

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.

May 5, 2015

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

CLOSED SESSION

2. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
3. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
4. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators' Association (LEAA) - Negotiators: - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
5. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c)** – decision whether to initiate litigation (one case).
6. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)** – *Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors*, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate.)
7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)** – *Center for Biological Diversity; Public Employees for Environmental Responsibility, California Non-Profit Corporation v. County of Inyo; Inyo County Board of Supervisors, and DOES 1 through 20, and Adventure Trails System of the Eastern Sierra and DOES 21-50*, Inyo County Superior Court Case No. SICVPT 1557709.

OPEN SESSION

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

8. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**

9. **PUBLIC COMMENT**

CONSENT AGENDA (Approval recommended by the County Administrator)

CORONER

10. Request approval of Amendment No. 1 to the Contract between the County of Inyo and Milton R. Jones, M.D., increasing the amount by \$10,000, to a total amount not to exceed \$53,000, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

WATER

11. Request approval of the Contract between the County of Inyo and Ecosystem Sciences, for the provision of Biological Resources Consulting Services in an amount not to exceed \$142,646 for the period of July 1, 2015 through June 30, 2016, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

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

12. **AUDITOR-CONTROLLER** - Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for Office Technician position comes from the General Fund, as certified by the Auditor-Controller and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of Office Technician II at Range 59 (\$3,323 - \$4,037), or Office Technician III at Range 63 (\$3,643-\$4,433) depending on qualifications.
13. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for an Integrated Case Worker position exists in the Social Services budget, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Integrated Case Worker I at Range 60 (\$3,403 - \$4,133), or II at Range 64 (\$3,735 - \$4,539) depending on qualifications.
14. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for a Health and Human Specialist (HHS) position exists, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; and C) approve the hiring of one HHS III at Range 57 (\$3,169 - \$3,850).
15. **HEALTH AND HUMAN SERVICES – Miscellaneous** - Request Board: A) change the authorized strength by deleting one full-time Fiscal Supervisor position at Range 67 (\$4,008-\$4,865), and adding one full time Office Technician III at Range 63 (\$3,643-\$4,433); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Office Technician exists in the Health, Tobacco, WIC, DDP, and SUD budgets, as certified by the Health and Human Services Director, and concurred with by the County Administrator, and the Auditor-Controller; (b) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Office Technician III at Range 63 (\$3,643-\$4,433).
16. **PLANNING** – Request approval of the Addendum to the Mitigated Negative Declaration-Munro Valley Solar, LLC—General Plan Amendment No. 2013-01, Zone Reclassification No. 2013-01, Renewable Energy Development Agreement No. 2013-01, Tentative Parcel Map No. 404 and Tentative Parcel Map for APN 033-460-08, and direct the Planning Department to file an appropriate Notice of Determination.

17. **COUNTY COUNSEL - PUBLIC WORKS** – Request approval of the Stipulated Judgement for the settlement with the Center for Biological Diversity and PEER; and authorize County Counsel to sign all paperwork associated with the action.
18. **COUNTY ADMINISTRATOR – Purchasing** – Request Board A) declare certain property surplus; B) authorize transfer thereof to other public entities and non-profit organizations (*4/5's vote required*); C) approve the public auction of County surplus equipment not claimed by those entities/organizations on May 21, 2015 and D) authorize the auction to take place at the Building and Maintenance yard located at 136 South Jackson Street, Independence, (*4/5's vote required*).
19. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32, as recommended by the County Administrator.
20. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013, as recommended by the County Administrator.
21. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator.
22. **COUNTY ADMINISTRATOR - Emergency Services** – Request Board continue the local emergency, known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator.
23. **CLERK OF THE BOARD** – Request approval of the minutes of the April 14, 2015 Special Meeting of the Board of Supervisors in Tecopa.

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

- 11:00 a.m. 24. **WATER DEPARTMENT** – Request Board continue last week’s “Talking Water” workshop to provide information and solicit ideas and solutions concerning the sever shortfall in water available for uses in Owens Valley this year due to drought conditions, to allow staff and others to report back.
25. **WATER DEPARTMENT** – Request Board consider approving letters to the State Lands Commission, and possibly the California Department of Fish & Wildlife regarding water requirements on the Owens Lake in light of drought conditions and recent State water regulations. (*Letters to be provided during the discussion.*)
26. **WATER DEPARTMENT** - Request Board consider the attached draft agenda for the May 7, 2015 Inyo/LA Standing Committee meeting to be held in Independence, and provide direction to the County’s Standing Committee representatives.

CORRESPONDENCE - ACTION

27. **BIG PINE FIRE PROTECTION DISTRICT** – Request Board waive the building permit fee for the repairs and modifications to the original Big Pine Fire station, estimated to \$1,800.
28. **INYO FISH AND WILDLIFE ADVISORY COMMISSION** – Request Board A) approve expenditures from the Fish and Game fine fund as follows: \$1,500 to the Eastern Sierra Wildlife Care for the care and feeding of injured and sick animals; \$1,500 to the Friends of the Mt. Whitney Fish Hatchery for the Trout in the Classroom Program; and \$1,500 to reimburse costs for the Handicapped Boat Ramp at Sonders Pond Project; and B) amend the FY 2014-2015 Fish and Game Budget Unit 024200 by increasing unanticipated revenue in Fines (*Revenue Code #4213*) by \$1,600 and increasing appropriations in General Operating (*Object Code #5311*) by \$1,600. (*4/5's vote required.*)

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

29. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)

30. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

31. **BIG PINE UNIFIED SCHOOL DISTRICT** – Notification of Proposal to Implement Developer Fees.
32. **SHERIFF** – Sheriff and Jail Overtime Report for the month of February, 2015.

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

10:00 a.m.
May 7, 2015

Lone Pine Visitors Center

and

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

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

10:00 - Assemble at Lone Pine Visitors Center for field trip

Stop 1: Owens Lake T-30-1

Stop 2: Lone Pine High School Farm

1:00 – Reconvene at Board of Supervisors Room, County Administrative Center Independence

1. **Action Item:** Approval of documentation of actions from February 9, 2015 meeting.
2. Lower Owens River Project
 - a. Consultation with California Department of Fish and Game regarding agenda item 3b
 - b. **Action Item:** Setting Seasonal Habitat Flow - Consideration of staff recommendation regarding setting the seasonal habitat flow.
 - c. Consultation with California Department of Fish and Game regarding agenda item 3d
 - d. **Action Item:** Establishment of Dry Year Blackrock Management Plan - Consideration of staff recommendation regarding the Blackrock Waterfowl Management Area flooded acreage
3. Technical Group revision of vegetation monitoring program
 - a. Report by the Facilitator
 - b. Ecological Society of America participation
 - c. **Action item:** Extension of cooperative study funding agreement
4. Runoff and operations update
 - a. Eastern Sierra runoff and operations
 - b. Water availability for Owens Valley and Los Angeles
 - c. First six-month Operations Plan

5. **Action item:** Program for reasonable reductions in irrigation water supply for Los Angeles-owned lands in Owens Valley and for enhancement/mitigation project.
6. Public Comment.
7. Confirm schedule for future Standing Committee meetings.
8. Adjourn.

Standing Committee meeting protocols (Adopted May 11, 2011)

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

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

The LTWA further provides that:

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

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

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



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

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

For Clerk's Use Only: AGENDA NUMBER 10
--

FROM: Coroner

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Approval of Amendment #1 to the current Coroner Contract between the County of Inyo and Dr. Milton R Jones.

DEPARTMENTAL RECOMMENDATIONS:

Request your Board approve Amendment #1 to the contract between the County of Inyo and Milton R. Jones, M.D., increasing the contract amount by \$10,000.00, for a total contract amount not to exceed \$53,200.00, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained and the Boards adoption of future budgets.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Dr. Milton Jones resides in Lone Pine and has provided Inyo County with autopsy services since the 1960's at a very reasonable cost. He is the only physician in Southern Inyo County that has the expertise to provide autopsy services. Dr. Eva Wasef also provides contract services for Inyo County as an autopsy surgeon. She is a pathologist at Northern Inyo Hospital and is currently the only pathologist in Inyo County. In January of 2014, the Coroner contracted with both of these physicians to provide autopsy services for Inyo County through December 2015. One of these two physicians is always available any day of the year. If Dr. Jones is unavailable, or if the specialty microscopic study service of Dr. Wasef is needed, the bodies are to be transported to the Bishop location for autopsy. The funds for these two contracts are normally split almost 50/50 with the assumption that the contracts may need to be amended due to not knowing how many or what types of autopsies will be necessary throughout the term of their contracts.

Due to the large number of autopsies that Dr. Jones has performed throughout the 16 months of his contract, it is necessary to increase his contract limit to cover any services which may occur between May 1 through December 31, 2015. By disencumbering unused funds from Dr. Wasef's contract, there are funds available in the FY 14/15 Board Approved Coroner's budget. However, if a large number of autopsies occur between May 1 through June 30th, the Coroners FY 14/15 budget may need to be amended to cover these services, prior to the end of the fiscal year.

ALTERNATIVES:

Your Board could approve the amendment as submitted or could disapprove the amendment and advise staff of further direction. This action is not recommended, because these services are critical to the Coroner's function.

OTHER AGENCY INVOLVEMENT:

FINANCING:

The funds necessary for this amendment are not expected to impact the FY 2014/2015 Board approved Coroner's Budget #023500, Professional Services #5265, as staff expects sufficient funds to remain in the budget to allow funding the contract to be accomplished by un-encumbering other contracts and/or appropriation changes. However, if due to circumstances beyond the control of the County or the Coroner's office, there is an influx of autopsies between May 1 and June 30, 2015, the Coroner may need to come back to increase the FY 14/15 Board approved budget.

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 _____

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 *4/28/2015*

PERSONNEL DIRECTOR

PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

[Signature]

Approved: *✓*

Date *4/28/2015*

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Signature]

Date: *4/27/15*

**AMENDMENT NUMBER 1 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Milton R. Jones, M.D.
FOR THE PROVISION OF Autopsy Services**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Milton R. Jones, M.D. of Lone Pine, California (hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Personal Services dated December 13, 2013, on County of Inyo Standard Contract No. 116 for the term from January 1, 2014 to December 31, 2015.

WHEREAS, County and Contractor do desire and consent to amend such Agreement as set forth below;

WHEREAS, such Agreement provides that it may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties thereto, if such amendment or change is in written form, and executed with the same formalities as such Agreement, and attached to the original Agreement to maintain continuity.

County and Contractor hereby amend such Agreement as follows:

3. CONSIDERATION.

D. Limit upon amount payable under Agreement. The total sum of all payments made by the County to Contractor for services and work performed under this Agreement shall not exceed (\$53,200) dollars (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

**AMENDMENT NUMBER 1 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Milton R. Jones, M.D.
FOR THE PROVISION OF Autopsy SERVICES**

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND
SEALS THIS _____ DAY OF _____, _____.

COUNTY OF INYO

CONTRACTOR

By: _____

By: Milton Jones MD
Signature

Dated: _____

MILTON JONES MD
Type or Print
Dated: 4/27/15

APPROVED AS TO FORM AND LEGALITY:

Margaret Kemp-Williams
County Counsel

APPROVED AS TO ACCOUNTING FORM:

[Signature]
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

[Signature]
Director of Personnel Services

APPROVED AS TO RISK ASSESSMENT:

County Risk Manager



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: Water Department

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Approval of Contract between the County of Inyo and Ecosystem Sciences Incorporated

DEPARTMENTAL RECOMMENDATION: Request your Board approve the Contract between the County of Inyo and Ecosystem Sciences, for the provision of Biological Resources Consulting Services in an amount not to exceed \$142,646 for the period of July 1, 2015 to June 30, 2016; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained, and contingent upon approval of future budgets.

SUMMARY DISCUSSION: Your Board approved the FY 2015-2016 LORP Work Plan and Budget on March 17, 2015. This budget included \$142,646 for MOU consultant services. The 1997 MOU calls for employing a biological consultant to provide the MOU parties with adaptive management recommendations for the Lower Owens River Project (LORP). Ecosystems Sciences Incorporated (ESI), out of Boise ID, has provided these services and will, by agreement with Los Angeles Department of Water and Power, again serve as the MOU consultant in FY 2015-2016.

The costs of consultants, if any (including Ecosystems Science), who assist in LORP-related monitoring, data collection, data analysis, and/or reporting, is a post-implementation cost that is shared by Inyo County and LADWP (Post Implementation Agreement Section II.D.4).

The FY 2015-2016 LORP Work

Plan identifies tasks to be carried out by MOU consultants. These include:

- Seasonal Habitat Flow recommendation
- Rapid assessment evaluation
- Creel census
- Landscape Vegetation Mapping
- Annual report evaluation and adaptive management recommendations
- Project Management and Meetings
- Expenses

ALTERNATIVES: The Board could deny the request, and require that the contract be administered and funded in another manner. This alternative would delay ESI's work and interfere with meeting mandated reporting schedules.

OTHER AGENCY INVOLVEMENT: LADWP

FINANCING:

Funding for the LORP is provided for and circumscribed by a lengthy series of agreements and Court orders.

Section XII of the Water Agreement provides that: (1) the County will fund one-half of the LORP initial construction costs (up to a maximum of \$3.75 million—less any funds contributed to cover the initial construction costs by the State of California or other non-LADWP sources), (2) LADWP will fund the remaining initial construction costs of the LORP, and (3) LADWP and the County will jointly fund and operate the LORP after it has been implemented (except for the costs of operating and maintaining the pump station which will be funded by LADWP).

On August 8, 2005, the Court sanctioned LADWP to the effect that, starting September 5, 2005, and until Los Angeles established permanent baseflows of approximately 40 cfs throughout the Lower Owens River, Los Angeles paid \$5,000 per day into an escrow account established by Los Angeles and Inyo County. The proceeds of the account, including accrued interest may only be used for: (1) to pay for Special Master services associated with establishment of flow in the LORP, (2) to pay the County's share of post-implementation costs for the LORP, and (3) to pay the cost of monitoring habitat indicator species at the direction of the California Department of Fish and Game for a five year period in an amount not to exceed a cumulative total of \$100,000, and (4) to pay the cost of the escrow account. The Special Master's role in the establishment of LORP baseflows has terminated. The escrow account is held by the County Treasury as Trust Account 504103, Sierra Club vs LADWP ("Trust Account").

On September 16, 2005, the County and the LADWP entered into a settlement agreement ("LORP Funding Agreement") whereby LADWP agreed to provide \$5,242,965.00 to the County. With regard to the County's obligation to fund \$3.75 million of the LORP implementation costs, the LORP Funding Agreement provides that LADWP will provide a credit to the County in the amount of \$2,989,932.00. The LORP Funding Agreement also acknowledges that the provision of this credit, in combination with the County's previous application of \$360,000.00 obtained from the U.S. Bureau of Reclamation, \$250,000.00 obtained from the U.S. Department of Housing and Urban Development, and \$150,068.00 obtained from the EPA to LORP initial construction costs, fully discharged the County's obligation for the payment of \$3.75 million for the LORP initial construction costs.

With regard to the County's obligation to fund a portion of the LORP post-implementation costs, the LORP Funding Agreement provides as follows: (1) the difference between \$5,242,965.00 and the \$2,989,932.00 that will be applied to the LORP initial construction costs (a difference of \$2,253,033.00), will be a credit held in trust by LADWP. This "Post Implementation Credit" will be used to partially fund the County's obligation to pay one half of the LORP post-implementation costs; (2) each year, the then remaining amount of this Post Implementation Credit will be reduced by the County's share of the LORP post-implementation costs until the \$2,253,033.00 credit has been reduced to zero; (3) each year, the then remaining unexpended portion of the \$2,253,033.00 will be annually adjusted upward or downward in accordance with the Los Angeles--Anaheim--Riverside All Urban Consumers Price Index ("CPI") or its successor; (4) the annual CPI adjustment will take place prior to deduction of a credit for County's annual share of the LORP post-implementation costs; and (5) the CPI adjustment will commence when LADWP has established a permanent baseflow of approximately 40 cfs in the LORP. The balance of the Post Implementation Credit held in trust by LADWP was \$1,261,069 as of February 10, 2015

The LORP Funding Agreement also provides that a Trust Account will be established in the Inyo County Treasury as a trust account and that the interest earned on the fund balance will remain in the account. The LORP Funding Agreement also provides that only after the \$2,253,033.00 Post Implementation Credit (adjusted as described above) has been reduced to zero, will the County begin to pay its share of the LORP post-implementation costs from the Trust Account; however, the County may elect to reimburse itself from the Trust Account for LORP related costs incurred by the County.

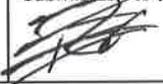
On July 11, 2007, the parties to the MOU entered into a Stipulation and Order resolving issues of compliance with the MOU. In the Stipulation and Order, the parties agree that as of July 11, 2007, LADWP had established a permanent baseflow of approximately 40 cfs in the LORP. The Stipulation and Order also

provides for monitoring and reporting of the baseflow flows throughout the LORP. With the entry of the Stipulation and Order on July 11, 2007, LADWP ceased making payments of \$5,000.00 per day into the Trust Account established pursuant to the Court Order because, as of that date, LADWP had established a permanent baseflow of approximately 40 cfs in the LORP. On April 15, 2015, there was \$2,936,251.86 in the Trust Account.

On June 1, 2010, LADWP and the County entered into a LORP Post-Implementation Funding Agreement delineating the joint funding mechanisms that would be used to fund and implement the LORP. The LORP Post-Implementation Agreement, Section N provides that:

Only after the credit has been fully expended will the County be required to pay to LADWP its share of the LORP post-implementation costs from the trust account ... however, before the credit has been fully expended, the County may reimburse itself from the trust account for LORP-related, non-reimbursed costs incurred by the County for activities or work performed by the County that the County conducts under an annual work plan and budget that has been approved by the County and LADWP.

The LORP Trust Account (504103) or the Water Department budget (024102), Professional Services (5265) will fund this contract. Both accounts have sufficient fund balance to cover the contract.

APPROVALS	
COUNTY COUNSEL:	<p>AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i></p> <p> Approved: <input checked="" type="checkbox"/> Date <u>04/23/15</u></p>
AUDITOR/CONTROLLER:	<p>ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i></p> <p> Approved: <u>yes</u> Date <u>4/27/2015</u></p>
PERSONNEL DIRECTOR: N/A	<p>PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i></p> <p> Approved: _____ Date _____</p>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

 Date: 4/27/15

ATTACHMENT A
AGREEMENT BETWEEN COUNTY OF INYO
AND ECOSYSTEM SCIENCES
FOR THE PROVISION OF BIOLOGICAL RESOURCES CONSULTING SERVICES

TERM:

FROM: JULY 1, 2015 TO: JUNE 30, 2016

SCOPE OF WORK:

See Attachment A

MOU Consultants Work Plan 2015-16 Budget for LORP MAMP Tasks

TASK 1

Seasonal Habitat Flow

The LORP Monitoring and Adaptive Management Plan requires the MOU Consultants to recommend the annual seasonal habitat flow level to the Technical Committee based on the April runoff forecast as described in the FEIR and Ecosystem Management Plan. By agreement, in those years when the runoff forecast is less than 50% of normal, there is no seasonal habitat flow.

Deliverables:

Written recommendation for the Seasonal Habitat Flow based on the April runoff forecast.

Budget:

Principal (Hill)	8	\$148	\$1,184
Principal (Platts)	8	\$148	\$1,184
Administration	2	\$72	\$144
Subtotal			\$2,512

TASK 2

Rapid Assessment Evaluation

The MOU Consultants inform the MOU parties as required by the LORP Monitoring and Adaptive Management Plan. The MOU Consultants evaluate results for trends that influence monitoring and adaptive management recommendations for subsequent years.

Deliverables:

Written consultation with MOU Parties following completion of the RAS. This report will be included in the LORP Annual Report.

Budget:

Principal (Hill)	6	\$148	\$888
Principal (Platts)	4	\$148	\$592
Senior Associates	30	\$100	\$3,000
Administration	3	\$72	\$216
Subtotal			\$4,480

TASK 3

Creel Census

The creel census tracks the development and health of the fishery and serves to indicate fishing quality. The MOU Consultants will evaluate census results in their adaptive management recommendations. Ecosystem Sciences assumes the responsibility of paying honorariums to anglers participating in the census.

Deliverables:

Written evaluation to be included in the LORP Annual Report discussing Creel Census results reported by the County and City and progress towards meeting LORP objectives and any necessary adaptive management actions. Make payment of \$50 to each angler who returns a completed census form.

Budget:

Principal (Hill)	4	\$148	\$592
Principal (Platts)	22	\$148	\$3,256
Administration	12	\$72	\$864
Honorarium			\$1,400
			\$6,112

TASK 4-----**Landscape Vegetation Mapping**

Landscape scale vegetation mapping provides a measure of the types of riverine-riparian vegetation that has developed and is critical to evaluating other ecological conditions on a large scale. Finer scale mapping provides more definitive measure of habitat parameters; however, this loss of resolution can be accounted for somewhat if the landscape scale mapping employs an adequate number of vegetation types. The MOU Consultants will review preliminary mapping work.

Deliverables:

Written comments on the preliminary mapping. The MOU Consultants will evaluate the results of the landscape mapping to formulate adaptive management recommendations for the annual report.

Budget:

Principal (Hill)	8	\$148	\$1,184
Senior Associates	34	\$100	\$3,400
Administration	2	\$72	\$144
Subtotal			\$4,728

TASK 5-----**Annual Report Evaluation & Adaptive Management Recommendations**

At the end of October, LADWP and ICWD will forward the draft annual report to the MOU Consultants. The MOU Consultants will evaluate the annual report for completeness and accuracy. This requires reviewing each chapter and, in some cases, reevaluating or re-estimating and verifying conclusions.

Following review and evaluation of the draft annual report and consultation with LADWP and ICWD, a final chapter for adaptive management recommendations will be written for the final annual report and submission to the LORP Technical Committee. The MOU Consultants will present the recommendations to the Technical Committee, the MOU parties, decision makers, and the public as required.

Lower Owens River Project Work Plan, FY 2015-2016

Deliverables:

Description of necessary Adaptive Management Recommendations including a discussion of how these recommendations will improve conditions within the LORP. The focus of this deliverable will be on the recommendations themselves and will include references to information provided by the monitoring being conducted by Inyo County and LADWP. The deliverables will come in the form of a simple MS Word Document that does not contain specialized features or protections on the document. AMR must be delivered to Inyo and LADWP by no later than the first Monday in December.

Budget:

Principal (Hill)	210	\$148	\$31,080
Principal (Platts)	210	\$148	\$31,080
Senior Associates	190	\$100	\$19,000
Administration	50	\$72	\$3,600
Subtotal			\$ 84,760

TASK 6**Project Management and Meetings**

The MOU consultant will meet with LADWP and ICWD to review progress or discuss issues either in person, or via teleconference. The MOU consultant will manage project assignments, schedules and budgets, conduct team meetings, administer the contract and workload, and provide progress reports to ICWD as needed, budget assessment and invoice each month and work items that may not be identified in other tasks delineations. In addition, this task requires the MOU consultants to prepare for meetings, travel, and attend meetings with the Scientific Team and MOU Parties to discuss progress towards meeting the LORP objectives.

Budget:

Principal (Hill)	70	\$148	\$10,360
Principal (Platts)	39	\$148	\$5,772
Senior Associates	148	\$100	\$14,800
Administration	46	\$72	\$3,312
Subtotal			\$34,244

EXPENSES**Budget:**

Travel (Mileage 1500/trip @ \$0.56/mi)	3	\$840	\$2,520
Lodging	14	\$150	\$2,100
Per Diem	14	\$85	\$1,190
Expenses Subtotal			\$ 5,810

Total MOU Consultants Budget: \$142,646

ATTACHMENT B

**AGREEMENT BETWEEN COUNTY OF INYO
AND ECOSYSTEM SCIENCES
FOR THE PROVISION OF BIOLOGICAL RESOURCES CONSULTING SERVICES**

TERM:

FROM: JULY 1, 2015 TO: JUNE 30, 2016

SCHEDULE OF FEES:

County shall pay to Contractor for the work and services described in Attachment A which are performed by Contractor at County's request in an amount not to exceed \$142,646.

ATTACHMENT C

**AGREEMENT BETWEEN COUNTY OF INYO
AND ECOSYSTEM SCIENCES
FOR THE PROVISION OF BIOLOGICAL RESOURCES CONSULTING SERVICES**

TERM:

FROM: JULY 1, 2015 TO: JUNE 30, 2016

SCHEDULE OF TRAVEL AND PER DIEM PAYMENT:

Travel expenses will be reimbursed at the following rates:

Mileage	@ \$.56	per mile
Lodging	\$150.00	per day
Per Diem	\$ 85.00	per day

Section 3E- Billing and payment – no receipts for lodging/per diem will be required due to flat rate.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:

AGENDA NUMBER

12

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

FROM: AUDITOR-CONTROLLER

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Request to fill an Office Technician II or III

DEPARTMENTAL RECOMMENDATION:

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

- A) The availability of funding for the requested position comes from the General Fund, as certified by the Auditor-Controller and concurred with by the County Administrator; and
- B) Where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and
- C) Approve the hiring of either an Office Technician II Range 59 (\$3,323 - \$4,037) , or Office Technician III Range 63 (\$3,643-\$4,433) depending on qualifications.

SUMMARY DISCUSSION:

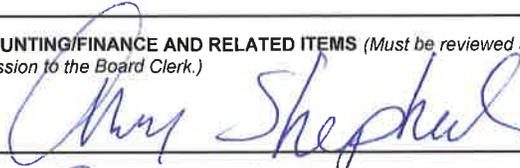
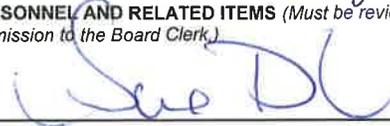
The Auditor's office recently lost one of the three Office Technicians positions to an internal promotion in Health and Human Services. These positions are crucial in maintaining good internal controls and financial oversight in the County, as well as, the twenty Special Districts the Auditor's office oversees. This position is necessary to keep up with the overwhelming volume that our office has to manage. We are the last stop for all financial transactions. Each separate transaction must be reviewed, posted, and balanced on a daily basis. For example, one of the volume-intense tasks that must be completed every day is the review of 350-400 accounts payable transactions, which results in the printing of over 100 checks. During the Office Technician's comprehensive review, they must check for data accuracy, purchasing authority, budget availability, reasonability, and compliance with generally accepted accounting standards, all of which require a high level of training and diligence. Along with the normal daily workload, there are stringent monthly, quarterly, and annual reporting requirements that must be met, all of which are the Office Technicians' shared responsibility. Our office is currently gearing up for the end of the fiscal year and budget season. This is a very busy time of year for us and the training that is required to bring a new staff member up to speed takes at least one year so it is very important this position is filled as soon as possible.

ALTERNATIVES:

Your Board could choose not to approve the hiring of this position that will negatively impact the daily operations of the Auditor's office.

FINANCING:

Funding for this position is from the general fund and is currently budgeted in the Auditor-Controller budget 010400 in the Salaries and Benefits object codes.

APPROVALS	
COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  Approved:  4/30/15 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:  4/30/15 Date: _____

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

 4/30/15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:

AGENDA NUMBER

13

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

FROM: HEALTH & HUMAN SERVICES – Employment and Eligibility

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Request to hire one full time Integrated Case Worker I or II in the HHS Social Services Eligibility and Employment division.

DEPARTMENTAL RECOMMENDATION:

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

- 1) the availability of funding for the requested position exists in the Social Services budget, as certified by the Director of Health and Human Services and concurred with by the County Administrator and the Auditor-Controller, and
- 2) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and
- 3) approve the hiring of one Integrated Case Worker I (Range 60, \$3,403 - \$4,133), or Integrated Case Worker II (Range 64, \$3,735- \$4,539), dependent upon qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

An Integrated Case Worker in our Employment and Eligibility Division, recently accepted a position in our Health and Prevention Division, resulting in an additional vacancy in this division. The ICW position remains critical to the functioning of this division, which processes a high volume of client applications, determining eligibility and authorizing services for a wide range of programs. HHS also continues to meet the challenges related to implementation of the Affordable Care Act (ACA), as Employment and Eligibility staff not only provide consultation and eligibility determinations for residents who may be eligible for other forms of health insurance provided by the California Health Exchange, they also assist consumers impacted by changes in Medi-Cal. Maintaining our current staffing level will help the entire division maintain accurate and timely client records and continue to provide a high quality of employment and eligibility services.

ICWs are responsible for determining clients' initial and continued eligibility for MediCal benefits, Cal Fresh benefits, County Medical Services Program (CMSP) coverage, General Assistance, and CalWORKs. The many and varied duties of ICWs also include: operating the life skills and job skills classes, writing employment plans, working with employers on job development and work experience slots throughout the County from Bishop to Tecopa, conducting home visits, connecting and linking clients with educational opportunities, contacting clients who are non-compliant with program requirements to try and identify and eliminate barriers, as well as processing applications and establishing and maintaining highly technical eligibility case records.

The Department is respectfully requesting permission to fill the recent vacancy at the Integrated Case Worker I or II level. The Department is currently in the process of filling two existing vacancies and hopes to fill this third position from the current recruitment.

ALTERNATIVES:

The Board could choose to not allow HHS to fill this vacancy, which would likely result in overtime requirements for current ICWs and the possibility of increased error rates and audit exceptions, especially as major changes and caseload increases due to health care reform continue to impact staff.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

Federal, State and Social Services Realignment. This position is budgeted in Social Services (055800) in the Salaries and Benefits object codes. No County General funds.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  Approved: <u>4/2/2015</u> Date: _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i>  Approved: <u>4/1/15</u> Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

 Date: 4-3-15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
14

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

FROM: HEALTH & HUMAN SERVICES – Social Services

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Request to hire a Health and Human Services Specialist III.

DEPARTMENTAL RECOMMENDATION:

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

- A) The availability of funding for the position of Health and Human Services Specialist (HHS Specialist) III exists, as certified by the Health and Human Services Director and concurred with by the County Administrator, and Auditor-Controller; and
- B) Where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; and
- C) Approve the hiring of one HHS Specialist III at Range 57 (\$3,169 - \$3,850)

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

A Health and Human Services Specialist in our Child Welfare Division recently accepted a position in our Employment and Eligibility Division, resulting in a vacancy. The HHS Specialists perform many vital duties, such as transporting children and parents, monitoring visits, taking child abuse reports by telephone and in person, as well as assisting the Social Workers with data input. HHS Specialists in this division are cross-trained to cover HHS Specialist duties in our Adult Social Services and the Senior Programs. During the last few years, there has been an increase in court-ordered services to families that impact the already busy workload of the social work staff. The use of our HHS Specialists to support our social worker staff is critical to the overall functioning of the Adult and Children's Social Services division, as they ensure that social workers are supported in a manner that promotes their ability to effectively assess and support the safety of children and our elderly/dependent adult populations. This position will also be able to provide some entry level case management support to both the Adult and Children's Social Services programs, helping to further support the social workers, as they continue to incorporate increased state and federal requirements.

The Department is respectfully requesting authorization to hire a Health and Human Services Specialist III in the Adult and Children's Social Services Division.

ALTERNATIVES:

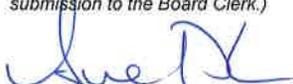
Your Board could choose not to authorize the hiring of the HHS Specialist position. This would severely impact the division's ability to perform all court ordered duties of the Child Welfare division, maintain timely data entry and reporting in child welfare, and provide support to the social work staff in both Child Welfare and Adult Services.

OTHER AGENCY INVOLVEMENT:

Courts, law enforcement, probation, mental health, Wild Iris, CASA.

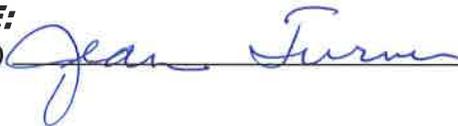
FINANCING:

State and Federal funding, along with Social Services Realignment funds. This position is budgeted in Social Services (055800) in the salaries and benefits object codes. No County General Funds.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> 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: <u>4/2/15</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i> Approved:  ✓ Date: <u>4/1/15</u>
BUDGET OFFICER:	BUDGET AND RELATED ITEMS <i>(Must be reviewed and approved by the Budget Officer prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 4-3-15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

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

FROM: HEALTH & HUMAN SERVICES – Fiscal Division

FOR THE BOARD MEETING OF:

SUBJECT: Authorization to change the Health and Human Services Department Authorized Strength, and authorize the hiring of an Office Technician III in Health and Human Services Fiscal Division

DEPARTMENTAL RECOMMENDATION:

Request Board:

1. Change the authorized strength in the Health and Human Services Department by deleting one full-time Fiscal Supervisor position, Range 67 (\$4008-\$4865), and adding one full time Office Technician III, Range 63 (\$3643-\$4433);
2. Find that consistent with the adopted Authorized Position Review Policy:
 - a. the availability of funding for the position of Office Technician III exists in the Health, Tobacco, WIC, DDP, and SUD budgets, as certified by the Health and Human Services Director and concurred with by the County Administrator, and the Auditor-Controller; and
 - b. where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and
 - c. approve the hiring of one Office Technician III, Range 63 (\$3643-\$4433).

CAO RECOMMENDATION:

County Code Section 2.08.040(E) sets forth a policy whereby no new positions are to be created or filled in any fiscal year after adoption of the County Budget, unless made necessary by unforeseen or unanticipated emergencies and recommended by the County Administrator. Consistent with County Code, I can support the department's request and recommend abolishing the Fiscal Supervisor position and adding the Office Technician III position in the department's authorized strength.

The Fiscal Supervisor classification was *y-rated*, or discontinued as an on-going job classification when the Classification and Compensation Study was adopted a couple of years ago. As a result, positions with the Fiscal Supervisor title are being converted to Administrative Analyst positions through attrition. Although somewhat counterintuitive in the current budget environment, I typically would not support downgrading an Administrative Analyst position in the Health and Human Services department because it is a well-paying job funded with categorical funds that could provide a job opportunity for employees currently holding General Fund positions at risk of lay-off. However, the department has indicated that the work that is now required of and planned for the job can be performed by an Office Technician III. This will more efficiently use departmental resources, which in turn could result in other General Fund benefits.

SUMMARY DISCUSSION:

Historically, this Fiscal Supervisor position in the Fiscal division of Health and Human Services, which was recently vacated when the employee retired, has been in charge of the following:

- Health: County Budget processes
- State and County Budgets for Substance Use Disorders (SUD), Drinking Driver Program (DDP), Tobacco, CARES, and Women, Infants and Children (WIC). Additionally claims and cost reports are completed for some of these grants for reimbursement from the State.

The proposed downgrading of this management position to a lead worker position will allow an internal re-design and re-

structuring of our HHS Fiscal operation. The current personnel structure is a remnant from the time when HHS first blended three separate County departments, and reflects the organizational development of HHS into a blended-funded department (to the extent allowed) with blurring of State funding silos. Senior HHS management will continue to ensure maintenance of historical and current policy requirements around the overlapping of funding silos to ensure clean, clear audit trails.

This request to delete a management position is the fourth deletion of an HHS management position in FY 2014-15. The Department continues to seek efficiencies and more effective ways to meet the needs of our public. We are respectfully requesting authorization to replace the deleted Fiscal Supervisor with an Office Technician III. Additionally, we are requesting authorization to recruit for this position externally since a recent internal recruitment had a limited response and resulted in a failed recruitment. The external recruitment will be for both this position and an existing Office Tech III vacancy.

ALTERNATIVES:

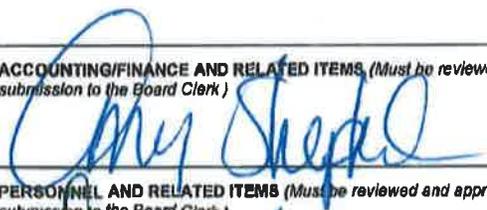
The Board could choose not to allow the Fiscal division to hire an Office Technician III, leaving the vacant Fiscal Supervisor position, which could negatively impact State revenues and State reporting requirements.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

State and Federal funding, Health Realignment and County General Fund. This position is budgeted as follows: 20% Health (045100); 5% DDP (045312); 50% SUD (045315); 15% Tobacco (640314), 5% CARES (641214/5) and 5% WIC (641913/4) in the Salaries and Benefits object codes.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.) Approved: _____ Date: _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)  Approved: <input checked="" type="checkbox"/> 4/30/15 Date: _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)  Approved: <input checked="" type="checkbox"/> 4/30/15 Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

 Date: 4-30-15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

16

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

FROM: Planning Department

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: APPROVAL OF ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION--MUNRO VALLEY SOLAR, LLC—GENERAL PLAN AMENDMENT NO. 2013-01, ZONE RECLASSIFICATION NO. 2013-01, RENEWABLE ENERGY DEVELOPMENT AGREEMENT NO. 2013-01, TENTATIVE PARCEL MAP NO. 404 AND TENTATIVE PARCEL MAP FOR APN 033-460-08

DEPARTMENTAL RECOMMENDATION: Approve the Addendum to the Mitigated Negative Declaration and direct the Planning Department to file an appropriate Notice of Determination.

SUMMARY DISCUSSION: Munro Valley Solar, LLC submitted applications to the County of Inyo ("County") for a renewable energy permit and related applications for other permits and/or actions necessary to construct and operate a 4.0 megawatt solar photovoltaic generating facility over two separate privately owned parcels located in Olancho, California. The County prepared an Initial Study and Draft Mitigated Negative Declaration ("MND") for the project pursuant to the California Environmental Quality Act ("CEQA").

Regarding the potential impact of the project on cultural resources, the Initial Study found that with the incorporation of mitigation the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines and that the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines.

On November 12, 2014, the Board of Supervisors conducted a public hearing on the project and the Board adopted Resolution No. 2014-54 certifying and adopting the Mitigated Negative Declaration of Environmental Impact (MND). Further, the Board directed that enhanced mitigation measures for potential impacts on cultural resources be added as conditions of project approval. As part of the enhanced mitigation measures, the Board required that prior to the issuance of a building permit and "*[P]rior 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.*" On December 9, 2014, the Board of Supervisors adopted Resolution No. 2014-58 which amended Resolution No. 2014-54 to incorporate the enhanced mitigation measures for potential cultural resource impacts which were added as conditions of project approval by the Board of Supervisors on November 12, 2014.

In accordance with the requirements of the Initial Study, the MND and the enhanced mitigation measures for potential cultural resource impacts after adoption of the MND, and prior to subsurface ground disturbance, a test program was undertaken by a qualified professional (Brian F. Smith and Associates, Inc.) to assess the eligibility of the archaeological sites within the project footprint per the California Register of Historic Places. The results of the work are contained in a report titled "A Phase II Cultural Resource Assessment for the Munro Valley Solar Project" ("Phase II Report"). The report is dated January 16, 2015.

Concerning the cultural resources on the project site, the Phase II Report concludes that “[B]ecause of the paucity of artifacts or features, the lack of a developed subsurface component at each site, and the exhausted research potential for each site, the sites within the current APE are considered not significant under criteria set out in CEQA (Section 15064.5). Based upon the archaeological evaluation program, all of the cultural resources were determined ineligible to the CRHR.

The new information provided by the Phase II Study, which was completed after the adoption of the MND, provides conclusive evidence that the archaeological resources on the project sites are neither unique nor historical and that the project will not cause a significant adverse impact to cultural resources. The new information provided in the Phase II Study does not meet any of the thresholds established by CEQA Guidelines §§15162 (a) and 15162(a)(3) for the preparation of a subsequent CEQA document. Under these circumstances, the approval of the attached Addendum to the MND is appropriate under CEQA Guidelines §15164(b) to document the forgoing conclusions.

OTHER AGENCY INVOLVEMENT: The California Native American Heritage Commission.

FINANCING: N/A

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <input checked="" type="checkbox"/> Date: 04/25/15
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: 4/28/15

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

**Munro Valley Solar, LLC—General Plan Amendment No. 2013-01, Zone
Reclassification No. 2013-01, Renewable Energy Development Agreement No.
2013-01, Tentative Parcel Map No. 404 and Tentative Parcel Map for
APN 033-460-08**

(SCH #2013121062, Adopted December 9, 2014)

County of Inyo Planning Department

April 2015

TABLE OF CONTENTS

BACKGROUND..... Page 1

NEW INFORMATION..... Page 3

**LEGAL AND FACTUAL BASIS FOR DECISION TO PREPARE AN
ADDENDUM AND NOT A SUBSEQUENT EIR.....Page 5**

BACKGROUND

Munro Valley Solar, LLC submitted applications to the County of Inyo ("County") for a renewable energy permit and related applications for other permits and/or actions necessary to construct and operate a 4.0 megawatt solar photovoltaic generating facility over two separate privately owned parcels located in Olancho, California. The County prepared an Initial Study and Draft Mitigated Negative Declaration ("MND") for the project pursuant to the California Environmental Quality Act ("CEQA").

Regarding the potential impact of the project on cultural resources, the Initial Study found that with the incorporation of mitigation the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines and that the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines. The Initial Study described the mitigation that would be implemented as follows:

A cultural resources study was conducted for the project in April 2013, which included a records search at the Eastern Information Center at the UC Riverside and a field survey. The records search identified one previously recorded prehistoric and historic period site, which includes historic period refuse and prehistoric lithic debitage. In addition, two historic sites and two prehistoric sites were found during the field survey. These sites also included historic period refuse and prehistoric lithic debitage.

Construction will be planned to avoid these sites whenever feasible. Prior to subsurface disturbance within a square meter of the identified sites, a subsurface test program will be undertaken by a qualified professional to assess the eligibility of the sites per the California Register of Historical Resources (CRHR). If materials are recovered meeting CRHS eligibility criteria, the materials will [be] (sic) provided to the Eastern California Museum or other appropriate institution for curation (or left situ if they can be avoided).

In the unlikely event that unanticipated cultural resources are discovered during project development, construction activities in the immediate vicinity shall cease until a qualified archaeologist and/or other appropriate specialist has evaluated the find and appropriate actions are undertaken, such as avoidance, relocations, and/or curation. If human remains are discovered, the actions described by CEQA Guidelines Section 15064.5(3) shall be followed.

Concerning cultural resources that could potentially be affected by the project, the Draft MND noted that:

...a cultural resources study was prepared for the project which identified historic period refuse and prehistoric lithic debitage sites on the project site. Prior to any ground disturbance in the vicinity of the identified sites, 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. In the unlikely event that unanticipated cultural resources are discovered during project development, construction activities shall immediately cease until the site is evaluated by a qualified professional.

On September 14, 2014, the Inyo County Planning Commission considered the Draft MND and recommended that the Inyo County Board of Supervisors:

1. Find that on the basis of the whole record before it (including the initial study and the comments received) that there is no substantial evidence that the project will have a significant effect on the environment.
2. Find that the Mitigated Negative Declaration reflects the County's independent judgment and analysis.
3. Adopt the conditions of approval for the project required to avoid significant environmental impacts.
4. Adopt the Mitigated Negative Declaration of Environmental Impact.

On November 12, 2014, the Board of Supervisors conducted a public hearing on the project and the Board adopted Resolution No. 2014-54 certifying and adopting the Mitigated Negative Declaration of Environmental Impact. Further, on the basis of all written and oral comment received, the Board directed that the following enhanced mitigation measures for potential cultural resource impacts be added as conditions of project approval:

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.

With regard to the potential impacts of the project on cultural resources, on December 9, 2014, the Board of Supervisors adopted Resolution No. 2014-58 which amended Resolution No. 2014-54 to incorporate the enhanced mitigation measures for potential cultural resource impacts which were added as conditions of project approval by the Board of Supervisors on November 12, 2014. In addition, in Resolution No. 2014-58, the Board found that:

Based on the cultural resource study for the project (ECORP, 2013), which was conducted prior to the Initial Study, due to their characteristics, the historic-period refuse, prehistoric lithic debitage, historic-period refuse deposit, and prehistoric lithic artifacts (flaked and ground stone tools) identified on or near the site are not historic resources or unique cultural resources as such resources are defined by law; however, the performance-based mitigation measures included in the Mitigated Negative Declaration which consist of avoidance and curation will preclude any significant effects to such resources.

NEW INFORMATION

In accordance with the requirements of the Initial Study, the MND and the enhanced mitigation measures for potential cultural resource impacts which were added as conditions of project approval by the Board of Supervisors on November 12, 2014 and included in Resolution 2014-58, after adoption of the MND, and prior to subsurface ground disturbance, a test program was undertaken by a qualified professional (Brian F. Smith and Associates, Inc.) to assess the eligibility of the archaeological sites within the project footprint per the California Register of Historic Places. The results of the work are contained in a report titled "A Phase II Cultural Resource Assessment for the Munro Valley Solar Project" ("Phase II Report"). The report is dated January 16, 2015.

The report states in pertinent part:

An archaeological records search and survey previously conducted for the project by ECORP (Mason and Cunningham 2013) reported that one previously recorded cultural resource (INY-7267/P14-009315) and nine undocumented sites were identified within the project APE. The conclusion of the study by ECORP was that 10 cultural resources may be potentially impacted by the project, and in accordance with CEQA and County of Inyo environmental guidelines, these resources were required to be evaluated for significance and appropriate

mitigation measures needed to be implemented to avoid adverse impacts to any significant cultural resources. In 2014, design constraints and engineering changes resulted in a modification of the APE. In order to update the cultural resource inventory, BFSA surveyed any previously unsurveyed areas within the project APE. The cultural resources within the project APE that were subjected to significance testing are listed in Table 3.2–1 and are located on the Cultural Resource Location Map (Figure 4.1–1).

The cultural resources study of the proposed Munro Valley Solar Project focused on the evaluation of cultural resource sites within the project APE. All 12 sites were mapped with GPS and all surface artifacts were collected for analysis. However, nine of the sites were subjected to subsurface testing as part of the CEQA significance evaluation process. The cultural resources affected by the proposed project are listed in Table 6.0–1 with the site evaluations and mitigation requirements. Three of the sites were mapped and recorded, but were not tested due to the scarceness of surface artifacts (OWV-015 and OWV-016 were identified as isolates) and the nature of the site type (OWV-003 is a power pole alignment). The isolates are not considered CEQA-significant cultural resources because of a lack of research potential and loss of association. The isolates do not meet the criteria for listing in the CRHR. Site OWV-003, the power pole alignment identified crossing the project, was recorded as a utility alignment. Given the absence of any associated structural remains, and the lack of any artifact deposits in association with the alignment, it appears that this site (OWV-003) has no further research potential, is not associated with any historically noteworthy individuals or events, and therefore does not meet the significance criteria thresholds provided in CEQA.

Because of the paucity of artifacts or features, the lack of a developed subsurface component at each site, and the exhausted research potential for each site, the sites within the current APE are considered not significant under criteria set out in CEQA (Section 15064.5). Based upon the archaeological evaluation program, all of the cultural resources were determined ineligible to the CRHR.

The cultural resource survey by ECORP in 2013 for the Munro Valley Solar Project identified 10 cultural resources within the project APE. Subsequently, the project APE was modified, and in 2015, the altered APE was surveyed by BFSA. The updated site inventory is listed in Table 3.2–1. The significance testing program completed by BFSA has revealed that these resources generally lacked the integrity, cultural material density, and depositional depth to be considered significant under CEQA criteria. With the evaluation of sites listed below in Table 6.0–1 as non-significant cultural resources, the proposed solar development will not represent a significant adverse impact to cultural resources. The prehistoric and historic sites do not retain any further research potential, nor can the historic sites be associated with any particular group, family, individual, or important event. (Underlining added for emphasis.)

LEGAL AND FACTUAL BASIS FOR DECISION TO PREPARE ADDENDUM AND NOT A SUBSEQUENT EIR

The County is the CEQA lead agency and was responsible for preparing the MND. Therefore, the County is the appropriate agency to evaluate the potential environmental effects of the new information provided by the Phase II Study.

The CEQA Guidelines specifically allow the preparation of an addendum to a negative declaration. CEQA Guidelines §15164(b) provides as follows:

An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

With respect to the evaluation of new information in to determine whether a subsequent EIR (or other CEQA document) should be prepared, CEQA Guidelines §§15162 (a) and 15162(a)(3) state:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

With regard to the potential significant impacts of a project on historical or cultural resources, Public Resources Code §21084.1 provides as follows:

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources.

However, the CEQA Guidelines specifically state that an impact on an archaeological resource that is neither unique nor historical is not a significant effect. CEQA Guidelines §15064.5(c) states:

If an archaeological resource is neither a unique archaeological nor historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

The new information provided by the Phase II Study, which was completed after the adoption of the MND, provides conclusive evidence that the archaeological resources on the project sites are neither unique nor historical and that the project will not cause a significant adverse impact to cultural resources. The new information provided by the Phase II Study shows that there is no need to modify the MND, to modify the project, to adopt new mitigation measures or conditions of project approval or to modify the adopted mitigation measures and conditions of approval in order to mitigate the project's impacts on cultural resources to a less than a significant level, because the project as adopted and the adopted mitigation measures and conditions of project approval already fully accomplish this purpose. Also, the new information provided in the Phase II Study does not meet any of the thresholds established by CEQA Guidelines §§15162 (a) and 15162(a)(3) for the preparation of a subsequent EIR (or other CEQA document). Moreover, it is appropriate under CEQA Guidelines §15164(b) to prepare and adopt this addendum to the MND which finds that the new information does not require a modification of the MND, the project, the adoption of new mitigation measures or conditions of project approval nor the modification of the adopted mitigation measures and conditions of project approval.

In addition, the Phase II Study provides additional evidence which reinforces the finding made by the Board of Supervisors on December 9, 2014 in Resolution 2014-58 that the cultural resources located on the project site are "not historic resources or unique cultural resources as such resources are defined by law."



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 17

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

FROM: Public Works and County Counsel

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Settlement with Center for Biological Diversity and PEER

DEPARTMENTAL RECOMMENDATION:

We recommend your Board approve the Stipulated Judgment and authorize County Counsel to sign all paperwork associated with it.

SUMMARY DISCUSSION:

The parties have reached agreement to allow the seven route pilot project to proceed forward as indicated in the attached Stipulated Judgment.

ALTERNATIVES:

None Recommended.

OTHER AGENCY INVOLVEMENT:

The Planning Department was also involved in reaching this Stipulated Judgment.

FINANCING:

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>4/30/15</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:  Date: 4/30/15
 (Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

INTRODUCTION

1
2 A. Assembly Bill 628 (“AB 628”) allows Respondent Inyo County [“Respondent County”] to
3 establish a pilot project designating combined-use highway segments of up to ten (10) miles on unincorporated
4 County roads linking existing off-highway vehicle (“OHV”) trails located on federal Bureau of Land
5 Management and United States Forest Service lands with necessary service and lodging facilities to provide a
6 unified system of OHV trails in the Owens Valley. The pilot project, unless extended by the State Legislature,
7 sunsets on January 1, 2017.

8 B. Respondent County received thirty-eight (38) project applications for the pilot project. Those
9 applications are collectively referred to as “Adventure Trails.”

10 C. The thirty-eight (38) project applications were individually and collectively analyzed in one
11 CEQA document for which a single EIR (“EIR”) was prepared.

12 D. Petitioners brought the instant action challenging the Respondent Inyo County Board of
13 Supervisors’ [“Respondent Board”] January 22, 2015, certification of the EIR analyzing the
14 “Adventure Trails,” and the approval of seven (7) routes/projects.

15 E. Thirty-one (31) project applications were deferred for potential later consideration
16 (“deferred routes”).

STIPULATION

17 It is hereby stipulated by and between the CENTER FOR BIOLOGICAL DIVERSITY AND PUBLIC
18 EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY (“Petitioners”) by and through their counsel of
19 record: Lisa Belenky and Laurens H. Silver, INYO COUNTY and INYO COUNTY BOARD OF
20 SUPERVISORS (“Respondents”) by and through Margaret Kemp-Williams, County Counsel and Gregory L.
21 James, Special Legal Counsel, and ADVENTURE TRAILS SYSTEM OF THE EASTERN SIERRA (“Real
22 Party in Interest”), *in pro per* (COLLECTIVELY REFERRED TO HEREIN AS “PARTIES”):

23 1. Respondents agree that Respondent Board will not approve any of the thirty one (31) deferred
24 routes or new routes for which applications are submitted prior to the pilot project sun setting January 1, 2017.

25 2. Respondents agree that in the event AB 628 is extended by the State Legislature, if any
26 deferred route application is renewed by the current project applicant or is presented for consideration by any
27 source the County will abide by the requirements of CEQA Guideline 15153(b)-(d), “*Use of an EIR from an
28 Earlier Project.*”

*(b) When a lead agency proposes to use an EIR from an earlier project as the EIR for a
separate, later project, the lead agency shall use the following procedures:*

1 (1) The lead agency shall review the proposed project with an initial study, using
2 incorporation by reference if necessary, to determine whether the EIR would
adequately describe:

3 (A) The general environmental setting of the project,

4 (B) The significant environmental impacts of the project, and

5 (C) Alternatives and mitigation measures related to each significant effect.

6 (2) If the lead agency believes that the EIR would meet the requirements of subdivision
7 (1), it shall provide public review as provided in Section 15087 stating that it plans to
8 use the previously prepared EIR as the draft EIR for this project. The notice shall
include as a minimum:

9 (A) An identification of the project with a brief description;

10 (B) A statement that the agency plans to use a certain EIR prepared for a previous
11 project as the EIR for this project;

12 (C) A listing of places where copies of the EIR may be examined; and

13 (D) A statement that the key issues involving the EIR are whether the EIR should be
14 used for this project and whether there are any additional, reasonable alternatives or
15 mitigation measures that should be considered as ways of avoiding or reducing the
significant effects of the project.

16 (3) The lead agency shall prepare responses to comments received during the review
17 period.

18 (4) Before approving the project, the decision maker in the lead agency shall:

19 (A) Consider the information in the EIR including comments received during the
20 review period and responses to those comments,

21 (B) Decide either on its own or on a staff recommendation whether the EIR is adequate
for the project at hand, and

22 (C) Make or require certification to be made as described in Section 15090.

23 (D) Make findings as provided in Sections 15091 and 15093 as necessary.

24 (5) After making a decision on the project, the lead agency shall file a notice of
determination.

25 (c) An EIR prepared for an earlier project may also be used as part of an initial study
26 to document a finding that a later project will not have a significant effect. In this
27 situation a negative declaration will be prepared.
28

1 (d) An EIR prepared for an earlier project shall not be used as the EIR for a later
2 project if any of the conditions described in Section 15162 would require preparation
3 of a subsequent or supplemental EIR.

4 3. Where the CEQA Guidelines do not provide an equal or greater comment period for
5 consideration of any deferred route, the Respondents agree to provide public notice at least 30 days
6 before the proposal is considered by the Board of Supervisors, accept public comment, and respond to
7 public comment in written form before any decision is made.

8 4. To the extent that the EIR is relied on by the Respondents in connection with the approval of
9 any deferred route for which a Notice of Determination is filed as required by section
10 (b)(5), Respondents, Real Party, and Petitioners agree to interpret CEQA Guideline section 15153 as allowing
11 Petitioners to challenge the legal adequacy of the portion of the EIR relied upon and, further, such a challenge
12 is not barred by the applicable statute of limitations or otherwise precluded by the dismissal of the Petition.

13 5. Petitioners will dismiss the Petition in its entirety against all named parties.

14 6. Each Party, Petitioners, Real Party, and Respondents, waive any claim to recover attorney fees
15 or costs from the other.

16 7. The Court shall retain jurisdiction over this matter solely to enforce this Stipulated Judgment
17 for such period of time as the Respondent relies on the EIR certification of which gave rise to this action.

18 8. The Parties agree that this Stipulated Judgment does not and shall not constitute or be
19 construed in this matter or any other matter as an admission or indication on the part of the Respondents that the
20 Respondents' are violating or have violated any statute, ordinance, or other requirement of law in any manner
21 or respect whatsoever, or that any document or resolution relied on or adopted was deficient in any respect, or
22 that any of the allegations in the Petition providing any basis for the relief sought are true.

23 9. This Stipulated Judgment contains the sole and entire agreement and understanding
24 between the Petitioners and the Respondents, with respect to the entire subject matter hereof, and any and all
25 prior discussions, negotiations, commitments, or understandings related hereto, if any, are hereby merged
26 herein. No representations, oral or otherwise, expressed or implied, other than those contained herein have been
27 made by any party hereto with respect to the matters contained herein.

28 10. This Stipulated Judgment may be modified or amended by written stipulation of the
 Parties and approval of the stipulation by the Court.

 11. Each of the signatories to this Stipulated Judgment represents and warrants that he or
 she has the legal right, power and authority to enter into this agreement, to legally bind the persons or entities
 on behalf of whom this agreement is executed, and to consummate the transaction contemplated hereby, and the
 execution, delivery and performance of this agreement has been duly authorized.

1 12. This Stipulated Judgment Agreement may be executed in counterparts by the
2 Parties. Signature pages that have been executed by the Parties and submitted via facsimile
3 may be attached to the Stipulated Judgment that is submitted to the Court.

4 13. Within five (5) days of the execution of this Stipulated Judgment, the Parties shall file
5 this Stipulated Judgment with the Court together with a request that the Court enter this Stipulated Judgment as
6 the Judgment of the Court.

7 DATED: _____

8 Margaret Kemp-Williams
9 County Counsel
10 Gregory L. James
11 Special Legal Counsel
12 Attorneys for Respondents Inyo County and
13 Inyo County Board of Supervisors

14 DATED: 4/29/2015 _____

15 _____
16 Randy Gillespie
17 Real Party in Interest
18 Adventure Trails System of the Eastern
19 Sierra

20 DATED: _____

21 _____
22 Laurens H. Silver
23 California Environmental Law Project
24 Attorney for Petitioners

25 DATED: _____

26 _____
27 Lisa Belenky
28 Center for Biological Diversity
Attorney for Petitioners

ORDER

GOOD CAUSE APPEARING,
THE STIPULATED JUDGMENT SET FORTH ABOVE IS SO ORDERED AND IS
ENTERED AS THE JUDGMENT OF THIS COURT.

Dated: _____

Dean Stout
Judge of the Superior Court

1 12. This Stipulated Judgment Agreement may be executed in counterparts by the
2 Parties. Signature pages that have been executed by the Parties and submitted via facsimile
3 may be attached to the Stipulated Judgment that is submitted to the Court.

4 13. Within five (5) days of the execution of this Stipulated Judgment, the Parties shall file
5 this Stipulated Judgment with the Court together with a request that the Court enter this Stipulated Judgment as
6 the Judgment of the Court.

7 DATED: _____

Margaret Kemp-Williams
County Counsel
Gregory L. James
Special Legal Counsel
Attorneys for Respondents Inyo County and
Inyo County Board of Supervisors

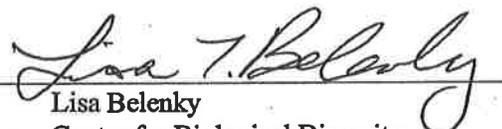
8
9
10
11
12 DATED: _____

Randy Gillespie
Real Party in Interest
Adventure Trails System of the Eastern
Sierra

13
14
15
16 DATED: _____

Laurens H. Silver
California Environmental Law Project
Attorney for Petitioners

17
18
19 DATED: 4/29/15


Lisa Belenky
Center for Biological Diversity
Attorney for Petitioners

20
21
22 **ORDER**

23 **GOOD CAUSE APPEARING,**

24 **THE STIPULATED JUDGMENT SET FORTH ABOVE IS SO ORDERED AND IS**

25 **ENTERED AS THE JUDGMENT OF THIS COURT.**

26
27 Dated: _____

28 Dean Stout
Judge of the Superior Court

1 Parties. Signature pages that have been executed by the Parties and submitted via facsimile
2 may be attached to the Stipulated Judgment that is submitted to the Court.

3 13. Within five (5) days of the execution of this Stipulated Judgment, the Parties shall file
4 this Stipulated Judgment with the Court together with a request that the Court enter this Stipulated Judgment as
5 the Judgment of the Court.

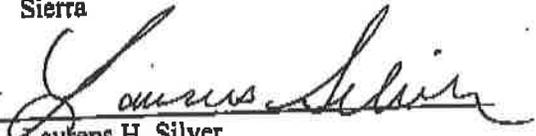
6 DATED: _____

Margaret Kemp-Williams
County Counsel
Gregory L. James
Special Legal Counsel
Attorneys for Respondents Inyo County and
Inyo County Board of Supervisors

11 DATED: _____

Randy Gillespie
Real Party in Interest
Adventure Trails System of the Eastern
Sierra

14 DATED: 4/28/15



Laufens H. Silver
California Environmental Law Project
Attorney for Petitioners

18 DATED: _____

Lisa Belenky
Center for Biological Diversity
Attorney for Petitioners

ORDER

22 **GOOD CAUSE APPEARING,**
23 **THE STIPULATED JUDGMENT SET FORTH ABOVE IS SO ORDERED AND IS**
24 **ENTERED AS THE JUDGMENT OF THIS COURT.**

26 Dated: _____

Dean Stout
Judge of the Superior Court



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 18

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

FROM: Administration - Purchasing
 By Emma Bills, Purchasing Specialist

FOR THE BOARD MEETING OF: May 05, 2015

SUBJECT: Sale of Surplus Equipment

DEPARTMENTAL RECOMMENDATION: Request that your Board: (1) declare certain property surplus; and (2) authorize transfer thereof to other public entities and non-profit organizations (4/5ths vote required), and (3) approve the public auction of County surplus equipment not claimed by those entities/organizations on May 21, 2015 and (4) authorize the auction to take place at the Building and Maintenance yard located at 136 South Jackson Street, Independence (4/5ths vote required).

SUMMARY DISCUSSION:

The County adopted the "Fixed Asset Policy" which allows for the sale by public auction of County equipment to the public every six months. The County currently has miscellaneous surplus items in storage: i.e., desks, chairs, printers, shelves, typewriters, computer equipment (all hard drives have been swiped clean or in most cases removed). On Wednesday, May 20, 2015, we will offer this surplus equipment to County Departments. On Thursday, May 21, 2015, we will offer the surplus items that remain to other public agencies per Government Code Section 25365 and to non-profit corporations per Government Code Section 25372 from 11:00 A.M. to 12:00 noon. We are also requesting approval to sell the remaining surplus equipment to the public on Thursday, May 21, 2015 from 1:00 P.M. to 2:30 P.M. Per County Code Section 6.28.040, all items in surplus and slated for sale, are valued at less than \$5,000 and not subject to the requirements of County Code Section 6.28.040. Since the Auction will not occur at the courthouse door, a 4/5ths vote is required by your board to authorize the auction to take place elsewhere.

ALTERNATIVES:

Your Board could elect to forego the surplus sale of County property and continue to store the items. This is not recommended, as the current storage space for surplus items is full.

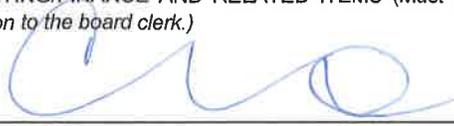
OTHER AGENCY INVOLVEMENT:

The Maintenance Department will assist in the sale.

FINANCING:

None

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.) N/A Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>4/23/2015</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) N/A Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)  Date: 4-23-2015
 (The Original plus 20 copies of this document are required)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 19

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF May 5, 2015

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.

SUMMARY DISCUSSION: - During your August 28, 2012 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Death Valley Roadeater Emergency, which was a result of flooding in the southeastern portion of Inyo County during the month of August. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

20

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF May 5, 2015

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Gully Washer Emergency, that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.

SUMMARY DISCUSSION: - During your August 6, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Gully Washer Emergency, which was a result of flooding in the central, southern and southeastern portion of Inyo County during the month of July. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 21

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF May 5, 2015

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013.

SUMMARY DISCUSSION: - During your September 17, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Canyon Crusher Emergency, which was a result of flooding in the portions of Inyo County during the month of August. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

27

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF May 5, 2015

SUBJECT: Continuation of proclamation of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County.

SUMMARY DISCUSSION: - During your January 28, 2014 Board of Supervisors meeting your Board took action to proclaim a local emergency, which has been named the Land of EVEN Less Water Emergency, that is a result of severe and extreme drought conditions that exist in the County. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the resolution be considered on a by-weekly basis.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

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

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



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 23

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

FROM: CLERK OF THE BOARD
By: Patricia Gunsolley, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Approval of Minutes

DEPARTMENTAL RECOMMENDATION: - Request approval of the minutes of the April 14, 2015, Special Meeting in Tecopa.

SUMMARY DISCUSSION: - The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's web page at www.inyocounty.us.

ALTERNATIVES: - Staff awaits your Board's changes and/or corrections.

OTHER AGENCY INVOLVEMENT: - n/a

FINANCING: n/a

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

24

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for 11:00
 Closed Session
 Informational

FROM: WATER DEPARTMENT

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Continuation of "Talking Water Workshop" discussion related to water availability and uses in Owens Valley

DEPARTMENTAL RECOMMENDATION:

Request your Board continuation of last week's "Talking Water" workshop to provide information and solicit ideas and solutions concerning the severe shortfall in water available for uses in Owens Valley this year due to drought conditions.

SUMMARY DISCUSSION:

As part of the Inyo/Los Angeles Long-Term Water Agreement's process for considering the Annual Operations Plan, LADWP has provided the Water Department with their Proposed Plan. The Proposed Plan sets out LADWP's plans for providing water for uses in Owens Valley and for export to Los Angeles. Because of the very low snow accumulation over this past winter, LADWP is predicting record-setting lows in runoff in Owens Valley, such that during this irrigation season, there will be insufficient water to meet all uses in the Owens Valley. The purpose of the workshop is to continue the public discussion initiated at last week's workshop.

ALTERNATIVES:

Not have a workshop or have a different workshop.

OTHER AGENCY INVOLVEMENT:

Multiple other agencies and stakeholders.

FINANCING:

N/A

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Robert Young

Date: 4/15/15
 4/30/15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 25

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

FROM: Water Department

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Consideration of letter to State Lands Commission regarding water use on Owens Lake

DEPARTMENTAL RECOMMENDATION: - Request Board consider approving a letter (letter to be provided during the discussion) to the State Lands Commission, and possibly California Department of Fish & Wildlife regarding water requirements on the Owens Lake in light of drought conditions and recent State water regulations.

SUMMARY DISCUSSION: - During last Tuesday's "Talking Water" workshop, your Board discussed drafting a letter to the State Lands Commission concerning the need to reduce the amount of water the Los Angeles Department of Water and Power (LADWP) is being required to put on the Owens Lake. In light of the dire drought predictions and expectations for the remainder of this year, it may be appropriate to approach the State Lands Commission, as well as the California Department of Fish & Wildlife, to obtain relief from the water requirements on the Lake in order for LADWP to continue to provide water to other uses in Inyo County. A draft letter will be available for your Board's review during the discussion.

ALTERNATIVES: Staff awaits your Board's direction with regard to the letter.

OTHER AGENCY INVOLVEMENT: - LADWP, SLC, CDFW

FINANCING: None.

APPROVALS

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date:

4/30/15



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

26

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

FROM: Water Department

FOR THE BOARD MEETING OF: May 5, 2015

SUBJECT: Inyo County/Los Angeles Standing Committee Meeting – May 7, 2015

DEPARTMENTAL RECOMMENDATION:

A meeting of the Inyo County/Los Angeles Standing Committee is scheduled for May 7, 2015 in Independence, California. Pursuant to Resolution 99-43 and the Long-Term Water Agreement, your Board sets policy for the County's representatives to the Standing Committee. The Water Department requests your Board consider the attached draft agenda and provide direction to the County's Standing Committee representatives.

SUMMARY DISCUSSION:

Staff has prepared the attached draft agenda. Five action items are anticipated:

Item #1: Approval of documentation of action items from the February 9, 2015 meeting. This item documents action items from the prior Standing Committee meeting. The single action item on the February 9 agenda was approval of a similar memo documenting actions at the December 8, 2014 meeting. Recommendation: Approve.

Item #2b: Setting Lower Owens River Project seasonal habitat flow – Consideration of Technical Group recommendation. Unless the Standing Committee directs otherwise, the peak flow and duration of the seasonal habitat flow is set out in the LORP Final EIR, and based on this year's anticipated runoff of 36% of normal, there would be no seasonal habitat flow. Water Department and LADWP staff recommend that there be no seasonal habitat flow this year.

Item #2d: Establishment of Dry Year Blackrock Management Plan – Consideration of Technical Group recommendation regarding the Blackrock Waterfowl Management Area flooded acreage. Unless modified by the Standing Committee, the size of the flooded acreage in the Blackrock Waterfowl Management Area is set according to the percent of normal runoff in years when runoff is less than normal, so in this anticipated 36% of normal runoff year, 36% of 500 acres, or 180 acres, will be flooded in the Winterton unit of the Waterfowl Management Area. Recommendation: approve.

Item #3c: Extension of cooperative study funding agreement. At the direction of the Standing Committee, the Technical Group has been entered into a facilitated process with the Ecological Society of America (ESA) to develop and implement vegetation monitoring procedures and detailed analytical procedures for determining if a measurable change in vegetation has occurred, is occurring, or will occur. The funding agreements and MOUs between LADWP, the County, ESA, and the facilitator will expire on July 25 and July 16 respectively. Recommendation: the Standing Committee should direct staff to prepare necessary documents to extend the cooperative study for an additional year.

Item #4: Runoff and operations update. The Technical Group and Standing Committee customarily review runoff and operations conditions at each meeting. Runoff conditions are so severely limited this year that there should be an extensive discussion at this Standing Committee meeting concerning how to respond to and mitigate the severe shortfall in water available this year.

The Long-Term Water Agreement provides that (Section IV.A):

The Department shall continue to provide water for Los Angeles-owned lands in Inyo County in an amount sufficient so that the water related uses of such lands that were made during the 1981-82 runoff year can continue to be made. The Department shall continue to provide water to Los Angeles-owned lands in the Olancho/Cartago area such that the lands that have received water in the past will continue to receive water. Additionally, the Department shall provide water to any enhancement/mitigation projects added since 1981-1982, unless the Inyo County Board of Supervisors and the Department agree to reduce or eliminate such water supply.

It is recognized that successive dry years could result in insufficient water to meet all needs. During periods of dry year water shortages, the Technical Group will evaluate existing conditions. A program providing for reasonable reduction in irrigation water supply for Los Angeles-owned lands in the Owens Valley and for enhancement/mitigation projects may be implemented if such a program is approved by the Inyo County Board of Supervisors and the Department, acting through the Standing Committee.

In consideration of on-going drought conditions and difficulties fulfilling water uses reliant on Bishop Creek, at your March 17, 2015 Board meeting, your Board took the following action:

Pursuant to Long Term Water Agreement Section 4A the Board agrees that the Standing Committee may approve a one-year reduction, during the 2015-2016 run off year of April 1, 2015 to March 31 2016, whereby irrigation may be reduced by 23% on Los Angeles-owned land irrigated from Bishop Creek located upstream of the Bishop Creek Canal due to the forecasted 2015-2016 Owens Valley April 1st Run off forecast and that LADWP agree that the irrigation reduction will be managed equitably and in consideration of the businesses and the operational needs of individual lessees and that this approval does not set any precedent or in any way bind the County concerning future reduction in irrigation due to dry year conditions.

Since the March 17 meeting, the April 1st runoff forecast has come in at 36% of average. The analysis that produced 23% figure was conducted several months ago, and based on an assumption that somewhat normal snowpack accumulation would occur during the latter months of this past winter. As it turned out, snow accumulation continued to be far below normal, and it has become apparent that irrigation reductions in on the Bishop Cone will be greater than 23% due to lack of runoff, and the prior action by your Board to recommend approval of a 23% reduction is moot. LADWP staff have indicated understandable unwillingness to agree to a reduction to a level that they do not believe they can meet. Recommendation: take no further action to seek Standing Committee approval of the 23% reduction in irrigation addressed at the March 17 meeting.

Instead, the Standing Committee will discuss the anticipated low amount of runoff, the shortfall in water available for use in the Valley and for export to Los Angeles, and the Proposed Annual Operations Plan. The Proposed Annual Operations Plan is attached.

Item #5: Program for reasonable reductions in irrigation water supply for Los Angeles-owned lands in Owens Valley and for enhancement/mitigation project. As directed by your Board during your April 28 meeting, this item has been added to the agenda, and a draft agenda has been provided to LADWP. Water Department staff and LADWP staff will be meeting to develop recommendations for this item.

Item #6: Discontinuation of irrigation by Owens Valley lessees on May 1. As directed by your Board during your April 28 meeting, this item has been added to the agenda, and a draft agenda has been provided to LADWP. Although LADWP has retracted the May 1 withdrawal of irrigation, this topic still merits inclusion on the agenda to discuss the circumstances that resulted in LADWP's notice to lessees that irrigation would be withdrawn and their rescission of that notice.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

LADWP and California Department of Fish and Wildlife.

FINANCING:

N/A

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

DEPARTMENT HEAD SIGNATURE:  **Date:** 4/30/15
(Not to be signed until all approvals are received)

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

10:00 a.m.
May 7, 2015

Lone Pine Visitors Center

and

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

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

10:00 - Assemble at Lone Pine Visitors Center for field trip

Stop 1: Owens Lake T-30-1
Stop 2: Lone Pine High School Farm

1:00 – Reconvene at Board of Supervisors Room, County Administrative Center Independence

1. **Action Item:** Approval of documentation of actions from February 9, 2015 meeting.
2. Lower Owens River Project
 - a. Consultation with California Department of Fish and Game regarding agenda item 3b
 - b. **Action Item:** Setting Seasonal Habitat Flow - Consideration of staff recommendation regarding setting the seasonal habitat flow.
 - c. Consultation with California Department of Fish and Game regarding agenda item 3d
 - d. **Action Item:** Establishment of Dry Year Blackrock Management Plan - Consideration of staff recommendation regarding the Blackrock Waterfowl Management Area flooded acreage
3. Technical Group revision of vegetation monitoring program
 - a. Report by the Facilitator
 - b. Ecological Society of America participation
 - c. **Action item:** Extension of cooperative study funding agreement
4. Runoff and operations update
 - a. Eastern Sierra runoff and operations

- b. Water availability for Owens Valley and Los Angeles
- c. First six-month Operations Plan

- 5. **Action item:** Program for reasonable reductions in irrigation water supply for Los Angeles-owned lands in Owens Valley and for enhancement/mitigation project.
- 6. **Action item:** Discontinuation of irrigation by Owens Valley lessees on May 1.
- 7. Public Comment.
- 8. Confirm schedule for future Standing Committee meetings.
- 9. Adjourn.

Standing Committee meeting protocols (Adopted May 11, 2011)

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

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

The LTWA further provides that:

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

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

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

INYO/LOS ANGELES STANDING COMMITTEE

Dedicated to the advancement of mutual cooperation



MEMORANDUM

Date May 7, 2015

Subject: Documentation of Actions Taken by Standing Committee at the February 9, 2015 Meeting.

The Standing Committee's policy is to document any actions taken by the Committee in a memorandum at the subsequent meeting. Standing Committee members present at the February 9, 2015 meeting in Los Angeles were, for Inyo County: Supervisor Matt Kingsley, Supervisor Rick Pucci, Water Commissioner Mike Prather, Water Commissioner Teri Red Owl, County Administrative Officer Kevin Carunchio, County Counsel Marge Kemp-Williams, and Water Director Bob Harrington; and for Los Angeles: Councilman Felipe Fuentes, Commissioner Christina Noonan, Commissioner Michael Fleming, Senior Assistant General Manager Martin Adams, Director Water Operations Richard Harasick, Aqueduct Manager James Yannotta, and Assistant City Attorney Julie Riley.

Actions taken at the February 9, 2015 meeting:

Agenda Item #1 - Approval of documentation of actions from the December 8, 2014 meeting

The Standing Committee approved the February 9, 2015 memorandum entitled: *Agenda Item #1: Documentation of Actions Taken by Standing Committee at the December 8, 2014 Meeting.*

INYO/LOS ANGELES STANDING COMMITTEE

Dedicated to the advancement of mutual cooperation



MEMORANDUM

To: Inyo/Los Angeles Standing Committee
From: Inyo County and LADWP staff
Date: May 7, 2015
Subject: Agenda Item 2b: Setting the LORP Seasonal Habitat Flow

Background

The goal for the riverine-riparian system is to create and sustain healthy and diverse riparian and aquatic habitats and a healthy warm water recreational fishery with healthy habitat for native fish (MOU 1997).

Lower Owens River Project Seasonal Habitat Flow

Lower Owens River Project (LORP) annual seasonal habitat flows are intended to create a natural disturbance to establish and maintain native riparian vegetation and channel morphology in the *2004 Lower Owens River Project Environmental Impact Report (2004 LORP EIR)*. A major LORP goal is the establishment of a healthy, functioning Lower Owens riverine-riparian ecosystem. Other goals call for the establishment of a healthy functioning ecosystem in other physical features of the LORP, for the benefit of biodiversity and threatened and endangered species, while providing for the continuation of sustainable uses including recreation, livestock grazing, agriculture and other activities. The goal for the riverine-riparian system is to create and sustain healthy and diverse riparian and aquatic habitats and a healthy warm water recreational fishery with healthy habitat for native fish (1997 Memorandum of Understanding).

The *2009 Lower Owens River Project Post Implementation Agreement between the Los Angeles Department of Water and Power and the County of Inyo Concerning Operation and Funding of the Lower Owens River Project*, (Post Implementation Agreement) describes the process for establishing the seasonal habitat flow and consultation with California Department of Fish and Game (renamed California Department of Fish and Wildlife in 2013) (CDFW). Section II.O.5.a requires that:

“Soon after the first of April each year, LADWP will develop its annual runoff year forecast for the Owens River Basin. The runoff year forecast will be developed as described in Section 2.3.5.3 of the LORP EIR. By approximately the second or third week in April, LADWP and the County will transmit the recommendation concerning the amount, duration, timing, and ramping of the seasonal habitat flow, along with

LADWP's annual runoff year forecast for the Owens River Basin, to DFG. DFG will be requested to, within ten business days from the receipt of the recommendation, provide their concurrence with the recommendations or provide their own recommendation as to the amount, duration, timing, and ramping of the seasonal habitat flow along with the scientific basis for its differing recommendation."

The 2004 LORP EIR, Section 2.3.5.3, describes the means for determining the LORP Seasonal Habitat Flow velocity and ramping schedule.

Staff Recommendation

The Owens River Basin Runoff Forecast has been determined to be 36 percent of average for runoff year 2015-16 which, according to the 2004 LORP EIR, will result no Seasonal Habitat Flow for 2015. Inyo County and LADWP staff recommend that the Seasonal Habitat Flow be omitted this year.

Requested Action

The 1997 MOU and the 2009 Post Implementation Agreement require that the Standing Committee set the annual habitat flow. Inyo County and LADWP staff request that the Standing Committee set the 2015 seasonal habitat flow as recommended above.

INYO/LOS ANGELES STANDING COMMITTEE

Dedicated to the advancement of mutual cooperation



MEMORANDUM

To: Inyo Los Angeles Standing Committee
From: Inyo County and LADWP staff
Date: May 7, 2015
Subject: Agenda Item 2d: Establishment of Dry Year Blackrock Management Plan

Blackrock Waterfowl Management Area

The Post Implementation Agreement describes the process for establishing the amount of acreage flooded in the Blackrock Waterfowl Management Area and describes consultation with California Department of Fish and Wildlife (CDFW), formerly known as CDFG regarding the amount of flooded area. Section II.P.1 states that:

Section II. C.4 of the 1997 *Memorandum of Understanding between the City of Los Angeles Department of Water and Power, County of Inyo, California Department of Fish and Game, California State Lands Commission, Sierra Club, and the Owens Valley Committee, addresses the "1500 Acre Blackrock Waterfowl Habitat Area."* and states:

"Approximately 500 acres of the habitat area will be flooded at any given time in a year when the runoff to the Owens River Watershed is forecasted to be average or above. In years when the runoff is forecasted to be less than average, the water supply to the area will be reduced in general proportion to the forecasted runoff in the watershed. (The runoff forecast for each year will be DWP's runoff year forecast for the Owens River Basin, which is based upon the results of its annual April 1 snow survey of the watershed). Even in the driest years, available water will be used in the most efficient manner to maintain the habitat. The Wildlife and Wetlands Management Plan element of the LORP Plan will recommend the water supply to be made available under various runoff conditions and will recommend how to best use the available water in dry years. The amount of acreage to be flooded in years when the runoff is forecasted to be less than average will be set by the Standing Committee based upon the recommendations of the Wildlife and Wetland Management Plan and in consultation with DFG. "

Section II.P.2 of the Post Implementation Agreement states that:

"In order to address the requirement that when runoff is forecasted to be less than average, the amount of acreage to be flooded will be set by the Standing Committee in consultation with DFG the following process will be followed.

a. Soon after the first of April each year, LADWP will develop its annual runoff year forecast for the Owens River Basin. The runoff year forecast will be developed as described in Section 2.3.5.3 of the LORP EIR. In the event the runoff forecast equals or exceeds "normal runoff" as defined in Section 2.3.5.3 of the 2004 Final LORP EIR, no further action is required.

b. If the runoff forecast is for less than the normal runoff, the year will be considered a Dry Year, and consultation with the Department of Fish and Game ("DFG") will occur on the development of a Dry Year Blackrock Management Plan. In a Dry Year, by approximately the second or third week in April, LADWP and the County will transmit the recommendation concerning the amount of acreage to be flooded, along with LADWP's annual runoff year forecast for the Owens River Basin to DFG. DFG will be requested to, within ten business days from receipt of the recommendation, provide their concurrence with the recommendation or provide their own recommendation as to the amount of acreage to be flooded, along with the scientific basis for its differing recommendation.

c. In dry years when DFG has a differing recommendation, a report on the difference will be provided to the Standing Committee and a Standing Committee meeting will be scheduled. An action item entitled "Establishment of Dry Year Blackrock Management Plan" will be placed on the Standing Committee agenda. The Standing Committee will provide an opportunity for DFG to make a presentation at the meeting concerning its recommendations. Following any such presentation by DFG, the Standing Committee will consider adoption of a Dry Year Blackrock Management Plan".

Recommendation from LADWP and Inyo County Water Department staff

Based on the above references and based on a 36 percent of average runoff forecast for water year for 2015, LADWP and Inyo County staff recommend that the flooded acreage in the Blackrock Waterfowl Management Area should be approximately 180 acres. LADWP and Inyo County staff recommend that the 180 acres flooded be in the Winterton Unit.

Requested Action

The 1997 MOU and the 2009 Post Implementation Agreement require that the Standing Committee set the amount of acreage to be flooded in years when the runoff is forecast to be less than average. LADWP and Inyo County staff recommend that that the Standing Committee approve this plan for the Blackrock Waterfowl Management Area.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bishop Field Office
407 West Line Street
Bishop, CA 93514
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



April 28, 2015

Dr. Robert Harrington, Director
Inyo County Water Department
PO Box 337
135 South Jackson Street
Independence, CA 93526

Mr. James G. Yannotta, Manager of Aqueduct
Los Angeles Department of Water and Power
300 Mandich Street
Bishop, CA 93514

Mr. Yannotta and Dr. Harrington:

**2015 LOWER OWENS RIVER PROJECT SEASONAL HABITAT FLOW AND
BLACKROCK WATERFOWL AREA FLOODED ACREAGE**

The California Department of Fish and Wildlife (CDFW) has reviewed your plan for the '2015 Lower Owens River Project Seasonal Habitat Flow and Blackrock Waterfowl Area Flooded Acreage' and appreciates the opportunity to provide consultation on this matter. CDFW concurs with both the Seasonal Habitat Flow and Blackrock Waterfowl Management flooded acreage prescriptions as the need for water conservation is particularly apparent this year, the driest of four consecutive years with below average run-off.

Seasonal Habitat Flow

CDFW understands that the proposal not to have a 2015 Seasonal Habitat Flow aligns with the formula outlined in the Lower Owens River Project (LORP) Environmental Impact Report (2004). However, CDFW continues to be concerned that the LORP objectives are not being achieved by following the 2004 EIR hydrograph. In addition, altering the flowing regime of the Lower Owens River has been an adaptive management recommendation for several years (see LORP Annual Reports 2013, 2014). Depending on the details of implementation, changing the Lower Owens River flows does not necessarily change the water balance of the Lower Owens River Project. CDFW encourages both Los Angeles Department of Water and Power and Inyo County Water Department to continue discussions with the 1997 MOU parties on these recommended altered flows so that legal documents may be altered as needed on a reasonable timeframe. If the hydrograph outlined in the LORP EIR is not going to achieve the LORP objectives, then the hydrograph needs to be reconsidered and revised.

Mr. Yannotta
Dr. Harrington
April 28, 2015
Page 2

During any significant flows into the Lower Owens River, CDFW highly recommends communication with CDFW and ICWD as well as systematic water quality monitoring and systematic monitoring for early detection of fish stress. This monitoring would also document potential improvements in water quality. At a minimum, temperature, dissolved oxygen, and suspended solids should be monitored before, during and after flows. If water quality deteriorates or fish stress is observed, high quality water should be released from the spillgates to create freshwater refuges at the confluence of the spillgate channel with the river. This water would be in addition to the scheduled releases at the Aqueduct intake.

Blackrock Waterfowl Management Area

CDFW concurs with the goal to flood 180 acres in the Winterton Unit and supports the decision to rotate the flooded unit at the Blackrock Waterfowl Management Area. As the water declines in Drew Slough, CDFW encourages LADWP to coordinate with CDFW as there may be potential to relocate salvaged fish to enhance the warm water fishing opportunities elsewhere in the Owens Valley.

If you have any questions, please contact Ms. Lacey Greene, Environmental Scientist, at 760-872-1128.

Sincerely,



Lacey Greene
Environmental Scientist
MOU Party Representative

Enclosure(s)

cc: CHRON, MOU Party Representatives, Bruce Kinney, Heidi Calvert

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

This report includes Los Angeles Department of Water and Power's (LADWP) proposed Owens Valley operations plan for the first six months of the 2015-16 runoff year, an update on Owens Valley conditions, the current status of LADWP's environmental mitigation projects, and the status of other studies, projects, and activities.

Preface

LADWP will not export any water from the Owens Valley into Los Angeles during the first half of the 2015-16 runoff year, and mostly likely not until November 2015. For the entire runoff year only 42,400 acre-feet (AF) will be exported. However, a net amount of 32,200 AF from the aqueduct system will be sent to Los Angeles, including a reduction of 10,200 AF of aqueduct storage. This will be the lowest amount by far of water delivered to Los Angeles from the Owens Valley.

This extremely low amount of water deliveries is due to the fact that the Eastern Sierra is experiencing the fourth consecutive year of extreme drought. The April 1, 2015, snowpack was measured to be 4% of normal, certainly the lowest by far on record. The resulting estimated runoff forecast for the first six months of this year is 25% of normal. Runoff is estimated to be approximately 36% for the entire runoff year assuming normal precipitation in the summer, fall, and winter months. This will shatter the lowest years on record by far. Last year, 2014-15, the 52% of normal runoff matched the previous lowest year on record.

Contributing to the extremely low runoff this year is that the three previous years had runoffs of 57%, 54%, and 52% of normal, respectively. These were the lowest three consecutive years on record, and now with this year will be the four lowest consecutive years on record. This puts Owens Valley water uses and supply for Los Angeles into uncharted territory for water availability. The total Eastern Sierra Owens Valley supply of water this year will be only 276,000 AF as compared to 541,000 AF for an average year as shown in Table ES.1

Table ES.1 Owens Valley Water Supply

Owens Valley Water Supply	Post Agreement Average (acre-feet)	2014-15 Runoff Year	2015-16 Runoff Year
Mono Basin & Long Valley Supply to Owens Valley	148,000	10,000	70,000
Owens Valley Runoff & Groundwater	393,000	255,000	206,000
Total Water Supply	541,000	265,000	276,000

Because runoff this year is so far below any year experienced to date, and due to the previous three years of drought, there will be a significant challenge to meet water

obligations. In such a dire situation, LADWP encourages continued efficient use of water for all purposes in the Owens Valley and in Los Angeles.

LADWP will monitor water uses on City lands to balance land management needs and to maintain water flows in creeks. LADWP has informed Lessees who use surface water from creeks to maintain sufficient flows downstream of their diversions to sustain existing aquatic resources and informed Lessees who depend upon wells for irrigation that pumping volumes may be decreased to avoid impacting private wells or if it is anticipated that groundwater pumping may cause adverse environmental impacts.

The first six month 2015-16 runoff year Owens Valley Operations Plan has been prepared to supply key water uses for the Owens Valley including Enhancement/Mitigation, LORP, Additional Mitigation Projects developed by the MOU Ad Hoc Group (1,600 Acre-Foot Projects), Native American Indian Lands, Owens Lake Dust Mitigation, Recreation, and Stockwater. Unfortunately though, with the extreme lack of water, there is significantly less water available for irrigation as shown in Table ES.2.

Table ES.2 Owens Valley Water Use

Owens Valley Uses	Typical Year	2014-15 Runoff Year	2015-16 Runoff Year
Irrigation	49,000	43,500	16,500
Stockwater	11,500	11,500	10,200
E&M	10,000	9,500	9,500
Recreation	9,000	7,400	7,400
Owens Lake	75,000	53,700	60,700
LORP	18,600	14,300	15,300
1,600 acre-feet	1,600	1,600	1,600
Indian Lands	3,200	3,200	3,200

Despite the large reductions to irrigation, no water will be available for transport within the Los Angeles Aqueduct south of the Owens Lake until November of 2015. Only when the Owens Valley uses have subsided from the summer season is any water left over for transport to Haiwee Reservoir. In November, outflow from Pleasant Valley Reservoir and downstream creeks flowing into the Owens River and the Los Angeles Aqueduct will finally exceed Owens Valley water use demands. Water will then be available for delivery to Haiwee Reservoir. Exports to Los Angeles before November of 2015 will be drawn from existing storage in Haiwee Reservoir. For the entire runoff year only 42,400 acre-feet (AF) will be exported. However, a net amount of 32,200 AF from the aqueduct system will be sent to Los Angeles, accounting for a reduction of 10,200

AF of aqueduct storage as shown in Table ES.3. This will be the lowest amount by far of water delivered to Los Angeles from the Owens Valley.

Table ES.3 Anticipated Los Angeles Aqueduct Storage and Delivery in 2015-16 Runoff Year

Period	Owens Valley-Bouquet Reservoir Storage Change (acre-feet)	Aqueduct Deliver to Los Angeles (acre-feet)
April to October	-35,700	13,000
November to March	25,500	29,400
Sub-total	-10,200	42,400
Net Export to Los Angeles		32,200

Owens Valley Annual Operations Plan Summary

For the period of April 1, 2015, to March 31, 2016, the forecast Eastern Sierra runoff for the Owens River Basin is 148,600 acre-feet or 36% of normal. This is the lowest forecasted Owens Valley runoff for the period of record. Forecast of Eastern Sierra runoff between April 1, 2015, and September 30, 2015, is 76,000 acre-feet or 25% of normal. Average year April through September runoff is 303,903 acre-feet.

Pursuant to Water Agreement Section V.D:

By April 20th of each year, the Department shall prepare and submit to the Inyo County Technical Group a proposed operations plan and pumping program for the twelve (12) month period beginning on April 1st. (In the event of two consecutive dry years when actual and forecasted Owens Valley runoff for the April to September period is below normal and averages less than 75 percent of normal, the Department shall prepare a proposed plan for the six (6) month period beginning on April 1st and October 1st, and submit such plans by April 20th and October 20th.)

Accordingly, LADWP has prepared a proposed six month operations plan and pumping program for the period beginning April 1, 2015.

LADWP groundwater pumping in the Owens Valley is governed by the ON/OFF provisions of the 1991 Agreement between the County of Inyo and the City of Los Angeles and its Department of Water and Power on a Long Term Groundwater Management Plan for Owens Valley and Inyo County (Water Agreement). According to the well ON/OFF provisions of the Water Agreement, approximately 128,765 acre-feet of water is available for groundwater pumping from Owens Valley well fields. In addition

to the ON/OFF provisions of the Water Agreement, LADWP considers Owens Valley conditions, projected runoff, and operational practicalities when determining its planned pumping. LADWP's groundwater pumping for the first six months of the 2015-16 runoff year is planned to range between 36,250 and 49,020 acre-feet, contingent on environmental conditions and water needs. The lower end of this range is commensurate with non-discretionary pumping requirements including fish hatchery supply, town supply, irrigation, and other required uses. The upper range is in keeping with dry year conservative pumping plans supported by the Inyo County/Los Angeles Standing Committee during the drought recovery period of the early 1990s. For the entire 2015-16 runoff year, LADWP anticipates total pumping to be in the range of approximately 70,000 AF.

Owens Valley Conditions

Forecast runoff to the Owens River Basin during the 2015-16 runoff year is 148,600 acre-feet or 36% of normal. The overall Eastern Sierra snowpack in watersheds contributing to the Los Angeles Aqueduct (LAA) was estimated to be 4% of normal as of April 1, 2015. Precipitation on the Owens Valley floor during the 2014-15 runoff year averaged 2.91 inches and was below the long-term average of 5.9 inches. Owens Valley groundwater levels are relatively stable in most areas.

During the 2014-15 runoff year, the Lower Owens River was in full operational status with a minimum average flows of 40 cubic feet per second (cfs) or greater as measured at all gauging stations. The total water use by the Lower Owens River, the Delta, Blackrock Waterfowl Management Area, and other Lower Owens River Project (LORP) uses were approximately 14,300 acre-feet for the year. The releases at the Los Angeles Aqueduct (LAA) intake were augmented by additional releases at selected LAA spill gates to maintain an average continuous flow of at least 40 cfs in the river channel.

Construction for the Owens Lake Dust Mitigation Program (OLDMP) continued during the 2014-15 runoff year. Phase 7a of OLDMP is expected to complete in July 2015. Dust mitigation activities on Owens Lake consumed 53,700 acre-feet of water in 2014-15. OLDMP water uses during the 2015-16 runoff year are anticipated to be 60,700 acre-feet.

Enhancement/Mitigation Project Status

The enhancement/mitigation projects discussed in Section 4 were identified in the *1991 Environmental Impact Report on Water From the Owens Valley to Supply the Second Los Angeles Aqueduct* (1991 EIR) as mitigation for impacts due to LADWP's water gathering activities. There are 26 projects identified as enhancement/mitigation measures; all 26 of these projects have been fully implemented. Four of these projects are complete with no additional action needed, and 22 are implemented and ongoing, meaning that they are fully operational with ongoing water commitments or monitoring and reporting requirements. Refer to Section 4 for more information.

1991 EIR Mitigation Project Status

There are 53 mitigation projects identified for environmental impacts in the 1991 EIR. One of these projects is complete with no additional action needed and 44 are implemented and ongoing, meaning that they are fully operational and are attaining goals but have ongoing water commitments or additional monitoring and reporting requirements. One additional project is fully implemented but is not currently attaining goals, and 7 are in progress. Refer to Section 5 for more information.

Status of Other Mitigation Projects

Implementation status of provisions in the Inyo/Los Angeles Water Agreement (Water Agreement) and the *1997 Memorandum of Understanding between the City of Los Angeles Department of Water and Power, the County of Inyo, California Department of Fish and Game, the California State Lands Commission, the Sierra Club, and the Owens Valley Committee* (1997 MOU) have also been updated. Refer to Section 7 for more information.

Inyo County and LADWP continue to jointly work toward the completion of the Green Book revisions. Status updates of the Green Book revision effort are given at Technical Group and Standing Committee meetings.

1. INTRODUCTION

This document is intended to satisfy the Los Angeles Department of Water and Power's (LADWP) annual reporting obligations pursuant to the *Agreement between the County of Inyo and the City of Los Angeles and its Department of Water and Power on a Long Term Groundwater Management Plan for Owens Valley and Inyo County* (Water Agreement); the *1991 Environmental Impact Report Water from the Owens Valley to Supply the Second Los Angeles Aqueduct, 1970 to 1990, 1990 Onward, Pursuant to a Long Term Groundwater Management Plan* (1991 EIR); the Laws Type E transfer; the *1997 Memorandum of Understanding between the City of Los Angeles Department of Water and Power, County of Inyo, the California Department of Fish and Game, the California State Lands Commission, the Sierra Club, and the Owens Valley Committee* (1997 MOU); and the *August 2004 Amended Stipulation and Order in Case No. S1CVCV01-29768* (Stip/Order).

1.1 Water Agreement

The Water Agreement requires periodic evaluations of enhancement/mitigation projects to be made by the Inyo County/Los Angeles Technical Group. As required by the Water Agreement, all existing enhancement/mitigation projects will continue unless the Inyo County Board of Supervisors and LADWP agree to modify or discontinue a project. Section 4 of this report provides an update on LADWP enhancement/mitigation project status.

1.2 Annual Operations Plan

The Water Agreement provides that "By April 20th of each year, the Department shall prepare and submit to the Inyo County Technical Group a proposed operations plan and pumping program for the twelve (12) month period beginning on April 1st. (In the event of two consecutive dry years when actual and forecast Owens Valley runoff for the April to September period is below normal and averages less than 75 percent of normal, the Department shall prepare a proposed plan for the six (6) month period beginning on April 1st and October 1st, and submit such plans by April 20th and October 20th). The proposed plan and pumping program and any subsequent modifications to it shall be consistent with these goals and principles.

1. A proposed plan shall include, but is not limited to, the following:
 - Owens Valley Runoff estimate (annual)
 - Projected groundwater production by wellfield (monthly)
 - Projected total aqueduct reservoir storage levels (monthly)
 - Projected aqueduct deliveries to Los Angeles (monthly)

- Projected water uses in the Owens Valley (monthly)
 - Water balance projections at each monitoring site
2. The County through its Technical Group representatives shall review the Department's proposed plan of operations and provide comments to the Department within ten (10) days of receipt of the plan.
 3. The Department shall meet with the County's Technical Group representatives within ten (10) days of the receipt of the County's comments, and attempt to resolve concerns of the County relating to the proposed pumping program.
 4. The Department shall determine appropriate revisions to the plan, provide the revised plan to the County within ten (10) days after the meeting, and implement the plan.
 5. The April 1st pumping program may be modified by the Department during the period covered by the plan to meet changing conditions. The Department shall notify the County's Technical Group representatives in advance of any planned significant modifications. The County shall have the opportunity to comment on any such modifications.
 6. Information and records pertaining to the Department's operations and runoff conditions shall be reported to the County's Technical Group representatives throughout the year."

Section 2 of this report is LADWP's Operations Plan for the first six months of Runoff Year 2015-16.

1.3 1997 MOU

In accordance with the 1997 MOU Section III.H, LADWP and Inyo County are required to prepare an annual report describing environmental conditions in the Owens Valley and the associated studies, projects, and activities conducted under the Water Agreement and the 1997 MOU. Sections 3 through 7 of this report are intended to fulfill that requirement.

1.4 1991 EIR Monitoring Program

The 1991 EIR requires that LADWP submit an annual report to the Los Angeles Board of Water and Power Commissioners containing a description of each mitigation effort, its goals, strategies, and actions; its status (completed activities, ongoing activities); the overall effectiveness of each mitigation effort; and status of

each mitigation plan for the following year. Section 5 of this report provides the required information.

Mitigation plans for each of the mitigation measures are developed by the Technical Group as set forth in Section I.C.2 of the Green Book, the technical appendix to the Water Agreement. The Green Book states: "as part of each mitigation plan, the Technical Group shall develop a reporting and monitoring program. At least once per year, the Technical Group shall report, in writing to the Standing Committee, on the effectiveness of the mitigation plan in achieving its goal." Section 5 of this report is intended to complete that annual obligation.

1.5 2004 Amended Stipulation and Order

The Stip/Order, Section 11, requires that on or about May 1 of each year LADWP shall complete and release an annual report that is in conformance with Section III.H of the 1997 MOU. This report is intended to fulfill that requirement.

2. OWENS VALLEY OPERATIONS PLAN FOR RUNOFF YEAR 2015-16

2. OWENS VALLEY OPERATIONS PLAN FOR RUNOFF YEAR 2015-16

This year's annual operations plan and pumping program is consistent with the management strategy of the Water Agreement between the County of Inyo (County) and the City of Los Angeles (City) dated October 18, 1991. As stated in the Water Agreement:

The overall goal of managing the water resources within Inyo County is to avoid certain described decreases and changes in vegetation and to cause no significant effect on the environment which cannot be acceptably mitigated while providing a reliable supply of water for export to Los Angeles and for use in Inyo County.

The overall goal of the Water Agreement: environmental protections and a reliable water supply are the basis of the Los Angeles Department of Water and Power's (LADWP) operations plans. Groundwater pumping in the Owens Valley is managed in conformance with the provisions of the Water Agreement. The Water Agreement provides:

By April 20th of each year, the Department shall prepare and submit to the Inyo County Technical Group a proposed operations plan and pumping program for the twelve (12) month period beginning on April 1st. (In the event of two consecutive dry years when actual and forecasted Owens Valley runoff for the April to September period is below normal and averages less than 75 percent of normal, the Department shall prepare a proposed plan for the six (6) month period beginning on April 1st and October 1st, and submit such plans by April 20th and October 20th.)

2.1. Eastern Sierra Runoff Forecast

The Eastern Sierra Runoff Forecast for the 2015-16 runoff year (Table 2.1) is based on snow surveys of key Eastern Sierra watersheds in Inyo and Mono counties that contribute the majority of runoff water into the Owens Valley. The Eastern Sierra Runoff Forecast is used for planning aqueduct operations. The April 1 forecast Eastern Sierra runoff for 2015-16 runoff year is 148,600 acre-feet, or about 36% of the 1961-2010 long-term average annual runoff value of 412,284 acre-feet. This will be the driest year for the period of record and together with the low runoff during the last three years, the driest four year runoff period for the period of record in Owens Valley.

For the period of April 1 through September 30, 2014, Eastern Sierra runoff was approximately 143,320 acre-feet, or 47% of long term average value of 303,903 acre-feet. The forecast runoff for the period between April 1 through September 30, 2015, is 76,000 acre-feet for the Owens River Basin or 25% of the long-term average. To emphasize the lack of supply for the 2015 runoff season, only half of the supply will be available this year compared with last year, and last year was tied for the driest year on record.

Figure 2.1 summarizes Owens Valley runoff and groundwater pumping by LADWP since the 1971 runoff year. This figure portrays the extent of the current drought compared to the past runoff in Owens Valley.

Table 2. 1. Owens Valley Runoff Forecast for 2015-16 Runoff Year

**2015 EASTERN SIERRA
RUNOFF FORECAST
April 1, 2015**

APRIL THROUGH SEPTEMBER RUNOFF

	MOST PROBABLE VALUE		REASONABLE MAXIMUM	REASONABLE MINIMUM	LONG-TERM MEAN (1961 - 2010)
	(Acre-feet)	(% of Avg.)	(% of Avg.)	(% of Avg.)	(Acre-feet)
MONO BASIN:	20,200	20%	32%	7%	103,522
OWENS RIVER BASIN:	76,000	25%	38%	12%	303,903

APRIL THROUGH MARCH RUNOFF

	MOST PROBABLE VALUE		REASONABLE MAXIMUM	REASONABLE MINIMUM	LONG-TERM MEAN (1961 - 2010)
	(Acre-feet)	(% of Avg.)	(% of Avg.)	(% of Avg.)	(Acre-feet)
MONO BASIN:	30,400	25%	38%	12%	122,333
OWENS RIVER BASIN:	148,800	36%	49%	24%	412,284

NOTE - Owens River Basin Includes Long, Round and Owens Valleys (not Incl. Lava Area)

- MOST PROBABLE - That runoff which is expected if median precipitation occurs after the forecast date.
- REASONABLE MAXIMUM - That runoff which is expected to occur if precipitation subsequent to the forecast is equal to the amount which is exceeded on the average once in 10 years.
- REASONABLE MINIMUM - That runoff which is expected to occur if precipitation subsequent to the forecast is equal to the amount which is exceeded on the average 9 out of 10 years.

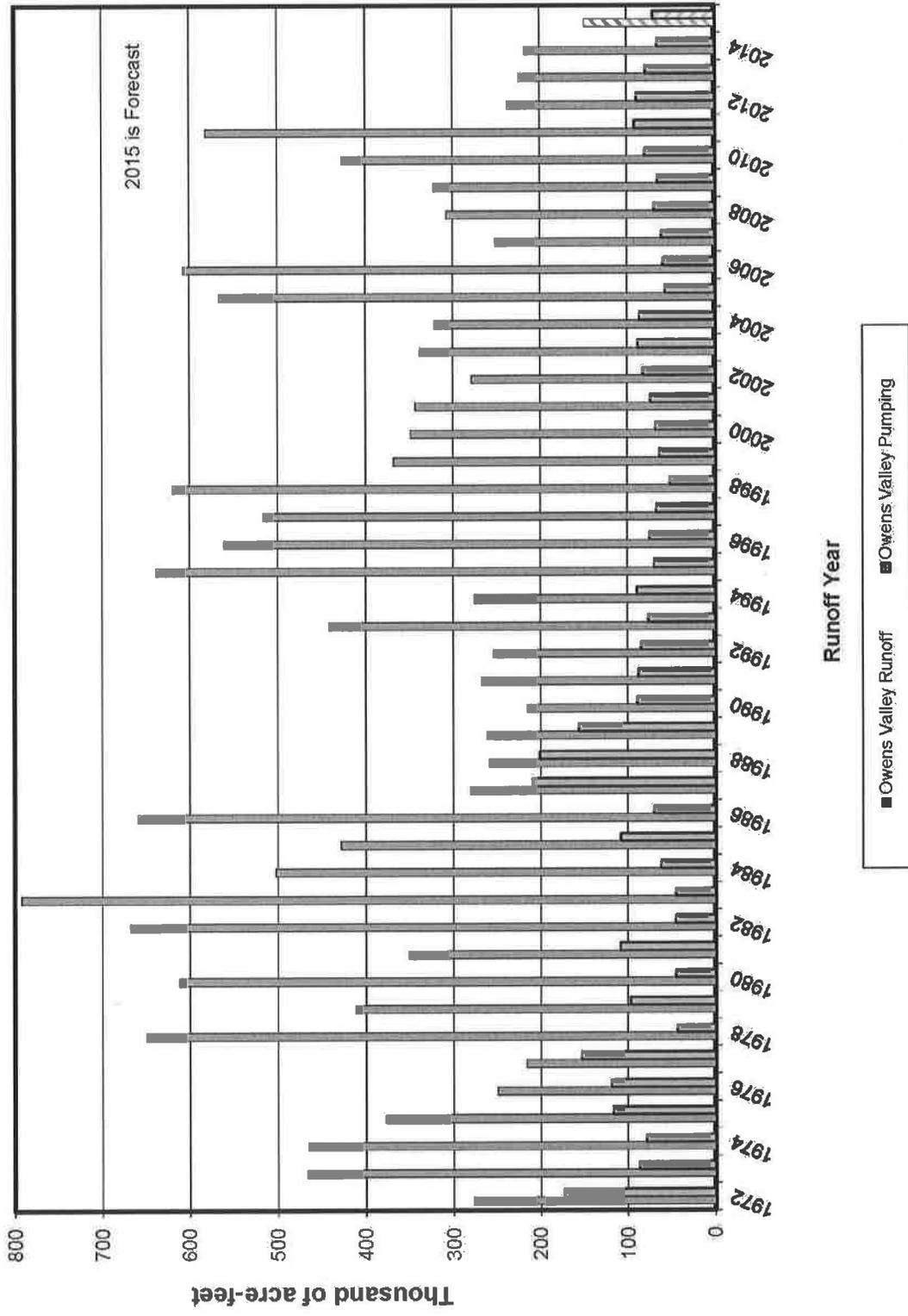


Figure 2. 1. Owens Valley Runoff and Groundwater Pumping

2.2. Owens Valley Groundwater Production

LADWP has prepared its 2015-16 Annual Owens Valley Operations Plan based on the goals and principles of the Water Agreement. The 2015-16 Annual Owens Valley Operations Plan is designed to avoid adverse impacts to the environment while providing a reliable supply of water for in-valley uses and export to Los Angeles for municipal use.

Under the terms of the Water Agreement, the acceptable amount of groundwater pumping from each Owens Valley wellfield is based on the ON/OFF status of monitoring sites located within each wellfield and the capacity of the wells linked to those sites (see Water Agreement Sections V.B and V.C). Table 2.2 lists the ON/OFF status of the monitoring sites within the Owens Valley as of April 2015. The Water Agreement or Technical Group has designated certain town supply wells, irrigation supply wells, fish hatchery supply wells, enhancement/mitigation (E/M) project supply wells, and other wells determined to not significantly impact areas with groundwater dependent vegetation as exempt from the ON/OFF provisions of the Water Agreement. These exempt wells may be pumped for their intended purpose.

Table 2.3 provides a breakdown of available annual pumping capacity and planned groundwater pumping for the first six months of the 2015-16 runoff year by wellfield. Pursuant to Water Agreement Section V.D, LADWP shall submit a plan for the second six months of the runoff year on or about October 20, 2015. Table 2.3 also shows the monitoring sites in ON status as of April 2015, the wells associated with the ON status monitoring sites, and the exempt wells in each wellfield. Approximately 128,300 acre-feet of water are available for groundwater pumping from Owens Valley wellfields under the terms of the Water Agreement during the 2015-16 runoff year. LADWP plans to pump between 36,250 and 49,020 acre-feet during the first six months of the 2015-16 runoff year. Groundwater pumping during the first six months of the 2015-16 runoff year will provide water for Owens Valley uses, while no water is planned to be delivered to Haiwee Reservoir for eventual delivery to the city during this period. For the entire 2015-16 runoff year, LADWP anticipates the total groundwater pumping to be in the range of approximately 70,000 acre-feet.

Working both independently and with the Inyo/Los Angeles Technical Group, LADWP will monitor Owens Valley environmental conditions to assess if further changes to the planned pumping are needed. LADWP's 2015-16 groundwater management approach is substantially more conservative than the environmentally conservative pumping plans advocated by the Standing Committee during the dry years of the early 1990s. While LADWP plans to pump considerably less groundwater than made available under Water Agreement Section V, the Inyo/Los Angeles Standing Committee may agree upon additional reductions in groundwater pumping pursuant to Water Agreement Section IV.A.

Figure 2.2 compares the amount of Owens Valley groundwater pumping provided by the provisions of Water Agreement and the actual groundwater pumping by LADWP for each runoff year since 1992 (available pumping was not calculated prior to 1992). LADWP's anticipated pumping for the 2015-16 runoff year is consistent with its past

conservative pumping plans. LADWP is committed to conducting its operations in a conservative, responsible, and environmentally sustainable manner.

In addition to complying with the ON/OFF provisions and the environmental protection goals of the Water Agreement, LADWP's 2015-16 pumping program considers the groundwater mining provisions of the Green Book. Table 2.4 shows the latest update of the mining calculations based on the procedures described in Section IV.C of the Green Book. As shown in this table, none of the wellfields in the Owens Valley will be in deficit by the end of the first half of the 2015-16 runoff year.

Table 2.5 is a list of Owens Valley wells exempted under the Water Agreement or by approval of the Technical Group from linkage to vegetation monitoring sites and the ON/OFF provisions. The table includes a list of wells by well number, general location of the exempt well, and the reason the well is exempt.

Table 2.6 details planned groundwater pumping for the first six months of the 2015-16 runoff year on a month-to-month basis for each wellfield. Pumping for town water systems, fish hatcheries, and enhancement/mitigation (E/M) projects is included in the pumping distribution. Owens Valley groundwater production for the 2015-16 runoff year is consistent with the provisions of the Water Agreement. No additional testing of wells subject to the Water Agreement is included in this year's planned pumping total and if performed, will be in addition to the planned pumping for 2015-16. Planned pumping may be increased to provide freeze protection for the Los Angeles Aqueduct (LAA).

The following is a discussion of the planned pumping program by wellfield. Figures 2.3, 2.4, and 2.6 through 2.10 locate LADWP's Owens Valley pumping wells by wellfield. These figures show the location of production wells, monitoring wells, and vegetation monitoring sites in each area.



BOARD OF SUPERVISORS COUNTY OF INYO

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

MEMBERS OF THE BOARD
DAN TOTTEROH
JEFF GRIFFITHS
RICK PUCCI
MARK TILLEMANS
MATT KINGSLEY

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

April 28, 2015

VIA EMAIL AND U.S. MAIL

Mr. Mel Levine
President, Board of Water and Power Commissioners
Los Angeles Department of Water and Power
111 North Hope Street, Room 155-H, 15th Floor
Los Angeles, California 90012
Mel.levine@ladwp.com

Ms. Marcie L. Edwards
General Manager
Los Angeles Department of Water and Power
111 North Hope Street
Los Angeles, California 90012
Marcie.edwards@ladwp.com

Subject: Termination of Irrigation Effective May 1, 2015 on Los Angeles-Owned Lands in the Owens Valley

Dear Mr. Levine and Ms. Edwards:

By letter dated April 27, 2015, the Los Angeles Department of Water and Power (LADWP) notified each of its Ranch Lessees in the Owens Valley that, except for irrigated lands in the Bishop area and certain enhancement/mitigation projects, all irrigation in the Owens Valley will be discontinued effective as of May 1, 2015. The letter states that the reason for the unprecedented discontinuation of irrigation is the extreme drought conditions.

The Inyo County Board of Supervisors is fully cognizant of the severity of the current drought and of the need for reasonable reductions in irrigation water supplied to Los Angeles-owned lands in the Owens Valley. Although there is a need for drought-caused reductions in irrigation water supplies, the unilateral discontinuation of irrigation by LADWP is flagrant violation of the Inyo County/Los Angeles Long Term Water Agreement (Agreement).

Section IV.A of the Agreement sets forth the obligation of LADWP to supply irrigation water in the Owens Valley and establishes procedures for reducing irrigation during periods of water shortages. Section IV. A provides in pertinent part:

The Department shall continue to provide water for Los Angeles-owned lands in Inyo County in an amount sufficient so that the water related uses of such lands that were made during the 1981-82 runoff year can continue to be made. The Department shall continue to provide water to Los Angeles-owned lands in the Olancho/Cartago area such that the lands that have received water in the past will continue to receive water. Additionally, the Department shall provide water to any enhancement/mitigation projects added since 1981-1982, unless the Inyo County Board of Supervisors and the Department agree to reduce or eliminate such water supply.

It is recognized that successive dry years could result in insufficient water to meet all needs. During periods of dry year water shortages, the Technical Group will evaluate existing conditions. A program providing for reasonable reductions in irrigation water supply for Los Angeles-owned lands in the Owens Valley and for enhancement/mitigation projects may be implemented if such a program

VERIFIED
IMAGE

Mr. Mel Levine, President, Board of Water and Power Commissioners
Ms. Marcie L. Edwards, General Manager
Los Angeles Department of Water and Power
April 28, 2015
Page 2

is approved by the Inyo County Board of Supervisors and the Department, acting through the Standing Committee.

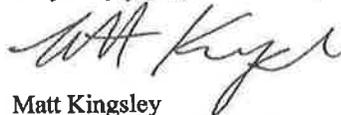
LADWP's unilateral discontinuation of irrigation in the Owens Valley is a clear violation of the Agreement. The Technical Group has not evaluated the need for a discontinuation of irrigation nor have the Inyo County Board of Supervisors and the Department, acting through the Standing Committee agreed upon a program providing for reasonable reductions in irrigation water supply and for enhancement/mitigation projects. LADWP's violation of the Agreement is exacerbated by LADWP's refusal to discuss water supply reductions with the County. Last November, the County recognized the potential that the drought could extend into a fourth year and, by letter, requested LADWP to meet with the County to discuss possible water supply reductions in the Owens Valley. LADWP did not meet to discuss such reductions and did not respond the County's letter.

In view of the foregoing, the County requests LADWP to immediately rescind its discontinuation of irrigation. The County also requests that the Technical Group meet as soon as possible to discuss the reasonable reductions in irrigation water supply and the supply of water to enhancement/mitigation projects.

I assure you that the County will work with LADWP so that reasonable and equitable reductions in irrigation water supply and water supply to enhancement/mitigation projects can be promptly implemented. Since the discontinuation of irrigation will be implemented within 48 hours, it is requested that LADWP immediately reply to this letter.

Thank you for your prompt attention to this urgent matter.

Very truly yours,



Matt Kingsley
Chairman, Inyo County Board of Supervisors

cc: (Via Email)

Christina E. Noonan, LADWP Board of Water and Power Commissioners
Christina.Noonan@ladwp.com
Marty Adams, LADWP
Marty.Adams@ladwp.com
Richard Harasick, LADWP
Richard.Harasick@ladwp.com
James Yannotta, LADWP
James.Yannotta@ladwp.com
Bill Talbot, President, Cattlemen's Association
bstalbot@verizon.net

Los Angeles  Department of Water & Power

ERIC GARCETTI
Mayor

Commission
MEL LEVINE, *President*
WILLIAM W. FUNDERBURK JR., *Vice President*
JILL BANKS BARAD
MICHAEL F. FLEMING
CHRISTINA E. NOONAN
BARBARA E. MOSCHIOS, *Secretary*

MARCIE L. EDWARDS
General Manager

April 29, 2015

Kevin Carunchio
Chief Administrative Officer, Inyo County
168 N. Edwards St.
Independence, CA 93526

Subject: Limited Water Supply for Irrigation

Dear Kevin,

Los Angeles Department of Water and Power (LADWP) appreciated the opportunity to participate in yesterday's water workshop hosted by the Inyo County Board of Supervisors. It is abundantly clear that the Owens Valley, along with the rest of California, is facing a historic and potentially catastrophic drought. As I explained at the workshop, there is not enough water available to meet all of the competing water demands throughout Owens Valley.

Fortunately, there may be short-term, interim relief available. As we heard from Great Basin's Air Pollution Control Officer, Phil Kiddoo, during yesterday's workshop, there is an opportunity to reduce water use on Owens Lake. Specifically, Mr. Kiddoo explained to the public, and confirmed in subsequent conversations, that complete water shut down in five dust control areas is approved as a test, beginning on May 1, 2015, without anticipated adverse impacts to air quality.

As a result of Mr. Kiddoo's obvious concern for the most efficient water uses possible, both at the Owens Lake and for the benefit of other Owens Valley water users, LADWP is lifting its May 1, 2015 irrigation discontinuation deadline. LADWP lessees will continue to receive irrigation water, where available.

Los Angeles Aqueduct Centennial Celebrating 100 Years of Water 1913-2013

111 N. Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles, CA 90051-5700
Telephone: (213) 367-4211 www.LADWP.com

Mr. Carunchio
Page 2
April 29, 2015

The 2015-16 runoff year, including the three previous years, will result in the four driest consecutive years in the history of LADWP's runoff measurements in the Owens Valley. As a reminder, the April 1, 2015 snowpack in the Eastern Sierra measured only 4% of normal. This situation is resulting in a current runoff year projection of 36% of normal, the lowest ever. These dire water availability conditions place Owens Valley water users and supply for Los Angeles into uncharted territory. Plainly stated, there is insufficient water to meet all water user's needs. To illustrate, Los Angeles customers will receive virtually no water deliveries from the Los Angeles Aqueduct, south of Owens Lake, until November 2015. There will most certainly be other water users affected by these devastating drought conditions. This situation is unprecedented.

LADWP looks forward to next week's Standing Committee Meeting and discussing potential reduction to irrigation, enhancement/mitigation and other environmental projects, and how the limited amount of water can be shared for uses in Owens Valley.

If you have any questions regarding this decision please contact me at (760) 872-1104.

Sincerely,

A handwritten signature in cursive script that reads "James G. Yannotta".

James G. Yannotta
Manager of Aqueduct

CC: Marge Kemp-Williams
Robert Harrington

Damon Carrington
Chief



Big Pine Fire Protection District

P.O. Box 382
181 North Main Street,
Big Pine, Ca. 93513
Phone: (760)938-2600
Fax: (760)938-2444
Cell: (760)937-4709
Email: BPfire301@suddenlink.net

April 30, 2015

To the Honorable Inyo County Board of Supervisors,

As we move forward with our construction and restoration of our facility we are finally moving into what we hope to be near the end of construction. Our original station building is over 100 years old and has held up nicely however it does need some major repairs to continue serving the community of Big Pine. The Roof needs to be completely replaced and we intend to remodel the inside of the building now that we have room for our apparatus's elsewhere. We intend to build a fire museum within this building housing the Departments original engine, along with new Chiefs, and Secretary Offices a new training/meeting area along with a new dispatch center. The cost to do these repairs and modifications will be paid by the department along with a small Bridge loan from the Inyo County Treasury.

On behalf of the Big Pine Fire Protection District we respectfully request your Board wave the building permit fees for this project. As per Building Inspector Michener the permit fees are expected to be \$1,800.00. This amount of money will go a long way in our efforts to complete this project and bring this building to a place where it will provide service to the community far into the future.

We appreciate your consideration of this request.

Respectfully

Damon Carrington
Fire Chief, Big Pine Fire



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 28

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

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

FOR THE BOARD MEETING OF: May 4, 2015

SUBJECT: Fish and Game Budget Amendment

DEPARTMENTAL RECOMMENDATION: - Request Board A) approve expenditures from the Fish and Game fine fund as follows: \$1,500 to the Eastern Sierra Wildlife Care for the care and feeding of injured and sick animals; \$1,500 to the Friends of the Mt. Whitney Fish Hatchery for the Trout in the Classroom Program; and \$1,500 to reimburse for costs for the Handicapped Boat Ramp at Sonders Pond Project; and B) amend the FY 2014-2015 Fish and Game Budget Unit 024200 by increasing unanticipated revenue in Fines (*Revenue Code #4213*) by \$1,600 and increasing appropriations in General Operating (*Object Code #5311*) by \$1,600. (*4/5's vote required*)

SUMMARY DISCUSSION: - The spending plan for the Fish and Game Fine Fund has been set at \$10,500 for FY 2014-15. This amount covers the actual cost of secretarial services and mileage for the Inyo County Fish and Wildlife Commission, plus Board authorized contributions to purchase three spotting scopes for the local Fish and Game Wardens in the amount of \$5,070 and a remaining amount of \$2,930 to cover any other contributions approved by your Board. The Fish and Wildlife Advisory Commission has just sent in three additional requests for fine fund contributions as follows: \$1,500 to the Eastern Sierra Wildlife Care; \$1,500 to the Friends of the Mt. Whitney Fish Hatchery for the Trout in the Classroom Program; and \$1,500 for the handicapped boat ramp at Sonders Pond. Should your Board authorize the expenditures as requested the total expenditures would exceed the budgeted appropriations. In order to balance this budget for year end close, it is requested that your Board authorize the budget amendment as requested to provide sufficient funds to cover expenditures as may be authorized by your Board.

ALTERNATIVES: Your Board could choose to not fund the additional \$4,500 being requested, or reduce the amount of the requests to \$2,930 then there would be no need to amend the budget. Staff awaits your Board's direction.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: The budget amendment will allow for the contributions as requested. See the attached accounting of the Fish and Game Fine Fund--fund balance over the past six years.

<u>APPROVALS</u>	
BUDGET OFFICER:	BUDGET AMENDMENTS (<i>Must be reviewed and approved by Budget Officer prior to being approved by others, as needed, and submission to the Assistant Clerk of the Board.</i>) <i>See BeLow</i> Approved: _____ Date _____
COUNTY COUNSEL:	AGREEMENTS, PURCHASES, CONTRACTS, RESOLUTIONS AND ORDINANCES, AND CLOSED SESSION AND RELATED ITEMS (<i>Must be reviewed and approved by County Counsel prior to submission to the Assistant Clerk of the Board.</i>) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (<i>Must be reviewed and approved by the Auditor-Controller prior to submission to the Assistant Clerk of the Board.</i>) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (<i>Must be reviewed and approved by the Director of Personnel Services prior to submission to the Assistant Clerk of the Board.</i>) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
 (Not to be signed until all approvals are received) _____ Date: *4-24-15*
 (The Original plus 20 copies of this document are required)



BOARD OF SUPERVISORS COUNTY OF INYO

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

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

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

UPDATED MEMO

TO: Inyo County Board of Supervisors

FROM: Patricia Gunsolley, Assistant Clerk of the Board

DATE: May 4, 2015

SUBJECT: Fish and Game Fine Fund Accounting

This chart takes the fund balance at the beginning of the fiscal year, makes the revenue and expenditure adjustments for the Fiscal Years, to give your Board an understanding of the history of the fund balance.

	FY 2014-15	FY 2013-14	FY 2012-13	FY 2011-12	FY 2010-11	FY 2009-10
Fund Balance	\$11,761.76	\$10,050.72	\$9,065.49	\$9,435.49	\$12,940.72	\$20,200.60
Fine Money	\$5,873.06	\$8,367.24	\$4,068.99	\$4,468.64	\$2,057.62	\$3,467.31
Sub Total	\$17,634.82	\$18,417.96	\$13,134.48	\$13,904.13	\$14,998.34	\$23,667.91
Expenditures	\$6,509.22	\$6,656.20	\$3,083.45	\$4,838.95	\$5,562.85	\$10,727.19
Fund Balance	\$11,125.60	\$11,761.76	\$10,050.72	\$9,065.49	\$9,435.49	\$12,940.72
Expected Revenue Based on Average	\$1,957					
Expected Expenditures for Rest of Year*	\$5,599.98*					
FY 2014-15 Fund Balance	\$7,482.62					

*This figure includes the remainder of the fixed costs in secretarial and travel and anticipates the Board's approval of the requests being considered today.

FISH AND WILDLIFE COMMISSION MINUTES

The Fish and Wildlife Commission met on Thursday, February 19, 2015 at the Fish & Game conference room.

Call to Order:

Doug Brown called the meeting to order at 3:03 p.m.

Roll Call

Members Present:

Doug Brown (DB) Garrett McMurtrie (GM) Joe Pecci (JP) Steve Ivey (SI)

Members Absent:

Larry McIntosh (LM)

Others Present:

Jim Erdman (JE) Bill Dailey (BD) Cindy Kamler (CK) Dick Noles (DN)
Bill Daily (BD)

Financial Report

\$14,434.00

Approval of Minutes

JP made a motion to approve minutes, GM seconded the motion, motion approved unanimously.

Public Comment

None.

Fish & Game Report

JE wants to report to the media where planting is so fisherman don't arrive to a dry lake due the drought.

New Business:

1. Life of a Trout: Tabled.
2. Dick Noles requested a \$1,500 donation from the Fish and Wildlife Commission to help with the funding of a Handicapped boat ramp for Sonders Pond. GM made a motion that the Fish and Wildlife Commission donate \$1,500.00 to the project and JP 2nd the motion. The motion was approved unanimously.
3. Bruce Ivey had a presentation on the Fish in the classroom, (see attached) and requested a \$1,500 donation to help fund the Fish in the Classroom project. GM made a motion that the Fish and Wildlife Commission donate \$1,500.00 to the project and JP 2nd the motion. The motion was approved unanimously.
4. Cindy Kamler requested a \$2,500 donation on behalf of the Eastern Sierra Wildlife Care to help with food and care. SI made a motion that the Fish and Wildlife Commission donate \$1,500.00 to the project and JP 2nd the motion. The motion was approved unanimously.
5. Bruce Ivey has many concerns regarding the decline of fish planting in Inyo County as it is down 60%. The State law requires 2.75 lbs. of trout planted per every license sold. 1.8 licenses were sold this year which would equal just short of 5 million lbs. 1.6 million lbs. are projected for 2015.
6. There is no new information regarding hunting dogs.

Commission Reports:

JP reported that AB395 is out and Gallagher initiated it and will have more information next meeting.

Next Meeting:

March 19, 2015, at 3:00 p.m. at the Fish and Game Department.

Meeting Adjourned at 4:11 p.m.



INYO COUNTY
FISH AND WILDLIFE COMMISSION

407 WEST LINE STREET • BISHOP, CA 93514

COMMISSION MEMBERS
DOUGLAS BROWN
STEVE IVEY
GARRETT McMURTRIE
JOE PECSI

REPLY TO:

Ychelle Tillemans
2273 Brigadoon Ave.
Bishop, CA 93514

On February 19th, 2015, the Commission unanimously approved a donation in the amount of \$1,500.00 to Cindy Klammer for Eastern Sierra Wildlife Care.

The approved minutes of February 19th, 2015 are attached.

If you should have any questions, please feel free to contact me.

Thank you,

Ychelle Tillemans
Secretary of the Fish & Wildlife Commission



INYO COUNTY
FISH AND WILDLIFE COMMISSION

407 WEST LINE STREET • BISHOP, CA 93514

COMMISSION MEMBERS
DOUGLAS BROWN
STEVE IVEY
GARRETT MCMURTRIE
JOE PECSI

REPLY TO:

Ychelle Tillemans
2273 Brigadoon Ave.
Bishop, CA 93514

On February 19th, 2015, the Commission unanimously approved a donation in to the Friends of the Mt. Whitney Fish Hatchery in the amount of \$1,500.00 for the "Trout in the Classroom" program.

The approved minutes of February 19th, 2015 are attached.

If you should have any questions, please feel free to contact me.

Thank you,

Ychelle Tillemans
Secretary of the Fish & Wildlife Commission



COMMISSION MEMBERS
DOUGLAS BROWN
STEVE IVEY
GARRETT McMURTRIE
JOE PECSI

INYO COUNTY
FISH AND WILDLIFE COMMISSION

407 WEST LINE STREET • BISHOP, CA 93514

REPLY TO:

Ychelle Tillemans
2273 Brigadoon Ave.
Bishop, CA 93514

On February 19th, 2015, the Commission unanimously approved a donation in the amount of \$1,500.00 for a handicapped boat ramp on Sonders Pond. Dick Noles will submit receipts to the Board Clerk.

The approved minutes of February 19th, 2015 are attached.

If you should have any questions, please feel free to contact me.

Thank you,

Ychelle Tillemans
Secretary of the Fish & Wildlife Commission