

Policy updates

by Lisa Cutting

Cunningham attempts to exercise buy back option

In the final hour of the most complicated real estate transaction in the Mono Basin (to date!), Bill Cunningham notified Mammoth Mountain Ski Area (MMSA) that he would be exercising his option to re-purchase the 120-acre parcel that he sold to MMSA in the spring of 2005. Included in the original purchase agreement between MMSA and Cunningham was a one-time buy back clause that gave Cunningham the opportunity to regain ownership of the property by purchasing it back from MMSA.

However, Peter Denniston, representative for MMSA, strongly asserts that the language of the purchase agreement allowed for a one-time buy back option which MMSA reports was already exercised by Cunningham earlier this year. The matter may end up in court. Denniston has told the Committee that MMSA's plans for the Cunningham property remain the same: to use the parcel as part of a land trade with the Forest Service, ensuring the property's long-term protection as part of the Mono Basin National Forest Scenic Area.

Caltrans' guardrail maintenance project completed

Visitors driving on Highway 395 along the west shore of Mono Lake will notice a secure and stable new guardrail system. While the supporting posts are new (metal instead of wood), the guardrail itself has been reused in most areas, maintaining a more weathered appearance as opposed to a bright, shiny new metal look—which can be quite visible throughout the Mono Basin in the sunny days of summer.

Replacing the guardrail on this section of highway was originally a component of the Mono Lake Shoulder Widening Project. The combination of the project remaining on hold since 2004 and the continuing dilapidation of the old guardrail pushed this part of the project to the forefront of Caltrans' work plans since it relates directly to motorist safety. The rest of the original project remains on hold for the time being.

The Committee is continuing to advocate for a more visually acceptable and unique guardrail since this stretch of highway is in the Mono Basin National Forest Scenic Area. As new alternatives are developed and tested by Caltrans—

and State funding for this type of project becomes available—Caltrans has promised that this issue can be revisited.

Inyo National Forest staff changes

Molly Brown, Deputy District Ranger for the Mammoth and Mono Lake Ranger District, has left the Mono Basin and the US Forest Service, to accept a Field Manager position with the Oregon Bureau of Land Management. For the past year, Molly was the acting District Ranger for the Mammoth and Mono Lake Ranger District, while the position was vacant.

Jon Regelbrugge has been selected as the permanent District Ranger for the Mammoth and Mono Lake Ranger District. Jon was previously the Deputy District Ranger for the Mountaintop Ranger District of the San Bernardino National Forest. The majority of Jon's duties have focused on natural resource management, including the management of an extensive fuels reduction and forest health and restoration program aimed at reducing the wildland fire threat to fire-prone communities within the San Bernardino National Forest. Jon's other duties have included the

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Caltrans' guardrail project for motorist safety has been completed without any lake-disturbing activity. The Committee continues to advocate for a more visually appropriate guardrail for this section of Hwy 395 that runs through the Mono Basin National Forest Scenic Area.

management of a wide variety of activities including three ski areas.

The Committee is happy to see the permanent District Ranger position filled, and will continue to urge the Forest Service to fill the Deputy District Ranger position as soon as possible. These positions are crucial for effective protection and management of federal lands at Mono Lake.

Wilderness Land Trust hard at work in the Mono Basin

On October 19, 2006, the Wilderness Land Trust purchased 80 acres within the Granite Mountain Wilderness Study Area (WSA), which is located east of Mono Lake, between Highway 120 East and Highway 167. The parcel consists of sagebrush habitat and migrating sand dunes and is an important part of the Great Basin ecosystem.

At one time this parcel was threatened by the potential development of a geothermal plant as well as an open-pit gold mine. The Trust's acquisition of the 80-acre property will help facilitate the management of the Granite Mountain WSA and will help maintain the unique wilderness values of the area.

The Wilderness Land Trust is familiar with the Mono Basin. Earlier this year, they purchased the 3,700 acre parcel known as Cedar Hill. Development proposals for the property eventually led to a private auction, at which point the Land Trust stepped in to help prevent development. The Wilderness Land Trust purchased the Cedar Hill property and is currently in the process of transferring ownership to the adjacent agency land manager—the Bureau of Land Management—thereby ensuring its protection as wildlife habitat and open space.

The Mono Inn at Mono Lake

The Mono Inn and an adjacent ten acres is currently on the real estate market with an asking price of \$6.7 million. Included in the deal are conceptual plans for an “eco-lodge” consisting of 40 condominium/vacation suites, spa facilities, conference rooms, and staff housing.

While the plans include many desirable green building features (solar power, water recycling, sustainable building materials, and natural vegetation), the conceptual plans exceed development limitations established in the Mono Basin Scenic Area Comprehensive Management Plan. The Plan states that private property owners within the Scenic Area cannot build more than double the square footage of the buildings that existed in 1984—the date when Congress created the Scenic Area. The current conceptual architectural plans propose development at least three times above this limit.

The realtor representing the Mono Inn property is no stranger to Mono Basin Scenic Area properties and the rules and regulations under which they fall. Paul Oster was the listing agent for the Cunningham parcel (see Fall 2006 *Newsletter*). In that transaction he asserted that because the property was zoned “commercial” under the Mono County General Plan, development in excess of the Mono Basin Scenic Area Plan was allowable. Oster claimed, in short, that the county's authority supersedes the federal government's authority. The Committee disagrees with Oster and agrees with Mono County's legal counsel that neither supersedes the other. A developer must obtain approval from both government agencies to proceed.

The Committee is concerned that potential buyers need to fully understand the property's location within the Mono Basin Scenic Area and the development rules that apply to it, so they are prepared to modify the conceptual plans accordingly. Committee staff will continue to work with all parties involved to assure that a fair and thorough discussion occurs on potential projects on this property.

Mono Lake Committee staff travels the conference circuit

Late fall was a busy time for policy staff as back-to-back conferences provided great opportunities to share lessons learned at Mono Lake with others in California and beyond.

Greg Reis, the Committee's

Information Specialist, and Lisa Cutting, the Committee's Eastern Sierra Policy Director, participated in a panel showcasing Mono Lake restoration for the California Society for Ecological Restoration annual conference at UC Santa Barbara in October.

The conference theme “Shovels to Science” was applicable since restoration in the Mono Basin has evolved during the past twelve years, allowing the study and exploration of many scientific questions. In addition to Committee staff, the two-day session included representatives from the State Water Resources Control Board, Los Angeles Department of Water & Power (DWP), the State Water Board-appointed stream scientists, and PRBO Conservation Science.

Next, Geoff McQuilkin, the Committee's Executive Director, and Lisa Cutting attended the Sierra Business Council's annual conference “Whose Sierra Is It? Bridging the Rural / Urban Divide” held in Yosemite Valley. Geoff made a joint presentation with DWP, offering expertise in the area of innovative partnerships by using the Committee's education and restoration partnerships with DWP as a working example.

The Sierra Business Council always hosts a dynamic conference and this year was no exception. Three conference tracks—Water, Infrastructure, and Heritage Economy—allowed participants to focus their energy and talents on not just talking about the challenges that lie ahead, but on beginning regional dialogues with each other, and in some cases taking the first steps towards active solutions.

Then, to round out the fall, in late November Communications Director Arya Degenhardt attended the 11th Annual International Living Lakes Conference at Lake Poyang in China. For more on this conference, please see page 12. ❖

Lisa Cutting is the Committee's Eastern Sierra Policy Director. This year she extended the fly fishing season with a late trip to the San Juan River in New Mexico to fish for huge trout with tiny flies!