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

Phone: (760) 878-0263
FAX: (760) 873-2712
E-Mail: inyoplanning@inyocounty.us

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

PLANNING COMMISSION MEETING DATE: December 2, 2026

SUBJECT: Conditional Use Permit (CUP) 2026-03/BPCSD

EXECUTIVE SUMMARY

The applicant has applied for a CUP that would allow them to construct a new wastewater rapid infiltration basin with capacity ranging between 0.5 to 1.0 acre-feet of water, within the existing leased area of Assessor Parcel Number (APN) 018-090-19 located in Inyo County at Post Mile 19 along State Route 168 (37.173342, -118.277929).

The CUP will include the entire area leased by BPCSD to create one permitted utility site inclusive of the existing wastewater treatment facility and the expansion area. The basin will be utilized during times of elevated precipitation when groundwater levels are high and do not allow the existing basins to percolate effectively. The new basin will be constructed in accordance with US EPA Process Design Manual for Land Treatment of Municipal Wastewater (Oct 1981/1984). The bottom of the basin will be at or near the existing grade, with constructed perimeter berm walls extending up to 6.5 feet above existing grade. The estimated volume of excavation will be between 1,100 and 1,600 cubic yards and the soil will be balanced on-site. The project will operate under the jurisdiction of the Lahontan Regional Water Quality Control Board and will comply with the updated Waste Discharge Requirements issued by the Lahontan Board for this project. The project is an Exemption pursuant to Public Resources Code 21080(b)(4) and 15269(c) - Emergency Projects of the CEQA Guidelines

PROJECT INFORMATION

Supervisory District: 4

Project Applicant: Big Pine Community Service District, 180 N. Main Street, Suite D, Big Pine, CA 93513

Property Owner: City of Los Angeles – LADWP, 300 Manditch Street, Bishop, CA 93514-3449

Site Address: 6000 East Hwy. 168, Big Pine, CA 93513

Community: Big Pine

A.P.N.: 018-090-19

General Plan: Natural Resources (NR)

Zoning: Open Space – 40 (OS-40)

Size of Parcel: 304.15 acres – The Project site composes about 5 acres of the parcel.

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Developed	Public Service Facility (PF)	Open Space with a 40-acre minimum (OS-40)
North	Vacant / LADWP	Natural Resources (NR)	Open Space with a 40-acre minimum (OS-40)
East	Vacant / LADWP	Natural Resources (NR)	Open Space with a 40-acre minimum (OS-40)
South	Vacant / LADWP	Natural Resources (NR)	Open Space with a 40-acre minimum (OS-40)
West	Vacant / LADWP	Agriculture (A)	Open Space with a 40-acre minimum (OS-40)

Staff Recommended Action: **1.) Approve the Conditional Use Permit (CUP) 2023-03/BPCSD; and certify the project is an Exemption pursuant to Public Resources Code 21080(b)(4) and 15269(c) - Emergency Projects of the CEQA Guidelines**

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

Project Planner: Cathreen Richards

STAFF ANALYSIS

Background and Overview

In 1972 the current Big Pine wastewater treatment facility and the sewer collection system were approved by the Planning Commission/Planning Director. This was an

acceptable method of approval at the time and the wastewater treatment facility is operating in compliance with the county code. Due to the expansion and to consolidate, so that the entire facility is under one landuse entitlement, a CUP is being requested by the Big Pine Community Services District (BPCSD). The wastewater facility was subsequently built and went into operation also in 1972. In 1982 the BPCSD began operating and maintaining the wastewater facility under a lease/purchase option with the Los Angeles Department of Water and Power (LADWP). BPCSD subsequently acquired ownership of the wastewater treatment facility and the land that it is located on is leased by BPCSD from LADWP. The location of the wastewater treatment facility is 6000 East Hwy 168 and is in a rural, undeveloped area surrounded by LADWP owned open grazing areas.

The applicant has applied for a CUP with the Inyo County Planning Department for the entire LADWP lease area on which the wastewater treatment facility, and proposed expansion is located on. The proposed expansion is a 62 foot by 185 foot rapid infiltration basin that will hold 0.5 to 1 acre foot of water and would be located on a highly disturbed area. This action will result in the entire facility, existing and expansion, to be under one CUP, which satisfies the County's zoning code. The expansion will increase the capability of the wastewater facility by adding the rapid infiltration basin at a higher elevation in the BPCSD's leased area. The existing facility has proven to be insufficient in years when the groundwater is elevated in the area. This occurred in both 2017 and 2019 which were record snow and runoff years.

In reaction to an unprecedented El Niño formation in the Pacific Ocean for the 2026-2027 winter season, Governor Gavin Newsom issued a statewide State of Emergency Proclamation on September 21, 2026, followed by a subsequent Executive Order in October 2026, explicitly directing state and local agencies to expedite permitting and implementation of flood-preparedness and critical infrastructure resiliency projects. Elevated precipitation and subsequent surging regional groundwater tables during El Niño conditions directly impair the percolation capacity of the BPCSD's existing primary basins, threatening operational failure and causing localized flooding. By constructing an intermittent, redundant basin at a higher elevation, this project directly advances the Governor's mandate to safeguard public health and critical utilities by capturing the excess wet-weather volumes of water while simultaneously managing the high-groundwater impacts before emergency system overflows occur. The higher elevation of the proposed rapid infiltration basin will create the needed separation from the groundwater, which will provide the proper treatment and hydraulic head to allow for infiltration of the treated effluent into the groundwater when groundwater is elevated. The additional basin will also allow for continued compliance with the waste discharge requirements of BPCSD's permit with the Lahontan Water Quality Control Board.

The project area is on the floor of the Owens Valley. It is highly disturbed, and slopes from west to east towards the Owens River. The closest residence is about a half mile southwest of the project site. The new rapid infiltration basin will be surrounded by an approximate 6.5 foot berm for containment. The berm will also prevent views of the interior of the basin.

The project would maintain the same amount of treated effluent as the wastewater treatment facility does currently. The BPCSD provides wastewater services to 348 residences and 16 businesses in Big Pine. The residences are mainly single-family homes with some small multifamily structures. The businesses consist of restaurants, gas stations, motels, public laundry and markets.

General Plan Consistency

The goal of this project is to obtain a CUP for the existing wastewater treatment facility and the addition of a rapid infiltration basin. The project is consistent with the General Plan designation of Public Facility (PF) as it provides for areas owned by public agencies such as local districts, that serve as significant public facilities (Policy LU-5.2). The PF General Plan designation is also compatible with the existing Open Space (OS) zoning designation since public and quasi-public buildings and uses of a public service nature are allowed with a CUP in the OS zone.

Zoning Ordinance Consistency

The proposed CUP is to allow for the existing wastewater treatment facility and the addition of a rapid infiltration basin. The project site is located in the OS zone, which allows for public and quasi-public buildings and uses of a public service nature with a CUP under 18.12.040(C). This wastewater treatment facility and extension project provides for a public service by a public service agency by offering sanitary services to the community of Big Pine.

ENVIRONMENTAL REVIEW

The proposed project is Exempt pursuant to PRC 21080(b)(4). The project was requested due to the current containment inadequacies, during highwater years, at the wastewater treatment facility that created a need for the rapid infiltration basin. This situation is has become more critical due to the formation of an unprecedented El Niño for the 2026-2027 winter season. Due to the 2026-2027 El Niño, Governor Gavin Newsom issued a statewide State of Emergency Proclamation on September 21, 2026, followed by a subsequent Executive Order in October 2026, explicitly directing state and local agencies to expedite permitting and implementation of flood-preparedness and critical infrastructure resiliency projects. Elevated precipitation and subsequent surging of regional groundwater tables during El Niño conditions directly impair the percolation capacity of the BPCSD's existing primary basins, threatening operational failure and localized flooding.

In addition, 15269(c) provides for specific actions necessary to prevent or mitigate an emergency. The BPCSD is requesting the CUP to mitigate the impending elevated precipitation and subsequent surging regional groundwater tables during El Niño conditions that can directly impair the percolation capacity of the BPCSD's existing primary basins that directly threaten operational failure and cause localized flooding.

NOTICING

The public hearing date for CUP 2026-03/BPCSD was noticed on November, 21, 2026 in the Inyo Register. No mailings to property owners, as required by the Inyo County Code,

was necessary as there are no property owners within 300-feet of the project location and LADWP is notified by default as they have given the BPCSD permission to conduct the project on their land as part of a lease agreement.

RECOMMENDATION

Planning Department staff recommends the approval of CUP 2026-03/BPCSD, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Conditional Use Permit is exempt under California Public Resources Code (PRC) Section 21080(b)(4) and 15269(c), Emergency Projects – and the provisions of the California Environmental Quality Act have been satisfied.
   [Evidence: The proposed project is Exempt pursuant to PRC 21080(b)(4) since in response to an unprecedented El Niño that has formed in the Pacific Ocean for the 2026-2027 winter season, Governor Gavin Newsom issued a statewide State of Emergency Proclamation on September 21, 2026, followed by a subsequent Executive Order in October 2026, explicitly directing state and local agencies to expedite permitting and implementation of flood-preparedness and critical infrastructure resiliency projects. Elevated precipitation and subsequent surging regional groundwater tables during El Niño conditions directly impair the percolation capacity of the BPCSD's existing primary basins, threatening operational failure or localized flooding.

   In addition, 15269(c) provides specific actions necessary to prevent or mitigate an emergency. The BPCSD is requesting the CUP to mitigate the impending elevated precipitation and subsequent surging regional groundwater tables during El Niño conditions that can directly impair the percolation capacity of the BPCSD's existing primary basins, threatening operational failure or localized flooding.]

2. The proposed CUP is consistent with the Inyo County General Plan Land Use designation of Natural Resources (PF).
   [Evidence: The goal of this project is to allow for the expansion (one rapid infiltration basin) and the existing wastewater treatment facility in Big Pine, California. The project is consistent with the PF General Plan designation as it provides for areas owned by public agencies such as local districts, that serve significant public facilities (Policy LU-5.2). The PF General Plan designation is also compatible with the existing Open Space (OS) zoning designation since public and quasi-public buildings and uses of a public service nature are allowed with a CUP in the OS zone.]

3. The proposed CUP is consistent with the Inyo County Zoning Ordinance, which permits public and quasi-public buildings and uses of a public service nature in the OS zone.
   [Evidence: The proposed project is a CUP to allow for the extension (one rapid infiltration pond) and the continuation of an existing wastewater treatment

facility. The project site is located in the OS zone, which allows for public and quasi-public buildings and uses of a public service nature with a CUP under 18.12.040(C). This wastewater treatment facility extension project will provide a public service by a public service agency by offering sanitary services to the community of Big Pine.]

4. The proposed CUP is necessary or desirable.
   [Evidence: The General Plan's Land Use Element's Goal LU-5 states: "Provide adequate public facilities and services for the existing and/or future needs of communities and their surrounding environs, and to conserve natural and manage resources." The applicant is proposing to expand an existing wastewater treatment facility to continue to process and dispose of treated effluent when encountering high groundwater elevations near the wastewater treatment facility. This activity is consistent with Goal LU-5 as the project will provide the needed expansion of a public facility/service for the potential emergency situation and the future needs of the Big Pine community.]

5. The proposed CUP is properly related to other uses and transportation and service facilities in the vicinity.
   [Evidence: The proposed CUP is for a public service type of use. The wastewater treatment facility expansion would allow for continued wastewater effluent treatment in a manner that prevents untreated effluent interaction with groundwater. It is related to the rural, open space, nature of the area and will not cause impacts on transportation or service facilities in the vicinity.]

6. The proposed CUP would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
   [Evidence: The proposed CUP is to allow for the expansion and continued use of a wastewater treatment facility. This public service use will not change or increase the current level or general type of allowed uses in the Big Pine area or on the project site. A security gate is planned for the entrance on the north side of the project site to prevent unauthorized access. The project is also required to comply with the Lahontan Regional Water Quality Control Board regulations regarding waste handling from the facility operations. Therefore, it will not create impacts on the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare, in fact it is more likely that it will prevent possible impacts to the pubic welfare by better managing wastewater.]

7. Operating requirements necessitate the CUP for the site.
   [Evidence: Public and quasi-public buildings and uses of a public service nature require a CUP per Inyo County Code Section 18.12.040(C) and is therefore necessary for the operation of Big Pine Wastewater Treatment Facility and expansion.]

CONDITIONS OF APPROVAL

1. **Hold Harmless**
   The owner/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning CUP 2026-03/BPCSD. The County reserves the right to prepare its own defense.

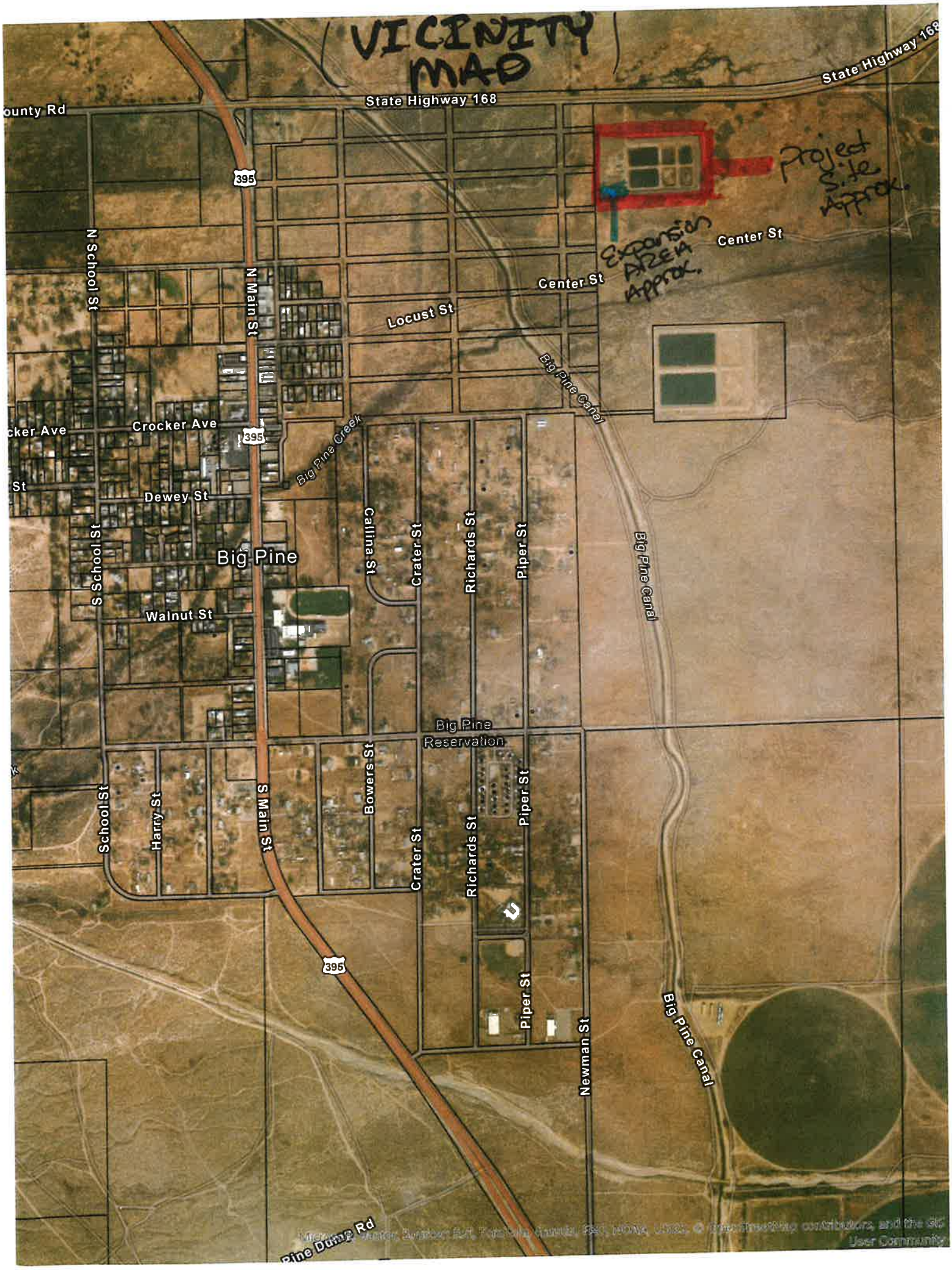
2. **Compliance with County Code**
   The owner/developer shall conform to all applicable provisions of Inyo County Code and State regulations, including but limited to building and grading permits. Failure to comply may result in the revocation of CUP 2026-03/BPCSD. If the use provided by this CUP is not established within one year of the approval date it will become void.

3. **Air Quality**
   The applicant shall consult with the Great Basin Unified Air Pollution Control District and obtain any permits determined necessary.

4. **Lahontan Water Quality Control Board**
   The owner/developer shall obtain all necessary permits and entitlements and shall follow all necessary requirements per the Lahonton Water Quality Control Board.

Attachments:

- Vicinity Map
- Site Map


VICINITY MAP
State Highway 168
State Highway 168
ounty Rd
395
N School St
N Main St
Project Site Approx.
Expansion Area Approx.
Center St
Center St
Locust St
Big Pine Canal
cker Ave
Crocker Ave
395
Big Pine Creek
St
Dewey St
S School St
Big Pine
Callina St
Crater St
Richards St
Piper St
Big Pine Canal
Walnut St
Big Pine Reservation
School St
Harry St
S Main St
Bowers St
Crater St
Richards St
Piper St
395
Piper St
Newman St
Big Pine Canal
Pine Dump Rd

SITE MAP



Proposed New Rapid Infiltration Basin

TOPO MAP
TOPO SURVEY CONDUCTED BY TIM RUDOLPH PE ON JULY 16, 2021 SITE ELEVATIONS AND FEATURES ONLY, SITE BENCHMARK ELEVATIONS ARE COORDINATED WITH ORIGINAL WWTF PLANS, SITE BOUNDARY IS A PROPOSED NEW LEASE FROM LADWP

AERIAL PHOTO CREDIT–
INYO GIS PHOTO DATE 2009

EXISTING WASTEWATER TREATMENT PLANT - TOPO
Scale 1"=40'

PDF VERSION ONLY – WITH AERIAL PHOTO BACKGROUND

PREPARED AND SUBMITTED BY:
TIM RUDOLPH — 9-14-26
TIM RUDOLPH RCE 63207 DATE EXP. 6-30-28

REVISIONS

Tim Rudolph ENGINEERING
438 Chestnut Ave San Marcos, CA 92069 760 798-4292
PO 652 Big Pine, CA 93513 760-938-2559
Timrudolph@telis.net

Big Pine CSD WWTF
HWY 168 Big Pine, CA
EFFLUENT RAPID INFILTRATION BASIN
EXISTING SITE AERIAL PHOTO

DATE 9-14-26