

Agenda

County of Inyo Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

All members of the public are encouraged to participate in the discussion of any items on the Agenda. Anyone wishing to speak, please obtain a card from the Board Clerk and indicate each item you would like to discuss. Return the completed card to the Board Clerk before the Board considers the item (s) upon which you wish to speak. You will be allowed to speak about each item before the Board takes action on it.

Any member of the public may also make comments during the scheduled "Public Comment" period on this agenda concerning any subject related to the Board of Supervisors or County Government. No card needs to be submitted in order to speak during the "Public Comment" period.

Public Notices: (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

Note: Historically the Board does break for lunch, the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

March 20, 2012

9:00 a.m. INVOCATION by Supervisor Richard Cervantes

PLEDGE OF ALLEGIANCE

COMMENT (Portion of the Agenda when Board takes comment from the public and County staff)

1. **PUBLIC COMMENT**
2. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

3. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.
4. **Motor Pool** – Request approval for the repair of an HHS vehicle through a purchase order to Inyo Mono Body Shop in the amount of \$11,769.85.
5. **Integrated Waste Management** – Request approval of a blanket purchase order to Dave's Auto Parts, in the amount of \$8,000 for the maintenance of landfill equipment.

PLANNING

6. Request approval for the Planning Department to participate in the Southwest Solar Transformation Initiative (SSTI); and authorize the Planning Director to sign the letter of commitment to participate.

DEPARTMENTAL (To be considered at the Board's convenience)

7. **COUNTY ADMINISTRATOR – Board of Supervisors** – Request Board make the 2012 yearly appointments as follows: A) Supervisor Linda Arcularius to the Great Basin Air Pollution Control District Board and the Eastern Sierra Subregional Committee of the Sierra Nevada Conservancy; B) Supervisor Susan Cash to the Great Basin Air Pollution Control District Board, as the alternate, and the Local Agency Formation Commission; C) Supervisor Rick Pucci to the Local Agency Formation Commission; D) Supervisor Marty Fortney to the Local Agency Formation Commission as the alternative; and E) Supervisor Richard Cervantes to the Great Basin Air Pollution Control District Board.

8. **HEALTH AND HUMAN SERVICES – Fiscal Services** - Request Board find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested position exists as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; (b) where internal candidates meet the qualifications for position of Social Worker, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and (c) approve the hiring of one Account Technician I at Range 55 (\$2,910 – \$3,537) or II at Range 59 (\$3,194 – \$3,880) depending upon qualification.
9. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested position exists as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; (b) where internal candidates meet the qualifications for position of Social Worker, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and (c) approve the hiring of one Social Worker I at Range 61 (\$3,345 - \$4,062), or II at Range 64 (\$3,590 - \$4,363), depending upon qualifications.
10. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board A) establish a new classification of Senior Social Worker Supervisor, at Range 78 (\$4,997 to \$6,074) and approve the job description; B) change the Department's authorized strength by adding one Senior Social Worker Supervisor position at Range 78 in the Adult and Children's Social Services Division; and C) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested position exists as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; (b) where internal candidates meet the qualifications for the position of Social Worker, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and (c) approve the hiring of one full time Senior Social Worker Supervisor at Range 78 (\$4,997 - \$6,074).
11. **PLANNING** – Request Board accept and provide comment on the draft Inyo County 2011 General Plan Annual Progress Report (APR) and direct staff to forward the APR with any modifications to the State of California's Department of Housing and Community Development (HCD) and Governor's Office of Planning and Research (OPR).

TIMED ITEMS (Items will not be considered before scheduled time)

11:30 a.m. 12. **PLANNING** – Request Board

A) conduct a **public hearing** on the following for a 1.62-acre site located on Sunland Reservation Road, within APN 013-020-07: a General Plan Amendment to change the General Plan designation of the site from "Public Service Facility (PF)" to "General Industrial," and an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification #2012-02/LADWP and Amending Title 18 of the Inyo County Code, the Inyo County Zoning Ordinance, by Reclassifying the Site from Public (P) to General Industrial & Extractive (M-1);"

B) adopt a resolution approving the General Plan Amendment #2012-02/LADWP; Zone Reclassification #2012-02/LADWP; and certifying that the Requirements of the California Environmental Quality Act (CEQA) have been met; and

C) waive the first reading of the ordinance and schedule the enactment for 11:30 a.m., March 27, 2012 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

1:00 p.m. 13. **U.S. FOREST SERVICE** – Representatives of the Inyo National Forest will discuss the proposed Planning Rule, anticipated Forest Plan revision, and other Forest related issues with the Board.

14. **PLANNING** – Request Board discuss the impending decision for the Forest Service Planning Rule, provide direction to the Board and staff about future planning for the National Forests, including the Inyo National Forest, and consider drafting correspondence regarding the Forest Service Planning Rule and upcoming planning activities pursuant to the new rule; and authorize the Chairperson to sign.

WORKSHOPS AND PRESENTATIONS (To be considered at the Board's convenience)

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

15. **PUBLIC COMMENT**

CLOSED SESSION

16. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c))** – Decision Whether to Initiate Litigation (one case).
17. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Performance Evaluation – Title: Director of Child Support Services.
18. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
19. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion.
20. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]**. – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
21. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
22. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.
23. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

24. **ENVIRONMENTAL HEALTH** – Proposition 65 Reports of a diesel fuel spill at the site of a vehicle accident at U.S. 395 N/B south of Gill Station Coso Road and a sewage discharge on the South Fork of Bishop Creek.
25. **LICENSE** – Application for Alcoholic Beverage License for Totem Café in Lone Pine.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
3

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF March 20, 2012

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.

SUMMARY DISCUSSION: - During your August 5, 2008 Board of Supervisors meeting your Board took action to continue the local emergency, which was a result of the Inyo Complex Oak Creek Mud Flows. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a week-to-week basis. The recommendation is that the emergency be continued until the permanent diversions are in place. LADWP has notified your Board that the completion of the project is expected for sometime this fall. Therefore, it is recommended that your Board continue the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

Date: _____



AGENDA REQUEST FORM
 BOARD OF SUPERVISORS
 COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 4

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Motor Pool

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Body Repair to Motor Pool Vehicle

DEPARTMENTAL RECOMMENDATION: Recommend that your Board approve the necessary repair of an HHS vehicle and authorize the Purchasing Department to issue a purchase order in the amount of \$11,769.85 payable to Inyo Mono Body Shop of Bishop.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: The HHS vehicle, a 2011 Ford Escape XLT was recently involved in a collision causing extensive body damage to the front end. The current mileage of the vehicle is 11,420. The Kelley Blue Book value of this vehicle is listed as \$21,026.

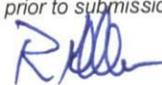
Inyo County Motor Pool sought bids for the repair of this vehicle. The submitted bids are summarized as follows:

Inyo Mono Body Shop	\$11,769.85
Bishop Auto Body	Declined
Sierra Auto Body	Declined

ALTERNATIVES: Your Board could choose not to approve the repair of this vehicle; however, it is not safe to operate and the vehicle is of sufficient value to warrant the repair.

OTHER AGENCY INVOLVEMENT:

FINANCING: The Motor Pool Budget 200100 Object Code 5171 has sufficient funding to make the repair.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: _____ Date <u>3.14.12</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: _____ Date <u>3/15/12</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:  Date: 03-15-2012
 (Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)



AGENDA REQUEST FORM
 BOARD OF SUPERVISORS
 COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 5

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Solid Waste

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Authorization to issue blanket purchase order to Dave's Auto Parts for maintenance of Landfill Equipment.

DEPARTMENTAL RECOMMENDATION:

Authorize the issuance of blanket purchase order to Dave's Auto Parts in the amount of \$8,000 from the Solid Waste Budget 045700, Object Code 5173.

SUMMARY DISCUSSION:

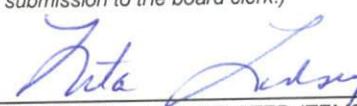
Inyo County Integrated Waste Management (Waste Management) requests authorization to open blanket purchase orders for those vendors that typically exceed \$10,000 in annual purchases or services provided to Waste Management. The issuance of this purchase order will not negate the requirement of getting verbal or written quotes for individual purchases, in accordance with the County Purchasing Policy.

ALTERNATIVES:

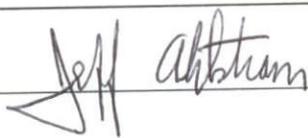
Your Board could choose not to authorize the issuance of a blanket purchase order or modify the amount. In the event that blanket purchase order is not issued, the procedure of preparing purchase orders for the individual purchase would be used.

OTHER AGENCY INVOLVEMENT: Auditor/Controller

FINANCING: Included in the Solid Waste budget for the 2011/2012 fiscal year budget, Budget No. 045700, Object Code 5173.

<u>APPROVALS</u>	
COUNTY COUNSEL: 	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>3/5/2012</u>
AUDITOR/CONTROLLER: 	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>3/7/12</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
 (Not to be signed until all approvals are received)



Date: 3/8/12



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
6

- Consent
- Departmental
- Correspondence Action
- Public Hearing
- Scheduled Time for XX a.m.
- Closed Session
- Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: The Southwest Solar Transformation Initiative (SSTI) – Signature on letter of commitment to participate.

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors: Authorize the Planning Director to sign the commitment letter and direct staff to participate in the SSTI.

SUMMARY DISCUSSION:

The Southwest Solar Transformation Initiative (SSTI) represents a regional team of public and private partners committed to advancing solar power adoption by homeowners and businesses across participating municipalities within the Southwest region. SSTI is part of the U.S. Department of Energy's Rooftop Solar Challenge and has received funding to help "streamline and standardize permitting, zoning, metering and connection processes – and improve finance options for residential and commercial rooftop solar systems." During the first year (Phase 1), SSTI efforts will focus on constructing the framework for this regional, collaborative model, developing roadmaps for local jurisdictions, providing a centralized online technical resource center, and engaging with participating agency staff to tailor and implement solar-friendly policies and programs.

SSTI has invited Inyo County to participate in this program and would like a signed commitment of participation. Participation will not require funding other than staff time that is not expected to exceed 40-hours over the next year (February 2012 to February 2013). It is anticipated that the County's participation will assist with energy efficiency planning.

ALTERNATIVES:

- Do NOT approve the signature on the letter of commitment and do not have staff participate.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Approximately 40-hours of staff time, spread out over one year, will be required for participation in the SSTI program.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 3-12-12



SOUTHWEST SOLAR TRANSFORMATION INITIATIVE (SSTI)

PHASE I MUNICIPAL AGENCY PARTICIPTION FORM

SSTI Description: The Southwest Solar Transformation Initiative (SSTI) represents a regional team of public and private partners committed to advancing solar power adoption by homeowners and businesses across participating municipalities within the Southwest region. SSTI is part of the U.S. Department of Energy’s Rooftop Solar Challenge and has received funding to help “streamline and standardize permitting, zoning, metering and connection processes – and improve finance options for residential and commercial rooftop solar systems.” During the first year (Phase 1), SSTI efforts will focus on constructing the framework for this regional, collaborative model, developing roadmaps for local jurisdictions, providing a centralized online technical resource center, and engaging with participating agency staff to tailor and implement solar-friendly policies and programs.

Program Managers:

Optony Inc. (www.optony.com)

Benjamin Foster

ben.foster@optony.com

Strategic Energy Innovations (www.seiinc.org)

Stephen Miller

stephen@seiinc.org

SSTI Partners:

4 Regional Councils of Governments

4 State Energy Offices

2 Utility companies

University of Las Vegas, Nevada

Paul Everett Johnson & Associates

Additional support, resources and guidance provided by:

IREC, SolarTech, NARC, WRI, and regional solar industry associations

Period of Performance: January 2012 through February 2013 (Phase 1)

SSTI Municipal Partner Goals and Benefits: SSTI brings together a diverse group of key stakeholders to pursue approaches for accelerating local and regional solar adoption for common benefit – both economic and environmental. The SSTI is an opt-in model that provides participating agencies with a market-leading package of technical assistance services within a successful collaboration model.

Benefits for SSTI municipal agency partners include:

- Quantify and document the solar potential across residential and commercial rooftops in each agency and region in terms of economic activity, jobs and environmental benefits.
- Receive technical assistance to integrate solar-friendly codes and standards that will dramatically improve and simplify permitting and interconnection processes, time and costs.
- Support for application of new solar policies and programs for local and regional projects.



- Guidance on applicable solar project financial and economic models for residential and commercial property owners.
- Opportunities to drive community and industry engagement on solar and related clean energy through education and adoption campaigns.
- Access to a market-leading platform for solar best practices and resources for staff at all levels.
- Reimbursement of out-of-pocket costs for participants, including any training, travel and events.

SSTI Process: Implementation partners will deploy a centralized effort that leverages all the applicable data, research, analysis, and resources to tailor efforts for participating agencies. The team will also work hands-on with each participating agency to:

- Identify all major market transformation hurdles in the targeted program areas.
- Evaluate solar potential for participants and document the economic and environmental benefits.
- Leverage DOE materials and industry best practices to create a roadmap for both addressing challenges and capturing the potential benefits from pursuing new solar projects and programs.
- Provide workforce development, educational and community engagement activities.
- Prepare for Phase 2 where the effort will be further expanded around the region, pending funding.

Municipal Partner Agency Expectations and Commitments: Participating agencies will directly engage in Phase 1 of the SSTI process by:

- Convening and attending local and regional meetings of participants and key stakeholders
- Providing access to regulations and staff regarding permitting, interconnection and zoning
- Providing potential solar project site information and access to facilities staff
- Providing input and feedback to the project analysis, documents and recommendations
- Supporting the effort and encouraging further participation by key stakeholders
- Attending regional training classes and online seminars for current best practices
- Adopting identified best practices where appropriate for each agency
- Documenting staff time spent on this initiative for reporting to the DOE
- Publicizing project progress and milestones as appropriate

Signatures

Our agency understands the goals of the SSTI and we support this effort for our jurisdiction and region and will participate in this project through February 2013.

[Signature]

[Printed Name]

[Title]

[Department], [City/County]

[Date]



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

7

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: County Administrator
By: Patricia Gunsolley, Assitant Clerk of the Board

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Board Appointments to LAFCO, Great Basin Air Pollution Control District Board and the Eastern Sierra Subregional Committee – Sierra Nevada Conservancy

DEPARTMENTAL RECOMMENDATION: - Request Board make yearly appointments as follows:

- A) Supervisor Linda Arcularius to the Great Basin Air Pollution Control District Board and the Eastern Sierra Subregional Committee of the Sierra Nevada Conservancy;
- B) Supervisor Susan Cash to the Great Basin Air Pollution Control District Board, as the alternate, and the Local Agency Formation Commission;
- C) Supervisor Rick Pucci to the Local Agency Formation Commission.
- D) Supervisor Marty Fortney to the Local Agency Formation Commission as the alternate; and
- E) Supervisor Richard Cervantes to the Great Basin Air Pollution Control District Board;

SUMMARY DISCUSSION: - The aforementioned appointments are to boards and agencies that pay a stipend to their members, necessitating a different approval mechanism than most annual appointments. Since a supervisor appointed to one of these boards or agencies will receive income for the appointment, it is advisable that the supervisor not vote on the matter of his or her own appointment in order to avoid any conflict-of-interest issues. Therefore, it is recommended that a separate vote be taken for each sub-recommendation (A through E) and that the nominated supervisor recuse him or herself from the vote.

ALTERNATIVES: - Nominate other supervisors for each appointment.

OTHER AGENCY INVOLVEMENT: - GBUAPCD; Sierra Nevada Conservancy; LAFCO

FINANCING: - No fiscal impact.

APPROVALS	
BUDGET OFFICER:	BUDGET AMENDMENTS <i>(Must be reviewed and approved by Budget Officer prior to being approved by others, as needed, and submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

8

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: HEALTH & HUMAN SERVICES – Fiscal Division

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Request to fill vacant Account Technician I/II

DEPARTMENTAL RECOMMENDATION:

Request your Board find that, consistent with the adopted Authorized Position Review Policy:

- 1) The availability of funding for this requested position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator, and the Auditor-Controller; and where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and
- 2) approve the hiring of one Account Technician I (Range 55, \$2,910-\$3,537) or Account Technician II (Range 59, \$3,194-\$3,880), depending upon qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The Community Mental Health Account Technician is responsible for processing payments for Mental Health and all of the Behavioral Health divisions; depositing revenue; processing the quarterly Drinking Driver Program fees and submitting all the documents to the State; assists the Mental Health Administrative Analyst in tracking all revenues/expenditures for the annual Mental Health Cost Report; assists the SUD Fiscal Supervisor in tracking all revenues/expenditures for the annual SUD cost report; additionally this position is cross-trained in inputting accurate entries into the Sharecare billing software of all mental health services provided by Inyo County Mental Health staff to Medi-Cal and non-Medical beneficiaries; this position also performs an eligibility verification and data-proofing role. This position also cross-trains with other HHS Fiscal divisions to insure that there is coverage in case of vacancies.

ALTERNATIVES:

Your Board could choose not to approve the hiring of this position which could negatively impact Mental Health Medi-Cal revenues. There is also the possibility of delays to vendors for payments due to the shortage of staff in the HHS fiscal office.

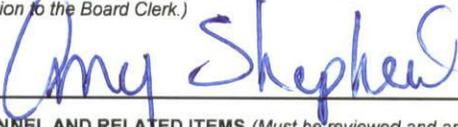
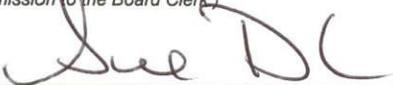
OTHER AGENCY INVOLVEMENT:

State of California Department of Health Care Services

FINANCING:

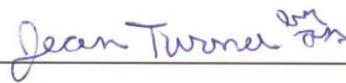
Funding for this position is from Short-Doyle Medi-Cal, State and Federal Funds, and Mental Health Realignment dollars. This position is funded in Mental Health (045200-65%), Substance Use Disorders (045315-25%), Drinking Driver Program (045312-5%), and Substance Abuse Crime Prevention Act (045316-5%) in the Salaries and Benefits object codes. No County General Fund.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  Approved:  <u>3/6/12</u> Date: _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i>  Approved:  <u>3/1/12</u> Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 3-9-12



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
9

- Consent Hearing
 Scheduled Time for
- Departmental
 Closed Session
- Correspondence Action
 Public
 Informational

FROM: HEALTH & HUMAN SERVICES – Social Services

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Request to hire a Social Worker in Child Welfare Services.

DEPARTMENTAL RECOMMENDATION:

Request your Board find that, consistent with the adopted Authorized Position Review Policy:

- 1) the availability of funding for this requested position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator, and the Auditor-Controller; and
- 2) where internal candidates meet the qualifications for the position, the vacancies could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and
- 3) approve the hiring of one Social Worker, either a I at Range 61 (\$3,345-\$4,062), or a II at Range 64 (\$3,590-\$4,363), contingent upon qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

On or about January 17, 2012, your Board authorized the hiring of a Social Worker in the Child Welfare Program to fill a second vacancy that occurred in January 2012. However, a third vacancy in the Child Welfare Program of a Social Worker II position occurred on or about March 1, 2012, resulting in this request for authorization to fill the position. As previously indicated, the intense Child Welfare program is responsible for investigating and managing issues related to child abuse and neglect. The position recently vacated is responsible for providing mandated Independent Living Program services and placement activities for Child Welfare, Probation and Mental Health, as well as providing support to the investigative and on-call functions in the program. In addition, recent legislation will result in foster care being extended past age eighteen beginning in January 2012, which will impact the placement functions related to those eligible youth. These additional responsibilities are being implemented in a division that is already stretched thin due to increased mandates from the federal, state and local level, as well as a position being held vacant for salary savings.

It is very important to the overall effective functioning of the division to assist the remaining staff by moving swiftly to fill this vacancy.

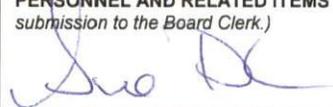
ALTERNATIVES:

Denying this request would result in the existing staff, who now are absorbing additional caseloads, being at risk of inadvertent, compromised safety decisions on behalf of children due to unacceptable workloads.

OTHER AGENCY INVOLVEMENT:

Juvenile Court, Juvenile Probation, Toiyabe Family Services, local Indian tribes, Mental Health, Wild Iris, Sheriff's Office, Bishop Police Department

FINANCING: State and Federal funds with a 15% share of cost that is paid for with Social Services Realignment funds. This position is budgeted in the Social Services budget (055800) in the salaries and benefits object codes. No County General Funds.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> <p style="text-align: right;">Approved: _____ Date: _____</p>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  <p style="text-align: right;">Approved: <input checked="" type="checkbox"/> 3/6/12 Date: _____</p>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i>  <p style="text-align: right;">Approved: <input checked="" type="checkbox"/> 3/1/12 Date: _____</p>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 3-9-12



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

10

- Consent Hearing
 Scheduled Time for
- Departmental
 Closed Session
- Correspondence Action
 Informational
- Public

FROM: HEALTH & HUMAN SERVICES – Social Services

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Request to establish a new classification and approve the job description for Senior Social Worker Supervisor, at Range 78 (\$4,997 to \$6,074); and increase the authorized strength in the Health and Human Services (HHS) Department by adding one Senior Social Worker Supervisor; and authorize HHS to recruit and hire one Senior Social Worker Supervisor in Wraparound.

DEPARTMENTAL RECOMMENDATION:

Request your Board

- A. Establish a new classification, Senior Social Worker Supervisor, at Range 78 (\$4,997 to \$6,074) and approve the job description;
- B. Increase the authorized strength in the Health and Human Services Adult and Children's Social Services division by one Senior Social Worker Supervisor position; and
- C. find that, consistent with the adopted Authorized Position Review Policy:
 - 1) the availability of funding for this requested position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator, and the Auditor-Controller; and
 - 2) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply, and
 - 3) authorize the hiring of one full time Senior Social Worker Supervisor, Range 78 (\$4,997 to \$6,074).

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Wraparound services were implemented in Inyo County in FY 2010/2011 to provide intensive services to children who are either in, or at imminent risk of, placement in a high-level congregate care setting (group home). The services are provided by a core team that includes a Juvenile Probation Officer, a Behavioral Health Social Worker, a Child Welfare Social Worker, and a Behavioral Health Case Manager. The service team works with each Wraparound family to implement a safety plan, establish individualized goals for the child and family, and build natural supports in the community, with the goal of maintaining the child in the home, and minimizing group home placements.

The service team has provided intensive services to families in Wraparound with management oversight from the Wraparound mid-management team, which includes the Deputy Chief Probation Officer, Behavioral Health Director, Social Services Director, HHS Assistant Director, HHS Fiscal Director, Mental Health Program Manager, and HHS Management Analyst. This mid-management team approves referrals to Wraparound, reviews and

approves use of Wraparound funding, and meets bi-weekly to provide administrative and technical oversight of the Wraparound services team. The team is directly supervised by the HHS Social Services Director, who is also responsible for the oversight of Child Welfare Services, Adult Social Services and Senior Programs. During the planning phase, the agencies involved recognized the need for an on-site, dedicated supervisor who can oversee the day-to-day operations of the team, and who can also facilitate the frequent and intense family meetings that occur throughout the week. While the need for a supervisor was identified early on, the mid-management team was committed to overseeing the initial implementation of Wraparound, and to allow time to build a fund balance to reinvest in the Wraparound services before establishing a dedicated supervisor position.

Because the proposed supervisor position is funded by social services money, the position had to be covered and classified by the Interagency Merit System Services (MSS). After a thorough classification study, MSS determined that since this position has direct oversight of Master's degree-level staff, the supervisor position must also be hired at the Master's degree level. Therefore, we are requesting Board authorization to establish a new Senior Social Worker Supervisor position (MSS title: Social Worker Supervisor II) to distinguish this position from the Social Worker Supervisor position already classified (with a Bachelor's degree requirement) in Child Welfare Services.

ALTERNATIVES:

Denying this request would mean the services would continue to exist as they currently are being provided with joint oversight from Probation, Social Services, Mental Health, and other HHS managers, and the service team would continue to have intermittent access to supervision.

OTHER AGENCY INVOLVEMENT:

Juvenile Court, Juvenile Probation, Behavioral Health

FINANCING:

60% Social Services 1991 Realignment, 40% Social Services 2011 Realignment (Foster Care Assistance funds). The funding for this position is budgeted in Social Services (055800) in the Salaries and Benefits object codes, and Social Services is then reimbursed for all Wraparound expenses from the Wraparound Trust. No County General Funds.

APPROVALS	
COUNTY COUNSEL:	<p>AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</p> <p>Approved: _____ Date: _____</p>
AUDITOR/CONTROLLER:	<p>ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</p> <p><i>Neta Sunday</i> Approved: <i>Yes</i> Date: <i>3/7/12</i></p>
PERSONNEL DIRECTOR:	<p>PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</p> <p><i>Jane DL</i> Approved: <i>J</i> Date: <i>3/6/12</i></p>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received) *Leon Turner* Date: *3-9-12*

Job Description

Detailed information on the job that you specified is provided below. If the 'Interest' link is active, you may submit an interest card for this position if desired.

Job Class ID

SW Sup II

Job Class Title

Social Worker Supervisor II

General Description

Under general direction, the Social Worker Supervisor II plans, organizes and directs the work of social service staff providing the most advanced social services; and performs other related work as assigned.

Social Worker Supervisor II requires a Master's Degree and is the second supervisory level in the series. Incumbents supervise a unit of caseworkers in specific programs identified as having a high proportion of complex and sensitive casework needs and are usually assigned to programs or staff positions that require extensive casework knowledge. Some positions in larger departments may be assigned full time in-service training and staff development duties.

Social Worker Supervisor II differs from Social Worker Supervisor I in that the former is the second level supervisor, requires a Master's degree, and is responsible for supervising and training Master level Social Workers. Social Worker Supervisor II is distinguished from Program Manager in that the latter is responsible for administering a program rather than supervising a unit.

SUPERVISION EXERCISED AND RECEIVED

Social Worker Supervisor II receives direction from a Program Manager or other management level classification. Social Worker Supervisor II incumbents provide direct supervision to lower level Social Workers including Social Worker IV.

Minimum Qualifications

One (1) year of full-time experience performing duties comparable to the Social Worker III or Social Worker IV classification

AND

A Master's degree in social work OR A Master's degree from a two (2) year counseling program

[Qualifying master's degrees from a two - year counseling program are those that include a course of study with emphasis in vocational rehabilitation, family or marriage counseling, gerontology, or a closely related field. Qualifying two year counseling degree programs must have included an internship or supervised fieldwork and completion of approximately 45 semester or 67 quarter units of graduate level courses. Completion of all of the requirements for a Marriage and Family Therapy (MFT) license program may be substituted upon submission of verifying proof.]

Desired Qualifications**Work Performed**

Typical Duties:

Duties may include, but are not limited to, the following:

- Plans, assigns, directs, and reviews the work of employees providing the most advanced or complex casework such as adoptions and protective services.
- Assists in the development of community resources for all programs.
- Assists and participates in the development of in-service training and staff development programs.
- Evaluates the effectiveness of policies and procedures.
- Represents the social services department at conferences and addresses community groups.
- Evaluates the performance of personnel and takes or recommends appropriate courses of action.
- May direct research studies and prepare reports.
- Enters and retrieves information from an automated computer system.
- Authorizes the provision of social and employment services through the department, provides services, and makes referrals to other agency staff and community agencies.
- Coordinates the activities of professional and technical staff.
- Reviews and interprets regulations, rules, policies, and programs.
- May perform full time in-service training and staff development duties.
- Performs related duties as assigned.

Employment Standards

Knowledge of:

- Functions of public social services agencies and the principles of public social service administration.
- Social research methods.
- Laws, rules, and regulations governing the operation of public social services agencies.
- Principles, methods, and resources in the field of public health, mental hygiene, education, correction and rehabilitation as they relate to public social service.
- Techniques of supervision, training, and casework consultation.
- Computer terminology and computer keyboard arrangement.
- Principles of community organization.
- Resources available in the community for referral or utilization in employment or social service programs.

Ability to:

- Exercise sound judgment when organizing, directing, and prioritizing unit activities.
- Select, train, supervise, evaluate, and discipline subordinate staff.
- Classify case problems and evaluate the effectiveness of effort in solving problems.
- Apply effective interpersonal skills.
- Develop and maintain effective working relationships with agency staff, clients, and outside organizations.
- Make oral and written presentations clearly and concisely.
- Analyze a situation accurately and adopt an effective course of action.
- Maintain confidentiality in accordance with legal standards and/or county regulations.
- Use computers and related software packages.

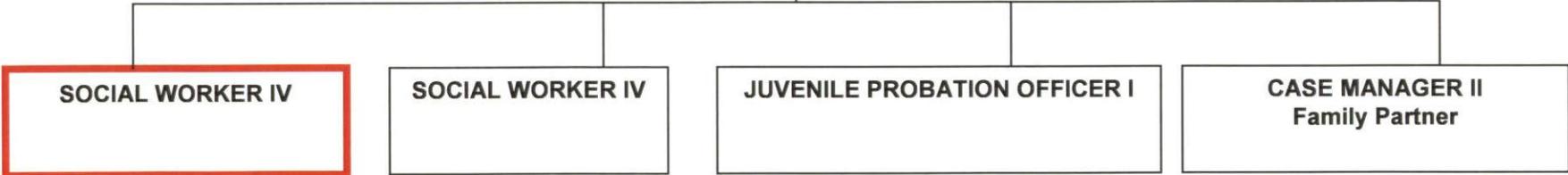
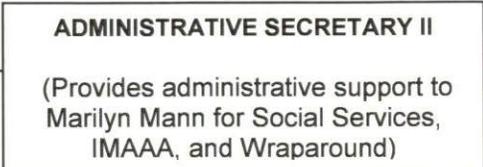
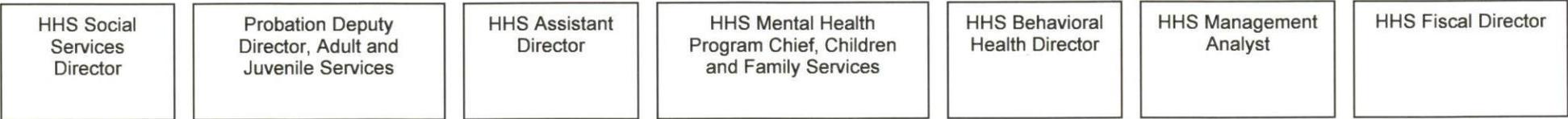
Other Information

Some positions in this classification may require possession of a valid California driver's License. Employees who drive on County business to carry out job-related duties must possess a valid California driver's license for the class of vehicle driven and meet automobile insurability

requirements of the County. Eligibility for employment for those who do not meet this requirement due to disability will be reviewed on a case-by-case basis by the appointing authority.

COUNTY OF INYO WRAPAROUND SERVICES

WRAPAROUND MID-MANAGEMENT TEAM



■ - MERIT SYSTEMS EMPLOYEE
■ - VACANT POSITION



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

11

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Commission

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: Inyo County 2011 General Plan Annual Progress Report

DEPARTMENTAL RECOMMENDATION:

Accept and provide comments on the draft Inyo County 2011 General Plan Annual Progress Report (APR), and direct staff to forward the APR with any modifications to the State of California's Department of Housing and Community Development (HCD) and Governor's Office of Planning and Research (OPR).

SUMMARY DISCUSSION:

Government Code Section 65400 requires that local agencies prepare a General Plan APR. The purpose of the document is to report on the County's progress in implementing its General Plan. The Planning Commission reviewed the draft APR and provided input at its regular February 22, 2012 meeting. Comments provided by the Commission have been incorporated, and the document is now being presented to the Board of Supervisors for its review and comment. Subsequently, it will be submitted to OPR and HCD.

As indicated in the draft APR, the General Plan is the County's constitution and guiding vision, and upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process. However, the County has encountered difficulty in making the voice of its citizens heard in some State and federal planning issues.

The County provided leadership and participated in many planning activities in 2011, as identified in the APR. The County continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. Several focused updates to the General Plan have commenced or been approved in the last year, including approval of updates for renewable energy. Updates to remainder of the General Plan and the zoning ordinance are expected to move forward in 2012.

ALTERNATIVES:

- Direct changes to the APR.
- Do NOT accept the APR.
- Return the APR to staff with direction.

OTHER AGENCY INVOLVEMENT:

State of California – OPR and HCD

FINANCING:

Funds for the General Plan APR are allocated from geothermal royalties by operating transfer to the General Fund/Planning Department budget.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 3-14-12

Attachment: Draft APR

General Plan Annual Progress Report

2011

County of Inyo



Prepared by Inyo County Planning Department

March 2012

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Appendix A Government Code Section 65400

Appendix B Housing and Community Development Department Annual Element
Progress Report Forms

I. Introduction

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR)¹.

The purpose of the document is to report on Inyo County's progress in implementing its General Plan. The document has been provided to the Planning Commission and Board of Supervisors for their review and submitted to OPR and the Department of Housing and Community Development (HCD).

Background

The County adopted a comprehensive update to the General Plan on December 11, 2001, and has amended the Plan on certain occasions since. The planning process for the update took over four years, many public hearings and meetings, and substantial effort on the part of staff, the Board of Supervisors, the Planning Commission, local organizations and interest groups, and the general public.

The Plan replaced, reformatted, and/or updated a number of older General Plan Elements and other planning documents that had been adopted over the years. In addition to the many working documents, staff reports, and outreach materials, the Plan resulted in the following major documents that are utilized on a day-to-basis in the County's planning processes:

- General Plan Summary
- Background Report
- Goals and Policies Report
- Land Use and Circulation Diagrams
- Environmental Impact Report (EIR)

The Inyo County General Plan received awards of excellence from local chapters of the American Planning Association in 2001. The policy document and diagrams are available on the Planning Department's website at the following link: http://inyo.planning.org/general_plan/index.htm.

Informational Document

This document is a reporting document, and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

¹ General Plan Annual Progress Report Guidance. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit. Revised July 11, 2007. Refer to http://www.opr.ca.gov/planning/publications/GP_APR_Guidance_2007.pdf

Organization

After this Introduction, a summary of projects and issues addressed in the last year is provided, and then each General Plan element is addressed. Following these topics, the County's planned General Plan and Zoning Ordinance update are addressed. Appendix A includes Government Code Section 65400. Appendix B includes the HCD reporting forms.

II. Plans, Projects, and Accomplishments

During 2011 the County processed numerous projects and participated in a variety of planning programs. The following summaries provide a brief overview of these projects and programs, and are not intended to be exhaustive.

Permits

Sixty-three building permits were reviewed by the Planning Department for zoning and General Plan consistency issues. Building permits were issued for ten new single-family homes, three of which were new mobilehomes, and demolition permits were issued for four single-family homes. The resulting building permit activity indicates a net increase of six single family dwelling units during 2011. While building permits indicate building activity in the area certificates of occupancy are issued upon completion of the building permit. Certificates of occupancy were issued for eight residences, four mobile homes, five commercial structures, and other minor miscellaneous structures throughout the County, for a total of 18. Also of note 16 solar energy generating systems, for residential uses, were installed in Inyo County during 2011, both ground-mounted systems and roof-mounted systems.

Planning Permits

The Planning Department processed a variety of planning permits during 2011, including variances, conditional use permits (CUP), subdivisions, and associated environmental reviews. The breakdown in applications received is as follows:

- 1 Parcel Merger
- 4 Lot Line Adjustments
- 1 Tentative Tract Map
- 3 CUPs
- 3 Variances
- 3 Reclamation Plans
- 2 Zoning Reclassifications (ZR)
- 1 Development Agreement
- 1 Reversion to Acreage

In addition, 7 zoning violations were logged.

During the past year, the Planning Commission agendas included the following application types:

- 2 CUPs
- 2 Tentative Parcel Maps
- 1 GPA
- 2 ZRs
- 2 Variances
- 2 Reclamation Plans

Of the projects reviewed by the Planning Commission, four applications were presented to the Board of Supervisors. In addition, the Lone Pine Architectural Design Review Board heard one design review case. No emergency ordinances or moratoria were approved in 2011.

Projects Reviewed by the Planning Commission during 2011

The following applications were reviewed by the Planning Commission and/or Board of Supervisors during the past year:

Tentative Parcel Map #396/Arcularius – The Planning Commission approved a subdivision of a 155-acre parcel, located at 225 North Round Valley Road. The subdivision created a 10-acre parcel which contains an existing home located at 215 N. Round Valley Road, and left a 145-acre Remainder parcel containing a home and assorted outbuildings located at 225 North Round Valley Road.

General Plan Amendment #2010-03/Inyo County Renewable Solar and Wind Energy Overlay – The Planning Commission and the Board of Supervisors approved an update to the Inyo County General Plan to address renewable solar and wind energy development in Inyo County. The update included a General Plan Land Use Designation Overlay, identifying areas where it may be appropriate to develop renewable wind and solar energy resources. Subsequently the Sierra Club and Center for Biological Diversity sued the County claiming that an EIR would be required for the project. Due to budget constraints and the low threshold in CEQA for the requirement of an EIR Inyo County reluctantly rescinded the Renewable Energy General Plan Amendment.

Parcel Map #397/Holmes – The Planning Commission approved a subdivision of an 11.46-acre parcel, located in Mustang Mesa. Four one-acre parcels and a 7.02-acre remainder parcel were created by the parcel map.

Reclamation Plan #2008-01/International Zeolite Group, Inc. – The Planning Commission approved the reclamation plan. The reclamation plan allows International Zeolite Group, Inc. to establish an open-pit zeolite mine, consisting of 53 acres over a

period of twenty years. The maximum depth is 50 feet at the southern end of the open-pit. The 53-acre quarry and staging areas will be approximately 1,900 feet long and 1,300 feet wide. The project is located on BLM property approximately 6.4 miles west of Death Valley Junction and approximately 3 miles southwest of State Route 190.

Reclamation Plan #2010-01/T Rock Products, Inc. – The Planning Commission approved the reclamation plan. The reclamation plan allows T Rock Products, Inc. to mine sand and gravel from the already existing pit, formerly operated by Valley Sand and Gravel. The project is located on BLM property, approximately 6.5 miles north of the community of Trona & east of the Trona-Wildrose road.

Zone Reclassification #2011-01/Priest and Conditional Use Permit #2011-01/Priest – The Planning Commission recommended the Board of Supervisors approve a 8.83-acre parcel zone reclassification from Multiple Residential (R-2)-5.0 acres-MH to Rural Residential (RR)-2.5 acres-MH, in order for a kennel to be established as a conditional use on the property. The Board of Supervisors approved the Zone Reclassification and the Conditional Use Permit.

Appeal #2011-01/Schneider Conditional Use Permit (CUP) #2007-03 – In May 2009, the Inyo County Board of Supervisors approved Conditional Use Permit (CUP) 2007-003 and certified an associated Environmental Impact Report (EIR), which permitted the Coso Operating Company (Coso) to extract groundwater from two existing wells on its Hay Ranch in the Rose Valley and transport it via pipeline to Coso's geothermal plant at China Lake Naval Air Weapons Station nine miles east. Conditions of approval included a Hydrologic Mitigation Monitoring Plan (HMMP), which provides a mechanism to monitor groundwater levels in the Rose Valley and to regulate Coso's groundwater pumping to ensure less than significant impacts. As required by the CUP, EIR, and HMMP, the Water Department issued an Addendum to the HMMP on April 1, 2011, which describes the baseline groundwater levels and the changes to the groundwater level triggers, pumping rate, and duration of pumping approved by the Water Department. Mr. Thomas Schneider appealed the Water Department's issuance of the HMMP Addendum to the Planning Commission, pursuant Inyo County Code Section 18.81.030.

Variance #2011-01/Norberg – The Planning Commission approved a variance in order for the applicant to retain a 7-foot high wood fence along the front lot line of her property.

Appeal #2011-02/Lyjek – After the Planning Commission's approval of Variance #2011-01/Norberg Ms. Joann Lyjek appealed the Planning Commission's decision to the Inyo County Board of Supervisors. The Planning Commission's decision to grant the applicant a variance to retain a 7-foot high wood fence was upheld by the Board of Supervisors.

Variance #2011-02/Wong – The Planning Commission approved a variance from front yard setback requirements, which would allow a home to extend 3.14 feet into a required

front yard setback of 18 feet. Specifically, the variance is for the already-built/pre-existing encroachment of two pillars and a second story balcony at the front of the home.

Zone Reclassification #2011-02/Crispin – The Planning Commission recommended the Board of Supervisors approve a Zone Reclassification in order to change the minimum lot size allowed under the RMH (Residential Mobile Home) zoning on two adjacent lots located in Big Pine. The request decreased the minimum allowed lot size from 10,000 sq.ft. down to 9,900 sq.ft., allowing both owners to subdivide their properties. The Board of Supervisors approved the Zone Reclassification.

Time Extension Conditional Use Permit #2010-04/Crystal Geyser – The Planning Commission granted a one year time-extension for CUP 2010-04/Crystal Geyser Roxane for their bottling plant south of Olancho.

Other Projects

The following discussion summarizes other current projects regarding which the County expended substantial efforts.

Zoning Code/General Plan update – one of the follow-up actions to the update to the 2001 General Plan was to update the Zoning Code. Staff worked with Willdan to prepare preliminary updated Zoning Code sections, which were provided to the Planning Commission and the Board in a series of workshops in 2011 to solicit feedback regarding the proposed approach. Staff is incorporating this input into a comprehensive Zoning Code update and identifying modifications that might be necessary to the General Plan in response to the proposed Zoning Code updates, as well as other desirable General Plan modifications. A comprehensive package is expected in early 2012 for final preliminary review by the Planning Commission and Board of Supervisors before beginning the environmental process.

Hidden Hills Solar Energy Generating Station – proposed by subsidiaries of BrightSource Energy, Inc., this project, in Charleston View, proposes two approximately 750-foot towers surrounded by 85,000 heliostats each and related facilities on private lands just west of the Nevada border and north of Old Spanish Trail, with electricity and natural gas transmission to the site through Nevada. The California Energy Commission (CEC) maintains exclusive permitting jurisdiction under the Warren Alquist Act, and the County has been participating extensively in the CEC's certification process. Comments from the County in response to the CEC's request to provide it with significant concerns and substantive requirements that would be required but for the CEC's exclusive jurisdiction for certification were submitted in November of 2011.

Yucca Mountain Repository Assessment Office – the Obama Administration funding for development of Yucca Mountain waste site was terminated effective with the 2011 federal budget passed by Congress on April 14, 2011. Consequently funding to all Affected Unit of Local Government (AULGs) was cut, effectively terminating the project

for Inyo County. During 2011 Planning Staff continued to monitor the Yucca Mountain project which was in a state of limbo, due to the highly volatile political nature of the project. Planning Staff began “mothballing” the Yucca Mountain Repository Office after the Obama Administration cut funding for the project.

Early in 2011 Inyo County contracted with Geoscience Consultants LLC to conduct a Rhyolite study in the Greenwater Range in Southeast Inyo County to support some of the County’s volcanology contentions. Geoscience continues to work toward the completion of the study and is expected to be completed in the summer of 2012.

Pine Creek Village EIR – the County continued work on preparation EIR for an application at Rovana to subdivide existing residences and develop around the periphery of the village. However, the application became inactive and work on the EIR ceased in early 2012.

Cost, Energy, and Service Efficiencies Action Plan for Southern California Edison (SCE) – the County submitted a proposal to SCE to prepare a Cost, Energy, and Service Efficiencies Action Plan. Subsequently, SCE selected the County to prepare the Plan. County staff has hired a consultant and with them has begun work on the CESEAP. An extensive public outreach effort was conducted throughout the fall and early winter and the consultant team has completed the first series of reports that are currently out for review and comment. Staff and the consultant team have recently begun the process of analyzing county buildings for energy use. This information will be used to set goals for energy use reduction, and subsequently, policy development.

Crystal Geyser (Cabin Bar Ranch) Project – in 2010 the County received an application to develop a water bottling plant facility at a site approximately one-half mile north of the existing Crystal Geyser plant, at the old Cabin Bar Ranch site. In 2011 consultants were hired to produce an Environmental Impact Report (EIR) for the project, with a notice of preparation issued and a Scoping Meeting for the EIR document held in August. Work on the EIR is progressing, with the expectation that the draft document will be ready for release sometime between the spring and early summer.

Mining – pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of minerals and minimize associated environmental impacts. Staff inspected approximately 100 mines and processed reclamation or amendments for C.R. Briggs, Monarch Mine and Cerro Gordo Mine, which are still in the process stage.

Digital 395 – the County worked with Praxis Associates, a fiber-optic network development firm, to develop and design the proposed regional network, which, upon completion, will attain broadband speeds of up to 40 Gigabits per second. During 2011 Praxis took significant steps toward the completion of the environmental review process. Praxis Associates finalized the route designation, drafted an Environmental Assessment for review, received comments on the Draft Environmental Assessment, conducted government to government consultations with the local tribes, and the California Public

Utilities Commission approved a Final Mitigated Negative Declaration. Completion of the Digital 395 project will provide significant economic opportunity to the County.

Brownfields Grant – On August 9th, 2011 Inyo County entered into a MOU with Nye, Esmeralda, Lincoln, and White Pine counties of Nevada for the Environmental Protection Agency Brownfields Coalition Assessment Grant to conduct environmental site assessments and area-wide planning in support of renewable energy, transmission and economic development in the vicinity of identified Brownfields sites. The County continues to work to identify appropriate sites for brownfield developments in Inyo County.

Los Angeles Department of Water and Power (DWP) Land Release – the County continued its coordination efforts with DWP to release lands for private ownership. CA Bretton, Inc. prepared a real property value appraisal for the proposed DWP land release properties, and DWP conducted an auction on March 23, 2011. Five properties were released as a result of the auction.

Natural Resource Advisory Committee (NRAC) – Planning Staff continued to work with the advisory committee on various natural resources projects within the county. NRAC provided insight and worked toward drafting a resolution that would support no more wilderness designations within the County on public lands. NRAC provided input on various natural resource based projects that the County participated in during 2011 including an OHV grant, mineral resources mapping, Forest Transportation Planning, Owen's Lake Master Plan, AAPL's Adventure Trails pilot program, SCE's Energy Efficiency Program, Land Tenure, BrightSource SEGS, and Alabama Hills Stewardship Group.

Lake Sabrina Bridge Replacement Project – the County has hired a Design consultant who's currently involved in obtaining various permits, including an environmental document. Preliminary designs have been completed. The County has performed topographical surveying work at the project site. A re-alignment of a portion of the existing road was required in order to address line-of-sight and needed road widening. Final design will be completed in early 2012 with bidding and construction following in the latter half of 2012.

Tecopa Sewer Ponds – the County has been working on the Tecopa Hot Springs Park sewage lagoon to address seepage issues and to bring the lagoon into compliance with U.S. Bureau of Land Management's (BLM) lease. The work is funded by Proposition 40 – Per Capita Grant administered by the State Department of Parks and Recreation. The project includes the following components: temporarily transferring sewage to a neighboring lagoon; removing sludge from the sewage lagoon and disposing of the sludge at an appropriate licensed facility; lining the inner embankments of the lagoon; and placing the sewage lagoon back into operation. The County completed environmental review for the project and began work in 2010, and was completed in 2011.

County Road Projects:

- Pine Creek Road (Round Valley) – cold mix asphalt overlay, funded by Prop 1B funds. Completed October 2011
- Joe Smith Road (Bishop) – hot mix asphalt overlay, Prop 1B funded, completed spring of 2011
- Saw Mill Road (Bishop) – cold mix asphalt overlay, Prop 1B funded, completed spring of 2011
- Underwood Lane (Bishop) – hot mix asphalt overlay, Prop 1B funds, completed spring of 2011
- Nancy Road (Big Pine) – hot mix asphalt overlay, Prop 1B funds, completed spring of 2011
- West Street (Big Pine) – hot mix asphalt overlay, Prop 1B funds, completed summer of 2011
- Cornell Street (Big Pine) – hot mix asphalt overlay, Prop 1B funds, completed summer of 2011
- Center Street (Independence) – hot mix asphalt overlay, Prop 1B funds, completed summer of 2011
- West Main Street (Independence) – hot mix asphalt overlay, Prop 1B funds, completed summer of 2011
- Tuttle Creek Road (Lone Pine) – hot mix asphalt overlay, Prop 1B funds, completed summer of 2011
- Zucco Road (Lone Pine) – hot mix asphalt overlay, Prop 1B funds, completed spring of 2011
- Lake Street (Olancho) – cold mix asphalt overlay, Highway User Tax funded, completed summer of 2011
- Sierra Street (Olancho) – cold mix asphalt overlay, Hwy User Tax funded, completed summer of 2011
- Sage Flat Road (Olancho) – cold mix asphalt overlay, Prop 1B funds, completed summer of 2011

Bishop-Sunland Landfill Gatehouse Project – The County procured and installed a 12'x35' modular building to serve as the landfill gatehouse. The gatehouse was constructed to be ADA compliant. Construction was completed in December 2011.

Independence Courthouse Annex Building Re-Roofing Project – The annex building re-roof project consisted of replacing the Annex Building roof with an energy efficient roof which will provide a long roof life and energy savings in the future. The roof was completed in summer of 2012.

Laws Water System Upgrades – The County installed a valve vault and controls to allow an auxiliary pump to be connected to the existing aging water distribution system. The system upgrades were completed in November 2011.

Lower Owens River Project (LORP) - The goals of the LORP, to establish a healthy, functioning ecosystem for the benefit of biodiversity and Threatened and Endangered species, are largely being met. The initial ecological effect of supplying water to the

river were dramatic, especially the recruitment of riparian vegetation and the return of wildlife.

2011 marked the fourth year that a biological survey was conducted in the LORP area. As was observed last year, the recruitment of tree willows and cottonwoods is still below LORP objectives. Although groves of shrub willow are expanding in areas, new tree willow and cottonwoods are relatively rare. These large trees provide habitat for many avian species that are indicators of the project's success.

Tules, which include bulrushes and cattails, continue to increase in acreage and dominate much of the open water in the Lower Owens River. Tules are also rapidly encroaching on the ponds in the Blackrock Waterfowl Management Area, but this growth is being managed in these areas through periodic drying and burning. Tules on the river present more of a management challenge. Mechanical removal is expensive, and only provides short-term benefit. Burning tules on the river would set back the development of the riparian ecosystem, and encourage weeds. It may be possible to vary the flow of the water in such a way that tules can be periodically drowned. To explore this possibility, the County of Inyo and LADWP have jointly sponsored the development of a hydrologic river model that could suggest flow rates that can accomplish tule control. The river flow model and report will be available in May 2012.

More detailed information about the condition of the LORP can be found in the LORP Annual Report, which is available on the Water Department's website (www.inyowater.org/LORP).

LORP Recreational Use Plan – the LORP area is appealing to recreationists who enjoy bird watching, wildlife viewing, hunting and fishing, and many other outdoor activities in a natural setting. With increased use there is concern about the development of unauthorized roads, and problems including waste dumping, vandalism, illegal fires, artifact gathering, and vegetation clearing. Managing these problems can be costly for LADWP and the County, and interfere with achieving LORP goals. In order to head off management problems, the County began development of a Recreation Use Plan in 2010.

A draft LORP Recreational Use Plan will be released in February 2012. The plan was designed to balance the need to protect the recovering ecosystem, respect traditional values and uses, provide attractive recreational opportunities, not interfere with LADWP's operations, and to be consistent with LORP goals. The draft is the product of broad research, agency consultations, and extensive public outreach including workshops and presentations, stakeholder interviews and surveys. The document presents a framework on which to structure final on-the-ground design and features. The plan describes three alternative levels of use to be considered: Option 1 proposes the lowest level of recreation, concentrating use at a few key points along the river; Option 2 adds several areas for recreation and upgrades the types of facilities; Option 3 provides a higher level of service in the number, location and types of facilities.

A draft plan is available on the Inyo County Water Department website in the LORP section of the www.inyowater.org or at www.lowerowensriver.org.

LORP Post-Implementation Agreement – in 2010, the County and LADWP finalized a joint funding agreement, which describes project cost, assigns roles, defines fiscal responsibilities, and explains procedures for shared funding of the LORP through July 11, 2022. The County shares many of the costs associated with LORP implementation, including biologic and hydrologic monitoring, operations and maintenance, and fees for the LORP consultant, E.S.I. Inc. The County's share of the costs associated with the LORP can be obtained by contacting the Inyo County Water Department, at 760-878-0001.

Additional Mitigation Projects Developed by the Ad Hoc Group – the 1991 EIR (Water from the Owens Valley to Supply the second Los Angeles Aqueduct), and the 1997 MOU, identify several commitments to provide water to mitigation projects in addition to the LORP. These projects are to be completed by March, 2012. Among these commitments is the development of a habitat improvement plan for the Yellow-billed Cuckoo, and projects using 1,600 acre-feet of water each year to mitigate for environment impacts due to loss of area springs. A portion of the 1,600 acre-feet per year will go to on-site mitigation at Hines Spring, with the remaining water going to other projects.

Freeman Creek – this project involves the diversion of Freeman Creek below Keough's Hot Springs into ancestral washes, to create an ecologically diverse riparian corridor and enhanced meadowland. The project was completed in 2011 and appears to be fulfilling goals.

Yellow-billed Cuckoo habitat at Baker and Hogback Creeks – the project plans for the Yellow-billed Cuckoo Habitat Enhancement Project at Baker and Hogback Creeks were finalized in May 2009. LADWP performed CEQA analysis and issued a Mitigated Negative Declaration on the project in late 2009. Fencing has been constructed to exclude cattle from the area during the time when birds are expected to be nesting.

In March 2011, a wildfire fanned by extreme winds swept through much of the project area and destroyed the majority of the mature trees in the project area. These trees had provided the best Cuckoo habitat in the area. After the fire, LADWP continued to plant according to existing plans. ICWD has asked that future planting be responsive to the possibly new needs of the project area. Surveys of the burn area will be conducted in 2012.

Hines Spring Aberdeen Ditch – the project infrastructure was completed in 2011. When water was first discharged, the flow found fractures and vanished in the underlying basalt. The pipe will be extended in 2012 to discharge further from the fracture. The effectiveness of relocating the outfall will be evaluated in 2012.

Hines Springs Well 355 – the project involves running water from Well 355 through a pipeline into a portion of the historic Hines Spring vent channel. The project is designed to create and enhance riparian, aquatic and spring habitat types. In addition, sub-irrigation of pasture/meadow is expected to enhance livestock grazing opportunities. A fish barrier was installed to separate the ditch water and spring water areas so that spring dependent species can be isolated. In 2012, water will be released and a ten-acre enclosure built around the extent of the water.

North of Mazourka Canyon Road – this project involves improving an artesian well and drilling another, to supply water to an outflow channel, where it follows existing natural drainage features before flowing through two ponds that terminate west of the Owens River. This project will create spring and riparian habitat, and provide stock water. In 2011, ICWD participated in the removal of salt cedar in the project area.

Homestead Well – this project involves piping water from an existing and newly installed flowing well into to an existing channel which flows into a one acre pond. The project will create riparian, wetland and spring habitats, and improve the existing alkali meadow. Riparian dependent bird and mammal species will benefit from the pond, and a stock watering trough will be provided. In 2011, ICWD participated in the removal of salt cedar in the project area.

Well 368 – the goal of this project is to create and maintain riparian vegetation, aquatic spring habitat for native fish, as well as to provide stock water. It involves augmenting the flow of artesian well F368, which has supported a native fish population, with a new flowing well. The project will be completed in early 2012.

Diaz Lake – this project involves supplying up to 250 acre-feet per year of water from the Los Angeles Aqueduct to a 75-acre lake that is an Inyo County recreation facility. The project will provide a secure water supply for Diaz Lake and reduce the dependence on pumping Well No. 82 by Inyo County to supply the lake. This project reduces pumping by Inyo County in the Bairs-Georges Wellfield. LADWP's lease with Inyo County (Lease # 1494) was amended to reflect the change in water supply commitments.

Warren Lake – this project will consist of releasing water from the Big Pine Canal into an existing ditch that will carry water to the Warren Lake playa to enhance waterfowl and shorebird habitat. This project will not receive water every year, but beginning in 2012 it will serve to balance the annual 1600 acre-foot water commitment. A flume and flow meter have been installed.

Big Pine Ditch System – largely through volunteer efforts, the Big Pine Ditch system is completed. All of the ditches have been dug and pipes installed under streets and yards.

Water diverted from Big Pine Creek, and supplemented by well W415, now flows through much of the town.

Big Pine Regreening – This mitigation project was identified in the 1991 EIR. The goal of the project is to mitigate for the impacts of abandoned agriculture and groundwater pumping. The project consists of converting a 30 acre parcel of rabbit brush scrub into an irrigated pasture.

The Inyo County/LADWP Technical Group approved an amended mitigation plan in the spring of 2010. Modifications to the plan included a change in water source to include the Big Pine Canal as the primary source of project water (in addition to the Big Pine Ditch and Mendenhall Ditch). Replacement water, equal to or less than 150 AFY, will be supplied by existing well W375. The Water Department modeled the effects of pumping Well 375 continuously at a rate of 150 acre-feet annually, and projected that water table at these sites would decline less than 0.2 feet. The new project scope allows sprinkler irrigation, or flood irrigation. It is estimated that sprinklers will reduce the project's water use from 150 AFY to 90 AFY.

In November 2011, LADWP issued an Initial Study and Negative Declaration (IS) on the project. The Los Angeles Board of Water and Power Commissioners will consider the IS, and comments received, and review the project for approval in early 2012.

Inyo-Mono Integrated Regional Water Management Plan (IRWMP) – The Inyo County Water Department participates in this collaborative body made up of public, private and not-for-profit entities, including the counties, tribes and community service districts. The group consists of 17 voting members. Designed to promote “big-picture” water planning, the California Department of Water Resources now requires that a Regional Water Management Group (RWMG) collect, bundle and submit projects to be considered for funding. The Plan does not provide the RWMG any regulatory authority. Its decisions and actions cannot supersede any existing plans or regulations that currently govern water management in the region.

The mission of the Inyo Mono RWMG is to “To research, identify, prioritize, and act on regional water issues, and related social and economic issues, so as to protect and enhance our environment and economy. Working together, we create and implement a regional water management plan that complies with applicable policies and regulations and promotes innovative solutions for our region's needs.” The group is supported by a staffed Program Office.

A phase I, Inyo-Mono IRWMP was completed in late 2010, and in 2011 the group was granted \$1,075,000 in Proposition 84 Implementation Funding. Of this amount, the Inyo County Department of Public Works was awarded a total of \$393,162, which can be assigned for projects to improve reliability of water delivery in Laws, Independence, and Lone Pine, and to upgrade the sewer system in Aspendell.

In 2012 the RWMG will apply for a Round 2 Proposition 84 Planning Grant, and complete a Phase II Plan.

Planning Programs

In addition to the cases described above, the County participates in numerous programs and policy discussions at the local, State, and federal levels. The following list summarizes some of the more active projects from 2010.

Owens Lakebed Master Plan – the Los Angeles Department of Water and Power (DWP) has initiated a Master Plan for the Owens Lakebed. This effort follows many years of dust mitigation efforts with the State Lands Commission and the Great Basin Unified Air Pollution Control District, and will provide a framework for future of the Lakebed, including potential solar energy development, habitat enhancement, and further dust mitigation. County representatives have been participating in the Plan's preparation including attending meetings and providing public outreach for the planning efforts. A draft Plan has recently been released and staff is providing comments.

Renewable Energy Planning – the County participated in and monitored numerous planning initiatives for renewable energy. These include the California's Renewable Energy Transmission Initiative (RETI); the Desert Renewable Energy Conservation Plan (DRECP); California Transmission Planning Group (CTPG); and, DWP's solar projects on Owens Lake (discussed above) and the Solar Ranch in the lower Owens Valley.

RETI – the County participated in further discussions regarding the RETI in 2010. Work on this project has slowed, and is now beginning being carried forward in the DRECP and the CTPG.

CTPG – the CTPG is a forum for conducting joint transmission planning studies and for coordinating CTPG members' transmission planning activities. The CTPG members include both transmission owners and operators who are subject to the North American Electric Reliability Corporation and the Western Electricity Coordinating Council. The primary objective of the CTPG is to provide a foundation for a statewide transmission plan that identifies the transmission infrastructure needed to reliably meet California's 33% Renewable Portfolio Standard goal by the year 2020. CTPG has recently released the 2012 California Transmission Planning Group Statewide Transmission Plan Draft. The results of the CTPG planning efforts could affect transmission lines that run through Inyo County as well as the potential for renewable energy development in the county.

DWP Solar Ranch – the County is monitoring the DWP's Solar Ranch proposal in the Southern Owens Valley, which consists of two options for development of approximately 200 megawatts of photovoltaic. DWP issued a Notice of Preparation for the project in 2010, and the County provided responses regarding the scope of the EIR, but little activity has occurred since.

Desert Renewable Energy Conservation Plan (DRECP) – this joint Habitat Conservation/Natural Communities Conservation Plan is being developed for the Mojave and Colorado deserts to provide binding, long-term endangered species permit assurances and facilitate renewable energy project review and approvals. The DRECP planning area includes portions of Inyo County: roughly in the Owens Valley to just north of Independence, the Panamint Valley, Death Valley, and other southeast portions of the County. The County has been participating in development of the DRECP, and the Board of Supervisors approved correspondence in response to the Notice of Preparation/Intent for the Plan on August 16, 2011.

Desert Protection Act – the County continues to monitor this bill, proposed by Senator Feinstein, which included numerous provisions regarding land use and renewable energy in California and other states. The County undertook substantial local outreach regarding the Act to provide input for the Senator in 2010. The Act was subsequently replaced by an update in 2011, but little progress has been made.

Quadstate Local Government Authority – the County joined this body in 2010, which was established in response to issues surrounding the desert tortoise. The authority is guided by a Joint Powers Agreement, and includes counties in Arizona, Utah, Nevada, and California. The organization is active regarding numerous issues relevant in the desert southwest, in addition to the tortoise. A revised recovery plan for the tortoise was released in 2011.

Regional Transportation Plan (RTP) – work began in 2008 on updating the County's RTP, which serves as the planning blueprint to guide transportation investments in the County involving local, state, and federal funding over the next 20 years. The Inyo County Local Transportation Commission (LTC) held hearings and workshops in 2008, and adopted the plan in 2009. In 2011, local agencies and the LTC continue to implement goals and policies set forth in the RTP.

Olancha-Cartago Four-Lane Project – Caltrans released a draft environmental document for this project in 2010, which proposes to expand Highway 395 from just south of Olancha to north of Cartago. The Inyo County Local Transportation Commission held a meeting in Olancha to further gather public input on the environmental document. The County provided input into a preferred alternative for the project, which has not been chosen or definitively defined. County and Local Transportation Commission staff have provided continuing input regarding access and circulation issues.

Kern County Rail Study – in 2010, LTC entered into a Memorandum of Understanding with Kern Council of Governments to fund a portion of a study inventorying rail line ownership and right-of-way in Kern and Inyo counties. The information from this study will be used to assist with the analysis of future projects related to the use of the railroad right-of-way. This project was completed in 2011.

Roles and Responsibilities Analysis of the Governing Boards of Eastern Sierra Transit Authority (ESTA), the Inyo County LTC, and the Mono County LTC – in 2010, the LTC entered into a Memorandum of Understanding with Mono County LTC and initiated a study to further clarify the roles and responsibilities of the governing board of each of these three agencies. ESTA is the primary public transit provider in both Counties. The study will assist and streamline the allocation of funds to the public transit entity, ESTA. The project was completed in 2011.

Eastern Sierra Corridor Enhancement Plan – this visioning project worked to build a theme and identity for communities in the 395 Highway Corridor (including State Route 14) in Kern, Mono, and Inyo counties. The Plan was developed in 2008 through public meetings and completed in 2010. Inyo County and the Inyo County LTC worked to implement recommendations set forth in this plan in 2011.

Eastern California Blueprint Project – this project involves iterative land use/transportation scenario planning in Inyo and Mono counties. Training has commenced, which will lead to evaluation of future land use scenarios based on transportation decisions, and vice versa. This project is dependent on funding being received in 2012.

2012 Regional Transportation Improvement Program – this project involved the development and selection of transportation projects that are then programmed in specific amounts and program years for the next five year funding cycle. This included Transportation Enhancement projects that were selected based on a call for projects. The development of this program required local and regional coordination. This program will be approved by the State in 2012 and further implemented by Caltrans, County, and City of Bishop.

Riverside Drive Bridge Replacement Project – This project began construction in February and was completed in July 2011. The project was funded through the State Transportation Improvement Projects (STIP) and, State Funded Bridge Projects program administered by CalTrans.

Water Quality Planning – the County is continuing to work with its partners and the State to tailor septic system standards locally per AB885 to provide for standardized regulations throughout California. The County is also monitoring the Regional Board's efforts to update the Basin Plan and the State Board's update to the National Forest Plan.

Inyo County Wildfire Protection Plan – this plan works to identify wildfire high-risk communities and provides recommendations designed to prevent and/or reduce the damage associated with wildfire within Inyo County. The plan discusses proposed fuel-reduction projects, pre-operational suggestions, and other measures to reduce wildfire risks to homeowners. The assessment portion of this plan estimates the hazards and risks associated with wild-land fire in proximity to communities. This information, in conjunction with identification of the values at risk, defines "areas of concern" for Inyo County and allows for prioritization of mitigation efforts. From the analysis of the data,

solutions and mitigation recommendations are offered that will aid homeowners, land managers and other interested parties in developing short-term and long-term fuels and fire management plans.

Alabama Hills Stewardship Group – the County continues working with this group in its efforts to plan for the future of the Alabama Hills. Draft legislation has been prepared, regarding which the County commented in 2010, but little progress occurred in 2011.

Land Tenure Project – focusing on opportunities and priorities for land exchanges in Mono and Inyo counties, including public outreach and education about land exchange processes. Work began on this project in earnest in mid-2008, including convening the coordinating committee and selecting a consultant for public outreach. Relying on a grant from the Sierra Nevada Conservancy, this project had been on hold due to State funding issues, but recommenced in late 2009, with outreach to local community groups taking place in 2010 into 2011. In November and December the draft version of the Eastern Sierra Land Tenure Final Report was reviewed by project participants, with the final version of the document available to the public in early 2012.

Inyo National Forest Motorized Travel Management Plan and Environmental Impact Statement – the County requested coordination with the Forest Service regarding the scope of the Environmental Impact Statement (EIS) for this Plan to work to improve access to public lands. The Final EIS and Preferred Alternative were issued in 2009, and the County continues to monitor its implementation.

Forest Service Planning Rule – the County is participating in development of the updated Forest Service Planning Rule, and County representatives have attended numerous public meetings locally, regionally, and nationally in development of the rule. A draft rule was issued in February 2011, regarding which the Board of Supervisors provided extensive comments. A final EIS has been prepared, and the Forest Service plans to issue a final decision in early 2012.

Other Forest Plans – the County is monitoring other forest plans, including Part A of the Travel Management Rule and the update to the Inyo National Forest Plan. The County has requested that these be implemented in Inyo County after other locations so that the County can learn from those experiences, as other jurisdictions have learned from Inyo County's early experiences with Subpart B of the Travel Management Rule.

Motorized Vehicle Management in Western Mojave Planning Area (WEMO) - the County is participating in development of this plan, which proposes a plan amendment and alternatives covering the management of motorized vehicles on public lands in the Western Mojave area. The County submitted comments to the BLM for the scoping process. The County will continue to monitor WEMO activities as the process continues.

Death Valley Park Backcountry Plan – the County is participating in development of this plan, which is being proposed to guide decisions regarding future use and protection of the Park's wilderness and backcountry lands, including Congressionally-designated

wilderness lands, backcountry road corridors and campsites, backcountry cabins near roads, and non-wilderness backcountry lands. The County has entered into a Memorandum of Understanding (MOU) to participate in development of the Plan, and County staff has been attending meetings to develop the Plan. The Board of Supervisors provided comments regarding conceptual plan alternatives, which were released in the spring of 2011. Environmental review, including publication of the draft alternatives, is expected in the spring of 2012.

III. General Plan Elements

The General Plan details the County's guiding principles for a variety of planning topics and is the constitution for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD), although the State Geologist provides some oversight of the Safety Element.

The Inyo County General Plan consists of the following Elements:

- Government
- Land Use
- Economic Development
- Housing
- Circulation
- Conservation/Open Space
- Public Safety

Subtopics are included in the elements to meet California's requirements. The following sections address implementation for each of the County's General Plan Elements.

Government Element

The Government Element includes the following goals (1) promoting consistency of other agencies' actions with General Plan (Goal Gov-1), (2) encouraging collaborative

planning and public participation (Goal Gov-2), (3) increasing private land ownership (Goal Gov-3), (4) guiding federal land actions and encouraging economic development (Goal Gov-4), (5) protecting and developing water resources (Goal Gov-5), (6) preserving and expanding agriculture (Goal Gov-6), (7) enhancing opportunities for recreation, including for off-road vehicles, hiking, and biking (Goal Gov-7), (8) encouraging improved management of wildlife and fisheries (Goal Gov-8), (9) promoting exploration, development, and reclamation of mineral resources (Goal Gov-9), (10) balancing energy development (Goal Gov-10), (11) enhancing transportation and preserving access (Goal Gov-11)

Toward these ends, the County has continued dialogue with local, regional, state, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts with other agencies. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, state, and local regulations. The County works to make such agencies aware of County programs and policies and bring their actions into conformance with the General Plan. Although not always successful in achieving conformance, the County has raised important issues for consideration by decision-makers in other agencies. The County is also closely monitoring, participating in discussions, and actively commenting on the proposed changes to the National Forest System Land Management Planning Rule in order to safeguard County interests.

The County also involves citizens, Native American tribes, and public interest groups in the planning process whenever feasible. Routine feedback and public input is requested, and the County's website is maintained to provide for current up-to-date information regarding planning issues.

Land Use Element

The Land Use Element guides County land use policy and insures that appropriate development takes place, with adequate provision of public services and utilities. Land use designations are specified, defined, and mapped in the Land Use Diagrams. The land use designations roughly correspond to the County's zoning districts. Public services and utilities are also addressed in the Land Use Element. Development in and around existing towns is encouraged, which is where most building permits are issued.

During 2011, the Planning Commission and the Board of Supervisors approved an update to the Inyo County General Plan to address renewable solar and wind energy development in Inyo County. The update included a General Plan Land Use Designation Overlay, identifying areas where it might be appropriate to develop renewable wind and solar energy resources.

Potential impacts from new development are assessed under CEQA. Work began to produce an EIR for the proposed Crystal Geyser Cabin Bar Ranch Water Bottling Plant project, to be constructed about one-half mile north of the existing Crystal Geyser plant

in Olancha. The County continues to apply CEQA to projects with potential impacts. Additional conditions of approval and mitigation may be required if deemed necessary to provide for issues such as screening, parking, noise-reduction (etc.), or otherwise address issues per the General Plan's direction.

Economic Development Element

The Economic Development Element works to support long-term efforts to improve economic conditions for all County residents, and addresses tourism, natural resources, and retail sales. Towards these ends, the County has continued to promote access to public lands and limit any new restrictions being planned. Promotions regarding Inyo County in major population centers elsewhere in the State (including at the State fair) are carried out. Filming opportunities are exploited, and several dramatic locations were featured in film, television, and other venues in 2011.

Housing Element

The Housing Element, updated and certified by HCD in 2010, works to provide housing for all of the community, and addresses the needs of specified populations. Preliminary data indicate that in 2011 approximately 6 net new single family housing units were produced.

The County continues to work with service providers to provide for the needs of lower-income households, the disabled, and other special needs populations, per the direction provided in the Housing Element. The County is also working to update the Zoning Ordinance, which will incorporate new State zoning requirements regarding housing.

Circulation Element

The Circulation Element addresses a wide variety of topics, including roads, scenic highways, public transportation, bicycles and trails, railroads, aviation, canals, pipelines, and transmission cables. These planning programs prioritize improvement to achieve implementation measures for roadway repaving and reconstruction projects. Widening of Highway 395 as recommended by the Circulation Element continues, and other County roads are improved and maintained as funding permits.

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development, and Digital 395 provides great opportunity for telecommunications enhancements locally. The County has coordinated with Caltrans to minimize environmental impacts from the 395 four-lane projects. Caltrans released a draft environmental document for the Olancha-Cartago Four-Lane Project in 2010, County and Local Transportation Commission staff have provided continuing input regarding access and circulation issues during 2011. Viewshed issues along scenic highways are also addressed, as they may apply. The County continues to press the

Forest Service and other federal agencies to address local concerns regarding appropriate motorized transport on federal lands and to otherwise maintain and improve access.

The County continues to work with and support ESTA to implement transit service throughout the County and beyond. The Short Range Transit Plan completed in 2009 and the Roles and Responsibilities Analysis started in 2010 implement the General Plan's direction to support and promote public transit and accessibility.

The County worked with the City of Bishop, Caltrans, and other local stakeholders to implement the Collaborative Bikeways Plan, which was adopted in 2008. This project implements the Circulation Element's bicycle goals, policies, and implementation measures. Continued coordination with DWP, the Forest Service, and the Bureau of Land Management ensures appropriate trail maintenance and access to public lands. Inyo County residents have organized an active group known as the Advocates for Access to Public Lands (AAPL) that strives toward enhancing access to public lands. AAPL is working on a project, which was signed into law by Governor Jerry Brown October 7, 2011, which will give green sticker off-highway vehicle users the ability to travel up to 10 miles on some designated county roads to access amenities such as food and gas. The County continues its planning efforts to improve the Bishop airport, and is working with DWP regarding long-term ownership. The County is working on improving other airports in its jurisdiction by seeking grant funds and coordinating with Caltrans and the Federal Aviation Administration.

The County has been involved in planning activities for utility transmission and distribution systems passing through it, working to facilitate appropriate resource development. The County continues to work with telecommunication providers to provide for enhanced wireless communication systems.

Conservation/Open Space Element

The Conservation and Open Space Element works to provide for resource management, open space for recreation, and park development. Inyo County's Element includes sections on soils, agriculture, minerals and energy, water, biology, cultural (i.e., archaeology), visual, and recreation. The Renewable Energy GPA (discussed previously) would have updated the Conservation Element to address commercial scale solar and wind development.

The County continues its programs to support agriculture and ranching. Mineral resource development is encouraged, and the County reviews projects to ensure compliance with SMARA and other regulations. As discussed above, the Planning Commission continues its work providing oversight for reclamation plans, and staff inspected approximately 100 mines in 2011. The County is working with State and federal agencies to encourage mineral production, but has had difficulty limiting wilderness proposals and other actions that adversely impact mining viability.

The Environmental Health Department provides oversight and permitting for potable water and wastewater treatment systems in order to manage and improve water quality. Individual projects are reviewed to ensure that they do not adversely impact groundwater quality or quantity. Work on LORP and other enhancement projects improve surface water quality through biological filtering. Water transfers are reviewed to minimize environmental and economic effects. The County has intervened in the Yucca Mountain project to work to protect groundwater supplies in the vicinity of and down gradient from the site. Potential impacts on biological, cultural, and visual resources are analyzed for projects and programs through environmental review processes. Architectural Design review in Lone Pine is carried out to ensure compatibility, and the County is participating in 395 Corridor planning to strengthen identity along the highway. The County continues to work to improve its parks and provide access to federal lands.

The County continued to participate in the Quadstate Local Government Authority: the County served on the Desert Tortoise Oversight Group, the Desert Managers Group, and the Desert Advisory Council as a way of providing a voice in regional planning initiatives and policy development.

Public Safety Element

The Public Safety Element works to reduce hazards regarding air quality, floods, avalanches, wildfires, geology and seismicity, and noise. The County continues to cooperate with DWP to reduce dust from Owens Lake, and evaluates air quality issues for major discretionary projects. Building permits and other development proposals are reviewed for flooding, fire, avalanche, and faulting hazards. The mitigation requirements developed and approved in the EIR prepared for the General Plan are enforced in areas subject to avalanche hazards. As discussed previously, the County has completed a fire management plan, and continues to address the Inyo Complex Fire and Oak Creek mudflow. In addition, FEMA Flood Maps for the County were updated in 2011. Noise issues are addressed through environmental review. Noise issues are being considered as part of the comprehensive zoning code update that was continued during 2011.

IV. General Plan and Zoning Code Update

The County is updating the General Plan to address issues that have arisen since the 2001 General Plan was adopted. Several items were addressed individually since then, but a holistic review and update is desired. Some follow-up modifications to the zoning ordinance specified in the General Plan have yet to be implemented, and a comprehensive update to the zoning is also being pursued.

Work remains to update the General Plan and Zoning Ordinance. Major tasks anticipated include the following:

- Reconcile the General Plan and Zoning Ordinance;
- Reformatting;

- Address specific issues;
- Public outreach.

County staff maintains a list of issues to be addressed, including the following major topics:

- Expand language regarding natural resource production to encourage mining and rural agricultural uses;
- Address changes in General Plan requirements that have occurred since 2001, including climate change, environmental justice, etc.;
- Provide consistent definitions and language in the zoning ordinance;
- Incorporate noise standards into the County Code;
- Provide for ability to flex development standards in limited situations.

V. Conclusion

The General Plan is the County's constitution and guiding vision. Due to the world's ever-changing nature, upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process. However, the County has encountered difficulty in making the voice of its citizens heard in some State and federal planning issues.

The County provided leadership and participated in many planning activities in 2011, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. Several focused updates to the General Plan have commenced or been approved in the last year, including approval of updates for renewable energy. Updates to remainder of the General Plan and the zoning ordinance are expected to move forward in 2012.

Appendix A

Government Code Section 65400

- (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:
- (1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.
 - (2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:
 - (A) The status of the plan and progress in its implementation.
 - (B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583. The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.
 - (C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.
- (b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of

paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

Appendix B

Draft Housing and Community Development Department Annual Element Progress
Report Forms

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Inyo County
Reporting Period 1/1/2011 - 12/31/2011

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	3				3	6	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Inyo County
Reporting Period 1/1/2011 - 12/31/2011

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted Non-deed restricted												116
Low	Deed Restricted Non-deed restricted												70
Moderate	Deed Restricted Non-deed restricted												83
Above Moderate			18	16	6	16	6					68	126
Total RHNA by COG. Enter allocation number:			18	16	6	16	6					68	395
Total Units ▶ ▶ ▶													
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Inyo County
Reporting Period 1/1/2011 - 12/31/2011

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe In H.E.	Status of Program Implementation
Goal 2.0 - To provide adequate sites for residential development	Release of DWP lands	Mar 2011 and Ongoing	The County continues to work with LADWP to release identified lands. The County worked to amend the LTWA to identify site on Handy street in Bishop for future auctions. On March 23, 2011 an auction took place, five properties were sold at auction.
Policy 2.2 - Emergency Shelters and Transitional Supportive Housing	Amendments to Zoning Ordinance	Ongoing	The County is working to amend the zoning ordinance to address emergency shelters and other requirements from the 2010 Housing Element.
Policy 2.3 - Extremely low-income			
Policy 3.3 - Second Units			In accordance with the state laws and local zoning code the County continues to work toward encouraging second units.
Policy 5.4 - Residential Care Facilities			The County will continue efforts to mitigate or remove constraints on housing for persons with disabilities.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Inyo County
Reporting Period 1/1/2011 - 12/31/2011

General Comments:

1. affordability levels for newly permitted units cannot be determined - assumed to be above moderate; 2) physical site preparation began for Site No. 2 (i.e. Whitney Portal), in the sites inventory; 3) EIR continues for Site No. 3 (i.e., Pine Creek Village) in the sites inventory.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

12

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for 11:30 a.m. Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors:

- A. Conduct a Public Hearing on the following actions for a 1.62-acre site located on Sunland Reservation Road, within APN 013-020-07 (Refer to Site Plan for location):
- 1.) A General Plan Amendment to change the General Plan Designation of the site from "Public Service Facility (PF)" to "General Industrial (GI)"; and
 - 2.) A proposed ordinance entitled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification #2012-02/LADWP and amending Title 18 of the Inyo County Code, the Inyo County Zoning Ordinance, by reclassifying the site from Public (P) to General Industrial & Extractive (M-1).
- B. Adopt a resolution approving the following: General Plan Amendment #2012-02/LADWP; Zone Reclassification #2012-02/LADWP; and certify that the requirements of the California Environmental Quality Act (CEQA) have been met.
- C. Waive the first reading of the ordinance approving Zone Reclassification #2012-02/LADWP and schedule the enactment for March 27, 2012 at 11:30 a.m., in the Board of Supervisors Room, at the County Administrative Center, in Independence.

SUMMARY DISCUSSION:

The Los Angeles Department of Water & Power (LADWP) owns a 651-acre parcel south of Bishop on which the Bishop community landfill, Eastern Sierra Propane, and Bishop Waste Disposal are located. In 2005 LADWP was granted a General Plan Amendment and Zone Reclassification by the County, changing the designation and zoning from "public" to "general industrial," in order to use a 2.63-acre portion of the overall site as an exterior storage yard site. LADWP now uses the site, fronting Sunland Reservation Road and located between the Bishop community landfill and Eastern Sierra Propane, to lease space to private individuals needing to store items such as heavy equipment and recreational vehicles.

LADWP would now like to expand the site to the south by 1.62 acres. As was the case back in 2005, the proposed action requires a General Plan Amendment from the current land use designation of Public Facility (PF) to General Industrial (GI). In addition, a Zone Reclassification from the current Public (P)

zoning to General Industrial & Extractive (M-1) is also necessary to allow for the use of the site as a "storage facility."

This application was heard by the Inyo County Planning Commission on February 22, 2012. After discussion, the Planning Commission voted 5-0 to recommend approval of this application to your Board.

ALTERNATIVES:

- Do NOT approve the requested actions.
- Return to staff with direction

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

No direct impact.

APPROVALS

COUNTY COUNSEL: <i>Yes</i>	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) <i>DWR 3/1/12</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Joshua Hard

Date: 3/5/12

Attachments:

1. Planning Commission Resolution
2. Proposed Site Plan
3. Planning Commission Staff Packet
4. Proposed BOS Resolution
5. Proposed Ordinance

RESOLUTION NO. 2012-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO,
STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF
SUPERVISORS CERTIFY THAT THE PROVISIONS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) HAVE BEEN MET
AND MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE
GENERAL PLAN AMENDMENT #2012-02/LADWP AND ZONE
RECLASSIFICATION #2012-02/LADWP**

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines which is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department exempted Zone Reclassification General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP from environmental review under CEQA Guidelines Section 15301, Existing Facilities, deeming that the proposed general plan amendment and zone reclassification for an expansion of the site located at 106 Sunland Reservation Road (a portion of APN 013-020-07) could have no possibility of causing significant environmental effects; and

WHEREAS, the Inyo County Planning Commission held a public hearing on February 22, 2012, to review and consider a request for approval of General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP, and considered the staff report for the application and all oral and written comments regarding the application; and

WHEREAS, Goal LU-4 of the Inyo County General Plan states that it is the County's goal to "provide appropriate types of industrial land uses and adequately serve the existing and/or future needs of the community and surrounding environs, and to promote and attract forms of non-polluting light industry" and, further, Policy LU-4.2 states that the General Industrial (GI) designation of land "provides for a full range of manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding lands"; and

WHEREAS, use of the site as an exterior storage yard/facility is of the same general character and within the parameters of permitted uses for the M-1 zone, as defined at Inyo County Code Chapter 18.57; and

WHEREAS, there exists a need in the community for storage facilities, the proposed site is extensively disturbed land adjacent to the Bishop community landfill, and such a use is compatible with the current surrounding land uses.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the February 22, 2012, hearing, including the Planning Department Staff Report, this Planning Commission makes the following findings regarding the application and hereby recommends that the Board of Supervisors adopt the following findings for the proposed project:

1. The Planning Commission certifies that the provisions of the California Environmental Quality Act (CEQA) have been satisfied and finds the project could not have a significant effect on the environment.
2. Based on substantial evidence in the record, the proposed General Plan Amendment and Zone Reclassification are consistent with the Inyo County General Plan and Title 18 of Inyo County Code.
3. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.
4. The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.
5. The proposed use is necessary or desirable.

BE IT FURTHER RESOLVED, that the Planning Commission makes, and recommends that the Board of Supervisors adopt, the following Conditions of Approval for the proposed project:

1. **Hold Harmless:** As a condition of approval of General Plan Amendment #2012- 02/LADWP and Zone Reclassification #2011-02/LADWP, the applicant shall defend, indemnify and hold harmless Inyo County (County), its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul said approval of General Plan Amendment #2011-02/LADWP and Zone Reclassification #2011-02/LADWP. The County reserves the right to prepare its own defense.
2. **Fire Protection Measures:** the applicant shall comply with all necessary requirements of the Fire Code, to the satisfaction of the Chief of the Bishop Rural Fire Protection District. Notably, Fire Code requires that any combustible items stored on the site must observe a 75-foot setback from the propane tanks stored on the Eastern Sierra Propane site adjacent to the west, unless otherwise mitigated under alternative provisions of the Fire Code.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the Board of Supervisors take the following action:

1. Approve General Plan Amendment #2012-02/LADWP and Rezone #2012-02/LADWP based on all of the information in the public record and on recommendation of the Planning Commission.

PASSED AND ADOPTED this 22nd day of February 2012, by the following vote of the Inyo County Planning Commission:

AYES: Stoll, Little, Wasson, White, and Payne

NOES:

ABSTAIN:

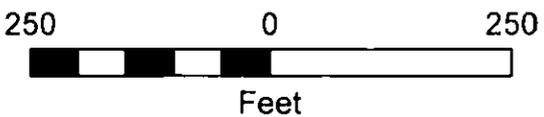
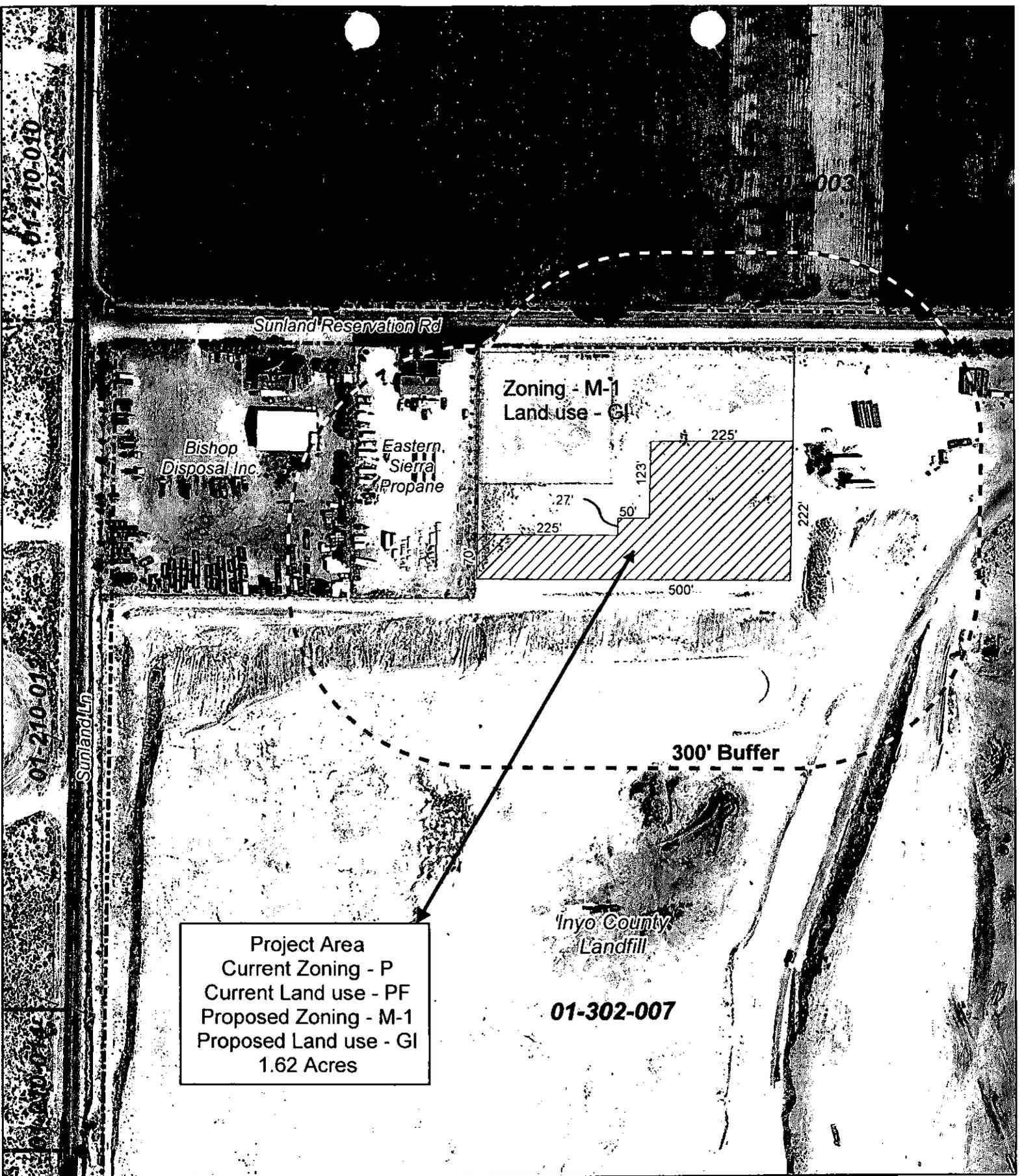
ABSENT:


William Stoll, Chair
Inyo County Planning Commission

ATTEST:

Josh Hart, Planning Director

By 
Dan Stewart,
Secretary of the Commission



Application

Sunland Reservation Road Outdoor Storage



**Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526**

**Phone: (760) 878-0263
FAX: (760) 878-0382
E-Mail: inyoplanning@
inyocounty.us**

AGENDA ITEM NO.: 6 (Action Item -- Public Hearing)

**PLANNING COMMISSION
MEETING DATE:** February 22, 2012

SUBJECT: City of Los Angeles Department of Water and Power (LADWP) Exterior Storage Yard Expansion Project (Sunland Reservation Road):

- General Plan Amendment #2012-02/LADWP
- Zone Reclassification#2012-02/LADWP

EXECUTIVE SUMMARY

In 2005 the County approved a General Plan Amendment and Zone Reclassification that allowed LADWP to change a 2.63-acre parcel of LADWP-owned land located adjacent to the Bishop Landfill from "Public" to "General Industrial." The change in the land use designation and zoning allowed the site to be used as an exterior storage yard for private individuals to store heavy equipment, recreational vehicles, and construction equipment.

Now, LADWP would like to expand the existing site by 1.62 acres. As with the 2005 application, the new acreage will need to be re-designated from Public Facility (PF) to General Industrial (GI) and re-zoned from Public (P) to General Industrial (M-1).

PROJECT INFORMATION

Supervisory District: Fourth

Project Applicant: Los Angeles Department of Water & Power (LADWP)

Property Owner: Los Angeles Department of Water & Power (LADWP)

Address: 106 Sunland Reservation Road

Community: Bishop

A.P.N.: 013-020-07

General Plan: Currently at Public Facility (PF); Proposed to change to General Industrial (GI)

Zoning: Currently at Public (P); Proposed to change to General Industrial & Extractive (M-1)

Size of Parcels: Total parcel 651 acres; proposed expansion site 1.62 acres

Surrounding Land Use:

Location	Use	General Plan Designation	Zoning
Site	Exterior Storage Yard	General Industrial (GI)	General Industrial & Extractive (M-1)
North	Farming & Pasture	Agriculture (A)	Open Space (OS), 40-acre minimum lot size
East	Bishop Landfill	Public Facility (PF)	Public (P)
South	Bishop Landfill	Public Facility (PF)	Public (P)
West	Eastern Sierra Propane	General Industrial (GI)	General Industrial & Extractive (M-1)

Requested Action: Adopt the attached Resolution, recommending that the Board of Supervisors:

- 1.) Certify that the provisions of the California Environmental Quality Act (CEQA) have been met.
- 2.) Make certain findings with respect to and recommend that the Board approve: General Plan Amendment No. 2012-02/LADWP and Zone Reclassification No. 2012-02/LADWP.

Alternatives:

- 1.) Deny the General Plan Amendment and Zone Reclassification.
- 2.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Dan Stewart

BACKGROUND

In 2005 your Commission approved a General Plan amendment and zone reclassification for the 2.63-acre parcel that has been used by LADWP as an exterior storage yard site since that time. LADWP leases that space to private individuals wanting to store items such as heavy equipment, construction equipment and recreational vehicles.

LADWP desires to expand the storage area, increasing the site by 1.63 acres to a total of 4.26 acres, due to the increased demand for storage space in the area.

STAFF ANALYSIS

Site Conditions

Like the existing 2.63-acre storage site, the proposed expansion is relatively flat and had been previously cleared. The proposed expansion would extend south of the existing storage site area – that is, the area to the rear of the property would be expanded southward (by approximately 100 feet on the westerly portion of the site, and 350 feet on the easterly portion of the site) forming an approximately 372' X 500' site area, or 4.26 acres, that would now be available for exterior storage.

Neighboring Uses

The site is well suited for the proposed use, as there are similar industrial-type uses on both sides of the property: the Bishop community landfill to the east, and the Eastern Sierra Propane business to the west. In addition, the site is away from heavily traveled roads (such as U.S. Highway 395 further to the east), and so does not pose any significant visual impacts or traffic impacts.

ENVIRONMENTAL REVIEW

Class 1 Categorical Exemption - CEQA Guidelines Section 15301. (Existing Facilities)

This project was deemed by Planning Department staff to be exempt from environmental review under CEQA Guidelines Section 15301:

"Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use."

Staff deemed that the proposed expansion involves a negligible expansion of an existing use. The expansion could have no possibility of causing significant environmental effects due to the fact that the project is a minor expansion of an existing land use.

Further the project site is on land that had been previously disturbed, to the degree that no native vegetation exists.

RECOMMENDATIONS

Staff recommends the following:

1. The Planning Commission certifies that the provisions of the California Environmental Quality Act (CEQA) have been satisfied and finds the project could not have a significant effect on the environment.

(Evidence: This project was deemed exempt under CEQA Guidelines Section 15301: staff determined that the proposed expansion of the current site could have no possibility of causing significant environmental effects due to the fact that that the project is a minor expansion of the existing site and would not expand the use.)

2. Based on substantial evidence in the record, the proposed General Plan Amendment and Zone Reclassification are consistent with the Inyo County General Plan and Title 18 of Inyo County Code.

(Evidence: The proposed General Plan Amendment is consistent with the requirements of the 2001 General Plan land use designation of General Industrial (GI).

Goal LU-4 of the Inyo County General Plan states that it is the County's goal to "provide appropriate types of industrial land uses that adequately serve the existing and/or future needs of the community and surrounding environs, and to promote and attract forms of non-polluting light industry."

Further Policy LU-4.2 of the Inyo County General Plan states that it is the County' goal to "provide for a full range of manufacturing, processing, assembling, research, wholesale, and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses with a high or heavy intensive use where there is potential for nuisance on surrounding land."

The proposed zone reclassification is consistent with Inyo County Code Section 18.57, as storage facilities and warehouses are identified as a permitted use in Inyo County Code Section 18.57.030, which outlines permitted uses in the General Industrial & Extractive (M-1) zone.)

3. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.

(Evidence: The project site is adjacent to Eastern Sierra Propane, Bishop Community Landfill, and agricultural lands. The area of the proposed site is

generally an industrial area, which is an appropriate area for a storage facility. No additional needs for services have been identified at the proposed site. Adequate access is provided off Sunland Reservation Road. Transportation requirements are similar to the other uses in the vicinity, and the relatively low additional traffic will not cause issue in combination with the low existing traffic counts. The proposed site is generally appropriate given other uses in the vicinity, insignificant traffic issues, and will not tax current services facilities.)

- 5.) The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.

(Evidence: The proposed extension of the current use will not cause an adverse health or safety risk to any person living or working in the vicinity, or have any detrimental effect on the public welfare. Merely storing non-hazardous materials will not have an adverse effect on the health or safety of any person working in the area, and the closest residence is .6 miles to the North and .9 miles to the South.)

- 6.) The proposed use is necessary or desirable.

(Evidence: Storage facilities are needed by Inyo County population centers such as Bishop. Bishop is surrounded by public-owned lands, and there is little private land available for industrial uses. The proposed site is outside residential and commercial areas, yet conveniently close to town, making the site desirable.)

Recommended Conditions of Approval

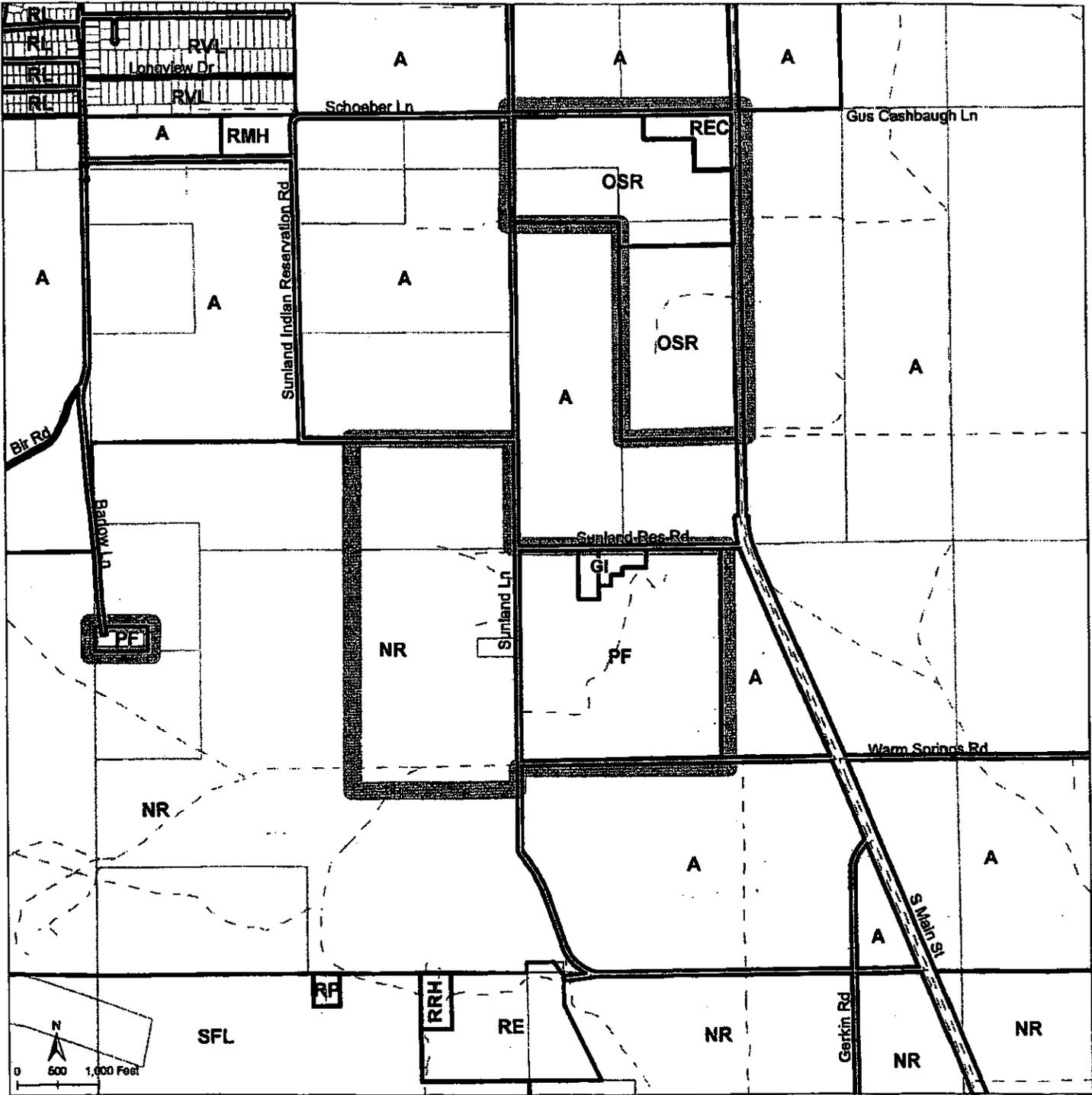
- 1.) Hold Harmless: the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning General Plan Amendment #2012-02/LADWP & Zone Reclassification #2012-02/LADWP, or the applicant's failure to comply with conditions of approval for the project.
- 2.) Fire Protection Measures: the applicant shall comply with all necessary requirements of the Fire Code, to the satisfaction of the Chief of the Bishop Rural Fire Protection District. Notably, Fire Code requires that any combustible items stored on the site must observe a 75-foot setback from the propane tanks stored on the Eastern Sierra Propane site adjacent to the west, unless otherwise mitigated under alternative provisions of the Fire Code.

ATTACHMENTS

- 1.) Site Map
- 2.) General Plan Map

- 3.) Zoning Map
- 4.) Site Photos
- 5.) Resolution to the Board of Supervisors

South Bishop - Diagram 9



**Inyo County General Plan
Land Use Designations**

Residential

- RR Residential Ranch
- RE Residential Estate
- RRM Residential Rural Medium Density
- RRH Residential Rural High Density
- RVL Residential Rural Very Low Density
- RL Residential Low Density
- RM Residential Medium Density
- RMH Residential Medium-High Density
- RH Residential High Density

Industrial

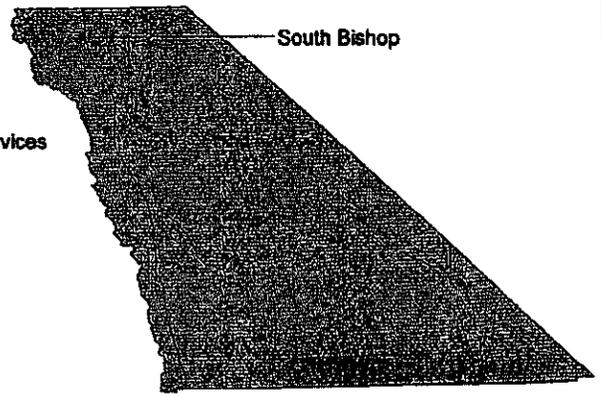
- LI Light Industrial
- GI General Industrial

Commercial

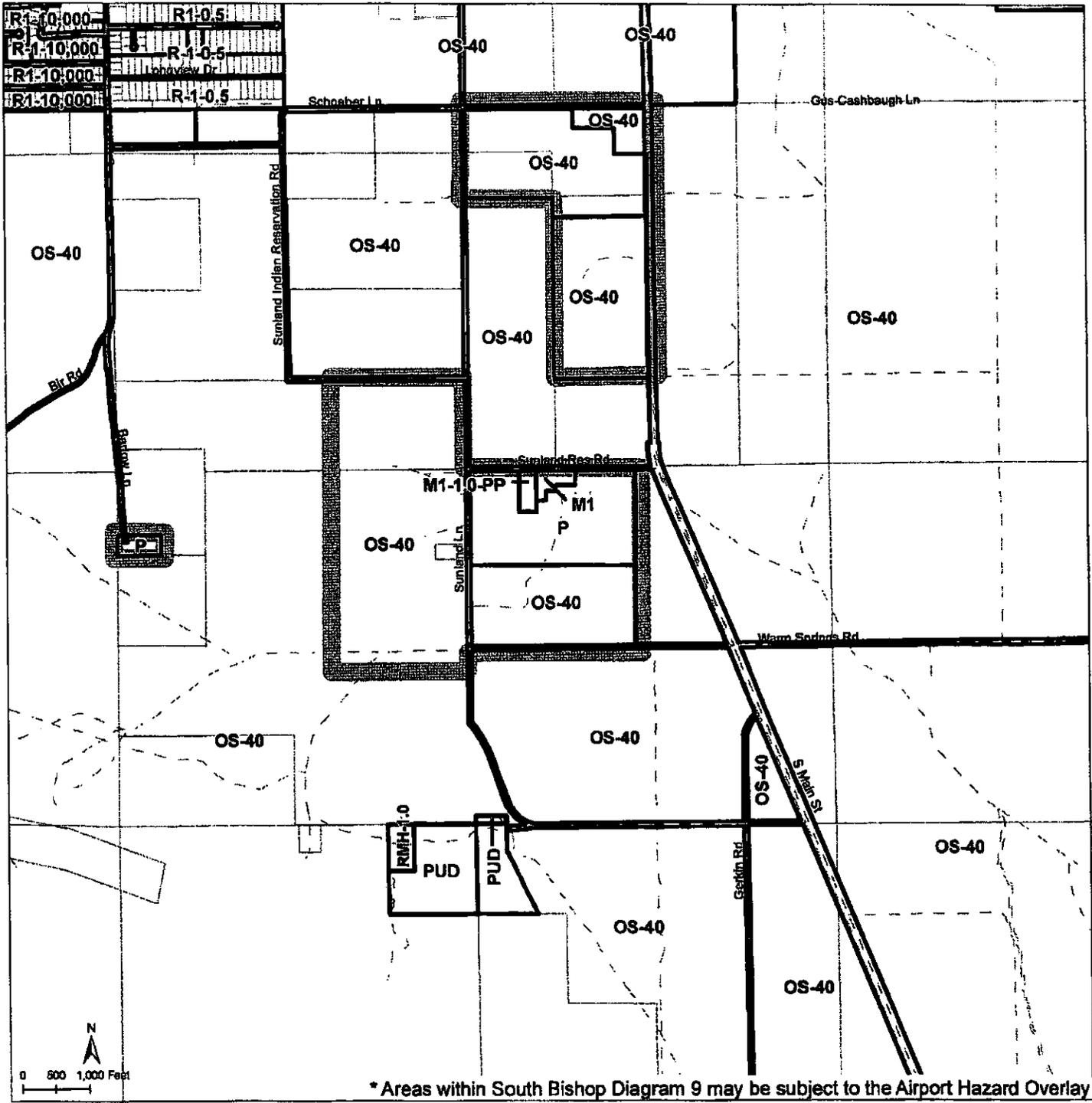
- CBD Central Business District
- RC Retail Commercial
- HC Heavy Commercial/Commercial Services
- REC Resort/Recreational

Other

- NH Natural Hazards
- OSR Open Space and Recreation
- PF Public Service Facilities
- A Agriculture
- NR Natural Resources
- SFL State and Federal Lands
- TL Tribal lands



South Bishop - Diagram 9



* Areas within South Bishop Diagram 9 may be subject to the Airport Hazard Overlay

Inyo County Zoning Designations

Residential

- R1 One Family Residential
- R2 Multifamily Residential
- R3 Multiple Residential
- RR Rural Residential
- RR-0.5 Starlite
- RMH Single Residence and Mobile Home Combined

Commercial

- CB Central Business
- C1 General Commercial - Retail
- C3 Administrative - Professional Offices
- C4 Heavy Commercial
- C5 Commercial Recreation

Industrial

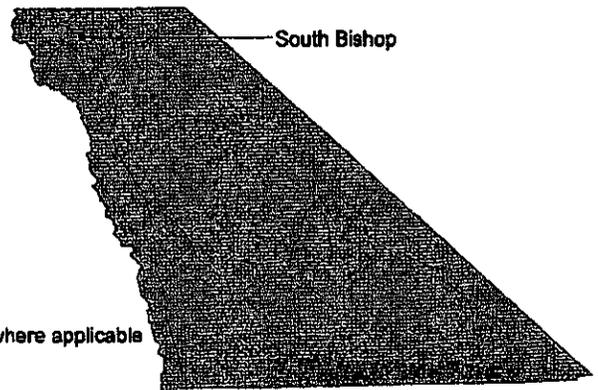
- M1 General Industrial and Extractive
- M2 Light Industrial

Other

- OS Open Space
- PUD Planned Unit Development
- P Public

Overlays

- MH (Mobile Home)
- PP (Precise Plan)
- SAHO (Snow Avalanche Hazard)
- A (Architectural Design Control)
- AH (Airport Hazard) *see notes on maps where applicable



Site Photos



Image 1. Looking West toward Eastern Sierra Propane, fence is approximate site boundary line

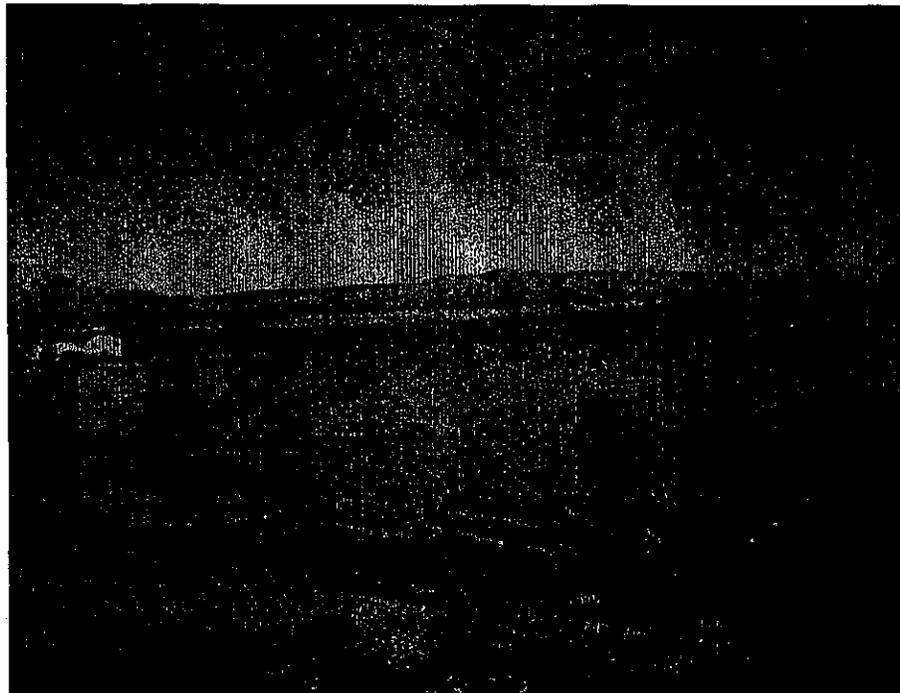


Image 2. Looking North toward Agricultural land

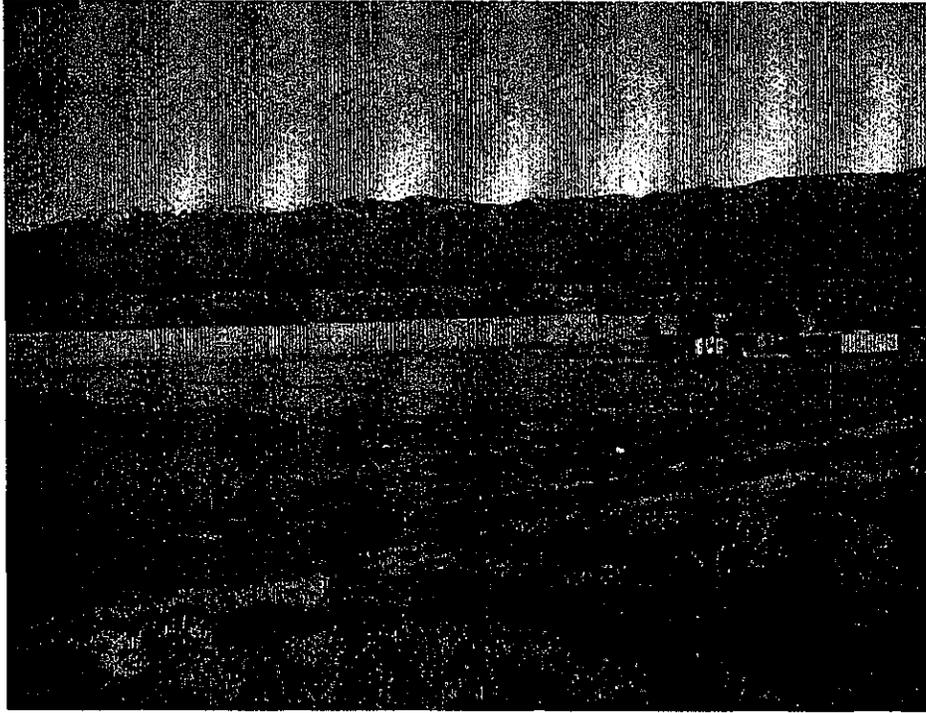


Image 3. Looking North-east toward Bishop Community Landfill



Image 4. Looking South toward Bishop Community Landfill

RESOLUTION NO. 2012-01

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO,
STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF
SUPERVISORS CERTIFY THAT THE PROVISIONS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) HAVE BEEN MET
AND MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE
GENERAL PLAN AMENDMENT #2012-02/LADWP AND ZONE
RECLASSIFICATION #2012-02/LADWP**

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines which is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department exempted Zone Reclassification General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP from environmental review under CEQA Guidelines Section 15301, Existing Facilities, deeming that the proposed general plan amendment and zone reclassification for an expansion of the site located at 106 Sunland Reservation Road (a portion of APN 013-020-07) could have no possibility of causing significant environmental effects; and

WHEREAS, the Inyo County Planning Commission held a public hearing on February 22, 2012, to review and consider a request for approval of General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP, and considered the staff report for the application and all oral and written comments regarding the application; and

WHEREAS, Goal LU-4 of the Inyo County General Plan states that it is the County's goal to "provide appropriate types of industrial land uses and adequately serve the existing and/or future needs of the community and surrounding environs, and to promote and attract forms of non-polluting light industry" and, further, Policy LU-4.2 states that the General Industrial (GI) designation of land "provides for a full range of manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding lands"; and

WHEREAS, use of the site as an exterior storage yard/facility is of the same general character and within the parameters of permitted uses for the M-1 zone, as defined at Inyo County Code Chapter 18.57; and

WHEREAS, there exists a need in the community for storage facilities, the proposed site is extensively disturbed land adjacent to the Bishop community landfill, and such a use is compatible with the current surrounding land uses.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the February 22, 2012, hearing, including the Planning Department Staff Report, this Planning Commission makes the following findings regarding the application and hereby recommends that the Board of Supervisors adopt the following findings for the proposed project:

1. The Planning Commission certifies that the provisions of the California Environmental Quality Act (CEQA) have been satisfied and finds the project could not have a significant effect on the environment.
2. Based on substantial evidence in the record, the proposed General Plan Amendment and Zone Reclassification are consistent with the Inyo County General Plan and Title 18 of Inyo County Code.
3. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.
4. The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.
5. The proposed use is necessary or desirable.

BE IT FURTHER RESOLVED, that the Planning Commission makes, and recommends that the Board of Supervisors adopt, the following Conditions of Approval for the proposed project:

1. **Hold Harmless:** As a condition of approval of General Plan Amendment #2012-02/LADWP and Zone Reclassification #2011-02/LADWP, the applicant shall defend, indemnify and hold harmless Inyo County (County), its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul said approval of General Plan Amendment #2011-02/LADWP and Zone Reclassification #2011-02/LADWP. The County reserves the right to prepare its own defense.
2. **Fire Protection Measures:** the applicant shall comply with all necessary requirements of the Fire Code, to the satisfaction of the Chief of the Bishop Rural Fire Protection District. Notably, Fire Code requires that any combustible items stored on the site must observe a 75-foot setback from the propane tanks stored on the Eastern Sierra Propane site adjacent to the west, unless otherwise mitigated under alternative provisions of the Fire Code.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the Board of Supervisors take the following action:

1. Approve General Plan Amendment #2012-02/LADWP and Rezone #2012-02/LADWP based on all of the information in the public record and on recommendation of the Planning Commission.

PASSED AND ADOPTED this 22nd day of February 2012, by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

William Stoll, Chair
Inyo County Planning Commission

ATTEST:

Josh Hart, Planning Director

By _____
Dan Stewart,
Secretary of the Commission

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING AND ADOPTING THE NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT CONCERNING, AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING, GENERAL PLAN AMENDMENT #2012-02/LADWP AND ZONE RECLASSIFICATION #2012-02/LADWP FOR A 1.62-ACRE SITE WITHIN APN 013-020-07

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission as the Environmental Review Board pursuant to Section 15002 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, pursuant to Section 15025 of the State CEQA Guidelines as implemented by Section 15.12.040 of the Inyo County Code (CEQA Procedures), the Planning Commission is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department deemed that General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP for a 1.62-acre site within APN 013-020-07, was exempt from environmental review under CEQA Guidelines Section 15301, Existing Facilities; and

WHEREAS, the Inyo County Planning Commission is required to conduct a public hearing on proposed Tentative Tract Maps, General Plan Amendments, Zone Reclassifications, and Conditional Use Permits and to make a recommendation to the Board of Supervisors thereon (Sections 65854 and 65855 of Government Code); and

WHEREAS, at a noticed public hearing on February 22, 2012, the Planning Commission considered the report of staff, and all oral and written comments to date regarding this project; and

WHEREAS, following said public hearing the Planning Commission adopted a Resolution wherein it recommended that this Board of Supervisors:

1. Certify that the provisions of the California Environmental Quality Act (CEQA) have been met.
2. Make certain findings with respect to and approve: General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP.

WHEREAS, pursuant to that recommendation this Board of Supervisors held a public hearing on March 20, 2012, and considered all written and oral testimony presented concerning the General Plan Amendment #2012-02/LADWP and Zone Reclassification #2012-02/LADWP.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the March 20, 2012 hearing, including the Planning Department Staff Report concerning the above-described proposed project, this Board makes the following Findings:

1. The Board of Supervisors certifies that the provisions of the California Environmental Quality Act (CEQA) have been satisfied, as the project was deemed exempt from environmental review under CEQA Guidelines Section 15301, Existing Facilities.
2. Based on substantial evidence in the record, the proposed Zone Reclassification consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed General Plan Amendment and Zone Reclassification is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.
4. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.

BE IT FURTHER RESOLVED, that this Board adopts the following Conditions of Approval for the proposed project:

- 1.) Hold Harmless: the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning General Plan Amendment #2012-02/LADWP & Zone Reclassification #2012-02/LADWP, or the applicant's failure to comply with conditions of approval for the project.
- 2.) Fire Protection Measures: the applicant shall comply with all necessary requirements of the Fire Code, to the satisfaction of the Chief of the Bishop Rural Fire Protection District. Notably, Fire Code requires that any combustible items stored on the site must observe a 75-foot setback from the propane tanks stored on the Eastern Sierra Propane site adjacent to the west, unless otherwise mitigated under alternative provisions of the Fire Code.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, subject to the previous stated Conditions of Approval, does hereby approve General Plan Amendment #2012-02/LADWP. The General Plan designation and zoning classification for the site described in Exhibit A is hereby changed from Public Service Facility (PF) to General Industrial (GI) and Public (P) to General Industrial & Extractive (M-1), respectively.

BE IT FURTHER RESOLVED, that the General Plan Amendment approved in this Resolution shall not take effect for thirty days after the date of this Resolution.

PASSED AND ADOPTED THIS 20th DAY OF MARCH, 2012:

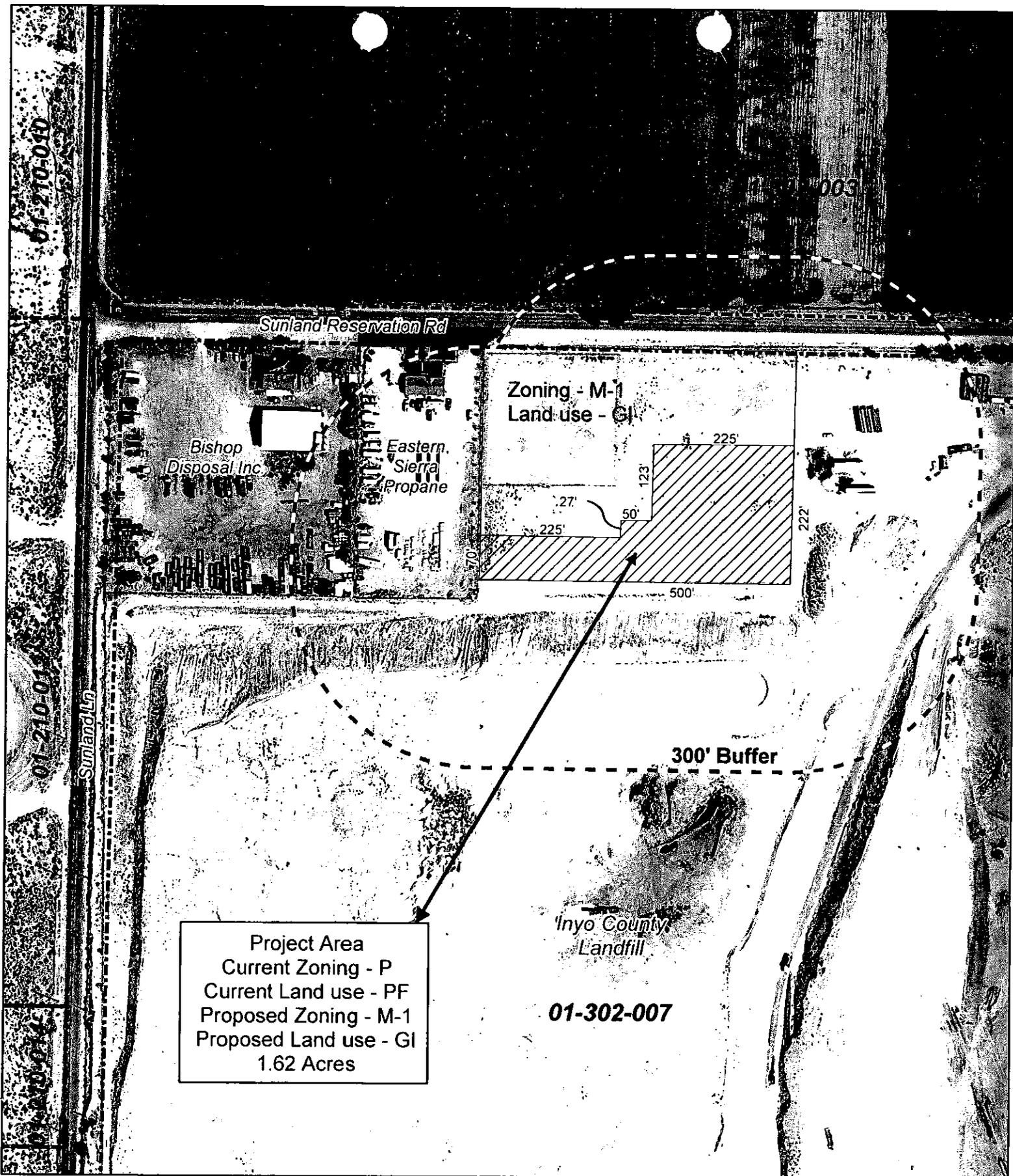
AYES:
NOES:
ABSTAIN:
ABSENT:

Marty Fortney, Chairperson
Inyo County Board of Supervisors

ATTEST:

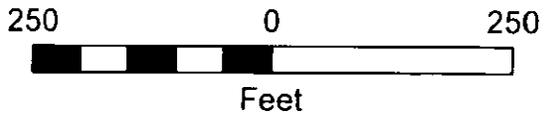
KEVIN CARUNCHIO
Clerk of the Board

By _____
Pat Gunsolley, Assistant



Project Area
 Current Zoning - P
 Current Land use - PF
 Proposed Zoning - M-1
 Proposed Land use - GI
 1.62 Acres

N



Application
 Sunland Reservation Road
 Outdoor Storage

ORDINANCE NO. 2012-__

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION No. 2012-02/LADWP AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY RECLASSIFYING A 1.62-ACRE SITE (PART OF APN 013-020-07) FROM PUBLIC (P) TO GENERAL INDUSTRIAL & EXTRACTIVE (M-1).

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power of the Board and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establish the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County, set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

SECTION II: FINDINGS

Upon consideration of the material submitted, the recommendation of the Inyo County Planning Commission, and statements made at the public hearing held on this matter, this Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, the Los Angeles Department of Water & Power applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Public (P) to General Industrial & Extractive (M-1) on a 1.62-acre site within APN 013-020-07 (see Attachment A).
- (2) On February 22, 2012, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification #2012-02/LADWP, following which the Commission adopted Resolution #2012-02 in which it made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance from Public (P) to General Industrial & Extractive (M-1).
- (3) The findings of the Planning Commission as set forth in Resolution No. 2012-02 are supported by the law and facts and are adopted by this Board.
- (4) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the adopted 2001 Inyo County General Plan, including the General Industrial (GI) designation, which is the current General Plan Land Use designation for the subject property.

SECTION III: PROPERTY REZONED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on the 1.62-acre site (part of

APN 013-020-07), as defined in Attachment A to this Ordinance, is changed from Public (P) to General Industrial & Extractive (M-1).

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect, thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS 27th DAY OF MARCH, 2012.

AYES:

NOES:

ABSTAIN:

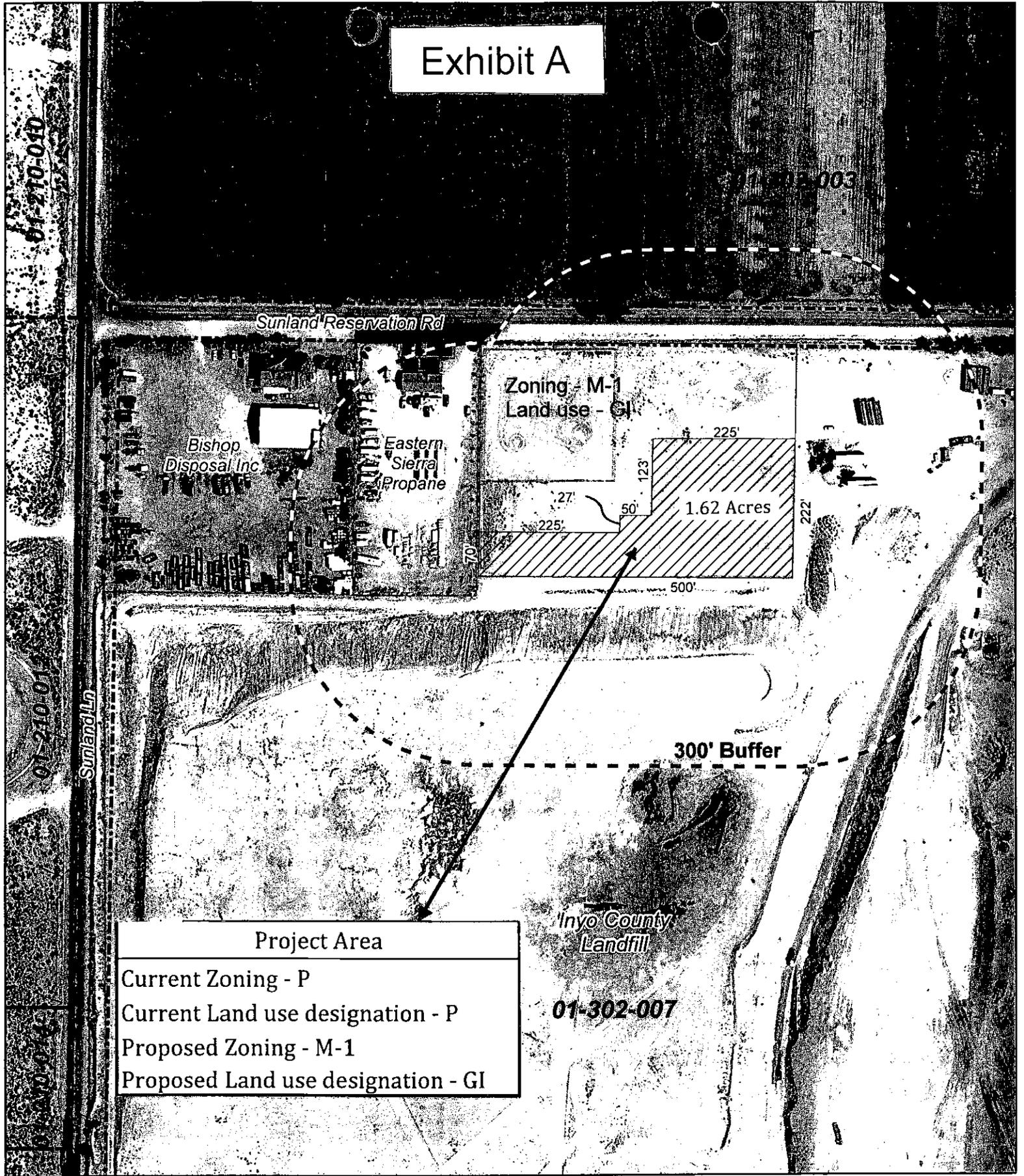
ABSENT:

Marty Fortney, Chairperson
Inyo County Board of Supervisors

ATTEST:
Kevin Carunchio
Clerk of the Board

By: _____
Pat Gunsolley, Assistant

Exhibit A



Project Area
Current Zoning - P
Current Land use designation - P
Proposed Zoning - M-1
Proposed Land use designation - GI

Application Sunland Reservation Road Outdoor Storage



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

14

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: March 20, 2012

SUBJECT: U. S. Forest Service Land Management Planning Rule

RECOMMENDATION: Engage in a discussion of the impending decision for the Forest Service Planning Rule, provide direction to the Board and staff about future planning for the National Forests, including the Inyo National Forest, and consider drafting correspondence regarding the Forest Service Planning Rule and upcoming planning activities pursuant to the new rule and authorize the Chair to sign.

SUMMARY DISCUSSION: The U.S. Forest Service has been working on updating the Forest Planning Rule¹, regarding which the Board has participated extensively (attached is previous Board correspondence). A Final Programmatic Environmental Impact Statement (PEIS) and Preferred Alternative were released in January, and a Record of Decision is expected at any time. The Board conducted a workshop regarding the Rule and the Preferred Alternative on February 14 and February 28, 2012, and authorized correspondence, which is attached. Subsequently, Supervisors Cash and Arcularius and Administrative Officer Carunchio met with Forest Service and other federal representatives in Washington D.C. and discussed implementation.

OTHER AGENCY INVOLVEMENT:

Department of Agriculture, U.S. Forest Service

FINANCING:

Resources from the general fund are utilized to monitor federal activities.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

¹ Refer to <http://www.fs.usda.gov/planningrule> for more information regarding the Planning Rule update process and the proposed Rule.

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

A handwritten signature in blue ink, appearing to read "Joshua Best", written over a horizontal line.

Date: 3-14-12

Attachments: Previous Correspondence



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
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SUSAN CASH
RICK PUCCI
MARTY FORTNEY
RICHARD CERVANTES

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

February 28, 2012

Secretary Vilsak
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

**Re: Final Environmental Impact Statement
Proposed U.S. Forest Service Land Management Planning Rule**

Dear Secretary Vilsak:

On behalf of the Inyo County Board of Supervisors, I wish to convey to you our appreciation of your staff's admirable efforts to update the Forest Planning Rule. The present attempt to update the Rule has been ongoing for several years, and the Forest Service has been balancing a variety of viewpoints and interests in crafting the new Rule.

The Inyo County Board of Supervisors and the citizenry of Inyo County have participated extensively in the update process. We have provided input into the proposed Rule, particularly in regard to the Rule's direction that the Forest Service coordinate with local governments when updating and amending individual forest plans. This input has been partially incorporated into the Preferred Alternative, and we appreciate that our voices were heard in this important planning process. We request that our input continues to be carried forward into the adopted Rule.

We look forward to working with the Forest Service during implementation of the Forest Planning Rule in the coming years. If you have any questions, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or kcarunchio@inyocounty.us. Thank you for your attention.

Sincerely,

Supervisor Marty Fortney, Chairperson
Inyo County Board of Supervisors

cc: Board of Supervisors
Kevin Carunchio, CAO
Randy Keller, County Counsel
Joshua Hart, Planning Director
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties
Ed Armenta, Inyo National Forest
Randy Moore, Pacific Southwest Regional Forester, Forest Service
Chief Tidwell, USFS
Sustainable Forest Action Coalition



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KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

May 3, 2011

Tom Tidwell, Chief
USDA Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250

**Re: Draft Environmental Impact Statement
Proposed U.S. Forest Service Land Management Planning Rule**

Dear Mr. Tidwell:

On behalf of the Inyo County Board of Supervisors, I wish to thank you for your continued efforts to include the local communities that will be most impacted by the U.S. Forest Service (USFS) in its future planning. In a County such as ours where less than two percent of the land is privately held, the actions of the Forest Service have tremendous impacts.

Since the Planning Rule update currently in process will guide many of the most important decisions in the Inyo National Forest that directly impact us, the Board has been following the update process closely. Individual Supervisors and County representatives attended public meetings on April 6, 2010 in Sacramento and Bishop. The Board participated in a conference call with the Regional Forester and other Forest Service staff on April 22, 2010, and County representatives attended the National Forums in August 2010 and March 2011. Attached is correspondence previously submitted by the Board regarding the update effort.

With this extensive participation in mind, we offer the following comments regarding the proposed Rule and Draft Environmental Impact Statement (DEIS).

1. Actions of the Forest Service have tangible direct, indirect, and cumulative impacts on the communities in the vicinity of the Forests. In Inyo County, these impacts are significant due to the proportional size of the Forest to the local population and privately held land base. Many in our communities rely on the Forest for their livelihood, as well as hold deep spiritual and cultural links to the Forest. Unfortunately, we note that that in many places the proposed Rule to the contrary indicates that the Forest Service has limited influence outside of the Forests. For example, on page 8491 of the Federal Register Notice, it states "...the Agency has more influence over the factors that impact ecological sustainability on NFS lands...than it does for social and economic sustainability...". In Inyo County and many other rural areas these statements are just not true. In our County for example, many communities are stagnant or shrinking due to past efforts to limit access to the Forest.

2. We are concerned that the proposed Rule elevates ecology and science above other considerations. While we support the proper role of science in planning, we encourage the Forest to engage in a comprehensive planning approach that balances ecosystem conservation with social and economic needs. We believe the Rule's emphasis on special status species will further distort the planning process. We strongly believe that through careful balancing of these important objectives, overall environmental benefits can be maximized.

- Restoration and conservation do not necessarily enhance the resilience of ecosystems.
- Flexibility should be allowed for land managers to address actual observed impacts, rather than speculative issues such as climate change, if not applicable.
- Water supply issues should be more focused on forest lands.
- Alternative and hydroelectric energy siting and transmission should be specifically evaluated and included in the analysis.

Thank you. If you have any questions regarding these matters, please contact the County's Planning Department staff at (760) 878-0263.

Sincerely,



Richard Cervantes, Chairperson
Inyo County Board of Supervisors

cc: Board of Supervisors
Kevin Carunchio, CAO
Randy Keller, County Counsel
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties

3. We are encouraged that our previous input regarding coordination has been partially incorporated into the Rule at 219.4(b). However, we are concerned that the proposed Rule does not adequately encompass the obligation to coordinate Forest and local plans. Specifically, Inyo County has the following concerns:

a. The proposed language suggests that coordination with local government will be accomplished "to the extent practical and appropriate." The County believes that coordination is a mandate, and therefore is always appropriate and required. (See 16 U.S.C. § 1604(a), *Calif. Resources Agency v. United States Dept of Agriculture*, Slip Copy, 2009 WL 6006102 (N.D.Cal. 2009).) It is understood that the depth and nature of coordination may change with the situation, but the language as proposed would mean that there may be times when it would not be appropriate to coordinate with local government. The County believes that failure to coordinate is not a lawful option.

b. The proposed language states: "nor will the responsible official conform management to meet non-Forest Service objectives or policies". This statement contradicts the purpose of coordinating with local government, which is to attempt to conform USFS and local management plans to meet each other's objectives (within the legal parameters applicable to each agency). Utilizing federal planning to help achieve local government priorities should be a primary objective of coordinated planning and should not be ruled out from the beginning. At the very least, federal plans should not contradict local plans. Otherwise, coordination becomes nothing more than a paper exercise.

c. A primary goal of coordination should be achieving consistency between federal and local plans within the legal mandates applicable to all entities. This would minimally involve ensuring that USFS plans do not contradict local plans. The attempt to achieve consistency should be an iterative process between the local agency and the USFS. This goal has long been recognized in Bureau of Land Management rules regarding coordination with local government in planning activities. (See 43 CFR 1610.3-1) The 1982 Forest Planning Rule (36 CFR 219.7) was weak in this area and the proposed rule is weaker still. Achieving consistency between plans is inherent in the concept of "coordination." Two inconsistent plans could hardly be considered coordinated planning.

4. The DEIS' economic impact analysis is deficient in that it does not include any analysis of the Forests' negative economic impacts on communities around them. We agree that the Forests have great economic benefits, but we believe that the adverse impacts of the Forest to our community have been minimized in the DEIS. In Inyo County, forest planning practices have resulted in significant socioeconomic impacts to our communities. For example, packing and grazing were eliminated from certain areas of the Inyo National Forest, destroying industries that had existed for generations and significantly altering local society and culture, thereby eliminating the livelihoods of hard working people and decimating our towns. We therefore request that the Rule include a requirement that Forest Plans, revisions, and amendments evaluate and minimize negative socioeconomic impacts to local communities. Multiple uses should be encouraged by the Rule to create vibrant rural economies. Furthermore, we are concerned that the modeling undertaken for the Rule is proprietary, and we cannot access the basic assumptions and inputs in the model for verification. As discussed previously, the Rule's emphasis on ecosystems and special status species will result in adverse socioeconomic impacts, which are not addressed in the DEIS.

5. Based on our participation in the scoping process, we had understood that recreation would be given greater emphasis in the proposed Rule. This has not been the case, and the Rule's recreational components seem focused on minimizing recreational opportunities for purposes of sustainability. Recreation is one of the Forests' greatest contributions to society, especially so in our community, and to minimize recreation's role in the Rule is non-responsive to previous input and contrary to common sense. Recreation should not be a minor issue in Forest planning, but to the contrary, should be one of the central goals to create vibrant

Tom Tidwell, Chief
USDA Forest Service
May 3, 2011
Page THREE

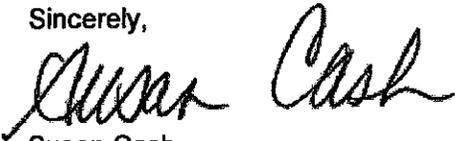
rural economies. Although we agree that the potential adverse impacts of recreation should be addressed in the planning process, the proposed Rule's emphasis on sustainability is misguided; to the contrary, providing accessibility to the Forests should be a primary goal, with objectives to minimize recreational impacts secondary. We are particularly concerned that the potential benefits of motorized access to the Forests is ignored, when in fact, few Forests are easily accessed by other means. Again, the Rule should encourage multiple uses to create vibrant rural economies.

6. The proposed Rule's dependency on adaptive management could result in constant revisions to Forest Plans, thereby creating an environment of uncertainty and potentially adversely impacting local economies. We therefore request that a limit on the number of Plan revisions per a unit of time (or other limitation) be included in the Rule to provide greater assurances that Forest plans will be implemented.

7. We are concerned that the definition of restoration appears to depend on a process that has not concluded (refer to Notice page 8503). Any future alterations to the definition of restoration in the Rule should be properly vetted.

Thank you for your consideration and efforts to create a Rule that will benefit the many communities in and around the Forests, including Inyo County. If you have any questions, please contact the County's Administrator, Kevin Carunchio, at (760) 878-0292 or by email at kcarunchio@inyocounty.us.

Sincerely,



Susan Cash
Chairperson, Inyo County Board of Supervisors

Enclosures

cc: Board of Supervisors
Kevin Carunchio, CAO
Randy Keller, County Counsel
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties
Bear West Company
Ed Armenta, Inyo National Forest
Randy Moore, Pacific Southwest Regional Forester, Forest Service
Secretary Vilsak, USDA
Sustainable Forest Action Coalition



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Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

April 22, 2010

Mr. Tom Tidwell, Chief
USDA Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250

RE: National Forest System Land Management Planning Rule

Dear Mr. Tidwell:

On behalf of the Inyo County Board of Supervisors, I wish to relay our appreciation that additional outreach to locally elected officials took place on April 22, 2010, regarding the update to the Forest System Land Management Rule. While we were discouraged that the Regional Roundtables were scheduled at a time when most Boards of Supervisors in California conduct their regularly scheduled meetings, it was heartening that our concern was heard and that the conference call was scheduled for April 22nd.

The Inyo County Board of Supervisors cares deeply about the Planning Rule update, and has submitted correspondence in response to the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the National Forest System Land Management Planning Rule (see attached). Individual Board members also attended the Regional Roundtables on April 6 to make our constituents' voices heard. To summarize, the following points are extremely important to us and need to be considered throughout and, hopefully, incorporated in the update process.

- Federal ownership of land area is concentrated in the western states, including Inyo County where an outstanding 92% of the land area is federally administered on behalf of the American public.
- The development of Inyo County was made possible through the active utilization of federally-administered, publicly-owned lands for mineral extraction, raising livestock, farming, harvesting timber, water storage and conveyance, energy generation, wildlife habitat, and recreational activities.
- Through the years, the use of the federally administered, publicly-owned lands has been constrained by the designation of Wilderness Areas, monuments, roadless areas, and park areas, which has severely reduced the availability of these lands for active utilization.

- Recreation is the only permissible use in many of these designated areas, and the types of recreation allowed are also restricted.
 - Other uses that should be considered include mining, logging, grazing, energy development, and water storage. It appears that maintaining the local communities, culture and economy were not considered when making these designations.
 - Recreation is an important and vital use in the Forest, and should be given greater importance in the principles or as a standalone principle.
 - Similarly, the concept of continued active utilization of the Forest – for mining, timber harvesting, grazing, water storage, and energy production needs to be embodied in the principles or as a standalone principle.
 - Restoration needs to be defined, since the term has different meaning to different people. To what level or standard will the Forest be “restored?” Pre-man? Pre-European contact? 19th Century? 18th Century? 17th Century? 16th Century? 15th Century? What does this look like?
 - A role for locally elected officials needs to be included in the Forest Planning Rule and the update process. At a time the Forest Service professes to want help in gaining local input, it needs to recognize that locally elected officials represent the broadest spectrum of citizens in a jurisdiction, and have been elected to represent the population of the local jurisdiction.
 - This rulemaking is extremely important to the concept of local involvement in forest planning. This rulemaking will essentially define what involvement local government will have in forest planning.
 - “Coordination” is not a NEPA term and is not constrained by the NEPA process. It is a separate mandate in the forest planning statutes and regulations. Cooperating agency status is a NEPA concept, and while it may overlap with coordination responsibilities, it does not replace them. There is no requirement for a federal agency to attempt to reconcile its plans with those of a cooperating agency. “Coordination”, whatever it is defined to be, should not be allowed to be co-opted by the NEPA process. It is separate and greater than NEPA, even though NEPA is a good platform to fulfill coordination responsibilities.
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- Local governments provide a function that no other governmental or “stakeholding” entity can provide. Counties in particular are the smallest level of government that represents all sides to these land use issues and are in the best position to achieve the democratic compromises that can lead to public acceptance of federal land use plans. Only at the county level do neighbors engage neighbors in these contentious decisions. No higher level of government has the ability to engage all segments of the community in the debate and attempt to achieve a consensus. Federal agencies have done a disservice to themselves and the local communities by ignoring the input of local government. Federal agencies actually undercut the democratic function when minority groups at the local level can achieve their objectives by organizing and lobbying at the federal level to achieve their objectives, without having to convince their neighbors and the general community that they are correct. More engagement at the local level should be encouraged, rather than less. The only way to do this is to provide local government a strong voice in planning decisions in their jurisdictions, so that communities within the jurisdiction have reason to engage at the local level.
- The 1982 Forest Planning Rule, as it defines coordination, is insufficient. It allows a federal officer to determine what local plans are applicable to a proposed Forest Plan and allows the federal officer to determine if the proposed Forest Plan is consistent with the local plan. It should be the *local government* that identifies which of its planning rules are relevant to the proposed Forest Plan and it should be the *local government* that determines if the proposed Forest Plan is consistent with local plans. Furthermore, as in the BLM regulations, there should be a requirement that the Forest Plans be consistent with local plans, unless federal law or regulations prohibit such consistency. Additionally, if consistency is not achieved, the decision document should explain why consistency could not be achieved.
- It is critical that future land use planning for the federally owned land consider the impacts on the culture and economy of the surrounding communities (e.g. whole lands approach). The analysis should accurately consider the impacts on individual communities. The stated principle that “the sustainable use of public lands to support vibrant communities” is critical. Inyo County believes that coordination with counties is critical to meeting this principle – Inyo County should have influence, not just input. The following elements are necessary for successful coordination:
 - Forest plans must be consistent with local land use plans to the maximum extent practicable, consistent with federal law.
 - Coordination with local government should commence at the earliest possible time. Ideally, local land use plans will be consulted prior to developing a proposed forest plan, and the local government consulted prior to the proposed plan being released to the public and prior to issuance of a Notice of Intent to prepare an EIS or other procedure required by the National Environmental Policy Act.

- The Forest needs to recognize that local government is the expert on the meaning and application of its local plans. The Forest should solicit the views of local government to determine if the proposed forest plan is consistent with local plans, as interpreted by the local government. Local governments should be given sufficient time to review proposed plans and comment in writing to the Forest official.
 - Where inconsistencies are identified by the local government, forest officers should meet with local government officers to achieve consistency. The forest service should create a joint task force with the local government or governments to work toward consistency in their plans.
 - The EIS for an individual forest plan should reflect consideration of the objectives of local government plans and policies, an assessment of the interrelated impacts of these plans and policies, a determination of how each forest plan should deal with the impacts identified, and consideration of alternatives to resolve conflicts among the plans.
 - Where a forest plan may not be made consistent with the local plan, the EIS prepared for the plan should explain how and why its plan is not consistent with local plans, as determined by local authorities, and explain why its plan cannot be made consistent with local plans.
- In the furtherance of these goals, Inyo County has adopted a Government Element of its General plan that enunciates its land use philosophies and policies for the use of the federally owned lands, and the interrelationship between Inyo County and other levels of government.
 - The EIS should include, at a minimum, an analysis of how the Proposed Forest Planning Rule addresses these principles.
 - If an "All Lands" approach is to be embodied in the new Planning Rule, it must be constructed in such a manner so as Forest land use plans are responsive to and yield to adjacent and nearby land uses rather than attempting to impose Forest Service values and policies and neighboring private and public land owners.
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Mr. Tom Tidwell
April 22, 2010
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Thank you. We will continue to monitor the progress of the Planning Rule Update, and anticipate providing additional input. If you have any questions regarding these matters, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292.

Sincerely,



Supervisor Richard Cervantes, Chairperson
Inyo County Board of Supervisors

Attachment

cc: Board of Supervisors
Kevin Carunchio, CAO
Randy Keller, County Counsel
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties
Bear West Company
Randy Moore, Pacific Southwest Regional Forester, Forest Service
Secretary Vilsak, USDA



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Assistant Clerk of the Board

January 26, 2010

Forest Service Planning NOI
C/O Bear West Company
172 E 500 S.
Bountiful, UT 84010

RE: Notice of Intent to Prepare an Environmental Impact Statement for the National Forest System Land Management Planning Rule

To Whom It May Concern:

Inyo County appreciates the opportunity to participate in developing the new Planning Rule to guide planning efforts for national forest land. On behalf of the Board of Supervisors, please consider the comments in this correspondence in crafting the new Rule, alternatives for analysis in the Environmental Impact Statement (EIS), and the environmental analysis in the EIS.

Planning efforts for federal land have tremendous impacts on the communities that are surrounded by these lands. A county such as ours, which is 95% federal land, is a prime example. When so much of the environment in which a community exists is controlled by federal land use planning, the culture, way-of-life, and very existence of the community relies on the use allowed of those lands. It can serve no national purpose to plan for the use of federal lands in such a way that symbiotic communities lose their identity as a result.

Inyo County is therefore pleased to observe that an important principle of the new planning rule is "the sustainable use of public lands to support vibrant communities." There can be no better means to achieve this goal than to provide a strong role for local communities in the development of national forest plans. Congress recognized and protected a strong role for local communities when it created mandates for federal officers to coordinate with local governments in the creation of forest plans.

Coordination with county government is particularly important. County government is the one level of government that represents the citizens who are directly affected by federal land use plans. It is county government that is the spokesperson for local populations and which, ideally, can create a consensus around the balanced use of federal lands. A coordinated planning process can strengthen forest plans and the communities that are so dependent on those lands for their economic, social and cultural health.

Recent planning rules, in our estimation, have not sufficiently protected the obligation to coordinate planning efforts with local land use plans. To an important extent, this has led to the disenfranchisement of local governments and the communities they represent in the federal planning process. Inyo County supports collaboration. But, while collaboration is a valuable exercise in public participation, it seldom involves more than a series of bargains struck between various interest groups, none of which represent more than a segment of the population, and the most successful of which are the best organized or best funded rather than best representative of the citizenry.

Collaboration is not governing, and must not replace or overshadow the viewpoints of a local government that represents the variety of groups and points-of-view which comprise an organic and living community. Local governments are not "stakeholders" in a collaborative planning process, they are the voice of the community. Only a governmental entity, elected by the people and responsive to it, is able to incorporate and legitimize the compromises necessary to the common good and only a governmental entity can truly represent its constituents. And only the most local of governments, counties, can speak for the communities that live adjacent to the forest.

Inyo County recognizes that there are interests in federal lands beyond those of its population, but believes Congress has correctly determined that citizens should have extraordinary input into forest plans that directly affect them. It is a matter of providing communities the right of self-determination and the ability to influence, if not control, their destinies.

Inyo County therefore petitions the Department of Agriculture and the National Forest Service to strengthen the coordination mandate in the new Planning Rule, with the objective of providing local populations an effective voice in planning for the national forests. We propose the following principles for effective coordination:

1. Forest plans should be consistent with local land use plans to the maximum extent possible, consistent with federal law.
2. Coordination with local government should commence at the earliest possible time. Ideally, local land use plans will be consulted prior to developing a proposed forest plan, and the local government consulted prior to the proposed plan being released to the public and prior to the issuance of a Notice of Intent to prepare an EIS or other procedure required by the National Environmental Policy Act.
3. The Forest should recognize that local government is the expert on the meaning and application of its local plans. The Forest should solicit the views of local government to determine if the proposed forest plan is consistent with local plans, as interpreted

- by the local government. Local governments should be given sufficient time to review proposed plans and comment in writing to the Forest official.
4. Where inconsistencies exist, forest officers should meet with local government officers to achieve consistency. The forest should create a joint task force with the local government or governments to work toward consistency in their plans.
 5. The EIS for an individual forest plan should reflect consideration of the objectives of local government plans and policies, an assessment of the interrelated impacts of these plans and policies, a determination of how each forest plan should deal with the impacts identified, and consideration of alternatives to resolve conflicts among the plans.
 6. Where a forest plan may not be made consistent with the local plan, the EIS prepared for the plan should justify why its plan is not consistent with local plans, as determined by local authorities, and explain why its plan cannot be made consistent with local plans.

If these principles for coordination are not incorporated into the Planning Rule, then the EIS for the Planning Rule should include alternatives that do. Furthermore, the EIS should evaluate the potential social, economic, and environmental justice implications of any alternatives that do not provide effective coordination with local government.

The proposed principles do not sufficiently address two important characteristics of the forests, and should be expanded. First, founding purposes of the forests are for grazing, timber, mining, and other economic factors. Management of the forests' resources to promote sustained yields should be paramount in the principles. However, these topics are glossed over, despite their relevance, especially to working landscapes in rural communities. It is therefore recommended that a new principle and associated questions be added in regards to managing natural resources to serve the American people and local economies in a sustainable manner.

Secondly, the forests provide opportunities for recreation that are of utmost importance to visitors and local economies alike. Indeed, most forest visitors' purpose is recreation, and the local communities in the vicinity of the forests depend on these visitors for their livelihood. The principles proposed seem to delegate this reality to secondary consideration. Therefore, it is recommended that another new principle and associated questions be crafted to promote diverse recreational opportunities, including but not limited to hiking, camping, off-road vehicle use, and dispersed recreation.

In addition to coordination issues, the following concepts should be included in the guiding principles when crafting the new Rule:

- Founding purposes of the forests are for grazing, timber, mining, and other economic factors. These topics should be taken into account to a greater degree, and are integral components to creating vibrant, working, rural communities.
- Permitting processes should be streamlined.
- The financial and economic burden of Forest Service bureaucracy should be reduced.