

NOTICE TO APPELLANT:

THIS CONSTITUTES A FINAL DECISION OF A LOCAL AGENCY. IF YOU WISH TO SEEK JUDICIAL REVIEW OF THIS DECISION, YOU MUST FILE AN APPROPRIATE COURT ACTION NO LATER THAN 90 DAYS AFTER THE DECISION WAS MAILED TO YOU, UNLESS A SHORTER STATUTE OF LIMITATIONS APPLIES UNDER STATE OR FEDERAL LAW. (SEE CAL. CODE OF CIV. PROC. SEC. 1094.6.)



FILED

JUL 26 2011

Kendall
OFFICE OF THE CLERK

BOARD OF SUPERVISORS
OF THE COUNTY OF MONO
WRITTEN DECISION AND FINDINGS ON APPEAL
FROM PLANNING COMMISSION

USE PERMIT 10-008/INCLINE PARTNERS, LLC
APPEAL NO. 11-002

On July 19, 2011, the Mono County Board of Supervisors ("Board") held a duly noticed public hearing on the above-referenced appeal. During the hearing, the Board heard and received all oral and written testimony and evidence presented in connection with the appeal, and all persons in attendance were given an opportunity to address the Board. After considering such testimony and evidence, the Board directed staff to draft a written decision affirming the Planning Commission's denial of the conditional use permit and to return to the Board for final action thereon.

Consistent with the foregoing, this document constitutes the Board's written decision and findings affirming the Planning Commission's determination to deny the conditional use permit.

I. PROJECT DESCRIPTION

The project involves the location and operation of a wireless telecommunications facility within the unincorporated community of Crowley Lake. The facility consists of two sixty-foot tall monopoles accommodating two antenna arrays each, and associated equipment shelters. The project site is a .64-acre parcel located on Crowley Lake Drive in Crowley Lake (APN 060-180-004). The wireless facility would be within a fenced 40' x 60' area on the southwest portion of the parcel. The parcel is currently

1 subject to Use Permit 37-88-07, and Use Permit Modification 09-001, which allow a car wash,
2 restroom/shower facilities, laundromat, apartment, and firewood storage on the property.

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4 The proposed monopoles would be engineered and constructed to resemble pine trees (called
5 “monopines”). In addition to the towers themselves, the fenced area would initially include up to two
6 equipment shelters or equipment cabinet configurations located on two concrete pads. The fenced area
7 would also provide space for two additional concrete pads upon which future equipment cabinets or
8 shelters could be installed. The equipment shelters would be prefabricated structures up to twelve-feet
9 in height, with a dark brown concrete rock mix finish. The fence would be a six-foot tall coated chain
10 link fence with dark brown synthetic slats. Landscaping between the facility and adjoining properties
11 would be required as a part of project approval. Access would be provided from Hilton Creek Place, a
12 paved county-maintained road.
13

14 Appellant proposes to power the wireless facility using existing onsite electricity, with backup
15 batteries capable of providing 4-6 hours of power during power outages. During longer outages,
16 temporary backup generators would be brought to the site by each wireless carrier. Depending upon
17 which carriers utilize the site, there would also potentially be one backup generator installed onsite in
18 an equipment shelter, and fuel to power that generator. The site would be unmanned following
19 construction.
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21
22 Warning signs required by the Federal Communications Commission would be placed on all
23 four sides of the fenced site. These signs would be 10” x 14” or smaller. There would be one contact
24 information sign for Incline Partners placed on the front gate. This sign would be 18” x 24.” All signs
25 will be painted metal signs.
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1 **II. PROJECT SITE AND SURROUNDING LAND USES**

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3 The project site is located downhill from a residential neighborhood within the community of
4 Crowley Lake. Many of the homes within that residential neighborhood (primarily along Juniper
5 Drive) enjoy views over the project site to Crowley Lake, the White Mountains, and undeveloped
6 public lands to the east. Crowley Lake is a popular recreation spot and scenic vista which attracts
7 visitors from throughout California and the world.
8

9 The community of Crowley Lake is a desirable residential location within Mono County due to
10 its proximity to Mammoth Lakes, where many Crowley residents work, and its scenic views of
11 Crowley Lake and undeveloped lands to the east. Many homes in Crowley Lake, including several of
12 the homes along Juniper Drive which overlook the project site, are constructed with east-facing
13 windows and expansive decks, to take advantage of those views.
14

15 Land use designations within the project vicinity include Single Family Residential (SFR) to
16 the east (along Juniper Drive), Mixed Use (MU) to the west, south, and east, and Public Facilities (PF)
17 and Commercial (C) to the north.
18

19 The project site is designated Commercial (C) and is currently developed with existing
20 structures, and wood storage areas. Vegetation present on the site, and landscaping required to be
21 installed by Use Permit 37-88-07 and Use Permit Modification 09-001, will largely shield these
22 existing uses from public view. Aspen along the western property line are approximately 30 feet tall.
23 The southern portion of the parcel is vegetated with low-growing sagebrush scrub. The northern
24 portion of the parcel, where the laundromat is located and adjacent to Crowley Lake Drive, is visually
25 shielded by a mix of shrubs that are approximately 10-15 feet tall. Surrounding properties are also
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1 vegetated with aspen of up to approximately 30 feet in height. An existing pine tree on the site is
2 approximately 60 feet in height.

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4 **III. PLANNING COMMISSION DETERMINATION**

5 On April 14, 2011, the Planning Commission, following a duly noticed public hearing at
6 which all oral and written testimony and evidence was received and considered, moved to deny Use
7 Permit 10-008/Incline Partners, LLC by a 3-2 vote. On May 12, 2011, the Planning Commission
8 adopted a written denial of the use permit, also by a 3-2 vote. The Planning Commission's denial was
9 based on its conclusion that it could not make three of the four findings required for approval of the use
10 permit.
11

12 Specifically, the Planning Commission determined that it could not find that: (1) all
13 applicable provisions of the Land Use Designations and Land Development Regulations are complied
14 with, and the site of the proposed use is adequate in size and shape to accommodate the use and to
15 accommodate all yards, walls, and fences, parking, loading, landscaping and other required features;
16 (2) the proposed use will not be detrimental to the public welfare or injurious to property or
17 improvements in the area in which the property is located; or that (3) the proposed use is consistent
18 with the map and text of this General Plan and any applicable area plan.
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21 The Planning Commission's written decision referenced impacts to adjoining properties in
22 the form of interference with scenic views and a reduction in property values. Additionally, the
23 Planning Commission found the project to be inconsistent with the Mono County Design Guidelines
24 (the "Design Guidelines") applicable to telecommunications facilities and declined to deviate from the
25 Design Guidelines to the degree necessary to accommodate the project. Finally, the Planning
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1 Commission found the proposed project inconsistent with the Long Valley Area Plan goal of
2 maintaining the rural residential character of Long Valley Communities.

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4 **IV. THE APPEAL**

5 The appeal filed by Incline Partners, LLC (“Appellant”) in this matter asserts that its
6 proposed project is a permitted use pursuant to the definitions provisions of the Land Use Element
7 of the Mono County General Plan and, therefore, that no use permit was required. The appeal
8 further contends that, if a use permit is required, the Planning Commission should not have strictly
9 applied the Mono County Design Guidelines to the project, and that such strict application of the
10 Design Guidelines would result in virtually no site within the Crowley Lake area being available for
11 such facilities due to the average lot size and topography in the area. The appeal also asserts that the
12 visual impacts of the project to neighboring residences are minimal and outweighed by the benefit of
13 providing wireless and broadband service to the Crowley area. Finally, in response to the Planning
14 Commission’s determination that there are alternative sites available for the project that would be
15 less intrusive than the proposed site, the appeal notes that other cellular companies have failed to
16 provide service for many years to the Crowley area. At the hearing, appellant provided additional
17 information in support of its assertion that no alternative sites are available for the provision of
18 cellular service to the Crowley Lake area, as addressed below.
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22 Under the Mono County Code, appeals of determinations by the Planning Commission are de
23 novo, and the Board of Supervisors may affirm, affirm in part, or reverse the determination which is
24 the subject of appeal.
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1 **V. DETERMINATION AND FINDINGS**

2 **A. A Use Permit is required for the Project.**

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4 Appellant asserts that subdivision 1 of Section 04.110 of the Land Use Element of the Mono
5 County General Plan, which provides an exception to the 35 foot height limitation for “poles for
6 public utilities,” applies to the project and has the effect of exempting the project from the use
7 permit requirement. Appellant misinterprets this section and the General Plan in several respects.

8
9 By its own terms, subdivision 1 of Section 04.110 only creates an exception to the height
10 limitation otherwise expressed by Section 04.110, and does not create an exception to the use permit
11 requirement itself (where a use permit is otherwise required by the General Plan). Contrary to
12 Appellant’s contention, the use of the term “permitted” in subdivision 1 of section 04.110, is not
13 meant to signal that a pole for public utilities may be erected without a use permit when one is
14 otherwise required, but merely that a pole for a public utility is permitted to exceed 35 feet in
15 height.
16

17 In actuality, it is Subdivision F of Section 11.010 of the Land Use Element of the Mono
18 County General Plan, which applies to the project, and which requires a use permit in any land use
19 district, for towers and uses accessory thereto, including for the proposed project. Moreover, and
20 consistent with the foregoing, such facilities are not listed as permitted uses within the land use
21 designation for the property, but are included within the listing of uses permitted subject to use
22 permit – as both a “public use” (defined to include cell/communications towers) and a
23 “communication use.”
24

25 Finally, it should be clarified that subdivision 1 of Section 04.110, which Appellant cites, is
26 inapplicable to the project since it applies to “public utilities” generally, while subdivisions 2 of that
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1 section addresses radio and other types of towers specifically. Following the general rule that the
2 specific governs over the general, it is subdivision 2, not subdivision 1 of Section 04.110 that
3 applies to questions regarding exceptions to the 35 foot height limitation.
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5 Subdivision 2 provides that exceptions to the 35-foot height requirement for radio or other
6 towers are subject to the Director Review Process or, if the additional height might result in
7 substantial detrimental effects on the enjoyment and use of surrounding properties, a use permit is
8 required. In this instance, evidence has been presented indicating that the height of the proposed
9 towers will result in detrimental effects on the enjoyment and use of surrounding properties by
10 impacting view sheds and reducing property values as described below. Accordingly, a use permit
11 is also required pursuant to subdivision 2 of Section 04.110 due to the project's exceedence of the
12 otherwise applicable 35 foot height limitation.
13

14 For all of the foregoing reasons, a use permit is required for the project.
15

16 **B. The Mandatory Findings for Issuance of a Use Permit Cannot be Made and there are**
17 **Alternative Sites available that are Less Intrusive on the Values which this Denial Seeks**
18 **to Preserve.**

19 In order to approve a use permit, the Board must make all four of the use permit findings
20 contained in Chapter 32 of the Mono County General Plan. As discussed above, the Planning
21 Commission determined, based on substantial evidence in the record, that the following three of those
22 four findings could not be made. The Board concurs with and adopts the findings of the Planning
23 Commission and independently finds, based on substantial evidence in the record, that the following
24 three findings cannot be made:
25

- 26 **1. The proposed use will not be detrimental to the public welfare or injurious to property or**
27 **improvements in the area in which the property is located.**
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1 Board Determination: The Board finds and determines that the proposed use would be
2 detrimental to public welfare and injurious to property and improvements in the surrounding area.

3
4 The project would insert two obstructive and non-natural visual features between residential
5 properties along Juniper Drive and Crowley Lake, which is the prominent scenic feature in the
6 Crowley area. Evidence presented to this Board indicates that the towers would be within the view
7 shed of at least four residences along Juniper Drive. Not only would the towers interfere with views
8 from these private homes, but the towers would also be visible from public areas frequently utilized
9 by pedestrians, hikers, and cyclists in the Juniper Drive neighborhood, and would stand at nearly
10 double the height of all other features on the project site, with the exception of a single existing pine
11 tree. Combined with chain link fencing, associated equipment structures, and generators, the project
12 would create an incongruous look and feel adjacent to and visible from a residential neighborhood.
13 The foregoing impacts are the type of injury to property and improvements which the Mono County
14 General Plan, and Chapter 32 in particular, seek to prevent and such injury prevents the Board from
15 making the required finding.
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18 The visual impacts associated with the facility described above will also have a
19 corresponding negative impact on property values in the area. Information provided by local
20 realtors at the hearings indicated that property values in the view-centered neighborhood of Juniper
21 Drive would be significantly decreased if this project were permitted. Chapter 32 and the Mono
22 County General Plan are also concerned with economic injury to property and improvements in the
23 area, and the presence of such injury in this case prevents the Board from making the required
24 finding.
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2 **2. The proposed use is consistent with the maps and text of the Mono County General Plan.**
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4 Board Determination: The proposed use is not consistent with the maps and text of the Mono
5 County General Plan for the following reasons:
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7 ***a. The proposed project is inconsistent with a stated goal of the Long Valley Area Plan.***
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9 The Long Valley Area Plan provides the following goal: “Maintain the rural residential
10 character of the Long Valley communities in a manner that provides for commercial uses to serve
11 community needs, and that protects the area's visual, recreational, and natural resources.”
12

13 The placement of two, highly visible, 60-foot telecommunications structures, and associated
14 equipment, adjacent to residential properties within the largely residential community of Crowley Lake
15 (AKA Long Valley), is inconsistent with the protection of the area’s rural residential character. The
16 appearance of the monopines would disrupt the residential character not only of the immediate
17 neighborhood, but also of the area generally, in contravention of the above-stated goal. While
18 commercial uses are authorized on the subject property, the General Plan’s policies seek to ensure that
19 such commercial uses are compatible with the area’s rural residential character and preserve the area’s
20 visual resources. Substantial evidence in the record, including visual renderings of the project from
21 adjacent homes and public areas, and public testimony, indicates that the proposed project is
22 inconsistent with the protection of the area’s visual resources and rural residential character.
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1 ***b. The proposed project is inconsistent with the Design Guidelines within the Mono County***
2 ***General Plan and the Board declines relax the Design Guidelines to the extent necessary for***
3 ***compliance.***

4 The project does not conform to the Mono County Design Guidelines applicable to
5 telecommunications projects in Mono County. While, as stated in the appeal, the Design Guidelines
6 are not rigid requirements and may be flexibly applied to any given project, provided that their intent
7 and spirit are followed, the Board declines to “flexibly apply” the Design Guidelines in this case to the
8 degree required for approval of the project. Regarding their application, the Design Guidelines provide
9 as follows:
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11 The review authority may interpret these design guidelines with some
12 flexibility in their application to specific projects, as not all design criteria
13 may be workable/appropriate for each project. In some circumstances, one
14 guideline may be relaxed to facilitate compliance with another guideline
15 determined by the review authority to be more important in the particular
16 case. The overall objective is to ensure that the intent and spirit of the
17 design guidelines are followed.

18 Section J of the Design Guideline applicable to telecommunications facilities provides that:
19 “No new tower should be constructed without a setback from the tower’s base of at least 1.5 times the
20 tower height to a public or private road and at least 2.5 times the tower height to the nearest property
21 line.” To conform to that section, the monopines would need to be 90 feet from Juniper Drive,
22 Crowley Lake Drive, and Hilton Creek Place, and 150 feet from the nearest property line.

23 Far from meeting the above standards, the proposed project would be only 35’ from Juniper
24 Drive, 10 feet from both side yards, and 5 feet from the rear yard.¹ This Board determines and finds

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26 ¹ The Board notes that the project would be 84’ from Hilton Creek Place and 60 feet from the front yard. These
27 distances come closer to meeting the spirit and intent of Section J as interpreted by this Board.
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1 that the intent and spirit of Section J includes the protection of public and private roads and
2 neighboring properties from damage due to tower collapse or falling objects and the minimization of
3 aesthetic impacts to adjoining properties and to surrounding areas. While it is clear that this Board may
4 exercise flexibility as to the application of the Design Guidelines applicable to telecommunications
5 facilities, the Board declines to go so far as to completely eviscerate the intent and spirit of the
6 Guidelines by approving a deviation to the degree required for project approval.
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9 **3. All applicable provisions of the Land Use Designations and Land Use Regulations are**
10 **complied with, and the site of the proposed use is adequate in size and shape to**
11 **accommodate the use, all yards, walls and fences, parking, loading, landscaping and other**
12 **required features.**

13 Board Determination: The project is not adequate in size or shape to accommodate the
14 proposed use for the following reasons:

15 Substantial evidence indicates that the facility would be significantly closer to adjoining roads
16 and properties than provided for in the Mono County Design Guidelines for telecommunications
17 projects and, while the Board may deviate from the Design Guidelines, it declines to approve the
18 substantial deviation required for project approval. Given the size of the project site, there is no
19 possibility that the project could be located in a manner which conforms to, or is consistent with the
20 purpose and intent of, the provisions of Section J of the Design Guidelines.
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22 **VI. APPELLANT FAILED TO DEMONSTRATE THAT ITS PROPOSED SITE IS THE**
23 **LEAST INTRUSIVE ON THE VALUES THE DENIAL SEEKS TO PRESERVE;**
24 **EVIDENCE PRESENTED AT THE HEARING INDICATED LESS INTRUSIVE**
25 **ALTERNATIVE SITES ARE AVAILABLE.**

26 At least eight alternative locations on private land were presented to the Board. Of these sites,
27 Appellant argued that several (the Sheriff's building, the sewer pond site, the Caltrans yard, and
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1 McGee Creek) were infeasible for the sole reason that they lacked a cellular signal. However, the
2 Carmichael report commissioned by the County in 2008 to evaluate potential wireless facility sites in
3 the Long Valley Area, which is a part of the record before the Board, concluded that “the Caltrans site
4 has the best coverage of any site.” (Long Valley/Crowley Lake Area Cell Tower Coverage Analysis,
5 Carmichael Business Technology, August 8, 2008, the “Carmichael Report.”) The next most viable
6 site, according to the Carmichael Report, (based on coverage area, availability of power, availability of
7 connections to other antennas, and visual impact), is the McGee Creek site. Thus, at a minimum,
8 Appellant’s contentions are incorrect as to these sites.
9

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11 Of the other private land alternatives presented to the Board, Appellant additionally asserted
12 that several more were “infeasible” because no provider had expressed interest in them. However, a
13 lack of provider interest does not demonstrate that an alternative site is not feasible or available.
14 Providers may lack interest in a particular site for any number of reasons including their own business
15 models, number of customers in the region, current exploration of other nearby sites, etc. In fact,
16 Incline Partners itself indicated that Sprint PCS was not “currently interested” in its proposed site. The
17 Board presumes that Incline did not intend by such statement to indicate that its own proposed site was
18 not an available or feasible location based on a lack of current interest by a provider.
19

20 Moreover, a representative of another wireless facility provider (Vista Towers LLC) present at
21 the hearing testified that his firm had not considered a proposed site offered by the Mountain Meadows
22 Mutual Water Company for cellular service because, as discussed below, he was pursuing a site on
23 nearby land owned by the Los Angeles Department of Water and Power (LADWP). The representative
24 went on to state that he could evaluate the Mountain Meadows site if the Board desired, but simply had
25 not done so. To convert lack of provider interest in a particular site into evidence that a site is not
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1 available or feasible requires a leap not justified by the facts. The Board declines to conclude that lack
2 of provider interest in a particular site, without more, demonstrates that a site is infeasible or
3 unavailable.
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5 In addition to the varied alternatives on private land presented to the Board, evidence was
6 presented indicating the potential of alternative locations on publicly-owned land in the Crowley Area.
7 Such sites are generally located outside of established communities and therefore avoid or lessen
8 impacts to residential and community views and character, and provide more available acreage for
9 setback and other purposes – exactly the impacts which this denial seeks to avoid or lessen. Public
10 lands owned by the U.S. Forest Service, Los Angeles Department of Water and Power and others
11 comprise approximately 94% of the County’s total land base and literally surround the community of
12 Crowley Lake, as shown in maps presented at the hearing. And such lands have proven to be viable
13 sites for communications facilities, with five such facilities currently approved, constructed, and
14 operating on Forest Service lands within Mono County (all outside of community areas).
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17 Evidence presented at the hearing demonstrated not only that alternative sites on public lands
18 are available, but that one such site is actually now proposed for development. Vista Towers LLC, a
19 cellular facility developer, has submitted a use permit application to the County to construct a wireless
20 facility to serve the Crowley area and Highway 395, near the sewer ponds and the Hilton Creek Pack
21 Station on lands owned by LADWP (the “Hilton Creek site”). A representative of Vista Towers
22 present at the meeting indicated that conceptual agreement as to lease terms had been reached between
23 Vista Towers and LADWP and that he anticipated that a final agreement would be signed within three
24 to four months. According to the Vista Towers representative, the Hilton Creek site could serve up to
25 three carriers and would offer superior coverage, including connectivity to the Sherwin tower, thereby
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1 expanding coverage into the Aspen Springs community, which Appellant's site would not offer. He
2 further indicated that Verizon maps of the Hilton Creek site show excellent coverage and that Verizon
3 indicated that the site was superior to Appellant's proposed site. Finally, he stated that ample space
4 exists on the proposed site to meet setbacks and Design Guidelines standards and, if desired by the
5 County, to utilize propane in lieu of diesel for backup generator operation.
6

7 Appellant disagreed that the Hilton Creek site was viable, presenting coverage maps for the site
8 as well as an e-mail from an ATT representative stating that the site would not work for ATT.
9 However, the Vista Towers representative pointed out that ATT has already signed a lease with
10 Appellant which puts it in a favorable location on Appellant's proposed tower and, therefore, would
11 have a vested interest in the approval of Appellant's project. When viewed in conjunction with the
12 conflicting statements from Verizon (i.e., that the Hilton Creek site would provide superior coverage),
13 the Board determines that the Hilton Creek site is a viable alternative site which would lessen impacts
14 to residential and community views and avoid or lessen concerns related to consistency with the
15 purpose and intent of the Design Guidelines. Moreover, the Board finds that, at a minimum, the
16 McGee Creek, Caltrans, and Mountain Meadows Mutual Water Company sites are also feasible
17 alternatives to the proposed site which would result in fewer impacts to residential communities than
18 the proposed project.
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21 Finally, Appellant's presentation to the Planning Commission showed that the proposed site
22 was selected because it is the best site for the Appellant in terms of ease of construction, permitting,
23 leasability, access, and availability. Appellant did not, however, demonstrate to the Planning
24 Commission that the proposed site is necessary or the "least intrusive means" of filling the purported
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1 gap, or that the site is the best solution for the community. Nor did it consider any sites located on
2 public lands, even though such lands are available for cellular facilities.


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4 Appellant's criticisms of other proposed locations, as presented to the Board, appears to have
5 been prepared after this appeal was filed, as it was not previously presented to the Planning
6 Commission. While this is not a fatal shortcoming, it supports an inference that the Appellant did not
7 meaningfully consider the alternative sites listed therein prior to selecting the proposed site. This
8 inference is supported by the conclusory nature of the analysis of alternative sites.

9
10 Altogether, while there is considerable evidence that the proposed facility and location are the
11 best solution for the Appellant, there is little evidence that it is the best solution for the community. As
12 Appellant's representative testified, a permit for the proposed facility is sought because of cost, lease
13 availability, ease of construction and permitting, and coverage area considerations, and because it
14 facilitates a "one site solution" for multiple carriers. The General Plan obligates the Appellant and the
15 Board, however, to also consider impacts on adjoining properties and similar community interests in
16 evaluating this application. The Board finds that the Appellant did not carefully consider such interests
17 until after the appeal had been filed, if at all.

18
19 For all of the foregoing reasons, the Board of Supervisors hereby affirms the Planning
20 Commission's denial of use permit 10-008 and denies appeal number 11-002.

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22 **APPROVED** and **ADOPTED** this 21 day of July, 2011, by the following
23 vote, to wit:

- 24 **AYES:**
25 **NOES:**
26 **ABSENT:**
27 **ABSTAIN:**


28

Duane "Hap" Hazard, Chair
Mono County Board of Supervisors

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ATTEST:

Clerk of the Board

APPROVED AS TO FORM:


County Counsel

PROOF OF SERVICE

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing and faxing took place.

2. My business address is: **Mono County Board of Supervisors
Annex I, Bridgeport, CA 93517**

3. I served a copy of the following document(s) (*specify*): **Board of Supervisors of the County of Mono
Written Decision and Findings on Appeal from Planning Commission – Use Permit 10-008/Incline
Partners, LLC, Appeal No. 11-002**

4.

5. By using the following method(s):

(X) Enclosed the document(s) in an envelope, placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with the business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

6. a. The names and addresses of person(s) served:

Incline Partners, LLC P.O. Box 6509 La Quinta, CA 92248	

b. Date mailed: July 26, 2011 in Bridgeport, California.

7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 25, 2011, 2010


Shannon Kendall, Sr. Deputy Clerk