

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.

September 16, 2014

OPEN SESSION

10:00 a.m. PLEDGE OF ALLEGIANCE

2. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**
3. **PUBLIC COMMENT**
4. **BOARD OF SUPERVISORS – Supervisor Matt Kingsley –** Request Board approve the Proclamations honoring Judy Palmer of the Southern Inyo Fire Protection District and Wendi Stell of the Lone Pine Fire Department as Inyo County 2014 EMS Providers of the Year and, after approval, present the Proclamations to Ms. Palmer and Ms. Stell.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

5. **Personnel** – Request approval of a request for a leave of absence without pay from September 16, 2014 through October 7, 2014, in accordance with Article X Leaves, 10.4(a) of the Inyo County Personnel Rules and Regulations.

CLERK-RECORDER

6. Request Board, for the November 4, 2014 General Election: A) approve the printing costs of the Official Ballots and Sample Ballot Booklets by ProDocument Solutions, Inc., in an amount not to exceed \$20,000; and B) authorize the prepayment of \$5,650 (1/2 of the estimated total printing cost) in order to obtain a discount of 2%.

HEALTH AND HUMAN SERVICES

7. **Behavioral Health Services** – Request Board declare September 2014 as National Recovery Month.

PUBLIC WORKS

8. Request approval of the Lease Agreement between the County of Inyo and Shoshone Development for office space for the Sheriff's Substation (real property described as Adobe #2, Highway 127, Shoshone, CA) for the three year period of November 1, 2014 through October 31, 2017, with two one-year options to renew, at the initial rate of \$443, per month, contingent upon the Board's adoption of future budgets; and authorize the Public Works Director to sign, contingent upon the appropriate signatures being obtained.

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

9. **PUBLIC WORKS** – Request Board adopt a Resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Adopting Mandatory Drought Water Conservation Measures.”
10. **PROBATION** – Request Board A) review and make comments, changes, additions, modifications, and/or deletions to the rules, regulations and administrative policy for the Probation Department's electronic monitoring program and B) approve the Probation Department's Electronic Monitoring Program as modified.
11. **PROBATION** - Request Board to: A) review the letter from the Board of State and Community Corrections (BSCC) dated August 12, 2014 regarding the Community Recidivism Reduction Grant as described in Penal Code Section 1233.10; B) determine if the Inyo County Board of Supervisors is willing to agree to accept funding from the Recidivism Reduction Fund in the amount of \$10,000, and provide direction to Chief Probation Officer regarding the Board's intent, if any, to award sub-grants; and C) as appropriate, authorize Chief Probation Officer to submit a letter of intent to the BSCC.
12. **PLANNING** – Request Board A) review draft correspondence to the Forest Service regarding the Notice of Intent to Prepare an Environmental Impact Statement for the Inyo National Forest Plan and authorize the Chairperson to sign; and B) review the Wilderness Inventory Mapping and provide input to staff.
13. **COUNTY ADMINISTRATOR – Integrated Recycling and Waste Management** – Request Board approve:
 - A) a Resolution titled “A Resolution of the Inyo County Board of Supervisors, Rescinding Inyo County Resolution No. 97-24 Which Created an Enterprise Fund and Related Financial Assurance Mechanism for Closure and Postclosure Maintenance of Inyo County Landfills,”
 - B) a Resolution titled “A Resolution of the Inyo County board of Supervisors, State of California, Establishing Financial Assurance for Closure, Postclosure Maintenance and Corrective Action o the Inyo County Landfills;” and
 - C) The Agreement between the County of Inyo and CalRecycle to establish a Pledge of Revenue for Post Closure Maintenance and Corrective Action for Inyo County Landfills, and authorize the Senior Deputy County Administrator to sign.
14. **COUNTY ADMINISTRATOR – Grand Jury** – Request Board approve the report to Judge Brian Lamb, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2013-2014 Grant Jury Final Report; and authorize the County Administrator to sign the transmittal letter.
15. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32, as recommended by the County Administrator.
16. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013, as recommended by the County Administrator.
17. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator.
18. **COUNTY ADMINISTRATOR - Emergency Services** – Request Board continue the local emergency, known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator.
19. **CLERK OF THE BOARD** – Request approval of the minutes of the August 26, 2014 Board of Supervisors Meeting.

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

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

20. **HEALTH AND HUMAN SERVICES** – Request Board A) conduct a workshop with staff to review current services in the HHS Public Health division, receive updates about impacts from implementation of managed care, and B) consider any direction to staff as a result of the workshop discussion.
21. **CLERK-RECORDER – Registrar of Voters** – Request Board conduct a workshop regarding the Inyo County Employee Election Worker Program.
22. **CLERK-RECORDER – Register of Voters** – Request Board conduct a workshop on the California Association of Voting Officials (CAVO).

CORRESPONDENCE – ACTION

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

23. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
24. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

SHERIFF – Sheriff and Jail Overtime Report for the month of August, 2014.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 4

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

FROM: Supervisor Matt Kingsley

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Presentation of the Annual EMS Provider of the Year award

DEPARTMENTAL RECOMMENDATION: Request Board approve the Proclamations honoring Judy Palmer of the Southern Inyo Fire Protection District and Wendi Stell of the Lone Pine Fire Department as Inyo County 2014 EMS Providers of the Year and, after approval, present the Proclamations to Ms. Palmer and Ms. Stell.

SUMMARY DISCUSSION: The Emergency Medical Care Committee is comprised of representatives from the various organizations and jurisdictions that provide emergency medical care throughout the County. The emergency medical care providers are individuals that are EMT's and ambulance drivers who respond when we need help. In 1999 the Annual EMS Provider of the Year award was created, to honor local emergency medical providers, in the hope that through the establishment of this prestigious award people will be encouraged to become local EMT providers. This year the Committee had a tie and two individuals from the list of nominees are being honored today. As our Board's representative on the Emergency Medical Care Committee, it is an honor for me to bring this request before our Board. As a former Fire Chief for the Bureau of Land Management, I have had the opportunity to work with many of the courageous men and women who drive the ambulance and who provide EMT services throughout Inyo County. It is a great pleasure to recommend that our Board approve the proclamations and present the 2014 EMS Provider of the Year award to Judy Palmer of the Southern Inyo Fire Protection District and Wendi Stell of the Lone Pine Fire Department.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: The Emergency Medical Care Committee and the Inyo County Fire Chiefs Association

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

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)

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

Date: _____

**PROCLAMATION
OF THE BOARD OF SUPERVISORS,
COUNTY OF INYO, HONORING**

JUDY PALMER

INYO COUNTY 2014 EMS PROVIDER OF THE YEAR

Whereas, the Inyo County Emergency Medical Care Committee, dedicated to the preservation and improvement of the local EMS program throughout Inyo County, created the Annual EMS Provider of the Year Award; and

Whereas, the Inyo County Board of Supervisors strongly supports the efforts of its EMS providers throughout Inyo County and is pleased to join with the other members of our Community in honoring the brave men and women who volunteer their time to help keep their loved ones, friends, neighbors, and our visitors safe in times of emergencies; and

Whereas, Judy Palmer is a valued member of the Southern Inyo Fire Protection District, serving as an EMT; and

Whereas, Judy, who is a retired pediatrician, wanted to continue to serve her community in her retirement, chose to personally finance her EMT education; and

Whereas, at nearly 70 years of age Judy continues to donate her time as volunteer on the Southern Inyo Fire Protection District, bolstering the capabilities of the District with a unique skill set that is not found in many small jurisdictions; and

Whereas, as one of the District volunteers, she is continually learning new skills to enhance her value to the team, never hesitating when help is needed.

Whereas, as a volunteer EMT Judy attends regular meetings, is a guest lecturer for the current class of EMT Basic candidates, responds to calls, and lends her impressive experience and ingenuity to the crew whom she inspires through her selfless dedication and her quite example of integrity and service.

Now, Therefore, Be It Proclaimed, this 16th day of September 2014, that the Inyo County Board of Supervisors in recognition of the dedicated service Judy Palmer has given to the Southern Inyo Fire Protection District, is proud to join with the Emergency Medical Care Committee in honoring *Judy Palmer as Inyo County 2014 EMS Provider of the Year* and extends its congratulations, heartfelt appreciation and thanks to Judy Palmer, for her dedication and personal commitment to the citizens of Inyo County and commends her on being a shining example of what it means to be a Volunteer.

Inyo County Board of Supervisors

Chairperson Rick Pucci, Third District Supervisor

Linda Arcularius, First District Supervisor

Jeff Griffiths, Second District Supervisor

Mark Tillemans, Fourth District Supervisor

Matt Kingsley Fifth District Supervisor

**PROCLAMATION
OF THE BOARD OF SUPERVISORS,
COUNTY OF INYO, HONORING**

WENDI STELL

INYO COUNTY 2014 EMS PROVIDER OF THE YEAR

Whereas, the Inyo County Emergency Medical Care Committee, dedicated to the preservation and improvement of the local EMS program throughout Inyo County, created the Annual EMS Provider of the Year Award; and

Whereas, the Inyo County Board of Supervisors strongly supports the efforts of its EMS providers throughout Inyo County and is pleased to join with the other members of our Community in honoring the brave men and women who volunteer their time to help keep their loved ones, friends, neighbors, and our visitors safe in times of emergencies; and

Whereas, Wendi Stell joined the Lone Pine Fire Department in 1996, where she was the first Advanced EMT in the Department; and

Whereas, Wendi serves the Department as the Captain in charge of EMS, as well as being trained in "tactical combat casualty care," an instructor in CPR/AED/ and first aide classes, and is an ambulance driver; and

Whereas, Wendi is a leader in the Department who looks after the well being of her fellow volunteers, who continues to enhance her value to the team, her effectiveness in the Department, and improve her skillset and knowledge, through continued training, and attending events like the EMSWorld Expo; and

Whereas, Wendi is an integral member of the Lone Pine Fire Department who motivates through example and who has earned the respect of her fellow volunteers.

Now, Therefore, Be It Proclaimed, this 16th day of September 2014, that the Inyo County Board of Supervisors in recognition of the dedicated service Wendi Steel has given to the Lone Pine Volunteer Fire Department, is proud to join with the Emergency Medical Care Committee in honoring *Wendi Stell as Inyo County 2014 EMS Provider of the Year* and extends its congratulations, heartfelt appreciation and thanks to Wendi Still, for her dedication and personal commitment to the citizens of Inyo County and commends her on being a shining example of what it means to be a Volunteer.

Inyo County Board of Supervisors

Chairperson Rick Pucci, Third District Supervisor

Linda Arcularius, First District Supervisor

Jeff Griffiths, Second District Supervisor

Mark Tillemans, Fourth District Supervisor

Matt Kingsley Fifth District Supervisor



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 5

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

FROM: Kevin Carunchio, County Administrator
FOR THE BOARD MEETING OF September 16, 2014
SUBJECT: Request Leave of Absence without Pay

DEPARTMENTAL RECOMMENDATION:

Recommend that the Board of Supervisors approve the request for a leave of absence without pay from September 16, 2014, through October 7, 2014, in accordance with Article X, Leaves, 10.4(a) of the Inyo County Personnel Rules and Regulations.

SUMMARY DISCUSSION:

Pursuant to Article 10.4 of the Inyo County Personnel Rules and Regulations, any leave of absence without pay in excess of 90 days must be approved by the Board of Supervisors. The Personnel Department has received a request for continued medical leave without pay through October 7, 2014 from a non-Safety Sheriff's Department employee. This request is supported by both the Sheriff and the County Administrator.

ALTERNATIVES:

The Board could not grant this request for leave without pay.

OTHER AGENCY INVOLVEMENT:

FINANCING:

There are not other costs associated with this action.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ 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: <input checked="" type="checkbox"/> Date 09-11-2014

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 09-11-2014



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:

Agenda Number:

6

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

FROM: Kammi Foote, Clerk-Recorder and Registrar of Voters

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Approval of Ballot and Sample Ballot Printing for the November 4, 2014 General Election

DEPARTMENTAL RECOMMENDATION:

Request your Board:

- A) Approve the printing costs of the Official Ballots and Sample Ballot Booklets by ProDocument Solutions, Inc. in an amount not to exceed \$20,000.00
- B) Authorize the prepayment of \$5,650.00 (estimated 1/2 of the total estimated printing cost) in order to obtain a discount of 2%

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

ProDocumentSolutions Inc. (formerly Sequoia Voting Systems) has offered a 2% discount on the cost of printing election materials for the November 2, 2014 General Election contingent upon prepayment of 1/2 of the estimated total cost of printing election materials.

ALTERNATIVES:

The Board can deny authorization and not realize the discount.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

Necessary funds for prepayment amount are available in the elections budget (0110005316)

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.) <i>Margaret Kemp-Williams</i> Approved: <u>yes</u> Date: <u>09-04-14</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.) <i>[Signature]</i> Approved: <u>yes</u> Date: <u>9/8/2014</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.) <u>N/A</u> Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Signature]

9/9/14

Date:



ProVoteSolutions
90 W. Poplar Avenue, Porterville, CA 93257

Phone 559/719-2136
Fax 559/719-2111

August 28, 2014

**Description of Prepayment 2% Discount Plan
November 4, 2014 General Election**

ProVote**Solutions** will offer to its Election Printing customers a **2%** Prepayment Discount Plan on your overall election costs for the 2014 General Election.

We offer, for your consideration, a **2%** discount plan which is based on prepayment of half of your estimated printing cost for the above election. The prepayment discount will be applied to the final invoice amount. The remaining balance must be received **no later than 30 days** from the date of the final invoice in order for the full **2%** discount to be valid.

The 2014 Prepayment **2%** Discount Plan details are as follows:

1. Your Sales Representative will supply the dollar amount representing your estimated printing costs for your county.
2. A county wishing to participate in this plan shall submit payment of dollar amount issued on the invoice representing 50% of the estimated printing cost for the County.
3. Payment of invoice must be received before **September 8, 2014** in order for the **2%** discount to be applied on the County's final invoice for the 2014 General Election.
4. Following completion and delivery of all election materials by ProVote, an invoice will be issued in the full amount (100%) of the election printing cost. The **2%** discount will be deducted from the printing cost total; freight will not be discounted. Sales tax is based on balance due after discount amount has been applied on the election printing cost.
5. Your prepayment amount will be credited against the final "Invoice Total," which will include applicable sales tax.
6. The remaining balance must be received **no later than 30 days** from the date of the final invoice. If payment is received after the 30-day deadline, then the **2%** discount will be valid only for the amount of the prepayment.
7. Whether participating in **2%** Discount Plan or not please sign Letter of Intent for materials that will be supplied by ProVote**Solutions** and fax information to 559-719-1282

We hope you consider this discount plan. It is our intent and belief that this arrangement will be of significant value for your county. If you expect to pursue this offer, we would appreciate the early receipt of notification of your intention. Please find enclosed a "Letter of Intent" on which your sales representative has your estimated total printing cost to be supplied by ProVote. **Your signature is required.**

INQUIRES: Rebecca Brownlee, Accounting Manager

800 726 0080
rebeccab@prodocumentsolutions.com



ProVoteSolutions
90 W. Poplar Avenue, Porterville, CA 93257

Phone 800-726-0080
Fax 800-726-0067

LETTER OF INTENT

ProVoteSolutions

COUNTY OF: INYO

DATE: August 28, 2014

ELECTION OFFICIAL: KAMMI FOOTE

PHONE: (760) 878-0220

**MAILING ADDRESS: INYO COUNTY ELECTIONS
168 NORTH EDWARDS STREET
INDEPENDENCE, CA 93526
Attn: Kammi Foote**

Upon Completion please sign and fax to: 800 726 0067

We want to take advantage of the discount and understand that ProVote**Solutions** needs to receive a check for 50% of the estimated printing costs before **September 29, 2014**.

We wish to decline the **2%** discount offer.

The estimated dollar amount for the costs of production and Election materials from ProVote**Solutions** for the November 4, 2014 Election will be **\$11,300** divided by 2 = **\$5,650**. Invoice enclosed if you wish to accept. Remaining balance must be received **no later than 30 days** from the date of the final invoice in order for the full **2%** discount to be valid. (Please refer to Prepayment Plan)

Authorized Signature (*Required*)

Date

Title

Comments/Questions _____

Thank you for your confidence in ProVoteSolutions!



90 West Poplar Avenue, Porterville, CA 93257

Phone 559 719-2136

Fax 559 719-2111

AUGUST 2014

PREPAYMENT ESTIMATE - INVOICE

**BILL TO: INYO COUNTY CLERK RECORDER
P. O. DRAWER F
INDEPENDENCE, CA 93526-0606
Attn: Kammi Foote**

**CONSOLIDATED GENERAL ELECTION
November 4, 2014**

11,550 OFFICIAL OPTECH BALLOTS				\$4,955.00
1	Machine Setup	@	\$400.00 /Lot	\$400.00
7	Digital Print / per Ballot Type	@	\$80.00 /ea BT	\$560.00
3,450	Printing Official Ballots -3 Column	@	\$340.00 /M	\$1,173.00
7,600	Printing VBM/Mail Ballots -3 Column	@	\$340.00 /M	\$2,584.00
700	Printing DUPLICATE Ballots -3 Column	@	\$340.00 /M	\$238.00
Misc. Ballot Charges				
PREMARKED TEST DECKS				\$115.32
3	Setup: Total Ballot Types / Precincts	@	\$16.00 /ea	\$48.00
198	3 Column	@	\$0.34 /ea	\$67.32
10,600				\$6,242.34
1	Election Setup-Covers	@	\$950.00 /Lot	\$950.00
7	Ballot Type Changes	@	\$100.00 /ea	\$700.00
7	Sample Ballot Page Setup	@	\$102.00 /ea	\$714.00
3	Measure Text Page Setup	@	\$102.00 /ea	\$306.00
5	Candidate Statement Page Setup	@	\$102.00 /ea	\$510.00
Electronic Copy Input				
0	¼ Page Measure / Candidate	@	\$53.00 /ea	\$0.00
0	½ Page Candidate Statements	@	\$48.00 /ea	\$0.00
0	Full Page Candidate Statements	@	\$43.00 /ea	\$0.00
0	Customer Supplied Art	@	\$43.00 /ea	\$0.00
Misc. Book Charges				
0	14-VP-1114; 14-IVI-0614; 14-GOGREEN (0614)	@	\$60.00 /ea	\$0.00
0		@	/M	\$0.00
Booklet Run Charges				
10,600	12 Page (6 Part)	@	\$288.90 /M	\$3,062.34
SUBTOTAL				\$11,312.66



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

7

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

FROM: HEALTH & HUMAN SERVICES – Prevention

FOR THE BOARD MEETING OF: **September 16, 2014**

SUBJECT: Request that your Board approve a proclamation designating September 2014 as National Recovery Month.

DEPARTMENTAL RECOMMENDATION:

Request the Board: 1) Declare September 2014 as National Recovery Month and; 2) Authorize the Chairperson to sign the Official Proclamation.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

In its 25th year, **Recovery Month** promotes the societal benefits of prevention, treatment, and recovery for mental and substance use disorders. This year's theme, "**Join the Voices for Recovery: Speak Up, Reach Out,**" encourages people to openly speak up about mental and substance use disorders and the reality of recovery, and promotes ways individuals can use to recognize behavioral health issues and reach out for help. **Recovery Month** spreads the positive message that behavioral health is essential to overall health, that prevention works, treatment is effective and people can and do recover.

Inyo County Health and Human Services, Inyo County Probation, Inyo County Drug Court, and the local recovery community will hold the 4th annual 'Celebrate Recovery' event on September 26, 2014, to highlight that people are not alone on this journey to seek total health every day. Family, friends, and community members can support individuals throughout the entire recovery process.

ALTERNATIVES:

The Board can choose not to approve the declaration which will affect our ability to inform the public about National Recovery Month.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

There is no financial impact from this decision.

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)

Jean Turner

Date: *9-10-14*

**PROCLAMATION
OF THE BOARD OF SUPERVISORS
COUNTY OF INYO, STATE OF CALIFORNIA
PROCLAIMING THE MONTH OF SEPTEMBER 2014
AS NATIONAL RECOVERY MONTH**

WHEREAS, behavioral health is an essential part of health and one's overall wellness; and

WHEREAS, prevention of substance use disorders works, treatment is effective, and people recover in our area and around the Nation; and

WHEREAS, people in recovery can achieve healthier lifestyles, both physically and emotionally to contribute in positive ways to their communities; and

WHEREAS, helping people achieve a path of recovery can reduce homelessness, medical and criminal justice costs, and unemployment; and

WHEREAS, research shows that every \$1.00 invested in prevention and early treatment programs, \$2.00 to \$10.00 could be saved in health costs, criminal and juvenile justice costs, educational costs and lost production; and

WHEREAS, for 25 years, the month of September has been dedicated to raising awareness of these issues and helping individuals achieve successful recovery from substance abuse; and

WHEREAS, to help more people achieve and sustain long term recovery, the *US Department of Health and Human Services (HHS)*, the *Substance Abuse and Mental Health Services Administration (SAMHSA)*, the *White House Office of National Drug Control Policy (ONDCP)* and *Inyo County Health and Human Services* invite all residents of **Inyo County** to participate in **National Recovery Month**; and

NOW, THEREFORE, the Inyo County Board of Supervisors joins with other communities and the Nation in proclaiming the month of September 2013 as National Recovery Month in Inyo County and call upon the people of Inyo County to observe this month with appropriate program, activities, and ceremonies supporting this year's theme, "**Join the Voices for Recovery: Speak Up, Reach Out.**"

PASSED AND PROCLAIMED by the Inyo County Board of Supervisors, this 16th day of September, 2014.

Chairperson, Inyo County Board of Supervisors



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
8

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

FROM: Public Works Department

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Lease Agreement between the County of Inyo and Shoshone Development

DEPARTMENTAL RECOMMENDATIONS:

Request Board approval of the Lease Agreement between the County of Inyo and Shoshone Development for the real property described as Adobe #2, Highway 127, Shoshone, CA, for the initial period of three years, with two one-year options, in an initial amount of \$443.00 per month for the period of November 1, 2014 through October 31, 2017, contingent upon the adoption of the 2014-2015 budget and adoption of future budgets and signatures by appropriate staff, and, authorize the Public Works Director to sign.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

This lease provides office space for the Sheriff's Substation. If the Board approves the lease and the County exercised both one-year options, the total amount payable under the lease will be \$26,580.00.

ALTERNATIVES:

The alternative would be to find another location. No other office space that would serve the current needs has been identified at this time.

OTHER AGENCY INVOLVEMENT:

- County Counsel for review and approval of the Lease Agreement.
- Auditor's office for approval of the Lease Agreement and payment of same.
- Risk Manager for approval of the Lease Agreement.
- Sheriff's Department for Budget/Object code information and payment.

FINANCING:

The Sheriff's Department has identified funds for this contract in Budget Unit 022700 Sheriff General, Object Code 5291 Site Leases.

Agenda Request Form

Board meeting of September 16, 2014

Subject: Lease Agreement between the County of Inyo and Shoshone Development

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.)

Margaret Kemp-Williams

Approved:

Date 09/09/14

AUDITOR/CONTROLLER

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

[Signature]

Approved: yes

Date 9/9/2014

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: _____

9/9/14

**LEASE AGREEMENT
BY AND BETWEEN THE COUNTY OF INYO AND**

Shoshone Development

THIS LEASE AGREEMENT, made and entered into this 1st day of November, 2014,
by and between Shoshone Development, hereinafter
referred to as "Lessor," and the County of Inyo, a political subdivision of the State of California, hereinafter
referred to as "County," whereby the parties hereto agree as follows:

WITNESSETH:

SECTION ONE. ADMINISTRATION.

This Lease Agreement, hereinafter referred to as "Lease," shall be administered on behalf of the
County by Clint Quilter, whose title
is: Public Works Director, hereinafter referred to as "County's Lease Administrator," and
on behalf of Lessor by Susan Sorrells, Shoshone Development

SECTION TWO. DESCRIPTION.

Lessor hereby leases to County that real property described as _____
Adobe #2, Hwy 127, Shoshone, CA 92384

Said real property, hereinafter referred to as "leased premises," is leased on the terms and conditions
hereafter set forth.

SECTION THREE. PARKING.

County shall have reasonable non-exclusive use of the parking areas located in front of building
_____ in
common with other tenants and occupants of the leased premises, together with the right of reasonable
ingress and egress to the leased premises parking area.

SECTION FOUR. INITIAL TERM AND OPTIONS.

The initial term of this Lease is for
Three (3) years, commencing on
November 1, 2014 and terminating on October 31, 2017. In addition,
County shall have two options to extend the Lease for additional one-year periods as follows:

- a. From November 1, 2017 through October 31, 2018
- b. From November 1, 2018 through October 31, 2019

County shall exercise such options by giving written notice to Lessor at least thirty (30) days before
the expiration of the Lease Term, or an extension thereof.

The notice shall specify the period of the options being exercised. Except as provided for in Section
Seven (Rent), the option to extend shall be upon the same terms and conditions as stated in this Lease.

The County shall not be liable for any rent until such time as County occupies the leased premises.

SECTION FIVE . EARLY TERMINATION.

The ability of County to enter into this Lease is based upon available funding from various sources such as, without limitation, grants or other appropriations from other governmental entities. This Lease may be terminated by County at its sole discretion by first giving to Lessor no less than sixty (60) day written notice in the event that, for reasons not reasonably within County's control, such funding from one or more of such sources fails, is reduced, or is otherwise modified in such a manner as to render all or part of the funding unavailable for payment of rent pursuant to this Lease.

SECTION SIX. HOLDING OVER.

Any holding over at the expiration of said term, or extensions thereof, with the consent of Lessor, either expressed or implied, shall be construed to be a tenancy from month to month at the same rental as paid for the last month of the lease period, and shall be otherwise upon the same terms and conditions as are herein provided. Such holding over shall include any time required by County to remove its equipment and fixtures.

SECTION SEVEN. RENT.

The rent reserved to Lessor herein shall be the sum of Four Hundred Forty Three Dollars and No/100 Dollars (\$443.00) per month and shall be paid in arrears, which means by the first of the month next following the month on which such rental was earned.

In the event the County exercises its option to extend for any or all of the one-year periods, the rent for such option period may increase as agreed upon by Lessor and County, but not to exceed an increase in excess of Zero percent (-0-%) of the rent for the previous Lease period.

SECTION EIGHT. PRORATED RENT.

The County shall not be liable for rent until such time as County occupies the leased premises. The rent shall be prorated daily for the number of days that the building is occupied by County in its initial occupancy, if less than a full month, and in holding over pursuant to Section Six (Holding Over).

SECTION NINE. USE.

It is the intention of the County to occupy and use the leased premises for Office.
County may use leased premises for other governmental uses, but such uses are subject to approval of the Lessor, which approval shall not unreasonably be withheld.

SECTION TEN. HOURS.

County shall have access to the leased premises at any time on a twenty-four hour per day, seven-day per week basis.

SECTION ELEVEN. ALTERATIONS AND IMPROVEMENTS.

County may make alterations and/or additions to the leased premises. However, any additions, improvements or alterations permanently made or affixed to the leased premises shall be made only with Lessor's written approval. All equipment and non-permanent fixtures installed by County shall remain the property of the County and may be removed by County upon termination of this Lease or any extension thereof. Any damage occasioned by such installation and/or removal shall be repaired by County. All other fixtures, additions, alterations and improvements made by the County to the Leased premises shall become property of Lessor upon termination of this Lease or any extension thereof.

SECTION TWELVE. UTILITIES.

Lessor shall provide and pay for the following utilities: N/A
County shall provide and pay for the following utilities: water, trash, electricity, and gas

SECTION THIRTEEN. JANITORIAL SERVICE AND TRASH REMOVAL.

County shall furnish at County's sole expense janitorial and trash removal services which may be required on the leased premises, not less than once weekly. Such services shall be provided at the level necessary to maintain the leased premises in a clean and orderly condition.

SECTION FOURTEEN. MAINTENANCE.

Lessor shall, at Lessor's own expense, keep and maintain the entire leased premises, both interior and exterior (including, but not limited to, landscaping, sidewalks, parking lots, and all mechanical, cooling, heating, plumbing, and ventilating equipment, if any), in good order, condition, and repair. Lessor shall make repairs required under this clause within a reasonable time after receipt of written notice of the need of such repairs.

SECTION FIFTEEN. SIGNS.

County may erect signs necessary to identify County's occupancy of the leased premises during the term hereunder. The County shall forward to Lessor the proposed design for said signs prior to placing said signs on the leased premises. County shall not place the proposed signs on the leased premises until Lessor has given Lessor's consent to the proposed signs. Lessor shall not unreasonably withhold said consent. Signs shall be removed by County at the termination of this Lease.

SECTION SIXTEEN. FORCE MAJEURE.

If either party hereto shall be delayed or prevented from the performance of any act required hereunder by act of God, restrictive governmental laws or regulations, strikes, civil disorders, or other causes not involving the fault, and beyond the control, of the party obligated (financial inability excepted), performance of such act shall be waived for the period of the delay; and the period for the performance of any such act shall be extended for the equivalent amount of time as the period of such delay. However, nothing in this clause shall excuse the County from the payment of any rental or other charge required of County, except as may be expressly provided elsewhere in this Lease.

SECTION SEVENTEEN. WASTE.

County shall give prompt notice to Lessor of any damages to the leased premises and shall not commit, or suffer to be committed, any waste or injury, or allow any public or private nuisance on the leased premises.

SECTION EIGHTEEN. DAMAGE OR DESTRUCTION.

In the event that the leased premises shall be substantially damaged by any cause during the term of this Lease or extension thereof, other than through the fault or neglect of County, to such an extent that the leased premises cannot be repaired in ninety (90) days, this Lease may be terminated by either party at its option by giving written notice of intention to the other party within thirty (30) days following said destruction; if this Lease is not so terminated, County shall not be liable for any rent until repairs have been

made or reconstruction completed by Lessor, so that the leased premises are again ready for occupancy. If the leased premises are substantially damaged or destroyed through the sole fault or negligence of County, its officers, or employees, this Lease may not be terminated by County, and it shall be the obligation of County, at its sole expense, to reconstruct or repair said leased premises.

SECTION NINETEEN. HOLD HARMLESS.

County shall not be liable to Lessor for any damage to the leased premises or for any loss, damage, or injury to any persons or property therein or thereon caused by the leased premises being out of repair, or by defects in the leased premises, including any access roads, ramps, or stairways thereof, or occurring in any means of entrance to or exit therefrom, or in the Lessor's or other occupant's equipment contained therein; or criminal acts of third parties or fire, water, gas, oil, electricity, or other causes of whatsoever nature; or occasioned by bursting, leakage, or overflow of any plumbing or any other pipes, tanks, drains, or washstands, or other similar causes in, above, upon, or about the leased premises; nor shall County be liable for any loss, damage, or injury arising from the acts or omissions of Lessor, its officers, agents, or employees, or co-tenants, or any owners or occupants of adjacent or contiguous property. Any and all claims for any damages referred to in this clause are hereby waived by Lessor, who agrees, to the extent authorized by law, to defend, indemnify, and hold harmless the County from and against any and all losses, liabilities, claims, damages, and actions of any kind or nature, including court costs and attorney fees, arising from acts or omissions identified immediately above for which the County shall not be liable. County shall, to the extent authorized by law, defend, indemnify, and hold harmless Lessor from and against the same, which is occasioned by, growing out of, arising, or resulting from any willful or negligent act or omission on the part of County, its officers, employees, or agents.

SECTION TWENTY. RIGHT OF ENTRY.

Lessor reserves the right to enter at all reasonable times upon any part of the leased premises, to inspect and examine the same, or to see that the covenants of this Lease are being kept and performed.

SECTION TWENTY-ONE. QUIET POSSESSION.

The Lessor, for itself, its heirs, devisees, successors, or assigns, covenants and agrees that County, upon payment of the rental reserved and compliance with all the terms and conditions of this Lease, may lawfully, peacefully, and quietly have, hold, use, occupy, and enjoy the leased premises and each part thereof during the term of this Lease, or any extensions thereof, without hindrance or interruption by Lessor, its heirs, devisees, successors, or assigns. Lessor has and reserves the right at any reasonable time to enter upon the leased premises, to inspect said leased premises, or to perform any of the obligations imposed by this Lease, but in so entering shall conduct itself so as to minimally interfere with County's use and enjoyment of the leased premises.

SECTION TWENTY-TWO. NOTICE.

Any notice, communication, amendment, addition, or deletion to this Lease, including change of address of either party during the term of this Lease, which Lessor or County shall be required, or may desire, to make, shall be in writing and may be personally served upon, or sent by prepaid first class mail to, the respective parties as follows:

COUNTY	
Inyo County Public Works Department	Department
P.O. Drawer Q	Address
Independence, CA 93526	City and State

LESSOR

Shoshone Development

P.O. Box 67

Shoshone, CA 92384

Name

Address

City and State

SECTION TWENTY-THREE. ASSIGNMENT AND SUBLEASE.

County agrees not to assign this Lease or sublet the leased premises in part, or encumber its leasehold estate, or any interest therein, or permit the same to be occupied by another, either voluntarily or by operation of law, without first obtaining written consent of Lessor or its duly authorized agent, which consent shall not be unreasonably withheld. Any such assignment or sublease shall not release County from liability hereunder, and any assignee or sublessee shall expressly assume all County's obligations hereunder. It is also agreed that the giving of a written consent required herein on any one or more occasions shall not thereafter operate as a waiver of the requirement for written consent on any one or more subsequent occasions.

SECTION TWENTY-FOUR. SUBORDINATION.

County agrees that this Lease shall be subject and subordinate to any mortgage, trust deed, or like encumbrance heretofore or hereafter placed upon the leased premises by Lessor or owner, or their successors in interest, to secure the payment of monies loaned, interest thereon, and other obligations. County agrees to execute and deliver, upon demand of Lessor, any and all instruments desired by Lessor subordinating in the manner requested by Lessor this Lease to such mortgage, trust deed, or like encumbrance.

Notwithstanding such subordination, County's right to quiet possession of the leased premises shall not be disturbed if County is not in default and so long as County shall pay the rent and observe and perform all of the provisions in this Lease, unless this Lease is otherwise terminated pursuant to its terms.

SECTION TWENTY-FIVE. MECHANIC'S LIEN.

County agrees to keep the leased premises free from all mechanic's liens or other liens of like nature arising because of work done or materials furnished upon the leased premises at the instance of, or on behalf of, County, provided however, that County can contest such lien provided it post an adequate bond therefore.

SECTION TWENTY-SIX. COMPLIANCE WITH LAW.

County shall, at its sole cost, comply with all the requirements of all Municipal, State, and Federal authorities now in force, or which may hereafter be in force, pertaining to the use of leased premises, and shall faithfully observe and obey all Municipal ordinances, and State and Federal statutes, now in force, or which hereafter may be in force.

SECTION TWENTY-SEVEN. WAIVER.

It is agreed that any waiver by Lessor of any breach of any one or more of the covenants, conditions, or terms of this Lease shall not be construed to be a waiver of any subsequent breach of the same or different provision of the Lease; nor shall any failure on the part of the Lessor to require exact, full, complete, and explicit compliance with any of the covenants or conditions of this Lease be construed as in any manner changing the terms hereof, nor shall the terms of this Lease be changed or altered in any way whatsoever other than by written amendment, signed by both parties.

SECTION TWENTY-EIGHT. DEFAULT.

In the event that Lessor or County shall default in any term or condition of this Lease, and shall fail to cure such default within thirty (30) days following service upon the defaulting party of a written notice of such default specifying the default or defaults complained of, or if the default cannot reasonably be cured within thirty (30) days, the defaulting party fails to commence curing the default within 30 days and thereafter to diligently and in good faith continue to cure the default, the complaining party may forthwith terminate this Lease by serving the defaulting party written notice of such termination.

SECTION TWENTY-NINE. INUREMENT.

The Lease shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

SECTION THIRTY. ATTORNEY'S FEES AND COSTS.

In any legal proceeding initiated by a party to the Lease against the other party arising from or relating to the Lease or the use of the Leased Premises hereunder, the non-prevailing party shall pay all costs, including reasonable attorney's fees, incurred by the prevailing party in connection with the legal proceedings.

SECTION THIRTY-ONE. SEVERABILITY.

If any provision of this Lease or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such provisions to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

SECTION THIRTY-TWO. TIME IS OF ESSENCE.

Time is expressly declared to be of the essence in this Lease and in all of the covenants and conditions herein.

SECTION THIRTY-THREE. ADDITIONAL TERMS AND CONDITIONS.

Additional terms and conditions of the Lease, if any, are set forth in the exhibits listed below, each of which is attached hereto and incorporated herein by this reference: N/A

SECTION THIRTY-FOUR. AMENDMENT.

The Lease may be amended only by a written document signed by all parties hereto.

SECTION THIRTY-FIVE. ENTIRE AGREEMENT.

The Lease contains the entire agreement between the parties hereto and supersedes all previous agreements between the parties with respect to the subject matter of the Lease.

SECTION THIRTY-SIX. CONSTRUCTION OF AGREEMENT.

Both Lessor and County have had the opportunity to and have participated in the drafting and final preparation of this Lease agreement. For that reason, the Lease itself, or any ambiguity contained therein, shall not be construed against either the Lessor or the County as the drafters of this document.

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LEASE AGREEMENT
BY AND BETWEEN THE COUNTY OF INYO AND
Shoshone Development

Initial Term of Lease:
November 1, 2014 through October 31, 2017

IN WITNESS THEREOF, the parties hereto have set their hands and seals this _____ day of

LESSEE

County of Inyo

By: _____
Chairperson, Board of Supervisors

Date: _____

Approved as to form and content:

County's Lease Administrator

Approved as to form and legality:

County Counsel

Approved as to accounting form and content:

County Auditor

Approved as to insurance and risk management:

County Risk Manager

LESSOR

(Please Type or Print Name)

By: _____
(Signature)

Date: _____



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

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Adopt Water Conservation Regulations

DEPARTMENTAL RECOMMENDATIONS: Adopt Resolution of the Board of Supervisors of the County of Inyo, State of California, Adopting Mandatory Drought Water Conservation Measures.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: On August 5, 2014, staff made a presentation to the Board regarding implementation of water conservation regulations. The Board directed staff to proceed with development of the regulations and outreach to the public. The outreach to the public included community meetings in Independence and Lone Pine.

These meetings were well attended with over 50 attendees in Independence and over 30 attendees in Lone Pine. The presentations were well received and the Board's desire to meet the intent of State regulations while being sensitive to the uniqueness of Inyo County was appreciated. The only change to the proposed restrictions as a result of the community meetings is not have the 9 a.m. to 5 p.m. restriction apply from December 1 to March 31. This is to allow occasional watering, if necessary, during this period without freezing.

Attached is a Resolution Adopting Mandatory Water Conservation Measures for the Board's consideration. The authority for the regulation stems from the Board's Land of Even Less Water Emergency proclamation on January 28, 2014.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

County Counsel
County Administrator

FINANCING:

Agenda Request Form
Board meeting of September 16, 2014
Subject: Water Conservation Regulation

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.) <i>Margaret Kemp-Williams</i> Approved: <input checked="" type="checkbox"/> Date <u>09/10/14</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) Approved: _____ Date _____
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: *Art D. Orr* Date: 9/11/14
(Not to be signed until all approvals are received)

RESOLUTION NUMBER _____
RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
ADOPTING MANDATORY DROUGHT WATER CONSERVATION MEASURES

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, on January 28, 2014, this Board adopted a Proclamation that a state of local drought emergency exists throughout Inyo County; and

WHEREAS, this Board's January 28, 2014 Proclamation authorizes the undertaking of all extraordinary police and planning powers including but not limited to the ability to modify, amend or issue planning codes, building and safety codes, environmental health codes, and such other codes, orders and regulations as determined necessary for the duration of the emergency; and

WHEREAS, On July 15, 2014, the State Water Resources Control Board approved emergency water regulations to ensure water suppliers, their customers and state residents increase water conservation in urban settings (State Regulations). The State Regulations are codified at California Code of Regulations, title 23, sections 863, 864, and 865. The State Regulations will remain in effect for 270 days after filing with the Secretary of State unless the State Board determines they are no longer necessary due to changed conditions, or unless the State Water Board renews the State Regulations due to continued drought conditions; and

WHEREAS, State Regulation section 864 places the following mandatory restrictions that apply to all individual California water uses irrespective of water source:

- (a) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- (b) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- (c) The application of potable water to driveways and sidewalks; and

County of Inyo
Resolution Adopting Mandatory Drought Water Conservation Measures
_____, 2014

(d) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

WHEREAS, the restrictions contained in State Regulation section 864 apply to all individual water users in California; further, the State Regulations provide that a person or entity that conducts any of the specified prohibited actions can be guilty of an infraction and punished by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs, as well as by civil penalties; and

WHEREAS, State Regulation section 865(e) mandates that each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier, shall, within 30 days, take one or more of the following actions:

1. Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or
2. Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013; and

WHEREAS, the failure of a distributor of a public water supply to take the action required by the State Regulations can result in the State levying criminal and civil penalties against the water supplier with penalties as high as \$10,000 per day and in the State issuing Cease and Desist Orders against the distributor; and

WHEREAS, the County of Inyo is a distributor of a public water supply as defined in State Regulation section 865(e); and

WHEREAS, as authorized by this Board's January 28, 2014 Proclamation, this Board intends to implement the mandatory conservation measures identified in this Resolution which are in lieu of limiting outdoor irrigation of ornamental landscapes or turf to no more than two days per week and are intended to achieve a reduction in water consumption which, when taken in combination with the restrictions in State Regulation section 864, is comparable to the reduction which would be achieved by limiting outdoor irrigation to two days per week; and

WHEREAS, to assist the public water supply distributors located within the County of Inyo in complying with the requirements of the State Regulations, this Board intends to make the regulations established by this Resolution applicable to all water supply distributors located within

the County of Inyo unless such a water supply distributor adopts other regulations in compliance with the State Regulations; and,

WHEREAS, it is the intent of this Board that the mandatory regulations restricting water use within the County of Inyo imposed by this Resolution shall remain in effect until this Board proclaims the termination of the drought emergency or otherwise orders that these regulations are no longer in effect.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Inyo that, in addition to the water conservation measures established by the proclamation of a local drought emergency adopted by this Board on January 28, 2014 and the mandatory water conservation measures required by the State Regulations, the Board adopts the following mandatory regulations restricting water use within the County of Inyo. The following four actions are prohibited:

- (a) Except from November 1 through March 31, the use of potable water to irrigate turf, lawns, gardens or ornamental landscaping between the hours of 9:00 a.m. and 5:00 p.m. by means other than drip irrigation or hand watering with a hose equipped with quick acting, positive shut off nozzle;
- (b) Wasting water by not repairing easily correctable water leaks, breaks or malfunctions within a reasonable period of time after the existence of such leaks, breaks or malfunctions becomes known;
- (c) Use of potable water for construction purposes, such as consolidation of backfill, unless no other source of water or no other method is available; and
- (d) Hydrant flushing, except when required for public health and safety

BE IT FURTHER RESOLVED AND ORDERED that the mandatory regulations restricting water use within the County of Inyo imposed by this Resolution shall be applicable to all water supply distributors located within the County of Inyo unless such a water supply distributor adopts other regulations in compliance with the State Regulations.

BE IT FURTHER RESOLVED AND ORDERED that the mandatory regulations restricting water use within the County of Inyo imposed by this Resolution shall remain in effect until this Board proclaims the termination of the drought emergency or otherwise orders that these regulations

are no longer in effect.

Passed and adopted this ___ day of _____ 2014, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson, 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
10

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

FROM: Chief Probation Officer

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Review of the rules, regulations, and administrative policy of the Inyo County Probation Department's electronic monitoring program.

DEPARTMENTAL RECOMMENDATION: Request Board 1) review, make comments, changes, additions, modifications, and/or omissions to the rules, regulations and administrative policy for the Probation Department's electronic monitoring program and thereafter 2) approve the Probation Department's electronic monitoring program as modified.

SUMMARY DISCUSSION: As the designated co-correctional administrator to provide alternative custody programs, the Chief Probation Officer has been given authority by the Board of Supervisors to provide electronic monitoring as a means of an alternative to custody and the supervision of offenders on probation, post-release community supervision, and/or mandatory supervision offenders.

The rules, regulations, and administrative policy are to be reviewed, commented on and modified as necessary by the Board of Supervisors to allow for changes in law or internal policy.

Some changes to the policy include the deletion of Section 1203.016(h)(3) as the law now allows for the correctional administrator to have some latitude when determining whether or not to accept an offender based on risk level. In addition, there were a few other policy changes that give the correctional administrator the ability to accept or deny an offender based on the entire record and circumstances of the crime on a case by case basis. The addition of specific administrative appeal procedures will be added to provide an offender who is denied EMP a procedure to file an appeal.

ALTERNATIVES: The Board of Supervisors can reject the rules, regulations, and administrative policy. However, this is not recommended as the EMP program has proven to be a cost efficient and effective tool used as an alternative to custody as well as a very effective tool for supervision of offenders.

OTHER AGENCY INVOLVEMENT: N/A

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FINANCING: The EMP program is currently an offender paid program. All equipment and monitoring service cost is paid for by the offender using the program.

<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> <div style="text-align: center; font-size: 2em; color: blue;">N/A</div>
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> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 1.5em; color: blue; text-align: center;">  </div> <div style="text-align: right;"> Approved: <input checked="" type="checkbox"/> Date <u>09/18/14</u> </div> </div>
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> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 2em; color: blue;">N/A</div> <div style="text-align: right;"> Approved: _____ Date _____ </div> </div>
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> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 2em; color: blue;">N/A</div> <div style="text-align: right;"> Approved: _____ Date _____ </div> </div>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

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



Date: 09/10/14

Attachment: Electronic Monitoring Program Policy

	<p>SECTION: Page 1 of 2</p> <p>SUBJECT: EMP MISSION STATEMENT AND DEFINITIONS</p> <p>EFFECTIVE:</p> <p>LAST ADOPTED: DRAFT</p>
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MISSION STATEMENT

The Inyo County Probation Department is committed to the safety of the community, the protection of crime victims and the rehabilitation of offenders through both the provision of evidence based services and effective supervision practices. Through a collaborative process with the Sheriff's Department, alternative sentencing and supervision programs are implemented according to those core principles.

PURPOSE

The purpose of the Electronic Monitoring Program (EMP) is to reduce the jail inmate population by providing an alternative to traditional methods of incarceration for eligible and suitable offenders. Electronic Monitoring is offered as an alternative to the Courts and the Sheriff's Department, for sentences historically served in county jail and for Pre-Trial clients who would have historically been held in custody on bail. Electronic Monitoring is also a supervision alternative for offenders granted probation, Mandatory Supervision and Post Release Community Supervision, who are in need of a higher level of supervision while transitioning back into the community, or who are at higher risk to reoffend or violate the conditions of their supervision.

DEFINITIONS

There are two primary forms or uses for electronic monitoring: supervision and alternative custody.

Electronic Monitoring for **supervision** is utilized most frequently with higher risk offenders, when the Court or the Probation Department feel the offender is at risk for the violating the conditions of their supervision. Forms of electronic monitoring for supervision include GPS monitoring and remote alcohol monitoring.

Electronic Monitoring as an **alternative to custody** is utilized in lieu of an offender serving a term of incarceration in jail or for pre-trial purposes, in lieu of an offender remaining in jail with bail set. Forms of electronic monitoring most frequently utilized as an alternative to custody including home detention with an RF (Radio Frequency) device or in some instances, GPS monitoring.

Global Positioning System (GPS) Monitoring: GPS monitoring is a form of supervision or alternative custody whereby the offender's whereabouts may be monitored to provide for victim safety, community safety and compliance with supervision conditions. Generally, unless use of

the tool is an alternative to custody, offenders do not receive credit for time served towards an actual jail sentence. GPS monitoring utilizes a device which is strapped to an offender's ankle and provides for 24 hour supervision.

Radio Frequency (RF) Home Detention: A form of alternative custody utilizing both cell and landline signals to confine an offender to their home for a period of incarceration. When violations occur or when an offender otherwise leaves their residence, a supervising Deputy Probation Officer and Sheriff's Department Dispatch are immediately notified. RF Home Detention is most frequently utilized with juvenile offenders.

Remote Alcohol Monitoring: A form of supervision utilizing a device which is strapped to an offender's ankle. Remote Alcohol devices utilize transdermal alcohol detection at blood alcohol levels of .02% or greater. The devices take 48 tests per day. A supervising Deputy Probation Officer may either be immediately notified of violations or violations may be downloaded from the device at offender check in.

 <p>ALTERNATIVE SENTENCING POLICY MANUAL</p>	<p style="text-align: right;">Page 1 of 4</p> <p>SECTION:</p> <p>SUBJECT: EMP MANUAL-Program Authority/ Rules and Regulations/Eligibility/Rejection/Termination</p> <p>EFFECTIVE:</p> <p>LAST ADOPTED:</p>
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A. Program Authority

1. Penal Code Section 1203.016 authorizes the Board of Supervisors to authorize the County Correctional Administrator to establish alternative sentencing programs in which inmates committed to a county jail or correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily or involuntarily be placed in a home detention program during their sentence in lieu of confinement in a county jail or other county correctional facility or program under the auspices of the Probation Officer.
2. The County Correctional Administrator is appointed by the Board of Supervisors on an annual basis. In Inyo County, the Chief Probation Officer and Sheriff are Co-County Correctional Administrators.
3. Pursuant to Penal Code Section 1203.016(b), the Board of Supervisors, in consultation with the Correctional Administrator, may prescribe reasonable Rules and Regulations under which a home detention program may operate. The Rules and Regulations of the home detention program shall be written and reviewed on an annual basis by the Board of Supervisors and shall be given to or made available to any participant upon request.
4. Pursuant to Penal Code Section 1203.016(d), the Correctional Administrator has specific authority to allow a person to participate in the program or to determine if a person is eligible and amenable to participation in the program.

B. Program Amenability

1. Defendant amenability for Electronic Monitoring shall be determined by a combination of factors, including:
 - a. The Defendant's risk to reoffend, as indicated by a validated risk assessment.
 - b. The Defendant's criminal record, including any history of serious or violent felonies.
 - c. Any rules violations the Defendant committed while in custody.
 - d. The Defendant's history of failure to appear at court.
 - e. The Defendant's history of compliance with any supervision conditions.
 - f. Any prior history of non-compliance with Electronic Monitoring.
 - g. The Defendant's current willingness to comply with the rules and regulations of Electronic Monitoring.

- h. The Defendant's current living arrangements, including whether or not Electronic Monitoring equipment will function at his or her home; presence of family members or others living with the Defendant who are unwilling to cooperate with EMP or otherwise present as an officer safety risk.
- i. Any other factor that would, in the supervising officer's opinion, objectively disqualify the Defendant from program participation.

C. Program Exclusion

1. The following defendants shall be excluded from Electronic Monitoring, unless otherwise approved by Probation Department Administration.
 - a. Any person convicted of an offense listed in Appendix A to this policy, "Excluded List of Crimes."
 - b. Any person with an active arrest warrant.
 - c. Any person who does not have a verifiable, legal address within Inyo County.
 1. Defendants who live outside the county and are found unsuitable for EMP due to residency restrictions may request a transfer to an EMP program in their home county. Those defendants will be responsible for the cost of any out-of-county program.
 - d. Any person who fails to appear for their scheduled EMP interview without good cause.
2. In the event the supervising officer determines a defendant is excluded from participation in EMP but is otherwise amenable, or the safety of the public and victim would otherwise be enhanced by the use of EMP, the supervising officer may obtain an Administrative Override from Department Administration and admit the defendant to EMP.

D. Appeals Rights and Process

1. Pursuant to Penal Code Section 1203.016(d)(2), any person who is denied entry into Electronic Monitoring shall be so advised in writing, including their right to an administrative appeal of the denial, and the process for filing an appeal with the Department.
2. The Deputy Chief Probation Officer is responsible for hearing any appeals and has sole authority to override any denial of entry into the program or termination from the program.
3. Upon receipt of an appeal, the supervising officer shall immediately forward it to the Deputy Chief Probation Officer, who shall issue a decision on the appeal within three (3) business days. The Deputy Chief Probation Officer shall notify the Defendant in writing as to the final decision to either deny or admit the Defendant into the program.

E. Minimum/Maximum Sentence

1. There are no minimum or maximum sentence requirements for Electronic Monitoring.

F. Credit for Time Served

1. Where EMP is being utilized as an alternative sentence, defendants shall receive day for day credit for time served towards the completion of their sentence.

G. Court Referrals

1. Pursuant to Penal Code Section 1203.016(e), the Court may recommend or refer a Defendant to the Correctional Administrator or his or her designee for admission into the program. The recommendation or referral shall be given **great weight** in the determination for acceptance or denial into the program.

H. Processing Time

1. Courts generally grant non-custodial applicants two (2) to three (3) weeks to apply for an alternative sentencing program. Lacking good cause, applicants who fail to apply for EMP within fifteen (15) days of their custodial date, forfeit their eligibility for EMP and must report to jail to serve their sentence.
2. Defendants who are released on their own recognizance or released on bail with EMP must generally apply for and either be admitted to or denied EMP by no later than their next court date. Such defendants are solely responsible for completing the EMP application packet at the jail, in a timely manner. Upon receipt of the application packet from Pre-Trial defendants, every effort should be made to conduct the interview process, accept or deny the defendant, and to release the defendant on EMP. Upon acceptance or denial of a Pre-Trial defendant, the Court, District Attorney and attorney for the defendant should be notified as soon as is reasonably possible.

I. Program Rules

1. Defendants must agree to, and abide by, the following program rules and regulations while participating in the program.
 - a. Not violate any laws. If the Defendant receives a traffic citation or have any contact with any police agency, the Defendant will report such contact as soon as possible to the Probation Officer.
 - b. Comply with any and all terms and conditions of my supervision, and any issued by my Probation Officer. Failure to abide by any of these orders may result in my immediate removal from the program and will result in a return to custody. It may also jeopardize further eligibility for other alternative programs.

- c. Not possess, or have in my residence/vehicle, any gun, explosive, or other deadly weapon.
- d. Not possess or use any narcotic or controlled substance without a valid medical prescription.
- e. Submit to chemical, blood, breath, saliva, or urine testing deemed necessary by the Probation Officer.
- f. Not have any form of contact or communication with any other inmates, either in this program, or in any jail, correctional facility, or state prison. (Exceptions to be approved by the Probation Officer.)
- g. Submit my person, property, residence, or vehicle to search and seizure warrant or probable cause, at any hour of the day or night, by any Probation Officer or Peace Officer.
- h. Inform any co-residents of the program rules and regulations.
- i. Not operate a motor vehicle unless properly licensed and insured.
- j. Enroll and participate in treatment programs or counseling as directed by the Probation Officer.
- k. Report to the Probation Officer at such times and places as directed.
- l. Notify the Probation Officer in advance of any change of address and or phone number.
- m. Pay all fees and costs of alternative sentencing or release programs.



INYO COUNTY PROBATION DEPARTMENT

COMMUNITY, PRIDE, AND PROGRESS

JEFFREY L. THOMSON
CHIEF PROBATION OFFICER

JACOB E. MORGAN
DEPUTY CHIEF

APPENDIX A

EMP PROGRAM-EXCLUDED CRIMES

136.1 PC	Prevent/Dissuade witness from testimony
148.10(a) PC	Resisting peace officer resulting in death/serious injury to a peace officer
187 PC	Murder
191.5 PC	Gross Vehicular Manslaughter
192 PC	Manslaughter
203 PC	Mayhem
205 PC	Aggravated Mayhem
207 PC	Kidnapping
211 PC	Robbery
215 PC	Carjacking
220 PC	Assault with intent to commit rape
236 PC	False imprisonment
243(b) PC	Battery on a peace officer
243(e)(1), 245(a)(2), 246.3(a) PC	Battery of co-habitant spouse, co-parent, former spouse, fiancé, etc./Discharge firearm/Cause injury or death
243.4 PC	Sexual battery
246 PC	Shoot into occupied dwelling
261 PC	Rape
288 PC	Lewd or Lascivious Acts with a child
290 PC	Registration of sex offender
311 PC, et. seq.	Obscene matter/Child pornography
314 PC	Lewd or Obscene Conduct/Indecent Exposure
368 PC	Cruelty to an adult dependent
405 PC	Riot
417 PC	Firearm
422 PC	Terrorist Threats
451 PC	Arson
626.9 PC	Gun at school
646.9 PC	Stalking
647.6 PC	Annoying or molesting child under age 18
2800.1(a) VC	Evading arrest
2800.2(a) VC	Evading peace officer with disregard for safety
4532 PC	Escape
871 WIC	Escape

Persons who are currently pending Court for any of the above noted offenses or any other "serious" felony within the meaning of subdivision (c) of Section 1192.7 PC, or a "violent felony" within the meaning of subdivision (c) of Section 667.5 PC, are excluded from EMP unless a Probation Administration override is obtained.

Persons with a significant history of violent behavior are also excluded without an administrative override.

Bishop Office: 918 N. Main Street, Bishop, CA 93514
 (760) 872-4111 • Fax: (760) 872-0931
 Juvenile Division: 912 N. Main Street, Bishop, CA 93514
 (760) 872-4005 • Fax: (760) 872-0930

Independence Office: 168 N. Edwards Street
 P.O. Box T, Independence, CA 93526
 (760) 878-0274 • Fax: (760) 878-0436
 From Bishop: (760) 872-2705

 <p>PROBATION DEPARTMENT ALTERNATIVE SENTENCING POLICY MANUAL</p>	<p style="text-align: right;">Page 1 of 2</p> <p>SECTION: SUBJECT: EMP PROGRAM FEES</p> <p>EFFECTIVE: LAST ADOPTED: DRAFT</p>
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Program Fees

- A. **Program Fees:** Program fees, authorized by Section 1208.2 of the California Penal Code, are set by the Board of Supervisors. Currently program fees are a maximum of **\$15.00 per day, per device**. Upon application, a non-refundable \$25 application processing fee is collected.
- B. **Defendant Proof of Household Income:** Defendants may be required to bring proof of household income to the initial intake with the supervising officer. All persons residing at the defendant's address are considered to be part of the household, excluding non-related roommates. Verification of household income is necessary to properly assess fees at the time of intake (i.e. last 2 pay stubs and tax returns for the household).
- C. Clients who fail to provide documentation are enrolled at the default rate of \$15.00 per day, per device. They shall be given 10 days to provide documentation, and if they do so, fees are adjusted retro-actively.
- D. **Payment Due Dates:**
- Formal Probation** - Fees for the first seven (7) days of the program (\$105 in most cases) will be paid in advance. Fees will be due every seven (7) days thereafter until the defendant's time has been served.
- Summary Probation** – Fees will be expected to be paid in full upon acceptance of the EMP in lieu of serving jail time, for those placed on Summary Probation.
- E. **Payments:** All fees must be paid by personal appearance at the Probation Department (either Bishop or Independence locations). Fees may be paid by cash, money order, cashiers check, or credit card (via on-line services).
- F. **Fees subject to change:** Program fees are subject change upon approval by the Board of Supervisors.
- G. **Sliding Scale/Inability to Pay:** The Department shall adopt a sliding scale fee schedule if defendants are, due to their income level, unable to pay fees as set by the Board of Supervisors. The Court has the authority to determine if a defendant has an inability to pay program fees. If the Court makes such a finding, a copy of the court docket indicating the finding should be attached to the defendant's enrollment packet. Pursuant to Section 1208.2(g) PC, no person shall be denied consideration for or be removed

from participation in EMP because of an inability to pay all or a portion of the program fees. At any time during a person's sentence, the participant may request a suspension of fees on the grounds of a change in circumstances with regard to the person's ability to pay.

- H. Notification to Department Account Technician: Upon enrolling a defendant into the program, the supervising officer shall immediately notify the Department Account Technician about the enrollment, the fee amount that was assigned and the duration of the program. The Account Technician shall also be notified upon a defendant being terminated from the program.
- I. Collection of Fees: Department personnel who collect program fees shall provide the defendant with a receipt for collection of the fee.
- J. Non-Payment of Fees: Participants with the ability to pay fees who fail to do so are subject to program removal pursuant to Section 1203.016(b)(4) of the Penal code. The participant's Probation Officer will complete and mail a NOTICE OF INTENT TO REMOVE FROM PROGRAM (Attachment 5) form prior to removal from EMP.
- K. Fee Refunds: Participants who have made overpayments may request a fee refund. The Probation Officer will complete a REFUND OF FEES form (Attachment 7). This form will be forwarded to the Supervisor or Deputy Director for approval. The Deputy Director will forward the form to the Account Technician for processing.
- L. Involuntary Commitments to EMP: Persons who are involuntarily committed to the EMP program shall not be charged program fees.
- M. Other Fee Waivers: In special circumstances, such as Drug Court cases, the Correctional Administrator has the authority to waive payment due dates to allow defendants to fully participate in counseling programs or other programs conducive to their rehabilitation.



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: Probation Department / County Administrator's Office

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Community Recidivism Reduction Grant

DEPARTMENTAL RECOMMENDATION:

Request Board to:

- 1) Review letter from the Board of State and Community Corrections (BSCC) dated August 12, 2014 regarding a Community Recidivism Reduction Grant as described in Penal Code Section 1233.10;
- 2) Determine if the Inyo County Board of Supervisors is willing to agree to accept funding from the Recidivism Reduction Fund in the amount of \$10,000, and provide direction to the Chief Probation Officer regarding the Board's intent, if any, to award sub-grants; and,
- 3) As appropriate, authorize Chief Probation Officer to submit a letter of intent to the BSCC.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: The Board of State and Community Corrections (BSCC) submitted a letter dated August 12, 2014 to the Board Chairperson and Chief Probation Officer Jeff Thomson informing Inyo County that the Budget Act of 2014 allocated \$8 million to the BSCC for the Community Recidivism Reduction Grant as described in Penal Code Section 1233.10 (see attached for copy of letter). The Grant monies are "to be provided to a nongovernmental entity or a consortium or coalition of nongovernmental entities that provide community recidivism and crime reduction services to persons who have been released from state prison, a county jail, or a juvenile detention facility, who are under the supervision of a parole or probation department, or any other person at risk of becoming involved in criminal activities." "Each county's allocation is based on the population within the county as specified on Attachment II." (see attached). The amount allocated to Inyo County is \$10,000 and "funding is available for expenditure for four (4) years and any unspent funds revert to the state. Funds not encumbered with a service provider one year after allocation of grant funds to the county will immediately revert to the state."

There is no match requirement; however, per Penal Code Section 1233.10(a) "a county board of supervisors, in collaboration with the county's Community Corrections Partnership, shall develop, administer, and collect and submit data to the" BSCC "regarding a competitive grant program intended to fund community recidivism and crime reduction services, including, but not limited to, delinquency prevention, homelessness prevention, and reentry services." Pursuant to Penal Code Section 1233.10(a)(2)(d) (page 3 of Attachment I) the Board of Supervisors in collaboration with the County's Community Correction Partnership "shall grant funds allocated to the county, as described in subdivision (a), to community recidivism and crime reduction service providers based on the needs of their community." Lastly, up to 5 percent may be withheld by the Board of Supervisor or the Community Corrections Partnership for the payment of administrative costs.

ALTERNATIVES: The Board could choose not to accept funding from the Recidivism Reduction Fund in the amount of \$10,000.

OTHER AGENCY INVOLVEMENT: Board of State and Community Corrections

FINANCING: Funding would be provided to the Board of Supervisors and would need to be budgeted accordingly.

<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: _____ 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: September 10, 2014



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

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EDMUND G. BROWN, JR.
Governor

August 12, 2014

Mr. Rick Pucci, Chairperson
Inyo County Board of Supervisors
P.O. Box N
Independence, CA 93526

Mr. Jeff Thomson
Inyo County Chief Probation Officer
P.O. Box T
Independence, CA 93526

Dear Chairperson Pucci and Chief Probation Officer Thomson:

The Budget Act of 2014 (Chapter 25, Statutes of 2014) allocates \$8 million to the Board of State and Community Corrections for the Community Recidivism Reduction Grant described in Penal Code section 1233.10 (Attachment I). Counties are eligible to receive funds if the Board of Supervisors, in collaboration with the county's Community Corrections Partnership, agrees to develop a competitive grant program intended to fund community recidivism and crime reduction services. In developing the grant program, the Board of Supervisors, in collaboration with the Community Corrections Partnership must establish minimum requirements, funding criteria, grant award limits, and procedures for the county to award grants. Please note, each county must notify the Board of State and Community Corrections of their interest in participating in this grant program. Upon approval by the Board of Supervisors, please send a letter to the BSCC, to the attention of Megan Barber-Brancamp, that confirms your county's interest in receiving the funding, and include the Board of Supervisors meeting minutes authorizing this action by September 30, 2014.

Grants must be awarded by the Board of Supervisors to a nongovernmental entity or a consortium or coalition of nongovernmental entities that provide community recidivism and crime reduction services to persons who have been released from state prison, a county jail, or a juvenile detention facility, who are under the supervision of a parole or probation department, or any other person at risk of becoming involved in criminal activities. Community recidivism and crime reduction services include, but are not limited to delinquency prevention, homelessness prevention, and reentry services.

Counties receiving funds are also required to collect and submit data to the Board of State and Community Corrections on grants awarded. Service providers that receive a grant are responsible for reporting to the county Board of Supervisors or the Community Corrections Partnerships on the number of individuals served and the types of services provided. The Board of Supervisors or the Community Corrections Partnerships must report any information received from grant recipients to the Board of State and Community Corrections on or before July 1, 2015 and each year until the final reporting date of July 1, 2018.

Each county's allocation is based on the population within the county as specified on Attachment II. In addition, pursuant to Penal Code section 1233.10, subdivision (e), the maximum amount

that can be awarded to a service provider is based on the population of the county, and is also specified on Attachment II. Each county may use up to five percent of its allocation for administrative costs.

This funding is available for expenditure for four years and any unspent funds revert to the state. Funds not encumbered with a service provider one year after allocation of grant funds to the county will immediately revert to the state.

If you have any questions, please contact Megan Barber-Brancamp via email at megan.barber-brancamp@BSCC.ca.gov or by phone at (916) 445-9435.

Sincerely,



KATHLEEN T. HOWARD
Executive Director
Board of State and Community Corrections

cc: Mr. Matt Cate, Executive Director, California State Association of Counties
Ms. Elizabeth Howard Espinosa, Senior Legislative Representative, California State Association of Counties
Ms. Karen Pank, Executive Director, Chief Probation Officers of California
Mr. Nick Warner, Policy Director, California State Sheriffs' Association

Attachments



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

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Governor

Attachment I

California Penal Code Section 1233.10(a)

Upon agreement to accept funding from the Recidivism Reduction Fund, created in Section 1233.9, a county board of supervisors, in collaboration with the county's Community Corrections Partnership, shall develop, administer, and collect and submit data to the Board of State and Community Corrections regarding a competitive grant program intended to fund community recidivism and crime reduction services, including, but not limited to, delinquency prevention, homelessness prevention, and reentry services. The funding shall be allocated to counties by the State Controller's Office from Item 5227-101-3259 of Section 2.00 of the Budget Act of 2014-15 according to the following schedule:

Alameda	\$ 250,000
Alpine	\$ 10,000
Amador	\$ 10,000
Butte	\$ 50,000
Calaveras	\$ 10,000
Colusa	\$ 10,000
Contra Costa	\$ 250,000
Del Norte	\$ 10,000
El Dorado	\$ 50,000
Fresno	\$ 250,000
Glenn	\$ 10,000
Humboldt	\$ 50,000
Imperial	\$ 50,000
Inyo	\$ 10,000
Kern	\$ 250,000
Kings	\$ 50,000
Lake	\$ 25,000
Lassen	\$ 10,000
Los Angeles	\$1,600,000
Madera	\$ 50,000
Marin	\$ 50,000
Mariposa	\$ 10,000
Mendocino	\$ 25,000
Merced	\$ 50,000
Modoc	\$ 10,000

Mono	\$ 10,000
Monterey	\$ 100,000
Napa	\$ 50,000
Nevada	\$ 25,000
Orange	\$ 500,000
Placer	\$ 50,000
Plumas	\$ 10,000
Riverside	\$ 500,000
Sacramento	\$ 250,000
San Benito	\$ 25,000
San Bernardino	\$ 500,000
San Diego	\$ 500,000
San Francisco	\$ 250,000
San Joaquin	\$ 250,000
San Luis Obispo	\$ 50,000
San Mateo	\$ 250,000
Santa Barbara	\$ 100,000
Santa Clara	\$ 500,000
Santa Cruz	\$ 50,000
Shasta	\$ 50,000
Sierra	\$ 10,000
Siskiyou	\$ 10,000
Solano	\$ 100,000
Sonoma	\$ 100,000
Stanislaus	\$ 100,000
Sutter	\$ 25,000
Tehama	\$ 25,000
Trinity	\$ 10,000
Tulare	\$ 100,000
Tuolumne	\$ 25,000
Ventura	\$ 250,000
Yolo	\$ 50,000
Yuba	\$ 25,000

(b) For purposes of this section, "community recidivism and crime reduction service provider" means a nongovernmental entity or a consortium or coalition of nongovernmental entities, that provides community recidivism and crime reduction services, as described in paragraph (2) of subdivision (c), to persons who have been released from the state prison, a county jail, a juvenile detention facility, who are under the supervision of a parole or probation department, or any other person at risk of becoming involved in criminal activities.

(c) (1) A community recidivism and crime reduction service provider shall have a demonstrated history of providing services, as described in paragraph (2), to the target population during the five years immediately prior to the application for a grant awarded pursuant to this section.

(2) A community recidivism and crime reduction service provider shall provide services that are designed to enable persons to whom the services are provided to refrain from engaging in

crime, reconnect with their family members, and contribute to their communities. Community recidivism and crime reduction services may include all of the following:

- (A) Self-help groups.
- (B) Individual or group assistance with basic life skills.
- (C) Mentoring programs.
- (D) Academic and educational services, including, but not limited to, services to enable the recipient to earn his or her high school diploma.
- (E) Job training skills and employment.
- (F) Truancy prevention programs.
- (G) Literacy programs.
- (H) Any other service that advances community recidivism and crime reduction efforts, as identified by the county board of supervisors and the Community Corrections Partnership.
- (I) Individual or group assistance with referrals for any of the following:
 - (i) Mental and physical health assessments.
 - (ii) Counseling services.
 - (iii) Education and vocational programs.
 - (iv) Employment opportunities.
 - (v) Alcohol and drug treatment.
 - (vi) Health, wellness, fitness, and nutrition programs and services.
 - (vii) Personal finance and consumer skills programs and services.
 - (viii) Other personal growth and development programs to reduce recidivism.
 - (ix) Housing assistance.

(d) Pursuant to this section and upon agreement to accept funding from the Recidivism Reduction Fund, the board of supervisors, in collaboration with the county's Community Corrections Partnership, shall grant funds allocated to the county, as described in subdivision (a), to community recidivism and crime reduction service providers based on the needs of their community.

(e) (1) The amount awarded to each community recidivism and crime reduction service provider by a county shall be based on the population of the county, as projected by the Department of Finance, and shall not exceed the following:

- (A) One hundred thousand dollars (\$100,000) in a county with a population of over 4,000,000 people.
- (B) Fifty thousand dollars (\$50,000) in a county with a population of 700,000 or more people but less than 4,000,000 people.
- (C) Twenty five thousand dollars (\$25,000) in a county with a population of 400,000 or more people but less than 700,000 people.
- (D) Ten thousand dollars (\$10,000) in a county with a population of less than 400,000 people.

(2) The total amount of grants awarded to a single community recidivism and crime reduction service provider by all counties pursuant to this section shall not exceed one hundred thousand dollars (\$100,000).

(f) The board of supervisors, in collaboration with the county's Community Corrections Partnership, shall establish minimum requirements, funding criteria, and procedures for the counties to award grants consistent with the criteria established in this section.

(g) A community recidivism and crime reduction service provider that receives a grant under this section shall report to the county board of supervisors or the Community Corrections Partnership on the number of individuals served and the types of services provided, consistent

with paragraph (2) of subdivision (c). The board of supervisors or the Community Corrections Partnership shall report to the Board of State and Community Corrections any information received under this subdivision from grant recipients.

(h) Of the total amount granted to a county, up to 5 percent may be withheld by the board of supervisors or the Community Corrections Partnership for the payment of administrative costs.

(i) Any funds allocated to a county under this section shall be available for expenditure for a period of four years and any unexpended funds shall revert to the state General Fund at the end of the four-year period. Any funds not encumbered with a community recidivism and crime reduction service provider one year after allocation of grant funds to counties shall immediately revert to the state General Fund.



LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

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EDMUND G. BROWN, JR.
Governor

**Attachment II
County Allocations**

County	Funding Allocation	Population*	Maximum Provider Allocation
Alameda	\$250,000.00	1,573,254	\$50,000.00
Alpine	\$10,000.00	1,079	\$10,000.00
Amador	\$10,000.00	36,151	\$10,000.00
Butte	\$50,000.00	222,361	\$10,000.00
Calaveras	\$10,000.00	44,650	\$10,000.00
Colusa	\$10,000.00	21,660	\$10,000.00
Contra Costa	\$250,000.00	1,087,008	\$50,000.00
Del Norte	\$10,000.00	28,131	\$10,000.00
El Dorado	\$50,000.00	182,404	\$10,000.00
Fresno	\$250,000.00	964,040	\$50,000.00
Glenn	\$1,000.00	28,353	\$10,000.00
Humboldt	\$50,000.00	134,648	\$10,000.00
Imperial	\$50,000.00	180,672	\$10,000.00
Inyo	\$10,000.00	18,590	\$10,000.00
Kern	\$250,000.00	873,092	\$50,000.00
Kings	\$50,000.00	150,181	\$10,000.00
Lake	\$25,000.00	64,699	\$10,000.00
Lassen	\$10,000.00	32,581	\$10,000.00
Los Angeles	\$1,600,000.00	10,041,797	\$100,000.00
Madera	\$50,000.00	153,897	\$10,000.00
Marin	\$50,000.00	255,846	\$10,000.00
Mariposa	\$10,000.00	18,467	\$10,000.00
Mendocino	\$25,000.00	89,029	\$10,000.00
Merced	\$50,000.00	264,922	\$10,000.00
Modoc	\$10,000.00	9,197	\$10,000.00
Mono	\$10,000.00	14,143	\$10,000.00
Monterey	\$100,000.00	425,756	\$25,000.00
Napa	\$50,000.00	139,255	\$10,000.00
Nevada	\$25,000.00	97,225	\$10,000.00
Orange	\$500,000.00	3,113,991	\$50,000.00
Placer	\$50,000.00	366,115	\$10,000.00
Plumas	\$10,000.00	19,140	\$10,000.00
Riverside	\$500,000.00	2,279,967	\$50,000.00
Sacramento	\$250,000.00	1,454,406	\$50,000.00
San Benito	\$25,000.00	57,517	\$10,000.00
San Bernardino	\$500,000.00	2,085,669	\$50,000.00

County	Funding Allocation	Population	Max. Provider Allocation
San Diego	\$500,000.00	3,194,362	\$50,000.00
San Francisco	\$250,000.00	836,620	\$50,000.00
San Joaquin	\$250,000.00	710,731	\$50,000.00
San Luis Obispo	\$50,000.00	272,357	\$10,000.00
San Mateo	\$250,000.00	745,193	\$50,000.00
Santa Barbara	\$100,000.00	433,398	\$25,000.00
Santa Clara	\$500,000.00	1,868,558	\$50,000.00
Santa Cruz	\$50,000.00	271,595	\$10,000.00
Shasta	\$50,000.00	179,412	\$10,000.00
Sierra	\$10,000.00	3,089	\$10,000.00
Siskiyou	\$10,000.00	45,231	\$10,000.00
Solano	\$100,000.00	424,233	\$25,000.00
Sonoma	\$100,000.00	490,486	\$25,000.00
Stanislaus	\$100,000.00	526,042	\$25,000.00
Sutter	\$25,000.00	95,733	\$10,000.00
Tehama	\$25,000.00	63,717	\$10,000.00
Trinity	\$10,000.00	13,389	\$10,000.00
Tulare	\$100,000.00	459,446	\$25,000.00
Tuolumne	\$25,000.00	53,604	\$10,000.00
Ventura	\$250,000.00	842,967	\$50,000.00
Yolo	\$50,000.00	206,381	\$10,000.00
Yuba	\$25,000.00	73,682	\$10,000.00

*As estimated by the Department of Finance



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

12

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

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Inyo National Forest Plan Update/Revision – (1) Notice of Intent to Prepare an Environmental Impact Statement for the Plan Update and (2) Wilderness Evaluation

RECOMMENDATION: (1) Review draft correspondence to the Forest Service regarding the Notice of Intent to Prepare an Environmental Impact Statement for the Inyo National Forest Plan and authorize the Chair to sign (2) review Wilderness Inventory Mapping and provide input to staff.

SUMMARY DISCUSSION: The Inyo National Forest (INF) is working on updating its Forest Plan.¹ The Forest Service (FS) has issued a Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for the Update (Attachment 2); comments are due September 29, 2014. Concurrently, the FS is requesting input regarding the latest iteration of Potential Wilderness Inventory Maps by September 22, 2014.²

Notice of Intent

INF Supervisor Ed Armenta briefed the Board regarding the NOI on September 2, which was released for public review on August 29 (Attachment 2). The NOI focuses on benefits to people and communities, Tribal relations and uses, sustainable recreation, fire, air quality, terrestrial ecosystems, aquatic and riparian ecosystems, water resources, at-risk species, invasive species, ecological integrity, lands, and designated areas. More focused details are identified in a document entitled Detailed Proposed Action in Support of the Need to Change Items in the Notice of Intent for the Forest plan Revision for the Inyo, Sequoia, and Sierra National Forests (refer to Attachment 2). The FS has scheduled a public meeting to present the NOI publicly in Bishop at the Fairgrounds on September 18 from 6 to 8 p.m.

Staff has prepared draft correspondence for the Board's consideration in response to the NOI, which is included in Attachment 1. Staff's review of the NOI indicates that much of the County's previous input continues to be relevant. In particular, staff has identified concerns about one EIS being prepared for the three forests, multiple uses, amphibians, financing, socioeconomics, infrastructure, services, local planning, and the proposed species of conservation concern. However, staff notes that the FS has addressed some of these issues to some degree, and other issues acceptably.

Wilderness Inventory and Evaluation

The Forest Supervisor may recommend additional Wilderness through the Plan Revision process. In early June 2014, the FS released for public review Preliminary Inventory Maps for the Inyo, Sequoia, and Sierra

¹ Refer to <http://inyoplanning.org/InyoNationalForest.htm> for more information about the County's participation in the Plan Update/Revision, including links to the Forest Service's relevant online references.

² Refer to <http://www.fs.usda.gov/goto/r5/FPRWilderness>.

National Forests to inventory maps of lands that may be suitable for Wilderness. The maps were then updated based on the public input, resulting in the Final Wilderness Inventory Maps. These Maps are based on relatively objective criteria analyzed by Geographic Information Systems, primarily related to size.

The FS is now beginning a more subjective process of exclusion based on Wilderness Character, which will be evaluated using the following five qualities: (1) untrammled (2) natural; (3) undeveloped (4) outstanding opportunities for solitude or a primitive and unconfined type of recreation, and; (5) unique qualities of a particular wilderness area. Subsequent to publishing the Final Maps, the FS has indicated that it will eliminate additional areas from the Maps based on roads (refer to Attachment 3), and is now accepting public input regarding Wilderness Character in the remaining areas. Staff is scheduled to meet with FS staff regarding the mapping, and requests the Board's input regarding Wilderness Character within the remaining areas being considered for potential Wilderness recommendations to convey to FS staff.

ALTERNATIVES: The Board could consider not sending correspondence. This is not recommended given the County's interests in Plan Revision. The Board could delay finalizing comments regarding the NOI until later in the comment period or authorizing staff to transmit comments. The Board could also provide input to staff regarding the Wilderness Inventory to craft correspondence and authorize the Chair to sign.

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

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

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

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



Date: 9-11-14

Attachments:

1. Draft Correspondence regarding NOI
2. NOI and Related Documents
3. Wilderness Maps

September 16, 2014

Ed Armenta, Supervisor
Attn.: Forest Plan Revision
Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA, 93514

Re: Notice of Intent to Prepare an Environmental Impact Statement for the Inyo National Forest Plan Revision

Mr. Armenta,

On behalf of the Inyo County Board of Supervisors, thank you for the opportunity to review the Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for the Inyo National Forest Plan Revision and the related documentation. We are pleased that Forest Service staff is working with our staff in the spirit of coordination pursuant to our Memorandum of Understanding.

We must reiterate our dismay that one EIS is being prepared for the three early-adopter Forests in Region 5. We find that many references in the NOI are specific to the west side, proving our concern. Absent one EIS being prepared for the Inyo National Forest, we believe that greater specificity for east-side issues should be provided. We acknowledge the attempt of the NOI to do so, but in most cases it appears to be an afterthought.

We offer the following specific input regarding the NOI:

1. We continue to believe that Plan Revision should focus on multiple uses per the Multiple Use Sustained Yield Act. Given that the Forest Service will not include this as a main theme in the Purpose and Need, we request that it be further emphasized in the topics being addressed, particularly Ecological Integrity, Terrestrial Ecosystems, Aquatic and Riparian Ecosystems, Water Resources, At-Risk Species, and Designated Areas.
2. We appreciate that the NOI addresses our previous input regarding air quality, local contracting and stewardship, public/private partnerships, and sustainable recreation.
3. We continue to be concerned that socioeconomics is not a primary topic, despite the Planning Rule's direction to the contrary. As we have previously indicated, scientific research proves that the small rural economies such as ours are particularly fragile, and actions on the Forest have significant positive and negative impacts to us. Attached is input from Gruen + Gruen Associates describing overall issues with the approach. Similar to multiple uses, we request that if socioeconomics will not be added as a primary topic that it be further emphasized in the individual topic areas.
4. As we have previously requested, the Plan Revision should specify the Healthy Forest Restoration Act's work to protect communities, watersheds, and certain other at-risk lands from catastrophic wildfire, measures to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and other provisions.
5. We continue to be concerned about the impact of the recently listed Sierra amphibians. Attached is correspondence we previously submitted to the U.S. Fish and Wildlife Service (USFWS) delineating our concerns about the importance of recreation areas being considered

for critical habitat for the species, and reiterate the potential impacts that designation in these areas could cause. We request that the Forest Service consider the severity of these potential impacts in its consultations with USFWS.

6. As we have previously requested, Plan Revision should address permitting burdens.
7. We are concerned that species protection is being emphasized over multiple uses. We suggest that better balancing these objectives will work towards enhanced species protection in the long-run. We believe alternatives that work toward improving access and enhanced economic vitality should be considered in the EIS.
8. We reiterate our alarm about the vast scale and geographic coverage of the Species of Conservation Concern.
9. We continue to be concerned that public services and infrastructure are not being evaluated, and request that the decision to not include these in Plan Revision be revisited.
10. We continue to urge the Forest Service to address local plans, policies, and regulations in Plan Revision, consistent with the all-lands approach required by the Planning Rule.
11. We continue to hear from our constituents that the Plan should be attainable and sustainable. While we recognize that the Forest Service has begun to address this issue, we believe that greater emphasis is warranted.

Thank you again for the opportunity to comment on the NOI. We look forward to continuing to work with you collaboratively throughout this process. If you have any questions, please contact the County Administrative Officer, Kevin Carunchio, at (760) 878-0292 or at kcarunchio@inyocounty.us.

Sincerely,

Rick Pucci, Chair
Inyo County Board of Supervisors

Attachments

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
Randy Moore, Region 5 Forester

September 9, 2014

Josh Hart
Planning Director
County of Inyo
P.O. Drawer L
168 N. Edwards St.
Independence, CA 93526

Dear Josh:

We have completed the review of the Forest Service NOI that you requested we conduct. Below, we list the comments that we believe it would be appropriate for the Board of Supervisors to send forward in response to the Forest Service request for comments on their Notice of Intent.

Comments in Response to Forest Service August 25, 2014 Notice of Intent

- The writers of the NOI should be commended for adding interpretation and education into the scope of the management plan.
- We are encouraged by the statement on page 10, "Desired conditions and other plan content for working with partners would be incorporated to demonstrate that they are integral to program of work planning and conducting sustainable recreation activities."
- We are encouraged to see the updating and emphasis placed on the role played by the forest in connecting people to cultural heritage, recreation and tourism opportunities and sustaining treasured places, as also stated at the bottom of page 10 of the NOI.
- The NOI (pages 22 and 23) indicates one EIS for all three forests for reasons of efficiency. Given the differences between the Inyo landscape, particularly its socioeconomic environment, and the Western Forests, the ability of the EIS to best provide direction for the management plan would be greatest if Inyo had a separate EIS. The importance of the Forest to Inyo County is unique because tourism is the driving engine of the Inyo County economy. Inyo County's hospitality sector makes up 25 percent of private employment in the County, while the spillover from tourism is also a major factor in the sustainability of the County's retail trade and service sector employment. We encourage support of visitor-serving industries and development of EIS alternatives that emphasize job creation and economic vitality.
- The NOI calls for socio-economic sustainability in many places, including recreation (for example, page 4 and particularly 9, which calls for a "placed-based model for recreation planning") but the NOI also calls for the sustainability of natural resources in many of its sections (see for example: Ecological Integrity (p. 5), Fire (pg. 11),



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Terrestrial Ecosystems (p. 13), Aquatic and Riparian Ecosystems (p. 15), Water Resources (p. 16), At-Risk Species (p. 17). There will be many tradeoffs the management plan will have to make between the degree to which the sustainability of human and natural resources are encouraged. In order for the plan to balance the policies aimed at improving the sustainability of the natural environment with policies intended to increase socioeconomic sustainability, the EIS should evaluate the impacts of alternative policies on human and natural resources with metrics that facilitate the selection of balanced policies. Similarly, the scope of the EIS and the plan monitoring program called for on page 21 should be required to employ some transparent process for identifying and evaluating these tradeoffs.

- Particularly in the light of recent research indicating that cattle grazing are beneficial to grassland and fire behavior, we are concerned that “addressing the ecological integrity of meadows” discussed on page 16 does not mean removing existing grazing lands. (see Davies et.al, 2010 and Diamond et al, 2009; USGS, 2007).
- Given the importance of hydropower to the generation of power serving local demands, it is important for the impacts of that generation to be identified to inform the plan’s intended updating of hydrology conditions. (p. 16).
- The statement on page 17 raises concerns with the County that the issues raised in our June 3, 2014 letter to Secretary Jewell of the U.S. Dept. of the Interior will not be fully considered. The statement reads, “SNFPA 53, 54, 98 and 114, which are specifically related to the three newly listed federal and endangered amphibian species (Yosemite Toad, Sierra Nevada Yellow-Legged Frog, and the Northern District population segment of the Mountain Yellow-legged Frog would be retained, but would incorporate clarification resulting from consultation with the U.S. Fish and Wildlife.” We suggest the Board attach a copy of their June 3 letter to alert the Forest Service of an issue that is of paramount importance to the economy of Inyo County.
- The place-based model (p. 9) should be described and evaluated in the EIS.
- The “Plan Monitoring Program” (p. 21) should be commended, but in a way that asks that the County receives copies of the model and, of at least equal importance, obtains the visitor data contemporaneously with the Forest Service.
- Page 23 of the NOI discussing the plan includes the following sentence: “This decision will not authorize project-level activities on the three forests.” This sentence concerns the County, particularly with regard to such important issues as designation of motorized trails, hunting regulations and the designation of scenic, wild rivers. In the light of the fact that the plan will be read as providing programmatic NEPA clearance and streamlining for subject and future projects (such as quotas), it would be important that the plan not facilitate subsequent projects that could be detrimental to the ability of humans to enjoy the benefits of sustainable natural resources.



Josh Hart
September 9, 2014

Very truly yours,

Claude Gruen Nina Gruen

Claude Gruen and Nina Gruen
Principal Economist and Principal Sociologist

CG/jl





BOARD OF SUPERVISORS COUNTY OF INYO

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PATRICIA GUNSOLLEY
Assistant Clerk of the Board

June 3, 2014

Secretary Jewell
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Re: Final Rule Listing the Sierra Nevada Yellow-Legged Frog and the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog as endangered, and the Yosemite Toad as threatened

Dear Secretary Jewell:

On behalf of the Inyo County Board of Supervisors, we wish to thank you for the opportunity to participate in development of the listing for the above species, and commend you and your staffs for the hard work you have undertaken to solicit the concerns of an alarmed public and incorporate them into the final rule. We are committed to working with you to reverse the decline of these species, and we recognize that these actions will require substantial efforts locally as well as regionally and nationally.

After reviewing the final rule, we have ongoing concerns that the listing may have detrimental impacts to our regional economy and cultural identity, particularly in regards to certain activities that may be interpreted as a violation of Section 9 of the Endangered Species Act. Pursuant to the listing, these activities would be considered a violation in certain instances where the frog is currently extant; however, activities which are otherwise lawful could be considered a violation throughout the species' historic range if the U.S Fish and Wildlife Service (Service) determines the critical habitat designation is warranted. Inyo County's economy is based primarily on agriculture and tourism, particularly recreational fishing, and any limitations on these activities throughout the exceptionally broad area proposed to be included in the designation would have disastrous consequences on our regional economy.

We urge the Service to refine the final critical habitat rule to make certain that otherwise lawful activities will not be unnecessarily curtailed or prohibited, including but not limited to; fish stocking and recreational angling, hiking, backpacking, equestrian activities including pack-stock, off-highway vehicle use, and other outdoor recreational activities. As established by an economic analysis of the proposed rule¹, recreational activities in the proposed critical habitat area contribute approximately \$17,000,000 annually to our tourism-based economy. Restrictions to these activities would have an irreparable impact on our regional economy.

Additionally, we encourage the Service to be diligent in ensuring defined primary constituent elements included in the Final Rule specify only those features which are truly essential habitat for the species. Based on the final listing rule, this would exclude lower elevation lakes, where the species does not currently and has not historically existed, as well as highly valued and successful fisheries. We wish to reiterate our request that the following lakes be excluded from the critical habitat designation. This inventory was developed in partnership with the California Department of Fish and Wildlife, and is consistent with the High Mountain Lakes Project, as noted:

¹ *Socio-Economic Impact on Inyo County of the Proposed Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, Mountain Yellow-Legged Frog and Yosemite Toad*, Gruen Gruen + Associates, 2014

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat

Location (and Subunit)	Deficient Primary Constituent Elements² Section 3(5)(A)(i)	Exclusion Benefits Section 4(b)(2)	Resulting in Extinction Section 4(b)(2)
1. South Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area • Existing Southern California Edison (SCE) power-generation dam limits habitat quality. Reservoir is frequently drained and is not suitable for habitat. • Would be contingent on removing fish from upstream watershed. • Not in Wilderness Boundary. 	<ul style="list-style-type: none"> • Assurance of existing electrical generation capacity for the state from renewable resources • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
2. Treasures Lakes 1 and 2, and downstream (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area, including one of the only fisheries with Golden Trout. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is a low priority as a potential recovery site in CDFW's High Mountain Lakes Project.
3. Lamarck Creek, beginning at and including Upper and Lower Lamarck Lakes and Grass Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Easily accessed, heavily used fishery and recreation area. • Large, deep and well-connected: fish removal is impractical 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
4. North Fork of Bishop Creek in the Paiute Pass drainage, beginning at and downstream from Paiute	<ul style="list-style-type: none"> • Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.

² Analysis is consistent with individual management unit plans from CDFW Region 6's High Mountain Lakes Project.

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat

Location (and Subunit)	Deficient Primary Constituent Elements² Section 3(5)(A)(i)	Exclusion Benefits Section 4(b)(2)	Resulting in Extinction Section 4(b)(2)
Pass (Subunits 3E, 13)	<ul style="list-style-type: none"> • This area is a CDFW experimental fishery, developed in collaboration with local business and stakeholders. 		
5. Rock Creek Lake (Subunit 3D)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • <i>Bd</i> fungus positive: recolonization efforts by the CDFW have been unsuccessful • Would be contingent on removing fish from upstream watershed. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria
6. Rock Creek downstream from Chickenfoot and Ruby Lakes (Subunit 3D)	<ul style="list-style-type: none"> • Self-sustaining fish population • Well-connected: dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • <i>Bd</i> fungus positive: recolonization efforts by the CDFW have been unsuccessful. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
7. Pine Creek, beginning at and downstream of Golden Lake (Subunit 13)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed fishery and recreation area • Fish removal is not a threat to Yosemite Toad, so fish removal should not be considered a management strategy. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
8. Robinson Lake (Subunit 3F)	<ul style="list-style-type: none"> • Self-sustaining fish population • Isolated, poor habitat • Moderately-easy to access 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, 	No foreseeable justification: this location is not included as a potential recovery

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat

Location (and Subunit)	Deficient Primary Constituent Elements ² Section 3(5)(A)(i)	Exclusion Benefits Section 4(b)(2)	Resulting in Extinction Section 4(b)(2)
	fishery and recreation area • Not in Wilderness Boundary.	hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	site in CDFW's High Mountain Lakes Project.
9. The North Fork of Independence Creek, beginning at and downstream from Heart Lake (Subunit 3F)	• Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area.	• Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
10. The North Fork of Big Pine Creek, beginning at and downstream of Third Lake (Subunit 3E)	• Self-sustaining fish population • Easily accessed, heavily used fishery and recreation area • CDFW experimental fishery • Bd fungus positive: existing population has been recently infected and potentially extirpated.	• Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
11. Baker Creek beginning at and downstream from Thunder and Lightning Lake (Subunit 3E)	• Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • Bd fungus positive existing population has been recently infected and potentially extirpated.	• Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.
12. The Coyote Flats – the West Fork of Coyote Creek, downstream of Coyote Lake, Baker Creek (Bd positive),	• Bd fungus positive • Easily accessed OHV and recreation area • Grazing lease • Rocky Bottom Lake and Funnel Lake seasonal snowmelt lakes and therefore are unsuitable habitat for frogs • Not in Wilderness	• Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in the Coyote Flats supports	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.

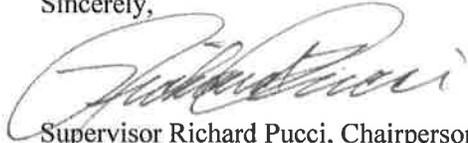
Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	Deficient Primary Constituent Elements² Section 3(5)(A)(i)	Exclusion Benefits Section 4(b)(2)	Resulting in Extinction Section 4(b)(2)
and Cow Creek (Bd positive) (Subunit 3E)	Boundary.	approximately 400 head of cattle, which represents an estimated \$376,000 contribution the agriculture sector of the Inyo County economy.	
13. Mulkey Meadows (Subunit 5B)	<ul style="list-style-type: none"> • Grazing lease • Native populations of Golden Trout • Bd fungus positive – though populations have subsisted. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in Mulkey Meadows supports approximately 235 head of cattle, which represents an estimated \$221,000 contribution the agriculture sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
14. Birch Creek ³	<ul style="list-style-type: none"> • Easily accessed OHV and recreation area. • Grazing lease 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.

We encourage the U.S. Fish and Wildlife Service to adopt the California Department of Fish and Wildlife's (CDFW) High Mountain Lakes Project in its entirety as the foundation of a balanced species management plan, with an emphasis on CDFW's mission to "manage lakes and streams in a manner which maintains or restores native biodiversity and habitat quality, supports viable populations of native species, and provides for recreational opportunities considering historical and future use patterns". We request the Service consult with CDFW to establish evaluative criteria based on the High Mountain Lakes Project for identifying features considered for inclusion in critical habitat.

³ The County requests that Birch Creek be removed from consideration for expanding the Critical Habitat area per the suggestion of the US Forest Service.

In closing, we would like to express our interest in participating in the development of the Species Recovery Plan, and request the Service to keep us informed of the species recovery planning process and any additional opportunities to participate. Thank you again for the opportunity to provide input into this important rulemaking process. If you have any questions, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or kcarunchio@inyocounty.us.

Sincerely,



Supervisor Richard Pucci, Chairperson
Inyo County Board of Supervisors

cc: Board of Supervisors
County Administrative Officer
County Counsel
Planning Director
Secretary Vilsack, USDA
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties
Fresno County
Tulare County
Mono County
Dan Ashe, U.S. Fish and Wildlife Service
Jennifer Norris, U.S. Fish and Wildlife Service
Robert Moler, U.S. Fish and Wildlife Service
Stephanie Weagley, U.S. Fish and Wildlife Service
Ed Armenta, Inyo National Forest
Chief Tidwell, Forest Service
Heidi Sickler, California Department of Fish and Wildlife



United States
Department of
Agriculture

Forest
Service

Pacific
Southwest
Region

Regional Office, R5
1323 Club Drive
Vallejo, CA 94592
(707) 562-8737 Voice
(707) 562-9240 Text (TDD)

File Code: 1920

Date: August 25, 2014

Dear Valued Stakeholder:

As “early adopters” of the 2012 Planning Rule, the Inyo, Sequoia, and Sierra National Forests will revise their land and resource management plans (forest plans), as amended. The existing forest plans have been amended several times since their approval, including the 2004 Sierra Nevada Forest Plan Amendment. We are beginning the National Environmental Policy Act (NEPA) process and analysis to revise these plans. This letter announces the start of the scoping period. The three early adopter forests are located primarily in the southern Sierra Nevada range in California, with some of the Inyo National Forest in the Great Basin and extending into Nevada. They encompass approximately 4.5 million acres and are administered by the United States Department of Agriculture (USDA), Forest Service (see the enclosed location map).

For the Sequoia National Forest, the Giant Sequoia National Monument Management Plan (Monument Plan), which amended the Sequoia Forest Plan in 2012, continues to govern management of the portion of the Sequoia National Forest located within the Giant Sequoia National Monument (Monument). The Monument Plan is a subset of the entire forest plan. The purpose of the current forest plan revision is to revise management direction for the rest of the forest outside of the Monument. The 1990 Mediated Settlement Agreement to the Sequoia National Forest Land Management Plan (MSA) states, “In the interim period between signing this Agreement and finalizing an amendment incorporating this Agreement into the Plan [Forest Plan], the Parties agree that the provisions of this Agreement shall be implemented according to the schedules indicated throughout this document.” A review was conducted to determine which of the provisions of the MSA have already been incorporated into amendments to the 1988 Sequoia Forest Plan. This review found that there are a number of provisions yet to be fully incorporated in amendments. Therefore, applicable provisions of the MSA will be addressed in the environmental analysis for forest plan revision.

Background

As directed by the National Forest Management Act, the Forest Service is preparing revised forest plans for the Inyo, Sequoia, and Sierra National Forests under the 2012 Planning Rule. This plan revision requires preparation of an environmental impact statement (EIS). The Forest Service will prepare one EIS for the three national forests currently undergoing plan revision. The three forests share some landscapes, issues, and stakeholders. Consolidating in one EIS will help streamline the process for many stakeholders and help facilitate a



landscape-level approach to plan revision. We expect that one EIS will also help the agency complete plan revision within a reasonable timeframe and budget.

Although there will be one EIS for the three national forests, three separate forest plans will be produced, one for each national forest. Forest supervisors are the responsible officials for development and approval of forest plan revisions consistent with the direction and intent of the 2012 Planning Rule (36 CFR 219).

The Inyo, Sequoia, and Sierra National Forests will revise their forest plans to provide a framework for integrated resource management for the forest. The forest plans will guide future management activities toward desired conditions on the three national forests (for the Sequoia, only outside of the Monument). These revised plans will define the parameters for management activities. They will offer the flexibility to adapt project-level decisions to accommodate rapidly changing resource conditions.

Purpose and Need

The National Forest Management Act and its implementing regulations contained in Chapter 36 of the Code of Federal Regulations, Section 219 (36 CFR 219), require that each national forest in the National Forest System have a land management plan that provides a framework for integrated resource management and for guiding project and activity decision-making. According to the National Forest Management Act, forest plans are to be revised on a 10- to 15-year cycle. The current forest plans for the Inyo, Sequoia, and Sierra National Forests were approved between 1988 and 1992 and are due for revision.

We have used science-based assessments and considered public and employee input to identify needed changes to existing forest plan direction. We have identified the following areas where changes are needed:

Benefits to People and Communities

- There is a need to update plan direction to: support the long term sustainability of forest benefits to people and contributions to local economies, which come as a result of the many uses of National Forest System lands; to encourage the use of partnerships with private and public entities and tribal stewardship opportunities; and to improve communication and outreach to the public, including underrepresented populations.
- There is a need to update plan direction to move toward resilience of forests to climate change and fire, ensuring that they provide benefits to people.
- There is a need to modify plan components to maintain levels of forest product and biomass production that support an economically-viable forest products industry, and to encourage local hiring.

Tribal Relations and Uses

- There is a need to include plan direction regarding tribal relations and uses to: help tribes maintain their culture and connection to the land; support economic opportunities in tribal communities; incorporate traditional ecological knowledge; and collaborate with the agency to meet restoration goals.

Sustainable Recreation

- There is a need to update plan direction to improve recreation facilities, settings, opportunities and access and their sustainability; and to improve and protect scenic character, which contributes to people's recreation experience and sense of place.
- There is a need to proactively manage cultural resources to protect and improve the conditions of these resources and help connect people to the land.

Fire

- There is a need to add plan direction to improve fire management to recognize climate change.
- There is a need to modify wildfire management areas and associated plan direction to increase the area where fuel reduction treatments occur, while also increasing the opportunity to use fire as a restoration tool, and to modify plan direction to maintain or restore fire as an ecosystem process, especially in riparian areas.
- There is a need to include plan direction that incorporates analyzing smoke tradeoffs to communities from prescribed fire or wildfire used to meet resource objectives and large, uncontrolled wildfire.

Ecological Integrity

- There is a need to add plan direction to improve resilience of ecosystems to climate change.
- There is a need to modify plan direction to: increase the rate and extent of the land area where vegetation is being restored, decreasing the threat of large, undesirable fires; to sustain and increase local capacity to restore vegetation and reduce fuels; to add and modify plan direction specific to ecological integrity of eastside ecosystems that occur on the Inyo National Forest and small portions of the Sequoia National Forest; and to include plan direction for old forest, early seral habitat and subalpine and alpine systems.
- There is a need to modify plan direction for terrestrial ecosystems and fire, as described above, to increase the ability of forests to store and sequester carbon.
- There is a need to modify plan direction for aquatic and riparian ecosystems to maintain or improve the resilience of these ecosystems to climate change, fire, air pollution and invasive species, and to manage meadows holistically across individual resource areas, such as hydrology, soils, wildlife and vegetation.
- There is a need to identify in the plans watersheds that are a priority for restoration, and to modify plan direction to improve groundwater storage and to address water shortages and climate change in riparian systems.
- There is a need to modify plan direction to improve ecological conditions for the California spotted owl and to restore and maintain greater sage-grouse habitat on the Inyo National Forest. There is a need to incorporate new information and conservation practices into plan direction to contribute to the recovery of federally-listed species (including candidates and proposed) and to streamline project planning.
- There is a need to modify plan direction to prevent the establishment and spread of invasive species.

Lands

- There is a need to incorporate lands acquired by the Inyo National Forest through the Nevada Enhancement Act into the forest plan.

Designated Areas

- There is a need to: review existing plan direction for existing and recommended wilderness to determine if any updates are needed; to review existing plan direction for wild and scenic rivers to determine if any updates are needed; to include a management area for the Pacific Crest National Scenic Trail corridor and associated management direction; and to include management direction for national recreation trails.

Proposed Action

The proposed action is to revise the existing forest plans for the Inyo, Sequoia, and Sierra National Forests, as amended, to address the needed changes. Desired conditions, strategies, standards, and guidelines have been developed to address the need to change areas. The detailed proposed action for the items that need to change is enclosed and can also be found on the Forest Plan Revision webpage at: <http://tinyurl.com/r5earlyadopters>. Though these needed changes are the primary drivers for revising these three forest plans, there will be other changes that occur. Existing plan direction that does not need to change will be converted as necessary to meet the definitions in the 2012 Planning Rule and will be brought forward into the revised plans. Some existing direction will necessarily be changed from one type of direction to another. Plan direction that is no longer needed because it duplicates or is in conflict with existing law, regulation, or policy; no longer applies; sets tasks that have been completed; or refer to timeframes that are now past will not be carried forward into the revised forest plans.

Management Areas

Under the 2012 Planning Rule, management areas and geographic areas replace what was previously known as land allocations, management areas, and management prescriptions. The suitability of areas for uses and resource management activities will be determined, including identifying those lands suited for timber production.

Designated Areas

Wilderness: For currently designated wilderness areas, existing management direction is being reviewed to determine if additional updates are needed. There may be new recommendations that result from the wilderness evaluations currently underway. More information on the wilderness inventory and evaluation process, including maps and instructions for providing feedback, can be found online at <http://www.fs.usda.gov/goto/r5/FPRWilderness>. Feedback submitted through this site will be used to inform the wilderness evaluations and are not considered formal scoping comments. The identification and evaluation of areas recommended for wilderness will be included as an appendix in the draft EIS for plan revision, and will be available for public review during the draft EIS comment period. If you have comments related to wilderness that you would like considered as part of scoping, please follow the instructions laid out below under the section "Public Comment Opportunity."

Wild and Scenic Rivers: The 66 miles of the San Joaquin, South Fork San Joaquin, North Fork San Joaquin, and Middle Fork San Joaquin River that the Sierra National Forest found suitable in previous planning efforts will continue to be managed as suitable and recommended wild and scenic river segments until such time as Congress designates them as additions to the National Wild and Scenic Rivers System. One mile of the south Fork Kern River that the Sequoia National Forest found suitable in previous planning efforts will continue to be managed as a suitable and recommended wild and scenic river until such time as Congress designates it as an addition to the National Wild and Scenic Rivers System. There may be new recommendations that result from the wild and scenic river evaluations currently underway. For the two newly designated wild and scenic rivers on the Inyo National Forest, the revised forest plan would include direction that is applicable to all wild and scenic rivers on the forest and would identify the process and timeline for finishing comprehensive river management plans and developing a final boundary. For rivers with existing comprehensive river management plans, existing management direction is being reviewed to determine if additional updates are needed.

There are three national recreation trails on the Inyo National Forest, two on the Sequoia National Forest outside of the Giant Sequoia National Monument, and five on the Sierra National Forest that will have direction added to the forest plans.

Lands

There is a need to develop plan direction for lands acquired by the Inyo National Forest through the Nevada Enhancement Act.

Monitoring Program

A monitoring program will be developed that meets the requirements of the 2012 Planning Rule and informs evaluation of the effectiveness of the revised forest plans. The monitoring program will consist of monitoring questions and associated indicators that address: (1) the status of select watershed conditions; (2) the status of select ecological conditions, including key characteristics, of terrestrial and aquatic ecosystems; (3) the status of focal species, selected to assess integrity of ecological systems and effects of management on ecological conditions; (4) the status of a select set of ecological conditions that contribute to the recovery of federally-listed threatened and endangered species, conserve proposed and candidate species, and maintain a viable population of species of conservation concern; (5) the status of visitor use, visitor satisfaction, and progress toward meeting recreation objectives; (6) measurable changes in the plan area related to climate change and other stressors that may be affecting the plan area; (7) progress toward meeting the desired conditions and objectives in the plan; and (8) the effects of each timber management system to determine that it does not substantially and permanently impair the productivity of the land. The monitoring program may include other monitoring questions and indicators that do not address these eight items, but which nevertheless inform the effectiveness of the plan. Monitoring programs will be designed within the financial and technical capabilities of the forests to implement. Capability will be expanded by coordinating with partners and the broader regional strategy currently under development.

Alternatives to the Proposed Action

Other alternatives will be developed based on significant issues identified during scoping. All alternatives considered will need to address the purpose and need as described above.

Nature of the Decision to Be Made

The EIS process will inform each Forest Supervisor's decision about which alternative best meets the need for quality land management under the 2012 Planning Rule and sustainable multiple-use management, as required by the National Forest Management Act and the Multiple-Use Sustained-Yield Act. This approach seeks to meet the diverse needs of people while protecting the sustainability of forest resources.

The revised forest plans will describe the strategic intent of managing the Inyo, Sequoia, and Sierra National Forests for the next 10 to 15 years. The revised forest plans will identify management and/or geographic areas and use five plan components to guide future project and activity decision-making: desired conditions, objectives, standards, guidelines, and suitability of lands. Each revised plan will also include a monitoring program. Responsible officials will determine whether to make new recommendations for wilderness and other designated areas.

This decision will not authorize project-level activities on the three forests. The authorization of project-level activities on each forest occurs through separate project-specific decision making. The designation of routes, trails, and areas for motorized vehicle travel is not considered during plan revision but addressed in a separate planning process on each forest. Certain issues (e.g., hunting regulations), although important, are beyond the authority or control of the three forests and will not be considered. In addition, some decisions and determinations, such as wild and scenic river suitability determinations, may not be undertaken at this time but addressed in separate processes.

Public Comment Opportunity

We are seeking your comments on the proposed action to revise the forest plans for the Inyo, Sequoia, and Sierra National Forests. Please review the proposed action and send your comments to us so they may be considered in developing issues, developing alternatives, and analyzing those alternatives. We invite you to provide any substantive comments you might have regarding this proposed action. Substantive comments are those that are within the scope of the purpose and need for forest plan revision and the decision to be made, and are specific to the management direction proposed for the three early adopter forests. Please provide supporting reasons for us to consider.

The Forest Service will accept comments on the proposed action for forest plan revision for 30 days, following publication of the Notice of Intent (NOI) in the Federal Register. In addition, a notice will be published in the applicable newspapers of record (Inyo Register, Porterville Recorder, and Fresno Bee). However, the publication date of the NOI in the Federal Register is the official beginning of the scoping comment period.

It is the commenter's responsibility to ensure timely receipt of comments. Comments can be made easily on the forest plan revision webpage: <http://tinyurl.com/r5earlyadopters>. Please

indicate if your comments are specific to all forests or are only specific to the Inyo, Sequoia, or Sierra National Forest. Electronic, e-mailed, written, facsimile, and hand-delivered comments will be accepted as well. Comments submitted with an e-mail message must be in a format such as plain text (.txt), rich text format (.rtf), Microsoft Word (.doc or .docx), or Adobe Portable Document Format (.pdf), and can be sent to r5planrevision@fs.fed.us with Subject: **Forest Plan Revision**. If using an electronic message, a scanned signature is one way to provide verification. Written comments should be mailed to: Maria Ulloa, Forest Plan Revision, 1839 So. Newcomb Street, Porterville, CA 93257.

Comments received in response to this solicitation, including the names and addresses of those who comment, will become part of the public record for this project. Comments submitted anonymously will be accepted and considered. However, anonymous comments will not give the Forest Service the ability to provide these commenters with any subsequent analysis and decision documents. In cases where no identifiable name is attached to a comment, a verification of identity will be required for objection eligibility. The decisions to approve the revised forest plans will be subject to the objection process identified in 36 CFR 219 Subpart B (219.50 to 219.62). According to 36 CFR 219.53(a), those who may file an objection are individuals and entities who have submitted substantive formal comments related to a plan revision during the opportunities provided for public comment during the planning process. Individuals or representatives of an entity submitting comments must sign the comments or verify identity upon request.

The forest plan revision team plans to hold the following public meetings during the scoping period:

6:00-8:00pm - Monday, September 15, Sierra National Forest, Holiday Inn, 5090 East Clinton Way, Fresno, CA

6:00-8:00pm - Tuesday, September 16, Sequoia National Forest, Supervisor's Office, 1839 South Newcomb Street, Porterville, CA

6:00-8:00pm - Thursday, September 18, Inyo National Forest, Tri-County Fairgrounds, Sierra Street & Fair Drive, Bishop, CA

Estimated Plan Revision Timeline

- Dec 2013 – Notice to Initiate plan revision published in the Federal Register.
- Aug 2014 – Notice of Intent published in the Federal Register and 30-day scoping process starts.
- Sep 2014 – Tribal Forums and Public Workshops.
- Nov 2014 – Tribal Forums and Public Workshops.
- Apr 2015 – Notice of Availability of a draft EIS published in the Federal Register and 90-day public comment period starts.
- May 2015 – Tribal Forums and Public Workshops.
- Mar 2016 – Notice of Availability of a final EIS published in the Federal Register and 60-day objection filing period starts.
- Sep 2016 – Final decisions signed by Forest Supervisors.

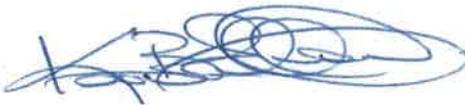
If you have any questions, please direct them to Mike Dietl at (707) 562-9121, or e-mail: michaeldietl@fs.fed.us. Information is also available at: <http://tinyurl.com/r5earlyadopters>.

Your comments are important to us and will help develop revised forest plans for the Inyo, Sequoia, and Sierra National Forests.

Sincerely,



EDWARD E. ARMENTA
Forest Supervisor
Inyo National Forest



KEVIN B. ELLIOTT
Forest Supervisor
Sequoia National Forest



DEAN A. GOULD
Forest Supervisor
Sierra National Forest

Enclosures:

Proposed Action
Location Map

of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to: Leo Wong, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 317, Alexandria, VA 22302. Comments may also be submitted via fax to the attention of Leo Wong at 703-605-4273 or via email to Leo.Wong@fns.usda.gov. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for submitting comments electronically.

All responses to this notice will be summarized and included in the request for Office of Management and Budget

approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to Leo Wong at 703-605-1181.

SUPPLEMENTARY INFORMATION:

Title: User Access Request Form.
Form Number: FNS-674.
OMB Number: 0584-0532.
Expiration Date: 1/31/2015.
Type of Request: Revision of a currently approved collection.
Abstract: Form FNS-674 is designed to collect user information required to gain access to FNS Information Systems.
Affected Public: Contractors, State Agencies.

Estimated Number of Respondents: 2,700.

The respondents are State agencies, who are located in the 50 states and Trust Territories, staff contractors and Federal employees. Respondents who require access to the FNS systems are estimated at 3,600 annually (includes Federal, State and private) however, only 2,700 will account for the total

public burden, excluding Federal employees. FNS estimates that it will receive an average of 300 requests per month (15 per day). Of the 300, 70 percent (or 210) of the responses are State Agency users, 5 percent (or 15) are staff contractors and 25 percent (or 75) are Federal employees which is not included in the total number of responses. Annually, that results in 2,700 respondents (210 State Agency users per month + 15 staff contractors per month x 12 months).

Estimated Number of Responses per Respondent: 1.9.

Estimated Total Annual Responses: 5,220.

Estimated Time per Response: 0.167 of an hour.

Each respondent takes approximately 0.167 of an hour, or 10 minutes, to complete the required information on the online form.

Estimated Total Annual Burden on Respondents: 870 hours.

See the table below for estimated total annual burden for each type of respondent.

REPORTING BURDEN

Affected public	Form number	Number of respondents	Number of responses annually per respondent	Total annual responses	Estimate of burden hours per response	Total annual burden hours
Contractors	FNS-674	180	1	180	0.16667 (10 minutes).	30
State Agency Users	FNS-674	2,520	2	5,040	0.16667 (10 minutes).	840
Annualized Totals	2,700	1.9	5,220	10 minutes	870

Dated: August 19, 2014.

Audrey Rowe,
Administrator, Food and Nutrition Service.
[FR Doc. 2014-20536 Filed 8-28-14; 8:45 am]
BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Forest Service

Plan Revisions for the Inyo, Sequoia and Sierra National Forests; California and Nevada

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: As directed by the National Forest Management Act, the USDA Forest Service is preparing the revised land management plans (forest plans) for the Inyo Sequoia and Sierra National Forests. The agency will prepare a joint environmental impact statement (EIS)

for these three revised plans. The revised forest plans will supersede existing forest plans previously approved by the responsible official on the Inyo National Forest in 1988, the Sequoia National Forest in 1988 and the Sierra National Forest in 1992. The existing forest plans have been amended several times since their approval, including the 2004 Sierra Nevada Forest Plan Amendment. The Giant Sequoia National Monument (Monument) Management Plan, which amends the land management plan for the Sequoia National Forest, will be incorporated as a subset of the Sequoia's revised forest plan. Provisions of the 1990 Mediated Settlement Agreement to the Sequoia National Forest Land Management Plan, applicable to National Forest System lands outside of the Monument, will be addressed in the EIS for forest plan revision. The existing forest plans, as amended, remain in effect until the revised forest plans are approved. The

plans will be revised under the 2012 Planning Rule and will provide for social, economic and ecological sustainability within Forest Service authority and the inherent capability of the plan area.

DATES: Comments concerning the proposed action in this notice will be most useful in the development of the draft revised forest plans and EIS if received by September 29, 2014. The draft EIS is expected in spring 2015. The final EIS is expected in spring 2016.

ADDRESSES: Please provide comments using the following Web site: <http://tinyurl.com/r5earlyadopters>. We will also accept comments mailed to Maria Ulloa, Forest Plan Revision, 1839 So. Newcomb Street, Porterville, CA 93257 or emailed to r5planrevision@fs.fed.us. When providing comments, clearly indicate which forest or forests your comments apply to.

FOR FURTHER INFORMATION CONTACT:

Mike Dietl, Plan Revision Team Leader, michaeldietl@fs.fed.us, 707-562-9121. Information on plan revision is also available at <http://tinyurl.com/r5earlyadopters>. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:**Lead and Cooperating Agencies**

The USDA Forest Service is the lead agency. Inyo County is a designated cooperating agency in this plan revision effort.

Responsible Officials

The Forest Supervisor is the responsible official for plan revision on each forest.

Ed Armenta, Forest Supervisor, Inyo National Forest Service, 351 Pacu Lane, Suite 200, Bishop, CA 93514.

Kevin Elliott, Forest Supervisor, Sequoia National Forest, 1839 South Newcomb Street, Porterville, CA 93257.

Dean Gould, Forest Supervisor, Sierra National Forest Service, 1600 Tollhouse Road, Clovis, CA 93611.

Purpose and Need for Action

The purpose is to revise the forest plans for the Inyo, Sequoia and Sierra National Forests as guided by the 2012 Planning Rule (36 CFR part 219). According to the National Forest Management Act, forest plans are to be revised on a 10 to 15 year cycle. Current plans for the Inyo, Sequoia and Sierra National Forests were approved between 1988 and 1992 and are due for revisions. Responsible officials used science-based assessments and considered public and employee input to identify needed changes to existing plans. They have identified the following areas where changes are needed:

Benefits to People and Communities

There is a need to update plan direction to: Support the long term sustainability of forest benefits to people and contributions to local economies, which come as a result of the many uses of National Forest System lands; to encourage the use of partnerships with private and public entities and tribal stewardship opportunities; and to improve communication and outreach to the public, including underrepresented populations.

There is a need to update plan direction to move toward resilience of forests to climate change and fire,

ensuring that they provide benefits to people.

There is a need to modify plan components to maintain levels of forest product and biomass production that support an economically-viable forest products industry, and to encourage local hiring.

Tribal Relations and Uses

There is a need to include plan direction regarding tribal relations and uses to: Help tribes maintain their culture and connection to the land; support economic opportunities in tribal communities; incorporate traditional ecological knowledge; and collaborate with the agency to meet restoration goals.

Sustainable Recreation

There is a need to update plan direction to improve recreation facilities, settings, opportunities and access and their sustainability; and to improve and protect scenic character, which contributes to people's recreation experience and sense of place.

There is a need to proactively manage cultural resources to protect and improve the conditions of these resources and help connect people to the land.

Fire

There is a need to add plan direction to improve fire management to recognize climate change.

There is a need to modify wildfire management areas and associated plan direction to increase the area where fuel reduction treatments occur, while also increasing the opportunity to use fire as a restoration tool, and to modify plan direction to maintain or restore fire as an ecosystem process, especially in riparian areas.

There is a need to include plan direction that incorporates analyzing smoke tradeoffs to communities from prescribed fire or wildfire used to meet resource objectives and large, uncontrolled wildfire.

Ecological Integrity

There is a need to add plan direction to improve resilience of ecosystems to climate change.

There is a need to modify plan direction to: Increase the rate and extent of the land area where vegetation is being restored, decreasing the threat of large, undesirable fires; to sustain and increase local capacity to restore vegetation and reduce fuels; to add and modify plan direction specific to ecological integrity of eastside ecosystems that occur on the Inyo National Forest and small portions of

the Sequoia National Forest; and to include plan direction for old forest, early seral habitat and subalpine and alpine systems.

There is a need to modify plan direction for terrestrial ecosystems and fire, as described above, to increase the ability of forests to store and sequester carbon.

There is a need to modify plan direction for aquatic and riparian ecosystems to maintain or improve the resilience of these ecosystems to climate change, fire, air pollution and invasive species, and to manage meadows holistically across individual resource areas, such as hydrology, soils, wildlife and vegetation.

There is a need to identify in the plans watersheds that are a priority for restoration, and to modify plan direction to improve groundwater storage and to address water shortages and climate change in riparian systems.

There is a need to modify plan direction to improve ecological conditions for the California spotted owl and to restore and maintain greater sage-grouse habitat on the Inyo National Forest. There is a need to incorporate new information and conservation practices into plan direction to contribute to the recovery of federally-listed species (including candidates and proposed) and to streamline project planning.

There is a need to modify plan direction to prevent the establishment and spread of invasive species.

Lands

There is a need to incorporate lands acquired by the Inyo National Forest through the Nevada Enhancement Act into the forest plan.

Designated Areas

There is a need to: Review existing plan direction for existing and recommended wilderness to determine if any updates are needed; to review existing plan direction for wild and scenic rivers to determine if any updates are needed; to include a management area for the Pacific Crest National Scenic Trail corridor and associated management direction; and to include management direction for national recreation trails.

Proposed Action

The proposed action is to revise the existing forest plans for the Inyo, Sequoia and Sierra National Forests, as amended. Plan revision creates a new plan for the entire plan area, whether the revised plan differs to a small or large extent from the prior forest plan. In this plan revision effort, plans will be

revised to meet the requirements of the 2012 Planning Rule and to address the needed changes identified above. A detailed document that complements the following proposed action is available at <http://tinyurl.com/r5earlyadopters>. Proposed changes include the following:

General

Existing direction that is carried forward into revised plans would be converted to 2012 Planning Rule language. This would result in some existing standards and guidelines being changed to other plan components. Plan components that are no longer needed because compliance is already required as a matter of law, regulation, or policy, or that conflict with current national policy would be removed. Plan components that no longer apply, set tasks that have been completed, or refer to timeframes that are now past would be removed.

Changes would be made to some standards and guidelines from the 2004 Sierra Nevada Forest Plan Amendment (SNFPA). These standards and guidelines are referenced using SNFPA and the standard and guideline number (e.g., SNFPA 4). Specific changes are discussed in the appropriate sections below.

Current land allocations, management areas and management prescriptions would generally stay the same except as described in the sections below. Under the 2012 Planning Rule, management and/or geographic areas will replace what was previously known as land allocations, management areas and management prescriptions.

The Forest Service Pacific Southwest Region and Pacific Southwest Research Station have reviewed and incorporated the latest climate change research and modeling from the Intergovernmental Panel on Climate Change and the U.S. Climate Change Science Program to deduce likely present and future impacts to the forests of the Sierra Nevada. Their results show a general increase in temperatures, resulting in longer fire seasons and less snowpack, which melts earlier in the year. Where appropriate, plan components would be adjusted to recognize considerations of climate change.

Benefits to People and Communities

Desired conditions, guidelines and other plan content would be included to support the long term sustainability of forest benefits to people and forest contributions to local and tribal economies, including multiple uses. This direction includes resilience and sustainability to climate change of

ecosystems that provide benefits and multiple uses to people.

A section would be added to the plan that provides management direction for interpretation and education. This does not exist in the current forest plans. Desired conditions, guidelines and other plan content would be included for communicating and outreaching to residents and visitors.

Partnerships with private, public and tribal entities would be encouraged in the plan and associated plan components would be developed.

Timber

Desired conditions would be added to ensure that predictable forest product yields support economic stability sufficient to maintain local industry infrastructure for use in vegetation restoration, and that forest products are produced in a sustainable manner, improving forest conditions and contributing to local community stability. Standards and guidelines would be added that address reforestation and the range of purposes for which timber harvest may occur, such as timber production, salvage and ecological restoration. Other plan content would be added that encourages the use of local forest products workforces and the use of tools such as stewardship contracts to improve the economic feasibility of vegetation management projects across large landscapes and social, economic and ecological sustainability.

Tribal Relations and Uses

A section would be added to the plan that provides management direction for tribal relations and uses. This does not currently exist in the forest plans. Desired conditions and other plan content would be included that incorporate traditional tribal ecological knowledge, cultural viewpoints and considerations in forest management; that emphasize working with tribes to develop and implement projects, through stewardship contracting and other mechanisms; and that recognize the value of incorporating traditional ecological knowledge into project development and implementation. Desired conditions and other plan content would be integrated throughout other parts of the plan to incorporate tribal considerations in resource management. Direction would be added to require communication and collaboration with tribal leadership during fire incident management.

Consideration would be given to defining and designating cultural management areas for sacred sites, areas of cultural and religious sensitivity,

traditional cultural properties and significant concentrations of cultural properties.

Sustainable Recreation

The plan would be updated to reflect the guiding principles, goals and focus areas from the Forest Service National Framework for Sustainable Recreation. This includes updating or developing plan components to guide forest management in a way that sustainably:

- Connects people with their natural and cultural heritage;
- Promotes social and economic community well-being using a place-based model for recreation planning;
- Emphasizes working with partners and volunteers to help meet public needs and expectations, including the needs of youth and underserved communities;
- Provides a diverse range of quality natural and cultural recreation opportunities and settings;
- Restores and protects the natural, cultural and scenic environment, focusing on special places that are highly valued landscapes or sites;
- Promotes citizen stewardship through interpretive services and conservation education; and
- Emphasizes effective and adaptive communication in an ever-changing world.

Recreation Opportunity Spectrum (ROS) classes would be modified, as appropriate, to represent sustainable recreation settings that reflect current management or recreation activities and conditions and future use.

The Visual Management System (VMS) used in the existing forest plan would be converted to the Scenery Management System (SMS) resulting in scenic integrity objectives. The SMS supports a place-based planning approach that recognizes the value of both natural and cultural features in the landscape.

Desired conditions and other plan content for working with partners would be incorporated to demonstrate that they are integral to program of work planning and conducting sustainable recreation activities.

Plan components would be developed to focus agency efforts on each forest's distinctive recreation roles and contributions.

Cultural Resources

Desired conditions, guidelines and other plan content would be added or updated that emphasize the role that the forest plays in connecting people to their cultural heritage, offering cultural resource-based recreation and tourism opportunities and sustaining treasured places.

Desired conditions, guidelines and other plan content would be added or updated that emphasize the importance of strategic partnerships to protect the sustainability of cultural resources and promote citizen stewardship.

Consideration would be given to defining and designating cultural management areas for sacred sites, areas of cultural and religious sensitivity, traditional cultural properties and significant concentrations of cultural properties.

Fire

The current management areas for wildland urban interface (WUI) defense and threat zones from the SNFPA would be changed to a risk-based protection zone approach, which would focus fuel reduction treatments on conditions that threaten communities and assets. These protection zones would be complemented by two new zones that cover the remaining adjacent National Forest System lands, where increased opportunities for managing wildfires for ecological benefits would occur. The use of fire as a restoration tool would be emphasized in inaccessible and steeper areas where mechanical fuel and restoration treatment would be difficult or is prohibited. Proposed modification of some vegetation and wildlife standards and guidelines aligned with these zones are intended to better manage the threat of wildfire impacts to communities and other at-risk natural resource values. As a risk-based approach, these zones change over time as fuels conditions change from restoration treatments and wildfires and as there are new or changed communities, assets, or natural resource values.

The four proposed zones are:

1. **Community Wildfire Protection Zone:** Conditions currently put communities and community assets at very high risk. This would replace the WUI defense zone. Emphasis would be placed on mechanical and hand treatments to yield desired fire behavior conducive to more effective fire suppression. Prescribed burning is also used, especially to maintain previously treated areas. The use of wildfire to increase ecosystem resilience and provide ecological benefits is very limited.

2. **General Wildfire Protection Zone:** Conditions currently put communities, community assets and natural resource values at high risk of loss from wildfire. This would replace the WUI threat zone, but recognizes that fires from greater distances can threaten these areas, in part a result of climate change. This zone adds natural resource values, and

the area is increased. Emphasis would be placed on mechanical and hand treatments to yield desired fire behavior conducive to more effective fire suppression and retention of desired conditions for natural resources. The use of wildfire to increase ecosystem resilience and provide ecological benefits is limited.

3. **Wildfire Restoration Zone:** Conditions currently put communities, community assets, watersheds and natural resource values at moderate risk of loss from wildfire. Wildfire could be used to increase ecosystem resilience and provide ecological benefits when conditions allow. Strategically located mechanical treatments and/or prescribed burning, where feasible, may be a necessary precursor to the reintroduction of wildfire to achieve desired conditions. Strategically located treatments increase the opportunity to manage wildfires to achieve desired conditions.

4. **Wildfire Maintenance Zone:** Conditions currently put communities, community assets, watersheds and natural resource values at low risk of loss from wildfire, and many natural resources would benefit from wildland fire. Due to low risk, wildfires are expected to be used as often as possible to maintain ecosystem resilience and provide ecological benefits when conditions allow. Mechanical treatments and/or prescribed burning, where feasible, are used to complement wildfire to achieve desired conditions.

Desired conditions and SNFPA 1–11 would be modified to incorporate the four zone approach. In the Protection Zones, plan components would be geared toward safe firefighting and protecting assets (e.g., structures and powerlines) and natural resources. In the Restoration and Maintenance Zones, plan components would emphasize effects of fire on natural resources and would be geared toward desired conditions for ecological resilience and integrity. New plan components would emphasize fire behavior and the effects on resources (e.g., habitat or timber) in terms of severity (e.g., the number of trees killed).

Air Quality

Desired conditions, guidelines, standards and other plan content would be added to allow for improved coordination with air quality regulators and with communities and to provide for a transparent analysis and clear communication regarding smoke tradeoffs from prescribed fire or wildfire used to meet resource objectives and large, uncontrolled wildfire. Other plan content would be added to consider

smoke impacts to downwind communities.

Terrestrial Ecosystems

Within the Community and General Wildfire Protection Zones, to reflect the intent of the new planning rule, some standards and guidelines from the SNFPA would be converted to or replaced with desired conditions and other plan content.

Current general desired conditions would be replaced with specific, quantitative desired conditions based on ecological sustainability. Prescriptive elements on vegetation management (SNFPA 1–12 and 17–19) would be replaced with desired conditions and other plan content aimed at restoring ecological integrity and sustainability. Desired conditions would incorporate references to new science (e.g., General Technical Report 220 and 237) that better reflect resilience to fire, drought and climate change and heterogeneity beneficial to wildlife. Vegetation desired conditions would be made more specific by describing ecological outcomes as a numerical range. The importance of fire as an ecological process in vegetation types adapted to fire (e.g., mixed conifer and Jeffrey pine) would be included.

A strategy would be added that emphasizes planning and implementing projects at the landscape scale (5,000 to 100,000 acres) to increase the effectiveness and efficiency of restoring ecological resilience to fire, drought and climate change. Locations and types of restoration treatments (e.g. thinning or controlled burning) would occur within these larger areas to influence changes in effects of wildfires.

Plan components and other plan content would be added or updated for all major eastside vegetation types on the Inyo National Forest, and small portions of the Sequoia National Forest, including sagebrush, pinyon-juniper, desert shrub, and eastside oak.

Desired conditions and other plan content would be added that recognize the importance of perennial grasses in eastside ecosystems and the role they play in resilience to non-native grass invasion and resilience to fire.

The existing old forest emphasis area land allocation and desired conditions from the SNFPA would be removed because the desired conditions are general and lack specific information on desired levels of large and old trees. Forest-wide desired conditions for old forest would be added that describe desired large tree densities and the proportion of the landscape containing old forest characteristics.

Desired conditions would be added to recognize complex early seral habitat as

an important component to ecological sustainability, describing the desired proportions on the landscape, large snag and log densities and shrub cover amounts. Desired conditions would be added that integrate all ecological components of complex early seral habitat. Plan content would be added that addresses landscape consideration of the distribution and proportion of complex early seral habitats, including connectivity. A standard that addresses retention of some areas post fire with minimal resource management intervention would be added.

Desired conditions and other plan content would be added to address ecological sustainability of subalpine and alpine ecosystems omitted in earlier plans. This includes components to address threats to high elevation white pines from blister rust and bark beetle.

Desired conditions would be added for blue oak woodlands to support existing standards and guidelines from the SNFPA.

Aquatic and Riparian Ecosystems

Plan components would be added and modified to better restore, maintain and increase the resilience of aquatic and riparian ecosystems to climate change, fire, ozone and nitrogen depositions.

The term riparian conservation objective (RCO) would be dropped to avoid confusion with the 2012 Planning Rule plan component called objectives. The spirit and intent of the original RCOs would remain in other plan components. The standards and guidelines organized under RCOs would be mostly retained and reorganized. More specifically, SNFPA 91 would be modified to include the definition of riparian conservation areas, and by removing the need for a specific RCO analysis. SNFPA 92 and 93 would be removed, because they concern the RCO system and their intent is captured elsewhere in plan components and existing law.

SNFPA 109 and 111 would be replaced with other plan content to improve resilience of riparian ecosystems to fire, drought and climate change. This change would allow for increased flexibility with prescribed fire and mechanical treatment and/or hand treatments in riparian conservation areas and critical aquatic refuges where appropriate. Although the new language would emphasize more flexibility to treat in riparian areas, activities would need to be designed considering desired conditions, ensure the protection of at-risk species, and meet all necessary protection measures for water and soil.

Desired conditions would be updated for meadows to reflect an integration of

vegetation, soils, hydrology and wildlife conditions. Guidelines would be added to address the ecological integrity of meadows and their connection to groundwater. Guidelines currently in place for the Inyo National Forest have replaced SNFPA 120 and 121 to further allow for an integrated ecological approach to meadow management on that forest.

New guidelines would be included to protect the spring environment and to maintain and restore native species and the ecological integrity of these systems.

Water Resources

The contribution of the national forests to water quantity and quality in California would be recognized in the plans. Plan components would be added to address the effect of climate change and drought on water quantity.

Management direction would be added to ensure compliance with new proposed groundwater directives and to further address water shortages and climate change in riparian systems.

SNFPA 106 would be modified to include language that better evaluates diversion of water on National Forest System land, including Federal Energy Regulatory Commission relicensing projects. The new language would promote collaboration with other entities involved in the hydropower relicensing process and other water use negotiations. These changes address public feedback and the need to account for climate change and threats to water quality. The changes would also address trends with drought.

The Watershed Condition Framework would continue to move forward. Priority watersheds have been identified and these would continue to be a focus for improving water quality, watersheds and aquatic and riparian ecosystem conditions.

At-Risk Species

SNFPA 53, 54, 98 and 114 which are specifically related to the three newly listed federal threatened and endangered amphibian species (Yosemite toad, Sierra Nevada yellow-legged frog and the northern distinct population segment of the mountain yellow-legged frog) would be retained but would incorporate clarifications resulting from consultation with the U.S. Fish and Wildlife Service.

Actions listed in recovery plans and conservation strategies would be considered in developing plan components that could contribute to the recovery of federally-listed species.

Existing management areas and direction for California spotted owl and northern goshawk protected activity

centers and spotted owl home range core areas would be retained with clarifications and alignment of plan components. No substantive changes would be made with the following exceptions:

- Updating and clarifying the desired conditions and other plan components for these areas based on information from the California spotted owl new interim guidelines and conservation assessment, when they are available.

- Changing some standards and guidelines within the Community Wildfire Protection Zone and the General Wildfire Protection Zone to better balance the need to provide key habitat with managing the threat of wildfire impacts to communities and other values at risk. This would include minor changes to SNFPA 73 and converting and clarifying direction related to limited operating periods in SNFPA 75, 76 and 77 to guidelines.

- Adding plan content and updating and clarifying standards and guidelines to include opportunities for adaptive management related to the amount of protected activity centers that can be treated mechanically (SNFPA 80 and 81) and with prescribed burning (SNFPA 78 and 79).

Direction for the Southern Sierra Fisher Conservation Area (SNFPA 90) and fisher den sites (SNFPA 85–87) would be retained with clarifications and alignment of plan components. No substantive changes would be made, pending completion of the Southern Sierra Fisher Conservation Strategy. These management areas and associated direction would be updated or changed considering information from the conservation strategy. Other plan components in other resource areas would be aligned as needed.

Direction for Bi-State sage-grouse management from the Inyo National Forest Sage-Grouse Interim Management Policy, portions of the Humboldt Toiyabe National Forest Sage-Grouse Plan Amendment and strategies from the Rocky Mountain Research Station-led conservation strategy on habitat restoration and fire resilience would be added. Plan components and other plan content would be added to conserve sage-grouse habitat.

A list of preliminary at-risk species was identified in each forest's assessment report. During the analysis of alternatives, plan components related to ecosystem integrity and ecosystem diversity will be examined to determine if direction for ecological integrity and ecosystem diversity or for special habitats is sufficient or if additional, species-specific plan components are needed for federally-recognized

threatened, endangered, proposed or candidate species or for species of conservation concern.

Invasive Species

The existing standards and guidelines specific to noxious weed management (SNFPA 36–49) would be clarified and reorganized into desired conditions, guidelines and other plan content that address terrestrial and aquatic invasive species, including noxious plants.

Lands

Plan components with management direction for lands acquired by the Inyo National Forest through the Nevada Enhancement Act would be added.

Designated Areas

Wilderness: The 15,110 acres of the Moses Recommended Wilderness on the Sequoia National Forest, recommended in the Giant Sequoia National Monument Plan, would continue to be managed as recommended wilderness until such time as Congress designates it as an addition to the National Wilderness Preservation System. There may be new recommendations that result from the wilderness evaluations currently underway.

Wild and Scenic Rivers: The 66 miles of the San Joaquin, South Fork San Joaquin, North Fork San Joaquin and Middle Fork San Joaquin River segments that the Sierra National Forest found suitable in previous planning efforts would continue to be managed as suitable and recommended wild and scenic river segments until such time as Congress designates them as additions to the National Wild and Scenic Rivers System. One mile of the south Fork Kern River segment that the Sequoia National Forest found suitable in previous planning efforts will continue to be managed as a suitable and recommended wild and scenic river until such time as Congress designates it as an addition to the National Wild and Scenic Rivers System. There may be new recommendations that result from the wild and scenic river evaluations currently underway. For the two newly designated wild and scenic rivers on the Inyo National Forest, the revised forest plan would include direction that is applicable to all wild and scenic rivers on the forest and would identify the process and timeline for finishing comprehensive river management plans and developing a final boundary.

Pacific Crest National Scenic Trail (PCT): The PCT corridor would be identified as a management area and plan components would be added to protect the recreation experience and scenery resources along the PCT.

Identification of the PCT corridor and associated direction does not currently exist in forest plans.

National Recreation Trails: Desired conditions, standards, guidelines and other plan content would be added to protect the recreation experience and scenery resources along the national recreation trails on each forest. There are three national recreation trails on the Inyo National Forest, two on the Sequoia National Forest outside the Giant Sequoia National Monument and five on the Sierra National Forest. This direction does not currently exist in forest plans.

Other Designated Areas: Other designated areas would continue to be managed for their designations under current management direction. No new designation areas are being recommended at this time.

Plan Monitoring Program

A monitoring program will be developed that meets the requirements of the 2012 Planning Rule and informs evaluation of the effectiveness of forest plans. The monitoring program consists of monitoring questions and associated indicators that address the following eight items: (1) The status of select watershed conditions; (2) the status of select ecological conditions, including key characteristics, of terrestrial and aquatic ecosystems; (3) the status of focal species, selected to assess integrity of ecological systems and effects of management on ecological conditions; (4) the status of a select set of ecological conditions that contribute to the recovery of federally-listed threatened and endangered species, conserve proposed and candidate species and maintain a viable population of species of conservation concern; (5) the status of visitor use, visitor satisfaction and progress toward meeting recreation objectives; (6) measurable changes on the plan area related to climate change and other stressors that may be affecting the plan area; (7) progress toward meeting the desired conditions and objectives in the plan; and (8) the effects of each timber management system to determine that they do not substantially and permanently impair the productivity of the land. Additionally, the monitoring program may include other monitoring questions and indicators that do not address these eight items but which inform effectiveness of the plan. Monitoring programs will be designed within the financial and technical capabilities of the forests. Capability will be expanded by coordinating with partners and through the broader regional strategy currently under development.

Other Requirements and Plan Content

As part of plan revision, the Inyo, Sequoia and Sierra National Forests will also:

- Identify the suitability of areas for the appropriate integration of resource management and uses, including identifying lands not suitable for timber production;
- Identify the maximum quantity of timber that may be removed from the plan area;
- Coordinate with the Regional Forester to identify the species of conservation concern for the plan area;
- Describe the plan area's distinctive roles and contributions within the broader landscape;
- Contain information reflecting proposed and possible actions that may occur on the plan area during the life of the plan;
- Consider including optional content, such as potential management approaches or strategies and partnership opportunities or coordination activities.

Nature of Decision To Be Made

The Inyo, Sequoia and Sierra National Forests are preparing an EIS to revise their current forest plans. The EIS process will inform each Forest Supervisor's decision about which alternative best meets the need for quality land management under the 2012 Planning Rule and the sustainable multiple-use management concept, as required by the National Forest Management Act and the Multiple-Use Sustained-Yield Act. This concept seeks to meet the diverse needs of people while protecting forest resources.

Each Forest Supervisor will be signing a Record of Decision. Having one EIS is expected to help the agency gain efficiencies and complete plan revision within a reasonable timeframe and budget. The three forests share some landscapes, issues and stakeholders. Consolidating under one EIS will help streamline the process for some stakeholders and helps facilitate a landscape-level approach to plan revision.

The revised forest plans will describe the strategic intent of managing the Inyo, Sequoia and Sierra National Forests for the next 10 to 15 years. The revised forest plans will identify management and/or geographic areas and use five plan components to guide future project and activity decision making: Desired conditions, objectives, standards, guidelines and suitability of lands. Each revised plan will include other required content, such as a monitoring program. Responsible officials will determine whether to make

new recommendations for wilderness and other designated areas.

This decision will not authorize project-level activities on the three forests. The authorization of project-level activities on each forest occurs through subsequent project-specific decision making. The designation of routes, trails and areas for motorized vehicle travel is not considered during plan revision but addressed in separate analysis processes on each forest. Certain issues (e.g., hunting regulations), although important, are beyond the authority or control of the three forests and will not be considered. In addition, some decisions and determinations, such as wild and scenic river suitability determinations, may not be undertaken at this time but will be addressed in separate processes.

Public Involvement

The Inyo, Sequoia and Sierra National Forest plan revision team has provided multiple ways for the public, other agencies and tribes to contribute ideas about how current forest plans need to change or be improved. Public involvement began in earnest in 2012. Formal and informal meetings, letters, emails, phone calls, newspaper announcements and postings to the Pacific Southwest Region and forest Web sites were used to share and gather information and encourage participation. Plan revision team members gave presentations, went to the field and met with individuals and groups. Information collected from the public was used to identify needed changes in the current forest plans and desired conditions.

The forests will continue regular and meaningful consultation and collaboration with tribal nations on a government-to-government basis to address issues that significantly or uniquely affect their communities.

The forests will continue to collaborate with interested members of the public, as well as federal and state agencies, local governments and other organizations.

Applicable Planning Rule

Preparation of the revised forest plans for the Inyo, Sequoia and Sierra National Forests began with the publication of the Notice of Initiation in the **Federal Register** on December 26, 2013 [78 FR 78326] and was initiated under the planning procedures contained in the 2012 Planning Rule (36 CFR 219 (2012)).

Scoping Process

This notice of intent initiates the 30-day scoping process which guides the

development of the EIS. The purpose of this process is to determine the scope of issues to be addressed and to identify the significant issues related to the proposed action. Public meetings and tribal forums to gather input on the proposed action will be held in September 2014. Additional materials, as well as the dates, times and locations of these meetings can be found at <http://tinyurl.com/r5earlyadopters>. It is important that reviewers provide their comments in a time and manner useful to the agency's preparation of the EIS. Therefore, comments should be provided prior to the close of the scoping period and should clearly articulate the reviewer's concerns and contentions. Reviewers should clearly identify which forest or forests each of their comments applies to. The submission of timely and specific comments can affect a reviewer's ability to participate in subsequent administrative or judicial review. Comments received in response to this solicitation, including names and addresses of those who comment, will become part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered, however, see the section below concerning the objection process and the requirements for filing an objection.

Decision Will Be Subject to Objection

The decisions to approve the revised forest plans will be subject to the objection process identified in 36 CFR Part 219 Subpart B (219.50 to 219.62). According to 36 CFR 219.53(a), those who may file an objection are individuals and entities who have submitted substantive formal comments related to a plan revision during the opportunities provided for public comment during the planning process.

Dated: August 20, 2014.

Barnie T. Gyant,

Deputy Regional Forester, Pacific Southwest Region.

[FR Doc. 2014-20459 Filed 8-28-14; 8:45 am]

BILLING CODE 3410-11-P

DEPARTMENT OF AGRICULTURE

Forest Service

Newspapers for Publication of Legal Notices in the Eastern Region

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: Forest Service administrative review procedures at 36 CFR parts 218 and 219 require agency officials to

publish legal notices in newspapers of record for certain opportunities to comment and opportunities to file pre-decisional objections. Forest Service officials in the Eastern Region will publish those legal notices in the newspapers listed in the **SUPPLEMENTARY INFORMATION** section of this notice. The Eastern Region consists of Illinois, Indiana, Ohio, Michigan, Minnesota, Missouri, New Hampshire, Maine, Pennsylvania, Vermont, New York, West Virginia, and Wisconsin. As provided in 36 CFR 218 and 36 CFR 219, the public shall be advised through **Federal Register** notice, of the newspaper of record to be utilized for publishing legal notice of comment and objection opportunities required by those Parts and their associated procedures. This notice fulfills that requirement for the Eastern Region. **DATES:** Use of these newspapers for purposes of publishing legal notice of opportunities to comment on proposals subject under 36 CFR part 218 and 36 CFR part 219, and notices of the opportunity to object under 36 CFR part 218 and 36 CFR part 219 shall begin the first day after the date of this publication.

FOR FURTHER INFORMATION CONTACT:

Patricia Rowell; Appeals Assistant, 626 E. Wisconsin Avenue, Milwaukee, WI—414-297-3439

SUPPLEMENTARY INFORMATION:

Responsible Officials in the Eastern Region will publish legal notice regarding proposed land management plans as required under 36 CFR 219.16 and legal notice regarding an opportunity to comment on proposed projects as required under 36 CFR 218.24 in the newspapers that are listed in this section by Forest Service administrative unit. Additionally, Responsible Officials in the Eastern Region will publish legal notice of the opportunity to object to a proposed project under 36 CFR part 218 or to object to a land management plan developed, amended, or revised under 36 CFR part 219 in the legal notice section of the following newspapers. Additional notice regarding an opportunity to comment or object under the above mentioned regulations may be provided in other newspapers not listed below at the sole discretion of the Responsible Official. Legal notice published in a newspaper of record of an opportunity to object is in addition to direct notice to those who have requested it and to those who have participated in planning for the project or land management plan proposal.

The timeframe for comment on a proposed action shall be based on the



United States Department of Agriculture

Detailed Proposed Action in Support of the Need to Change Items in the Notice of Intent for Forest Plan Revision for the Inyo, Sequoia and Sierra National Forests



Forest
Service

Pacific Southwest
Region

R5-MB-276

August 2014

Detailed Proposed Action in Support of the Need to Change Items in the Notice of Intent in Support of the Need to Change Items in the Notice of Intent for Forest Plan Revision for the Inyo, Sequoia and Sierra National Forests

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Introduction

This document provides detail to the Notice of Intent filed in the Federal Register for plan revision for the Inyo, Sequoia and Sierra National Forests, specifically the “Proposed Action” section. Included here are potential plan components for the topic areas where change is proposed, including desired conditions, standards and guidelines. Unless otherwise specified, these plan components would apply to each individual forest plan. The proposed action makes changes to some standards and guidelines from the Sierra Nevada Forest Plan Amendment (SNFPA). Under SNFPA, standards and guidelines were combined. Under the 2012 Planning Rule, standards and guidelines are separate and distinct plan components. These changes are noted specifically by number in the Notice of Intent. The other plan components of objectives and suitability of lands are not determined at this time but will be developed when alternative are developed. In addition to plan components, strategies are included that may be used to achieve desired conditions.

Management and Geographic Areas

Management and Geographic Areas are still under development. Some will be brought forward from the Sierra Nevada Forest Plan Amendment and Forest Plan. Some will not be brought forward because they are no longer needed or are replaced by forest-wide direction. Some will be brought forward with updates. Areas currently proposed for change are listed below:

1. For fire management, a risk assessment will be used to inform the creation of a series of strategic wildfire management zones that cover the entire forest and will be used to provide direction for managing wildfires and prioritizing fuels and restoration treatments. Where the risks are the highest, the wildland urban interface (WUI) Defense and Threat Zones from the Sierra Nevada Forest Plan Amendment will be replaced with a Community Wildfire Protection Zone and a General Wildfire Protection Zone. The remainder of the forest where there is less threat from wildfire to communities and sensitive resources will be separated into two strategic wildfire management zones called the Wildfire Restoration and Wildfire Maintenance Zones. The risk analysis with a process to provide updates throughout time to account for changing conditions is still being developed. Currently the four zones are described as follows:
 - Community Wildfire Protection Zone: Conditions currently put communities and community assets at very high risk of damage from wildfire.
 - General Wildfire Protection Zone: Conditions currently put communities, community assets, and natural resource values (watersheds, habitat, timber) at high risk of damage from wildfire.
 - Wildfire Restoration Zone: Conditions currently put communities, community assets, watersheds and natural resource values at moderate risk of damage from wildfire.
 - Wildfire Maintenance Zone: Conditions currently are such that communities, community assets, watersheds and natural resource values are at low risk of damage from wildfire and many natural resources would benefit from wildland fire.

2. Some management direction related to vegetation and fuels management in the Community and General Wildfire Protection Zones will be replaced with more descriptive desired conditions and updated standards and guidelines to facilitate increasing the pace and scale of ecological restoration to reduce wildfire risks.
3. Additional management areas will be incorporated based on information identified in the conservation strategies for the fisher and interim guidelines and conservation assessment for the California spotted owl that are currently being developed.
4. The existing Old Forest Emphasis Area land allocation will not be carried forward. The existing general desired conditions for old forest are updated and old forests are addressed better in some of the major vegetation types.
5. The Pacific Crest National Scenic Trail will have a designated corridor established of sufficient width to encompass resources, qualities, values and associated settings and the primary use or uses that are present or to be restored.
6. Consideration will be given to defining and designating cultural management areas for sacred sites, areas of cultural and religious sensitivity, traditional cultural properties and significant concentrations of cultural properties.
7. The proposed action will retain riparian conservation areas and critical aquatic refuges.
8. Each forest has additional unique management areas and geographic areas that may be brought forward from the existing plans. The list of these management and geographic areas is still being developed.

Tribal Relations and Uses

Desired Conditions

1. The forest recognizes Native American needs and viewpoints and fosters a robust relationship with federally and non-federally recognized tribes and related groups with which it consults. Forest personnel consult and communicate with tribal leadership, tribal historic preservation officers, traditional religious practitioners, traditional gatherers, tribal members and other tribal organizations.
2. The forest coordinates with tribes to identify traditional cultural properties, resources and sacred sites where historic preservation laws alone may not adequately protect the resources or values and potential mitigation measures are identified.
3. Native American cultural practitioners have access to areas that provide them an opportunity to practice traditional, cultural and religious activities, such as plant gathering and ceremonial activities that are essential in maintaining their cultural identity and the continuity of their culture.
4. Traditional ecological knowledge is a valued part of the process when developing and implementing restoration projects.

5. The forest provides a setting for the education of tribal youth in culture, history and land stewardship and for the exchange of information between tribal elders and youth.

Strategies

1. Recognize the importance of a strong relationship with Native American tribes and groups, and ensure forest personnel continuously cultivate those relationships.
2. Develop memoranda of agreements or other protocols between the forests and Native American tribes as appropriate to guide consultation processes, reflect tribes' particular perspectives and interests and protect sacred sites.
3. Meet regularly with tribes to better understand their needs and viewpoints. Promote the use of forest-hosted tribal forums and events, as well as attendance at tribally-hosted meetings and events, as a method to ensure consistent contact, consultation and collaboration.
4. Collaborate with tribes in the management of culturally significant and sacred sites.
5. Incorporate indigenous knowledge into the development of priorities and methods of managing fire for resource benefits, restoration projects and other forest programs.
6. Provide training to forest employees about federal tribal trust responsibilities and ways in which the forest honors and implements these responsibilities.
7. Continue to manage the land in a spirit of shared stewardship with tribes. Support tribal rights to pursue the vitality of tribal cultures, economies and land. Recognize the mutual benefits of restoration.
8. Develop partnerships that leverage different sources of funding. Recognize opportunities to contribute to the economic sustainability of tribal communities.

Forest-wide Vegetation

Some of the prescriptive standards and guidelines of the 2004 SNFPA specifically related to vegetation and fuels management with the purpose of reducing fuels are replaced with desired conditions, standards, guidelines, and in some cases strategies. They are described in this section and in the sections for westside vegetation and eastside vegetation. These standards and guidelines are intended to apply within the Community Wildfire Protection Zone and the General Wildfire Protection Zone, and to the extent relevant, existing plan direction will be carried forward in the Wildfire Restoration and Wildfire Maintenance Zones.

All Vegetation Types

Desired Conditions

Vegetation (Landscape Scale – Areas Greater than 10,000 Acres)

1. Each vegetation type contains a mosaic of vegetation conditions, densities and structures. This mosaic occurs at a variety of scales across landscapes and watersheds and reflects conditions that provide for ecosystem integrity and ecosystem diversity.

2. Vegetation conditions, particularly structure and composition, are resilient to climate change, the frequency, extent and severity of ecological processes such as fire in fire-adapted systems, drought, and flooding in riparian systems. Functioning ecosystems retain their components, processes and functions. Native insect and disease populations are generally at endemic levels with occasional outbreaks. Vegetation structural diversity usually restricts the scale of insect and disease outbreaks to local levels.
3. The landscape contains a mosaic of vegetation types and structures that provide habitat, movement and connectivity for a variety of species including: wide-ranging generalists such as bear, mountain lion, and deer; more localized, semi-specialists such as ground-nesting, shrub nesting, cavity-nesting birds and various bats; and specialists such as old forest and sagebrush-associated species.
4. Carbon storage and sequestration are within the carbon carrying capacity for a given ecosystem and stable or improving with trends in climate change, fire and drought.
5. Fire occurs as a key ecological process where possible, creating, restoring and maintaining ecosystem resilience and to increase the resiliency, understory plant vigor, heterogeneity and range of diverse habitat.
6. Composition, density, structure and condition of vegetation help reduce the threat of undesirable wildfires to local communities, ecosystems and scenic character.
7. The landscape sustainably provides a variety of benefits that improve peoples' economic, social and physical wellbeing, such as clean water, forest products, livestock forage, carbon sequestration and storage stability, energy generation, recreational opportunities, landscapes with scenic character and scenic integrity, cultural uses and habitat for biodiversity in the forest. Vegetation conditions support the long term sustainability of these benefits to people by reducing the risk of undesirable fire effects, disease and mortality, which interrupt and eliminate forest benefits.
8. Vegetation types and vegetation conditions support continued use by tribes for traditional, ceremonial and medicinal purposes.
9. Vegetation provides sustainable amounts of forest products such as wood fiber, biomass, forage, firewood, edible and medicinal plants, boughs, bark, berries and cones for commercial, tribal, personal, educational and scientific uses, while considering soil and water productivity and sustainability. Plants known to be used by tribes that traditionally use the forest are thriving.
10. Community members, interested stakeholders, other agencies and leaders from local jurisdictions are well informed of ecosystem processes and management challenges, and work cooperatively to resolve issues.

Strategies

1. Design projects to restore or enhance structural diversity (e.g., stem density, canopy cover, snag and downed log density, hardwoods) as defined by the desired conditions.
2. Maintain or restore habitat connectivity where appropriate to improve adaptive capacity of native plants and animals. Collaborate with partners to establish priority locations for maintaining and restoring habitat connectivity.

3. Restore fire to the landscape where conditions are appropriate. Planned and unplanned ignitions are managed when it is safe and conditions are appropriate to achieve resource benefits.
4. Consider recreation settings and scenic character when evaluating landscape restoration priorities and risks.
5. Accomplish ecological restoration, in part, through the reduction of fuels by decreasing tree densities that are above natural ranges, reducing some concentrations of down woody material near high value objects, and reducing ladder fuels and shrubs that can allow fire to easily enter tree crowns. Use a proactive approach for improving ecosystem health with management objectives to reduce susceptibility of forest stands to insect and drought-related mortality by managing stand density levels.
6. Promote heterogeneity in plantations and young stands by encouraging more diversity in species composition and tree ages and increasing heterogeneity using initial planting and plantation management techniques. Consider climate change when determining appropriate species and seed sources for planting. Manage plantations to contribute to mature and old forests over time.
7. Detect the presence of insect outbreaks and pests early, so that proper management measures can be applied to minimize excessive mortality, especially in concentrated recreation areas, developed recreation sites and other high value resource areas.
8. Provide for stewardship opportunities by partnering with schools, organizations, the public, tribes and other agencies. Through joint participation, cooperative agreements, volunteer agreements, and grant funding, encourage partners and volunteer stewards to assist with achieving mutual resource management and stewardship goals.

Guidelines

1. Projects should retain the integrity of the hardwood component (oak, aspen, cottonwood, birch) in all vegetation types where it exists by managing for a diversity of tree size classes within a stand such that seedlings, saplings and pole-sized trees are sufficiently abundant to replace large trees that die.

Old Forest and Complex Early Seral Habitats

The existing Old Forest Emphasis Area land allocation will not be carried forward. The existing general desired conditions are replaced with desired conditions provided below and, where appropriate, with additional desired conditions by major vegetation types.

Desired Conditions

1. The composition, structure, and functions of old forests and surrounding landscapes are resilient to fire, drought, insects and pathogens, and climate change. Fire occurs as a key ecological process where possible, creating, restoring and maintaining ecosystem resilience and fire-related composition and structure.
2. The landscape contains a mosaic of vegetation types and structures that provide foraging and breeding habitat, movement and connectivity for a variety of old forest-associated species such as goshawk, spotted owl, fisher and marten.
3. At least 40 but up to 80 percent of the forested landscape contains old forest components, usually in clumps and patches and including large or old trees, dead trees (snags), and large down logs.

These clumps and patches are irregularly distributed across the landscape and interspersed with younger tree stands, shrubs, meadows, other herbaceous vegetation and non-vegetated patches.

4. The number and density of old trees vary by topographic position and soil moisture (e.g., as described in the Forest Service general technical report (GTR) 220 and GTR 237). Large trees, used as a proxy for old trees, are well distributed, but are often clumpy, ranging from 0.5 to 20 trees per acre with a general area average of 5 trees per acre. Trees greater than 40 inches in diameter represent the oldest trees, generally from the pre-European settlement period and over 150 years old, and comprise the greatest proportion of large and old trees. In many areas of high soil productivity, trees grow to large sizes (e.g., around 30 inches in diameter) in fewer than 100 years. On very low and low soil productivity sites, the oldest trees may be smaller diameters. Sufficient numbers of younger trees are present to provide for recruitment of old trees over time.
5. Old forests are composed predominantly of vigorous trees, but declining trees are an important component, providing wildlife nesting and denning habitat and for future production of snags, down logs and other coarse woody debris. Older trees with larger branches and those showing signs of decadence provide the best potential to create cavities. Large tree clumps, snags, large logs and decadent older trees are maintained on the landscape to benefit wildlife and are distributed throughout the planning area pre and post-disturbance.
6. Large snags are scattered across the landscape, generally occurring in clumps rather than uniformly and evenly distributed, meeting the needs of species that use snags and providing for future downed logs. The desired number and distribution of snags varies by major vegetation type, but old forests tend to have higher numbers of large snags than younger forests and can vary from single large snags to clusters of up to 20 snags per 10 acres in some areas.
7. Coarse woody debris, including large downed logs in varying states of decay, provides important wildlife habitat and can occur as single large down logs or in clusters depending on the source of tree mortality (e.g., single trees succumbing to age or resource stress or clusters of trees or acres of trees killed by insects or diseases). Coarse wood debris is patchily distributed and the density of large down logs varies by vegetation type by averages 1 to 5 tons per acre across the landscape. Surface dead wood levels provide for legacy soil microbial populations.
8. Complex early seral habitat created as a result of a disturbance (e.g., burned forest habitat) contains dense patches of snags as well as habitat elements characteristic of natural succession (e.g., regenerating shrub cover and herbaceous understory) that are important to early seral forest-associated species. Large areas of shrubs are managed in locations where they represent the potential natural vegetation considering fire risks over time to adjacent vegetation and resources. Aspen and oak sprouts are well distributed in areas where they occur.
9. Snags, logs and live trees are widely distributed in large patches of high vegetation burn severity (greater than 75 percent mortality) to provide habitat while also considering the need for other resource objectives such as hazard tree removal, reforestation, strategic fuel treatment locations or management of fuels in and adjacent to the community wildfire protection zone.

Strategies

1. During prescribed fire and when managing fires for resource benefits, take actions designed to achieve a patchy mosaic of fire severity in old forests, with predominately low and moderate vegetation burn severity and with most high severity patches generally fewer than 200 acres in size. Due to the complexity of managing fires, on very large fires, some larger patches of high

severity fire may occur due to localized weather and existing fuels conditions. The balance of benefits from restoring fire to large landscapes should be weighed against the effects to old forests. In areas where there are limited opportunities to manipulate fuels conditions other than with fire, these tradeoffs of accepting more or larger patches of high severity fire in old forests with managed fire are weighed against the risk of effects to old forests from unmanaged wildfire.

Standards

1. For vegetation management projects, design projects to restore, maintain or enhance structural diversity (e.g., large tree clumps, large and old tree density, and variability in tree density, canopy cover, snags, downed logs and the amount of hardwoods) of existing old forest stands as redefined by the desired conditions for each major forest type.

Guidelines

1. To protect old forest components from uncharacteristic fire, effective methods of fuels reduction should be considered, such as thinning or selective harvest, prescribed fire and wildfires managed for resource objectives. When conducting prescribed burning, firing patterns should limit mortality to old trees by managing smoldering at the base of large, old trees.
2. To perpetuate old forest components, the development of old forest conditions should be encouraged in areas where old forest is lacking. Projects should seek to restore patchiness within stands using approaches described in GTR-220 and 237. To promote old forest attributes consistent with desired conditions, also manage for large black oak trees, pine tree regeneration, and snags where present, to be sustained over time.
3. During wildfires in areas with large areas of identified old forest patches, a resource advisor should be consulted. The resource advisor should identify old forest and old forest associated wildlife resource values for consideration by the fire planning team and suggest opportunities to retain and protect large and old trees where feasible. When safe and feasible, ahead of burn operations prepare particularly highly valued old trees and den and nest trees using techniques such as targeted preparatory burning, removing large fuel away from the base of especially important trees, or providing direct protection to high value trees.
4. Restoration projects for large stand replacing events (wildfire, insect and disease infestations, windstorms and other unforeseen events) should establish restoration objectives considering: the need to provide for safety to people in the short and long terms; the need to limit fuel loads over the long term, including the need to restore fire to the recovering or restored landscape; the urgency to restore forested habitat to deforested areas, including restoring connectivity; the need to provide habitat for local wildlife species that use burned forest habitats; the need for other ecological restoration actions in the affected area; and the opportunity to recover economic value from dead and dying trees.
5. Post-disturbance restoration projects should be designed to reduce potential soil erosion and the loss of soil productivity caused by loss of vegetation and ground cover. Examples are activities that would: provide for adequate soil cover in the short term; accelerate the dispersal of coarse woody debris; reduce the potential impacts of the fire on water quality; and carefully plan restoration and salvage activities to minimize additional short term effects.
6. Post-disturbance restoration projects should be designed to manage the development of fuel profiles over time. Examples are activities that would remove sufficient standing and activity generated material to balance short term and long term surface fuel loading and protect remnant

old forest structure (surviving large trees, snags and large logs) from high severity re-burns or other severe disturbance events in the future.

7. Post-disturbance restoration projects should be designed to recover the value of timber killed or severely injured by the disturbance. Examples are activities that would: conduct timber salvage harvest in a timely manner to minimize value loss; minimize harvest costs within site-specific resource constraints; and remove material that local managers determine is not needed for long term resource recovery needs.
8. Post-fire restoration projects should consider the landscape amounts of complex early-seral forests available on the forest and in the regional context. Restoration projects should provide for ecological conditions for complex early seral wildlife species by: retaining some areas of dense and connected patches of snags across a range of snag sizes, including the largest snag sizes; retaining some areas of regenerating vegetation such as the shrub layer, sprouting hardwood trees and herbaceous understory; and retaining some burned areas adjacent to or intermixed with unburned areas or areas with moderate or high tree survival. Large fires with more than 1,000 acres of contiguous blocks of moderate and high vegetation burn severity should retain at least 10 percent of the moderate and high vegetation burn severity area without harvest to provide areas of high snag density for species that use complex early seral habitat.

Aspen

Desired Conditions

1. The structure and function (e.g., age and size distribution, regeneration, habitat, biodiversity) and distribution of aspen are within the range of historic variability. Aspen is successfully regenerating and growing into larger trees.
2. Fire or other silvicultural activity reduces conifer encroachment and competition. Aspen stands are periodically regenerated through stand-replacing events such as wildfires, allowing for potential expansion.
3. Aspen groves contribute to social and economic sustainability by supporting recreational, cultural, economic, spiritual and scenic enjoyment opportunities.

Strategies

1. Conifer removal (mechanical or hand thinning) is the primary initial restorative treatment for aspen stands, especially those that are near developed areas or heavily managed areas. Where cut material cannot be removed from the stand, pile burning is used to manage residual fuel loading.
2. The number and size of conifers removed to enhance aspen is dependent on the current stand condition but should meet the following long term objectives: maximize direct and indirect light (this requires treating beyond the existing aspen stand perimeter); allow aspen expansion; reduce conifer seed sources; create fuel loads that reflect functioning aspen stands to allow future prescribed burning; and promote wildlife habitat, plant assemblages, and water yields typically found in functioning aspen communities.
3. Aspen stands that receive intensive browsing from either livestock or wildlife may need all or portions of the stand to be temporarily fenced or have browsing pressure reduced for several years to protect regenerating aspen suckers until sufficient numbers have grown large enough to provide a replacement age cohort.

Guidelines

1. Where pile burning of material from conifer removal is desired, piles should be kept at least four to 15 feet away from large aspen trees to limit damage to aspen trunks. Small piles can be closer and very large piles farther.
2. Cultural resource surveys should be conducted within and adjacent to aspen stands prior to treatment since aspen stands often contain cultural or historical sites. Treatments to manage or restore aspen and prescribed burning should consider techniques to protect aspen trees with historical carvings or to record and appropriately capture the historical values.

Upper Montane Vegetation Types

These vegetation types occur across all national forests. The nature of each type may vary by individual forest but the desired conditions are designed to be broad enough to allow individual, site specific adjustments at the project level to adjust for these differences.

Desired Conditions

All Upper Montane Vegetation Types

Landscape Scale (10,000 Acres or Greater)

1. Fire is a key ecological process restoring and maintaining patchy fuel loads, and increasing heterogeneity and understory plant vigor. Fires occur irregularly, generally between 15 and 40 years between fires. Fires in this vegetation type burn with low, moderate or mixed severity with greater than 90 percent of the patches of high severity (greater than 75 percent basal area mortality) fewer than 300 acres in size. The proportion of areas (greater than 1 acre in size) burned at high severity within a fire is generally less than 15 to 30 percent. Due to the existing high levels of fuels and the variability of weather, managed wildfires or large landscape prescribed fires may unavoidably have higher proportions of high vegetation burn severity, up to 50 percent, with some patches of high severity up to 1,000 acres.
2. White pines (sugar pine, western white pine, whitebark pine and foxtail pine) are healthy and vigorous with a low incidence of white pine blister rust. Individual trees and the stands they occur in are resilient to moisture stress, drought and bark beetles. White pine blister rust-resistant trees are regenerating and populations are sustained.

Red Fir

Landscape Scale (10,000 Acres or Greater)

1. The red fir forest type is part of a heterogeneous mosaic of tree species and vegetation structure (tree density, size, age and shrub cover), with patches of Jeffrey pine, meadows and montane chaparral. It is dominated by red fir trees, with varying amounts of white fir, Jeffrey pine, western white pine, sugar pine, lodgepole pine and mountain hemlock.
2. Areas dominated by medium and large diameter trees comprise more than 50 percent of the landscape. These areas, in combination with areas dominated by small diameter trees with moderate canopy cover between 40 to 60 percent, comprise between 50 and 70 percent of the landscape. Trees are denser in some locations such as north-facing slopes and canyon bottoms, near meadows or where snow accumulates. Denser areas with closed canopy cover greater than 60 percent occur on 40 percent of the landscape but can range from 20 to 60 percent, depending

on the distribution of deeper soils and available soil water. Early seral vegetation, shrubs, grasses, herbaceous plants, tree seedlings or saplings, mostly occur in very small areas, intermixed within forest stands or patches.

3. Shrub, grass and young trees grow in patches of high tree mortality with abundant snags and large logs, providing complex early seral habitat.

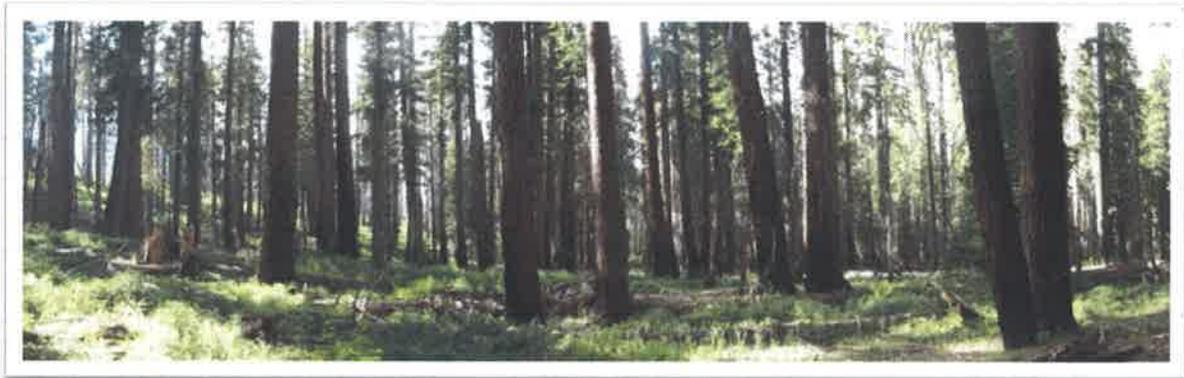
Mid-Scale (100 to 1,000 Acres)

1. Trees of different sizes and ages, variably spaced, comprise an irregular, uneven-aged forest. Numbers of seedlings and saplings are sufficient to replace old trees as they die, but are very patchy in distribution.
2. Overstory tree canopy cover is generally 40 percent but ranges from two to 70 percent, with at least 20 percent of the area in closed canopy stands with greater than 50 percent cover.
3. Large snags, greater than 20 inches in diameter are patchily distributed, average 5 to 40 snags per 10 acres providing for future downed logs. Coarse woody debris, including large downed logs in varying states of decay, is patchily distributed and ranges from 1 to 10 tons per acre.

Fine Scale (10 Acres or Fewer)

1. Individual trees are variably spaced with some tight groups. Tree stocking (basal area) is highly variable, ranging from 50 to 300 square feet per acre with most areas having fewer than 200 square feet per acre.
2. Small openings are intermixed within stands of trees. They make up 10 to 25 percent of the area within tree stands, have less than 10 percent tree cover, are irregularly shaped, and often contain herbaceous plants, shrubs, and tree seedlings and saplings. Some openings and the understory of some red fir patches have little to no understory plants but instead have a high diversity of mushrooms and other fungi.
3. Shrub cover is highly variable. Vigorous shrubs cover 5 to 70 percent of the area. Higher shrub cover is common after fire.
4. Litter and surface fuel is patchy with fewer than 5 to 15 tons per acre in fuel loading on average. There may be areas with no fuels and pockets of high fuel accumulation scattered irregularly.





Variety of stand structures in red fir forests that comprise “heterogeneity”

The photos above show three different within-patch forest structures typical in red fir forests. All of the photos are from Yosemite National Park where repeated fires from lightning strikes have occurred. The top photo shows a stand of widely spaced, very large (greater than 40 inches in diameter) with fire-blackened bases. Three people from about 30 feet away are seen in the lower left. The tree stems are widely spaced but irregularly distributed, all at different spacing. There is one partially burned out snag in the lower right, leaning and about to fall down. The understory is very sunny, with little shade, indicating the low overstory canopy cover. The middle photo shows an opening, approximately 0.1 to 0.25 acre in size, with a dense cover of green, low growing shrubs and red fir seedlings. Tree cover is moderate, at least 40 percent. The bottom photo shows a stand that is intermediate. It has a dense understory and moderately dense but clumpy overstory of mostly red fir trees.

Upper Montane Jeffrey Pine

Landscape Scale (10,000 Acres or Greater)

1. Forests are dominated by Jeffrey pine trees and are generally very open with less than 40 percent cover. Generally less than 10 percent of the area has denser canopies. Open canopies allow tree regeneration of shade-intolerant Jeffrey pine.
2. Fire is a key ecological process, creating a diversity of vegetation types, maintaining understory plant diversity and lowering surface fuels. Fires occur frequently, with mostly low and moderate vegetation burn severity.
3. Areas dominated by medium and large diameter trees comprise more than 60 percent of the landscape. These areas, in combination with areas dominated by small diameter trees with low to moderate canopy less than 40 percent cover, comprise between 60 and 90 percent of the

landscape. Trees are denser in some pockets of deeper soils. Areas with closed canopies greater than 60 percent cover occur on less than 10 percent of the landscape. Early seral vegetation, shrubs, grasses, herbs, and tree seedlings or saplings mostly occur in very small areas, intermixed within forest stands or patches.

4. Shrub, grass and young trees grow in patches of high tree mortality with abundant snags and large logs, providing complex early seral habitat.

Mid-Scale (100 to 1,000 Acres)

1. Jeffrey pine forests are composed of variable patches of irregular, uneven-aged trees with open canopies, and scattered individual trees. Numbers of seedlings and saplings are sufficient to replace old trees over time. These areas are highly resilient to fire.
2. Canopy cover ranges from 10 to 60 percent. Less than 10 percent of the area has more than 40 percent canopy cover.
3. Large snags greater than 20 inches in diameter are at densities between 1 to 20 snags per 20 acres, and are well distributed, but highly irregular in spacing providing for future downed logs. Coarse woody debris, including large downed logs in varying states of decay is irregularly distributed and ranges from 1 to 5 tons per acre and highly variable density.



Jeffrey pine patch

The photo above shows a patch of Jeffrey pine, typical of upper montane landscapes in the southern Sierra Nevada. Very widely spaced, mostly large and old Jeffrey pine are scattered among granite rock outcrops and patches of sandy soil. Overstory tree cover is about 10 percent.

Fine Scale (10 Acres or Fewer)

1. Size and age class diversity is high within Jeffrey pine stands. Individual trees are variably spaced with some tight clumps. Tree stocking (basal area) is highly variable with most areas containing fewer than 80 square feet per acre but ranging from 20 to 150 square feet per acre.
2. Openings of various shapes are intermixed with trees. More openings occur on shallow soils or when rock outcrops are interspersed with trees. They make up 10 to 70 percent of the area, are irregular in shape and vary widely in size. They contain herbaceous plants, shrubs and tree seedlings and saplings.
3. Shrub cover is highly variable and Jeffrey pine stands or woodlands often occur in a mosaic with patches of montane chaparral. Shrub cover varies from two to 70 percent of the area. At least half

of the shrubs are vigorously growing, with low amounts of dead branches. Surface fuel loads are fewer than 5 to 7 tons per acre and are patchy, covering 30 to 70 percent of the area.

Lodgepole Pine

Landscape Scale (Greater than 1,000 acres)

1. Lodgepole pine forests are highly variable throughout the landscape, occurring both as open forests on dry sites at higher elevations, to denser stands in pockets around meadows, lakes or where cold air accumulates. The lodgepole pine type is part of a heterogeneous mosaic of tree species with diverse structural conditions. It is dominated by lodgepole pine, with varying amounts of red fir, white fir, aspen and sometimes white pines.
2. Areas dominated by medium and large diameter trees, in combination with areas dominated by small diameter trees with moderate canopy cover of 40 to 60 percent, comprise between 50 and 70 percent of the landscape. Closed canopy forests with greater than 60 percent cover comprise between 10 to 60 percent of the landscape, with higher levels associated with wetter soils.
3. Shrub, grass and young trees grow in patches of high tree mortality with abundant snags and large logs, providing complex early seral habitat.

Mid-Scale (100-1,000 Acres)

1. The distribution and structure of lodgepole pine forests are variable, ranging from small patches of even-aged trees, with both closed and open canopies, to uneven-aged, irregular patches. Size and age class diversity is high within lodgepole pine stands. Irregularly-shaped groups of large and intermediate trees are variably sized, with some overlapping tree crowns. Smaller trees are randomly distributed. Tree groups contain other tree species such as red fir. Sufficient tree regeneration in openings provides for stand replacement.
2. Canopy cover is generally 40 percent but ranges from 10 to 60 percent. On moister soils outside of meadows, at least 20 percent of the area is comprised of moderately dense to dense canopy cover greater than 40 percent.
3. Large snag densities are between 5 and 40 snags per 10 acres, and are well distributed, but highly irregular in spacing and providing for future downed logs. Coarse woody debris, including large downed logs in varying states of decay is well distributed but irregular in spacing and ranges from 1 to 5 tons per acre.

Fine Scale (10 Acres or Fewer)

1. Individual trees are variably spaced with some tight groups. Tree stocking (basal area) is highly variable with most stands having around 200 square feet per acre but ranging from 10 to 280 square feet per acre.
2. Small openings with less than 10 percent tree cover are irregular in shape and make up from 10 to 50 percent of the area and contain a mix of grasses, herbaceous plants and shrubs.
3. The understory of lodgepole pine stands is highly variable. On wet sites next to meadows, lakes, streams or springs, shrub, grass and herbaceous plant cover may exceed 80 percent. Most areas contain between zero and 40 percent shrub cover but on very dry, cold, rocky sites, there may be no shrubs.

4. Surface fuel loads are highly variable and patchy. Most are between 5 to 15 tons per acre and are patchy, covering 30 to 70 percent of the area. Some small areas contain very high fuel loading of up to 30 tons per acre and other areas have fewer than 5 tons per acre.

Montane Chaparral

1. Chaparral is comprised of native shrub and understory species that reflect the natural range of variability for the site. The chaparral vegetation type is composed of varying age classes and densities that protect against accelerated erosion, with two to 20 percent of the type in early seral grass and herbaceous cover, 5 to 20 percent in native herbs and shrubs, and 70 to 95 percent in dense shrubs.
2. Chaparral is in a constant state of transition from young to older stages and back again, with fire as the primary disturbance. High severity fires that kill most aboveground stems occur on average every 35 to 100 years. Long fire return intervals allow the buildup of native shrub and plant seeds in the soil seed bank and for the accumulation of fuels necessary to support fire induced regeneration.
3. The fire return interval is long enough to allow the soil seed bank of uniquely adapted fire-following plants to be maintained over the short and long term. Invasive non-native plants do not dominate between fires.

Subalpine and Alpine Ecosystems

1. Subalpine woodlands are highly variable in structure and composition. Diverse patch types vary from open woodlands with scattered trees to small, dense groves.
2. Fires occur infrequently, are mostly very small and with mixed severity. Fire intensity is highly variable, but crown fires are usually limited in size.
3. Subalpine woodlands and alpine ecosystems are resilient to insects, diseases, fire, wind and climate change. High-elevation white pines (e.g., whitebark pine and foxtail pine) are healthy and vigorous, with a low incidence of white pine blister rust, and resilient to moisture stress and drought. White pine blister rust-resistant trees are regenerating and populations of high elevation white pines have the potential to expand above the tree line.
4. Mature cone-bearing whitebark pine trees are well distributed spatially for natural regeneration to protect and conserve genetic diversity.

Strategies

1. Identify whitebark pine stands of conservation and restoration priority. Identify climate refugia for whitebark pine that may serve as areas for restoration and conservation.
2. Conserve whitebark pine genetic diversity by collecting and archiving seeds and growing and planting genetically diverse seedlings. Identify and collect seed from trees that exhibit some level of white pine blister rust resistance.
3. Proactively manage whitebark pine stands of high conservation or restoration priority to improve resilience after disturbance (e.g., outbreaks of mountain pine beetle) and resistance to pathogens. Actions may include precautions to limit the spread of blister rust, use of fire or silvicultural treatments or reforestation with white pine blister rust-resistant seedlings. Assess management

activities for the risk of establishment or spread of white pine blister rust or mountain pine beetle outbreaks among whitebark pine stands.

4. Develop an interagency whitebark pine conservation strategy, based on the range-wide restoration strategy for whitebark pine (GTR-279) in collaboration with other federal agencies, research organizations, especially the Pacific Southwest Research Station and other partners.
5. Collaborate with partners and stakeholders to monitor, conserve, and restore subalpine and alpine ecosystems and educate the public about potential impacts from recreation use and climate change.
6. Distribute information to the media and general public that is focused on the unique properties of subalpine and alpine ecosystems and ways to enjoy but minimize ecological impacts to them.

Special Habitats

Special habitats are small scale, habitat or vegetation types that support unique assemblages of biological populations of federally-listed species under the Endangered Species Act or species of conservation concern. They typically include uncommon rock types, harsh soils or rock outcrops. Examples include dry sandy and gravelly soils on flats, limestone or serpentine soils, alkali or acidic soils, metamorphic, volcanic or granitic rocky soils or rock outcrops and alpine talus or fell fields. Aquatic special habitat examples include bogs, fens, seeps and springs. Given the localized nature of these special habitats, they are challenging to address comprehensively at the forest scale since they may be uniquely affected by different activities or trends in ecological conditions.

Desired Conditions

1. The composition, diversity, and structure of special habitats are resilient to disturbances such as recreational activities, grazing and invasive plant and animal species.
2. Microclimate or smaller scale habitat elements provide habitat and refugia for narrow endemics and species with restricted distribution.

Standards

1. At the project scale, conduct inventories of project sites and areas of disturbance if special habitats are identified. Provide potential mitigation measures to minimize effects to habitats for which ecological integrity has been identified as a concern.

Westside Vegetation (Sequoia and Sierra National Forests)

Foothill Vegetation Types

Desired Conditions

Blue Oak-Interior Live Oak Woodland

1. Blue oak-Interior oak woodlands occur in a highly variable and complex landscape pattern. Blue oak dominates the overstory in patches but is co-dominant with interior live oak or foothill pine. Blue oak woodlands are a mosaic of varying age and size classes with mature oaks that provides acorns from older trees that are an important food for wildlife. There are occasional flushes of blue oak regeneration to successfully replace mortality in older trees.
2. Fires occur periodically to maintain lower levels of dead grass and litter levels so that they do not fuel intense fire. Fires typically burn with low to moderate vegetation burn severity.
3. In annual grasslands, native plant abundance is maintained and encouraged and enough residual plant matter remains at the end of the growing season to maintain germination potential, site productivity and protect soils.

Chaparral-Live Oak

1. Chaparral is comprised of native shrub and understory species that reflect the natural range of variability for the site. The chaparral vegetation type is composed of varying age classes and densities that protect against accelerated erosion, with two to 20 percent of the type in early seral grass and herbaceous cover, 5 to 20 percent in native herbaceous plants and shrubs, and 70 to 95 percent in dense shrubs.
2. Chaparral is in a constant state of transition from young to older stages and back again, with fire as the primary disturbance. High severity fires that kill most aboveground stems occur on average every 35 to 100 years. Long fire return intervals allow the buildup of native shrub and plant seeds in the soil seed bank and for the accumulation of fuels necessary to support fire-induced regeneration. Expanses of dense or older chaparral have fire-caused openings with chaparral regeneration.
3. The fire return interval allows the soil seed bank of uniquely adapted fire-following plants to be maintained over the short and long term. Invasive non-native plants do not dominate between fires.

Guidelines

1. To provide varying seral stages and habitat diversity, treatments using fire within chaparral should be designed to provide a diversity of seral stages at the landscape scale. Where feasible, and considering topographic position, soil types, and other fire management operational and strategic requirements, leave small to medium unburned or lightly burned patches for wildlife within very large burn units.
2. Where chaparral is the potential natural vegetation type for an area, projects should not include active reforestation with the intent to convert the area to a forested type.

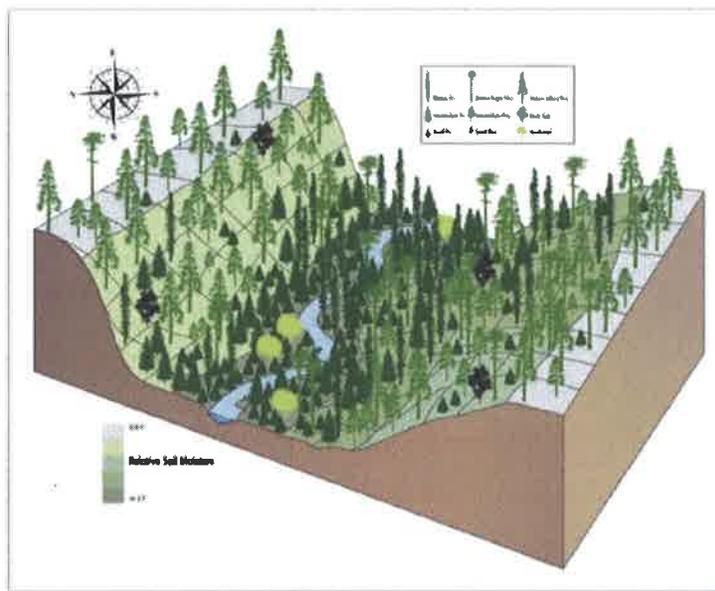
Montane Conifer and Hardwood

Ponderosa pine, black oak and mixed conifer forests comprise the montane vegetation type. It occurs on the western slopes of the Sierra Nevada, above the foothills and below the red fir and upper montane forests. These vegetation types overlap with most of the distribution of fisher and California spotted owl.

Desired Conditions

All Montane Conifer and Hardwood

Landscape Scale (10,000 Acres or Greater)



Variation in dominant trees and tree density

The drawing above is from the scientific publication by North and others (2009), “An ecosystem management strategy for Sierran mixed-conifer forests.” The diagram illustrates how tree sizes and tree density varies across the topography of a watershed. It shows a cross-section of a watershed, with a river or stream in the middle with slopes rising to a ridge top on either side. Sketches of individual trees are shown with lighter colors depicting sun-dependent pine trees and darker green shade-tolerant fir trees. The slope on the left is south facing and thus warmer and drier. It has widely spaced pine trees with a few scattered fir trees, mostly on the valley bottom next to the stream. The valley bottom has a clumpy pattern of trees, dominated by fir and some kind of hardwood, likely alder that are denser overall. The north-facing slope is more shaded and thus often cooler and moister. It has a moderate density of trees that becomes more widely spaced as they approach the warmer and drier ridge top.

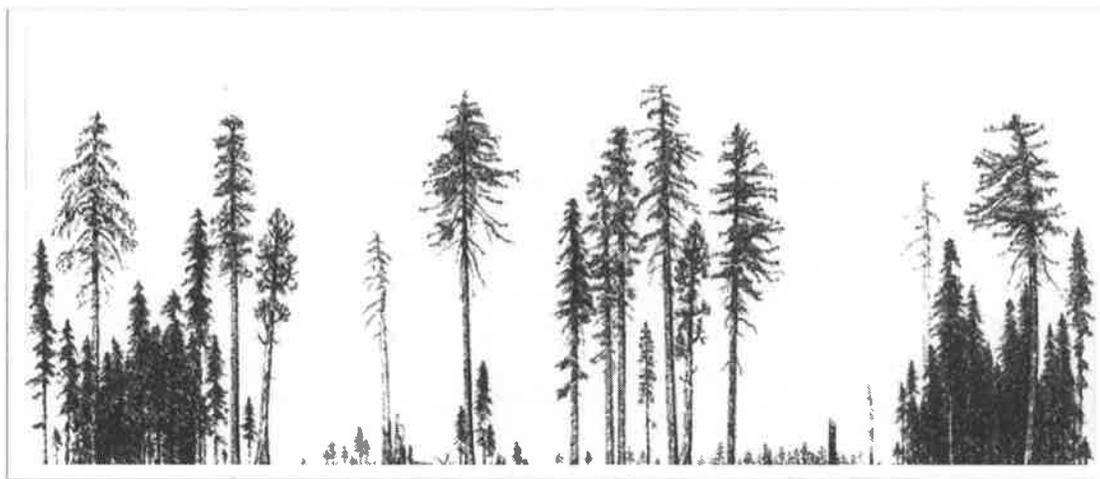
1. Montane vegetation occurs in a complex mosaic across large landscapes that vary with topography, soils and precipitation (as see in the diagram below). The composition, structure, and functions of vegetation make them resilient to fire, drought, insects and pathogens, and climate change.
2. Montane vegetation provides ecological connectivity for a wide range of species, including old forest-associated species as well as habitat generalists. At least 30 percent of the landscape

provides greater than 40 percent tree or shrub cover for connectivity of wide-ranging forest-associated species. Between 10 and 40 percent of the landscape has closed canopied, multi-storied forests with greater than 50 percent overstory tree cover. More of these forests occur on moist sites on lower slope positions and north or east-facing slopes.

3. Fire is a key ecological process restoring and maintaining low fuel loads, and increasing heterogeneity and understory plant vigor. Fires burn with low, moderate or mixed severity with greater than 95 percent of the patches of high severity (greater than 75 percent basal area mortality) fewer than 200 acres in size. The proportion of areas (greater than 1 acre in size) burned at high severity within a fire is generally less than 15 to 30 percent. Due to the existing high levels of fuels and the variability of weather, managed wildfires or large landscape prescribed fires, may have higher proportions of high vegetation burn severity, up to 40 percent, with some patches of high severity up to 1,000 acres.

Mid-Scale (100 to 10,000 Acres)

1. A complex mosaic of groups of trees and shrub and herbaceous plants provide diverse habitat for a wide variety of wildlife species including old forest-associated species. Vigorous understories of heterogeneous, patchy, and diverse native shrubs, herbs, and grass species support small mammal, bird, insect, and fungi communities, as well as providing pollinator and herbivore forage.
2. Sugar pine is reproducing, growing successfully, and is resistant to blister rust and insects.
3. Shrub, grass and young trees grow in patches of high tree mortality with abundant snags and large logs, providing complex early seral habitat.
4. Individual trees, small clumps and groups of trees are interspersed with grass, herbaceous plants and shrubs in variably sized openings (see diagram below). A mosaic of moderate to dense shrubs, tree litter, down wood and some bare ground occurs between groups of trees.



Cross-section in a forest patch

The diagram of a cross-section in a forest patch, illustrates the heterogeneity, or complex mosaic, described by North and others (2009) in the scientific paper, General Technical Report 220, published by the Forest Service Pacific Southwest Region. From left to right, there are large and likely old, overstory

trees above a widely varying and clumpy understory. On the left, three large trees tower above a dense clump of mid and small fir trees. In the middle, encompassing two-thirds of the cross-section, several individual large trees and small clumps tower above a sparse understory, and there are scattered seedlings and clumps of shrubs. To the right, a similar dense patch as the one on the far left occurs, with a large snag and some mid-sized trees.

Black Oak

1. Large patches of black oak are present both in large patches, and intermixed throughout montane forests where it historically occurred. Oak trees in varied ages are present, with wide spacing providing full sunlight around large old oak trees, enhancing their ability to produce abundant acorn crops. Black oak is reproducing successfully. Sufficient numbers of mid-age black oaks have enough canopy space to form full crowns to replace old oaks that eventually die.
2. Fire occurs as a key ecological process to create and maintain heterogeneity, invigorate and restore fire-adapted understory plants and shrubs, reduce and maintain lower fuel loads, and promote the retention and maintenance of legacy oak trees and the recruitment of young oaks.
3. Black oak snags greater than 20 inches in diameter, and live oak trees with dead limbs, hollow boles and cavities provide shelter, resting and nesting habitat for wildlife.
4. Acorns and other important plants in this vegetation type are plentiful and available for tribal uses.

Ponderosa Pine

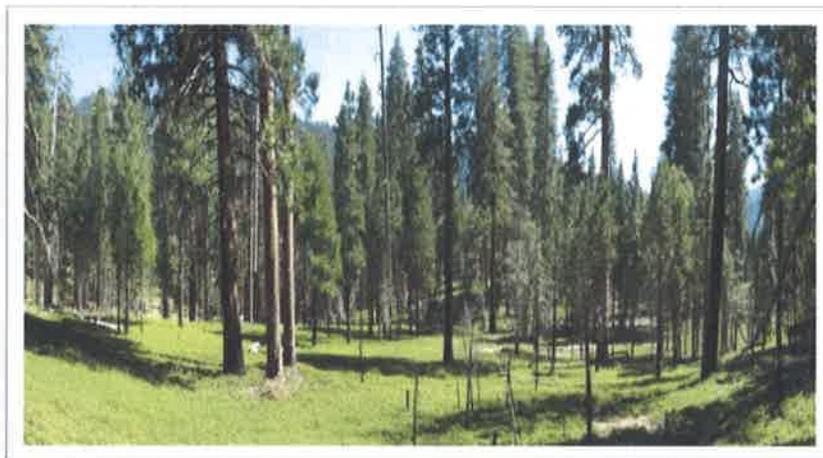
Landscape Scale (10,000 Acres or Greater)

1. The ponderosa pine vegetation type consists of a mosaic of varied tree sizes, densities and understory vegetation. They are dominated by ponderosa pine trees and, where black oak is common, co-dominated by black oak. Understory shrubs and plants are common. These areas are highly resilient to fire.
2. Areas dominated by medium and large diameter trees comprise more than 60 percent of the landscape. These areas, in combination with areas dominated by small diameter trees with moderate canopy between 40 to 60 percent cover, comprise between 25 and 40 percent of the landscape. Trees are denser in some locations such as north-facing slopes and canyon bottoms, but areas with greater than 60 percent cover occur on only 5 to 30 percent of the landscape.

Mid-Scale (100 to 1,000 Acres)

1. Trees of different sizes and ages, variably spaced, comprise an irregular, uneven-aged forest composed of tree stands of similar ages. Numbers of seedlings and saplings are sufficient to replace old trees over time, but since ponderosa pine is shade-intolerant, they are very patchy in distribution with regeneration occurring when gaps and openings of sufficient size are created.
2. Overstory tree canopy cover is generally 30 percent but ranges widely from 10 to 60 percent. When black oak dominates the overstory, because of their wide crowns, canopy cover can be greater than 50 percent.
3. Large snags, greater than 20 inches in diameter are patchily distributed and highly irregular in spacing with between two to twenty snags per 10 acres providing for future downed logs. Coarse

woody debris, including large downed logs in varying states of decay is patchily distributed and ranges from 1 to 5 tons per acre.



Ponderosa pine patch

The panoramic photo above shows an example of a ponderosa pine forest that shows the heterogeneity reflective of the desired condition. In the foreground, several scattered large ponderosa pine trees, and one clump of three trees tower above a dense carpet of low growing bear clover shrubs. In the background are groups of trees with mixed sizes and sometimes more uniform appearing ages.

Fine Scale (100 Acres or Fewer)

1. Individual trees are variably spaced with some denser groups. Tree stocking (basal area) is highly variable, ranging from 20 to 200 square feet per acre, with most areas having fewer than 150 square feet per acre.
2. Irregular shaped openings with less than 10 percent tree cover make up from 10 to 50 percent of the area, and contain a mix of grasses, herbaceous plants, and shrubs.
3. Scattered thickets of small trees, shrubs, and downed wood often occur after fires burn surface litter and expose soil and when events kill overstory trees and create a gap. Vigorous shrubs cover 10 to 60 percent of the area. Less than 30 percent of shrubs are decadent with many dead branches.
4. Litter and surface fuel is patchy with fewer than 5 to 10 tons per acre in fuel loading on average over 30 to 70 percent of the area. There are some small areas of up to 30 tons per acre and others with fewer than 5 tons per acre.

Dry Mixed Conifer

The dry mixed conifer type occurs in the Kern Plateau, Piute Mountains, eastern escarpment of the Sierra Nevada, and on ridges, upper slopes and south and west aspects on the western slopes of the Sierra Nevada. It is distinguished from moist mixed conifer by typical understory indicator plants that are found on dry sites such as buckwheat and iris.

Landscape Scale (10,000 Acres or Greater)

1. The dry mixed conifer vegetation type has a mosaic of patches of trees of varied sizes and ages. It is dominated by Jeffrey or ponderosa pine trees, with varying amounts of white fir, red fir, incense cedar or sugar pine, and understory plants.
2. Areas dominated by medium and large diameter trees comprise more than 60 percent of the landscape. These areas, in combination with areas dominated by small diameter trees with moderate canopy cover between 40 to 60 percent, comprise between 25 and 40 percent of the landscape. Trees are denser in some locations such as north-facing slopes and canyon bottoms. Areas with closed canopies greater than 60 percent cover occur on only 5 to 30 percent of the landscape.

Mid-Scale (100 Acres)

1. Trees of different sizes and ages, variably spaced, comprise an irregular, uneven-aged forest. Numbers of seedlings and saplings are sufficient to replace old trees over time. These areas are highly resilient to fire.
2. Canopy cover ranges from 10 to 60 percent but is mostly open with less than 30 percent of the area having over 40 percent canopy cover. When black oak dominates the overstory, because of their wide crowns, canopy cover can be greater than 50 percent.
3. Large snags greater than 20 inches in diameter are at densities between two to twenty snags per 10 acres, and are well distributed, but highly irregular in spacing providing for future downed logs. Coarse woody debris, including large downed logs in varying states of decay is irregularly distributed and ranges from 1 to 5 tons per acre.



Dry mixed conifer

The photo above shows a cross-section of a dry mixed conifer. It illustrates the generally open canopy, but highly varied spacing and grouping of trees. Throughout the stand, scattered individual large, medium, and small trees occur irregularly, punctuated by groups of two, three or more trees. The soil is rocky and sandy, between a patchy layer of widely spaced manzanita shrubs, grasses and herbaceous plants. Overall, overstory tree canopy cover is about 30 percent.

Fine Scale (10 Acres or Fewer)

1. Individual trees are variably spaced with some tight groups. Tree stocking (basal area) is highly variable with most stands having fewer than 150 square feet per acre but ranging between 20 to 200 square feet per acre.
2. Small irregularly shaped openings with less than 10 percent tree cover make up from 10 to 50 percent of the area, and contain a mix of grasses, herbaceous plants and shrubs. Vigorous shrubs cover 10 to 60 percent of the area.
3. Litter and surface fuel is patchy with fewer than 5 to 10 tons per acre in fuel loading on average over 30 to 70 percent of the area. There are some small areas of up to 30 tons per acre and others with fewer than 5 tons per acre.

Moist Mixed Conifer

Moist mixed conifer forests are found where soil moisture is higher, such as lower slopes, drainages, north and east aspects or where water tables are close to the surface. They are often identified by the presence of understory plants such as trailplant, false solomon's seal, starflower, fairy bells, hazel or Pacific dogwood.

Landscape Scale (10,000 Acres or Greater)

1. The moist mixed conifer type has a mosaic of patches of trees of varied sizes and ages. This type is comprised of varying mixtures of Jeffrey or ponderosa pine, white fir, red fir, incense cedar and sugar pine trees, and understory plants.
2. Areas dominated by medium and large diameter trees comprise more than 50 percent of the landscape. These areas, in combination with areas dominated by small diameter trees with closed canopy cover greater than 60 percent, comprise 40 to 80 percent of the landscape. The combination of mid-story and understory tree and shrub density and patchy and light to moderate surface fuels make the closed canopy stands resilient to fire under most weather and drought conditions. Early seral vegetation, shrubs, grasses, herbs, tree seedlings or saplings mostly occur in very small areas, intermixed within forest stands or patches.

Mid-Scale (100 Acres)

1. Moist mixed conifer stands are diverse, with high variation between patches of trees. Trees of different sizes and ages, variably spaced, comprise an irregular, uneven-aged forest with all seral stages present, including old forest. Seedlings and saplings are sufficient to replace old trees over time, but are not uniformly distributed in stands. These areas are moderately to highly resilient to fire.
2. Overstory tree canopy cover ranges from 20 to 90 percent. More than 30 percent of this area has over 50 percent canopy cover.
3. Large snags greater than 20 inches in diameter are patchily distributed, averaging 5 to 40 snags per 10 acres providing for future downed logs. Coarse woody debris, including large downed logs in varying states of decay, is patchily distributed and averages fewer than 5 tons per acre. In patches centered around areas of past tree mortality, coarse woody debris can be up to 10 tons per acre.

Fine Scale (Fewer than 100 Acres)

1. Individual trees are variably spaced with some tight groups. Tree stocking (basal area) is highly variable, ranging from 50 to 300 square feet per acre with most areas having fewer than 200 square feet per acre.
2. Scattered small irregularly-shaped thickets of small trees, shrubs and downed wood with less than 10 percent tree cover make up 10 to 50 percent of the area and contain a mix of grasses, herbaceous plants and shrubs. Vigorous shrubs cover 10 to 90 percent of the area.
3. Litter and surface fuel is patchy with fewer than 5 to 15 tons per acre in fuel loading on average over 30 to 70 percent of the area.

Guidelines

1. Where possible, snags and downed logs should be retained along edges of openings and within groups and clumps of large trees to provide habitat and roost sites for wildlife species such as small mammals, cavity-nesting birds and tree-dwelling bats.
2. Management activities that generate accumulations of green slash should be planned to minimize potential impacts from bark beetles.
3. Where possible, projects should remove trees to create crown space around existing mid-aged California black oak and canyon live oak to allow crown development of the oaks. Where replacement age classes are missing, projects should create openings near mature oaks to stimulate natural regeneration.
4. Mechanical vegetation treatments, prescribed fire, and salvage operations should retain all large hardwoods except where large trees pose a threat to human life or property, or losses of large numbers of large trees are incurred due to prescribed or wildland fire. Large montane hardwoods are trees greater than 12 inches in diameter and large blue oak woodland hardwoods are trees greater than eight inches in diameter.

Eastside Terrestrial Vegetation (Inyo and Sequoia National Forests)

Note that additional direction specific to management or geographic areas (e.g., research natural areas, Ancient Bristlecone Pine Forest or Mono Basin) may apply. Additional direction specific to management of sagebrush and vegetation within the range of the greater sage-grouse is described in the “At-risk Species” section. Where there is overlap, direction for greater sage-grouse takes precedence.

All Vegetation Types

Desired Conditions

All Eastside Vegetation Types

1. At the landscape scale (10,000 acres or greater), at least 5 percent of each vegetation type is in early, middle and late seral stages.

Sagebrush

1. The sagebrush type has a diversity of age classes, stand structure, cover classes and understory composition.
2. Sagebrush ecosystems are resilient to fire, disturbances (e.g., grazing, recreation), invasive species (including cheatgrass) and climate change.
3. Grazed areas have or are trending toward satisfactory soils condition, functional hydrology and biotic integrity. Sagebrush ecosystems contain all key elements and conditions, including sagebrush regeneration and recruitment, ecosystem productivity, perennial grass cover, biological soil crusts and symbiotic fungal associations.
4. Open sagebrush habitat with no overstory trees, such as pinyon pine, juniper or Jeffrey pine, provides habitat connectivity. Fire occurs within the natural range of variation, or in small extents, as a natural process, limiting encroaching conifer trees.

Pinyon-Juniper

1. Pinyon-juniper types have a mosaic of trees and open areas that provide wildlife habitat, contribute to functional soils, and are resilient to disturbances such as fire, invasive species and climate change.
2. Fire frequency and severity is within the natural range of variation.
3. Plant litter (e.g., leaves, needles) and coarse woody debris are present in sufficient quantity to resist accelerated soil erosion and promote nutrient cycling, water retention and the microclimate conditions necessary for pinyon seed germination. Biological soil crusts are present to improve nutrient cycling and stabilize soils, especially in sandier soils.
4. Pinyon pine regeneration and recruitment ensures persistence of this vegetation type.
5. Mature pinyon pines provide foraging habitat for wildlife.
6. Mature pinyon pines provide opportunities for traditional collecting of pinyon nuts.

Desert Shrub and Blackbrush (Inyo National Forest only)

1. Desert shrub vegetation is a mosaic of diverse ecological types with native shrubs and grasses, commonly blackbrush, sagebrush, saltbush, goldenbush and horsebrush in various age classes and patch sizes.
2. Vegetation conditions are resilient to natural and human disturbances, such as grazing, flooding, fire, invasive species and climate change.
3. Fires are very rare, occurring no more frequently than every 600 years on average.
4. Flooding event frequency and severity is within the natural range of variation, resulting in a mosaic of soil erosion and deposition that supports diverse native plant species and biological soil crusts.

East Slope Black Oak and Canyon Live Oak

1. Vigorous oak trees, snags, and down logs provide habitat for a variety of wildlife species. Black oak snags greater than 20 inches in diameter, and live oak trees with dead limbs, hollow boles and

cavities provide shelter, resting and nesting habitat. Acorns are plentiful and provide food for wildlife and are collected for traditional cultural uses.

Strategies

1. Restore fire as an ecological process to promote the retention and maintenance of legacy black oak and live oak trees for ecological, wildlife and cultural values and the recruitment of young oaks.
2. Due to the uniqueness of eastside vegetation types, work cooperatively with researchers and other interested parties who have knowledge of local ecological conditions, past and present, and expertise in appropriate restoration measures.

Standards

1. Restoration projects in desert shrub and blackbrush must include design measures to minimize damage to biological soil crusts, with the purpose of maintaining areas resistant to non-native plant invasions.
2. Restoration projects in desert shrub and blackbrush must include islands of untreated vegetation in project design to speed native species regeneration.
3. When planning prescribed fire, mechanical treatments, or salvage in or adjacent to oak ecosystems, minimize impacts to oak ecosystem structure and maintain large trees (greater than 12 inches in diameter) except: where large trees pose an immediate threat to human life or property; where losses of large trees are incurred due to prescribed or wildland fire and snags are not retained for wildlife values; and where removal of larger oak trees is supported by silvicultural prescriptions specifically designed to maintain and enhance the hardwood stand or to provide for other wildlife habitat needs.

Guidelines

1. Restoration activities should be conducted during the appropriate time of year, and on appropriate slopes, aspects and soil types to ensure native species recovery and to minimize non-native species introductions.
2. If available and needed to support restoration activities, projects should use native species seed appropriate for the ecological unit to restore the desired native species composition of the area. Consider the effects of climate change in selecting appropriate seed.
3. Projects in sagebrush should prioritize restoration treatment to remove trees from wooded shrublands, which include recent expansion areas of pinyon and juniper into sagebrush ecosystems and other adjacent shrublands.
4. For restoration projects in sagebrush ecosystems at lower elevations (below about 6,000 feet) and in sandier soils, projects should leave large extents of undisturbed vegetation to the extent possible to minimize the risk of non-native species spread and to maximize native species restoration.

Lower Montane and Eastside Jeffrey Pine

Jeffrey pine forests are common in drier portions of the upper montane and montane vegetation of the Mono Basin, and southern Sierra Nevada, such as the Kern Plateau, Scodie Mountains and Piute Mountains.

Desired Conditions

Landscape Scale (10,000 Acres or Greater)

1. The Jeffrey pine type is part of a heterogeneous mosaic of shrublands, grasslands or other forest types. Forests are dominated by Jeffrey pine trees and are generally open. Open-canopied stands dominate the landscape, with generally less than 10 percent of the area with more than 40 percent canopy cover. Open canopies allow tree regeneration of shade-intolerant Jeffrey pine.
2. Fire is a key ecological process, creating a diversity of vegetation types, lower surface fuels and diverse understory vegetation in these areas. Fires occur frequently, on average every 5 to 15 years, with mostly low and moderate severity, with most patches of high severity fewer than 200 acres, but a few may be larger, up to 500 acres. The proportion of areas burned with high severity is generally less than 15 percent, although individual fires burning under very dry or windy conditions may have high severity proportions up to 25 percent.

Mid-Scale (100 to 1,000 Acres)

1. Jeffrey pine forests are primarily composed of widely varying patches of uneven-aged trees, with mostly open canopies and scattered individual trees.



Cross-section of a Jeffrey pine patch

This photo shows a cross-section of a Jeffrey pine patch in the Indiana Summit Research Natural Area on the Inyo National Forest. It illustrates the widely spaced, irregularly grouped overstory of large pines and variable understory. On the left, three widely spaced large pines tower over a patch of saplings and pole sized pines. In the middle, a single large pine occurs over a couple of pine seedlings and mostly open, sagebrush covered understory. To the right, a group of three large pine trees and one large snag occur with little understory beneath them.

2. Jeffrey pine forest is composed predominantly of vigorous trees, but declining trees are an important component, providing wildlife nesting and denning habitat and for future production of snags, down logs and other coarse woody debris.
3. Dwarf mistletoe, *Annosus* and *Armillaria* root diseases, Jeffrey pine beetle, and other pathogens and insects occur at endemic levels and are restricted to individual stands. Witches' brooms provide habitat for wildlife species.

Fine Scale (10 Acres or Fewer)

1. Size and age class diversity is high within Jeffrey pine stands. Individual large trees or tree groups provide nesting and denning habitat for wildlife.
2. Openings of various shapes surround and are intermixed with the trees. These gaps make up from 10 to 70 percent of the area, are typically less than 0.1 to 0.5 acre in size, and contain herbaceous plants, shrubs and tree regeneration.

Guidelines

1. In promoting an uneven-aged forest condition that maintains or contributes to the restoration of old forest conditions characteristic of the forest type, preference for retention should be given to pre-settlement trees, often the largest and tallest trees onsite. In general, retain groups of large trees and avoid thinning individual large trees in groups, except where silvicultural prescriptions identify a need for managing insects or diseases, or when needed to benefit the largest and oldest trees in the group.

At-Risk Species

At-risk species include (1) federally listed threatened, endangered, proposed, or candidate species under the federal Endangered Species Act, and (2) species of conservation concern. A preliminary list of at-risk species was identified in the individual forest assessment reports. Further refinement of this preliminary list will occur as plan alternatives are analyzed. For each species or group of species, the forest plan will consider the extent that plan components provide for ecosystem integrity and ecosystem diversity that meet the ecological conditions necessary for those species, and will add additional species-specific plan components as needed. Additional direction is provided for special habitats under the “Forest-wide Vegetation” section to address unique habitats of some at-risk species.

Desired Conditions

1. Native and desirable non-native plant and animal species are supported by healthy ecosystems, essential ecological processes and land stewardship activities, and reflect the diversity, quantity, quality and capability of natural habitats on the forest.
2. Habitats for at-risk species support self-sustaining populations within the inherent capabilities of the plan area. Ecological conditions provide habitat conditions that contribute to the survival and recovery of listed species, contribute to the delisting of species under the Endangered Species Act, preclude the need for listing new species, improve conditions for species of conservation concern and sustain both common and uncommon native species. Management for species of conservation concern is balanced considering multiple-use objectives.
3. The structure and function of the vegetation, aquatic and riparian system, and associated microclimate and smaller scale elements (e.g., special features, rock piles, specific soil types and wet areas) exist in adequate quantities to provide habitat and refugia for at-risk species with restricted distributions.

Strategies

1. Coordinate with the state wildlife agencies and the U.S. Fish and Wildlife Service regarding listed and native species, reintroductions, introductions, or transplants of listed or native species, control or eradication of non-native species, the management of sport and native fishes, including the identification of refugia for native fish and the management of game species. Actively participate at the appropriate levels in the development of conservation assessments, conservation strategies and conservation agreements for at-risk species. Provide information to guide development of relevant recommendations that reflect that authority of the Forest Service, the inherent capabilities of National Forest System lands, and consider the multiple use mandate and other objectives of the national forests.
2. Coordinate with the state wildlife agencies, the U.S. Fish and Wildlife Service, sports groups, the scientific community including the Pacific Southwest Research Station and other stakeholders about information, education and knowledge gaps as they relate to promoting and improving wildlife, fish, and plant resources and management. Education opportunities could include collaboration with research partners to provide student and volunteer participation in scientific studies.

Guidelines

1. To improve the status of species of conservation concern and prevent federal listing, management activities should comply with species conservation agreements and strategies completed or sponsored by the Forest Service.
2. Fire suppression techniques that minimize ground disturbance impacts should be used in sensitive habitat of at-risk species, with guidance provided by a resource advisor and considering the safety of people. Locations of key habitat areas should be provided in current fire decision support systems (e.g. the Wildland Fire Decision Support System) as appropriate.

Forest Carnivore Conservation Management

The Forest Service, the Sierra Nevada Conservancy and the Resources Legacy Fund have funded and commissioned development of a Southern Sierra Fisher Conservation Strategy, which is expected to be finalized in the fall of 2014. Direction for the Southern Sierra Fisher Conservation Area and fisher den sites are retained until the conservation strategy is complete. It is expected that direction for these management areas will be updated or replaced after considering information that will be contained in the conservation strategy. This may include deleting existing management areas or adding new management areas.

Yosemite Toad and Yellow-legged Frog Management

On June 30, 2014 the U.S. Fish and Wildlife Service listed the Sierra Nevada yellow-legged frog (Inyo and Sierra National Forests) and the northern distinct population segment of the mountain yellow-legged frog (Inyo and Sequoia National Forests) as endangered species, and listed the Yosemite toad (Inyo and Sierra National Forests) as a threatened species. Current forest plan direction specific to these species will be retained. During plan development, opportunities to clarify or improve direction may be proposed in consultation with the U.S. Fish and Wildlife Service.

California Spotted Owl Protected Activity Centers (PACs) (Sequoia and Sierra National Forests)

The following direction may be updated and clarified based on information from the new interim guidelines and conservation assessment being developed for the California spotted owl.

Desired Conditions

1. The best available habitat for California spotted owl PACs includes: two or more tree canopy layers; trees in the dominant and co-dominant crown classes averaging 24 inches diameter or greater; at least 60 to 70 percent tree canopy cover (including hardwoods); and in descending order of priority, California Wildlife Habitat Relationships (CWHR) classes 6, 5D, 5M, 4D, and 4M and other stands with at least 50 percent canopy cover (including hardwoods). PACs also contain some very large snags (greater than 45 inches diameter) and snag and down woody material levels that are higher than average.

Strategies

1. Where PACs cannot be avoided in the strategic placement of treatments, ensure effective treatment of surface, ladder and crown fuels within treated areas.
2. If it appears likely that the limitations on treatment in Standard 6 and Guideline 5 below will limit project planning and implementation to increase the pace and scale of ecological restoration, develop and implement an adaptive management monitoring strategy to gather information that could inform future plan amendments or revisions to allow more PACs to be affected.

Standards

1. Delineate California spotted owl PACs surrounding each territorial owl activity center detected on National Forest System lands since 1986. Owl activity centers are designated for all territorial owls based on: the most recent documented nest site; the most recent known roost site when a nest location remains unknown; and a central point based on repeated daytime detections when neither nest or roost locations are known. PACs are delineated to include known and suspected nest stands, and encompass the best available 300 acres of habitat in as compact a unit as possible. Aerial photography interpretation and field verification are used as needed to delineate PACs. As additional nest location and habitat data become available, boundaries of PACs may be reviewed and adjusted as necessary.
2. Examine 300 acre circular core areas around California spotted owl activity centers on non-National Forest System lands and designate any part of the circular core area that lies on National Forest System land containing suitable habitat as a California spotted owl PACs.
3. Locate fuels treatments to minimize impacts to PACs while considering opportunities to increase the resilience to the PAC network.. Consider the risk of uncharacteristic wildfire to clustered spotted owl PACs, and whether some should be managed to reduce wildfire risk and increase overall resilience of PACs in an area. Prioritize consideration of PACs that have the highest wildfire risk, such as those on upper slopes or ridge tops, or in canyons with large areas of chaparral below, and those with the lowest heterogeneity. PACs may be re-mapped during project planning to avoid intersections with treatment areas, provided that the re-mapped PACs contain habitat of equal quality and include known nest sites and important roost sites.

4. When treatment areas must intersect PACs and choices can be made about which PACs to enter, use the following criteria to preferentially avoid PACs that have the highest likely contribution to owl productivity. Historical occupancy is considered occupancy since 1990. Current occupancy is based on surveys consistent with survey protocol in the last 3 years prior to project planning.
 - Lowest contribution to productivity: PACs presently unoccupied and historically occupied by territorial singles only;
 - PACs presently unoccupied and historically occupied by pairs;
 - PACs presently occupied by territorial singles;
 - PACs presently occupied by pairs;
 - Highest contribution to productivity: PACs currently or historically reproductive.
5. When designing treatment unit intersections with PACs, limit treatment to those areas necessary to achieve strategic treatment objectives and avoid treatments adjacent to nest stands whenever possible.
6. Mechanical treatments may be conducted to meet fuels objectives in PACs located in the Community Wildfire Protection Zone. In PACs located in the General Wildfire Protection Zone, mechanical treatments are allowed where prescribed fire is not feasible and where avoiding PACs would significantly compromise the overall effectiveness of the landscape fire and fuels strategy. Design mechanical treatments to maintain suitable habitat structure and function of the PAC, removing only material needed to meet project fuels objectives. Focus on removal of surface and ladder fuels and restoring forest structure to reduce the risk of uncharacteristic wildfire using the desired conditions for moist mixed conifer and design guidelines in General Technical Reports 220 and 237. Limit mechanical treatments in PACs to no more than 5 percent per year and 10 percent per decade of the acres in California spotted owl PACs per year on a forest in order to limit project effects on annual productivity, unless part of an adaptive management strategy.
7. Mechanical treatments are prohibited within a 500-foot radius buffer around a spotted owl activity center within the designated PAC. Prescribed burning is allowed within the 500-foot radius buffer. Hand treatments, including activities such as hand line construction, tree pruning and cutting of small trees may be conducted prior to burning as needed to protect important elements of owl habitat.
8. Outside of the Community Wildfire Protection zone, prohibit salvage harvests in PACs. PACs should be evaluated to determine if they should be retained following a catastrophic stand-replacing event as provided by Guideline 4.
9. Outside the Community and General Wildfire Protection Zones, limit stand-altering activities to reducing surface and ladder fuels through prescribed fire treatments needed to meet project fuels objectives. Hand treatments, including hand line construction, tree pruning and cutting of small trees may be conducted prior to burning as needed to protect important elements of owl habitat.

Guidelines

1. As necessary to assess the effects of a project, surveys should be conducted in compliance with the Forest Service Pacific Southwest Region's survey protocols during the planning process when proposed vegetation treatments are likely to reduce habitat quality in suitable California spotted

owl habitat with unknown occupancy. Designate California spotted owl PACs where appropriate based on survey results.

2. Prior to implementing activities within or adjacent to a California spotted owl protected activity center and the location of the nest site or activity center is uncertain, surveys should be conducted to establish or confirm the location of the nest or activity center.
3. To maintain sufficient area of suitable habitat within PACs, replacement acreage of equal or better quality should be added if nesting or foraging habitat in PACs is mechanically treated and habitat becomes unsuitable. Add adjacent acres of at least comparable quality wherever possible.
4. To maintain PACs so that they continue to provide habitat conditions that support successful reproduction of California spotted owls, California spotted owl PACs should be retained regardless of occupancy status. However, after a stand-replacing event, evaluate habitat conditions within a 1.5-mile radius around the activity center to identify opportunities for re-mapping the protected activity center. If there is insufficient suitable habitat for designating a protected activity center within a 1.5-mile radius of the activity center, the PACs may be removed from the network.
5. To minimize disturbance that may lead to breeding failure, a limited operating period (LOP) should apply to vegetation treatments within approximately 0.25 mile of the activity center during the breeding season (generally March 1 through August 15), unless surveys confirm that California spotted owls are not nesting. The LOP buffer may be reduced where a nest site is shielded from planned activities by topographic features that would minimize disturbance. The LOP may be waived when it is determined that the likelihood of breeding success is not adversely affected considering the intensity, duration, timing and specific location of activities. To allow for effective large area prescribed burn projects, the breeding season limited LOP restrictions may be waived on up to an additional 5 percent of California spotted owl PACs per year on a forest.

California Spotted Owl Home Range Core Areas (HRCAs) (Sequoia and Sierra National Forests)

Desired Conditions

1. HRCAs encompass the best available California spotted owl habitat in the closest proximity to the owl activity center. The best available contiguous habitat is selected to incorporate, in descending order of priority, California Wildlife Habitat Relationships (CWHR) classes 6, 5D, 5M, 4D and 4M and other stands with at least 50 percent tree canopy cover (including hardwoods).
2. Home range core areas consist of large habitat blocks that have: at least two tree canopy layers; at least 24 inches diameter at breast height in dominant and co-dominant trees; a number of very large (greater than 45 inches diameter at breast height) old trees; at least 50 to 70 percent canopy cover; and higher than average levels of snags and down woody material.

Strategies

1. Accelerate development of currently unsuitable habitat (in non-habitat inclusions, such as plantations) into suitable habitat condition.

Standards

1. Delineate 600-acre California spotted owl HRCAs surrounding each spotted owl PAC. The acreage in the 300-acre PAC counts toward the total HRCA. Core areas are delineated within 1.5 miles of the activity center. HRCAs may overlap other adjacent HRCAs, but should not include adjacent California spotted owl PACs. Aerial photography interpretation and field verification are used as needed to delineate HRCAs. As additional nest location and habitat data become available, boundaries of HRCAs may be reviewed and adjusted as necessary.
2. Examine 1.5 mile circular core areas around California spotted owl activity centers on non-National Forest System lands and using the desired condition habitat definitions, designate any part of the circular core area that lies on National Forest System lands containing suitable habitat as a California spotted owl HRCA. Aerial photography interpretation and field verification are used as needed to delineate HRCAs.
3. Outside of the Community and General Wildfire Protection Zones, where existing vegetative conditions permit, design projects to retain at least 50 percent canopy cover averaged within the treatment unit to provide at least suitable foraging habitat. Exceptions are allowed in limited situations where additional trees must be removed to adequately reduce ladder fuels, provide sufficient spacing for equipment operations or minimize re-entry. Where 50 percent canopy cover retention cannot be met for reasons described above, retain at least 40 percent canopy cover averaged within the treatment unit.

Guidelines

1. Projects should be designed to retain existing suitable habitat conditions, recognizing that habitat within treated areas may be modified to meet fuels objectives and increase vegetation resilience and may have reduced habitat quality while retaining habitat suitability. Design treatments in HRCAs to be feasible to implement and to promote forest health where consistent with habitat objectives.
2. Reduce fuels using a strategic landscape approach to modify fire behavior. Projects should arrange treatment patterns and design treatment prescriptions to avoid the highest quality habitat (CWHR types 5M, 5D, and 6) wherever possible.

Northern Goshawk Management Protected Activity Centers (PACs)

Desired Conditions

1. Forested stands for northern goshawk PACs have the following characteristics: trees in the dominant and co-dominant crown classes average 24 inches diameter at breast height or greater; in westside conifer and eastside mixed conifer forest types, stands have at least 70 percent tree canopy cover; and in eastside pine forest types, stands have at least 60 percent tree canopy cover.
2. Stands in each PAC have: at least two tree canopy layers; dominant and co-dominant trees with average diameters of at least 24 inches diameter at breast height; at least 60 to 70 percent canopy cover; some very large snags (greater than 45 inches diameter at breast height); and snag and down woody material levels that are higher than average.

Strategies

1. Where PACs cannot be avoided in the strategic placement of treatments, ensure effective treatment of surface, ladder and crown fuels within treated areas.
2. If it appears likely that the limitations on treatment in Standard 7 and Guideline 2 below will limit project planning and implementation to increase the pace and scale of ecological restoration, develop and implement an adaptive management monitoring strategy to gather information that could inform future plan amendments or revisions to allow more PACs to be affected.

Standards

1. Delineate northern goshawk PACs surrounding all known and newly discovered breeding territories detected on National Forest System lands. Northern goshawk PACs are designated based on the latest documented nest site and location(s) of alternate nests. If the actual nest site is not located, the PAC is designated based on the location of territorial adult birds or recently fledged juvenile goshawks during the fledgling dependency period.
2. PACs are delineated to: include known and suspected nest stands; and encompass the best available 200 acres of forested habitat in the largest contiguous patches possible, based on aerial photography. Best available habitat is defined by the desired condition. Where suitable nesting habitat occurs in small patches, PACs are defined as multiple blocks in the largest best available patches within 0.5 miles of one another. Non-forest vegetation (such as brush and meadows) should not be counted as part of the 200 acres. As additional nest location and habitat data become available, PAC boundaries may be reviewed and adjusted as necessary.
3. Delineate 200 acre circular core areas around northern goshawk activity centers on non-National Forest System lands. Designate any part of the circular core area that lies on National Forest System lands containing suitable habitat as a northern goshawk PAC.
4. Locate fuels treatments to minimize impacts to PACs. Consider the risk of uncharacteristic wildfire to clustered northern goshawk PACs, and whether some should be managed to reduce wildfire risk and increase overall resilience of PACs in an area. Prioritize consideration of PACs that have the highest wildfire risk, such as those on upper slopes or ridge tops, or in canyons with large areas of chaparral below, and those with the lowest heterogeneity.
5. When treatment areas must intersect PACs and choices can be made about which PACs to enter, use the following criteria to preferentially avoid PACs that have the highest likely contribution to northern goshawk productivity. Current occupancy is based on surveys consistent with survey protocol in the last 3 years prior to project planning.
 - Lowest contribution to productivity: PACs presently unoccupied and historically occupied by territorial singles only;
 - PACs presently unoccupied and historically occupied by pairs;
 - PACs presently occupied by territorial singles;
 - PACs presently occupied by pairs;
 - Highest contribution to productivity: PACs currently or historically reproductive.

6. When designing treatment unit intersections with PACs, limit treatment to those areas necessary to achieve strategic treatment objectives and avoid treatments adjacent to nest stands whenever possible.
7. Mechanical treatments may be conducted to meet fuels objectives in PACs located in the Community Wildfire Protection Zone. In PACs located in the General Wildfire Protection Zone, mechanical treatments are allowed where prescribed fire is not feasible, and where avoiding PACs would significantly compromise the overall effectiveness of the landscape fire and fuels strategy. Design mechanical treatments to maintain suitable habitat structure and function of the PAC. Limit mechanical treatments in PACs to no more than 5 percent per year and 10 percent per decade of the acres in northern goshawk PAC per year on a forest in order to limit project effects on annual productivity, unless part of an adaptive management strategy.
8. Outside of the Community Wildfire Protection Zone, prohibit salvage harvests in PACs. PACs should be evaluated to determine if they should be retained following a catastrophic stand-replacing event.
9. Outside the Community and General Wildfire Protection Zones, limit stand-altering activities to reducing surface and ladder fuels through prescribed fire treatments. Hand treatments, including activities such as hand line construction, tree pruning, and cutting of small trees may be conducted prior to burning as needed to protect important elements of northern goshawk habitat.

Guidelines

1. As necessary to assess the effects of a project, conduct surveys in compliance with the Pacific Southwest Region's survey protocols during the planning process when vegetation treatments likely to reduce habitat quality are proposed in suitable northern goshawk nesting habitat that is not within an existing California spotted owl or northern goshawk PAC. Suitable northern goshawk nesting habitat to survey is defined based on the survey protocol.
2. To minimize disturbance that may lead to breeding failure, a limited operating period (LOP) should apply to vegetation treatments within approximately 0.25 mile of the nest site during the breeding season (generally February 15 through September 15), unless surveys confirm that northern goshawks are not nesting. The LOP buffer may be reduced where a nest site is shielded from planned activities by topographic features that would minimize disturbance. If the nest stand within a PAC is unknown, either apply the LOP to a quarter-mile area surrounding the PAC, or survey to determine the nest stand location. The LOP may be waived when it is determined that the likelihood of contributing to breeding failure is low considering the intensity, duration, timing and specific location of activities. To allow for effective large area prescribed burn projects, the breeding season limited operating period restrictions may be waived on up to an additional 5 percent of northern goshawk PACs per year on a forest.
3. To maintain sufficient area of suitable habitat within PACs, replacement acreage of equal or better quality should be added if nesting or foraging habitat in PACs is mechanically treated and habitat becomes unsuitable. Add adjacent acres of at least comparable quality wherever possible.
4. To maintain PACs so that they continue to provide habitat conditions that support successful reproduction of northern goshawks, northern goshawk PACs should be retained regardless of occupancy status. However, after a stand-replacing event, evaluate habitat conditions around the activity center to identify opportunities for re-mapping the PAC. If there is insufficient suitable habitat nearby for designating a PAC, the PAC may be removed from the network.

Bi-State Distinct Population Segment of Greater Sage-Grouse (Inyo National Forest)

The following proposed direction is from the Inyo National Forest Sage-Grouse Interim Management Policy, portions of the Humboldt-Toiyabe National Forest Sage-Grouse Plan Amendment DEIS and strategies from the Rocky Mountain Research Station-led conservation strategy. Additional changes will be made to align to management direction with the Humboldt-Toiyabe National Forest Sage-Grouse Amendment FEIS to the extent practical and through the conferencing process with the U.S. Fish and Wildlife Service.

Desired Conditions

Landscape Scale (10,000 Acres or Greater)

1. Suitable sage-grouse habitat includes breeding, brood-rearing, and wintering habitats, and a distribution of these habitats to allow for dispersal and genetic flow.
2. High quality nesting cover, conditions that support high levels of quality pre-laying hen habitat and dietary protein intake needs, and habitat supporting chick-rearing nutritional needs occur throughout breeding habitat in each population management unit.
3. Sage-grouse brood-rearing habitat occurs in the Bodie, South Mono and White Mountains population management units and includes a range of shrub cover, perennial grass cover, forb density and meadows.
4. Sage-grouse habitat and movement corridors allow for population movement, seasonal movements, and genetic flow and habitat is maintained or increased.
5. Sage-grouse habitats do not include overstory trees, such as pinyon pine, juniper or Jeffrey pine.
6. Fire occurs within the natural range of variation for sagebrush species.
7. The extent and dominance of non-native annual grass species, such as cheatgrass and other noxious weeds is limited and does not lead toward reduction in the suitability of sage-grouse habitats.
8. The predicted increase in unwanted fire (more frequent, severe or larger than the natural range of variability) that have already occurred on surrounding landscapes in sage-grouse priority habitat is limited or prevented.

Fine to Mid-Scale (10 to 100 Acres)

1. At the stand/site scale (10 to 100 acres), sagebrush and understory cover occur in a mosaic across the site, with 1-acre patches meeting the following desired conditions for nest sites:

Sage-Grouse Nesting Habitat

Vegetation component	Amount of Occurrence in the Habitat
Sagebrush canopy cover	>20 percent
Non-sagebrush canopy cover	>20 percent
Total shrub canopy cover	>40 percent
Sagebrush height	>30 cm (12 in)
Perennial grass cover	No less than 5 percent but >10 percent if total shrub cover <25 percent
Annual grass cover	<5 percent

Sage-Grouse Brood-Rearing Habitat

Vegetation component	Amount of Occurrence in the Habitat
Sagebrush canopy cover	10 to 25 percent
Total shrub canopy cover	14 to 25 percent
Sagebrush height	>30 cm (12 in)
Perennial grass cover	>7 percent
Perennial forb diversity	>5 species present
Forb cover	>7 percent
Grass/forb height	>18 cm (7 in)
Meadow edge (ratio perimeter to area)	>0.015
Species richness	>5 species

2. Meadows provide suitable habitat for sage-grouse, including desirable foraging species (insects and plants), have suitable sagebrush cover around the meadows edge, hydrologically are fully functional and vegetation is within mid-seral conditions. Within grazed systems, meadow condition is rated at fully functional based on Forest-wide Range Utilization Standards.

Strategies

1. Participate in collaborative forums such as the Executive Oversight Committee, Technical Advisory Committee, and Local Area Working Group to ensure agency interests are considered and to collaboratively implement the Bi-State Action Plan to further sage-grouse conservation.
2. Continue coordination and communication with the California Department of Fish and Game, Nevada Department of Wildlife and the U.S. Fish and Wildlife Service during project development for all projects occurring within sage-grouse habitat.
3. Prevention of unwanted fire in priority habitat can be accomplished through managing sagebrush systems to be resilient, implementing proactive fire prevention and limiting cheatgrass expansion.

Standards

1. Habitat restoration projects for the greater sage-grouse shall be designed to meet one or more of the following habitat needs:
 - Promote the maintenance of large, intact sagebrush communities;
 - Limit the expansion or dominance of invasive species, including cheatgrass;
 - Maintain or improve soil site stability, hydrologic function, and biological integrity; and
 - Enhance the native plant community.
2. For habitat restoration projects for the greater sage-grouse, if suitable breeding or brood-rearing habitat is not at desired conditions, implement measures to improve suitability of habitat, including but not limited to mechanical treatments, prescribed fire or hand treatments.
3. At the fine to mid-scale, ensure that habitat restoration activities, vegetation treatments or other authorized uses on the forest maintain or move toward vegetation desired conditions for sage-

grouse. Short term (1- to 10-year) impacts are allowed to deviate from these habitat standards, if the long term (10 to 30 years) project objective is to achieve desired conditions.

4. Long-term negative impacts in habitat from discretionary or non-discretionary activities shall be mitigated to the extent practicable.
5. Buffers, timing limitations or offsite habitat restoration shall be applied to all new or renewed discretionary actions in Bi-State sage-grouse habitat to mitigate potential long term negative impacts.
6. When long term negative impacts from non-discretionary actions are unavoidable require site-specific project mitigation if needed to ensure there is no net loss of habitat due to project disturbance.
7. Establish a limiting operating period for the sage-grouse breeding season (March 1-May 1) within suitable breeding habitat for any activities which would lead to disturbances during this time, including but not limited to livestock grazing, vegetation treatments, recreation events and mineral and energy development projects. A wildlife biologist can adjust these dates based on current nesting conditions.
8. Establish a limiting operating period for the sage-grouse nesting season (May 1–June 15) within suitable nesting habitat for any activities which would lead to disturbances during this time, including but not limited to livestock grazing, vegetation treatments, recreation events and mineral and energy development projects. A wildlife biologist can adjust these dates based on current nesting conditions.
9. Livestock grazing utilization levels, seasons of use, numbers of livestock and livestock management practices shall continue to follow the Inyo National Forest, Forest-wide Range Utilization Standards.
10. Key areas will be established if no key areas exist in meadow or upland habitats where sage-grouse occur. Key areas will be established according to guidance in the Forest-wide Range Utilization Standards.
11. When seeding, genetically and climatically appropriate and certified weed-free plant and seed material shall be used.
12. After new soil disturbances within sage-grouse habitat (i.e. disturbances that result in increased sedimentation, increased bare soil, and lack of vegetation from activities such as wildfires or flash floods) or seeding, soil-disturbing authorized uses shall not occur until desired habitat conditions have been met, or unless a resource team determines that disturbance is needed to meet desired conditions, or will not inhibit progress toward desired conditions.
13. Any vegetation treatment within sage-grouse habitat shall include objectives to maintain, improve or restore sage-grouse habitat.
14. Vegetation treatment methods and intensities within sage-grouse habitat shall be determined based on results of past treatments. If past treatments have shown an increase in non-native annual grasses and poor sagebrush recruitment, further treatments in that area will not adhere to the same prescription.

15. An adaptive management strategy shall be used when conducting vegetation treatments within sage-grouse habitat. Treatment methods and intensities will be determined based on the results of past treatments.
16. No new structures or power lines taller than the surrounding vegetation that could serve as predator perches shall be installed within suitable sage-grouse habitat within three miles from a lek unless they are necessary to protect or improve habitat or for human health and safety. Anti-perching devices shall be installed on any current or new structure or power line within suitable sage-grouse habitat within three miles from a lek.
17. If fences are determined to be necessary, and they occur within three miles of a lek, they will be constructed as a let-down fence whenever feasible and marked with fence markers.
18. No new structures greater than eight feet tall that could serve as predator perches shall be installed within Bi-State sage-grouse habitat unless they are equipped with anti-perching devices.
19. Water developments (tanks and troughs) shall be drained when not in use so they do not create a vector for West Nile Virus.
20. Wildlife escape ramps shall be installed and maintained in water troughs or open water facilities with vertical embankments that pose a drowning risk to birds.
21. Any new proposed salting, supplemental feeding locations, livestock watering and handling facilities (corrals, chutes, dipping vats) will not be located on sage-grouse strutting grounds.
22. Visible markers shall be installed on fences and other barriers in sage-grouse habitat within three miles of known lek locations.
23. Federal lands in Bi-State sage-grouse habitat shall be retained unless a public interest determination identifies a net benefit to sage-grouse habitat.
24. When informed that a right-of-way is no longer in use, relinquish the right-of-way and reclaim the site by removing power lines, reclaiming roads and removing other infrastructure.
25. A weed-washing station shall be established on every wildfire within sage-grouse habitat where large equipment is used.
26. Fire suppression actions, fire rehabilitation efforts and fuels treatments shall be prioritized to minimize sagebrush habitat loss or type conversions in and immediately adjacent to known occupied and potential sage-grouse habitats in the Bi-State area.
27. Dispatch systems and protocols shall be updated annually to include line officer and resource advisor notifications and requirements for all wildland fire incidents within and immediately adjacent to known occupied and potential sage-grouse habitats in the Bi-State area.
28. A sage-grouse resource advisor shall be assigned to all extended attack fires in or near key sage-grouse habitat areas. Prior to the fire season, provide training to sage-grouse resource advisors on wildfire suppression organization, objectives, tactics and procedures to develop a cadre of qualified individuals.
29. Sagebrush and sage-grouse habitat awareness training will be developed and provided to federal fire personnel in the Bi-State area during required annual fire line refreshers. Training will focus

on sagebrush habitat identification, basic sagebrush habitat ecology and initial attack strategies and tactics designated to minimize long term impacts to sagebrush ecosystems.

30. An interagency cadre of sagebrush and sage-grouse habitat resource advisors will be established to support fire suppression, burned area emergency rehabilitation and fuels management projects in the Bi-State area.
31. Resource advisor kits will be updated annually to include the most recent information specific to sage-grouse populations and habitats within the Bi-State area to ensure that the distinct population segment and its habitat area are adequately protected.

Guidelines

1. Time the implementation of habitat restoration projects so they cause the least disturbance to sage-grouse individuals and populations as possible.
2. Fuels treatments which increase the potential for suppressing wildfires within sage-grouse habitat can occur within sage-grouse habitat. These treatments can include mowing along roads or maintaining fuel breaks surrounding sage-grouse habitat.
3. Use existing roads and co-locate new power lines whenever possible to reduce disturbance footprints and habitat fragmentation.
4. Where feasible, bury power lines to reduce overhead perches.
5. When agency personnel, contractors, and permit holders are driving off road and working in areas with known noxious weed infestation, the vehicles should be cleaned before entering a different area to reduce the spread of noxious weeds.
6. To the extent possible, locate wildfire suppression facilities (i.e., base camps, spike camps, drop points, staging areas, and helibases) in areas where physical disturbance to sage-grouse habitat can be minimized. These include disturbed areas, grasslands, near roads and trails or in other areas where there is existing disturbance or minimal sagebrush cover.
7. On critical fire weather days, pre-position additional fire suppression resources to optimize a quick and efficient response in sage-grouse habitat areas.
8. Within greater sage-grouse habitat, utilize retardant and mechanized equipment and other means to minimize burned acreage of sagebrush during initial attack.
9. Power-wash all firefighting vehicles, to the extent possible, including engines, water tenders, personnel vehicles and ATVs prior to deploying in or near sage-grouse habitat areas to minimize noxious weed spread.
10. Minimize unnecessary cross-country vehicle travel during fire operations in sage-grouse habitat.
11. Minimize burnout operations in key sage-grouse habitat areas by constructing direct fire line whenever safe and practical to do so.
12. As safety allows, conduct mop-up where the black adjoins unburned islands, dog legs or other habitat features to minimize sagebrush loss.

13. Where sage-grouse habitat is being degraded due to wild horse and burro use, determine site-specific measures to improve or restore sage-grouse habitat. Implement measures to ensure wild horse and burro populations are being maintained at their recommended animal management level in the current wild horse and burro territory plans.

Invasive Species

Desired Conditions

1. Terrestrial and aquatic invasive species are controlled and establishment of new populations is prevented.
2. The area affected by invasive species and introduction of new invasive species is minimized.

Strategies

1. Coordinate with stakeholders and educate the public to reduce, minimize or eliminate the potential introduction, establishment, spread and impact of non-native invasive species.
2. Work cooperatively with California and Nevada state agencies and individual counties to prevent the introduction and establishment of noxious weed infestations and to control existing infestations.
3. Consult with tribes to determine priority areas for weed prevention and control, especially focused on traditional gathering areas that are threatened by weed infestations. Consult with tribes before using pesticides or herbicides that may affect traditional gathering.
4. Maintain an inventory of invasive species on forest lands. For plant inventories, prioritize areas of unique and rare habitats first, and areas of high use and disturbance second (e.g., material pits, trailheads, campgrounds, corrals, roads, boat ramps and bridges), especially in those areas in close proximity to unique, rare and pristine habitats.
5. Focus treatment efforts on high priority invasive species and infestations, while developing management goals for lower priority species and infestations. Prioritize areas such as wilderness, research natural areas, botanical areas, wild and scenic areas and riparian areas to maintain the integrity of native species and ecosystems. Prepare control and prevention plans for high priority invasive species that promote early detection of new populations and rapid management response as an effective approach to minimize spread.
6. Periodically evaluate invasive plant management projects to determine success and to determine the need for follow up treatments or different control methods. Track known infestations, as appropriate, to determine changes in population and rate of spread.
7. Coordinate with research and other organizations such as the California Invasive Plant Council to evaluate the potential effects of climate change on the spread of invasive, non-native species.

Guidelines

1. Measures should be incorporated into project planning, implementation and monitoring to prevent, control, contain and, where reasonable and feasible, eradicate priority infestations or populations of invasive species.
2. Projects should be designed to minimize invasive species spread by incorporating prevention and control measures into ongoing management or maintenance activities that involve ground disturbance or the possibility of spreading invasive species. Refer to prevention practices in the Regional Noxious Weed Management Strategy and other regional invasive species strategies as they are developed. Projects should include follow up inspections as needed and specified in regional strategies.
3. As part of project planning, a noxious weed risk assessment should be conducted to determine risks for weed spread (high, moderate or low) associated with different types of proposed management activities. Refer to weed prevention practices in the Regional Noxious Weed Management Strategy to develop mitigation measures for high and moderate risk activities.
4. To the extent feasible, hay, straw and mulch used for animal feed or bedding, applied control, soil stabilization and land rehabilitation, or other purposes by Forest Service personnel or their contractors should be certified as being weed and seed-free by an authorized state department official or equivalent certification system to prevent unintentional introduction of invasive species. Weed-free plant material should be selected for all seeding and mulching projects to restore natural species composition and ecosystem function to the disturbed area. Plant or seed materials should be used that are appropriate to the site, capable of becoming established and are not invasive.
5. Weed prevention measures should be included, as necessary, when amending or re-issuing permits including, but not limited to livestock grazing, special uses and pack stock operator permits.
6. When recommended in project-level noxious weed risk assessments to control spread of known populations of invasive species, projects should consider requiring off road equipment and vehicles (both Forest Service and contracted) used for project implementation to be inspected and cleaned using methods specified in the risk assessment.

Timber

Desired Conditions

1. Predictable and sustainable forest product yields contribute to maintaining and improving local and regional industry infrastructure sufficient to meet the needs of the desired pace and scale of ecological restoration over the next several decades.
2. Production of timber contributes to ecological, social and economic sustainability and associated desired conditions. A sustainable mix of forest products (including both saw timber and non-saw timber) is offered under a variety of harvest and contract methods in response to market demand and restoration needs.

3. Salvage of dead and dying trees captures as much of the economic value of the wood as possible while retaining amounts that provide for wildlife habitat, soil productivity and ecosystem functions.

Strategies

1. Plan vegetation, fuels, and other restoration projects across large landscape areas (e.g., greater than 5,000 to 100,000 acres), when it can increase efficiency in planning and support partnership-based approaches, such as stewardship contracts.
2. Develop and share multi-year estimates of potential restoration work to support planning for infrastructure (e.g., mills and biomass plants) to process and use wood products.
3. Plan and implement biomass projects that support and enhance market-driven mechanisms for diverse and sustainable biomass utilization.
4. To increase the pace and scale of restoration, evaluate and use new technologies for wood processing that increase access to more areas, including steeper slopes, while lessening impacts to soils.
5. To the extent practical, design vegetation and fuels management projects and use contracting practices that provide opportunities for local workforces and support developing and maintaining local and regional forest products infrastructure.

Standards

1. Regulated timber harvest activities shall occur only on those lands classified as suitable for timber production. Timber harvest may occur as a secondary purpose as part of ecological restoration projects.
2. Timber harvest on other than suitable lands may occur for such purposes as salvage, fuels management, insect and disease mitigation, protection or enhancement of biodiversity or wildlife habitat, to perform research or administrative studies or recreation and scenic resource management consistent with other management direction.

Guidelines

1. The management of fuels and fire risk and growing conditions within plantations over time should be considered when developing reforestation plans. Retention of snags within and immediately adjacent to areas planned for reforestation should be discouraged to mitigate hazards to workers. High fuel levels should not be retained in plantations that would preclude the use of prescribed burning at appropriate times as the plantation matures.
2. Reforestation of suitable lands is designed to achieve the desired conditions for the project area. Stocking levels, spatial arrangements and species composition for reforestation should be designed to allow for long term resilience of the developing forest, considering potential future plantation management and climate change adaptations. Competing vegetation, fuel levels, and fire risk should be managed to provide for the long term survival and vigor of reestablishing forests as they move toward maturity.
3. Reforestation of deforested lands should be considered where forest cover could contribute to ecological restoration which provides benefits such as improving scenic character, restoring connectivity for wildlife, increasing carbon storage and improving watershed condition.

Fire Management

Desired Conditions

1. Fire management activities minimize the risk of loss of life, damage to property or ecosystem function. Firefighter and public safety is the first priority in every fire management activity.
2. The full range of fire management activities, including wildland fires (prescribed fire and wildfire), are recognized and used by forest administrators as an integral part of achieving ecosystem sustainability, including interrelated ecological, economic and social components.
3. Wildland fires burn with a range of intensity, severity and frequency that allows ecosystems to function in a healthy and sustainable manner. Wildland fire is accepted as a necessary process integral to the sustainability of the forest's fire-adapted ecosystems.
4. Fire management uses an all lands, landscape approach, that is risk-based, consistent with the latest national policy guidance and strategy, responsive to the latest fire and social sciences and adaptable to rapidly changing conditions, such as climate change. Wildfire management is coordinated with relevant state agencies and adjacent federal agencies.
5. Community leaders, service providers, homeowners and permittees who are invested in or adjacent to the forest are knowledgeable about wildfire risk. They understand the need to adapt their communities, properties and structures to the inevitable wildfire, while recognizing that wildland fire is a needed ecological process. The maintenance of defensible space, fire resistant buildings and the reduction of the potential fire intensity around community assets that allows direct suppression tactics are examples of adapting to wildfire.
6. In areas where fuel conditions currently pose the highest wildfire threat to communities and community assets (power lines, communication towers, developed recreation sites) wildland fuel will be reduced so the threat is lowered to manageable levels.

Strategies

Forest-wide

1. Risk assessments are performed prior to and during fire season to assess conditional thresholds under which desired conditions can be met for the strategic wildfire management zones (protection, restoration and maintenance). As a risk-based approach, these zones would change as wildfire risk changes over time. Changes in fuel conditions from restoration treatments and wildfires, as well as new or changed communities, assets or natural resource values are factors that will affect wildfire risk. Work with tribes and adjacent landowners to identify areas and resources of value considered in the risk assessments.
2. Partner with adjacent land management agencies to identify methods to reduce costs and increase effectiveness in fire management by considering agreements or understandings that inform annual operations related to boundary fire management, prescribed burning and restoration treatments.
3. Foster partnerships with fire science and management organizations to develop collaborative strategies that enhance coordination and cooperation within and among agencies.

Community Wildfire Protection Zone

1. Focus fire prevention programs on predominant historic causes of human ignition in highest fire risk areas.
2. Encourage the development and implementation of community wildfire protection plans to promote public safety and to reduce the risk of wildfire to lands adjacent to National Forest System lands.
3. Where feasible, use mechanical treatment and/or prescribed fire to reduce risk of damage from wildfire.
4. Use wildfire on a limited basis to increase ecosystem resilience and provide ecological benefits when conditions allow.

General Wildfire Protection Zone

1. Coordinate with other jurisdictions such as communities, service providers, and federal, state, county and local entities regarding prevention, preparedness, planned activities and responses to wildland fires. Notify those agencies about upcoming and ongoing fire season and any prescribed fire activity.
2. Where feasible, use mechanical treatment and/or prescribed fire to reduce risk of damage from wildfire.
3. Use wildfire on a limited basis to increase ecosystem resilience and provide ecological benefits when the conditions allow.

Wildfire Restoration Zone

1. Where feasible, use mechanical treatment combined with prescribed fire to reduce risk of damage from wildfire.
2. Fuel treatments are prioritized first in areas that historically supported more frequent fire such as the ponderosa pine and Jeffrey pine-dominated forests with high existing levels of understory fuels.
3. Use wildfire to increase ecosystem resilience and to provide ecological benefits when conditions allow.
4. Treatments are prioritized to maximize the use of prescribed fire and wildfire on a landscape scale. Use roads and natural topographic features such as rock outcrops and ridgelines to create "containers". These containers will facilitate the use and management of wildland fire.
5. Restore fuel conditions to allow fire to burn in its characteristic pattern, and allow fire to resume its ecological role.

Wildfire Maintenance Zone

1. Use wildland fire as often as possible to maintain ecosystem resilience and provide ecological benefits when conditions allow.
2. Where feasible, use mechanical treatment combined with prescribed fire to reduce risk of damage from wildfire.

Standards

Forest-wide

1. Provide defensible space around all structures on administrative sites, structures authorized by permit and developments adjacent to National Forest System lands to meet the most current California Public Resource Code 4291-Defensible Space.

Community Wildfire Protection Zone

1. Keep snags absent or their densities very low to maximize firefighter safety and minimize the likelihood of spotting or ember ignitions in areas where firefighters are likely to work, in close proximity to structures, private property, and administration sites and along roads that could be used for escape routes by firefighters and the public.
2. When planning projects to reduce fuels, design mechanical treatments to remove or rearrange the material necessary to achieve the following outcomes under 97th percentile fire weather conditions: achieve an average flame length of four feet or fewer on more than 75 percent of the area; and modelled torching and crowning indices show limited crown fire initiation and spread under double the locally-recorded wind speed gusts.

General Wildfire Protection Zone

1. Keep snags absent or their densities very low to maximize firefighter safety and minimize the likelihood of spotting or ember ignitions in areas where firefighters are likely to work, in close proximity to structures, private property and administration sites, and along roads that could be used for escape routes by firefighters and the public.
2. When planning projects to reduce fuels, design mechanical treatments to remove the material necessary to achieve the following outcomes under 97th percentile fire weather conditions: an average flame length of six feet or fewer on more than 50 percent of the area; and modelled torching and crowning indices show limited crown fire initiation and spread under double the locally recorded wind speed gusts.

Wildfire Restoration Zone

1. When conditions make it safe and practical, natural barriers and features such as creeks, old fire scars, and ridges, and human-made lines of convenience such as roads and trails should be incorporated into fire control lines. The property boundary of a private inholding is an exception. Variation from this standard will be the exception and will be documented by a line officer.

Wildfire Maintenance Zone

1. When conditions make it safe and practical, natural barriers and features such as creeks, old fire scars, ridges and human-made lines of convenience such as roads and trails will be used as fire control lines. The property boundary of a private inholding is an exception. Variation from this standard will be the exception and will be documented by a line officer.
2. Use lightning-caused wildfires to maintain ecosystem resilience and provide ecological benefits. Variation from this standard will be the exception and will be documented by a line officer.

Guidelines

1. Use wildfires forest-wide to meet multiple resource management objectives where and when conditions permit and risk is within acceptable limit and when allowed by Forest Service policy. Meeting resource objectives generally means progress toward or maintaining desired conditions.
2. A variety of fire management options and activities should be considered to achieve a mix of fire effects, including burn operations and aerial ignitions. When safe and feasible ahead of burn operations, limit extensive continuous areas of high severity fire effects in old forest habitat and riparian areas.
3. When wildfires affect identified areas of tribal importance, communicate and collaborate with tribal leadership during fire incident management to identify and, to the extent practical, protect tribal values and minimize impacts to resources or areas of tribal importance.
4. Prescribed fire and wildfire strategies should recognize the role of fire in riparian ecosystem function. These strategies should also identify those instances where fire suppression has degraded riparian habitat or long term function of the riparian community, and increased the risk of large-scale, uncharacteristic fire.
5. For Community and General Wildfire Protection Zones, locate fuels treatments in areas that pose the greatest threat to communities, community assets, watersheds and natural resource values so that the spread and intensity of wildfire is reduced to substantially lower overall wildfire risk.
6. Plan restoration and fire management projects and strategies for large landscapes (subwatershed or larger) when and where possible to improve economic feasibility of restoration and effectiveness of changing the fire effects from large wildfires. When feasible, partner with adjacent land management agencies to plan across administrative boundaries.
7. Outside of the Community Wildfire Protection Zone, locations of mechanical treatments should be informed by recommendations that describe the desired spatial patterns of vegetation such as GTR-220 and 237.

Air

Desired Conditions

1. The air quality value of visibility in Class I Areas is maintained or improved to the natural background condition specified in the California Regional Haze State Implementation Plan.
2. Forest administrators recognize the need to use the full spectrum of vegetation management activities, including prescribed fire and wildfire, to help reduce wildland fuel loadings and potential harmful effects on air quality from future high intensity wildfires.

Strategies

1. Coordinate with the California Air Resources Board, Air Pollution Control Division and Air Quality Management District jurisdictions during the implementation of prescribed burns to comply with state and federal regulatory requirements for authorization and mitigations. Design

prescribed burn projects to minimize prolonged smoke impacts to communities to the extent possible.

2. Participate in the most current wildland fire information and reporting system, the Prescribed Fire Incident Reporting System and the California Natural Ignition Communication Protocol. This creates coordination with regulatory and other burn agencies to maximize opportunities.
3. To promote awareness and protection of human health and safety, notify the public about potential smoke from fire activities using advanced notification, the media, and smoke warning signs along roads when visibility may be reduced due to wildland fire.
4. Consider the impacts from wildfire smoke on downwind communities when identifying landscape treatment priorities for restoration.

Standards

1. Continue the visibility monitoring program and determine sensitive indicators for each air quality-related value in Class I areas of the national forests. Protect air quality-related values by reviewing all projects and management activities that may affect those values. Review external prevention of significant deterioration source applications and make recommendations to permitting authorities.

Guidelines

1. Participate in and support interagency collaborative smoke management, including real time smoke monitoring and public messaging to maximize efficiency and relevance of monitoring results.
2. Support post-fire analysis of smoke impacts as they relate to emissions when they can inform refinement of smoke dispersion and transport modeling. Include analytical tradeoff and impact information, as appropriate, in public messaging to show smoke tradeoffs from large landscape scale fuels treatment projects.
3. Include smoke tradeoff evaluation in project level planning at a broad scale. Use existing scientific information on large wildfire emissions. Consider downwind communities at the local and regional scale.
4. Decision documents for wildfires and prescribed burns should follow local regulatory procedures, the Prescribed Fire Incident Reporting System and the California Natural Ignition Communication Protocol to identify management objectives and courses of action to mitigate impacts to those areas.

Water Quality, Water Quantity, Soils and Watershed Condition

Desired Conditions

1. Adequate quantity and timing of water flows support ecological functions, including aquatic species and riparian vegetation consistent with existing water rights and claims. Affects to

quantity and timing from climate change, such as changes in runoff timing and patterns, should be taken into account.

2. Water quality is sustained at a level that retains the biological, physical and chemical integrity of aquatic systems and benefits the survival, growth, reproduction and migration of native aquatic and riparian species. Water quality meets or exceeds federal, California and Nevada water quality standards, and supports designated beneficial uses in light of atmospheric deposition of nitrogen and impacts of ozone to vegetation.
3. Watersheds with recharge areas for segments of designated and eligible wild and scenic rivers retain water quality and recharge to those segments.
4. Groundwater quantity and quality in aquifers are sustained.
5. Watersheds are fully functioning, are resilient and recover rapidly from natural and human disturbances, and have a high degree of hydrologic connectivity laterally across the floodplain and valley bottom, and vertically between surface and subsurface flows. Physical (geomorphic, hydrologic) connectivity and associated surface processes, such as runoff, flood-pulse, in-stream flow regime, erosion and sedimentation are maintained. Watersheds provide important ecosystem services such as high quality water, recharge of streams and aquifers, maintenance of riparian communities, moderation of climate change and atmospheric deposition. Watersheds maintain long term soil productivity.
6. Soil and vegetation functions in upland and riparian settings are retained or enhanced. Resilient landscapes provide forage for browsing and grazing animals, timber production and recreation opportunities without adversely affecting soil and water productivity.
7. Spatial and temporal connectivity for riparian and aquatic-dependent species and nutrient cycling is maintained within and between watersheds, and they are able to adjust and recover from natural and human-caused disturbances.

Strategies

1. Participate and collaborate in all interagency water rights and water use authorizations on National Forest System(NFS) lands or that may affect water quantity on NFS lands. Examples would include hydropower relicensing, other surface water flow diversions and ground water withdrawal. Evaluate the connections between ground water and surface water where major deviations from natural hydrology occur.

Standards

1. During evaluation of site-specific projects with the potential to affect groundwater such as recreational development, determine groundwater conditions and evaluate potential effects on groundwater levels and groundwater-dependent ecosystems. Establish a minimum distance from a connected river, streams, wetlands or other groundwater-dependent ecosystems from which a well may be sited, and establish minimum limits to which water levels can be drawn down at a specified distance from a groundwater-dependent ecosystem.

Guidelines

1. Cooperate with federal, tribal, state and local governments to secure in-stream flows needed to maintain, recover, and restore riparian resources, channel conditions, and aquatic habitat during all basic Federal Energy Regulatory Commission (FERC), state and other authorized water use

planning, water rights, and relicensing on the national forests. Maintain in-stream flows to protect aquatic systems to which species are uniquely adapted. Determine and recommend in-stream flow requirements and habitat conditions that maintain, enhance or restore all life stages of native aquatic species, and that maintain or restore riparian resources, channel integrity and aquatic passage. Minimize the effects of stream diversions or other flow modifications from hydroelectric projects on threatened, endangered and sensitive species. Coordinate relicensing projects with the appropriate state and federal agencies. Provide written and timely license conditions to FERC.

2. For all meadow restoration related projects or water extraction (e.g., wells) projects determine patterns of recharge and discharge and minimize disruptions to groundwater levels that are critical for wetland integrity. Determine the groundwater levels, within a range of natural variability, that provide base flows to maintain and enhance the condition of groundwater-dependent resources and their habitat.

Aquatic/Riparian Ecosystems and Streams

Desired Conditions

1. Stream ecosystems, riparian corridors and associated stream courses are functioning properly and are resilient to natural disturbances (e.g., flooding) and climate change, promote the natural movement of water, sediment and woody debris and provide habitat for native aquatic species.
2. Stream ecosystems, including ephemeral watercourses, exhibit full connectivity where appropriate to maintain aquatic species diversity. Barriers to non-native fish are maintained in good condition, where they are needed. Ephemeral watercourses provide for dispersal, access to new habitats, and perpetuation of genetic diversity, as well as nesting and foraging for special status species.
3. Flooding is the primary disturbance. Streams and rivers maintain a natural hydrograph, or water flow, over time, including periodic flooding, which promotes natural movement of water, sediment, nutrients and woody debris. Flooding creates a mix of stream substrates for fish habitat, including clean gravels for fish spawning, large wood structures and sites for germination and establishment of riparian vegetation.
4. Where possible, native fish, amphibians and other native aquatic species are present within their historic distribution, and habitat conditions support self-sustaining populations. Fish aquatic species habitat includes deep pools and overhanging banks, structure provided by large wood, off channel areas and cover. Woody and herbaceous overstory and understory regulate stream temperatures. Aquatic and upland components are linked, providing access to food, water, cover, nesting areas and protected pathways for aquatic and upland species.
5. Species composition and structural diversity of plant and animal communities in riparian areas, wetlands and meadows provide habitat and promote ecological processes.
6. Non-native sport fish and habitats are managed in locations and ways that do not pose substantial risk to native species, and still allow for economic sustainability of local communities.

7. Wetlands and groundwater-dependent ecosystems, including springs, seeps, fens, wet meadows, and associated wetlands or riparian systems support stable herbaceous and woody vegetative communities that are resilient to drought, climate change and other stressors. Root masses stabilize stream channels, shorelines and soil surfaces. The natural hydrologic, hydraulic and geomorphic processes in these ecosystems function at a level that allows retention of their unique functions and biological diversity.
8. Lakes and ponds retain necessary attributes, such as adequate vegetation and large woody debris, to function properly and support native biotic communities. They filter sediment and aid floodplain development, improve floodwater retention and groundwater recharge, develop root masses that stabilize islands and shoreline features against cutting actions, and develop diverse ponding characteristics to provide for amphibian production, waterfowl breeding and biodiversity.
9. Native riparian vegetation is diverse, provides the structure and composition to function within their natural potential and provides food and cover for wildlife.
10. Riparian species composition, stand density and fuel loading are consistent with healthy riparian systems and support rates of wildfire spread that are no higher than surrounding forests.
11. Riparian areas provide physical structure such as silt, sand, gravel, cobble, boulders and bedrock for a variety of aquatic and terrestrial fauna. Soil function is sustained to infiltrate and disperse water properly, withstand accelerated erosion and cycle nutrients. Associated water tables support riparian vegetation and restrict non-riparian vegetation.
12. Meadows have ground cover and species composition as represented by condition class (e.g., good to excellent), species richness and diversity. Meadows with perennial streams contain a diversity of age classes (at least two) of hardwood shrubs along the stream bank where the potential exists.
13. Fens and meadows are in proper functioning condition or improving. Fens and meadows are resilient to climate change and disturbances. Development of fens continues. Necessary soil, hydrologic regime, vegetation, and soil and water characteristics sustain that system's ability to support unique physical and biological attributes.
14. Springs provide sufficient water to maintain healthy habitats for native riparian and aquatic species and meet demands of water rights and uses and possible tribal uses.
15. Springs are resilient to natural disturbances and changing climate conditions and function within their type and capability.
16. Soil, water and vegetation attributes sustain healthy springs. Water flow, recharge rates and geochemistry are similar to historic levels and persist over time.

Strategies

1. For biodiversity, maintain and restore the species diversity and structural diversity of plant and animal communities in riparian areas, streams, wetlands and meadows to provide desired ecological functions. Maintain and restore the distribution and health of biotic communities in special aquatic habitats such as springs, seeps, vernal pools, fens, bogs and marshes to perpetuate their unique functions and biological diversity.

2. Maintain and restore spatial and temporal connectivity for aquatic and riparian species within and between watersheds to provide physically, chemically and biologically unobstructed movement for their survival, migration and reproduction. Maintain and restore the connections of floodplains, channels and water tables to distribute flood flows and sustain diverse habitats and species. Maintain and restore the physical structure and condition of stream banks and shorelines to minimize erosion and sustain desired habitat and species diversity. Maintain and restore the hydrologic and ecological connectivity of streams, meadows, wetlands and other special aquatic features by identifying roads and trails that intercept, divert or disrupt natural surface and subsurface water flow paths. Implement corrective actions where necessary to restore ecological connectivity and aquatic organism passage.
3. Restore ecological integrity of riparian vegetation as part of all vegetation management projects where appropriate and considering all other aquatic and riparian desired conditions. Use of mechanical treatment in riparian conservation areas and critical aquatic refuges may be considered, if the area is resilient to ground disturbance, as long as the treatment moves the area toward desired conditions, and water and soil quality can be adequately protected.
4. Enhance hardwood tree and shrub cover, density and vigor through reduction of conifer density and use of patchy prescribed fire. Fire effects objectives should be determined in collaboration with ecologists, biologists and earth scientists.
5. At either the landscape or project scale, determine if the age class, structural diversity, composition and cover of riparian vegetation are within the range of natural variability for the vegetative community. If conditions are outside the range of natural variability, consider implementing mitigation or restoration actions that will result in an upward trend. Actions could include restoration of aspen or other riparian vegetation where conifer encroachment is identified as a problem.
6. Design prescribed fire treatments to minimize post fire erosion and water quality impacts. In determining which mitigation measures to adopt, weigh the potential harm of mitigation measures, for example fire lines, against the risks and benefits. Projects should recognize the role of fire in ecosystem function and identify those instances where fire suppression or fuel management actions could be damaging to habitat or long term function of the riparian community, and where restoring fire is beneficial. Use ignition patterns during prescribed burning to create a mosaic of fire in patches of varying intensities in the riparian areas. Evaluate if ignitions are needed in the riparian conservation area and whether soil and water resources protection can be achieved.
7. Meadow management is conducted in an integrated ecosystem approach, with hydrology, aquatic habitat, soils, vegetation and wildlife functions all considered together.
8. Priorities for meadow restoration are based on an integrated evaluation across hydrology, aquatic habitat, soils, vegetation, wildlife, range, recreation, fire and other disciplines. Prioritization includes the best available science, such as the hydro-geomorphic classification of meadows.
9. The forests participate in and encourage active collaboration with partners, stakeholders and researchers on integrated understanding of meadow function and restoration.
10. Identify and prioritize restoration in meadows that are important for groundwater storage, downstream water users, connectivity, and sensitive or listed species.

11. Work with tribes to identify and prioritize springs of tribal importance for restoration and management.
12. Manage springs and their riparian areas as integrated systems.
13. Consider opportunities to manage vegetation in upland areas to restore and maintain water tables. Consider the latest science.

Standards

1. Designate riparian conservation area widths as follows:
 - Perennial Streams: 300 feet on each side of the stream, measured from the bank full edge of the stream.
 - Seasonally flowing streams (includes intermittent and ephemeral streams): 150 feet on each side of the stream, measured from the bank full edge of the stream.
 - Streams in inner gorge: top of inner gorge.
 - Special aquatic features (lakes, wet meadows, bogs, fens, wetlands, vernal pools, and springs) or perennial streams with riparian conditions extending more than 150 feet from edge of streambank or seasonally flowing streams with riparian conditions extending more than 50 feet from edge of streambank: 300 feet from edge of feature or riparian vegetation, whichever width is greater.
 - Other hydrological or topographic depressions without a defined channel: riparian conservation area width and protection measures determined through project level analysis.
 - Equipment exclusion zones will be designated within the riparian conservation areas. The default is half of the riparian conservation area width (150 feet for perennial streams, 75 feet for intermittent streams):
 - ◆ These widths may be adjusted on a project by project basis based on geomorphology, slope, and/or soil conditions, as long as best management practices and other plan direction are met. Expertise in soils, hydrology and aquatic ecology should be consulted.
 - ◆ If further mechanical incursion is warranted, use low ground pressure equipment, helicopters, end lining, over the snow logging, extra ground cover requirements, or other non-ground disturbing actions to operate off of existing roads when needed to achieve desired conditions consistent with best management practices and other plan direction.
 - ◆ Other stream classification systems may be used to create equipment exclusion zones and other protective measures nested in the riparian conservation areas.
 - ◆ When vegetation is treated in the near stream area consider the coarse woody debris budget of the stream, ensure desired conditions for coarse wood in stream channels will be met.
2. For the Inyo National Forest, livestock utilization standards are determined and established using soil/site stability, hydrologic function and biotic integrity conditions at a site-specific scale. Standards allow for sustainability and improvement in rangeland ecosystems. Utilization standards are established using matrices based on vegetation condition, vegetation type and

grazing system. Soil, site stability and hydrologic function characteristics can modify the use standards where necessary (Inyo National Forest Forest-Wide Range Utilization Standards).

Guidelines

1. Determine patterns of recharge and discharge and minimize disruptions to groundwater levels that are critical for wetland and meadow integrity.
2. Where there is a structure in place to use water from a spring as a water source, water should be piped out of the riparian area to avoid trampling of the riparian area around the spring.

Sustainable Recreation

Recreation Settings

Desired Conditions

1. The diverse landscapes of the forest offer a variety of high-quality summer and winter recreation settings (including quiet and non-quiet recreation) for a broad range of nature-based recreation opportunities, focusing on those that complement the forest recreation distinctive roles and contributions.
2. Recreation settings support specific opportunities, activities and expected experiences that are compatible with the landscape's natural and cultural resource attributes, and contribute to the economic sustainability of local communities and businesses.
3. Skilled stewardship organizations and volunteers are engaged as integral partners with the forest in managing front country and backcountry recreation settings across all Recreation Opportunity Spectrum (ROS) classes.

Strategies

1. Use the forest recreation niche to focus available agency resources in areas and types of opportunities with high niche conformance.
2. Collaborate with local communities, partner organizations, federal, state and local agencies and tribes to restore, maintain and enhance recreation settings impacted by declining ecosystem health, wildfire and inappropriate use in order to improve the quality of outdoor experiences and to promote citizen stewardship of public lands.
3. Ensure that site and facility planning and design blend with the natural environment and incorporate sustainable practices.
4. Effectively manage concentrated recreation uses and still preserve a quality visitor experience. Ecosystem effects from recreation use are managed and enhanced within sustainable levels.
5. Use the Watershed Condition Framework for establishing priorities for the restoration of recreation settings. Identify and prioritize restoration of areas where recreation settings are contributing to watershed impairment and/or have activities that are inconsistent with the ROS designation.

Standards

1. New and restored facilities, sites and features shall use the Built Environment Image Guide.

Recreation Opportunities

Desired Conditions

1. Recreation opportunities on land, water and in the air provide a high level of visitor satisfaction, enhance local tourism and gateway communities, and focus agency resources on the forest's recreation distinctive roles and contributions.
2. Culturally diverse visitors interact with nature and connect to cultural heritage through a full spectrum of sustainable high-quality summer and winter outdoor recreation opportunities.
3. The forest provides for high quality hunting and fishing opportunities. There is more emphasis, interest and opportunity to fish for native sport fish and hunt game species. Non-native sport fish and game species and their habitats are managed in locations and ways that do not pose substantial risk to native species, while still contributing to economic sustainability to local communities.
4. Well-established partnerships with outdoor recreation and tourism providers, communities, recreation interest groups, and other partners provide recreation opportunities to connect individuals and communities to the forest and promote stewardship of public lands.
5. Forest visitors find opportunities for solitude, primitive and unconfined recreation in wilderness and recommended wilderness areas.
6. The management and operations of recreation facilities is to a standard that is financially and ecologically sustainable and serves the general public. Recreation opportunities are planned taking into account variability and changes in seasonal conditions from climate change.

Strategies

1. Develop a common vision and define potential roles with communities and stakeholders to sustain the quality of life and economic benefits associated with recreation and tourism assets within forest destinations and adjoining lands.
2. Collaborate with neighboring communities, partner organizations, state and local agencies, tribes and adjacent Forest Service and National Park Service units to provide recreation opportunities that are economically, socially and environmentally sustainable. Work to harmonize direction that affects users to the extent practical in order to minimize confusion when crossing administrative boundaries.
3. Actively engage urban populations, youth and underserved communities in outreach programs, such as conservation education and volunteer programs, to help people connect to the benefits of national forests and develop stewardship of public lands.
4. Modify existing developed recreation facilities, and develop new facilities to accommodate the diversity of cultures, abilities, family structures and preferred activities of current populations who could benefit from recreation opportunities.

5. Provide opportunities for photography and filming to encourage public engagement such as stewardship, volunteerism, conservation education and interpretation.
6. Support the efforts of non-profit, public benefit organizations promoting conservation, education, and recreational enjoyment of the forest and the surrounding Sierra Nevada region.
7. Use recreation facility analysis to determine priority sites for both decommissioning as well as capital investment to better provide recreational and access opportunities.

Guidelines

1. New projects affecting recreation opportunity should be designed to conform to ROS classes to ensure that winter and summer activities protect natural and cultural resources and allow for quiet and non-quiet recreation activities.

Access

Desired Conditions

1. National Forest access is safe, sustainable and properly sized to provide public enjoyment and focuses on the forest's distinctive roles and contributions. Forest roads provide access to recreation destinations, to sites where Native American traditional, cultural and religious activities are practiced, and to other forest areas that generate economic benefits for local communities.
2. Forest trails are sustainably designed and managed to provide a variety of high-quality motorized and non-motorized summer and winter public access that connects people to nature.

Strategies

1. Encourage increased access in appropriate recreation settings (ROS classes) and in areas where sustainability can be achieved and maintained.
2. Size and maintain the road and trail system to minimize adverse resource effects, while providing appropriate public access to National Forest System lands and recreation facilities. Conduct a forest-level trail system assessment focusing on collaborative planning, user satisfaction and "right-sizing" the trails system for social, environmental and financial sustainability. Conduct a forest-level trail system assessment focusing on collaborative planning, user satisfaction and "right-sizing" the trails system for social, environmental and financial sustainability.
3. Coordinate management activities and projects to minimize impacts to public access and recreational experience.
4. Provide adequate parking and staging areas to meet projected access to recreation opportunities, other public use or management activities.
5. Explore partnership opportunities with user groups and seek reliable information sources outside of the agency to improve data collection and data management on recreation use and demand.
6. Use the Watershed Condition Framework for establishing priorities for the restoration of unauthorized routes.
7. Increase the use of volunteers and partners to prioritize and complete deferred maintenance work.

Standards

1. Over-snow vehicle use shall only occur on depths of snow 18 inches or greater and avoids ground disturbance.

Guidelines

1. Restoration projects that address unauthorized routes that are contributing to substantial adverse resource effects should consider restoring the impacted area to a natural contour and natural landscape condition to minimize long term erosion risks and reduce the risk of further unauthorized uses.

Scenic Character

Desired Conditions

1. A variety of ecologically sound, resilient and visually appealing forest landscapes support the forest's recreation distinctive roles and contributions.
2. Landscapes reflect healthy ecosystem diversity and contribute to visitors' sense of place.
3. Scenic character is improved by perpetuating scenic attributes and improving scenery stability, producing more ecologically-sound landscapes through the use of vegetation treatments and by restoring fire and other ecological processes to the landscape.
4. High scenic integrity is evident in places people prefer to visit and view. The Forest Service, other agencies and other adjacent landowners maintain shared vistas.
5. Scenic character associated with heritage resources, traditional cultural properties and sacred sites are protected through consultation with Indian tribes, traditional cultural practitioners, consulting parties and project design.

Strategies

1. Manage for scenic stability through actions that will enhance and protect desired scenic attributes through vegetation treatments to achieve high scenic stability on a project-by-project basis over the plan period. Examples include aspen stand enhancements and riparian area restorations.
2. Restore damaged landscapes (currently meeting low or no scenic integrity levels), to meet or exceed the established scenic integrity objective.
3. Mitigate the establishment of visible lines in landscape areas where vegetation is removed for management objectives. Cleared areas will include edges that reflect the visual character of naturally occurring vegetation openings.
4. Maintain or create scenic vistas as necessary to meet the needs of the public and improve scenery in areas of high public concern.
5. In all vegetation treatment and fuels reduction projects, consider improving scenery resources, especially in areas that do not meet established scenic integrity objectives.
6. Manage scenery to perpetuate the overall natural-appearing setting, protect significant scenic features, and ensure that development is appropriate for the area in which it is located in terms of size, mass, architectural style and density.

7. In prioritizing areas for restoration, focus on landscapes with high scenic attractiveness to improve scenic stability.
8. Consult annually with Indian tribes, traditional cultural practitioners and consulting parties and use project design to protect heritage resources, traditional cultural properties and sacred sites.
9. Incorporate heritage, traditional and cultural properties and sacred sites in the development of project level scenery assessments.

Guidelines

1. All resource management and permitted activities should strive to meet or exceed the established scenic integrity objectives, recognizing that short-term changes in visual condition may be needed to achieve longer-term scenic integrity objectives.

Cultural Resources

Desired Conditions

1. Cultural resources (buildings, sites, districts, structures, and objects) having scientific, cultural or social values are preserved and protected for their cultural importance. Site integrity and stability is protected and maintained on sites that are susceptible to imminent risks or threats, or where the values are rare or unique. Priority heritage assets are stable and their significant values protected. Vandalism, looting, theft and human-caused damage to heritage resources are rare. Site significance and integrity are maintained through conservation and preservation efforts and receive minimal impact from visitors.
2. Cultural resources, traditional cultural properties and sacred sites are protected through consultation with Indian tribes, traditional cultural practitioners, consulting parties and project design.
3. Cultural resources provide educational opportunities that connect people, past and present, to the land and its history. Through positive heritage experiences provided by interpretive sites, historic standing structures and other materials, the public has an appreciation for the region's history and develops an awareness of preservation efforts. In some cases, historic routes (e.g., railroad grades) are used for recreation trails with interpretation of their history and some historic features. Heritage-based recreation opportunities are connected, where practical, with other recreation opportunities such as trails.
4. Public enjoyment is enhanced by opportunities to visit interpretive cultural resource sites. Archaeological site etiquette information is readily available to national forest visitors. Interpretation of the human history of the forest promotes greater public understanding of the communities that have depended on this landscape for their livelihood, recreation and spiritual wellbeing.
5. Opportunities exist for volunteers to participate in cultural resource conservation activities such as research, site stabilization, conservation and interpretation. Cultural resource programs, interpretive presentations, or publications are available to provide the public with opportunities to learn about, understand and experience the forest's past.

Strategies

1. Efficiently manage cultural resource databases to support resource management and research, in cooperation with the appropriate California and Nevada state agencies.
2. Use education and enforcement to deter vandalism.
3. Implement restrictions, using permits and visitation controls, when necessary, to protect sites from physical damage and excessive wear and tear.
4. Collaborate with site stewards, volunteers, tribal governments, local governments, state and federal agencies, schools and universities and non-profit groups to protect sites and facilitate development of research, educational and interpretive opportunities.
5. Identify and develop heritage tourism opportunities in collaboration with tribal governments, local organizations and businesses to provide an economic benefit to the community, while fostering a mindset of long term sustainability of the resource.
6. Emphasize “self-discovery” developments for interpretation to minimize the need for onsite staffing. Interpretation should include messages on individual responsibility to protect forest resources.

Guidelines

1. When avoiding significant adverse impacts to traditional cultural properties is not possible, impacts should only be authorized after negotiating and signing a memorandum of agreement between the Forest Service and the appropriate tribe(s).
2. Cultural artifacts should only be collected for diagnostic dating purposes, answering research questions or protection of the artifact when special circumstances require collection.
3. Historic property protection provisions should be included in contracts and special use permits as applicable.
4. To protect the cultural setting of a site and visitor experiences, commercial use of heritage-based interpretive sites should be limited to activities that enhance the public’s understanding of the resource, protect and preserve the resource and are consistent with tribal interests.

Wilderness

Desired Conditions

1. The wilderness character of each wilderness, including the qualities of untrammeled, natural, undeveloped, opportunities for solitude or primitive recreation, and other features of value (ecological, geological or other features of scientific, educational, scenic or historical value unique to each specific wilderness area) are preserved and, when possible, enhanced.
2. Areas recommended for wilderness, and similar areas designated through forest plans, retain their wilderness character until their designations as wilderness or other use are determined by Congress.

Existing plan direction is being reviewed to determine if additional updates are needed.

Wild and Scenic Rivers

Desired Conditions

1. The free flowing condition, water quality and specific outstandingly remarkable values of designated wild and scenic rivers are retained or enhanced. Any development is consistent with the classification, and management is consistent with a current comprehensive river management plan.
2. Eligible and recommended wild and scenic rivers retain their free-flowing condition, water quality and specific outstandingly remarkable values. Recommended classifications remain intact until further study is conducted or until designation by Congress.

Existing plan direction is being reviewed to determine if additional updates are needed.

Pacific Crest National Scenic Trail Corridor

Desired Conditions

1. The Pacific Crest National Scenic Trail (PCT) corridor is permanently protected to provide outstanding primitive hiking and horseback experiences:
 - Roads and motorized trails, including snowmobiles, do not intersect the trail except at designated crossings which should be minimized, preferably fewer than one crossing per 5 miles of trail;
 - Lands or interests are acquired where needed to protect the trail experience;
 - Visitor use is managed to protect the experiences and other overlapping land management desired conditions.
2. The trail corridor provides panoramic views of undisturbed landscapes in a tranquil scenic environment, and features historic high country landmarks where they occur. The corridor is of sufficient width to encompass national trail resources, qualities, values, associated settings and the primary use or uses. This includes vistas (key observation points), campsites, water sources and other important resource values.
3. National Forest System lands within the PCT corridor meet or exceed a high scenic integrity objective, and those within the middle ground and background landscape distance zones meet at least a medium scenic integrity objective.
4. The emphasis will be on providing remote backcountry recreation settings in a predominately natural or natural-appearing landscape. Development levels and levels of use vary by location and do not detract from those experiences.

Strategies

1. Use partnerships to achieve the maintenance and management goals for the PCT.

2. Place priority on the purchase of lands or interest in lands necessary to protect the PCT experience as delineated in the PCT Land Acquisition Inventory.
3. Reconstruct or relocate existing portions of the PCT as needed to enhance the recreation experience and protect resources. Trail relocations will be evaluated using the optimal location review process in partnership with adjoining federal agencies and the Pacific Crest National Scenic Trail Association.
4. Establish key observations points along the trail corridor that will serve as monitoring points for proposed projects during the life of the plan to evaluate the condition of scenery resources.
5. Allow timber harvest, prescribed burning and wildland fire to manage vegetation consistent with desired conditions and setting for the PCT.
6. Wildfire suppression strategies will strive to minimize impacts on PCT values.

Standards

1. New recreation events such as foot races or horseback endurance events and fundraising events must be limited to designated crossings only.
2. New roads, permanent or temporary, are not permitted within the trail corridor unless required by law to provide access to private lands and documented as the only prudent and feasible alternative.
3. The use of bicycles and other mechanized transport and motorized use is prohibited on the PCT tread and within the trail corridor, except on trails designated crossings where such use is allowed.
4. Outside the proclamation boundary, PCT corridor lands with easements or outstanding rights will be managed consistent with deed transfer language and the PCT corridor direction.
5. The PCT is a concern level 1 travelway, and middle ground and background areas on National Forest System lands seen from the PCT must be managed to meet or exceed a scenic integrity objective of at least moderate for scenery in accordance with scenic integrity objectives identified through the scenery management system.
6. All management activities must meet a scenic integrity objective of high or very high.
7. For leasable minerals such as oil, gas and geothermal energy, PCT permits and activities within the trail corridor are available for leasing but must contain a "no surface occupancy" stipulation within the foreground and immediate foreground visual zones, based on the Forest Service Scenery Management System.
8. For mineral materials such as sand, gravel, pumice, cinders and other common variety minerals, extraction is prohibited within the PCT corridor. When existing permits terminate or expire, new permits will be changed to reflect this standard.
9. All mining claims pre-dating the congressional designation of the PCT are subject to valid existing rights. Any mineral exploration or extraction that causes surface disturbance within the trail corridor is prohibited, including recreational rock and mineral collecting.
10. Construction of new communication sites is prohibited within the PCT corridor.

11. Construction of new wind towers is prohibited within the PCT corridor.
12. New utility lines or rights-of-way are prohibited within the PCT corridor unless they represent the only feasible and prudent alternative to meet an overriding public need. Project design and mitigation will be sufficient to protect trail values. This includes required mitigation measures such as screening, feathering and other visual management techniques to mitigate visual and other impacts of new or upgraded utility rights-of-way. Mitigation measures apply to facilities as well as vegetation.
13. New buildings and structures associated with special uses that would be visible from the PCT are prohibited within the trail corridor.

Guidelines

1. To maintain the outstanding primitive hiking and horseback experiences, new crossings of the PCT by trails for bicycles or other mechanized transport should be avoided except as mutually agreed on by the forest and the Pacific Crest National Scenic Trail Association.
2. Road and utility corridors should cross at right angles to the PCT wherever possible to minimize scenery impacts.
3. To provide outstanding opportunities for primitive hiking and equestrians, apply Recreation Opportunity Spectrum (ROS) primitive class wherever possible, with a second preference for semi-primitive non-motorized within the PCT corridor. In locations where the existing condition is semi-primitive motorized or roaded natural, that ROS may be retained.
4. To minimize impacts to desired conditions for natural resources and visitor experiences, such as solitude, implement visitor use management strategies such as planning and managing visitor use and the recreation setting through education, site management, regulation and enforcement.
5. Management of overnight camping and recreation use should recognize different levels of use and desired recreation opportunities consistent with overall PCT desired conditions.
6. To enhance the recreation experience and protect resources, consider reconstructing or relocating existing portions of the PCT as needed. Trail relocations should be evaluated using the optimal location review process in partnership with adjoining federal agencies and the Pacific Crest National Scenic Trail Association.

National Recreation Trails

- Inyo: Whitney Portal, Methuselah and Discovery National Recreation Trails
- Sequoia: Cannell Meadow, Jackass Creek, and Summit National Recreation Trails
- Sierra: Black Point, Rancheria Falls, Kings River, Lewis Creek, and Shadow of the Giants National Recreation Trails

Desired Conditions

1. National recreation trails meet the intended goals and preserve the values and recreation opportunities for which they were established.
2. The trail setting provides a variety of opportunities that are consistent with or complement the existing recreation opportunity spectrum class where the trail segment is located.
3. Limited recreation facilities, such as interpretive signs, viewing platforms and benches may be present along the trail. Trailheads may offer amenities such as picnic facilities or interpretive information that enhances the experience of using the trail.

Strategies

1. Use partnerships and volunteers to achieve management goals for national recreation trails.
2. Where the trail leads to an outstanding destination feature, protect the qualities of that feature.
3. Reconstruct or relocate existing portions of the trail as needed to enhance the recreation experience and protect natural and cultural resources.
4. Design trailheads with sensitivity to scale and the character of the setting.
5. Implement measures to protect areas of high ecological values, such as rare plant sites or unique geological features within the corridor, as needed.

Standards

1. National recreation trails must be managed consistent with trail management objectives and the maintenance standards for trail class and managed use.

Guidelines

1. Management activities within the foreground views from the trail should be designed to meet a scenic integrity objective at least as high as shown on the minimum scenic integrity map. Management activities in the middle and background should meet or exceed a scenic integrity objective of at least moderate. As appropriate, include scenery management considerations in special use permits that affect national recreation trails.
2. During management activities, measures should be implemented to maintain safe public access to national recreation trails.

Interpretation and Education

Desired Conditions

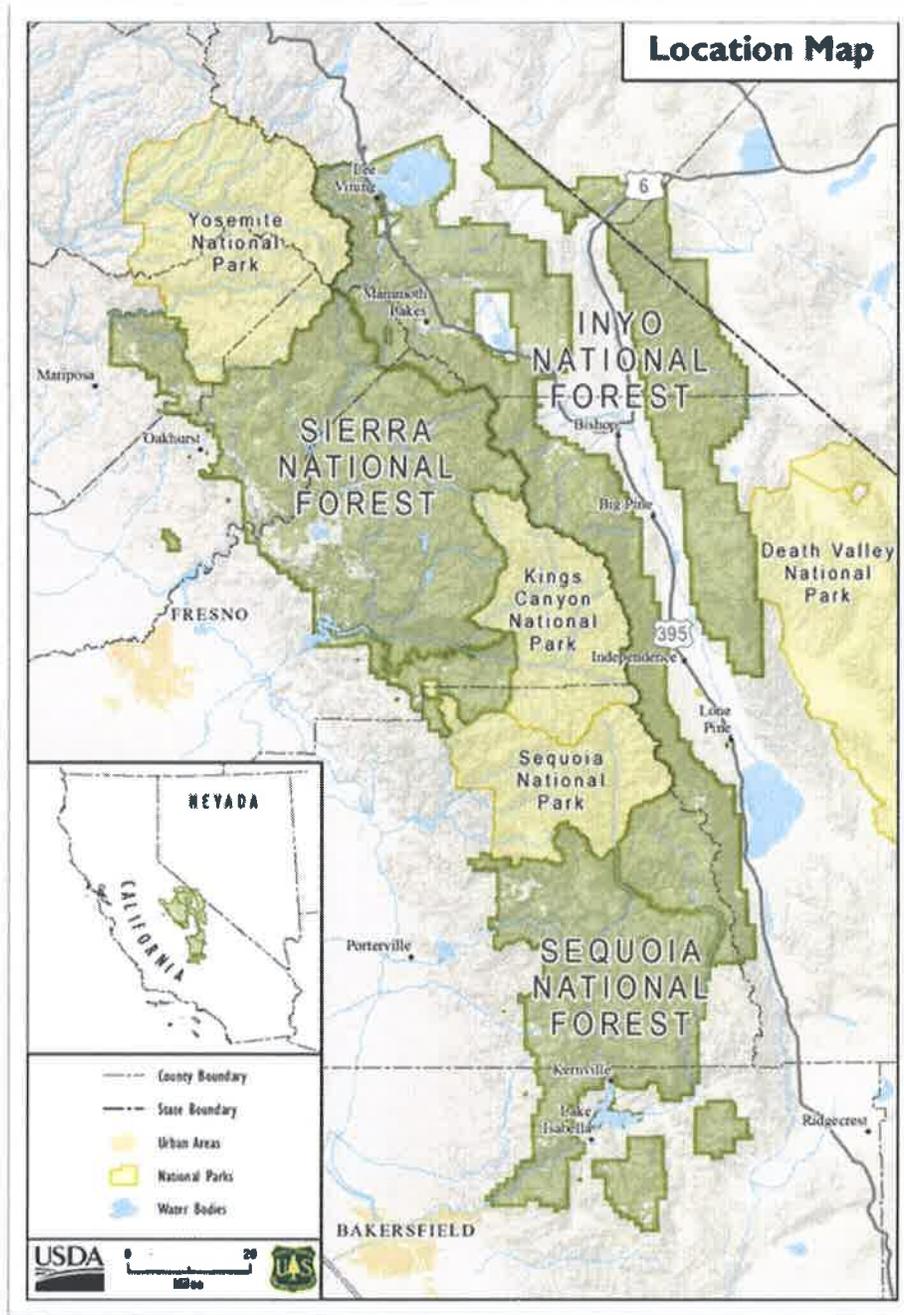
1. Communication and interpretive messages show respect for the diverse backgrounds and needs of visitors.

2. Interpretation and conservation education materials convey clear messages about natural and cultural resources, climate change, responsible recreation use and etiquette and Native American heritage and culture.
3. Interpretive activities and programs communicate key stewardship concepts relevant to the forest.
4. Residents and visitors have ample opportunities to experience, appreciate and learn about the forest's wildlife, fish and plant resources.
5. There is little human litter as a result of effective enforcement, patrols and use of refuse and recycling facilities.
6. The public understands and is aware of Forest Service projects and management actions, as well as the importance of ecosystem services.
7. Partners and volunteers are engaged in coordination, development and delivery of educational and community outreach programs.
8. Outreach programs actively engage urban populations, youth and underserved communities.
9. Public use and education are provided for while preserving the historically and culturally significant aspects of nationally registered historic sites and culturally important properties.

Strategies

1. Periodically review interpretation and education programs and information for consistency with national objectives and regional and local issues.
2. Communicate the range of recreation opportunities and settings while emphasizing shared and multiple use objectives to the public. Encourage public responsibility for natural and cultural resource protection and recreation etiquette.
3. Provide visitor information services at major entry points and areas of concentrated use.
4. Provide and update interpretive signage, wayside exhibits, publications and programs using a variety of media and methods.
5. Educate the local community about the importance of ecosystem services and stewardship principles using teacher trainings, school programs and community events.
6. Educate the local community about principles and methods for sustaining forests in a changing climate.
7. Inform the public about Forest Service projects and management actions.
8. Develop bi-lingual communication tools including publications, information boards and radio spots.
9. Involve and encourage youth from diverse backgrounds in environmental education programs.

NOTICE OF INTENT MAPS WITH DESCRIPTIONS



Location Map(s) to Accompany Notice of Intent

The small corner map embedded in the lower left corner of the large map above shows the location of the three national forests undergoing forest plan revision included in the Notice of Intent. These are the Inyo, Sequoia and Sierra National Forests. The location of these three national forests within California is shown. They are shown as a light green elliptical area in the southeastern center of the map of California. They occur in the southern third of the Sierra Nevada Mountain Range and the Great Basin to the east. This area includes a small portion of western Nevada. The legend for the map is shown in a box below the small locator map. There are three items in the legend. The national forests are shown in light green. National parks are shown in light yellow. Major highways are shown as thick, dark red lines. Major towns and cities are shown as black dots, with the name in black letters.

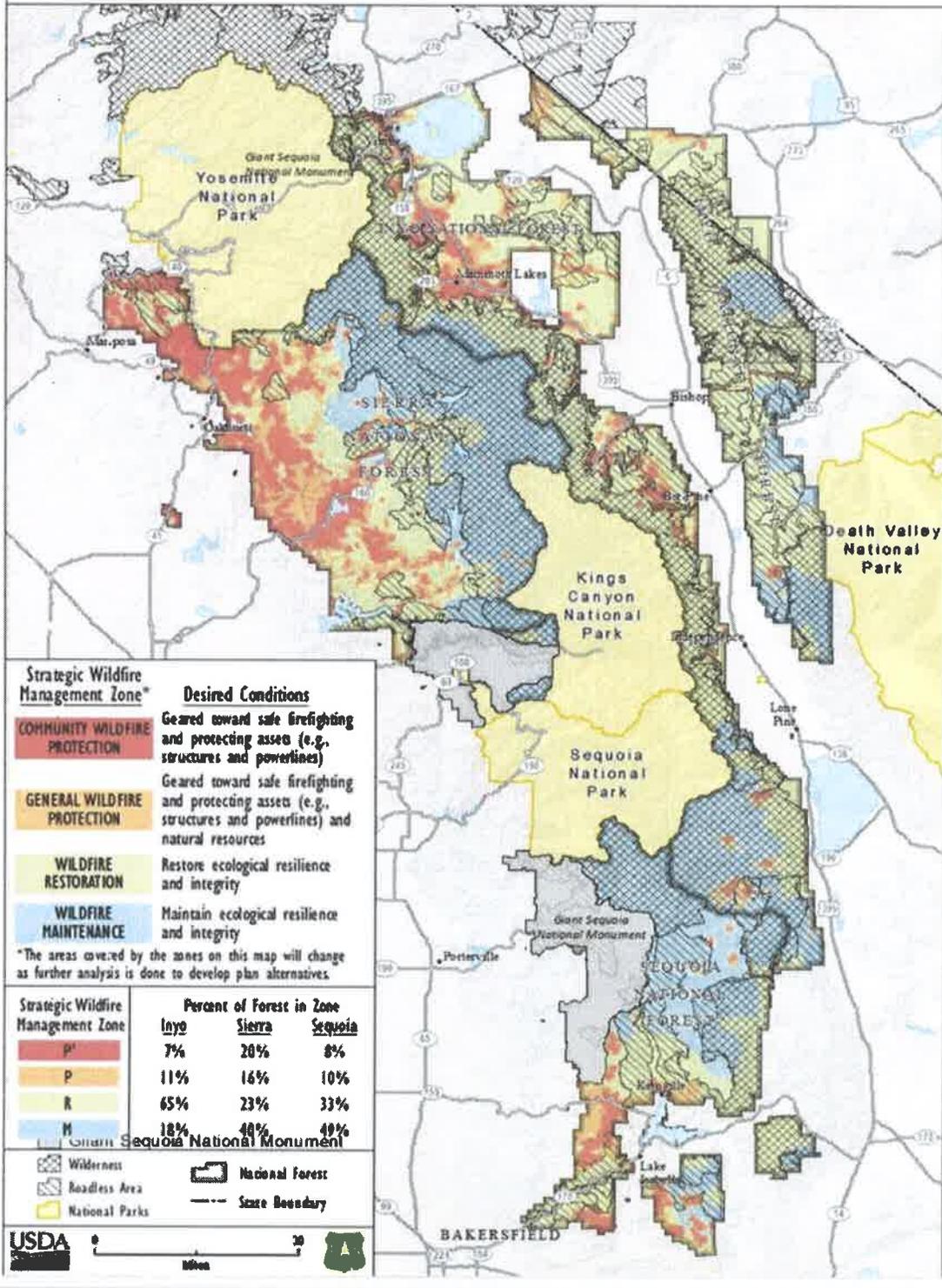
On the larger map, a close up of this portion of California is shown. The national forests are shown as areas shaded in a light green. The nearby national parks are shown in light yellow. Surrounding areas are shown in white. There is a smaller area shown in light gray to indicate shaded relief where there is a rise in elevation. Major highways are shown with a thick red line. Highway 395 runs along the eastern third of the map from the southeast up slightly to the northwest. Highway 5 is shown on the southwestern corner, running from the southeast up slightly to the northwest. County boundaries are shown as dashed, dark gray lines. Major cities and towns are shown including Lee Vining, Mammoth Lakes, Bishop, Big Pine, Independence, Lone Pine and Ridgecrest on or near Highway 395 from north to south.

The Inyo National Forest occurs as two large linear areas occurring on both sides of Highway 395, and to the north of Death Valley National Park. The western area is the largest and occurs along the eastern slopes of the Sierra Nevada and portions of the flatter areas of the Great Basin to the east. The other large area of the Inyo National Forest is to the east, and includes the White Mountains, straddling a portion of Nevada.

The Sierra National Forest is a roughly rectangular shaped area that lies to the west of the northern one-third of the Inyo National Forest, to the south of Yosemite National Park and to the north of the Sequoia-Kings Canyon National Park. Yosemite National Park is shown as a large, circular shaped area in the upper left one-quarter of the map. The towns of Mariposa and Oakhurst are shown to the west of the northern one-quarter of the Sierra National Forest. The City of Fresno is shown to the west of the southern one-third of the Sierra National Forest.

The Sequoia National Forest is shown in the lower third of the map in light green. It lies south of Sequoia National Park and southwest of the southern portion of the western section of the Inyo National Forest. The largest section of the forest is square shaped with a southwestern leg. Two unconnected sections of the forest lie to the south and southeast of the main forest section. The City of Kernville is displayed with a black dot and in black type. Lake Isabella is displayed between the main forest section and the southernmost unconnected portion of the forest. The Giant Sequoia National Monument is included as part of the forest but not labeled on this map except by a green line within the forest.

STRATEGIC WILDFIRE MANAGEMENT ZONES



Strategic Wildfire Management Zones

This map shows the distribution of the four proposed wildfire management zones across the Inyo, Sierra, and Sequoia National Forests. The legend is shown in a box in the lower left corner and contains information on the desired conditions and the percent of each forest in the zone. The Community Wildfire Protection Zone is shown in red. The desired condition for this zone is geared toward safe firefighting and protecting assets such as structures and powerlines. The second category is the General Wildfire Protection Zone shown in gold. The desired condition for this zone is geared toward safe firefighting and protecting natural resources and assets such as structures and powerlines. The third category is the Wildfire Restoration Zone shown in tan. It has a desired condition to restore ecological resilience and integrity. The fourth is the Wildfire Maintenance Zone shown in light blue. The desired condition is to maintain ecological resilience and integrity. The general legend includes cross-hatched areas for wilderness, slanted lines for designated roadless areas, yellow areas for national parks and black lines with gray shading for national forest boundaries.

In the northwest one-third of the map is the Sierra National Forest. Approximately one-third or 36 percent of the western portion of the Sierra National Forest is shown in red or gold, depicting the wildfire protection zones. These areas cover most of the foothills, some of the montane (mixed conifer and ponderosa pine types), and some of the red fir areas on the forest. The remaining two-thirds of the forest is shown outside of the wildfire protection zones, except for some linear, stringy areas along major roads that go higher in elevation near and between wilderness areas. The eastern edge of the fire protection zones is irregular in shape because the urban intermix areas are more scattered. Forty-percent of the eastern portion of the forest is shaded blue, depicting the Wildfire Maintenance Zone. This area occurs almost entirely in wilderness areas. In between the Protection Zones and the Maintenance Zone, the Restoration Zone makes up 23 percent of the forest. A small portion is in wilderness, some overlaps the small amount of designated roadless area that occurs on the forest, and the rest is intermixed around and to the east of the Protection Areas.

The Kings Canyon and Sequoia National Parks are to the south of the Sierra National Forest and occupy about one-fifth of the map area. To the south is the Sequoia National Forest. A large gray area encompassing the Giant Sequoia National Monument is shaded in gray. This is not included in the Wildfire Management Zones shown on the map. About one-fifth or 18 percent of the forest area outside the Giant Sequoia National Monument is colored red or gold in the proposed Wildfire Protection zones. This is almost all in the southwestern area on the forest, and the area immediately north of Lake Isabella. Most of the area is around and to the south of Highway 155, and on the southwestern third of the Paiute Mountains. There are a few small areas scattered to the north and northeast. Almost half of the forest is in the Wildfire Maintenance Zone and is shown in blue. This is almost all in the northeastern half, with the majority within wilderness or designated roadless areas. A small portion of the Paiute and Scodie Mountains are proposed to be designated as Wildfire Maintenance Zones. The remaining third of the forest is in the Wildfire Restoration Zone. This is in the lower elevation areas north of Kernville, along the eastern edge, along Highway 178 and in the Scodie Mountains.

On the Inyo National Forest, shown along the entire eastern one-third of the map, the Wildfire Protection Zones cover about one-fifth or 18 percent of the forest area, mostly in the northwestern half, along Highway 395 near Lee Vining, Mammoth Lakes, to the east of Bishop and to the east of Big Pine.

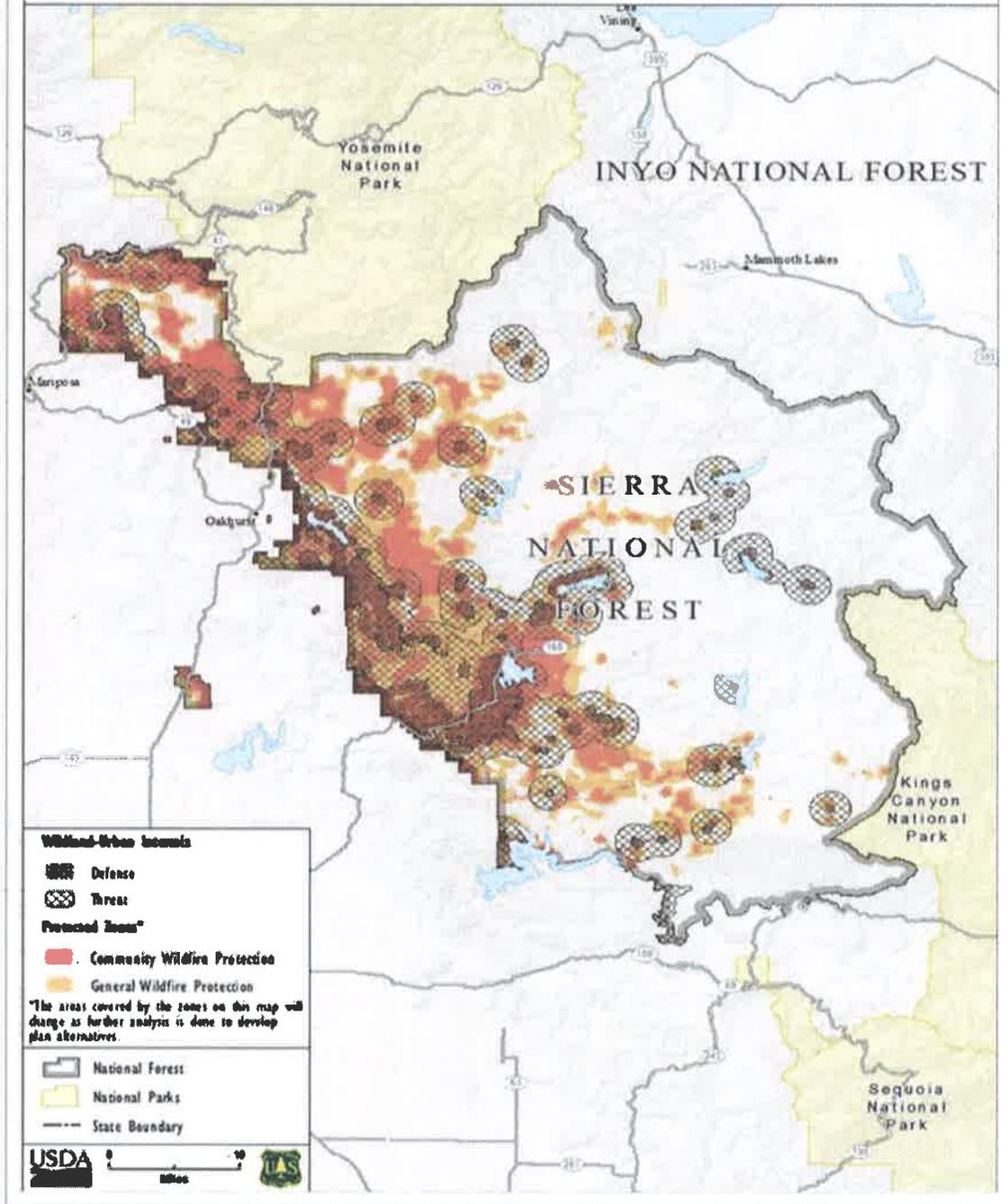
There are a few small isolated areas in the southwestern portion on the Kern Plateau. Most of the proposed protection zones are identified as Community Wildfire Protection. There are some additional adjacent areas of gold around these, and a larger gold, General Wildfire Protection Zone in the northeastern portion of the forest, in the Glass Mountains, along the Nevada border. The Inyo has the greatest amount of area in the Restoration Zone, 65 percent, and the least amount in the Maintenance Zone, 18 percent. The majority of the Maintenance Zone on the Inyo National Forest occurs in the south and east or high elevation areas within wilderness. Much of the eastern escarpment of the Sierra Nevada, and much of the White Mountains are proposed as Wildfire Restoration Zones, with much of it overlapping with wilderness and designated roadless areas. All of the area around Mono Lake and Mammoth Lakes and in general the northern one-third of the forest are designated as Wildfire Restoration in areas outside of the protection zones.

Comparison of Current Wildland Urban Intermix Zones (WUI) and Proposed Action Wildfire Protection Zones

There are three maps below showing an overlay of the current wildland urban intermix zones (WUI) and the Wildfire Protection Zones for the Proposed Action. There is one map for each national forest. The legend and color scheme is the same for each and is described at the beginning, followed by a description for the forest maps.

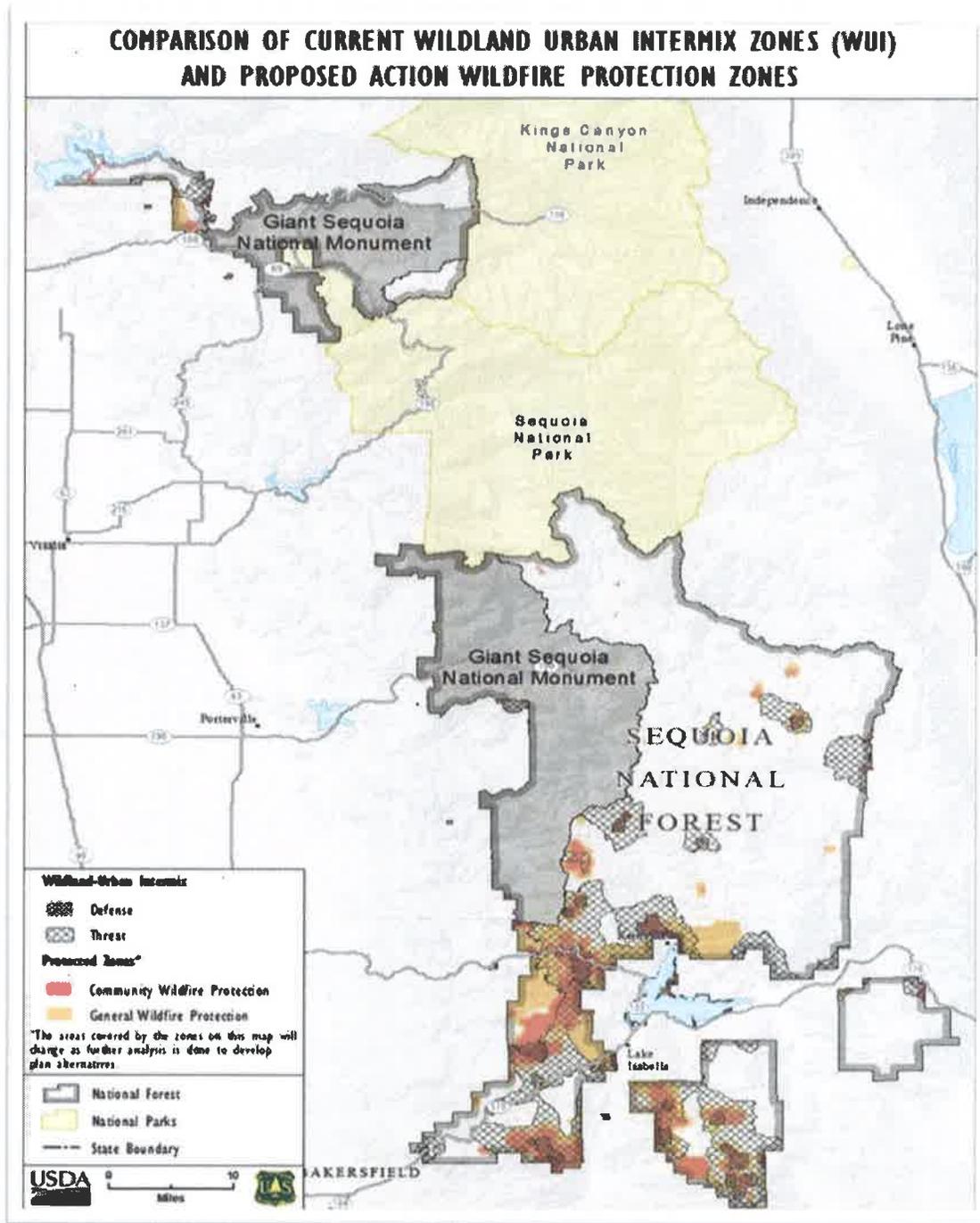
The legend box for each map is shown in the lower left corner. First, there is a dense crosshatch of black lines that depicts the Defense Zone. This is the allocation in the current plans that are directly next to communities and infrastructure such as water development, communication towers, major recreation facilities, cabins or ranches throughout the forests. Next in the legend is a more open black line hatched box that depicts the threat zone in the current plans. These areas extend further out from the defense zones and are based largely on a fixed distance buffer or distance. Next in the legend box are the Protection Zones. First is a red box, labeled Community Wildfire Protection Areas. Second is a gold area denoted General Wildfire Protection. The footnote states that "the areas covered by the zones on this map will change as better analysis is done to develop plan alternatives". Below this is a box with more general legend information including black lines with gray inside shadow, showing the national forest boundaries, yellow areas where the national parks are, and single black line showing the state boundary.

**COMPARISON OF CURRENT WILDLAND URBAN INTERMIX ZONES (WUI)
AND PROPOSED ACTION WILDFIRE PROTECTION ZONES**



Comparison of current wildland urban intermix (WUI) zones and Proposed Action wildfire protection zones on the Sierra National Forest

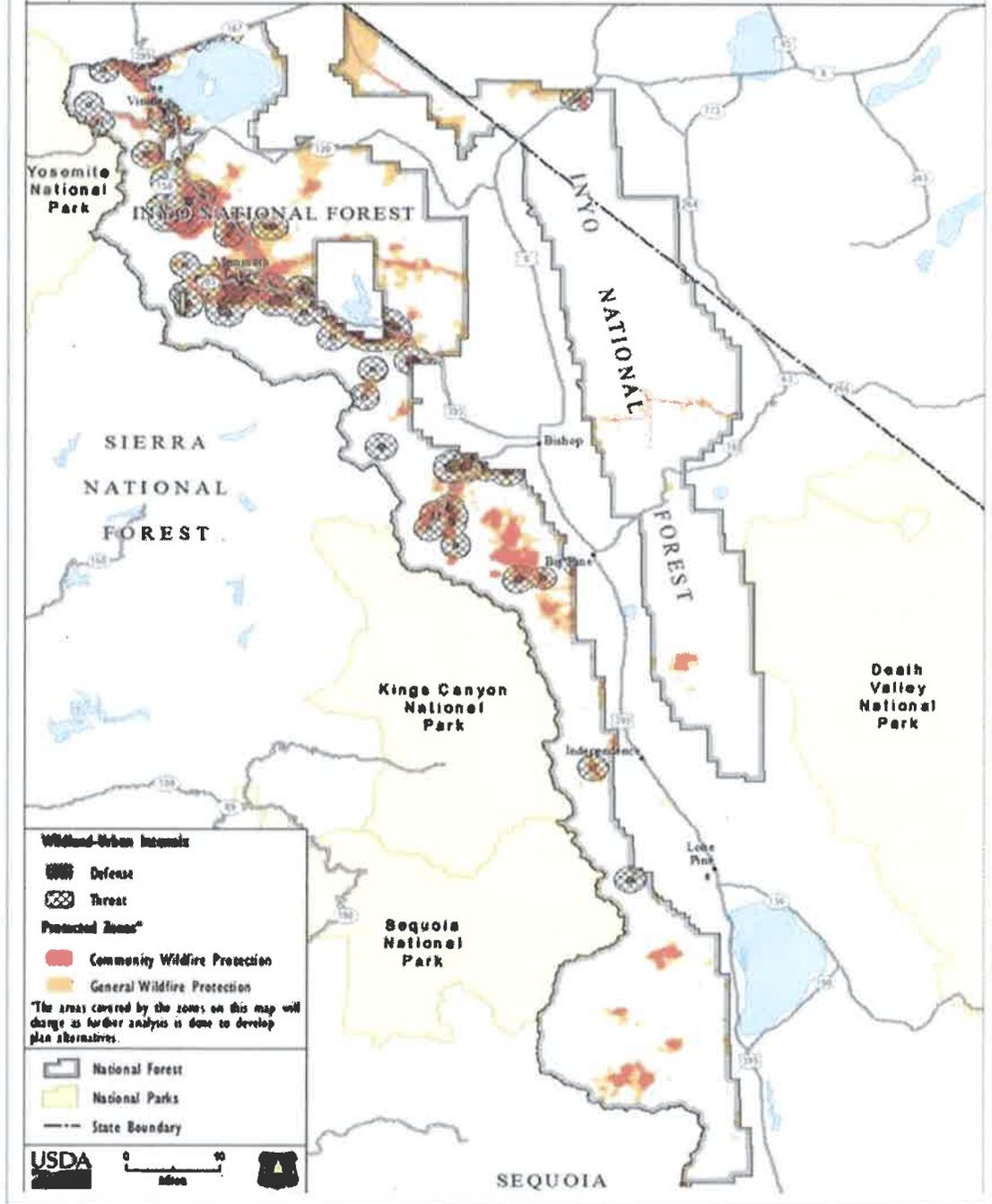
The first map is of the fire zones on the Sierra National Forest. The forest covers most of the map, as a general rectangular shape, leaning to the left. There is one arm that extends to the north, on the left boundary. A small portion, of the southern end of Yosemite National Park, is shown as a yellow half-moon shape in the top tenth of the map. To the east, the Inyo National Forest is shown, with the dividing line along the crest of the Sierra Nevada Mountain Range. To the southeast and south, Kings-Canyon and Sequoia National Parks are shown in yellow. Only a small portion of the parks is shown. Approximately one-third of the western portion of the Sierra National Forest is colored red or gold, showing the wildfire protection zones. These areas cover most of the foothills, some of the montane (mixed conifer and ponderosa pine types), and some of the red fir areas on the forest. The remaining two-thirds of the forest, is shown outside of the wildfire protection zones, except for some linear, stringy areas along major roads that go higher in elevation near and between wilderness areas. The eastern edge of the fire protection zones is very irregular in shape, because the urban intermix areas are more scattered. On top of the color areas, the current wildland urban intermix zones are shown, with black hatch. These areas are also concentrated along the western boundary, but only cover about one quarter of the total forest area. In the center of the map, along Highway 168, that bisects the western portion of the forest, north to south, the greatest concentration of overlapping current wildland urban intermix and proposed fire protection areas are found. The red and gold areas cover a greater area on the lower elevation, western portions of the forest, and there are larger areas of the current wildland urban intermix zones at the higher elevations. In the proposed action, fire protection zones are about one-tenth of the current wildland urban intermix at these higher elevations. Overall, there is about half of the wildfire protection zones that is colored red, showing the community wildfire protection zone, and the other half in gold, showing the general wildfire protection zone. In the current plan, the majority of the area is depicted as a "threat" zone and a very limited area as a "defense" zone.



Comparison of current wildland urban intermix (WUI) zones and Proposed Action wildfire protection zones on the Sequoia National Forest

This map is of the fire zones on the Sequoia National Forest. The forest covers most of the map, as a general rectangular shape, leaning to the left. There is one arm that extends to the north, on the left boundary. A small portion, of the southern end of Yosemite National Park is shown as a yellow half-moon shape in the top tenth of the map. To the east, the Inyo National Forest is shown with the dividing line along the crest of the Sierra Nevada Mountain Range. To the southeast and south, Kings Canyon and Sequoia National Parks are shown in yellow. Only a small portion of the parks is shown. Approximately one-third of the western portion of the Sequoia National Forest is shown in red or gold, depicting the wildfire protection zones. These areas cover most of the foothills, some of the montane (mixed conifer and ponderosa pine types), and some of the red fir areas on the forest. The remaining two-thirds of the forest is shown outside of the wildfire protection zones, except for some linear, stringy areas along major roads that go higher in elevation near and between wilderness areas. The eastern edge of the fire protection zones is very irregular in shape because the urban intermix areas are more scattered. On top of the color areas, the current wildland urban intermix zones are shown in hatched black. These areas are also concentrated along the western boundary, but only cover about one-quarter of the total forest area. In the center of the map, along Highway 168 that bisects the western portion of the forest north to south, the greatest concentration of overlapping current wildland urban intermix and proposed fire protection areas are found. The red and gold areas cover a greater area on the lower elevation western portions of the forest, and there are larger areas of the current wildland urban intermix zones at the higher elevations. In the Proposed Action, fire protection zones are about one-tenth of the current wildland urban intermix at these higher elevations. Overall, there is about half of the wildfire protection zones colored red, showing the community wildfire protection zone, and the other half gold, depicting the general wildfire protection zone. In the current plan, the majority of the area is shown as a "threat" zone, and a very limited area shown as a "defense" zone.

COMPARISON OF CURRENT WILDLAND URBAN INTERMIX ZONES (WUI) AND PROPOSED ACTION WILDFIRE PROTECTION ZONES



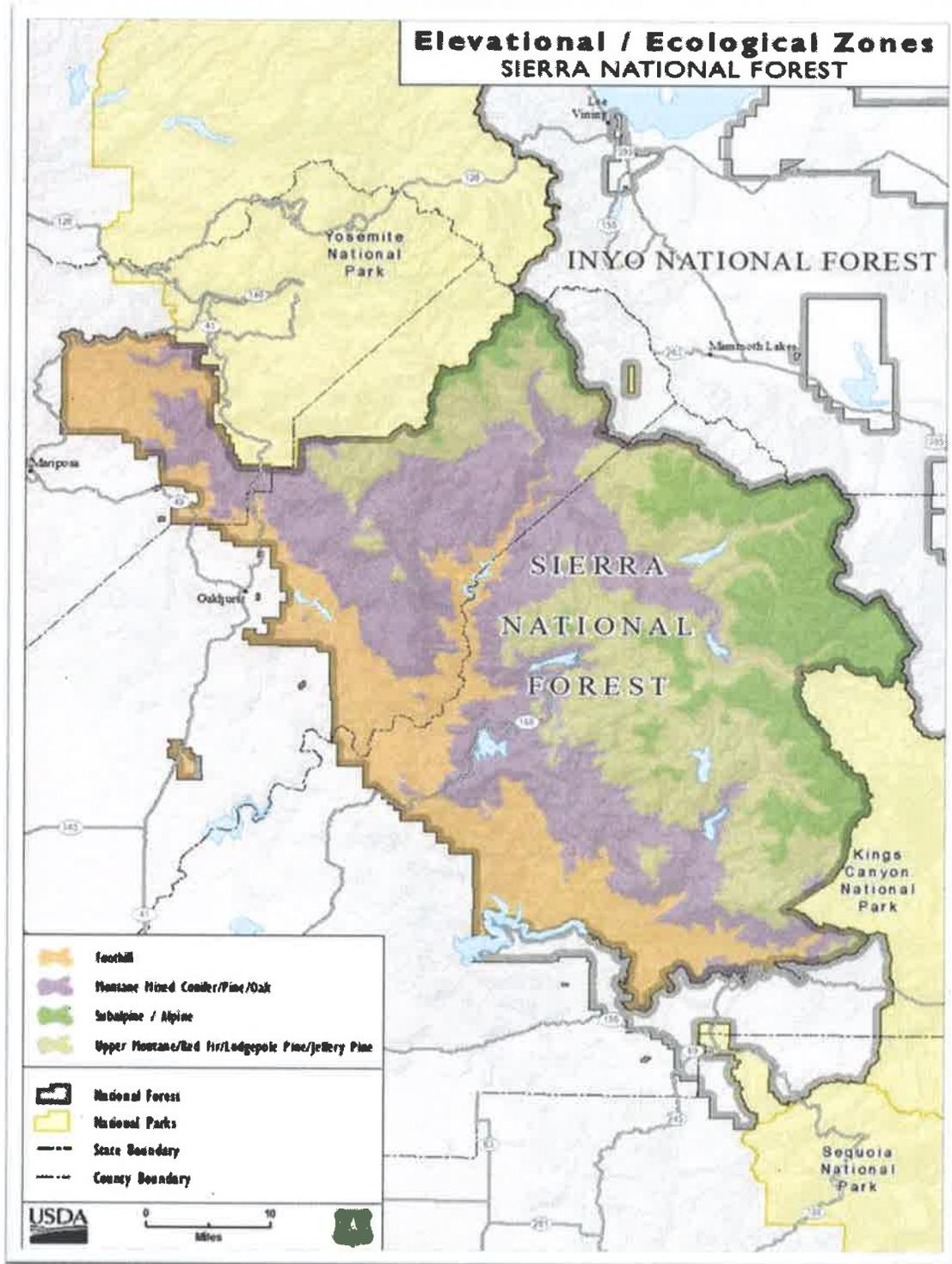
Comparison of current wildland urban intermix (WUI) zones and Proposed Action wildfire protection zones on the Inyo National Forest

The Inyo National Forest map has the same legend and color scheme as the Sierra National Forest. In this map, the Inyo National Forest occurs as two long, irregular linear shapes running from northwest to southeast in the map. The western border, along the crest of the Sierra Nevada is bounded by the Sierra National Forest, the Sequoia & Kings Canyon National Park, and in the south, by the northeastern edge of the Sequoia National Forest. To the east are Owens Valley, and then the eastern most portion of the Inyo National Forest, with the north-south trending White Mountains. To the southeast is Death Valley National Park. The border between California and Nevada crosses diagonally across the upper right, one-third of the map. The Proposed Wildfire Protection Zones, shown as red and gold, cover about one fifth of the forest area, mostly in the northwestern half, along Highway 395 near Lee Vining, Mammoth Lakes, to the east of Bishop and to the east of Big Pine. There are a few small isolated areas in the southwestern portion on the Kern Plateau. Most of the proposed protection zones are identified as Community Wildfire Protection. There are some additional adjacent areas of gold around these and a larger gold General Wildfire Protection Zone in the northeastern portion of the forest in the Glass Mountains along the Nevada border. The current wildland intermix areas overlap in general with some portions of the proposed Wildfire Protection Zones, but cover less total area. In the Mammoth Lakes area, to the east of Bishop, and in the June Lakes area there is mostly overlap. There are other smaller dispersed areas that are shown as proposed Community Wildfire Protection Zones that currently have a larger, circular area of threat zone. Areas on the Kern Plateau, in the southwestern portion of the forest, and isolated areas in the White Mountains, were previously not mapped as Wildland-Urban Intermix Zones.

Elevational/Ecological Zone Maps

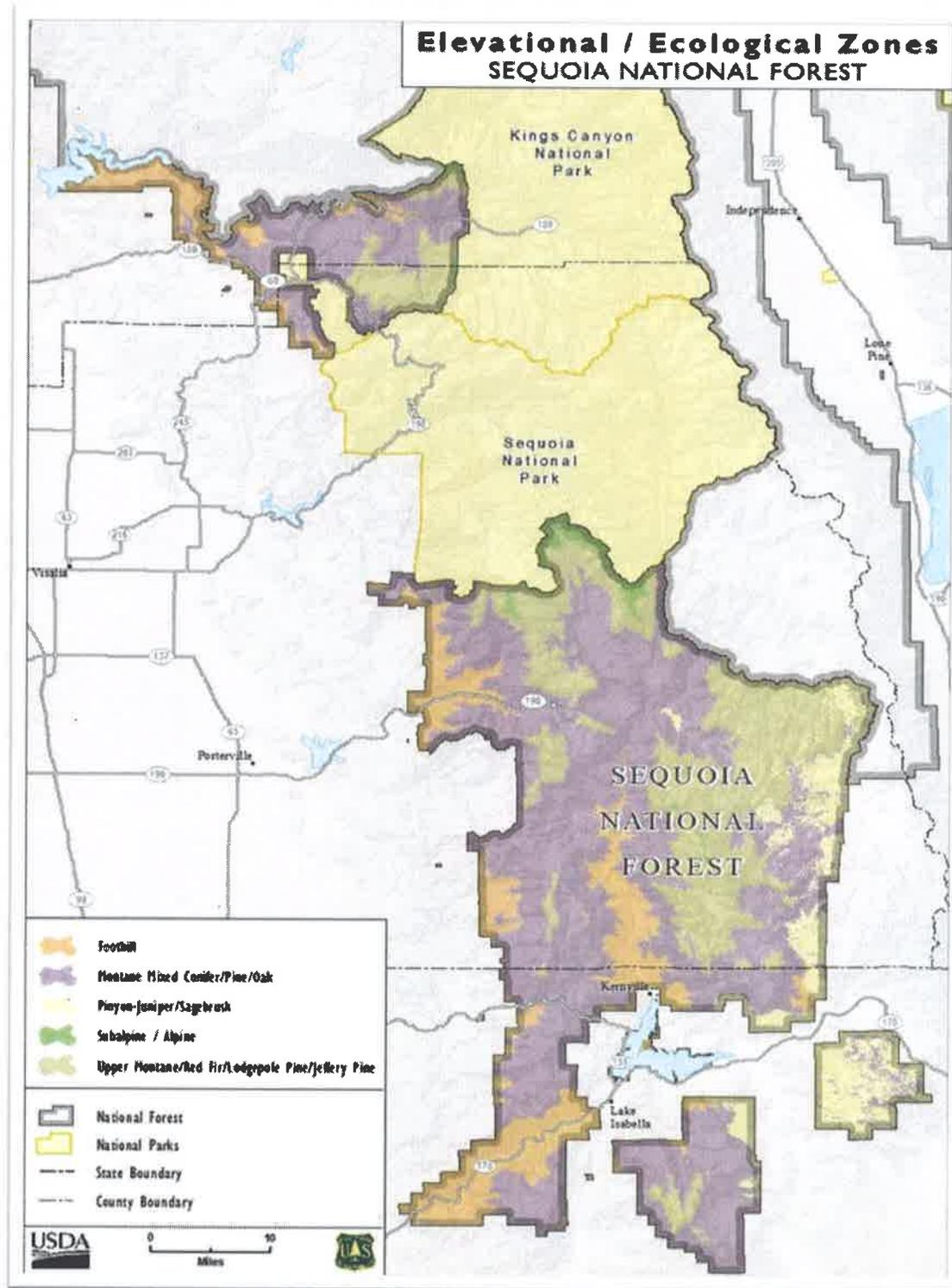
There are three maps showing the Elevational/Ecological Zones for the three national forests. The purpose of these maps is to display the areas that correspond with major categories of desired conditions for vegetation and fire. There is one map for each national forest. The legend and color scheme is the same for each and is described first. After that, a description for the Sierra, Sequoia and Inyo National Forest maps follow. These maps are in draft stage and as the plans are developed they may be refined. One of the refinements will be to add greater detail for specific vegetation types where desired conditions vary.

The legend has common vegetation types and colors for major types that are common on all three forests. There are some types that are common only to the Inyo and Sequoia National Forests, occurring in the drier areas to the east of the crest of the Sierra Nevada. These are identified below for each forest map description. The following colors are common to all maps shown in the legend: green for subalpine and alpine areas, and dark tan for upper montane red fir, lodgepole pine, and Jeffrey pine areas. On the Sierra and Sequoia National Forests, there is also a gold/tan color that depicts areas in the foothill zone at lowest elevations.



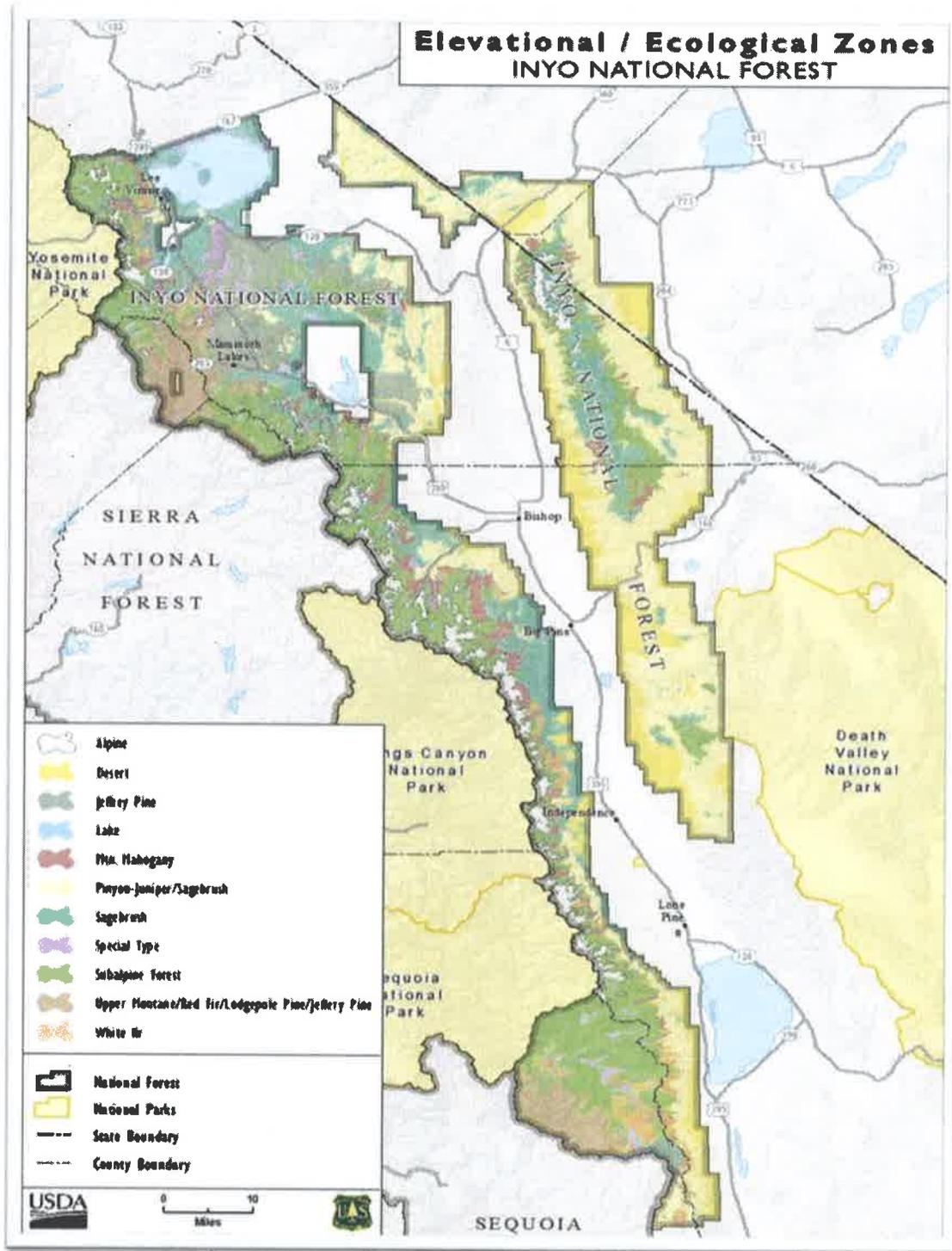
Elevational/ecological zones on the Sierra National Forest

The first map is of the elevation/ecological zones on the Sierra National Forest. The forest covers most of the map, as a general rectangular shape, leaning to the left. There is one arm that extends to the north, on the left boundary. A small portion, of the southern end of Yosemite National Park, is shown as a yellow half-moon shape in the top tenth of the map. To the east the Inyo National Forest is shown with the dividing line along the crest of the Sierra Nevada Mountain Range. To the southeast and south, Kings Canyon and Sequoia National Parks are shown in yellow. Only a small portion of the parks is shown. The foothill zone, shown in gold/tan color, covers approximately one-fifth of the western, lowest elevation portions of the forest. It extends up the San Joaquin River Canyon, about halfway into the body of the forest, in a linear shape along the canyon. The foothill area includes chaparral, blue-oak woodlands and grasslands, and live oak vegetation. To the east and higher in elevation, shown in purple is the montane mixed conifer, ponderosa pine and black oak zone. This area covers approximately one third of the forest area. Above that in elevation and to the east is the upper montane zone, shown in dark tan. Red fir, Jeffrey pine and lodgepole pine forests are the primary vegetation types in the upper montane zone. It also encompasses about one-third of the forest area. At the highest elevations, along the eastern edge, the subalpine and alpine vegetation is shown in green.



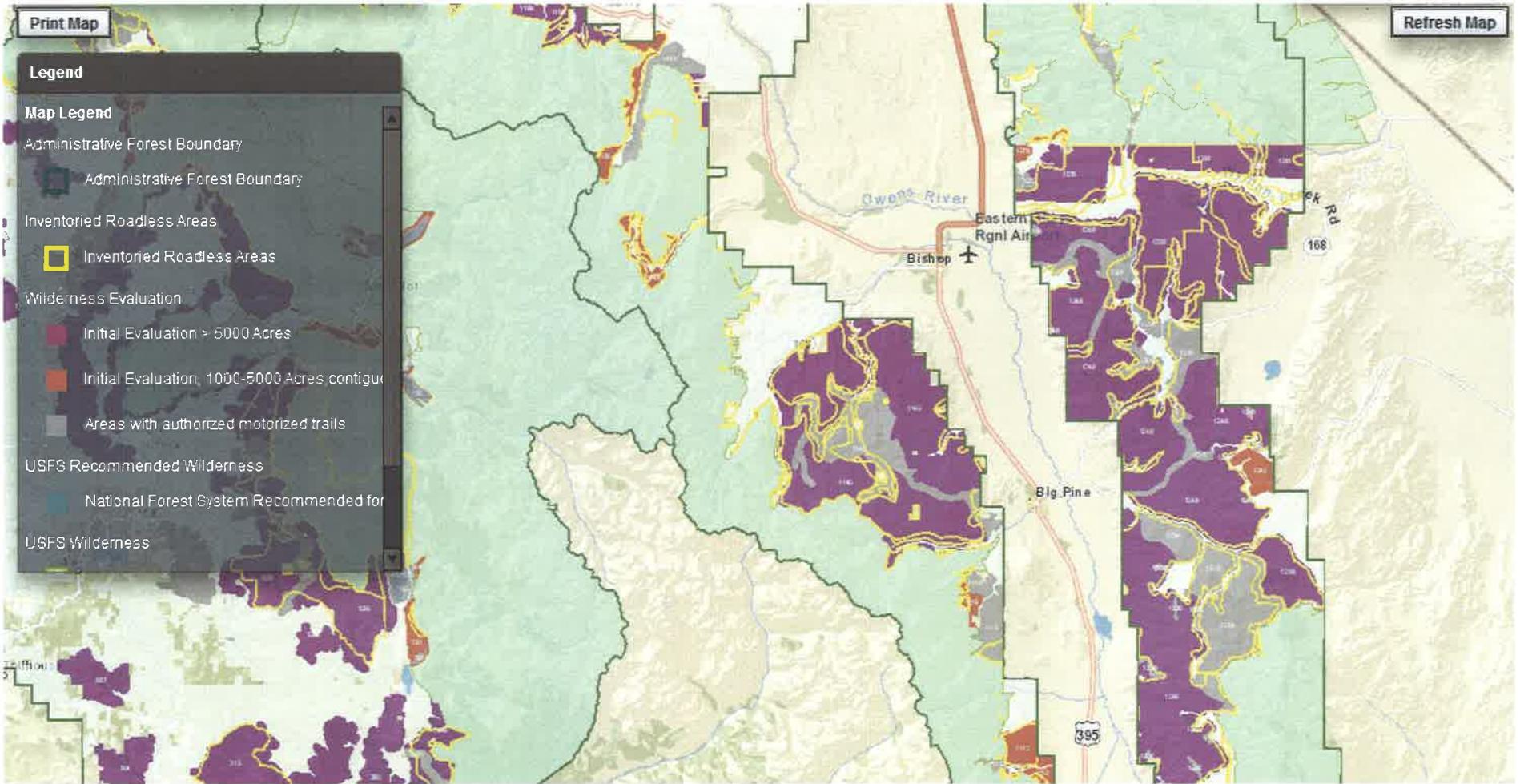
Elevational/ecological zones on the Sequoia National Forest

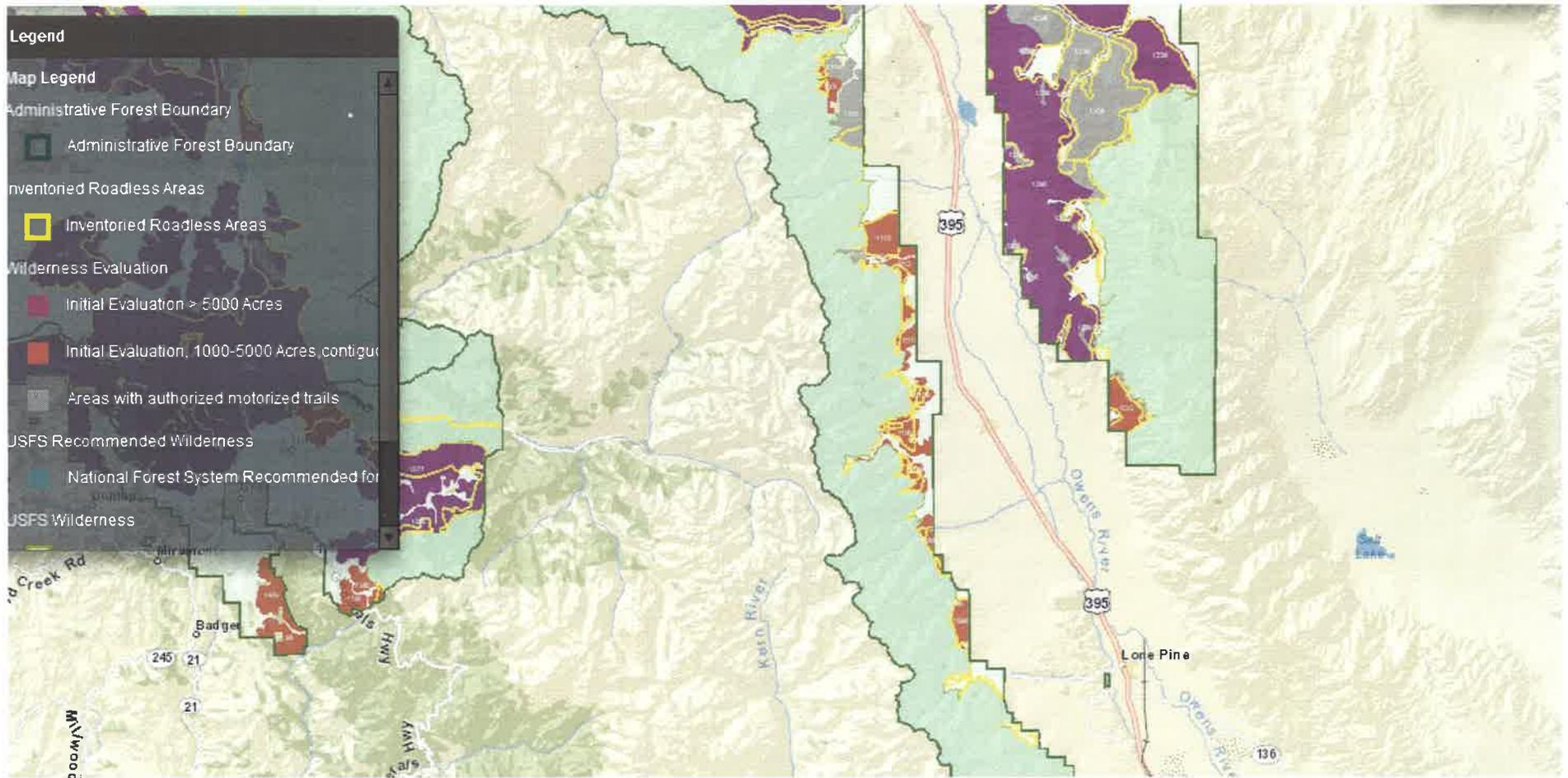
The Sequoia National Forest map has the same legend and color scheme as the Sierra National Forest. The exception is that there is an added light gray shade that covers the Giant Sequoia National Monument. The forest covers about one-third of the map area. Most of the forest area is in the lower half of the map area. It is generally an irregular rectangular area, with a linear, foot shaped area extending to the southwest. To the east, is a separate block to the south of Lake Isabella, the Paiute Mountains, and farther to the east, another smaller block, to the southeast of the forest lays the Scodie Mountains, below Highway 178 that goes east to west. The north of the forest is bounded by the Sequoia National Park, shown in yellow. There is a small piece of the Sequoia National Forest to the north of the western edge of the park, but almost all of it is within the Giant Sequoia National Monument. The Giant Sequoia National Monument occupies about one-third of the western portion of the forest. The foothills, gold/tan areas, occur as two major areas outside of the Giant Sequoia National Monument. One is along Highway 178 between Bakersfield to the west and Lake Isabella. The other area is north of Lake Isabella along the river canyon. These two areas combined comprise approximately one-tenth of the forest area. Most of the national forest is comprised of montane mixed conifer, pine (ponderosa and Jeffrey pine) and black oak vegetation types. This area, shown in purple, covers almost all of the Paiute Mountains, and all but one-third of the eastern area on the forest. In a narrow, irregular strip along the eastern boundary and much of the Scodie Mountains, Pinyon-juniper/sagebrush and other Great Basin or desert vegetation types occur. The upper Montane Red fir, Lodgepole pine, and Jeffrey pine zone occurs in a large swath from north to south across approximately one-quarter of the forest area in the eastern half. The subalpine and alpine zone occurs in a small area to the north along the border with the Sequoia National Park.

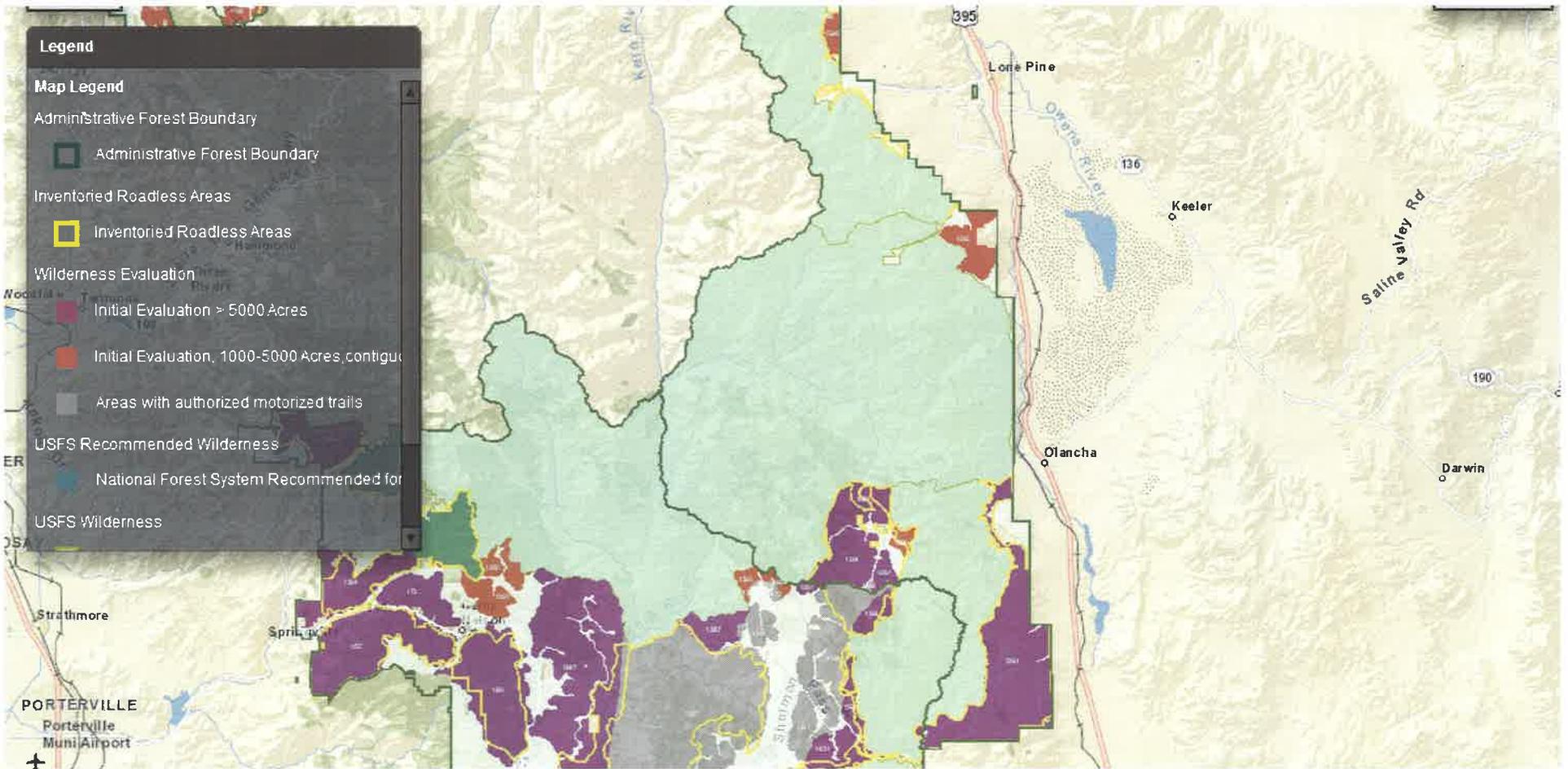


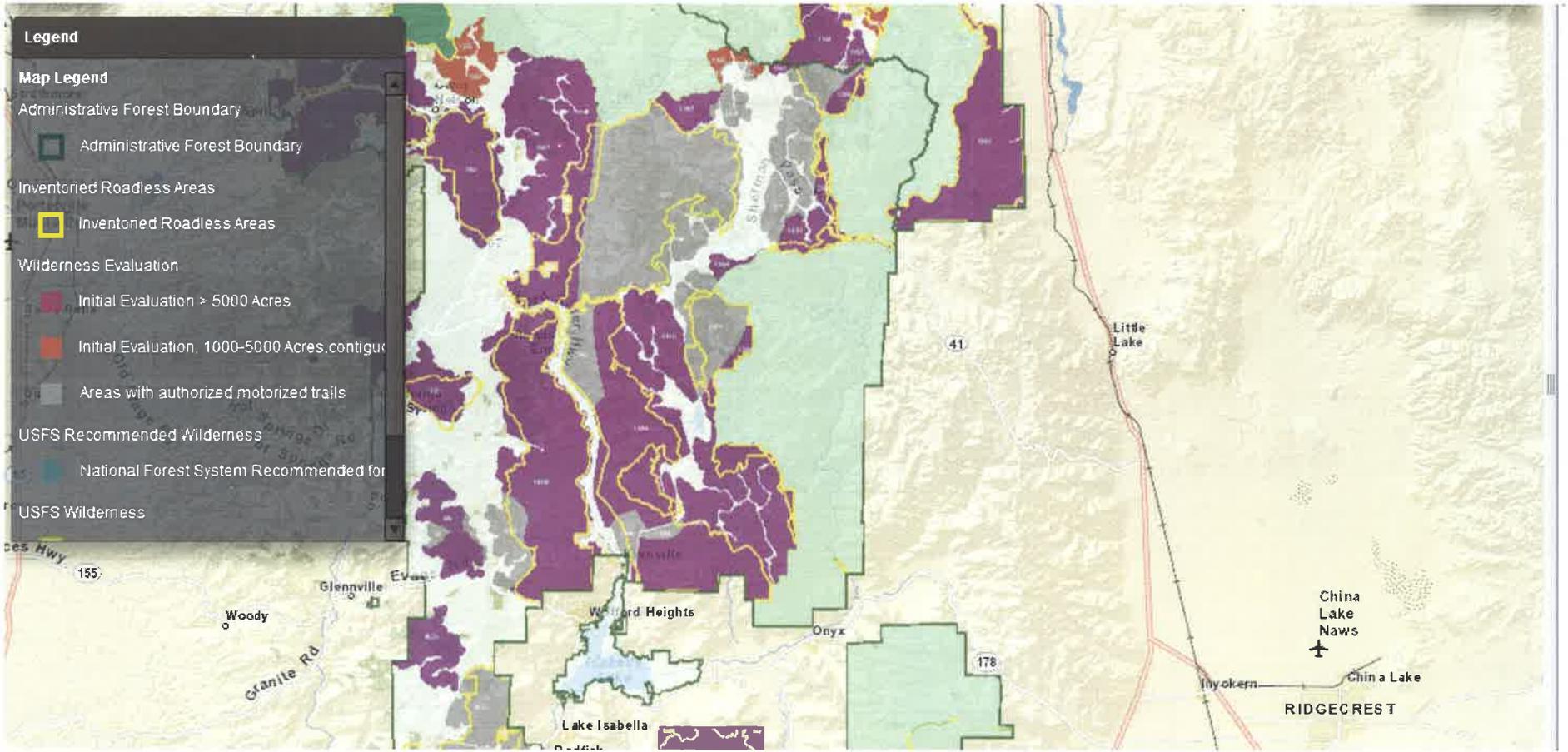
Elevational/ecological zones on the Inyo National Forest

The Inyo National Forest map has the same legend and color scheme as the Sequoia National Forest but with some additional vegetation types, found in the Great Basin on the eastern escarpment of the Sierra Nevada. These include: alpine areas shown as white patches; desert areas shown as dark yellow; Jeffrey pine shown as dark gray; mountain mahogany shown as wine red; sagebrush as aqua green; white fir as gold/tan and special types as purple. In this map, the Inyo National Forest occurs as two long, irregular, linear shapes running from northwest to southeast in the map. The western border, along the crest of the Sierra Nevada is bounded by the Sierra National Forest, the Sequoia & Kings Canyon National Park, and in the south, by the northeastern edge of the Sequoia National Forest. To the east are Owens Valley, and the eastern-most portion of the Inyo National Forest, with the north-south trending White Mountains. To the southeast is Death Valley National Park. The border between California and Nevada crosses diagonally across the upper right, one-third of the map. The vegetation on this map is more detailed than for the other two national forests because a more specific ecological unit inventory map was used. This involved photo interpretation of aerial photography, as opposed to generalized elevational rules on the other two forests. Starting with the eastern linear portion, encompassing the White Mountains, the general patterns of vegetation are as follows. Most of the White Mountain portion is covered by Pinyon-Juniper/Sagebrush vegetation. These areas are mosaics of both Pinyon-Juniper woodlands and sagebrush or both intermixed. At the eastern and western, a low elevation fringe as narrow bands, desert vegetation is shown. In the interior in a linear band, covering about one quarter of this range is a large area of high elevation sagebrush, surrounded and intermixed with smaller areas of alpine, subalpine forests, and mountain mahogany. The western half of the Inyo National Forest has some distinct patterns in the north, the center and the south. These are described separately. In the north, near Mono Lake, Lee Vining, and Mammoth Lakes, large areas of subalpine forest and upper montane forests occur along the eastern escarpment. Between Mono Lake and the east of Mammoth Lake, several large areas of Jeffrey pine occur in the flatter Great Basin topography. Intermixed and nearby are large areas of sagebrush and some smaller areas of special types. The special types represent less common plant communities found on pebble plains or alkaline flats. On the eastern portion of this part of the forest, Pinyon-Juniper and sagebrush are found. To the south of this part of the forest, a long, linear area of the forest occurs occupying about two-thirds of the total length. This occurs primarily along the eastern escarpment of the Sierra Nevada, east of Bishop, Big Pine and Lone Pine. The mountains rise steeply up and the vegetation reflects these changes. Along the eastern edge, at the lower elevations, large swaths of sagebrush and Pinyon-Juniper vegetation occur. Above that and intermixed some are regular, varied sized patches of mountain mahogany and a few small patches of white fir. There are some areas of subalpine forest but sometimes these are almost too narrow to see and there is a rapid transition to alpine vegetation. Most of these areas are directly to the east of Sequoia & Kings Canyon National Parks. The southernmost portion of the Inyo National Forest is almost circular in shape, and borders both the Sequoia National Park and the Sequoia National Forest in the Kern Plateau. Desert and then above that Pinyon-Juniper/sagebrush occur along the eastern edge. Subalpine forest covers most of the area, about two-thirds, shown as a large green patch. There are also large areas of upper montane forest and white fir, covering an estimated one-quarter of the area. Scattered within are some areas with special types, mostly along edges of large meadows.











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: Inyo Recycling and Waste Management

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Establish Pledge of Revenue for Post Closure Maintenance and Corrective Action through resolution and agreement with CalRecycle.

DEPARTMENTAL RECOMMENDATION: Request the Board approve A) a Resolution titled "A Resolution of the Inyo County Board of Supervisors, Rescinding Inyo County Resolution No. 97-24 Which Created an Enterprise Fund and Related Financial Assurance Mechanism for Closure and Postclosure Maintenance of Inyo County Landfills;" B) a Resolution titled "A Resolution of the Inyo County Board of Supervisors, State of California, Establishing Financial Assurance for Closure, Postclosure Maintenance and Corrective Action of the Inyo County Landfills;" C) the Agreement with CalRecycle to establish a Pledge of Revenue for Post Closure Maintenance and Corrective Action for Inyo County Landfills."

SUMMARY DISCUSSION: CalRecycle has determined that we must amend our Pledge of Revenue for Post Closure Maintenance to now include the cost of Corrective Action. Through County Counsel's advice we are asking your Board to rescind Resolution 97-24: "A Resolution of the Inyo County Board of Supervisors, Rescinding Inyo County Resolution No. 97-24 which created an Enterprise Fund and Related Financial Assurance Mechanism for Closure and Postclosure Maintenance of Inyo County Landfills," and to approve a resolution, that continues the Enterprise Fund for the cost of closure of the County Landfills, and pledges revenue from the Inyo Recycling and Waste Management's net revenues towards Post Closure Maintenance and Corrective Action if so needed. An Agreement Pledging of Revenue for Post Closure and Corrective Action also requires your Board's approval.

The total cost of closing all Inyo County Landfills is projected in 2014 dollars to be \$12,738,014. To ensure that the money will be available when the landfills reach their capacity the State of California requires Inyo County to establish an enterprise fund for each landfill. In 2013 Inyo County added \$112,047.31 to the closure funds. In 2014 Inyo County will be adding \$105,433 to the closure cost, which is based on the amount of waste buried in all County Landfills during fiscal year 2013-2014.

Closure Costs		
	Cost (2014 Dollars)	Annual Deposit
Bishop-Sunland Landfill	\$7,690,895	\$64,356
Independence Landfill	\$1,656,324	\$19,169
Lone Pine Landfill	\$2,348,236	\$21,908
Shoshone Landfill	\$486,820	\$0.00
Tecopa Landfill	\$555,739	\$0.00
Totals:	\$12,738,014	\$105,433

The state requires Inyo County to establish the cost of post-closure monitoring as well as the cost of potential corrective action that could occur before or after closure of the landfills. The state further requires Inyo County pledge a revenue source to ensure that the county has the funds to pay for post-closure activities for 30 years after the closure of the landfill as mandated by the state, as well as for any potential corrective action. If Inyo County fails to perform post-closure monitoring and/or corrective actions then the money that is being pledged as part of this Pledge of Revenue Agreement with CalRecycle will be used to perform these actions.

The projected cost of post-closure maintenance for all landfills combined will be \$320,311 (in 2014 dollars) per year for a 30 year period. The projected cost for all landfills requiring corrective action could be as high as \$12,669,601 over a 30 year period, this translates into a projected \$422,320 per year to perform corrective action at all of the counties landfills.

There are currently corrective action measures occurring at the Bishop-Sunland Landfill, with a total projected cost of \$939,000. In addition, there is an estimated \$159,100 spent each year in monitoring, operations and maintenance of the corrective action system being installed at the Bishop-Sunland Landfill.

It is most common for other Jurisdictions to pledge gate fees to cover the cost of post-closure maintenance and corrective actions. In fiscal-year 2012-2013 Inyo Recycling collected \$618,345 through all gate fees for trash disposal. The total amount of money the County must pledge is \$901,730 per year. Due to the gap of \$283,385 between revenues being pledged and the gate fees collected Inyo Recycling is proposing to pledge "All Net Revenue" to perform Post Closure Maintenance and/or Corrective Actions, this includes gate fees, Waste Hauler Permit Fees, and any other revenues that are collected by Inyo Recycling and Waste Management. If Post Closure Maintenance and/or Corrective actions do need to be performed then Inyo County will need to allocate funding towards these projects, funds that are not currently included in the Inyo Recycling budget.

Post Closure Maintenance Costs

Lone Pine Facility	\$59,934
Independence Facility	\$67,187
Bishop-Sunland Facility	\$99,564
Shoshone Facility	\$45,758
Tecopa Facility	\$47,866
Total	\$320,309

Corrective Action Costs

Lone Pine Facility	\$2,774,503
Independence Facility	\$2,496,296
Bishop-Sunland Facility	\$3,664,956
Shoshone Facility	\$1,879,984
Tecopa Facility	\$1,853,859
Total:	\$12,669,598

The costs shown for Post Closure Maintenance and Corrective Action are costs that Inyo Recycling and Waste Management may need to budget in the future.

Currently Inyo Recycling pays \$108,417 in taxes and fees to the State of California each year to ensure that CalRecycle, Lahontan Regional Water Quality Control Board, and the Great Basin Air Pollution Control Board have enough funds to inspect, monitor and regulate the County's landfills.

ALTERNATIVES: Your Board could choose not to approve the agreement or the resolutions for Pledge of Revenue for Post Closure and Corrective Action, but in so doing Inyo County will be in violation of State of California law that requires landfill operators/owners to demonstrate financial responsibility for closure and postclosure maintenance and corrective actions.

OTHER AGENCY INVOLVEMENT: Inyo County Auditor

FINANCING: No changes to the Integrated Waste Management Budget will be affected at this time.

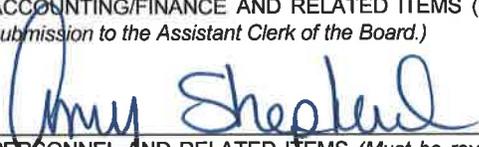
APPROVALS

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 Assistant Clerk of the Board.)*

Margaret Kemp-Williams

Approved: x Date 09/01/14

AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the Assistant Clerk of the Board.)  Approved: <u>yes</u> Date <u>9/10/14</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the Assistant Clerk of the Board.) 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)

RESOLUTION NO. _____

**A RESOLUTION OF THE INYO COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA,
RESCINDING INYO COUNTY RESOLUTION NO. 97-24 WHICH CREATED AN ENTERPRISE
FUND AND RELATED FINANCIAL ASSURANCE
MECHANISMS FOR CLOSURE AND POSTCLOSURE MAINTENANCE
OF INYO COUNTY LANDFILLS**

WHEREAS, Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance, and corrective action activities; and,

WHEREAS sections 22228 and 22241 of the Regulations specify an Enterprise Fund and Pledge of Revenue as acceptable mechanisms to demonstrate financial responsibility for financing the closure and postclosure maintenance of solid waste landfills operated by a government agency; and,

WHEREAS, the County of Inyo is a government agency;

WHEREAS, on April 15, 1997, the Inyo County Board of Supervisors adopted Resolution 97-24, creating an Enterprise Fund and related financial assurance mechanisms for closure and postclosure maintenance of Inyo County Landfills;

WHEREAS, it is the intention of the Inyo County Board of Supervisors to rescind Resolution No. 97-24 and adopt a new Resolution creating an Enterprise Fund and related financial assurance mechanisms for closure and postclosure maintenance of Inyo County Landfills with revisions requested by CalRecycle.

NOW, THEREFORE BE IT RESOLVED, by the Supervisors for the County of Inyo that resolution No. 97-24 creating an Enterprise Fund known as "Inyo County Solid Waste Fund No 0020" (Fund No. 0020) and related financial assurance mechanisms for closure and postclosure maintenance of Inyo County Landfills, adopted on April 15, 1997 be, and hereby is rescinded in its entirety, subject to all funds currently held in Fund No 0020 continuing to be held in that fund account with future funds added thereto.

PASSED AND ADOPTED by the Board of Supervisors, County of Inyo, State of California, this of _____ day
_____ 2014, by the following vote:

AYES: NOES:
ABSENT:

Chairperson Richard Pucci
INYO COUNTY BOARD OF SUPERVISORS

ATTEST: *Kevin Carunchio*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant

RESOLUTION NO. _____

**A RESOLUTION OF THE INYO COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA,
ESTABLISHING FINANCIAL ASSURANCE FOR CLOSURE,
POSTCLOSURE MAINTENANCE AND CORRECTIVE ACTION OF THE
INYO COUNTY LANDFILLS**

WHEREAS, Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance, and corrective action activities; and

WHEREAS, section 22228 and 22241 of the Regulations recognize financial assurance mechanisms that governmental entities may offer to cover the anticipated costs of closure, post-closure maintenance and corrective action of a solid waste landfill, including but not limited to Enterprise Funds and a Pledge of Revenues; and

WHEREAS, Inyo County is a California governmental entity; and

WHEREAS, section 22229 of the Regulations recognizes the use of multiple financial assurance mechanisms by one entity; and

WHEREAS section 22230 of the Regulations allows the use of one or more financial assurance mechanisms specified in Article 2, to provide financial assurance for more than one disposal facility. In that event, the amount of funds provided shall be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each solid waste landfill. In directing funds for designated activities of any of the solid waste landfill(s) covered by the mechanism(s), only the amount of funds designated for that activity at that solid waste landfill may be used;

WHEREAS sections 22228 and 22241 of the Regulations specify an Enterprise Fund as an acceptable mechanism to demonstrate financial responsibility for financing the closure of a solid waste landfill; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for financing postclosure maintenance and/or corrective action costs of a solid waste landfill; and

WHEREAS, Inyo County and CalRecycle previously determined in 1997 that Inyo County would be best served by the use of two financial assurance mechanisms to fund closure and postclosure maintenance:

- A. An Enterprise Fund; and
- B. A Pledge of Revenues

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Inyo that:

1. The County of Inyo operates the solid waste landfills listed below, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permits issued by, Inyo County Environmental Health Services Department serving as Local Enforcement Agency for the California Department of Resources Recycling and Recovery (CalRecycle):

Lone Pine Facility	No.	14-AA-0003
Independence Facility	No.	14-AA-0004
Bishop-Sunland Facility	No.	14-AA-0005
Shoshone Facility	No.	14-AA-0006
Tecopa Facility	No.	14-AA-0007

2. The County determines it continues to be in its best interest to use two financial assurance mechanisms:

- a. An Enterprise Fund to fund closure; and
- b. A Pledge of Revenues to fund corrective action and post-closure maintenance.

ESTABLISHMENT/CONTINUANCE OF ENTERPRISE FUND "INYO COUNTY SOLID WASTE
FUND NO 0020"

3. The County Administrator in conjunction with the Director of Inyo County's Integrated Waste Management Program is authorized and directed to establish and maintain an Enterprise Fund for closure of the Inyo County Landfills identified in paragraph 1 in accordance with 27 CCR sections 22228 and 22241.
4. The Director of Inyo County's Integrated Waste Management Program is further directed to deposit net revenue received from the operation of the identified solid waste landfills into the Enterprise Fund referenced in paragraph 1 above maintaining an account balance for each landfill equal to or exceeding the amount required to be maintained by 27 CCR section 22225,
5. The Enterprise fund was and shall continue to be titled the "Inyo County Solid Waste Fund No. 0020". This fund shall be used only to pay for closure of the Inyo County Landfills.
6. Within Inyo County Solid Waste Fund No. 0020, the funds shall be deposited and retained by the Treasurer of the County of Inyo in individual closure accounts to be used first only for closure of each of the separate Inyo County Landfills. The separate closure accounts are identified with the names of each of the separate landfills listed above in paragraph number 1.
7. The Inyo County Auditor will provide that each individual account be credited with the interest revenue earned by that account.
8. The Enterprise Fund shall be and remain inviolate against all other claims, including claims of the County of Inyo or its Board of Supervisors or the creditors thereof, it being the intent of this Resolution that the mechanism established will provide equivalent protection to a trust fund by ensuring:
 - a. The assured amounts of funds will be available in a timely manner for closure of the Inyo County Landfills; and
 - b. Payments from the Fund shall be made by the Treasurer, as directed by the Department of Resources Recycling and Recovery (CalRecycle), in writing, for the payment of the costs of closure covered by this resolution.
9. Disbursement of funds for closure shall be in accordance with section 22234 of the Regulations and as prescribed in section 8.b. above.
10. The Enterprise Fund shall be invested by the Treasurer in the manner provided by law.
11. In the event CalRecycle determines that the County of Inyo has failed, or is failing, to perform closure as required by law, CalRecycle may direct the Auditor-Controller to pay to the Director of Inyo County's Integrated Waste Management Program from the Closure Fund sufficient funds to ensure closure, who then shall be obligated to use such funds for closure in accordance with the directives of CalRecycle.
12. The Director of Inyo County's Integrated Waste Management Program is directed to produce an annual report for transmittal to CalRecycle, containing the following information concerning the Inyo County Landfills:
 - a. As appropriate, a revised closure cost estimate, prepared as specified by Section 21820 of the Regulations; and
 - b. A report on the status, including current balance of the Inyo County Landfills Enterprise/Closure Fund.

PLEDGE OF REVENUE

13. The County of Inyo shall further execute a Pledge of Revenue to demonstrate financial responsibility for postclosure maintenance and corrective action of the above listed landfills in accordance with 27 CCR sections 22228 and 22245.
14. Disbursement of funds for postclosure maintenance and/or corrective action shall be in accordance with the final plan(s), as approved by CalRecycle.
15. In the event CalRecycle determines that the County of Inyo has failed, or is failing, to perform postclosure maintenance and/or corrective action as required by law, CalRecycle may direct the Auditor-Controller to pay to the Director of Inyo County Integrated Waste Management Program from the pledged revenues sufficient funds to ensure postclosure maintenance and/or corrective action, who then shall be obligated to use such funds for postclosure maintenance and/or corrective action in accordance with the directives of CalRecycle.
16. The Director of Inyo County's Integrated Waste Management Program is directed to produce an Annual Certification Report (CalRecycle Form 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledged revenue continues to be available when needed and will cover the cost estimates identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that the Resolution and Pledge of Revenue Agreement are not required annually, unless amended

PASSED AND ADOPTED by the Board of Supervisors, County of Inyo, State of California, this ____ day of ____ 2014, by the following vote:

AYES: NOES: ABSENT:

Chairperson Richard Pucci
INYO COUNTY BOARD OF SUPERVISORS

ATTEST: Kevin Carunchio
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant

**PLEDGE OF REVENUE AGREEMENT FOR POSTCLOSURE
MAINTENANCE AND CORRECTIVE ACTION INYO COUNTY LANDFILLS**

This agreement establishes a Pledge of Revenue to assure that adequate funds are available to carry out the Postclosure Maintenance and Corrective Action of the following Inyo County Landfills:

Lone Pine Facility	No.	14-AA-0003
Independence Facility	No.	14-AA-0004
Bishop-Sunland Facility	No.	14-AA-0005
Shoshone Facility	No.	14-AA-0006
Tecopa Facility	No.	14-AA-0007

This Agreement shall become effective immediately, and is made and entered into by and between the County of Inyo and the California Department of Resources Recycling and Recovery (CalRecycle).

WHEREAS, Public Resources Code, sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Subdivision 2, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance, and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for postclosure maintenance and corrective action costs of a solid waste landfill operated by a governmental entity; and

WHEREAS, Inyo County, a California public entity, operates the above listed landfills in conformance with the findings, conditions, prohibitions and requirements contained in each of the landfill permits; and,

WHEREAS, the permits issued to the Inyo County Landfills listed above were issued by the Environment Health Services Department for the County of Inyo; and,

WHEREAS, the Environmental Health Services Department for the County of Inyo acts as the Local Enforcement Agency ("LEA") for CalRecycle; and,

WHEREAS, the County of Inyo is pledging net revenues and a portion of tipping fees and investment earnings from funds held in the Inyo County Enterprise Fund: "Inyo County Solid Waste Fund No 0020;" and,

WHEREAS, Inyo County has determined that the projected net revenues from identified sources during the state mandated period of postclosure maintenance identified in Public Resources Code Section 43509(a) and section 21900 of the Regulations and during the corrective action period, shall, during each year of these periods, be equal or greater than the yearly monitoring and postclosure maintenance and corrective action costs contained in the most recent cost estimates for the Inyo County Landfills, which have been submitted to CalRecycle in accordance with sections 21840 and 22101 of the Regulations.

AGREEMENT

NOW THEREFORE, the County of Inyo and CalRecycle do agree as follows;

1. The County of Inyo hereby establishes a pledge of revenue to demonstrate financial responsibility for postclosure maintenance and corrective action costs of the Inyo County Landfills in accordance with 27 CCR sections 22228 and 22245 in the amounts shown in Exhibit "A", which is attached hereto and incorporated into this Agreement by this reference.
2. The County of Inyo agrees to pledge net revenues and a portion of investment revenues from the Inyo County Solid Waste Fund No. 0020 as described herein.

3. The amount of the pledged revenue shall be equal to \$320,310 per year for each year of state mandated period of postclosure maintenance (Exhibit A), representing the most recent monitoring and postclosure maintenance cost estimate for the Inyo County Landfills. It is agreed that the amount of this pledge may increase or decrease to match any adjustment to the identified cost estimate, which is mutually agreed to by the County of Inyo and CalRecycle.

4. The amount of the pledged revenue shall be equal to \$422,320 per year for the estimated length of the reasonably foreseeable corrective action period, representing the most recent reasonably foreseeable corrective action cost estimate for the Inyo County Landfills (Exhibit A). It is agreed that the amount of this pledge may increase or decrease to match any adjustment to the identified cost estimate, as approved by the CalRecycle, LEA and RWQCB, as applicable.

5. If the County of Inyo ceases at any time to retain control of its ability to allocate the pledged revenue as identified herein to pay postclosure maintenance costs and/or corrective action costs, the County of Inyo shall notify CalRecycle and the local enforcement agency and shall obtain alternate coverage within sixty (60) days after the control of funds lapses, pursuant to section 22245 of the Regulations.

6. In the event that CalRecycle, RWQCB or LEA staff determines that the County of Inyo has failed, or is failing, to perform postclosure maintenance and/or corrective actions as required by law, CalRecycle, RWQCB and/or LEA staff shall confer with the County of Inyo and attempt to resolve the alleged violation. If no agreement is reached, the matter shall be presented to CalRecycle which shall give reasonable notice, hold a public hearing, and consider the testimony and documentation submitted by the CalRecycle and/or LEA staff, the County of Inyo, and any interested parties, prior to making a determination in the matter. In the event CalRecycle then determines that the County of Inyo has failed, or is failing, to perform postclosure maintenance and/or corrective action as required by law, CalRecycle may direct the Auditor-Controller to pay the Director of Inyo County Integrated Waste Management Program from the pledged revenues sufficient funds to ensure postclosure maintenance and/or corrective action, who then shall be obligated to use such funds for postclosure maintenance and/or corrective action in accordance with the directives of CalRecycle and RWQCB.

IN WITNESS HEREOF, the parties have executed this agreement on the date as set forth below. By County

this _____ day of _____, 2014

By CalRecycle this _____ day of _____, 2014

STATE OF CALIFORNIA
Department of Resources Recycling and Recovery

By: _____
 Authorized Officer of CalRecycle

APPROVED AS TO FORM
 AND PROCEDURE:

By: _____
 Authorized Counsel of the CalRecycle

COUNTY OF INYO

By: _____
Deputy County Administrative Officer

APPROVED AS TO FORM
 AND PROCEDURE:

By: _____
 County Counsel

EXHIBIT "A"

Attachment to Pledge of Revenue Agreement Dated _____, 2014, Between the County of Inyo and the California Department of Resources Recycling and Recovery (CalRecycle).

The Annual postclosure maintenance cost estimate for all Inyo County Landfills is set forth on an individual basis as follows:

Lone Pine Facility	No.	14-AA-0003	\$59,934
Independence Facility	No.	14-AA-0004	\$67,187
Bishop-Sunland Facility	No.	14-AA-0005	\$99,564
Shoshone Facility	No.	14-AA-0006	\$45,758
Tecopa Facility	No.	14-AA-0007	\$47,866
			<hr/>
Total			\$320,309

The Corrective Action Cost estimate for all Inyo County Landfills is set forth on an individual basis as follows:

Lone Pine Facility	No.	14-AA-0003	\$2,774,503
Independence Facility	No.	14-AA-0004	\$2,496,296
Bishop-Sunland Facility	No.	14-AA-0005	\$3,664,957
Shoshone Facility	No.	14-AA-0006	\$1,879,985
Tecopa Facility	No.	14-AA-0007	\$1,853,859
			<hr/>
Total:			\$12,669,598



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 14

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

FROM: County Administrator

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: County's response to the 2013-2014 Grand Jury Final Report

DEPARTMENTAL RECOMMENDATION: Request Board approve the report to Judge Brian Lamb, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2013-2014 Grand Jury Final Report and authorize the County Administrator to sign the transmittal letter.

SUMMARY DISCUSSION: The Inyo County Grand Jury has issued its 2013-2014 Grand Jury Final Report. As in the past, the Board's response is organized in such a manner that all findings and recommendations requiring a response by the County/Board of Supervisors have been addressed.

Section 933 of the Penal Code identifies who and how the County and other elected officials respond to the Grand Jury Reports. The Board of Supervisors, as the governing body responds to the items under its control, i.e., Probation, Town Water Systems, etc. Every elected county officer also has a responsibility under the code to provide comment, as requested by the Grand Jury, to the Presiding Judge of the Superior Court, with an information copy being sent to the Board of Supervisors. The Sheriff, has responded and forwarded a copy of his individual response to the Board of Supervisors, a copy of which is attached.

As in year's past, this year's County response is limited to only those items required by State Statute to be responded to by the Board of Supervisors.

ALTERNATIVES: Your Board could direct Staff to change any one or all of the responses.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: There is no fiscal impact associated with this report.

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:
 (Not to be signed until all approvals are received) _____ Date: 9-11-14
 (The Original plus 20 copies of this document are required)



BOARD OF SUPERVISORS COUNTY OF INYO

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

MEMBERS OF THE BOARD
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Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

September 16, 2012

The Honorable Brian Lamb
Presiding Judge, Inyo County Superior Court
Inyo County Courthouse
Independence, CA 93526

SUBJECT: 2013-2014 Grand Jury Final Report

Dear Judge Lamb:

On behalf of the Board of Supervisors, I would like to take this opportunity to thank the members of the 2013-2014 Grand Jury for their important and thoughtful work in preparing 2013-2014 Grand Jury Final Report. The County appreciates these dedicated citizens' commitment to trying to effect positive and constructive improvements to the way our local government functions.

Enclosed is the County of Inyo's response to the Report. As with the County's responses to Final Grand Jury Reports in years past, this response follows Penal Code Section 933.05(a) Responses to findings (copy included). The County's response is limited to only those items required by State Statute.

In closing, I want to again express the County's appreciation for the Jury's efforts to identify ways in which the County may improve its operations in support of its efforts to maintain services to our constituency.

Sincerely,

Kevin D. Carunchio
County Administrator

KC
cc: Inyo County Board of Supervisors

§ 933.05. Responses to findings

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer,

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agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

(Added by Stats.1996, c. 1170 (S.B.1457), § 1. Amended by Stats.1997, c. 443 (A.B. 829), § 5.)

Historical and Statutory Notes

Stats.1997, c. 443 (A.B.829), in subds. (a) and (b), in the introductory paragraphs, substituted "(b)" for "(c)"; in subd. (b)(3), substituted "head" for "director"; in subd. (c), inserted "agency or" throughout; inserted subd. (e), relating to investigations and meetings with the grand jury; and, in subd. (f), substituted "presiding" for "supervising".

Cross References

"Grand jury" defined, see Penal Code § 888.
Words and phrases, "county", see Penal Code § 691.

Research References

Encyclopedias

Recommendations and Reporting, Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 601.
Responses to Findings, Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 602.

Treatises and Practice Aids

4 Witkin Cal. Crim. L. 3d Intro. to Crim. Proc. § 40, (S 40) Reports.

§ 933.06. Vacancies on grand jury; report submitted by unanimous vote of remaining jurors; conditions

(a) Notwithstanding Sections 916 and 940, in a county having a population of 20,000 or less, a final report may be adopted and submitted pursuant to Section 933 with the concurrence of at least 10 grand jurors if all of the following conditions are met:

(1) The grand jury consisting of 19 persons has been impaneled pursuant to law, and the membership is reduced from 19 to fewer than 12.

(2) The vacancies have not been filled pursuant to Section 908.1 within 30 days from the time that the clerk of the superior court is given written notice that the vacancy has occurred.

(3) A final report has not been submitted by the grand jury pursuant to Section 933.

(b) Notwithstanding Section 933, no responsible officers, agencies, or departments shall be required to comment on a final report submitted pursuant to this section.

(Added by Stats.1994, c. 1085 (S.B.1465), § 1. Amended by Stats.2001, c. 854 (S.B. 205), § 40.)

Historical and Statutory Notes

Stats.2001, c. 854 (S.B.205) made technical revisions and nonsubstantive changes to maintain the Code.

Cross References

"Grand jury" defined, see Penal Code § 888.
Words and phrases, "county", see Penal Code § 691.

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GRAND JURY PROCEEDINGS

Title 4

Flood Control Dist. (App. 1941) 42 Cal.App.2d 622, 109 P.2d 992. Levees And Flood Control

Where a grand jury and the county board of supervisors ratified a suit brought by the district attorney against a county treasurer and his

sureties to recover money fraudulently converted, the fact that such suit was instituted without authority of such board or any other official was not ground for dismissal thereof. People v. Madden (1901) 133 Cal. 347, 65 P. 741. Counties

§ 933. Findings and recommendations; copies of final report; comment of governing bodies, elective officers, or agency heads; definition

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

(Added by Stats.1961, c. 1284, p. 3064, § 1. Amended by Stats.1963, c. 674, p. 1678, § 1; Stats.1974, c. 393, p. 977, § 6; Stats.1974, c. 1396, p. 3054, § 3; Stats.1977, c. 107, p. 539, § 6; Stats.1977, c. 187, p. 709, § 1; Stats.1980, c. 543, p. 1499, § 1; Stats.1981, c. 203, p. 1126, § 1; Stats.1982, c. 1408, p. 5365, § 5; Stats.1985, c. 221,

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**COUNTY RESPONSE
2013-2014 INYO COUNTY GRAND JURY REPORT**

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COUNTY RESPONSE
2012-13
INYO COUNTY GRAND JURY FINAL REPORT
COUNTY JAIL

Finding – “1) The control panel in the tower is obsolete and parts are hard to obtain.”

COUNTY RESPONSE – Agree.

Finding – “2) AB109 has impacted the number of inmates, the amount of time served by inmates, and the type of inmate in the jail.”

COUNTY RESPONSE – Agree.

Finding – “3) It is difficult to separate inmates according to violation, institutional experience, and medical condition. The facility has very limited single bed cells to accommodate inmate separation.”

COUNTY RESPONSE – Agree.

Finding – “4) Attorneys do not meet with inmates at the jail before trials. Jury trials are often postponed or cancelled at the last minute.

COUNTY RESPONSE – Agree.

Recommendation – “1) Update the control panel in the tower within the next fiscal year.”

COUNTY RESPONSE – This recommendation will not be implemented because it is not warranted – *Because the Grand Jury's recommendation is to update the tower control panel within the next fiscal year, this is an unreasonable recommendation to commit to in the next nine (9) months. As the County strives to reach a balanced budget, all projects like this are considered and prioritized based on the recommendation of the department head, working with the County Administrator and Public Works, and within the budgetary confines of the County. As reported by the Sheriff, the Jail Commander will be evaluating the requirements of this upgrade and it is expected that this will occur in consultation with the County Administrator and Public works. The Board of Supervisors will consider the project for prioritization should it be recommended and the appropriate funding is identified by the staff.*

Recommendation – “2) Assess the cost of single cell construction within the next budget year.”

COUNTY RESPONSE – This recommendation will not be implemented because it is not warranted – *As reported by the Sheriff his department will explore the feasibility of this request, per County Code. Projects like this need to be coordinated with the County Administrator who will also rely on Public Works Department input. The Board of Supervisors will consider the results of this recommendation should a project be recommended and funding is identified.*

Recommendation – “3) In order to save time and money, within the next year, Superior Court judges should establish procedures requiring attorneys to meet with inmates at the jail, prior to set court dates.”

COUNTY RESPONSE - ***This recommendation will not be implemented because it is unreasonable*** – *The Board of Supervisors has no authority over the Superior Court of the State of California Court County of Inyo or its Superior Court Judges, and therefore has no authority to require the Judges to establish procedures for Court operations. The Board of Supervisors supports the Sheriff in his response that his staff is available and willing to work with the Judges and attorneys to accomplish this recommendations.*

COUNTY RESPONSE
2013-14 INYO COUNTY GRAND JURY REPORT
INYO COUNTY JUVENILE DETENTION FACILITY

Finding – “1) The “Sally Port” and employee parking areas are not secured.”

County Response: - Agree.

Finding – “2) Key entry on exterior doors would allow unauthorized access with duplicated keys.

County Response: - Agree - However there are policies in place that prohibit the keys from leaving the facility. Keys are accounted for at the end of each shift.

Finding – “3) Storage areas are not available for visitor’s personal belongings.”

County Response: - Partially Disagree - While there are no lockers in the lobby available for visitors, there is a secure location offered to visitors for the storage of their personal belongings.

Finding – “4) Doors entering and exiting the visiting area open simultaneously, allowing the potential for escape by detained juveniles.”

County Response: - Agree - However since the Grand Jury’s inspection on December 4, 2013, this issue has been resolved.

Finding – “5) Surveillance in some areas of the facility is inadequate.”

County Response: - Disagree wholly - While the new camera system does have some blind spots, staff are trained to provide safety and security of the minors at all times. Minors are never out of staff sight when out of their rooms, and consistently checked on while they are in their rooms.

Finding – “6) The control panel and computers in the work-station area are outdated.”

County Response: - Agree - The control panel has not been updated since 1995, however the safety and security components have been maintained by staff and continue to work as designed. The computers are part of the County’s Tech Refresh Program and will be replaced accordingly.

Finding – “7) There is a lack of trained substitutes for current staff. Retired law enforcement personnel are not allowed to work as substitutes in the juvenile facility due to current retirement policies.”

County Response: - Agree - The hiring of staff has been difficult in recruiting efforts. Until laws change, retired personnel from the same retirement system are not allowed, even for part-time work.

Recommendation – “1) For greater security, enclose the fencing around the Sally Port and employee parking area within the next budget cycle.”

County Response: - ***This recommendation will not be implemented because it is not reasonable*** – The Grand Jury’s recommendation that fencing around the “Sally Port” and the employee parking area be enclosed within the next budget cycle makes this an unreasonable recommendation to commit to in the next nine (9) months. The Board of Supervisors has the budget authority for this facility and projects are prioritized based on recommendations from the department head, working with the County Administrator and Public Works. The funding for prioritized projects is evaluated by the Board on a countywide basis. As the County is facing on-going budget challenges, the Board of Supervisors expects to proceed cautiously regarding funding for non-mandated services and/or projects.

The Chief Probation Officer has reported in the past that Juvenile Halls throughout the State do not have secure employee parking areas and reported again this year that a “Salle Port” area is not a mandatory component of a County Juvenile Detention Facility. Additionally, the Chief Probation Officer reports that while it would be a nice addition to the Juvenile Center, there have not been any incidents in the past due to the lack of fencing around the “Sally Port.” There is no funding budgeted for this project, however, the Juvenile Center, as reported by the Chief Probation Officer, is working with service groups in an effort to find a solution to help fund this project.

Recommendation – “2) Update all exterior doors to a keyless system within the next budget cycle.”

County Response: - ***This recommendation will not be implemented because it is not warranted*** – The Juvenile Center has been undergoing security and technology upgrades for the past two (2) years. Phase III of the upgrades will be completed Fiscal Year 2014-2015.

Recommendation – “3) Install lockers in lobby area to secure visitors’ personal possessions within the year.”

County Response: - ***This recommendation will not be implemented because it is not warranted*** – The Juvenile Center already offers a secure location for visitors’ personal belongings, even though there are no lockers in the lobby. If this project is requested in a future budget by the department, the Board of Supervisors may reconsider this recommendation in the future, depending on funding.

Recommendation – “4) Install synchronized doors and one-way, shatterproof glass in visitors’ area within the next budget cycle.”

County Response: - ***This recommendation will not be implemented because it is not warranted*** – The visitor room doors currently have synchronized keyless entry. The glass in the visitor area is reinforced and approved by the State. The Chief Probation Officer is not recommending the installation of one-way glass because it will create a safety and security issue.

Recommendation – “5) Install surveillance cameras to monitor 100% of the facility blind spots.”

County Response: - ***This recommendation will not be implemented because it is not warranted*** – *The Juvenile Center has been undergoing security and technology upgrades for the past two (2) years. Phase III of the upgrades will be completed fiscal year 2014-2015.*

Recommendation – “6) Upgrade control panel and computers in the work-station within the next budget cycle.”

County Response: - ***This recommendation will not be implemented because it is not warranted*** – *The Juvenile Center has been undergoing security and technology upgrades for the past two (2) years. Phase III of the upgrades will be completed fiscal year 2014-2015.*

Recommendation – “7) Modify policy to allow retired law enforcement personnel to return to part-time active participation.”

County Response: - ***This recommendation will not be implemented because it is unreasonable*** – *This is not a County policy. This is the State of California retirement system law that the County of Inyo has no control over.*

Commendation – “1) Keith Bright School’s staff are commended for their dedication and hard work.”

County Response: - ***Agree with this commendation*** – *The Board of Supervisors is pleased to join with the Grand Jury in commending not only the Keith Bright School staff, but all of the administrators, supervisors, group counselors, support staff, and cooks, at the Juvenile Center for their dedication and hard work to keep the youth, detained at the Juvenile Center, safe and secure.*

COUNTY RESPONSE
2013-14
INYO COUNTY WATER SYSTEMS
LONE PINE, LAWS, AND INDEPENDENCE

Finding – “1) The \$2.6 million forwarded from LADWP to Inyo County as part of the water systems Lease agreement in 2000 has been exhausted. This money was used for standard upgrades, maintenance, and administrative costs related directly to the water systems.”

COUNTY RESPONSE – Agree.

Finding – “2) The Lone Pine and Independence water districts have net positive budget balances.

COUNTY RESPONSE – Partially Agree. *The County does agree that the Lone Pine and Independence town water system budget units have available operating fund balances and upgrade fund balances. Additionally, both systems currently have structurally balanced operating budgets. It should be noted, however, that Lone Pine and Independence water districts do not exist. The town water systems are owned and operated by the County using different budget units for accounting purposes.*

Finding – “3) The Laws water system functions at an annual budget deficit, requiring a County budget contribution to the system averaging slightly over \$7,000 per year for the last six years.”

COUNTY RESPONSE – Agree. *Although this year’s (FY2014-2015) General Fund contribution is much less.*

Finding – “4) The annual supplement to the Laws water system is paid by Inyo County taxpayers.”

COUNTY RESPONSE – Agree.

Finding – “5) All three water systems are old, with some infrastructure dating back to the 1920s, and, thus, have the potential for serious financial obligations as it relates to repairs, replacements, and upgrades.”

COUNTY RESPONSE – Agree.

Recommendation – “1) Local control of water systems should be run on a "for profit" basis to eliminate the burden to the county budget and other taxpayers.”

COUNTY RESPONSE – This recommendation will not be implemented because it is not reasonable – *As a matter of record, California law prohibits jurisdictions, in most instances, from making a profit. However, the County believes the town water systems should be operated to provide for competent operation and maintenance, a reasonable operating reserve, and generation of an appropriate capital replacement fund without subsidy. The implementation of this type of operation has begun.*

Recommendation – “2) In developing its annual budget, the Inyo County Board of Supervisors will develop and submit a plan of water rate adjustments to eliminate annual supplements from the county budget to systems operated under Inyo County jurisdiction.”

COUNTY RESPONSE – ***This recommendation will not be implemented because it is not reasonable*** – *The Board of Supervisors has begun a new operational regimen for the town water systems. This includes additional effort and resources from County staff, as well as an operating contract for a new scope of work with a new contract operator. This new operational regimen will require substantial analysis and study prior determining what, if any, rate adjustments are necessary to achieve the goal identified in this recommendation. This cannot be accomplished in the six month time frame identified in Penal Code Section 933.05(b)(3).*

Recommendation – “3) Water system management services will submit a five-year plan of upgrades and replacements, based on an in-depth study of all county water operations, by its next annual report.”

COUNTY RESPONSE – ***This recommendation will not be implemented because it is not reasonable*** – *Inyo County provides management of the town water systems. To that end, the County has hired a contractor to perform a specific scope of work as a component of this overall management of the water systems. This is substantially different than the scope of work performed by the previous contract operator. We agree that in-depth study of all facets of the management of the town water systems needs to be completed and that short, medium and long-term capital improvement plans need to be put in place. However, this cannot be completed in the time frame identified in the recommendation nor the six month time frame identified in Penal Code Section 933.05(b)(3).*

Recommendation – “4) The Inyo County Public Works Department and Wilder/Barton Water Management Services should seek out the availability of, and apply for, any water grants that may be available for the purpose of upgrading and maintaining water systems within Inyo County.”

COUNTY RESPONSE - ***This recommendation has been implemented*** - *The County Public Works Department has, and will continue to, seek out and apply for grants that may be available for the purpose of upgrading and maintaining the town water systems. The County will coordinate with Wilder Barton, Inc. as contractor operator, and to the extent required by their scope of work, to assist in seeking out and applying for such grants.*

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

RECOMMENDATIONS:

R1. – Update the control panel in the tower within the next fiscal year.

Response – Agree. The Jail Commander will be talking with vendors and County maintenance staff to determine cost and technology needs. This panel may well affect other infrastructure at the facility.

R2. – Assess the cost of single cell construction within the next budget year.

Response – Agree. I will have the Jail Commander look into this recommendation. However, the cost to renovate the facility may not be affordable and may cut our capacity numbers at a time when capacity is needed.

R3. – In order to save time and money, within the next year, Superior Court judges should establish procedures requiring attorneys to meet with inmates at the jail, prior to set court dates.

Response – Agree. My staff is available and willing to work with the Judges and attorneys to accomplish this recommendation.

I also received a copy of the California Department of Corrections and Rehabilitation, Owens Valley Conservation Camp #26, inspection and Findings and Recommendations. I am unable to respond to any findings or recommendations of this facility as our department has no jurisdiction or oversight. Our Department maintains an excellent working relationship with CDCR and Cal-Fire and is willing to assist in any way possible.

Again thank you for your service and if you have any questions or need further information, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "William R. Lutze".

William R. Lutze, Sheriff

C: Inyo County Board of Supervisors

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

July 24, 2014

Inyo County Grand Jury
Honorable Brian J. Lamb, Presiding Judge
P.O. Drawer U
Independence, CA. 93526

RECEIVED
2014 JUL 30 AM 8:00
INYO COUNTY
ADMINISTRATIVE
CLERK OF COURSE

Dear Judge Lamb,

Please consider this letter my response to the Inyo County Grand Jury's Findings and Recommendations for the Inyo County Jail.

I would like to take this opportunity to thank the Grand Jury for their dedication and the very important function they provide to our department and the citizens of Inyo County.

The following are my responses to the Jury's Findings and Recommendations.

FINDINGS:

F1, - The control panel in the tower is obsolete and parts are hard to obtain.
Response – Agree

F2. – AB109 has impacted the number of inmates, the amount of time served by inmates, and the type of inmate in the jail.
Response – Agree

F3. – It is difficult to separate inmates according to violation, institutional experience, and medical condition. The facility has very limited single bed cells to accommodate inmate separation.
Response – Agree

F4. – Attorneys do not meet with inmates at the jail before trials. Jury trials are often postponed or cancelled at the last minute.
Response – Agree



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF September 16, 2014

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.

SUMMARY DISCUSSION: - During your August 28, 2012 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Death Valley Roadeater Emergency, which was a result of flooding in the southeastern portion of Inyo County during the month of August. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <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)

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

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 16

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

FROM: Kevin D. Carunchio, County Administrator
FOR THE BOARD MEETING OF September 16, 2014
SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Gully Washer Emergency, that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.

SUMMARY DISCUSSION: - During your August 6, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Gully Washer Emergency, which was a result of flooding in the central, southern and southeastern portion of Inyo County during the month of July. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

<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: _____ 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)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

17

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF September 16, 2014

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013.

SUMMARY DISCUSSION: - During your September 17, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Canyon Crusher Emergency, which was a result of flooding in the portions of Inyo County during the month of August. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <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)

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

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

18

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF September 16, 2014

SUBJECT: Continuation of proclamation of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County.

SUMMARY DISCUSSION: - During your January 28, 2014 Board of Supervisors meeting your Board took action to proclaim a local emergency, which has been named the Land of EVEN Less Water Emergency, that is a result of severe and extreme drought conditions that exist in the County. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the resolution be considered on a by-weekly basis.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

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)

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

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only;
AGENDA NUMBER

19

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

FROM: CLERK OF THE BOARD
By: Patricia Gunsolley, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Approval of Minutes

DEPARTMENTAL RECOMMENDATION: - Request approval the minutes of the Board of Supervisors Special Meeting of August 26, 2014.

SUMMARY DISCUSSION: - The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's web page at www.inyocounty.us.

ALTERNATIVES: - Staff awaits your Board's changes and/or corrections.

OTHER AGENCY INVOLVEMENT: - n/a

FINANCING: n/a

APPROVALS

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

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



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:

AGENDA NUMBER

20

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

FROM: HEALTH & HUMAN SERVICES – Public Health

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Request to conduct workshop on HHS Public Health Services

DEPARTMENTAL RECOMMENDATION:

Request Board conduct a workshop with staff to review current services in the HHS Public Health division, receive updates about impacts from implementation of managed care, and consider any direction to staff as a result of the workshop discussion.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

HHS provided a public health workshop in September 2013 to look at the future of public health in the context of changing health care across the nation and across California. The Department agreed to return one year later to update the discussion on any impacts locally from health care reform implementation.

Additionally, our Public Health services have undergone significant leadership changes in the last ten months, and nursing recruitment and retention has become more challenging.

All of these issues suggest that this might be a good time to review our current services and discuss the future of Public Health in Inyo again.

Preliminary handouts are attached to this request.

ALTERNATIVES:

Board could decline to hold this workshop with no immediate detrimental result.

OTHER AGENCY INVOLVEMENT:

Inyo County Jail administered by the Sheriff, CA Department of Public Health, CA Department of Health Care Services

FINANCING:

No funding is involved in 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: _____
BUDGET OFFICER:	BUDGET AND RELATED ITEMS <i>(Must be reviewed and approved by the Budget Officer prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Jean Turner

Date: *9-10-14*

CURRENT VIEW OF INYO'S PUBLIC HEALTH SERVICES – September 2014

STAFF VALUES/BELIEFS ABOUT SERVICE NEEDS OF INYO RESIDENTS	MANDATES - TO BE EITHER PROVIDED DIRECTLY OR ARRANGE FOR THE PROVISION OF	DISCRETIONARY SERVICES PROVIDED – NOT MANDATED	PUBLIC HEALTH REVENUES AVAILABLE TO FUND	STAFFING REQUIREMENTS AND/OR NEEDS FOR PUBLIC HEALTH TO PROVIDE DIRECTLY
Confidential access for teens historically has been important	Local public health shall make pregnancy testing services available (HSC 123380)		Family PACT & Every Woman Counts reimbursement \$ 52,465.45	With Health Officer (HO) oversight, licensed health care practitioner, plus front-office staff
Access for uninsured and/or Spanish-language residents who have no/limited options	Local public health shall make pregnancy testing services available (HSC 123380)		Family PACT& Every Woman Counts reimbursement \$ 52,465.45	With HO oversight, licensed health care practitioner, plus front-office staff
Training in public health disaster drills is essential		Hospital Preparedness (HPP)	HPP grant \$ 133,052	
		Public Health Emergency Preparedness (PHEP)	PHEP grant \$ 109,045	
		Pandemic Flu	Pan Flu grant \$ 60,627	
Inmate health care is demanding, poses huge risk for the County, and commands resources	WIC Section 17000 – Counties required to take care of medically indigent adults		Health realignment 13/14 Medical costs \$331,863.35	With Medical Doctor (MD) oversight, multiple licensed health care practitioners for 24/7 response. SIH contract
flu clinics for communities where shots not otherwise available is important; flu mist in schools has been historically done, although our immunizations from the State are reduced	Health Officer (HO) shall organize & maintain a program to make immunizations available (HSC 120350)	Flu clinics and Immunization clinics including travel immunizations, and flu mist in the schools.	Immunization \$28,136 Health realignment fills the funding gap	With HO oversight, 2-3 licensed health care practitioners

CURRENT VIEW OF INYO'S PUBLIC HEALTH SERVICES – September 2014

Required and necessary	HO shall perform duties of local registrar of births & deaths (HSC 102275)		Health Realignment fills the funding gap. Deputy Registrar for ~40 hours per month=\$15,484.80	With HO oversight, 1-2 named deputies capable of this administrative duty
Significant role for public health	HO believing a communicable disease exists, shall take measures to prevent the spread or occurrence of additional cases (HSC 120175)		HIV Surveillance \$5,052 Health Realignment fills the funding gap. *Communicable Disease outbreak (2year with 2 nurses for 2 weeks)=\$8,236.80 **Communicable Disease outbreak (Once/year with a nurse for one week)= \$2,059.20	With HO oversight, 1-3 licensed health care practitioners
Rare occurrences, fortunately (one every few years)	HO shall provide services relating to sudden infant death syndrome (HSC 123255)		Included in MCAH (below) \$3,000	With HO oversight, one licensed health care practitioner and/or case worker
Important service for children with serious health needs	CA Children's Services (CCS) , a health care case management service, shall be administered in public health or in social services (HSC 123850)		CCS Admin \$118,480 CCS Treatment \$20,860 (staff)	With MD oversight, one licensed practitioner to oversee the case management provided by a lower level employee
Foster child piece is provided directly in coordination with child welfare & juvenile probation staff	CA Health & Disability Program (CHDP) shall be established & may provide through contracted public/private entities (HSC 124033)		CHDP grant: \$ 86,588	With MD oversight, one licensed practitioner to oversee the coordination of care

CURRENT VIEW OF INYO'S PUBLIC HEALTH SERVICES – September 2014

<p>Provides the broad assessment and oversight of community public health issues</p>		<p>Maternal, Child & Adolescent Health (MCAH) – coordinates & advocates for all health programs & activities targeting mothers & children. Community needs assessment required.</p>	<p>A 1991 realigned program, funds can be enhanced with federal dollars @75% if a licensed nurse (or support staff directly supervised by licensed staff) provides the service. 1991 Health realignment: \$ 62,366, + Federal: \$ 124,280= \$ 186,646</p>	<p>Public Health Nurse oversight, one high level employee to conduct community needs assessment and allocation of resources, and development and maintenance of health care network</p>
		<p>Women, Infants & Children (WIC) – a federally funded program to decrease poor birth outcomes & improve nutrition for early childhood development</p>	<p>Requires a Registered Dietitian (RD) \$ 319,275</p>	<p>With RD oversight, 1-2 prevention/educational specialists to provide nutrition & breastfeeding information</p>



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk=s Use Only:
AGENDA NUMBER

21

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

FROM: Kammi Foote, Clerk-Recorder and Registrar of Voters

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Workshop regarding the Inyo County Employee Election Worker Program.

DEPARTMENTAL RECOMMENDATION:

Workshop regarding the Inyo County Employee Election Worker Program

SUMMARY DISCUSSION:

The Registrar of Voters Department conducts elections for all jurisdictions in Inyo County. This requires a significant increase and use of additional staffing and requires a significant expenditure of extra-help funds.

In order to help offset budget constraints for the 2013-14 and 2014-2015 fiscal year budgets, the Registrar of Voters Division identified a potential reduction in extra-help stipends and mileage costs, predicated on the support of other county departments that employees volunteer to assist with election-related tasks to the extent possible, without impacting their ability to complete their assigned workloads.

On February 25, 2014, the Inyo County Board of Supervisors supported the implementation of the Inyo County Employee Election Worker Program and encouraged county departments to participate.

This program encouraged county workers, with consent of department heads, to assist the Registrar of Voters Division by supplying extra-help staffing and thus generating cost savings for the general fund. In the June 3, 2014 Direct Primary Election, 58 county employees and 97 non-county employees were utilized to conduct the election. This generated a cost savings of approximately \$8,000 that would have been paid to non-county employees in the form of stipends.

The Registrar of Voters is once again requesting that county departments participate in the Inyo County Employee Election Worker Program for the November 4, 2014 Statewide General Election. However, as the number of county workers continues to shrink, the availability of staff to assist with elections will also decline.

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:

9/8/14



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

22

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

FROM: Inyo County Clerk-Recorder & Registrar of Voters

FOR THE BOARD MEETING OF: September 16, 2014

SUBJECT: Workshop on the California Association of Voting Officials (CAVO)

DEPARTMENTAL RECOMMENDATION: Conduct a workshop on the California Association of Voting Officials (CAVO)

SUMMARY DISCUSSION: The importance of accurate vote counting systems was brought to the attention of the world during the 2000 United States Presidential Election. The inability of election officials to determine voter intent concerning hanging and pregnant chads led to lawsuits and public outrage and ultimately to the decertification of punch card voting systems across the United States. The federal government then passed the Help American Vote Act (HAVA) in 2002 and the voters of California approved Proposition 41 which established restrictive multilevel mandates and provided billions of dollars for the development and use of modernized voting systems.

In California many election officials used the state and federal money available to purchase in good faith what they believed were the best systems available. However, in 2007, Secretary of State Debra Bowen conducted a "Top to Bottom" review inviting technical experts to examine the voting systems and found vulnerabilities within the source code of every voting system in use in California. As a result of the security issues discovered within the voting systems, Secretary Bowen established new and even more restrictive regulations that essentially decertified the use of touch screen voting machines for regular public use in California elections. Today most voters in California are using a paper based ballot system that is tabulated with outdated and antiquated technology. Many voting officials are left with little to no funding to upgrade or modernize voting technology.

Recognizing that the complex and cost prohibitive regulatory environment must be changed to allow for innovation to enter the market, Senator Padilla worked with Los Angeles County to introduce and pass Senate Bill 360 in 2013. This law provided the regulatory relief necessary to pave the way for open voting systems and innovative voting system technologies to become certified for use in California.

On December 23, 2013 the California Association of Voting Officials (CAVO) was launched for the purpose of providing open voting systems for use in public elections, as well as to provide training, education, and management practices to election officials for the effective employment of open source technologies. CAVO recognized the monumental work by Open Voting



California Association of Voting Officials

BY: KAMMI FOOTE, INYO COUNTY
REGISTRAR OF VOTERS

How did Inyo County get involved?

- **AB 19** (Ting) – Internet Voting Pilot Project
- **SB 360** (Padilla) – Certification of Voting Systems
- **Election Technology Round Table Discussion**
- **CAVO** was founded

Legislative Initiatives

AB 19

- Was authored by Assembly member Ting
- Inyo County offered to act as a pilot county
- AB 19 passed out of committee on a 4-3 vote
- Died in the Assembly Appropriations committee
- Sparked a statewide debate

Legislative Initiatives

SB 360

- Was an LA County sponsored bill
- Authored by Senator Padilla
- Allows the Secretary of State to approve a county developed voting system
- Allows counties to develop and own a public voting system (open source software)

Election Technology Round Table

December 12, 2013

- Over 70 attendees, including advocates, CA legislative staff, Federal Voting Assistance Program, Registrars, most major voting system vendors, CA Secretary of State, lobbyists, Verified Voting, Google, Praxis, etc...



California Association of Voting Officials

December 23, 2013

- By-laws were filed with the California Secretary of State as a 501 C (6):

Kammi Foote, as President
Brent Turner, Secretary
Tim Mayer, Treasurer

This is a public/private organization

California Association of Voting Officials



Mission

The mission of the California Association of Voting Officials is to develop and make available open source voting systems for use in public elections, as well as to provide training, education and management practices to election officials for the effective employment of technologies.

California Association of Voting Officials



Membership

- 16 California Counties
- State of Minnesota
- Johnson County, Kansas

Advisory Board

- 9 Advisory board members
- 3 recognized supportive organizations

California Association of Voting Officials



- On March 11, 2014, I spoke on a panel with Kate Brown, Oregon Secretary of State and Dean Logan, LA County Clerk/Recorder & Registrar at an Information Hearing in the California State Senate entitled “**Technology to Improve Access and Participation**”
- Also in March 2014, our team worked with Mark Wolf and Change the World Productions to produce a **PSA** highlighting the issue: https://www.youtube.com/watch?v=7gkQ8woPneo&feature=player_embedded.
- In April met with Cyril Sibusiso Ndaba, the South African Consul-General
- In May 2014 the **National Association of Voting Officials (NAVO)** was launched

California Association of Voting Officials



- On May 15, 2014, I spoke to the California State Association of California (CSAC) - Government Finance and Operations Policy Committee. The topic of discussion was **Election Technology: What’s next? What’s After That?**
- On August 25, 2014, NACO featured CAVO/NAVO in their monthly newsletter in an article entitled “**California, Texas serve as testing grounds for open-source voting technology**”
- In addition, our organization has been featured in several news outlets, including the Election Academy blog and we are continually in conversations with election advocates, legislators, elected officials and technology companies.

California Association of Voting Officials



What's next?

- Education will be an ongoing effort, however our next focus is to transition into the development phase. We believe that this can be accomplished fairly quickly and hope to have another update soon!