

# Committee Calls for Land Trade to Protect Mono, Benefit Local Hospital

## *Resort Subdivision Threatens Mono Lake*

by Geoffrey McQuilkin

Readers of the local *Mammoth Times* newspaper over Labor Day weekend were surprised by a multi-page profile of a new subdivision of “high price tag” homes overlooking Mono Lake—and with good reason: The Forest Service Scenic Area surrounding Mono Lake expressly prohibits subdivision. That, however, hasn’t stopped the owner of 120 acres on Mono’s west shore from threatening to bring 24 resort homes to Mono’s quiet shores.

Surprisingly absent from the article was the current status of the land trade being sought for this very property. As avid *Mono Lake Newsletter* readers know, the property known as the Cunningham property is currently part of a win-win land exchange discussion that would permanently protect the Mono Lake land and free up acreage for the much-needed expansion of the Mammoth Hospital in Mammoth Lakes. In fact, in August the Mono County Supervisors unanimously called on the Forest Service to complete an appraisal so the trade could go forward.

The Mono Lake Committee is very supportive of the land trade and is working actively with the landowner, American Land Conservancy, Forest Service, and Mammoth Hospital to see it come to successful completion. Jeff Bailey, the Inyo National Forest Supervisor, has long identified acquisition of lands from willing sellers within the Scenic Area as his highest priority.

### ***Land Trade Progress***

Most recently, Forest Service land appraisal experts visited the lake in early September. Their task: to evaluate current real estate market conditions and chart a course for the production of a current and accurate appraisal of the 120 acres. Their report is expected in early October, raising the possibility that the acquisition could be wrapped up before the end of the year.

The land trade could work like this. After an agreed upon price is reached for the land, the American Land Conservancy purchases the property. They condition the deed to preclude future development, and then sell the land to the Mammoth Hospital. The hospital then offers the Mono Lake parcel plus several others to the Forest Service in trade for equally valued land in Mammoth Lakes. Gary Myers, CEO of Mammoth Hospital, is ready for immediate action, pointing out that “The Hospital Board has already authorized me to spend up to \$3 million for the land we need for expansion.”

### ***Subdivision Prospect Looms***

If the land trade falls apart, however, the prospect of the

advertised subdivision looms large. Visual impact projections show high visibility from key viewpoints at Mono Lake, particularly the highly visited boardwalk at County Park and US Highway 395 just north of the lake. Endangered Willow Flycatchers have been spotted in the area, and rare mountain beaver are thought to possibly live along the small creek running through the property.

Most significant, though, would be the blatant violation of the Scenic Area development guidelines on the 20th anniversary of the Scenic Area’s creation. Designed to “freeze in time” the rural and relatively undeveloped nature of the Mono Basin, the Scenic Area guidelines allow for private property owners to continue a variety of uses while prohibiting the large scale change of substantially new development.

While the newspaper’s promotional article claimed that environmental studies have been completed at the site, in reality only an initial proposal has been filed with the Mono County Planning Department. No subdivision has occurred and an Environmental Impact Report has yet to start. If the subdivision project moves forward, there will be many opportunities to influence the outcome.

Should the owners, Bill and Robin Cunningham, decide to pursue subdivision, they will be exploiting a legal loophole and entering uncharted territory. The loophole exists where county zoning and Forest Service Scenic Area rules do not align; the proposed development would exploit the loophole by seeking review and approval from Mono County planning officials while ignoring the protections put into place by Congress. In doing so, the landowners would be gambling that the federal government would not follow through with condemnation of their land, the major enforcement mechanism of Scenic Area guidelines.

Although the promotional article went so far as to claim that “many of the affluent out-of-the-area Mono Lake Committee supporters have expressed interest in owning and developing incredible homes at this location,” here at the Committee offices we read that as further hyperbole. Mono Lake supporters who understand the threats such a development poses, we expect, will call for the win-win land trade as the only alternative.

Whichever path this issue takes, the Committee, Forest Service, and all those who support protection of the scenic views and rural qualities surrounding Mono Lake will need to stand strong to assure their protection. ❖