

# Policy updates

by Clare Cragan and the policy team

## Mill Creek awaits FERC ruling

The Federal Energy Regulatory Commission (FERC) is expected to release its long-awaited decision related to the new licensing terms of the Lundy hydropower plant by the end of this year.

At stake is the restoration of Mill Creek, Mono Lake's third largest tributary stream, which for decades has seen 70% of its flow diverted, far in excess of legal water rights. Acceptance of the settlement agreement would guarantee the repair of the "return ditch," the water conveyance facility needed to return water from the power plant back to Mill Creek. Repairing the return ditch will allow water to be returned to Mill Creek—water that is essential for the recovery of this cottonwood-willow riparian habitat (see Fall 2005 *Newsletter*).

FERC commissioners and staff continue to review the Settlement Agreement submitted in February 2005 by Southern California Edison, land management agencies, the Department of Fish & Game, California Trout, and the Mono Lake Committee; the Environmental Assessment (EA) released by FERC on May 19, 2006; and the various comments then solicited by FERC in response to the EA.

## New trail to Mono Lake

The Forest Service continues to move forward with plans for a three-mile, round-trip trail from the Forest Service Visitor Center to Mono Lake's west shore. The Forest Service is currently drafting an Environmental Assessment of four potential trail designs which include variations such as trail contour and type of recreational use for portions of the trail. The Mono Lake Committee, Forest Service, California State Parks, Los Angeles Department of Water & Power, and Friends of the Inyo still hope to break ground this fall, but depending on available funds, work may not begin until spring 2007.



## Strange signs surface at the "Cunningham property"

In one of the strangest stories of the summer, "For Sale" signs were posted on the "Cunningham property" in July, just yards from Mono Lake.

And yet the property—which is no longer owned by the Cunningham family—is not for sale. In fact, Peter Denniston, representative of current owner Mammoth Mountain Ski Area (MMSA), reiterated their plan to trade the property to the Forest Service for permanent protection.

Still, five signs were posted on the property by Paul Oster, the Cunninghams' realtor. He was immediately told to remove them, yet failed to respond. Two weeks later MMSA personnel pulled the signs down. Oster did not directly respond to a Committee inquiry about his attempt to sell someone else's property. He did suggest that the Cunningham family has a second opportunity to buy back the property (a first attempt was abandoned earlier this year). In contrast, MMSA says that by contract Cunningham had one—and only one—legal buy back option, that that option was used in the abandoned effort to repurchase the property, and that no further buy back rights exist.

This is further evidence of how far developers will go to pursue profit on Mono Basin lands—and how vigilant the Committee must be to assure reasonable, legal, well-planned land use around Mono Lake.

## Inyo National Forest to have designated OHV route system by 2008

The Inyo National Forest (Inyo) and other California National Forests have made a commitment to have designated Off-Highway Vehicle (OHV) route systems by 2008—two years ahead of the national requirement for all US National Forests. Currently, the Inyo is involved in step three of a five step route inventory process. The third step involves public input on how routes help access specific destinations, provide a unique OHV travel experience, and affect resources. The Forest Service has recently held workshops throughout the Inyo to explain the public comment process.

Within the two million acres of the Inyo are 3,618 miles of known routes, which is too much for the Forest Service to manage at current OHV recreation levels. The product at the end of the five step process will be a designated route map of roads maintained by the Forest Service; routes not listed on the map will then be considered illegal routes and will be closed.

This proactive approach seeks to balance recreational use with minimal natural resource damage, and the Forest Service hopes that with the designated route system they'll be more effective stewards of our public lands.

The Mono Lake Committee will be submitting recommendations for routes throughout the Mono Basin this September. For more information contact Clare Cragan ([clare@monolake.org](mailto:clare@monolake.org)) at (760) 647-6595. ❖

*Clare Cragan is the Committee's Eastern Sierra Policy Coordinator. She is also the Committee's unofficial ambassador for the Midwest ... making sure her cheese-curd loving friends and family visit Mono Lake!*