

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

AGENDA

THURSDAY, APRIL 14, 2016 – 10 a.m.

Supervisors Chambers, County Courthouse, Bridgeport

*Videoconference: Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at [www.monocounty.ca.gov / boards & commissions / planning commission](http://www.monocounty.ca.gov/boards%20&%20commissions/planning%20commission). For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

**Agenda sequence (see note following agenda).*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT: Opportunity to address the Planning Commission on items not on the agenda

3. MEETING MINUTES: Review and adopt minutes of March 10, 2016 – *p. 1*

4. PUBLIC HEARING

10:10 A.M.

A. CONDITIONAL USE PERMIT/Dublinko. The proposal at 136 Main St. in Bridgeport would: remodel the former gas station (APN 008-102-007) for transient lodging (up to 10 beds); allow retail in the former cashier's space of gas station; reuse garage/shop area as workshop/art studio; and add future mobile food cart with outdoor seating and retail displays. The rear parcel (APN 008-102-011) would be used for vehicle and RV storage. One gas station sign would be revised with new copy, and one smaller sign frame would be removed. Each parcel has land use designation of Commercial. A CEQA exemption is proposed. *Staff: Gerry Le Francois – p. 10*

5. WORKSHOPS

A. Transient Rental Overlay Districts (TRODs). *Staff: Courtney Weiche, Nick Criss, Brent Calloway – p. 23*

B. Sustainable Groundwater Management Act *(continued from March 10, 2016). Staff: Brent Calloway – p. 40*

6. REPORTS:

A. DIRECTOR

B. COMMISSIONERS

7. INFORMATIONAL: No items.

8. ADJOURN to May 12, 2016

More on back...

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Carol Ann Mitchell

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

***NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing, but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission. For inclusion on the e-mail distribution list, send request to cdritter@mono.ca.gov

Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

DRAFT MINUTES

MARCH 10, 2016

COMMISSIONERS: Scott Bush, Chris I. Lizza, Carol Ann Mitchell, Mary Pipersky, Dan Roberts

STAFF: Scott Burns, director; Courtney Weiche, associate planner; Christy Milovich, deputy county counsel; Nick Criss, compliance officer; Gerry Le Francois, principal planner (videoconference); CD Ritter, commission secretary

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Vice-Chair Chris Lizza called the meeting to order at 10:05 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.

2. PUBLIC COMMENT: No items.

3. MEETING MINUTES:

MOTION: Adopt minutes of Dec. 10, 2015, as submitted. *(Mitchell/Pipersky. Ayes: 5-0.)*

MOTION: Adopt minutes of Feb. 11, 2016, as submitted. *(Pipersky/Mitchell. Ayes: 5-0.)* Hats off to CD for minutes of joint BOS/PC workshop. Christy Milovich will assist PC with legal advice.

4. ELECTION OF CHAIR & VICE CHAIR: Nomination of Chris Lizza as chair *(Pipersky/Mitchell. Ayes: 4-0.)* Nomination of Dan Roberts as vice-chair *(Bush/Pipersky. Ayes: 4-0.)* Lizza passed gavel to Roberts.

5. PUBLIC HEARING: No items

6. WORKSHOPS

A. Transient Rental Overlay Districts (TRODs). *Staff: Courtney Weiche & Nick Criss*

Courtney Weiche presented a PowerPoint addressing concerns, issues from the public, and potential changes to Ch. 25-26. Will direct staff to make changes to take to BOS, then to RPACs that requested, and eventually General Plan Amendment.

June Lake has 822 units, 530 vacant year round, 487 vacant seasonally.

Ch. 25 "intent" to be revisited (Pipersky request). Staff will take all comments into consideration, have dialog. Bush stated that definition almost kills whole idea with "exhibiting support" not defined; it's self-defeating. Maybe remove. Same argument arises over and over again.

Roberts noticed "enhance tourism industry with wider variety of lodging options" is omitted; add it. Burns indicated Ch. 26 mentions lodging for visitors.

Lizza mentioned the economic argument: TOT collection and financial gain for owner. Data on property valuations since TRODs have been allowed would be helpful. No decline occurred elsewhere. Overall, [TRODs] improve property value. Other social implications: alternatives for lodging, occupying empty spaces. List concerns so as to not negatively impact workforce housing market. List of benefits/concerns.

Bush reminded that TRODs opened up market for prospective buyers who couldn't afford to live here all the time. Common-sense, logical benefit.

Roberts mentioned social value – improving community vitality sans empty houses.

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Carol Ann Mitchell

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Criss asked if that meant moving away from neighborhood support? Bush wondered if staff was looking for reason to shut down.

Weiche clarified the objective is to modify Ch. 25 to potentially help with issues raised and incorporate suggestions received. Ch. 25 would be better based on input over years.

Bush recalled some neighborhoods wanted all TRODs to go away. Longer it goes, the more negative it seems. Only control is by compliance officer.

Criss contended that rentals are here to stay, legally or illegally. Figure out how to make Ch. 25 work. Can't enforce way out of problem. Tackle it to refine process, or abandon it altogether.

Weiche stated that alternatives to how and where TRODs should be placed would need feedback.

Use permit

Bush wonder if switch to Use Permit (UP) with public hearing. When done, does it make more sense to do it or not. If just try to limit, people still upset.

Roberts thought UP would be going backward, as TRODs would go only to PC. He saw enforcement primarily involving illegals.

Pipersky asked if [nightly rentals] were an unstoppable force due to Airbnb, etc. Lizza stated trend is out there, trying to address it.

Weiche mentioned owner-occupied vs. non-owner-occupied, which are treated the same now. Owner-occupied maybe create less impact? Bush saw a difference if owner lives there. Weiche stated the idea is to prove someone lives on site. Rent to only one party at a time.

Commission consensus: Open that up.

Neighborhood

Weiche stated "neighborhood" is most difficult to identify, define. Bush asked why it's even in there. Weiche recalled group of homeowners wanted it. District/area/zone that allows TRODs: Street? Subdivision? Entire town? Chinatown is a neighborhood in a city. Really defined by its people who define neighborhood. 1) keep as is; 2) agree on clear definition; or 3) draw specific boundaries (based on community input and defined attributes *(not favored by staff)*).

Pipersky asked if complaints help define neighborhood. Effect of overnight rental on noise level?

Bush stated could limit a lot by street situation (width, safety, etc.). Limiting areas/property to meet certain criteria such as safety.

Lizza wanted to eliminate concept of district and talk of residence instead. One parcel/each block, less impact. Bush suggested first-come, first-served basis. Lizza thought if area already has a TROD, can't do it.

Roberts recalled rationale for Planning Commission is limit of four GPAs/year. Weiche suggested working around that, make it next year.

Bush thought maybe a sign-up period, like health insurance.

Roberts suggested field trip to see how far away complainants were, how they would be affected.

Weiche asked if potential change to Ch. 25 would be to remove "districts." Bush recalled people were afraid of sprawl, blight.

Noticing

Criss thought 300' noticing buffer could go out to 500' or 1,000'. Suggested neighbor support, not neighborhood support.

Weiche suggested 20 days noticing within 500' (State requires 300') to flush out issues in advance of public hearing.

Criss asked about spatial distance. Hard to define a "block." Impacts to surrounding houses? Let percentage of vacant houses apply; once gone, gone. Bush confirmed allowing only so many.

Roberts asked if not encouraging district. Bush wanted to get everybody for support, consensus. Longer it goes, more negative it gets. BOS is paying attention. It's going to happen, so control it.

Weiche stated people can't even apply unless meet minimum standards: adequacy of roads. TROD only in summer months if snow removal is an issue. Maybe add County-maintained roads?

Lizza wanted no impacts that change residential character. Bush suggested one at a time unless whole community wants it. Even if all OK with it, maybe not all would do it, so keep revisiting.

Land Use designation

Criss noted that TROD requires GPA. Could apply for different land use designation. Bush suggested adding land use area called TROD, like equestrian overlay. Weiche: SFR-TR?

Weiche described exclusionary land use designation. Prohibit TRODs in certain locations. Lizza wanted exclusion based on overall impacts, public safety.

Time limit

Weiche asked about capping maximum days/year. Hard to enforce, people not stick to cap, just get the money. Maybe holidays.

Pipersky asked about a way for owners to have countdown on software. Post on license. Weiche stated Airbnb advertises in illegal jurisdictions.

Weiche suggested maximum percentage per community/area/street/etc. of vacant units available.

Bush asked if a TROD is on property forever. Criss stated TROD is land use change. Weiche confirmed TRODs in perpetuity, ongoing unless violations exist.

Bush asked about a sunset law. County cites violations, so would not renew. Reapply after a year and do what supposed to do.

Criss reminded local property management is required. Lizza thought jeopardizing property manager's biz license would be incentive to stay legal.

Weiche cited current GPA as highest-level permit. Maybe periodic compliance review. Weiche noted TROD already has gone through PC and BOS. Vacation home rental permit is ministerial, so does not go back to PC. Could review every two years and, if complied, renew.

Lizza thought it too hard to define neighborhood. Urged case by case. If no problems with one guy, next door or across street could do it if no limit was imposed on TRODs.

Max days, max units

Bush suggested limiting geographically inappropriate areas.

Weiche stated if subject to UP, could condition it, draw lines/boundaries/neighborhoods. UP is lower bar than GPA. Alternative is current process but concurrently apply for UP.

Bush wanted to make it equitable so everyone could get what they need.

SUMMARY

Pipersky: Suggested Ch. 25 intent: Trend, impact on workforce housing. Purpose: Regulated in order to protect general welfare, safety, quiet enjoyment. More conversation on owner-occupied. Consider time restriction; e.g., one week. Establish minimum times to limit turnover.

Burns realized issue was not likely to be resolved in 45 days. If PC has no recommendation today, continue next month.

Why not go to RPACs first instead of to top? Burns indicated RPACs would need proposed language from PC and BOS.

Bush: Maintain residential character and public safety.

Lizza: Economics is up to property owner, not PC. Recognize trend, provide means into legal regime to engage in activity. Ch. 26 intent: Preserve residential characteristics/qualities of community. Get away from neighborhoods and districts. Case-by-case consideration. Distinguish owner vs. non-owner. Neighbor support (individual), not neighborhood. Support from adjacent neighbors, people impacted. Burns recalled neighborhood support was key provision initially, the standard.

Bush suggested exhibiting "general" support. Focus on area instead of neighborhood.

Burns noted focus really on "intent." If UP, add neighbor support. Finding level, not overall intent. Weiche thought special consideration for property owners within certain distance (defined area).

Bush saw it as setting up neighbor vs. neighbor.

Burns: Indicated moratorium would extend regardless.

If no district, then UP for all residential areas. Opened door to looser permit. Policies in area plan; i.e., prohibit areas with steep slopes, inadequate access. Mapping areas could take months at RPACs. Keep at GPA level. Struggle with condition. Can't do at GP level, but could with UP. "District" not include "condition." Support for the use.

Weiche summary: Owner-occupied rental of room by UP. Entire homes stick with GPA process. Not encourage districts, go single parcel. Fear of forever permit. Bush wants two-year review. Define "neighbor" or "neighbor support." Minimum infrastructure standards. Vacation home rental permit to be seasonal.

Expand notice from 10 to 20 days, 500' with possible expansion. Renewal possibility. Look at fees. Minimum rental limits.

B. Sustainable Groundwater Management Act. *Staff: Brent Calloway (continued to April 14, 2016)*

6. REPORTS:

A. DIRECTOR: 1) Specific Plan (SP) area: Convert to TRODs at June Lake Highlands. Le Francois: George Larson owns eight to nine lots in question. New owner interested. Burns: Moratorium does not apply to specific plans. Go with SP amendment. 2) SMARA: Criss attended conference where went through Mono County files. Mono objected, so State stopped/reconfigured program. Mono in good position, found in compliance. Enforcement issue on Standard Industrial Minerals. Abandoned two mine sites, got rid of financial assurances, sold off equipment. Levied \$1 million judgment, liens on property. Hopefully sizable sum to do reclamation work. 3) National award: Sage grouse conservation USFS/BLM in Pittsburgh, PA. BOS authorized Wendy Sugimura to attend.

B. COMMISSIONERS: None

7. INFORMATIONAL: No items.

8. ADJOURN at 1:05 p.m. to April 14, 2016

Prepared by CD Ritter, commission secretary

CORRESPONDENCE RECEIVED FOR MEETING

CD Ritter

RECEIVED⁵

MAR 10 2016

MONO COUNTY
Community Development

From: Malone, Jill <JMalone@miracosta.edu>
Sent: Wednesday, March 09, 2016 9:19 PM
To: CD Ritter; Scott Burns
Cc: Larry Johnston; Fred Stump; Tim Fesko; Tim Alpers; Stacy Corless
Subject: Planning Commission Meeting re: TROD

Good evening, Scott and CD. We (Rod Goodson and Jill Malone) thank you for your assistance as we strive to maintain the integrity and character of our neighborhood in June Lake. We respectfully request that you include this email in your communication with the Planning Commission at their meeting tomorrow, Thursday, March 10, regarding the inappropriateness of TRODs in the Clark Tract of June Lake. Unfortunately we are not able to attend tomorrow's meeting in Bridgeport and trust you will forward the following message to the Commission on our behalf:

To: The Members of the Mono County Planning Commission

From: Rod Goodson and Jill Malone, 100 Mountain View Lane, Clark Tract, June Lake

Date: March 9, 2016

Re: Inappropriateness of a TROD in the Clark Tract of June Lake

Dear members of the Mono County Planning Commission:

Thank you for taking the time to listen to our concerns. We are writing to voice our strong opposition to any type of TROD in the Clark Tract of June Lake.

As mentioned by other well-respected members of the Clark Tract neighborhood, the concept of "grandfathering" into a TROD system certain homes with "mother-in-law" units is diametrically opposed to the idea of Single Family Residential zoning. The homes in the Clark Tract were purchased and/or built with the full knowledge of their owners that they were building/buying in a Single Family Residential zone. As such, these owners knew full well when they built their homes that renting it, or any part of it, for less than 30 days was illegal. For these owners to attempt to negatively impact the neighborhood by requesting a harmful change to this important SFR zoning law is both disingenuous and deceitful.

The members of the Clark Tract community have made it abundantly clear, over and over again, the importance of upholding this Single Family Residential zoning law – a law that does not allow short-term rentals of any kind, with no exceptions for granny flats, mother-in-law units, or other ancillary edifices. As the Biedermans correctly pointed out, whether an owner is on site or not does not change the fact that a "hotel" would be located in a residential neighborhood if a TROD were permitted.

We ask the Commission to respect the rights of the tax-paying homeowners of this neighborhood and continue to prohibit all TRODs in any form within the Clark Tract. To this end, we respectfully request that the Commission add language to the TROD program to eliminate the Clark Tract from application for **any** transient rentals now and in the future. Thank you.

Best regards,

Rod Goodson and Jill Malone

100 Mountain View Lane
June Lake, CA 93529

Jill Malone

3/9/2016

Mono County Planning Commission
PO Box 347
Mammoth Lakes, CA 93546

RECEIVED⁶
MAR 10 2016
MONO COUNTY
Community Development

Dear Commissioners,

It is my understanding that you have another workshop on the TROD program as an agenda item for your meeting on tomorrow (March 10), and that the Mono County staff will be bringing suggestions for possible program changes for you to consider.

The issue of the TROD in the Clark Tract of June Lake, where I reside full time, is very important to me. Although I will be unable to attend your meeting, I would like to reach out, once again, with some of my feelings on the subject for you to also consider. I was able to listen to the end of your last workshop meeting via online streaming, which I appreciated very much. Thank you.

I, and most of my neighbors, would like to see new TROD applications completely eliminated from the Clark Tract. You have heard our reasons over and over, but I would like to emphasize that I think the tract should be permanently removed as an available area for transient rentals.

Our roads and lack of any care of our roads by the county is a major point of contention, and one that I think you well understand. I think it is a valid concern, and I am completely certain that any TOT generated from this area would never go toward any road maintenance, improvements, or snow plowing.

I also agree strongly with a point, made at your last TROD workshop, that to overlay zoning changes in order to allow such rentals is a form of betrayal by the county. Such an act alters the environment "promised" to us when we bought and/or built in this tract, which is zoned as residential. My husband and I specifically wanted to build down canyon because we did not want the activity and hubbub you get in an area such as the Village.

Thank you for being sensitive to these, and the many other issues that have been presented to you in opposition to TROD in the Clark Tract, when you consider how to move forward with this program.

Ann Tozier
302 W. Steelhead Rd.
June Lake
anntozier@gmail.com

CD Ritter

From: Lynda Biederman <lgbiederman@yahoo.com>
Sent: Wednesday, March 09, 2016 3:27 PM
To: CD Ritter; Scott Burns
Cc: Fred Stump; Tim Alpers; Stacy Corless; Tim Fesko; Larry Johnston
Subject: Planning Commission Meeting Re: TROD

RECEIVED
 MAR 10 2016
 MONO COUNTY
 Community Development

Hi CD - Could you please forward the following e-mail to the Planning Commission and Courtney for the Planning Commission Meeting tomorrow regarding the TRODs? Thanks.

To the Planning Commission:

Thank you for taking the time to re-examine the TROD system. Unfortunately we cannot attend tomorrow's meeting. We have already sent multiple e-mails and given public comments regarding this issue, so we will not repeat that information here. Please review our previous correspondence and comments against allowing TROD's within our residential neighborhoods.

After reviewing the minutes and suggestions from the workshop with the County Supervisors we wished to make one further point. The idea was brought up to "grandfather" the homes with "mother-in-law" units into the TROD system. This goes against the entire idea of Single Family Residential zoning. These homes were purchased/built with **full knowledge** that they were located in an SFR zoned tract. These units are far better suited to work-force housing (of which there is a severe shortage) than TROD hotels. Whether an owner is present or not does not change the fact that a "hotel" is located in a residential neighborhood.

Again, zoning is a contract between the county and the homeowner. Please respect the zoning of our neighborhoods and honor the contract. Thus, we also respectfully request that you add verbage to the TROD program to eliminate the Clark Tract from application for any transient rentals.

Sincerely,
 Ross and Lynda Biederman
 140 Wyoming Street
 June Lake
 (760) 648-1017

CD Ritter

RECEIVED
MAR 10 2016 8

MONO COUNTY
Community Development

From: dlindsay@juno.com
Sent: Wednesday, March 09, 2016 7:39 PM
To: Larry Johnston; Fred Stump; Tim Fesko; Tim Alpers; Stacy Corless; Bob Musil; Scott Burns
Cc: CD Ritter; lgbiederman@yahoo.com; rebjl1@yahoo.com; HeinrichsFour@aol.com
Subject: Fw: TROD on Nevada Street
Attachments: NevadaTransientOverlay.doc

Hi Scott

This is just an update to my concerns. Why do all these major issues happen in the winter? It does NOT look good for the County or the Planning Dept. If there are going to be changes It must happen when most people are here. Think about what happen in Mammoth with the TROD. If you all want to keep your jobs rethink what you are doing. The national politics can give you some in site. The approval of politicians is very low. When you change things and most people do NOT know what happened. That is a very bad thing today. The public will not take it any more. I my mind it is obvious the common sense is the right option. I have NOT seen much of that lately.

Dennis Lindsay

Please note: forwarded message attached

From: "dlindsay@juno.com" <dlindsay@juno.com>

To:

LJohnston@mono.ca.gov, fstump@mono.ca.gov, tfesko@mono.ca.gov, talpers@mono.ca.gov, scorless@mono.ca.gov, bmusil@mono.ca.gov

Cc: lgbiederman@yahoo.com

Subject: TROD on Nevada Street

Date: Sat, 5 Dec 2015 02:03:58 GMT

Mono County Supervisors

I am sending this email with hopes that you understand the TROD an unacceptable idea. Most people that live here do NOT want it.

There are a lot of part time residents that are on the fence about this issue. It is not fair for part time residents that are not here year around to make decisions about what the residents that do live here year around have to put up with. These people purchased their properties knowing full well they are in a R1 zone. If they know the rules for the property going in they should observe those rules. Why should residents that live here full time have live with the part time resident's poor decisions?

I am attaching the letter I sent to the planning commission that was NOT considered. This is a very negative thing to do and there is NO net gain to the county and is a detriment to our properties and our community. Please read my letter

Dennis Lindsay

Nov 6, 2015

RECEIVED 9
MAR 10 2016
MONO COUNTY
Community Development

Mono County Planning Division
Courtney Weiche
PO Box 347
Mammoth Lakes, CA 93546

RE: Transient Rental Overlay Districts

Gentlemen:

I am a homeowner in the Clark Tract and have concerns about any TROD in the Clark Tract. I have been the victim of illegal renting in the area for years with noise and property damage. The people applying for this TROD always try to pass this through in October because most of the part time homeowners are not in town and they hope to sneak it through. This is not right, nor fair to the homeowners that bought or built their homes thinking they are in a Single Family Home location and now they are in the middle of the Hotel District. Their property values are going down and that is a loss to the homeowners and the county over time. All the issues we had with the last request are the same, i.e., the private roads cannot handle the traffic, and there is NO snow removal. Is the county going to assume the legal liability? This will be very bad for the County and the homeowners. There will be NO net gain to the County in TOT Tax because they will be taking business from our local hotels and motels. The other issue is will they pay the TOT Tax? How does the county enforce this? Any cost for enforcement will be greater than any gain. It is much better to trust our local businesses than to try to collect from private owners. To net it out the local homeowners have to put up with part time renters and the County does not gain anything but liability. Why would we want to do this?

Yours truly,

Dennis E. Lindsay
5424 Boulder Drive (Hwy 158)
June Lake, CA 93529

**Mono County
Community Development Department
Planning Division**

PO Box 347
Mammoth Lakes, CA 93546
760-924-1800, fax 924-1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760-932-5420, fax 932-5431
www.monocounty.ca.gov

April 14, 2016

To: Mono County Planning Commission
From: Gerry Le Francois, Principal Planner
Re: Use Permit 16-002/Dublino

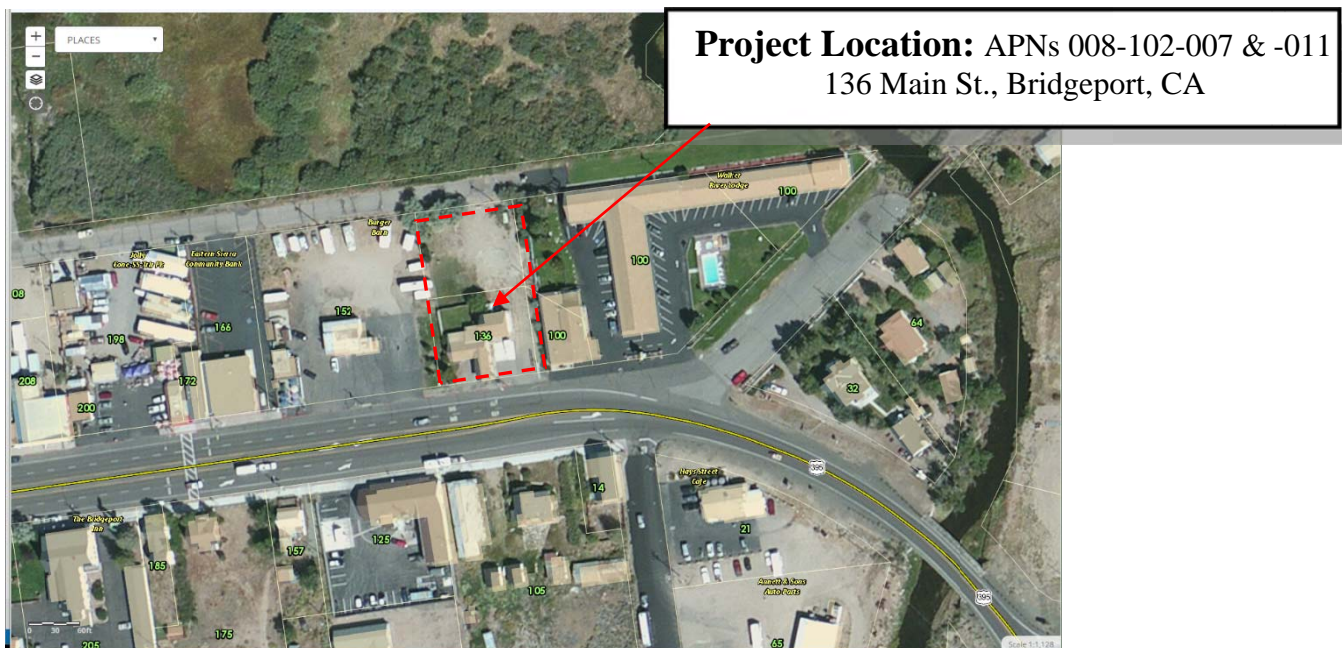
RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 16-002 subject to Conditions of Approval.

PROJECT

The proposal at 136 Main St. in Bridgeport would remodel the former gas station (APN 008-102-007) for transient lodging (up to 10 beds), allow retail in the former cashier's space of gas station, reuse garage/shop area as workshop/art studio, and add future mobile food cart with outdoor seating and retail displays. The rear parcel (APN 008-102-011) would be used for vehicle and RV storage. One gas station sign would be revised with new copy, and one smaller sign frame would be removed. Each parcel has land use designation of Commercial.



The improvements and proposed uses are tentatively planned over time. For 2016, the applicant may:

- Repair/replace roof and electrical systems as necessary;
- Erect/replace Sign 1 as described in sign plan;
- Open residential unit to transient lodging (less than 30 days) for 10 beds maximum; and
- Improve the rear parcel area as necessary (fencing, grading) for recreational vehicle storage.

In 2016 or 2017, the applicant may:

- Open a small retail space in the former gas station cashier's area and turn the former garage bays into a private workshop with outside retail displays.

For 2017 or 2018, the applicant may:

- Repair and open the public restrooms;
- Open mobile food; and
- Develop outside seating area as necessary (seating will be limited due to parking).

The proposed location is occupied by the former gas station with a lot area of approximately 11,325 square feet. No change to the existing building footprint is anticipated at this time. This building is where the transient lodging, retail space, private workshop, restrooms, and future food cart would be located.

The rear parcel is also approximately 11,325 square feet without any structures. This area would be for RV storage and additional parking under the provision of Chapter 6, section 06.060 regarding off-site parking.

Figure 1 - Historic Uses

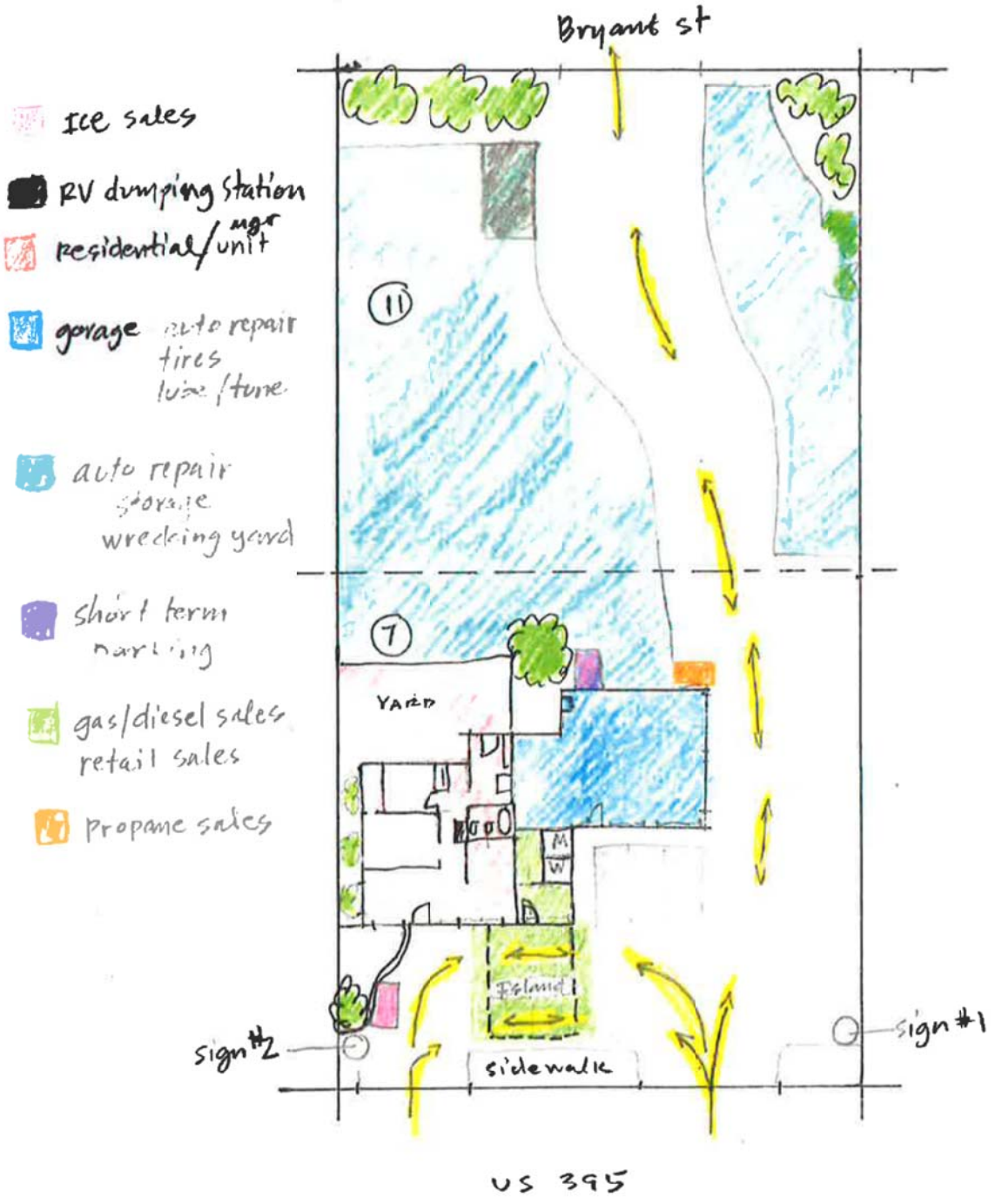
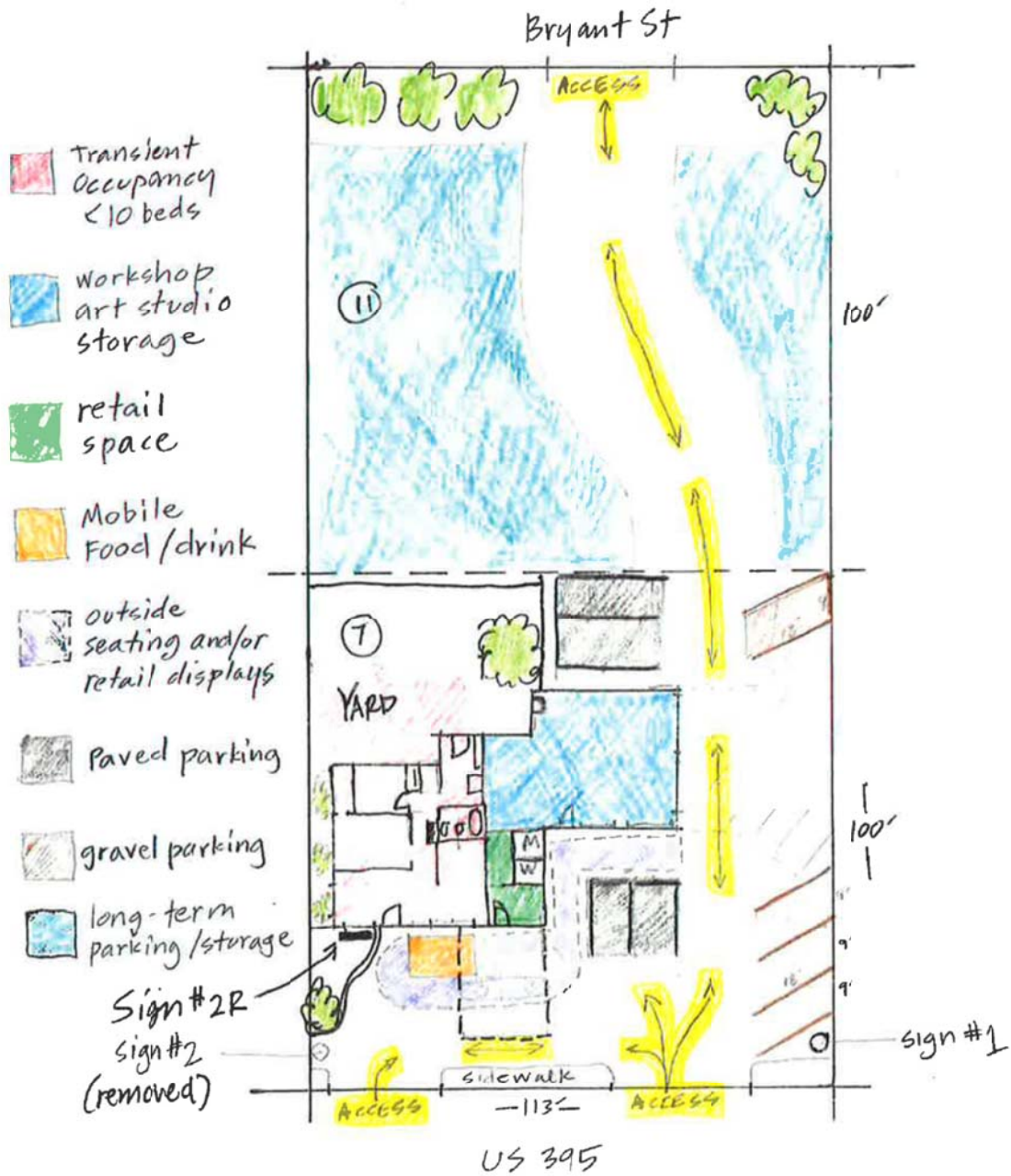


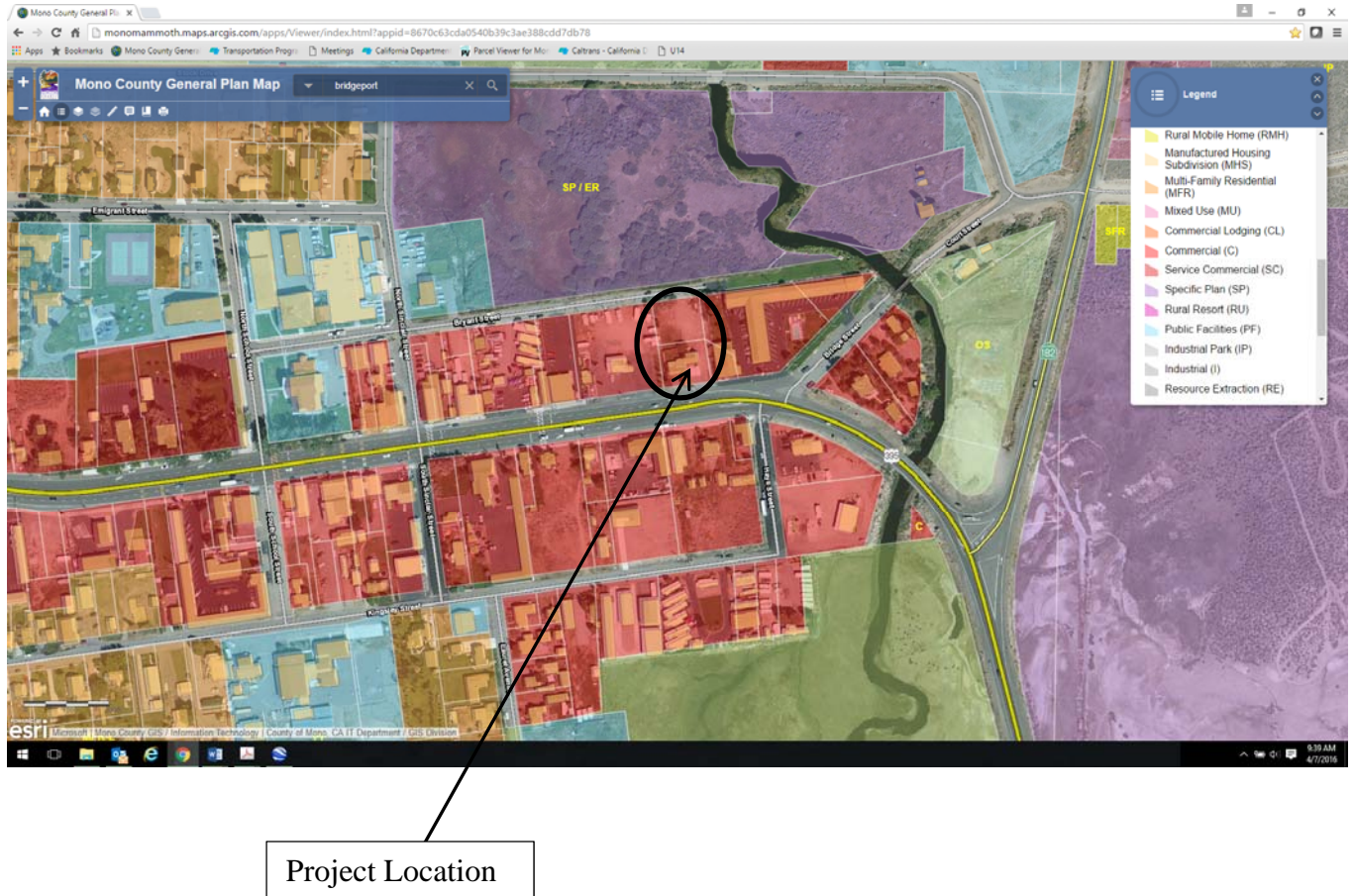
Figure 2 Proposed Uses



PROJECT SETTING

The existing building is located at 136 Main St., Bridgeport. The prior use was primarily a gas station. The project area is part of the commercial core for Bridgeport. The area has a mix of developed commercial uses along Main Street. Adjacent to the proposed project is the Walker River Lodge to the east, and the Old Bridgeport/Bodie Trading Post.

FIGURE 3: LAND USE DESIGNATION MAP



DISCUSSION

The following discusses major components of the proposal and reviews their conformity with General Plan and Planning Commission requirements.

SIGNAGE

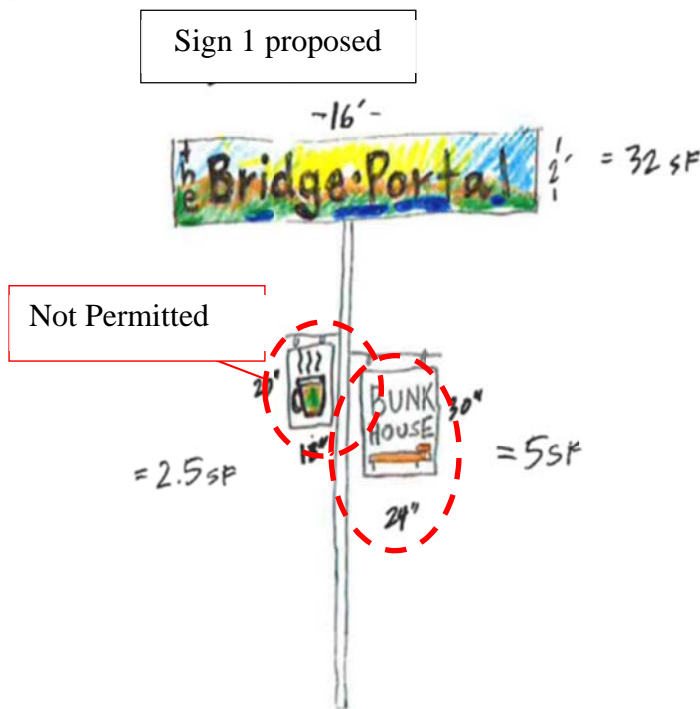
Chapter 7 of the Mono County General Plan (MCGP) regulates current and proposed signs. Two signs are proposed for the project, and one freestanding sign will be removed. The first would fit into the former frame of the gas station sign. The freestanding sign is located on US 395 by eastern driveway entrance.

The sign area covers a total of 39.5 square feet. The maximum allowance for a freestanding sign for this parcel is 37.6 square feet or 1.8 square feet over what is allowed in the General Plan if this was a new sign.

This existing freestanding sign is subject to the following provisions of MCGP 07.070:

Nonconforming signs are those that were in existence at the time of adoption of land development regulations that do not conform to the provisions of this chapter. Such signs may be continued as follows:

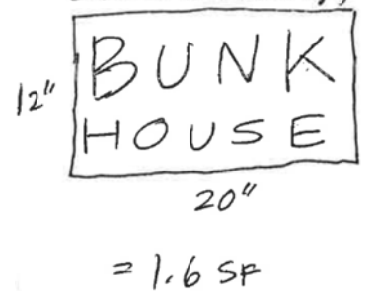
- A. Expansion. A nonconforming sign may not be increased in area or lighting intensity or moved from its location after the effective date of this chapter.
- B. Sign Copy. The advertising copy on a nonconforming sign may be changed except as provided by subsection A, expansion of nonconforming signs, of this section.



While the main portion of this sign, Bridge Portal sign, is permitted under a change of copy, the Bunk House and Coffee Cup Symbol (20" x 18") do not appear to be allowable under provision 07.070, as they exceed maximum sign area for a freestanding sign.

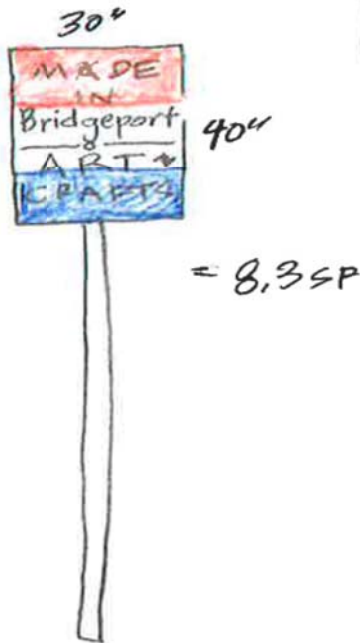
For all signs, colors should relate to and complement the materials or paint scheme of the buildings, including accenting highlights and trim colors. The number of colors on any sign should be limited to three.

Sign 2: Must comply with MCGP section 07.020 K



Sign 1: existing frame

Sign 3 to be removed



One prior freestanding sign at approximately 8.3 square feet is to be removed.

Planning Commission action

The Commission will need to finalize the allowable change of copy to freestanding sign (sign #1 Bridge Portal). Under the Nonconforming Sign section (7.070 A and B), Expansion - A nonconforming sign may not be increased in area or lighting intensity or moved from its location after the effective date of this chapter and B Sign Copy - The advertising copy on a nonconforming sign may be changed except as provided by subsection A.

This seems to run counter to the fact that only one freestanding sign is permitted per parcel under section 07.030 B - Freestanding and Monument Signs: One freestanding or monument sign permitted for parcels with a minimum of 100 feet of street frontage.

PARKING REQUIREMENTS

Eight parking spaces are proposed for the project. Uncovered parking spaces at elevations below 7,000 feet shall be 9' wide x 18' long, and a handicapped parking space, if required, shall be 14' wide x 20' long (allowing for a 5' loading area).

Table 06.010 Required number of parking spaces

Use	Standard	Provided for Bridge Portal project
Bed-and-Breakfast Establishments	In MFR-H, CL or C land use designations, same as Commercial Lodging.	10 beds = 10 spaces (note these are not individual rooms, but beds only), plus one space for an employee (11).
Commercial Lodging	One space per sleeping room plus one space for each two employees on largest shift.	One employee space (accounted for above)
Workshop/Art Studio	Other	The public is not intended to use this space, but it provides workspace and storage for the other uses on site (0)
General Retail, Services & Offices	One space for each 200 sq. ft. of gross leasable floor area. No fewer than two spaces.	Retail use = 2 spaces (2)

Restaurants, Bars & Food Carts	One space for each three seats plus one space for each employee on largest shift.	One minimum for the food cart, plus one space for each three seats (future need of four required once cart is in place and operating).
Other	For any uses not specifically mentioned herein, the Commission shall determine the number or amount of parking required.	Determination of number of spaces for up to 10 beds
	Total spaces needed	13 spaces needed or may be reduced due to commission determination that the 10 spaces needed is a room versus a bed standard. Once the food cart is established, additional parking shall be required.

Planning Commission Action

The Commission will need to finalize the total number of spaces needed for the project. Specifically, the MCGP does not list mandated parking spaces on a per-bed basis. Staff took the conservative approach and set the maximum number of spaces for the bunk house based on rooms, not beds.

GENERAL PLAN CONSISTENCY

As noted above, the General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas....” Permitted uses subject to a use permit under the Commercial land use designation include retail trade, services, and business services. The project complies with the Commercial Designation, and the following Land Use Element Policies:

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective 1.E. Provide for commercial development to serve both residents and visitors.

Policy 1.E.1. Concentrate commercial development within existing communities.

Action 1.E.1.a. Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 1.E.2. Commercial uses should be developed in a compact manner; commercial core areas should be established/retained in each community area, and revitalized where applicable.

Action 1.E.2.a. Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

MONO COUNTY LAND USE ELEMENT, Bridgeport Area Plan

Objective 7.D. Preserve Bridgeport’s historic significance and economic base.

Policy 7.D.2. Develop plans for Main Street Revitalization in Bridgeport, including traffic calming, pedestrian safety and other enhancements to encourage exploration of the town and surrounding area.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC considered the project on March 7, 2016, as a conditional application acceptance by Environmental Health, Public Works, and the Planning Division.

ENVIRONMENTAL REVIEW

The project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3 (CEQA Guidelines, 15303). CEQA identifies this as a Class 3 – Conversion of Small Structure exemption. A Class 3 exemption consists of construction and location of limited number of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing - Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
 - a) Retail trade and services are listed as a Permitted Use, subject to Use Permit within the Commercial designation;
 - b) Adequate site area exists for the proposed uses and remodeling of former gas station building;
 - c) Parking is sufficient for retail, lodging uses, workshop/art studio, employees, customers, and deliveries;
 - d) The location of the proposed project is consistent with the Bridgeport Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core Bridgeport;
 - e) With conditions, the parking plan and sign plan will conform to all requirement of the General Plan;
 - f) Signage is required to comply with Chapter 7 Signs; and
 - g) The required landscaping plan is provided in attachment 1.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
 - a) The parcel is accessed by Hwy. 395 with additional access/egress to Bryant Street and is adequate for the kind of traffic generated by the proposed use. Parking is sufficient for employees, customers, and deliveries; and
 - b) The proposed uses are not expected to generate significant amounts of traffic to alter existing circulation patterns, and the location of the project along Main Street should encourage pedestrian/bicycle use for visitors already in town.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
 - a) The proposed uses are not expected to cause significant environmental impacts. The modifications are to existing building and disturbed areas. The property has a commercial designation appropriate for these uses;

- b) Use permit conditions propose that the project will comply with all Bridgeport PUD and Bridgeport FPD requirement; and
- c) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public with opportunity to comment on the proposal, and no comments have been received in opposition to the project.

4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*

- a) The commercial land use designation provides for commercial uses such as retail trade, services, and business services; and
- b) The project is located within the Bridgeport commercial area. The Bridgeport Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project provides for additional retail and encourages well-rounded economy by providing additional commercial options within Bridgeport.

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 16-002

APPLICANT: Tony Dublino

ASSESSOR PARCEL NUMBERS: 008-102-007 & -011

PROJECT TITLE: Dublino Use Permit

PROJECT LOCATION: The project is located at 136 Main St., Bridgeport, CA

On April 14, 2016, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 16-002, Dublino, subject to the following conditions, at the conclusion of the appeal period.

CONDITIONS OF APPROVAL

See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHELD AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

DATE OF DECISION/USE PERMIT APPROVAL:
EFFECTIVE DATE USE PERMIT

April 14, 2016
April 25, 2016

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the date of approval unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

MONO COUNTY PLANNING COMMISSION

DATED: _____

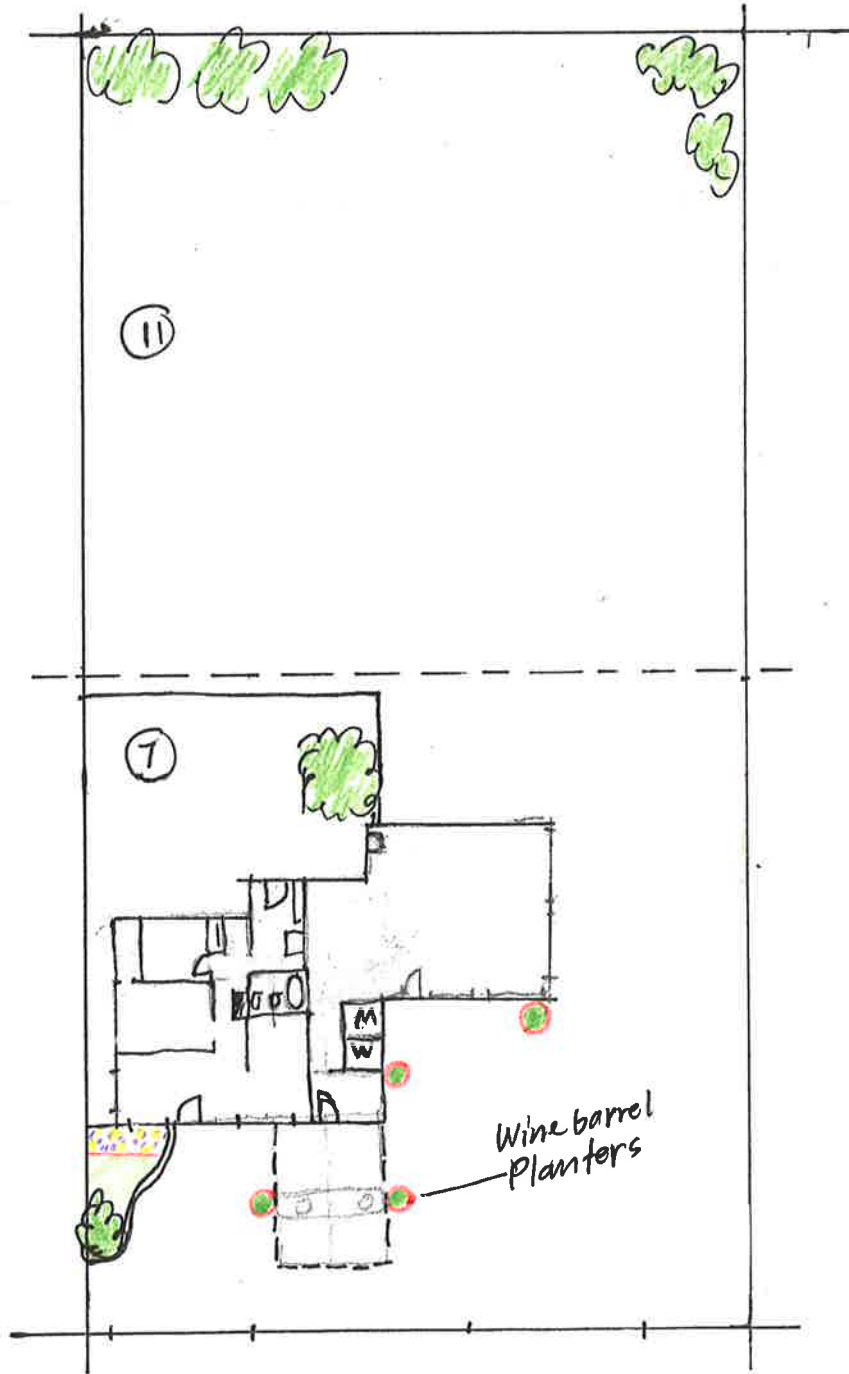
cc: Applicant
 Public Works
 Building
 Compliance

Conditions of Approval: Use Permit 16-002/Dublino

- 1) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) The project shall be in substantial compliance with the site plan as shown on Figure 2 in the staff report and generally follow the proposed phasing plan. Significant deviation from the phasing plan shall be approved by the Community Development Department.
- 3) Project shall include 13 parking spaces (Chapter 6, Parking Standards or amended by the Planning Commission) as discussed in the staff report. When the food cart is in operation, the required parking shall be provided according to Chapter 6. A final parking site plan shall be submitted.
- 4) The applicant shall obtain or update encroachment permit as may be required from Caltrans and or from Mono County Public Works for access.
- 5) All signs shall be in conformance with the Chapter 7 Signs of the Mono County General Plan. The smaller freestanding (sign #3) shall be removed.
- 6) The project shall comply with the Landscaping Plan, Attachment 1, and will include future annuals and/or perennials and maintain the existing trees on parcel 008-102-007.
- 7) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations. Any sign lighting shall comply with Chapter 7.
- 8) Project is required to comply with any requirements of the Bridgeport Fire Protection District (FPD). The applicant shall provide a “will serve” letter from the Bridgeport FPD indicating it will provide service to the project.
- 9) Project is required to comply with any requirements of the Bridgeport Public Utility District (PUD). The applicant shall provide a “will serve” letter from the Bridgeport PUD.
- 10) Project shall comply with all Mono County Building Division and Environmental Health requirements.
- 11) Applicant shall obtain necessary business licenses.
- 12) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

Attachment 1 - Landscaping
1) Planters (wine barrels to include future annuals and/or perennials)
2) Established vegetation along Bryant Street to remain
3) The two existing trees on parcel 008.102.007 will remain.

Landscaping Proposed



Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
www.monocounty.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

April 14, 2016

To: Planning Commission

From: Courtney Weiche, Associate Planner
Brent Calloway, Associate Analyst
Nick Criss, Compliance Officer
Scott Burns, Director

Re: Transient Rental Overlay District Workshop

Recommendation

Review and provide direction to staff on recommended revisions to Chapters 25 and 26.

Discussion

At the Planning Commission workshop held March 10, 2016, a number of possible revisions to Chapters 25 and 26 were presented and discussed. The Commission gave staff direction to make appropriate modifications to the chapters. Proposed changes include distinguishing between owner-occupied vs. non-owner occupied rentals, expanding notification requirements, and clarifying the intent. A revised Ch. 25 is included as an attachment for review.

Possible additions to Ch. 26 suggesting periodic review and/or annual fee will also be discussed.

Please contact Courtney Weiche at 760-924-1803 or Scott Burns at 760-924-1807 with questions concerning the workshop.

Attachments

- Ch. 25, 26
- Ch. 25 draft changes

*DISCUSSION DRAFT***DEVELOPMENT STANDARDS****CHAPTER 25 – TRANSIENT RENTAL OVERLAY****Sections:**

25.010	Intent.
25.020	Establishment of Type I Vacation Rental: Owner-Occupied.
25.030	Establishment of Type II Vacation Rental: Not Owner-Occupied.
25.040	Notice requirements.
25.050	Uses permitted subject to use permit.
25.060	Uses permitted.
25.070	Uses permitted subject to director review.
25.080	Uses permitted subject to use permit.
25.090	Multiple parcel application.
25.100	Additional requirements.

25.010 Intent.

Recognize the demand for diverse lodging options for visitors and allow transient rentals to be within residential areas that exhibit neighbor support for allowing transient rentals that can demonstrate adequate year-round access.

25.020 Establishment of Type I Vacation Rental: Owner-Occupied

Type I vacation rentals are owner-occupied or associated with an owner-occupied principal residence. This includes rental of an entire dwelling unit or if only part of the unit, include at a minimum a sleeping room (with shared full bathroom), is limited to a single party of individuals, and the owner is present during the rental. The transient rental use may be permitted on any residential parcel and having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to Use Permit approval and meet either of the following requirements:

25.030 Establishment of Type II Vacation Rental: Not Owner-Occupied

Type II vacation rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The transient rental use may be overlaid on any residential parcel, or group of parcels meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH where neighbor support within 300 ft of the subject parcel can be demonstrated and that has adequate year-round access.

In addition to the requirements of this chapter, initiation and application of a transient rental overlay shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters TR (e.g., SFR-TR) would indicate a transient rental overlay.

25.040 Notice requirements.

- A. Notice shall be published once in a newspaper of general circulation 20 days in advance of a public hearing.

- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius drawn from the nearest limits of the parcel that is subject of the land use application. If a property is located more than 500 feet from the boundary of the parcel, but will be directly affected by any land use application on the subject parcel, then that property owner should also be noticed. Further, any property owners, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given to those properties at least 20 days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

25.030 Uses permitted.

The following uses shall be permitted in the transient rental overlay district, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family or multi-family residential the residence or any accessory dwelling unit on the parcel(s), may be rented on a transient basis subject to the requirements of 25.070.

25.040 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to director review approval.

25.050 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to securing a use permit.

25.060 Multiple parcel application.

Multiple parcels can submit as a single application when the parcels are contiguous, compact and orderly in shape as determined by the Planning Commission. Factors used to determine compact and orderly district shape include but are not limited to:

1. Street-frontage sharing
2. Adjoining yards
3. Existing neighborhood separation characteristics such as
 - a. Subdivision boundaries
 - b. Major roads

- c. Natural features
- d. Large undeveloped parcels
- e. Commercial or civic land use

25.070 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within a transient rental overlay district designated by this chapter, for a period of less than 30 days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed transient rentals during the avalanche season, November 1 through April 15.

DEVELOPMENT STANDARDS

Chapter 25 – Transient Rental Overlay District (TROD)

Sections:

25.010	Intent.
25.020	Establishment of district.
25.030	Uses permitted.
25.040	Uses permitted subject to Director Review.
25.050	Uses permitted subject to Use Permit.
25.060	District requirements
25.070	Additional requirements.

25.010 Intent.

The Transient Rental Overlay District (TROD) is intended to provide additional tourism-based economic opportunities and homeowner economic stability by allowing a transient rental district to be overlaid on properties within residential neighborhoods exhibiting support for allowing transient rentals. The land use designation followed by the letters TR (e.g., SFR-TR) would indicate a Transient Rental Overlay District (TROD).

25.020 Establishment of district.

The transient rental district may be overlaid on any residential neighborhood, parcel, or group of parcels meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH. In addition to the requirements of this chapter, initiation and application of a TROD shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments).

25.030 Uses permitted.

The following uses shall be permitted in the TROD, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family or multifamily residential the residence or any accessory dwelling unit on the parcel(s), may be rented on a transient basis subject to the requirements of 25.070.

25.040 Uses permitted subject to Director Review.

All uses permitted subject to Director Review in the underlying land use designation with which the TROD is combined shall be permitted, subject to Director Review approval.

25.050 Uses permitted subject to Use Permit.

All uses permitted subject to use permit in the underlying land use designation with which the TROD is combined shall be permitted, subject to securing a use permit.

25.060 District requirements.

A. Overlay district area and overlay district formation noticing process:

A TROD may be applied to one or more existing legal parcels, provided that at least one parcel within the district is developed with a single-family or multifamily residence.

Applicants are strongly encouraged to propose districts made up from three or more parcels and to communicate with all adjacent property owners before submitting an application.

Applications for transient overlay districts consisting of one or two parcels or at the discretion of the planning director if greater than two parcels will require an overlay district formation noticing process prior to public hearing. Notice shall be provided to all property owners adjacent to the proposed transient overlay district and include a 20-day period for noticed property owners to request inclusion in the district.

B. Overlay District shape:

New TRODs consisting of more than one parcel and district additions shall be contiguous, compact and orderly in shape as determined by the Planning Commission. Factors used to determine compact and orderly district shape include but are not limited to:

1. Street-frontage sharing;
2. Adjoining yards; and
3. Existing neighborhood separation characteristics such as
 - a. Subdivision boundaries
 - b. Major roads
 - c. Natural features
 - d. Large undeveloped parcels
 - e. Commercial or civic land use

25.070 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multifamily residence located within a TROD designated by this chapter, for a period fewer than 30 days, must first obtain a vacation home rental

permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed transient rentals during the avalanche season, November 1 through April 15.

DEVELOPMENT STANDARDS

Chapter 26 – Transient Rental Standards & Enforcement

Sections:

26.010	Purpose and Findings.
26.020	Vacation Home Rental Permit.
26.030	Application and Issuance of a Vacation Rental Permit.
26.040	Standards and Requirements.
26.050	Rental Agreement and Owner Responsibility.
26.060	Compliance with Transient Occupancy Tax Requirements.
26.070	Enforcement.
26.080	Existing and Otherwise Permitted Rentals.
26.090	Unauthorized Rentals Prohibited.

26.010 Purpose and Findings.

- A. The purpose of this chapter is to implement procedures, restrictions, and regulations, and to provide for the payment of transient occupancy tax and applicable fees for the transient rental of properties within Transient Rental Overlay Districts (TRODs) designated pursuant to Chapter 25 of the Mono County General Plan and to provide enhanced enforcement tools to address unauthorized transient rentals countywide.
- B. The Board of Supervisors finds that allowing transient rentals within areas of the county designated for residential use will provide a community benefit by expanding the number and types of lodging available to visitors to Mono County, increasing the use of property within the county, and providing revenue to property owners so that the units may be maintained and upgraded.
- C. The Board of Supervisors also finds that the operation of transient rentals within residential communities should be regulated in order to minimize fire hazard, noise, traffic, and parking conflicts and disturbance to the peace and quiet. The Board further finds that current enforcement tools have been ineffective to address the illegal operation of transient rentals countywide, primarily because the penalty amount is easily offset by the revenue such uses generate.

26.020 Vacation Home Rental Permit.

Any person who rents a residential structure that is not a condominium (hereinafter “rental unit” or “property”) within an area of the county designated as a transient overlay district on a transient basis shall comply with the provisions of this chapter, the Mono County General Plan, and any applicable area plans or specific plans. Transient rental of a private residence within a transient overlay district without a valid vacation home rental permit is a violation of this chapter.

26.030 Application and Issuance of a Vacation Home Rental Permit.

- A. Applicant. An applicant for a vacation home rental permit shall be either the owner of title to the subject property or his or her expressly authorized representative. The authorization shall be in writing and notarized.
- B. Application. An application for a vacation home rental permit shall be on a form that may be obtained from the Department of Finance or the Community Development Department. The following requirements and approvals must be met and substantiated before a vacation home rental permit will be issued:
 - 1. The rental unit must be located within an area of the county designated as a transient overlay district;
 - 2. The rental unit must comply with the standards and requirements as set forth in section 26.040, and any other requirement provided by this chapter. An inspection to verify compliance with such requirements shall be the responsibility of the owner or designated property manager. The owner or property manager shall certify in writing, under penalty of perjury, the rental unit's conformance to such standards. Such certification shall be submitted to the Mono County Community Development Department prior to permit issuance;
 - 3. The applicant must designate the management company or property manager for the rental unit who will be available on a 24-hour basis to address any problems that may be associated with the property or the transient users of the property. The management company or property manager must be duly licensed, and shall be in good standing with the County. Alternatively, the property owner may serve as the property manager;
 - 4. The property must be certified by the Community Development Department as complying with parking requirements and any applicable land use regulations set forth in the Mono County General Plan;
 - 5. A Mono County business license must be obtained and must remain active during all times that the property is used as a transient rental;
 - 6. Any required fees must be paid in full; and
 - 7. A Mono County Transient Occupancy Certificate must be obtained from the Department of Finance and will be issued at the time the vacation home rental permit is issued and all conditions of approval have been met.

26.040 Standards and Requirements.

The following standards and requirements must be met in order to obtain a vacation home rental permit and to maintain that permit in good standing:

- A. Health and Safety Standards. The purpose of these standards is to establish minimum requirements to safeguard the public safety, health, and general welfare from fire and other hazards, and to provide safety to firefighters and

emergency responders during emergency operations. These standards include without limitation:

1. The address of the rental unit must be clearly visible;
2. Carbon monoxide and smoke detectors must be installed and maintained in good operating condition in each bedroom, sleeping area, or any room or space that could reasonably be used as a sleeping area, and at a point centrally located in the corridor or area giving access to each separate sleeping room;
3. All stairs, decks, guards, and handrails shall be stable and structurally sound;
4. The rental unit shall be equipped with a minimum of one 2A:10B:C type fire extinguisher with no more than 75 feet of travel distance to all portions of the structure; there shall be no fewer than one such extinguisher per floor. Fire extinguishers shall be mounted in visible locations with the tops of the fire extinguishers mounted between 3 and 5 feet above the floor and shall be accessible to occupants at all times. California State Fire Marshal annual certification tags must be provided and be current on all extinguishers;
5. If there is a fireplace or solid-fuel barbecue, the rental unit shall be equipped with a minimum five-gallon metal container with a tight-fitting lid for ash removal. This container shall be clearly labeled and constructed to meet the purpose of containing ash. Instructions on the proper disposal of ash shall be stated in the rental agreement and clearly posted in the rental unit. The ash container shall not be placed on or near any furniture or other combustible material; ashes must be wet down thoroughly with water; the ash can must be stored outdoors with a minimum of 3 feet clearance from building, porch, trees, and other combustible materials; the lid must remain on the ash container when in use;
1. Wall or baseboard heaters in the rental unit shall be in good working condition, and instructions on the proper use of these units shall be clearly stated in the rental agreement and posted in the rental unit;
7. Furniture and any other material that may be flammable shall be kept a minimum of 54 inches from any fireplace opening and 30 inches from any wall or floor heaters;
8. Flammable or hazardous liquid or materials, firearms, controlled substances, or any unlawful material shall not be stored in the rental unit.
9. The roof and grounds of the transient rental property shall be kept clear of accumulations of pine needles, weeds, and other combustible materials;
10. Any locking mechanism on exterior doors must be operable from inside the unit without the use of a key or any special knowledge. If the dwelling unit is

greater than 3,000 square feet in area, two exit doors shall be required, each of which shall conform to this requirement;

11. All fixtures, appliances, furnaces, water heaters, space heaters, plumbing, wiring, electrical, propane or gas connections, doors, windows, lighting, and all parts of the structure and furnishings (interior and exterior) must be in operable working condition and repair;
12. If telephone service is available, there shall be a telephone connected to the local carrier and in working condition for use in the event of an emergency or to contact the owner or property manager. The phone shall be connected to the reverse 911 directory. If there is no telephone service available, then the rental agreement must so state;
13. Bedroom windows shall be operable and free of obstructions to allow for emergency escape and rescue;
14. There shall be at least one screened window per bedroom to allow for proper ventilation;
15. All utilities (electric, gas, water, sewage, etc.) shall be connected, in good operating condition, and connected to approved sources.;
16. Any hot tubs, pools, and spas shall be fenced or equipped with a cover with locking mechanisms, and shall be maintained in a safe and sanitary condition;
17. There shall be no evidence of pest infestations, and all firewood and other stored items shall be kept in a neat and clean condition;
18. Exits shall be kept free from storage items, debris or any impediments at all times;
19. No tree limbs are allowed within 10 feet of any chimney or flue openings;
20. Spark arresters of a minimum opening size of 3/8-inch and a maximum opening size of 1/2-inch shall be required on all fireplace flue openings; and
21. If any applicable law, rule, or regulation enacted after the enactment of this chapter imposes requirements more stringent than those set forth herein, such requirements shall apply.

B. Sign and Notification Requirements.

1. Exterior Sign and Notice. Each rental unit shall be equipped with one temporary exterior identification sign not to exceed 8 ½ x 11 inches in size that shall be posted as long as the unit is being rented on a transient basis. This identification sign shall be placed in a location that is clearly visible from the front entrance of the unit, and may be illuminated in a manner that does not conflict with any County exterior lighting standards or signage

standards. This sign shall clearly state the following information in lettering of sufficient size to be easily read:

- a. The name of the managing agency, agent, property manager or owner of the unit and the telephone number where said person or persons can be reached on a 24-hour basis;
 - b. The maximum number of occupants permitted to stay in the unit; and
 - c. The maximum number of vehicles allowed to be parked on the property. A diagram fixing the designated parking location shall be included.
2. Interior Notice. Each rental unit shall have a clearly visible and legible notice posted within the unit adjacent to the front door that shall contain the same information set forth above, and shall additionally include the following:
- a. Notification and instructions about the proper disposal of trash and refuse, including any bear-safe disposal requirements;
 - b. Notification and instructions concerning the proper use of any appliances, fireplaces, heaters, spas, or any other fixture or feature within the unit;
 - c. Notification that failure to conform to the parking, trash disposal and occupancy requirements for the rental unit shall be a violation of this chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty;
 - d. Notification that any violation of rules or regulations set forth in the Rental Agreement may be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty; and
 - e. Physical street address of the unit and emergency contact information consisting of 911, the property manager's phone number, and contact information of the local fire department and the Mono County Sheriff's Department.
- C. Occupancy. The maximum number of persons who may occupy the property as transient renters or their overnight guests shall be limited to two persons (2) per bedroom plus two additional persons. In no event may the maximum occupancy exceed 10 persons in any rental unit unless the unit is certified and approved by the Mono County Building Official as meeting all applicable building standards for such occupancy. Additionally, occupancy may be further restricted by the limitation of the septic system serving the dwelling as determined by Mono County Environmental Health.
- D. Parking. Parking requirements shall be based on the parking requirements set forth in the Mono County General Plan. Parking requirements for the rental unit shall be noticed in the rental agreement and posted on and in the unit. There

shall be no off-site or on-street parking allowed, and parking on property owned by other persons shall be considered a trespass. A violation of this section may subject any person to administrative, civil and criminal penalty, including fines and towing of any vehicle, as authorized by state and local law.

- E. **Trash and Solid Waste Removal.** A sufficient number of trash receptacles shall be available. Trash and other solid waste shall not be allowed to accumulate in or around the property and shall be removed promptly to a designated landfill, transfer station or other designated site. For purposes of this paragraph, promptly shall mean at least one time per week during any week that the unit is occupied, regardless of the number of days it is occupied. Any trash receptacles located outside a unit shall be in bear-proof containers (in areas with bears) and comply with County standards. Trash removal requirements for each rental unit shall be included in the rental agreement and posted on and in the property. Property management shall be responsible for the cleanup if the tenants do not properly dispose of trash in bear-proof containers.
- F. **Snow Removal.** Snow removal from driveways, walkways, stairs, decks, and all exits and entrances shall be performed prior to each occupancy period, and during any occupancy period as needed to maintain the functionality of these areas. Snow removal from driveways, pathways, exits and entrances, and removal of snow, ice, and ice dams from roofs, decks, and stairs shall be performed in a timely manner as necessary to protect any person who may be using or visiting the rental unit.

26.050 Rental Agreement and Owner Responsibility.

- A. **Rental Agreement.** The temporary rental or use of each rental unit shall be made pursuant to a rental agreement. The rental agreement shall include, as attachments, a copy of this chapter and the vacation home rental permit for the unit. Each rental agreement shall contain all required notices and shall specify the number of persons who may occupy the unit, parking requirements and number of allowed vehicles, trash disposal requirements, and include the telephone number of the person or persons to be notified in the event of any problem that arises with the rental. The agreement shall include the phone number, address, and contact information for the person responsible for renting the unit, and any other information required by the County. The rental agreement shall notify the renters that they may be financially responsible and personally liable for any damage or loss that occurs as a result of their use of the unit, including the use by any guest or invitee. The property manager or owner shall keep a list of the names and contact information of the adult guests staying in the unit.
- B. **Owner Responsibility.**
1. The owner, managing agency, and property manager shall be responsible for compliance with all applicable codes regarding fire, building and safety, health and safety, other relevant laws, and the provisions of this chapter.

2. An owner, managing agency, and/or property manager shall be personally available by telephone on a 24-hour basis to respond to calls regarding the conditions and/or operation of the unit. Failure to timely respond in an appropriate manner may result in revocation of the vacation home rental permit and business license.
3. The owner shall require, as a term of a written agreement with a management company or agent, that said agent comply with this chapter. The owner shall identify the management company or agent, including all contact and license information in the application for a vacation home rental permit, and shall keep this information current. Such agreement shall not relieve owner of the obligation to comply with this chapter.
4. The owner shall maintain property liability and fire insurance coverage in an appropriate amount and shall provide proof of such insurance to County upon reasonable request. Additionally, the owner shall defend, indemnify, and hold the County harmless from any and all claims, judgments, liabilities, or other costs associated with the property or the rental unit, or the rental thereof.
5. The owner, managing agency, property manager and guest shall comply with all lawful direction from any law enforcement officer, fire official, building official, or code compliance officer.
6. The owner shall be responsible for assuring that the occupants and/or guests of the rental property do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any law. If an owner, property manager, or other agent of the owner is informed about any violation of this chapter, the owner, property manager, or owner's agent shall promptly take action and use best efforts to stop or prevent a recurrence of such conduct, including, when appropriate, calling law enforcement.

26.060 Compliance with Transient Occupancy Tax Requirements.

Each owner shall be responsible for obtaining a transient occupancy registration certificate and for complying with Chapter 3.28 of the Mono County Code. An owner may contract with a management company or property manager to collect, disburse, report, and maintain all records related to transient occupancy tax, but the owner remains responsible for any failure to collect, disburse, or accurately report such tax.

26.070 Enforcement.

- A. A violation of any provision of this chapter, and/or the renting of any property in a land use designation that does not allow for such transient rental, or without proper land use approvals, is subject to the General Penalty provisions and/or the Administrative Citation provisions set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code, respectively, and any other civil or administrative remedy allowed by law. Notwithstanding Section 1.12.030, the administrative fine for the operation of any transient rental facility within a transient overlay district without a valid vacation home rental permit, or the operation of any transient rental facility in violation of applicable land use

- requirements in any other land use designation of the county shall be \$1,000 for the first violation and \$2,000 for a second or subsequent violation within three years. In addition to these penalty provisions, the failure to comply with any provision of this chapter may result in the suspension or revocation of the vacation home rental permit in accordance with subsection D below, or the suspension or revocation of the business license and/or transient occupancy registration certificate. The failure of a management company or property manager to comply with the provisions of this chapter may additionally result in a finding that such management or company or property manager is not in good standing.
- B. An inspection and/or audit of each unit subject to this chapter, and any contract or agreement entered into in furtherance of, or to implement, this chapter, may be made at any reasonable time, and upon reasonable notice to confirm compliance with this chapter.
 - C. Transient rentals may not be conducted if there are any code violations, stop-work orders, or other violation of law or regulation outstanding on the property.
 - D. The following procedures shall be followed in conjunction with any proposed revocation or suspension of a vacation home rental permit.
 1. The County shall provide the property owner with a notice of proposed revocation or suspension stating the nature of the violation, whether revocation or suspension is proposed, and the date, time, and place of a hearing before a hearing officer, who shall be a Planning Commissioner appointed for this purpose by the County Administrative officer, will be held. The notice shall be served on the owner at least 10 business days prior to the date of the hearing by personal service or by certified mail, postage prepaid, return receipt requested to the address for such purpose provided on the vacation home rental permit application. Service by mail shall be deemed effective on the date of mailing.
 2. At the hearing, the hearing officer shall consider any written or oral evidence consistent with the following:
 - a. The contents of the County's file shall be accepted into evidence (except as to such portions of the file, if any, that contain confidential or privileged information); and
 - b. The notice of revocation or suspension shall be admitted as prima facie evidence of the facts stated therein.
 3. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions.
 4. Upon conclusion of the hearing and receipt of information and evidence from all interested parties, the hearing officer shall render his or her decision affirming the revocation or suspension as proposed, modifying the revocation or suspension, or rejecting the revocation or suspension.

5. If directed by the hearing officer, staff shall prepare a written decision reflecting the hearing officer's determination. Following approval of the written decision by the hearing officer, the secretary of the Planning Commission shall serve the written decision on the property owner by certified mail, postage prepaid, return receipt requested.
 6. The decision of the hearing officer shall be the final administrative action of the County, and the property owner shall be advised of his rights to challenge that decision in Superior Court pursuant to section 1094.5 of the Code of Civil Procedure and of the timelines in which such an action must be brought.
- E. Notwithstanding the foregoing, in the event the code compliance officer determines that suspension or suspension pending revocation of a vacation home rental permit is necessary for the immediate protection of the public health, safety, or welfare, such suspension may be made without prior hearing or determination by the hearing officer, upon the giving of such advance notice to the property owner as the code compliance officer deems reasonable given the nature of the violation and risks presented. The code compliance officer shall inform the property owner in writing of the duration of the suspension, the reasons therefor, the procedure and timelines for filing an appeal, in accordance with the following:
1. The property owner may appeal the suspension by filing an appeal with the clerk of the Planning Commission within 10 calendar days of the date the suspension or revocation takes effect. Such appeal shall also function as a hearing on revocation of the permit, if the suspension is made pending revocation. In the event the property owner does not appeal a suspension pending revocation within the time provided, then the suspension shall automatically become a revocation if notice of such was included in the notice of the suspension;
 2. The hearing shall be in accordance with the procedures set forth in section D above; and
 3. The suspension shall remain in effect for the number of days provided by the code compliance officer, or until the appeal/revocation hearing is finally decided by the hearing officer, whichever occurs later, unless extended by the Board.
- F. When a vacation home rental permit is revoked pursuant to the procedures set forth in this chapter, a new vacation home rental permit may not be issued to the same property owner for a period of five years.

26.080 Existing and Otherwise Permitted Rentals.

Any lawful use of property as a transient rental occurring, or subsequently authorized, in a land use designation that permits such uses (or permits such uses subject to Use Permit or Director Review approval) without the application of a transient overlay district shall be exempt from the provisions of this chapter.

26.090 Unauthorized Rentals Prohibited.

The transient rental of any property, unit, or structure that is not within a designated transient overlay district or within a land use designation that permits such use and for which all necessary approvals have been granted, is prohibited. Any violation of this section shall be subject to the provisions of section 26.070, including the fines set forth therein.

**Mono County
Community Development Department**

PO Box 347
Mammoth Lakes, CA 93546
760-924-1800, fax 924-1801
commdev@mono.ca.gov

Planning Division

PO Box 8
Bridgeport, CA 93517
760-932-5420, fax 932-5431
www.monocounty.ca.gov

April 14, 2016

To: Mono County Planning Commission

From: Brent Calloway, CDD Associate Analyst

Re: Informational Workshop regarding the status of the Sustainable Groundwater Management Act

RECOMMENDATIONS

Hear workshop. Provide any desired direction to staff.

BACKGROUND

The Sustainable Groundwater Management Act of 2014 (SGMA) provides for the sustainable management of California's groundwater resources. The Department of Water Resources (DWR) has delineated 515 distinct groundwater basins or sub-basins which are each prioritized as either high, medium, low or very low based upon a variety of groundwater parameters and described in the DWRs Bulletin 118. Each of the delineated basins may voluntarily, or may be required by the SGMA to, establish a Groundwater Sustainability Agency (GSA) depending on the basin's prioritization. Basins with a priority rating of high or medium must establish a GSA and further develop a Groundwater Sustainability Plan within specific timeframes. Basins with a priority rating of low or very low are encouraged but not required to establish GSAs and Groundwater Sustainability Plans.

There are 10 delineated basins within or partially within Mono County. All of the basins are currently prioritized as either low or very low except the Owens Valley Groundwater Basin, which currently has a medium priority. The Owens Valley Basin is primarily within Inyo County and extends into Mono County through the Tri-Valley region to the Nevada state line, including the Benton, Hammil and Chalfant valleys, and a small portion of Round Valley toward the community of Swall Meadows.

SGMA includes certain jurisdictional provisions specific to the Owens Groundwater Basin. In Mono County, the Tri-Valley Groundwater Management District (TVGMD), a special district of the State of California charged with managing groundwater in the Benton, Hammil, and Chalfant valleys, is deemed the exclusive local agency within its boundaries and thus the presumed GSA under SGMA for those portions of the Owens Valley Groundwater Basin located within its jurisdictional boundaries. In Inyo County any basin or portion of a groundwater basin managed under the terms of the stipulated judgment in *City of Los Angeles v. Board of Supervisors of the County of Inyo*, shall be treated as an adjudicated area and not required to

form a GSA. For the portions of the Owens Valley Basin that are not subject to the judgment, Inyo County is eligible to serve as the GSA.

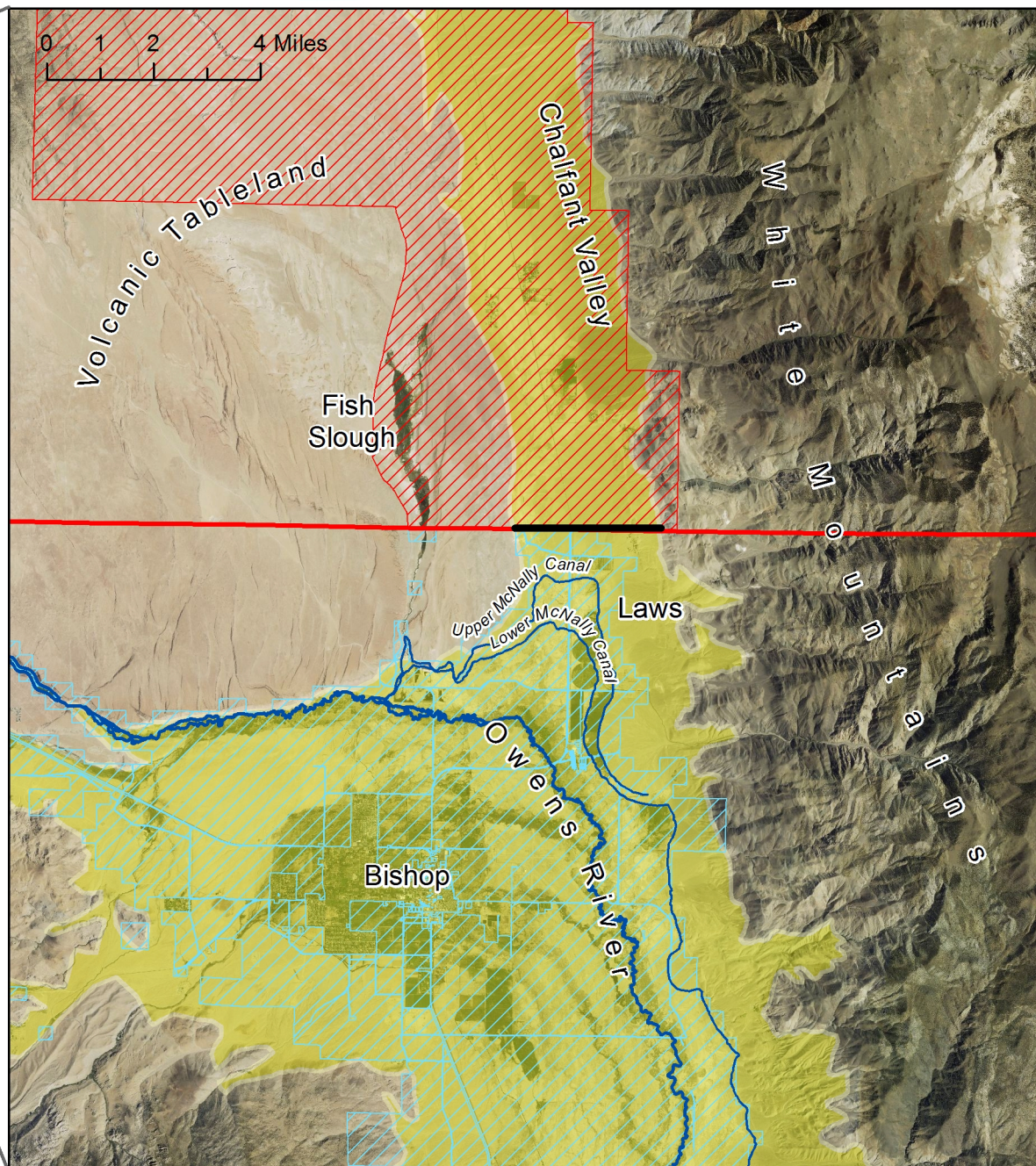
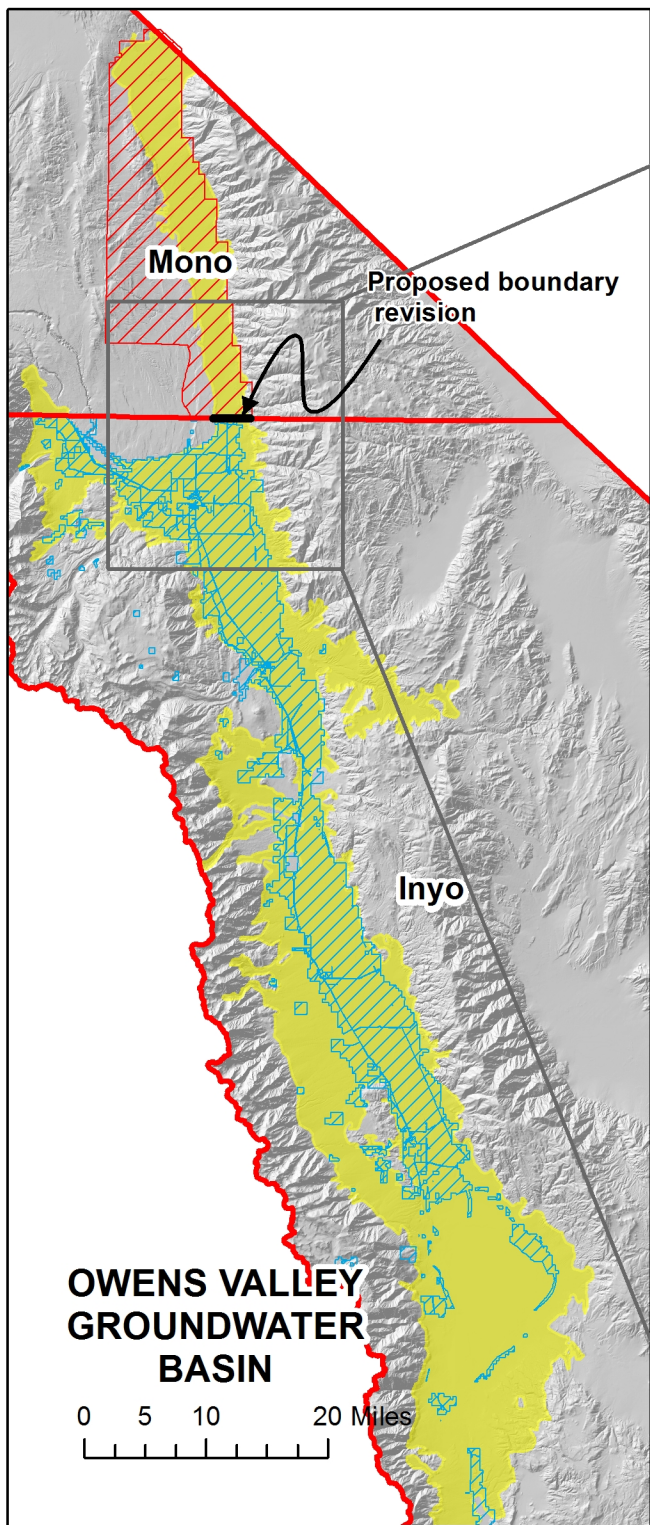
In the interest of better managing groundwater on a sound hydrological basis with fewer jurisdictional obstacles, the TVGMD and Inyo County are seeking a revision to the boundaries of the Owens Valley Groundwater Basin that would divide the basin into two sub-basins, one comprising Benton, Hammil and Chalfant valleys (the Tri-Valley Sub-basin) and one comprising the Owens Valley (the Owens Valley Sub-basin). A map depicting the proposed modification and a hydrological model drafted by the Inyo County Water Department detailing the scientific basis for the proposed boundary modification are included in the attachments. The Mono County Board of Supervisors considered a resolution in support of the proposed modification at its regular meeting on March 8, 2016.

There is an extensive list of documentation required by DWR for a complete basin adjustment application. All of the components of the application are available online at <http://sgma.water.ca.gov/basinmod/public/requests> and when deemed complete by the DWR, a formal public comment period on the completed application will begin.

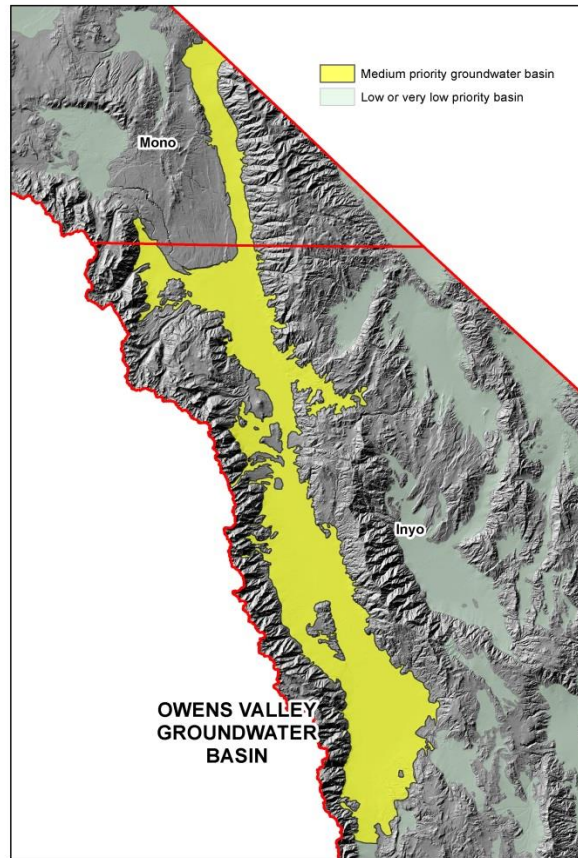
ATTACHMENTS

- Map depicting proposed basin modification
- Owens Valley Hydrological Conceptual Model

- Groundwater basin
- Tri Valley Groundwater Management District
- Los Angeles land in Inyo Co.



Hydrogeologic Conceptual Model for the Owens Valley Groundwater Basin (6-12), Inyo and Mono Counties



Prepared for submittal to the California Department of Water Resources

Prepared by

Inyo County Water Department

Independence, California



Robert Harrington, a California Professional Geologist, an employee of Inyo County with expertise in the investigation of water resources and hydrogeology, supervised the preparation of this report titled “Hydrogeologic Conceptual Model of the Owens Valley Groundwater Basin (6-12), Inyo and Mono Counties.”

Robert Harrington
Registered Geologist #8285
January 27, 2016

Table of Contents

Introduction	1
Owens Valley Groundwater Basin	1
Geologic Framework	4
Hydrologic System	7
Summary	17
References	18
Tables	22
Figures	26

Introduction

This report provides a hydrogeologic conceptual model of the Owens Valley Groundwater Basin (OVGB) compiled from numerous sources including the US Geological Survey, Los Angeles Department of Water and Power, Inyo and Mono Counties, the California Department of Fish and Wildlife, and the California Department of Water Resources. Because groundwater and surface water systems are linked, both systems are described here, prefaced by a summary of the physical setting of the OVGB. The report consists of three sections: the first describing general features of the OVGB including physiography, climate, vegetation, and land use; the second section describes the geologic framework of the basin, and the third describes features of the hydrologic system, including the surface water system, and the groundwater system. This report is being submitted to the Department of Water Resources in support of a request from Inyo and Mono counties and the Tri Valley Groundwater Management District of Mono County to subdivide the OVGB into two subbasins, the Tri Valley Groundwater Subbasin and the Owens Valley Groundwater Subbasin; therefore, particular attention is given to the area of the proposed basin subdivision.

Owens Valley Groundwater Basin

Physiography. The OVGB is a 1,037 square mile groundwater basin extending from Haiwee Reservoir on the south, through Owens Valley, Chalfant Valley, Hammil Valley, and Benton Valley to the Nevada state line on the north and includes Round Valley to the west (Figure 1). Chalfant, Hammil, and Benton Valleys form a northern arm of the OVGB referred to as the Tri Valleys area. The OVGB is bounded on the east by the White-Inyo Mountains and Coso Range and on the west by the Sierra Nevada, the Volcanic Tablelands, the Benton Range, and Blind Spring Hill. The northeastern boundary of the OVGB is the Nevada state line. The OVGB occupies the lower elevations of the Owens River watershed, and is characterized by relatively subdued topography of playa, valley floor and alluvial fan surfaces.

The watersheds surrounding the OVGB are characterized by steep mountainous slopes and canyons of the bedrock mountain ranges. Elevations in the OVGB range from below 3,600 feet above mean sea level (amsl) on the Owens Lake playa, to over 9,700 feet amsl in the northwest

part of the basin near Basin Mountain. The Sierra Nevada and White-Inyo Mountains rise steeply above the OVGB to elevations over 14,000 amsl. The mountain fronts are flanked by large alluvial fans, which grade into alkali flats, playas, and river flood plains along the axis of the valley. The OVGB is on the western margin of the Basin and Range Physiographic Province, which is characterized by north-south oriented, elongate fault-bounded valleys separated by rugged mountain ranges.

Note that Figure 1 includes Fish Slough, north of Bishop, within the boundaries of the groundwater basin, but the current Bulletin 118–2003 (DWR, 2003) boundaries do not include Fish Slough in any groundwater basin. Fish Slough was included as an independent groundwater basin in Bulletin 118 (DWR, 1975) and Bulletin 118-80 (DWR, 1980), but dropped from Bulletin 118-2003 (DWR, 2003) on the reasoning that *“Granite Mountain Area (6-59) and Fish Slough Valley (6-60) groundwater basins have been deleted because no information was found concerning wells or groundwater in these basins or because well completion reports indicate that groundwater production is derived from fractured rocks beneath the basin.”* Shallow cores from Fish Slough show alluvium is a thin veneer on the order of ten feet atop Bishop Tuff.

Climate. Owens Valley’s climate is warm and dry in the summer, and cool and moist in the winter. Precipitation and temperatures are strongly influenced by elevation. In the Owens River watershed, the high elevations of the Sierra Nevada and White-Inyo Range have cooler temperatures and higher precipitation than the valley floor. The Sierra Nevada is oriented roughly perpendicular to the paths of oncoming winter storms, and is on the windward side of the watershed. Moist air masses rise when they encounter the Sierra, the rising air cools, and water vapor condenses and falls as rain or snow. As air masses descend the eastern slope, the descending air warms, clouds evaporate, and precipitation declines east of the range. The combined effect of increased precipitation as air masses ascend the west slope and cross the range crest, and decreasing precipitation as air masses descend the east slope is known as the “rain shadow effect.” The highest precipitation rates in the Owens River watershed are in the highest elevations in the Sierra Nevada, occurring as winter snow. Because of the rain shadow

effect, precipitation decreases to the east across the watershed. The rain shadow effect and the effect of topography result in highly variable precipitation in the watershed (Figure 2). Because the groundwater basin occupies the lowest elevation in the watershed, it is characterized by low precipitation (generally between 5 to 10 inches per year on average).

Vegetation. Because much of the land in the OVGB and Owens River watershed is in federal, state, and municipal ownership, native vegetation covers most the area. Vegetation in OVGB varies with elevation, floristic region, soil salinity, and water availability. Vegetation communities range from salt-tolerant shadscale scrub, alkali sink scrub, desert greasewood scrub, alkali meadow, and desert saltbush scrub on the low elevations of the valley floor, to more drought-tolerant Mojave Mixed Woody Scrub, Blackbush Scrub, and Great Basin mixed scrub on alluvial fans (Davis et al., 1998; Howald, 2000). The OVGB lies on the boundary of the Great Basin and Mojave deserts; consequently, the southern part of the OVGB has vegetation communities such as Mojave creosote bush scrub characteristic of the hot Mojave Desert to south and the northern part of the basin has communities such as Big Sagebrush scrub characteristic of the cooler, higher Great Basin Desert. Hydric vegetation communities associated with streams, springs, and wetlands occupy relative small areas of the OVGB, but are important habitat resources. At higher elevations in the watershed, vegetation ranges through Pinyon-Juniper woodland, montane forest and meadow, subalpine forest and meadow, to alpine plants and barren terrain above timberline (Howald, 2000).

In the arid environment of the Owens Valley, vegetation communities are mediated by hydrology. On alluvial fan surfaces, where the water table is disconnected from the root zone, plants subsist on precipitation alone. Near stream channels, ditches, canals, and along the Owens River, surface water supports riparian communities. Areas of shallow groundwater support alkali meadow, alkali sink scrub, shadscale scrub, and desert saltbush scrub communities. Groundwater discharge zones support alkali meadow, phreatophytic scrub communities, transmontane alkali marsh and aquatic habitat.

Land Use. The majority of land in the OVGB is owned by federal, state, or municipal entities (Figure 3). The land uses are grazing, irrigated agriculture (principally alfalfa and other feed

crops), and tourism based recreation. Most irrigation and cultivation of crops occurs on lands owned by the City of Los Angeles that are leased to ranchers and farmers. Urban and residential development is concentrated in the City of Bishop, communities west of Bishop, and the towns of Benton, Chalfant Valley, Round Valley, Big Pine, Independence, Lone Pine, Keeler, and Olancho. Population within the OVGB is approximately 14,000.

Geologic Framework

Owens Valley lies at the western edge of the Basin and Range Tectonic Province, and the dramatic topography of the basin is an expression of the underlying tectonic processes. The Basin and Range Province is characterized by north-south oriented mountain ranges and narrow intermountain valleys bounded by normal faults, and the Owens Valley is the westernmost basin in the Province. On the west, the Sierra Nevada consists of uplifted granitic and metamorphic rocks, locally mantled by glacial and volcanic deposits. To the east, the White-Inyo Range consists of Paleozoic sediments, Mesozoic volcanic rocks, and metamorphic rocks that have been folded, faulted, and intruded by granitic plutons, and are locally mantled with Quaternary sediments and Tertiary volcanic rocks. The present topography was produced by extensional faulting that initiated in the Miocene and produced northwest trending faults. A later phase producing north-south trending normal and strike slip faults initiated in the Pliocene or Pleistocene and is still active. The contact between low permeability fault-bounded mountain blocks and more permeable valley-fill material generally forms the bedrock boundaries of groundwater basin; however, the basin boundary west of Chalfant and Hammil valleys is formed by the edge of the surficial expression of the Bishop Tuff, a Pleistocene rhyolitic ignimbrite that overlies basin fill and bedrock.

The Sierra Nevada and the White-Inyo Range were glaciated during the Pleistocene and Holocene. Glaciation was far more extensive in the Sierra Nevada due to its westerly position, proximal to the Pacific Ocean and incoming synoptic scale storms. Glacial moraines extend beyond the range front and into the groundwater basin in the region from Big Pine to Round Valley, contributing material to the alluvial fans flanking the Sierra Nevada (Bateman, 1965).

Owens Valley, and its continuation through Chalfant, Hammil, Benton, and Round Valleys, is formed by subsidence of the valley bottom due to Basin and Range extensional tectonics. As the valley bottom has subsided, the valley-fill has accumulated, consisting mainly of sediment shed from the adjacent mountain blocks, and also volcanic rocks. The sedimentary material consists of unconsolidated to moderately consolidated alluvial fan and glacial moraine deposits adjacent to the mountain range fronts, fluvial plain deposits near the axis of the valley, deltaic deposits, and lacustrine deposits. Older alluvial fan deposits tend to be elevated and at the margins of the valleys (Figure 4). Sediments of the central axis of the valleys are typically fluviolacustrine, playa, and dune deposits. In well logs, valley fill sediments are expressed as sands, gravels, boulders, and clay layers. Sedimentary strata are variable vertically and laterally. Depositional environments change over relatively short distances resulting in laterally discontinuous sand, gravel, and clay lenses. Tectonic activity and climate variations change sediment supply and depositional energy at any given point, resulting in lithologies changing over vertical distances of a few feet to a few dozen feet. Laterally extensive clay strata are present beneath Owens Lake and in the Big Pine area. Owens Lake has expanded and contracted during Pleistocene glacial and interglacial periods, and has at time overtopped the topographic high at the south end of Owens Valley and been hydrologically connected with Searles Lake in Searles Valley and Pleistocene Lake Manly in Death Valley. Owens Lake most recently overflowed into Rose Valley and Indian Wells Valleys to the south about 3 ka.

Volcanic rocks are present as valley fill in the basaltic cinder cones and flows of the Big Pine Volcanic Field south of Big Pine, in small basaltic plugs west of Bishop, and in the northern Owens Valley as Bishop Tuff. Bishop Tuff is a rhyolitic welded tuff erupted from the Long Valley Caldera 767 ka (Crowley et al., 2007), northwest of Owens Valley (Figure 4). Bishop Tuff dominates the land surface north of Bishop and west of Chalfant and Hammil Valleys, and is present at depth well logs in Chalfant Valley, Laws, and Bishop. The Bishop Tuff consists of basal unconsolidated pumice, overlain by a dense heat-welded zone, and a less dense gas welded zone. Where Bishop Tuff forms the groundwater basin boundary west of Chalfant and Hammil valleys, it is likely underlain by valley fill. In the Owens River Gorge, near the northwestern extent of the OVGB, Bishop Tuff is underlain by granitic bedrock. Hollett et al.

(1991) considered that recharge to valley fill was likely to occur where the basal pumice was exposed, and that recharge through the welded zones was unlikely except along faults and fractures.

Basalt flows south of Big Pine emanate from vents along the range front and are interstratified with valley-fill sediments. Basalts between Big Pine and Independence are the highest permeability aquifer materials found in Owens Valley.

Structural geology and basin geometry of the OVGB is dominated by faulting related to regional tectonism, with both normal and strike slip components. Faults at the margins of the basin are generally normal faults with the basin down-dropped relative to the mountain blocks, though locally mountain-downward normal faults also occur, forming minor grabens along the range front. Faults also occur in the valley fill, generally parallel to the axis of the valleys. The Owens Valley Fault extends from Owens Lake to north of Big Pine. The largest recorded earthquake in the Basin and Range Province occurred on the Owens Valley Fault in 1872, with an estimated magnitude of 7.5-7.8, generated by dominantly right-lateral motion. Numerous sag ponds, sand blows, pressure ridges, and other features related to the 1872 event are present along the trace of the fault (Beanland and Clark, 1994; Slemmons et al., 2008). Other faults occur as branches of the range front faults and Owens Valley Fault. A number of springs occur along faults where the faults act as barriers to flow across the fault plane. In the Volcanic Tableland, the Bishop Tuff is broken by many north-south and northwest-southeast oriented fault scarps, the largest of which forms the eastern boundary of Fish Slough, north of Bishop and west of Chalfant Valley.

The bedrock beneath the Owens Valley fill consists of down-dropped fault-bounded blocks at varying depths. Numerous geophysical methods have been used to define the form and depth of the bedrock surface (Pakiser et al., 1964; Danskin, 1998; MWH, 2010; MWH, 2011), which showed that the bedrock beneath the valley is not a single down-dropped block, but rather is a series of deep basins separated by relatively shallow bedrock divides. The deepest part of the basin is beneath Owens Lake and is overlain by over 8,000 feet of valley fill. Another deep basin lies between Bishop and Big Pine, estimated to be more than 4,000 feet deep. Other shallower

basins are present east of Lone Pine and beneath Hammil Valley. These basins are separated by blocks of shallower bedrock. Valley-fill strata within the deeper portions of the basin have a “stacked bowl” configuration with the deepest part of each stratigraphic horizon occurring in the deepest part of the basin (e.g., MWH, 2012, Figure 3).

Gravity data indicate bedrock is relatively shallow between Benton and Hammil valleys and between Laws and Chalfant Valley (Pakiser et al., 1964; Hollett et al., 1991). The subsurface bedrock block between Laws and Chalfant Valley affects groundwater flow and is a key geologic feature supporting this request for a groundwater basin boundary revision. The acceleration due to the earth’s gravity varies slightly at different locations due to the varying density of rock at depth. Gravitational acceleration is slightly greater at points overlying high density rock than at points overlying less dense rock. Because alluvial basin fill is less dense than typical bedrock types, variations in gravitational acceleration can be used to estimate the depth to bedrock in alluvial basins and other features of the basin geometry. Figure 5a (from Pakiser et al., 1964, combined Plate 1, Sheets 1 and 2) shows gravity contours that delineate the subsurface barrier deflecting groundwater west into the Fish Slough area where it discharges along the Fish Slough fault.

Hydrologic System

Much of the land and the majority of water rights in Owens Valley are owned by the City of Los Angeles for the purpose of exporting water from the eastern Sierra to Los Angeles (Figure 3). Los Angeles has developed extensive facilities for water storage and export, land and water management, groundwater production, groundwater recharge, surface water and groundwater monitoring, and dust control. Because of the importance of water supplied from Owens Valley to Los Angeles, Los Angeles water monitoring is extensive and considerable study has been devoted to Owens Valley hydrology. Because Los Angeles owns relatively little land in Chalfant, Hammil, and Benton valleys, they are less studied and monitoring is sparse compared to Owens Valley.

Surface Water System. The primary surface water features in the OVGB are the Owens River and its tributaries draining the eastern slope of the Sierra Nevada. The Owens River flows from

Long Valley, northwest of the OVGB, into Owens Valley and south along the axis of the valley. Streams draining the high elevations of the east slope of the Sierra Nevada join either the Owens River or are diverted into the Los Angeles Aqueduct (LAA). Like many watersheds in the Basin and Range Province, the Owens Valley is internally drained, with the natural terminus of the watershed at Owens Lake. Owens Lake dried up in the 1920s due to upstream diversions of the Owens River and its tributaries. Flow in the Owens River is controlled by a series of reservoirs operated by Los Angeles Department of Water and Power (LADWP) and Southern California Edison Corporation (SCE). Flow in the Owens River is supplemented near its headwaters by diversions through the Mono Craters Tunnel from the Mono Basin. Water-year releases from Pleasant Valley Reservoir, where the Owens River enters the OVGB, averaged 258,000 acre-feet per year (AFY) and ranged from 109,000 to 444,000 AFY during the period 1959-2014. The Owens River's natural terminus was Owens Lake prior to completion of the LAA in 1913. As a result of diversions from the Owens River and its tributaries, Owens Lake was dry by the 1920s. Beginning in 2002, Los Angeles has operated a dust control project on the Owens Lake lakebed, using up to 75,000 AFY to control dust emissions. Since 2006, LADWP and Inyo County have initiated a mitigation project to reintroduce a 40 cubic feet per second (cfs) flow into the channel of the Owens River below the LAA intake. When this flow reaches the Owens Lake delta, it is either used on Owens Lake for dust control or pumped back to the LAA.

Numerous tributary streams drain the east slope of the Sierra Nevada either join the river or are diverted into the LAA. The largest of these, Bishop Creek, has an annual average discharge of 75,000 AFY and ranged from 37,000 to 134,000 AFY during the period 1909-2014.

There is no direct surface water connection between the Tri Valleys and the Owens River. An ephemeral wash occasionally flows from Chalfant into the Laws area during extreme precipitation events. During Pleistocene glacial periods, Mono Lake overtopped its basin and flowed through the Tri Valleys to connect with the Owens River, but no such connection has existed in the Holocene. Fish Slough is a groundwater-discharge supported marsh where groundwater from the Tri Valleys area discharges into the marsh and flows as surface water approximately 4 miles to the Owens River.

During the late-19th and early-20th century, numerous canals and ditches were excavated in Owens Valley for irrigation and drainage and many of these conveyances are still in operation today. Most are owned by LADWP and operated to supply water to lessees of LADWP-owned lands, habitat enhancement projects, and tribal lands. Canals and ditches are important sources of recharge, providing about 32,000 AFY of recharge (Hollett, 1991, Table 6). The availability of surface water for irrigation depends on snowmelt runoff, so recharge from canals and ditches varies with runoff.

Lakes are few in the OVGB, and are either artificial reservoirs or small shallow lakes occupying depressions on the Owens Valley Fault. LADWP operates Pleasant Valley Reservoir (at the north end of the OVGB), Tinemaha Reservoir (a few miles above the LAA Intake), and Haiwee Reservoir (at the south end of the OVGB), to regulate flow in the LAA (Figure 1).

Groundwater System. The groundwater system in the OVGB is characterized by recharge where surface water infiltrates into alluvial fans, groundwater flows down the topographic gradient toward the axis of the basin and then parallel to the axis of the valley toward the low-point of the basin at Owens Lake, where it discharges via springs, seeps, and evapotranspiration. Numerous large extraction wells operated by LADWP are present from Laws to Lone Pine. The boundaries of the basin (as presently defined), aquifer and confining units, groundwater flow, geologic structures affecting groundwater flow, the groundwater budget, and groundwater quality are presented here to complete a conceptual model of groundwater flow in the OVGB.

Basin Geometry and Boundaries. The basin boundaries are generally delineated by the contact between alluvium and the bedrock of the adjacent mountain blocks (Figure 4). At the south end of the basin, the boundary is defined by the topographic high between Owens Valley and Rose Valley. This portion of the basin boundary is in alluvium and it is uncertain whether there is a permeable pathway south to Rose Valley; however, potentiometric data suggest that Haiwee Reservoir forms a groundwater divide in this area and most studies have concluded that groundwater flow from Owens Valley to Rose Valley is small (MWH, 2011). The boundary west of Chalfant and Hammil valleys is formed by the contact between valley-fill alluvium and the

Bishop Tuff. At this boundary, the Bishop Tuff likely overlies valley fill. The northeastern boundary in Benton Valley is a jurisdictional boundary corresponding to the Nevada State line.

The bedrock boundary at the bottom of the valley fill has been characterized by geophysical methods (Pakiser et al., 1964), revealing that the basal bedrock forms deep basins separated by bedrock highs. The deepest part of the basin is beneath Owens Lake, and is about 8,000 feet deep. Another deep basin is present between Big Pine and Bishop, about 4,000 feet deep. Other basins are present east of Lone Pine and beneath Hammil Valley. Shallow bedrock is present between Chalfant Valley and Laws, between Benton and Chalfant valleys, and between Big Pine and the LAA Intake. The basis of this boundary revision request is that the bedrock high between Chalfant Valley and Laws is a barrier to groundwater flow south from Chalfant Valley to Laws, resulting in groundwater discharge at Fish Slough, and that groundwater flow from Chalfant Valley into Owens Valley is a minor part of the water budget of the two proposed subbasins.

Aquifer Units and Confining Units. Although the valley fill material of the OVGB is heterogeneous and sedimentary strata generally cannot be traced over long distances, on the valley floor, the aquifer system can be generalized into a shallow unconfined zone and a deeper confined or semi-confined zone separated by a confining unit. A review of 251 driller's logs of wells in Owens Valley found that 89% of wells had indications of low permeability material in the well log (MWH, 2003). This three-layer conceptual model was used in numerical groundwater flow models for Owens Valley (Danskin, 1998) and the Bishop-Laws area (Harrington, 2007). The shallow zone is nominally about 100 feet thick and the transmissive portion of the deeper zone goes to approximately 1,000 feet depth.

Most of the valley fill is clastic material shed from the surrounding mountains, the majority of which is sand and gravel. Alluvial fan sediments are coarse, heterogeneous, and poorly sorted at the head of the fan and finest at the toe, beyond which fans transition to lake, delta, or fluvial plain sediments (Hollett, 1991). The transition zone from fan to valley floor is characterized by relatively clean well-sorted sands and gravels that likely originated as beach, bar, or river channel deposits, and because the down-gradient valley-floor facies are finer and

less permeable, the transition zone is a zone of groundwater discharge from springs and groundwater-dependent meadows (Hollett et al., 1991; Danskin, 1998). The transition zone is a favored location for LADWP groundwater wells because the well-sorted sandy aquifers provide high well yields and the transition zone corresponds to the LAA alignment. Extraction of groundwater from the transition zone has impacted groundwater dependent vegetation such that LADWP has implemented or plans to implement a number of revegetation, irrigation, and habitat enhancement projects to mitigation the effects of groundwater pumping (LADWP and Inyo County, 1991).

Although volcanic flows comprise a relatively small volume of the valley fill, the most transmissive aquifers in the Owens Valley occur in basalt flows between Big Pine and Independence. Historically, the largest springs in Owens Valley occurred where high permeability basalt flows terminate against lower permeability sediments or are in fault contact with sediments. Most of these large springs stopped flowing shortly after 1970 due to increased groundwater pumping.

Hydraulic conductivity, determined from aquifer tests in Owens Valley and the Owens Lake area, ranges from less than 10 feet/day to over 1000 feet/day (Danskin, 1998, Figure 16; MWH, 2012, Table 3-6). In Owens Valley, basalt flows between Big Pine and the Los Angeles Aqueduct Intake are highly conductive and wells intercepting such flows are the highest capacity wells in the valley. Where lacustrine sedimentation has prevailed for long periods of time at Owens Lake and Big Pine, extensive thick clay confining layers are present. Although the clay layers are disrupted and off-set by faulting, the confined nature of the deep aquifer is evident from generally higher heads in the deep aquifer than in the overlying shallow aquifer (Figure 6) and the presence of flowing wells near Bishop, Independence, and Owens Lake. A modeling effort in the Tri Valley and Fish Slough region estimated hydraulic conductivities in the range of 0.01 to 125 ft/day, with most of the values falling in the 1 to 20 ft/day range (MHA et al., 2001). These values are much lower than those from the Owens Valley and Owens Lake, possibly due to model calibration artifacts.

Groundwater Flow. Groundwater in the OVGB originates from precipitation falling within the Owens River watershed. Recharge to the aquifer system occurs primarily on alluvial fans where runoff infiltrates at the heads of alluvial fans and through stream channels. Lesser amounts of recharge derive from direct precipitation on fan surfaces; aqueduct, canal and ditch seepage; irrigation return flow; and losing reaches of the Owens River. Most natural groundwater discharge occurs on the valley floor in the form of spring flow, wetlands, baseflow to gaining reaches of the Owens River, evapotranspiration in phreatophytic vegetation communities, and evaporation from the playa and brine pool at Owens Lake. Groundwater flows from recharge areas high on the alluvial fans (areas of high hydraulic head) to discharge areas on the valley floor (areas of low hydraulic head) resulting in groundwater flow directions that parallel topographic gradients. Figure 6 shows areas of confinement, hydraulic head contours in the deep and shallow aquifers, and groundwater flow paths for spring, 1984.

Groundwater pumping has formed local cones of depression around centers of sustained pumping near Birch Creek (south of Big Pine) and Aberdeen (north of Independence), and Independence, which locally modify the regional pattern of down-fan flow on the alluvial fans and southerly flow on the valley floor.

The principal geologic structures affecting groundwater flow are the basin's bedrock boundaries and faults in the valley-fill material. The bedrock boundaries delineate the geometry of permeable valley fill. Faults parallel the axis of the valley (Figures 4 and 6) where they form barriers to groundwater flow across faults due to offset of high permeability layers and formation of low permeability material in the fault zone resulting from fault motion. Evidence for faults acting as groundwater flow barriers includes emergence of springs along fault traces and declines in water table elevation across faults. North of the Alabama Hills, blocks of aquifer are compartmentalized by en echelon faults, restricting lateral flow into the compartment. Recharge to the compartment is limited to local sources such as a stream segment within the compartment or precipitation. Absent lateral inflow, effects of pumping may be more long-lasting in compartmentalized areas, because recharge in compartmentalized aquifers may be limited to direct precipitation, which provides relatively low recharge rates.

Groundwater Budget. The groundwater budget for the OVGB is considered “understood” (Type A) according to Bulletin 118 (California Department of Water Resources, 2003). Water budgets in the OVGB have customarily separated the Tri Valley region from the Owens Valley proper. The brief discussion of the OVGB water budget in Bulletin 118 relies on data and analysis from Danskin (1998) and reports and communications from the Inyo County Water Department and LADWP. While these data sources are considered reliable, it should be noted that they pertain to the region between Laws to Lone Pine, i.e., the Tri Valley area in the north and Owens Lake in the south are not addressed in the water budget given in Bulletin 118. Water budgets for the Tri Valleys region, Owens Valley, and Owens Lake are discussed below and combined into a budget for the entire OVGB.

The Tri Valley region’s water budget is the least well understood in the OVGB. A number of water budget analyses have been prepared, including Jackson (1993), MHA et al. (2001), and TEAM (2006), but each of these studies has been limited by sparse hydrologic data in the Tri Valley region. In the Tri Valley region, recharge from stream channel infiltration is not well known because only one of the fifteen streams on the west slope of the White Mountains is gauged; however, it is believed that stream channels are the predominant source of recharge, as is typical in Mojave Desert and Great Basin groundwater systems (Stonestrom et al., 2007).

Jackson (1993) estimated natural recharge by comparing the Maxey-Eakin method (Maxey and Eakin, 1949) to simply calculating 10% of the estimated average precipitation to the region, and concluded that the Maxey-Eakin’s method yielded an unrealistically low value (1,270 AFY) and that the 10%-of-precipitation method provided a better estimate (13,160 AFY). MHA et al. (2001) prepared hydrologic data and a preliminary groundwater model to investigate the amount of surplus groundwater available for export. MHA’s (2001) initial estimates and model-generated estimates of water budget components are given in Table 1. Inflows were initially estimated to be in the range 17,051 - 43,029 AFY and outflows estimated to be in the range 18,939 - 36,611 AFY. Using a steady-state groundwater flow model, inflow and outflow were estimated to be 27,653 AFY and 27,621 AFY respectively. Table 2 shows irrigated acreages and groundwater pumping based on 5 acre-feet/acre of applied water for the Tri Valley region and

Laws. Table 1 gives 15,485 AF of groundwater pumping for the Tri Valley region, and 5,605 AF of pumping estimated for Laws agrees reasonably well with the metered value of 6,199 AF when considering that the metered pumping includes some conveyance losses in addition to irrigation. As noted in Table 1, MHA et al.'s (2001) modeled groundwater budget allots an excessive amount of pumping to Laws by about 4,000 – 7,500 AFY (Inyo County, 2015, Table 3.1 and Figure 3.4), and underestimates spring flow discharge to Fish Slough by several thousand AFY.

Fish Slough is a groundwater discharge area outside of the OVGB, west of Chalfant Valley and north of Bishop (Figure 1). Fish Slough is a federally-designated Area of Critical Environmental Concern due to the presence of rare plants and animals. Rare phreatophytic plants and aquatic fauna at Fish Slough are entirely reliant on groundwater discharge. Although Fish Slough is outside of the OVGB, it is likely that some of the groundwater discharging from Fish Slough originates from the Tri Valley region. Jayko and Fatooh (2010) concluded that the Fish Slough fault zone captures groundwater flow from Hammil Valley and diverts it to Fish Slough.

Groundwater discharge at Fish Slough can be estimated based on water budget components. Outflow from Fish Slough is measured by LADWP at gages (Figure 7). The record for Station #1 spans water-years 1934 through 1965; the record for Station #2 spans water-years 1967 to present (Figure 8). The apparent offset between the records for Station #1 and Station #2 is unknown. Figure 9 shows a portion of the record for Fish Slough Station #2 1993 through 1996, a period during which discharge measurements for the four largest springs in Fish Slough are reliable. Discharge from the springs is seasonally constant, but discharge at Station #2 shows a regular seasonal pattern of mid-winter maxima and mid-summer minima due to the effect of evaporation from the soil surface and plant transpiration (evapotranspiration, or ET) (Pinter and Keller, 1991). To estimate groundwater discharge at Fish Slough, we assumed that the mid-winter maxima represents groundwater discharge plus direct precipitation, so subtracting the February through November monthly discharge at Station #2 from the average monthly January and December discharges gives monthly ET. Summing February through November monthly ET gives calendar-year ET, and subtracting annual precipitation falling on the high-water-table

zone of Fish Slough gives ET from groundwater. The area of the high-water-table zone was evaluated from the acreage of lakes, ponds, and springs (13.9 acres), channels and wet low areas (178.2 acres) and seasonally flooded and wet alkali meadow (542.1 acres) (Odion et al., 1991) for a total of 734.2 acres. Annual precipitation was evaluated as equal to that measured at the Bishop Airport National Weather Service site (data obtained from the Western Regional Climate Center, <http://wrcc.dri.edu>). For the period 1967-2013, mean precipitation was 5.07 inches, and the mean ET from groundwater was 1,325 AFY. Finally adding ET from groundwater to the discharge at Station #2 gives total groundwater discharge at Fish Slough (Figure 10). For the period 1967-2013, the mean groundwater discharge was 6,397 AFY. Groundwater discharging at Fish Slough is probably a mixture of recharge from the White Mountains flowing through Hammil Valley and recharge from Casa Diablo Mountain north of the Volcanic Tablelands, in unknown proportions. Groundwater discharge at Fish Slough has steadily declined over the period 1967-2013 at a rate of approximately 100 AFY, and has declined to about one-half of its 1967 value.

When considering whether to separate the Tri Valley region and Owens Valley into two groundwater basins, a key consideration is the amount of groundwater flowing across the proposed boundary between Chalfant Valley and Owens Valley. MHA et al. (2001) estimated flow out of the Tri Valley region to be 12,524 AFY; however, Danskin's (1998) modeling study of the Owens Valley estimated that inflow into Owens Valley from Chalfant Valley was 1,665 AFY. The large discrepancy between these estimated flows may at least partially be accounted for by MHA et al.'s (2001) overstatement of pumping in Laws and understatement of groundwater discharge at Fish Slough. On this basis, and the fact that Danskin's (1998) analysis was more comprehensive than the MHA et al. (2001) study, the lower value of 1,665 AFY is probably the more reliable, but it should be noted that Danskin (1998) considered that more study was needed of this question.

The water budget for the Owens Valley is well understood because of the extensive surface water and groundwater monitoring facilities of LADWP. A water budget for the period 1970-1984 for the Owens Valley groundwater system developed by the USGS (Hollett, 1988, Table 6;

Danskin, 1998, Table 10) is shown in Table 3. The referenced USGS reports have extensive discussion of the water budget for Owens Valley and are available on the web (see reference section for URL addresses). Infiltration in stream channels of tributary streams is the largest source of recharge in the OVGB. In the Owens Valley portion of the basin north of Owens Lake, recharge from tributary streams is in the range 90,000 to 115,000 AFY (Hollett, 1991, Table 6). Danskin (1998, Plate 3) provides a map of recharge areas in Owens Valley, including stream channels, canals, ditches, agricultural return flows, ponds, and areas where precipitation infiltrates directly to the groundwater system. Subsequent work in Owens Valley conducted in support of the Inyo County/City of Los Angeles Water Agreement (see SGMA section 10720.8 (c)) using the same methods as Danskin (1998) shows that recharge over the period from water-year 1990 through 2014 averaged 162,000 AFY with a maximum of 251,000 AFY in 2006 and a minimum of 109,000 in 2014 (LADWP, 2015). Over this same period, groundwater pumping by LADWP has averaged 78,000 AFY, ranging from 57,000 AFY in 2006 to 93,000 AFY in 1990 (data on file at Inyo County Water Department). Non-LADWP pumping in Owens Valley is relatively small, and includes pumping for the City of Bishop, a number of small public water suppliers, domestic wells scattered up and down the valley, and a few agricultural pumpers on private land. Non-LADWP pumping is less than 10,000 AFY.

The water budget for the Owens Lake portion of the OVGB is well understood from monitoring conducted by the LADWP and the Great Basin Air Pollution Control District. The most comprehensive water budget for the Owen Lake groundwater system was recently completed by consultants for LADWP (MWH, 2011). MWH (2011, Table 16) estimate recharge to range from 44,000 to 67,500 AFY (Table 4) and reconciled this estimate with evapotranspiration and groundwater exports from the Owens Lake area to arrive at a recharge estimate of 51,700 AFY. MWH (2011) estimated evapotranspiration of groundwater in the Owens Lake area to be 66,400 AFY, but attributed 15,000 AFY of this figure to surface water entering the area via the Lower Owens River. MWH (2011) accounted for 300 AFY of pumping for a water bottling plant at Cartago. In Table 4, 2,000 AFY has been added to account for irrigation pumping in the Olancha area.

Water budget information from the Tri Valley region, Owens Valley, and the Owens Lake area can be combined to develop a basin-wide water budget for the OVGB. Table 5 reconciles the water budgets for each of the subbasins in the OVGB. Discharge from the Tri Valley region included an additional 4,357 AFY of spring discharge to account for recent (2013) levels groundwater discharge at Fish Slough (Figure 10). Figures given for Owens Valley represent average conditions. Recharge for the Owens Lake region was decreased to not count groundwater flow from the north, and discharge at Owens Lake was decreased to account for 15,000 AFY of surface water from the Lower Owens River. Additionally, the Owens Valley study area (Danskin, 1998) and the Owens Lake study area (2011) overlap in the area of Lone Pine, Tuttle, Diaz, and Lubkin Creeks. Based on Danskin's (1998) recharge calculations, 10,600 AFY was subtracted from the basin-wide recharge figures so as to not "double count" recharge in this area (see City of Los Angeles Department of Water and Power and Inyo County, 1990), Appendix B Tables 2, 3, and 4). The overall water budget given in Table 5 represents average conditions, and interannual variations are likely in the range of plus or minus 50% from the average values. Table 5 shows an overall balance between recharge and discharge, with extracted groundwater accounting for 43 – 54 % of recharge on average. Groundwater flow from the Tri Valley region to Owens Valley is less than 1% of the overall basin water budget.

Groundwater Quality. Groundwater quality in the OVGB is generally good. Total dissolved solids in the Tri Valley region at a small public water system in Chalfant Valley ranged from 240 to 298 mg/L (TEAM, 2006). In Owens Valley, total dissolved solids generally ranged from 108 to 325 mg/L in a selection of wells and generally of a calcium-bicarbonate composition (Hollett, 1991, Table 5); however, at Owens Lake total dissolved solids range from fresh (222 mg/L) to saline (20,983 mg/L) mainly dependent on the source aquifer (MWH, 2012). Human-caused groundwater contamination consists of leaky underground storage tanks and land disposal facilities (California State Water Resources Control Board). Naturally occurring arsenic is present in groundwater at Owens Lake.

Summary

The Owens Valley Groundwater Basin is an elongate depression formed by Basin and Range-style extensional faulting. Valley fill consists of a heterogeneous mix of alluvium, fluviolacustrine (stream and lake), and volcanic material. Although the basin presents a continuous surface of valley fill of about 120 miles, geophysical studies have shown that the basin consists of a series of deep basins separated by relatively shallow bedrock blocks. Because the basin consists of a series of deep basins with intervening bedrock blocks, the basin can be divided into three discrete hydrologic units – Tri Valley, Owens Valley, and Owens Lake – and groundwater studies have customarily treated these areas as separate water budget units.

The aquifer system is conceptualized as having a shallow unconfined zone and a deep confined or semi-confined zone, separated by a confining layer or layers. Confinement is more pronounced in the center of the valley where clayey layers are more laterally continuous. On alluvial fans, the system generally consists of a single unconfined system as confining layers pinch out toward the margins of the basin. Recharge occurs primarily at the heads of alluvial fans and along stream channels on alluvial fans. Groundwater generally flows down the topographic gradient of the fans toward the axis of the valley, and then parallel to the axis toward Owens Lake, the low point of the Owens Valley. Natural groundwater discharge occurs in springs, seeps, wetlands, groundwater-dependent vegetation communities, and as baseflow to the Owens River. Groundwater has been developed for domestic, municipal, agricultural uses and to supply water to Los Angeles via the Los Angeles Aqueduct. The principal pumper in the basin is the Los Angeles Department of Water and Power, which pumps water both for export and for use on Los Angeles-owned lands in Owens Valley. Total groundwater extraction from pumped and flowing wells is approximately 43-54% of recharge on average.

References

Bateman, P.C., 1965, *Geology and Tungsten Mineralization of the Bishop District, California*, USGS Professional Paper 470.

Beanland, S., and M.M. Clark, 1994, *The Owens Valley fault zone, eastern California and surface ruptures associated with the 1872 Earthquake*, USGS Bulletin 1982.

California Department of Water Resources, 2003, California's Groundwater – Bulletin 118 – Update 2003.

California State Water Resources Control Board. Geotracker online database of groundwater contamination sites. http://geotracker.waterboards.ca.gov/sites_by_gwbasin.asp

City of Los Angeles Department of Water and Power, 2015, Los Angeles Department of Water and Power 2015 Annual Owens Valley Annual Report, <http://www.inyowater.org/wp/wp-content/uploads/2012/12/2015-Combined-Files.pdf>

Crowley, J.L., Schoene, B., Bowring, S.A., 2007, U-Pb dating of zircon in the Bishop Tuff at the millennial scale, *Geology* 35(12), 1123–1126.

Danskin, W.R., Preliminary Evaluation of the Hydrogeologic System in Owens Valley, California, USGS Water Resources Investigation Report 88-4003, 1988.

Danskin, W.R., 1998, Evaluation of the Hydrologic System and Selected Water-Management Alternatives in the Owens Valley, California, USGS Water Supply Paper 2370-H. <http://ca.water.usgs.gov/archive/reports/wsp2370/>

Davis, F. W., D. M. Stoms, A. D. Hollander, K. A. Thomas, P. A. Stine, D. Odion, M. I. Borchert, J. H. Thorne, M. V. Gray, R. E. Walker, K. Warner, and J. Graae. 1998. *The California Gap Analysis Project--Final Report*. University of California, Santa Barbara, CA.

Department of Water Resources, 2003, California's Groundwater, California Department of Water Resources Bulletin 118 – Update 2003.

Harrington, R.F., 2007, Development of a Groundwater Model for the Bishop/Laws Area, Final Report for Local Groundwater Assistance Grant No. 4600004129.

Hollett, K.J., W.R. Danskin, W.F. McCaffery, and C.L. Walti, 1991, Geology and Water Resources of Owens Valley, California, USGS Water Supply Paper 2370-B. <http://pubs.er.usgs.gov/publication/wsp2370B>

Howald, A., 2000, Plant Communities, in "Sierra East, Edge of the Great Basin", J. Smith ed., University of California Press.

Inyo County Water Department, 2015, 2014-2015 Annual Report, <http://www.inyowater.org/wp/wp-content/uploads/2012/12/2015-AnnualReport-ICWD-final2.pdf>

Jackson, R.J., Reconnaissance Estimate of Natural Groundwater Recharge to the California Section of the Tri Valley Region, Mono County, California, 1993, Inyo County Water Department Technical Note 93-3.

Los Angeles, City of, Department of Water and Power, and County of Inyo, 1990, Green Book for the Long-Term Groundwater Management Plan for the Owens Valley and Inyo County.

Los Angeles, City of, Department of Water and Power, and County of Inyo, Agreement Between the County of Inyo and the City of Los Angeles and its Department of Water and Power on a Long Term Groundwater Management Plan for Owens Valley and Inyo County, Stipulation and Order for Judgement, Inyo County Superior Court, Case no. 12908, 1991.

Jayko, A.S. and J. Fatooh, 2010, Fish Slough, a geologic and hydrologic summary, Inyo and Mono Counties, California, Prepared for the BKM Bishop Field Office, USGS Administrative Report.

Los Angeles, City of, and Inyo County, 1991, Water From the Owens Valley to Supply the Second Los Angeles Aqueduct – 1970 to 1990 – 1990 Onward, Pursuant to a Long Term Groundwater Management Plan, Volume I, Final Environmental Impact Report.

Lee, C.H., 1912, An Intensive Study of the Water Resources of a part of Owens Valley, California, USGS Water Supply Paper 294.

Maxey, G.B., and Eakin, T.E., 1949, Ground water in White River Valley, White Pine, Nye, and Lincoln Counties, Nevada: Nevada State Engineer, Water Resources Bulletin 8.

MWH, 2003, Confining Layer Characteristics Cooperative Study – Final Report, prepared for Inyo County/Los Angeles Technical Group.

MHA Environmental Consulting Inc., TEAM Engineering and Management Inc., Mark Bagley, EMRICO, Don Sada, and Sage and Associates, 2001, Task 1 Report – Preliminary Data Collection and Hydrologic Models, Prepared for the US Filter Tri Valley Groundwater Surplus Program, Mono County, California.

MWH, 2010, Owens Lake Groundwater Evaluation Project – Appendix Q – Evaluation of Geophysical Data, Phase I, prepared for the Los Angeles Department of Water and Power.

MWH, 2011, Owens Lake Groundwater Evaluation Project, Appendix C – Preliminary Conceptual Model, prepared for the Los Angeles Department of Water and Power.

MWH, 2011, Owens Lake Groundwater Evaluation Project – Appendix R – Evaluation of Geophysical Data, Phase II, prepared for the Los Angeles Department of Water and Power.

MWH, 2012, Final Report on the Owens Lake Groundwater Evaluation Project, prepared for the Los Angeles Department of Water and Power.

Pakiser, L.C., M.F Kane, and W.H. Jackson, 1964, Structural Geology and Volcanism of Owens Valley Region, California – A Geophysical Study, USGS Professional Paper 438.

Pinter, N. and E.A. Keller, 1991, Hydrology of Fish Slough, in “Biotic Inventory and Ecosystem Characterization for Fish Slough, Inyo and Mono Counties, California, Univ. of Calif, Santa Barbara, Report Prepared for Calif. Dept. of Fish and Game, W.R Ferren and F.W. Davis, editors.

Odion, D.C., R.M. Callaway, W.R. Ferren, F.W. Davis, F Setaro, A Parikh, 1991, Vegetation, in “Biotic Inventory and Ecosystem Characterization for Fish Slough, Inyo and Mono Counties, California, Univ. of Calif, Santa Barbara, Report Prepared for Calif. Dept. of Fish and Game, W.R Ferren and F.W. Davis, editors.

Slemmons, D.B., E. Vittori, A.S. Jayko, G.A. Carver, and S.N. Bacon, Quaternary fault and lineament map of Owens Valley, Inyo County, eastern California, 2008, Geological Society of America Map and Chart #96.

Stonestrom, D.A., J. Constantz, T.P.A Ferre, and S.A. Leake, 2007, Ground-water recharge in the arid and semiarid southwestern United States, USGS Professional Paper 1703.

TEAM Engineering and Management Inc., 2006, Surface Water and Groundwater Availability Assessment – Tri-Valley Area, Mono County, California, report prepared for the Mono County Planning Department.

Tables

Table 1. Water budget components for Tri Valley region.

Table 2. Irrigated acreage and water use in Tri Valley region and Laws.

Table 3. Water budget components for Owens Valley.

Table 4. Recharge in the Owens Lake area.

Table 5. Water budget for Owens Valley Groundwater Basin.

Table 1. Water budget components (AFY) for Tri Valley region from MHA et al. (2001), Tables 5-8 and 6-6.

Initial Estimates of Water Budget Components			
Inflow	Low Estimate	High Estimate	Comments
White Mountain runoff	14,100	25,829	Extrapolated from gauged streams
Precipitation	0	0	Likely greater than zero, but small
Benton Range	1,500	1,500	Unknown
Bishop Tuff	1,000	1,000	Unknown
Return flows	451	14,700	Lower estimate is more recent
Total Inflows	17,051	43,029	
Outflows			
Ag and domestic pumping	16,200	19,629	Estimates are close and consistent
Phreatophytic ET	1,084	3,282	Preliminary vegetation mapping, which includes Fish Slough, yields 1,084 AFY
Subsurface outflow	1,655	13,700	Lower estimate from Danskin (1998), higher from PWA (1980)
Total Outflows	18,939	36,611	
Calibrated Steady-State Model			
Inflows	Calibrated value		Comments
Boundary inflows	35		
Recharge	27,463		
Owens River	155		Model domain extended to Owens River.
Total Inflow	27,653		
Outflows			
ET	593		Principally at Fish Slough and Chalfant
Pumping	26,898		Includes 14,481 AFY from Laws, which is 4,000 – 7,000 AFY too high for steady-state conditions
Fish Slough	5		Fish Slough groundwater discharge to surface water is 3,000 – 6,000 AFY
Owens River	165		
Boundary outflow	0		Model estimate of flow from Chalfant to Laws was 14,481 AFY
Total Outflow	27,621		

Table 2. Irrigated acreage determined from 2014 aerial photography and groundwater pumping for irrigation assuming 5 acre-feet/acre of applied water.

Area	Irrigated acres	Groundwater pumping
Benton Valley	514	2,570
Hammil Valley	2,383	11,915
Chalfant Valley	200	1,000
Laws	1,121	5,605
Total	4,218	21,090

Table 3. Groundwater budget components for Owens Valley (not including Round Valley and Owens Lake) for water-years 1970-1984 (Danskin, 1998, Table 10).

Component	Average	Minimum	Maximum
Precipitation	2,000	0	5,000
Evapotranspiration	-72,000	-50,000	-90,000
Tributary streams	103,000	90,000	115,000
Mountain front recharge	26,000	15,000	35,000
Runoff from bedrock outcrops in valley fill	1,000	0	2,000
Owens River above intake and LA Aqueduct			
Channel seepage	-3,000	0	-20,000
Spillgates	6,000	3,000	10,000
Owens River below LA Aqueduct intake	-3,000	-1,000	-8,000
Reservoirs and lakes	1,000	-5,000	5,000
Canals, ditches, ponds	31,000	15,000	60,000
Irrigation returns and stock water	10,000	5,000	20,000
Pumped and flowing wells	-98,000	-90,000	-110,000
Springs and seeps	-6,000	-4,000	-10,000
Subsurface inflow	4,000	3,000	10,000
Subsurface outflow	-10,000	-5,000	-20,000
Total recharge	184,000	170,000	210,000
Total discharge	192,000	175,000	225,000
Change in groundwater storage	-8,000	-5,000	-15,000

Table 4. Recharge estimates for the Owens Lake area (from MWH (2011), Table 16).

Component	Recharge (AFY)
Down-valley flow from north	12,500 – 14,500
Recharge from stream channels	
Inyo/Coso ranges	0 - 2,000
Sierra Nevada (Lone Pine to Lubkin Creek)	15,750
Sierra Nevada (Carroll to Walker Creek)	8,000 - 18,500
Interfluvial/alluvial fan recharge	0 - 2,000
Haiwee Reservoir subsurface inflow	2,000 - 10,000
Centennial Flat subsurface inflow	0 - 1,000
Mountain block recharge	0
Total	44,000 - 67,500

Table 5. Owens Valley Groundwater Basin water budget, based on water budgets for the Tri Valley region, Owens Valley, and Owens Lake area (Tables 1-4).

	Recharge	Discharge	
		Pumping	ET, springs and seeps, baseflow to water courses
Tri Valley region	17,000 - 43,000	16,200 - 19,600	5,000 ¹
Owens Valley	183,800	98,000 ²	84,000
Owens Lake	29,500 - 55,000	2300 ³	51,400
Subtotal	230,800 - 281,900	116,500 – 119,900	141,400
Total	220,200 - 271,300⁴	251,900 - 260,300	

¹ 4,400 AFY groundwater discharge at Fish Slough plus 600 AFY discharge in Chalfant Valley.

² 78,000 AFY pumping by LADWP plus 10,000 AFY by non-LADWP pumpers, plus 10,000 AFY from flowing wells.

³ Includes 2,000 AFY for irrigation and 300 AFY for water bottling plant.

⁴ 10,600 AFY was subtracted to account for overlap Owens Valley (Danskin, 1998) and Owens Lake (MWH, 2011) study areas.

Figures

Figure 1. Owens River watershed and Owens Valley Groundwater Basin.

Figure 2. Isohyetal (precipitation) map of Owens River watershed.

Figure 3. Land Ownership in Owens River watershed.

Figure 4. Geology of the Owens Valley Groundwater Basin.

Figure 5a. Gravity and structural geology map of Bishop/Chalfant Valley area.

Figure 5b. Key to Figure 5a.

Figure 6. Piezometric map of Owens Valley.

Figure 7. Locations of surface water gages at Fish Slough.

Figure 8. Surface water outflow from Fish Slough.

Figure 9. Fish Slough spring discharge and surface water outflow, 1993-1997.

Figure 10. Evapotranspiration, evapotranspiration from groundwater, surface water outflow, and groundwater discharge at Fish Slough.

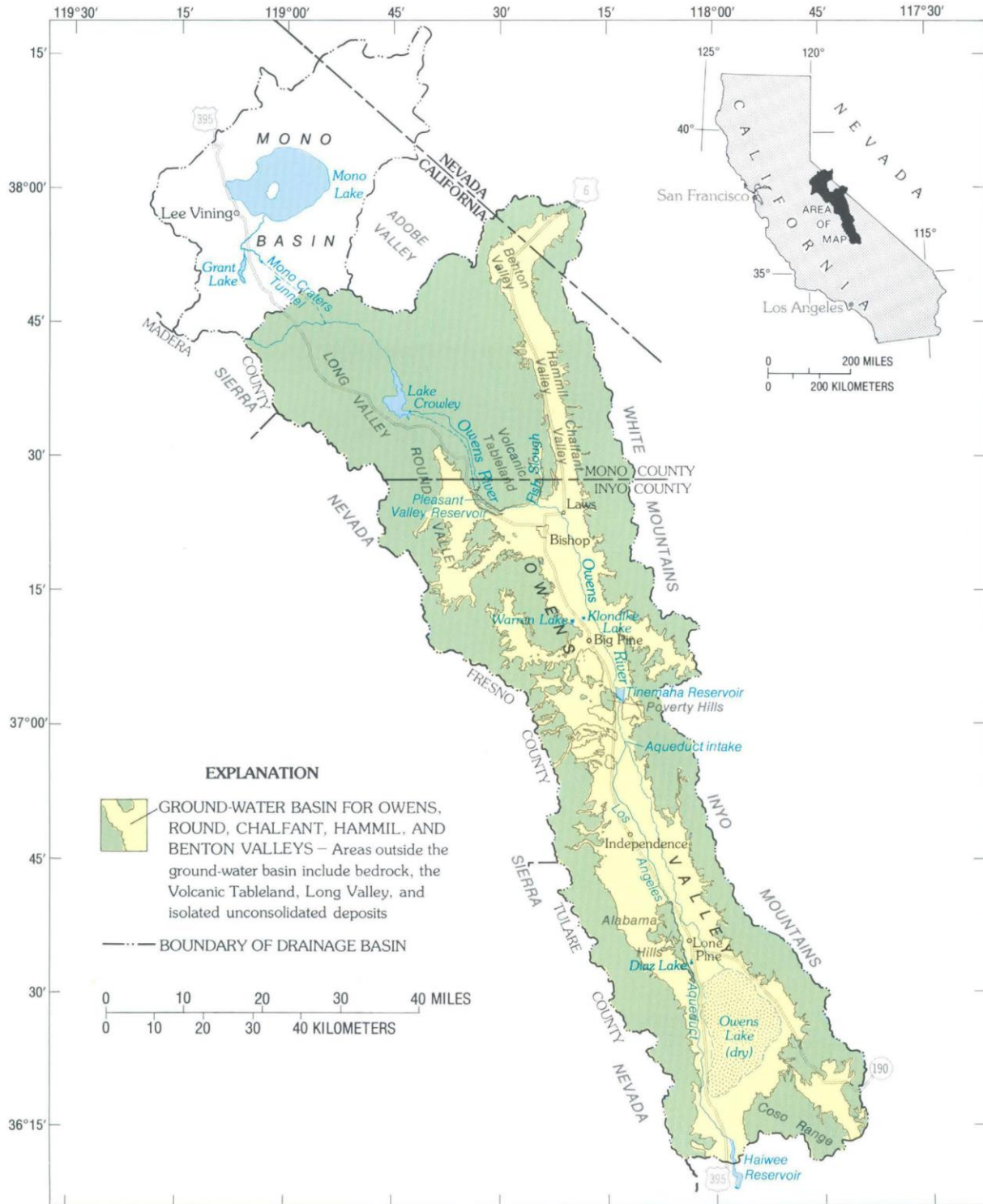


Figure 1. Owens River watershed and Owens Valley Groundwater Basin (from Hollet et al., 1991, courtesy of US Geological Survey).

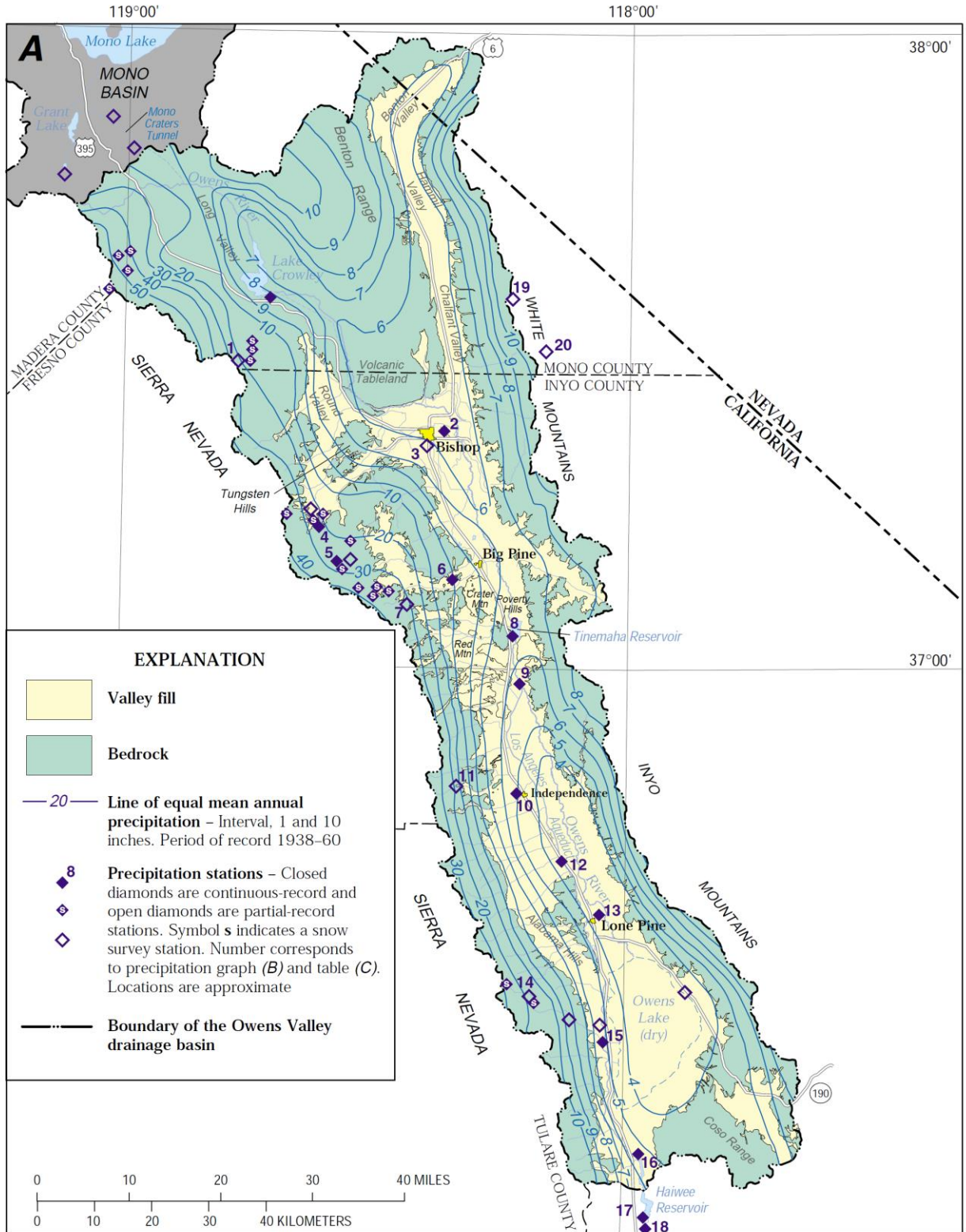


Figure 2. Isohyetal (precipitation) contours for Owens River watershed (from Hollet et al., 1991, courtesy of US Geological Survey).

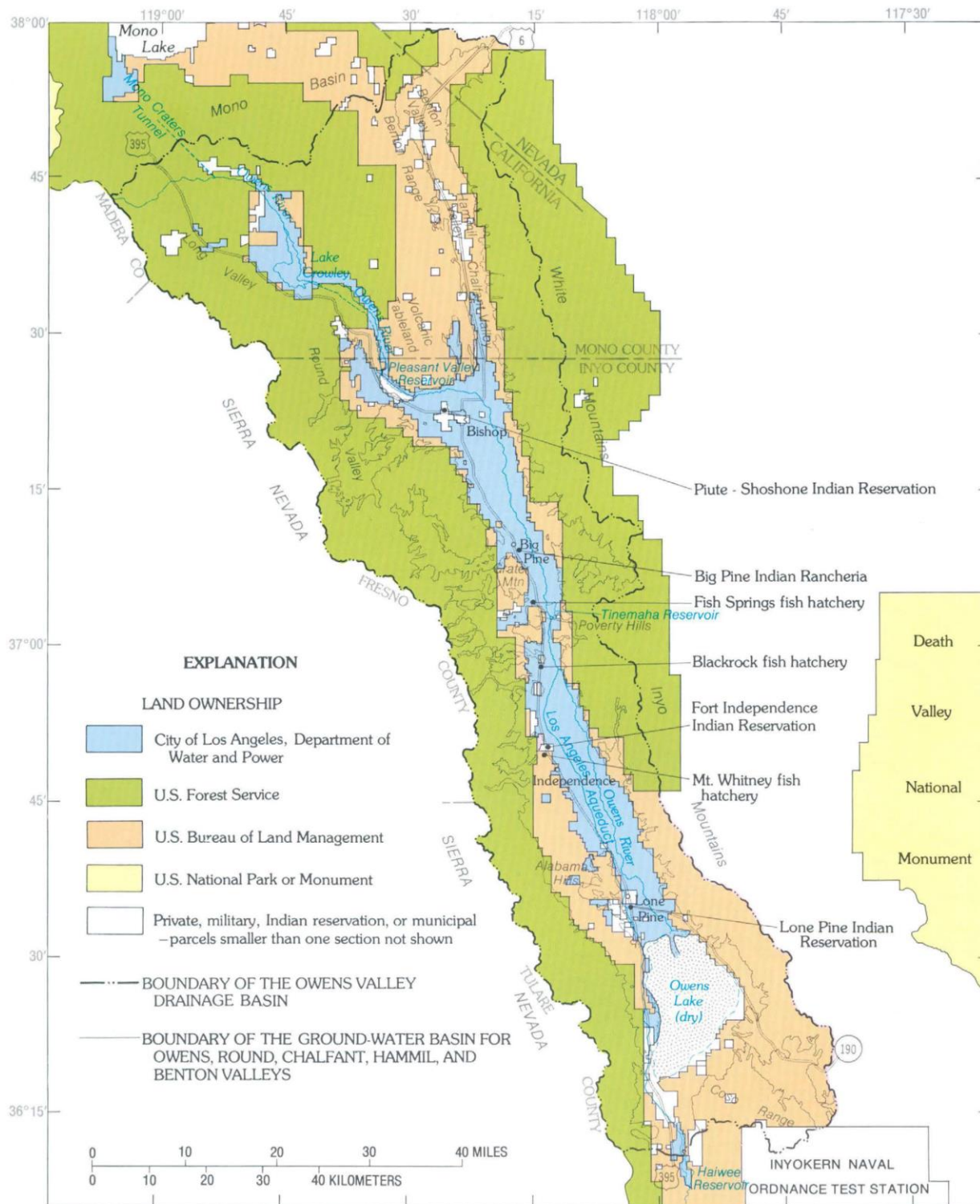


Figure 3. Land ownership in Owens watershed. Note that the Owens Lake bed is largely owned by the California State Lands Commission (Hollett et al., 1991, courtesy of US Geological Survey).

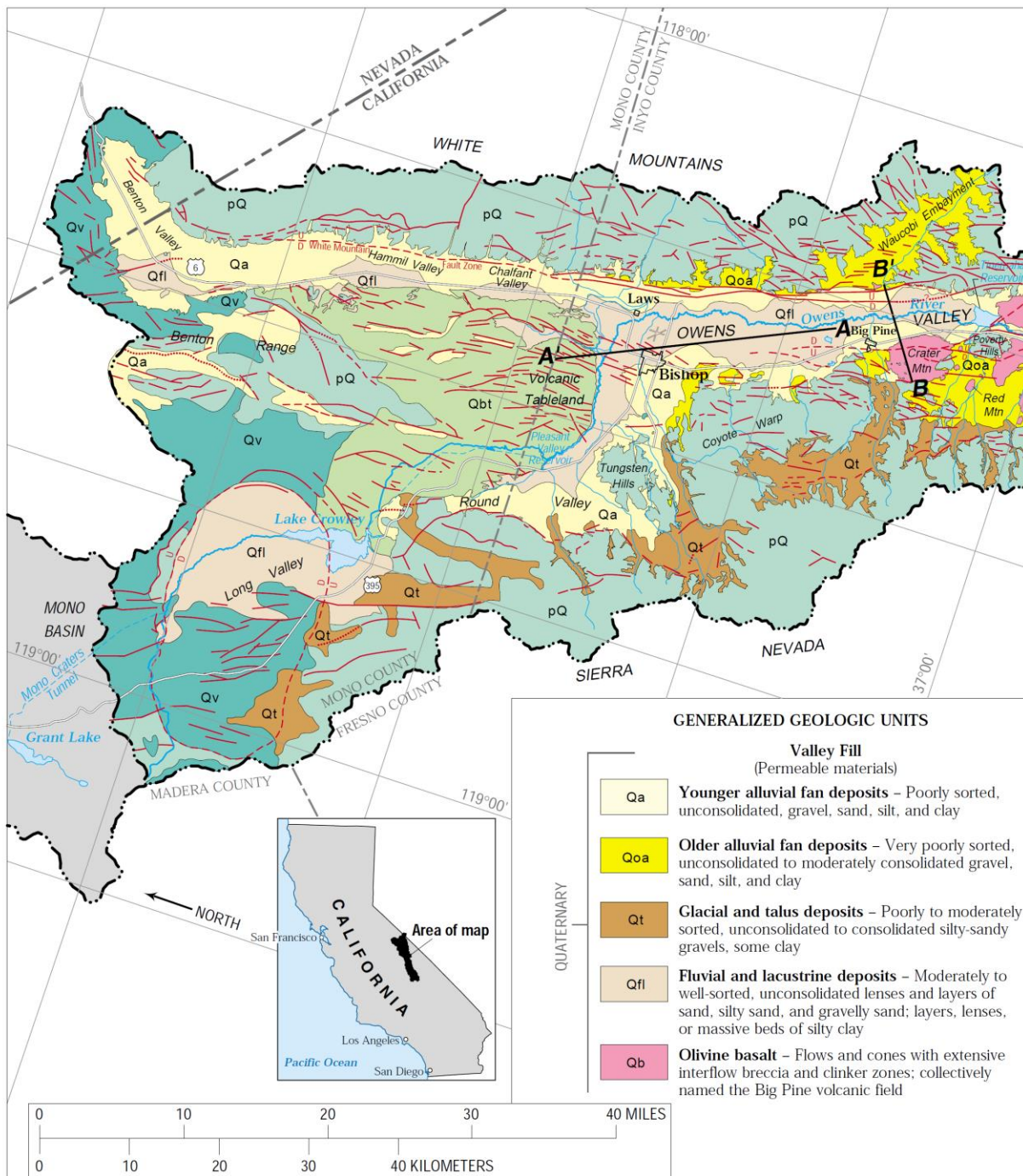


Figure 4. Geology of the Owen Valley Groundwater Basin and vicinity (Danskin, 1998, courtesy of US Geological Survey).

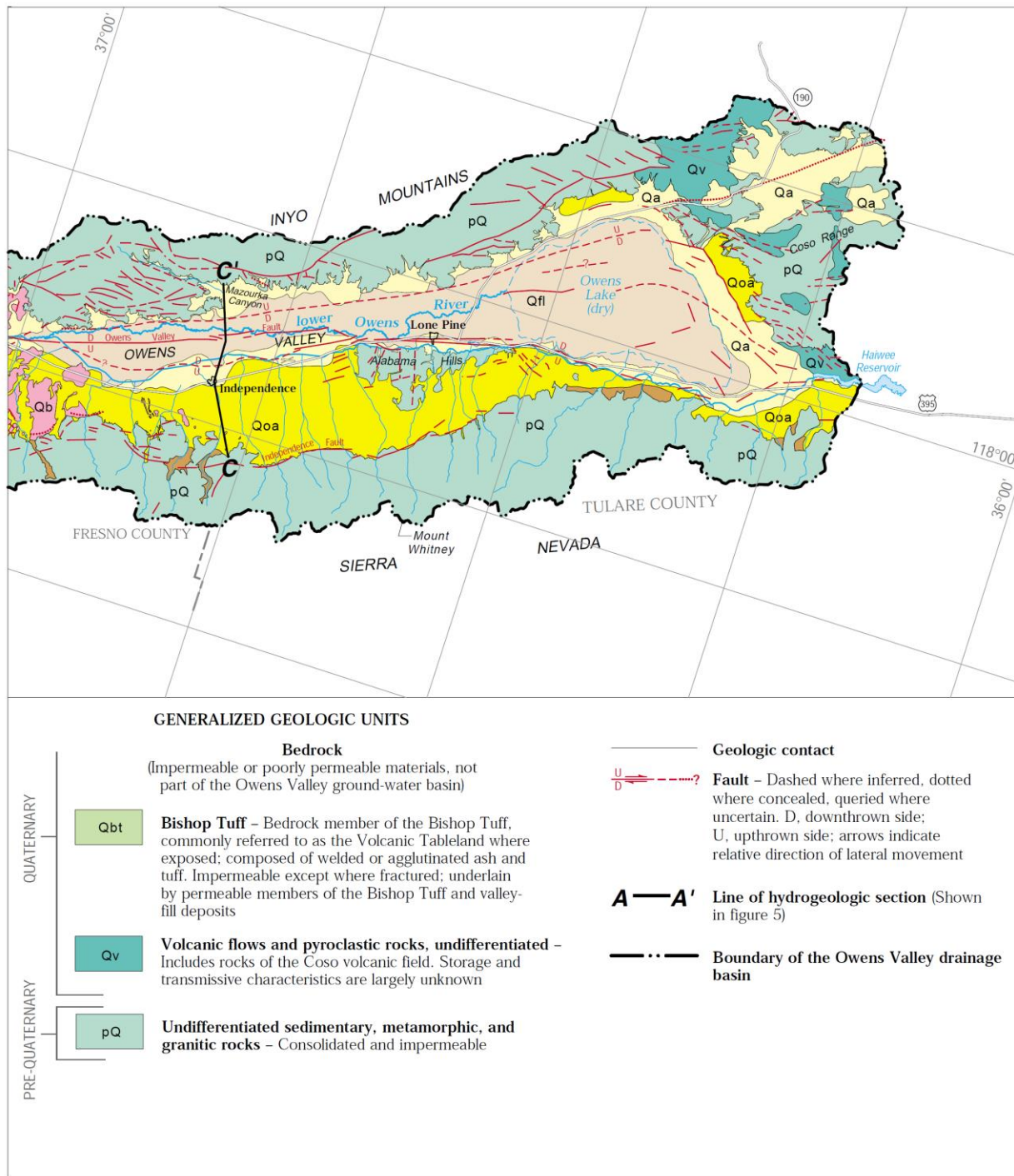


Figure 4. Continued from previous page.

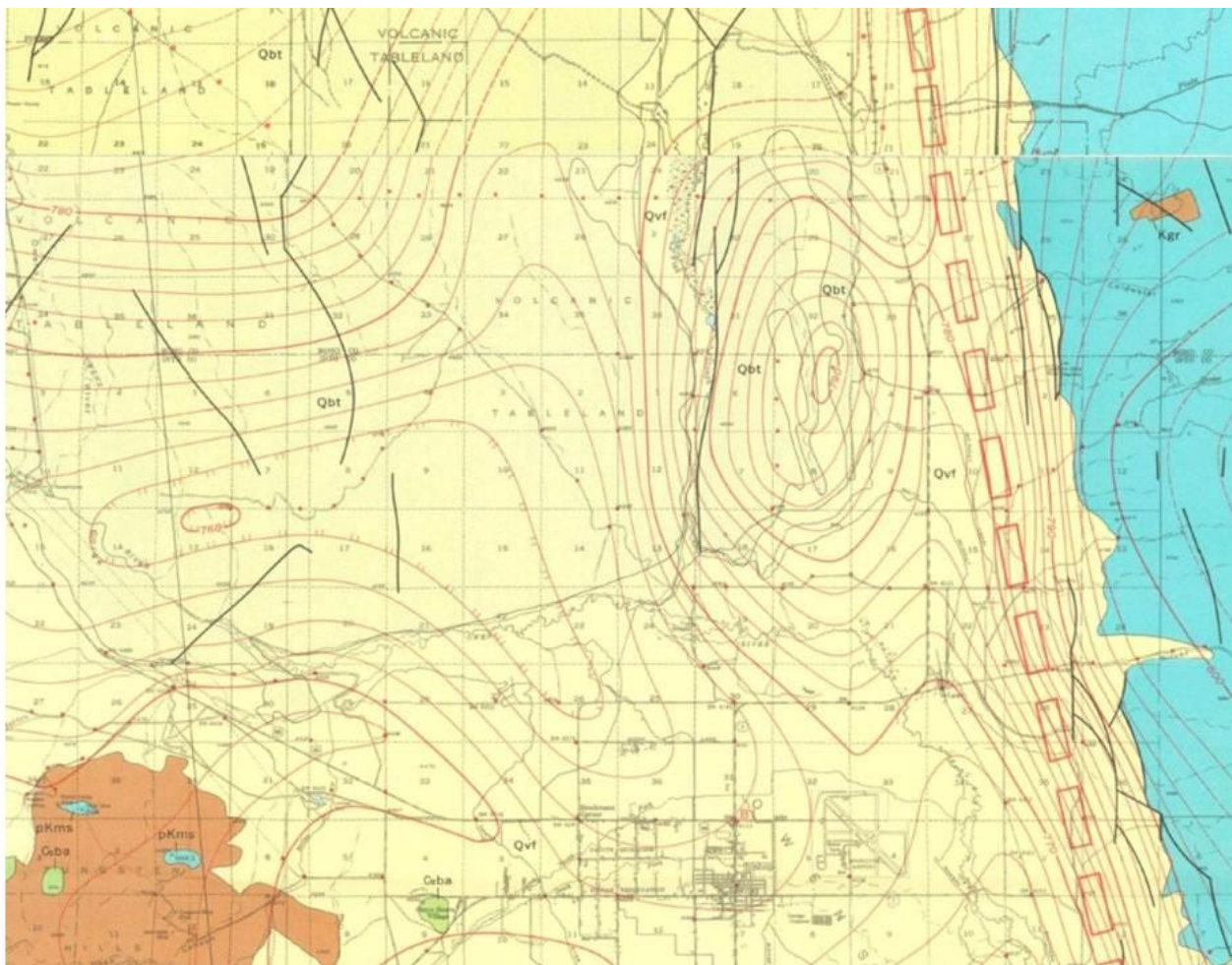


Figure 5a. Gravity contour and structural geology of Bishop/Chalfant Valley region, showing gravity anomaly between Owens Valley and Chalfant Valley. Bishop is located in lower center; Fish Slough is the wetland indicated in the upper center, with the Fish Slough Fault running along its eastern boundary; the gravity anomaly is indicated by the closed gravity contours east of Fish Slough. This map is a composite of portions of Plate 1, Sheets 1 & 2 from Pakiser et al. (1964). Key is provided in Figure 5b.

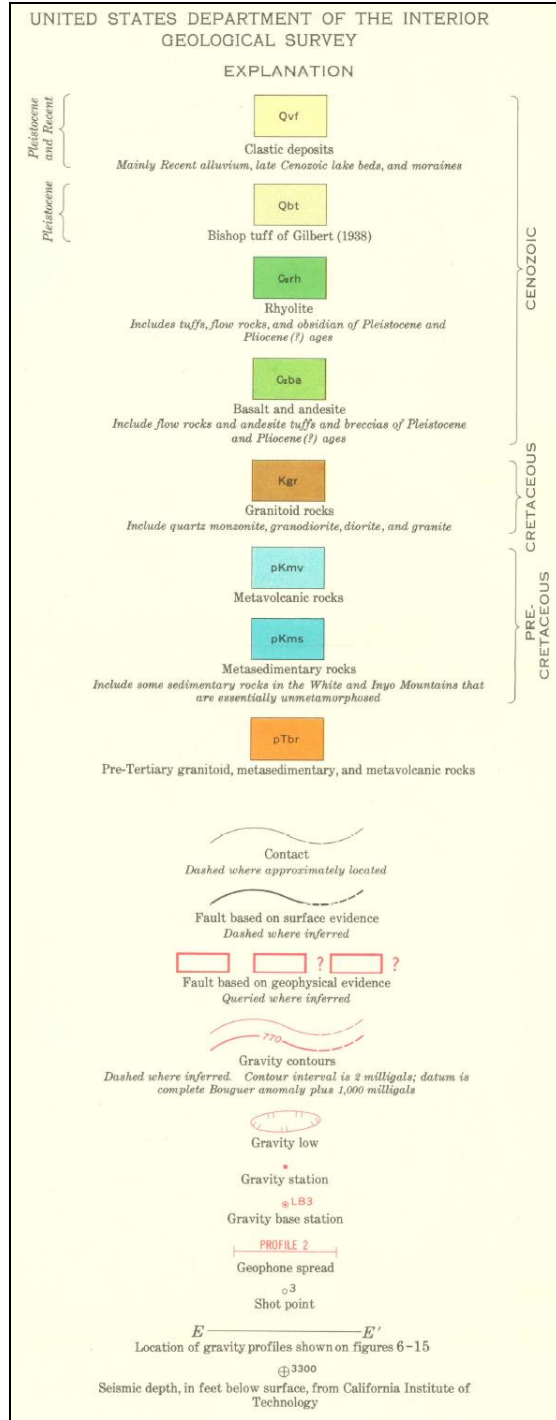


Figure 5b. Key to Figure 5a.

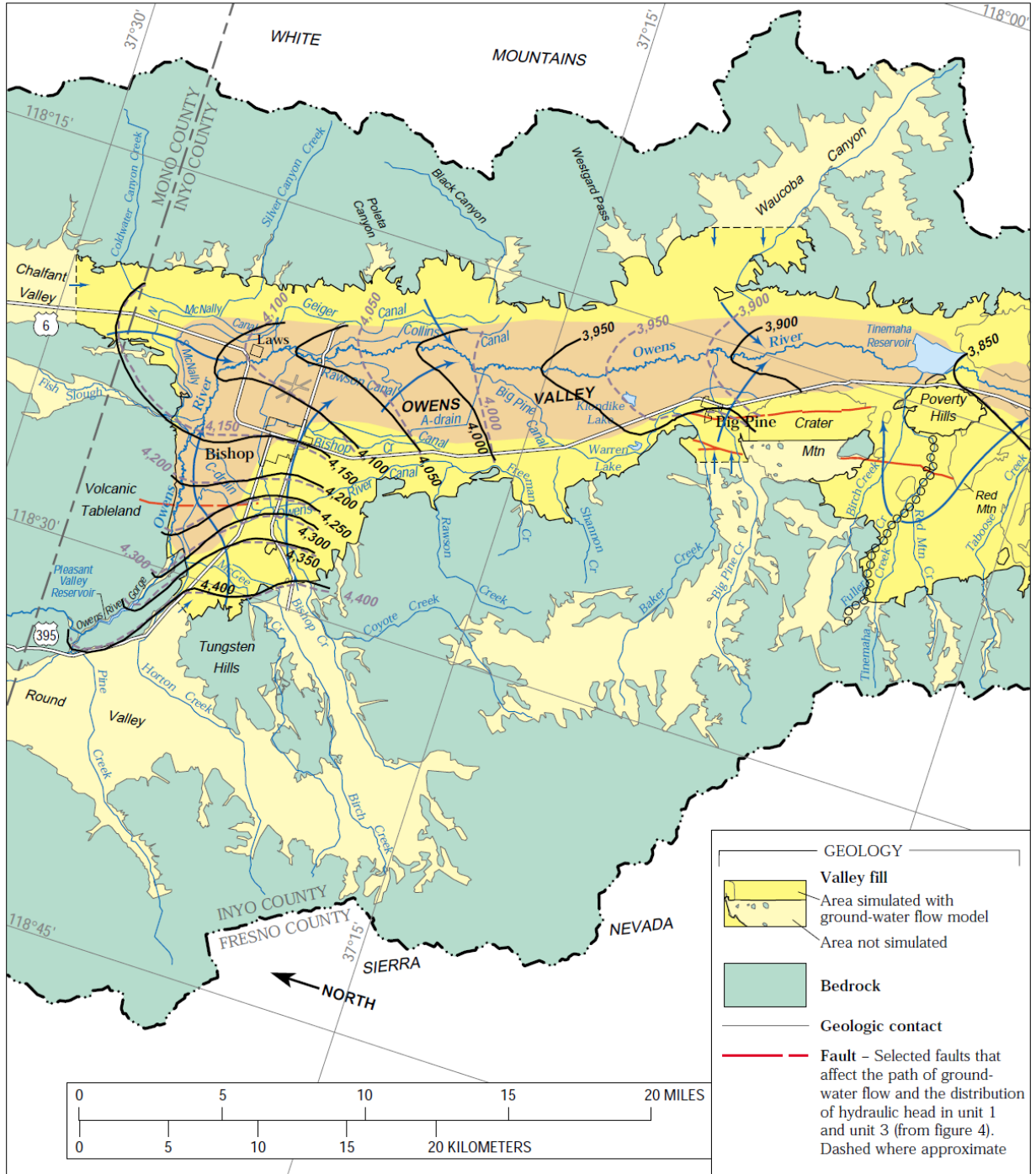


Figure 6. Groundwater flow conditions between Bishop and Lone Pine. Shown are areal extent of aquifer, zone of confined aquifer, hydraulic head contours in deep and shallow aquifer, and groundwater flow directions (from Danskin, 1998, courtesy of U.S. Geological Survey).

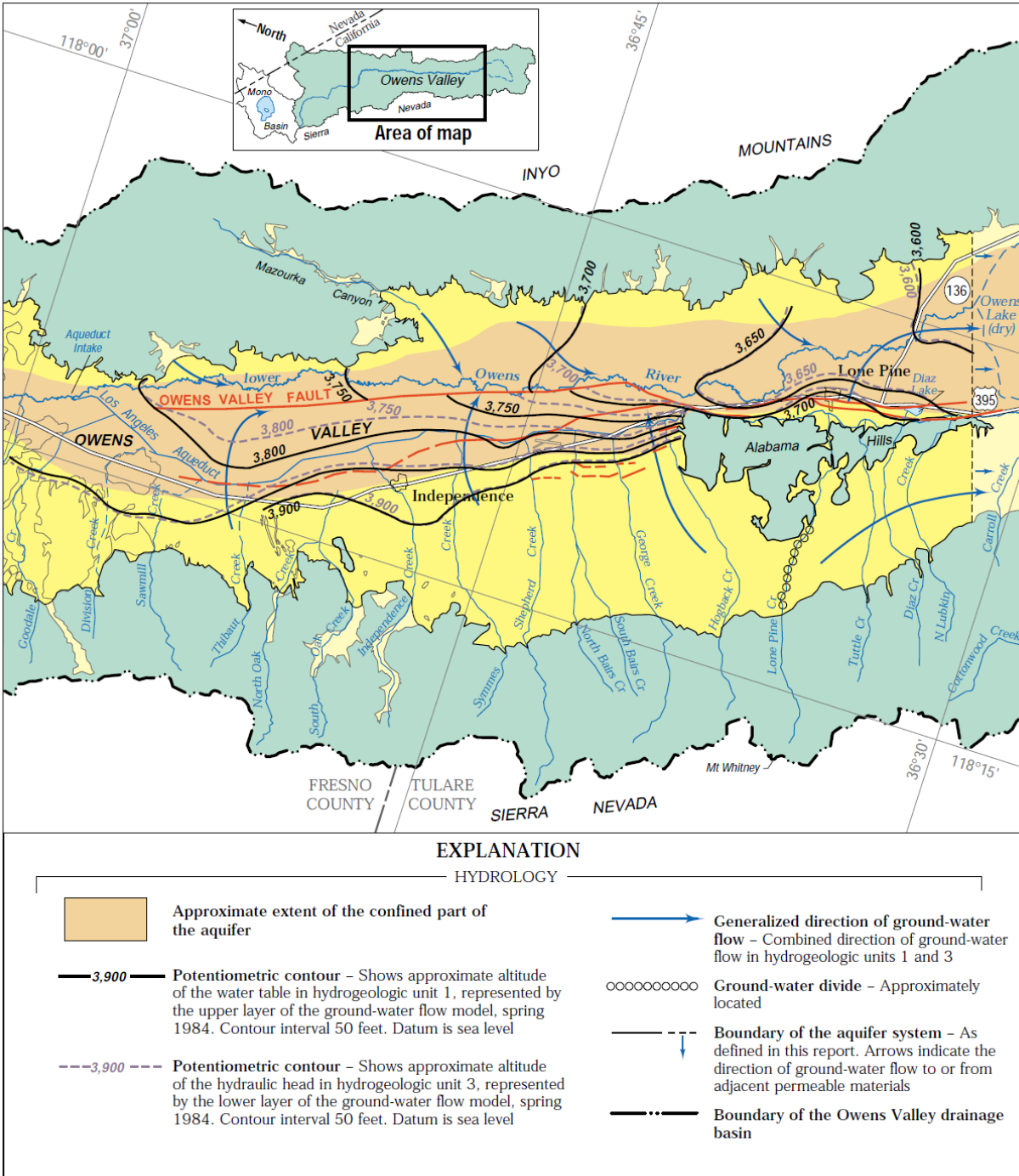


Figure 6 (continued).

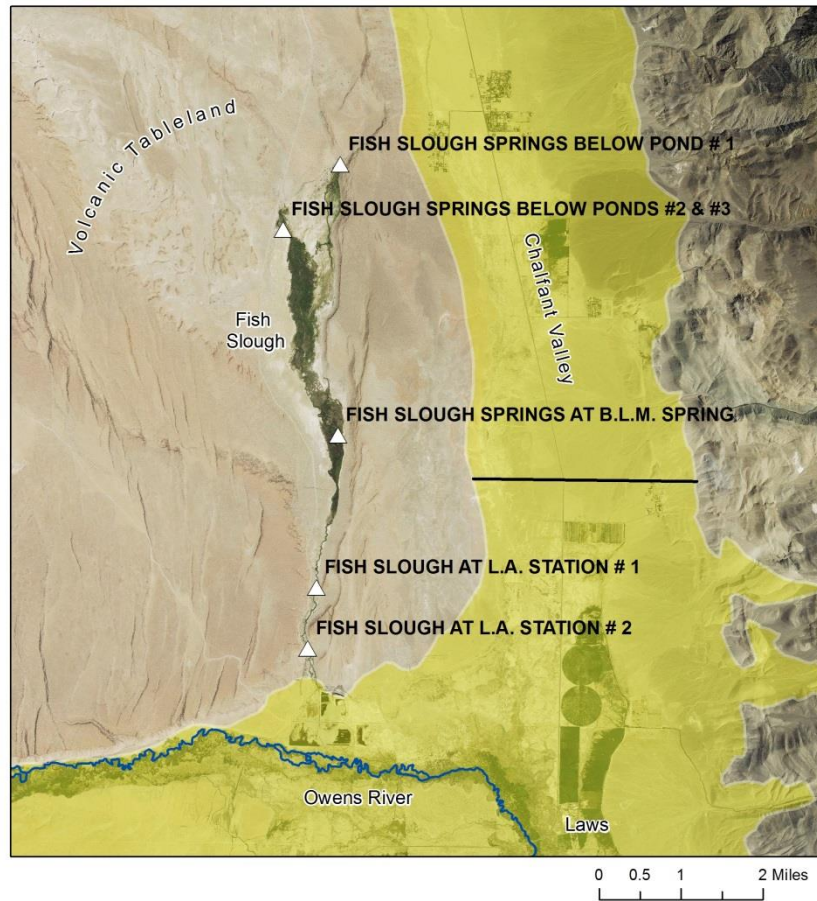


Figure 7. Locations of surface water flow gages used to estimate groundwater discharge at Fish Slough. Location of proposed boundary revision is shown by black line.

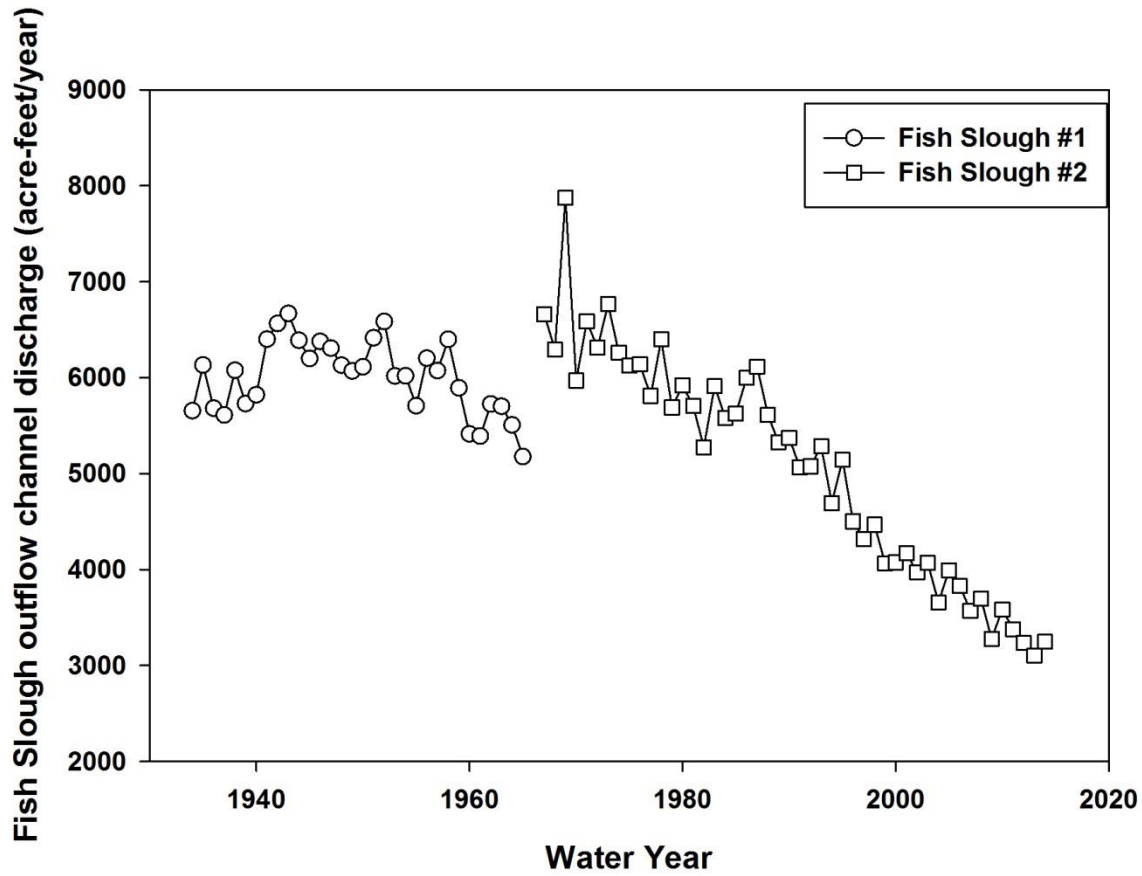


Figure 8. Surface water outflow from Fish Slough. Fish Slough Station #2 is on Fish Slough Ditch at the Upper McNally Canal; Fish Slough Station #1 was located on Fish Slough Ditch approximately 1 mile upstream of Station #1. The cause of the offset between the last measurements from Station #1 and the first measurements from Station #2 is unknown.

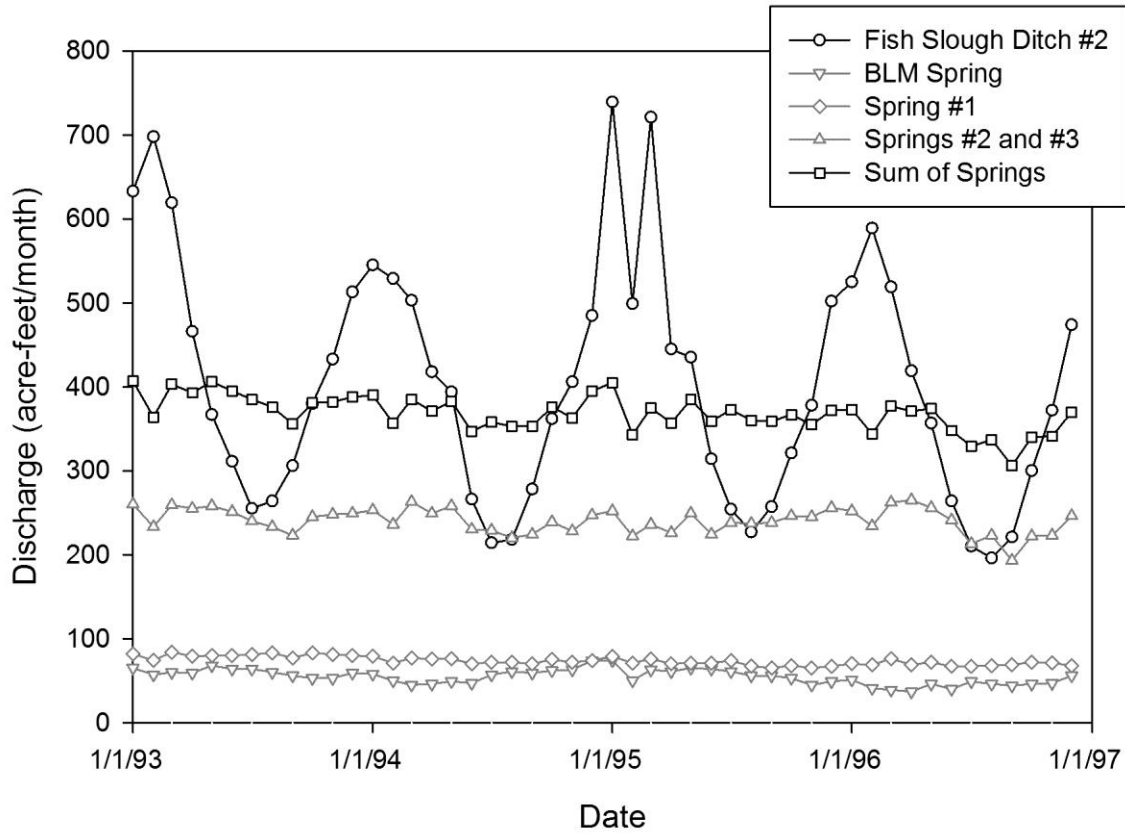


Figure 9. Outflow from Fish Slough at LADWP Fish Slough Ditch Station #2 and discharge from gaged springs in Fish Slough. Sum of springs is the sum of the three gaged springs.

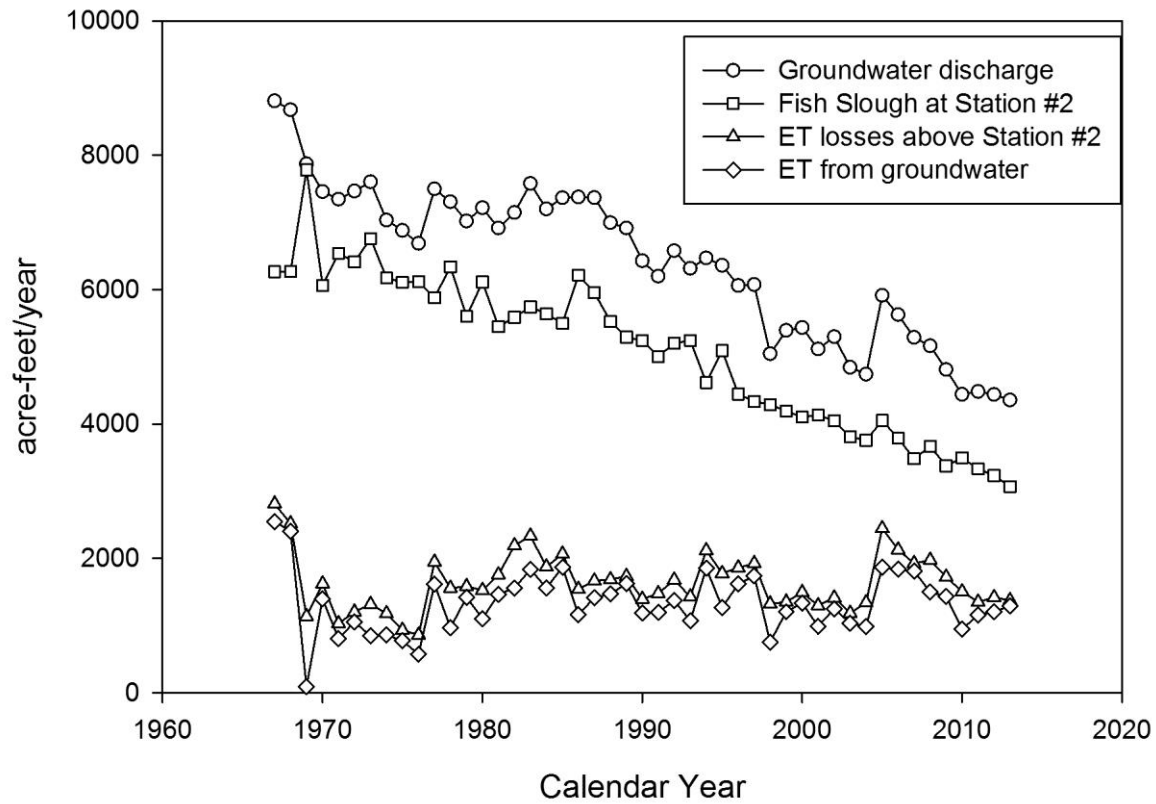


Figure 10. Groundwater discharge at Fish Slough estimated by attributing season fluctuations in flow at Fish Slough Station #2 to evapotranspiration (ET) and accounting for precipitation.