
West	Residential	Rural Residential High	R1 Districts – One Family Residence with a 1.0 acre minimum

Recommended Action:

1.) Make certain findings with respect to and approve TPM 432/Wilson and certify it is exempt from CEQA.
2.) Make certain findings with respect to and recommend the Board of Supervisors approve ZR 2025-02/Wilson, and certify it is exempt from CEQA.

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: Danielle Visuaño

BACKGROUND
The applicant has applied for Tentative Parcel Map (TPM) 432 to increase the ability for housing development by dividing the current parcel into four parcels. Parcel A will remain as existing residence. Parcel B, C and D are vacant and are intended for future residential development, however, no development is proposed with this application.

The parcel proposed for subdivision is zoned R1-1.0 requiring a minimum of 1.0-acre to subdivide. However, all the proposed Parcels has caused the applicant to request a ZR from R1-1.0 to R1-0.5 since the areas of the proposed Parcels are less than 1.0 acre. No new development or changes are planned at this time.

STAFF ANALYSIS
Land Use Analysis: The property is surrounded by Panorama Drive to the north, residential structures to the east and the west, and to the south exists Collins Road. The proposed parcels are to be changed to R1-0.5 zoning and are situated within a residential area, with single-family homes on surrounding neighboring properties. The surrounding properties are also zoned R1-0 and R-0.5 with those zoned R1-0.5 to be of similar if not smaller size than the proposed new parcels. The proposed subdivision is consistent with the area's residential character and density. The TPM and ZR will not alter the existing land use and there are no development proposals at this time.

General Plan: The Land Use Element designation of the proposed parcels is RRH and will remain unchanged. RRH is intended for single-family housing in rural residential neighborhoods situated near existing communities or rural residential areas. The RRH density is 1.0 dwelling unit per acre. Any future new development must be connected to 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 RRH designation because it allows single-family residential uses, and the parcels are large enough to accommodate at least one dwelling each. This subdivision complies with the General Plan as it maintains the allowed density consistent with the surrounding area and does not introduce any conflicting land uses.

Zoning: The requested ZR is necessary to bring all the proposed parcels into compliance with existing residential land use. Currently, the parent Parcel is zoned R1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0). The proposed new Parcel sizes will range from 0.63 to 0.80 acres which are inconsistent with the R1-1.0 (1.0-acre minimum) requirement. According to Inyo County Code (ICC) Chapter 18.30 (R1-Districts – One Family Residences) it allows the minimum sizes to be specified as long as it is not less than 5,800 square feet (0.133-acres). Currently, the specified minimum size is 1.0-acre. With the proposed subdivision it would result in all the parcels, ranging from 0.63 to 0.80 acres, to be noncompliant with R1-1.0 zoning standards. Therefore, the applicant is requesting a reclassification to R1-0.5, which has a minimum lot size requirement of 0.5-acre. This reclassification will allow TPM 432 to proceed, as all the new proposed Parcels (A-D) meet the minimum lot size requirement under the R1-0.5 designation.

Additionally, in accordance with ICC Chapter 18.30, the zoning also mandates a minimum average lot width of 50 feet and 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 No. 432 attached), all the proposed parcels comply with the zoning requirements including Parcel A with the existing single-family dwelling.

The proposed reclassification will not increase residential density beyond what is permitted under R1 zoning. Moreover, any future subdivision of any of the Parcels will be prohibited unless the parcel is rezoned again, as it will not meet the size threshold for additional division. It is in the public interest to have zoning designations match the uses on a parcel, and even more so to have zoning match the applicant's future plans for a parcel. TPM 432 is conditioned with first attaining the ZR approval for all the proposed Parcels before final map approval.

Subdivision: ICC Title 16 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. Due to there being no current plans for development, staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as permitted. A condition of approval is included to require such improvements in the future if they become necessary.

Access: Each of the four proposed parcels will maintain legal access. Parcels A and B to the north will continue using the access entrances from Panorama Drive. Parcels C and D to the south will have access off of Collins Road.

Utilities and Public Services: Parcel A currently relies on well and septic and has existing utility services. Parcels B, C and D currently have no water, septic or utility services. For water supply, Parcels B, C and D will require their own separate well, and for sewage disposal each parcel will require their own OWTS (septic) or an engineered alternative system as determined by the Inyo County Department of Environmental Health. Utility services are available for these parcels. All required setbacks for any water supply, sewage disposal system and utilities shall be required to be met as stated in the Conditions of Approval.

Fire
The project area is within the Bishop Pine Fire Protection District and no objection was received for TPM 432.

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. This application for a TPM and ZR is for a property that

includes an existing home and with the other areas of parcel demonstrating disturbance with the existence of the storage of debris in various areas and includes an established fence line to the south. Further, at this time, the application does not include any development proposals.

NOTICING & REVIEW

Tentative Parcel Map 432; Zone Reclassification 2025-02/Wilson has been reviewed by the appropriate County departments with no comments indicating there are any issues with the request.

The project was noticed on October 11, 2025 in the Inyo Register and mailed to property owners within 300-feet of the project location. No comments have been received by staff to date.

RECOMMENDATIONS

Planning Department staff is recommending:

1. The Planning Commission approve TPM 432/Wilson and certify it is Exempt for CEQA.
2. The Planning Commission recommend that the Board of Supervisors approve Zone Reclassification 2025-02/Wilson and certify it is Exempt from CEQA.

Recommended Findings and Conditions

TPM 431 - Findings:

1. Proposed TPM 432/Wilson is Exempt from CEQA by the General Rule 15061(b)(3).
   [Evidence: The proposed Project 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. This application for a TPM is for a property that already contains residential development and with the other areas of parcel demonstrating disturbance with the existence of the storage of debris in various areas and includes an established fence line to the south. Further, at this time, the application does not include any development proposals.]

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 432/Wilson is not in conformance with the R1 Districts – One Family Residences with a 1.0 acre minimum (R1-1.0) Zoning designation currently found on the property and a condition of approval to change the Zoning designation to R1 Districts – One Family Residences with a 0.5 acre minimum (R1-0.5) will be required for a Final Map.
   [Evidence: Inyo County Code (ICC) Chapter 18.30 (R1 Districts – One Family Residences) states the minimum standard parcel size for development can be specifically specified, which is currently designated as R1-1.0. This subdivision will cause the all the resulting parcels to be out of compliance with the ICC 18.30 R1-1.0 designation; therefore, the applicant is requesting a ZR to R-1 Districts-One Family Residences with a 0.5 acre minimum (R1-0.5) as this designation allow TPM 432 to be finalized as the minimum lot size requirement of 0.5 acre can accommodate the proposed 0.8 and 0.63 acre subdivision request. Once this condition is met, TPM 432 will be in conformance with the Zoning designation.]

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 432/Wilson as conditioned is in conformance with the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.
   [Evidence: Proposed TPM 432/Wilson is consistent with the requested R1-0.5 Zoning designation for all the proposed Parcels as all meet the development standards of minimum parcel size and setback requirements. The proposed lots meet the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of 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.]

4. 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 future residential development are adequate to meet the needs of the proposed project.
   [Evidence: The Project is consistent with the single-family residential character of the surrounding area, already contains development, and while no development is anticipated at this time, potential development will not significantly impact public services or utilities. Parcels B, C and D will need to be served by private wells and sewer services approved by the Inyo County Environmental Department. With the potential of single-family homes to be constructed on all three parcels, no increased demand for fire protection services is expected, as the property lies within the Bishop Fire Protection District. TPM 432/Wilson has been reviewed by relevant County departments, with no comments that would necessitate changes or additional conditions.]

5. Based on substantial evidence the Planning Commission finds that the provisions of Government code 66474.02 have been met (fire Protection and suppression).
   [Evidence: The proposed Project is within a local fire district, which effectively exempts TPM 432/Wilson from 66474.02. TPM 432/Wilson has been routed to the local fire district in Bishop and no objection has been received.]

6. 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: Access to all Parcels are already established by Panorama Drive and Collins Road. Additional easements for water supply, sewage disposal and utilities will be required for future development. Applicant/developer shall be required to obtain all necessary easements and permits.]

7. 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 the current uses or development are proposed.]

8. 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 by the Exemption, the subdivision will not result in any direct impacts. The parcel contains an existing residence, areas of debris storage and is surrounded by parcels that also contain existing residences. The future development of single-family dwellings will not have an impact and will fit into the surrounding neighborhood and character.]*

TPM 432/Wilson – Conditions of Approval:

1.) A Final Parcel Map in substantial conformance with the approved TPM meeting 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, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.

2.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 432/Wilson or applicant's failure to comply with conditions of approval.

3.) The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building and Safety Code and the Health and Safety Code.

4.) The applicant/developer shall develop separate water supply and sewage disposal for each undeveloped parcel and shall obtain necessary permits from the Inyo County Environmental Health Department. In the event a water supply is drawn from a well of an adjacent parcel, the owner/development shall provide all necessary easements and create an implement and operation and maintenance agreement for the shared well.

5.) The applicant/developer shall provide all necessary utility and public services when any development occurs and must provide all required easements for such. Additionally, the applicant/developer shall obtain the necessary permits for all utilities and services necessary.

6.) Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.

7.) The applicant shall complete ZR 2025-02/Wilson changing the zoning designation on all proposed Parcels from (R1-1.0) to (R1-0.5) prior to recordation of the Final Parcel Map.

8.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all streets and utilities within and serving the subdivision per applicable standards, as may be required by the County in the future.

ZR 2025-02/Wilson - Findings:

1. Based on the substantial evidence the Planning Commission recommends that the Board of Supervisors certify that Zone Reclassification 2025-02/Wilson is Exempt from CEQA.
   [Evidence: The proposed Project 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. This application for a TPM is for a property that already contains residential development and with the other areas of parcel demonstrating disturbance with the existence of the storage of debris in various areas and includes an established fence line to the south. Further, at this time, the application does not include development proposals.]

2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that Zone Reclassification 2025-02/Wilson is in conformance with the Goals and Objectives of the Inyo County General Plan.
   [Evidence: The proposed designation of RRH provides for high density residential (1 dwelling unit per acres) which corresponds to the proposed zoning designation, the current and future use of the property and the surrounding environment.]

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that Zone Reclassification 2025-02/Wilson is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.
   [Evidence: The proposed designation of R1-0.5 provides for high density residential use intended to protect established neighborhoods and to provide space suitable in appropriate locations for additional housing developments, which corresponds to the proposed General Plan designation, the current and future use of the property, and will not result in more potential parcels than could currently be subdivided from the parent parcel without these changes.]

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find 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 is consistent with the residential character of the surrounding area and this request for a ZR will not allow for a development type that would change the character of the site or the surrounding area. The surrounding area parcels are of similar size to the new proposed new parcels and have single-family residence zones. The Project will result in a land use pattern that will now be consistent with the parcel layout of the surrounding area. The proposed parcels will each require separate well and septic. Both

can be developed on each of the proposed undeveloped parcels as the space available is adequate for a single-family home development, a septic system, a water well, along with enough available water. Electricity services are also currently provided to one of the new parcels and is available to the other three undeveloped parcels.]

5. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare.
   [Evidence: The proposed ZR will allow the proposed uses on the property to be consistent with the County's Zoning Ordinance by changing the zoning to match the current and future planned uses on the parcel and is consistent with the General Plan designation. The ZR will bring the parcels into consistency with the surrounding environment, character and land uses and will not create substantial impacts to the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.]

ZR 2025-02/Wilson - Conditions of Approval:

1.) **Hold Harmless**
The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its 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 ZR 2025-02/Wilson**.** 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 including the Building and Safety Code, the Health and Safety Code and State regulations.

3.) **Compliance with Zoning Code**
Any changes to size or configuration of the residential components of this Project shall require further review and potentially approval by the Inyo County Planning commission.

Attachments:

- Vicinity Map
- TPM 432
- Proposed Zone Reclassification Ordinance
- Planning Commission Resolution

VICINITY MAP

250 Panorama Dr., Wilkerson

APN: 013-180-02

SITE MAP

250 Panorama Dr., Wilkerson
APN: 013-180-02

TENTATIVE PARCEL MAP No. 432

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP 3, PARCEL MAP BOOK 1 PAGE 2,
A PORTION OF THE SOUTHWEST QUARTER OF THE EAST HALF OF LOT 1, SECTION 6,
TOWNSHIP 8 SOUTH, RANGE 33 EAST MOUNT DIABLO BASELINE AND MERIDIAN
IN THE COUNTY OF INYO, STATE OF CALIFORNIA

16.20.080 MATTERS REQUIRED

1. THE MAP NUMBER AS SECURED FROM THE COUNTY PLANNING DEPARTMENT:

   SEE TITLE PAGES 1 AND 2.

2. SUFFICIENT LEGAL DESCRIPTION OF THE LAND AS TO DEFINE THE BOUNDARIES OF THE PROPOSED DIVISION OF LAND:

   SEE TITLE BLOCK PAGES 1 AND 2.

3. NAME AND ADDRESS OF THE SUBDIVIDER:

   THE WILSON TRUST DATED APRIL 19, 1991
   3683 BROOKSIDE DRIVE
   BISHOP, CA 93514

4. NAME, BUSINESS ADDRESS, AND LICENSED SURVEYOR'S NUMBER OF THE LICENSED SURVEYOR WHO PREPARED THE TENTATIVE MAP:

   JEFF THOMPSON, PLS 7002
   25 QUAIL LN
   BISHOP, CA 93514

5. NAME AND ADDRESS OF RECORD OWNER OR OWNERS:

   THE WILSON TRUST DATED APRIL 19, 1991
   3683 BROOKSIDE DRIVE
   BISHOP, CA 93514

6. A VICINITY MAP:

   SEE BELOW.

7. THE LOCATIONS, NAMES, AND EXISTING WIDTHS OF ALL ADJOINING HIGHWAYS, STREETS, OR WAYS:

   SEE MAP PAGE 2.

8. THE LOCATION, NAME, AND APPROXIMATE GRADES OF ALL HIGHWAYS, STREETS, AND WAYS WITHIN THE PROPOSED DIVISION OF LAND:

   NOT APPLICABLE.

9. THE WIDTHS AND APPROXIMATE LOCATIONS OF ALL EXISTING OR PROPOSED EASEMENTS, WHETHER PUBLIC OR PRIVATE, FOR ROADS, DRAINAGE, SEWAGE, AND PUBLIC UTILITY PURPOSES:

   SEE MAP PAGE 2.

10. APPROXIMATE RADIUS OF ALL CURVES:

    SEE MAP PAGE 2.

11. THE APPROXIMATE LOT LAYOUT AND THE APPROXIMATE DIMENSIONS OF EACH LOT:

    SEE MAP PAGE 2.

12. SIZE OF THE SMALLEST LOT IN THE SUBDIVISION:

    SEE MAP PAGE 2.

13. APPROXIMATE BOUNDARIES OF ALL AREAS SUBJECT TO INUNDATION OR STORMWATER OVERFLOW AND THE LOCATIONS, WIDTHS, AND DIRECTIONS OF FLOW OF ALL WATERCOURSES:

    SEE MAP PAGE 2.

14. SOURCE OF WATER SUPPLY:

    PRIVATE WELLS.

15. PROPOSED METHOD OF SEWAGE DISPOSAL:

    PRIVATE ONSITE WASTEWATER TREATMENT SYSTEMS.

16. STATEMENT OF PRESENT ZONING AND PROPOSED USE OR USES OF THE PROPERY:

    PROPERTY IS ZONED R1-1.0. PROPOSED USE IS COMPATIBLE WITH R1, HOWEVER LOT SIZE IS SMALLER THAN 1.0 ACRES.

17. PROPOSED PUBLIC AREAS, IF ANY:

    NONE.

18. CONTOURS:

    SEE MAP PAGE 2.

19. DATE, NORTH POINT, AND SCALE:

    SEE MAP PAGE 2.

20. NUMBER FOR EACH LOT:

    SEE MAP PAGE 2.

21. APPROXIMATE LOCATION OF EACH AREA COVERED BY TREES WITH A STATEMENT OF THE NATURE OF THE COVER, AND THE KIND AND APPROXIMATE LOCATION OF ALL TREES STANDING WITHIN THE BOUNDARIES OF PROPOSED PUBLIC RIGHTS-OF-WAY:

    SEE MAP PAGE 2.

22. EXISTING USE OR USES OF THE PROPERTY AND THE APPROXIMATE OUTLINE, TO SCALE, OF ANY EXISTING BUILDINGS OR STRUCTURES INCLUDING WELLS, SEPTIC SYSTEMS, SEWER LATERALS, ETC., AND THEIR LOCATIONS IN RELATION TO EXISTING OR PROPOSED STREET AND LOT LINES:

    SEE MAP PAGE 2.

23. EACH EXISTING STREET SHOWN BY ITS ACTUAL STREET NAME OR BY A TEMPORARY NAME OR LETTER FOR PURPOSE OF IDENTIFICATION UNTIL THE PROPER NAME OF SUCH STREET IS DETERMINED:

    SEE MAP PAGE 2.

24. IF THE SUBDIVISION COMMITTEE FINDS THAT A GEOLOGICAL REPORT IS NECESSARY ... A WRITTEN REPORT:

    NO SUCH FINDING HAS BEEN MADE.

25. IN A DIVISION OF LAND CONSISTING OF A CONDOMINIUM PROJECT ...:

    NOT APPLICABLE.

26. PLAN AND EASEMENTS FOR DRAINAGE AND FOR HANDLING STORMWATER:

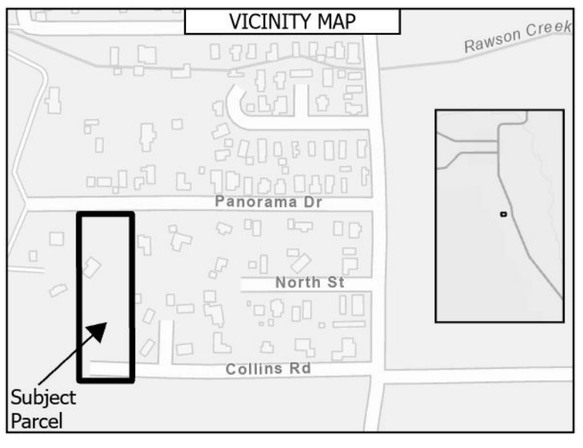
    EXISTING CONCRETE GUTTERS ALONG COUNTY ROADS.

27. STATEMENT OF THE IMPROVEMENTS AND PUBLIC UTILITIES PROPOSED TO BE MADE OR INSTALLED:

    NO PLANNED IMPROVEMENTS OR PUBLIC UTILITIES ARE PROPOSED.

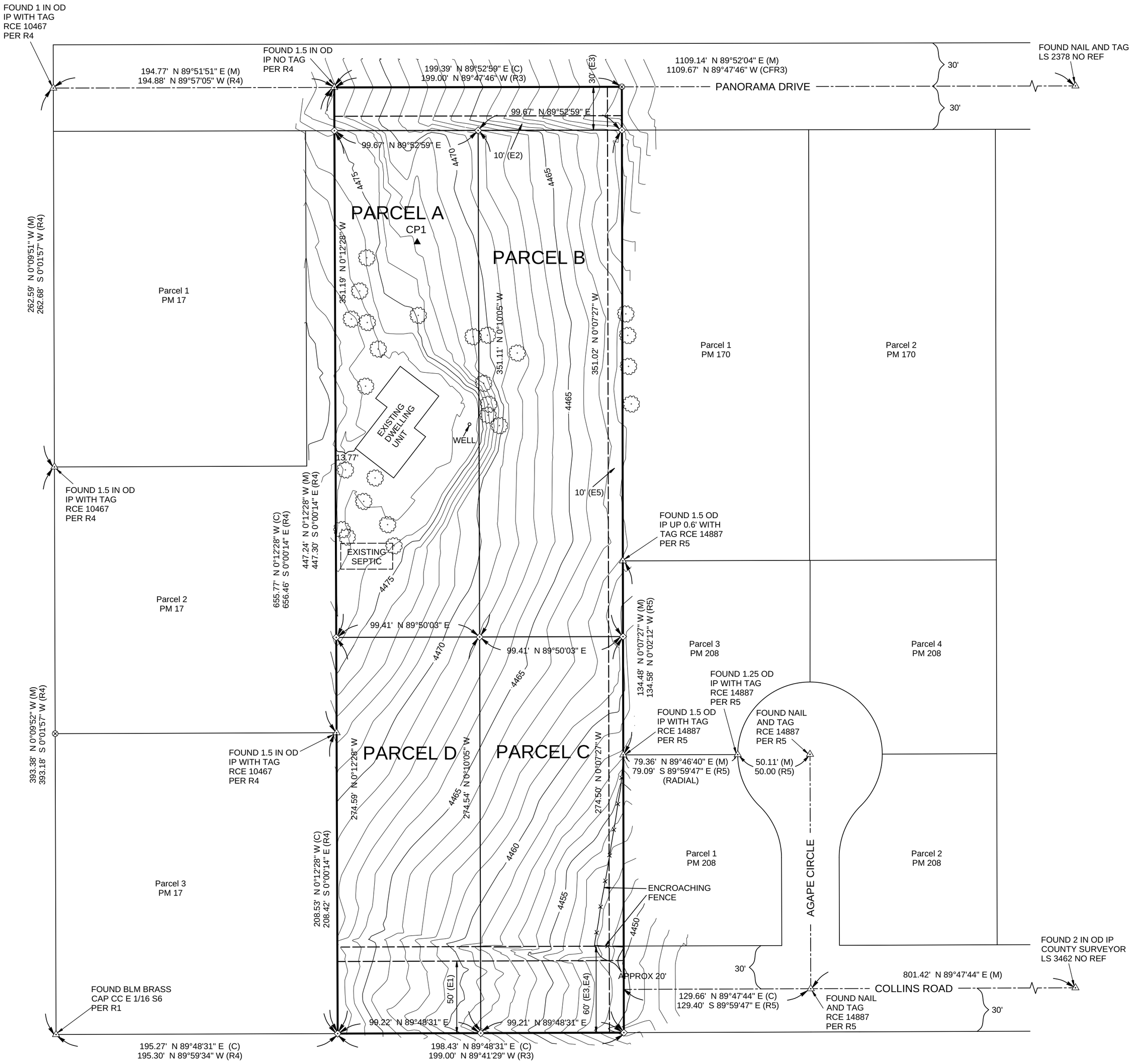
28. IN A SUBDIVISION WHICH MAY BE REASONABLY EXPECTED TO BE RESUBDIVIDED IN WHOLE OR IN PART AT SOME FUTURE TIME, THERE SHALL BE SHOWN IN DOTTED LINES ON THE TENTATIVE MAP A PLAN OF FUTURE STREET EXTENSIONS WITH SPECIAL CONSIDERATION GIVEN TO DRAINAGE:

    NO RESUBDIVISION IS ANTICIPATED.



TENTATIVE PARCEL MAP No. 432

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP 3, PARCEL MAP BOOK 1 PAGE 2, A PORTION OF THE SOUTHWEST QUARTER OF THE EAST HALF OF LOT 1, SECTION 6, TOWNSHIP 8 SOUTH, RANGE 33 EAST MOUNT DIABLO BASELINE AND MERIDIAN IN THE COUNTY OF INYO, STATE OF CALIFORNIA



LEGEND

◬	FOUND MONUMENT AS DESCRIBED
◈	SET 5/8" REBAR WITH TAG PLS 7002
⊗	SEARCHED FOR, NOT FOUND
(M)	MEASURED
(C)	CALCULATED
(P)	PROPORTIONED
(R*)	REFERENCE TO HISTORY OF SURVEYS
(CFR*)	CALCULATED FROM REFERENCED SURVEY
⦶	TREE
—·—	STREET CENTERLINE
– — –	EASEMENT BOUNDARY

PARCEL AREA

PARCEL A	0.80ac
PARCEL B	0.80ac
PARCEL C	0.63ac
PARCEL D	0.63ac

0 25 50 100 200

SCALE: 1" = 50'

HISTORY OF SURVEYS

- R1 2018 BLM DEPENDENT RESURVEY AND SUBDIVISION T8S R33E MDM
- R2 MB 6 PG 87: RECORD OF SURVEY OF S6 T8S R33E MDB&M
- R3 PMB 1 PG 2: PARCEL MAP NO. 3
- R4 PMB 2 PP 1-2: PARCEL MAP 17
- R5 PMB 2 PP 97-98: PARCEL MAP 208
- R6 INYO COUNTY SURVEYOR MAP 3

EASEMENTS

- E1 O.R. 175/38, TELECOM POLES/CONDUITS
- E2 O.R. 193/527, TELECOM POLES/CONDUITS
- E3 PARCEL MAP 3, ROADWAYS
- E4 O.R. 214/347, INGRESS/EGRESS
- E5 O.R. 255/443, TELECOM POLES/CONDUITS

NOTES

1. MEASURED AND CALCULATED BEARINGS AND DISTANCES ARE GRID. RECORD BEARINGS AND DISTANCES ARE AS PER REFERENCED SURVEY.
2. BEARING AND DISTANCE FROM CC E 1/16 S6 TO CP1: N 24°30'40" E 549.19'.
3. CONTOUR INTERVAL 1 FOOT
4. NORTHERLY 30' IS OFFERED FOR DEDICATION FOR PUBLIC ROADWAY PURPOSES.

PARCEL INFORMATION

GENERAL PLAN DESIGNATION: RRH
PROPOSED GENERAL PLAN DESIGNATION: RRH
ZONING DESIGNATION: R1-1.0
PROPOSED ZONING DESIGNATION: R1-0.5

BASIS OF BEARINGS

GRID NORTH, AS DETERMINED BY AN NGS OPUS SOLUTION AT POINT CP1

CCS83 ZONE 4 NAD83(2011)(EPOCH:2010.0000)
37°16'59.71868"N ±0.014m 118°23'22.11446"W ±0.001m
ORTHO HEIGHT 1361.697m ±0.062m [NAVD88 (GEOID18)]
N716545.539m E2054141.478m

CONVERGENCE: +0°21'51.23"
COMBINED FACTOR: 0.99979693

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 4, (2010.0000) IN ACCORDANCE WITH THE CALIFORNIA PUBLIC RESOURCES CODE SECTIONS 8801-8819; SAID COORDINATES AND BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING CORS STATIONS:

P651 37°33'47.179"N 118°23'13.086"W
P650 37°53'28.581"N 118°33'17.590"W
P094 37°12'02.994"N 117°42'15.048"W

UNLESS OTHERWISE NOTED ALL DISTANCES AND HEIGHTS ARE IN U.S. SURVEY FEET.

DISTANCES SHOWN HEREON ARE IN REFERENCE TO CCS83. TO APPROXIMATE LOCAL GROUND DISTANCES DIVIDE BY THE COMBINATION FACTOR PROVIDED ABOVE.

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2025-02/WILSON AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO TO REFLECT THIS RECLASSIFICATION

The Board of Supervisors of the County of Inyo ("Board") ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the Board's general police power as well as Sections 18.81.310 and 18.81.350 of the Inyo County Code (ICC), which establish the procedure for the Board to enact changes to the County's Zoning Ordinance.

The Board is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

SECTION II: FINDINGS

Upon consideration of the material submitted, the recommendation of the Inyo County Planning Commission, and statements made at the public hearings held on this matter, this Board finds as follows:

(1) Pursuant to ICC Section 18.81.320, DWAYNE WILSON ("Applicant") applied to the Inyo County Planning Commission to reclassify the zone designation of a 130,468 square-foot parcel located at 250 Panorama Dr., Bishop, California, identified as APN: 013-180-02 from R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0) to R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5), and to have the County's Zoning Map amended to reflect this change (Zone Reclassification No. 2025-02/Wilson).

(2) On October 22, 2025, the Inyo County Planning Commission conducted a duly noticed public hearing on Zone Reclassification No. 2025-02/Wilson, following which, the Commission made various findings and recommended that this Board amend ICC Title 18, to rezone the property described in Section III of this Ordinance to R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5).

(3) The findings of the Planning Commission are supported by the law and facts and are hereby adopted by this Board in their entirety.

(4) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan.

(5) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5) as it best matches the current and futures uses on the property.

SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on a 130,468 square-foot site as created by Tentative Parcel Map 432 located at 250 Panorama Dr., Bishop, California, (APN: 013-180-02) is changed from R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0) to R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5).

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board member voting for and against same.

PASSED AND ADOPTED THIS XXnd DAY OF XXXXXX, 2025.

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Scott Marcellin, Chairperson
Inyo County Board of Supervisors

ATTEST:
Nate Greenberg
Clerk of the Board

By:_____
Darcy Israel, Assistant

RESOLUTION NO. 2025-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE INYO COUNTY BOARD OF SUPERVISORS CERTIFY THE PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE RECLASSIFICATION NO. 2025-02/WILSON

WHEREAS, the Inyo County Board of Supervisors, by and through Inyo County Code (ICC) Section 15.12.040, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act Guidelines ("CEQA Guidelines"), and maintain responsibility for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department determined Zone Reclassification (ZR) No. 2025-02/Wilson pertaining to the property located at 250 Panorama Dr., Bishop, with Assessor Parcel Number 013-180-02 ("Project") to be exempt from environmental review pursuant to the CEQA Guidelines15061(b)(3), common sense rule, as the Project could have no possibility of causing significant environmental effects since the property is already disturbed and the new designation will match the current and proposed future activities; and

WHEREAS, pursuant to sections 65854 and 65855 of the Government Code, the Inyo County Planning Commission is required to conduct a public hearing on the Project, and to make a recommendation to the Board of Supervisors; and

WHEREAS, on October 11, 2025, the County published notice in the Inyo Register and mailed notice to property owners within three-hundred (300) feet of the Projects' location, of a public hearing to take public comment on ZR No. 2025-02/Wilson to be held on October 22, 2025; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on October 22, 2025, to review and consider the request for approval of ZR No. 2025-02/Wilson and considered the staff report for the Project and all pertinent oral and written comments; and

WHEREAS, ICC Section 18.03.020 states, in part, that it is necessary for the County's Zoning Ordinance to be consistent with the County's General Plan; and

WHEREAS, the current General Plan designation of Rural Residential High (RRH) is consistent with the proposed zoning designation of R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5); and

WHEREAS, ZR No. 2025-02/Wilson will change the current designation to match the current and future planned uses on the property.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the October 22, 2025, hearing, including the Planning Department Staff Report, the Inyo County Planning Commission makes the following findings regarding the Project and hereby recommends that the Inyo County Board of Supervisors adopt the following findings for the proposed project:

The recitals above are incorporated herein as findings.

RECOMMENDED FINDINGS

1. Zone Reclassification (ZR) No. 2025-02/Wilson pertaining to the property located at 250 Panorama Dr., Bishop with Assessor Parcel Number 013-180-02 ("Project") is exempt under CEQA General Rule 15061(b) (3). 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 application for a TPM is for a property that already contains residential development and with the other areas of parcel demonstrating disturbance with the existence of the storage of debris in various areas and includes an established fence line to the south. Further, at this time, the application does not include development proposals.

2. Based on substantial evidence in the record, the proposed Project is consistent with the Goals and Policies of the Inyo County General Plan. The current designation is Residential Rural High (RRH) and will not be changed as it allows for continued residential use. Upon approval of the ZR the existing residence and future development on the other parcels will come into compliance with the zoning code and be consistent with the general plan.

3. Based on substantial evidence in the record, the proposed Project is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code. The proposed designation of R-1 Districts – One Family Residences with a 0.5-acre minimum (R1-0.5) changed from R-1 Districts – One Family Residences with a 1.0-acre minimum (R1-1.0) allows for the continued use of the parcel as residential and allows for the existing residence and new parcels to be in compliance with the zoning code and be consistent with the general plan.

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development and finds that the existing and potential for future planned services and utilities are adequate to meet the needs of the proposed Project. The Project is consistent with the current use at the site and of the surrounding area. This request is to change the zoning to a more compatible designation that allows for the existing residential use as a permitted use and allows for future development.

5. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare. The designation change will

allow the existing residential use to remain, will allow for future development, and will not cause substantial impact to public health, safety or welfare.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors take the following actions:

RECOMMENDED ACTIONS

1. Certify that ZR No. 2025-02/Wilson is exempt from CEQA under General Rule 15061(b)(3).
2. Make certain findings with respect to and approve ZR No. 2025-02/Wilson based on all the information in the public record and on the recommendation of the Planning Commission.

PASSED AND ADOPTED this 22nd day of October, by the following vote of the Inyo County Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Todd Vogel, Chair
Inyo County Planning Commission

ATTEST:

Cathreen Richards, Planning Director

By _____
Sally Faircloth,
Secretary of the Commission

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

AGENDA ITEM NO.: **6** (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: October 22, 2025

SUBJECT: Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine; Telecommunications Plan Update 2025-02/Verizon; New Telecommunications Plan 2025-01/T-Mobile

EXECUTIVE SUMMARY

The applicant has applied for a CUP, a Telecommunications Plan Update and a New Telecommunications Plan for a proposed construction of a 125-foot monopine tower to be located at 1001 County Road, Big Pine, California (Attachment 1 – Location Map, Photo Simulations, Materials Board Photo and Site Plans). This tower will be equipped with (24) 8-foot antennas, (24) RRUs, (2) 2-foot microwave antennas, (2) GPS antenna, required antenna cabling, HCS jumpers, (4) ground mounted radio cabinets, (4) surge suppressors, (1) equipment canopy, (1) fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (2) backup diesel generators, (4) raised concrete pads, cable ice bridge, utility backboard and multi-meter utility service mounted on H-frame contained on a 100-foot by 100-foot lease area within a 71-foot by 100-foot compound surrounded by a 6-foot chain link fence. The proposed monopine communications facility will provide colocation for Verizon and T-Mobile equipment intended to fill a significant gap in 5G and 4G LTE. The coverage will provide services to the residential Big Pine areas, along Highway 395, and major roads including County Road and Highway 168. This service will not only benefit residents in the areas, but also businesses, visitors and First Responders.

A Telecommunications Plan was originally kapproved 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 increasing the total to 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. Recently, the Verizon Wireless Telecommunications Plan was updated for 2024-02/Verizon-Sequoia- Lone Pine, which included the proposed site at 1203 Lubken Canyon Road, Lone Pine, California to make another increase to a total of nine (9) sites. This request for the Big Pine cell tower will add one more site which will raise the total of Verizon sites to ten (10) upon the approval of the requested CUP.

As for T-Mobile, there has not been a previous approved plan with the County but their locations are on approved towers and colocation areas. For this application staff is requesting the approval of the T-Mobile network presence and Plan in Inyo County. Currently, T-Mobile has seven (7) exciting sites in the County. As a note, there are two (2) sites that are located inside the City of Bishop limits and not under the County's Jurisdiction, but are included in the Telecommunications Plan. This request for the Big Pine cell tower will add one more site which will raise the total of T-Mobile sites to eight (8) upon the approval of the requested CUP.

PROJECT INFORMATION

Supervisory District: 4

Applicant: VB BTS III ("Vertical Bridge") 750 Park Commerce Drive, Suite 200 Boca Raton, FL 33487, by and through its representative, Assurance Development, 1499 Huntington Dr., Ste. 305, South Pasadena, CA 91030

Property Owner: County of Inyo

Address/Community: 1001 County Road, Big Pine, CA

A.P.N.: 018-090-01

General Plan: Public Service Facilities (PF)

Zoning: Public Districts (P)

Surrounding Land Use*:

Location:	**Use:**	**Gen. Plan Designation**	**Zoning**
Site	Vacant	Public Service Facilities (PF)	Public Districts (P)
North	Vacant	Public Service Facilities (PF)	Public Districts (P)
East	Vacant	Public Service Facilities (PF)	Public Districts (P)
South	Vacant, with an animal shelter further to the south	Public Service Facilities (PF)	Public Districts (P)
West	Vacant	Public Service Facilities (PF)	Public Districts (P)

***As a note, the parcel has several Zoning and General Plan designations, but the site of the proposed tower lies within the Zoning and General Plan designations identified in the table.**

Recommended Action:

1.) Adopt the Mitigated Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act, prepared for Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine; Telecommunications Plan Update 2025-02/Verizon; New Telecommunications Plan 2025-01/T-Mobile.

2.) Make certain Findings with respect to, and approve, Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine.

3.) Make certain Findings with respect to, and approve, Telecommunications Plan Update 2025-02/Verizon; New Telecommunications Plan 2025-01/T-Mobile.

Alternatives:

1.) Deny Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine; thereby not allowing the applicant to build the tower.

2.) Deny Telecommunications Plan Update 2025-02/Verizon thereby not allowing the applicant to update its Telecommunications Plan.

3.) Deny New Telecommunications Plan 2025-01/T-Mobile thereby not allow the applicant to utilize this tower (if the tower is approved) for placement of the co-location equipment.

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 Big Pine, California, an update to Verizon Wireless' existing Telecommunications Plan on file with the County and of a new Telecommunications Plan for T-Mobile.

Assurance Development submitted an application, as a representative for Vertical Bridge, along with co-applicants T-Mobile West LLC (T-Mobile) and Airtouch Cellular inc., dba Verizon Wireless (Verizon), to the County for a 125- foot monopine telecommunications tower. The tower project will be equipped with, (24) RRUs, (2) 2-foot microwave antennas, (2) GPS antenna, required antenna cabling, HCS jumpers, (4) ground mounted radio cabinets, (4) surge suppressors, (1) equipment canopy, (1) fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (2) backup diesel generators, (4) raised concrete pads, cable ice bridge, utility backboard and multi-meter utility service mounted on H-frame contained on a 100-foot by 100-foot lease area within a 71-foot by 100-foot compound surrounded by a 6-foot chain link fence. The proposed monopine communications facility will provide colocation for Verizon and T-Mobile equipment intended to fill a significant gap in 5G and 4G LTE. The coverage will provide services to the residential Big Pine areas, along Highway 395, and major roads including County Road and Highway 168. This service will not only benefit residents in the areas, but also businesses, visitors and First Responders.

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. The T-Mobile plan is a New Telecommunications Plan that will require review and approval of the Planning Commission of their existing network presence in the County and for this current requested site location in Big Pine. Also, Inyo County Code 18.72.040 (P district – Public Districts (P)) 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 Telecommunications Plan Update and New Telecommunications Plan.

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 Propogogation 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 Big Pine and the surrounding areas. The Project would provide increased public safety and bring wireless service to areas of the County where it currently limited or does not exist.

The materials also include T-Mobile's proposed Telecommunications Plan containing a list and a map showing T-Mobile's existing and future planned sites (Attachment 4), and Coverage Maps demonstrating how this new site relates to the other sites in T-Mobile's network (Attachment 5). This Project is designed to optimize cell service in Big Pine and the surrounding areas. The Project would provide increased public safety and bring wireless service to areas of the County where it currently limited or does not exist

General Plan Consistency

The Inyo County General Plan designates this site as Public Service Facilities (PF). The PF designation provides for areas owned by public agencies, such as the County, that serve as significant public facilities. This PF designation falls under General Plan Land Use GOAL LU-5 which calls for providing adequate public facilities and services to meet the existing and/or future needs of communities and their surrounding environs. The communications facility is consistent with the use as a public facility.

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 for the monopine tower that with house the T-Mobile and Verizon Wireless equipment is zoned P Districts – Public Districts (P) under Chapter 18.72 of the zoning code. The P zone allows for public/quasi-public buildings and uses of recreational, religious, cultural, or public service nature as a conditional use. The monopine tower and telecommunications antennae are considered a public/quasi-public utility use. The P zoning allows for wireless communications facilities within the P zone, but requires a CUP if the use is not listed under the permitted uses. Cell towers are not explicitly listed as a permitted use and require a CUP approval.

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 plans if it finds:

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

  Verizon Telecommunications Plan Update - This is an update to the existing Verizon Wireless Telecommunications Plan that was updated and approved by the Planning Commission in February 2025. The February 2025 plan met all of the requirements outlined in Chapter18.76 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).

  T-Mobile New Telecommunications Plan – This new plan for T-Mobile has been reviewed by staff and been determined that it meets all the requirements outlined in

Chapter 18.76. This new T-Mobile Telecommunications Plan request for approval is ensuring 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 - Verizon Wireless has an adopted Telecommunications Plan on file with the County and is updating that Plan with the proposed site located at 1001 County Road., Big 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.

T-Mobile – T-Mobile does not currently have an adopted Telecommunications Plan on file with the County and is requesting approval of their Plan presented in this application. The application and the 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).

Verizon Wireless - 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. However, the Owens Valley Radio Observatory has requested testing in the 700 MHz band to avoid any interference with their facilities with the testing to be done after construction but before operation of the monopine tower. This testing will facilitate the coexistence of both facilities.

T-Mobile – This is a proposed new T-Mobile Telecommunications Plan. The entities listed under B(4) did not provide any objections to this proposed plan during the process. However, the Owens Valley Radio Observatory has requested testing in the 700 MHz band to avoid any interference with their facilities with the testing to be done after construction but before operation of the monopine tower. This testing will facilitate the coexistence of both facilities.

- That execution of the plans 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 Verizon Wireless Telecommunications Plan and is an adoption of a new T-Mobile Telecommunications Plan. The Project proposes adding a 125-foot monopine tower. The tower will house (24) 8-foot antennas, (24) RRUs, (2) 2-foot microwave antennas, (2) GPS antenna, (4) surge suppressors, required antenna cabling, and HCS jumpers to increase the capacity of the Verizon Wireless and T-Mobile networks in the area, located at 1001 County Road, Big Pine, California. The proposed tower location requires a distance of at least 137.5 feet from the nearest residence. The monopine's location is approximately, 1,750 feet from the nearest residence to the north, 800 feet from the nearest residence to the northeast, 2,750 feet from the nearest residence to the east, and 2,950 feet from the nearest residence to the southeast. 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 Plans do not pose threats to the health, safety or welfare of the public.

ENVIRONMENTAL REVIEW

In August 2025, 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 an avian study for the Project. The biological report identified one potential biological impact that can be mitigated (nesting birds). A biological mitigation was added to the draft ISMND prior to public review. The State review period ended on October 2, 2025.

The Great Basin Unified Air Pollution Control District (GBUAPCD) commented on the ISMND stating if the two generators have diesel engines over 50hp they are required to obtain a permit from GBUAPCD (Attachment 6). This measure has been listed in the Conditions of Approval.

The California Department of Fish and Wildlife (CDFW) commented on the ISMND requesting recommending to revise the ISMND with another map to show Project site location, to provide a pre-construction biological assessment for a recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within the offsite areas to include seasonal variations and not limited to resident species, and to provide pre-construction mitigation measures for the avoidance of nesting birds, the Swanson's Hawk and Burrowing owl. (Attachment 7). Staff determined it is unnecessary to revise the ISMND with another map to show Project site location, or to provide a pre-construction biological assessment for a recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within the offsite areas to include seasonal variations and not limited to resident species as these comments are not substantive as the Project footprint and surrounding area are graded and lack vegetation and the biological survey was conducted by a qualified biologist. The pre-construction surveys for nesting birds, the Swanson's Hawk and Burrowing Owl mitigation measures have been added to the Conditions of Approval.

A copy of the ISNMD as well as the avian study 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.

However, the applicant's consultant, Trileaf, sent out a proposed tower construction notification with the Federal Communications Commission providing the details of the proposed 125-foot

monpine tower. A local Tribe responded to this notification requesting a Tribal Monitor be on site during construction activities. Staff contacted the Tribe and did confirm this request and will provide the provision of a Tribal Monitor as a Condition of Approval.

NOTICING & REVIEW

Residents within 300 feet of the proposed Project were notified of the submission and review of CUP 2025-03, Telecommunications Plan Update 2023-02/Verizon and New Telecommunications Plan/T-Mobile 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 September 2, 2025. Notification of the public hearing date for the CUP , Telecommunications Plan Update and New Telecommunications Plan was published in the *Inyo Register* on October 11, 2025.

The CUP 2025-03, Telecommunications Plan Update 2023-02/Verizon and New Telecommunications Plan 2025-01/T-Mobile 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, Big Pine Fire Department, Edwards Air Force Base, Air Flight Test Center, China Lake Naval Air Weapons Station, Bicycle Lake Army Airfield at Fort Irwin, Federal Aviation Administration and California Historical Resources Information System.

The Owens Valley Radio Observatory has requested testing in the 700 MHz band to avoid any interference with their facilities with the testing to be done after construction but before operation of the monopine tower. (Attachment 8 – Owens Valley Oberservatory Testing Letters of Acknowledgment)..

Great Basin Unified Air Pollution Control District is requiring permits for the two generators if the diesel engines are over 50hp.

No other comments have been received to date.

RECOMMENDATIONS

Planning Department staff recommends the approval of CUP 2025-03, Telecommunications Plan Update 2023-02/Verizon and New Telecommunications Plan 2025-01/T-Mobile with the following Findings and Conditions of Approval:

Findings:

Conditional Use Permit 2025-03/Vertical Bridge – Big 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 October 2, 2025. The ISMND identified a potential biological impact on nesting birds and mitigation was added to the ISMND accordingly. Due to the graded and highly disturbed project site and surrounding area no archeological/cultural survey was conducted, but a request has been made to have a Tribal Monitor present during construction and this mitigation has been added to the Conditions of Approval. Staff received one comment letter from the California Department of Fish and Wildlife during circulation. The issues raised within this letter are pre-construction surveys for nesting birds, the Swanson's Hawk and Burrowing Owls, which have been added to the Conditions of Approval. Additional issues raised were a recommendation to revise the ISMND with another map to show location and to provide a pre-construction biological assessment for a recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within the offsite areas to include seasonal variations and not limited to resident species. Staff finds both the revision and additional biological survey recommendations unnecessary as the ISMND contained a survey and a report of the Project site with several maps, a site plan of the Project area, the ISMND was published with the longitude and latitude of the Project site, the biological survey was conducted by a qualified biologist, and the Project site is graded and highly disturbed and lacks vegetation as demonstrated in the ISMND and in the photos provided in the surveys/reports of the Project site and extended surrounding area. Additionally, there is an adjacent dog park that pedestrians access by walking around and even over the Project site to access. Staff also received one comment letter from Great Basin Unified Air Pollution District (GBUAPD). The issue raised in this letter is the use of the two proposed backup generators and requiring a permit if they are over 50hp which is addressed as a requirement in 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 Public Service Facilities (PF).
   [Evidence: The proposed Conditional Use Permit is consistent with the goals and policies of the Public Service Facilities LU-5.2 designation and Policy PSU 7.1 Provision of Services of the General Plan, as the Project offers a significant public service by providing the residents of Big Pine and the surrounding area with improved cellphone and wireless internet service. Wireless phone services are considered "public facilities." 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/quasi-public buildings and uses" as a Conditional Use in the P Districts – Public Districts (P) Zone.
   [Evidence: Section 18.72 – P (Public Districts) Zone allows, under 18.12.040 Conditional uses, public/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 and T-Mobile networks. Telecommunications are considered a use of a public service nature, and the operating requirements necessitate the proposed location in the P zone and the applicant has applied for the required Conditional Use Permit for the proposed monopine 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 Big Pine and the surrounding areas; 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 terrain and is highly disturbed and is the site of the since demolished retirement home. The Project is a monopine tower that will hold cellular service antennas. The 125-foot monopine 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 125-foot monopine tower will not have an impact on a typical 6-foot person standing in accessible areas on the ground as the exposure levels are below the Federal Communications Commission's (FCC's) most stringent General Population Maximum Permissible Exposure (MPE) Limits. At the antenna elevation/height levels between 104 and 120 feet on the tower the exposure level extends out 92-feet from the front face of the antennas. There are no buildings or surrounding structures at or higher than the antenna height within the overexposed areas. Beyond this clearance distance, exposure levels are predicted to be below the FCC's General Population MPE Limits. The antennas are mounted on a tall tower and therefore not accessible by the general public. (See Attachment 9).

   In accordance with the FCC's OET Bulletin 65, the power density from any sector as designed for the proposed facility will not exceed the FCC maximum permissible exposure limits at any location that is considered accessible by the general population. The power density calculations for each sector of the proposed facility will be well below the maximum FCC general population exposure level. (See Attachment 10).

   The applicant shall provide all proper signage as necessary to meet the FCC and Occupational Safety and Health Administration regulations and 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).

   The tower, under all the circumstances of this case, will not adversely affect the health or safety of persons living or working in the vicinity nor will it be materially detrimental

to the public welfare.]

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 18.76.110(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 125-foot monopine tower's location within the P Districts – Public Districts (P) zone.

   [Evidence: Several site locations were considered in preparation for the Conditional Use Permit, Telecommunications Plan Update and New Telecommunications Plan. A search area was established and analysis of the area within the targeted search area found that there are no existing towers or structures within the desire search area feasible for collocation for the required height of 120 feet to meet the cover objectives of this tower. The majority of the buildings are residential structures between 20 – 30 feet tall. All the structures within residential zoning were disqualified due to the discouragement of wireless communications antennas in residential designations. County administrative staff proposed this parcel after consideration of other properties and expressed preference for the current location. The Project location of 1001 County Road and construction of the 125-foot monopine tower meet the County requirements to allow for expansion of the Verizon's and T-Mobile's coverage to Big Pine and the surrounding areas which also necessitate the Verizon Telecommunications Plan Update and T-Mobile New Telecommunications Plan.]

Findings:
Telecommunications Plan Update 2025-02/Verizon and New Telecommunications Plan 2025-01/T-Mobile

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 October 2, 2025. The ISMND identified a potential biological impact on nesting birds and mitigation was added to the ISMND accordingly. Due to the graded and highly disturbed project site and surrounding area no archeological/cultural survey was conducted, but a request has been made to have a Tribal Monitor present during construction and this mitigation has been added to the Conditions of Approval. Staff received one comment letter from the California Department of Fish and Wildlife during circulation. The issues raised within this letter are pre-construction surveys for nesting birds, the Swanson's Hawk and Burrowing Owls, which have been added to the Conditions of Approval. Additional issues raised were a recommendation to revise the ISMND with another map to show location and to provide a pre-construction biological assessment for a recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within the offsite areas to include seasonal variations and not limited to resident species. Staff finds both the revision and additional biological survey recommendations unnecessary as the ISMND contained a survey and a report of the Project site with several maps, a site plan of the Project area, the ISMND was published with the longitude and latitude of the Project site, the biological survey was conducted by a qualified biologist, and the Project site is graded and highly disturbed and lacks vegetation as demonstrated in the ISMND and in the photos provided in the surveys/reports of the Project site and extended surrounding area. Additionally, there is an adjacent dog park that pedestrians access by walking around and even over the Project site to access. Staff also received one comment letter from Great Basin Unified Air Pollution District (GBUAPD). The issue raised in this letter is the use of the two proposed backup generators and requiring a permit if they are over 50hp which is addressed as a requirement in 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 and New Telecommunications Plan are consistent with the Inyo County General Plan.
[Evidence: The Plan Update and New Plan conform to the land use designation of Public Service Facilities (PF) that allows for the establishment of significant public facilities. The communications facility is consistent with the facilities provision. The Plan Update and New Plan also comply 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 and New Telecommunications Plan are consistent with the Inyo County Zoning Chapter 18.72 P Districts – Public Districts (P)
   [Evidence: The Telecommunications Plan Update and New Telecommunications Plan, as proposed, meet all the requirements of Chapter 18.72 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 and New Telecommunications Plan are 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 section18.76.050(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 Plans necessitate the 125-foot monopine tower's location within the P Districts – Public Districts (P) zoning district.
   [Evidence: Several site locations were considered in preparation for the Conditional Use Permit, Telecommunications Plan Update and New Telecommunications Plan. A search area was established and analysis of the area within the targeted search area found that there are no existing towers or structures within the desire search area feasible for collocation for the required height of 120 feet to meet the cover objectives of this tower. The majority of the buildings are residential structures between 20 – 30 feet tall. All the structures within residential zoning were disqualified due to the discouragement of wireless communications antennas in residential designations. County administrative staff proposed this parcel after consideration of other properties and expressed preference for the current location. The Project location of 1001 County Road and construction of the 125-foot monopine tower meet the County requirements to allow for expansion of the Verizon's and T-Mobile's coverage to Big Pine and the surrounding areas which also necessitate the Verizon Telecommunications Plan Update and T-Mobile New Telecommunications Plan.}

Recommended Conditions of Approval for Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine; Telecommunications Plan Update 2025-02/Verizon; New Telecommunications Plan 2025-01/T-Mobile.

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 (CUP) 2025-03/Vertical Bridge – Big Pine; Telecommunications Plan Update 2025-02/Verizon; New Telecommunications Plan 2025-01/T-Mobile. 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 these Telecommunications Plans including these approvals and updates shall be in substantial conformance with the approved Verizon Wireless Telecommunications Plan and T-Mobile Telecommunications Plan. If future proposals are not in substantial conformance with the approved Plans, 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 install a monopine tower and use anti-glare finish to prevent glare to mitigate the aesthetic impact and shall be as detailed in the materials board provided with this application and a picture of which is attached to the staff report and physically provided during the staff meeting for this project (Attachment 1).

6. *Owens Valley Oberservatory*
   The owner/developer shall conduct the Owen's Valley Radio Observatory requested testing with Verizon and T-Mobile in the 700 MHz band to avoid any interference with their facilities with the testing to be done after construction but before operation of the monopine tower.

7. *Generators*
   The owner/developer currently has two generators rated at 48.8 and 46.4 horsepower. However, if the generators are altered and are to exceed 50 horsepower the owner/developer shall obtain the required permits with the Great Basin Unified Air Protection Control District.

8. *Nesting Bird Survey*
   The owner/developer shall implement and follow the Mitigation Monitoring and Reporting Program regarding avoidance of nesting birds (Attachment 11). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

9. *Swanson's Hawk Survey*
   The owner/developer shall implement and follow the Mitigation Monitoring and Reporting Program regarding avoidance of Swanson's Hawk (Attachment 11). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

10. *Burrowing Owl Survey*
    The owner/developer shall implement and follow the Mitigation Monitoring and Reporting Program regarding avoidance of burrowing owls (Attachment 11). Failure to do so may result in the revocation of the conditional use permit and telecommunication plan update.

ATTACHMENTS:

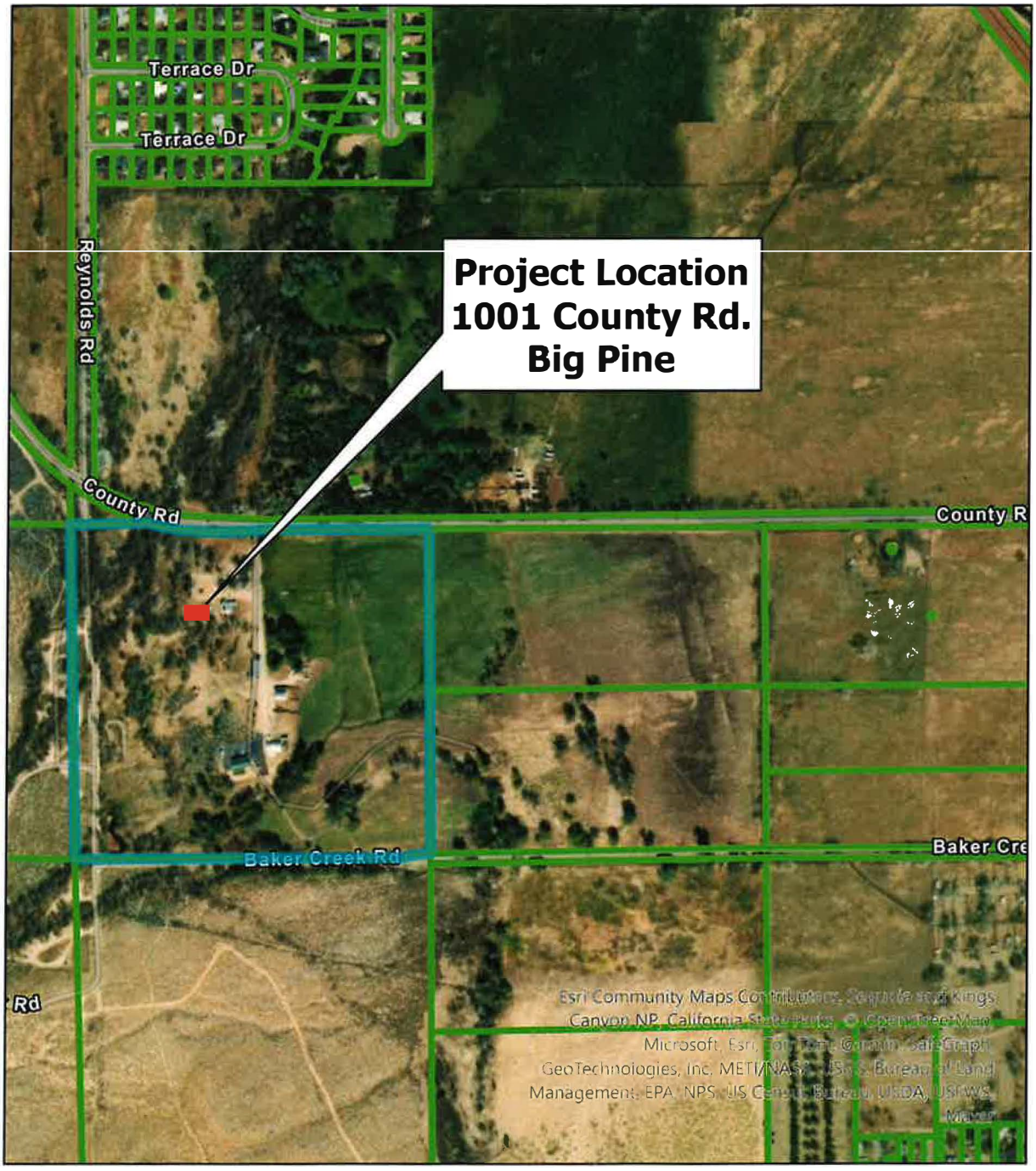
- Attachment 1 – Location and Vicinity Maps, Photo Simulations, Materials Board Photo and Site Plans
- Attachment 2 – Verizon Telecommunications Plan
- Attachment 3 – Verizon Justification and Propagation Maps
- Attachment 4 – T-Mobile Telecommunications Plan

- Attachment 5 – T-Mobile Coverage Maps
- Attachment 6 – Great Basin Unified Air Protection Control District comment
- Attachment 7 – California Department of Fish and Wildlife commnet
- Attachment 8 – Owens Valley Observatory Testing Letters of Acknowledgment
- Attachment 9 - Verizon Radio Frequency Electromagnetic Energy Exposure Report
- Attachment 10 – T-Mobile Radio Frequency Electromagnetic Field Analysis Determination
- Attachment 11 – Mitigation Monitoring and Reporting Program

ATTACHMENT 1

VICINITY MAP

APN: 018-090-01



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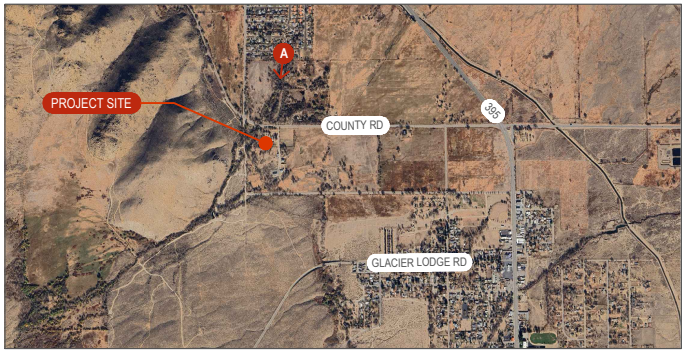
AERIAL MAP



EXISTING

PROPOSED

DISCLAIMER: THIS IS A RENDERING REPRESENTATION OF THE PROPOSED PROJECT ONLY

PHOTO PROVIDED BY: ASSURANCE DEVELOPMENT

DRAFTLINK
CONTACT : JOYCE YU
EMAIL : SIMS@DRAFTLINK.COM
PHONE : 949-232-5045
WWW.DRAFTLINK.COM

ASSURANCE DEVELOPMENT

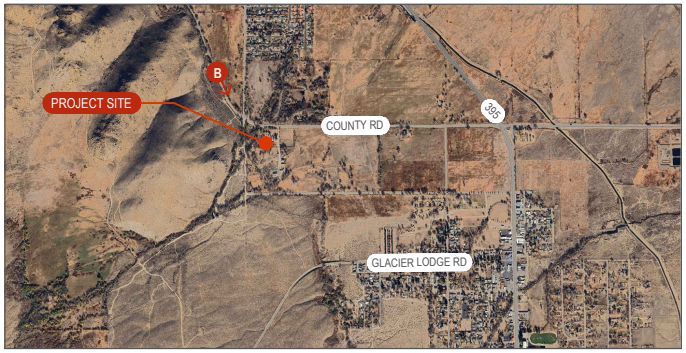
NO.	DATE	REVISIONS	BY
0	2/25/2025	ISSUED FOR SUBMITTAL	JFY

verticalbridge

US-CA-5368
BIG PINE
1001 COUNTY ROAD
BIG PINE, CA 93513

VIEW	SHEET
A	1 / 4

AERIAL MAP



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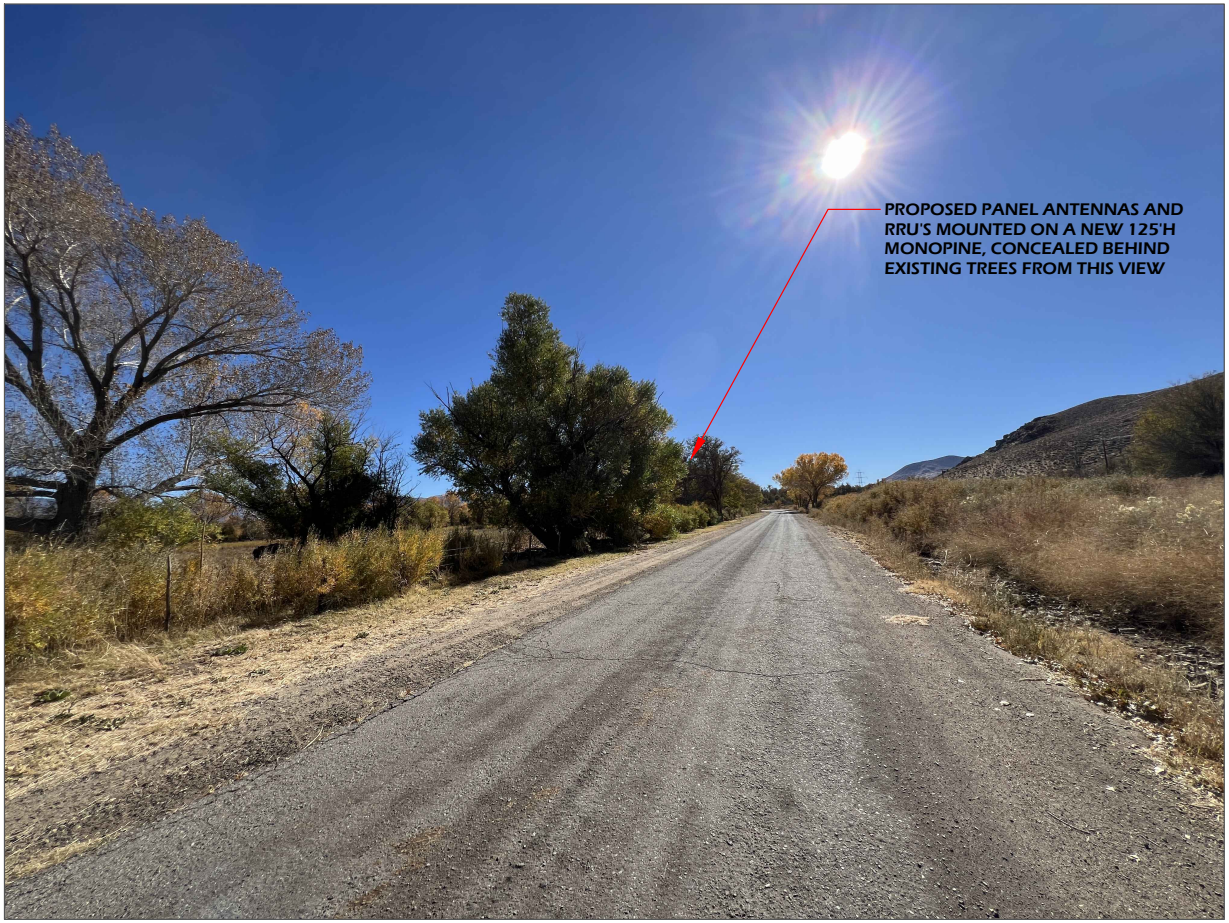

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verticalbridge

US-CA-5368
BIG PINE
1001 COUNTY ROAD
BIG PINE, CA 93513

VIEW	SHEET
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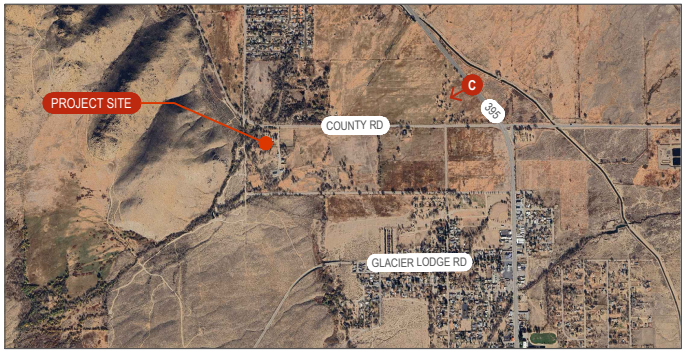
AERIAL MAP



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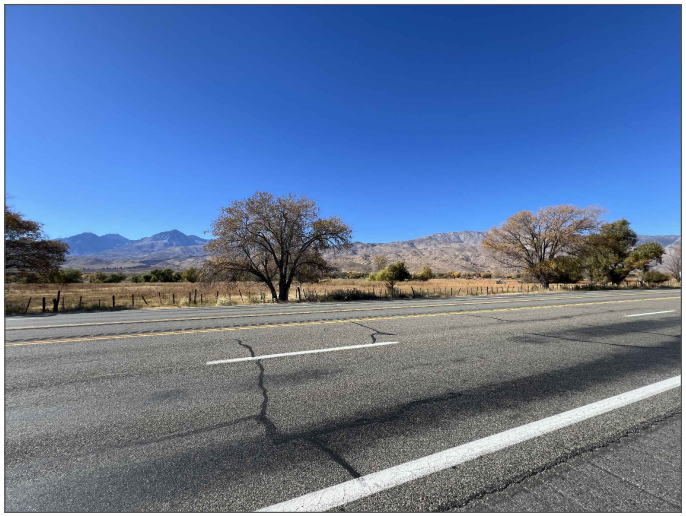

PROPOSED

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DRAFTLINK
CONTACT : JOYCE YU
EMAIL : SIMS@DRAFTLINK.COM
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ASSURANCE DEVELOPMENT

NO.	DATE	REVISIONS	BY
0	2/25/2025	ISSUED FOR SUBMITTAL	JFY

verticalbridge

US-CA-5368
BIG PINE
1001 COUNTY ROAD
BIG PINE, CA 93513

VIEW	SHEET
C	3 / 4

AERIAL MAP

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EXISTING

PROPOSED

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ASSURANCE DEVELOPMENT

NO.	DATE	REVISIONS	BY
0	2/25/2025	ISSUED FOR SUBMITTAL	JFY

verticalbridge

US-CA-5368
BIG PINE
1001 COUNTY ROAD
BIG PINE, CA 93513

VIEW	SHEET
D	4 / 4


Larson
STRUCTURES
www.ValmontLarson.com
294-3900

PROJECT DESCRIPTION:

CONSTRUCTION OF TELECOMMUNICATIONS AND PUBLIC UTILITY FACILITY, CONSISTING OF A 125' MONOPINE WITH (24) 8' ANTENNAS, (24) RRU'S, (3) 2' MICROWAVE, (2) GPS ANTENNA, REQUIRED ANTENNA CABLING, HCS JUMPERS, (4) GROUND MOUNTED RADIO CABINETS, (4) SURGE SUPPRESSORS, (1) EQUIPMENT CANOPY, (1) FIBER BOX, (1) 200A ILC CABINET, (1) MANUAL SERVICE LIGHT SWITCH TIMER, (2) BACK-UP DIESEL GENERATOR, (4) RAISED CONCRETE PADS, CABLE ICE BRIDGE, UTILITY BACKBOARD AND MULTI-METER UTILITY SERVICE MOUNTED ON H-FRAME WITHIN A 100'x100' LEASE AREA WITH A 71'X100' FENCED COMPOUND. NO WATER OR SEWER SERVICE IS REQUIRED. THIS WILL BE AN UNMANNED FACILITY.

CODE COMPLIANCE:

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. 2022 CALIFORNIA BUILDING CODE
2. 2022 CALIFORNIA TITLE 24
3. 2022 CALIFORNIA FIRE CODE
3. 2022 CALIFORNIA ELECTRIC CODE
4. 2022 CALIFORNIA ENERGY CODE
5. 2022 CALIFORNIA MECHANICAL CODE
6. TIA/EIA-222-H OR LATEST EDITION
5. ANY LOCAL BUILDING CODE AMENDMENTS TO THE ABOVE
6. CITY/COUNTY ORDINANCES

verticalbridge

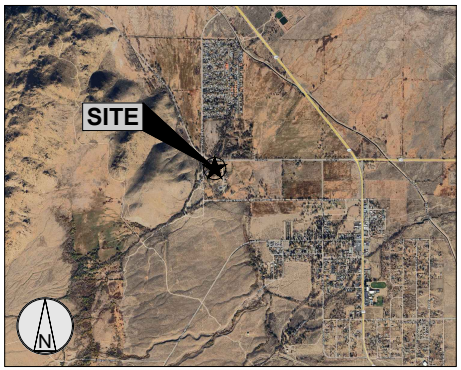
US-CA-5368 BIG PINE

1001 COUNTY RD
BIG PINE, CA 93513

125' MONOPINE

TENANT SITE ID: SV14254E

APPROVAL BLOCK				
		APPROVED	APPROVED AS NOTED	DISAPPROVED REVISE
VERTICAL BRIDGE	DATE	☐	☐	☐
SITE ACQUISITION	DATE	☐	☐	☐
CONSTRUCTION MANAGER	DATE	☐	☐	☐
PERMITTING	DATE	☐	☐	☐
RF ENGINEERING	DATE	☐	☐	☐



VICINITY MAP
N.T.S.

DRAWING INDEX	
DRWG. #	TITLE
T1	TITLE SHEET
LS-1	TITLE SHEET
LS-2	TOPOGRAPHIC SURVEY
A1	SITE PLAN
A2	ENLARGED SITE PLAN
A3	ENLARGED COMPOUND PLAN
A4	ANCHOR TENANT #1 EQUIPMENT AND ANTENNA PLAN
A5	ANCHOR TENANT #2 EQUIPMENT AND ANTENNA PLAN
A6	ELEVATIONS

LOCATION MAP
N.T.S.

PROJECT INFORMATION	
SITE NAME:	BIG PINE
SITE NUMBER:	US-CA-5368
TENANT SITE ID:	SV14254E
SITE ADDRESS:	1001 COUNTY RD BIG PINE, CA 93513
PARCEL #:	018-090-01
DEED REFERENCE:	N/A
ZONING CLASSIFICATION:	PUBLIC
ZONING JURISDICTION:	INYO COUNTY
CONSTRUCTION TYPE:	V-B
OCCUPANCY:	U (UNMANNED TELECOM FACILITY)
NO. OF STORIES:	1 (ENCLOSURE ONLY)
SPRINKLER:	NONE
STRUCTURE TYPE:	MONOPINE
STRUCTURE HEIGHT:	125'
CONSTRUCTION AREA:	10,000 SQ. FT.
GROUND ELEVATION:	4,052.53' (NAVD88)
LATITUDE (NAD 83):	37.172394° (37° 10' 20.62" N)
LONGITUDE (NAD 83):	-118.306361° (118° 18' 22.90" W)

EMERGENCY:
CALL 911

UNDERGROUND SERVICE ALERT
(800) 642-2444
WWW.CALIFORNIA811.ORG
CALL 2 TO 14 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION

PROJECT DIRECTORY	
PROPERTY OWNER:	INYO COUNTY 225 N EDWARDS ST INDEPENDENCE, CA 93526
APPLICANT:	VERTICAL BRIDGE 750 PARK OF COMMERCE DR. #200 BOCA RATON, FL 33487
CONTACT:	ASSURANCE DEVELOPMENT 1499 HUNTINGTON DR. #305 SOUTH PASADENA, CA 91030 CONTACT: BILL LEWIS PHONE: 626.765.5079
POWER COMPANY:	SCE
TELCO COMPANY:	CONTEL OF CALIFORNIA

CLIENT
verticalbridge
750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION
ASSURANCE DEVELOPMENT
1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
0	ISSUED FOR ZONING	APP	02/28/25
B	ISSUED FOR REVIEW	JR	01/13/25
A	ISSUED FOR REVIEW	JR	12/04/24

DRAWN: JR
DESIGNED: JR
CHECKED: BL

PROJECT NUMBER: US-CA-5368

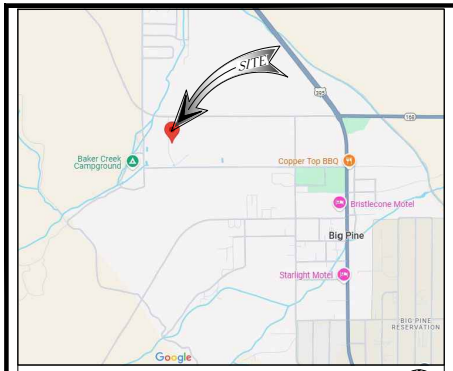
PROJECT TITLE:
US-CA-5368
SV14254E
BIG PINE
1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:
TITLE SHEET

DRAWING SCALE: AS NOTED
DATE: 01/13/25
ZD

DRAWING NUMBER:
T1



VICINITY MAP

APN

018-090-01, INYO COUNTY, CALIFORNIA

RECORD OWNER

COUNTY OF INYO

TITLE REPORT

TITLE REPORT WAS PREPARED BY IRON CREST NATIONAL TITLE COMPANY WITH FILE NO. VTB-180252-C DATED APRIL 30, 2024.

BASIS OF ELEVATIONS: (NAVD 1988)

SITE ELEVATIONS ARE ESTABLISHED FROM THE GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS "GEOID 18" MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY OBSERVATIONS OF THE "LEICA SMARTNET" REAL TIME NETWORK. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88. CALIFORNIA ZONE 4.

FLOOD ZONE

SITE IS LOCATED IN FLOOD ZONE "X" AS PER F.I.R.M. MAP NO. 06027C0625D EFFECTIVE DATE 8/16/2011

LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY IN THE COUNTY OF INYO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 9 SOUTH, RANGE 34 EAST, MOUNT DIABLO MERIDIAN.

BEING A PORTION OF THE SAME PROPERTY CONVEYED TO COUNTY OF INYO IN DEED FROM FREDERICK CONN AND CARRIE M. CONN, HIS WIFE, AND EDWARD TRUDO DATED FEBRUARY 28, 1905 AND RECORDED FEBRUARY 28, 1905 IN INSTRUMENT NO. 1905-0000.

SCHEDULE B, PART II

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I – REQUIREMENTS ARE MET.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

2. (A) TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; (B) PROCEEDINGS BY A PUBLIC AGENCY THAT MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

3. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

4. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

5. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

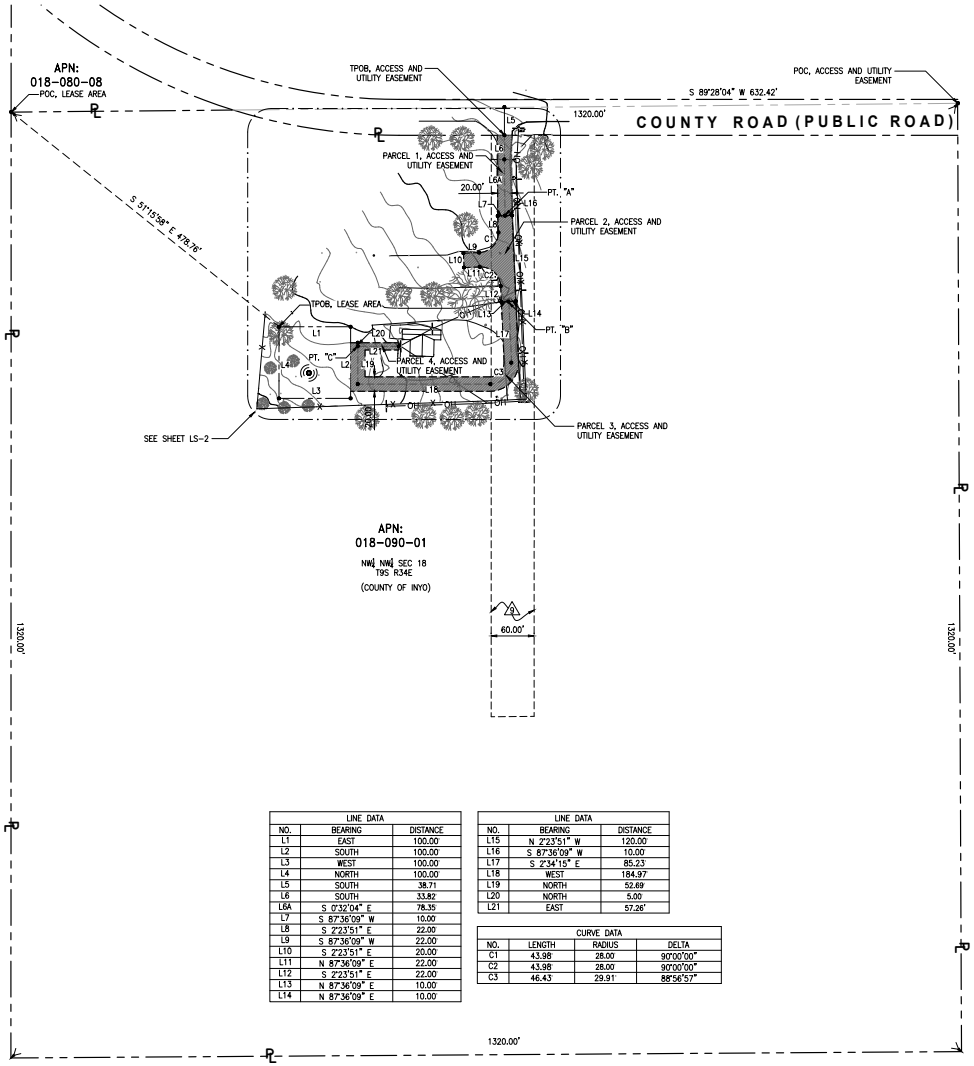
6. (A) UNPATENTED MINING CLAIMS, (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE
THEREOF, (C) WATER RIGHTS OR, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

7. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL UNLESS SUCH LIEN IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

8. ANY CLAIM TO (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, GEOTHERMAL RESOURCES, URANIUM, CLAY, ROCK, SAND AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO, WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN (A) OR (B) APPEAR IN THE PUBLIC RECORDS OR ARE SHOWN IN SCHEDULE B.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

9. GRANT OF EASEMENT BETWEEN COUNTY OF INYO ; AND SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, DATED JULY 1, 2014 AND RECORDED AUGUST 15, 2014 IN (INSTRUMENT) 2014-0002046-00, IN INYO COUNTY, CALIFORNIA.
(THE EXCEPTION IS LOCATED WITHIN PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS)

10. RIGHTS OF FEE SIMPLE OWNERS IN AND TO THE SUBJECT PROPERTY.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)



LINE DATA		
NO.	BEARING	DISTANCE
L1	EAST	100.00
L2	SOUTH	100.00
L3	WEST	100.00
L4	NORTH	100.00
L5	SOUTH	38.71
L6	SOUTH	33.82
L6A	S 0°32'04" E	78.35
L7	S 87°36'09" W	10.00
L8	S 2°23'51" E	22.00
L9	S 87°36'09" W	22.00
L10	S 2°23'51" E	20.00
L11	N 87°36'09" E	22.00
L12	S 2°23'51" E	22.00
L13	N 87°36'09" E	10.00
L14	N 87°36'09" E	10.00

LINE DATA		
NO.	BEARING	DISTANCE
L15	N 2°23'51" W	120.00
L16	S 87°36'09" W	10.00
L17	S 2°34'15" E	85.23
L18	WEST	184.97
L19	NORTH	52.69
L20	NORTH	5.00
L21	EAST	57.26'

CURVE DATA			
NO.	LENGTH	RADIUS	DELTA
C1	43.98	28.00	90°00'00"
C2	43.98	28.00	90°00'00"
C3	46.43	29.91	88°56'57"

LEASE AREA

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 9 SOUTH, RANGE 34EAST, MOUNT DIABLO MERIDIAN, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18; THENCE SOUTH 51°15'58" EAST 478.76 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST 100.00 FEET; THENCE SOUTH 100.00 FEET; THENCE WEST 100.00 FEET; THENCE NORTH 100.00 FEET TO THE TRUE POINT OF BEGINNING.

ACCESS AND UTILITY EASEMENT

PARCELS OF LAND LYING WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 9 SOUTH, RANGE 34EAST, MOUNT DIABLO MERIDIAN, SAID PARCELS ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

A STRIP OF LAND TWENTY (20) FEET WIDE, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18; THENCE SOUTH 89°28'04" WEST 632.42 FEET; THENCE SOUTH 38.71 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 33.82 FEET; THENCE SOUTH 0°32'04" EAST 78.35 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A".

PARCEL 2

BEGINNING AT THE AFOREMENTIONED POINT "A"; THENCE SOUTH 87°36'09" WEST 10.00 FEET; THENCE SOUTH 2°23'51" EAST 22.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 28.00 FEET THENCE SOUTHWESTERLY 43.98 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE 90°00'00"; THENCE SOUTH 87°36'09" WEST 22.00 FEET; THENCE SOUTH 2°23'51" EAST 20.00 FEET; THENCE NORTH 87°36'09" EAST 22.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 28.00 FEET THENCE SOUTHEASTERLY 43.98 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE 90°00'00"; THENCE SOUTH 2°23'51" EAST 22.00 FEET; THENCE NORTH 87°36'09" EAST 10.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE NORTH 87°36'09" EAST 10.00 FEET; THENCE NORTH 2°23'51" WEST 120.00 FEET; THENCE SOUTH 87°36'09" WEST 10.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3

A STRIP OF LAND TWENTY (20) FEET WIDE, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE AFOREMENTIONED POINT "B"; THENCE SOUTH 2°34'15" EAST 85.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 29.91 FEET THENCE SOUTHWESTERLY 46.43 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE 88°56'57"; THENCE WEST 184.97 FEET; THENCE NORTH 52.69 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "C"; THENCE NORTH 5.00 FEET.

PARCEL 4

A STRIP OF LAND TEN (10) FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE AFOREMENTIONED POINT "C"; THENCE EAST 57.26 FEET TO THE POINT OF TERMINATION.

GRAPHIC SCALE: 1"=80'

ENCROACHMENT STATEMENT GUIDELINES

AT THE TIME OF THE SURVEY, NO VISIBLE ENCROACHMENTS WERE EVIDENT ONTO OR BEYOND THE LEASE AREA OR ANY VB EASEMENTS.

SURVEYOR CERTIFICATION

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; AND (II) TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND IRON CREST NATIONAL TITLE COMPANY.

ANDREW J. KOLTAVARY, RPLS 28571 EXP. 03/31/26

NOVEMBER 19, 2024
DATE

SURVEY PREPARED FOR:

vertical bridge

VB BTS II, LLC

750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION

ASSURANCE DEVELOPMENT

1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

ENGINEER

24 RECODO, IRVINE, CA 92620
714.624.9027

NO.	SUBMITTAL / REVISION	BY	DATE
4	LEASE AUE SHIFTED	LJ	02/24/25
3	LEASE AUE SHIFTED	LJ	02/20/25
2	LEASE AUE ADDED	LJ	02/13/25
1	FINAL SURVEY	LJ	12/04/24
0	PRELIMINARY SURVEY	LJ	11/19/24

DRAWN: LJ
DESIGNED:
CHECKED: AJK

PROJECT NUMBER: US-CA-5470

PROJECT TITLE:

US-CA-5368

APN: 018-090-01
1001 COUNTY RD.,
BIG PINE, CA 93513
INYO COUNTY

ENGINEER STAMP:

REGISTERED PROFESSIONAL ENGINEER
ANDREW J KOLTAVARY
EXP. 03/31/26
CIVIL
STATE OF CALIFORNIA

DRAWING TITLE:

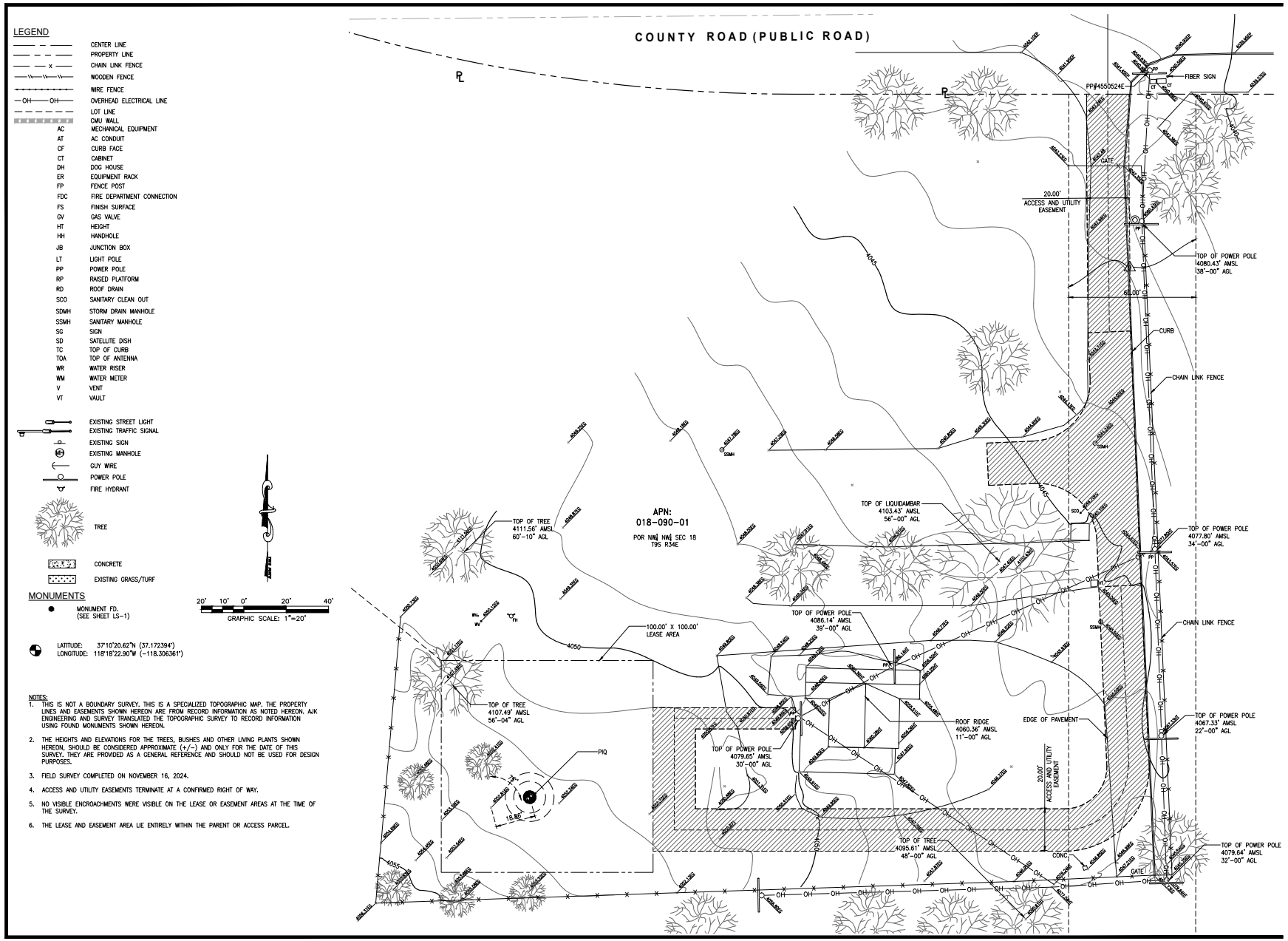
TITLE SHEET

DRAWING SCALE:
AS NOTED

DATE:
2/24/2025

DRAWING NUMBER:

LS-1



LEGEND

- CENTER LINE
- PROPERTY LINE
- CHAIN LINK FENCE
- WOODEN FENCE
- WIRE FENCE
- OVERHEAD ELECTRICAL LINE
- LOT LINE
- CMU WALL
- AC MECHANICAL EQUIPMENT
- AT AC CONDUIT
- CF CURB FACE
- CT CABINET
- DH DOG HOUSE
- ER EQUIPMENT RACK
- FP FENCE POST
- FDC FIRE DEPARTMENT CONNECTION
- FS FINISH SURFACE
- GV GAS VALVE
- HT HEIGHT
- HH HANDHOLE
- JB JUNCTION BOX
- LT LIGHT POLE
- PP POWER POLE
- RP RAISED PLATFORM
- RD ROOF DRAIN
- SCO SANITARY CLEAN OUT
- SDMH STORM DRAIN MANHOLE
- SSMH SANITARY MANHOLE
- SG SIGN
- SD SATELLITE DISH
- TC TOP OF CURB
- TOA TOP OF ANTENNA
- WR WATER RISER
- WM WATER METER
- V VENT
- VT VAULT

- EXISTING STREET LIGHT
- EXISTING TRAFFIC SIGNAL
- EXISTING SIGN
- EXISTING MANHOLE
- GUY WIRE
- POWER POLE
- FIRE HYDRANT
- TREE
- CONCRETE
- EXISTING GRASS/TURF

MONUMENTS

- MONUMENT FD. (SEE SHEET LS-1)

GRAPHIC SCALE: 1"=20'

LATITUDE: 37°10'20.62"N (37.172394°)
LONGITUDE: 118°18'22.90"W (-118.306361°)

NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP. THE PROPERTY LINES AND EASEMENTS SHOWN HEREON ARE FROM RECORD INFORMATION AS NOTED HEREON. AJK ENGINEERING AND SURVEY TRANSLATED THE TOPOGRAPHIC SURVEY TO RECORD INFORMATION USING FOUND MONUMENTS SHOWN HEREON.
2. THE HEIGHTS AND ELEVATIONS FOR THE TREES, BUSHES AND OTHER LIVING PLANTS SHOWN HEREON, SHOULD BE CONSIDERED APPROXIMATE (+/-) AND ONLY FOR THE DATE OF THIS SURVEY. THEY ARE PROVIDED AS A GENERAL REFERENCE AND SHOULD NOT BE USED FOR DESIGN PURPOSES.
3. FIELD SURVEY COMPLETED ON NOVEMBER 16, 2024.
4. ACCESS AND UTILITY EASEMENTS TERMINATE AT A CONFIRMED RIGHT OF WAY.
5. NO VISIBLE ENCROACHMENTS WERE VISIBLE ON THE LEASE OR EASEMENT AREAS AT THE TIME OF THE SURVEY.
6. THE LEASE AND EASEMENT AREA LIE ENTIRELY WITHIN THE PARENT OR ACCESS PARCEL.

SURVEY PREPARED FOR:

vertical bridge

VB BTS II, LLC

750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION

ASSURANCE DEVELOPMENT

1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

ENGINEER

24 RECODO, IRVINE, CA 92620
714.624.9027

NO.	SUBMITTAL / REVISION	BY	DATE
4	LEASE AUE SHIFTED	LJ	02/24/25
3	LEASE AUE SHIFTED	LJ	02/20/25
2	LEASE AUE ADDED	LJ	02/13/25
1	FINAL SURVEY	LJ	12/04/24
0	PRELIMINARY SURVEY	LJ	11/19/24

DRAWN: LJ
DESIGNED:
CHECKED: AJK

PROJECT NUMBER: US-CA-5470

PROJECT TITLE:

US-CA-5368

APN: 018-090-01
1001 COUNTY RD.,
BIG PINE, CA 93513
INYO COUNTY

ENGINEER STAMP:

REGISTERED PROFESSIONAL ENGINEER
ANDREW J KOLTAVARY
No. 26574
EXP. 03/31/26
CIVIL
STATE OF CALIFORNIA

DRAWING TITLE:

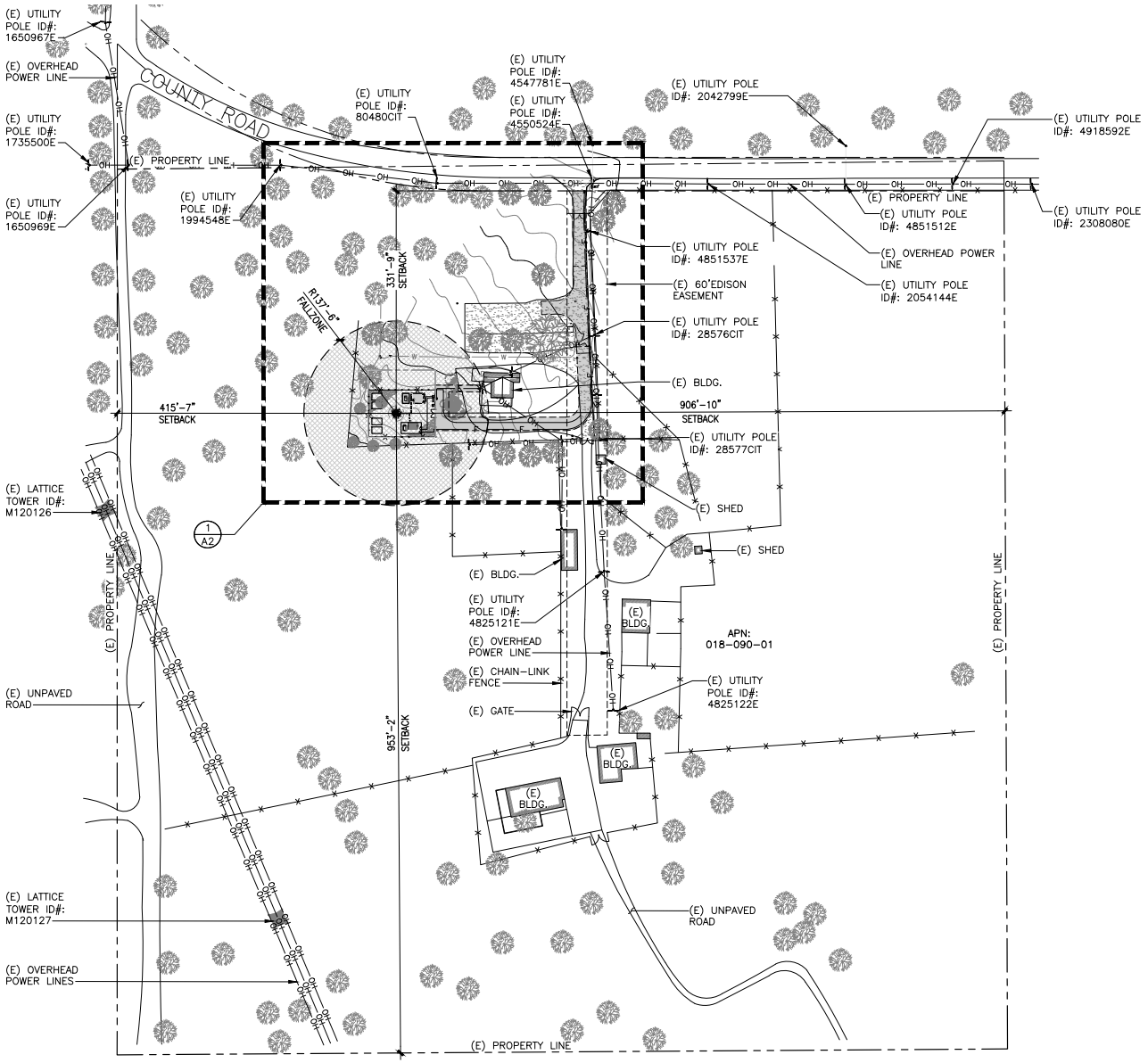
TOPOGRAPHIC SURVEY

DRAWING SCALE: AS NOTED

DATE: 2/24/2025

DRAWING NUMBER:

LS-2



SITE PLAN

11"x17" SCALE: 1" = 160'-0"
24"x36" SCALE: 1" = 80'-0"
0 40' 80' 160'
NORTH
1

CLIENT

vertical bridge

750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION

AD ASSURANCE DEVELOPMENT

1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
0	ISSUED FOR ZONING	APP	02/28/25
B	ISSUED FOR REVIEW	JR	01/13/25
A	ISSUED FOR REVIEW	JR	12/04/24

DRAWN: JR
DESIGNED: JR
CHECKED: BL

PROJECT NUMBER: US-CA-5368

PROJECT TITLE:

US-CA-5368
SV14254E
BIG PINE

1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:

SITE PLAN

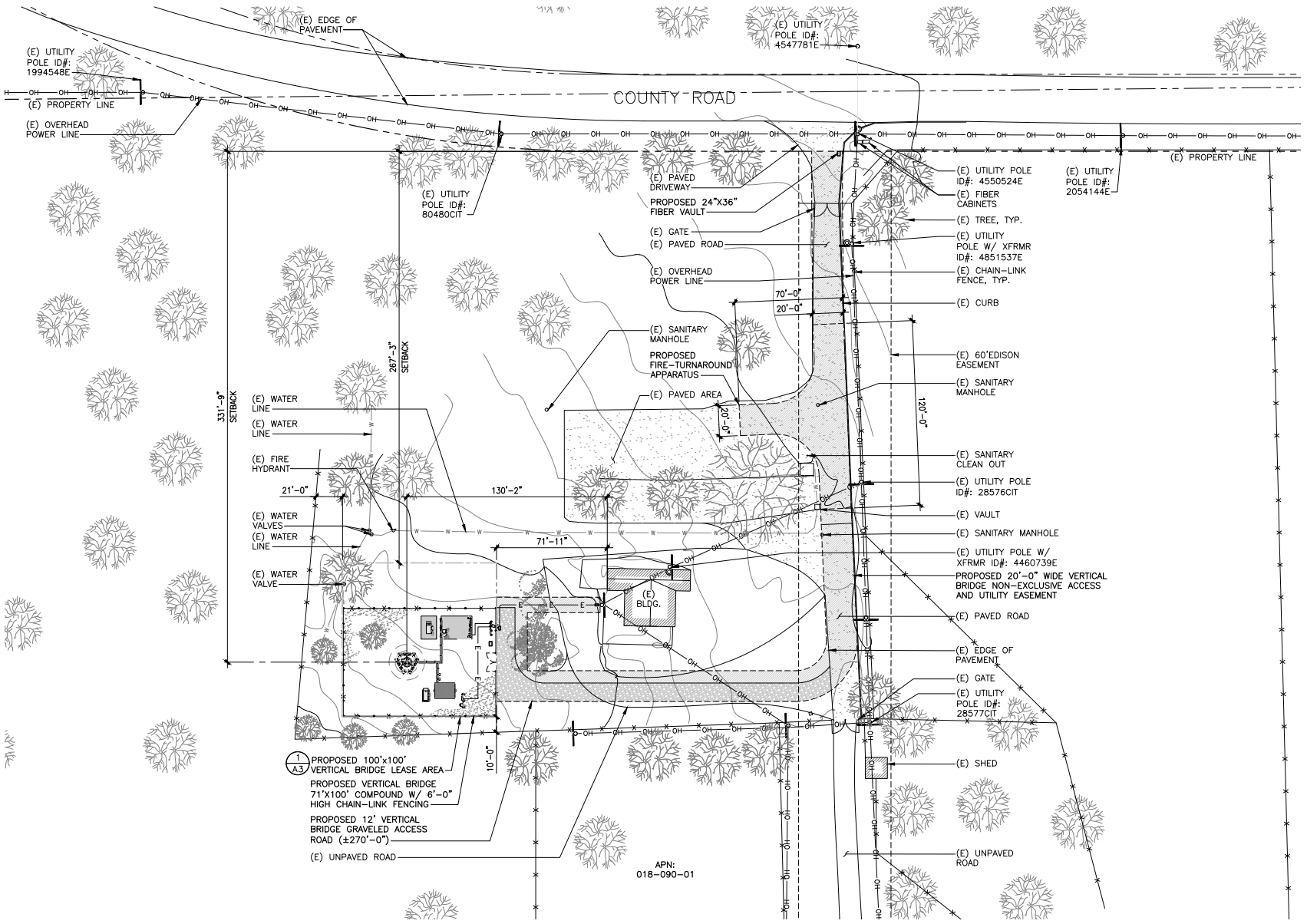
DRAWING SCALE: AS NOTED

DATE: 01/13/25

ZD

DRAWING NUMBER:

A1



ENLARGED SITE PLAN

11"x17" SCALE: 1" = 60'-0"
24"x36" SCALE: 1" = 30'-0"
0 15' 30' 60'
NORTH

1

CLIENT

vertical bridge

750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION

AD ASSURANCE DEVELOPMENT

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DESIGNED: JR
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PROJECT NUMBER: US-CA-5368

PROJECT TITLE:

US-CA-5368
SV14254E
BIG PINE

1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:

ENLARGED SITE PLAN

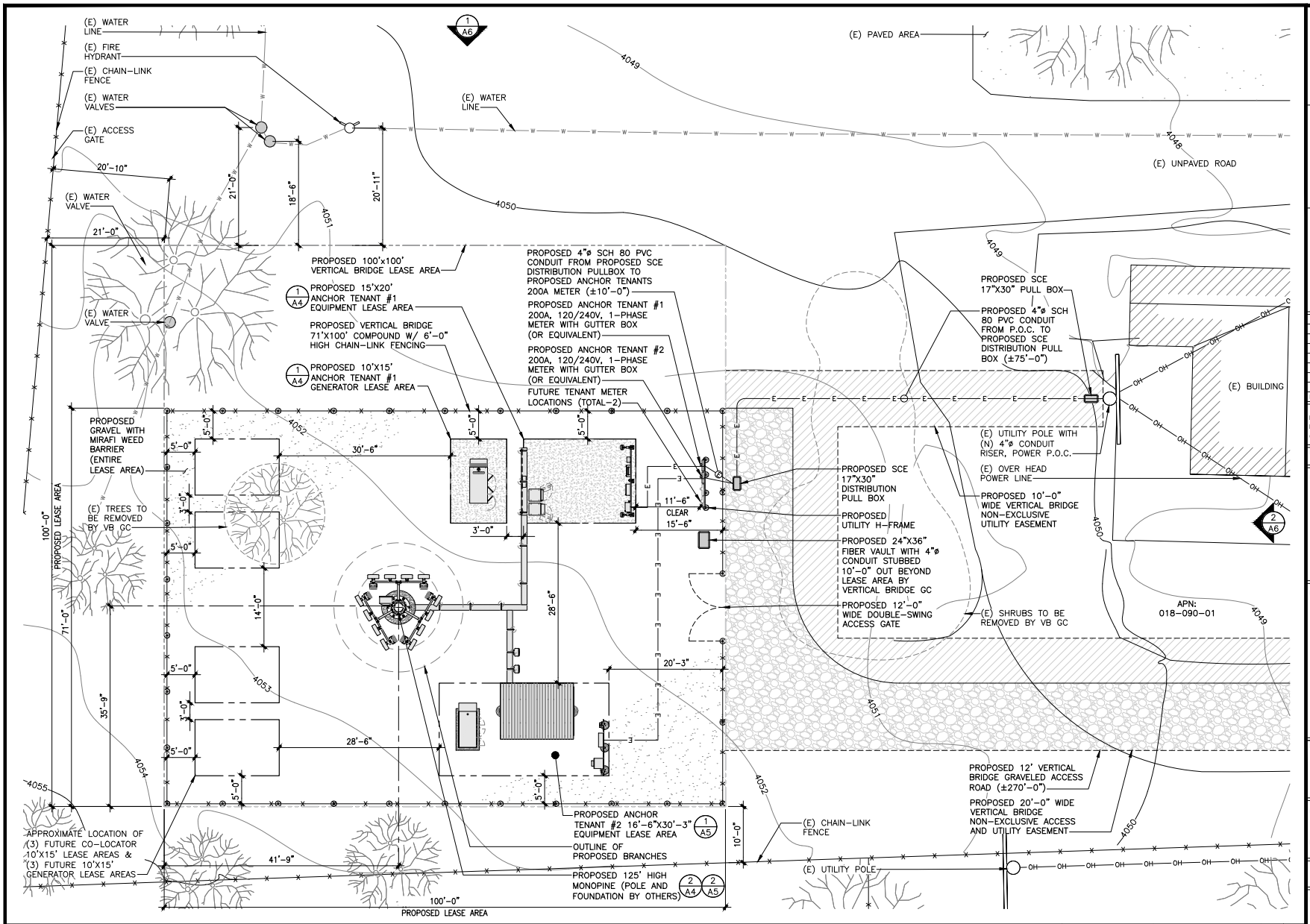
DRAWING SCALE: AS NOTED

DATE: 01/13/25

ZD

DRAWING NUMBER:

A2



ENLARGED COMPOUND PLAN

11"x17" SCALE: 1/16" = 1'-0"
24"x36" SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'

CLIENT
vertical bridge
750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION
ASSURANCE DEVELOPMENT
1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
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B	ISSUED FOR REVIEW	JR	01/13/25
A	ISSUED FOR REVIEW	JR	12/04/24

DRAWN: JR
DESIGNED: JR
CHECKED: BL

PROJECT NUMBER: US-CA-5368

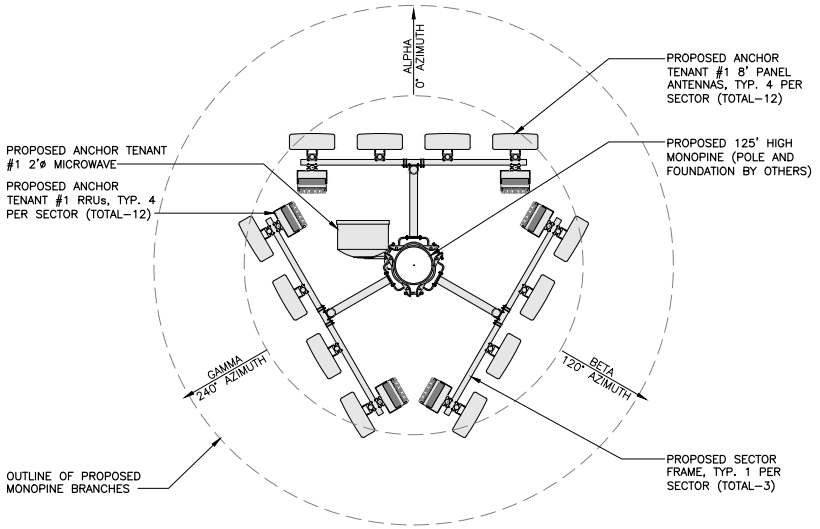
PROJECT TITLE:
US-CA-5368
SV14254E
BIG PINE
1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:
ENLARGED COMPOUND PLAN

DRAWING SCALE: AS NOTED
DATE: 01/13/25
ZD

DRAWING NUMBER:
A3



ANTENNA PLAN

11"x17" SCALE: 3/16" = 1'–0"
24"x36" SCALE: 3/8" = 1'–0"
0 1' 2' 4'

2

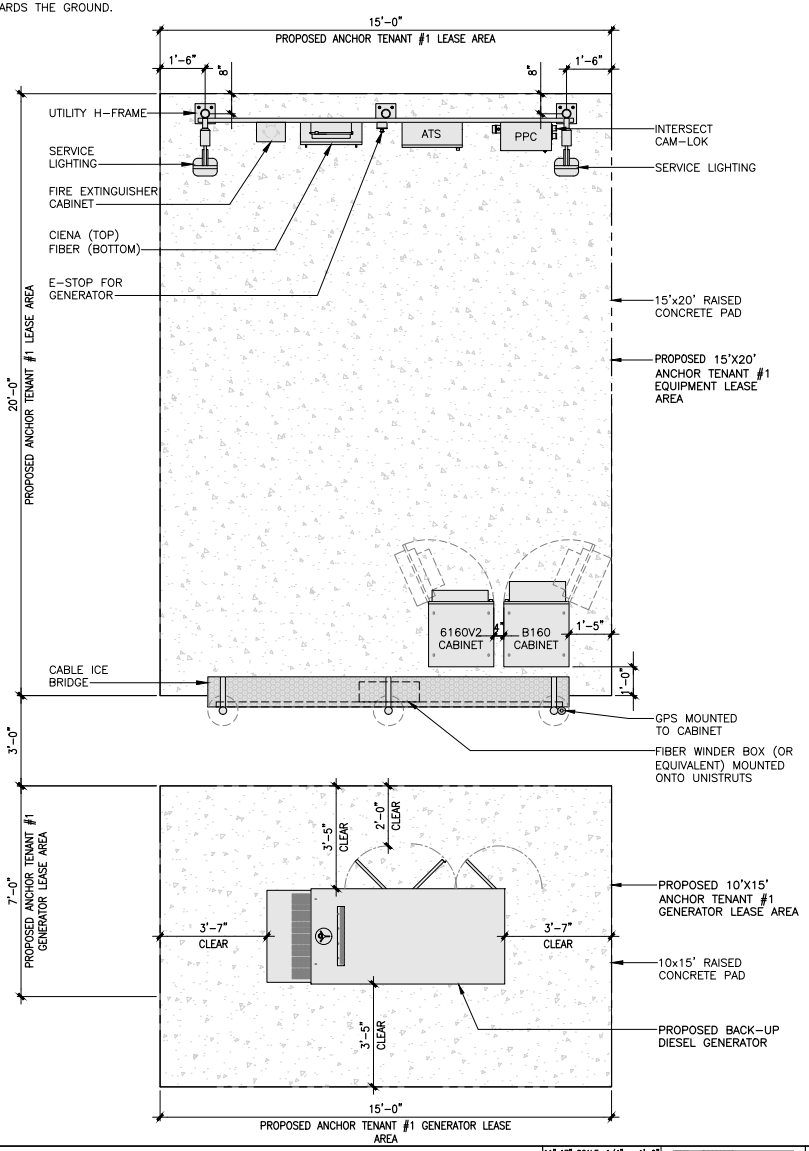
NOT USED

SCALE
N.T.S.

3

SERVICE LIGHTING NOTES:
1. THE SERVICE LIGHT IS MANUALLY SWITCHED ON/OFF BY THE SITE TECHNICIAN IN EMERGENCY SITUATIONS.
2. MAINTENANCE OF THE CELL SITES ARE NORMALLY PERFORMED DURING DAY–LIGHT HOURS.
3. THE SERVICE LIGHT SHALL BE POINTED –45° TOWARDS THE GROUND.

SERVICE LIGHTING SPECIFICATIONS:
MODEL: PLTS–12249 (OR EQUAL)
LED WATTAGE: 15W
LUMENS: 2097 LM
FOOT CANDLE: 194.8 FC



EQUIPMENT PLAN

11"x17" SCALE: 1/4" = 1'–0"
24"x36" SCALE: 1/2" = 1'–0"
0 1' 2' 4'

1

CLIENT
vertical bridge
750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION
AD
ASSURANCE DEVELOPMENT
1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
0	ISSUED FOR ZONING	APP	02/28/25
B	ISSUED FOR REVIEW	JR	01/13/25
A	ISSUED FOR REVIEW	JR	12/04/24

DRAWN: JR
DESIGNED: JR
CHECKED: BL

PROJECT NUMBER: US-CA-5368

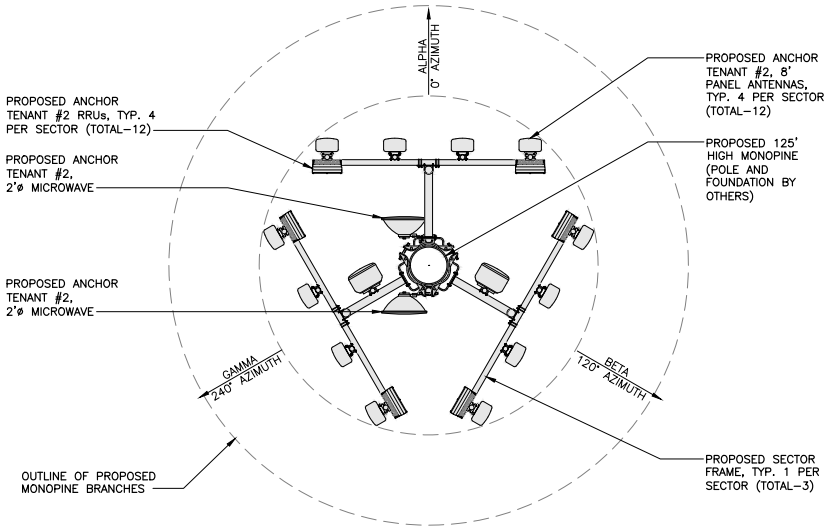
PROJECT TITLE:
US-CA-5368
SV14254E
BIG PINE
1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:
ANCHOR TENANT #1 EQUIPMENT AND ANTENNA PLAN

DRAWING SCALE: AS NOTED
DATE: 01/13/25
ZD

DRAWING NUMBER:
A4



ANTENNA PLAN

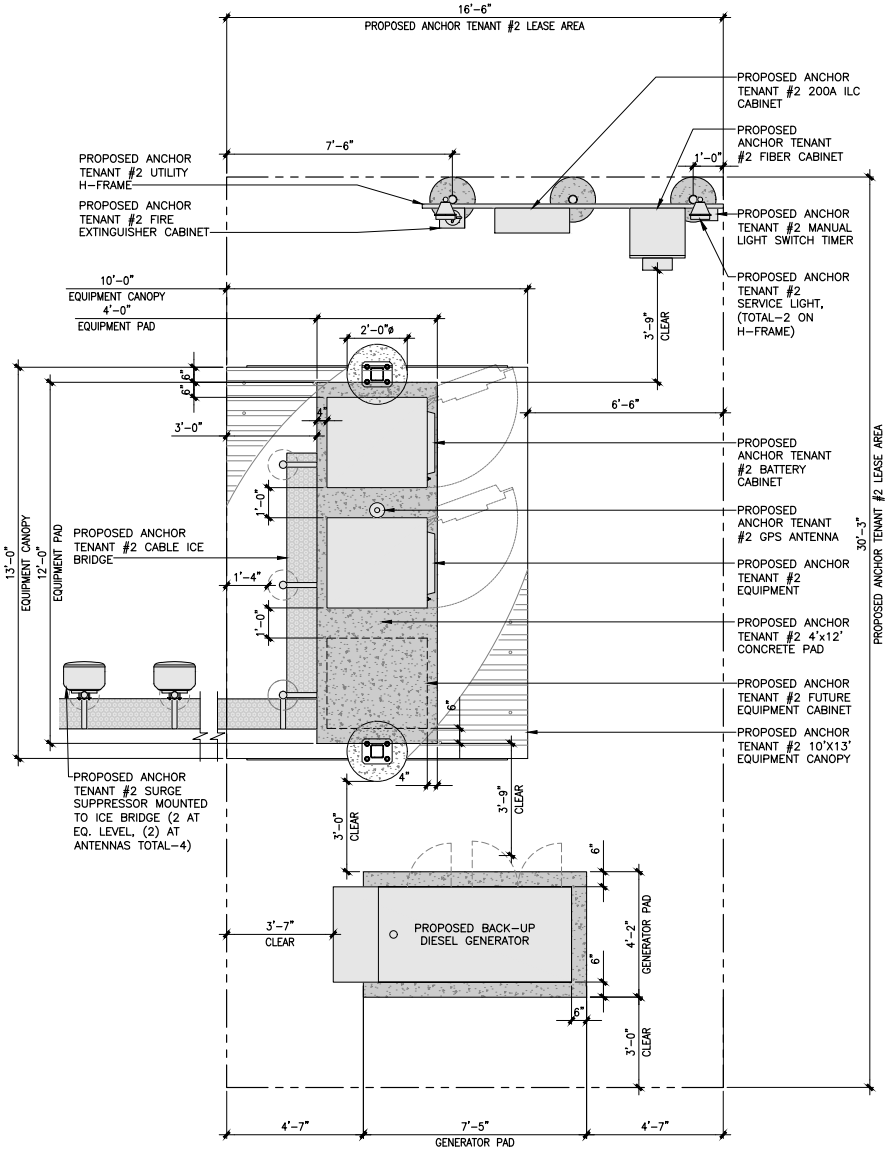
11"x17" SCALE: 3/16" = 1'–0"
24"x36" SCALE: 3/8" = 1'–0"
0 1' 2' 4'

2

NOT USED

SCALE
N.T.S.

3



EQUIPMENT PLAN

11"x17" SCALE: 1/4" = 1'–0"
24"x36" SCALE: 1/2" = 1'–0"
0 1' 2' 4'

1

CLIENT

vertical bridge

750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION

ASSURANCE DEVELOPMENT

1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
0	ISSUED FOR ZONING	APP	02/28/25
B	ISSUED FOR REVIEW	JR	01/13/25
A	ISSUED FOR REVIEW	JR	12/04/24

DRAWN: JR
DESIGNED: JR
CHECKED: BL

PROJECT NUMBER: US-CA-5368

PROJECT TITLE:

US-CA-5368
SV14254E
BIG PINE

1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:
ANCHOR TENANT #2 EQUIPMENT AND ANTENNA PLAN

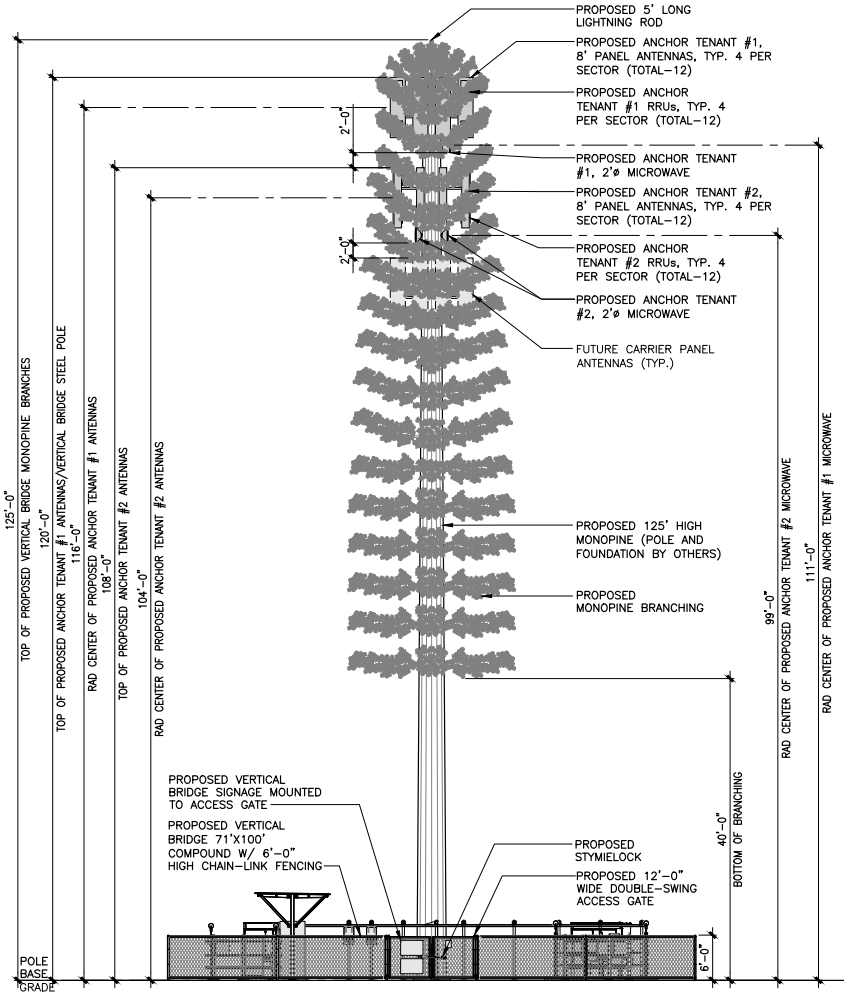
DRAWING SCALE: AS NOTED

DATE: 01/13/25

ZD

DRAWING NUMBER:

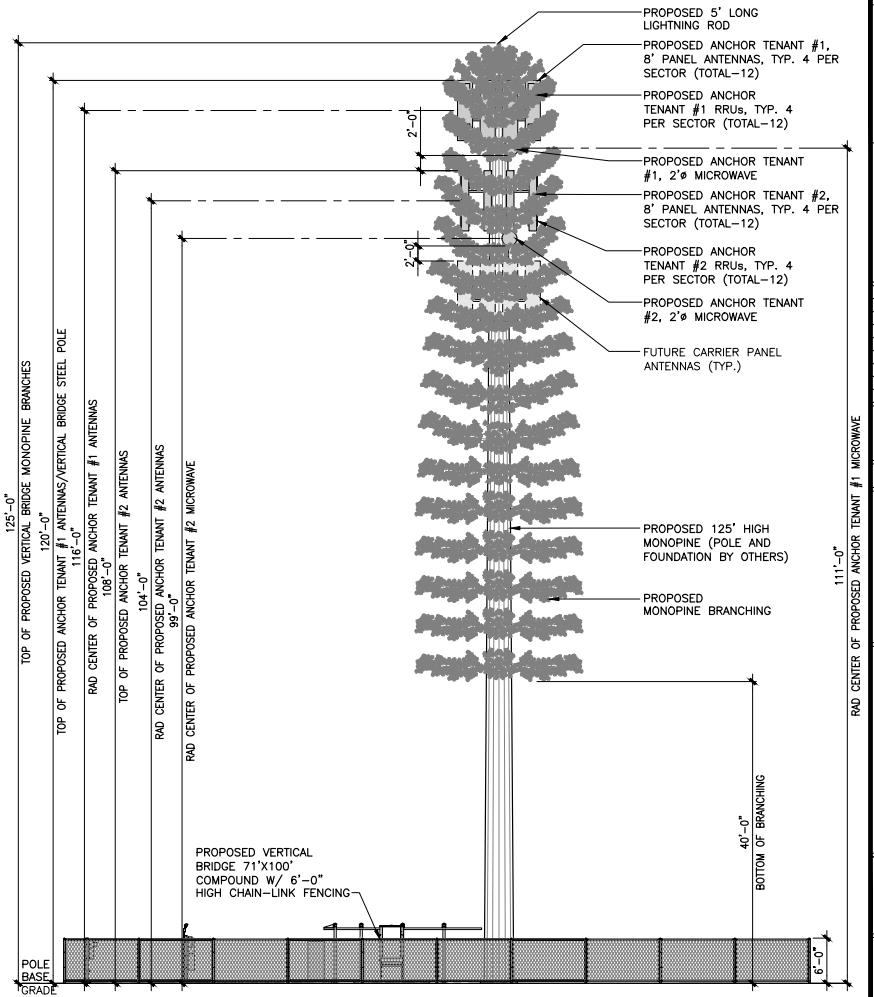
A5



EAST ELEVATION

11"x17" SCALE: 1/16" = 1'–0"
24"x36" SCALE: 1/8" = 1'–0"
0 2' 4' 8' 16'

2



NORTH ELEVATION

11"x17" SCALE: 1/16" = 1'–0"
24"x36" SCALE: 1/8" = 1'–0"
0 2' 4' 8' 16'

1

CLIENT
verticalbridge
750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION
ASSURANCE DEVELOPMENT
1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

NO.	SUBMITTAL / REVISION	BY	DATE
0	ISSUED FOR ZONING	APP	02/28/25
B	ISSUED FOR REVIEW	JR	01/13/25
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DRAWN: JR
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CHECKED: BL

PROJECT NUMBER: US-CA-5368

PROJECT TITLE:
US-CA-5368
SV14254E
BIG PINE
1001 COUNTY RD
BIG PINE, CA 93513

ENGINEER STAMP:

DRAWING TITLE:
ELEVATIONS

DRAWING SCALE: AS NOTED
DATE: 01/13/25
ZD

DRAWING NUMBER:
A6

ATTACHMENT 2

verizon

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

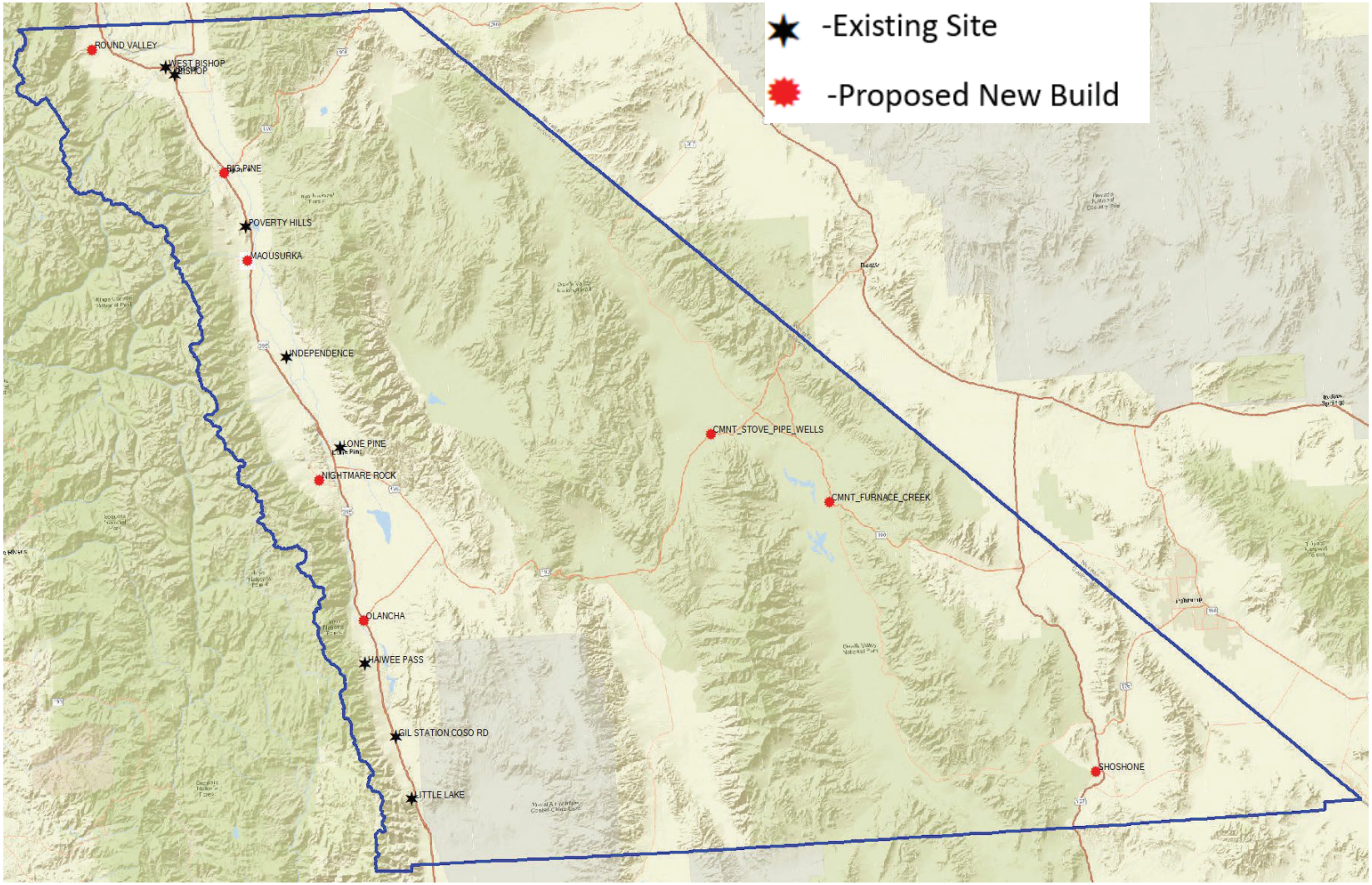
BIG PINE	37.164731	-118.290331
MAZUORKA	36.992386	-118.244611
NIGHTMARE ROCK	36.557306	-118.097819
OLANCHA	36.278986	-118.006411
SHOSHONE	35.899483	-116.275207
ROUND VALLEY	37.416731	-118.597529

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

BIG PINE

JUSTIFICATION AND PROPOGATION MAPS

Joshua Ehrlich, RF Engineer

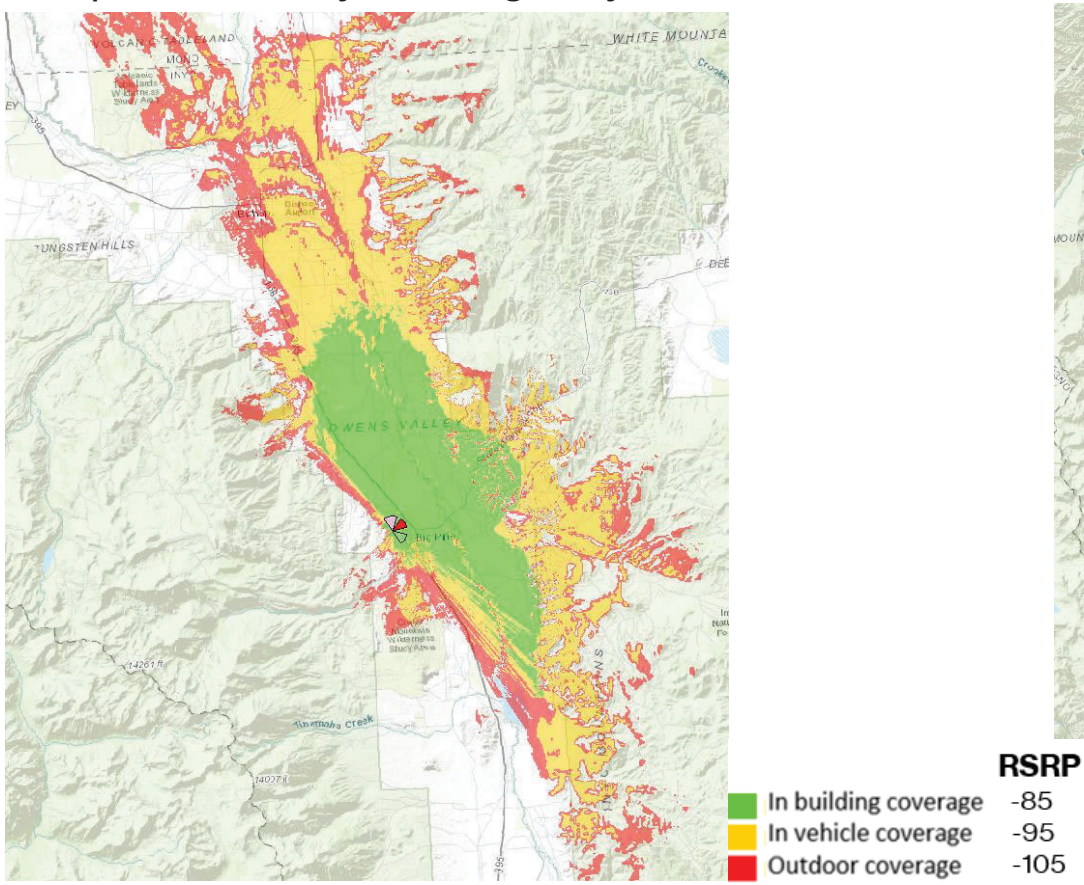
11/01/2023

Big Pine Justification

This new build site is needed to provide improved and new coverage in the Big Pine area as well offload capacity from surrounding sites to improve the quality of our coverage and the customer experience in the overall area. It would also be used to support public safety agencies as this is area is used as a fire camp location during fire season and we have deployed mobile assets in the past to support this fire camp.

Big Pine NB Only Coverage

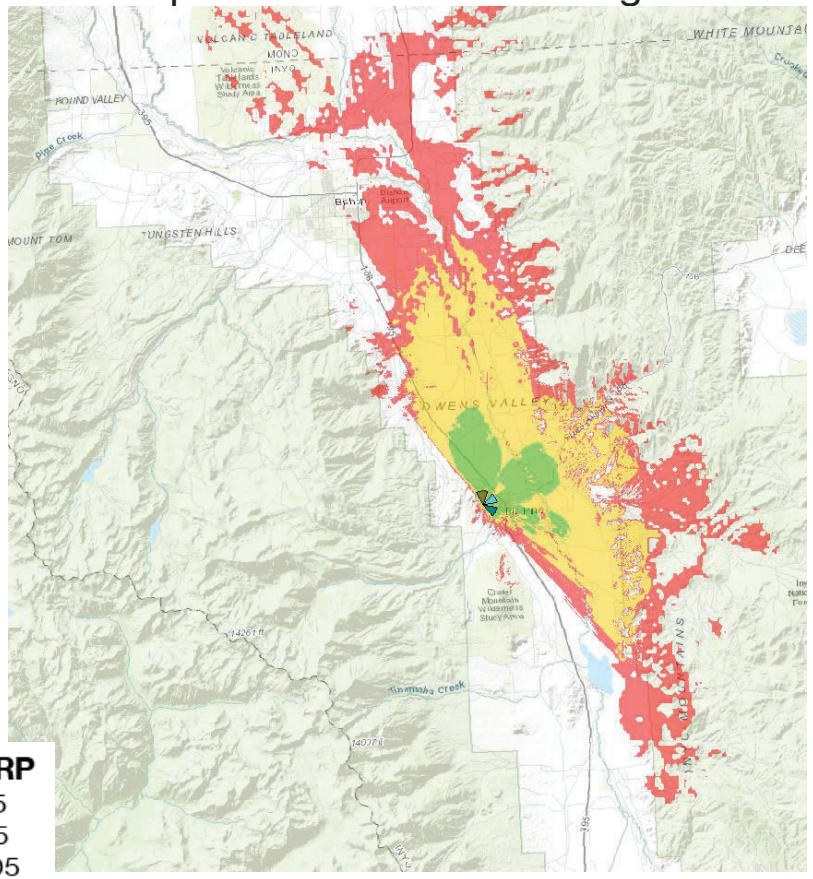
Proposed Primary Coverage Layer



RSRP

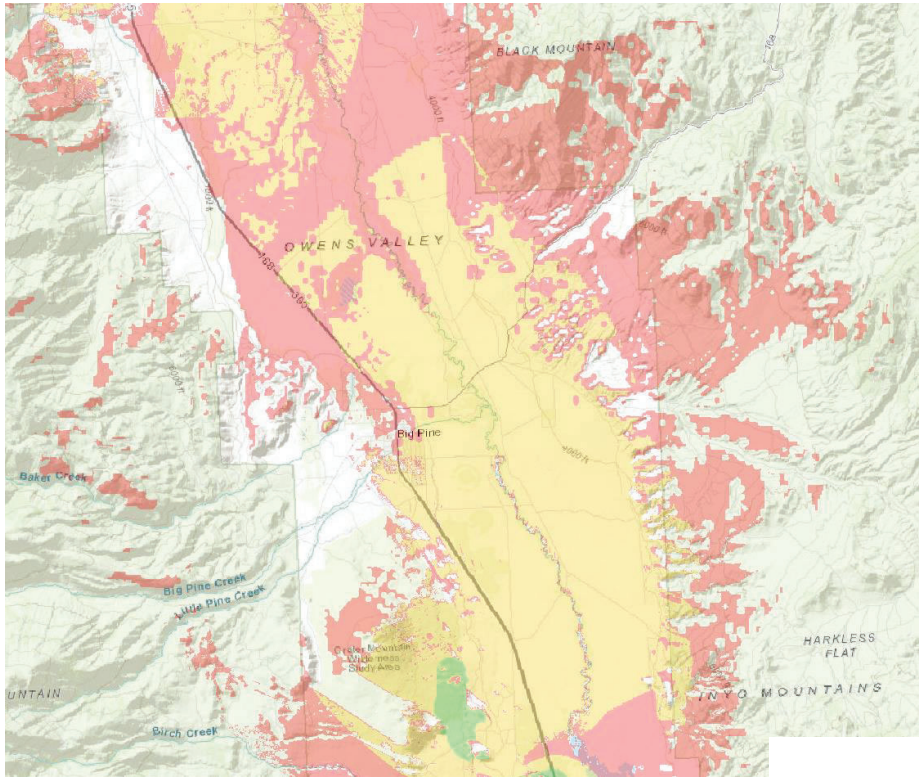
In building coverage	-85
In vehicle coverage	-95
Outdoor coverage	-105

Proposed Extended Coverage

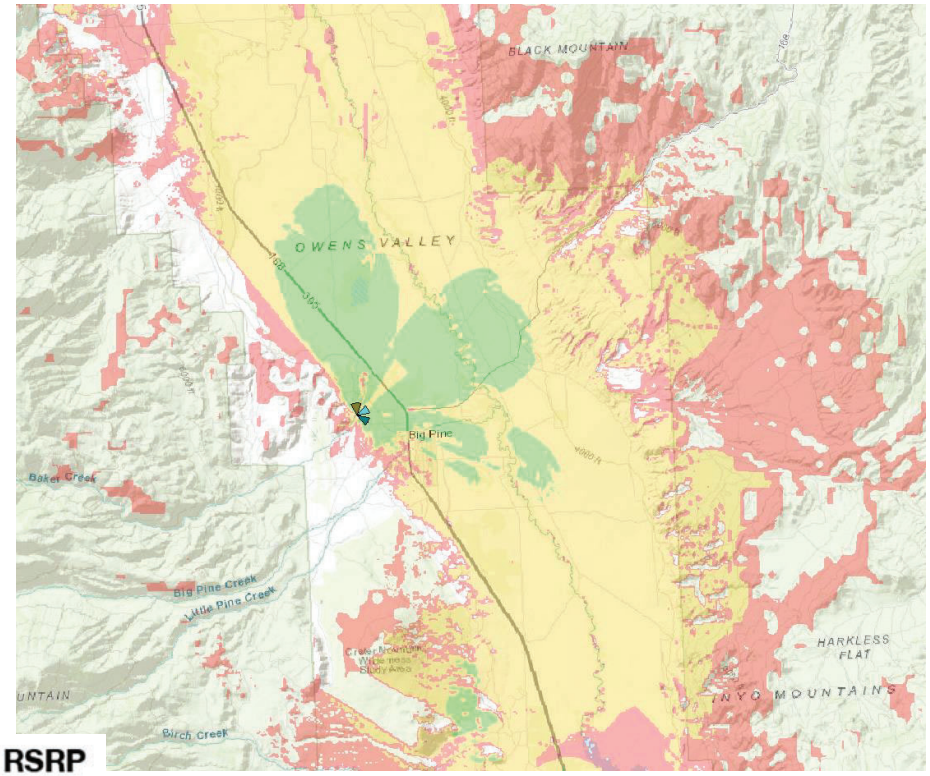


Big Pine Area Primary Coverage w/ Existing Sites

Current Primary (AWS) Coverage Layer



Proposed Primary (AWS) Coverage w/ Big Pine Site

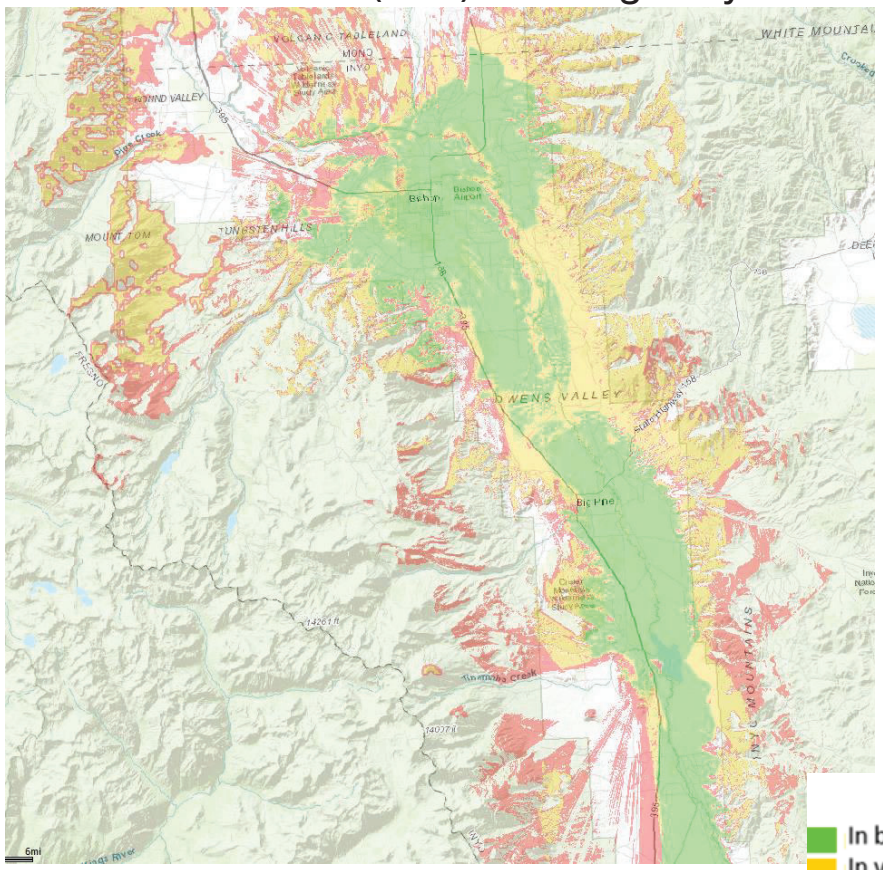


RSRP

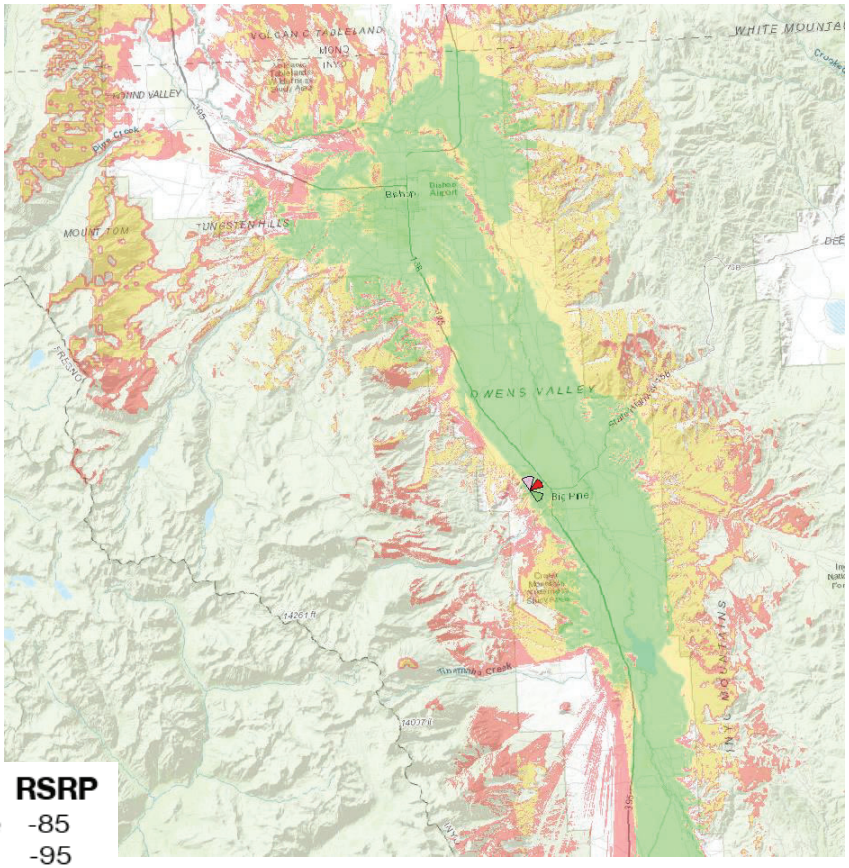
In building coverage	-85
In vehicle coverage	-95
Outdoor coverage	-105

Big Pine Area Extended Coverage w/ Existing Sites

Current Extended (700) Coverage Layer



Proposed Extended (700) Coverage w/Big Pine Site



RSRP	
In building coverage	-85
In vehicle coverage	-95
Outdoor coverage	-105

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

ATTACHMENT 4

T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS

SV14254

LATITUDE/LONGITUDE: 37.172645, -118.306134
ADDRESS: BIG PINES

INYO COUNTY MASTER PLAN

05/07/2025

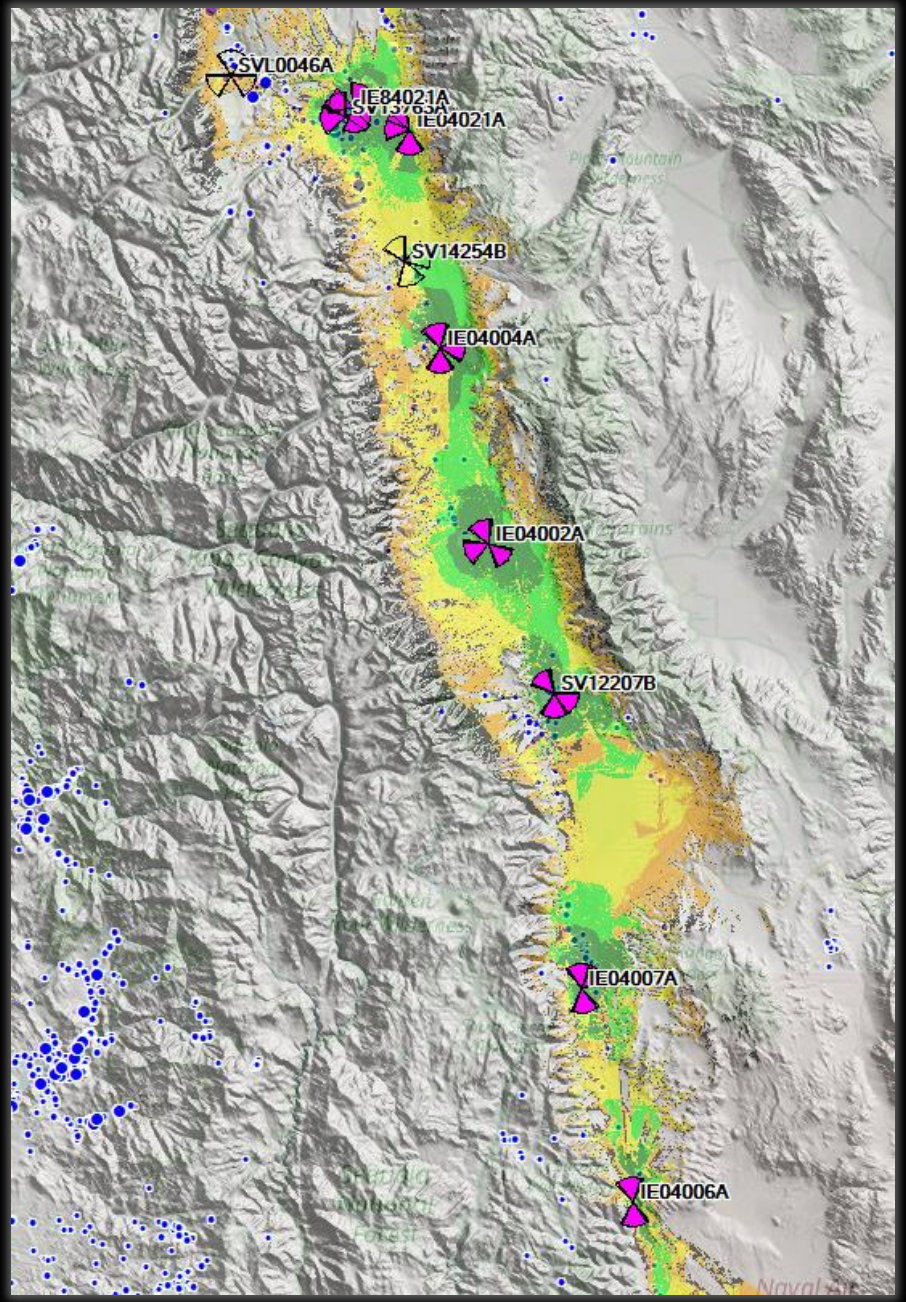
MAGENTA BUILT. NETWORK INSPIRED.

LIST OF T-MOBILE ON AIR AND PLANNED SITES

SITE	LATITUDE	LONGITUDE	SITE TYPE	SITE CLASS	TECHNOLOGY LAYERS	STATUS	ADDRESS	CITY	ZIP	COUNTY	STATE
IE04002A	36.79860	-118.16000	MACRO	SELF SUPPORT TOWER	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	1090 MAZOURKA CANYON, INDEPENDENCE, CA, 93526	INDEPENDENCE	93526	INYO	CA
IE04004A	37.05720	-118.24300	MACRO	SELF SUPPORT TOWER	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	700 POVERTY HILLS, BIG PINE, CA, 93513	BIG PINE	93513	INYO	CA
IE04006A	35.92590	-117.91300	MACRO	MONOPOLE	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	5099 LITTLE LAKE RD, LITTLE LAKE, CA, 93527	LITTLE LAKE	93527	INYO	CA
IE04007A	36.20930	-117.99900	MACRO	MONOPOLE	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	1239 SAGE FLAT RD., OLANCHA, CA, 93549	OLANCHA	93549	INYO	CA
IE04021A	37.34670	-118.30100	MACRO	SELF SUPPORT TOWER	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2500)	ON AIR	801 REDDING CANYON RD., BISHOP, CA, 93514	BISHOP	93514	INYO	CA
IE84021A	37.37532	-118.39437	MACRO	MONOPOLE	4G LTE (L700 | L850 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	1280 N MAIN ST, BISHOP, CA, 93514	BISHOP	93514	INYO	CA
SV12207B	36.60102	-118.04883	MACRO	MONOPOLE	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	805 ESHA ST., LONE PINE, CA, 93545	LONE PINE	93545	INYO	CA
SV13763A	37.36246	-118.40778	MACRO	SELF SUPPORT TOWER	4G LTE (L700 | L1900 | L2100) + 5G NR (N600 | N1900 | N2100 | N2500)	ON AIR	159-A PIONEER LANE, BISHOP, CA, 93514	BISHOP,	93514	INYO	CA
SV14254B	37.17265	-118.30613	MACRO	SELF SUPPORT TOWER	! NA !	PLANNED	1001 COUNTY RD, BIG PINE, CA 93153	BIG PINE	93513	INYO	CA
SVL0046A	37.41673	-118.59749	MACRO	SELF SUPPORT TOWER	! NA !	PLANNED	NEAREST ADDRESS IS 1143 PINE CREEK ROAD, ROUND VALLEY, CA 93514	ROUND VALLEY	93514	INYO	CA

T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS

COVERAGE – ON AIR ONLY

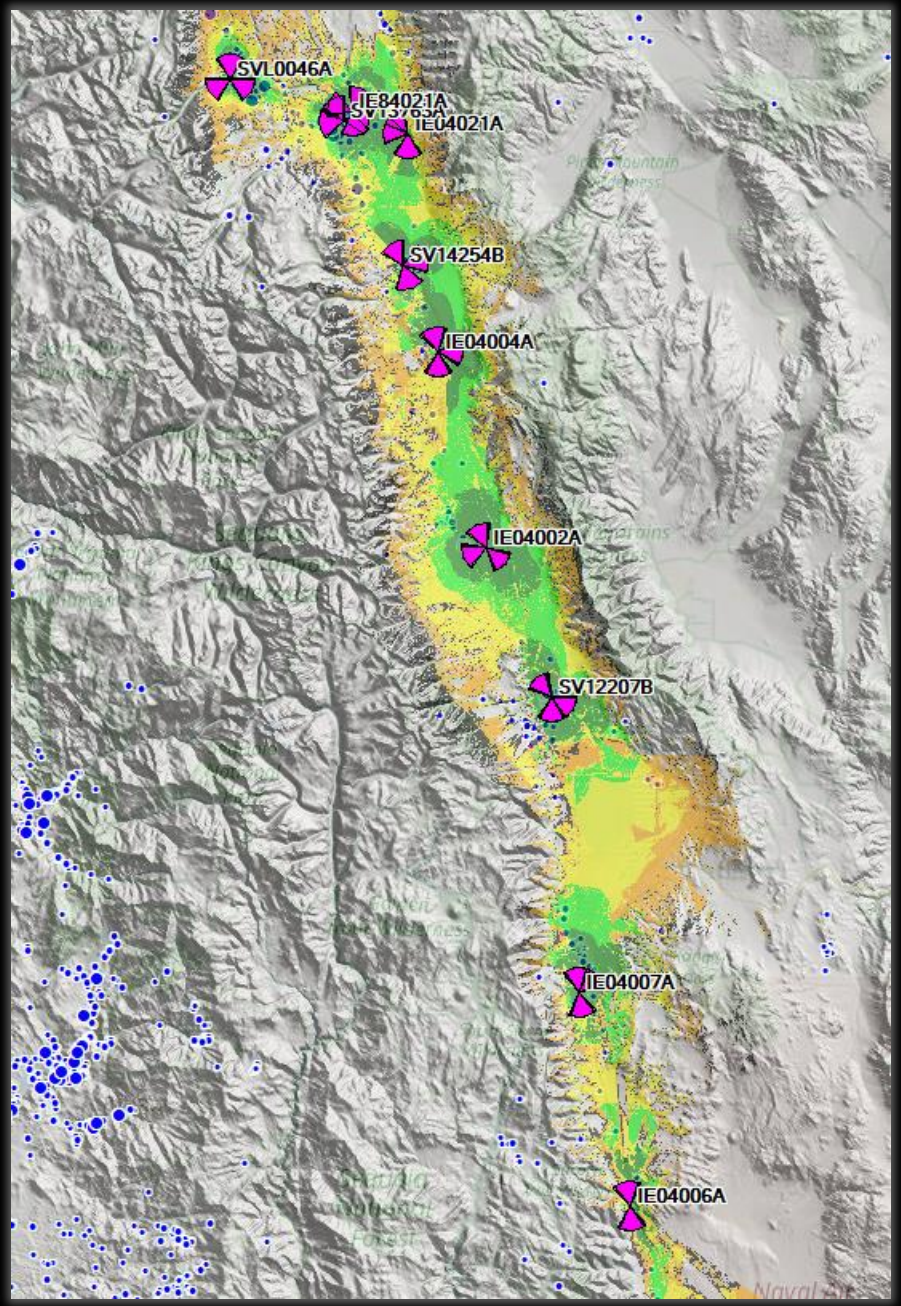


-95 dBm
-100 dBm
-108 dBm
-115 dBm
-124 dBm

IBC
IBR
In-Vehicle
Outdoor
NA

T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS

COVERAGE – ON AIR + PLANNED NSD

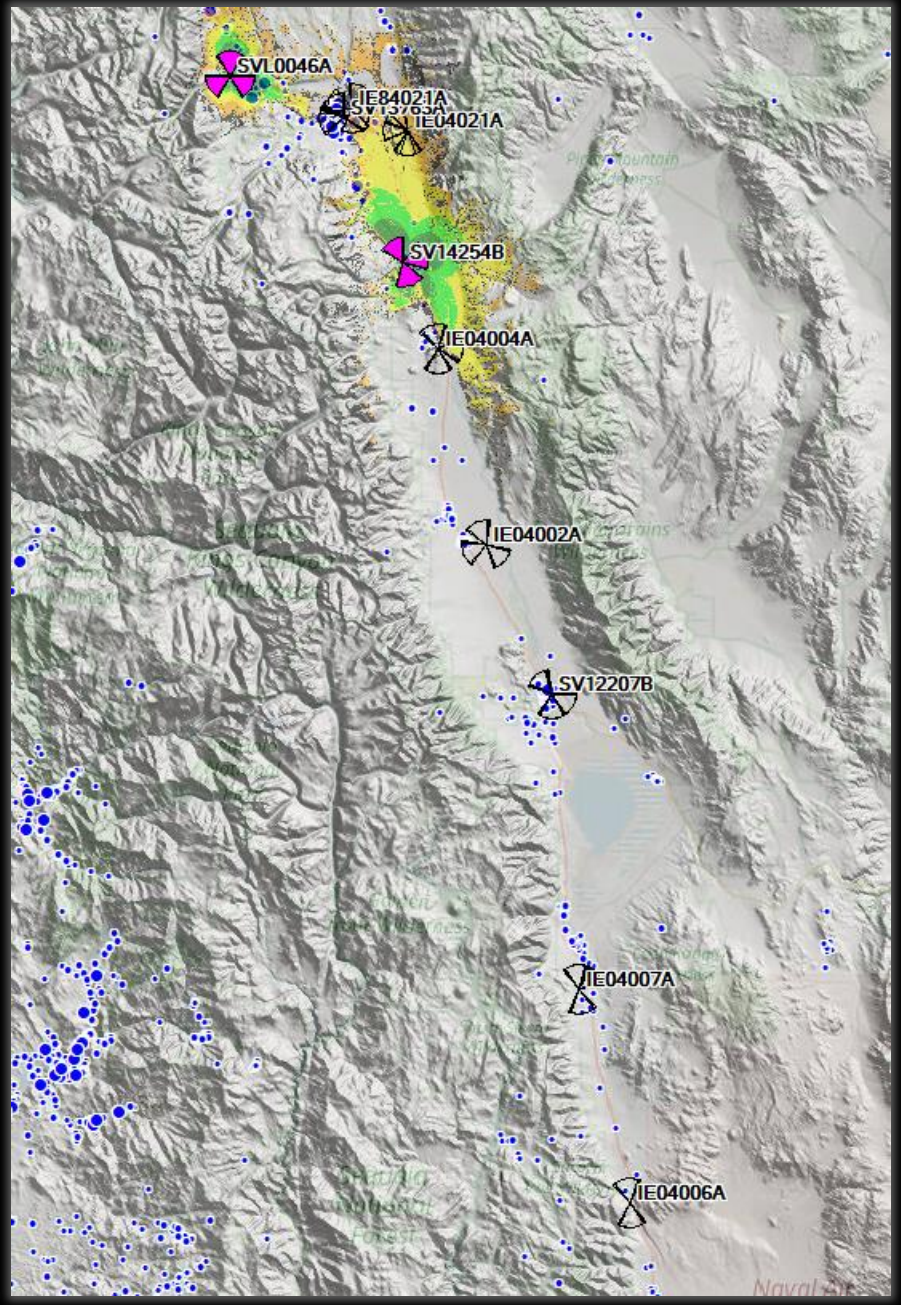


-95 dBm
-100 dBm
-108 dBm
-115 dBm
-124 dBm

IBC
IBR
In-Vehicle
Outdoor
NA

T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS

COVERAGE – PLANNED NSD ONLY



-95 dBm
-100 dBm
-108 dBm
-115 dBm
-124 dBm

IBC
IBR
In-Vehicle
Outdoor
NA

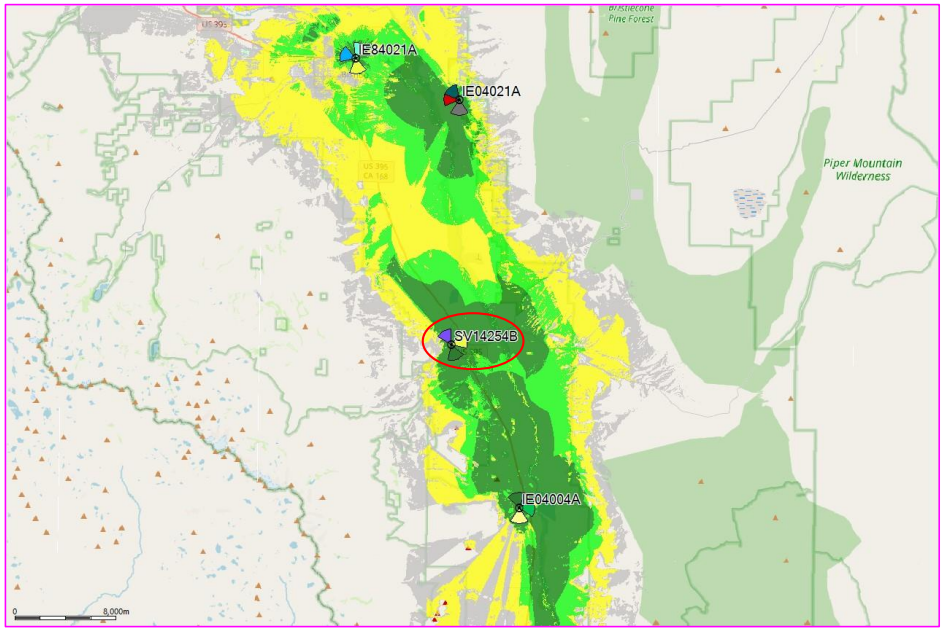
T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS


T-Mobile
TRI-LA NETWORK ENGINEERING & OPERATIONS
MAGENTA BUILT. NETWORK INSPIRED.
T-Mobile Confidential

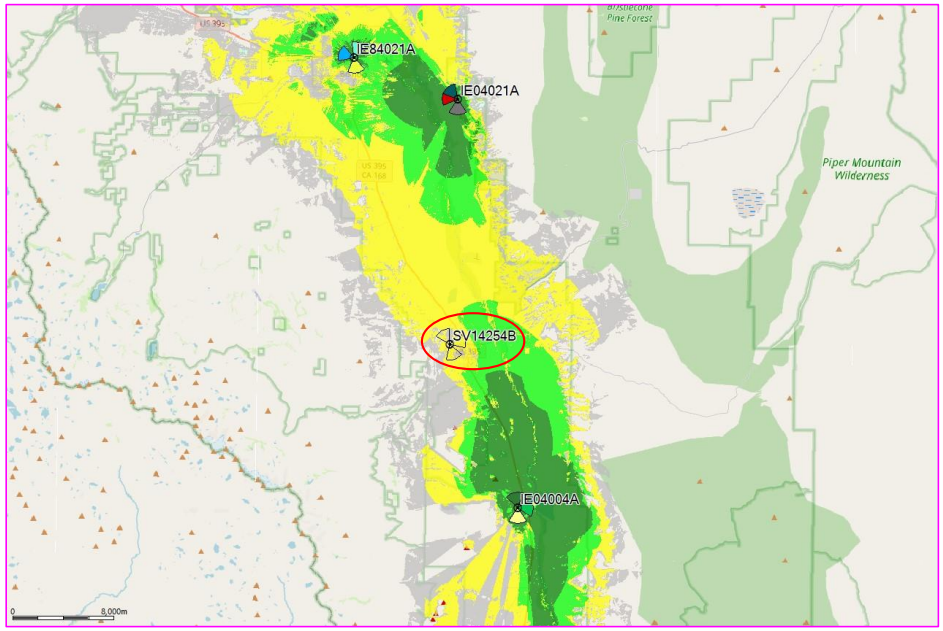
ATTACHMENT 5

L2100 – Coverage Plots

Coverage – WITH THE SITE



Coverage – WITHOUT THE SITE

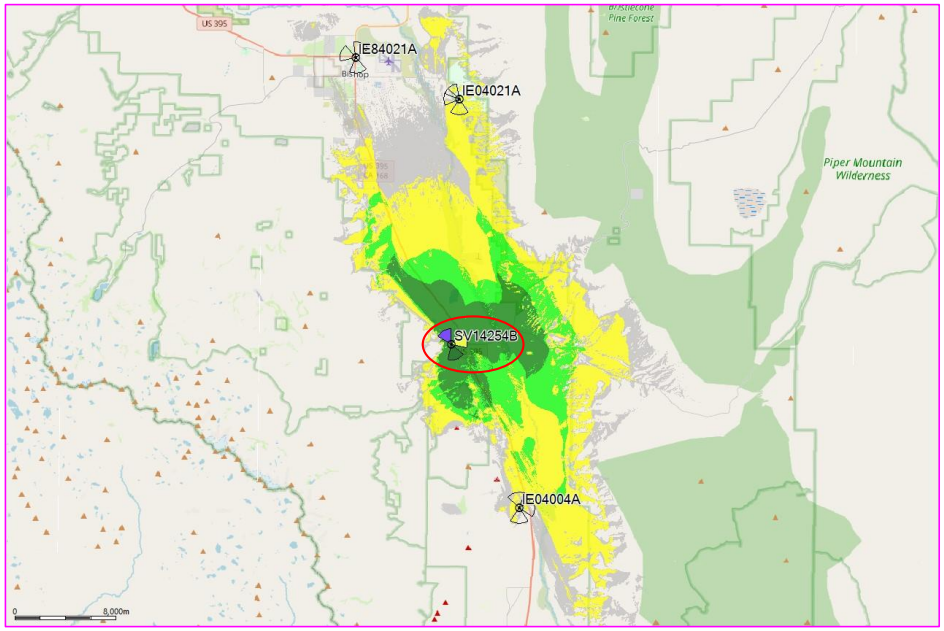


Legend

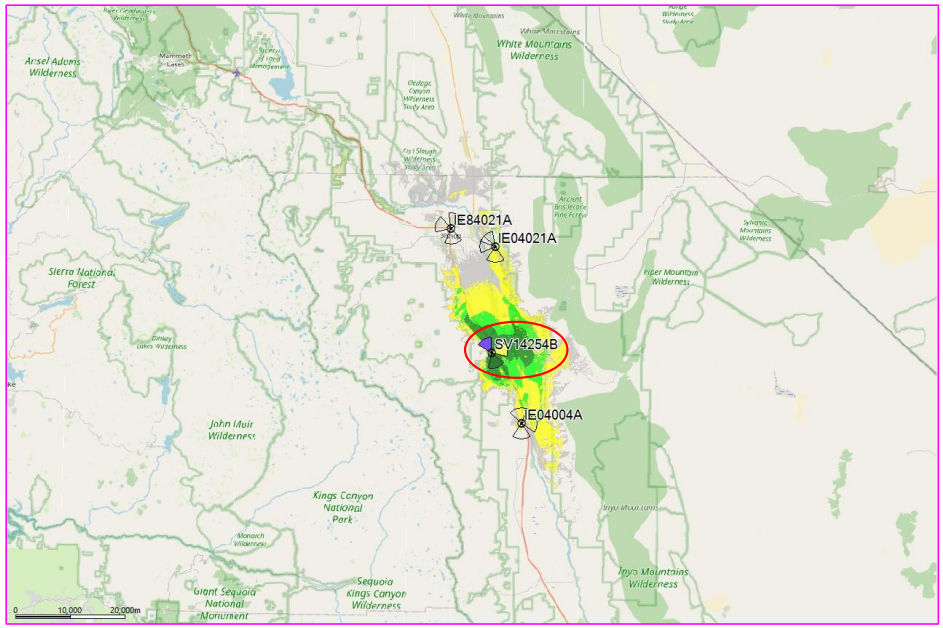
- In-building Commercial
- In-building Residential
- In-Vehicle
- Outdoor

L2100 - Standalone Coverage

Coverage – Standalone

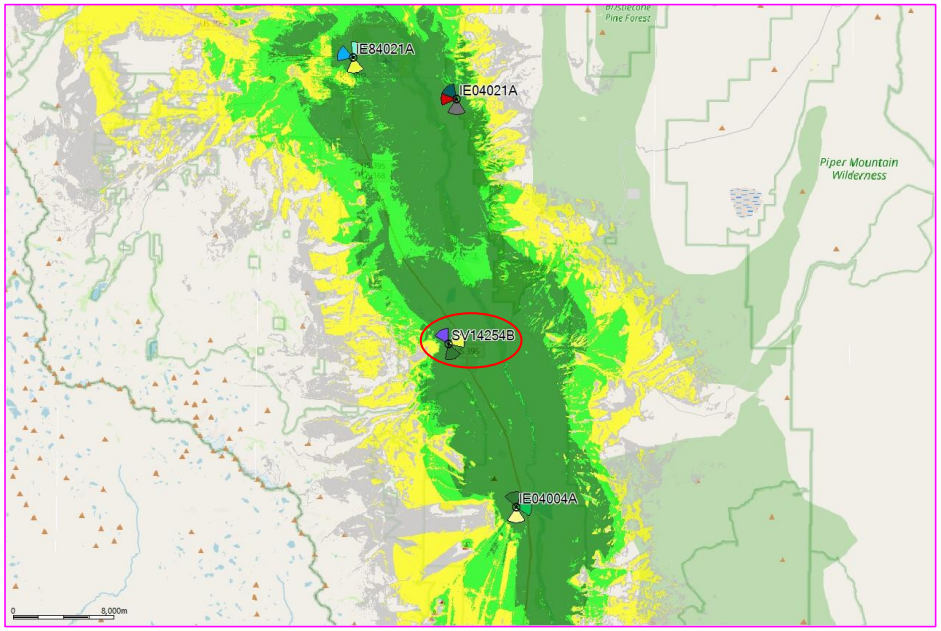


Standalone (Zoom Out)



L700 – Coverage Plots

Coverage – WITH THE SITE



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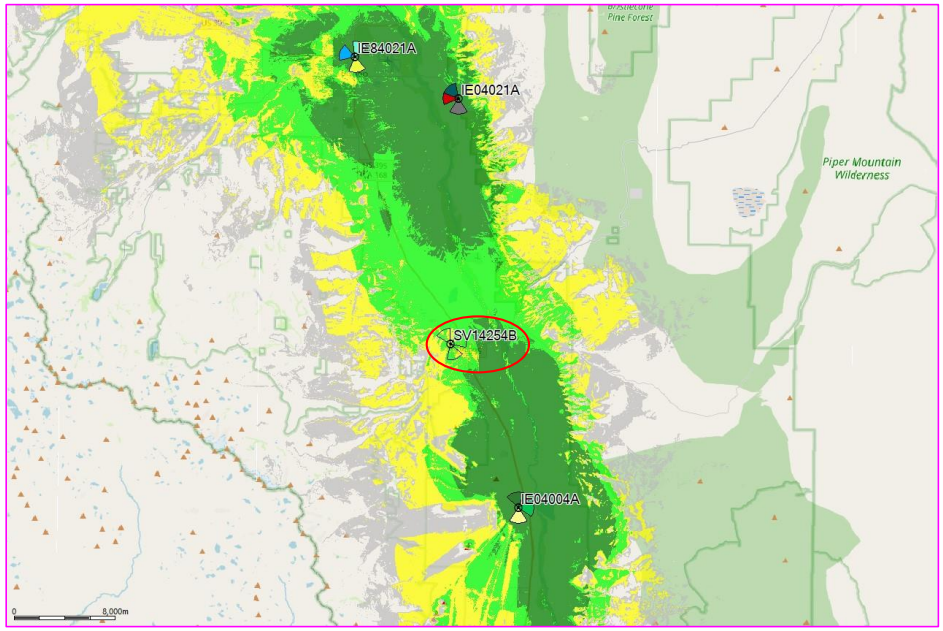
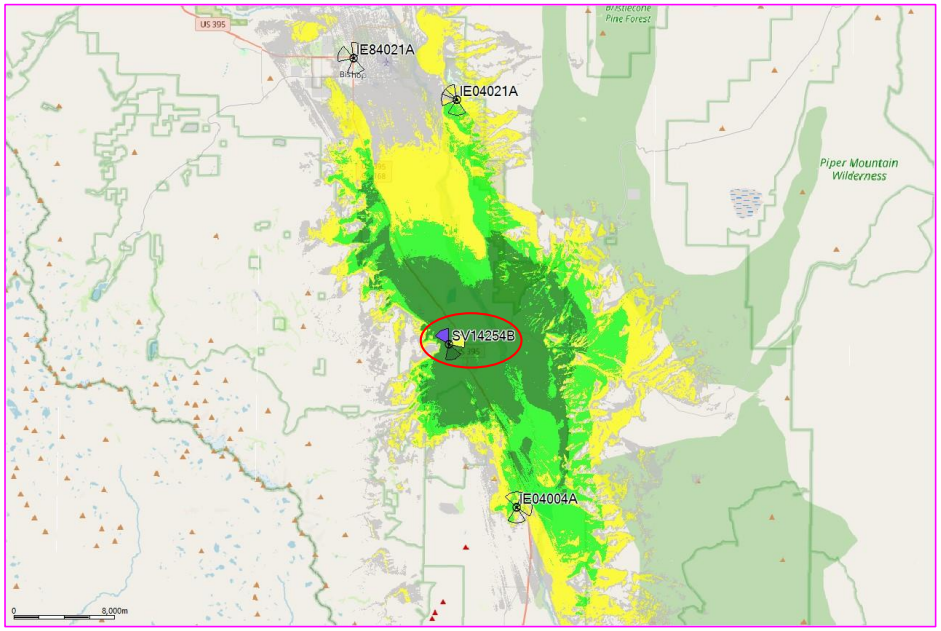


Legend

- In-building Commercial
- In-building Residential
- In-Vehicle
- Outdoor

L700 - Standalone Coverage

Coverage – Standalone



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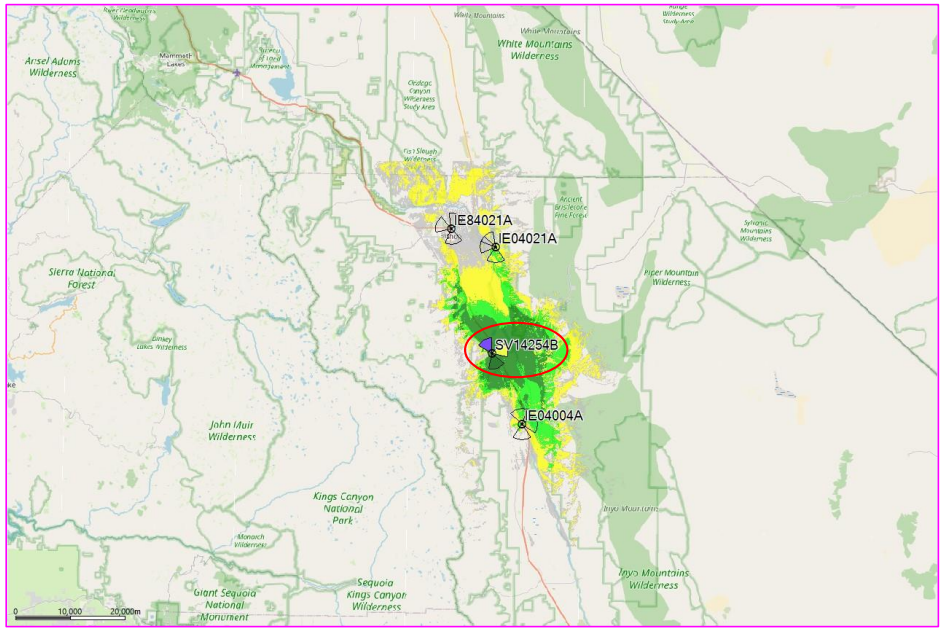
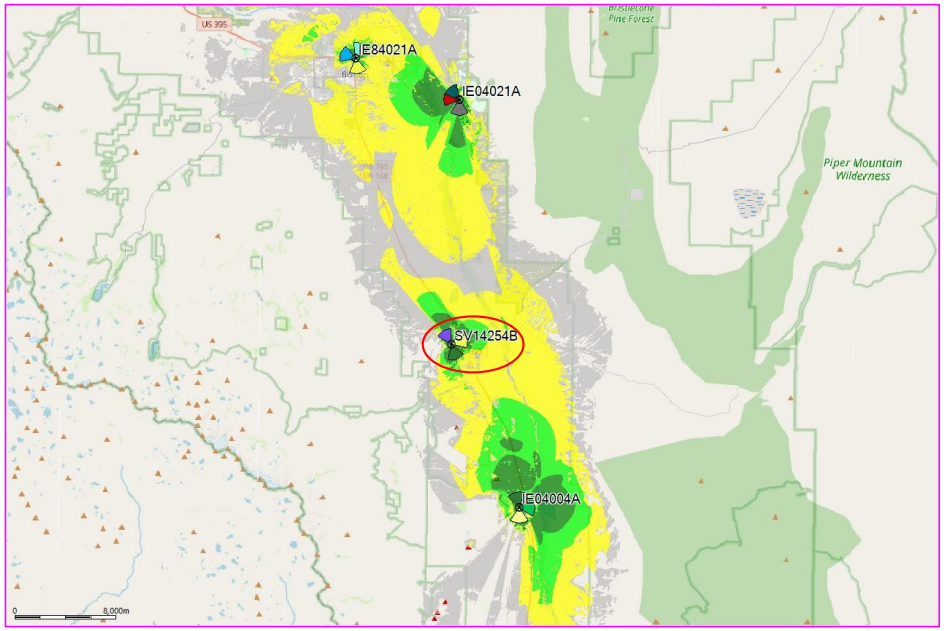


Legend

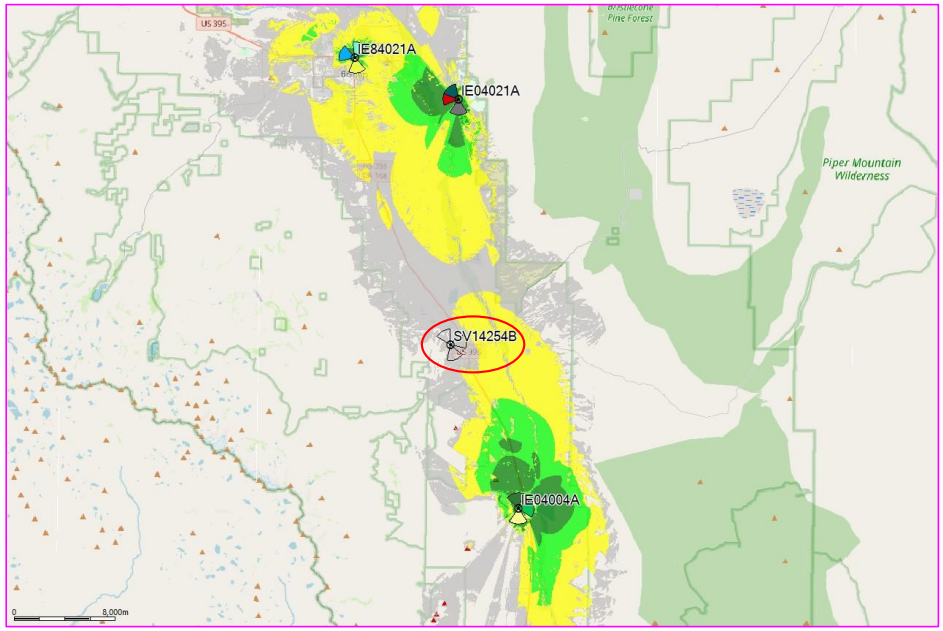
- In-building Commercial
- In-building Residential
- In-Vehicle
- Outdoor

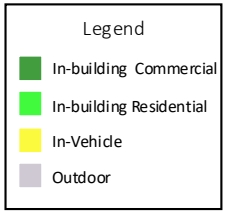
N2500 – Coverage Plots

Coverage – WITH THE SITE



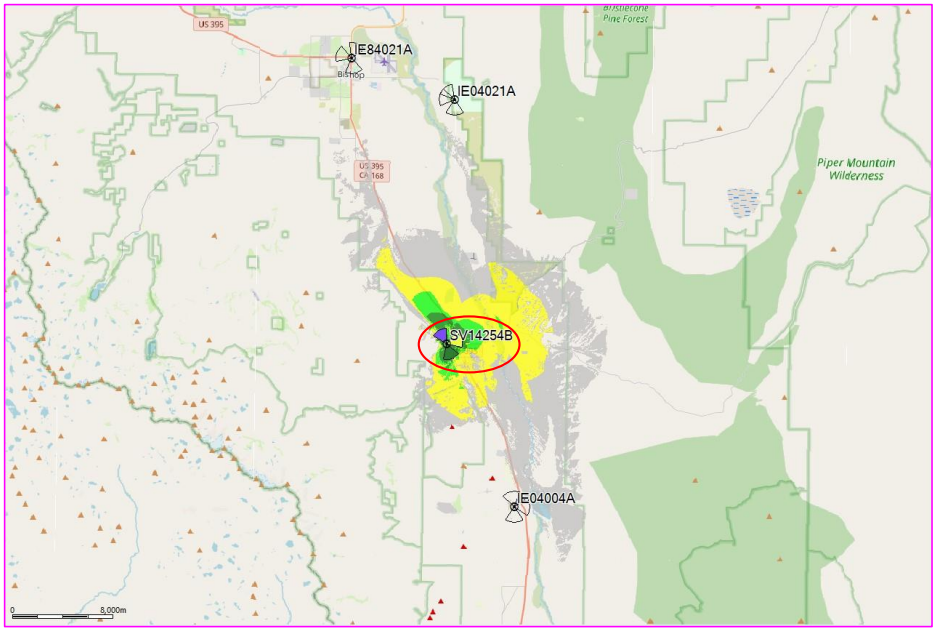
Coverage – WITHOUT THE SITE



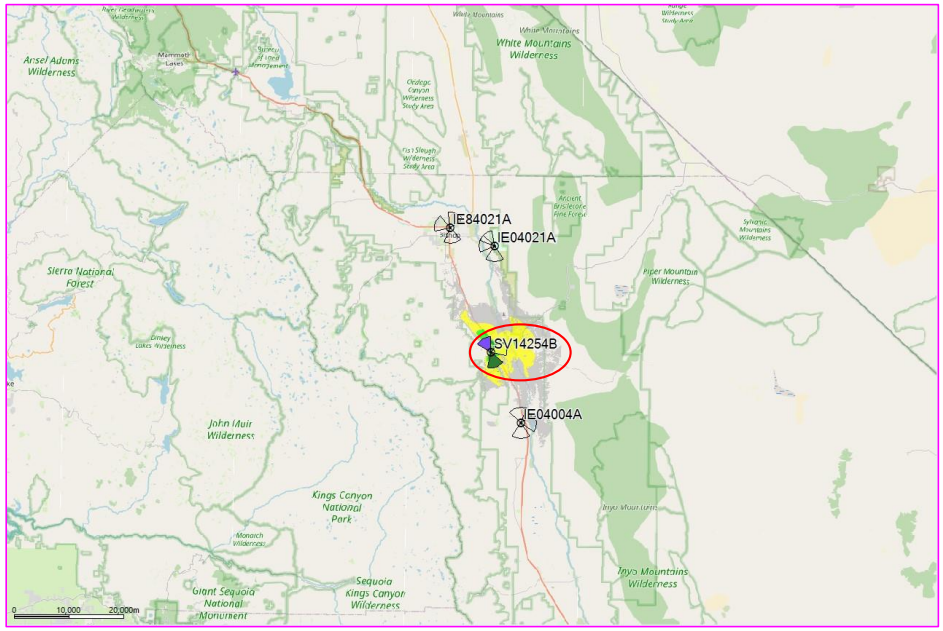


N2500 - Standalone Coverage

Coverage – Standalone



Standalone (Zoom Out)



Legend

- In-building Commercial
- In-building Residential
- In-Vehicle
- Outdoor

ATTACHMENT 6

From: Luke Eisenhardt
To: Danielle Visuano
Cc: permits@gbuapcd.org
Subject: Re: Review of proposed cell tower with generator project
Date: Wednesday, October 23, 2024 8:23:14 AM

Danielle,

Thank you for contacting us regarding this project. This project is likely exempt from our permitting requirements due to the small size (30hw) of the generator (propane generators of this size range and diesel engines below 50hp are exempt from our permits). However, any diesel engine above 50 hp requires a permit from us.

Best,

Luke Eisenhardt
Air Quality Specialist
Great Basin Unified Air Pollution Control District
157 Short Street
Bishop, California 93514
760-872-8211, ext. 228
760-258-9690, direct
760-920-0327, cell
www.gbuapcd.org

On Wed, Oct 23, 2024 at 8:10 AM Danielle Visuano <dvisuano@inyocounty.us> wrote:

> Good Morning,
>
> I am writing in reference to a proposed cell tower project application that has been received by the Inyo County Planning Department. If you could please take a moment to review the attached letter and map provided for reference and provide any feedback or comment it would be greatly appreciated.
>
> If you need any additional information please feel free to contact me.
>
> Best regards,
>
> **Danielle Visuaño**
>
> dvisuano@inyocounty.us

Senior Planner

Inyo County Planning Department

168 N. Edwards St.

P.O. Drawer L

Independence, CA 93526

760-878-0268

ATTACHMENT 7

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

October 2, 2025
Sent via email.

Danielle Visuaño, Senior Planner
Inyo County Planning Department
168 North Edwards Street
PO Drawer L
Independence, CA 93526
dvisuano@inyocounty.us

Dear Ms. Visuaño:

Conditional Use Permit (CUP) 2025-03/Vertical Bridge – Big Pine; New Telecommunications Plan (NTP) 2025-01/T-Mobile; Telecommunications Plan Update (TPU) 2025-02/Verizon (PROJECT)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND)
SCH# 2025090057

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability and Intent to adopt an Initial Study and Mitigated Negative Declaration (IS/MND) from Inyo County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

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: VB BTS III, LLC; T-Mobile; Airtouch Cellular, Inc., dba Verizon

Objective: The Project will construct a monopine communications facility within a 100-foot (ft) by 100 ft lease area to provide collocation for T-Mobile and Verizon equipment. Project

[1] 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.

activities include constructing a 125 ft monopine tower with 24 eight-foot antennas, 24 remote radio units (RRUs), three two-foot microwave antennas, two GPS antenna and antenna cabling, HCS jumpers, four ground-mounted radio cabinets, four surge suppressors, one equipment canopy, one fiber box, one 200-amp ILC cabinet, one manual service light switch timer, two backup diesel generators, four raised concrete pads, cable ice bridge, utility backboard, and multimeter utility service-mounted on an H-frame. The Project area will be contained within a 71-ft by 100-ft compound surrounded by a 6-foot tall chain link fence.

Location: The Project is located at 1001 County Road, Big Pine, CA; Assessor Parcel Number: 018-090-01, in Inyo County.

Timeframe: Not specified

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.

I. Project Description and Related Impact Shortcoming

COMMENT #1: Identifying the Project Area and Extent

Issue: The draft MND does not provide a map of the Project area besides an unscaled site plan in Trileaf's Avian Survey (Survey). This map does not indicate the placement of the monopine, associated infrastructure, or the fence line within the larger Inyo County-owned property.

Specific impact: The Survey's site plan illustrates the proposed project footprint as a circular feature, which does not match with the '100-foot by 100-foot lease area' (i.e. square) dimensions described in the draft MND's Project description. Without an accurate map clearly showing Project boundaries and indicating the limits of disturbance, it is not possible to accurately assess potential impacts to special status species and biological resources. It is also unclear whether the Project proposes to remove vegetation or disturb the site in a manner that would constitute a direct or indirect significant, or potentially significant impact on biological resources.

Evidence impact would be significant: CEQA is predicated on a complete and accurate description of the proposed Project. Without a complete and accurate Project description, the MND likely provides an incomplete assessment of Project-related impacts to biological resources.

CDFW Recommendations: The MND should be revised so that it that clearly identifies the area and extent of the proposed Project, including maps that identify impact areas and disturbance to existing vegetation.

II. 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 #2: Assessment of Biological Resources

IS/MND Section IV Biological Resources p. 10-11

Issue: The draft MND does not adequately identify the Project's significant, or potentially significant impacts to biological resources.

Trileaf prepared an Avian Survey Report that assessed potential impacts to nesting birds protected under the Migratory Bird Treaty Act (MBTA), based on a nesting bird survey conducted on April 28, 2025. This Survey didn't include an assessment of other biological resources that have the potential to occur in the Project area and surrounding vicinity.

Specific impact: The draft MND bases its analysis of the Project site's existing biological resource conditions by referencing a nesting bird survey. This Survey concluded that the Project site was "inactive", based on a single nesting bird survey conducted on April 28, 2025 (Trileaf, 2025). This Survey only assessed the Project site for nesting birds, and CDFW is concerned about the potential for special-status species to occur on or near the Project site that were not assessed in the draft MND.

The Project is surrounded by undeveloped and agricultural land including Baker Creek, associated diversion channels and associated riparian habitat, meadow and seasonal pond habitat with various tree species located within the Project footprint; and there is potential for special-status species to be impacted either directly or indirectly by Project activities.

The California Natural Diversity Database (CNDDB) and Biogeographic Information and Observation System (BIOS) indicate that occurrences of CESA-listed and other special-status species have been reported near the Project area. Based on these data sources, the state-listed and sensitive species that have the potential to occur in the Project area include but are not limited to: Swainson's Hawk (*Buteo swainsoni*), and burrowing owl (*Athene cunicularia*).

Why impact would occur: The Project includes the permanent development of roughly 0.23 acres. A biological assessment has not been conducted for the Project site that evaluates the potential for special status species to occur on the Project site or adjacent to it.

Evidence impact would be significant: Impacts to special status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Without an accurate environmental baseline of present candidate, sensitive, or special status species and the delay in development of species avoidance, minimization, and mitigation measures, it is unclear if the Project will be able to avoid, minimize, or mitigate the impacts to a level below significant adverse effect. Inadequate avoidance, minimization, and mitigation measures could result in substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure: The MND should include focused surveys for special status species that have the potential to occur on or adjacent to the Project site. With such information, the County of Inyo can identify and analyze the potential impacts to candidate, sensitive, or special status species in or adjacent to the Project area and develop mitigation measure that can avoid, minimize, or mitigate impacts to the species to less than significant with mitigation incorporated. CDFW recommends the following mitigation measure for inclusion in the MND:

Mitigation Measure BIO-1: Pre-construction Biological Resources Assessment

An assessment of biological resources prior to Project construction activities will be completed including a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys shall be completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Acceptable species-specific survey procedures should be developed in consultation with

CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

COMMENT #3: Nesting Birds

MND Section IV Biological Resources, Initial Study Appendix G

Issue: CDFW is concerned that the nesting bird mitigation measure included in the Project description does not provide adequate protection to nesting birds.

The Mitigation measure included as a condition of approval in the MND states that "In the event any [nests, eggs, or flightless young birds] are discovered during construction activities, construction shall be halted to prevent disturbance, and an additional evaluation [would] be conducted to determine the appropriate time at which construction can resume without disturbing the nesting migratory birds." CDFW is concerned that this incidental, mid-construction avoidance method and additional survey trigger approach doesn't consider avian nesting season as a factor in determining construction timing nor does it adequately prevent disturbance or potential take of nesting birds because the survey would not be required prior to Project activities.

In general, mitigating impacts to nesting birds requires avoiding construction activities during the avian nesting season (February-September), and conducting appropriate surveys to conclude that no nesting birds are present immediately prior to the initiation of Project activities.

Specific Impact: The Project may result in the potential take of nesting birds and loss of bird nesting and/or foraging habitat. Construction disturbance during the breeding season and habitat loss could cause incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment.

Why impact would occur: Project activities may disturb nesting birds, which can lead to failure of the nest or unauthorized take. While CDFW appreciates Trileaf's recommendation, CDFW is concerned that this recommendation lacks sufficient detail on the methodology regarding nest avoidance, the additional survey trigger, and appropriate buffers if the Project proponent encountered any nests, eggs, or flightless young birds during construction.

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 immediate vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the environmental document. Measures to avoid the impacts may include but are not limited to species-specific work windows, biological monitoring, and installation of noise attenuation barriers.

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 is it 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 and vicinity immediately prior to the initiation of Project activities, 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 including the following changes to replace the recommended condition of approval related to the incidental encounter-triggered mid-construction survey to avoid take of nesting birds (edits are in strikethrough and additions are in bold):

MM BIO-2: Nesting Bird Surveys

~~If any [nests, eggs, or flightless young within the project area] are discovered during construction activities that construction be halted to prevent disturbance, and…an additional evaluation be conducted to determine the appropriate time at which construction can resume without disturbing the nesting migratory birds.~~

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, 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 (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.

COMMENT #4: Swainson's Hawk (*Buteo swainsoni*)

The Project is located within the geographic range of Swainson's hawk, where they have been known to historically occur. Baker Creek and adjacent riparian and meadow habitat borders the Project area and various tree species surround its perimeter. Swainson's hawks often nest peripheral to riparian systems and will also use lone trees in agricultural fields or pastures and roadside trees when available and adjacent to suitable foraging habitat (CDFW, 2025). According to CNDDB, the Project area is within the predicted habitat for Swainson's hawk. Furthermore, CNDDB recorded a Swainson's hawk occurrence within the Project area.

Swainson's hawk is a protected species under CESA. The Project, as described, may result in injury, direct mortality, indirect mortality, disruption of breeding behavior, and/or may reduce reproductive capacity of the species, if it establishes onsite or immediately adjacent to the Project site. CDFW considers the direct and indirect take of Swainson's hawk, and the loss of the species' habitat as a significant impact, unless mitigated to a level of less than significant and in compliance with State (i.e., Fish and Game Code

sections 3503.5, etc.) and Federal laws (i.e., Migratory Bird Treaty Act). If Project activities could result in take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill".), appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities. In conclusion, CDFW recommends adoption of BIO-3 below in the final MND to avoid and minimize impacts to Swainson's hawk that may be present at the time of construction:

MM BIO-3: Swainson's Hawk Survey

Prior to ground-disturbing activities, a qualified biologist, approved by CDFW and Inyo County, with experience conducting Swainson's hawk surveys shall conduct focused and preconstruction surveys in accordance with the recommended timing and methodology for Swainson's hawk nesting surveys (CDFW, 2010) **or the most current guidance. Surveys shall cover a minimum 0.5-mile radius from the Project parcel and include all suitable nesting habitat and potential nest trees. The biologist shall consult with CDFW to determine whether the Project site is within 0.5 miles of any known nest sites, and survey results shall be included in the MND to inform specific avoidance measures.**

If Swainson's hawk occupancy or active nests are confirmed and Project activities may result in disturbance or take, the Project proponent shall coordinate with CDFW for appropriate authorization under the California Endangered Species Act (CESA), including an Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081, prior to commencing Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance and buffer measures, temporary and permanent impacts, monitoring protocols, nest protection or relocation strategies, and minimization and compensatory mitigation actions. Compensatory mitigation may be fulfilled through permittee-responsible mitigation land acquisition or the purchase of credits from an approved conservation or mitigation bank, if available.

COMMENT #5: Burrowing owl (*Athene cunicularia*)

The Project area may provide suitable foraging and/or nesting habitat for burrowing owl, a CESA candidate species. Based on review of the MND, a habitat assessment nor focused surveys for burrowing owl were conducted within or surrounding the Project site including access roads. If the Project, including Project construction or any Project related activity during the life of this Project, could result in the take of a CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation.

The MND does not acknowledge the potential for burrowing owl to occur, despite the Project area containing suitable habitat. The Trileaf Survey stated that its methods were for "nesting migratory birds" and it is unclear if the survey included an assessment of burrows within and adjacent to the Project boundary. Burrowing owls have a high potential to move into disturbed sites prior to and during construction activities, including any site grading to provide a level pad for the proposed telecommunications facility and trenching for underground utilities. Burrowing owls frequently move into disturbed areas since they are adapted to highly modified habitats (Chipman, et al., 2008; Coulombe, 1971). Impacts to burrowing owl from the Project could include take of burrowing owls, their nests, or eggs or destroying nesting, foraging, or over-wintering habitat, thus impacting burrowing owl populations. Impacts can result from grading, earthmoving, burrow blockage, heavy equipment compaction and crushing of burrows, general Project disturbance that has the potential to harass owls at occupied burrows, and other activities.

Project implementation, including site grading, vegetation clearing, trenching, and ultimately constructing the telecommunication facility, may result in direct mortality, population declines, or local extirpation of burrowing owl not previously identified. Burrowing owls have been known to use highly degraded and marginal habitat such as those which resemble the vacant unused portion of the Project parcel, or where existing

burrows are available. Burrowing owls are well-adapted to open, relatively flat expanses and prefer habitats with generally short sparse vegetation with few shrubs such as those occurring on the Project area and along the access roads. If burrowing owl 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.

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.

Burrowing owl is a protected species under CESA. The Project, as described, may result in injury, direct mortality, indirect mortality, disruption of breeding behavior, and/or may reduce reproductive capacity of the species, if it establishes onsite. CDFW considers the direct and indirect take of burrowing owl, and the loss of the species’ habitat as a significant impact, unless mitigated to a level of less than significant and in compliance with State (i.e., Fish and Game Code sections 3503.5, etc.) and Federal laws (i.e., Migratory Bird Treaty Act). If Project activities could result in take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”.), appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities. In conclusion, CDFW recommends adoption of BIO-4 below in the final MND to avoid and minimize impacts to burrowing owl that may be present at the time of construction:

MM BIO-4: Focused and Pre-Construction Surveys for Burrowing Owl

Prior to commencing Project activities, a qualified biologist shall conduct focused and preconstruction surveys for burrowing owl in accordance with the *Staff Report on Burrowing Owl Mitigation* ((CDFW, 2012) **or most recent version). CDFW recommends the MND include the results from surveys conducted using the appropriate methodology to provide appropriate specific avoidance measures.**

If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project proponent should coordinate 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).

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 CNNDB 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 draft IS/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.

Sincerely,

DocuSigned by:
Alisa Ellsworth
84FBB8273E4C480...

Alisa Ellsworth
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@lci.ca.gov

Graham Meese, Senior Environmental Scientist Supervisor
Inland Deserts Region
Graham.Meese@wildlife.ca.gov

Bryant Luu, Environmental Scientist
Inland Deserts Region
Bryant.Luu@wildlife.ca.gov

References

CDFW. (2010). *Swainson's Hawk Survey Protocols, Impact Avoidance, and Minimization Measures for Renewable Energy Projects in the Antelope Valley of Los Angeles and Kern Counties, California.* State of California Energy Commission and CDFW.

CDFW. (2012). *Staff Report on Burrowing Owl Mitigation.* Sacramento: CDFW.

CDFW. (2025, September 17). *Swainson's Hawks in California*. Retrieved from California Department of Fish and Wildlife: https://wildlife.ca.gov/Conservation/Birds/Swainsons-Hawk

Trileaf. (2025). *Avian Survey.* Chandler: Trileaf Corporation.

ATTACHMENT A:

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR CDFW-PROPOSED MITIGATION MEASURES

Biological Resources (BIO)		
Mitigation Measure (MM) Description	**Implementation Schedule**	**Responsible Party**
MM BIO-1: Pre-construction Biological Resources Assessment An assessment of biological resources prior to Project construction activities will be completed including a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (SSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys shall be completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.	Prior to ground- or vegetation disturbing activities	Project Proponent
MM BIO-2: Nesting Bird Surveys ~~If any [nests, eggs, or flightless young within the project area] are discovered during construction activities that construction be halted to prevent disturbance, and…an additional evaluation be conducted to determine the appropriate time at which construction can resume without disturbing the nesting migratory birds.~~ 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, 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	Prior to ground- or vegetation disturbing activities	Project Proponent

intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (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.		
MM BIO-3: Swainson's Hawk Survey Prior to ground-disturbing activities, a qualified biologist, approved by CDFW and Inyo County, with experience conducting Swainson's hawk surveys shall conduct focused and preconstruction surveys in accordance with the recommended timing and methodology for Swainson's hawk nesting surveys (CDFW, 2010) or the most current guidance. Surveys shall cover a minimum 0.5-mile radius from the Project parcel and include all suitable nesting habitat and potential nest trees. The biologist shall consult with CDFW to determine whether the Project site is within 0.5 miles of any known nest sites, and survey results shall be included in the MND to inform specific avoidance measures. If Swainson's hawk occupancy or active nests are confirmed and Project activities may result in disturbance or take, the Project proponent shall coordinate with CDFW for appropriate authorization under the California Endangered Species Act (CESA), including an Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081, prior to commencing Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance and buffer measures, temporary and permanent impacts, monitoring protocols, nest protection or relocation strategies, and minimization and compensatory mitigation actions. Compensatory mitigation may be fulfilled through permittee-responsible mitigation land acquisition or the purchase of credits from an approved conservation or mitigation bank, if available.	Prior to ground- or vegetation disturbing activities	Project Proponent
MM BIO-4: Focused and Pre-Construction Surveys for Burrowing Owl Prior to commencing Project activities, a qualified biologist shall conduct focused and preconstruction surveys for burrowing owl in accordance with the *Staff Report on Burrowing Owl Mitigation* ((CDFW, 2012) or most recent version). CDFW recommends the MND include the results from surveys conducted using the appropriate methodology to provide appropriate specific avoidance measures. If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project proponent should coordinate 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,	Prior to ground- or vegetation disturbing activities	Project Proponent

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).		

ATTACHMENT 8

verizon

2770 Shadelands Drive
Building 11
Walnut Creek, CA 94595

September 9, 2025

Mr. Hellbourg
Owens Valley Observatory
2301 Technology Parkway
Hollister, CA 95023-2513

Re: Verizon Site, Big Pine (CA-5368)
1001 County Road, Big Pine, CA 93513

Dear Mr. Hellbourg:

On behalf of VB BTS III, LLC and Verizon Wireless, we hereby acknowledge the need for additional testing in the 700 MHz band to facilitate full coexistence with the instruments installed at the Owens Valley Observatory.

Verizon's installation at Big Pine, CA-5368 consists of a 125' monopine with (12) 8' and 4' antennas, (3) RRU's, (1) 2' MW, (1) GPS antenna, antenna cabling, HCS jumpers, (2) ground mounted radio cabinets, (1) equipment canopy, (1) fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (1) back-up diesel generator, (1) raised concrete pads, cable ice bridge, utility backboard and multi- meter utility service mounted on H-frame within a 71'x100' fenced lease area and will operate at the following frequencies: 700 MHz, 1900 MHz, 2100MHz.

Verizon Wireless can be reached at any time by calling the Network Management Center at (800) 264-6620. Reference site "Big Pine".

Sincerely,

Ginbar Ketema

Ginbar Ketema
Associate Director-Network Real Estate & Regulatory
ginbar.ketema@verizonwireless.com
925 483 6265

5/29/2025

Owens Valley Observatory
2301 Technology Parkway
Hollister, CA 95023-2513

Re: T-Mobile Site SV14254E (CA-5368) – Big Pine
1001 County Rd. Big Pine, CA 93513

To Whom It May Concern:

On behalf of VB BTS III, LLC and T-Mobile, we hereby acknowledge the need for additional testing in the 700 MHz band to ensure full coexistence with the instruments installed at the Owens Valley Observatory.

T-Mobile's installation at SV14254E consists of a 125' monopine with (12) 8' antennas, (12) RRU's, (1) 2' MW, (1) GPS antenna, antenna cabling, HCS jumpers, (4) ground mounted radio cabinets, (4) surge suppressors, (1) equipment canopy, (10 fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (1) back-up diesel generator, (1) raised concrete pads, cable ice bridge, utility backboard and multi- meter utility service mounted on H-frame within a 71'x100' in a fenced lease area and will operate at the following frequencies: 600 MHz, 700 MHz, 1900 MHz, 2100MHz, 2500 MHz.

T-Mobile was made aware of this concern and is willing to work with the interested parties to mitigate any interference. Due to the distance (5 miles) and no antennas pointing towards the observatory, no interference is expected.

Sincerely,

TMO Property Management Department
Phone: 1-877-373-0093
propertymanagement@t-mobile.com

Sprint | T-Mobile

ATTACHMENT 9

RADIO FREQUENCY ELECTROMAGNETIC ENERGY EXPOSURE REPORT

PRE-Activation

Prepared for Verizon

Site Name: Big Pine
Site Num: 298564_5000021295
Site Type: Monopine

Located at:

1001 County Rd
Big Pine, CA 93513
Latitude: 37.172351 / Longitude: -118.30638

Report Date: 04/16/2025
Report By: Christopher Stollar, P.E.

Based on FCC Rules and Regulations, Verizon is compliant.

TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY

Dtech Communications, LLC ("Dtech") has been retained by Verizon, care of Sequoia, to determine whether its wireless communications facility complies with the Federal Communications Commission (FCC) Radio Frequency (RF) Safety Guidelines. This report contains a PRE-activation, computer-simulated analysis of the Electromagnetic Energy (EME) exposure resulting from the facility. The cumulative analysis includes contributions from existing wireless carriers on site, where applicable and information is provided. Results are compared to FCC's General Population (GP) Maximum Permissible Exposure (MPE) Limits. The table below summarizes the results of our EME assessment at a glance:

EME Summary

Analyzed Elevation(s)	Height Above Ground Level (ft AGL)	Results (% GP)	Status
Ground	0	0.4	Pass
Adjacent Utility Pole	40	1.1	Pass

2.0 SITE DESCRIPTION

The wireless telecommunication facility is located on the ground. The facility consists of 2 wireless carrier(s) or operator(s): Verizon and Other(s). 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 monopine 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.

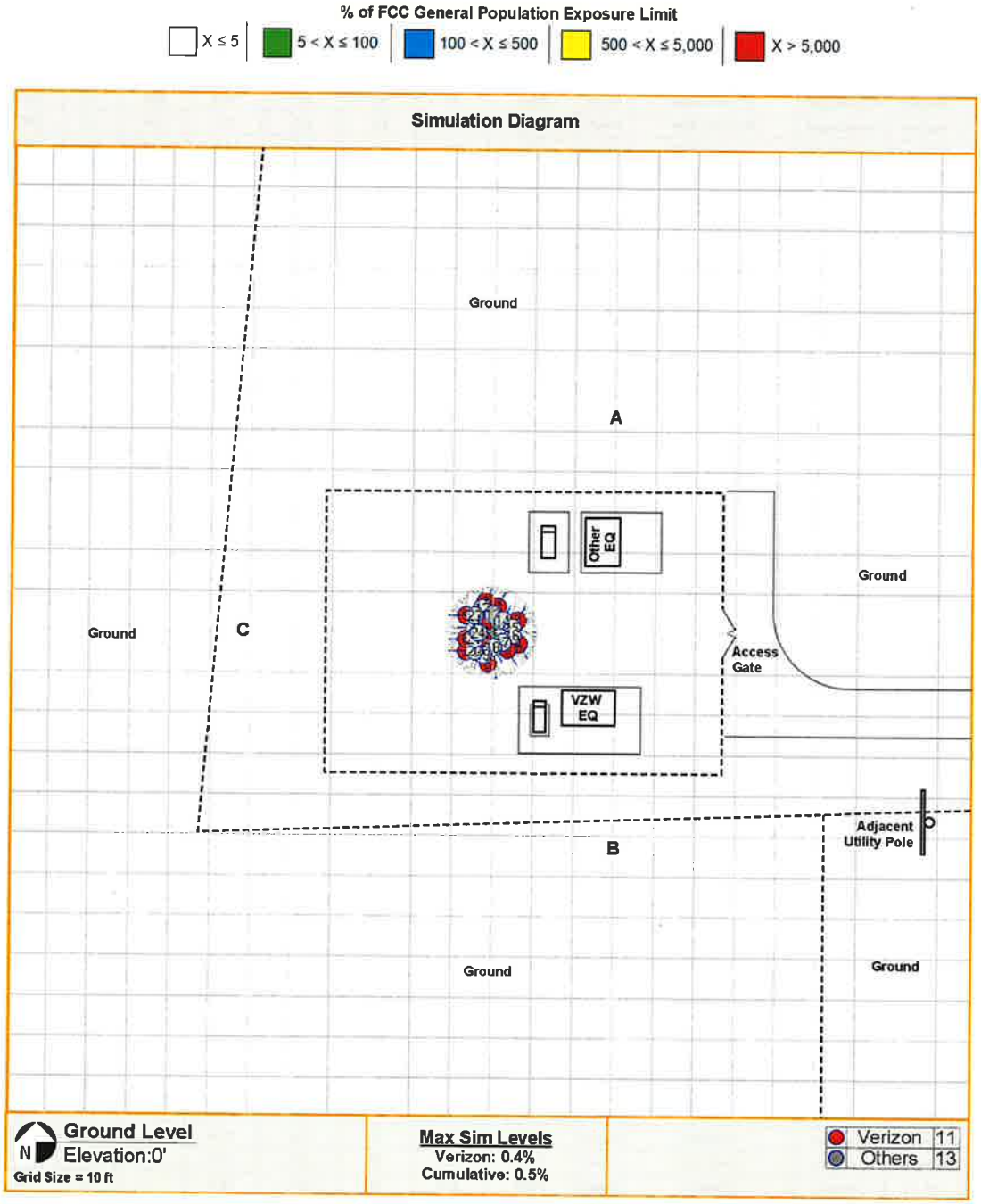
Site Technical Specifications

Antenna ID	Antenna Num	Operator	Antenna Mfg	Antenna Model	Type	Frequency (MHz)	Orientation (°T)	Horizontal BWdth (°)	Antenna Aperture (ft)	Antenna Gain (dBd)	Total Input Power (Watts)	Duty Cycle Factor	Total ERP (Watts)	Rad Center Height Above Ground (Z) (ft)
A1	1	Verizon	Commscope	NHH-65C-R2B	Panel	746	30	65	8.0	13.2	120	1.0	2507	104.0
A1	1	Verizon	Commscope	NHH-65C-R2B	Panel	880	30	62	8.0	13.5	120	1.0	2705	104.0
A1	1	Verizon	Commscope	NHH-65C-R2B	Panel	1965	30	66	8.0	15.2	240	1.0	7895	104.0
A2	2	Verizon	Commscope	NHH-65C-R2B	Panel	746	30	65	8.0	13.2	120	1.0	2507	104.0
A2	2	Verizon	Commscope	NHH-65C-R2B	Panel	880	30	62	8.0	13.5	120	1.0	2705	104.0
A2	2	Verizon	Commscope	NHH-65C-R2B	Panel	2120	30	62	8.0	15.8	240	1.0	9170	104.0
A3	3	Verizon	Ericsson	AIR6419	Panel	3700	30	11	2.4	23.5	320	0.8	56669	106.8
B1	4	Verizon	Commscope	NHH-65C-R2B	Panel	746	150	65	8.0	13.2	120	1.0	2507	104.0
B1	4	Verizon	Commscope	NHH-65C-R2B	Panel	880	150	62	8.0	13.5	120	1.0	2705	104.0
B1	4	Verizon	Commscope	NHH-65C-R2B	Panel	1965	150	66	8.0	15.2	240	1.0	7895	104.0
B2	5	Verizon	Commscope	NHH-65C-R2B	Panel	746	150	65	8.0	13.2	120	1.0	2507	104.0
B2	5	Verizon	Commscope	NHH-65C-R2B	Panel	880	150	62	8.0	13.5	120	1.0	2705	104.0
B2	5	Verizon	Commscope	NHH-65C-R2B	Panel	2120	150	62	8.0	15.8	240	1.0	9170	104.0
B3	6	Verizon	Ericsson	AIR6419	Panel	3700	150	11	2.4	23.5	320	0.8	56669	106.8
C1	7	Verizon	Commscope	NHH-65C-R2B	Panel	746	270	65	8.0	13.2	120	1.0	2507	104.0
C1	7	Verizon	Commscope	NHH-65C-R2B	Panel	880	270	62	8.0	13.5	120	1.0	2705	104.0
C1	7	Verizon	Commscope	NHH-65C-R2B	Panel	1965	270	66	8.0	15.2	240	1.0	7895	104.0
C2	8	Verizon	Commscope	NHH-65C-R2B	Panel	746	270	65	8.0	13.2	120	1.0	2507	104.0
C2	8	Verizon	Commscope	NHH-65C-R2B	Panel	880	270	62	8.0	13.5	120	1.0	2705	104.0
C2	8	Verizon	Commscope	NHH-65C-R2B	Panel	2120	270	62	8.0	15.8	240	1.0	9170	104.0
C3	9	Verizon	Ericsson	AIR6419	Panel	3700	270	11	2.4	23.5	320	0.8	56669	106.8
D1	10	Verizon	Unknown	Unknown	Dish	18000	0	2.1	2.0	37.0	-	1.0	989	99.0
D2	11	Verizon	Unknown	Unknown	Dish	18000	180	2.1	2.0	37.0	-	1.0	989	99.0
A1	12	Others	Unknown	Unknown	Panel	850	30	64	8.0	13.7	-	1.0	3699	116.0
A1	12	Others	Unknown	Unknown	Panel	1900	30	65	8.0	15.6	-	1.0	5743	116.0
A2	13	Others	Unknown	Unknown	Panel	850	30	64	8.0	13.7	-	1.0	3699	116.0
A2	13	Others	Unknown	Unknown	Panel	1900	30	65	8.0	15.6	-	1.0	5743	116.0
A3	14	Others	Unknown	Unknown	Panel	850	30	64	8.0	13.7	-	1.0	3699	116.0
A3	14	Others	Unknown	Unknown	Panel	1900	30	65	8.0	15.6	-	1.0	5743	116.0
A4	15	Others	Unknown	Unknown	Panel	850	30	64	8.0	13.7	-	1.0	3699	116.0
A4	15	Others	Unknown	Unknown	Panel	1900	30	65	8.0	15.6	-	1.0	5743	116.0
A1	16	Others	Unknown	Unknown	Panel	850	150	64	8.0	13.7	-	1.0	3699	116.0
B1	16	Others	Unknown	Unknown	Panel	1900	150	65	8.0	15.6	-	1.0	5743	116.0
B2	17	Others	Unknown	Unknown	Panel	850	150	64	8.0	13.7	-	1.0	3699	116.0
B2	17	Others	Unknown	Unknown	Panel	1900	150	65	8.0	15.6	-	1.0	5743	116.0
B3	18	Others	Unknown	Unknown	Panel	850	150	64	8.0	13.7	-	1.0	3699	116.0
B3	18	Others	Unknown	Unknown	Panel	1900	150	65	8.0	15.6	-	1.0	5743	116.0
B4	19	Others	Unknown	Unknown	Panel	850	150	64	8.0	13.7	-	1.0	3699	116.0
B4	19	Others	Unknown	Unknown	Panel	1900	150	65	8.0	15.6	-	1.0	5743	116.0
C1	20	Others	Unknown	Unknown	Panel	850	270	64	8.0	13.7	-	1.0	3699	116.0
C1	20	Others	Unknown	Unknown	Panel	1900	270	65	8.0	15.6	-	1.0	5743	116.0
C2	21	Others	Unknown	Unknown	Panel	850	270	64	8.0	13.7	-	1.0	3699	116.0
C2	21	Others	Unknown	Unknown	Panel	1900	270	65	8.0	15.6	-	1.0	5743	116.0
C3	22	Others	Unknown	Unknown	Panel	850	270	64	8.0	13.7	-	1.0	3699	116.0
C3	22	Others	Unknown	Unknown	Panel	1900	270	65	8.0	15.6	-	1.0	5743	116.0
C4	23	Others	Unknown	Unknown	Panel	850	270	64	8.0	13.7	-	1.0	3699	116.0
C4	23	Others	Unknown	Unknown	Panel	1900	270	65	8.0	15.6	-	1.0	5743	116.0
D1	24	Others	Unknown	Unknown	Dish	18000	0	2.1	2.0	37.0	-	1.0	989	111.0

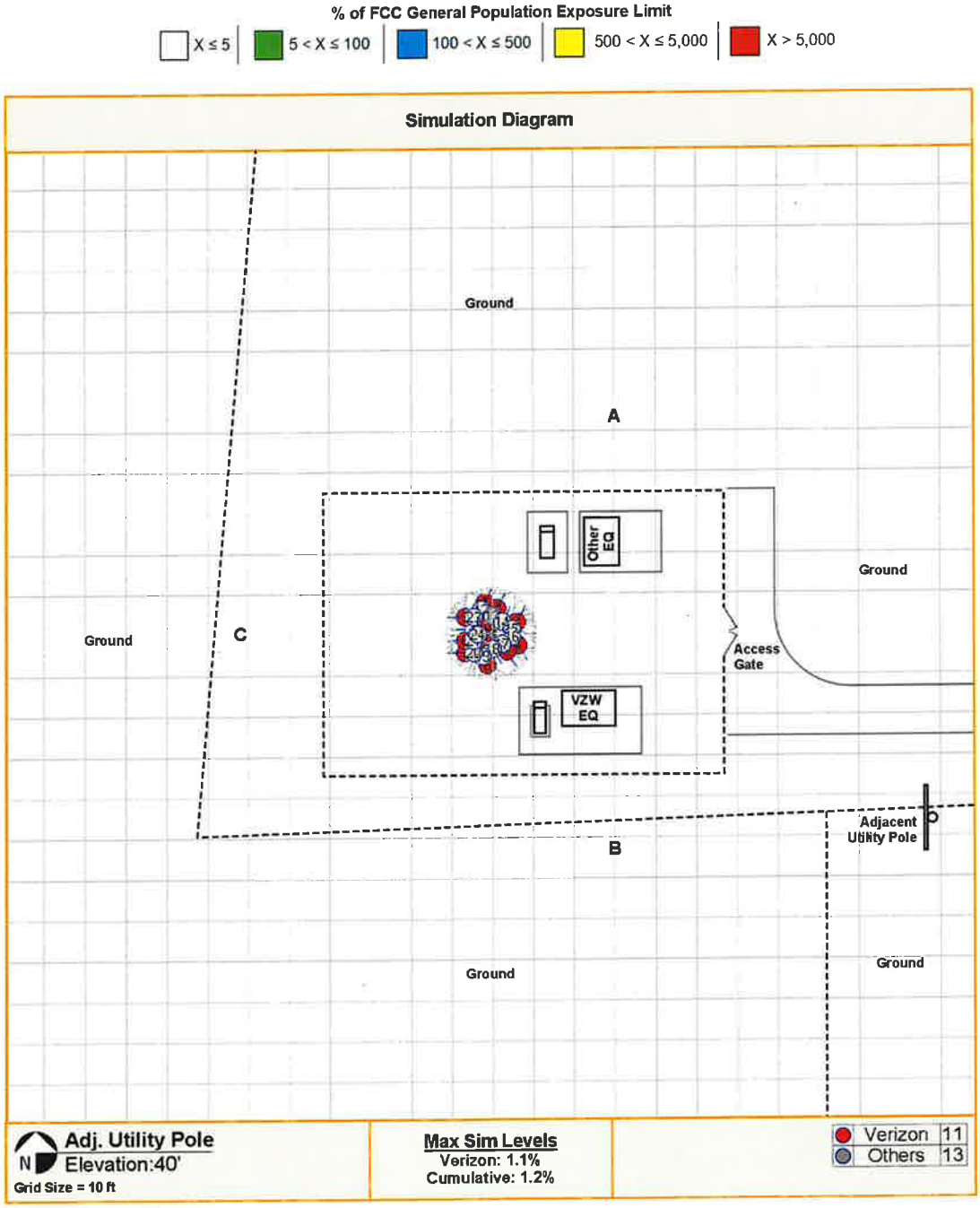
3.0 ANALYSIS

3.1 Emission Predictions

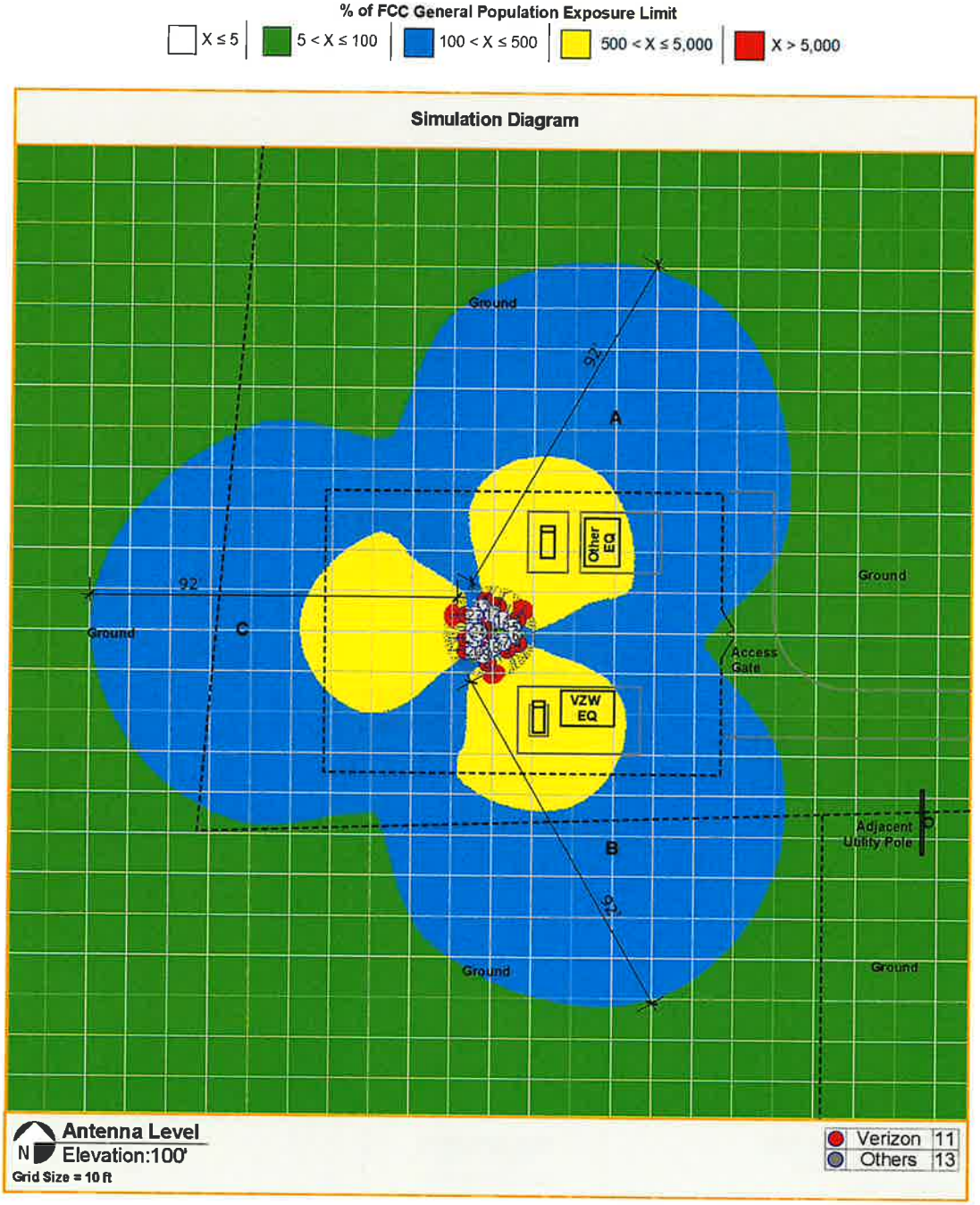
Plan (bird's eye) view map of results compared to FCC's General Population MPE (Maximum Permissible Exposure) Limits for a typical 6-foot person. White represents areas where exposure levels are calculated to be at or below 5%; Green- between 5% & 100% (below MPE limits); blue, yellow & red – greater 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.



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.



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 and Adjacent Utility Pole, exposure levels for Verizon's site are calculated to be 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 maximum overexposed areas extend 92 feet from the front face of the Verizon antenna(s). There are no other buildings or surrounding structures at or higher than antenna height within the overexposed areas. Beyond this clearance distance, exposure levels are predicted to be below the FCC's 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 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.

FCC MPE Limits (from OET-65)

Frequency (Mhz)	**General Population/ Uncontrolled MPE** (mW/cm)	**Averaging Time** (minutes)	**Occupational/ Controlled MPE** (mW/cm)	**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[1] 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/AAH) 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.

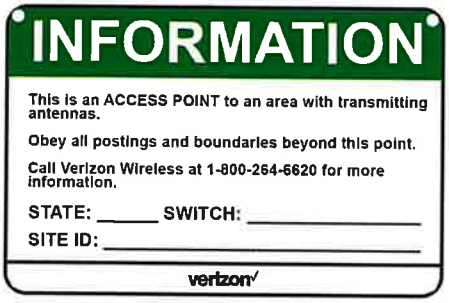
Appendix C: Limitations

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.

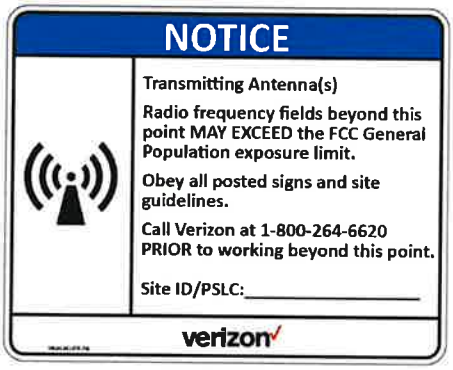
[1] Roofmaster(tm)

Appendix D: Sample RF Advisory Signs[2]

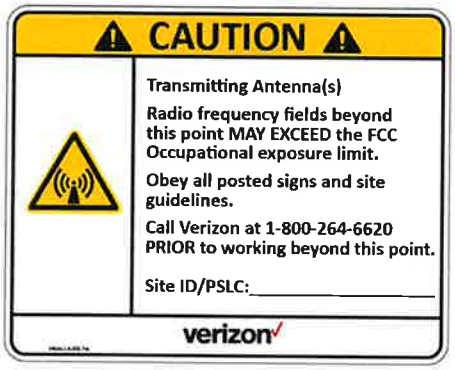
GUIDELINES



NOC INFORMATION



NOTICE



CAUTION

WARNING

[2] The above signage is for reference only. Actual signs may be updated in accordance to Verizon RF policy

ATTACHMENT 10

3/05/2025

Planning Department
Inyo County
168 N. Edwards Street - Annex Building
Independence, CA93526

Re: T-Mobile Site SV14254E (CA-5368) – Big Pine
1001 County Rd. Big Pince, CA 93513

To Whom It May Concern:

This correspondence addresses T-Mobile's proposed wireless communication facility at the site listed above.

This proposed wireless communication facility will comply with all federal standards for potential Radio Frequency Electromagnetic Fields ("RF-EME") exposure, in accordance with the Telecommunications Act of 1996 and any other requirements imposed by federal regulatory agencies.

The Federal Communications Commission ("FCC") has established safety guidelines relating to potential RF-EME exposure from radio transmitters. FCC regulations define two separate tiers of exposure limits applying to accessible areas where workers or the general public may be exposed to RF-EME: Occupational/Controlled and General Population/Uncontrolled. The General Population limits are five times more conservative or restrictive than the Occupational limits. *Compare* subsections (b) and (c) of 47 C.F.R. § 1.1310.

T-Mobile's installation at SV14254E consists of a 125' monopine with (12) 8' antennas, (12) RRU's, (1) 2' MW, (1) GPS antenna, antenna cabling, HCS jumpers, (4) ground mounted radio cabinets, (4) surge suppressors, (1) equipment canopy, (10 fiber box, (1) 200A ILC cabinet, (1) manual service light switch timer, (1) back-up diesel generator, (1) raised concrete pads, cable ice bridge, utility backboard and multi-meter utility service mounted on H-frame within a 71'x100' in a fenced lease area and will operate at the following frequencies: 600 MHz, 700 MHz, 1900 MHz, 2100MHz, 2500 MHz.

In accordance with the FCC's OET Bulletin 65, the power density from any sector as designed for the proposed facility will not exceed the FCC maximum permissible exposure limits at any location that is considered accessible by the general population. The power density calculations for each sector of the proposed facility will be well below the maximum FCC general population exposure level. The proposed facility will not cause collocated facilities to exceed FCC exposure standards.

T-Mobile will provide proper signage as necessary to meet FCC and Occupational Safety and Health Administration regulations.

Accordingly, T-Mobile's operation at SV14254E will comply with FCC regulations regarding potential RF-EME exposure.

Sincerely,

Recoverable Signature

X 

Alexandre Renaldino
Senior RF Deployment Engineer
Signed by: S-1-12-1-3184115602-1145593371-275993501-2837255126/a0183a81-5ba8-46ed-869c-3153e44ac8da

Sprint | T-Mobile

ATTACHMENT 11

MITIGATION MONITORING AND REPORTING PROGRAM

Biological Resources (BIO)		
Mitigation Measure (MM) Description	**Implementation Schedule**	**Responsible Party**
MM BIO-1: Nesting Survey 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, 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 (February 1 through September 1). All measures to protect nesting birds should be 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.	Prior to ground- or vegetation disturbing activities	Applicant

MM BIO-2: Swanson's Hawk Survey Prior to ground-disturbing activities, a qualified biologist, approved by CDFW and Inyo County, with experience conducting Swainson's hawk surveys shall conduct focused and preconstruction surveys in accordance with the recommended timing and methodology for Swainson's hawk nesting surveys (CDFW, 2010) or the most current guidance. Surveys shall cover a minimum 0.5- mile radius from the Project site and include all suitable nesting habitat and potential nest trees. The biologist shall consult with CDFW to determine whether the Project site is within 0.5 miles of any known nest sites. If Swainson's hawk occupancy or active nests are confirmed and Project activities may result in disturbance or take, the Project proponent shall coordinate with CDFW for appropriate authorization under the California Endangered Species Act (CESA), including an Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081, prior to commencing Project activities. The ITP application shall describe, at a minimum, project activities and equipment, proposed avoidance and buffer measures, temporary and permanent impacts, monitoring protocols, nest protection or relocation strategies, and minimization and compensatory mitigation actions. Compensatory mitigation may be fulfilled through permittee-responsible mitigation land acquisition or the purchase of credits from an approved conservation or mitigation bank, if available.	Prior to ground- or vegetation disturbing activities	Applicant

MM BIO-3: Burrowing Owl Survey Prior to commencing Project activities, a qualified biologist shall conduct focused and preconstruction survey for burrowing owl in accordance with the *Staff Report on Burrowing Owl Mitigation* ((CDFW, 2012) or most recent version). If burrowing owl occupancy is confirmed, and if Project activities may impact burrowing owl, including burrow exclusion and closure, the Project proponent should coordinate 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).	Prior to ground- or vegetation disturbing activities	Applicant

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

Phone: (760) 878-0263
FAX: (760) 878-0382
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.: 9 (Action Item – Reconsideration)

PLANNING COMMISSION MEETING DATE: October 22, 2025

SUBJECT: Short-Term Rental Permit 2024-03/Foroudi

EXECUTIVE SUMMARY

On August 27, 2025, the Commission held a hearing on the proposed modification/revocation of Hosted Short-term Rental Permit (HSTRP) 2024-03/Foroudi. Following the hearing, the Commission voted to revoke the permit. The Commission is being asked today to revisit its decision in order to address a procedural issue. Specifically, the Commission was not informed that Chair Vogel owns property (APN 011-91-12) within 500 feet of the subject property. When a public official participating in a decision of the agency owns property within 500 feet of the subject property, the agency must consider whether there could be a measurable impact to the public official's property resulting from the decision. Unless it is shown otherwise, the public official would typically refrain from participating. However, because the Commission was not aware of the proximity of the properties, it did not consider whether a measurable impact exists. To address this omission, the parties (the permittee and the planning director) may now agree, and the Commission may find, that there is no measurable impact, or the Commission may vacate its prior determination and set a new hearing on the revocation/modification.

PROJECT INFORMATION

Supervisory District: 3

Applicants: David and Pasha Foroudi and Natalie Jauregui

Landowners: David and Pasha Foroudi
Address/2660 Highland Drive, Bishop, CA 93514

Community: West Bishop

A.P.N.: 011-192-02

General Plan: Residential Low Density (RL)

Zoning: One Family Residence (R1)**;** 15,000 square foot minimum lot size

Size of Parcel(s): Approximately 15,138

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	One family residence	Residential Low (RL)	One Family Residence (R1)
North	One family residence	Residential Low (RL)	One Family Residence (R1)
East	One family residence	Residential Low (RL)	One Family Residence (R1)
South	One family residence	Residential Low (RL)	One Family Residence (R1)
West	One family residence	Residential Low (RL)	One Family Residence (R1)

Recommended Action: <u>If the parties agree that there is no measurable impact to APN 011-91-12 from a decision whether to revoke or modify HSTRP 2024-03/Foroudi</u>**:** 1) Find that there is no measurable impact to APN 011-91-12 from a Commission decision whether to revoke or modify HSTRP 2024-03/Foroudi; 2) Affirm the August 27, 2025, decision revoking the Permit; and 3) Approve the written Notice of Decision provided with this staff report.

OR

<u>If the parties do not agree</u>: Vacate Commission decision of August 27, 2025, revoking HSTRP 2024-03/Foroudi and direct staff to schedule and notice a new hearing.

Alternatives: Schedule a hearing at which evidence may be presented regarding measurable impact to APN 011-91-12 from a decision whether to revoke or modify HSTRP 2024-03/Foroudi. If it is shown at that hearing by clear and convincing evidence that there is no measurable impact, affirm the Commission's August 27th decision and approve the attached written Notice of Decision. If such a showing is not made, vacate the August 27th decision and direct that a new hearing on the revocation/modification of HSTRP 2024-03/Foroudi be scheduled before the Planning Commission.

[[This alternative is not the recommended action because it could create further and unnecessary delay in reaching a final outcome.]]

BACKGROUND AND STAFF ANALYSIS

Today's item is for the limited purpose of addressing a process issue from the August 27, 2025, hearing regarding the revocation or modification of Hosted Short-Term Rental Permit 2024-03/Foroudi. Further action is required by the Commission based on information regarding the proximity of property owned by Commissioner Vogel to the subject property. Specifically, a review of GIS data by legal counsel following the hearing showed that APN 011-91-12, owned by Chair Vogel, is within 500 feet of APN 011-91-02, which is the subject property.

Under regulations of the California Fair Political Practices Commission, there is a rebuttable presumption that a decision will have a material financial impact on a public official if that public official owns property within 500 feet of the property that is the subject of a decision. However, that presumption is rebutted (i.e., it goes away) if it is shown that there would be no measurable impact to the property owned by the public official – in which case, no material financial effect exists and the proximity of the properties is of no consequence.

In this instance, the Commission did not have the opportunity to consider whether or not there would be a measurable impact to APN 011-19-12 resulting from its decision on Short-Term Rental Permit 2024-03/Foroudi, because it was not understood at the August 27th hearing that this rule applied to the situation. Accordingly, the purpose of today's item is to provide the Commission with the opportunity to consider the newly-provided information regarding property proximity – and either confirm that there is no measurable impact to APN 011-91-12 or vacate the August 27th decision and set a new hearing on the proposed revocation/modification of the permit.

Because the August 27th hearing is closed and this item is not agendized as a public hearing, a finding of no measurable impact may only be made upon agreement of the parties and ratification by the Commission. New evidence may not be presented. Accordingly, the parties (the permittee and the planning director) must both agree that there is no measurable impact in order for the Commission to make that finding. Examples of decisions which have measurable impacts to property owned by a public official include but are not limited to, those which:

- Change the development potential of the public official's property;
- Change the income producing potential of the public official's property;
- Change the highest and best use of the public official's property;
- Change the character of the public official's property by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels or air quality; or
- Change the market value of the public official's property.
  (§ 18702.2(a).)

If the parties (again, the permit holder and the planning director) agree that there is no measurable impact to APN 011-91-12 from a decision whether to revoke or modify HSTRP 2024-03/Foroudi, then the Commission may affirm its August 27th decision and adopt the proposed written notice of decision. Thereafter, Mr. Foroudi may appeal the Commission's decision to the Board of Supervisors within 15 calendar days, if he so desires, triggering a de novo hearing on the revocation/modification by the Board. Alternatively, if the parties do not agree, then the Commission must vacate its August 27, 2025, decision and direct that a new Planning Commission hearing on the revocation/modification of HSTRP 2024-03 be

scheduled. That hearing would then be noticed and held, and a final decision issued, triggering a 15-day window for appeal to the Board of Supervisors at that later time.

Finally, prior to knowing the proximity of the properties, legal counsel to the Commission drafted a Written Notice of Decision (similar to that attached to this staff report) following the August 27, 2025, hearing and decision, which was signed by Chair Vogel and sent to the parties. Upon learning of the proximity of the properties, legal counsel drafted a rescission of the Written Notice, which was also signed by Chair Vogel and sent to the parties.

NOTICING
This item was noticed as a regular agenda item of the Planning Commission in accordance with the Brown Act. If a new hearing is directed, then that hearing would be noticed in accordance with laws applicable to public hearings.

ENVIRONMENTAL REVIEW
This item is exempt from CEQA pursuant to 15061 – the commonsense exemption, and pursuant to 15321 – enforcement actions by regulatory agencies.

ATTACHMENTS
Proposed Written Decision Following August 27, 2025, Hearing and October 22, 2025, reconsideration.

[[Draft to be issued ONLY if agreement and finding of no measurable impact made following October 22, 2025, reconsideration]]

INYO COUNTY PLANNING COMMISSION NOTICE OF DECISION

HEARING ON REVOCATION/MODIFICATION

OF HOSTED SHORT-TERM RENTAL PERMIT 2024-03/FOROUDI

On August 27, 2025, this matter came before the Inyo County Planning Commission, consisting of Commissioners Howard Lehwald, Caitlin J. Morley, Todd Vogel (Chair) and Callie Peek (Vice-Chair) for hearing. Commissioner Aaron Cassell was not present. Mr. David Foroudi was present on behalf of permit holders David Foroudi, Pasha Foroudi and Natalie Jauregui. Ms. Jauregui was also present. Cathreen Richards, Danielle Visuano and Tehauna Tiffany were present on behalf of the Inyo County Planning Department. Sally Faircloth was present as Clerk to the Commission and Stacey Simon, Esq., was present as legal counsel to the Commission. The matter was heard pursuant to Inyo County Code section 18.73.070 "Permit Modification and Revocation". All witnesses were properly sworn in.

At the start of the hearing Mr. Foroudi requested a one-to-two month continuance of the hearing based on a one-week delay in receiving the mailed notice of the hearing and due to the unavailability of his legal counsel. The continuance was not granted and the hearing was allowed to proceed.

On October 22, 2025, the matter was re-agendized for further consideration in light of information pertaining to the proximity of the subject property (APN 011-91-02) to property owned by Chair Vogel (APN 011-91-12). Specifically, whether the existence or non-existence of a Hosted Short-Term Rental Permit (HSTRP) on APN 011-91-02 would have a measurable impact to APN 011-91-12. Chair Vogel recused himself from this discussion and left the room.

This Notice of Decision reflects the Commission's findings and determination following the August 27, 2025, hearing on the revocation/modification of HSTRP 2024-03/Foroudi and the limited finding made on October 22, 2025, regarding the absence of measurable impact to APN 011-91-12 resulting from the matter.

Decision and Findings

1. Measurable Impact to APN 011-91-12. At the October 22, 2025, Planning Commission meeting on this matter, Mr. Foroudi and the Planning Director agreed (stipulated) that there is not a measurable impact to APN 011-91-12 as a result of the revocation, non-revocation or potential modification of a HSTRP for APN 011-91-02. Based on that stipulation, the Commission finds and determines that there is no measurable impact to APN 011-91-12.

2. Notice of the August 27, 2025, Hearing. Inyo County Code (ICC) section 18.73.070 A(2) requires that notice be given at least 15 calendar days, but no more than 45 calendar days, prior to a hearing on the revocation or modification of a Hosted Short Term Rental Permit. Notice must be mailed to the owner of the property at the address provided in the short-term rental application. Any change in address must be submitted by the owner in writing to the Inyo County Planning Department per ICC section 18.73.030A(4)(D).

Evidence and testimony at the hearing demonstrated that written notice of the hearing was emailed and mailed to Mr. Foroudi on July 17, 2025 (Planning Department "PD" Exhibit 4). The evidence showed that the notice was sent to the mailing and email addresses listed on the permit application submitted by Mr. and Ms. Foroudi and Ms. Jauregui on May 14, 2024 (PD Exhibit 11). Mr. Foroudi provided evidence and testimony showing that he had processed a written change of address with the Inyo County Assessor on March 21, 2025 (Property Owner "PO" Exhibits B and C). No evidence was presented that a written change of address was filed with the Planning Department and both Planning Director Cathreen Richards and Senior Planner Danielle Visuano testified that none had been.

Mr. Foroudi testified that he received the emailed notice of hearing on July 17 and received the notice mailed to the address listed on his permit application approximately a week later due to the need for it to be forwarded to him at his residence in Bend, Oregon by his local property manager. Thus, Mr. Foroudi personally received both emailed and mailed notice within the required timeframe of at least 15, but no more than 45, days prior to the hearing. The evidence presented by Mr. Foroudi that he processed a written change of address with the Inyo County Assessor was considered, but is not germane, as it does not demonstrate that a written change of address was filed with the Planning Department, as required by ICC 18.73.030A(4)(D). Mr. Foroudi also presented PO Exhibit A, which is a copy of an envelope used by the Planning Department to send Mr. Foroudi the application for a Hosted Short Term Rental Permit on May 16, 2024, using his address in Bend, Oregon. This evidence is also not germane, as it does not demonstrate that Mr. Foroudi submitted the required change of address notice to the Planning Department. In the absence of such notice, the proper address was the one on the permit application.

Based on the foregoing, the Commission finds and determines that notice of the August 27, 2025, hearing was properly given.

3. Revocation of Permit. The Planning Commission finds and determines that short-term rental activity has been or is being conducted on the property in violation of Chapter 18.73 of the Inyo County Code and that the conditions of approval of the short term rental permit are being violated (Inyo County Code subdivisions (ii) and (iii) of section 18.73.070 A(3)(g)).

Evidence admitted at the hearing to support these findings includes:

1. PD Exhibits 2, 3, 5, 6 and 8-11 (computer printouts from AirBNB, VRBO, and Granicus/Host Compliance showing twenty short-term, non-hosted rentals occurring on the property between June 13, 2024 and August of 2025).
2. Testimony by Code Enforcement Inspector Tehuana Tiffany regarding conversations with two different short-term renters on the property on June 18, 2025, and then on June 30, 2025, wherein both renters indicated that no host was present during their stay.
3. PD Exhibit 1 (Chapter 18.73 of the Inyo County Code), PD Exhibit 7 (Hosted Short Term Rental Permit 2004-03/Foroudi) and PD Exhibit 11 (application for Hosted Short Term Rental Permit) each stating the legal requirement that a host be present on the property during all short-term rentals.
4. Testimony by David Foroudi indicating that he attempted to rent the property on a short-term basis without a host present between June 13, 2024, and the present; that he was aware of the requirement for a host to be present but did not comply with it because renters do not like having a host onsite; and that he had no bookings when the property was listed as a hosted rental.
5. Evidence and testimony submitted by Mr. Foroudi regarding his having changed the property listings to allow only rentals of 31 days or more following a June 2025, conversation with Enforcement Inspector Tiffany was considered, but not deemed persuasive, as it did not rebut the evidence of prior violations and had the effect of confirming the prior un-hosted short-term rentals.

Finally, testimony by Tehuana Tiffany, Danielle Visuano, and Scott Marcellin indicated that Mr. Foroudi told each of them that he was informed by Planning Director Cathreen Richards that the County would not enforce the onsite host rule if no complaints were received. Cathreen Richards denied having made such a statement, explaining that she in fact was answering a question posed by Mr. Foroudi regarding what would happen if he rented his property on a short-term basis without a permit. According to Ms. Richard's testimony, she responded that there would likely be a complaint, in which case the county would pursue enforcement action. Scott Marcellin, who was present during the conversation testified that "Cathreen explained to you guys exactly what was explained", thereby confirming Ms. Richard's account, which the Commission finds to be accurate. However, the statement is ultimately not relevant, because the existence of a complaint is not a mandatory prerequisite to an enforcement action and staff

statements regarding when enforcement occurs (if made) do not excuse violation of the County Code or permit.

Directive and Order

The Hosted Short Term Rental Permit 2024-03/Foroudi, issued for the property located at 2660 Highland Drive in Bishop (APN 011-91-02), California is hereby **REVOKED**.

The property owner(s) and/or their agents are directed to immediately cease using the property for short-term rentals and failure to cease such use may result in further legal action and/or enforcement proceedings, including, but not limited to, an administrative penalty of no less than the dollar amount of the nightly rental rate of the property for each day the short-term rental is advertised and/or operated in violation of Chapter 18.73 or section 1.20.010 of the Inyo County Code, whichever is more, to the maximum extent allowed by law.

Right to Appeal Commission's Decision

Pursuant to Inyo County Code section 18.81.270, **ANY APPEAL OF THE PLANNING COMMISSION'S DECISION IN THIS MATTER SHALL BE BROUGHT WITHIN FIFTEEN CALENDAR DAYS OF THE DATE OF THIS WRITTEN DECISION**. The appeal may be taken by filing with the county clerk a written notice specifying the grounds for the appeal and paying the required fee. The clerk's contact information is disrael@inyocounty.us. Filing of an appeal shall stay all proceedings in furtherance of the action appealed.

It is so **DECIDED AND ORDERED,** by the Inyo County Planning Commission, effective upon the date written below, by the following vote:

	August 27, 2025, hearing	October 22, 2025, finding
COMMISSIONER HOWARD LEHWALD	No	
COMMISSIONER CAITLIN J. MORELY	Yes	
CHAIR TODD VOGEL	Yes	Abstain
VICE CHAIR CALLIE PEAK	Yes	
COMMISSIONER AARON CASSELL	Absent	

By:

_____

TODD VOGEL, CHAIR DATE

ATTEST:

_____

SALLY FAIRCLOTH, Clerk of the Commission