

Land Trade Still the Best Option to Stop Lakeside Subdivision

by Geoffrey McQuilkin

Resort home development is currently threatening 120 acres of natural area on Mono Lake's west shore and the federal protections signed into law by Ronald Reagan twenty years ago.

As the new year arrives, the developer is still threatening to construct a 38-home subdivision. A land trade is still the best solution, as it would result in the property going into protected public ownership. Disputes about the value of the land continue to be the main stumbling block to a successful land trade.

Forest Service Makes New Offer

In December the US Forest Service sought to break the logjam by offering to go to court jointly with the developer to seek an independent, third-party valuation of the property. In such an arrangement, the Forest Service would honor whatever dollar value the court sets for the land, and the developer would commit to selling the property at that price. So far, there has been no official response to the offer from the developer.

Mono County in the Crossfire

The out-of-the-area developer, New Cities Land Company, has indicated plans to force Mono County planning officials and supervisors into the hot seat on this issue. New Cities has completed almost all of the paperwork necessary to seek county approval for subdividing the 120-acre parcel.

If New Cities completes the application, it will be asking Mono County to disregard the federal protections that overlay this property and 80,000 other acres surrounding Mono Lake. Allowing a subdivision is an entirely discretionary act for the county, so whether local officials are willing to undermine the Scenic Area remains to be seen.

It is clear that it will be a long, expensive road to any final decision. The Mono Lake Committee anticipates lawsuits under the California Environmental Quality Act at a minimum; with Mono Lake's high level of environmental importance, other legal action is likely as well.

A broad array of questions and problems face the development project should it proceed. Many of the 38 homes proposed for the property will be highly visible from the Scenic Highway corridor. Water supply may be challenging to obtain, and safe waste disposal on the steep site may prove difficult as

well. A perennial stream flows through the property and is thought to provide habitat for the endangered mountain beaver; endangered willow flycatchers may also use the area. Steep slopes raise the question of avalanche hazards.



Property development plans overlaid onto an aerial photo of the site.

The project's cost to Mono County is another issue. While a subdivision would produce new tax revenue, it would also bring new costs for the county to provide services. Perhaps more significantly, a precedent with this project could erode natural area and community protections throughout the county. The construction of so many homes away from existing towns violates Mono County's General Plan direction to "Provide for the

orderly growth of Mono Basin communities in a manner that retains the small town character ... and protects the area's scenic, recreational, and natural resources."

Community Questions

The proposed project also raises major community questions for Mono Basin residents. The proposed homes would almost equal the number of homes in Lee Vining and, if occupied year-round, would increase the area population by an astonishing 20–30%. Questions of community integrity, demand on local services, and growth-inducing impacts are numerous. Additionally, the proposal is simply unfair to residents and business owners who have adapted to live within the Scenic Area guidelines over the past 20 years.

A Top Committee Priority

Whatever the challenges ahead, this issue is a top priority for the Mono Lake Committee. The Committee's goal is to keep the protections established by the Scenic Area 20 years ago in place on the property—meaning subdivision is prohibited. Committee staff are talking frequently with local, state, and nationally elected officials about this issue, working with media to raise public awareness, working with the Forest Service and the landowner to find solutions, and working with attorneys to prepare for the fights that may lie ahead. Committee members will play a critical role as strong public pressure will be the deciding factor in the resolution of this issue. ❖

Geoff McQuilkin is the Committee's Co-Executive Director of Operations. He recently dug a skylight in the cave of snow that currently covers the window to his office.