

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.

December 9, 2014

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

CLOSED SESSION

2. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions.
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c))** – decision whether to initiate litigation (two case).

OPEN SESSION

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

4. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**
5. **PUBLIC COMMENT**

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

6. **Personnel** – Request Board designate Friday, February 13, 2015 as the Lincoln's Birthday Holiday for the County of Inyo.

PUBLIC WORKS – ROAD – COUNTY ADMINISTRATOR – Information Services

7. Request Board A) approve a Services Agreement between California Broadband Cooperation (CBC) and the County of Inyo – Road Department for the delivery of Internet access service for a period of 5-years commencing on the date the service is installed in an amount not to exceed \$2,080 annually (\$12,840 over five years) contingent upon the Board's adoption of future budgets; and B) authorize the Public Works Director to sign.

PUBLIC WORKS

8. Request approval of the Contract between the County of Inyo Bishop Airport and Shell Aviation/Eastern Aviation Fuels, Inc., for aviation fuel for a term of five years beginning January 1, 2015; and authorize the Public Works Director to sign and County Counsel to serve as the witness.

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

9. **PLANNING** – Request Board receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.
10. **PLANNING** – Review a proposed rule to list the West Coast Distinct Population Segment of Fisher as threatened pursuant to the Federal endangered Species Act, review draft correspondence in regards thereto, and authorize the Chairperson to sign.

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

- 10:45 a.m. 11. **PLANNING** – Request Board review and approve a Resolution amending Resolution No. 2014-54, certifying and adopting the Mitigated Negative Declaration of Environmental Impact concerning and making certain findings with respect to and approving General Plan Amendment #2013-01/Munro Valley Solar, LLC.
12. **PLANNING** – Request Board receive a presentation on the Status of the Rural Desert Southwest Brownfields Coalition activities across the Coalition area and in Inyo County; review the Final Report; and provide comments and recommendations for approval.
13. **PLANNING** – Request Board review the Memorandum of Agreement (MOA) presented in draft form confirming Inyo County's intent to participate in the rural Desert Southwest Brownfields, Coalition for the period of October 1, 2014 through September 30, 2017, provide instructions to staff as appropriate, and authorize the Chairperson to sign the final document subject to revisions that may be requested by the Board.
- 11:45 a.m. 14. **EASTERN SIERRA TRANSIT AUTHORITY** – Request Board receive an update on ESTA and presentation of the ESTA's 2013-14 Annual Report.

CORRESPONDENCE - ACTION

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

15. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
16. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

17. **SHERIFF'S DEPARTMENT** – The Inmate Welfare Fund Expenditures Reports for FY 2009-2010, 2010-2011, 2011-2012 and 2012-2013.
18. **SHERIFF'S DEPARTMENT** – Sheriff and Jail Overtime Report for the Month of October 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: Kevin Carunchio, County Administrator
FOR THE BOARD MEETING OF: December 9, 2014
SUBJECT: February 12, 2015 – Lincoln's Birthday Holiday

DEPARTMENTAL RECOMMENDATION:

Request Board designate Friday, February 13, 2015 as the Lincoln's Birthday Holiday for the County of Inyo.

SUMMARY DISCUSSION:

This change is being recommended to provide for a Friday holiday. This allows the employees to have a four-day work week. It will also provide consistent workflow with no office closure mid-week.

ALTERNATIVES:

Not approve and the holiday will be on Thursday, February 12, 2015

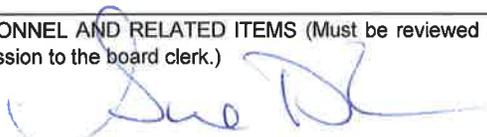
OTHER AGENCY INVOLVEMENT:

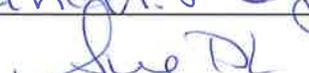
N/A

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: <input checked="" type="checkbox"/> Date 12/2/14

DEPARTMENT HEAD SIGNATURE: Kevin Carunchio by  Date: 12/2/14
 (Not to be signed until all approvals are received)



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

For Clerk's Use Only: AGENDA NUMBER <div style="text-align: right; font-size: 2em;">7</div>
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- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Public Works - Road, Information Services

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: California Broadband Cooperative, Inc. Services Agreement – Road Department

DEPARTMENTAL RECOMMENDATION:

Request your Board A) approve a Services Agreement between California Broadband Cooperation (CBC) and the County of Inyo – Road Department for the delivery of Internet access service for a period of 5 years commencing on the date the service is installed in an amount not to exceed \$2,080 annually (\$12,480 over five years), contingent on the approval of future budgets over the term of the agreement and B) Authorize the Inyo County Road Department to sign the Agreement on behalf of the County.

SUMMARY DISCUSSION:

As a result of the substantially complete Digital 395 American Reinvestment and Recovery Act project, high-speed, high-capacity, redundant broadband services are now available to the County of Inyo. Presently the Bishop Road facilities lack sufficient network bandwidth to be a member of the County network. With this service the Road yards, including the Inventory Specialists, will have access to high-speed broadband (particularly important when the new Inventory Module is installed), be able to join the County network (more efficient for workers and eliminates the need for workaround technical infrastructure presently in place) and be remotely supported by Information Services (faster and lower cost response to request for technical support). The increase in annual operating cost over the present solution is more than offset by the efficiencies resulting from this service.

The service agreement is governed under the California Broadband Cooperative, Inc. Master Services Agreement approved by the Board on January 21, 2014.

ALTERNATIVES:

Your Board could choose to direct staff to seek an agreement of different term or service capacity or not approve this request in any form.

OTHER AGENCY INVOLVEMENT:

The Road Department and Information Services are affected by this request.

FINANCING:

The cost of the service for FY 2014-15 will be paid from and is budgeted in the Board approved Road budget [034600-5351] (Utilities). Funding for subsequent fiscal years will be requested in the Road Department budget for those years.

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>12/3/14</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:
(Not to be signed until all approvals are received)

A handwritten signature in blue ink, appearing to be 'A. J. Quinn', written over a horizontal line.

Date: 12/3/14



SERVICE AGREEMENT

1. Customer (Installation) Information

Company Name INYO COUNTY ROAD DEPARTMENT			Date:		
Street Number 168	Direction NORTH	Building Name			
Street Name EDWARDS	Suffix STREET	Room	Floor		
City INDEPENDENCE	State CA	Zip 93526		County	
Initiator SHANNON WILLIAMS		Title MGT ANALYS	County INYO		
Telephone 760-878-0212		Fax			
Email Address swilliams@inyocounty.us		Alternate Contact			

2. Billing Information

Bill To INYO COUNTY ROAD DEPARTMENT		Preferred Billing Date	
Address PO DRAWER Q		Building Name	
City INDEPENDENCE		Room	
State CA	Zip 93526	County	
Billing Contact Shannon Williams		Title Management Analyst	
Telephone 760-878-0212	Fax	Bill Formats	
Additional Billing To:		Deposit Required	
Customer Request Special Billing		Lead Source	

3. Collocation Site (if applicable)

Company Name	Phone Number		
Address	Building Name		
Address	Room	Floor	
City	State	Zip	
Contact	Telephone		
Technical Contact	Telephone		

4. Remarks

Internet Access Service Includes ISP Services WILL COORDINATE SERVICE ACTIVATION WITH CUSTOMER Billing will commence as service is turned up per location
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Authorized Personnel: _____

CBC Charges	MRC	NRC
Products and Options (Summary)		
10Mb ELAN 5 YEAR Point to Point	\$ 50.00	\$0.00
LOC A: Bishop District Yard 3236 W. Line St. Bishop CA 93514		
LOC Z: Inyo County Admin HUB 224 N. Edwards St. Independence, CA 93526	\$ -	
10Mb ELAN 5 YEAR Point to Point	\$ 50.00	\$0.00
LOCA: Bishop Road Yard 701 S. Main St. Bishop CA 935314		
LOC Z: Inyo County Admin HUB 224 N. Edwards St. Independence, CA 93526	\$ -	
10Mb ELAN 5 YEAR Point to Point	\$ 50.00	\$0.00
LOC A: Big Pine Road Shop 150 W. Dewey St. Big Pine CA 93513		
LOC Z: Inyo County Admin HUB 224 N. Edwards St. Independence, CA 93526		
10Mb ELAN 5 YEAR Point to Point	\$ 50.00	\$0.00
LOC A: Lone Pine Road Shop 162 Lone Pine Ave. Lone Pine CA 93545		
LOC Z: Inyo County Admin HUB 224 N. Edwards St. Independence, CA 93526		
Sub Total	\$ 200.00	\$ -
Promotions	\$ -	\$ -
	\$ -	\$ -

Total MRC/NRC

\$ 200.00

\$0.00

CBC agrees to provide and the Customer agrees to accept services described above for the service commitment period and charges listed above, subject to the terms and conditions in the CBC Master Services Agreement.

Customer Signature _____

CBC Signature _____

Printed Name _____

ROBERT VOLKER
Printed Name

Title & Date _____

5 years
Length of Contract

CEO
Title & 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
8

FROM: Public Works / Bishop and Lone Pine Airports

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: Approval of fuel supplier contract with Shell Aviation/Easter Aviation Fuels Inc. and Bishop Airport.

DEPARTMENTAL RECOMMENDATIONS:

1. Approve the contract with Shell Aviation/Easter Aviation Fuels Inc. and Bishop Airport for a term five (5) years, beginning January 1, 2015.

CAO RECOMMENDATIONS:

SUMMARY DISCUSSION:

Currently, the Bishop and Lone Pine Airports get their fuel supplied by World Fuels, and has since 1988. In August of 2014 Public Works put out a Request for Proposals and received responses from the following suppliers; World Fuels, Avfuel, Epic and Shell Aviation/Easter Aviation Fuels, Inc. Each proposal was reviewed by a team of individuals consisting of three (3) County Employees and two (2) Airport Advisory Committee members; Clint Quilter, Jim Tatum, Ken Babione, Jim Marchio, and Dennis Nikolaus. Each proposal was scored based on the following criteria; qualifications and experience, availability of service and support, quality of service and support, identification and thoroughness of adherence to general requirements, cost/financial consideration, other consideration/incentives, references (including reputation with current or past users), proposal thoroughness and approach, timely invoicing and demonstrated ability to work effectively with County staff or other public agencies and related parties. Those scores were than tallied and averaged resulting in the chosen proposal by Shell Aviation.

ALTERNATIVES:

Your board could chose not to approve this request for contract. This is not recommended as the Airports would be without a contracted fuel provider.

OTHER AGENCY INVOLVEMENT:

FINANCING:

The fuel provider contract for the Bishop Airport will be paid for using Budget 150100, Object Code 5361. Pending future budget approval.

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 11/25/14

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 11/2/2014

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: 12/3/14

SHELL	EPIC	AVFUEL	WORLD FUELS
QUALIFICATIONS OLD ESTABLISHED COMPANY DEVELOPING UNLEADED AVGAS	QUALIFICATIONS NEWEST COMPANY	QUALIFICATIONS ESTABLISHED COMPANY 40 YRS	QUALIFICATIONS RAPIDLY GROWING COMPANY
COST/FINANCIAL/PRICING JET A PRICE NET 10= \$3.25 100 LL PRICE NET 10 = \$4.45 JET A PRICE NET 20= \$ 3.265 100 LL PRICE NET 20 = \$ 4.465 JET A PRICE NET 30= \$ 3.28 100 LL PRICE NET 30 = \$ 4.48	COST/FINANCIAL/PRICING JET A PRICE NET 10 = \$3.16 100 LL PRICE NET 10 = \$4.46 JET A PRICE NET 15 = \$3.18 100 LL PRICE NET 15 = \$4.48 JET A PRICE NET 20 = \$3.20 100 LL PRICE NET 20 = \$4.50	COST/FINANCIAL/PRICING JET A PRICE NET 10 = \$3.27 100 LL PRICE NET 10 = \$4.22 JET A PRICE NET 20 = \$3.27 100 LL PRICE NET 20 = \$ 4.22 JET A PRICE NET 30 = \$3.27 100 LL PRICE NET 30 = \$ 4.22	COST/FINANCIAL/PRICING JET A PRICE NET 10 = \$3.27 100 LL PRICE NET 10 = \$4.56 JET A PRICE NET20 = \$3.33 100 LL PRICE NET 20 = \$4.59 JET A PRICE NET30 = \$3.33 100 LL PRICE NET 30 = \$4.62
CREDIT CARD FEES VISA 2.375% MASTER CARD 2.375% AMERICAN EXPRESS 3.250% DISCOVER 3.000% AVCARD 3.000% MULTI SERVICE 3.000% US GOV AIR CARD 0.000% SHELL 0.000% SETTLEMENT 48 HRS	CREDIT CARD FEES VISA 2.150% MASTER CARD 2.150% AMERICAN EXPRESS 2.950% DISCOVER 2.950% AVCARD 3.250% MULTI SERVICE 3.250% US GOV AIR CARD 0.000% EPIC 0.000% SETTLEMENT 48 HRS	CREDIT CARD FEES VISA 2.140% MASTER CARD 2.140% AMERICAN EXPRESS 2.750% DISCOVER 2.500% AVCARD 2.225% MULTI SERVICE 2.250% US GOV AIR CARD 0.000% AVFUEL AVIATION 0.000% SETTLEMENT BI WEEKLY	CREDIT CARD FEES VISA 1.990% MASTER CARD 2.250% AMERICAN EXPRESS 2.990% DISCOVER 3.500% AVCARD 1.950% MULTI SERVICE 3.350% US GOV AIR CARD 0.000% NO COMPANY CARD SETTLEMENT 72 HRS
OTHER CONSIDERATIONS UNIFORMS YES \$0. COST MARKETING \$.005/GAL BRANDING/ID YES \$0. WINDSOCKS \$400 COMP CC PROCESSING NO POS MACHINE YES, \$0. EQUIPMNT UPGRDS \$10K CARDLOCK SERVICE YES FREE TRAINING YES DEDICATE TRUCKS YES	OTHER CONSIDERATIONS UNIFORMS \$2,500 MARKETING \$.005/GAL BRANDING/ID \$9,000 WINDSOCKS \$400 COMP CC PROCESSING YES \$0. POS MACHINE NO EQUIPMNT UPGRDS \$20 k CARDLOCK SERVICE \$1.5K TRAINING YES DEDICATED TRUCKS YES	OTHER CONSIDERATIONS UNIFORMS NO MARKETING \$.005/GAL BRANDING/ID WINDSOCKS COMP CC PROCESSING YES \$? POS MACHINE YES \$40/MTH EQUIPMNT UPGRDS ? CARDLOCK SERVICE, INITIAL TRAINING YES DEDICATED TRUCKS YES	OTHER CONSIDERATIONS UNIFORMS NO MARKETING \$.005/MTH BRANDING/ID YES \$0. WINDSOCKS NO COMP CC PROCESSING YES \$0. POS MACHINE YES \$45/MTH EQUIPMNT UPGRDS \$10K CARDLOCK SERVICE \$180/HR TRAINING YES DEDICATED TRUCKS NO
REFERENCES VERY GOOD X 5	REFERENCES VERY GOOD X 2 GOOD X 3 OK X1	REFERENCES VERY GOOD X 2 GOOD X 2 OK X 1 MEDIOCRE X 1	REFERENCES MEDIOCRE X 5 DISLIKE X 1
PROPOSAL THOROUGHNESS 2 OF 5	PROPOSAL THOROUGHNESS 5 OF 5	PROPOSAL THOROUGHNESS 4 OF 5	PROPOSAL THOROUGHNESS 4 OF 5
TIMELY INVOICING 5 OF 5	TIMELY INVOICING 5 OF 5	TIMELY INVOICING 4 OF 5	TIMELY INVOICING 3 OF 5
ABILITY TO WORK WITH CNTY STAFF & OTHER AGENCIES 5 OF 5	ABILITY TO WORK WITH CNTY STAFF & OTHER AGENCIES 5 OF 5	ABILITY TO WORK WITH CNTY STAFF & OTHER AGENCIES 4 OF 5	ABILITY TO WORK WITH CNTY STAFF & OTHER AGENCIES 2 OF 5

STATE OF CALIFORNIA

COUNTY OF INYO

AVIATION FUELS CONTRACT

THIS AGREEMENT, entered into this ___ day of ___ November ___, 2014, by and between EASTERN AVIATION FUELS, INC. of New Bern, North Carolina, hereinafter called "Seller" and _____ BISHOP AIRPORT , COUNTY OF INYO _____ hereinafter called "Buyer" as follows:

1. AGREEMENT: Seller agrees to sell and deliver, and Buyer agrees to purchase, receive and pay for from Seller, Buyer's entire requirements of aviation fuels for use or resale at the _____ Bishop _____ Airport, at or near _____ BISHOP _____, _____ CALIFORNIA _____.

2. TERM: This contract shall remain in force for a period of five (5) years beginning on the 1st day of _____ January _____, 2015, and for successive periods of twelve months each thereafter, unless and until terminated by either party upon notice in writing given at least thirty days before the end of any such twelve-month period.

3. DELIVERIES: The aviation fuels sold and purchased hereunder shall be the regular grade or grades of aviation fuels (Jet Fuel type A shall conform to the ASTM D 1655 specifications, latest revision. Avgas 100 LL shall conform to ASTM D-910 specifications, latest revision and shall be of the aviation gasoline type 100 octane, low lead (avgas 100 LL) or future replacement of this type) as currently supplied by EASTERN AVIATION FUELS, INC. and deliveries to Buyer hereunder shall be by tank truck at the place of business of Buyer at said Airport in approximately even quantities in such amounts (not less than I.C.C. minimum delivery at any one time) and at such times during business hours as Buyer may direct. It is understood that Seller's obligation hereunder is limited to such grade or grades of aviation fuels as are distributed by Seller, at the time and place of delivery hereunder.

4. PRICING: Buyer agrees to pay for the aviation fuels covered by this contract at Seller's posted dealer price. As herein used, the words "Seller's posted dealer price" mean the price posted and displayed at the time of delivery, at Seller's office at location shown in paragraph 13 hereafter.

5. TERMS: Buyer agrees to pay for all such aviation fuels via (Buyers merchant account held by Seller) net 30 days (3 cents added to all gallons for extended terms) from invoice date. The failure or refusal of Buyer to comply with the requirements which the Seller may impose hereunder as to payment shall entitle the Seller to suspend delivery pending such failure or refusal or to terminate this agreement forthwith. The suspension or termination of this agreement because of the failure of Buyer to perform any of the agreements herein contained shall not in any way prejudice Seller's other rights hereunder.

If Buyer's account with Eastern Aviation Fuels is in arrears, the Buyer hereby agrees that the Seller, at his discretion, may request credit card companies to reimburse Eastern

Aviation Fuels with Buyer's credit card receipts and hereby authorizes the credit card company to send credit card reimbursement to Eastern Aviation Fuels.

It is further agreed that the Seller, in lieu of reimbursing Buyer for credit card receipts, may apply the reimbursement to the outstanding balance on Buyer's account.

6. ATTORNEY AND/OR COLLECTION FEES: Buyer agrees to pay any attorney or collection fees if incurred in the collection of any delinquent balance or the enforcement of this contract.

7. TAXES, FEES, AND AIRPORT CHARGES: Any tax or other charge imposed by any governmental authority or other agency upon the commodity herein sold, or on the production, sale, transportation, or delivery thereof, or any feature thereof or of this agreement, existing at the time of delivery thereunder, shall be added to the price hereunder and paid by Buyer.

8. FAILURE TO PERFORM: If Seller's supplier should at any time during the life of this contract discontinue the marketing of any or all grades of aviation fuels in Buyer's territory, Seller shall be relieved of all obligation to sell or deliver such discontinued grade or grades to Buyer and Buyer shall be at liberty to purchase such discontinued grade or grades from other sources.

9. CONDITIONS: All orders hereunder will be filled with reasonable promptness, but it is mutually agreed that Seller shall not be obligated to furnish goods hereunder, nor be liable in damages for failure to do so, in the event acts of God, strikes, difficulties with its workers, lockouts, fires, foreign or domestic governmental authority, war conditions in this and any foreign country, accident, delays by railway or other methods of transportation, or other causes beyond its control, shall render it impossible for Seller to do.

10. TRADEMARKS: Seller grants to Buyer a nonexclusive, non-transferable right to use the "Shell Aviation" brand or licensed trademark in connection with the sale of Aviation Fuel at Buyer's FBO. Buyer will conform to the branding rules of usage set forth by Seller. Nonconformance to these rules will result in the de-branding of the Buyer's FBO.

11. HEALTH, SAFETY & ENVIRONMENTAL ("HS&E") COMPLIANCE:

(a) **Product Handling** - Buyer shall exercise extreme caution in the storing, handling, and dispensing of Aviation Fuel, including daily inspection of all storage and dispensing equipment to prevent or eliminate contamination in any form, including commingling with other fuels. Buyer shall, immediately notify Seller of any instance of Aviation Fuel contamination or commingling with other fuels.

(b) **Environmental Compliance** - Buyer shall observe any and all federal, state, and municipal laws, ordinances, rules and regulations, user permits, and the like pertaining to the composition, handling, storage and dispensing of Aviation Fuel purchased hereunder including, without limitation, any and all laws, ordinances, rules and regulations pertaining to the volatility or vapor pressure of Aviation Fuel and the storage of same in aboveground or underground storage tanks. Buyer shall comply with any reasonable program instituted by Seller to assure compliance with any such laws, ordinances, rules and regulations.

12. INSURANCE TO BE MAINTAINED BY BUYER: Buyer shall purchase and maintain at Buyer's expense the following insurance coverage in order to be a branded Shell Aviation FBO:

(a) Commercial General Liability Insurance, including premises and operations as well as products/completed operations liability for aviation products and refueling operations with minimum limits of five hundred thousand dollars (\$500,000) without restrictive per person sub-limits for bodily injury and/or property damage.

(b) Name both Shell Aviation, d.b.a. Shell Oil Products Company U.S., LLC and Eastern Aviation Fuels, Inc., as additional insured parties with respect to liability arising from Buyers aviation operations. Operations including refueling, de-fueling and/or lubrication of aircraft.

Excess Aviation Refueling Liability Insurance in the amount of 50 million dollars (\$50,000,000) will be provided Buyer free of charge provided Buyer secures and maintains said underlying insurance.

In the event Buyer is able to secure said insurance, only with \$100,000 per-person sub-limits for bodily injury Buyer will be permitted to be a branded Shell Aviation FBO, but will not be eligible for the 50 million excess liability insurance program.

Buyer may elect not to participate in the Excess Aviation refueling Liability Insurance program, but will be required to maintain insurance meeting the above criteria to be a branded Shell Aviation FBO.

13. SHELL CREDIT CARD PROGRAM: Invoices from credit card sales may be purchased by Seller from Buyer for approved credit cards, but only as to such merchandise and services and upon such express regulations and instructions as may be set forth in the "Shell Credit Card Procedures Manual" published by Seller and furnished to Buyer from time-to-time. Upon failure by Buyer to comply strictly with such regulations and instructions, Seller shall have the right to charge back to Buyer any amounts represented by non-complying sales. Such regulations and instructions, as amended or supplemented from time-to-time, shall be deemed part of this Agreement. In addition, Buyer agrees to process all credit card or fuel card transactions via the Shell POS equipment or approved 3rd party software system through the Shell Merchant Program and agrees that this card processing is material to this Agreement and the Shell Brand Program.

14. NOTICES: Any notice given by one party to the other in connection with this Agreement shall be in writing and shall be sent by certified or registered mail, return receipt requested:

SELLER: EASTERN AVIATION FUELS, INC.
Post Office Box 12327
New Bern, North Carolina 28561

Buyer: BISHOP AIRPORT, COUNTY OF INFO
Attn: Ken Babione
Bishop Airport
703 Airport Road

Bishop, CA 93514

15. INCENTIVES:

1. Eastern Aviation Insurance discount with participation in Shell ACE GA training program.
2. The initial cost of Bishop Airport uniforms to display the Shell logo will be paid for by EAF.
3. Quality Control testing kit and Millipore kit for Bishop Airport at no cost.
4. Quality Control Seminar on the West Coast every other year
5. Co-Op Advertising Program 0.005 per gallon
6. Parts / Fuel Farm related items financing at any time via flow fee on all gallons (6.75% APR)
7. FBO / Fuel Farm Development Grant (\$10,000)
8. Shell Aviation Signage and truck branding at no charge. (Pole mounted or Hangar mounted)
9. Windsocks for Bishop Airport (Two every 2 years)

16. MERGER: There is no arrangement, agreement or understanding, by or between the contracting parties expressed or implied in any manner relating to the subject matters hereof nor herein specifically stated, and this Agreement shall not be altered or amended except in writing signed by both Buyer and Seller.

This the ____ day of _____, 2014.

EASTERN AVIATION FUELS, INC.

By: _____

Robert L. Stallings, IV, President

WITNESS: _____

COUNTY OF INYO, BISHOP AIRPORT

By: _____

WITNESS: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
9

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

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: Inyo National Forest Plan Update

RECOMMENDATION: Receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.

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

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 Willdan's assistance with the effort are funded by operating transfer from the Geothermal Royalties fund.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
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: 12/3/14

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



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: Inyo County Planning Department

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: Proposed Threatened Species Status for West Coast Distinct Population Segment of Fisher

DEPARTMENTAL RECOMMENDATION: Review a proposed rule to list the West Coast Distinct Population Segment of Fisher as Threatened pursuant to the Federal Endangered Species Act, review draft correspondence in regards thereto, and authorize the Chair to sign.

SUMMARY DISCUSSION: The U.S. Fish and Wildlife Service (USFWS) is proposing to list the West Coast Distinct Population Segment of Fisher in the California, Washington, and Oregon as a threatened species pursuant to the Federal Endangered Species Act.¹ Fishers are forest-dwelling mammals in a family that includes weasels, mink, martens, and otters. They are about the size of a large house-cat and are light brown to dark blackish-brown, with short legs and a long bushy tail. It is unclear if the historic range of the fisher includes Inyo County, but it appears that it may.

It is possible that critical habitat will be designated for the fisher in the future, possibly in Inyo County. Subsequent management plans may also be prepared. The County should be alert for any such actions to work to minimize potential impacts.

Comments regarding the proposed rule are due January 5, 2015. Staff has prepared correspondence for the Board's consideration expressing concern about the proposed listing (refer to attached).

ALTERNATIVES: The Board may consider modifying the correspondence or not submitting correspondence.

OTHER AGENCY INVOLVEMENT: USFWS, others involved in permitting.

FINANCING: General funds are utilized to monitor federal rulemaking efforts.

¹ Refer to <http://www.fws.gov/cno/es/fisher/> for more information regarding the fisher and the proposed rule.

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 12/3/14

Attachment: Draft Correspondence

December 9, 2014

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

**Re: Proposed Threatened Species Status for West Coast Distinct Population Segment of Fisher
Docket No. FWS-R8-ES-2013-0104**

Dear Secretary Jewel:

On behalf of the Inyo County Board of Supervisors, I wish to convey to you our appreciation of the work that the U.S. Fish and Wildlife Service (USFWS) is taking to conserve the Fisher. We consider the natural resources that make up our County precious and hope that conservation efforts can work to ensure conservation of this species. However, we believe that actions to conserve the species should be balanced with potential impacts to the people who live in areas that potentially could provide habitat.

The map included in the proposal is confusing and unclear how the Fisher's listing will impact Inyo County; we believe that better mapping is vital to gauge the proposal's potential effects. As we have previously indicated, we are very concerned about the multitude of listings and critical habitat being processed in and near our County; this proposal is one more action that in conjunction with the others will result in significant socioeconomic and cumulative impacts. Our concern is compounded in light of the present proposals to modify the Endangered Species Act and the Service's approach to minimizing and discounting direct, indirect, and cumulative socioeconomic impacts.

Thank you for your consideration. We reiterate our request for a representative of the Service to address us about all of these proposals and related cumulative impacts. We would also be interested in any future planning activities for the Fisher; please notify us of any such opportunities. Please contact the County's Administrative Officer at (760) 878-0292 or by email at kcarunchio@inyocounty.us to schedule a presentation, provide us additional information about future planning for the Fisher, or if you have any questions.

Sincerely,

Rick Pucci
Chairperson, Inyo County Board of Supervisors

cc: County Administrative Officer
County Counsel
Planning Director
Public Works Director
Agricultural Commissioner
Dan Ashe, USFWS
Jennifer Norris, USFWS
Ed Armenta, Inyo National Forest
Rural County Representatives of California
California State Association of Counties
National Association of Counties
USFWS Public Comments Processing



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

11

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

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: December 9th, 2014

SUBJECT: Resolution amending Board of Supervisors Resolution Number 2014-54 regarding General Plan Amendment #2013-01/Munro Valley Solar, LLC

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors review and adopt a Resolution Amending Resolution Number 2014-54 certifying and adopting the Mitigated Negative Declaration of Environmental Impact concerning, and making certain findings with respect to and approving, General Plan Amendment #2013-01/Munro Valley Solar, LLC.

SUMMARY DISCUSSION: On November 12, 2014¹, the Inyo County Board of Supervisors adopted Resolution Number 2014-54, "Certifying And Adopting the Mitigated Negative Declaration of Environmental Impact Concerning, and Making Certain Findings with Respect to and Approving, General Plan Amendment #2013-01/Munro Valley Solar, LLC" following a public hearing. Following review, public comment and discussion of the proposed Mitigated Negative Declaration, your Board enhanced the mitigation measures associated with the project's effects as identified in the Mitigated Negative Declaration, and provided the following two enhanced mitigation measures for cultural resources and aesthetics, and specified that required archeological studies shall be undertaken prior to issuance of a building permit:

1. Prior to subsurface ground disturbance within a square meter of the sites identified in the cultural survey prepared for the project (ECORP Consulting, May 2013), a subsurface test program will be undertaken by a qualified professional to assess the eligibility of the sites per the California Register of Historic Places. Any artifacts will be left undisturbed in place (this is the preferred method). If resources absolutely cannot be avoided, data recovery shall be performed by a qualified professional in conjunction with Tribal consultation for curation, or donation to a local tribe for reburial or other appropriate treatment. The Developer shall also allow a qualified professional monitor to be present during all on-site ground disturbing activities; if feasible, the monitor will be a Native American cultural monitor from the Owens Valley. In the unlikely event that unanticipated cultural resources are discovered, then Developer shall be required to cease all ground-disturbing activities in the immediate vicinity until a qualified archeologist and/or other appropriate specialist has evaluated the find and appropriate actions are undertaken such as avoidance, relocation, and/or curation. Although not anticipated, if human remains are discovered, the procedures required by CEQA Guidelines Section 15064.5(c) shall be followed; and
2. Development shall be setback from Highway 395 to the greatest extent possible, such that the solar facility occupies the eastern portion of the western project site and leaves the western edge of the site adjoining Highway 395 free from development; and

¹ For more information, please refer to the Board of Supervisors Meeting Agendas including Supporting Documentation for November 12th, 2014 at: http://www.inyocounty.us/Board_of_Supervisors/

- The fixed-tilt solar photovoltaic panels shall be configured at the lowest angle feasible, such that the visual profile of the project is minimized to the greatest extent possible.

Staff is requesting the Board approve a Resolution amending Resolution Number 2014-54 to make it consistent with the Board directions on November 12, 2014 on which Project approval was conditioned: inclusion of the enhanced mitigation measures described above with particularized findings.

Further, the Amended Resolution includes a provision adopting the Mitigation Monitoring Program, as recommended by the Planning Commission, which was inadvertently omitted. In order to facilitate public oversight, the Mitigation Monitoring Program has been included separately from the Renewable Energy Permit, which also has provisions for monitoring.

The Amended Resolution further orders that Resolution Number 2014-54 shall have no force nor effect following adoption of the Amendment. Finally the Amended Resolution directs staff to withdraw the Notice of Determination (NOD) filed with the State Clearinghouse and the Inyo County Clerk Recorder and submit an updated NOD to reflect adoption of the enhanced mitigation measures.

ALTERNATIVES: The Board may consider the following alternatives.

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

OTHER AGENCY INVOLVEMENT: None.

FINANCING: No direct impact.

<u>APPROVALS</u>	
COUNTY COUNSEL: <i>12/03/14</i>	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) <i>Margaret Kemp-Williams Approved.</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Joshua Herb

Date: *12/3/14*

Exhibits: A Resolution amending Board of Supervisors Resolution Number 2014-54 regarding General Plan Amendment #2013-01/Munro Valley Solar, LLC September 24, 2014

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING RESOLUTION NUMBER: 2014-54 CERTIFYING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT CONCERNING, AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING, GENERAL PLAN AMENDMENT #2013-01/MUNRO VALLEY SOLAR, LLC

(Additions to Resolution No. 2014-54 are shown in underlined type and deletions are shown by strikeover.)

WHEREAS, on November 12, 2014, the Inyo County Board of Supervisors adopted Resolution Number: 2014-54, "CERTIFYING AND ADOPTING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT CONCERNING, AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING, GENERAL PLAN AMENDMENT #2013-01/MUNRO VALLEY SOLAR, LLC" following public hearing; and

WHEREAS, prior to adopting Resolution No. 2014-54, and following review, public comment and discussion of the proposed Mitigated Negative Declaration, this Board enhanced the mitigation measures associated with the project's effects as identified in the proposed negative declaration; and

WHEREAS, the enhanced mitigation measures do not cause new avoidable significant effects that are not addressed in the Mitigated Negative Declaration; and

WHEREAS, a recommendation from the Planning Commission that the Board of Supervisors adopt a Mitigation Monitoring Program was inadvertently omitted from Resolution Number: 2014-54 and by this Resolution, this Board intends to adopt such a Mitigation Monitoring Program; and

WHEREAS, the purpose of this amendment of Resolution Number: 2014-54 is to ensure that the Resolution conforms with actions taken by this Board on November 12, 2014 in public meeting and with the recommendation of the Planning Commission concerning the adoption of the Mitigation Monitoring Program.

NOW THEREFORE, RESOLUTION NUMBER: 2014-54 IS AMENDED TO READ:

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

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

WHEREAS, under California law and Title 21 of the Inyo County Code (“ICC”), any person who proposes to construct a photovoltaic power plant in the County must first obtain either a renewable energy permit from the County or must enter into a renewable energy development agreement with the County; and

WHEREAS, on July 22, 2013, Munro Valley Solar, LLC submitted an application for a renewable energy permit for the Project, a general plan amendment, zone reclassification and a tentative map; subsequently, on January 28, 2014, Munro Valley Solar, LLC submitted an application for a tentative map to allow the access easement on APN 033-460-08;

WHEREAS, on July 22nd, 2013, Munro Valley Solar, LLC submitted an application to the Inyo County Planning Department for General Plan Amendment #2013-01/Munro Valley Solar, LLC, Tentative Parcel Map No. 404, Zone Reclassification #2013-02/Munro Valley Solar, LLC and Renewable Energy Permit #2013-01/Munro Valley Solar, LLC for a 4.0 megawatt (MW) solar facility built over two parcels (APN 033-400-02 and APN 033-060-19), located south of Olancha, CA, and which are designated Rural Estate (RE) and Rural Protection (RP), respectively, and zoned Rural Residential (RR), Open Space (OS-40) and Open Space (OS-40), respectively.

WHEREAS, on August 16th, 2013, Inyo County issued correspondence to the California Native American Heritage Commission requesting a list of appropriate tribal contacts in order to initiate consultation pursuant to Senate Bill 18; and

WHEREAS, on August 19th, 2013 Inyo County issued correspondence to the Bishop Paiute Tribe, the Timbisha Shoshone Tribe, the Big Pine Band of Owens Valley, the Fort Independence Community of Paiute, and the Lone Pine Paiute Shoshone Reservation inviting the Tribes to initiate consultation pursuant to Senate Bill 18, and

WHEREAS, on November 25th, 2013, the Inyo County Planning Department deemed the application for a General Plan Amendment, Zone Reclassification, and Tentative Parcel Map No. 404 complete; and

WHEREAS, on January 28th, 2014, Ecos Energy submitted a subsequent application to the Inyo County Planning Department for Tentative Parcel Map No. 405 for APN 033-460-08 for provision of an access easement, which is designated Rural Protection (RP) and zoned Open Space (OS-40); and

WHEREAS, on February 13th, 2014, September 11th, 2014, and November 6th, 2014, Inyo County Planning staff met with the Big Pine Band of Owens Valley pursuant to Senate Bill 18 regarding the proposed Munro Valley Solar project; and

WHEREAS, on April 4th, 2014, the Inyo County Planning Department deemed the application for Tentative Parcel Map No. 405 complete; and

WHEREAS, General Plan Amendment #2013-01/Munro Valley Solar, LLC proposes to add a text amendment to the Inyo County General Plan adding a new policy LU 5.9 creating a site specific solar overlay designation wherein the proposed solar photovoltaic facilities may be permitted following application and review as required by Inyo County Code Title 21; and

WHEREAS, the Planning Department prepared the following proposed amendment to the General Plan creating a distributed solar overlay designation:

“Policy LU-5.9 Distributed Solar Photovoltaic Overlay: This overlay designation provides for distributed solar photovoltaic facilities of 20 megawatts or less pursuant to Inyo County Code Title 21. Site-specific studies and appropriate environmental review are required for consideration of distributed solar photovoltaic facilities of 20 megawatts or less, pursuant to Inyo County Code Title 21. Potential social, economic, visual and environmental impacts from distributed solar photovoltaic facilities must be avoided or minimized to the extent feasible. Minimum parcel size may be waived pursuant to Inyo County Code Section 10.20.020.”;

and

WHEREAS, the Distributed Solar Photovoltaic Overlay designation would apply to APN 033-400-02 described as: “Parcel 2 of Parcel Map No. 68, in the County of Inyo, State of California, as per map recorded in Book 1 Page 41 of parcel maps, in the Office of the County Recorder of said County;”

and

WHEREAS, the Distributed Solar Photovoltaic Overlay designation would apply to the 10.03 acre subdivided portion of APN 033-060-19 described as: “That certain lot, piece or parcel of land located in the Northwest Quarter of Section Twenty-One, Township Nineteen South, Range Thirty Severn East M.D.B. & M., County of Inyo, State of California, according to the official plat of said land filed In the District Land Office August 13, 1856, more particularly described as follows:

The Southerly 641.21 feet Of the Westerly 681.21 feet of said Northwest Quarter of Section Twenty One.

said parcel containing 10.03 acres, more or less;”

and

WHEREAS, the Distributed Solar Photovoltaic Overlay designation would apply to the 60 foot-wide Electric Distribution and Road Easement described as: “Commencing as a 1.5’ iron pipe tagged as LS 3426 per RSMB 11 Page 87, thence with a bearing of N 00°37’57” W a distance of 606.72 feet to a point to a point hereinafter referred to as point “A’, bring the true point of beginning of this description; thence with a bearing of N 00°37’57” W a distance of 60.00 feet to a point; thence with a bearing of 00°37’57” W a distance of 557.41 feet to a point;

thence with a bearing of N 44°43'46" E a distance of 140.44 feet to a point; thence with a bearing of N 89°43'46" E a distance of 1208.11 feet to a point; thence with a bearing of N 44°43'46" E a distance of 14.1 feet to a point; thence with a bearing of S 00°43'40" W a distance of 70.00 feet to a point; thence with a bearing of N 89°43'46" W a distance of 1193.82 feet to a point; thence with a bearing of S 44°43'46" W a distance of 90.52 feet to a point; thence with a bearing of S 00°37'57" E a distance of 592.33 feet to a point; thence with a bearing of S 89°36'52" W a distance of 60.00 feet to point "A" the true point of beginning;"

and

WHEREAS, the Distributed Solar Photovoltaic Overlay designation would apply to the Electric Distribution and Road Easement, which consists of a 60 foot-wide access easement running parallel to the southern property line of the parcel described as: "the Southeast Quarter of the Southeast Quarter of Section 17 and the East half of the Northwest Quarter of Section 20. All in Township 19 South, Range 37 East, Mount Diablo Base and Meridian, in the County of Inyo, State of California, according to the official plat thereof.

Together with;

The Southwest Quarter of the Southeast Quarter of Section 17, Township 19 South, Range 37 East, Mount Diablo Base and Meridian, in the County of Inyo, State of California, according to the official plat thereof excepting therefrom that portion described as follows:

Commencing at the Southwest Corner of said Southwest Quarter of the Southeast Quarter and running thence North along the Westerly line of said Southwest Quarter of Southeast Quarter 600 feet; thence East and parallel to the Southerly line of said Southwest Quarter of the Southeast Quarter 560 feet; thence South and parallel to the Westerly line of said Southwest quarter of the Southeast Quarter 600 feet; thence West along the Southerly line of said Southwest Quarter of the Southeast Quarter of 560 feet to the point of beginning;"

and

WHEREAS, the Distributed Solar Photovoltaic Overlay designation would apply to the Electric Distribution and Road Easement described as: "Beginning at the SE Cor of SW 1/4 NE 1/4 Sec.20, T19S., R.37E; Thence with a bearing of N 89°43'46" E a distance of 84.85 feet to a point; Thence with a bearing of S 44°43'46" W a distance of 98.99 feet to a point; Thence with a bearing of S 89°43'46" W a distance of 14.29 feet to a point; thence with a bearing of N 00°43'40" W a distance of 70.00 feet to the point of beginning.; Containing 3470.14 square feet or 0.080 acres;"

and

WHEREAS, General Plan Amendment #2013/01 and Tentative Parcel Map No. 404, Tentative Parcel Map No. 405 and Renewable Energy Permit #2013-01/Munro Valley Solar, LLC will allow for development of a 4.0 MW solar facility over two parcels totaling 30.05 acres; and

WHEREAS, the proposed solar facility is consistent with Title 18 of the Inyo County Code pursuant to Title 21 of the Inyo County Code, which allows for the Inyo County Planning Commission to incorporate development standards as are deemed appropriate and mitigation measures as deemed necessary in lieu of Inyo County Code Title 18 standards concerning permitted, conditional and accessory uses, distance between buildings, height, density and intensity, light and glare, noise and wireless communication facilities; and

WHEREAS, the proposed project is a passive land use that will not result in frequent activity or occupancy of the site during operation, and will not significantly increase use of County facilities, and is consistent with surrounding uses; and

WHEREAS, the proposed project will provide a public intersection with Highway 395 and offer irrevocable right-of-way easements to Inyo County and is properly related to transportation in the vicinity; and

WHEREAS, pursuant to Title 21, the Inyo County Planning Commission conditionally approved Renewable Energy Permit #2013-01/Munro Valley Solar, LLC on September 24th, 2014, which will ensure responsible development of solar energy generation by (1) protecting the health, safety and welfare of Inyo County citizens and its environment, including its public trust resources, by requiring that the adverse impacts of such development are avoided or acceptably mitigated; (2) recovering the county's costs of increased services resulting from such development; and (3) ensuring that the citizens of Inyo County equitably share in the benefits resulting from the use of such resources; and

WHEREAS, the Inyo County Planning Department completed an Initial Study/Environmental Checklist and Draft Mitigated Negative Declaration of Environmental Impact pursuant to CEQA concerning applications for General Plan Amendment #2013-01/Munro Valley Solar, LLC, Zone Reclassification #2014-02/Munro Valley Solar, LLC, Tentative Parcel Map No. 404, Tentative Parcel Map No. 405 and Renewable Energy Permit #2013-01/Munro Valley Solar, LLC; and

WHEREAS, the Inyo County Planning Department circulated said Initial Study and Draft Mitigated Negative Declaration of Environmental Impact for a 30-day public review period as required by Section 15.32.060 of Inyo County Code, commencing on December 19th, 2013, and ending on January 18th, 2014; and

WHEREAS, the Draft Mitigated Negative Declaration was posted for public review with the Inyo County Clerk-Recorder's Office on December 19th, 2013, and the California Office of Planning and Research State Clearinghouse on December 19th, 2013; and

WHEREAS, a Notice of Availability of the Draft Mitigated Negative Declaration was posted in the Inyo Register on December 21st, 2013; and

WHEREAS, the 30-day public comment period closed on January 18th, 2014, and three comments were received from (1) the Native American Heritage Commission, (2) the California

Department of Fish and Wildlife, and (3) the California Department of Transportation, and responses to the comments were prepared; and

WHEREAS, the Inyo County Planning Commission is required to conduct a public hearing on proposed General Plan Amendments and to make a recommendation to the Board of Supervisors thereon on General Plan Amendments (Section 65855 of Government Code); and

WHEREAS, on September 17th, 2014, pursuant to Government Code Section 65352, Inyo County distributed the proposed General Plan Amendment to appropriate land management agencies and organizations for a 45- day comment period; and

WHEREAS, at a noticed public hearing September 24th, 2014, the Planning Commission considered the Draft Mitigated Negative Declaration of Environmental Impact, General Plan Amendment #2013-01/Munro Valley Solar, LLC, Tentative Parcel Map #404, Tentative Parcel Map #405, and Renewable Energy Permit #2013-01/Munro Valley Solar, LLC, report of staff, and all oral and written comments to date regarding this project; and

WHEREAS, following said public hearing the Planning Commission recommended that this Board of Supervisors find the following:

- 1.) That ~~the~~ on the basis of the whole record before it (including the Initial Study and the comment received), that there is no substantial evidence that the project will have a significant effect on the environment; and
- 2.) That the Mitigated Negative Declaration reflects the County's independent judgment and analysis; and
- 3.) Specify that the Inyo County Planning Department is the custodian and location of the documents and other materials which constitute the record of proceedings upon which the decision is based; and
- 4.) Adopt the conditions of approval for the project required to avoid significant environmental impacts; and
- 5.) Adopt the Mitigated Negative Declaration of Environmental Impact; and
- ~~5.)~~6.) Adopt the Mitigation Monitoring Program as a component of the conditions of approval and... [included in] the Renewable Energy Permit; and
- ~~6.)~~7.) Certify that the provisions of the California Environmental Quality Act have been satisfied with respect to the General Plan Amendment; and
- ~~7.)~~8.) Approve the General Plan Amendment application.

WHEREAS, the Planning Commission also conditionally approved Renewable Energy Permit #2013-01/Munro Valley Solar, LLC, Tentative Parcel Map#404, and Tentative Parcel Map #405, subject to the Conditions of Approval; and

WHEREAS, on November 6th, 2014, staff from the Inyo County Planning Department met with the Big Pine Paiute Tribe of the Owens Valley pursuant to SB-18, and the tribe requested that mitigation measures for cultural resources be enhanced, and that a cultural monitor from the Owens Valley be present for all ground disturbing activities; and

WHEREAS, pursuant to the recommendation of the Planning Commission, this Board of Supervisors held a public hearing on November 12th, 2014, and considered all written and oral testimony presented concerning the General Plan Amendment #2013-01/Munro Valley Solar, LLC; and

WHEREAS, at the Public Hearing held on November 12th, 2014, this Board of Supervisors adopted Resolution Number 2014-54, certifying and adopting the Mitigated Negative Declaration of Environmental Impact concerning, and making certain findings with respect to and approving, General Plan Amendment #2013-01/Munro Valley Solar, LLC; and

WHEREAS, on the basis of all written and oral comment and input received at the November 12th, 2014 public hearing, this Board of Supervisors provided enhanced mitigation measures for potential aesthetic and cultural resources impacts; and

WHEREAS, project approval is contingent upon meeting all conditions set forth by the Board of Supervisors;

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the November 12, 2014, hearing, including the Planning Department Staff Report and the Mitigated Negative Declaration of Environmental Impact concerning the above described proposed project;

A. This Board makes the following findings regarding the Mitigated Negative Declaration:

- 1.) A Draft Mitigated Negative Declaration of Environmental Impact was prepared and circulated in accordance with the California Environmental Quality Act and was completed in compliance with CEQA.
- 2.) The Mitigated Negative Declaration of Environmental Impact was reviewed and considered by this Board of Supervisors.
- 3.) On the basis of the whole record before it (including the Initial Study and the comments received), there is no substantial evidence that the project will have a significant effect on the environment.

3.)4.) The Mitigated Negative Declaration of Environmental Impact reflects the County's independent analysis and judgment.

4.)5.) The Inyo County Planning Department is the custodian and location of the documents and other materials which constitute the record of proceedings upon which the decision is based.

B. This Board approves and adopts:

1.) Adopts theAll conditions of approval for the project required to avoid significant environmental impacts.

2.) Adopts theThe proposed Mitigated Negative Declaration of Environmental Impact, with the following enhanced mitigation measures as a conditions of project approval:

a. An enhanced cultural resource mitigation measure which reads as follows:

"Prior to subsurface ground disturbance within a square meter of the sites identified in the cultural survey prepared for the project (ECORP Consulting, May 2013), a subsurface test program will be undertaken by a qualified professional to assess the eligibility of the sites per the California Register of Historic Places. Any artifacts will be left undisturbed in place (this is the preferred method). If resources absolutely cannot be avoided, data recovery shall be performed by a qualified professional in conjunction with Tribal consultation for curation, or donation to a local tribe for reburial or other appropriate treatment. The Developer shall also allow a qualified professional monitor to be present during all on-site ground disturbing activities; if feasible, the monitor will be a Native American cultural monitor from the Owens Valley. In the unlikely event that unanticipated cultural resources are discovered, then Developer shall be required to cease all ground-disturbing activities in the immediate vicinity until a qualified archeologist and/or other appropriate specialist has evaluated the find and appropriate actions are undertaken such as avoidance, relocation, and/or curation. Although not anticipated, if human remains are discovered, the procedures required by CEQA Guidelines Section 15064.5(c) shall be followed."

This Board of Supervisors finds that this enhanced mitigation measure is equivalent to or more effective in mitigating or avoiding potentially significant effects than the previous cultural resource mitigation measure as it will ensure that appropriate archeological studies will occur prior to any ground disturbing activities and that if any cultural resources are discovered appropriate actions will be taken in consultation with Native American tribes of the Owens Valley. This Board of Supervisors finds this enhanced mitigation measure will not cause potentially significant effects on the environment in itself because it strengthens the previously identified mitigation measure and will ensure protection of cultural resources if such

resources are identified. The addition of this mitigation measure does not require recirculation of the Mitigated Negative Declaration. This Board requires that this mitigation shall be completed prior to issuance of a building permit.

- b. Enhanced aesthetics mitigation measures which are insubstantial revisions and read as follows:

“Development shall be setback from Highway 395 to the greatest extent possible, such that the solar facility occupies the eastern portion of the western project site and leaves the western edge of the site adjoining Highway 395 free from development.

In addition, the fixed-tilt solar photovoltaic panels shall be configured at the lowest angle feasible, such that the visual profile of the project is minimized to the greatest extent possible.”

This Board of Supervisors finds that these enhanced aesthetic mitigation measures are responsive to project effects identified in the mitigated negative declaration which are not new avoidable significant effects. Such measures are equivalent to or more effective in mitigating or avoiding potentially significant effects than the previous aesthetics mitigation measure, because in coordination with visual screening, they will reduce the visual impacts for adjacent landowners and along the Highway 395 viewshed by requiring that the solar facility increase its setbacks from the adjacent highway and minimize the tilt and visual profile of solar panels to the greatest extent feasible.

This Board of Supervisors finds these enhanced mitigation measures will not cause potentially significant effects on the environment in themselves because the enhanced mitigation measures do not significantly alter the site, or the placement or location of the proposed solar facility. The addition of these mitigation measures do not require recirculation of the Mitigated Negative Declaration.

- 4-3.) Adopts the mitigation monitoring program which is attached to this Resolution.

- C. Certifies that the provisions of the California Environmental Quality Act have been satisfied with respect to the General Plan Amendment.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby adopt the Mitigated Negative Declaration of Environmental Impact concerning General Plan Amendment #2013-01/Munro Valley Solar, LLC, Zone Reclassification #2013-02/Munro Valley Solar, LLC, Tentative Parcel Map No. 404, Tentative Parcel Map No. 405 and Renewable Energy Permit #2013-01/Munro Valley Solar, LLC.

BE IT FURTHER RESOLVED, that the proposed General Plan Amendment for the proposed solar facility project located south of Olancha is consistent with the following Inyo County General Plan Goals and Policies:

Goal GOV-10.0: Development of energy resources on both public and private lands be encouraged with the policies of the County to develop these energy resources within the bounds of economic reason and sound environmental health. Therefore, the Board supports the following policies.

- a. The sound development of any and all energy resources, including, but not limited to geothermal, wind, biomass, and solar.
- b. The use of peer-reviewed science in the assessment of impacts related to energy resource development.
- c. The development of adequate utility corridors necessary for the transmission of newly generated energy.
- d. Maintain energy opportunities on state and federal lands maintaining and expanding access
- e. Treat renewable energy sources as natural resources, subject to County planning and environmental jurisdiction. Consider, account for, and mitigate ecological, cultural, economic, and social impacts, as well as benefits, from development of renewable energy resources. Consider developing environmental and zoning permitting processes to ensure efficient permitting of renewable energy projects while mitigating negative impacts to county services and citizens, with a goal to ensuring that citizens of the County benefit from renewable energy development in the County.

Goal ED-4: Actively encourage the expansion of existing industry of all types (including resource industries, manufacturing and service industries), and actively recruit new businesses that will bring new jobs to the County.

BE IT FURTHER RESOLVED, that based on all of the written and oral comment and input received at the November 12, 2014, hearing, including the Planning Department Staff Report and the Mitigated Negative Declaration of Environmental Impact concerning the above described project, this Board makes the following findings regarding General Plan Amendment #2013-01/Munro Valley Solar, LLC:

- 1.) Based on substantial evidence in the record, the proposed General Plan Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
- 2.) Based on substantial evidence in the record, the proposed General Plan Amendment is consistent with Title 18 (Zoning Ordinance).
- 3.) The proposed General Plan Amendment is properly related to other uses and transportation and service facilities in the vicinity.

- 4.) The proposed General Plan Amendment will not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.

4.) The proposed General Plan Amendment is necessary or desirable.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve General Plan Amendment ~~Number: 2013-01/Munro Valley Solar, LLC~~ subject to the following Conditions of Approval:

1. Hold Harmless: The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning General Plan Amendment #2013-01/Munro Valley Solar, LLC, or applicant's failure to comply with conditions of approval.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby order that on adoption of this Amendment to Resolution Number: 2014-54, Resolution Number: 2014-54 adopted on November 12, 2014 shall have no force and effect.

BE IT FURTHER RESOLVED, Staff is directed:

- A. To give notice to the State Clearing House and the Inyo County Clerk/Recorder that the Notice of Determination (NOD) filed on November 13, 2014 is withdrawn; and
- B. To file a new NOD in its stead consistent with this Amended Resolution, which shall be posted for thirty days by the Clerk/Recorder as required by law.

BE IT FURTHER RESOLVED, that General Plan Amendment #2013-01/Munro Valley Solar, LLC shall not take effect for thirty days after the date of this Resolution.

PASSED AND ADOPTED THIS ___th DAY OF _____, 2014:

AYES:

NOES:

ABSTAIN:

ABSENT:

Richard Pucci, Chairperson
Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO
Clerk of the Board

By _____
Pat Gunsolley, Assistant

**Mitigation Monitoring Program
Munro Valley Solar, LLC**

General Plan Amendment #2013-01, Renewable Energy Permit #2013-01, Tentative Parcel Map #404, Tentative Parcel Map #405

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Aesthetics				
MM-AES-1:	The Developer shall submit a landscaping plan to the County Planning Department prior to implementation of the proposed project for approval by the Planning Department Director. The landscaping plan shall demonstrate sufficient landscaping or fencing to mitigate any visual impacts associated with the development as viewed by northbound and southbound traffic on Highway 395. The plan shall also identify which species will be planted, which shall be native and drought-tolerant to the greatest extent possible. Landscaping shall be installed prior to the issuance of the Certificate of Occupancy and maintained during operation.	Prior to issuance of a building permit, or a Certificate of Occupancy as appropriate; during operation	Inyo County Planning Department	
MM-AES-2	The Developer shall submit a lighting plan to the County Planning Department prior to implementation of the proposed project for approval by the Planning Department Director. Lighting at the transformers and surrounding project site area shall be designed such that lighting shall be directed toward the ground and away from adjacent structures and roadways, and shall of the lowest illumination practical. The lighting plan shall be implemented during operation. If no lighting is to be installed, the Developer shall not be required to submit a	Prior to issuance of a building permit; during operation	Inyo County Planning Department	

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
lighting plan but rather shall indicate in writing to the County that no lighting is to be installed in connection with the project.				
MM-AES-3: Development shall be setback from Highway 395 to the greatest extent possible, such that the solar facility occupies the eastern portion of the western project site and leaves the western edge of the site adjoining Highway 395 free from development.	Prior to issuance of a building permit	Inyo County Planning Department		
MM-AES-4: The fixed-tilt solar photovoltaic panels shall be configured at the lowest angle feasible, such that the visual profile of the project is minimized to the greatest extent possible.	Plans will be reviewed prior to issuance of a building permit, and an inspection to ensure compliance will occur after project construction.			
Air Quality				
MM-AQ-1: The Developer shall submit a general dust mitigation plan to the County for implementation during construction activities, which includes potential use of palliatives to control dust. If the Developer elects to use palliatives for dust mitigation, a list of materials and a material safety data sheet must be provided to and approved by the County and California Department of Fish and Wildlife (CDFW), and a copy shall be kept on the Property. Dust will be controlled	Prior to issuance of a building permit and during construction	Inyo County Planning Department		

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
during construction by Best Management Practices acceptable to the Great Basin Unified Air Pollution Control District.				
Biological Resources				
MM-BIO-1: If evidence of Desert Kit Fox is found on the site prior to or during construction, a qualified biologist must develop a passive relocation plan for the species to the satisfaction of the California Department of Fish and Wildlife (CDFW).	Prior to and during project construction	Developer, Inyo County Planning Department, CDFW		
MM-BIO-2: The Developer shall obtain an Incidental Take Permit (ITP) for Mojave Ground Squirrel and comply with the mitigation requirements set forth by CDFW for impacts to the Mojave Ground Squirrel. Any habitat conservation required for mitigation shall be located outside of Inyo County to the extent feasible.	Prior to issuance of a building permit	Developer, Inyo County Planning Department, CDFW		
MM-BIO-3: The Developer shall hire consultant biologists to survey and submit to CDFW any needed biological surveys, including regular monitoring by a qualified biologist of nesting birds during the period of February 15th through September 15th during construction of the project, and ongoing monitoring of impacts to migrating birds during construction and operation of the Project.	Project construction and operation	Developer, Inyo County Planning Department, CDFW		
MM-BIO-4: Prior to issuance of a building permit, the Developer shall provide the County with an Invasive Weed Management Plan utilizing Best Management Practices for review and approval for implementation during construction.	Prior to issuance of a building permit	Inyo County Planning Department		

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Cultural Resources				
MM-CUL-1: Prior to subsurface ground disturbance within a square meter of the sites identified in the cultural survey prepared for the project (ECORP Consulting, May 2013), a subsurface test program will be undertaken by a qualified professional to assess the eligibility of the sites per the California Register of Historic Places. Any artifacts will be left undisturbed in place (this is the preferred method). If resources absolutely cannot be avoided, data recovery shall be performed by a qualified professional in conjunction with Tribal consultation for curation, or donation to a local tribe for reburial or other appropriate treatment. The Developer shall also allow a qualified professional monitor to be present during all on-site ground disturbing activities; if feasible, the monitor will be a Native American cultural monitor from the Owens Valley. In the unlikely event that unanticipated cultural resources are discovered, then Developer shall be required to cease all ground-disturbing activities in the immediate vicinity until a qualified archeologist and/or other appropriate specialist has evaluated the find and appropriate actions are undertaken such as avoidance, relocation, and/or curation. Although not anticipated, if human remains are discovered, the procedures required by CEQA Guidelines Section 15064.5(c) shall be followed.	Prior to subsurface ground disturbance within a square meter of the sites identified in the cultural survey prepared for the project (ECORP Consulting, May 2013); prior to and continuing during construction	Inyo County Planning Department in consultation with Owens Valley Paiute Tribes		
Transportation and Traffic				
MM-TT-1: It is unlikely that there will be significant traffic impacts associated with the project; however, the project will supply traffic control during construction to mitigate any potential traffic impacts.	During project construction	Inyo County Planning Department		

Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Utilities and Service Systems				
MM-USS-1: The Developer shall provide appropriate dumpsters from offsite to separate and recycle all of the cardboard, and any plastic and other packaging material, that can be recycled at the Lone Pine Landfill. Materials that cannot be recycled will not be mixed with recyclable materials and disposed of at the Lone Pine Landfill. Construction materials will be sorted on site for recycling.	During project construction	Inyo County Planning Department		
MM-USS-2 During decommissioning of the solar facility, to the extent economical and consistent with practices at the time, functioning solar modules will be stored for reuse and non-functioning modules and other material will be sent to a third party for recycling. Solar modules will not be disposed of in Inyo County. All construction and decommissioning waste shall be sorted prior to disposal, and disposal rates shall be higher for disposal of non-sorted materials at any Inyo County waste facility. This is not intended to be a substitute for the decommissioning plan/provisions found in the Renewable Energy Permit at paragraph 10 and Exhibit "C".	During project decommissioning	Inyo County Planning Department		

Note: This document incorporates by reference Renewable Energy Permit #2013-01/Munro Valley Solar, LLC



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

12

- Consent Departmental Correspondence Action Public Hearing
 Schedule Time For Closed Session Informational

FROM: Planning

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: Request Board receive a presentation on the status of Rural Desert Southwest Brownfields Coalition activities across the Coalition area and in Inyo County; and provide input on and approval for the draft Final Report for the 2011 U.S. Environmental Protection Agency (EPA) Brownfields Coalition Assessment Grant

DEPARTMENTAL RECOMMENDATION:

Review the Final Report and provide comments and recommendations for approval.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

In 2011, Nye County formed a coalition, the Rural Desert Southwest Brownfields Coalition (RDSBC), with Esmeralda, Lincoln and White Pine Counties in Nevada and Inyo County, California to apply for a US Environmental Protection Agency (EPA) Brownfields Coalition Assessment grant in the amount of \$1,000,000. The grant focused on area-wide planning in support of renewable energy and other economic development opportunities. A brownfield is defined as any property where the expansion, redevelopment, or reuse may be complicated by the presence or perceived presence of hazardous substances, pollutants, or contamination. The Brownfields Coalition Assessment grant enabled the Counties to work together to assess brownfield sites and engage in high-level planning activities to redevelop brownfields, particularly those along existing and potential transmission corridors. The funding also facilitated identification and assessment of additional project opportunities for renewable energy and general economic development.

During the grant period, County staff worked with the RDSBC in implementing the grant. Phase I Assessments were made at the PPG Plant south of Lone Pine and the Mt. Whitney Fish Hatchery near Independence. Phase II Assessments was conducted for the PPG Plant and an abatement and redevelopment plan is being developed for the site. The RDSBC is working with the California Department of Fish and Wildlife to identify options for moving forward with site activities.

In May 2014, the RDSBC was awarded an additional \$600,000 Coalition Assessment grant to continue work started under the 2011 grant. Moving forward under the new grant, the RDSBC will continue developing the abatement and reuse plan for the PPG Plant and will continue to work with the California Department of Fish and Wildlife to develop a Memorandum of Agreement to complete the Phase II Assessment on the Mt. Whitney Fish Hatchery and move forward with abatement and redevelopment of the site. County staff will also continue working with the RDSBC to identify additional sites in Inyo County for assessment, cleanup, and redevelopment, including the City of Bishop Church Square Parking Lot located on the north side of Church Street between Warren Street and Fowler Street in Bishop, California.

ALTERNATIVES: The Board could direct changes to the Final Report for approval.

OTHER AGENCY INVOLVEMENT:

US Environmental Protection Agency

Nye County

White Pine County

Esmeralda County

Lincoln County

Mineral County

Additional agencies may be identified through the site selection process.

FINANCING:

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: 12/3/14

Attachments:

- Final Report
- Presentation

**NYE COUNTY, NEVADA
RURAL DESERT SOUTHWEST BROWNFIELDS COALITION ASSESSMENT
PROGRAM**

Final Program Report

In accordance with the schedule included in the Rural Desert Southwest Brownfields Coalition (RDSBC) Assessment Program Work Plan, dated 2011, this report is intended to document progress made during the RDSBC's Hazardous Substances and Petroleum Assessment grant awarded in September of 2011. This report will discuss activities and initiatives that were performed or implemented between September 1, 2011, and December 30, 2014. To facilitate understanding of the progress the RDSBC has made under the grant, we have organized this report to coincide with the tasks described in the Work Plan. Information summarizing progress from the program's inception to date is provided in the "Measures of Success" table at the end of the report.

Overview: Program Goals

The RDSBC comprises five coalition member counties, including: Esmeralda, Lincoln, Nye, and White Pine Counties in Nevada, and Inyo County, California. The primary goals of the Coalition members that provide the framework for the Coalition program include:

1. Protect the health and welfare of the population;
2. Protect the environment of the community; and
3. Promote economic development and job creation.

In order to accomplish these goals the Coalition identified and assessed brownfields throughout the Rural Desert Southwest Brownfields Coalition area, prepared cleanup and reuse plans where necessary, and developed an area-wide plan for the five Counties to promote renewable energy-related development.

The RDSBC's goals align with and support the U.S. Environmental Protection Agency's (EPA's) Strategic Plan and Government Performance and Results Act (GPRA) Goal #4: Healthy Communities and Ecosystems, Objective 4.2 Communities - Sustain, Clean Up, and Restore Communities and the Ecological Systems that Support Them, Sub-objective 4.2.3 Assess, Clean Up and Redevelop Brownfields.

Seven tasks were identified in the Work Plan that would support these goals. These tasks and their associated accomplishments are described in the following sections.

1. Conduct Inventory, Site Selection, and Site Approval

The RDSBC initially identified 263 potential sites to be considered in its Brownfields program, based on a review of environmental databases, and nomination of sites from local community members and leaders. Priority properties for the inventory and selection lists included large parcels with renewable energy redevelopment potential located near existing infrastructure or in designated renewable energy or transmission corridors. Selection criteria was also be based on public concerns, degree of potential contamination, property accessibility, redevelopment potential, and proposed project sustainability.

Each Coalition member-county identified a single representative to participate in quarterly RDSBC meetings to communicate program progress to their respective county Board of Commissioners or Board of County Supervisors, and to provide feedback from their communities back to the Coalition. Potential Brownfield sites were reviewed for consideration either during the quarterly RDSBC meetings or through electronic e-mail communications among the RDSBC member-county representatives. A majority vote by the five member-county representatives was required to include a specific site into the RDSBC's program. Input of the local communities and community leaders was solicited throughout each phase of the task.

These sites were reviewed for eligibility and prioritized into two brownfields inventories - one for petroleum and one for hazardous substance sites. Initial site review allowed for the removal of sites due to ineligibility or inconsistency with program goals. After review of the initial 263 sites was conducted, the list was narrowed down, and ineligible sites were removed from consideration. More thorough reviews were conducted, and by the end of the grant period, eligibility evaluations forms were completed for 22 sites. Of these sites, a total of 13 sites (2 petroleum and 11 hazardous substance), comprised of 36 parcels, were enrolled in the RDSBC Brownfields program for participation during the grant period.

2. Quality Assurance and Environmental Site Assessment

During the award period, a total of 12 Phase I ESAs comprising 33 parcels were completed. Six Phase II ESAs, including their associated Sampling and Analysis Plans (SAPs) and Health and Safety Plans (HASPs) were completed. Overall, nine SAPs and HASPs (covering 10 parcels) were completed; six of these for Phase II ESAs, two in anticipation of Phase II ESAs to be completed under a separate grant (for the Mt. Whitney Fish Hatchery and the Ely Grade School sites, respectively), one was completed for the Lee property (three separate parcels whose development plans were curtailed when the prospective purchaser decided against purchasing and redeveloping the site). Summary information on each of the sites assessed during the project period is shown in **Table 3**, below, and additional information on each can be found in **Appendix A**.

3. Cleanup and Reuse Planning

Cleanup and reuse planning initiatives have been completed for the Tonopah Airport FBO Building, and a portion of the 2011 grant was used to complete the Analysis of Brownfields Cleanup Alternatives for the site in advance of cleanup activities that will occur using funds from the Brownfields Coalition Revolving Loan Fund. Cleanup plans were also completed for the PPG Site located in Inyo County, the Pahrnagat High School Multi-Use Building, the McGill Ballpark, and the McGill Library (both McGill sites are completing cleanup activities under a grant from the State of Nevada Brownfields Program).

4. Area Wide Planning

The Coalition prepared an area-wide plan focused on renewable energy related redevelopment potential and opportunities for open and green space designations. The area-wide plan's purpose was to create a foundation for future clean energy development throughout the five-County territory, which will enable the Coalition to take a holistic approach to planning to prevent future blight and inefficient use of resources. The area-wide plan took into consideration availability of suitable pre-disturbed sites, existing infrastructure, required upgrades to infrastructure, concentration of renewable resources, open space considerations, and community concerns. The Coalition held two public meetings per County to provide the communities with the opportunity to contribute to the planning process, and received invaluable feedback and recommendations that facilitated plan development. The draft Area Wide Plan was finalized in August 2014, after being reviewed and commented on by RDSBC representatives and County Board of Commissioners/Supervisors. Approval of the Final Area Wide Plan was received from the County Board of Commissioners/Supervisors at meetings held in May, June, and July 2014.

5. Project Management and Planning

Shortly after the award notification, the RDSBC released a request for proposals to select a contractor to perform community outreach, technical oversight, administrative assistance, and to perform Phase I and Phase II Environmental Site Assessments. Through a competitive bid process, BEC Environmental, Inc. (BEC) was chosen as the contractor for the grant. The RDSBC held its initial, “kick-off” meeting on January 20, 2012. The meeting served to formally introduce all member County representatives and BEC; to provide an opportunity to review the Work Plan; to discuss proposed approaches for community outreach; and to initiate site identification and selection criteria.

The RDSBC has submitted 12 quarterly reports to EPA Region 9 that describe the activities carried out under the grant including community outreach, site selection, and economic development. These quarterly reports were submitted in conjunction with the occurrence of 12 quarterly meetings held to review the status of current projects; vote on sites to be considered, documents to be finalized, and projects to be included under the grant; and to review financial summaries. The RDSBC has also submitted 60 public notices, presented at five conferences or webinar events, and submitted 12 Phase I Environmental Site Assessments (ESA) on a total of 33 parcels, nine Sampling and Analysis Plans on a total of 11 parcels, six Phase II ESAs, an Area Wide Plan, and two institutional controls (one in Nye County and one in Inyo County) to EPA Region 9. Several sites which had a Phase I ESA completed were composed of more than one parcel. Additionally, one site, composed of three parcels, was included in the RDSBC program for the development of a Sampling and Analysis Plan after the Phase I ESA had been completed.

A total of 34 property profile forms were completed during the 2011 Brownfields Assessment grant award period. Property profile forms were entered into the ACRES system, and updated as needed. Sites assessed and included in ACRES include the following:

- Bishop/Church Square Parking Lot
- Coaldale Junction Truck Stop
- Ely Grade School Building
- Lee Vacant Commercial Property APN 001-171-05
- Lee Vacant Commercial Property APN 001-170-06
- Lee Vacant Commercial Property APN 001-171-07
- McGill Ball Park
- McGill Library
- Mountain Falls Boulevard Gateway APN 045-011-19
- Mountain Falls Boulevard Gateway APN 045-011-23
- Mt. Whitney Fish Hatchery
- Pahrnagat High School Multi-Use Building
- PPG Industries Bartlett Plant
- PUCI Artesia Lift Station
- PUCI Artesia Water Tank
- PUCI Bowman Well 7
- PUCI Bowman Well 8
- PUCI Bowman Well 9
- PUCI Burson Ranch Lift Station
- PUCI CAAS Well 2
- PUCI Future Sewer Plant/Effluent Disposal Site
- PUCI Manse Tank
- PUCI Manse Well 1
- PUCI Pleasant Valley Lift Station
- PUCI PV Tank and Well 2
- PUCI PV Well 1
- PUCI Sewer Plant 600K
- PUCI Well 3
- PUCI Well 3b
- PUCI Well 4
- PUCI Well 5
- PUCI Well 6
- Tonopah Airport FBO Building
- Tonopah Public Works Buildings #1 and #2 (Pending EPA approval, submitted 11/2014)

6. Community Outreach

Sixty public notices were issued during the grant period and presentations were given. These included Board of County Commissioner/Board of Supervisors meetings to inform all interested persons of the program’s intent and progress; newspaper articles; and presentation of the RDSBC at organizational meetings, workshops and webinars. A list of the Board of County Commissioner/Board of Supervisor meetings, events, and press releases, as well as highlights from selected events, is provided below. While this list is not all inclusive, it does provide an overview of the types of meetings, events, and articles that were held or published which highlighted RDSBC activities. In addition to the meetings listed below, RDSBC meetings were held quarterly, with agendas and meeting notes posted on the RDSBC website.

Table 1: Public Outreach

Date	Location	Notice Type
August 16, 2011	Inyo County, California	Inyo County Register Newspaper Article
December 6, 2011	Tonopah, Nevada	Nye Board of County Commissioners
October 10, 2012	Ely, Nevada	White Pine Board of County Commissioners
November 9, 2012	Tonopah, Nevada	Nye Board of County Commissioners
January 22, 2013	Pahrump, Nevada	Nye Board of County Commissioners
March 13, 2013	Goldfield, Nevada	Esmeralda Board of County Commissioners
April 2, 2013	Goldfield, Nevada	Esmeralda Board of County Commissioners
April 2, 2013	Tonopah, Nevada	Nye Board of County Commissioners
May 2, 2013	Pioche, Nevada	Lincoln Board of County Commissioners
May 21, 2013	Independence, California	Inyo County Board of Supervisors
May 22, 2013	Ely, Nevada	White Pine Board of County Commissioners
June 18, 2013	Pahrump, Nevada	Nye Board of County Commissioners
August 20, 2013	Tonopah, Nevada	Nye Board of County Commissioners
August 28, 2013	Ely, Nevada	White Pine Board of County Commissioners
September 3, 2013	Goldfield, Nevada	Esmeralda Board of County Commissioners
September 3, 2013	Tonopah, Nevada	Nye Board of County Commissioners
September 16, 2013	Pioche, Nevada	Lincoln Board of County Commissioners
October 14, 2013	Lincoln County, Nevada	Lincoln County Central Newspaper Article
May 19, 2014	Goldfield, Nevada	Esmeralda Board of County Commissioners
June 3, 2014	Tonopah, Nevada	Nye Board of County Commissioners
June 6, 2014	Pahrump, Nevada	Pahrump Valley Times Newspaper Article
June 17, 2014	Independence, California	Inyo County Board of Supervisors
June 25, 2014	Ely, Nevada	White Pine Board of County Commissioners
July 7, 2014	Pioche, Nevada	Lincoln Board of County Commissioners
September 2, 2014	Tonopah, Nevada	Nye Board of County Commissioners
November 12, 2014	Tonopah, Nevada	Nye Board of County Commissioners
December 2, 2014	Goldfield, Nevada	Esmeralda Board of County Commissioners
December 3, 2014	Ely, Nevada	White Pine Board of County Commissioners
December 9, 2014	Independence, California	Inyo County Board of Supervisors
December 15, 2015	Pioche, Nevada	Lincoln Board of County Commissioners
December 16, 2014	Pahrump, Nevada	Nye Board of County Commissioners

Members of the RDSBC have actively participated in numerous conferences, workshops and webinars, including presentations at one EPA Region 9 Brownfields workshop, one Center for Creative Land Recycling Brownfields workshop, and one Association of State and Territorial Solid Waste Management Officials Brownfields workshop. These events provided workshop participants the opportunity to discuss

program challenges, successes, and strategies with other grantees, and share ideas for innovative approaches to Brownfields related activities such as outreach and assessment.

Through participation in these events, the RDSBC was able to gain exposure to potential developers and promote sites included in the program as potential sites for renewable energy development.

Table 2: Conference and Meeting Participation

Date	Location	Notice Type
October 31, 2011	Henderson, Nevada	Global Solar Summit
November 2012	Carson City, Nevada	Nevada Association of Counties Conference
November 9, 2012	Oakland, California	EPA Region 9 Brownfields Conference
May 15 – 17, 2013	Atlanta, Georgia	EPA Region 9 Brownfields Conference
May 28, 2014	Las Vegas, Nevada	Center for Creative Land Recycling Brownfields Workshop
June 2014	Webinar	Department of Toxic Substances Control
June 11 – 13, 2014	Denver, Colorado	2014 State Superfund and Brownfields Managers Symposium
November 13, 2014	Webinar	Brownfields to Healthfields: Pathways to Healthy Food Access

Participation in conferences and meetings, outside of regular Board of County Commissioner/Board of Supervisors meetings included the following:

- On October 31, 2011, a presentation entitled “A Regional Approach to Renewable Energy Development: The Nye County Example” was given at the Global Solar Summit in Henderson, Nevada which highlighted the regional approach to renewable energy development in Nye County and surrounding areas. While this meeting occurred before the grant officially began, Nye County RDSBC representatives were present.
- On November 9, 2012, EPA Region 9 held a Brownfields Conference in Oakland, California, to provide program information to Brownfield grantees. This workshop included two presentations by the RDSBC, “Leveraging Workforce Development Support” and “Inventories: How to Identify, Prioritize, and Assess Properties,” on how to identify, prioritize, and assess properties under a brownfields grant.
- On November 13-15, 2012, Nevada Association of Counties held its Annual Conference in Carson City, Nevada. The conference included a presentation from the RDSBC, A Regional Approach to Renewable Energy Development: The Nye County Example.
- On May 15-17, 2013, two presentations were given at the EPA Region 9 Brownfields Conference held in Atlanta, Georgia. The first presentation, “Leveraging Workforce Development Support,” highlighted how grantees have utilized EPA workforce development grants to leverage additional support for environmental training. The second presentation, “Inventories: How to Identify, Prioritize, and Assess Properties,” presented information from grantees that have built, maintained and used a brownfields inventory.
- The RDSBC was invited to give a presentation at the Center for Creative Land Recycling Brownfields workshop held in Las Vegas, Nevada, on May 28, 2014. The presentation, “Case Studies: Redeveloping Nevada’s Brownfields,” discussed the redevelopment of brownfields in Nevada and California and focused on key properties redeveloped in Nye County, Nevada, using EPA grant funds. It was also announced at this workshop that the RDSBC had been awarded an

EPA Assessment grant in the amount of \$600,000. The new grant award included Mineral County, Nevada, which had just become an RDSBC member.

- The RDSBC was invited to give a presentation at the Association of State and Territorial Solid Waste Management Officials 2014 State Superfund and Brownfields Managers Symposium in Denver Colorado June 11-13, 2014. The presentation, “Brownfields Community Investment and Coalition-Building,” focused on successful strategies for Brownfields 104(k) grant applications, and highlighted the success of Nye County and the RDSBC, in receiving brownfields job training, assessment, and revolving loan fund grants.

In addition to these workshops, webinars covering a variety of topics were attended.

- On June 6, 2014, the Department of Toxic Substances Control presented a webinar, “Keys to Securing Brownfields Funding,” which provided information on cleanup and redevelopment of brownfield sites and securing brownfield funding.
- On November 13, 2014, the National Association of Local Government Environmental Professionals (NALGEP) presented a webinar, “Brownfields to Healthfields: Pathways to Healthy Food Access.” The webinar provided information on utilizing brownfield sites to improve health through access to healthcare, preventive care, or healthy food.

7. Institutional Controls

As part of the grant Work Plan, the development of up to five institutional controls was identified as a program goal. Nye County was to develop an institutional control, by creating a nuisance ordinance intended to abate environmental nuisances on property held by the Nye County Treasurer’s Trust for delinquent taxes. Associated costs would be levied against the property, and the amount would be collected in the same manner as ordinary county taxes are collected. Previously, the County had a high occurrence of blighted properties being purchased at auction, only to be foreclosed on again when the purchaser became aware of the cost of cleanup and redevelopment. Through the use of the institutional control, buyers of properties at auction would have a more clear understanding of potential issues associated with that property. The goal of the ordinance was to educate buyers, which in turn would allow for a higher rate of site redevelopment.

Upon adoption of Nye County’s Brownfields Ordinance, it was provided to the other Nevada counties in the RDSBC for review and consideration as a similar control in their jurisdiction. Due to differences in the processing of delinquent property taxes in Inyo County, California, Inyo opted to include questions on their building permit checklist which would aid in identifying potential brownfields. Inyo County planned to incorporate this information into a Geographic Information System (GIS) layer which would allow the Planning Department to more easily identify and track potential brownfield sites as the program expands.

8. Program Evaluation

Along with the assessment activities conducted during the grant period ending on December 31, 2014, the RDSBC planned for the continuation of assessment into their FY 2014 Assessment Grant. Properties identified and included in the program near the end of the grant period: the Church Square parking lot in Bishop, California; two Nye County Public Works buildings in Tonopah, Nevada; and the Ely Grade School in Ely, Nevada, will carry over into the FY 2014 grant. The Church Square parking lot and the Nye County Public Works buildings are planned for Phase I assessment, and the Ely Grade School site is expected to have Phase II assessment conducted, as needed. Through this planning and coordination, the RDSBC is making the most effective use of the funds available to them during each award period.

Additional funding leveraged reflects the following:

- Funds were provided in the amount of \$40,920.00 by the Lincoln County School District to complete abatement and begin renovations on the Pahranaagat High School Multi-Use Building.
- Nye County expended \$89,620.00 to complete a full engineering, environmental, and appraisal evaluation on PUCI.
- White Pine County funded \$9,930.00 for the Phase I ESA on three parcels referred to as the Lee Vacant Commercial Property.
- White Pine County received \$25,594.10 from the NDEP Brownfields program to sample, analyze, remove, and dispose of eight pole-mounted transformers which were no longer in use, but still present, at the McGill Ball Park. Additional funding in the amount of \$25,745.35 was received from the Southern Nevada Public Lands Management Act (SNPLMA) for assessment and cleanup activities conducted at the McGill Ball Park.
- The RDSBC leveraged successes from their 2011 grant award to apply for additional funding from EPA. The additional grant awards included a \$1,000,000.00 Revolving Loan Fund (RLF) grant awarded to the Nevada Counties in 2013. Inyo County did not participate in this application due to current RLF programs available through the State of California.
- The RDSBC applied for, and was awarded an EPA Assessment grant for 2014 in the amount of \$600,000.00; this application included the addition of Mineral County, Nevada to the coalition.

Table 3: RDSBC Site Status

County	ACRES ID	Site Name	Phase I	Sampling & Analysis Plan	Phase II	Cleanup/ Reuse Plan	Hazardous or Petroleum Site	EPA Funds Expended	Redevelopment Activities
Esmeralda	148062	Coaldale Junction Truck Stop	December 2012	March 2013	September 2013	On hold	Petroleum	\$129,900.00	Reuse plans are on hold pending identification of funding and cleanup/reuse plans by the property owner.
Inyo	177981	Church Square Parking Lot	Pending	TBD	TBD	TBD	Comingled	Pending	TBD
Inyo	151321	Mt. Whitney Fish Hatchery	November 2012	April 2013	Recommended	Recommended	Hazardous	\$21,313.00	The California Department of Fish and Wildlife is engaged in discussions with Inyo County regarding the preparation and completion of a first-of-its kind Memorandum of Understanding (MOU) with another California State Agency (Sierra Nevada Conservancy) and a non-profit entity to redevelop the site.
Inyo	148063	PPG Industries Bartlett Plant	September 2012	June 2013	January 2014	On hold	Hazardous	\$67,969.00	Cleanup and reuse plans for the site are being considered by the owner. The owner would like to develop the site as an artist's colony.

County	ACRES ID	Site Name	Phase I	Sampling & Analysis Plan	Phase II	Cleanup/ Reuse Plan	Hazardous or Petroleum Site	EPA Funds Expended	Redevelopment Activities
Lincoln	148002	Pahranagat High School Multi-Use Building	June 2012	August 2012	October 2012	Yes	Hazardous	\$15,839.00	The Multi-use building has undergone asbestos and lead-based paint abatement; however, the building is not in use as no funds are currently available for renovation. The Lincoln County School District is considering plans to winterize the building by installing some new windows and then continuing to renovate the building as funds become available.
Nye	147981 148001	Mountain Falls Boulevard Gateway – 2 Parcels	May 2012	No	No	No	Hazardous	\$6,955.08	The site was assessed for redevelopment at a new commercial center in Pahrump.
Nye	148125 148081 148091 148092 148093 148161 148084 148124 148082 148083 148126	PUCI – 19 Parcels	July 2012	No	No	No	Hazardous	\$25,825.00	Assessment was completed in the event Nye County chose to purchase the private utility. The County ultimately declined purchase of the site and its associated facilities.

County	ACRES ID	Site Name	Phase I	Sampling & Analysis Plan	Phase II	Cleanup/ Reuse Plan	Hazardous or Petroleum Site	EPA Funds Expended	Redevelopment Activities
	148122 148121 148123 148085 148087 148088 148089 148090								
Nye	170164	Tonopah Airport FBO	February 2014	March 2014	May 2014	September 2014	Hazardous	\$25,507.00	The first project to be funded through the Rural Brownfields Coalition Revolving Loan Fund, the Tonopah Airport FBO building is undergoing the steps necessary to initiate cleanup. The current structures will be demolished and the site will be rebuilt using pre-fabricated metal structures. It is intended to continue in its use as a Fixed Base Operator for the airport.
Nye	Pending	Nye County Public Works Buildings 1 and 2	Pending	TBD	TBD	TBD	Comingled	Pending	TBD
White Pine	151062 152341 152342	Lee Vacant Commercial Property – 3 Parcels	June 2012	November 2012	Recommended	No	Petroleum	\$4,602.50	After initial Phase II ESA activities began, White Pine County decided against purchasing the

County	ACRES ID	Site Name	Phase I	Sampling & Analysis Plan	Phase II	Cleanup/ Reuse Plan	Hazardous or Petroleum Site	EPA Funds Expended	Redevelopment Activities
									property in favor of another site, and the property owner declined to continue participation in the program.
White Pine	148021	McGill Ball Park	May 2012	August 2012	October 2012	Underway	Hazardous	\$17,941.50	Abatement of asbestos containing materials and lead-based paint present in bleachers and siding is undergoing abatement using funding from several local and state sources. This project will be unique as it will have leveraged funding from the State of Nevada Brownfields, RDSBC, and SNPLMA funds for assessment and cleanup activities. Furthermore, upon completion of this project the oldest ball park in Nevada will again be ready for use by the public.

Property values were collected and tracked for each site assessed under this grant. The time period covered for each site is based on the period of the grant award it was assessed under. Years covered reflect the local and state fiscal year, from July 1 to June 30.

Total assessed valuation was utilized as the measure for property values for purposes of this report. The majority of sites showed some amount of fluctuation in value for the specified time period. An explanation is provided for any significant fluctuations in value.

I. Esmeralda County

One site was assessed in Esmeralda County, Nevada.

- Coaldale Junction Truck Stop – Total assessed valuation experienced a \$593 decrease between FY10/11 and FY14/15.

II. Inyo County

Three sites were assessed in Inyo County, California. The Church Square Parking Lot was assessed at the end of the grant period, the property value will be tracked in the 2014 EPA Brownfields Assessment Grant.

- PPG Industries Bartlett Plant – Total assessed valuation experienced an increase of \$9,781 from FY 11/12 to FY 14/15.
- Mt. Whitney Fish Hatchery – During data collection, the parcel number for the Mt. Whitney Fish Hatchery was corrected to 022-070-06-00. The Mt. Whitney Fish Hatchery is owned by State of California Department of Fish and Wildlife and is no longer an active hatchery. As such, the Inyo County Assessor's Office does not assign value to the property. There are no property values available for the time period of the grant award, FY10/11 to FY14/15.

III. Lincoln County

One site was assessed in Lincoln County.

- Pahrnagat High School Multi-Use Building – Total assessed valuation for the Pahrnagat High School Multi-Use Building experienced a \$1,226,910 decrease from FY 10/11 to FY 14/15. The decrease resulted from availability of technology during the reassessment period in FY 12/13. Prior to FY 12/13, aerial photographs were not available for use in assessing property. When the site was reassessed between FY 11/12 and FY 12/13, aerial photographs were available. The photographs revealed that several buildings previously listed as present on the parcel were actually located on an adjacent parcel. The buildings were placed with the correct parcel, and removed from the subject parcel, resulting in a \$1,234,987 decrease in total assessed valuation. Between FY 12/13 and FY 14/15, total assessed valuation experienced a \$37,956 increase for the subject site.

IV. Nye County

During the award period, a total of 23 sites were assessed in Nye County under this grant award. All sites experienced fluctuations from FY 10/11 to FY 11/12. Overall, the County experienced a \$2,793,994 increase in total assessed valuation for all sites assessed during the grant period.

Nye County is divided into five separate sections and each section is appraised for improvements every five years, as opposed to land values which are appraised every year. As a result, it is possible to complete improvements on a site at the end of a reassessment period and not see the improvements reflected in the total assessed valuation until the site is reassessed five years later, resulting in an increase in total assessed valuation as a result of an increase in, or the addition of, improvement values.

During the economic downturn in 2008, sale values decreased across Nye County, particularly in the areas of Pahrump and Amargosa Valley. However, these decreases were not reflected in property values until FY10/11. Due to the timing and schedule of when property values must be completed for the upcoming fiscal year, yearly assessed values are always two to three years behind the market. For example, for values presented for FY 10/11, sales must be completed by June 30, 2009 to be utilized for the following fiscal year. Additionally, Nye County completed a county-wide reassessment of all parcels in 2010. The result showed a 35-40% decrease in property values in Pahrump and Amargosa Valley. Due to the size of the County, and the time constraints for completion of the county-wide reassessment, only the taxable property, such as personal and commercial/industrial property, was reassessed at this time. Non-taxable property, such as property owned by federal, state, and local governments, was not reassessed until the following year, and is reflected in the values for FY 11/12. FY 10/11 values for these parcels were carried over into from the previous fiscal year until the reassessments could be completed in FY 11/12.

During the reassessment period, Nye County reviewed parcels owned and operated by Pahrump Utilities Company, Inc. (PUCI). The County determined that multiple parcels containing wells and other water infrastructure were only servicing a single company or area and were not a separate source. As a result, Nye County consolidated parcels into three separate water systems: Manse Water System, Artesia Water System, and Pleasant Valley Water System. Improvement values for parcels containing single wells servicing the specific water system were removed from the associated parcel and consolidated under the parcels containing storage tanks for that system.

- PUCI Artesia Water System – The Artesia Water System contains the following sites: PUCI Artesia Water Tank, PUCI Well 4, PUCI Well 5, and PUCI Well 6. Improvement values for FY 12/13 were dropped from the three well sites and consolidated under the PUCI Artesia Water Tank site. As a result, the three wells experienced a combined decrease in total assessed valuation of \$48,978 and the Artesia Well Tank experienced an increase of \$562,700 from FY 11/12 to FY 12/13. The total assessed valuation for the Artesia Water Tank increased by \$575,318 from FY 10/11 to FY 14/15.
- PUCI Manse Water System - The Manse Water System contains the following sites: PUCI Manse Tank, PUCI Manse Well 1, PUCI CAAS Well 2, PUCI Well 3, PUCI Well 3b, PUCI Bowman Well 7, PUCI Bowman Well 8, and PUCI Bowman Well 9. Improvement values for FY 12/13 were dropped from the seven well sites and consolidated under the PUCI Manse Tank site. As a result, the seven wells experienced a combined decrease in total assessed valuation of \$70,192 and the PUCI Manse Tank experienced a \$1,636,406 increase. The total assessed valuation for the PUCI Manse Tank increased by \$1,669,253 from FY 10/11 to FY 14/15.
- PUCI Pleasant Valley Water System - The Pleasant Valley Water System contains the following sites: PUCI PV Well 1 and PUCI PV Tank and Well 2. Improvement values for FY 12/13 were dropped from the PUCI PV Well 1 site and consolidated under the PUCI PV Tank and Well 2 site. As a result, the PUCI PV Well 1 site experienced a decrease in total assessed valuation of \$12,107 and the PUCI PV Tank and Well 2 site experienced an increase of \$944,610. The total

assessed valuation for the PUCI Tank and Well 2 increased by \$966,254 from FY 10/11 to FY 14/15.

V. White Pine County

Three sites, the McGill Ball Park, McGill Library, and Ely Grade School, were assessed under this grant award. Three sites, Lee Vacant Commercial Property APN 001-171-05, Lee Vacant Commercial Property APN 001-170-06, and Lee Vacant Commercial Property APN 001-171-07, were assessed under a separate program but were added to this program for consideration for completion of the recommended Phase II ESA. Overall, White Pine County experienced a \$3,645 decrease in total assessed valuation for the subject sites.

- Ely Grade School Building – Total assessed valuation experienced a \$9,985 increase from FY10/11 to FY14/15.
- Lee Vacant Commercial Property APN 001-171-05 – Total assessed valuation experienced a \$1,260 decrease from FY10/11 to FY14/15.
- Lee Vacant Commercial Property APN 001-170-06 – Total assessed valuation experienced a \$3,659 decrease from FY10/11 to FY14/15.
- Lee Vacant Commercial Property APN 001-171-07 – Total assessed valuation experienced a \$1,222 decrease from FY10/11 to FY14/15.
- McGill Ball Park – Total assessed valuation experienced a \$3,575 increase from FY10/11 to FY14/15.
- McGill Library – Total assessed valuation experienced an \$11,064 decrease from FY10/11 to FY14/15.

Table 4: Measures of Success

Task #	Milestones and Deliverables	Status
1	Two site inventory lists – Hazardous & Petroleum	Completed
	Prioritization criteria	Completed
	Prioritized site lists	Completed
	Twenty site approval forms	22 forms completed
2	Five draft QAPPs/SAPs	9 SAPs completed
	Five draft HSPs	9 completed
	Five final QAPPs/SAPs	9 SAPs completed
	Five final HSPs	9 completed
	Twenty Phase I ESA reports	12 ESAs on 33 parcels completed
	Five Phase II ESA reports	6 ESAs on 6 parcels completed
3	Five cleanup/reuse plans	5 plans completed
4	One Area-wide plan	Completed
5	RFQ to select qualified contractors	Completed – Contract awarded 12.21.2011
	12 quarterly reports (financial & progress)	12 Quarterly Reports completed

	Three annual financial status reports	2 completed
	Three MBE/WBE updates	2 completed *to be confirmed w/Nye County
	One final progress report	In progress
6	Agendas and backup for 31 public meetings	1 – Nye County meeting to approve agreement 5 – Coalition Members meeting to approve MOA 40 – Individual County Commission meetings and RDSBC meetings
	Sixty Public Notices	60– Public Notices
7	Up to five institutional controls	2 completed

9. Budget Summary

The following budget summary table expresses the status of the current project budget to date:

Table 5: Project Budget Summary Table

	All	Esmeralda	Inyo	Lincoln	Nye	White Pine	TOTAL
Task 1 Site Selection	\$3,225.00	\$677.50	\$1,963.75	\$372.52	\$895.00	\$766.27	\$7,900.04
Task 2 QAPP/ HASPP/ESAs	\$24,753.89	\$121,655.53	\$89,941.73	\$15,839.00	\$60,349.31	\$67,671.92	380,211.38
Task 3 Cleanup/ Reuse Planning	\$4,073.75	\$2,199.79	\$20,327.91	\$96.25	\$10,755.85	\$1,617.50	\$39,071.05
Task 4 Area Wide Plan	\$128,066.44	\$25,470.29	\$25,104.19	\$20,357.14	\$56,223.29	\$35,920.35	\$291,141.70
Task 5 Project Management	\$42,069.87	\$0	\$0	\$0	\$0	\$0	\$42,069.87
Task 6 Public Outreach	\$29,565.16	\$6,699.74	\$5,982.70	\$3,756.00	\$10,458.10	\$5,926.39	\$62,388.09
Task 7 Institutional Controls	\$1,288.75	\$145.00	\$1,030.00	\$97.50	\$3,440.00	\$328.75	\$6,330.00
Total Expenditures through 09/30/2014	\$233,042.86	\$156,847.85	\$144,350.28	\$40,518.41	\$142,121.55	\$112,231.18	\$829,112.13

**** Budget to be updated in Final Summary Report. Current budget totals are through September 30, 2014.**

In Conclusion

It should be noted that the RDSBC is continuing to build on its brownfields program, through the addition of a sixth member-County, the award of an additional Environmental Protection Agency (EPA) Brownfields Assessment grant, and implementation of an EPA Brownfields Revolving Loan Fund (RLF).

We have appreciated working with the Environmental Protection Agency and our community partners to make the Rural Desert Southwest Brownfields Coalition a successful, sustainable example for other rural counties throughout the country!

DRAFT

Appendix A
Fact Sheets

COALDALE JUNCTION TRUCK STOP

ACRES-ID: 148062
Address: U.S. Highway 95 and U.S Highway 6
Coaldale, NV
APN: 006-161-09
County: Esmeralda
Latitude: 38° 1' 37.614" N
Longitude: 117° 53' 0.6786" W
Size: 40 acres

History: The property is a former truck stop located near the intersection of U.S Highway 95 and U.S. Highway 6, approximately 50 miles west of Tonopah, Nevada. Although the exact date of construction of the truck stop is unknown, records indicate the site became operational in the 1960s. The site has been abandoned since the mid-1990s and has never been operated by Esmeralda County or the current owner.

Environmental Work: A Phase I Environmental Assessment was completed in December 2012. A Phase II Environmental Assessment was completed in September 2013. Findings included contamination from total petroleum hydrocarbons in the soil and groundwater as well as lead and asbestos containing materials in the buildings.

Existing Condition: Remnants from the former truck stop include a cafe, motel, and diesel/gasoline retail facilities.

Future Use: Coordination is ongoing between the RDSBC, the property owner, Esmeralda County, and the Nevada Division of Environmental Protection to determine the best redevelopment options for the property.

County Contact:

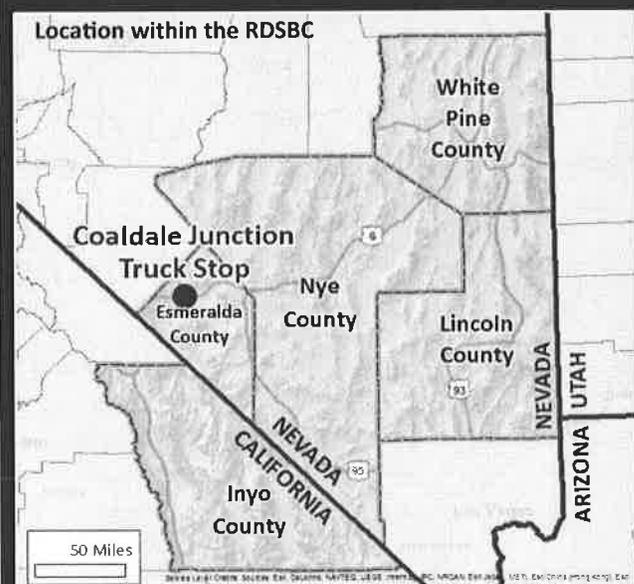
Nancy Boland
775-485-3406
njboland.Nev@gmail.com

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

The Rural Desert Southwest Brownfields Coalition (RDSBC) is comprised of Esmeralda, Lincoln, Nye and White Pine Counties, NV, and Inyo County, CA.

<http://www.rdsbc.org/>

Coaldale Jct. Truck Stop Photo



MT. WHITNEY FISH HATCHERY

ACRES-ID: 151321
Address: 1 Golden Trout Circle
Independence, CA 93526
APN: 022-070-06
County: Inyo
Latitude: 36° 49' 51.60" N
Longitude: 118° 14' 40.56" W
Size: 40 acres

History:

Site construction was completed in 1917. The site has been owned and operated by the California Department of Fish and Wildlife since that time. The site was slated for operational closure due to budget cuts and was severely damaged in a fire (2007) and a flood (2008).

Environmental Work:

A Phase I Environmental Site Assessment was completed in September 2012. A Phase II Environmental Assessment was recommended. Asbestos, lead-based paint, heavy metals, and petroleum hydrocarbons were suspected on-site.

Existing Condition:

The site consists of the partially operational fish hatchery and visitors center.

Future Use:

The site is being evaluated by Inyo County and the owner for potential reuse applications, including commercial and residential developments.

County Contact:

Elaine Kabala
760-878-0265
Email: ekabala@inyocounty.us

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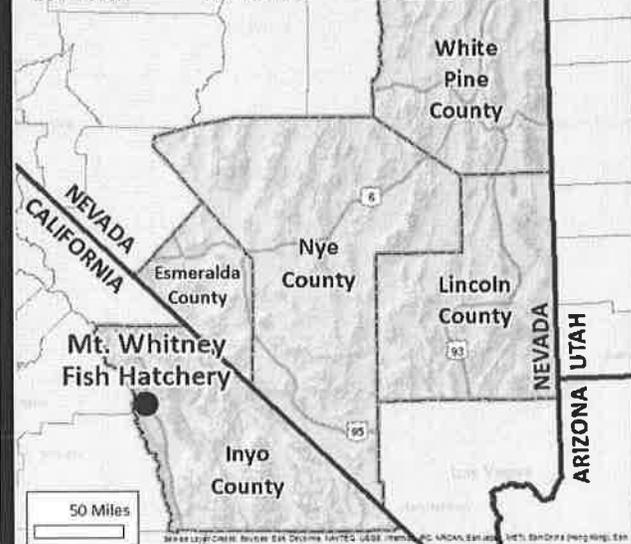
Mt. Whitney Fish Hatchery Photo



Aerial Photo



Location within the RDSBC



PPG INDUSTRIES BARTLETT PLANT

ACRES-ID: 148063
Address: 800 North Highway 395
Cartago, CA 93549
APN: 029-100-63
County: Inyo
Latitude: 36° 28' 33.44" N
Longitude: 118° 1' 57.26" W
Size: 100 acres

History: The property is located on the west shore of the Owens Dry Lake, approximately ten miles south of Lone Pine, California. The property was used by PPG Industries as a salt extraction facility, soda ash manufacturing, and chemical recovery and reprocessing facility until it ceased operation in 1958.

Environmental Work: A Phase I Environmental Assessment was completed in July 2012. A Phase II Environmental Site Assessment was completed in January 2014. During the Phase II Assessment, the presence of total Petroleum hydrocarbons, volatile organic compounds, asbestos and lead containing material were confirmed and an underground storage tank was located. A cleanup and reuse plan is being scheduled for mid-2014.

Existing Condition: The site is proposed for participation in California's Brownfields Revolving Loan Fund Program to fund the abatement process.

Future Use: The site is being evaluated by Inyo County and the owner as a possible location for the Owens Dry Lake Visitor Center and renewable energy applications.

County Contact:

Elaine Kabala
760-878-0265
Email: ekabala@inyocounty.us

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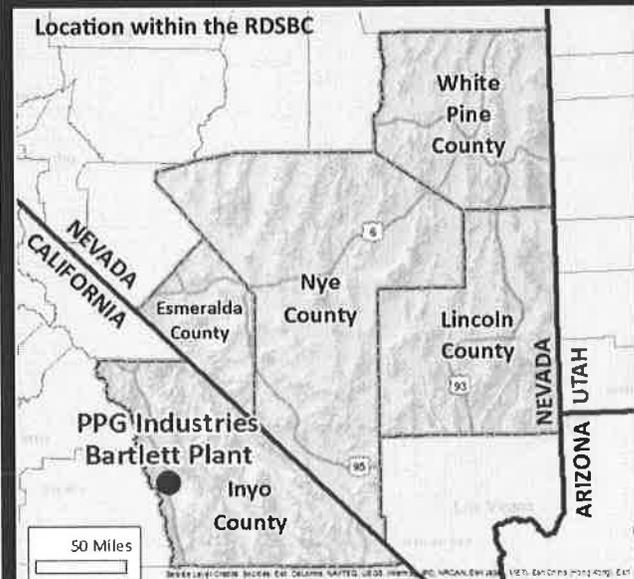
PPG Industries Bartlett Plant Photo



Aerial Photo



Location within the RDSBC



PAHRANAGAT HIGH SCHOOL MULTI-USE BUILDING

ACRES-ID: 148002
Address: 262 Weeping Willow Avenue
Alamo, NV 89042
APN: 004-101-01
County: Lincoln
Latitude: 37° 21' 43.61" N
Longitude: 115° 9' 51.09"
Size: 7.50 acres

History: The property is located on the southeast corner of Weeping Willow Street and South Main Street. The Multi-Use Building was originally used as a military barracks and was acquired through donation by the United States Air Force. The building was transported from Nellis Air Force Base to its existing location during the 1963-1964 school year.

Environmental Work: A Phase I Environmental Site Assessment was completed in May 2012. A Phase II Environmental Site Assessment was completed in August 2012, which reported lead-based paint and asbestos were present. Abatement was completed in 2013.

Existing Condition: The Multi-Use Building is used by Pahranaagat High School's maintenance department and for storage of physical education equipment.

Future Use: The Lincoln County School District will continue using the building as a school facility. The School District is planning a renovation, which will include remodeling of the Multi-Use building.

County Contact:

Cory Lytle
775-962-5165
clytle@lincolnnv.com

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

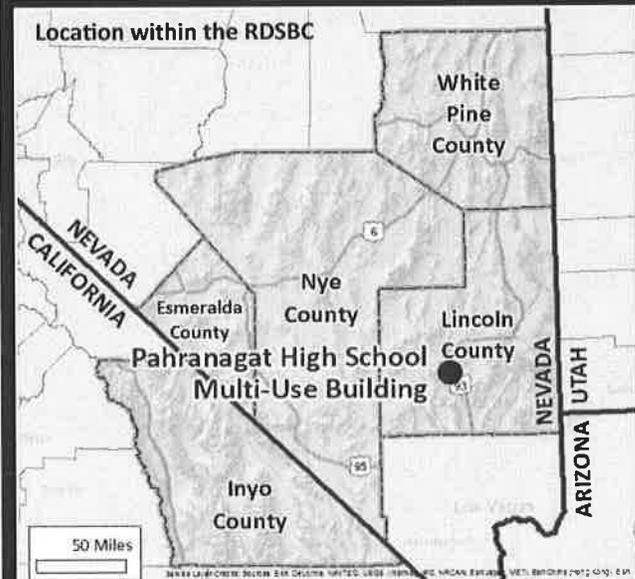
The Rural Desert Southwest Brownfields Coalition (RDSBC) is comprised of Esmeralda, Lincoln, Nye and White Pine Counties, NV, and Inyo County, CA.

<http://www.rdsbc.org/>

Pahranaagat High School Multi-Use Building Photo



Location within the RDSBC



MOUNTAIN FALLS GATEWAY

ACRES-ID: 148001 and 147981
Address: State Highway 160 & Mountain Falls Boulevard
Pahrump, NV 89061
APN: 045-011-23 and 045-011-19
County: Nye
Latitude: 36° 9' 14.46" N (center of boundary between the two parcels)
Longitude: 115° 54' 00" W (center of boundary between the two parcels)
Size: 7.64 and 3.44 acres

History:

The undeveloped property resides in an area of the Pahrump Valley with a history of agricultural use.

Environmental Work:

A Phase I Environmental Site Assessment was completed in July 2012. Contaminants from nearby agricultural facilities were suspected; however, no evidence was found to warrant a Phase II Environmental Site Assessment.

Existing Condition:

The property is vacant and ready for redevelopment.

Future Use:

The property is being evaluated for a mixed-use commercial development.

County Contact:

Amy Fanning
775-751-7091
Email: afanning@co.nye.nv.us

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

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<http://www.rdsbc.org/>

Mountain Falls Gateway Photo



Aerial Photo



Location within the RDSBC



**PAHRUMP UTILITY COMPANY, INC.
(PUCI) 19 SITES**

ACRES-ID: 148081 - 148085, 148087 - 148093,
148121 - 148126, & 148161

Address: Pahrump, NV

County: Nye

Latitude: 36° 7' 52.10" N (centroid of all sites)

Longitude: 115° 55' 10.89" W (centroid of all sites)

Size: Average 0.5 acres, omitting the largest site of approximately 40 acres

History: Founded in 1995, Pahrump Utility Company, Inc. (PUCI) originally operated a sewer treatment plant for two local subdivisions. The utility subsequently expanded and in 2002 was certified for water service.

Environmental Work: A Phase I Environmental Site Assessment encompassing 19 sites was completed in July 2012. Suspected contaminants included pesticides, herbicides, fertilizers, and other constituents of concern associated with wastewater treatment operations in addition to chlorine and other chemicals associated with water conditioning and disinfection. The Phase I Assessment found no evidence to warrant a Phase II Environmental Site Assessment.

Existing Condition: The sites include lift stations, active/backup well stations, and above ground water holding tanks currently owned and operated by PUCI. The parcels range in size from 0.01 to 40 acres; however, by omitting the largest 40 acre parcel, the average site size is approximately 0.5 acre.

Future Use: All parcels will be used for utility purposes. The 40-acre site has been zoned and designated to be developed as a regional Wastewater Treatment Plant, which could process up to five million gallons of wastewater per day. Expansion of the utility will support new businesses and will foster future economic development within Nye County.

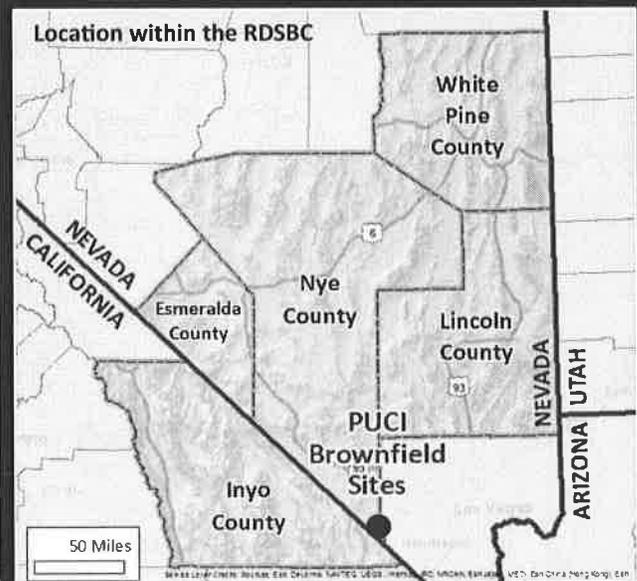
County Contact:

Amy Fanning
775-751-7091
Email: afanning@co.nye.nv.us

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<http://www.rdsbc.org/>



TONOPAH FBO BUILDING

ACRES-ID: 170164
Address: 1 Airport Road
Tonopah, NV 89048
APN: 012-471-03
County: Nye
Latitude: 38° 3' 48.57" N
Longitude: 117° 5' 47.69" W
Size: 0.75 acres within a 2,171 acre parcel

History: The site was first developed in the 1940s as the operations building for the Tonopah Army Air Field. Nye County has owned and operated the facility as a general aviation airport since July 29, 1949. Desert Flying Services has leased the fixed base operations building since 1975.

Environmental Work: A Phase I Environmental Site Assessment was completed in February 2014. The Phase I recommended further assessments to identify any asbestos containing building materials, lead-based paint, and soil contamination due to the presence of an above-ground storage tank. A Phase II Environmental Site Assessment was completed in May 2014. The Phase II Assessment determined asbestos containing materials, lead-based paint, total petroleum hydrocarbons and volatile organic compounds were present.

Existing Condition: The portion of the site assessed includes the FBO Buildings, Federal Aviation Administration support buildings, and a storage shed.

Future Use: Nye County plans to demolish the current buildings and replace them with new, upgraded facilities as part of its Tonopah Airport revitalization initiative.

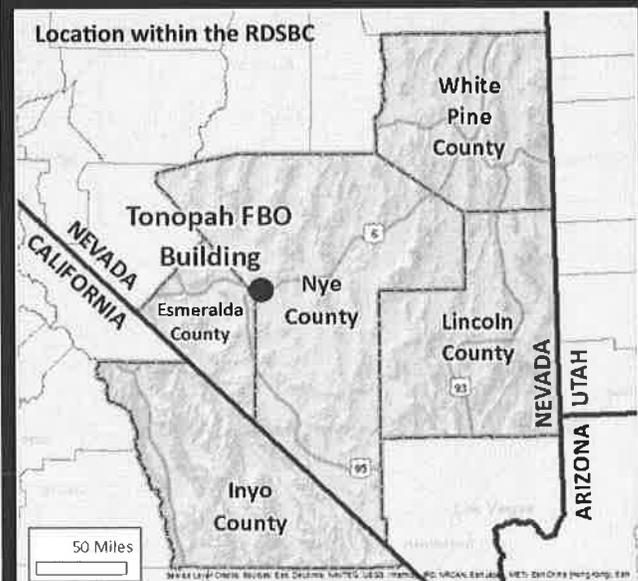
County Contact:

Amy Fanning
775-751-7091
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<http://www.rdsbc.org/>



LEE VACANT COMMERCIAL PROPERTIES

ACRES-ID: 152342, 152341, 151062
Address: Aultman Street and 2nd Street
Ely, NV 89301
APN: 001-171-05, 001-171-06, 001-171-07
County: White Pine
Latitude: 39° 24' 21.63" N (center of 3 parcels)
Longitude: 114° 46' 40.49" W (center of 3 parcels)
Size: 0.11, 0.34, 0.11 acres

History:

Site usage dates back to 1912. The site has been the location of a blacksmithing and welding shop as well as a car dealership.

Environmental Work:

A Phase I Environmental Site Assessment was completed in June 2012. A Phase II Environmental Site Assessment has been recommended. Petroleum hydrocarbons and heavy metals were suspected.

Existing Condition:

The site is composed of three parcels, which are primarily asphalt paved with a 10'x10' structure located on the southeast corner of the site.

Future Use:

The site is proposed to be developed as a commercial property within the City of Ely's commercial area.

County Contact:

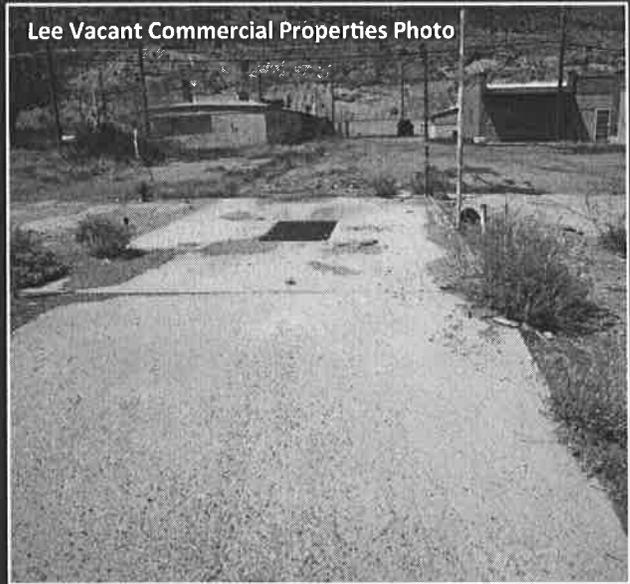
Jim Garza
775-293-6592
Email: wpcedc@mwpower.net

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

The Rural Desert Southwest Brownfields Coalition (RDSBC) is comprised of Esmeralda, Lincoln, Nye and White Pine Counties, NV, and Inyo County, CA.

<http://www.rdsbc.org/>

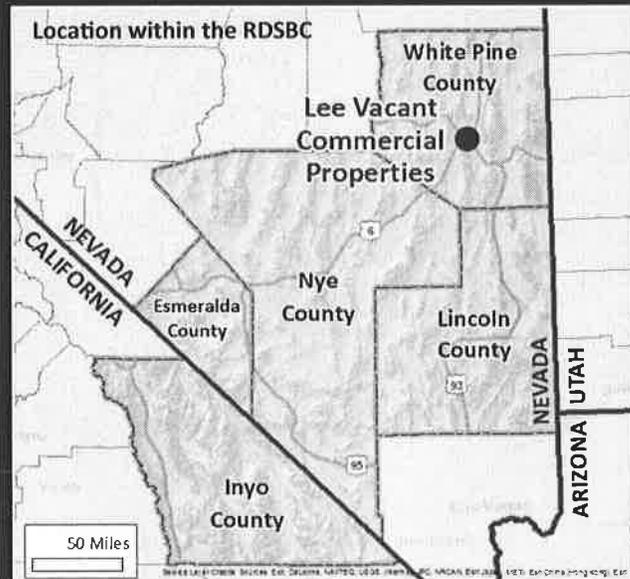
Lee Vacant Commercial Properties Photo



Aerial Photo



Location within the RDSBC



MCGILL BALL PARK

ACRES-ID: 148021
Address: 56 South 4th Street
McGill, NV 89318
APN: 004-034-01
County: White Pine
Latitude: 39° 23' 55.27" N
Longitude: 114° 46' 52.52" W
Size: 4.75 acres

History: The park was constructed by Nevada Consolidated Copper in the early 1900s, providing its employees with a place for recreational activities. The property was then owned by Kennecott Mining Company. Although it is not known when Kennecott came into ownership of the property, in 1961 ownership was transferred to the White Pine County School District. The site was acquired by the White Pine County Board of Commissioners via quitclaim on March 14, 1994.

Environmental Work: Phase I and Phase II Environmental Site Assessments were completed in the last quarter of 2012. Asbestos containing materials, lead-based paint, and polychlorinated biphenyls (transformers) were present.

Existing Condition: Abatement of asbestos and lead containing materials was initiated in the last quarter of 2013. Abatement was completed in the spring of 2014.

Future Use: The McGill Ball Park, which is the oldest ball park in the State of Nevada, received funding for refurbishing and reuse as a community facility.

County Contact:

Jim Garza
775-293-6592
Email: wpcedc@mwpower.net

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

The Rural Desert Southwest Brownfields Coalition (RDSBC) is comprised of Esmeralda, Lincoln, Nye and White Pine Counties, NV, and Inyo County, CA.

<http://www.rdsbc.org/>

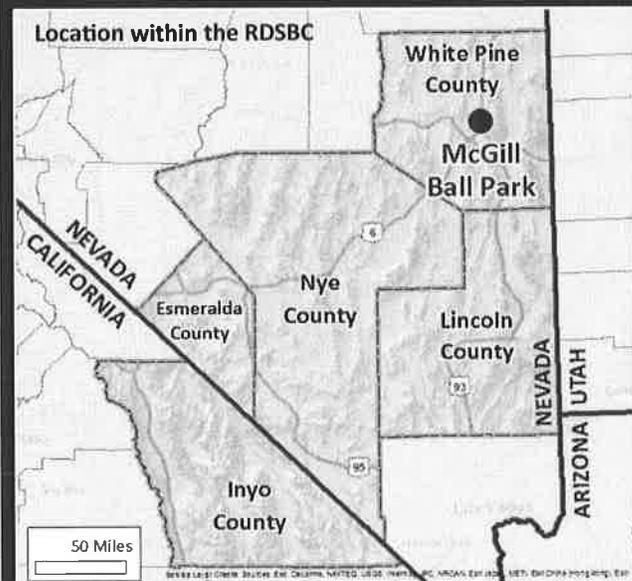
McGill Ball Park Photo



Aerial Photo



Location within the RDSBC



MCGILL LIBRARY

ACRES-ID: 156721
Address: 4 North Fourth Street
McGill, NV 89318
APN: 004-071-02
County: White Pine
Latitude: 39° 24' 21.63" N
Longitude: 114° 46' 40.49"
Size: 0.67 acres

History:

The McGill Library (Kinnear Library), built in 1940 and originally owned by the Kennecott Mining Company, was donated to White Pine County in 1977. The building has been used as a town hall, an American Legion, and an Emergency Medical Technician meeting place. It has also been used as a training facility for the volunteer Fire Department.

Environmental Work:

A Phase I Environmental Assessment was completed in April 2013. A Phase II Environmental Assessment was underway in May 2014 to determine the presence of any contaminants.

Existing Condition:

A single story building occupies approximately 0.05 acres of the 0.67 acre parcel.

Future Use:

The facility will be used as a library and community meeting place.

County Contact:

Jim Garza
775-293-6592
Email: wpcedc@mwpower.net

RURAL DESERT SOUTHWEST BROWNFIELDS COALITION

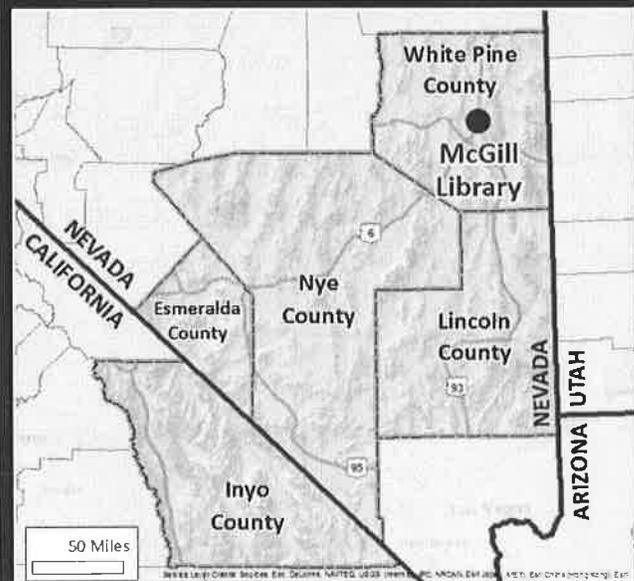
The Rural Desert Southwest Brownfields Coalition (RDSBC) is comprised of Esmeralda, Lincoln, Nye and White Pine Counties, NV, and Inyo County, CA.

<http://www.rdsbc.org/>

McGill Library Photo



Aerial Photo



Goals and Objectives

GOALS: The following are the primary goals of the Coalition members that provide the framework for the Coalition program:

- Protect the health and welfare of the population
- Protect the environment
- Promote economic development and job creation
- Promote economic development and diversification through water-efficient renewable energy, particularly renewable energy development on former brownfields



Inyo County Brownfields



Measures of Success

Measures	Grant Goal	RDSBC Actual	Inyo Actual
Site lists	2	2	2
Site eligibility forms completed (by parcel)	20	24 forms (74 parcels)	2 forms (2 parcels)
ACRES Forms (by parcel)	20	32 forms (32 parcels)	2 forms (2 parcels)
Phase I ESAs (by parcel)	20	10 ESAs (29 parcels)	2 ESAs (2 parcels)
Sampling and Analysis Plans (by parcel)	5	9 plans (11 parcels)	2 plans(2 parcels)
Phase II ESAs (by parcel)	5	6 ESAs(6 parcels)	1 ESA (1 parcel)
Parcels not requiring cleanup activity	N/A	24 parcels	0 parcels
Proposed cleanup and redevelopment action	5 parcels	5 parcels, 111.43 acres	1 parcel, 99.95 acres
Cleanup activities underway	N/A	2 parcels, 5.5 acres	0 parcels
Cleanup activities complete	N/A	2 parcels (4.81 acres)	0 parcels
Clean-up/Reuse plans	5	1 complete, 3 in progress, 1 on hold	1 (In progress)
Redevelopment activities	N/A	4 parcels	2 parcels
Area Wide Plan	1	1	1
Coalition/County Maps	N/A	6	1
Public Outreach Plan	1	1	1
Institutional Controls	5	2	1
Additional funding leveraged as of 1/22/14	N/A	\$381,809.45	0

Sites Assessed

PPG Industries Bartlett Plant: One parcel totaling 99.95 acres. A Phase I ESA, Sampling and Analysis Plan, and Phase II ESA were completed. Cleanup and reuse plans are being considered by the owner.

Mt. Whitney Fish Hatchery: One parcel totaling 40 acres. A Phase I ESA and Sampling and Analysis Plan were completed and a Phase II ESA is recommended. Completion of a Phase II ESA is on hold pending development of a Memorandum of Understanding (MOU) between California Department of Fish and Wildlife and the Sierra Nevada Conservancy.



Institutional Control

Purpose: Institutional Controls are developed in order to minimize the risk of exposure to potential contamination and to ensure potential purchasers are aware of the type of contamination on-site.

Status: Inyo County revised their building permit checklist in order to aid in the identification of potential brownfield sites, and will use the information to develop a GIS map layer.

Nye County has finalized an ordinance that requires the assessment of potentially contaminated commercial and industrial properties before they are sold at tax foreclosure auctions. The ordinance has been shared with the Nevada member-Counties for consideration as use as a template.



Inyo County Brownfields



Moving Forward

Nye County and the RDSBC were awarded an EPA Brownfields Assessment grant for \$600,000 in May 2014.

The 2014 grant includes Mineral County as a Coalition member, and will allow for continued identification and assessment of potential brownfield sites throughout the region. Sites identified under the current grant, such as the Church Square Parking Lot, will be eligible for assessment under the 2014 grant.

The 2014 grant will commence upon the review and approval of a Memorandum of Agreement by all six member counties.



Inyo County Brownfields



RDSBC Website

The RDSBC website was created as a resource for the public and coalition members. The website provides a variety of information including:

- An overview of the RDSBC, brownfields, and renewable energy factors in the RDSBC
- An overview of each county and county-specific renewable energy factors
- Detailed information and documentation for each brownfields site participating in the RDSBC
- RDSBC meeting information
- News on upcoming brownfields events

<http://www.rdsbc.org/>



Inyo County Brownfields



Questions



Inyo County Brownfields



Thank You

Levi Kryder
Nye County
Phone: (775) 727-7727
lkryder@co.nye.nv.us

Eileen Christensen
BEC Environmental, Inc.
Phone: (702) 304-9830
eileen@becnv.com



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 13

- Consent Departmental Correspondence Action Public Hearing
 Schedule Time For Closed Session Informational

FROM: Planning

FOR THE BOARD MEETING OF: December 9, 2014

SUBJECT: Discussion of, and possible decision to sign, the Memorandum of Agreement (MOA) among Esmeralda, Lincoln, Mineral, Nye and White Pine Counties of Nevada, and Inyo County, California for the \$600,000 U.S. Environmental Protection Agency (EPA) Brownfields Coalition Assessment Grant, awarded May 2014, to continue and expand program activities of the Rural Desert Southwest Brownfields Coalition (RDSBC). The MOA is a requirement of the grant award.

DEPARTMENTAL RECOMMENDATION:

Review the Memorandum of Agreement (MOA) presented in draft form confirming Inyo County's intent to participate in the Rural Desert Southwest Brownfields Coalition for the period of October 1, 2014 through September 30, 2017, provide instructions to staff as appropriate, and authorize the Chairperson to sign the final document subject to revisions that may be requested by your Board.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

In 2011, Nye County formed a coalition, the RDSBC, with Esmeralda, Lincoln and White Pine Counties in Nevada and Inyo County, California to apply for an EPA Brownfields Coalition Assessment grant in the amount of \$1,000,000.

In November 2013, Mineral County, Nevada joined the RDSBC as the sixth county in the coalition. The RDSBC agreed to submit another Brownfields Coalition Assessment Grant application to continue assessing, cleaning up, and redeveloping brownfield sites throughout the Coalition area. The Inyo County Board of Supervisors previously approved participation in the Coalition at their meeting on January 7, 2014.

Nye County, as the lead applicant of the RDSBC, submitted an application for funding in the amount of \$600,000 to EPA on January 22, 2014. On May 28, 2014, Nye County was notified that the application was successfully funded in the amount of \$600,000.

ALTERNATIVES: The Board could direct changes to the MOA.

OTHER AGENCY INVOLVEMENT:

US Environmental Protection Agency

Nye County

White Pine County

Esmeralda County

Lincoln County

Mineral County

Additional agencies may be identified through the site selection process.

FINANCING: The grant is being administered by Nye County which is preparing the MOA. Inyo County staff's participation in executing the grant is being absorbed by existing staffing levels and resources with General Fund resources, although travel costs to Coalition meetings and the conferences are reimbursed by the grant.

<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.) Margaret Kemp-William Approved: <input checked="" type="checkbox"/> Date 12/04/14
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ 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: 12/4/14

Attachments:

- Memorandum of Agreement (MOA)

MEMORANDUM OF AGREEMENT BROWNFIELDS COALITION ASSESSMENT

BETWEEN THE FOLLOWING PARTIES: Nye County, Nevada
Esmeralda County, Nevada
Lincoln County, Nevada
White Pine County, Nevada
Mineral County, Nevada
Inyo County, California

This Memorandum of Agreement (MOA) documents the roles and responsibilities of the parties listed above and involved in the Coalition Assessment with regard to an EPA grant award under the Brownfields Program.

1. The Cooperative Agreement between the Lead Coalition Member Nye County and the Counties of Esmeralda, Lincoln, White Pine, Mineral, and Inyo is for the implementation of a recently awarded \$600,000 EPA Assessment Grant (\$420,165 Hazardous Substances, \$179,835 Petroleum). The grant period is October 1, 2014 through September 30, 2017. Nye County is responsible to EPA for management of the cooperative agreement and compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that all members of the coalition are in compliance with the terms and conditions.
2. It is the responsibility of Nye County to provide timely information to the other Coalition Partners regarding the management of the cooperative agreement and any changes that may be made to the cooperative agreement over the period of performance.
3. Nye County's Coalition Partners are Esmeralda County, Lincoln County, White Pine County, and Mineral County of Nevada, and Inyo County of California.

Activities funded through the cooperative agreement may include site identification, development of site selection criteria, environmental site assessments, implementation of institutional controls, planning (including cleanup and redevelopment planning) relating to Brownfields sites, and outreach materials and implementation, and other eligible activities.

Nye County may retain consultant(s) and contractors under 40 CFR Parts 30 or 40 CFR Parts 31, to undertake various activities funded through the cooperative agreement and may award sub-grants to other coalition members under 40 CFR Parts 30 or 31 for assessment projects in their geographic areas. Sub-grantees are accountable to Nye County for proper expenditure of funds.

Nye County, the Lead Coalition Member will procure the consultant(s) in compliance with 40 CFR Parts 30 or 40 CFR Parts 31.36 requirements, in addition to and in accordance with any applicable NRS and Nye County procurement policies. Nye County will issue the Request for Proposals (RFP) or Request for Qualifications (RFQ) and will be the entity responsible for receipt of the submitted proposals and selection of award of contracts. Nye County will consult with other coalition members in making the selections of consultants and contractors and negotiating the terms of agreements.

Nye County, the Lead Coalition Member, in consultation with the Coalition Partners will work to develop a site selection process based on agreed upon factors and will ensure that the minimum of eighteen (18) sites are assessed, with at least one site in each County over the life of the cooperative agreement. The Coalition will prioritize sites based on a number of factors, including but not limited to renewable energy related redevelopment potential. Prior to assessment, selected sites will be submitted to EPA to ensure eligibility. Note: *Nye County and each of the Coalition Partners may agree upon a minimum number of sites assessed per member at the start of the cooperative agreement to ensure equitable distribution of funds across all members' jurisdiction.*

Upon designation of the specific sites, it will be the responsibility of Nye County to work with the coalition member in whose geographic area the site is located to finalize the scope of work for the consultant or contractor. It will be the responsibility of the member to obtain all required permits, easements, and/or access agreements as may be necessary to undertake assessments at the selected site. If this member does not have the capacity to perform these activities, Nye County may assist in securing necessary site access agreements and permits.

Nye County, as the Lead Coalition Member, is responsible for ensuring that other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by Nye County and the coalition member whose geographical area the site to be assessed is located.

Agreed:

Lead Coalition Member – Nye County
Dan Schinhofen, Chair, Board of County Commissioners

Date

Coalition Partner – Esmeralda County
Nancy Boland, Chair, Board of County Commissioners

Date

Coalition Partner – Lincoln County
Ed Higbee, Chair, Board of County Commissioners

Date

Coalition Partner – White Pine County
John Lampros, Chair, Board of County Commissioners

Date

Coalition Partner – Mineral County
Jerrie Tipton, Chair, Board of County Commissioners

Date

Coalition Partner – Inyo County
Rick Pucci, Chair, Board of Supervisors

Date

DRAFT

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

Memorandum

To: Pat Gunsolley, Assistant Clerk of the Board

From: Janis L. Odum, Administrative Assistant

Date: December 1, 2014

Re: Inmate Welfare Fund Expenditures

Pat-

Attached to be placed on the next Board Agenda under correspondence are the Inmate Welfare Fund Expenditures for FY 09/10, 10/11, 11/12 & 12/13.

Thank you.

A handwritten signature in blue ink that appears to read "Janis".

RECEIVED
2014 DEC -3 AM 8:44
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

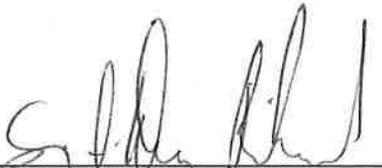
Date: 11/25/14

To: Sheriff Lutze

From: Doug Richards, Inyo County Jail Sargent

Subject: Inmate Welfare Fund Expenditures FY 09/10

Please find attached the itemized list of expenditures for the Inmate Welfare Fund for the period beginning July 1, 2009 through June 30, 2010. This is in accordance with Penal Code Section 4025(e), "An itemized report of these expenditures shall be submitted annually to the Board of Supervisors."

 #655 12-01-14

Doug Richards, Inyo County Jail Sargent
Inyo County Sheriff Department

CC: Undersheriff Hardcastle
Lt. Prichard

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

INMATE WELFARE FUND

Statement of Expenditures for Fiscal year July 1, 2009 –June 30, 2010

EXPENDITURES:

Inmate Commissary	\$ 36,328.84
Inmate Ingredient (personnel hygiene and welfare, eye glasses, clothes)	\$ 5,541.83
Jail Maintenance	\$ 1,014.51
Printing/Inmate Handbooks/Inmate forms/publications	\$2,599.42
Inmate postage/Post Office box rental	\$404.74
Office supplies/equipment	\$ 2,684.30
Ice Machine	\$5,279.00
Inmate Television (cable/dish subscriptions)	\$3,039.84
Inmate Gardening/Landscape Program supplies	\$3980.07
TOTAL INMATE WELFARE EXPENDITURES	\$60,872.43

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

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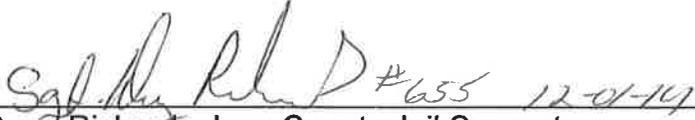
Date: 11/25/14

To: Sheriff Lutze

From: Doug Richards, Inyo County Jail Sargent

Subject: Inmate Welfare Fund Expenditures FY 2010/11

Please find attached the itemized list of expenditures for the Inmate Welfare Fund for the period beginning July 1, 2010 through June 30, 2011. This is in accordance with Penal Code Section 4025(e), "An itemized report of these expenditures shall be submitted annually to the Board of Supervisors."


Doug Richards, Inyo County Jail Sargent
Inyo County Sheriff Department

CC: Undersheriff Hardcastle
Lt. Prichard



"A Professional Service Agency"

INMATE WELFARE FUND

Statement of Expenditures for Fiscal year July 1, 2010 –June 30, 2011

EXPENDITURES:

Inmate Commissary	\$ 35,831.17
Inmate Ingredient (personnel hygiene and welfare, eye glasses, clothes)	\$ 5,329.80
Jail Maintenance	\$ 2,891.41
Printing/Inmate Handbooks/Inmate forms/publications	\$2,217.48
Inmate postage/Post Office box rental	\$156.00
Office supplies/equipment	\$ 1,643.30
Inmate Medical/health	\$662.29
Inmate Television (cable/dish subscriptions)	\$3,745.86
Inmate Gardening/Landscape Program supplies	\$2,837.42
TOTAL INMATE WELFARE EXPENDITURES	\$55,317.73

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

Date: 11/25/14

To: Sheriff Lutze

From: Doug Richards, Inyo County Jail Sargent

Subject: Inmate Welfare Fund Expenditures FY 2011/12

Please find attached the itemized list of expenditures for the Inmate Welfare Fund for the period beginning July 1, 2011 through June 30, 2012. This is in accordance with Penal Code Section 4025(e), "An itemized report of these expenditures shall be submitted annually to the Board of Supervisors."


Doug Richards, Inyo County Jail Sargent
Inyo County Sheriff Department

CC: Undersheriff Hardcastle
Lt. Prichard



"A Professional Service Agency"

INMATE WELFARE FUND

Statement of Expenditures for Fiscal year July 1, 2011 –June 30, 2012

EXPENDITURES:

Inmate Commissary	\$ 31,735.39
Inmate Ingredient (personnel hygiene and welfare, eye glasses, clothes)	\$ 2,956.66
Jail Maintenance	\$ 1,031.99
Printing/Inmate Handbooks/Inmate forms/publications	\$1,339.59
Inmate postage/Post Office box rental	\$156.00
Office supplies/equipment	\$3,785.08
Inmate Medical/health	\$526.99
Inmate Television (cable/dish subscriptions)	\$2,654.81
Inmate Gardening/Landscape Program supplies	\$2,115.73
TOTAL INMATE WELFARE EXPENDITURES	\$46,162.24

OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

Date: 11/25/14

To: Sheriff Lutze

From: Doug Richards, Inyo County Jail Sargent

Subject: Inmate Welfare Fund Expenditures FY 2012/13

Please find attached the itemized list of expenditures for the Inmate Welfare Fund for the period beginning July 1, 2012, through June 30, 2013. This is in accordance with Penal Code Section 4025(e), "An itemized report of these expenditures shall be submitted annually to the Board of Supervisors."

A handwritten signature in black ink, appearing to read "Doug Richards", is written over a horizontal line. To the right of the signature, the handwritten text "AC 55 12-01-14" is visible.

Doug Richards, Inyo County Jail Sargent
Inyo County Sheriff Department

CC: Undersheriff Hardcastle
Lt. Prichard



"A Professional Service Agency"

INMATE WELFARE FUND

Statement of Expenditures for Fiscal year July 1, 2012 –June 30, 20123

EXPENDITURES:

Inmate Commissary	\$ 34,811.81
Inmate Ingredient (personnel hygiene and welfare, eye glasses, clothes)	\$3,847.23
Jail Maintenance	\$3,619.12
Printing/Inmate Handbooks/Inmate forms/publications	\$2,500.99
Inmate postage/Post Office box rental	\$364.00
Office supplies/equipment	\$ 294.53
Inmate Medical/health	\$000.00
Inmate Television (cable/dish subscriptions)	\$3,183.12
Inmate Gardening/Landscape Program supplies	\$3,978.04
TOTAL INMATE WELFARE EXPENDITURES	\$52,598.80