

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.

January 28, 2014

8:30 a.m. 1. **PUBLIC COMMENT**

CLOSED SESSION

2. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.
3. **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: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion.
4. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**

OPEN SESSION

10:00 a.m. **PLEDGE OF ALLEGIANCE**

5. **PUBLIC COMMENT**
6. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)
7. **INTRODUCTION** – The Public Works Director will introduce Ms. Shannon Williams, Management Analyst, to the Board.

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

8. **HEALTH AND HUMAN SERVICES – Behavioral Health Services** – Request approval of the Request for Services from the HHS Behavioral Health Division to the California Institute of Mental Health, Inc., (CIMH) for a roving clinical supervisor; approve the Business Associate Agreement between the County of Inyo and the roving Clinical Supervisor, Nancy McCart; and authorize the Director of Health and Human Services to sign both documents.
9. **PUBLIC WORKS** – Request approval of a resolution accepting the improvements and authorizing the recording of a Notice of Completion for the Independence Town Roads Rehabilitation Project.

10. **PUBLIC WORKS** – Request Board A) award the bid and approve the Contract for the Bishop-Sunland Landfill Truck Scale Project to Doug Clair, Inc., in the amount of \$145,500 and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained; and B) authorize the Public Works Director to sign all other contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law.
11. **PLANNING** – Request Board receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input; review the draft correspondence to the Forest Service regarding the Preliminary Need for Change, provide input and authorize the Chairperson to sign; and discuss potential attendance at the upcoming public meeting for the Preliminary Need for Change on January 30, 2014.
12. **COUNTY ADMINISTRATOR – Fish and Wildlife Commission** - Request Board appoint four individuals to serve on the Inyo Fish and Wildlife Commission as follows, three to complete unexpired four-year terms ending October 6, 2017 and one to complete an unexpired four-year term ending October 6, 2015. (*Notice of vacancy resulted in requests for appointment being received from Joe Pecsí, Larry McIntosh, Garrett McMurtrie, and Steven Ivy*)
13. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board A) proclaim the existence of a local drought emergency approving a “Proclamation by the Board of Supervisors, County of Inyo, State of California, Proclaiming Existence of a Local Drought Emergency”: and B) authorize the County Administrative Officer or his designee to make revisions to the resolution, as appropriate or if requested by the Governor’s Office of Emergency Services, and to proceed in executing the proclamation without further review by your Board.
14. **WATER DEPARTMENT** – Request direction regarding engagement with LADWP to develop drought response and recovery plans aimed at working cooperatively with LADWP to anticipate, mitigate, and recover from effects of the current drought.
15. **AUDITOR –CONTROLLER** – Request Board receive an update on the status of the CalPERS Safety Plan Side Fund Obligation refinancing; and provide direction as may be appropriate.

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

- 11:00 a.m. 16. **PUBLIC WORKS – COUNTY ADMINISTRATOR – SHERIFF** – Request Board A) receive an update regarding the fund raising efforts of the ICARE organization for the construction of new animal shelter facilities; B) review the updated construction estimates for Option 1 (2,940 sq. ft.) and Option 2 (3,360 sq. ft.); C) review the tentative site plans; and D) review the proposed timeline.
- 11:30 a.m. 17. **COUNTY ADMINISTRATOR – Personnel** – Request Board A) conduct a **public hearing** on an ordinance titled “An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding Members of the Board of Supervisors” which will increase the Assessor’s salary from \$7,807 to \$8,585 per month; and B) waive the first reading of the ordinance and schedule the enactment for 11:30 a.m., Tuesday, February 4, 2014, in the Board of Supervisors Room, at the County Administrative Center in Independence.
18. **PLANNING** – Request Board A) conduct a **public hearing** on a proposed resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring the Vacation and Abandonment of That Portion of Birch Street in the Community of Bishop; and B) adopt the resolution.
- 1:30 p.m. 19. **WATER DEPARTMENT** – Request Board consider the attached draft agenda for the Inyo County/Los Angeles Standing Committee meeting scheduled for February 7, 2014 and provide direction to the County’s Standing Committee representatives.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

20. **PUBLIC COMMENT**

CORRESPONDENCE - INFORMATIONAL

AGENDA
**INYO COUNTY/LOS ANGELES
STANDING COMMITTEE**

1:00 p.m.
February 7, 2014

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

The public will be offered the opportunity to comment on each agenda item prior to any action on the item by the Standing Committee or, in the absence of action, prior to the Committee moving to the next item on the agenda. The public will also be offered the opportunity to address the Committee on any matter within the Committee's jurisdiction prior to adjournment of the meeting.

1. **Action Item:** Approval of documentation of actions from the August 29, 2013 meeting.
2. Runoff and operations update.
3. Report on Owens Lake-area groundwater development.
4. Report on status of Green Book revisions.
5. Report on the status of Technical Group evaluation of E/M project water use and water supply.
6. Update on vegetation parcel Blackrock 94.
7. Public Comment.
8. Confirm schedule for future Standing Committee meetings.
9. Adjourn.

Standing Committee meeting protocols (Adopted May 11, 2011)

The Inyo/Los Angeles Long-Term Water Agreement (LTWA) define the Standing Committee in Section II:

As agreed by the parties, the Department representatives on the Standing Committee shall include at least one (1) member of the Los Angeles City Council, the Administrative Officer of the City of Los Angeles, two (2) members of the Board of Water and Power Commissioners, and three (3) staff members. The County representatives on the Standing Committee shall be at least one (1) member of the Inyo County Board of Supervisors, two (2) Inyo County Water Commissioners, and three (3) staff members.

The LTWA further provides that:

Regardless of the number of representatives from either party in attendance at a Standing Committee or Technical Group meeting, Inyo County shall have only one (1) vote, and Los Angeles shall have only one (1) vote.

The Standing Committee adopts the following protocol for future Standing Committee meetings.

1. In order for the Standing Committee to take action at a meeting, representation at the meeting will consist of at least four representatives of Los Angeles, including one member of the Los Angeles City Council or Water and Power Commission, and four representatives of Inyo County, including one member of the Board of Supervisors.
2. A Chairperson from the hosting entity will be designated for each meeting.
3. In the event that an action item is on the meeting agenda, Los Angeles and Inyo County shall each designate one member to cast the single vote allotted to their entity at the onset of the meeting. The Chairperson may be so designated. Agenda items that the Standing Committee intends to take action on will be so designated on the meeting agenda.
4. If representation at a Standing Committee meeting is not sufficient for the Standing Committee to act, the Standing Committee members present may agree to convene the meeting for the purpose of hearing informational items.
5. Meeting agendas shall include any item within the jurisdiction of the Standing Committee that has been proposed by either party.
6. The public shall be given the opportunity to comment on any agenda item prior to an action being taken. The public will be given the opportunity to comment on any non-agendized issue within the jurisdiction of the Standing Committee prior to the conclusion of each scheduled meeting. At the discretion of the Chairperson, reports from staff or reopening of public comment may be permitted during deliberations.
7. The Chairperson may limit each public comment to a reasonable time period. The hosting entity will be responsible for monitoring time during public comment.
8. Any actions taken by the Standing Committee shall be described in an action item summary memorandum that is then transmitted to the Standing Committee at its next meeting for review and approval. This summary memorandum shall also indicate the Standing Committee members present at the meeting where actions were taken.
9. Standing Committee meetings shall be voice recorded by the host entity and a copy of the recording shall be provided to the guest entity.
10. (Added February 24, 2012) The Standing Committee may also receive comments/questions in written form from members of the public. Either party may choose to respond, however, when responding to a public comment/question, whether verbally or in writing, any statements made by either party may represent the perspective of that party or the individual making the response, but not the Standing Committee as a whole (unless specifically agreed to as such by the Standing Committee). When either party responds in writing to public comment/question, that response will be concurrently provided to the other party.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 8
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- Consent Hearing Departmental Correspondence Action Public
 Scheduled Time for Closed Session Informational

FROM: HEALTH & HUMAN SERVICES – Behavioral Health

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Roving Licensed Clinical Social Worker in Health and Human Services

DEPARTMENTAL RECOMMENDATION:

Request your Board approve the Request for Services from the HHS Behavioral Health division to the California Institute for Mental Health, Inc. (CIMH) for a roving clinical supervisor; approve the Business Associate Agreement between Inyo County and the roving clinical supervisor, Nancy McCart; and authorize the HHS Director to sign both documents.

SUMMARY DISCUSSION:

As part of a regional effort, the California Institute of Mental Health (CIMH) is able to use statewide Mental Health Services Act (MHSA) funds to contract a roving regional clinical supervisor to provide clinical supervision of County employees who are interested in becoming Licensed Clinical Social Workers (LCSW). The Consultant will provide remote supervision to employees who are currently providing services that count toward experience required to obtain a license as a clinical social worker. While some of the required hours can be signed off by a professional Marriage and Family Therapist, some hours required for licensure must be exclusively supervised and signed off by an LCSW.

HHS is interested in participating in this opportunity because it is difficult for us to attract LCSWs in Inyo, and anticipate that between 4-8 employees (Social Workers and HHS Specialists) in Behavioral Health, Wraparound and/or Child Welfare would be eligible and interested. There are multiple benefits to having an LCSW on staff in HHS. LCSWs bring unique expertise to the agency that leans more toward social work than therapy. In addition to consumer benefits, an LCSW could sign off on hours for other staff seeking licensure.

Upon approval, this Request to CIMH would give HHS access to an LCSW, at no cost to the County, who will remotely provide supervision to staff via videoconference for hours that count toward licensure. In addition to the request for services, Inyo has requested that the roving clinical supervisor enter into a HIPAA-compliant Business Associate Agreement to ensure the confidentiality of sensitive information that the supervisor may have access to in the course of providing these services.

ALTERNATIVES:

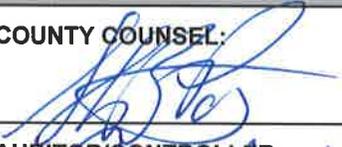
Your Board could deny approval of this request to CIMH for supervision performed by a LCSW. Doing so would severely limit the Department's ability to offer employee's the opportunity to count regular work activities toward eventual licensure.

OTHER AGENCY INVOLVEMENT:

CIMH, other HHS divisions including Child Welfare, Inyo County Wraparound

FINANCING:

There is no cost associated with this agreement.

<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> Approved: <u>yes</u> Date: <u>12/18/2013</u>
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>yes</u> Date: <u>12/23/13</u>
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>✓</u> Date: <u>12/27/13</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 1-22-14

Request for Services

This is a request from Inyo County to utilize the California Institute for Mental Health and the Central Region Partnership to receive clinical supervision services for individuals in our agency. The following responsibilities and guidelines apply to each party in order to utilize this service:

Inyo County Agency responsibilities:

1. To select and approve a roving clinical supervisor from those who apply for the position.
2. To provide an appropriate venue for the roving clinical supervisor to provide clinical supervision to staff, interns or volunteers of the County's choosing.
3. To allow roving clinical supervisors to communicate with task supervisors regarding clinical performance.
4. To ensure that the roving clinical supervisor meets any licensing requirements.
5. To provide HIPAA and confidentiality training to the roving clinical supervisor.
6. To execute a HIPAA Business Associate Agreement between the County of Inyo and the roving clinical supervisor.
7. To review and approve the roving clinical supervisor's monthly invoice regarding hours of supervision provided.
8. To ensure that the roving clinical supervisor does not provide direct services and does not sign or co-sign notes.

California Institute for Mental Health/Central Region Partnership responsibilities:

1. To recruit for applicants for the roving clinical supervisor position.
2. To set-up phone interviews for roving clinical supervisors with the directors or designees of participating county agencies.
3. To ensure that the roving clinical supervisor has a current, valid license to provide supervision.
4. To ensure that the roving clinical supervisor has business, professional and auto insurance sufficient to meet the need of the county.
5. To ensure that the roving clinical supervisor passes a basic background check.
6. To contract with the roving clinical supervisor to provide clinical supervision services in counties.
7. To pay the roving clinical supervisor within 45 days of receipt of a complete and approved invoice up to the contract maximum for the year.

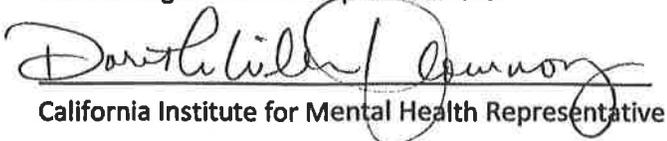
Any party to this agreement may terminate this agreement with or without cause by providing sixty (60) days' advance written notice of its intent to do so to the other parties. By signing below, we agree to the above in order to provide and receive clinical supervision under the Central Region Partnership Roving Clinical Supervisor Program:



Central Region Partnership Coordinator

December 26, 2013

Date



California Institute for Mental Health Representative

1-15-14

Date

Inyo County Health and Human Services Director

Date

COUNTY OF INYO
HIPAA BUSINESS ASSOCIATE AGREEMENT



This Business Associate Agreement (“Agreement”) is made by and between the Inyo County Health and Human Services Behavioral Health Division, referred to herein as Covered Entity (“CE”), and Nancy McCart, referred to herein as Business Associate (“BA”). This Agreement is effective as of _____, (the “Agreement Effective Date”).

RECITALS

CE wishes to disclose certain information to BA pursuant to the terms of the contract between BA and the California Institute of Mental Health (“CIMH”), herein referred to as (“Contract”), some of which may constitute Protected Health Information (“PHI”) defined below.

CE and BA intend to protect the privacy and provide for the security of PHI disclosed to BA pursuant to the Contract in compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (“HIPAA”), the Health Information Technology for Economic and Clinical Health Act, Public Law 111-005 (“the HITECH Act”), and regulations promulgated thereunder by the U.S. Department of Health and Human Services (the “HIPAA Regulations”) and other applicable laws.

As part of the HIPAA Regulations, the Privacy Rule and the Security Rule (defined below) require CE to enter into a contract containing specific requirements with BA prior to the disclosure of PHI, as set forth in, but not limited to, Title 45, Sections 164.314(a), 164.502(e) and 164.504(e) of the Code of Federal Regulations (“C.F.R.”) and contained in this Agreement.

In consideration of the mutual promises below and the exchange of information pursuant to this Agreement, the parties agree as follows:

Definitions

Breach shall have the meaning given to such term under the HITECH Act [42 U.S.C. Section 17921].

Business Associate shall have the meaning given to such term under the Privacy Rule, the Security Rule, and the HITECH Act, including but not limited to, 42 U.S.C. Section 17938 and 45 C.F.R. Section 160.103.

Covered Entity shall have the meaning given to such term under the Privacy Rule and the Security Rule, including, but not limited to, 45 C.F.R. Section 160.103.

Data Aggregation shall have the meaning given to such term under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.501.

Designated Record Set shall have the meaning given to such term under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.501.

Electronic Protected Health Information means Protected Health Information that is

maintained in or transmitted by electronic media.

Electronic Health Record shall have the meaning given to such term in the HITECT Act, including, but not limited to, 42 U.S.C. Section 17921.

Health Care Operations shall have the meaning given to such term under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.501.

Privacy Rule shall mean the HIPAA Regulation that is codified at 45 C.F.R. Parts 160 and 164, Subparts A and E.

Protected Health Information or PHI means any information, whether oral or recorded in any form or medium: (i) that relates to the past, present or future physical or mental condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and (ii) that identifies the individual or with respect to which there is a reasonable basis to believe the information can be used to identify the individual, and shall have the meaning given to such term under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.501. Protected Health Information includes Electronic Protected Health Information [45 C.F.R. Sections 160.103, 164.501].

Protected Information shall mean PHI provided by CE to BA or created or received by BA on CE's behalf.

Security Rule shall mean the HIPAA Regulation that is codified at 45 C.F.R. Parts 160 and 164, Subparts A and C.

Unsecured PHI shall have the meaning given to such term under the HITECH Act and any guidance issued pursuant to such Act including, but not limited to, 42 U.S.C. Section 17932(h).

Obligations of Business Associate

Permitted Uses. BA shall not use Protected Information except for the purpose of performing BA's obligations under the Contract and as permitted under the Contract and Agreement. Further, BA shall not use Protected Information in any manner that would constitute a violation of the Privacy Rule or the HITECH Act if so used by CE. However, BA may use Protected Information (i) for the proper management and administration of BA, (ii) to carry out the legal responsibilities of BA, or (iii) for Data Aggregation purposes for the Health Care Operations of CE [45 C.F.R. Sections 164.504(e)(2)(ii)(A) and 164.504(e)(4)(i)].

Permitted Disclosures. BA shall not disclose Protected Information except for the purpose of performing BA's obligations under the Contract and as permitted under the Contract and Agreement. BA shall not disclose Protected Information in any manner that would constitute a violation of the Privacy Rule or the HITECH Act if so disclosed by CE. However, BA may disclose Protected Information (i) for the proper management and administration of BA; (ii) to carry out the legal responsibilities of BA; (iii) as required by law; or (iv) for Data Aggregation purposes for the Health Care Operations of CE. If BA discloses Protected Information to a third party, BA must obtain, prior to making any such disclosure, (i) reasonable written assurances from such third party that such Protected Information will be held confidential as provided pursuant to this Agreement and only disclosed as required by law or for the purposes for which was disclosed to such third party, and (ii) a written agreement from such third party to immediately notify BA of any breaches of confidentiality of the Protected Information, to the extent it has obtained knowledge of such breach [42 U.S.C. Section 17932; 45 C.F.R. Sections

164.504(e)(2)(i), 164.504(e)(2)(i)(B), 164.504(e)(2)(ii)(A) and 164.504(e)(4)(ii)].

Prohibited Uses and Disclosures. BA shall not use or disclose Protected Information for fundraising or marketing purposes. BA shall not disclose Protected Information to a health plan for payment or health care operations purposes if the patient has requested this special restriction, and has paid out of pocket in full for the health care item or service to which the PHI solely relates [42 U.S.C. Section 17935(a)]. BA shall not directly or indirectly receive remuneration in exchange for Protected Information, except with the prior written consent of CE and as permitted by the HITECH Act, 42 U.S.C. section 17935(d)(2); however, this prohibition shall not affect payment by CIMH to BA for services provided pursuant to the Contract.

Appropriate Safeguards. BA shall implement appropriate safeguards as are necessary to prevent the use or disclosure of Protected Information otherwise than as permitted by the Contract and Agreement that reasonably and appropriately protect the confidentiality, integrity and availability of the Protected Information, in accordance with 45 C.F.R. Sections 164.308, 164.310, and 164.312. [45 C.F.R. Section 164.504(e)(2)(ii)(B); 45 C.F.R. Section 164.308(b)]. BA shall comply with the policies and procedures and documentation requirements of the HIPAA Security Rule, including, but not limited to, 45 C.F.R. Section 164.316. [42 U.S.C. Section 17931].

Reporting of Improper Access, Use or Disclosure. BA shall report to CE in writing of any access, use or disclosure of Protected Information not permitted by the Agreement, and any Breach of Unsecured PHI of which it becomes aware without unreasonable delay and in no case later than ten (10) calendar days after discovery [42 U.S.C. Section 17921; 45 C.F.R. Section 164.504(e)(2)(ii)(C); 45 C.F.R. Section 164.308(b)].

Business Associate's Agents. BA shall ensure that any agents, including subcontractors, to whom it provides Protected Information, agree in writing to the same restrictions and conditions that apply to BA with respect to such PHI and implement the safeguards required by paragraph c above with respect to Electronic PHI [45 C.F.R. Section 164.504(e)(2)(ii)(D); 45 C.F.R. Section 164.308(b)]. BA shall implement and maintain sanctions against agents and subcontractors that violate such restrictions and conditions and shall mitigate the effects of any such violation (see 45 C.F.R. Sections 164.530(f) and 164.530(e)(1)).

Access to Protected Information. BA shall make Protected Information maintained by BA or its agents or subcontractors in Designated Record Sets available to CE for inspection and copying within ten (10) days of a request by CE to enable CE to fulfill its obligations under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.524 [45 C.F.R. Section 164.504(e)(2)(ii)(E)]. If BA maintains an Electronic Health Record, BA shall provide such information in electronic format to enable CE to fulfill its obligations under the HITECH Act, including, but not limited to, 42 U.S.C. Section 17935(e).

Amendment of PHI. Within ten (10) days of receipt of a request from CE for an amendment of Protected Information or a record about an individual contained in a Designated Record Set, BA or its agents or subcontractors shall make such Protected Information available to CE for amendment and incorporate any such amendment to enable CE to fulfill its obligations under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.526. If any individual requests an amendment of Protected Information directly from BA or its agents or subcontractors, BA must notify CE in writing within five (5) days of the request. Any approval or denial of amendment of Protected Information maintained by BA or its agents or subcontractors shall be the

responsibility of CE [45 C.F.R. Section 164.504(e)(2)(ii)(F)].

Accounting Rights. Within ten (10) days of notice by CE of a request for an accounting of disclosures of Protected Information, BA and its agents or subcontractors shall make available to CE the information required to provide an accounting of disclosures to enable CE to fulfill its obligations under the Privacy Rule, including, but not limited to, 45 C.F.R. Section 164.528, and the HITECH Act, including but not limited to 42 U.S.C. Section 17935(c), as determined by CE. BA agrees to implement a process that allows for an accounting to be collected and maintained by BA and its agents or subcontractors for at least six (6) years prior to the request. However, accounting of disclosures from an Electronic Health Record for treatment, payment or health care operations purposes are required to be collected and maintained for only three (3) years prior to the request, and only to the extent that BA maintains an electronic health record and is subject to this requirement. At a minimum, the information collected and maintained shall include: (i) the date of disclosure; (ii) the name of the entity or person who received Protected Information and, if known, the address of the entity or person; (iii) a brief description of Protected Information disclosed and (iv) a brief statement of purpose of the disclosure that reasonably informs the individual of the basis for the disclosure, or a copy of the individuals' authorization, or a copy of the written request for disclosure. In the event that the request for an accounting is delivered directly to BA or its agents or subcontractors, BA shall within five (5) days of a request forward it to CE in writing. It shall be CE's responsibility to prepare and deliver any such accounting requested. BA shall not disclose any Protected Information except as set forth in Sections 2.b. of this Agreement [45 C.F.R. Sections 164.504(e)(2)(ii)(G) and 165.528].

Governmental Access to Records. BA shall make its internal practices, books and records relating to the use and disclosure of Protected Information available to CE and to the Secretary of the U.S. Department of Health and Human Services (the "Secretary") for purposes of determining BA's compliance with the Privacy Rule [45 C.F.R. Section 164.504(e)(2)(ii)(H)]. BA shall provide to CE a copy of any Protected Information that BA provides to the Secretary concurrently with providing such Protected Information to the Secretary.

Minimum Necessary. BA (and its agents or subcontractors) shall request, use and disclose only the minimum amount of Protected Information necessary to accomplish the purpose of the request, use, or disclosure. [42 U.S.C. Section 17935(b); 45 C.F.R. Section 164.514(d)(3)] BA understands and agrees that the definition of "minimum necessary" is in flux and shall keep itself informed of guidance issued by the Secretary with respect to what constitutes "minimum necessary."

Data Ownership. BA acknowledges that BA has no ownership rights with respect to the Protected Information.

Notification of Breach. During the term of the Contract and Agreement, BA shall notify CE within twenty-four (24) hours of any suspected or actual breach of security, intrusion or unauthorized use or disclosure of PHI of which BA becomes aware and/or any actual or suspected use or disclosure of data in violation of any applicable federal or state laws or regulations. BA shall take (i) prompt corrective action to cure any such deficiencies and (ii) any action pertaining to such unauthorized disclosure required by applicable federal and state laws and regulations.

Breach Pattern or Practice by Covered Entity. Pursuant to 42 U.S.C. Section 17934(b), if the BA knows of a pattern of activity or practice of the CE that constitutes a material breach or violation of the CE's obligations under the Agreement, or other

arrangement, the BA must take reasonable steps to cure the breach or end the violation. If the steps are unsuccessful, the BA must terminate the other arrangement if feasible, or if termination is not feasible, report the problem to the Secretary of DHHS. BA shall provide written notice to CE of any pattern of activity or practice of the CE that BA believes constitutes a material breach or violation of the CE's obligations under the Agreement or other arrangement within five (5) days of discovery and shall meet with CE to discuss and attempt to resolve the problem as one of the reasonable steps to cure the breach or end the violation.

Audits, Inspection and Enforcement. Within ten (10) days of a written request by CE, BA and its agents or subcontractors shall allow CE to conduct a reasonable inspection of the facilities, systems, books, records, agreements, policies and procedures relating to the use or disclosure of Protected Information pursuant to this Agreement for the purpose of determining whether BA has complied with this Agreement; provided, however, that (i) BA and CE shall mutually agree in advance upon the scope, timing and location of such an inspection, and (ii) CE shall protect the confidentiality of all confidential and proprietary information of BA to which CE has access during the course of such inspection. The fact that CE inspects, or fails to inspect, or has the right to inspect, BA's facilities, systems, books, records, agreements, policies and procedures does not relieve BA of its responsibility to comply with this Agreement, nor does CE's (i) failure to detect or (ii) detection, but failure to notify BA or require BA's remediation of any unsatisfactory practices, constitute acceptance of such practice or a waiver of CE's enforcement rights under the Agreement. BA shall notify CE within ten (10) days of learning that BA has become the subject of an audit, compliance review, or complaint investigation by the Office for Civil Rights.

Termination

Material Breach. A breach by BA of any provision of this Agreement, as determined by CE, shall constitute a material breach of the Agreement and shall provide grounds for immediate termination of the Agreement, any provision in the Agreement to the contrary notwithstanding. [45 C.F.R. Section 164.504(e)(2)(iii)].

Judicial or Administrative Proceedings. CE may terminate the Agreement, effective immediately, if (i) BA is named as a defendant in a criminal proceeding for a violation of HIPAA, the HITECH Act, the HIPAA Regulations or other security or privacy laws or (ii) a finding or stipulation that the BA has violated any standard or requirement of HIPAA, the HITECH Act, the HIPAA Regulations or other security or privacy laws is made in any administrative or civil proceeding in which the party has been joined.

Effect of Termination. Upon termination of the Agreement for any reason, BA shall, at the option of CE, return or destroy all Protected Information that BA or its agents or subcontractors still maintain in any form, and shall retain no copies of such Protected Information. If return or destruction is not feasible, as determined by CE, BA shall continue to extend the protections of Section 2 of this Agreement to such information, and limit further use of such PHI to those purposes that make the return or destruction of such PHI infeasible. [45 C.F.R. Section 164.504(e)(ii)(2)(I)]. If CE elects destruction of the PHI, BA shall certify in writing to CE that such PHI has been destroyed.

Disclaimer

CE makes no warranty or representation that compliance by BA with this Agreement, HIPAA, the HITECH Act, or the HIPAA Regulations will be adequate or satisfactory for BA's own purposes. BA is solely responsible for all decisions made by BA regarding the safeguarding of PHI.

Amendment

The parties acknowledge that state and federal laws relating to data security and privacy are rapidly evolving and that amendment of the Agreement may be required to provide for procedures to ensure compliance with such developments. The parties specifically agree to take such action as is necessary to implement the standards and requirements of HIPAA, the HITECH Act, the Privacy Rule, the Security Rule, and other applicable laws relating to the security or confidentiality of PHI. The parties understand and agree that CE must receive satisfactory written assurance from BA that BA will adequately safeguard all Protected Information. Upon the request of either party, the other party agrees to promptly enter into negotiations concerning the terms of an amendment to this Agreement embodying written assurances consistent with the standards and requirements of HIPAA, the HITECH Act, the Privacy Rule, the Security Rule or other applicable laws. CE may terminate the Agreement upon thirty (30) days written notice in the event (i) BA does not promptly enter into negotiations to amend the Agreement when requested by CE pursuant to this Section or (ii) BA does not enter into an amendment to the Agreement providing assurances regarding the safeguarding of PHI that CE, in its sole discretion, deems sufficient to satisfy the standards and requirements of applicable laws.

Assistance in Litigation of Administrative Proceedings

BA shall make itself, and any subcontractors, employees or agents assisting BA in the performance of its obligations under the Agreement, available to CE, at no cost to CE, to testify as witnesses, or otherwise, in the event of litigation or administrative proceedings being commenced against CE, its directors, officers or employees based upon a claimed violation of HIPAA by the BA, the HITECH Act, the Privacy Rule, the Security Rule, or other laws relating to security and privacy, except where BA or its subcontractor, employee or agent is named adverse party.

No Third-Party Beneficiaries

Nothing express or implied in the Agreement is intended to confer, nor shall anything herein confer, upon any person other than CE, BA and their respective successors or assigns, any rights, remedies, obligations or liabilities whatsoever.

Effect on Contract

This Agreement does not amend, modify, or otherwise affect the terms and conditions of the Contract between CIMH and BA.

Interpretation

The provisions of this Agreement shall prevail over any provisions of other agreements, contracts, or arrangements that may conflict or appear inconsistent with any provision of the Agreement. This Agreement, to the extent feasible and allowed by law, shall be interpreted as broadly as necessary to implement and comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule. The parties agree that any ambiguity in this Agreement shall be resolved in favor of a meaning that complies and is consistent with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Agreement Effective Date.

COVERED ENTITY

County of Inyo

By: _____

By: _____

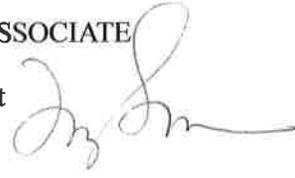
Print Name: _____

Title: _____

Date: _____

BUSINESS ASSOCIATE

Nancy McCart



Print Name: Nancy McCart

Title: LCSW

Date: 12/6/13

PAGE

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AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
 Schedule time for Closed Session Informational

For Clerk's Use Only: AGENDA NUMBER 9

FROM: Public Works Department

28

FOR THE BOARD MEETING OF: January 21, 2014

SUBJECT: Resolution and Notice of Completion for the Independence Town Roads Rehabilitation Project.

DEPARTMENTAL RECOMMENDATIONS: The Public Works Department requests that the board approve the resolution accepting the improvements and authorizing the recording of a Notice of Completion for the Independence Town Roads Rehabilitation Project.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: William Kanayan Construction of Rimforest, California recently completed construction on the Independence Town Roads Rehabilitation Project. The primary objectives of the Independence Town Roads Rehabilitation Project were to provide new, twelve foot travel lanes on the streets of East and West Market, East and West Payne, East and West Park, North Clay and Rosedale. The work on the project consisted of the placement and maintenance of construction area signs; the preparation and implementation of a traffic control plan; the preparation and implementation of a storm water pollution prevention plan; pulverizing the existing center twenty-four feet of the roads; placing a new, two inch lift of hot mix asphalt on the center twenty-four feet of the roads; placing chip and fog seals on the entire width of the roads; replacing existing striping and pavement marking; and replacing stop signs. The estimated final construction contract amount for the Independence Town Roads Rehabilitation Project, including engineering and construction engineering is \$1,450,000.00

On November 1, 2013, the final inspection was performed and the improvements were determined to be complete to the satisfaction of the Public Works Director. Accordingly, the Director is requesting that the Board adopt the attached Resolution, which accepts the completed improvements and authorizes the Public Works Director to record a Notice of Completion for the project.

In addition to formally accepting the work, the Notice of Completion begins the period during which stop notices may be placed against the work. In the event that no stop notices are filed, the retention must be returned to the contractor.

ALTERNATIVES: The Board could choose not to approve the Resolution. Consequently, the project would not be formally accepted and the Notice of Completion could not be filed. Choosing not to approve the Resolution is not recommended because it will extend the period during which Stop Notices can be filed and will delay return of retention to the Contractor.

OTHER AGENCY INVOLVEMENT: County Counsel has reviewed the Resolution. The County Auditor's office will pay the retention currently being withheld.

FINANCING: Costs for this project are encumbered in budget unit 034601, State Funded Roads Projects, object code 5733, Independence Town Roads. The costs for construction of the Independence Town Roads Rehabilitation Project are 100 percent reimbursable by the Statewide Transportation Improvement Program, the Toll Credits Program, and Transportation Enhancement Act (TEA) Exchange Funds. The STIP procedures require reimbursement to local agencies upon submittal of progress invoices for expenditures actually made.

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: Margaret Kemp-Williams yes Date 1-9-14

AUDITOR/CONTROLLER

ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)

Approved: [Signature] yes Date 1/16/14

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)

[Signature] Date: 1/17/14

RESOLUTION #2014 -

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE
COUNTY OF INYO, STATE OF CALIFORNIA
AUTHORIZING THE RECORDING OF A NOTICE OF COMPLETION
FOR THE
INDEPENDENCE TOWN ROADS REHABILITATION PROJECT**

WHEREAS, Clint Quilter, Director of the Public Works Department of the County of Inyo, has determined that the Independence Town Roads Rehabilitation Project has been completed by William Kanayan Construction of Rimforest, California in accordance with the Project Plans and Specifications.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works is hereby authorized and directed to sign and file with the County Recorder a separate Notice of Completion pertaining to the Independence Town Roads Rehabilitation Project.

Passed, approved and adopted this 21th day of January, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson, Board of Supervisors

ATTEST:

Kevin Carunchio, Clerk

by _____
Assistant Clerk of the Board

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

County of Inyo
c/o Director of Public Works
Public Works Department
168 N. Edwards Street
P.O. Drawer Q
Independence, CA 93526

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. A work of improvement known as the Independence Town Roads Rehabilitation Project on the property hereinafter described was completed on October 31, 2013 and was accepted by the Inyo County Board of Supervisors on January 21, 2014.
2. The property on which the Independence Town Roads Rehabilitation Project has been completed and located is on Market Street, North Clay Street, Park Street, Payne Street, Washington Street and Rosedale Street in Independence, CA.
3. The County of Inyo, a political subdivision of the State of California, the address of which is 224 North Edwards Street, P.O. Drawer N, Independence, CA 93526, owns and maintains Market Street, North Clay Street, Park Street, Payne Street, Washington Street and Rosedale Street.
4. The undersigned Clint Quilter is the Director of Public Works of the County of Inyo and has been duly authorized pursuant to Resolution adopted January 21, 2014, by the Board of Supervisors of the County of Inyo to execute and file this Notice of Completion.
5. The name of the original contractor that constructed the Independence Town Roads Rehabilitation Project pursuant to contract with the owner is William Kanayan Construction of Rimforest, CA.

Pursuant to the contract, the contractor was required to furnish all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation services, and all other items and related functions which are necessary or appurtenant to construct the project designated in the contract.

COUNTY OF INYO

Dated:

By: _____
Clint Quilter, Director of Public Works



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
 Schedule time for Closed Session Informational

For Clerk's Use Only: AGENDA NUMBER 10

FROM: Public Works Department

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Award of Construction Contract for the Bishop-Sunland Landfill Truck Scale Project

DEPARTMENTAL RECOMMENDATIONS:

1. Award the Construction Contract for the Bishop-Sunland Landfill Truck Scale Project to Doug Clair, Inc., of Bishop, CA in an amount of \$145,500.00;
2. Authorize the Board Chairperson to sign the contract, contingent upon the appropriate signatures being obtained; and,
3. Authorize the Public Works Director to sign all other contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law.

CAO RECOMMENDATIONS:

SUMMARY DISCUSSION:

On December 17, 2014, your Board approved plans and specifications for the revised Bishop-Sunland Landfill Truck Scale Project and authorized the Public Works Department to advertise and receive bids for the project. These revised plans and specifications arose after the previous Landfill Truck Scale project bids, received on December 4, 2013, greatly exceeded both the engineer's estimate and the project budget.

On January 22, 2014, two (2) bids were received and opened by the Assistant Board Clerk. These bids have been reviewed by County Counsel and have been deemed responsive to the bid documents. A bid tabulation sheet is attached for your review.

Doug Clair, Inc., provided the lowest base bid of \$145,500.00, which was within 3% of the Engineer's estimate of \$150,000. Per CA Public Contract Code Section 10126(c)(1), the lowest responsive base bid amount shall be used to determine the low bidder. Therefore, the Public Works Department is recommending that the Board award the bid to Doug Clair, Inc., in a total base bid contract amount of \$145,500.00. Funding for the project will come from the Integrated Waste Management Program Budget.

Inyo's contracting preferences for Small Business Enterprises (a portion of County Ordinance No. 1156) applies to the project. Both bidders submitted certification information as California Small Business Enterprises with Doug Clair, Inc., having the lowest responsible base bid.

ALTERNATIVES:

Your Board could choose to not award the contract to Doug Clair, Inc., and again re-bid the project. This is not recommended, because the bid price for the project has been deemed to be very competitive by the Public Works Department.

OTHER AGENCY INVOLVEMENT:

County Counsel's Office for review of the bid documents and approval of the contract.
The Auditor's Office for approval of the contract and payments to the contractor.
The Public Works Department for contract administration.

FINANCING:

This project will be paid from the Inyo Recycling and Waste Management Program Budget unit 045700 object code 5650. There is currently \$132,000 in the equipment object code 5650 however there is sufficient budget in other object codes to cover the difference and will be address during the Mid-Year Budget review.

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: <u>yes</u> Date: <u>1/22/14</u>
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>yes</u> Date: <u>1/22/14</u>
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: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

 Date: 1/22/14

COUNTY OF INYO BID TABULATION

Project Title & Bid No. Bishop Sunland Landfill Truck Scale

Bid Opening Date: 1-22-14 Location: County Admin Center

alt 1

	BIDDER NAME	Bid Amount A	Bid Amount B	Bid Amount C	Bond
1.	Doug Clair	\$ 145,500.00	\$ 140,500.00		
2.	Kendall Engineering	\$ 159,729.00	\$ 136,382.00		
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Opened By: Patricia Bunsally

Present: Jeff Ahlstrom





AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 11
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- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Inyo National Forest Plan Update/Revision

RECOMMENDATION: Receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input; review draft correspondence to the Forest Service regarding the Preliminary Need for Change, provide input, and authorize the Chair to sign, and; discuss potential attendance at the upcoming public meeting for the Preliminary Need for Change on January 30, 2014.

SUMMARY DISCUSSION: The Inyo National Forest (INF) is working on updating its Forest Plan.¹ Staff is working with Forest Service staff in developing the Plan, and will report on recent activities. Input from the Board is requested to guide staff in future coordination efforts with Forest Service staff.

The Preliminary Need for Change document has been released for public review (refer to Attachment 1). Staff has reviewed and prepared draft correspondence in response (refer to Attachment 2). Issues identified include the lack of coordination in preparation of the document, lack of reference to the County's previous input, concern about limiting the scope of the document due to time constraints contrary to the 2012 Planning Rule, and that the document is for three forests (rather than specific to the INF). Comments are requested by January 31, 2014.

The Forest Service is planning a public meeting on January 30, 2014 in Bishop regarding the Preliminary Need for Change. Staff requests that the Board discuss possible attendance at the meeting.

ALTERNATIVES: The Board could direct changes to the correspondence or not submit correspondence. The latter is not recommended due to the importance of the Forest Plan Update to the County.

OTHER AGENCY INVOLVEMENT: Department of Agriculture, U.S. Forest Service; Mono, Fresno, Madera, and Tuolumne counties; other interested persons and organizations.

FINANCING: General fund resources are utilized to monitor planning work in the Forest. Resources for Willdan's assistance with the effort are funded by operating transfer from the Geothermal Royalties fund.

¹ Refer to <http://inyoplanning.org/InyoNationalForest.htm> for more information about the Plan Update/Revision and the County's participation.

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: 1/22/14

Attachments

1. Draft Preliminary Need For Change
2. Draft Correspondence

PRELIMINARY NEED FOR CHANGE

FOREST PLAN REVISIONS, REGION 5 EARLY ADOPTER FORESTS

CONTENTS

Process

Criteria for narrowing themes

Summary of Themes

Narrowing criteria and discussion for each theme

Preliminary FAQs

What themes were chosen and why

PROCESS FOR NARROWING SCOPE AND SCALE OF EMPHASIS AREAS

Assumptions

- Under current plan revision timeline, it is possible to address only a few emphasis areas.
- Not all changes must be addressed now. With the 2012 Planning Rule and an adaptive approach, other changes can be accomplished as needed efficiently. The old plans will be adapted to the new planning rule.
- Alternatives will be designed around emphasis areas.

Criteria for emphasis areas to focus on immediately

- The emphasis area is important to many people, and provides many benefits to people.
- There is a threat to losing benefits if the Forest Service doesn't act within the near future. This includes changes in demand for the benefit.
- Trends: social, economic, or ecological sustainability are at risk in the mid- and long-terms.
- Current management direction as described and implemented does not provide benefits sustainably. This could include new science, monitoring, or changed conditions. There is substantial controversy over current management and general agreement among most people on approaches to improve aspects of current direction.
- Forest plans have the ability to do something substantial about the condition in the next ten years. Alternatives and plan components can be developed within the plan revision timeline (April to May 2014).

VEGETATION, RESILIENCE, WILDLIFE AND FIRE EMPHASIS AREA

Importance to People

Wildland fire affects all aspects of beneficial uses: wildlife and plants; air quality; water quality; recreation; power; carbon management; and communities. There is an imbalance of uncharacteristic, high intensity fire across large areas, and an ecological deficit of characteristic widespread low and moderate intensity fire. This imbalance is impacting beneficial uses in major ways.

Threats to Losing Benefits in the Short-Term: Current Situation and Trends

Large, intense fires are impacting beneficial uses at an increasing rate. In the past, large droughts, insect outbreaks, and fires have occurred but not with the impacts currently experienced. Impacts are due to: how and where the fires, drought and insects occur (e.g. in key habitat, near communities, near power supplies or recreation sites). Forest density and fuels continue to increase, contributing to decreased forest resiliency. Restoration pace and scale are insufficient to reduce threats. A single large fire, such as the Rim Fire, can have major impacts. Restoration strategies do not address the scale of current fires.

Ecological, Social and Economic Sustainability

Forests are vastly modified from historic (pre-European) conditions. They are very susceptible to drought, insect outbreaks, and large, intense fires in the landscape. Changes have impacted connectivity, and habitat of wildlife and plants. For species with limited distributions, the impact can be highly significant. There is a disproportionate impact on old-growth forests that tends to occur in remnants in drainages, or locally concentrated areas. There are impacts on riparian ecosystems where restoration has been deferred or limited. There are many areas where wildland fire played a key role as an ecological process and where restoration is important to biodiversity conservation.

The impacts of fire in larger landscape communities, and human benefits such as water, power, human health, carbon management, and recreation are growing more costly and undesirable for most people. Restoration and recovery of forests and habitat take centuries and are costly. With climate change, there may be a type conversion to a different type (e.g. forest to shrub). Under current landscape conditions, survival and development of young forests to mature forest is becoming more difficult.

Current Management Direction: Opportunities for change

Current plans limit pace and scale of restoration. Restoration is vastly insufficient to change trends. Single species management approaches in the current plans limit landscape approaches that are critical to address dense forests and uncharacteristic fire. New science on management for forest heterogeneity and fire resilience is not addressed. Current fire management policy is not addressed: the spatially explicit resource objectives to facilitate managed fire do not exist. Opportunities for change include:

- Develop integrated resource desired conditions, objectives and management strategies that increase the pace and scale of restoration.
- Meet new planning rule direction emphasizing integrated landscape/species (coarse filter/fine filter) approaches to ecological, economic, and social sustainability.
- Develop spatially explicit resource objectives for managed fire opportunities.

EASTSIDE VEGETATION, RESILIENCE, WILDLIFE, INVASIVE PLANTS AND FIRE EMPHASIS AREA

Importance to People

Numerous beneficial uses to people occur within this extensive landscape: water; wildlife and plants; recreation; communities; range; air quality; and carbon management.

Threats to Losing Benefits in the Short-Term: Current situation and trends

Eastside landscapes are highly impacted by invasive plants, juniper expansion, and uncharacteristic fire. The expansion of invasive species creates conditions that are very hard to restore or reverse. Distribution of native species (i.e. deer and sage grouse), range and recreation are impacted by the changed vegetation and fire. Subalpine trees, such as whitebark pine are increasingly impacted by non-native pathogens and climate change.

Ecological, Social and Economic Sustainability

Eastside landscapes are vastly modified from historic (pre-European) conditions. Invasive species and legacy land uses (e.g. intensive grazing, historic mining, railroad logging, and roads) have contributed to lowered ecosystem resilience. There has been shrinking sagebrush and desert habitat, important to numerous species of conservation concern and game animals. Lands in the mountains on the eastside provide key areas of higher elevation where there has been and will continue to be upward migration of species from lower elevations as climate changes. These “islands” of high elevation mountains are important refugia for many species in climate change but may have reduced resilience.

The impacts of invasive plants and associated uncharacteristic fire have affected ecosystem services and human benefits such as air quality, range, and recreation. Maintenance and restoration of native vegetation is becoming more difficult and costly. Current and future ecosystem services and beneficial uses are at risk.

Current Management Direction: Opportunities for Change

Pace and scale of restoration is vastly insufficient to change trends. Lack of integrated desired conditions, and clear, quantitative objectives limit effective management (e.g. invasive species, species of conservation concern, recreation, grazing). Efforts to reduce the impacts efficiently are hampered with current plans. Single species management approaches in the current plans limit landscape approaches that are critical to address problem. Spatially explicit resource objectives to facilitate managed fire do not exist. New science on fire resilience and cheatgrass invasibility is not incorporated. Opportunities for change include:

- Clear, quantitative, objectives at landscape scale, integrated across key resource areas including fire, invasive species, range, wildlife, transportation, and recreation to increase pace and scale of restoration. Incorporate new fire policy: management of wildland fire for resource benefit.
- Meet new planning rule direction emphasizing integrated landscape/species (coarse filter/fine filter) approaches to ecological, economic, and social sustainability.

WILDLAND URBAN INTERFACE EMPHASIS AREA

Importance to People

Uncharacteristic fire in the wildland urban interface (WUI) affects all beneficial uses to people including: communities; power, water, and communications infrastructure; recreation; scenic character; air quality; and businesses.

Threats to Losing Benefits in the Short-Term: Current Situation and Trends

In the last ten years, a majority of fuel hazard reduction projects have been accomplished in the WUI. Despite these efforts, impacts of large, high intensity fires to communities and infrastructure continue to be a problem for most people. Residents and recreational visitors are concerned. There is increasing awareness that large, high intensity fires, originating in wildlands outside of the WUI contribute to impacts in the WUI. These types of fires are increasing. New social and fire behavior science has identified additional concerns and approaches to address these concerns.

Ecological, Social and Economic Sustainability

Fuel hazard reduction and fire suppression focus on the WUI has reduced the rate and pace of restoration in wildlands. This has left large portions of the forest vulnerable to undesired fire impacts including to wildlife habitat and aquatic/riparian areas. Indirectly, emphasis on fuel hazard reduction and fire suppression in the WUI may have increased the threat of large, high intensity fires traveling to and impacting the WUI. The Rim Fire illustrates this issue. There are many areas where fire played a key role as an ecological process and where restoration is desired.

Single large, high intensity fires, can have major social and economic impacts. Businesses (e.g. recreation and tourism), services (regional power supplies), transportation (e.g. highway closures) are impacted. These impacts are growing more costly and undesirable for most people. The impacts can be long-term, affecting social and economic sustainability over time.

Current Management Direction: Opportunities for Change

Current forest plans emphasize fuel hazard reduction in the immediate area around WUI. This has led to less treatment in the surrounding wildland landscape. Increasingly, wildland fires build intensity in wildlands and then spread toward WUI, overwhelming treatments in the WUI. Single resource based objectives (e.g. wildlife, soils, WUI) have limited effectiveness of WUI treatments. An integrated, landscape approach is lacking. The National Cohesive Strategy was recently updated to improve effectiveness of approaches in reducing impacts to wildlands and WUI. Opportunities for change include:

- Increased pace and scale of restoration of resilience in the surrounding, larger landscape would have a substantial effect on fire threat in the WUI. Integrated landscape objectives within WUI.
- Incorporate the revised Cohesive Strategy. Improved coordination and collaboration in and all lands approach. More efficient information sharing and monitoring to track effectiveness (e.g. joint database of location and extent of fuel treatments in WUI).
- Incorporate new social science on fire prevention or fire science on fire spread into WUI.

MEADOWS EMPHASIS AREA

Importance to People

There is a broad recognition of the importance of meadows from varied perspectives: meadows are an important component of human water supply (sponges for water storage and quality filtering); biodiversity hotspots; sought after for recreation; important for seasonal range use; and carbon storage.

Threats to Losing Benefits in the Short-Term: Current Situation and Trends

Meadows are at risk from climate change, particularly those faced with drying caused by channel cutting or water development. Single resource focused management threatens the sustainability of all components. For example, focus on species of conservation concern can affect economic and social sustainability of grazing and recreation. Conversely, focus on grazing or recreation can affect ecological sustainability of species. The lack of a cohesive, integrated management and monitoring approach leads to perceived conflicts and missed restoration opportunities. New science on the importance of multi-factor condition assessments shows that status of one aspect does not match that of other aspects.

Ecological, Social and Economic Sustainability

Extensive, historic mismanagement (roads, trails, railroad logging, intensive grazing) resulted in a legacy of incised, or downcut stream channels that have impacted the Forest Service's ability to restore and manage meadows. Some meadows are dried out as a result, affecting vegetation and wildlife. Several species of conservation concern depend upon meadow habitats. Drier meadow conditions and limited fire have led to conifer encroachment into meadows, further drying them out and shading typical meadow species. Aspen groves have declined significantly due to lack of fire, drier meadows, and browsing.

Long-term social and economic benefits from water, carbon storage, recreation, and grazing are at risk. Invasive fish place native fish and amphibians at risk. Water storage by meadows is an important adaptation strategy for climate change. There is growing public interest in meadows for recreational and visual uses. Meadows are an important component of working rangelands. There is uncertainty about the impacts of different land uses on water quality from meadows.

Current Management Direction: Opportunities for Change

Desired conditions and objectives for meadow condition and restoration are not integrated and measurable. Current science emphasizing integrated condition assessments is not addressed. Conflict arises over conditions for different resources. Opportunities for change include:

- Develop integrated (biodiversity, water, range, recreation) and measurable objectives for meadow condition and restoration. Incorporate current science emphasizing integrated condition assessments. Enhance collaborative opportunities for meadow restoration.
- Meet new planning rule direction emphasizing integrated landscape/species (coarse filter/fine filter) approaches to ecological, economic, and social sustainability.

AQUATIC AND RIPARIAN EMPHASIS AREAS

Importance to People

Water is essential to economic, social, and ecological values. Aquatic and riparian areas are the focus of human use (water supply) and recreation. Habitat has concentrated ecological value. Aquatic and riparian areas occur in a limited portion of the landscape but are important to animals and plants.

Threats to Losing Benefits in the Short-Term: Current Situation and Trends

Many aquatic ecosystems are at risk. Native trout are restricted to the higher elevations. Amphibians are disappearing from streams at lower elevations. Invasive species, climate change, and uncharacteristic fires are concerns. Special habitats (e.g. springs, fens and aspen) are threatened by these factors, browsing and lack of fire. The combination of warming temperatures, early snowmelt, and extensive water development have impacted aquatic habitat. Growing impacts of large, intense fires can increase soil erosion from older roads crossings and culverts, and affect large wood recruitment. Limits on restoration in riparian areas have led to vegetation and fuel conditions that intensify fires. Riparian and aquatic areas can be sensitive to management and hard to restore once degraded.

Ecological, Social and Economic Sustainability

Aquatic and riparian areas are vastly modified from historic (pre-European) conditions. Extensive water development, introduction of invasive fish, roads, and legacy grazing, logging, and mining have impacted habitat and, biodiversity. Lack of extensive, characteristic, low and moderate intensity fire, has resulted in denser, vegetation, and lowered resilience to high intensity fire. Sustainability of large wood in aquatic ecosystems is at risk. There are few areas that remain with high, less changed biodiversity.

Riparian and aquatic networks are important components of climate change adaptation strategies. Water quantity is dependent on precipitation, timing of snow melt and other climate factors. Water is essential to municipal water supplies, agriculture, and water-based recreation. Sustainability of these services is uncertain.

Current Management Direction: Opportunities for Change

Current management does not identify integrated, measurable objectives for biodiversity, invasive species, water, and riparian vegetation. Cumulative effects of large, intense, landscape fires are not addressed. Direction focuses on restrictions rather than integrated, adaptive management.

Opportunities for change include:

- Develop integrated resource objectives that increase pace and scale of restoration. Emphasize desired conditions and adaptive management rather than prescriptive restrictions.
- Address cumulative effects of invasive species, large intense fires, and large wood inputs.
- Meet new planning rule direction emphasizing integrated landscape/species (coarse filter/fine filter) approaches to ecological, economic, and social sustainability.
- Opportunity to align with some EPA sediment measures and state monitoring standards.

NEED FOR CHANGE – Sustainable Recreation

Importance to People

The three national forests provide a broad range of recreation opportunities to the residents of California's massive urban areas, local communities in the Central Valley and Southern Sierras, and a large contingent of international visitors. Over 4 million recreation visits occur each year. These opportunities connect people with nature in an unmatched variety of settings, activities and traditional beliefs. Recreation contributes to the physical, mental, and spiritual health of individuals, bonds family and friends, instills pride in their heritage, and provides economic benefits to communities and region.

Threats to Losing Benefits in the Short-Term: Current Situation and Trends

Declining federal budgets constrain the ability of the agency to meet current demands for recreation opportunities and access. Fewer resources are available to maintain and operate existing recreation facilities, develop new opportunities, or provide management for recreation. Existing developed recreation facilities have high deferred maintenance and do not meet the recreation preferences of diverse user groups. Population growth will increase demand for recreation opportunities.

Ecological, Social and Economic Sustainability

Favorite places for recreation are often near water (lakes, rivers, streams) that provide critical aquatic and riparian habitat. Some concentrated use areas outside of developed recreation sites are raising public concern. Unmanaged recreation can negatively impact ecosystem health. Climate change may impact many popular water and snow related recreation opportunities, and drive visitors to use higher elevation sites. Higher elevation ecosystems are more vulnerable to impacts. Increased forest density, and uncharacteristic fire, insects, and pathogens produce forest conditions that are potentially unsafe for recreation use and compromise scenic character, reducing recreation opportunities.

The economic vitality and quality of life of local communities is threatened by degraded scenic character and loss of recreation opportunities. Visitors to the national forest support the tourism industry that contributes to the economic vigor of local businesses and stimulates local employment. Counties also receive revenue from sales tax.

Current Management Direction: Opportunities for Change

Current forest plans encourage dispersed recreation use over developed recreation impacting ecological sustainability and cause user group conflicts. Cultural and ecosystem context is missing in current scenery management direction. Forest management can inadvertently create barriers to use and enjoyment by the growing population of ethnic minorities. Opportunities for change include:

- Integrate and incorporate sustainable recreation into other resource objectives.
- Revise the set of recreation opportunities to emphasize each Forest's distinctive roles and contributions. Incorporate ecosystem and cultural context into scenery management.

FREQUENTLY ASKED QUESTIONS

Why aren't fisher and spotted owl management a top issue?

Considerations to maintain fisher and spotted owl habitat and distribution are integrally related to fire and addressed under the Vegetation, resiliency, wildlife, and fire emphasis area. The new planning rule emphasizes integrated ecosystem resource management, sustainability and ecological integrity, rather than single resource management.

Why aren't roads a primary theme?

We are designing a programmatic plan. Most roads issues are more appropriately dealt with at the project level. The forest plan doesn't lay out specific projects but does describe desired conditions and sets out objectives to guide projects, which may include roads. Different alternatives may have different management activities that may be associated with different road requirements and management, but these will be determined at a project scale, with a staged approach.

How does forest plan revision relate to the travel management plan?

As described above, the forest plan revision EIS and the travel management plan are programmatic documents. The forest plan sets the intended direction for forest management. The travel management plans provide the assessment process for determining which roads meet the intended forest plan direction. Projects make the decisions to build, decommission or convert roads to other uses.

Why isn't wilderness a top theme?

Wilderness has a concurrent, separate process. We are following the planning rule process for inventorying of lands suitable for inclusion as wilderness and evaluating wilderness character of those lands.

Why are meadows so important?

They are important for so many different people and things including: water storage, frogs and birds at risk, rangeland, and scenic beauty. There are often conflicts among these different uses and things and single purpose management has not been successful. There is an opportunity to better balance all of these uses and needs sustainably.

Why isn't timber a focus?

There is a concurrent, separate process for timber. We are following legal requirements for timber capability and availability. These are based on whether trees and a certain growth level can be sustained and whether it is outside of current designated areas, such as outside of wilderness. The suitability of timber will be addressed when the alternatives lay out different forest plan choices that affect how much timber is available.

What about threatened and endangered species?

Threatened and endangered species are protected by the Endangered Species Act. The management of species at risk, including threatened and endangered species is addressed in two ways in the new forest plans. First, they are addressed following specific processes identified in the new forest planning rule to identify them and general guidelines to management these species for integrity of their distribution. Second, the new planning rule emphasizes an integrated ecological integrity approach to manage for the ecosystems the species are part of. The key ecosystems are addressed in the emphasis areas.

Why isn't infrastructure included as a focus theme?

Similar to the answer for roads above, the plan is programmatic and does not address infrastructure directly. Alternatives will provide overall direction, and decisions on infrastructure will occur at the project scale.

January 28, 2014

Land Management Plan Revision
US Forest Service
Ecosystem Planning Staff
1323 Club Drive
Vallejo, CA 94592

Re: Draft Preliminary Need for Change for Inyo National Forest Plan Update/Revision

To Whom it May Concern,

On behalf of the Inyo County Board of Supervisors, thank you for the opportunity to review the draft Preliminary Need for Change for the Inyo National Forest (INF) Plan Update/Revision. Per our previous input, we continue to be disappointed in the time it is taking to execute the cooperating agency Memorandum of Understanding (MOU) that we have been working on with Forest Service staff since mid-2012; we continue to look forward to expeditious execution of the MOU to guide our coordination efforts.

Despite the delays in execution of the MOU, we had been pleased that local Forest Service staff was working with our staff in the spirit of coordination. Unfortunately, we were not included in development of the Preliminary Need for Change. We understand that this document was created by Regional Office staff, and we request that the Regional Office include the County in development of future documents in the spirit of coordination embodied by the MOU.

We have been participating in development of the INF for several years now and have expended substantial resources in the endeavor. As you might imagine, we are dismayed that much of our previous input, and particularly most of the issues of most importance to the people of Inyo County, has not been incorporated into the draft Preliminary Need for Change. I will not belabor this input herein (as it is available to Forest Service staff through our previous correspondence and on our website¹). Briefly though, I offer the following:

- Multiple Uses must be addressed throughout the document, pursuant to the Multiple Use Sustained Yield Act.
- Permitting burdens should be identified as issues to be addressed.
- Socioeconomics should be an emphasis area. In particular, the uniqueness of the eastern Sierra and the relative dependence of east-side communities on the INF should be addressed. The need for change should emphasize developing public-private partnerships to enhance our communities and provide for economic resilience and vitality.
- We believe that grazing should be emphasized, and that the need for change should include expanding managed grazing.
- Due to the continuing diminishment of access, we believe that the need for change should include enhanced access.
- The need to minimize smoke impacts from controlled fires to downwind communities should be identified.
- We know that services, infrastructure, and utilities are significant issues for the INF, and should be addressed at a programmatic scale in the Plan Update.
- We acknowledge the document's references to sustainability, and request that this topic be emphasized to a greater degree.

Furthermore, the assumptions used as the basis of narrowing the scope of the process are inappropriate. There is no documentation in the Planning Rule that allows the agency, based on a shortened timeline, to not perform a complete analysis and address all the issues identified in the assessment. The idea that "not all changes must be addressed now" is not contemplated in the new rule. In fact the plan amendment process in the new rule contemplates that all issues identified at this stage of the planning process were addressed appropriately. The plan amendment process bases the amendment on "new information, changed conditions, or changed circumstances." [See Section 219.13(b)] Nothing in

the plan amendment process suggests the agency will address identified areas of need for change based on information or circumstances previously identified by the agency which the agency did not have time to address due to a self-enforced timeline. The weakness of the process the agency has decided to pursue is not only that some areas of need for change will not be addressed but the alternatives analysis of those unaddressed areas will also not occur. This results in a substantially weakened need for change document.

The County of Inyo is also concerned that a need for change document that is supposed to address individual forest land management plans was not created. Instead, in the interest of time and efficiency, the forest service decided to publish a generic need for change document that is supposed to be used as a basis for revision of three forest land management plans. The criteria and recommendations drafted in the need for change document are so generic that they provide the individual forest managers with little or no direction on what changes should be considered when drafting a new plan. They also provide the public with almost no understanding of the issues that need to be addressed in the new land management plan. The public is left with the choice of drafting their own need for change document instead of reviewing and commenting on an agency proposed draft. The individual members of the public are not responsible for managing the forest pursuant to the current plan, reviewing all of the comments from the public and other government agencies during the assessment phase, and of identifying those areas of emphasis that need to be addressed in the need for change stage of the planning process. This is the agency's responsibility, and the agency clearly did not perform its responsibilities during this stage of the process. The excuse that the agency does not have time to complete its responsibilities is unacceptable.

Thank you for your consideration. If you have any questions, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292.

Sincerely,

Rick Pucci, Chair
Inyo County Board of Supervisors

cc: Board of Supervisors
County Administrative Officer
County Counsel
Planning Department
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties
Ed Armenta, Inyo National Forest
Randy Moore, Region 5 Forester



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER

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

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

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Appointment to the Inyo Fish and Wildlife Commission

DEPARTMENTAL RECOMMENDATION: - Request Board appoint the following to serve on the Inyo Fish and Wildlife Commission, three to complete unexpired four-year terms ending October 6, 2017 and one to complete an unexpired four-year term ending October 6, 2015. (*Notice of vacancy resulted in requests for appointment being received from Joe Pecsí, Larry McIntosh, Garrett McMurtrie, and Steven Ivy.*)

SUMMARY DISCUSSION: Your Board was notified of vacancies on the Inyo Fish and Wildlife Commission. The vacancies were noticed per your Board's procedure. Requests for appointment were received from Mr. Pecsí, Mr. McIntosh, Mr. McMurtrie, and Mr. Ivy. Mr. Pecsí and Mr. McMurtrie currently serve on the Commission as regular members and Mr. McIntosh currently serves as the alternate. All three gentlemen are requesting to be reappointed with Mr. McIntosh seeking a regular membership. There are four regular positions and one alternate position on the Commission which need to be filled and it is recommended that your Board fill the four regular membership positions from the applicants requesting appointment, leaving the alternate position vacant.

ALTERNATIVES: - Your Board could choose to continue the recruitment for members. This alternative is not recommended in that you have qualified applicants seeking appoint and further recruitment may not result in additional applications.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: - There is no fiscal impact associated with this request.

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: _____ 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: _____ Date _____

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

January 6, 2014

Joe Peci

Inyo County Board of Supervisors
168 N. Edwards
Independence, CA

RECEIVED
2014 JAN -9 PM 1:09
INYO
ADMP
CLERK

Dear Board of Supervisors:

I request to be reappointed to the Inyo County Fish and Wildlife Advisory Commission. I have been actively involved on the Inyo County Fish and Wildlife Advisory Commission for about nine (9) years.

I live in Inyo County and I am qualified to fill the vacant Inyo County position.

I bring to the Commission 17 years of experience working for the California Department of Fish and Game. In addition, I am currently: the California State Chapter President for the National Wild Turkey Federation; the Eastern High Sierra Chapter President for the California Waterfowl Association; Board of Directors member for the Inyo-Mono Association for the Handicap; Grand Knight - Knight's of Columbus Council 8628; Chair Person for the City of Bishop Water and Sewer Commission; Board of Directors - Treasurer for the Bishop Country Club.

I appreciate your consideration in appointing me to the vacant position on the Inyo Fish and wildlife Advisory Commission.

Sincerely,


Joe Peci

LARRY MCINTOSH

January 20, 2014

Board of Supervisors
County of Inyo
P.O. Box N
Independence, CA 93526

RECEIVED
2014 JAN 21 PM 2:48
INYO COUNTY
ADMINISTRATIVE CLERK

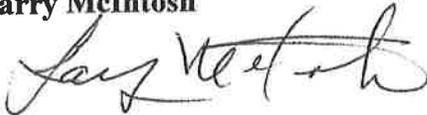
In response to your letter dated 12/30/2013, I am requesting a position on the Inyo County Fish & Wildlife Commission. I am presently an alternate on the Commission and have been since Inyo & Mono Counties split I was the Mono County Representative before that.

I am requesting to fill Gary Gunsolley's position or a regular membership.

I thank you in advance for your attention and consideration in this matter.

Sincerely,

Larry McIntosh



Inyo County Board of Supervisors

P.O. Drawer N

Independence, CA 93526

January 21, 2014

Subject: Inyo Fish & Wildlife Commission request for re-appointment.

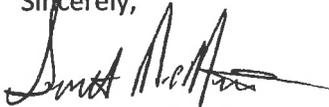
RECEIVED
2014 JAN 21 PM 3:25
INYO COUNTY
ADMINISTRATIVE
CLERK

Honorable Supervisors,

As a member of the Inyo County Fish & Wildlife Commission these past few years, the importance of maintaining our current level of access and activities as well as preserving Inyo County's way of life into the future for our children and grandchildren to experience has been imbedded in me. As a life-long resident of Inyo County, I have had the opportunity to experience this way of life, partake of these outdoor experiences and pass on my knowledge to friends and family along the way. We are seeing traditional programs progressing forward and new ideas coming forth and taking root and I am excited to be a part of that process.

It has been my privilege to serve on the Fish & Wildlife Commission and I respectfully request to be re-appointed to an additional term.

Sincerely,



Garrett McMurtrie

1/15/2014

INYO COUNTY BOARD OF SUPERVISORS

ATTN: Pat Gunsolley

I would like to be considered for appointment to the Inyo county fish and game advisory committee. I am a lifelong resident of Inyo County and have enjoyed hunting and fishing in Inyo and Mono counties my entire life. I am also a California fish and wildlife conservation and hunter education instructor. I feel I possess the background necessary to contribute to this committee.

Sincerely

Steven Ivey

RECEIVED
2014 JAN 16 AM 10:41
INYO
ADMIN
CLERK



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

13

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

FROM: Kevin D. Carunchio, Director of Emergency Services

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Proclamation of Local Drought Emergency

DEPARTMENTAL RECOMMENDATION:

Request your Board (a) proclaim the existence of a local drought emergency approving a "Proclamation By The Board of Supervisors, County of Inyo, State of California, Proclaiming Existence Of A Local Drought Emergency" and (b) authorize the County Administrative Officer or his designee to make revisions to the resolution, as appropriate or if requested by the Governor's Office of Emergency Services, and to proceed in executing the proclamation without further review by your Board.

SUMMARY DISCUSSION:

For reasons set forth in the accompanying proclamation, staff requests your Board consider proclaiming the existence of a local drought emergency. Proclaiming a local emergency will help provide residents and business with possible access to State and Federal funds to help with the costs incurred as a result of the drought, and may provide the County with a greater ability to manage local water resources.

If your Board approves the proclamation, County staff will be identified to begin developing specific measures to implement different aspects of the proclamation, and to work with other jurisdictions and agencies to implementing the proclamation.

Your Board must review and confirm the continuance of the emergency at least every two weeks during regularly scheduled Board meetings.

ALTERNATIVES:

Your Board could decide not to proclaim a local drought emergency at this time.

OTHER AGENCY INVOLVEMENT:

The proclamation was developed in concert with the Office of County Counsel and Inyo County Water Department. Its implementation will require the involvement of County staff from a variety of departments including but not limited to: Administration; County Counsel; Environmental; Planning; Public Works; and, Water. Outside agency involvement in the local drought emergency will include the City of Bishop, the City of Los Angeles Department of Water and Power, Great Basin Unified Air Pollution Control District, local community services districts and water associations, and the Governor's Office of Emergency Services.

FINANCING:

The fiscal impact of this disaster is still being assessed.

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 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)

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



Date: _____

**PROCLAMATION BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
PROCLAIMING EXISTENCE OF A LOCAL DROUGHT EMERGENCY**

WHEREAS, Government Code Section 8630 empowers the Board of Supervisors to proclaim the existence of a local drought emergency when Inyo County is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment and facilities of this County; and,

WHEREAS, Pursuant to Inyo County Section 2.56.060, the Inyo County Director of Emergency Services has requested the Board of Supervisors to proclaim the existence of a local drought emergency; and,

WHEREAS, California Government Code section 8558 (c) that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the County both incorporated and unincorporated caused by the condition of drought; and,

WHEREAS, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the state; and,

WHEREAS, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions, with 2014 projected to become the driest year on record; and,

WHEREAS, the Governor’s proclamation also noted that the snowpack in California’s mountains is approximately 20 percent of normal average for this date; and,

WHEREAS, the Governor’s proclamation called upon all Californians to reduce their water usage by 20 percent; and,

WHEREAS, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and,

WHEREAS, the snow pack water content in the southern Sierra Nevada measured by California Department of Water Resources snow sensor network indicates that the snow pack water content is currently below that which was present during mid-January in the winter of 1976-1977, the driest winter recorded by the snow sensor network; and,

WHEREAS, the California Department of Water Resources has predicted that for winter 2013-2014, there will be dry conditions in most of California, especially in southern California; and,

WHEREAS, runoff from the Sierra Nevada to the Owens Valley was between 50 percent and 60 percent of normal during runoff-years 2012-2013 and 2013-2014; and,

WHEREAS, the Owens River measured near Big Pine is flowing at 40 percent of its average January flow rate and Bishop Creek currently flowing at 39% of its average January flow rate; and,

WHEREAS, creeks, ditches and ponds in residential areas of Inyo County, including the Bishop area, have dried up due in part to persistent drought conditions; and,

WHEREAS, precipitation measured at Bishop Airport by the National Weather Service during calendar year 2013 was 1.33 inches, which was the lowest since 1947 and 25-percent of normal; and

WHEREAS, the winter of 2013-2014 has so far provided scant precipitation on the Owens Valley floor; and,

WHEREAS, the National Drought Mitigation Center reports that the Owens Valley is in extreme drought and has been in extreme drought conditions for eight (8) or more weeks; and,

WHEREAS, tourism and agriculture are the County's largest economic drivers and persistent drought conditions threaten the territorial economy; and,

WHEREAS, as lakes are drained, resorts, hotels, and businesses that support water-based tourism suffer losses in revenue that will become catastrophic if drought conditions continue; and,

WHEREAS, due to the drought conditions in Inyo County, the County's agricultural production has declined and will further decline in 2014 should the drought conditions persist; and,

WHEREAS, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, including Inyo County, as primary natural disaster areas due to drought which makes farm operators in the designated counties eligible to be considered for certain assistance including emergency loans, from the U.S. Farm Service Agency for production losses; and,

WHEREAS, on January 17, 2014, the California State Water Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water rights holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and,

WHEREAS, numerous domestic wells in the Bishop area have become inoperable due to low groundwater levels, requiring that the wells be replaced which has caused extreme hardship and has forced residents to incur high costs to deepen or replace such wells; and,

WHEREAS, due to the drought conditions and associated water management issues, domestic wells in other areas in Inyo County may experience problems similar to those in the Bishop area if the drought conditions persist; and,

WHEREAS, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the County of Inyo; and,

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED by the Board of Supervisors of the County of Inyo that for the reasons set forth herein, a local drought emergency now exists throughout Inyo County; and,

BE IT FURTHER RESOLVED that federal and state agencies are requested to provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and local governments in Inyo County to help them mitigate the effects of the persistent drought conditions; and,

BE IT FURTHER RESOLVED that Inyo County's water users heed the Governor's request to reduce water usage by 20 percent; and,

BE IT FURTHER RESOLVED that water suppliers and municipalities in Inyo County heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and,

BE IT FURTHER RESOLVED that the Bishop Creek Water Association, the City of Los Angeles Department of Water and Power and other involved agencies, utilities and individuals do whatever they can to equitably allocate the available water to creeks and ditches in the Bishop area to mitigate to the extent possible, the hardships resulting from the dry creeks, wells, ditches, lakes, and ponds; and,

BE IT FURTHER RESOLVED that water associations in Inyo County, the City of Los Angeles Department of Water and Power and other involved agencies, utilities and individuals do whatever they can to equitably allocate the available water to creeks and ditches in Inyo County area to mitigate to the extent possible, the hardships resulting from the dry creeks, wells, ditches, lakes, and ponds; and,

BE IT FURTHER RESOLVED that the City of Los Angeles Department of Water and Power continue discussions with representatives of the County, ranchers and farmers in the Owens Valley, and others with the goal of working together to develop mutually acceptable plans for equitably managing the water resources of the Owens Valley, including setting aside local land management plans and instituting condition and trend monitoring, during this extended drought period and during a period of recovery; and,

BE IT FURTHER RESOLVED that the Great Basin Unified Air Pollution Control District immediately commence discussions with the City of Los Department of Water and Power, representatives of the County, and other involved agencies and individuals to develop and implement alternative dust abatement measures in order to reallocate potable water currently used on Owens Lake to human, agricultural and economic uses elsewhere in the Owens Valley during this drought period; and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local emergency the powers, functions, and duties of the emergency organization of this County shall be those prescribed by State law, by ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the Board of Supervisors of the County of Inyo, State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California, with a request for any and all assistance, including that available under the California Disaster Assistance Act (CDAA); and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local drought emergency, the Inyo County Director of Emergency Services may request the Board of Supervisors to amend this proclamation of a local drought emergency and, if this Board is not in session, to amend this proclamation as necessary and, if this proclamation is amended by the Director of

Emergency Services, this Board shall take action to ratify the amendment within seven days thereafter or the amendment shall have no further force or effect; and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that this Board of Supervisors will review the need for continuing the local drought emergency at least once every 30 days until this Board terminates the local drought emergency.

DECLARED this 28th day of January 2014.

Passed and adopted this 28th day of January 2014, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Supervisor Rick Pucci, Chairman
Inyo County Board of Supervisors

*Attest: KEVIN D. CARUNCHIO
Clerk of the Board*

by: _____
Patricia Gunsolley, Assistant



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 14

Consent X Departmental Correspondence Action Public Hearing
 Scheduled Time Closed Session Informational

FROM: Water Department

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Drought contingency planning

DEPARTMENTAL RECOMMENDATION:

Water Department requests direction regarding engagement with LADWP to develop drought response and recovery plans aimed at working cooperatively with LADWP to anticipate, mitigate, and recover from effects of the current drought.

SUMMARY DISCUSSION:

There is abundant evidence locally, regionally, statewide, and throughout the western US that we are in a severe drought. In 1992, in response to what was at that time a six-year drought, the Inyo/Los Angeles Standing Committee adopted a 'Drought Recovery Policy' to address the need for water table and soil water recovery to promote recovery of native vegetation in Owens Valley. The principal management strategy of the Drought Recovery Policy was to manage groundwater pumping to increase water table elevation and root-zone soil water. The Drought Recovery Policy was useful during the 1990's to promote vegetation recovery. In 2001, the County and LADWP disagreed over whether the Drought Recovery Policy should be terminated. This disagreement is presently unresolved. While the Drought Recovery Policy was laudable in its goals and achieved a considerable measure of success, its scope was limited to recovery of native scrub (shrub lands), meadows, and riparian areas affected by pumping.

The Water Department seeks direction from your Board regarding engagement with LADWP to develop plans for managing Owens Valley water resources during the current drought and during a period of recovery to address a broader range of concerns than addressed by the 1992 Drought Recovery Policy. In addition to managing pumping to protect groundwater-dependent native vegetation, topics that may be addressed are:

- Irrigation and stockwater use;
- Water management effects on private wells;
- Development and implementation of Owens Lake planning;
- Multi-year planning for drought mitigation and recovery;
- Development of annual pumping plans;
- Water supply for mitigation projects;

The Water Department requests direction concerning areas that your Board desires the Water Department to emphasize in drought planning discussions with LADWP.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

LADWP.

FINANCING:

N/A

APPROVALS

COUNTY COUNSEL: N/A	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: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date: _____
PERSONNEL DIRECTOR: N/A	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: _____ Date: _____

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



Date: _____

1/22/14



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

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

FROM: AUDITOR-CONTROLLER
FOR THE BOARD MEETING OF: January 28, 2014
SUBJECT: Update on CalPERS Side Fund Financing

DEPARTMENTAL RECOMMENDATION:

Request Board receive an update on the status of the CalPERS Safety Plan Side Fund Obligation refinancing.

SUMMARY DISCUSSION:

During previous updates, your Board was informed of the several outstanding issues with the Loan agreement between the County and Umpqua Bank. The County's finance team has been actively pursuing a resolution to the outstanding issues however last Friday we came to a stale-mate in regards to the interest rate that would be paid on the "relationship deposit". A request was sent Monday morning to Umpqua Bank requesting a fixed rate loan without a "relationship deposit" however the bank is still in the process putting together an offer.

ALTERNATIVES:

FINANCING:

<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 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 align="center">CPM</p> <p align="right">Approved: <u>1/22/2014</u> 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 align="right">Approved: _____ Date: _____</p>

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

Amy Shepherd

Date: 1/23/2014



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

16

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

FROM: CAO, Sheriff, Public Works

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: County of Inyo Animal Shelter update

DEPARTMENTAL RECOMMENDATION:

- 1.) Respectfully request your Board receive an update regarding the fund raising efforts of the ICARE organization for the construction of new animal shelter facilities.
- 2.) Review the updated construction estimates for Options 1 (2,940 sq.ft.) and option 2 (3,360 sq.ft.)
- 3.) Review the tentative site plans
- 4.) Review the proposed timeline.

COUNTY ADMINISTRATOR RECOMMENDATION:

SUMMARY DISCUSSION:

On December 10, 2013 your Board participated in a workshop related to the proposed Inyo County Animal Shelter project that identified updated funding totaling \$545,000 (County of Inyo \$200,000; Sherriff's Animal Shelter Trust \$175,000 and the ICARE Organization \$170,000). Recent ICARE fund raising efforts have generated an additional \$55,000 bringing the total available funding to \$600,000. Concurrently, Public Works staff has been developing revised construction estimates for options 1 and 2 and their respective tentative site plans. These efforts have resulted in net reductions of \$39,000 to both options 1 and 2, reducing construction cost estimates to \$544,800 and \$662,400 respectively. Detailed construction cost estimates will be provided during the meeting.

ALTERNATIVES:

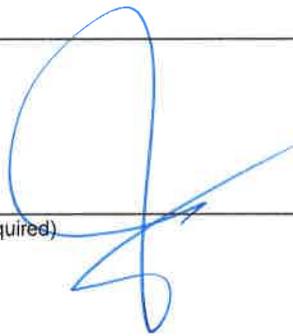
OTHER AGENCY INVOLVEMENT:

FINANCING:

<u>APPROVALS</u>	
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>
COUNTY COUNSEL:	AGREEMENTS, PURCHASES, CONTRACTS, RESOLUTIONS 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)
(The Original plus 20 copies of this document are required)



Date: 1/20/14



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

17

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

FROM: Personnel/Assessor

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Waive the first reading of Ordinance

DEPARTMENTAL RECOMMENDATION:

Request Board A) conduct a **public hearing** on an ordinance titled "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding Members of the Board of Supervisors" which will increase the Assessor's salary from \$7,807 to \$8,585 per month; and B) waive the first reading of the ordinance and schedule the enactment for 11:30 a.m., Tuesday, February 4, 2014, in the Board of Supervisors Room, at the County Administrative Center in Independence.

SUMMARY DISCUSSION:

Based on direction from your Board on January 14, 2014 it is requested that you conduct a public hearing on the ordinance entitled "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected Officials, Excluding Members of the Board of Supervisors," which will increase the salary of the Assessor to \$8,587.00 per month; and waive the first reading and set February 4, 2014 for enactment.

ALTERNATIVES:

Your Board could choose to not enact the ordinance and direct staff to begin the process otherwise.

OTHER AGENCY INVOLVEMENT:

County Counsel, Personnel

FINANCING:

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: <u>by KE</u> Date: <u>1/23/14</u>

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

received) Aue Dishon

Date: 1/23/14

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

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE CALIFORNIA, AMENDING SECTION 2.88.040 OF THE INYO COUNTY CODE TO PROVIDE FOR INCREASES IN THE SALARY FOR CERTAIN ELECTED COUNTY OFFICIALS, EXCLUDING MEMBERS OF THE BOARD OF SUPERVISORS

The Inyo County Board of Supervisors do ordain as follows:

SECTION I: Authority

Government Code Section 25300 provides that the Board of Supervisors may set the compensation for elected officials by ordinance.

SECTION II: Purpose

The Board of Supervisors for the County of Inyo enacted section 2.88.040 of the Inyo County Code, which sets compensation to be received by elected county officials, excluding members of the Board of Supervisors. By this ordinance, the Board intends to provide for increases in the salary for certain elected officials.

SECTION III: Section 2.88.040 Amended to provide for increases in the salary for certain elected officials, excluding the Board of Supervisor.

Chapter 2.88, section 2.88.040 A. of the Inyo County Code is amended to read as follows:

- A. Salary: Salaries for each Elected Official listed below shall be paid in accordance with the procedures used to pay all other county officers and employees, as follows:

Title	July 18, 2013 through March 12, 2014	March 13, 2014 and on
Assessor	\$7,807.00	\$8,587.00
Auditor/ Controller	\$8,587.00	\$8,587.00
Clerk/Recorder	\$7,307.00	\$7,307.00
Coroner	\$2,040.00	\$2,040.00
District Attorney	\$11,333.00	\$11,333.00
Public Administrator	\$5,271.00	\$5,271.00
Sheriff	\$10,699.00	\$10,699.00
Tax Collector/Treasurer	\$7,807.00	\$7,807.00

SECTION IV: Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION V: 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 _____ day of _____, 2014,
by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Chairperson, Inyo County Board of Supervisors

ATTEST: Kevin Carunchio
Clerk of the Board

By: _____
Patricia Gunsolley
Assistant Clerk of the Board



**AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO**

For Clerk's Use Only:
AGENDA NUMBER

18

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

FROM: Inyo County Planning Department/Planning Commission

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Road Abandonment No. 2013-02/Oney

DEPARTMENTAL RECOMMENDATION: Requests the Board of Supervisors:

- 1) Conduct a Public Hearing on a proposed resolution entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring the Vacation and Abandonment of That Portion of Birch Street in the Community of Bishop; and
- 2) Adopt the attached Resolution.

SUMMARY DISCUSSION: The applicants Troy and Susie Oney have requested a road abandonment of an approximate 7,985-sq.ft section of Birch Street located in the community of Bishop. The portion proposed to be abandoned is a dead-end street. The applicant is seeking this Road Abandonment to allow the continued use of the area for the recycling center that is currently housed there. Attached is Exhibit A to the proposed Resolution, indicating the Oney's proposal.

At the January 7, 2014 meeting of the Board of Supervisors, the Board adopted a Resolution entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring its Intent to Vacate That Portion of Birch Street and Setting and Providing Notice of a Public Hearing on Said Vacation." This Notice of Intent was posted and published in accordance with California Streets and Highways Code Sections 8321, 8322, and 8323.

The proposed Resolution declares the vacation and abandonment of the aforementioned County right-of-way. Should your Board adopt the proposed Resolution, the Vacation shall be complete upon closure of the required 15-day appeal period.

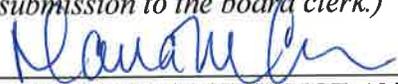
ALTERNATIVES:

- Do NOT adopt the attached Resolution vacating said portion of Birch Street within the community of Bishop. This alternative is not recommended, as the road is unnecessary since it is a dead-end street and will not restrict access to any parcels.

OTHER AGENCY INVOLVEMENT: Inyo County Road Department

FINANCING: No direct impact.

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>  1/20/14
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: 1/22/14

Attachments:

- (1) Proposed Board Resolution
- (2) Vicinity Map, Exhibit Map, and Legal Description
- (3) Board of Supervisors Resolution No. 2014-~~02~~
- (4) Planning Commission Resolution No. 2013-03
- (5) Planning Commission Staff Report

RESOLUTION NO. 2014 - ____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, DECLARING THE VACATION AND ABANDONMENT OF THAT PORTION OF BIRCH STREET IN THE COMMUNITY OF BISHOP

WHEREAS, it appears to be in the best interest of the County of Inyo to abandon certain public roadways or portions thereof, hereinafter described; and

WHEREAS, on January 7, 2014 this Board adopted Resolution No. 2014-XX and thereby declared its intent to vacate that portion of Birch Street in West Bishop, and set a date of January 28, 2014, and a time of 11:30 a.m., for a public hearing before this Board on the issue of said vacation; and

WHEREAS, this Board finds that notice of the hearing set by Resolution No. 2014-XX was duly given by the publication and posting of that Resolution, in accordance with its terms; and

WHEREAS, on January 28, 2014 this Board conducted the hearing set by Resolution No. 2014-XX and there at heard testimony and considered written evidence as to the need and reasons for vacating that portion of Birch Street; and

WHEREAS, the Board of Supervisors of Inyo County, California, has found and determined it is desirable and in the public interest to vacate that portion of Birch Street; and

WHEREAS, the vacation of said roadway will not eliminate required access to contiguous properties.

NOW, THEREFORE, BE IT RESOLVED this Board finds from all of the evidence submitted that: a) the approximate 7,985-sq.ft section of Birch Street more specifically described as, All that portion Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Reorder of the County of Inyo, State of California on the 7th day of November, 1956.; b) the vacation of said roadway will not cut off necessary access to any contiguous parcels; c) the portion of said roadway and the underlying right-of-way are not useful as a non-motorized transportation facility; and, d) this portion of Birch Street is therefore unnecessary for present or prospective access.

BE IT FURTHER RESOLVED AND ORDERED, by the Board of Supervisors, County of Inyo, State of California, that it adopts and incorporates herein the

recitals and findings set forth above and below and for the reasons stated herein, hereby vacates that portion of Birch Street described in Exhibit A attached to this Resolution.

BE IT FURTHER RESOLVED, that this Board of Supervisors adopts the following findings and conditions of approval for Road Abandonment #2014-XX:

REQUIRED FINDINGS

1. Find that the project does not conflict with nor is it contrary to the Inyo County General Plan's goals and policies.

[Evidence: This project does not conflict with the Inyo County General Plan. On December 4, 2013 the Inyo County Planning Commission adopted Resolution No.2013-XX in which the Commission found the proposed abandonment to be in conformance with the General Plan.

2. Find that the Zoning and General Plan boundaries will extend from to south boundary of the parcel of land (APN 011-154-01) located directly north of the area to be abandoned to the south boundary of the area of abandonment.

[Evidence: Inyo County Code Section 18.03.090 gives the Board of Supervisors the authority to determine the boundaries of any district. By extending the boundary to the incorporate the entire area being abandoned ensures that the abandoned portion of road will remain consistent with the General Plan and Zoning designations of the adjacent parcels.]

CONDITIONS OF APPROVAL FOR ROAD ABANDONMENT #2013-02/ONEY

1. **Hold Harmless:**

As a condition of approval of Road Abandonment #2013-02/Oney, the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County (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 Road Abandonment #2013-02/Oney.

BE IT FURTHER that the Clerk of this Board shall cause a certified copy of this Resolution of Vacation, attested by the Clerk under seal, to be recorded in accordance with Streets and Highways Code section 8325.

PASSED AND ADOPTED ON THIS 28th DAY OF JANUARY, 2014, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

W LINE ST

MEADOW LN

Proposed area of Birch Street
to be abandoned

BIRCH ST

BIRCH ST

N TUMBLEWEED RD

CEDAR ST

W. Line

SR 168

MS
8/2013

Manor
Market

APN 011-158-06
Oney

280'

20' R
TYP.

60'

Lot "D"

60'

APN 011-154-01
Oney

130'

Meadows Lane

Birch
St

Lot "C"

Lot "A"

EXHIBIT "A"

All that portion of Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Recorder of the County of Inyo, State of California on the 7th day of November, 1956.

Andrew Boyd



RESOLUTION NO. 2014 - 02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, DECLARING ITS INTENT TO VACATE THAT PORTION OF BIRCH STREET IN THE COMMUNITY OF BISHOP AND SETTING AND PROVIDING NOTICE OF A PUBLIC HEARING ON SAID VACATION

WHEREAS, on August 19, 2013, an application to vacate that portion of Birch Street in the community of Bishop, CA was submitted to the County by Troy D. and Susie A. Oney; and

WHEREAS, on December 4, 2013 the Planning Commission found that the road vacation proposed by the applicant is consistent with the Inyo County General Plan, pursuant to Government Code Section 65402, and the California Environmental Quality Act, and adopted a Resolution recommending that the Board of Supervisors approve said abandonment and that the applicant indemnify and hold the County harmless for and from any action associated with said approval; and

WHEREAS, an abandonment shall be conducted pursuant to Chapter 3, Part 3, Division 9 of the California Streets and Highways Code, which permits the Board of Supervisors to initiate proceedings to vacate a County right-of-way by declaring its intent to vacate said right-of-way and setting a hearing on the proposed vacation, by order.

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors hereby declares its intent to vacate portions of County right-of-ways described as follows:

All that portion Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Reorder of the County of Inyo, State of California on the 7th day of November, 1956.

BE IT FURTHER RESOLVED, that in accordance with Chapter 3, Part 3, Division 9 of the California Streets and Highways Code, this Board of Supervisors hereby sets a hearing on the aforementioned proposed roadway vacation to be conducted before it on the 28th day of January, 2014, at 11:30 a.m., in the Board of Supervisors Room, County Administrative Center, Independence, California; and

BE IT FURTHER RESOLVED that this Notice of Intent shall be posted and published in accordance with California Streets and Highways Code Sections 8321, 8322, and 8323.

PASSED AND ADOPTED ON THIS 7th DAY OF JANUARY, 2014 BY THE FOLLOWING VOTE:

AYES: Supervisors Arcularius, Griffiths, Pucci, Tillemans and Kingsley

NOES: -0-

ABSTAIN: -0-

ABSENT: -0-



Inyo County Board of Supervisors

ATTEST:
KEVIN CARUNCHIO
Clerk of the Board

By: 
Pat Gunsolley, Assistant

RESOLUTION NO. 2013-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, FINDING THAT PROPOSED ROAD ABANDONMENT #2013-02/ONEY IS IN CONFORMANCE WITH THE INYO COUNTY GENERAL PLAN AND RECOMMENDING THAT THE INYO COUNTY BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND APPROVE ROAD ABANDONMENT 2013-02/ONEY, SUBJECT TO CERTAIN CONDITIONS

WHEREAS, on August 19, 2013, the County of Inyo received an application to abandon a County right-of-way described as: All that portion of Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Recorder of the County of Inyo, State of California on the 7th day of November, 1956.; and

WHEREAS, such an abandonment may be conducted pursuant to Chapter 3 of Part 3 of Division 9, commencing with Section 8320, of the Streets and Highways Code; and

WHEREAS, Government Code Section 65402 requires a proposed street abandonment to first be reviewed by the Planning Commission for a determination as to the proposal's conformance with the County General Plan; and

WHEREAS, the Planning Commission has found that the proposed road abandonment is consistent and in conformance with the Inyo County General Plan; and

WHEREAS, in accordance with the conditions necessary to identify viable candidates for street abandonment, the Planning Commission has determined the subject streets are not the sole route of access for any property in the vicinity and that the abandonment of said roadways will not cut off required access to contiguous properties; and

WHEREAS, the Inyo County Planning Department completed an Initial Study and Environmental Checklist and Draft Negative Declaration of Environmental Impact pursuant to California Environmental Quality Act (CEQA) concerning the application of Road Abandonment 2013-02/Oney; and

WHEREAS, the Inyo County Planning Department circulated said Initial Study and Draft Negative Declaration of Environmental Impact for a 30-day public review period as required by Section 15.32.060 of Inyo County Code, commencing on October 11, 2013, and ending on November 12, 2013; and

WHEREAS, the Inyo County Planning Commission held a public hearing on December 4, 2013, to review and consider a request for the approval of Road Abandonment 2013-02/Oney, and considered the staff report for the application and all oral and written comments regarding the application.

NOW, THEREFORE, BE IT RESOLVED, that, based on all of the written and oral comment and input received at the December 4, 2013, hearing, including the Planning Department Staff Report and the Negative Declaration of Environmental Impact concerning the above described proposed project, this Planning Commission finds Road Abandonment 2013-02/Oney to be in conformance with the Inyo County General Plan and the California Environmental Quality Act; and

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:

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 Road Abandonment #2013-02/Oney; and

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

1. Certify that the subject Draft Negative Declaration of Environmental Impact was prepared and circulated in accordance with CEQA requirements and reflects the County's independent analysis and judgment; the Initial Study, along with all other information in the record, shows that there is no substantial evidence that Road Abandonment N0. 2013-02 will have a significant effect on the environment; and, was presented to, and considered by, your Board, and reflects the independent judgment of your Board.
2. Approve Road Abandonment #2013-02/Oney based on all of the information in the public record and on recommendation of the Planning Commission.

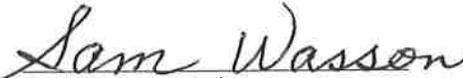
Passed and adopted this 4th day of December, 2013.

AYES: Stoll, Wahrenbrock, Wasson, Corner, Payne

NOES:

ABSTAIN:

ABSENT:


Sam Wasson, Chairperson
Inyo County Planning Commission

ATTEST: Joshua Hart, AICP
Planning Director

By: 
Nolan Bobroff
Secretary of the Commission



**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.:

5 (Action Item – Public Hearing)

**PLANNING COMMISSION
MEETING DATE:**

December 4, 2013

SUBJECT:

Road Abandonment No. 2013-02/Oney

EXECUTIVE SUMMARY

The applicant is requesting a road abandonment of an approximate 7,985-sq.ft section of Birch Street located in the community of Bishop, CA, between tax assessor parcels (APN) #011-158-06 (north) and APN #011-154-01(south). The site is currently being used by the applicant to house a recycling center that is part of the grocery and hardware stores' operations that are located adjacent to it on the north (Manor Market and True Value Hardware, respectively). The portion of street to be abandoned dead-ends at the western terminus of Birch Street. The property directly to the west of the proposed abandonment is currently in a large lot residential use, with two housing units: one located on the northwest and the other on the southwest end of the property. To the south is a residential neighborhood, to the north the grocery and hardware stores and to the east Birch Street. The exhibit map, legal description, and vicinity map are included in Attachment 1.

The Public Streets, Highways, and Service Easements Vacation Law, set forth in Section 8300 et seq. of the California Street and Highway Code, allows a County Board of Supervisors to abandon a road under its jurisdiction upon making certain findings following a public hearing. Section 8313 of the Abandonment Law and Section 65402 of the Government Code, states that before the Board of Supervisors may order such abandonment, the County Planning Commission must review the proposed abandonment and find it is in conformance with the County's General Plan and adopt a resolution of their findings.

PROJECT INFORMATION

Supervisory District: 3

Applicants: Troy D. and Susie A. Oney

Landowner: Inyo County

Address: All that portion of Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision, in Bishop, CA

Community: Bishop, CA

A.P.N.s: N/A

General Plan: N/A

Zoning: N/A

Size of Parcel(s): Section of road to be abandoned is approximately 7,985-sq.ft.

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Recycling center operated by the grocery and hardware stores	N/A	N/A
North	Grocery and hardware stores	Retail Commercial (RC)	General Commercial – 10,000sq.ft.minimum (C1-10,000)
East	Birch Street	N/A	N/A
South	Residential development.	Residential Medium Density (RM)	One Family Residential – 7,200sq.ft. minimum (R1-7,200)
West	Large lot residential.	Retail Commercial (RC)	General Commercial – 10,000sq.ft.minimum (C1-10,000)

Recommended Action: Find that the proposed road abandonment is consistent with the Inyo County General Plan and recommend approval of the proposed abandonment to the Board of Supervisors.

Alternatives: 1) Find the proposed road abandonment to be inconsistent with the Inyo County General Plan, thereby effectively recommending denial of the

proposed road abandonment to the Board of Supervisors.

2) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner:

Cathreen Richards, Senior Planner

PROJECT DESCRIPTION

The applicant is requesting a road abandonment of an approximate 7,985-sq.ft section of Birch Street located in the community of Bishop, CA, between tax assessor parcels APN #011-158-06 (north) and APN #011-154-01(south). The site is currently being used by the applicant to house a recycling center that is part grocery and hardware stores' operations that are located adjacent to it on the north side (Manor Market and True Value Hardware, respectively). The applicant has indicated that this use will continue after the road abandonment. There is only one adjacent property owner, other than the applicant, and they have given their written consent for the proposed road abandonment (Attachment 2). The applicant owns the properties directly to the north and south of the proposed abandonment and the east side is the continuation of Birch Street.

The section of Birch Street proposed to be abandoned has not been given a Zoning or General Plan designation, and the Board of Supervisors is being requested to assign the same Zoning and General Plan designations as the parcel located directly to the north APN #011-158-06, General Commercial (C1) and Retail Commercial (RC) respectively. Once the proposed abandonment is completed, the applicant will complete a Lot Line Adjustment and the entire area of the road abandonment will become part of the lot to the north APN #011-158-06, as shown on the exhibit map. APN #011-158-06 currently has the C1 and RC Zoning and General Plan designations.

STAFF ANALYSIS

Site Description

The Westridge Manor subdivision final map was approved by the Inyo County Board of Supervisors on November 7, 1956. The original recorded subdivision map illustrates this dead-end section of Birch Street as Lot D, originating at the western edge of Meadow Lane and terminating at the eastern edge of APN # 011-250-01; at the southern edge of APN # 011-158-06 and northern edge of 011-154-01. Because of these locational characteristics, this dead-end piece of Birch Street can only provide access to the parcel located directly to the west APN # 011-250-01 (Attachment 1, site map).

General Plan Consistency

Pursuant to Section 65402 of the Government Code, the vacation or abandonment of a road by a public agency must be reviewed by the planning agency for consistency with the general plan. The Planning Commission must make a determination that the

proposed action is consistent with the general plan. While there are no specific General Plan policies within the Inyo County General Plan that apply directly to the vacation or abandonment of a roadway, there are policies within the General Plan relevant to the proposed action.

The policies applicable to this project include:

Policy LU-2.14 - Access: The County shall require that adequate vehicle access is provided to all neighborhoods and developments consistent with the intensity of residential development.

Discussion: The portion of Birch Street proposed to be abandoned, currently dead-ends at the eastern property line of a single parcel of land that is currently being used for large-lot residential. Currently, this parcel cannot be accessed by Birch Street. The access entry to the parcel from Birch Street is blocked by a fence and mature trees. The residents who live on the property located to the west use Tumbleweed Road on the south and West Line Street/Highway 168 on the north. Access to the rest of the Westridge Manor subdivision will not be affected by the proposed road abandonment, as Birch Street will continue to connect to Meadow Lane and Mesquite Road that provide north – south access to the subdivision. The commercial property located to the north of the proposed abandonment will also not be affected as it is accessed by West Line Street/Highway 168 from the north and Meadow Lane from the east.

Policy LU-3.2:

Retail Commercial Designation (RC): This designation provides for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses.

Discussion: The future use of the area of Birch Street proposed to be abandoned will continue as it is now, to house a recycling center that is currently part of the grocery and hardware stores' operations that are located to the north. These uses are consistent with the above policy and the RC designation as it is being used as part of a retail commercial operation and will eventually be part of the same parcel (after a subsequent Lot Line Adjustment) that the grocery and hardware stores are located on.

Zoning Ordinance Consistency

18.03.090 Zoning map—Boundary uncertainty: Wherever any uncertainty exists as to the boundary of any district as shown on the zoning map, the county supervisors, upon written application, or upon its own motion, shall determine the location of said boundary. (Ord. 943 § 4, 1994.)

Discussion: The County has not applied a Zoning designation to this particular section of road, therefore, there is uncertainty of the Zoning boundary with regard to the area proposed for the road abandonment, and the Board is being asked to determine the location of said boundary. A designation of C1 is being requested to coincide with the current uses on the area of the proposed road abandonment, as well as, to the final parcel

configuration. Once the road abandonment is finalized, the applicant will complete a Lot Line Adjustment, allocating the area of the road abandonment to the parcel located directly to the north that currently has the C1 Zoning designation. By designating the area of the road abandonment C1, the eventual parcel will have consistent Zoning throughout.

Access/Traffic

The portion of Birch Street proposed to be abandoned is a dead-end street that terminates at the eastern property line of the parcel located directly to the west. This is the only property that this section of Birch Street can provide access to and this potential access is currently blocked by a fence and mature trees. This property is currently accessed by Tumbleweed Road from the south and West Line Street/Highway 168 from the north. There are no current plans to change or limit these access points to the property, therefore, there will be no loss of current access to the property if the road abandonment is completed.

Public Services

Sewer:	Eastern Sierra Community Services District
Water:	Indian Creek-Westridge Community Service District
Fire:	Bishop Rural Fire Protection
Law Enforcement:	Inyo County Sheriff

The Eastern Sierra Community Service District and the Indian Creek-Westridge Community Service Districts were contacted by staff to see if there would be any infrastructure access or service easement issues if the road abandonment were completed. The Eastern Sierra Community Service District stated that they had no issues and the Indian Creek-Westridge Community Service District stated that unless building is to occur on the site of the road abandonment there are no issues. If in the future, the owners decide to expand or build new, they will need to coordinate with the Indian Creek-Westridge Community Service District to avoid conflicts with valves that are part of the water infrastructure, located on the property.

The Bishop Rural Fire Protection District and the Inyo County Sheriff's department were also contacted by staff regarding potential access issues. Bishop Rural Fire stated that the road abandonment will not have a negative effect on emergency service provision and the Sheriff's Department had no comments.

ENVIRONMENTAL REVIEW

A Draft Negative Declaration was prepared by the Planning Department and circulated for public review on October 11, 2013. The Negative Declaration identified one potential impact (loss of vehicle access) that would not exceed thresholds of significance. The public review and comment period was for 30-days and ended on November 12, 2013. As of November 19, 2013 no comments regarding the Negative Declaration were received.

RECOMMENDATIONS

Staff recommends the Planning Commission adopt the attached resolution, to be transmitted to the Board of Supervisors, with the following findings and conditions of approval:

Recommended Findings:

1. Based on substantial evidence in the record, proposed Road Abandonment No. 2013-02 is consistent with the Goals and Policies of the Inyo County General Plan.
2. A Draft Negative Declaration of Environmental Impact was prepared and circulated in accordance with the California Environmental Quality Act and reflects the County's independent analysis and judgment. The Initial Study, along with all other information in the record, shows that there is no substantial evidence that the Road Abandonment NO. 2013-02 will have a significant effect on the environment.

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 Road Abandonment #2013-02/Oney.

Attachments:

- 1) Exhibit Map, Legal Description & Vicinity Map
- 2) Consent to Road Abandonment
- 3) Planning Commission Resolution No. 2013-
- 4) Draft Negative Declaration

Attachment 1. Exhibit Map, Legal Description & Vicinity Map

W. Line

SR 168

Manor Market

APN 011-158-06
Oney

280'

NS
N.T.S.
8/2013

Meadows Lane

20' R
TYP.

60'

Lot "D"

Birch St

Lot "C"

69'

APN 011-154-01
Oney

Lot "A"

130'

10'

EXHIBIT "A"

All that portion of Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Recorder of the County of Inyo, State of California on the 7th day of November, 1956.

Andrew Boyd



W LINE ST

MEADOW LN

Proposed area of Birch Street
to be abandoned

BIRCH ST

BIRCH ST

N TUMBLEWEED RD

CEDAR ST

bing

©2012 InterAtlas State of Michigan; Sources: Esri, DigitalGlobe, GeoEye, IGN, GeoEye, Inc, USDA, USGS, AEX, Geomatics, AeroGRID, IGN, ISP, swisstopo, and the GIS User Community

Attachment 2. Consent to Road Abandonment

Date: 8/28/13

To:
Inyo County Planning Department
PO Drawer L
Independence, CA 93526

From:
Leslie J. Manzonie
Property Owner

APN: 011-250-01

Parcel Address:
3184 W. Line St.
Bishop, CA 93514

Dear Inyo County Planning Department:

I hereby extend my permission for the applicant to pursue Road Abandonment No. RA 2013-02/Oney.

Leslie Manzonie
Signed

Leslie Manzonie
Printed Name

Mailing Address:
3184 West Line
Bishop Ca

Attachment 3. Planning Commission Resolution No. 2013-

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, FINDING THAT PROPOSED ROAD ABANDONMENT #2013-02/ONEY IS IN CONFORMANCE WITH THE INYO COUNTY GENERAL PLAN AND RECOMMENDING THAT THE INYO COUNTY BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND APPROVE ROAD ABANDONMENT 2013-02/ONEY, SUBJECT TO CERTAIN CONDITIONS

WHEREAS, on August 19, 2013, the County of Inyo received an application to abandon a County right-of-way described as: All that portion of Birch Street lying west of Meadow Lane and shown as Lot D of the Westridge Manor Subdivision recorded and filed in Book 2 of Maps, Page 6, in the office of the County Recorder of the County of Inyo, State of California on the 7th day of November, 1956.; and

WHEREAS, such an abandonment may be conducted pursuant to Chapter 3 of Part 3 of Division 9, commencing with Section 8320, of the Streets and Highways Code; and

WHEREAS, Government Code Section 65402 requires a proposed street abandonment to first be reviewed by the Planning Commission for a determination as to the proposal's conformance with the County General Plan; and

WHEREAS, the Planning Commission has found that the proposed road abandonment is consistent and in conformance with the Inyo County General Plan; and

WHEREAS, in accordance with the conditions necessary to identify viable candidates for street abandonment, the Planning Commission has determined the subject streets are not the sole route of access for any property in the vicinity and that the abandonment of said roadways will not cut off required access to contiguous properties; and

WHEREAS, the Inyo County Planning Department completed an Initial Study and Environmental Checklist and Draft Negative Declaration of Environmental Impact pursuant to California Environmental Quality Act (CEQA) concerning the application of Road Abandonment 2013-02/Oney; and

WHEREAS, the Inyo County Planning Department circulated said Initial Study and Draft Negative Declaration of Environmental Impact for a 30-day public review period as required by Section 15.32.060 of Inyo County Code, commencing on October 11, 2013, and ending on November 12, 2013; and

WHEREAS, the Inyo County Planning Commission held a public hearing on December 4, 2013, to review and consider a request for the approval of Road

Abandonment 2013-02/Oney, and considered the staff report for the application and all oral and written comments regarding the application.

NOW, THEREFORE, BE IT RESOLVED, that, based on all of the written and oral comment and input received at the December 4, 2013, hearing, including the Planning Department Staff Report and the Negative Declaration of Environmental Impact concerning the above described proposed project, this Planning Commission finds Road Abandonment 2013-02/Oney to be in conformance with the Inyo County General Plan and the California Environmental Quality Act; and

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:

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 Road Abandonment #2013-02/Oney; and

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

1. Certify that the subject Draft Negative Declaration of Environmental Impact was prepared and circulated in accordance with CEQA requirements and reflects the County's independent analysis and judgment; the Initial Study, along with all other information in the record, shows that there is no substantial evidence that Road Abandonment N0. 2013-02 will have a significant effect on the environment; and, was presented to, and considered by, your Board, and reflects the independent judgment of your Board.
2. Approve Road Abandonment #2013-02/Oney based on all of the information in the public record and on recommendation of the Planning Commission.

Passed and adopted this 4th day of December, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

Sam Wasson, Chairperson
Inyo County Planning Commission

ATTEST: Joshua Hart, AICP
Planning Director

By: _____
Nolan Bobroff
Secretary of the Commission

Attachment 4. Draft Negative Declaration



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

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Road Abandonment 2013-02/Oney

PROJECT LOCATION: The project site is a section of Birch Street in the community of Bishop, CA, located between tax assessor parcels (APN) #011-158-06 (north) and APN #011-154-01(south)

PROJECT DESCRIPTION: The applicant is asking the County Board of Supervisors to abandon a section of Birch Street in the community of Bishop, CA. The site is currently being used by the applicant as a recycling center and a storage area for the grocery and hardware stores located to the north of it.

FINDINGS:

An Initial Study and Evaluation of Potential Impacts has been prepared by the Planning Department (attached). Staff finds that the proposed project will **NOT** have a significant adverse impact on the environment for the following reasons:

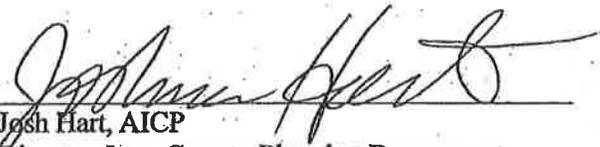
- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.
The proposed project is consistent with the County General Plan, as the County does not give roads General Plan designations; therefore, it currently has no designation, but will be given one upon the completion of the Road Abandonment. This designation will be based on the current use of the property that will not change as a result of the road abandonment.
- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.
The proposed project is consistent with the County Zoning Ordinance, as the County does not give roads zoning designations; therefore, it currently has no designation, but will be given one upon the completion of the Road Abandonment. This designation will be based on the current use of the property that will not change as a result of the road abandonment.
- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.
Based on the information provided by the applicant and staff's review the road abandonment will eliminate an access point to this property by the owner and emergency responders. This impact will not exceed thresholds of significance, however, due to the existence of two additional access points to the property. The current uses, on the area of the proposed road abandonment, include a recycling center and storage for the grocery and hardware stores located to the north of it. These uses can create odors, potentially affect water quality standards with runoff, and will require utility easements to be transferred as part of the road

abandonment process. These impacts will not exceed thresholds of significance, however, as the project proposal does not include plans to build, change, or intensify the current use or activities on the site.

D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day review period for this Negative Declaration expires on November 12, 2013. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Cathreen Richards if you have any questions regarding this project.


Josh Hart, AICP
Director, Inyo County Planning Department

10/9/13
Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside

document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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

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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. **Project title:** Road Abandonment (RA) 2013-02-Oney
2. **Lead agency name and address:** Inyo County Planning Department.
3. **Contact person and phone number:** Cathreen Richards, Senior Planner, (760) 878-0263
4. **Project location:** A section of Birch Street located between Tax Assessor Parcels (APN) #011-158-06 (north) and APN #011-154-01(south), in Bishop, CA
5. **Project sponsor's name and address:** Troy D. and Susie A. Oney
6. **General Plan designation:** N/A Inyo County does not give General Plan designations to streets. At the completion of the RA 2013-02-Oney the property will be given the designation of Retail Commercial (RC) to match the designation of parcel #011-158-06 that it will ultimately be combined with, and based on the current uses that will not change as a result of the RA.
7. **Zoning:** N/A Inyo County does not give Zoning designations to streets. At the completion of the RA 2013-02-Oney the property will be given the designation of General Commercial Retail - 10,000 sq. ft. minimum (C1-10,000) to match the designation of parcel #011-158-06 that it will ultimately be combined with, and based on the current uses that will not change as a result of the RA.
8. **Description of project:** The applicant is asking the Inyo County Board of Supervisors to abandon a section of Birch Street located between assessor parcels (APN) #011-158-06 (north) and APN #011-154-01(south), in Bishop, CA. Upon completion of the road abandonment the applicant is requesting a lot line adjustment to include the area of the abandoned road to the parcel on the north APN #011-158-06. Currently the area proposed to be abandoned is being used by the applicant as a storage area and recycling center that is part of the grocery and hardware stores located on parcel APN # 011-158-06. The applicant has stated that this use will continue unchanged.
9. **Surrounding land uses and setting:** Briefly describe the project's surroundings:
The area proposed to be abandoned is surrounded on the north by a grocery and a hardware store; on the south by a residential neighborhood; on the east by Birch Street and west by a 4-acre lot currently with 2 single family homes located on the west side of the parcel furthest from the proposed area of the road abandonment.

Location:	Use:	Gen. Plan Designation	Zoning
Site	Storage for grocery and hardware stores and a recycling center	N/A	N/A
North	Grocery and hardware stores	Retail Commercial (RC)	General Commercial – 10,000sq.ft.minimum (C1-10,000)
East	Birch Street	N/A	N/A
South	Residential development.	Residential Medium Density (RM)	One Family Residential – 7,200sq.ft. minimum (R1-7,200)
West	Large lot residential.	Retail Commercial (RC)	General Commercial – 10,000sq.ft.minimum (C1-10,000)

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Inyo County Department of Public Works; Indian Creek Water District.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics Resources	<input type="checkbox"/> Agriculture & Forestry	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



10/10/13

Date

Inyo County Planning Department

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>No, the location and surrounding area of the proposed road abandonment is currently developed with residential and commercial uses and will not have an adverse effect on a scenic vista.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>No, the location and surrounding area of the proposed road is currently developed with residential and commercial uses and will not damage scenic resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>No, the location and surrounding area of the proposed road is currently developed with residential and commercial uses and will not degrade the existing visual character or quality of the site or its surroundings.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>No, the current use and activities taking place on the area of the proposed road abandonment will not change, and will not create a new source of substantial light or glare and it is not in a view shed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the area of the proposed road abandonment is not on farmland and will not convert an agriculture use to a non-agricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the area of the proposed road abandonment is not on land that is zoned for agricultural use; there are no Williamson Act Contracts in Inyo County.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the area of the proposed road abandonment does not include forest land or timber land.

d) Result in the loss of forest land or conversion of forest land to non-forest use?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the area of the proposed road abandonment does not include forest land.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the area of the proposed road abandonment does not include farm land or forest land.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the project consists of a road abandonment, there is no proposal to build or to change the current use or activities on the site that would conflict with an air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the project consists of a road abandonment, there is no proposal to build or to change the current use or activities on the site that would cause a violation of an air quality standard.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
 Potentially Significant Impact Significant With Mitigation Incorporation Less Than Significant Impact No Impact
No, the project consists of a road abandonment, there is no proposal to build or to change the current use or activities on the site that would cause a net increase in air pollutants.

	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations? <i>No, the project consists of a road abandonment, there is no proposal to build or to change the current use or activities on the site that would expose sensitive receptors to substantial pollutant concentrations.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people? <i>No. The section of road proposed to be abandoned currently houses a recycling center and storage area for the grocery and hardware stores, located to the north, that at certain times of the year includes garden fertilizers and other landscaping materials. Both of these uses can create objectionable odors. However, since the project consists of a road abandonment, with no proposal to build, change, or intensify the current use or activities on the site there will there will be no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? <i>No, the project consists of a road abandonment. The site and surrounding area are already developed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? <i>No, the project consists of a road abandonment. The site and surrounding area already developed. Additionally, there is no riparian habitat on the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? <i>No, the project consists of a road abandonment. The site and surrounding area already developed. Additionally, there are no wetlands on the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i>No, the project consists of a road abandonment. The site and surrounding area already developed. There will be no interference with fish or wildlife species.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i>No, the project will not conflict with any local policies or ordinances including a tree preservation policy or ordinance.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	<input type="checkbox"/>	Significant With Mitigation Incorporation	<input type="checkbox"/>	Less Than Significant Impact	<input type="checkbox"/>	No Impact	<input checked="" type="checkbox"/>
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No, the project area is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is within an area that is already developed; and therefore, will not cause an adverse change in the significance of a historical resource as defined in Section 15064.5.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is within an area that is already developed; and therefore, will not cause an adverse change in the significance archaeological resource pursuant to Section 15064.5

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is within an area that is already developed; and therefore, will not directly or indirectly destroy a unique paleontological resource.

d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is on already developed land; and therefore, will not disturb human remains.

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is not located within, or in the vicinity of a known fault zone.

ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Ground shaking may occur anywhere in the region, due to numerous earthquake faults, regardless of whether the project site is within an identified Alquist-Priolo zone. The Uniform Building Code ensures that future structures shall be constructed to required seismic standards (Level IV) in order to withstand such shaking, and so this potential impact is considered less than significant.

iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No the project area is not within an area of soils know to be subject to liquefaction.

iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is not subject to landslides.

b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is a proposed road abandonment of an already developed site and will not result in soil erosion or the loss of topsoil.

c) Be located on a geologic unit or soil that is unstable,

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No, the project is a proposed road abandonment that is not located on a geologic unit or soil that is unstable. The project will not require grading or any other earth movement that could cause the site to become unstable.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No, the project area is not located in an area with a known expansive soil type.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No, the project will not require septic tanks or alternative wastewater disposal systems.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

No, the project is a road abandonment that does not include building plans or changes to the current use or activities on the site that will generate additional greenhouse gases.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No, the project is a road abandonment that does not include building plans or changes to the current use or activities on the site that could cause it to conflict with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No, the project is a road abandonment that does not include building plans or changes to the current use or activities on the site that include the transport, use or disposal of hazardous materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No, the project is a road abandonment that does not include building plans or changes to the current use or activities on the site that involve hazardous materials.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No, the project is a road abandonment that does not include building plans or changes to the current use or activities on the site that will emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste.

d) Be located on a site which is included on a list of

Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No, the project location is not included on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No, the project site is not located within two miles of an airport or within an airport land use plan.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No, the project site is not within the vicinity of a private airstrip.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No, although the road abandonment will eliminate an access point to the property located to the west, will not interfere with an adopted emergency response plan or emergency evacuation plan as there are two additional access points to this property. One is located to the south of it off Tumbleweed Road and the other on the north from West Line Street/Highway-168.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No, the road abandonment will not expose people or structures to wildland fires.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?

No. The area of the proposed road abandonment, houses a recycling center and storage area for the grocery and hardware stores, located to the north, that at certain times of the year includes garden fertilizers and other landscaping materials. Both of these uses could cause issues with water runoff. However, since the project consists of a road abandonment, with no proposal to build, change, or intensify the current use or activities on the site there will be no impact.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No, the proposed project is a road abandonment that will have no effect on groundwater supplies or interfere with ground-water recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would

Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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result in substantial erosion or siltation on- or off-site?
No, the proposed project is a road abandonment with no proposal for additional development or changes in the current uses on the site; and therefore, will not alter existing drainage patterns.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

No, the proposed project is a road abandonment with no proposal for additional development or changes in the current uses on the site; and therefore, will not alter existing drainage patterns.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No, the proposed project is a road abandonment with no proposal for additional development or changes in the current uses on the site; and therefore, will not change or contribute to the current amount of runoff water.

f) Otherwise substantially degrade water quality?

No, the proposed project is a road abandonment with no proposal for additional development or changes in the current uses on the site; and therefore, has no potential to degrade water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No, the proposed project does not include building housing, nor is it in a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No, the proposed project does not include building structures, nor is it in a 100-year flood hazard area.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No, the proposed project is not in an area subject to flooding due to the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?

No, the proposed project is not in an area subject to seiches, tsunamis, or mudflows.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

No, the proposed road abandonment is a site that is already developed. It is located at the west end of Birch Street that dead ends at large and mostly open lot. This lot can be accessed from the south off of Tumbleweed Road and to the north by West Line Street/Highway-168. To the north of the proposed road abandonment are grocery and hardware stores that front West Line Street/Highway-168 and Birch Street, to the south is a residential neighborhood. The road abandonment will not take access from any of these areas or include building that could create a barrier to them, nor will change the current use pattern; and therefore, will not physically divide the community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance)

Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed road abandonment and subsequent Lot Line Adjustment will follow the County's General Plan and Zoning code through the assignment of appropriate designations, based on the current uses at the site, and the designations of the surrounding properties once the road abandonment is complete. The project eliminates one access point to the property located to the west, however, since there are another access points to the property, one is located on the south side of the property from Tumbleweed Road, and the other is off West Line Street/Highway-168. Therefore, the project is consistent with both County and CalTrans policies.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No, the proposed road abandonment is not in an area subject to a natural community or conservation plan.

XI. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No, there are no known minerals at the project location.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No, there are no known minerals at the project location.

XII. NOISE: Would the project result in the:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

No, the road abandonment will not create additional noise generation at the proposed project location.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

No, the road abandonment will not create additional noise generation at the proposed project location.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No, the road abandonment will not create additional noise generation at the proposed project location.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No, the road abandonment will not create additional noise generation at the proposed project location.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No, the road abandonment is not located within an airport land use plan or within two-miles of public/public use airport.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in

Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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the project area to excessive noise levels?

No, the road abandonment will not create additional noise generation at the proposed project location nor is it in the vicinity of an airstrip.

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No, the road abandonment does not include proposals for the creation of new homes or businesses, nor will it create new roads or new access to roads, or other infrastructure opportunities.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No, the road abandonment will not displace existing housing or create a situation where replacement housing will be necessary.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No, the road abandonment will not displace people, or create a situation where replacement housing will be necessary.

XIV. PUBLIC SERVICES: Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

The road abandonment will eliminate access from Birch Street to the property located to the west. There are; however, other available access points to the property. Tumbleweed Road from the south and West Line Street/State Highway-168 from the north both provide access to this property that the Bishop Rural Fire Department can use to access the site.

Police protection?

The road abandonment will eliminate access from Birch Street to the property located to the west. There are; however, other available access points to the property. Tumbleweed Road from the south and West Line Street/State Highway-168 from the north both provide access to this property that the County Sheriff can use to access the site.

Schools?

No, the road abandonment will not impact the Bishop School District, as it does not include development or a change of current uses at the site.

Parks?

No, the road abandonment will not impact County or City of Bishop parks, as it does not include development or a change of current uses at the site.

Other public facilities?

No, the road abandonment will not create a need for additional public services, as it does not include development or a change of current uses at the site.

Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No, the road abandonment will not create additional building or bring population to the area that would cause a need for an increase in parks or other recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No, the road abandonment will not create additional building or bring population to the area that would cause a need for an increase in parks or other recreational facilities.

XVI. TRANSPORTATION/TRAFFIC – Would the project:

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

No. The project eliminates one access point to the property located to the west, however, since there are another access points to the property, one is located on the south side of the property from Tumbleweed Road, and the other is off West Line Street/Highway-168. Therefore, the project is consistent with both County and CalTrans transportation/traffic policies.

b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

No, the road abandonment will not result in increased traffic and therefore will not conflict with applicable plans.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No, the road abandonment will not result in changes to air traffic patterns or increased traffic that could result in substantial safety risks.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No, the road abandonment will not require new or changes to the current road system.

e) Result in inadequate emergency access?

The road abandonment will eliminate an access point to the property located to the west. This impact will be minimal however, since there is access from Tumbleweed Road on the south and West Line Street/Highway-168 on the north that emergency responders can use.

f) Result in inadequate parking capacity?

No, the road abandonment will not result in a loss of parking spaces.

	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? <i>No, the road abandonment will not increase traffic and therefore will not affect public transit, bicycle or pedestrian facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. UTILITIES AND SERVICE SYSTEMS --

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>No, the road abandonment does not include development and will not exceed wastewater treatment requirements.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>No, the road abandonment does not include development or a change in the current use and will not require additional water or wastewater treatment facilities. There is, however, some water-service infrastructure on the site. Easements will be identified and transferred as appropriate during the road abandonment process; and therefore, there is no impact.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>No, the road abandonment does not include development or a change in the current use and will not require new or the expansion of current storm water drainage facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>The road abandonment does not include development or a change in the current use; and therefore, has sufficient water supplies.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>No, the road abandonment does not include development or a change in the current use and will not require an increase in demand for wastewater treatment.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>The road abandonment does not include development or a change in the current use; and therefore, the current solid waste capacity will accommodate it.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>The road abandonment does not include development or a change in the current use; and therefore, will continue to comply with the related solid waste requirements.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

No, there are not threatened, protected, species of concern or examples of California history or prehistory on the site of the proposed road abandonment. In addition, there are no critical, protected, or sensitive habitats on the surrounding developed properties. The site is fully developed; and therefore, the road abandonment will also not degrade the quality of the environment at the site or the surrounding area.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the road abandonment is small in scope. It does not include plans for development or a change in the current use at the site. Eliminating one access point for the property to the west could have impacts on its future development, but these impacts would be minimal since there are other access points to the property.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the road abandonment does not include plans for development and the current use at the site will remain the same. Since there are no changes planned for the site, there will be no direct or indirect adverse effects on human beings.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

19

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

FROM: Water Department

FOR THE BOARD MEETING OF: January 28, 2014

SUBJECT: Inyo County/Los Angeles Standing Committee Meeting – February 7, 2014

DEPARTMENTAL RECOMMENDATION:

A meeting of the Inyo County/Los Angeles Standing Committee is scheduled for February 7, 2014 in Independence, California. Pursuant to Resolution 99-43 and the Long-Term Water Agreement, your Board sets policy for the County's representatives to the Standing Committee. The Water Department requests your Board consider the attached draft agenda and provide direction to the County's Standing Committee representatives.

SUMMARY DISCUSSION:

Staff has prepared the attached agenda. The only action item anticipated is Item #1: Approval of documentation of action items from the August 29, 2013 meeting.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT: LADWP

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: <p align="center">N/A</p>	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 align="right">Approved: _____ Date: _____</p>
AUDITOR/CONTROLLER: <p align="center">N/A</p>	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> <p align="right">Approved: _____ Date: _____</p>
PERSONNEL DIRECTOR: <p align="center">N/A</p>	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 align="right">Approved: _____ Date: _____</p>

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

Date: 1/22/14

AGENDA

INYO COUNTY/LOS ANGELES STANDING COMMITTEE

1:00 p.m.

February 7, 2014

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

The public will be offered the opportunity to comment on each agenda item prior to any action on the item by the Standing Committee or, in the absence of action, prior to the Committee moving to the next item on the agenda. The public will also be offered the opportunity to address the Committee on any matter within the Committee's jurisdiction prior to adjournment of the meeting.

1. **Action Item:** Approval of documentation of actions from the August 29, 2013 meeting.
2. Runoff and operations update.
3. Report on Owens Lake-area groundwater development.
4. Report on status of Green Book revisions.
5. Report on the status of Technical Group evaluation of E/M project water use and water supply.
6. Update on vegetation parcel Blackrock 94.
7. Public Comment.
8. Confirm schedule for future Standing Committee meetings.
9. Adjourn.

Standing Committee meeting protocols (Adopted May 11, 2011)

The Inyo/Los Angeles Long-Term Water Agreement (LTWA) define the Standing Committee in Section II:

As agreed by the parties, the Department representatives on the Standing Committee shall include at least one (1) member of the Los Angeles City Council, the Administrative Officer of the City of Los Angeles, two (2) members of the Board of Water and Power Commissioners, and three (3) staff members. The County representatives on the Standing Committee shall be at least one (1) member of the Inyo County Board of Supervisors, two (2) Inyo County Water Commissioners, and three (3) staff members.

The LTWA further provides that:

Regardless of the number of representatives from either party in attendance at a Standing Committee or Technical Group meeting, Inyo County shall have only one (1) vote, and Los Angeles shall have only one (1) vote.

The Standing Committee adopts the following protocol for future Standing Committee meetings.

1. In order for the Standing Committee to take action at a meeting, representation at the meeting will consist of at least four representatives of Los Angeles, including one member of the Los Angeles City Council or Water and Power Commission, and four representatives of Inyo County, including one member of the Board of Supervisors.
2. A Chairperson from the hosting entity will be designated for each meeting.
3. In the event that an action item is on the meeting agenda, Los Angeles and Inyo County shall each designate one member to cast the single vote allotted to their entity at the onset of the meeting. The Chairperson may be so designated. Agenda items that the Standing Committee intends to take action on will be so designated on the meeting agenda.
4. If representation at a Standing Committee meeting is not sufficient for the Standing Committee to act, the Standing Committee members present may agree to convene the meeting for the purpose of hearing informational items.
5. Meeting agendas shall include any item within the jurisdiction of the Standing Committee that has been proposed by either party.
6. The public shall be given the opportunity to comment on any agenda item prior to an action being taken. The public will be given the opportunity to comment on any non-agendized issue within the jurisdiction of the Standing Committee prior to the conclusion of each scheduled meeting. At the discretion of the Chairperson, reports from staff or reopening of public comment may be permitted during deliberations.
7. The Chairperson may limit each public comment to a reasonable time period. The hosting entity will be responsible for monitoring time during public comment.
8. Any actions taken by the Standing Committee shall be described in an action item summary memorandum that is then transmitted to the Standing Committee at its next meeting for review and approval. This summary memorandum shall also indicate the Standing Committee members present at the meeting where actions were taken.
9. Standing Committee meetings shall be voice recorded by the host entity and a copy of the recording shall be provided to the guest entity.
10. (Added February 24, 2012) The Standing Committee may also receive comments/questions in written form from members of the public. Either party may choose to respond, however, when responding to a public comment/question, whether verbally or in writing, any statements made by either party may represent the perspective of that party or the individual making the response, but not the Standing Committee as a whole (unless specifically agreed to as such by the Standing Committee). When either party responds in writing to public comment/question, that response will be concurrently provided to the other party.